

MINUTES
BREVARD STREET AREA STAKEHOLDER GROUP
8-11-09

Stakeholders In Attendance:

David Pitser Childress-Klein	Fred Klein Childress-Klein	Jud Little	Andy Zoutewelle, Planning Commission
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Staff In Attendance:

Jim Kimbler, CDOT	Tim Manes, Planning Department	Dan Thilo, Planning Department
Karen Chavis, Planning Department	Sandra Montgomery, Planning Department	

I. Welcome and Introductions

Sandra Montgomery welcomed everyone to the meeting, which began at 6:07 p.m.

II. Background, Purpose, and Process

Ms. Montgomery reviewed the Agenda and asked the attendees, who are already familiar with the draft text amendment provisions, if they would like to have a review of the draft provisions or skip to Agenda item number 4, which is the “Review and Discussion of Follow-Up Information”. All agreed to moving to Agenda item number 4.

III. Presentation of Draft Text Amendment Provisions

The stakeholders felt familiar with the proposed provisions and agreed to move to the fourth item on the Agenda.

IV. Review and Discussion of Follow-Up Information

Dan Thilo reviewed the questions raised by stakeholders at the first two meetings, and presented the staff response to each question.

V. Discussion of Key Issues

Staff led the discussion of key issues. The following concerns and questions were raised by the stakeholders:

Retail Requirements

- Building codes require stairwell exits and a main entrance to a fire command center from the perimeter of the building (usually on a side that is less prominent). The stairwell exit would include the entrance/exit door plus a 12’ wide area to accommodate the stairs. Meeting the 80% and 75% retail façade requirement could be difficult. Could the code required entrances and exits be exempt from counting toward the 20%?
 - Staff Response: Staff noted the concern, and will reevaluate the percentage, but believes that the percentage is reasonable.

- The retail percentage requirements (80% and 75%) make it difficult to have a residential lobby. Residential lobbies should include a mail area, sitting area for guests, concierge and/or security areas. Residential lobbies are more understated than an office lobby. Can condominium lobbies work on a side street? They won't work on midblock.
 - Staff Response: Staff noted this concern for further discussion with staff, but wants to encourage retail along the street frontage, as recommended in the adopted Plan.
- Hotels desire to have a large lobby fronting the street, for marketing.
 - Staff Response: Staff noted this concern, but wants to encourage retail along the street frontage for this geography.
- Retail uses are depth sensitive with depth limits of 40' to 60'. Deeper spaces are not desired, and retailers don't want to rent deep space at \$30/square foot, unless they are a larger tenant. While the retail can wrap the core, the rest of the first floor could be used for parking or storage. How the percentages play out is the question.
 - Staff Response: An optional UMUD designation can be used to vary the requirements.
- Retail uses want a front and back door (deliveries).
 - Staff Response: Staff indicated that the entrances would be part of the 20% designated for non-retail uses.
- There is a struggle to get a good mix of retail uses Uptown. Retail is heavily subsidized by banks. Even Belk would not locate Uptown when offered free rent. Most retail depends on 5-7 days of activity.
 - Staff Response: Day and night activity will occur with the Hall of Fame, and the Convention Center (receptions, etc.). Can the building be designed for retail, but used for other uses?
- How can retail be provided and yet not discourage other types of development or no development?
 - Staff Response: The adopted plan encourages retail along the street frontage. Other types of development can locate on upper floors, or behind the retail façade.
- Like the idea of retail along Brevard, but how does it come together? Will other uses be needed to make it work?
 - Staff Response: Redevelopment of Marshall Park could help the viability by bringing soft goods to that area will be locating nearby.
- The vision is to control the street experience with retail uses. If the retail is only 40' deep, a building won't make even 50% of the first floor requirement. The key measure is retail along the street, not what is on the first floor. Although UMUD requires 50% of the net first floor to be retail, it is always difficult to achieve the 50%. Historically it has been difficult to design retail requirements, urban open space, and parking access with CDOT, Planning, and Other Code requirements, that don't work well together. It can be difficult, without the resources or expertise to know what retail owners want. There can be issues of awkwardly

designed, long and narrow spaces for retail, and it is difficult to know if it will work until the project enters the design stage.

- Staff Response: Staff asked the property owners if they could provide examples of products where it did or didn't work.
- Is there any major retailer ready to commit to space on Brevard?
 - Stakeholder Response: Not yet.
- Can the retail space be left vacant until it is filled?
 - Stakeholder Response: It would be a financial drain on the owner.
- What type of retail demand is there for first floor space along Brevard?
 - Stakeholder Response: Restaurants and entertainment uses would work better than big box uses or soft goods. Soft goods are available at the Metropolitan on Kings.

Urban Open Space

- Can the urban open space requirement be waived along Brevard? It is difficult to provide the retail percentages and the open space.
 - Staff Response: Staff has found that all developments have been able to provide the urban open space requirement, and do not support a waiver.

Parking

- Midblock buildings would have a difficult time providing parking access from side streets.
 - Staff Response: Staff noted this concern.
- The parking is too restrictive. Let the market decide. The parking maximum of 1.6 ends up limiting the mix of residential units to one bedroom units. Three and four bedroom units will not work with 1.6 parking spaces. How do you provide visitor parking for residential units?
 - Staff Response: Staff noted this concern, and will review the parking maximum again.

VI. *Wrap Up and Next Steps*

Ms. Montgomery reminded stakeholders that the next meeting on August 11th will be a duplicate of this meeting, since a number of property owners were not available to attend this meeting. Everyone is welcome to attend, but the same material will be covered.

After feedback is considered from this meeting, staff will prepare a draft text amendment for presentation at the August 27th meeting.

Ms. Montgomery reminded stakeholders that they can e-mail or phone her with additional questions or comments about the suggested modifications.

The meeting was adjourned at 7:10 p.m.