

CAC Minutes, March 7, 2018

Members attending: James MacDowell, Janelle Kechter, Matt Robenalt, Per Hogestad

Staff attending: Anna Simpkins, Cassandra Bumgarner, Maren Bzdek, Spencer Branson, Tom Leeson

Karen: Clarion is preparing final report. Using this meeting to present the information on with the Downtown Plan.

Staff first wants to discuss an idea: what if we got rid of the residential demolition/alteration review process? What does the current process do? Demolition/alteration review provides information on alternative and incentives to the owner. Usually happens when the property owner comes in for permitting; too late, usually invested in their plans by then. Also informs community. Yellow "Historic Review Underway" signs to inform the neighborhood. It also gives residents ability to protect a highly significant property by portioning Council to do a nonconsensual designation. It allows us to get documentation on the property.

It also gives a false sense that the City is protecting residences. Owners and neighbors are shocked that we can't change their plans or stop the process. It de-incentivizes individual and district designation, because residents think there is protection already. It takes a significant amount of staff time, essentially .75 FTE. It changes our focus to something very regulatory rather than supportive. What it ultimately does is generate ill will in the community.

Stop doing these reviews, but continue to meet the purpose? Shorten permit time, provide information through handouts and webpages, and provide more outreach. More survey and grants. Again, significant properties can be appealed to Council - the properties would be posted and residents could still bring forward a nonconsensual designation. Community awareness that protection is only through landmark designation. Details not fleshed out, needs more study, but this something we are considering. We'd like your feedback. We did take this to the Landmark Preservation Commission, who supported it, want more study.

James: It does keep the people scared though. I've been through this three times and until I went through this CAC process didn't know. This is seen to be a fruitless process, but I'm wondering how it will change homeowner behavior? I know it changed how I acted. I now realize the City couldn't really do much.

Karen: How did you feel about that though? Was it the City protecting historic character or an intrusion into private property rights?

James: I didn't mind it, but I'm a huge private property rights. I just went in with the expectation that it needs to happen and I counted on it.

Karen: LPC only has option to approve, approve with conditions, or go to City Council as a nonconsensual designation.

James: You are giving up effective power though. I just want to bring that up. It's not something you can enforce, but people are worried/scared of it so that changes their behavior.

Karen: We would like to reach out to people and use the staff time to do other things.

Janelle: We've had clients that avoid doing their projects altogether because of the delay of the process.

Matt: I'm in support of it, but there is an unintended consequence that people might use nonconsensual designation more. I think there is merit in bringing focus to bringing support to the homes. My wife sells homes and you'll be surprised that people can sense how bad additions are, or insensitive infill.

Karen: We would be working to be like a partner with people rather than a regulatory authority.

Per: We did talk about this with LPC. I wonder about notification—if it's simply the confusing yellow signs, that isn't enough. I wonder if there might not be a better way to let the neighbors know about the process. The neighbors have a lot of influence. I think about Wood Street and the debacle that whole thing was and how the neighborhood finally got angry about it. I wonder if there wouldn't be some sort of neighborhood policing or pressure to do the right thing.

Karen: Plans not required to consider citizen comments. Their only option is nonconsensual designation. At Saving Places, they brought up how some HOAs or neighborhood organizations are contacted so they could potentially act on it. That would be a way of using citizen input rather than City power.

Per: And that's what I support—neighborhood pressure to do the right thing, but the neighborhood has to be aware. There needs to be a better way to let people know what's happening.

Janelle: Why is it just for residential properties?

Karen: The codes separate single family residential from the other developments. Commercial is seen as affecting the community as a whole rather than a person's private castle. A commercial building contributes much more to our Sense of Place than a residential building. The only way we regulate residential at this point is through Demo/Alt.

Janelle: So this wouldn't apply to commercial? (No) We need to make sure that we aren't keeping a bad process for commercial. Different codes, requirements.

Spencer: In grounding information, this comes from the Downtown Plan and Old Town Neighborhoods Plan. This is about the NCB. Both plans have language to promote neighborhood compatibility. Our code update objectives are to retain sense of place, strengthen compatibility and transition standards, promote individual sub district character, increase clarity and predictability, strengthen graphic representation, and strengthen standards geared toward pedestrians. Focus today should be on the predictability, but allowing for flexibility.

Organizing structure for the Downtown Code. We have 11 zone districts in Downtown currently. We are proposing a rezone of all of these areas into one zone district. We would be relying on the sub-districts to help define the character defining features of the D zone. A good example of this would be the RDR or River District. There was a lot of effort put toward this part of town and is a good precedent for us to follow. We are talking about compatibility with the historic in the intent statement. We also have street

character type. Coding for the context and ultimate condition for this area. So going through these, the storefront street type is what people think about with the downtown to Laurel. Zero to five-foot setback, ground floor commercial, and high building detail/transparency facing street are all part of this street character.

Matt: What are some examples of five foot buildings in this sub district?

