



MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Agenda

From: Caleb Hood and Brian McClure, Community Development Department **Meeting Date:** November 16, 2021

Presenter: Brian McClure, Comprehensive Associate Planner **Estimated Time:** 30-minutes

Topic: Downtown Design Review Approach

Recommended Council Action:

Provide direction on preference of additional design review process for areas in and around downtown Meridian.

Background:

Proposed Project:

The purpose of this project is to better define and convey desired architectural and site related design review elements in the downtown Meridian area.

The Issue:

Staff has been aware of and heard concerns from downtown stakeholders that current design standards are not sufficient and not downtown specific, lacking:

- emphasis on historical design elements;
- consideration for a higher level of craftsmanship and design detail desired within pedestrian scaled environments of the downtown area;
- context for an already developed environment (the existing design standards generally assume a greenfield or vacant condition);
- consideration for increased vertical height, larger massing, and closer proximity of structures that many vibrant downtowns allow; and
- context for integration of outdoor urban spaces.

Background/History of Design Review:

The current Architectural Standards Manual (ASM) was approved in 2015 and replaced the previous City of Meridian Design Manual. The ASM is comprised of express standards, generally quantifiable, and oriented around a framework that is intended to establish a minimum level of effort. It does not, and was never intended, to guarantee “good design”.

The ASM process and standards were developed at a time when the State was concerned with the design review of other cities. Some cities asserted significant discretionary authority in

combination with poorly articulated design goals or standards, resulting in too much uncertainty for the development community. Meridian's response was to establish less subjective, more measurable, objective, black and white standards, and to improve consistency of review regardless of individual staff perceptions or views. This process has generally worked as intended, though with the scale of activity in the City there are always outliers. Problems generally arise from applicants not meeting standards, saying they meet standards but refusing to quantify them, or not wanting to justify or describe alternative measures through the integrated design standards exception (DSE) process. All standards *must* comply unless approved through a DSE (which is free, but includes additional discretionary allowance by City staff).

Current Process – Pros and Cons

The ASM is an administrative process typically coordinated by current assistant planners, and sometimes current associate planners. This process is defined and streamlined, making the review and approval process efficient. While planning staff typically try to push the envelope a little when necessary, and especially in conditions with sensitive neighbors or complex project history, there is no discretionary review unless a standard is not being met and an applicant requests a DSE. In greenfield projects, this is usually not an issue as the Mayor, Council, and Planning and Zoning Commission often see conceptual elevation and concept drawings, and which are incorporated into development agreements, for subdivisions and plats in the public hearing process.

Where this process varies significantly is in traditional neighborhood districts, in other infill and redevelopment conditions, and in commercial areas. Notable exceptions where there is limited or no public hearing of large projects include:

- most commercial projects with older existing zoning entitlements; and
- for multifamily and vertically integrated projects, and in traditional neighborhood districts, such as Old Town (O-T) or Traditional Neighborhood Residential (TN-R) zones, where no conditional use permit (CUP) is required.

These exceptions have historically been intentional, prioritizing and incentivizing meaningful projects in desired areas, and believing (or hoping) that other process review efforts would ensure positive outcomes. This is not always the case. Administrative review carries far fewer risks for developers than discretionary review, and typically results in more streamlined project timelines.

Even in projects in the above conditions, and which require a CUP for other developer "asks", such as additional height allowance, other influences affect review and oversight of these applications. While the findings for a CUP are fairly extensive when considering compliance with both Unified Development Code (UDC) zoning performance standards and Comprehensive Plan text and policy, developer and political pressures often limit consideration to the specific, and not to related impacts. Review and consideration of other related topics, such as parking, should likely better consider impacts to other processes when it affects application of express standards designed to consider only normal projects.

Request:

Using the current ASM throughout the City works most of the time. However, additional architectural guidance that articulates and then requires projects in the greater downtown to meet specific design needs, could assist the City achieve its vision for a premier downtown. City staff needs direction on:

- whether additional design review measures are desired in downtown;

- what the Mayor, Council, and management desire for general level of effort, both to develop and then implement the standards;
- whether a staff or consultant led project is desired;
- the geographic extent and application of a new process and/or standards; and
- the types of exceptions or instances in which elected and/or appointed officials may want to redirect architectural review from administrative review to either a discretionary (e.g. – Design Review Committee) or public hearing (e.g. –additional Council review) process.

