



**Forest Acres Planning Commission
Minutes
April 4, 2023
City Council Chambers
6:00 PM**

I. Call to order

- 1. Determination of a Quorum**
- 2. Statement of Notification**

Jack Cantey, Chair, called the meeting to order at 6:00p. He noted that there was a quorum. Mr. Cantey, Beronica Whisnant, Nola Armstrong, and Stephen Powell were present. Ellis Creel, Ralph Bailey, and Lyle Lee were absent.

Shaun Greenwood, City Administrator, was also present. Andy Smith, Assistant City Administrator was present via Zoom. Mr. Cantey asked and Mr. Greenwood confirmed that the meeting had been properly noticed.

Kelly Cousino and Justin Wallace from White & Smith, LLC, Planning and Law Group were also present.

II. New Business

- 1. Zoning Ordinance – Presentation of Module 1 of the Zoning Ordinance Update and presentation of the Downtown Overlay District*

Mr. Greenwood introduced the topic and noted that representatives from White & Smith (zoning consultants) were present to present the first module of the zoning ordinance rewrite and to solicit feedback. He noted that there would be no need to take action on any of this tonight.

Ms. Cousino provided a brief introduction and agenda for the evening.

- Progress so far
- Unified Development Ordinance (UDO) Organization and Project Documents
- Module 1 Review & Downtown Overlay District
- Next Steps

Ms. Cousino described the process they've taken to solicit initial feedback and she noted that White & Smith is proposing creating a UDO that combines the zoning ordinance and land development regulations to encourage easier use and reduce redundancies. She further showed the breakdown of the modules in the review.

Mr. Greenwood noted that he and the City Attorney are reviewing each module before they come before the Planning Commission.

Ms. Cousino began her review of the first module (articles 1 – 3). She identified ways in which the new proposed UDO is similar to and differs from the existing ordinance. Differences include some structure changes, a comprehensive use table, and centers and corridor overlays.

Mr. Wallace began discussing uses and overlays in light of the existing Forest Drive Corridor study, which will establish minimum design standards (e.g, location of buildings, landscaping, setbacks, building materials, etc.) in the commercial corridor of the city. Items discussed among the White & Smith representatives, Planning Commissioners and Mr. Greenwood, include:

- The concept of a “Build-To” Zone in the overlay areas.
- The proposed Covenant Crossing Neighborhood Center overlay district.
- Desired location of parking and the regulation of murals
- The interaction of PDDs with the proposed overlay
- The allowance of uses (e.g., wine bars, boutique hotels, upper-story living, etc.) in the overlay district that are not currently allowed in regular zoning districts and would only currently be available in an approved PDD
- Prohibited uses in the overlay district (i.e., uses inconsistent with a downtown area)
- Height of buildings (in stories or in feet), particularly in light of the potential for boutique hotel use, including the concept of a ‘height bonus’ for a preferred use on the first floor (e.g., a restaurant on the first floor of a boutique hotel).
- The emphasis on encouraging boutique, small-scale retail by limiting the square footage of each tenant space
- Height transitions on buildings adjacent to residential areas
- Design standards for drive-thrus
- Encouraging cross access between parcels
- Addressing pedestrian access between buildings and sidewalks
- The Gills Creek area and public access to the creek and park under development (and corresponding parking incentives).
- Incentives for low impact development measures (e.g., pervious pavement)

There was extensive discussion on getting the question of building height, and how its measured, correct; the White & Smith representatives and city staff noted that they’ll address this issue and bring it back to the Planning Commission.

Mr. Wallace began the discussion on Article 3 – Use Regulations. He noted that this article consolidates all use regulations in one place, introduces tables for ease of navigation, and organizes uses by type (principal, accessory, etc.). This also introduces clear designation of uses permitted by right, conditional uses, and special exceptions. This also incorporates state regulated uses (e.g., small wireless facilities).

Mr. Wallace began a discussion on Accessory Dwelling Units (ADUs), and changes they’ve made in this area from the current ordinance in light of the city’s comprehensive plan; he noted that they would like Planning Commission feedback. The main question is whether and how the city wants to allow new fully livable ADUs – size, height, owner occupancy requirement.

Next, Mr. Wallace began a discussion on how the ordinance proposes regulating home occupation. He discussed the size limitation of use, use of accessory structures for home occupation, parking restriction, and signage. Mr. Greenwood noted that the intent is to

minimize the impact of people (e.g., clients) coming to a residential area. He gave the example of a fitness teacher with 16 clients creating traffic and parking problems.

Mr. Wallace discussed the concept of 'housing choice'. Can we integrate different types of housing that is consistent with existing residential (e.g., triplexes, townhouses)? He noted that this would be permitted primarily along Forest Drive. He noted that these would require at least 1 acre and be permitted by special exception. He noted criteria for a central courtyard and design compatibility with neighboring houses.

He also led discussion with the Planning Commission and the City Administrator on the following:

- Senior living
- Neighborhood friendly corridors. He wanted the City's feedback on a separation requirement (from residential) of 500ft in these areas.
- Alcohol-related uses
- Short-term rentals and Home-sharing arrangements. There are regulations in the draft regarding owner responsibilities, maximum occupants, trash and parking. He asked for city feedback on permitting home-sharing in residential districts and, if so, limiting the number of days per year
- Multi-family uses – in the draft these would be a conditional use in R3 and C5, rather than permitted by right. Must also be in Centers and Corridors Overlay or immediately adjacent. There was discussion on the impact of this change on existing multi-family housing complexes

[Ms. Armstrong left the meeting]

Ms. Cousino provided concluding remarks, noting that the proposed UDO consolidates definitions, adds a section for acronyms, and tracks changes in the draft form. Next steps would be to prioritize the text amendment for the downtown overlay district and prepare for public hearing. Then, they will focus on drafting Module 2 (Site & Development Standards, Environmental Protection, Land Development Regulations) and preparing it for staff and Planning Commission review.

Mr. Cantey noted that ultimately, everything the Planning Commission reviews and recommends will eventually make its way to City Council. Mr. Greenwood confirmed and noted that once this is in a substantially finished form, it will go to them for a review. He will send the video from this Planning Commission meeting to the City Council so that they can begin considering and preparing comments and questions.

III. Adjournment –

Mr. Cantey adjourned the meeting at 8:15 PM.

Respectfully Submitted,
Andy Smith, Asst. City Administrator/Finance Director
(Administrative support of Planning Commission)