MEETING MINUTES

Special Planning Commission

Wednesday, January 20, 2021 – Virtual Meeting

The meeting was called to order at 1:32 p.m.

Chair Oyster asked for a moment of silence and the Pledge of Allegiance. Roll was taken, and the following members were present: Mr. Jim Rauck, Mr. David Frea, Chair Julie Oyster, Mr. Mike Linder, and Mr. Larry Titus. Other staff members present: Kim Shields, Community Development Manager; Jimmy Hoppel, Development Planner; Dash Logan, Development Planner; Kendra Spergel, Development Planner; Hannah White, Development Assistant; Thad Boggs, Frost Brown Todd; Roby Schottke, City Council Member; Tami Kelly, City Council Clerk, Kevin Koesters, Service Superintendent, and Nick Mill, EMH&T Project Manager.

New Items:

ITEM #1 – 3985 Broadway Patio Enclosure – Certificate of Appropriateness PID #202011170059

Mrs. Shields presented the Development Department's findings. She stated that the applicant was requesting approval of a Certificate of Appropriateness to enclose the existing outdoor seating area south and west of the structure at 3985 Broadway. She reminded Planning Commission that this item was postponed at the January 5th Planning Commission meeting to provide the applicant and property owner ample time to provide revised plans that reflect the owner's desire for the property updates.

Mrs. Shields stated that a Special Use Permit for the outdoor seating area was approved in 2011, and this proposal is to enclose the same seating area, and that since the enclosure is new construction in the Historical Preservation Area, approval through Planning Commission and City Council is required.

Mrs. Shields explained that since the January 5th Planning Commission meeting, the applicant had submitted revised plans that illustrate the entire outdoor seating area to be enclosed. She stated that the enclosure will not impact the open outdoor seating area along the front of the building, which is within the City's Right-of-Way, and was approved through the City's Right-of-Way encroachment agreement. Mrs. Shields added that it will also not impact the public access corridor easement, south of the enclosure and landscape bed.

Mrs. Shields informed Planning Commission that revised building elevations were submitted, showing the previously discussed garage doors on the south elevation. Mrs. Shields explained that the elevation, along with that of the west (rear), showed a stucco finish with Hardiplank siding as an alternative. She stated that Staff believed stucco the more appropriate option, as siding is not typical on commercial structures in the Historical Preservation Area and Town Center Core. She added that, as discussed in the January 5th meeting, the roofing material was revised from shingles to be a standing seam, black metal roof. Mrs. Shields went on to explain that the front elevation of the building had not changed since the January 5th meeting, which showed the enclosure utilizing brick and awnings to match that found which is found on the current front elevation.

Mrs. Shields stated that Staff believed the proposed enclosure appropriate and in character with the Historical Preservation Area (HPA), as it meets the color requirements in the HPA Color Palette, utilizes materials matching the existing structure and other nearby buildings, and presents a unified plan from both the property owner and applicant. She went on to recommend that Planning Commission make a recommendation of approval to City Council with the added stipulations outlined in the Staff Report.

Mr. Dino Herbert, Herbert Architectural Consulting, was present to speak to the item.

Mr. Frea expressed thanks to the applicant and Staff for taking the time since the January 5th meeting to update drawings and clearly illustrate the details previously in question.

There being no further questions or discussion, Mr. Linder moved to recommend approval of the Certificate of Appropriateness with the following two stipulations:

1. Hardiplank siding shall not be approved as an alternate material, as proposed on submitted elevations for the south and west elevations.
2. The applicant shall work with the Urban Forester to select appropriate plantings for the landscape area between the patio enclosure and the pedestrian walkway.

Mr. Titus seconded the motion, and the item was approved 5-0.

ITEM #2 – The Cottages at Brown's Farm (Section 1) - Plat **PID #202012020060**

Mrs. Shields presented the Development Department's findings. She stated that the applicant was requesting approval of a Plat for the first phase of the Cottages at Brown's Farm, east of Haughn Road. She reminded Planning Commission that this item was also postponed at the January 5th Planning Commission meeting to clarify language regarding the placement plan through the northern Reserve.

Mrs. Shields stated that as noted at the January 5th meeting, the Plat will create the first phase of lots and reserves, which reflect the configuration shown on the Development Plan and engineering plans approved last year (2020).

Mrs. Shields explained that the revised Plat remains largely the same as presented at the previous meeting; illustration of 52 single-family condo lots and four reserve areas, one of which will contain the private roadway(s) to access the lots. She continued by describing the applicant's collaboration with Staff since the January 5th meeting to modify language regarding the placement of the path through Reserve A. She stated that the property owner to the north had voiced concern over the location shown on the original Plat, so instead of showing a specific location for a path easement on the Plat, the entirety of Reserve A was now covered in a path easement, which would allow the applicant to work with the adjacent property owner to determine final location without inhibiting the applicant from proceeding with the request to create the proposed lots.

Mrs. Shields spoke to Staff's belief that the revised Plat included the necessary language to allow for the conversation between property owner and the applicant to continue, regarding its placement, while securing the ability for the path to be accessible to the public once the final location is determined. She stated that Staff also received an email from the adjacent property owner stating that he is satisfied with the project moving forward, based on recent conversations with the applicant.

Mrs. Shields went on to state that as previously noted, the lot configuration and reserves shown do reflect the approved development and construction plans, and therefore warrant recommendation from the Development Department for Planning Commission's recommendation of approval to City Council as submitted.

Mr. Jason Francis, M/I Homes, was present to speak to the item and expressed his appreciation of the work done with Staff and the adjacent property owner to assure the updates were completed properly.

There being no questions or discussion, Mr. Titus moved to recommend approval of the Plat as submitted.

Mr. Frea seconded the motion, and the item was approved 5-0

There being no additional discussion, Chair Oyster adjourned the meeting at 1:44.

Hannah White

Hannah White, Secretary

Julie Oyster

Julie Oyster, Chair