

**Planning and Zoning Commission Work Session Minutes
December 4, 2025
Conference Room 1A/1B - 1st Floor City Hall**

Call to Order

Commissioners Present – Brodsky, Darr, Geuea Jones, Gray, Ortiz, Stockton, Walters, Wilson

Commissioners Absent – Stanton

Staff Present – Craig, Kunz, Halligan, Smith, Zenner

Introductions

None

Staff Announcements

Prior to approval of the agenda, Mr. Zenner noted that there would be a couple of announcements on topics not formally published on the work session agenda that would be made by Mr. Craig and Mr. Smith that were determined to be timely. Mr. Zenner noted that full discussion of these topics was not possible given they had not been formally published on the agenda; however, if a more robust discussion were desired staff could add them to a future agenda.

With these comments made, Mr. Zenner turned the meeting over to Mr. Craig who made an announcement with respect to a question that had been presented to the Law Department about the “automatic forfeiture” provisions relating to Planning Commissioner service following 5 total absences within a 12-month period. Mr. Craig explained the current procedure used for calculating absences. This procedure counted absences within a chosen period of 12-months beginning June 1 and ending May 31 and had been consistently applied over the past several years.

Mr. Craig noted that the choice of a specific 12-months was not consistent with the current language contained within the UDC relating to this matter and that the “plain” reading of the language within the UDC would be that the collection of absences resulting in the forfeiture of office were to be considered on a “rolling” 12-months. While this inconsistency has been identified, he noted that the status quo would be upheld at this time and that moving forward the 12-month “lookback” period would be applied to all Commissioner absences. What this would mean is that any Commissioner presently having 5 absences would automatically forfeit their office upon their next absence given there would be 5 within a “rolling” 12-months.

Mr. Craig noted that a report to the Council is anticipated to be prepared that would provide an explanation of the consequences of conforming to the “rolling” 12-month requirement. He further noted that if the Commission wanted to discuss in greater depth possible changes to the attendance provisions of the UDC it would be appropriate to schedule the matter as a published work session topic.

Upon concluding his comments, Mr. Craig turned the meeting over to Mr. Smith who provided comments regarding the recent Council meeting outcomes on the IG rezoning request located off of Paris Road and his intended strategy to address the concerns expressed by Council with respect to the possible use of the land for a “data center”. Mr. Smith noted that he was directing staff to prepare a text change that would create a definition for “data center” and make the use allowed only after issuance of a conditional use permit (CUP) which would allow for both Commission and Council added discussion with respect to such uses.

He noted that his proposed approach would not be a “fine-tuned” solution; however, would be an interim measure allowing staff to develop tailored use-specific standards regarding the land use after conducting some additional research. He expressed concern that without such an action it would be possible that any request for IG zoning could be impacted. He further noted that prior to this matter being brought before the Commission, a report would be given to the City Council on the proposed paths forward which would be followed by the formal text changes.

Mr. Smith also discussed the outcome of a recent short-term rental request that had a petition of opposition associated with it and the Council's reaction to the petition versus the Commission's apparent lack of reaction to the petition. He noted that based on his observations of Council, which is why he was bring the matter up, it appeared the Council gave greater weight to the petition signatures than the evaluation performed by the Commission in its overall deliberations on the matter.

While the request was ultimately approved by Council like it was by the Commission, Mr. Smith noted these types of observations/insights may prove helpful as the Commission tries to understand how their actions impact Council decisions. He noted that moving forward the work session agendas would include a new agenda item where staff (i.e. himself) would be able to provide the Commission with updates on Council cases that may have longer term impacts in the relationship between the Commission and Council.

Approval of Agenda

Meeting agenda adopted unanimously.

Approval of Minutes

The November 20, 2025 work session minutes were approved with Commissioners Wilson abstaining.

Old Business

A. Small Lot Integration Text Amendments – Article 5 and Appendix A

Mr. Zenner provided an overview of the progress made on the text revisions to Article 5 noting that his progress was less than anticipated. He discussed the changes proposed with the "flag/tier" lot provisions discussed at the prior meeting and the realization that the platting process had two very distinct tracks which in some cases required both the Commission and Council action and in others just Council action.

