



# FORM-BASED CODE COMMITTEE

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## MEETING MINUTES

November 14th 2024

The duly advertised meeting of the Form-Based Code Committee was held on November 14th, 2024, at 1:00 p.m. in conference room 1A of the Development Resource Center Building. Chairman Jim Williamson called the meeting to order at 1:00 p.m.

**Roll Call:** Admin Support Karen Cannon called the roll.

**Members Attendance:**

- ☒ Alex Reyland
- ☒ Beverly Bell
- ☒ David Hudson
- ☒ Jim Williamson
- ☐ Lee Helena
- ☒ Reginald Ruff
- ☒ Sarah Brogdon
- ☒ Tenesha Irvin
- ☒ Thomas Palmer

**Staff Attendance:**

- ☒ Presenter: Akosua Cook
- ☐ Admin: Shelby Ogle
- ☒ Admin: Karen Murphy Cannon
- ☒ City Attorney: Harolda Bryson

**Swearing In:** Permit Clerk Donna Stehney swore in people addressing the Committee.

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

**Approve Minutes:** Chairman Jim Williamson presented the September meeting minutes to be voted on. No amendments need to be made. *David Hudson* motioned to **APPROVE** the September minutes. *Reginald Ruff* seconded the motion. All in favor. **The motion carries.**

There are no October minutes to be voted on since quorum was not met and a meeting was not held.

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## OLD BUSINESS

- [FBC-24-4: 1846 Market St - New Construction](#)

Development Review Planner Akosua Cook presented to the Committee.

**Major Modification Request(s):**

1. Requesting reduction of the parking setback on primary street from 30' to 6' due to lot size, shape and parking need.  
Section 38-717 (4)(A) Building Placement  
Parking Setbacks primary street 30' min
2. Request to exceed the allowed 4 parking spaces maximum by 12 spaces for a total of 16 proposed spaces.  
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%).
3. Request to allow the parking and sidewalk to encroach the 6' perimeter parking landscape area. Minimum area required = 2,256 +/- SF, Total Area Provided = 1,948 +/- SF.  
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.
4. Request to allow the 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.  
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.
5. Request to exceed the 15' maximum allowed building setback from Market St. by 32.2', for a total setback of 47.2'.  
Section 38-717 (3)(A) Building Setbacks  
Primary street: 0' min/15'max
6. Request to exceed the 15' maximum allowed building setback from E 19th St. by 115.1', for a total setback of 130.1'.  
Section 38-717 (3)(A) Building Setbacks  
Side street: 0' min/15'max

**Zoning:** U-CX-3 (Commercial Mixed Use Zone)

**Applicant Presentation:** Applicant Michael Price presented to the Committee that this case was before them last month and he does not want to go over everything again. He spoke with Councilwoman Noblett and she stated that she wants the plan to move forward as designed. He stated that they do not have any parking in their downtown area and therefore need to supply their own parking on the lot. He presented that due to the irregular lot shape, topography, and the community's desire to not utilize alley access; they are left with only a small amount of options and what is presented is what the community and Councilwoman want to proceed with.

**Community Response:** No Response.

**Discussion:** The Committee began their discussion by reviewing the site plan. Development Review Planner Akosua Cook then presented to the Committee that in her opinion, they should approve the requests because it is close to the edge of the boundary for the code as well as the fact that the Applicant worked with the community and Councilwoman closely to ensure agreement with the project. The Committee then discussed understanding the parking situation at the property and then stated that they do not agree with the number of parking spaces the Applicant says that they need. The Applicant and the Committee then discussed the building change placement on the site plan for members who were absent at the last meeting. The Committee discussed the requests in depth on whether they agree with them or disagree with them as well as the community concerns.

**Board Motion and Vote:**

- David Hudson made a motion to on case #: FBC-24-4: 1846 Market St. to **APPROVE** requests 1, 2, 3, 4, and 6, as submitted and **DENY** request 5.

Beverly Bell seconded the motion.

**7 in favor. 1 opposed. The motion carries.**

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## **NEW BUSINESS**

- **FBC-24-16: 1601 Cowart St - Projecting Sign**

Development Review Planner Akosua Cook presented to the Committee.

**Major Modification Request(s):**

1. Requesting modification of projecting sign requirements to allow for 9' in max sign height, 27 max SF, 3' in max sign width

Section 38-753 ( Sign Types)

(2)(d) Projecting signs are limited to the following dimensions (See table)

**Zoning:** U-CX-4 (Commercial Mixed Use Zone)

**Applicant Presentation:** Applicant Matt Lindley presented to the Committee that the project is a restaurant on the Southside and that there is an old sign that they want to paint over. The Committee asked if the sign was existing already and the Applicant stated that it was already there and they just wanted to paint it to update the sign with the new restaurant's name.

**Community Response:** No Response.

**Discussion:** The Committee began their discussion by saying that it is acceptable and a reasonable request. They stated that there is not much to discuss.

**Board Motion and Vote:**

- Sarah Brogdon made a motion to **APPROVE** case #: FBC-24-16: 1601 Cowart St. as submitted, re-using the existing sign structure.

Thomas Palmer seconded the motion.

