



CHA | FBC

# FORM-BASED CODE COMMITTEE



## MEETING MINUTES

**April 11, 2024**

The duly advertised meeting of the Form-Based Code Committee was held on April 11th, 2024, at 2:00 p.m. in conference room 1A of the Development Resource Center Building. Chairman Jim Williamson called the meeting to order at 2:05 p.m.. Admin Support Specialist Shelby Ogle called the roll. Nia York swore in all those who would be addressing the Committee.

**Members Present:** Beverly Bell, Tenesha Irvin, Reginald Ruff, David Hudson, Jake, Toner, Jim Williamson, Thomas Palmer, Lee Helena

**Members Absent:** Sarah Brogdon

**Staff Members Present:** Development Review Planner Akosua Cook, Admin Support Shelby Ogle, and Staff Attorney Harolda Bryson

**Rules and Regulations:** Chairman Jim Williamson explained the rules and procedures, order of business, Form-Based Code Intent, and principles and purpose.

**Approve Minutes:** David Hudson made a motion to approve the March Minutes. Thomas Palmer seconded the motion. All in favor, the March Minutes were approved.

**Swearing In:** Nia York swore in people addressing the Committee.

**Roll Call:** Shelby Ogle called the roll.

**Applicant(s) Present:** Joseph Crites, Mike Price

**Akosua Cook began her presentation.**

### **OLD BUSINESS:**

NO OLD BUSINESS

### **NEW BUSINESS:**

- FBC-24-3 – 212 Market St.

### **Major Modification Request(s):**

1. Requesting 1st Floor Fenestration Reduction from 70% to 39%.

- a. Sec. 38-703 (6)(A) Fenestration  
Ground story 70% min

**Zoning:** D-RA-4 & D-SH-6

**Applicant Presentation:** Applicant Joseph Crites of 812 Central Ave, addressed the committee. The applicant stated that they are not planning to change the building layout; they are just wanting to open the building up to the street more.

**Discussion:** No questions or discussions for the applicant from the Committee.

**Community Response:** No community members wished to speak.

**Applicant Response to Community:** No response needed.

**Committee Discussion, Motion, and Vote:** Lee Helena questioned if this needed to be brought before the Committee for a vote, because previous reviewers Emily Dixon and Sarah Robbins did not require applicants to apply for major modifications for the fenestration/ glazing requirements. Staff stopped the meeting to review the existing non-conforming provision which is no longer applicable once improvements to the exterior of the building are proposed. David Hudson motioned in favor of approval. Lee Helena seconded the motion. All in favor. None opposed. The motion passed.

- **FBC-24-4 – 1846 Market St.**

### **Major Modification Request(s):**

1. Requesting reduction in building frontage from 80% (160ft) to 23% (47ft) due to lot size and shape.
  - a. Section 38-717 (3)(E) Building Placement Primary Street  
80% minimum frontage
2. Requesting reduction of the parking setback on primary street from 30' to 6' due to lot size, shape and parking need.
  - a. Section 38-717 (4)(A) Building Placement  
Parking Setbacks primary street 30' min
3. Requesting a reduction in minimum building height from 2 stories to 1 story with a 5ft high parapet wall, for a total building height of 19'-6" due to proposed use as a restaurant only.
  - a. Section 38-717 (5)(B) Height and Mass  
Minimum height: A Street - 2 stories
4. Request to exceed the allowed 4 parking spaces maximum by 16 spaces for a total of 20 proposed spaces.
  - a. Section 38-741 (1)(E) Vehicle Parking

The number of spaces provided shall not exceed the required number of spaces, before discounts, by more than twenty percent (20%).

5. Request to allow the dumpster enclosure to encroach the 6' perimeter parking landscape area. Minimum area required = 1,432 +/- SF, Total Area Provided = 1,723 +/- SF.

- a. Section 38-748 (4) Parking Lots

Perimeter planting is required along the outer perimeter of the parking area except any perimeter that is adjacent to the building the parking supports. Breaks for pedestrian, bicycle and vehicular access are allowed.

6. Request to allow the four landscape islands as shown with widths and areas less than the required minimum 13.5' width, and minimum 243 SF area due to lot size and shape and parking need.

- a. Section 38-748 (2)(C) Parking Lots

An interior island abutting a single row of parking spaces must be a minimum of thirteen and a half (13.5') feet in width and two hundred sixteen (216') square feet in soil surface area for islands along compact parking spaces and two hundred forty three (243') square feet for islands along standard parking spaces.

### **Zoning:** U-CX-3

**Applicant Presentation:** Applicant Mike Price, addressed the committee. The applicant stated the buildings were in poor shape and will need to be demolished and that they are currently vacant and non productive. He argued his design was necessary due to the unusual lot configuration and to allow parking and access for the proposed restaurant.

**Discussion:** There were a few questions from the committee to the applicant, but since there were a large number of residents in opposition, the facilitator suggested that we hold these questions for the Committee Discussion.

**Community Response:** Ken Hays from the Mitchell St. Neighborhood Association, gave a brief presentation on the neighborhood's concerns. The chief concerns were with the parking, the dumpster location and screening and the use of the alley instead of the primary street. He also referenced a proposed site plan that was shown last fall that showed the primary access coming from Market St. Cheryl Bryant had concerns about the dumpster being close to her front yard and attracting rodents. Brent Weaver was against the use of the alley because the exit would be close to his back gate and he was concerned for the safety of his two small children

**Applicant Response to Community:** Mike Price did not believe that his proposal would impact the neighborhood. He suggested that the dumpster could be moved away from the alley.

**Committee Discussion, Motion, and Vote:** Tenesha asked if the two parking spaces in the alley could be moved but it would require an additional modification. Lee Helena stated that he could not support any of the proposed modifications. Thomas Palmer stated this is suburban style development forced on a small urban lot. David Hudson suggested the building could become two stories down the road. Jim stated this was a self created issue because of the parking. Lee Helena motioned to deny all the modification requests. Thomas Palmer seconded the motion. All in favor. None opposed. The motion passed.

**Final Information:**

**Next Meeting Date:** May 9, 2024 (Application deadline is April 12, 2024 at 4pm).

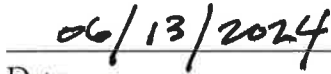
**Other Information:** Staff will be sending out a survey to committee members to touch base on any changes needed to meetings.

**Jim Williamson made a motion to adjourn. David Hudson seconded the motion.**

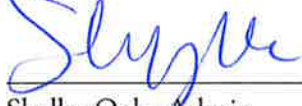
**All in favor, the meeting was adjourned at 3:01 PM.**



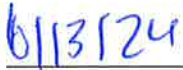
Jim Williamson, Chairman



Date



Shelby Ogle, Admin



Date