

Planning and Zoning Commission Work Session Minutes
August 24, 2017
Conference Room 1-B - 1st Floor City Hall

ATTENDANCE:

Commission Members Present: Burns, Harder, Loe, MacMann, Rushing, Strodman, Toohey
Commission Members Absent: Russell, Stanton
Staff: Caldera, Palmer, Teddy, Zenner
Guest: Farnen

ADJUSTMENTS TO AGENDA: Added, for overview purposes only, discussion of potential changes to UDC "Permitted/Conditional Uses" if time were to permit.

TOPICS DISCUSSED – New Business:

- **July Building Permit Report**

Mr. Zenner provided the July 2017 building permit reports to the Commissioners for information purposes. There was general discussion. Mr. Zenner noted that if the Commission desired more detailed information regarding the permit reports he would be happy to ask a representative from the BSD Division to join our next meeting. He further noted that while residential numbers were presently down there was a potential for those numbers to increase as a result of two larger multi-family projects and individual residential construction seeking permitting before October to avoid increases in the sewer connection fee.

Old Business:

- PD District Discussion (public comment follow-up)

Mr. Zenner continued with his presentation regarding this topic which began at the prior work session. He began by providing the Commission with staff's perspective on why the PD process was changed from its prior format that allowed PD's to be established in 2-steps verses the single step process that now exists. He stated that the process change was to avoid speculation on land use and to utilize the underlying base zoning more effectively. Mr. Zenner stated that since the base zoning districts were expanded to accommodate a broader mix of uses the need for PD's to permit certain mixes of uses has been reduced. He further stressed the need to rezone to a PD should be limited to when a site has constraints that would otherwise not allow the property to be effectively developed under the base zone.

Mr. Zenner provided a couple of examples of how this change in review philosophy would play out. He noted that staff will not tell an applicant they cannot submit a PD, but rather if that application would be generally supported or not by staff before the Commission. He went on to state that staff does not believe the use of PD's should be to resolve neighborhood opposition to a change in land use through the application of extra unique criteria. Staff focuses its review on the merits of the land use and if that land use and the others allowed within that base district are appropriate for the surrounding context. If staff determines that use proposed or the potential other uses in the district are not appropriate or premature for a particular context a recommendation of denial may be more likely. Staff feels that the additional protective standards that the UDC offers need opportunity to be used instead of defaulting to PD as a solution.

If the new protective standards are not sufficient the question needs to be asked should they be revised to address the issues that a PD is being implemented to address. If the PD standards are good for the specific site consideration should be given to their potential application across the board. Creating this type of consistency, Mr. Zenner stated, is what he hears the development community desires. The pervasive use of PD's does not create consistency.

There was general Commission discussion on the ideas and points Mr. Zenner raised. Concern was expressed that if the Commission were to limit its consideration to land use compatibility there may be certain projects that would not be able to be approved. Commissioners expressed concern that without a PD their ability to eliminate potentially noxious uses was constrained and their ability to support requests for redevelopment may be reduced. Mr. Zenner stated that in such situations it may be that the use being proposed along with all the other potential uses allowed in the district is just inappropriate at the given time. The idea in making a land use decision is to ensure overall compatibility not just for the use proposed but for any future use as well.

Mr. Zenner pointed out that with the expansion of uses in the districts there will likely be concern about approving developments without some type of added controls. Given this, the reduction in the number of PD's submitted maybe slow given the local culture and use of them. Mr. Zenner noted that staff is aware that there are concerns with the submission process by which a PD is required to go through. He stated that the requirement that a full site plan be submitted showing actual development is now required and this is a concern by design professionals. Mr. Zenner admitted that this was at times impossible to accommodate; however, reiterated that the purpose for this provision was to avoid land use speculation. There was Commission discussion on this point.

Mr. Zenner continued by stating that staff was considering potential changes to the submission requirements for a full site plan that showed all development in detail. He noted that an option would be to modify the regulations to require that at least one actual tenant/user of a tract of land be "in-tow" at the time a property is proposed for PD development not an entire site's worth of tenants. Under this modified process a design professional would be required to produce a detailed site plan for the area to be immediately developed with more conceptual design being shown on the remaining areas of the tract. The areas of a site shown in conceptual design would need to show how land uses, infrastructure, and screening would be installed to connect the site to its surrounding and internally. This process would provide a framework in which future detailed site plans could be evaluated while at the time of approval give adjacent property owners an understanding of how the site may impact their lands without the expense of full detailed design. It would further reduce the potential for criticism of a development plan that showed one building configuration at the time of approval being altered by the time of development due to changes in the market.

Commissioners consider this suggested course of action and had limited discussion. Mr. Zenner indicated that proceeding forward with regulatory revisions to effectuate this modified review process would likely be precipitated by a development proposal. To date, Mr. Zenner stated, there really hasn't been a large scale PD proposal – most have been single lot requests. Commissioner's acknowledged that observation and did not object to proposed changes.

ACTION(S) TAKEN: August 10, 2017, minutes were approval. No other votes or motions were made.

Meeting adjourned approximately 6:55 p.m.