Spencer: To find examples, I would need to get back to you. It's more about the fact that it's perceived as a zero foot setback. We can find all those case studies though and see how many there are.

Per: Maybe the Old Post Office would be an example of something that's setback, but feels like a zero foot setback.

Spencer: They are out there and we could get you setbacks.

Tom: There may be buildings that have a five foot setback historically, but do we want that for new buildings?

Spencer: If they have a good rationale for going back five feet, it would be fine. We anticipate that most would want to go to the zero setback. Often times developers would want the zero setback to program as much as possible.

The next street character type is mixed use. This is contextually found around the edges of the city. This would be a five to ten foot setback. Setback can be paved or landscaped—landscaped is preferable and beneficial. There would be no ground floor use requirement. We don't think it's appropriate to require a specific use on the ground floor. We're hearing that forcing commercial ground floor can be detrimental to projects, but we will look to incentivize it. The third type is the parkway. This would have a ten foot or more setback, with landscaped setback and no required use on the ground floor.

Example from the Canyon Sub-District. Point out the ground floor use requirements. I don't have a diagram for this, but street-facing residential living space on ground floor is uncomfortable. Right now, we have it as a maximum 25% for those linear frontage that would be regulated.

Matt: On the garage entry/utility locations, what are you talking about with utilities?

Spencer: We're looking to not require the utility easements in the downtown. To achieve utilities then, it would be a pocket easement situation. You would be required to fit transformer on your site. We wouldn't want a transformer on the front of the property—rear or alley condition.

Matt: How about private utilities?

Spencer: That would be the same.

Matt: I would dive a bit deeper with places that have storefront context—if the gas is in the front, but they need to get it to the back, they would have to wrap about 300 ft around the block—you might want it to read "or defined by where they can get service."

Spencer: We were trying to get to that with "Planning Director approval," but we can definitely wordsmith that. That would be the same with transformers. We want to make it challenging for sites to put utilities in front/in the right-of-way, but maybe variances will help them achieve that if it needs to happen.

Per: You have the minimum setbacks, but how do historic setbacks work with these?

Spencer: What we're planning on doing, actually having specific historic preservation requirements in the code. We would want either the difference split or going with the historic setback rather than these minimums.

Per: I think building materials and transparency requirements wouldn't relate to historic buildings very well. 40% seems very low for commercial buildings.

Spencer: We have diagrams and can talk about it this more with the diagrams.

The required street frontage setback is meant to activate the street. It's meant to have the building meet the street.

Per: How would you address a colonnade? Happened in Larimer Street.

Spencer: I think we'll have to talk about it and we would want historic input. I wouldn't count that as part of the build to range.

So now getting into the lower-story building materials, we're requiring masonry units or metal panel units. Ultimately, we'll include diagrams to show them wrapping. First three stories with a perceived high-quality material.

Per: Would the code call out those materials?

Spencer: The definitions that we have to create for these such as high quality material will be very specific for what is truly allowed. We would also need to look at a modification process.

So now going back to the ground-floor transparency and this is a draft. For a building itself, we are not talking about the first two feet from the floor. It would be the two feet to the nine feet mark. Your glazing divided by your total building in that area is your percent. Here's our examples: 123 N College/Opera Galleria is roughly 60% transparency. Looking at 103 W Mountain, this building has 31% transparency. Given that, what do you think of the percentages?

Tom: The percentages need to be higher.

Per: Maybe it's a little misleading that the lights above the doors on the Opera Galleria aren't included as they are transparent compared to the masonry.

Spencer: We also are questioning if even that seven feet is enough given the floor to ceiling ratio. We are looking for highly detailed buildings. We are looking that parkway could be 25%, 40% mixed use, and maybe 50-60% on storefront.

Tom: I am less concerned with parkway and mixed use, but storefront needs more.

Maren: What was the thinking behind none for parkway?

Spencer: We've been working with Nature in the City and thinking about putting the focus on the landscaping. We've been a little timid, but we do want to strike a balance. These are additional asks so we don't want to be too heavy handed, but maybe there should be some minimum requirements.

Per: But the preservation code would come up with something like transparency and would force that compatibility.

Matt: I think you need a minimum transparency for parkway so you don't end up with blank walls.

Spencer: We will definitely re-evaluate this.

Now we're looking at the building form. This is the current maximum height in stories. I'm sure all of you are somewhat familiar with this map. What we've done is taken a stab at modifying this map to have stronger patterning in these requirements. We wanted to clean it up while allowing for densification. We are considering incentives to allow an additional story, such as structured parking, public open space/Nature in the City, building mass mitigation, green building techniques, and affordable units. There's a lot of flexibility, but there's a lot of positives that could be incentivized. We are proposing this, but we need much more stakeholder input. We have the most intense density in the Canyon Avenue area. The historic core stays the same with the four story. We're thinking about four stories in the campus north area rather than the five story that's currently allowed. The transition to the neighborhoods would be three stories.

Janelle: Requesting to see the boards that show them side-by-side.