Project Considerations

The following process considerations may be helpful when considering proposed options for next steps or further discussion (see Project Concerns/Opportunities below as well).

Process:

- This can be approached as:
 - a minimum, administrative level of effort similar to the Architectural Standards Manual (ASM);
 - include a traditional discretionary review framework (Design Review Committee or public hearing process); or
 - utilize some combination of the two above.
- Should additional design guidelines or standards be an in-house (with Committee) effort or consultant led (potentially, also with a Committee)?

Route	Cost	Time	Description
Staff led Committee	Low	Short to Medium	Staff would lead project and public involvement, and utilize Committee to draft standards. This could be done well, but there may still be significant gaps in review without other code/process changes. Code changes or a new approach to design review may significantly complicate effort.
Consultant led, with or without Committee	Medium to High	Medium to High	Consultant would lead project; could be similar to staff led, or vary significantly. For example, the consultant could lead the same project and free staff to other assignments, or the consultant could craft loftier goals/standards for a Design Review Committee to oversee, or take a new direction and redesign portions of code to integrate architectural review. More consultant resources and broader experience may improve the project, but may increase the project duration (and cost).

Assumptions

- Regardless of in-house or consultant led, architects and design/construction professionals, and particularly those with infill and urban/downtown environments, should lead or help to craft the design guidelines or standards for implementation. *Staff recommends the development of the initial design standards not include the public, developers, their appointees, or architects with active entitlements in downtown (all can participate later in the process after draft standards are crafted to share).*

- The public’s role would be to provide initial/early direction through listening sessions, surveys, or other outreach. This would help to start staff, workgroup, and/or a committee in the right direction. Additional public review opportunities would be envisioned, but trained design professionals and staff designing or reviewing for compliance will be responsible for drafting standards language.
- The Historic Preservation Commission (HPC) would be involved, but not receive any additional oversight due to their meeting frequency and delays to the review process, varying collective design experience, and frankly, limited remaining opportunities for architectural preservation with respect to level of effort and process. The HPC should however influence preservation of ideas (and continuing them) through new standards. Their knowledge would provide helpful direction. If a new design review process for downtown moves beyond express standards, then this assumption may change. That would likely also depend on whether the Commission, sub-Committee, or appointee to a design review committee was willing to meet with greater frequency, or as needed.
- The Meridian Development Corporation (MDC) would similarly be involved. At a minimum, this would include early outreach to understand vision and context, participation through comment periods, and updates to the MDC Board as needed. Fragmented urban renewal district boundaries, inconsistent overlay with Old-Town zoning and future land use designations, and code issues with express standards make direct involvement in review unlikely in many conditions. New discretionary review processes could however open up additional participation opportunities.

Initial Design Objective/Standard Needs:

The following are some initial areas for design objectives/standards to address, and that are not considered in the general context of the City but which may be helpful in downtown. These are perhaps more nuanced than what is needed to decide on next steps, but may be helpful in thinking about the problem.

- Consideration for all visible sides of a building regardless of roadway typology or location of public facilities/open space (the focus of current standards) is important. This is especially helpful for vertical views from taller structures. The baseline height allowance in O-T is now 75-feet, and which is taller than any other district but H-E. In the City Core the O-T height allowance is 100-feet, excluding additional parapets, equipment, screening, and non-occupied space, and which is the tallest building height allowance in the City. Much like the Meridian Water Tower, this could be seen for miles. A new project would currently only consider express standards largely developed for suburban development, and may have no public hearing.
- More context in design objectives/standards are important.
 - What does the street block look like?
 - What is the “District” vision? There is a great deal of nuance between the different subareas of downtown, and those identified in Destination Downtown.
 - How could or should this fit into the City’s vision for Downtown?
- There should be better awareness and consideration for eliciting the idea of certain materials, construction, age, and of quality, without requiring specific materials or construction types. Just listing preferential materials may often miss opportunities, at least with express standards.

