

**Planning and Zoning Joint Session**  
**B-1 Special Meeting**  
**July 20, 2021**  
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The meeting was called to order at 6:32pm by Zoning Chairman Nixon Adams.

The secretary called the roll.

Commissioners Present: Nixon Adams, Brian Rhinehart, Karen Gautreaux, Ren Clark, and Mike Pierce.

Absent: Brian Rhinehart (Absent at the time of roll call, present at 6:46pm), Simmie Fairley

Also Present: Cara Bartholomew, Director Planning Department; Elizabeth Sconzert, City Attorney; Alex Weiner, Secretary

Workshop Participant asked for clarification on the difference between B-1 and B-2 districts,

Ms. Bartholomew replied that B-1 minimum lot area is 10,000 sq f. with a maximum area of 40,000 sq ft. In B-2 the minimum is 15,000 sq ft with no maximum. The max building size is 15,000 sq ft in B-1 while its 100,000 in B-2. The maximum impervious site coverage is limited to 75% for both districts

Mr. Clark asked what it means when the definition says, "to support adjacent residential neighborhoods". Ms. Sconzert replied that you would want it to be compatible. Mr. Clark asked who would determine that compatibility, Ms. Sconzert said that the first line would be the Planning Department, then it would be the commission if there were questions that needed interpretation.

A workshop participant asked for the difference between a Special Use and Conditional Use permit.

Ms. Bartholomew replied that a Special Use permit goes before the commission to be approved, while a Conditional Use permit needs a recommendation by the Planning Commission before going to the City Council and must be approved through an ordinance.

Another participant asked if it was feasible to set a list of objective criteria that a location must met to be approved. Ms. Sconzert replied that doing something like that was almost impossible as the context of the location needs to be considered, because the requirements to be suitable in one location do not necessarily transfer to another.

A participant brought up that there is driveway access for every 100ft, and said that if you have a smaller parcel, you should require a shared access. Highway 190 should have less driveways and the current ordinance is counter-productive for protecting greenspace. Ms. Bartholomew replied, clarifying that the meeting was only to discuss the B-1 land uses

Mr. Clark questioned how a communal parking area served the community, as it would be made of 100% impervious material, Mr. Adams also commented that they do not want to add more traffic going in and out of the area

Jason Zuckerman said that the purpose of the meeting was not to rewrite the B-1 zoning classification or rezone the area, it was to just tweak the stuff that could have a problem in the future.

A Participant asked about the discrepancy of 3,000 vs 15,000 sq ft. Ms. Bartholomew replied that the CLURO states 3,000 but the site development criteria states 15,000 and will trump the use of the district, it was just an inconsistency in the CLURO.

Jason Zuckerman mentioned that maybe they should define what the special use permit means, when one is permitted, as the design of a building is very important

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Charles Guinchard asked if these changes would have to be introduced through an ordinance, Ms. Bartholomew replied yes

A participant asked if there was a limit to the number of Special Use permits that could be issued, like with the limit on Short Term Rentals. Ms. Bartholomew replied no there was no limit.

Mr. Clark asked how building maintenance was compatible with a residential area. Ms. Bartholomew replied that it was limited to daytime operating hours and restricted to being indoor, also the limit of 15,000 sq ft prevented them from having a huge operation.

Mr. Pierce questioned if allowing Business Support was contradictory to servicing residential areas. Charles Guinchard replied that he had items such as printers that he brings to get fixed at places like that.

Mr. Adams suggested that there be a comprehensive rezoning of the gateway corridors to protect them.

Dr. Kreller asked why not change everything to only allowable by a Special Use Permit, Ms. Bartholomew replied that there must be some things that are permitted by right

Mr. Clark stated the 15,000 sq ft limit should include everything, even parking.

Ms. Bartholomew said that she and Councilwoman McGuire discussed changing the definition for restaurant fast food, as the drive through seemed to be the primary issue with compatibility. Buck Abbey said that landscape ordinances do not include drive throughs, which could be a big difference

Mr. Rhinehart asked that when these changes become an ordinance lots of these will change to legal nonconforming structures, what would it take for them to lose their nonconforming status, other than a shutdown of utilities for an extended period of time. Ms. Bartholomew replied that for businesses they can look for an active occupational license or certain damage that exceeds 50% of the building. Ms. Bartholomew clarified that any lot that is currently empty will not be granted any nonconforming status, and if someone were to build on it they would have to comply with the new ordinances.

A participant asked if there were any existing buildings that would be nonconforming with these changes, Ms. Bartholomew replied that she was not sure and would have to find out.

Mr. Clark said that they could make certain uses non-viable by adding limitations to the definition.

-Mr. Rhinehart asked if it would require an ordinance to change the definitions and Ms. Bartholomew replied yes.

A participant asked if they could combine lots to exceed the 15,000 sq ft limit, Ms. Bartholomew replied no, the limit was per development site.

Ms. Gautreaux motioned to adjourn the meeting, Mr. Clark seconded, all were in favor.

The meeting was adjourned at 7:57pm.

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Alex Weiner, Secretary



Karen Gautreaux, Chairwoman  
Planning Commission



Alex Weiner, Secretary



Nixon Adams, Chairman  
Zoning Commission