

Planning Commission Work Session

February 28, 2017 5:00 - 7:00

NDS Conference Room

Members Present: Chairman Kurt Keesecker, Jody Lahendro, Gennie Keller, John Santoski, Brian Hogg,

Staff Present: Missy Creasy, Brian Haluska, Alex Ikefuna, Lisa Robertson

Call to Order: by Chair Keesecker 5:28

Agenda

Mr. Santoski arrived at 5:28 which established a quorum.

Ms. Creasy noted that the presentation to City Council is on March 20th and someone else should attend with Mr. Keesecker.

Ms. Keller confirmed that she will go with Mr. Keesecker on March 20th. She noted that it seems like it is our responsibility to bring a diverse group of people to the table and it is not the job of the Planning Commission to shape that input. She said if we keep everyone in a silo, that is going to lead to conflict.

The Commission reviewed the overall structure of the document. Clarification of section "C" of the work plan encompassed most of this discussion. It was confirmed that the Commission will provide a scenario for review by the public based on the feedback received in earlier phases of the work plan. The community will have the opportunity to comment and refine. The format of this scenario is anticipated to be a "cartoon map" which does not show specific boundaries. The Commission was also reminded that one of the results will need to include the formal Future Land Use Map for inclusion in the Comp Plan.

The general timeline for the full process will have the 4 kick off meetings in May-June 2017, the mini meetings in Summer/Fall 2017 and completion of section "C" by the December holidays.

Mr. Keesecker noted that he will work on the presentation materials for the March 20, 2017 Council session and the Commission will have the opportunity to refine the draft at the March 14, 2017 regular meeting.

Legal Review – Lisa Robertson, City Attorney

Ms. Robertson presented the proposed text amendments. She said the focus is on Article #3, the zoning use regulations for the mixed use and PUD districts. She is recommending to stop using PUDs as of a particular date and it would allow for validation of the current zoning you've got, it just wouldn't add new things for that district. Other than the residential districts, every district you have allows mixed use. You will see the B1 and MI districts included with the mixed use districts. She has listed the things that all of those districts have in common relative to mixed use, development, etc. B1 and B2 are still there, just included as mixed use districts. She has organized the dimensional/ building standard envelopes into a chart so no matter which district you are in, you will see a similar organization for each.

What you will notice for the setbacks, yards, and stepbacks requirements is these acronyms included in a chart. At the end of the mixed use district you will see a chart and you won't believe how many yard designation requirements and other things there are and most of them are less than 5 feet different than each other. She is re-organizing it here but what she is hoping is this will start a conversation about whether we need this level of complication. She said her task as she saw it was to re-organize and present it in a way that people can find information more easily and there will be a few provisions that are substantive that you will notice because there are holes. One of the biggest holes is there are several mixed use zoning districts in which we say absolutely nothing about the percentages. Some districts will have percentages and some districts do not percentages. She intends this to be a stop gap measure so that we don't get more buildings that have one dwelling unit in them and we call it a mixed use building. There are some holes that she provided data for and tried to use percentages that were otherwise found somewhere in the ordinance. When she did something like that there is a comment box next to it explaining why she made a particular choice. Those are open for dialogue.

Zoning Permits and Procedures

How do you go about getting your re-zoning approved? It's just a laundry list of all the different permit procedures and things. At the end of that is an updated division that talks about site plans and how they get approved and what they are supposed to be if you are organizing in accordance with the state enabling legislation framework. The biggest organizational difference is that I have illuminated all language that in anyway repeats or paraphrases state law provisions under that portion of the code. You do not need three pages of repetition of what is in the state law. There is an updated description of what ought to be in a preliminary site plan. That document under enabling legislature is much more of a concept document, much as you have been using it in the context of PUDs. The laundry list of things that need to show up in a layout plan and in a PUD plan are exactly the things that are supposed to be the same in a preliminary plan. We are going to need some time to talk over what that means, but as a practical matter anything that requires a re-zoning, a PUD approval, or a Special Use Permit, your ordinance already requires a preliminary site plan to accompany that

application. Her recommendation is that you just go ahead and have the preliminary site plan be part of that application and at the end of that process when Planning Commission and City Council have reviewed it, that concept plan is reflected in the preliminary site plan which is also your schematic design for a proposed development and then you are done. Whenever you are ready get your site plan approval, instead of having three steps there are two. This is very consistent with state law and consistent with the notion that people are looking to have things work in a way that removes unnecessary review steps. The shortest way to say what the distinction is a preliminary site plan is more conceptual, it would no longer be a draft final plan which is how right now we are using it. That does not preclude somebody from submitting an early version of a site plan and continuing to work with staff the way they do now with multiple submissions working toward a final approval. We just would not call it a site plan other than when it presents the conceptual layout and the schematic design for a project. The residential use matrix is greatly simplified and she is hoping to have a discussion about whether it needs any more detail and has all of the basic information in the current matrix. The current matrix uses four pages to basically say in residential districts you are allowed about 10 uses. She has tried to get rid of the complicated chart and boil it down to what the requirements are. She said the same thing has been done for the mixed use district matrix. She just consolidated everything. What you will see with the matrix as presented is a little different. We have 5 different square footages we use to talk about a retail development so it is continuing but hoping it will bring up conversation about how we can make certain things a little easier to work with in the ordinance. Ms. Robertson said it's a good idea to have this on the website for public comment and review.

Mr. Santoski asked how does this fit in with the discussion of Form Based Code?

Ms. Creasy said this is a conversation totally separate from legal review. The Form Based Code item is on a separate path and there is an RFP on the street for that and it is only for a little piece of the City.

Ms. Robertson said it's not even the entire SIA. It is Phase One within the SIA.

Ms. Keller asked Ms. Robertson had she had the opportunity to see the handout or the PowerPoint from the Form Based Code presentation at the Jefferson School.

Ms. Robertson said she did and she plans to talk with people internally about what is the best way to clarify some of the information in that handout.

Adjournment 8:10 pm