

# MINUTES

## MANHATTAN URBAN AREA PLANNING BOARD

City Commission Room, City Hall  
1101 Poyntz Avenue

**July 2, 2018**

**MEMBERS PRESENT:** Debbie Nuss (chair), Phil Anderson, John Ball, Ken Ebert (vice-chair), Jerry Reynard, Gary Stith

**MEMBERS ABSENT:** Neil Parikh

**STAFF PRESENT:** Chad Bunger, Assistant Director of Community Development; Carol Davidson, Senior Planner; Ben Chmiel, Planner II

Nuss called the meeting to order at 7:00 p.m.

### **I. Open public comments**

There were none.

### **II. CONSENT AGENDA**

1. Approve the **Minutes** of the June 18, 2018, Manhattan Urban Area Planning Board meeting.

**Stith moved that the Board approve the Consent Agenda; Reynard seconded. Motion passed 5–0–1 (Anderson abstaining).**

### **III. GENERAL AGENDA**

1. Discussion of Unified Development Ordinance: Aggieville design standards.

Chmiel presented features of the current draft of the design standards. He talked about the height allowances being greater outside the “historic core” (Moro Street and a part of North Manhattan Avenue), about minimum and maximum front setbacks (0 and 10 feet), and about gateways and an allowance for 25 percent of a building frontage to be 25 percent taller at the gateways. Stith suggested allowing more than 25 percent of the building frontage if the building is occupying a small lot, because it may not result in habitable space or it might look odd. Ebert agreed, suggesting considering allowances along the entire block.

Anderson asked if 10 feet Chmiel mentioned would be sidewalk width, citing the sidewalk in front of the Bluemont Hotel as being too narrow. Stith said the Bluemont could have set back a little further to provide extra width for sidewalk, but when he brought that up during

the hearing on the hotel PUD the idea didn't have any traction with the Board. Stith asked if maybe the front setback outside the historic core should be *required* to be 10 feet, not just a maximum setback. Bunger explained that City Attorney cautioned that requiring a setback to be used as a public way could constitute a taking. Stith said dedications are required quite often; Nuss agreed. There was some discussion about lane expansions in the future leading to sidewalk narrowing, as was the case along Bluemont. Bunger said the rest of the streets are of a different nature and will not someday be widened to five lanes.

Ebert asked for clarification of the additional setback allowance (i.e., more than 10 feet) when providing a public space. The draft says "the maximum depth of the space must be no greater than 10 feet". He asked if that meant it could be 20 feet; Chmiel confirmed. The Board agreed this section could be clearer.

Chmiel covered corner treatments and building materials. Stith said he does not agree that stucco should be allowed as a permitted primary building material, saying it was visually indistinguishable from EIFS. Ebert said the regulations should not prescribe one particular method of stuccoing; it's too prescriptive. They discussed other allowable façade materials.

Chmiel said the glazing requirement was at least 50 percent window coverage on the ground floor and at least 15 percent for upper floors. Ebert noted that that requirement pertained to commercial uses; for residential uses the minimum was 20 percent. Chmiel confirmed that.

Ebert said the requirement to require 14 feet from floor to ceiling for groundfloor commercial and 12 feet for groundfloor residential goes too far, is too onerous. He asked what the reason was behind the requirement. Chmiel said the basis was in the Aggieville Community Vision.

Chmiel explained the requirements for provision of common space for residential and commercial development. The Board asked staff to clarify the text to make clear that provision of commercial common space is triggered by lot size not building footprint. They also asked when the "design palette" often referenced in the regulations would be available to review. Bunger said he would check on that.

Chmiel presented parking garage requirements, which include wrapping the garage with buildings. Stith said that some streets have to be activated by having ground-level retail or office space, such as North Manhattan Avenue next to the former Varney's, but it may not be along West Laramie Street. He also said it's not necessary—and expensive to ventilate—to require a building wrap all the way up the side of the garage. Bunger said the City would be the only entity likely to build a garage, so we will have control over the design. Stith said he was not in favor of having regulations in the zoning code that make development cost prohibitive. Bunger said that at full build out of Aggieville it is likely that streets like West Laramie Street would have more foot traffic and it would be better to have the ground-level space available to activate the street. Bunger added that he does not believe the intent is to require wrapping parking garages completely, from ground level to the top; staff will clarify that in the text.

Chmiel concluded by providing the web addresses for the City's UDO project and blog, plus noted that phase two of the Aggieville redevelopment plan, involving streetscape design (called Aggieville: Vision to Reality) was being developed by the City's consultant. He also noted that the phase one parking study is available on the Aggieville Community Vision (ACV) page on the City's website.

Ebert said one map shows the boundaries of the Aggieville zoning district stopping at Bluemont Avenue but another shows the north side of that street being notionally part of it, adding that it has two of the most prototypical buildings envisioned in the ACV. Chmiel said that there are very few lots left to bring into the C-A district, most of the rest—Bluemont Hotel and 12th & Bluemont Lofts—are zoned and developed PUDs.

Regarding the minimum three-story/maximum five-story building standards in the edge areas of the C-A district, Ebert asked for explanation about the provision under 35-420-1D-2a-2 to allow two-story portions. Chmiel explained that the provision allows for a three-story average given certain conditions. Ebert said he was worried that a resulting building might not read as a cohesive structure, but instead look like a two-story building next to a four-story building. It might also undercut the density objective.

Ebert said he supports the requirement under 35-420-1D-2b-2 to elevate groundfloor apartments that are set back less than 10 feet, but warned that, from his experience and understanding, it would violate the Fair Housing Act's accessibility requirements. Bunger said staff will check with Code Services.

Ebert asked if the articulation at the corners was related to vision clearance and if that corner treatment has to extend up to the top of the building. He said he would prefer a full-height requirement.

Ebert said he does not agree with limiting balcony extensions over property lines to four feet (35-420-1D-5e); the International Building Code allows greater extensions. He recommended checking all such allowances against the building code. He then suggested considering leaving those allowances to the discretion of the building code.

Ebert asked about screening of mechanical equipment. Chmiel said there are other sections of the code that dealing with screening; he said that perhaps there should be a cross-reference in these standards.

Referring to 35-420-1D-5e, Ebert wondered if canopy supports on the narrow sidewalks of Aggieville might inhibit pedestrian flow. Chmiel said he thinks that is an old provision from a time when there were more supported canopies, and the requirement that they need to be at least three feet from the curb was to prevent car door interference.

There was no public comment.

## 2. Reports and Comments by Board Members and Staff

Anderson asked on remodeling progress on the Dusty Bookshelf. Bunger said construction was underway.

Ebert asked about the question he had at the last meeting about photometric plan submission requirements for PUDs. Bunger conceded that staff erred in not requiring it. He said the condition of approval the Board added to its Americare (file no. PUD-18-024) approval would guarantee its submission.

Ebert asked why, for that same PUD, Fire Department comments were not included in the staff report or mention made during the presentation that a couple of final issues had been worked out earlier that day. Davidson said she thought the report had noted that Fire issues had been checked off, but added that there were a number of design issues that had been resolved during the development review process—the last one Ebert was referencing cropped up late in the review. Bunger added that, as with the photometric plan, there is always the question of how much does the City need to pin down the details on a preliminary development plan and how much to leave for the final plan. Ebert said the final plans are on Consent, so there is no further review.

Meeting was adjourned at 8:30 p.m.

Submitted by John Adam, Senior Planner