Meeting Notes	
reFORM	reFORM Design Standards Subcommittee Meeting November 20, 2013; 11:30 a.m. County/City Building, Room 113
Members in Attendance:	Pat Anderson, Cathy Beecham, Jon Carlson, Dave Johnson, JoAnne Kissel, Rick Krueger, Don Linscott, Michelle Penn, Dennis Scheer, Scott Sullivan, Lynn Sunderman, Zach White. Curt Donaldson, Tim Gergen, Sam Manzitto, Derek Zimmerman absent
Others Present:	Marvin Krout, David Cary, Ed Zimmer, Brandon Garrett, Christy Eichorn, Stacey Hageman, Steve Henrichsen, Michele Abendroth (Planning Department)

I. Welcome – David Cary

The meeting was called to order at 11:33 a.m.

II. Meeting Purpose and Materials – David Cary

III. What We Want to Accomplish Today – David Cary

a. Review Landscaping and Screening Proposals and Complete Feedback Sheet

b. Provide further explanations and time for discussion of the building design standards and address questions and comments from the November 6 meeting

Cary briefly reviewed the agenda for today's meeting. He noted that today's meeting will focus on the proposed landscaping and screening standards. There is a feedback sheet for each member to complete on these standards. Building design standards will also be discussed today.

IV. Review Proposed Landscaping and Screening Requirements – Brandon Garrett

1. Better enforcement of existing standards with a new permit fee to cover inspection costs.

Garrett stated that they are recommending a new permit fee to be implemented to cover inspection costs. This will ensure that landscaping is properly installed and maintained.

2. Require street trees with new developments at permitting stage.

Garrett stated that we are proposing to require street trees as part of the streetscape particularly along corridors when they have a site that is redeveloped.

3. Require more parking lot trees.

Garrett stated that we are proposing to increase the requirements for trees in parking lots. We are requiring 1 more tree per square footage.

4. Require solid screens with trees between residential and commercial zoning districts.

Garrett stated that we are requiring a 100% screen which would mean a 6' fence or wall as well as trees so they buffer the residential from the commercial. We are proposing to reduce the side yard in the H-2 Corridor from 20 feet to 10 feet and to increase the side yard setback for the B-3 Corridor from 5 feet to 10 feet. The screening setback requirements would eliminate the possibility of having drive aisles next to residential zoning. We are allowing parking in the side yard where it wasn't previously allowed before.

5. Eliminate current exemption for shallower lots in older zoning districts to be exempt from parking lot screening requirements.

Garrett stated that we are proposing to remove the current exemption for parking lot screening for shallow lots in older districts.

6. Apply existing parking lot screening requirements to auto display areas.

Garrett stated that parking lot screening is required for all new parking lots unless your lot is 150' deep or less.

Garrett asked if there are any questions.

Linscott asked if the street trees will be done at the building permit time and not during the platting process. Krout stated that the idea is to hold developers responsible for street trees as part of infrastructure in new subdivisions, but this is meant to deal with redevelopment areas. Nelson asked that staff reanalyze that. Maybe we are better off doing it at the building permit time instead of at the platting process. Krout stated that holding financial guarantees for long periods of time is awkward. Often, we find that subdivisions are taking longer than 6 years. The planting needs to happen when someone is there to make the payment.

Anderson asked how this would apply to older areas that want to expand. Krout stated that there are times and places where someone is wanting to expand something that is nonconforming, and there can be some complementary improvements that are negotiated.

Krueger asked if they are suggesting doing away with rear parking in B-3 and H-2. Krout stated that is correct. Krueger commented that it's more important for that redevelopment to have access to the rear yard rather than the side yard.

Krueger asked why the City doesn't create a street tree district rather than hiring an inspection person. Krout stated the inspection person is more than for street trees; it is for all landscaping requirements. A couple years ago, we did a survey and found that less than half of the

landscaping was being maintained, and this affects the character of the City. Krueger asked if the bond requirement will still be there. Krout stated that he believes the bond requirement wouldn't be needed. Krueger commented that if we can make that tradeoff, he would be fine with that, but he envisions the City will want both.