- The Keller building for example has no brick and is very modern, and has very little historical nods, but many people still feel like it has some historical context. What influences that downtown “vibe” in its design, which in reality and at face value, is in stark contrast to discreet product types and architectural styles often preferred?
- There is very little emphasis on details and transitions of surfaces and materials. The ASM really focuses on buildings as viewed from vehicles, with pedestrian elements being simple requirements that acknowledge them, but are not focused on their experience. More genuine effort is needed to include authentic pedestrian level details.
 - Generally, and for example, windows should be better integrated into building design and incorporate lintels, ledges, and/or framing beyond the narrow band of aluminum or vinyl that holds glass in place (seriously).
 - Greater details in field materials are more often than not, missing. More thoughtful scoring in stucco or concrete, more variation in brick rows, and greater details in areas on edges and corners such as fascia, rake molding, and cornice work, could all help. Details commonly ignored for vehicle-oriented structures are fine, but they are needed for pedestrian oriented architecture that seek to capture the timeless aspect and craftsmanship expected in historic areas.

Project Concerns/Opportunities:

The following are concerns and opportunities that may be helpful to consider in selecting a project approach, or in at least understanding a comprehensive scope of work (e.g. – code changes paired with additional standards).

- A huge influence of architectural character is site context. Do we want or need more consideration of site design in the Downtown area? Administrative design review includes very limited consideration for the “site”, since that’s usually captured in “subdivision” review. There’s very often no subdivision review with infill projects.
 - How can we better capture and address missing sidewalk, lighting, and other infrastructure, even incrementally? The City Core Street Cross-section Plan was meant to address some of this, but is not considered with new single-family and duplex redevelopment projects that are only pulling a building permit. Greenfield residential must provide sidewalks, lighting, and other improvements. Does the City want to be responsible to construct, later?
- Should we have architectural standards that require certain site design features such as streetscape and open space (not area quantity, but inclusion of urban features such as plaza/seating), and if not provided, then they go through a discretionary review process?
- *Should we force an automatic administrative design review “check”, and in certain conditions require a hearing or other oversight process in lieu of express standards review?* For example, if a project has a certain associated or previous request, such as a CUP for height, or other zoning exception/alternative compliance approval such as parking, then the design review process goes a different direction. The process could have several “lanes”, one being express and one not. The purpose here being to give more public oversight for projects that may otherwise break express standards and fail to address critical metrics.

Automatic Administrative Review Check	Pros	Cons
Oversight Committee (such as design review)	The current process exists, and tweaks may be feasible with better defined criteria that limit abuse and make the process non-optional in some cases.	The current process is almost never used, and it's never been used with the current ASM. Unless the oversight committee rejected an application, Council would still never see many projects.
Public Hearing (or similar)	This would provide greater oversight, without impacting all projects. Could better consider interrelated considerations such as site design, parking, alternative compliance, and whether public funding is included. May be possible to use in conjunction with a committee.	This will require additional time and cost for projects, and may be a disincentive in some cases. If also used with a committee, will require very strict timeline and review sideboards to avoid drifting into Council or P&Z purview.

- What sort of caution flags should we be looking for?
- *Despite being Downtown, we cannot globally tie anything to MDC since most of the Old Town land use area is within an expiring URD. We could require comments from the URD as a check-list item when applicable, to ensure they've been consulted. That may not require any actual changes if we use express standards however. A committee or Council could also direct additional discretionary design review with MDC; would need to define circumstances. This can (and has) been problematic when MDC is contributing public funding, is concerned about aesthetics, but has not coordinated agreements prior to an application for administrative review. Staff can't arbitrarily hold an application, or enforce MDC requests with express standards.*
- ***Only modifying existing traditional neighborhood district (TND) standards may result in a significant disincentive for O-T zoning.*** Existing O-T zoning area is very fragmented, and a much smaller area than the corresponding Old Town future land use area.