**All in favor. The motion carries 8-0.**

- **FBC-24-17: 2701 Chestnut St - New Construction**

**Development Review Planner Akosua Cook presented to the Committee.**

**Major Modification Request(s):**

1. To orient the public entrance towards the Riverwalk, not the primary street.  
Sec. 38-698 Measurements and Exceptions / Rules for All Zones E. PEDESTRIAN ACCESS
  1. An entrance providing both ingress and egress, operable to residents at all times and customers during regular business hours, is required to meet the street-facing entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are allowed. Sec.38- 771 C-CIV (6)PUBLIC REALM. Pedestrian Access (G) Entrance facing primary street: Required.
2. Utilize a garage door to conceal the stadium's dumpster/compactor.  
Sec. 38-698 Measurements and Exceptions / Rules for All Zones (7).Structural Screening A. Service Areas
  1. Trash and recycling collection and other similar service areas must be located to the side or rear of buildings.
  2. Service areas must be screened on 3 sides by a wall a minimum of 6 feet in height or to the top of the equipment, whichever is higher up to 8 feet maximum. Service areas must be screened on the 4th side by a solid gate at a minimum of 6 feet in height 6'
  3. The gate and wall must be maintained in good working order and must remain closed except when trash pick-ups occur.
3. Use chain link material to enclose the MLB hitting bay.  
Sec.38- 750 Walls and Fences (1) Materials D. Chain-link fence, barbed wire or concertina wire is not permitted.
4. Building loading and unloading will be located between the building and the primary street  
Sec.38- 745 Vehicle Loading and Drop off Areas (2) Location D. Loading areas may not be placed between a public street (not including an alley) and the associated building.

**Zoning:** C-CIV (Civic Zone)

**Applicant Presentation:** Applicant William Mullins presented to the Committee that the first thing to discuss is the public entry into the ball park. He stated that the site as they have it only has street frontage on one side and they have other private developments along the border. He stated that the Riverwalk was a great asset to the park and for the public as it will connect all the amenities of the development. He presented that all the other items that are being requested are in relation to another side of the development. He stated that the trash bin would be on ground level with a shoot on the second floor to allow for easier deposits of the garbage collected after games. They want to keep the trash bin hidden from view except to empty it. He presented that they have a lot of regulations they have to follow for the MLB hitting bay and they have two planned hitting bays and they will have netting but want to reinforce the bay with chain link for safety. The last request is in regards to their need for a loading bay off the primary street. He stated that they want to screen the area as much as possible and make it match the building behind the loading bay. He stated that they have no plans to block any sidewalks.

**Community Response:** No Response.

**Discussion:** The Committee began their discussion by talking about the chain link fence request for the hitting bays and whether they would need to rule on it or not and Staff indicated that the code says no chain link fencing can be used, which is why it is

included in the requests. The Committee then asked about the topography of the stadium along the interstate and the Applicant stated that persons can look down into the development from the interstate height, but it does decrease as you go along that property line. It was then asked how the garage trucks will access the dumpster and the Applicant stated that the truck would back up to the door and pull the dumpster out to dump it.

**Board Motion and Vote:**

- David Hudson made a motion to **APPROVE** case #: FBC-24-17: 2701 Chestnut St. as submitted.

Beverly Bell seconded the motion.

**All in favor. The motion carries 8-0.**

- **FBC-24-20: 501 W 12th St - New Construction**

**David Hudson and Thomas Palmer recused themselves from this case.**

**Development Review Planner Akosua Cook presented to the Committee.**

**Major Modification Request(s):**

1. Requesting to increase the maximum building setback from 15' to 20'  
Section 38-765(3) Building Placement  
B. Building Setbacks: A Street 0' min/ 15' max
2. Requesting an increase in the maximum ground floor elevation from 5' to 7'  
Section 38-765(6) Public Realm  
D. Ground Floor Elevation 16" min/ 5' max
3. To orient primary entrances towards an internal street, not the primary street.  
Section 38-698 Measurements and Exceptions / Rules for All Zones  
E. Pedestrian Access. An entrance providing both ingress and egress, operable to residents at all times and customers during regular business hours, is required to meet the street-facing entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are allowed.  
Sec.38- 765 W-N (6) Public Realm  
G. Pedestrian Access. Entrance facing primary street: Required.
4. Requesting to increase the maximum driveway width from 20' to 26'  
Section 38-765(4) Access / Parking Location  
A. Driveway width in setback 20' max
5. Reduce the required parking setback from the 30' min to 22.5'  
Section 38-765(4) Access / Parking Location  
B. Parking setback: A Street 30' min

**Zoning:** W-N (Neighborhood Zone)

**Applicant Presentation:** Applicant Jessica Stack presented to the Committee that the requests are in response to the topography as the site is very hilly and there are multiple entrances to the development. She stated that they want to expand the setbacks from 15 feet to 20 feet, but there are only a couple areas that would go back to the 20 feet. She presented that it is similar to a culdesac in that there will be one way in and one way out, but eventually they want to make a future connection on another street. She stated that there are some variance requests that have to be made off the site plan that was adopted by city council for the development.

**Community Response:** No Response.

**Discussion:** The Committee stated that there is still quorum with the two members recusing themselves. They discussed whether what appears to be the driveway for the development is a private road or not as well as the requirements for the fire marshal. The Committee also discussed a few other items and being in agreement that the project makes the efforts to be in compliance with the intent of the code.

**Board Motion and Vote:**

- Reginald Ruff made a motion to **APPROVE** case #: FBC-24-20: 501 W 12th St. as submitted.

Alex Reyland seconded the motion.

**All in favor. The motion carries 6-0 with 2 recused.**

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## **OTHER INFORMATION**

**Next Meeting Date:** December 12th, 2024 (Application deadline is November 15th, 2024 at 4pm).

**Other Information:** Staff discussed the meeting date and time for future meetings.

**David Hudson** motioned to adjourn the meeting.

**Thomas Palmer** seconded the motion.

**All in favor, the meeting adjourned at 2:16 p.m..**

  
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Jim Williamson, Chairman

12/12/2024  
Date

  
\_\_\_\_\_  
Administrative Assistant

12/12/2024  
Date