Matt: Since the open house last week, I've been thinking about this—relative to the patterning, what seems to be underlying this is the new urbanism approach.

Cameron: We are trying to simplify the heights. We are looking to resolve the weird code inconsistencies that we have right now where it's eight stories on one side of the road and three on the other.

Spencer: Height isn't the end all be all and we want to use the other metrics to refine the conservation to bring in a holistic perspective.

Matt: I'm wondering if there's a lens on the unintended consequences on the building code. We've eliminated buildings that are made of steel and concrete because it's not economically feasible to do them at the lower heights.

Spencer: Can you point out places where that's an issue? What we've heard from developers is that if we are allowed 6 stories with the extra story allowance, that a seven story is feasible. Nine story is what we've heard doesn't work because they need to go higher to make it come out economically.

Matt and Per are not sure about this.

Matt: I think the feasibility with steel is important. I think you are forcing the situation where development is going to be stick construction.

Spencer: Five and below we aren't really impacted.

Tom: We aren't going to solve this today, but let's proof it out a little more. Let's talk about it more with architects and developers. I think that would be a good next step.

Spencer: We're doing that as our next step. It's what happens with other regulations that we want to work with to make a project pencil. We are not hung up on what the height maximum is.

Let's move onto building form. What we're looking at is for six stories and above, for lots over 60,000 SQFT we are making sure that interior floor plates above the 6th story will not exceed 40,000 SQFT. We've heard that is still a viable number. Here are some graphics to show that massing. We found that using a percentage doesn't work as well. One thing I will note is that we have feedback to look at code provision that would allow administrative approval for something with a zero to ten percent deviation. It would require them to show that they have a hardship.

The other techniques we're looking at is a 5th-story setback. It's looking to protect the pedestrian experience. It's a cumulative mass mitigation technique. The setback and setback help minimize feeling of mass of building. The contextual heights setback allows blocks with larger height allowance to meet the allowable height limit across the street with a setback. You would be responding to the max height across the street.

James: How does the height requirements interact with building type? Is there an expectation that the storefront area will expand?

Spencer: With the storefront area, we have modeled this with the existing, active pedestrian street. We are trying to meet the realities of the market without a large burden of a storefront requirement when it doesn't make sense. If you look at Penny Flats, that shows something that ultimately doesn't always work (streetfront). It certainly doesn't limit someone from doing mixed use. If you are mixed use and you want to play by the storefront rules, they maybe they could do that. The only thing that would be different would be setback. We wouldn't be saying no one else can do first floor commercial. You hear a lot about failed mixed use. I think you also mentioned height and use—there is patterning here where larger buildings would be allowed to have that expanded setback to help with mass mitigation.

James: You really think the northeast side of Riverside will be storefront?

Spencer: That was changed to storefront because of the strict lot restrictions and how it could kill a project if they were required to setback. I think it is feasible to be storefront even with use. We don't expect a lot of redevelopment there rather than adaptive reuse. This is draft material and we'd love feedback though.

So anything else with the stepbacks? We will be doing more modeling with the stepbacks.

Maximum wall length, requiring façade plane change. We are looking to have, as an example, a 200 foot building to have at least four fifty foot bays. This graphic isn't showing something that is too hard for people to meet.

Matt: I think the plane change is an element of good design. One of the things that would be beneficial to designers would be that they have flexibility to change where the plane changes are rather than a rigid fifty foot bays.

Spencer: I completely agree. There are ways to meet the intent without being rigid and allowing creative design solutions.

Anytime we can avoid a hard number, we are all for it. We don't want to dictate design so heavily handedly.

Building articulation. The street-facing facades shall incorporate a minimum of three of the following articulation techniques. We are really pushing for fenestration detail. What we want is visual interest and the finer detail. A lot of this would be relying on those specific definitions.

Per: So the minor plane change with minimum of three inches, is it meant to avoid wrapping a corner? It feels like a superficial finish.

Spencer: My understanding is that it is challenging to create a material change without a plane change.

Per: It allows you to not turn the corner and it makes the material feel cheap.

Spencer: Do you think the high quality material can address this?

Per: Yes, but also needs to be addressed here. You want to make sure people don't use this to put a veneer on and not turn the corner.

NCB Standards. These new standards will respond to the current neighborhood code standards as well as the new Downtown Standards. We let this part trail behind downtown codes because we want to make this a cooperative effort. Design techniques that we are considering are roof form, ground floor character, landscape setbacks, and upper floor stepbacks to show you where we're heading. We are also looking to have the Downtown code section include additional historic preservation considerations.

Next steps are presenting to P&Z on Friday, City Council in late April, and we'd like to meet with more people/stakeholders. The City Council work session will help us make sure we're heading in the right direction and then we'll be looking to refine this further.

Matt: Who are the consultants?

Spencer: We're working with Tryba Architects, with Sarah and Peter.

Matt: So you're looking to put these graphics in the code?

Tom: Yes, the attorneys are in support.

Spencer: Crisp, simple diagrams.