Linscott stated that regarding the street tree requirement between commercial and residential, if you are able to come to an agreement with the neighborhood association to put the trees on the residential property instead of the commercial, he asked if that would be allowed. Krout stated that is a great idea. We didn't put it in the standards, but we should provide for that option. Krueger stated that it is still important to be able to circulate around your building through the back side.

Penn stated that the inspection person will have to keep good records over many years. Cary stated that there is a lot of work there, so they have been discussing what type of position that will be. It could be on a contract basis, or it could be a staff person. It needs to be someone who is trained in that area and understands landscaping and maintenance. Penn stated that she believes this is a good idea because some developers put in the landscaping as submitted and some don't.

Nelson asked if there could be a requirement at the time of the building permit to put in the street trees. Krout stated that street bonds are the most troublesome because of the length of time involved. Sullivan asked if there could be a two-step process to get your building permit, such as a building occupancy and a site occupancy. Krout stated that these are good questions, and we will continue to look at it. Krueger stated that he believes there are going to be several issues with this. Johnson asked if a bond could be done at the time of the building permit. If you don't tie it to money, nobody is going to do it. Krout stated that would simplify the problem, but he doesn't know if it would eliminate the position. Johnson stated that a partial occupancy permit is not very realistic. He noted that with the new Accela software, it would be easy to track with the building permit. Beecham stated that she likes that idea, but it doesn't address landscaping that is put in and then dies.

V. Review Follow-Up Items on Building Design Standards and Discussion – Stacey Groshong Hageman

Hageman stated at the last meeting, we talked about The Still and what would need to be changed to meet the requirements. She presented a re-designed sketch of The Still showing more transparency, an enhanced entrance, a parapet and more articulation.

Hageman reviewed the feedback received at the last meeting on the building design standards. She stated that in general everyone was okay with the articulation standards. For entrance design, there were questions to address buildings with multiple tenants. For transparency, there were questions on how the transparent area relates to durable base requirement (3 feet). For materials, there were questions on how to define "architectural grade metal" and flexibility with allowed materials. Everyone was okay with the parking structures proposal. For

equipment screening, there were questions to consider height of parapet walls to meet requirement.

For entrances, the standards say that we need a distinguishable entrance, but we don't address multiple tenant buildings. The proposed language states, "Where there are many entrances to separate establishments, a continuous band of doors and windows along the entire visible elevation is a customary design approach. At least one entrance shall meet the entrance design requirement for each building."

Sullivan stated that he is nervous about turning our backs to N. 48th Street. N. 48th and S. 17th are very different corridors but have the same requirements. He doesn't believe they should be the same applications. For S. 17, having the entrance off the back is fine, but he questions putting the parking behind on N. 48th corridor. Krout stated that there are some in-between areas, and staff talked about if there is a third case that we recognize falls into the gray area. Maybe we need to identify those areas. There are lots that have shallower depths and incremental ownership. As the LPS/Whole Foods site has developed, he is interested in hearing the Committee's opinions on that development. Beecham stated that the part that faces O Street, on at least on one or two of those, all you see is the back of the building with an industrial metal door. Krout stated that some businesses who have the back of their building to the street have put in glass doors to give some transparency even though they aren't public entrances. If we have a transparency requirement more than what we see currently at the LPS/Whole Foods site, that would make sense. White questioned the definition of transparency. If the back of the building faces a street, the business is going to black out their door by putting advertising in the windows. It is hard to do full transparency on windows that you are putting up against the street. Krout stated that there are limits on the amount of the window that can be covered with advertising. The standard says that you can have window boxes too. They have also had people ask them about spandrel glass, and they'd like to get the Committee's input on that. Carlson stated that window boxes can be done effectively such as at Russ' on 17th & Washington. Johnson stated that spandrel glass isn't just black glass; it comes in about every color of the rainbow, and you can do something very effective to create that sense of a window without having to be able to see through it. Krout stated that we want something that is simple so we don't have to make discretionary decisions. If there are ways to simplify the rules, that's what they want to hear. Penn stated that she tried to think of examples that wouldn't fit the window box idea, and she came up with a gentleman's club, a liquor store or a lingerie shop. Maybe spandrel glass is the best plan to deal with these businesses where we maybe don't want to promote what's inside.

