

Planning and Zoning Commission Work Session Minutes
September 8, 2016
Conference Room 1-B - 1st Floor City Hall

ATTENDANCE:

Members Present: Burns, Harder, Loe, MacMann Rushing, Russell, Stanton, Strodtman, Toohey

Members Absent: Russell

Staff: Moehlman, Smith, Teddy, Zenner

Guests: Farnen

ADJUSTMENTS TO AGENDA: None.

TOPICS DISCUSSED – OLD BUSINESS

- UDO Comment and Issue Spreadsheet

Mr. Zenner continued with the discussion of the UDO issue and comment spreadsheet by beginning the meeting with carryover discussion relating to the 125% parking maximum and possible options for allowing it to be increased. It was suggested that an option be created to allow the cap to be extended to 150% by administrative action provided that the 15% open space could be met and additional internal and external landscaping was added. It was further recommended that any parking over 150% would need to go to the BOA for approval. Mr. Zenner noted that as part of the BOA review process there would be verification that the 15% landscaping requirement would be met.

There was significant discussion on the pros and cons of such a process. Following such discussion the Commission concluded that the proposed solutions were likely the best options given that removing the parking cap altogether would likely to be negatively received. The proposed administrative option and then the BOA route were the most logical approaches and gave options for relief that were not too onerous.

Following the lengthy discussion on the parking cap, Mr. Zenner proceeded to discuss items 186 and 187 relating to the concerns about all the references to “administrative decisions”. Mr. Zenner and Mr. Teddy explained the process of how he and the staff tracked such decisions today. Mr. Zenner noted that the comments appeared as desiring to have those decisions available for review to ensure that the Director hadn’t over-stepped his authority. Mr. Zenner noted that such a process wasn’t likely as poor decision would be identified by other City leadership and corrected without the public’s involvement. He continued that it would be possible to identify where all references were made to administrative decisions within the UDO and create a table for them similar to that created for the other procedures that were within the UDO for specific application types.

The Commission had discussion on this concept and thought that it would get at the heart of the issues that items 186 and 187 were trying to flush out. The Commission saw such a process as a more streamlined way for the public to identify where the Director had authority and where, if he did not, they would need to go. They also saw value in creating the table as a means of tracking the decisions. Staff indicated that it would develop the “Administrative Decision” table and incorporate it into the public hearing draft of the UDO.

Follow the discussion of items 186 and 187 Mr. Zenner noted that Commissioner Toohey had requested that the Commission further consider the proposed revision the length of time a preliminary plat was valid after it was approved. The current code version recommends that the time of approval be reduced from 7 to 3 years. Commissioner Toohey felt that this was too short a period and did not understand the reason for the change. Mr. Zenner explained that the change was to align the preliminary plat process to other national standards and to align it with the performance contract time frame which was also 3 years. He further explained the details

of how the revision would only impact preliminary plats that did nothing within the 3 years following their approval by Council.

The Commission had discussion and was still uncomfortable with the change in to 3 years. They indicated that the change appeared arbitrary and potentially could affect developer's ability to obtain financing. Mr. Zenner recommended that concerns could be addressed if the UDO provided greater specifics on what constituted having undertaken activity within the 3 years following plat approval. He recommended potentially establishing a standard that could be based upon a percentage of the total lots in the development or its acreage.

The Commission discussed the suggestion; however, no final decision made as time for the work session had run out. It was concluded that this issue would need to be further discussed at the next work session on September 14.

ACTION(S) TAKEN: No votes or motions were made. Meeting adjourned approximately 6:55 p.m.