Design Review Application Area	Pros	Cons
Old Town Zoning	Utilizing existing O-T zoning would be much simpler to implement. No additional overlays would be needed and no modification to the UDC required to update (for this particular element).	Likely a significant disincentive to get new applications to rezone to Old Town. This particularly in the older residential areas where the City is seeing new, substandard townhomes with almost no discretionary review/oversight. This also makes parcel consolidation more difficult and bigger opportunities less feasible.
New, larger defined area	Better able to address outward growth of downtown redevelopment, and more consistently apply the same standards within the same geographic area (to be defined). This is more transparent, assuming clear code and graphics.	This avenue is more complex to implement and likely to require additional code changes to implement, or a more significant update in the ASM to accommodate (depending on the new standards process).

- The City has been seeing the impact of limited residential controls within O-T zoning and the City Core. There are some new “soulless” duplexes without any character or sense of

place occupying infill spaces, and increasing density without making sidewalk connections, improving lighting, or addressing other quality of life concerns. In some areas this low hanging redevelopment is detrimental to the Destination Downtown vision, and particularly closer to the City Core. There are development review and process conflicts, and opportunities for improvement to better ensure that these projects are reviewed more consistently, and in the context of downtown (and not greenfield).

- *Project needs to retain perspective.* Too much discretionary review and too many additional requirements, will be a redevelopment disincentive. Staffing is also of concern, as are impacts to review and processing time. A traditional discretionary review by Staff, or review by a Committee may be desired, but if required in all cases would either require more trained staff or likely increase review and approval periods.

Project Development Options

Option 01: Internal Development

This option would be run and facilitated by the Community Development Department. Much like the creation of the ASM, Staff would utilize a committee of willing architects and other trained design or commercial construction professionals. Potentially, participants could be appointed by the Mayor. Participants would need to have a special background and working knowledge focused on commercial and downtown, mixed use projects. The committee would provide guidance and recommendation on specific strategies and standards to Staff, who would be responsible for the crafting of the standards. This may or may not be consensus based, but should be determined in advanced to setup clear expectations.

This process would fall within an update or addendum to the ASM, though there may be other code changes needed to support. Likely, the product would focus on either amending Traditional Neighborhood (TND) standards in the existing ASM, or if an overlay type zone is created in the UDC, then another category specific to the general Old Town area added to the ASM. **The focus of this option would be express standards.** This may be difficult to dial in and require some iteration with an emphasis on pedestrian detail, historic context, and flexibility needed for so many different product types.

Generally, the process would include the following:

1. Initial downtown stakeholder outreach. Some framework would need to be explained to stakeholders, but generally the focus would be to understand from the public:
 - opportunities and concerns of additional design standards;
 - what architectural themes or styles are valued or to be avoided; and
 - whether there are specific materials or enhancements desired.
2. Standards Committee Work.
 - Overview of current code, ASM, and history.
 - Review of stakeholder feedback.
 - Several meetings and one on one work to provide feedback on staff suggestions to address stakeholder and committee work.
3. Broader public review.
 - Invitation for previous stakeholders to review and discuss standards.
 - Opportunity for broad community involvement, including special interests and stakeholders interested but not affected.

4. Standards Committee Work.
 - Make potential revisions considering public review.
5. Public hearing process.
 - P&Z Commission and Council review and adoption considering public testimony.

Option 02: Consultant Led Program

This option would be facilitated by a design professional (consultant) and supported by Community Development staff. The process would largely be left to the consultant through a Request for Proposal (RFP) or coordination with staff through a Request for Qualifications (RFQ), but to include outreach to downtown stakeholders, other design professionals, and the broader public. It would be intended as a more robust process than Option 01.

This effort could fall within the confines of the ASM, and be similar to a project led by Community Department staff, or something much different. For example, the consultant could determine that a design review committee was the best approach for the downtown area, or that a hybrid form-based overlay code should be implemented. A benefit of a consultant led approach is that additional outside expertise could leverage broader awareness and new ideas. A consultant led process could also be larger in scope and address a new process or manual that is selectively geared for downtown. Lastly, this option may take longer to initialize due to procurement and consultant selection process. The actual standards process may be quicker. The level of effort and cost, could vary dramatically.