As a result of this realization he explained that the proposed "flag/tier" lot provisions were restructured such that they were more specifically tailored to "unplatted" and resubdivided or replatted property. He noted that the new provisions provided a distinction between a platting action where only 1 new lot was being created out of the original parcel and situations in which more than 2 new lots, up to a maximum of 4 lots, were being created. Mr. Zenner explained that the existing provisions for "flag/tier" lots would generally apply in situations where only 1 new lot was being created. Whereas in situations where more than 2 new lots from the original parcel were to be created entirely new standards would be applied such that the "stem" could serve as roadway frontage and access to the new lots as well as address driveway placement and length maximums that were previously discussed.

After explaining the revised provisions there was general Commission discussion. Commissioners questioned if it was truly necessary to create the new provisions since the UDC already allowed for the creation of "irrevocable access easements" to access lots that were not otherwise accessible from the primary roadway frontage. Mr. Zenner stated that in newly created subdivisions this was a correct assessment and that the provisions would not generally be applicable since the property undergoing subdivision was doing so for the first time. He added that in such instances there would potentially not really be a need to create a "flag/tier" lot given other alternatives (i.e. alleys) could be used to access such lots and could be integrated into new development.

Mr. Zenner explained that the proposed revisions were prepared more to address the issue of activating unused deep lots within the already "built-out" portions of the city as well as to provide clarity on when and how "flag/tier" lots would be permissible. Given prior UDC amendments opened up the possibility to legalize historically substandard deep lots, the amendment language provides clarity on a property owner's ability to seek resubdivision approval in an effort to activate the unused portion of those lots. Mr. Zenner noted that without the text changes the ability for the City Council to approve a "flag/tier" lot on a parcel deemed legal

would be otherwise restricted since the current language applies only to “unplatted” lots which also includes non-legal lots.

Given the “dual” purpose of the amendment, Mr. Zenner felt that it was appropriate; however, did note that it was possible that the standards directly applicable to small lots could be pulled out from the “general” subdivision standards and moved into a single location within the UDC that specifically addressed the issue of “Small Lot Development”. The Commission generally agreed that moving all the standards applicable to “small lots” to a single location was appropriate.

There were additionally questions asked with respect to the maximum length of the “stem” to access the rear lots on a parcel being set at 250-feet and being limited to a maximum of 4 lots. Mr. Zenner noted that the choice of 250-feet was made based on what was presently allowed in the creation of a “flag/tier” lot. The cap at 4 lots was chosen since that is the maximum number of lots off a “shared driveway” for residential development. The Commissioner’s acknowledged the rationale for these provisions; however, also asked if the Fire Department would be accepting of the maximum length. Mr. Zenner noted he would follow up with the Fire Department staff to ensure this was the case. He stated that the last thing desired was to create an impact that could only be mitigated by installation of a turnaround or extension of a waterline with a fire hydrant on it.

Finally, the Commission questioned the reasoning for the “stem” providing access to the rear lots needing to be platted as part of the lot furthest from the primary roadway serving the overall parcel given that same “stem” would need to be within a platted “irrevocable access easement”. Commissioners commented that the regulatory provision appeared to be more complicated than necessary.

It was recommended that the provision be modified such that only an “irrevocable access easement” be required to be platted across each lot being created to provide a location for the “common driveway”. Commissioners noted that doing so would simplify the platting action, result in the newly created lots spanning the entire width of the parent parcel, and potentially eliminate the need for the extra exception language regarding the easement area being counted in the required setback. Mr. Zenner noted that he would have review the proposed change and work with Mr. Craig on how the easement dedication language would need to be shown on a future plat, but generally saw what was proposed as an acceptable alternative to achieving the concept of a defined “shared” access within a “stem” benefiting all newly created lots and serving as “frontage” and “access” as required by the UDC.

Having reached the end of available work session time, Mr. Zenner noted he and Mr. Kunz would be working to prepare additional text revisions and a small lot “visualization” for the December 18 work session. There were no business items to discussion December 18; therefore, the work session would be extended to 7:30 pm with the Commission’s holiday meal occupying approximately the first 30 minutes of the meeting.

Adjournment

Meeting adjourned at 6:55 pm.

Actions taken:

A motion made to approve the agenda, as submitted by Commissioner Darr and seconded by Commissioner Walters. The agenda was approved unanimously. A motion made to approve the November 20, 2025 minutes by Commissioner Darr and seconded by Commissioner Walters. The minutes were approved unanimously with Commissioners Wilson abstaining.