



Meeting Minutes - Final

Building Review Board

Wednesday, December 19, 2018

2:00 PM

City Council Chambers

A. CALL TO ORDER:

B. ROLL CALL:

Present 6 - Stephen Brockman, Tom Castagnoli, Chairperson Dan Jurjovec, Edward Kuhrt, Donald Russell, and Cory Smith

Absent 2 - Paul Ghassan, and Brian Kronewitter

C. PUBLIC FORUM:

There were no speakers present for public forum.

D. PUBLIC HEARINGS:

E. REPORTS AND RECOMMENDATIONS:

1. Approve the minutes of the October 17, 2018 meeting.

A motion was made by Smith, seconded by Kuhrt. The motion to approve the regular meeting minutes of October 17, 2019 carried by a unanimous vote.

2. Consider the requested variances to the 2012 International Building Code: a) Table 705.8 to permit existing windows that do not conform with fire separation distances to be allowed to remain and b) Section 706.1 to waive the fire wall requirements and allow the existing party wall to remain. - BRB Case #96.

Peter Zibble, TED Operations Manager, made a presentation on the case. He indicated that in the time since the publication of the agenda item, city staff continued to meet with the applicant regarding this project. It was decided in the meeting that to continue to treat this development as two separate but connected buildings, far too many variances to the building code would be required. Staff was also concerned that they would not be able to support some variances. As a result, the applicant and staff decided that the best option would be to seek a zoning variance to permit the construction of a single building on two lots. This solution would negate the need for variances to the building codes as the new apartments could be considered as a simple building addition.

Russ Whitaker, council for the applicant, concurred with the staff presentation and presented additional background information. Mr Whitaker indicated that the resubdivision of the property was strictly for the purposes of obtaining state

financing to build the new apartments and that the entire building would continue to function as a single building. He indicated that the two separate owners are actually entities of a single parent entity and there is an agreement in the works to define that relationship to ensure that a portion of the building could not be sold separately.

Mr. Smith confirmed that it would not be possible to consolidate the two lots. Mr. Whitaker said that it would not be due to the financing restrictions. Mr. Russell asked if the new building would be Type 2A. The project architect, Heidi Wang, confirmed that it would be.

There was no public testimony on this item.

The Board discussed the case and concurred that it would be in the best interest of all parties to treat the facility as a single building. They decided to agree with the applicant's current request to reject the design variances stated in the agenda item and amended the motion.

The motion was to not recommend the variance requests for BRB Case #96 and instead recommend that staff review the existing building and the proposed five story addition as a single building on a single lot under the adopted ICC codes and disregard the interior lot line of the new subdivision.

Aye: 6 - Brockman, Castagnoli, Chairperson Jurjovec, Kuhrt, Russell, and Smith

Absent: 2 - Ghassan, and Kronewitter

3. Consider the requested variance to the 2012 International Building Code Section 402.1.1 Open Space - BRB Case #97.

Peter Zibble, TED Operations Manager, presented information about the case. Mr. Zibble indicated that in addition to the information provided in the agenda memo, it was determined that the lighting store building to the northwest of the subject building encroaches a few feet into the 60' open space required for a mall. He asked that the Board consider adding that encroachment into their approval of the variance request.

The applicant, Shilpa Purohit, gave a brief presentation supporting the agenda memo and the additional request for allowing the lighting store to encroach.

Mr. Russell asked about potential to reverse the layout of the building. Ms. Purohit said that the grocery store needed to be on the north side because of the loading dock location.

Mr. Smith asked about the parking requirements and landscaping. The applicant and staff indicated that the parking is currently adequate for what is proposed and that it will be reviewed again for any new requested tenant use. The applicant also indicated that there would be some additional landscaping. Staff noted that Planning would ensure that the development complies with all city requirements.

Mr. Russell ask for some clarification on the requirements of Section 402.2 which were answered by the city's Code Official, Katie Sperl.

Mr. Brockman asked if the open space remaining around the building would provide adequate access for the fire department. The Fire Marshal, Scott Scheller, said that there is a access for his trucks around the entire perimeter of the building. Mr. Scheller also elaborated on the fire protection aspects of a mall and how it differs from separate, connected buildings. He also noted that the fire barrier required between the mall and Tenant Space YY would permit penetrations so that the two uses could share utilities, fire suppression, and alarm systems.

Chairman Jurjovec made an amended motion to include the lighting store. Ms. Sperl asked that it also include allowing Tenant Space YY to be attached to the mall.

The motion was to recommend the variance request for BRB Case #97 with the conditions proposed by staff in the agenda memo, and to accept the encroachment of the existing lighting store to the west into the required 60 feet, and to allow the Tenant Space YY to be connected to the mall building.

Aye: 5 - Brockman, Castagnoli, Chairperson Jurjovec, Kuhrt, and Smith

Absent: 2 - Ghassan, and Kronewitter

Abstain: 1 - Russell

F. OLD BUSINESS:

G. NEW BUSINESS:

H. ADJOURNMENT:

A motion was made by Chairman Jurjovec to adjourn the meeting; seconded by Russell. Approved (6-0).