Hageman continued with the materials standards. We don't have a list of prohibited materials now. The heavy materials list now includes natural or manufactured stone, brick, precast concrete or concrete masonry units with integral finish/color, architectural grade metal panels or metal cladding, or other materials that are equivalent in appearance and durability. On the Whole Foods site, they allowed the metal material to count for the heavy material requirement,

and they want to get the Committee's input on that. Krout stated that our dilemma is how to use metal panels effectively without having 100% metal panel buildings. Sullivan stated all metals can be done architecturally, so we need to look at other standards such as change of color and change of materials to avoid getting a pre-engineered metal building. He would suggest taking out the word 'architectural'. On the Whole Foods site, he has a concern from the pedestrian perspective that this isn't very interesting and it isn't a pleasant walk. Maybe if the building was stepped back and had a little parking on the front, that would be better.

Krueger asked if the standards will be reviewed in Building & Safety or in Planning. Krout stated that Planning will be responsible for these standards just like the Neighborhood Design Standards and Downtown Design Standards. Krueger asked about subdivisions that are in process. Eichorn stated that with a use permit, the building design standards must be met. If we have a site plan that has already been approved and it shows a building already in place, then that's where the building is going to go. Krueger asked what happens if the building isn't sited. Eichorn stated that they would look to see how it closely it meets the design standards and at the context of the existing development. This is where the administrative review and discretion would come in.

Hageman stated that the proposed language for equipment screening states, "Ground level and rooftop mechanical equipment and trash and storage areas shall be screened with materials compatible with the main walls of the building so they are not visible from abutting streets and residential properties." We do already have a current standard for ground level equipment, and the only thing it doesn't cover that is should be the same materials as the building materials. So they are looking at eliminating the ground level screening from the proposed design standards. Looking at rooftop equipment, she provided examples of other city's rooftop screening standards. Krueger stated that it would depend on where you measure from on the high side or the low side of the roof. Hageman stated that if you have a limit on how high it can be, such as no taller than the equipment, or the equipment should be set back a certain distance, maybe that can mitigate the issue. She doesn't think it would ever be the intent to screen from a higher elevation.

Beecham asked about which side would it be setback from on a building like Whole Foods. Hageman stated that we are only screening from the adjacent street. Sullivan stated that you either extend the parapet the height of the equipment or you provide a secondary screening wall on the roof the height of the equipment but it has to be such a distance back. Beecham stated that she doesn't want to run into the equipment has to be set back from the main entrance but the main entrance faces away from the street so they have this really close to the street. Hageman stated that they aren't say that it should be set back from the entrance façade; they are just saying from the street façade. Sullivan suggested that it should be a minimum setback of 'x' on all four sides. Hageman noted that is similar to what the Capitol Environs Design Standards state, which is that it must be set back at least 15 feet from any face of the building.

Hageman stated that for screening of electrical equipment, Omaha's standards state that utility boxes are not allowed along the facades of structures facing the front lot line or shall be screened from view.

VI. Complete and Hand In the Landscaping and Screening Feedback Sheet

Cary asked the Committee members to complete their feedback sheet and give it to a staff member. Cary noted that the next meeting will be December 4 with the final full Committee meeting on December 11.

Anderson commented that dark glass on the street side feels just as uncomfortable for a pedestrian as a wall with no windows. Krout asked if lighter opaque feels better than the dark glass. Anderson stated that it feels better than dark glass.

Penn asked if there are limitations on what kind of advertising can be put in window boxes. Krout stated that freedom of speech rights state what you can and can't advertise. Sunderman asked if we are opening it up for businesses to put advertising in window boxes that they normally wouldn't put on the wall. Sullivan commented that maybe we could have language that states window boxes are only allowed under certain conditions.

VII. Public Comments

There were no public comments.

VIII. Wrap Up

Cary thanked the members for their attendance.

The meeting was adjourned at 1:05 p.m.

M:\plan\Design Standards 2012\Committees\Design Standards Committee\131120\Minutes.docx