Generally, the process would include the following:

1. Downtown stakeholder outreach (identical in Option 01).
2. Either a RFQ or RFP process.
 - Clearly represent interrelation of ASM and UDC code.
 - For an RFP, the proposed solution would need to submit turn-key project and respond to both City need and stakeholder feedback (which could be supplied in advance if City staff held listening sessions).
 - For an RFQ, the selected consulting team would need to demonstrate solid experience in this work. Meridian is unlikely to see substantial benefit from traditional design review guidelines, unless development applications go through an architectural review committee – past leadership has tried to avoid the committee review process. The ASM is very different from what most cities utilize for traditional, discretionary, design review.
3. Process as followed in selected RFP, or as agreed to through RFQ.

Recommendation

Assuming City Council wishes to modify the current process and develop new design standards for a downtown geography, Staff recommends a hybrid approach that generally utilizes Option 02, consultant led. This proposed approach would blend the benefits of the City's adopted ASM, with the support and experience of a consultant that can consider comprehensive UDC changes to address other common issues. Maintaining express standards, as often as possible, is desired as it limits additional stress on staff that isn't trained and doesn't have the bandwidth to process applications through an entirely discretionary review process.

This recommendation would include an overlay area, largely following the Old-Town Future Land Use designation boundary (roughly Fairview to Franklin, 3rd to 3rd). This considers outward

growth and redevelopment from the City Core and limits changing boundary updates in the future. Essentially, working towards the vision area already defined in the Comprehensive Plan. This would also limit disincentives to preferred rezones, and more consistently apply standards to similar projects and closer geographic region, regardless of zoning.

A primary desired outcome of Option 02 would be to have a consultant team examine and recommend a second avenue or “lane” for design review in “other” conditions. Examples could include, when a CUP or alternative compliance exists, and what that public oversight and involvement looks like (eg – public hearing or not). Further, it could expand opportunities to involve HPC, MDC, and others. This other avenue could also take place when a project reaches certain thresholds that could consider elements such as floor area, units, structured parking, or other desired metric. This avenue would not be express standards and instead speak to character and form more broadly, possibly just using associated goal and objective language for standards, but not the actual standards. Consultants would also help to identify other conflicts in code and issues that may arise from traditional zoning, hybrid design review, issues in the current approval process with respect to design review, and opportunities to achieve better outcomes for residential redevelopment.

This recommendation is intended to limit discretionary review by staff, and place that, at whatever appropriate frequency of occurrences or scenarios, with an independent design review committee or at a public hearing.

Staff would still need some additional direction on sideboards or preferences of this approach, that may narrow the range of work. For example:

- Staff have heard of comments indicating surprise about Council not reviewing certain projects. What types of projects does Council want to review? Are there certain “checks” where, absolutely, a project should leave the “fast lane” and be reviewed in a public hearing by City Council?
- What (if any) are some other areas of topic or concern, where traditional discretionary review by staff, or a committee (preferred), should review applications with additional opportunities or concerns? Keep in mind that many “concern” areas, such as parking, would require additional site design review or require a reimagining of the approval process in many infill conditions.
- Should the City be doing more to limit redevelopment projects that prevent reaching the vision? Old-Town zoning is exceptionally flexible, more-so than any other district, but it doesn’t distinguish between different Destination Downtown districts and their desired product types. A duplex or multifamily only project could go up on any vacant piece of land in Old-Town with marginal staff oversight and no public hearing, even in the City Core. Some of this may not be tackled now, but understanding even future wants/goals would be important to creating a design review framework that works now and later.
- There is some consultant dollars budgeted in FY22 for this type of work, but Planning may not have enough if Option 02 is selected (especially with the cost of everything going up these days). Is there a general willingness to consider a budget amendment if necessary so that Staff can complete this effort, and maybe even move it forward concurrently with other Strategic Plan projects? If not, other projects may have to wait until FY23 or later in FY22.