PLANNING COMMISSION MINUTES

DATE: December 14, 2015

TIME: 4:30 p.m.

PRESENT: Chairperson Davis, Commissioners Shortridge, Porter, Hahn, M. Olson, Boettcher, L. Olson, Buelow and Ballard

STAFF PRESENT: City Planner Mark Moeller; City Planner Carlos Espinosa

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The meeting was called to order at 4:30 p.m. by Chairperson Davis.

Approval of Minutes – November 23, 2015
The minutes from the Commission's meeting of November 23, 2015 were reviewed and upon motion by Commissioner M. Olson, and second by Commissioner Boettcher were unanimously approved as submitted.

Public Hearing – Final Plat – Kuehn Addition
Chairperson Davis called on the applicant to provide preliminary comments.

Charlie Kuehn representing Kuehn Brothers Properties, LLC, noted that he was representing the petitioner in this case. He explained that the general purpose of the plat was to simply subdivide his property into two parcels. He explained that he recently had sold the property at the southeast corner of Highway 61 and 14 to Winona Leasing. He explained that the larger lot in the plat would continue to reflect the footprint of the Mango's restaurant site. In addition to this lot, a smaller one would be created for some future commercial use. He encouraged support of the plat.

At this point, Chairperson Davis called on staff to provide a summary of its report. Mark Moeller, City Planner, then reviewed the staff report for this item. In summary, he explained that the area to be subdivided included 1.13 acres of land and is located between Highway 14 & Ronald Avenue. As proposed, 2 lots would be created. Of these, the larger would include .74 acres and the smaller .39 acres. Given B-1 (Commercial) zoning of the site, specific performance standards for new lots are nonexistent. Additionally, access to the newly created lot would be from Ronald Avenue and would be accessible to City utilities at that point.

Mr. Moeller stated that staff was recommending approval of the plat. Although not initially included in the staff report, this recommendation would be subject to one condition requiring that the street name of "Ronald Avenue" as shown on the plat be modified to South Service Drive. Given staff review, it was felt that this action would promote the continuous flow of South Service Drive from where it now terminates at the Northeast corner of the plat to Highway 14. Given this change, Ronald Avenue would terminate at Service Drive.

Commissioner Shortridge asked if the current zoning update process would somehow impact the plat. Mr. Moeller responded that it would not.

Following brief discussion, it was moved by Commissioner Shortridge and seconded by Commissioner L. Olson to approve the plat for Kuehn Addition given conditions as outlined in the staff recommendation.

When the question was called, the vote of the Commission was unanimous to approve the motion.

Downtown Residential Moratorium Information

Chairperson Davis called on staff to provide an overview of this item.

Carlos Espinosa, City Planner, noted that at its last meeting, the Commission had presented a number of questions relating to a possible downtown residential moratorium and what steps might be needed to undertake such an effort. In part, this discussion had surfaced subject to concerns that a number of high density residential complexes were being developed downtown. Given the lack of parking requirements in portions of the CBD, it had initially been proposed that a moratorium on further such developments be stayed until the Zoning Update process is completed.

Mr. Espinosa stated that within the area of the Central Business District as bound by Fifth, Market, Front, and Washington Streets, off-street parking requirements do not apply to new uses. Within this overlay, public parking lots and on-street parking areas are intended to satisfy the demand for parking created by new development. Given the recent implementation of a hand full of high density residential projects downtown, concerns had been expressed that they will create demands for off-street parking that existing public lots cannot accommodate. He explained that current weekday and weekend occupancy of 12 hour parking lots in downtown was surveyed by the City in early November 2015. In referencing the map attached to the agenda package, he explained that the Abramson and Lindgaard Group Projects will generate residents who will park in the adjacent public lot north of the properties. There are currently 65 non-handicapped – 12 hour spaces in this lot. Given the survey, spaces are 90-100 percent full during the week and a maximum of 50 percent full during the weekend. In addressing other lots, the one located adjacent to Midtown Foods has an average occupancy of 80-95 percent during any weekday and 50 percent maximum on weekends. As a comparison, the lot behind the theatre has an average weekday occupancy of 60-70 percent with a maximum weekend occupancy of 80 percent.

In addressing the moratorium issue, Mr. Espinosa stated that such a document could be tailored around the following criteria:

1. The application of development restrictions to areas located only within the Central Business District Parking Overlay District.

2. Given the creation of new residential units, including sleeping rooms provided that an exemption could be made to allow for up to four residential units per property for small isolated developments during a moratorium.

He further noted that a recommendation supporting a moratorium would need to be forwarded to Council for approval. At this point, the earliest that an ordinance could be forwarded would be for Council's December 21st meeting. As an ordinance, it would require a second reading by Council on January 4, 2016 and would take effect on January 6, 2016. He noted that until such time that a moratorium would actually be adopted; the City could entertain permit applications for new projects. Given staff consideration, all permit applications would require a full set of plans along with an application. Additionally, a building permit would need to be issued prior to the time the moratorium becomes affective in order to proceed.

As an alternative to a moratorium, Mr. Espinosa suggested that it would be conceivable to simply make an amendment to the Central Business District Parking Overlay District which requires a minimum of one parking space per dwelling unit for any new residential use. This would follow Comprehensive Plan recommendations and would generally have the same effect on the area as a moratorium. The difference here is that if a property owner proposed a residential development where the one space per unit could not be met, that person could request a variance from the Board of Adjustment.

Finally, Mr. Espinosa stated that another alternative would simply be to do nothing and to focus energy on updating the Development Code to address downtown land use/parking concerns. Again, until that project is completed, additional residential units could be added to the downtown area under existing regulations.

Upon discussion, Commissioner Shortridge asked for clarification of lot area verses density in the Central Business District. Mr. Espinosa responded that, within most areas of the city, density is defined by the size of the lot divided by performance standards found under each zoning district. For example, the majority of downtown commercially zoned properties are subject to R-3 (Multiple Family Residential) Zoning Standards requiring lot areas of 1,500 or 2,500 square feet of lot area per dwelling unit. Given these standards, the maximum area of the lot is simply divided by the performance standard to define maximum density. However, within the Central Business District Core Overlay District, performance standards don't exist. In these cases, maximum densities defined as a function of the building's shape and size. Additionally, since this Overlay District is found within the Parking Overlay District, onsite parking for the residential use would not be required.

Commissioner L. Olson stated that he was totally opposed to the implementation of a development moratorium for the Central Business District. He stated that the City has worked for years in attempting to promote development within the area and the application of a moratorium, even for a one year period, would not only dampen

progress but would send the wrong message to new developers as to what the Central Business District area should be.

In his opinion, Mr. L. Olson further noted that the City needs to take the lead in developing parking within the Central Business District area with the intent of investing in and increasing the City's tax base in that area. Additional parking may require the construct of a parking structure.

In conclusion, he suggested that the Commission do nothing with the moratorium. If the Commission feels that certain types of projects or activities are inappropriate to the downtown area, these should be addressed through the Zoning Ordinance rewrite.

Commissioner Porter stated that he too did not favor a development moratorium to the Central Business District area and is suggesting working with the consultant in addressing concerns through the Development Code Update process.

Commissioner Buelow stated that given his understanding that existing projects wouldn't be impacted by a moratorium, he is currently on the fence as to whether he would support or not support a moratorium.

Chairperson Davis stated that she was not in favor of a moratorium and felt that it would send the wrong message to developers. She noted that although the Commission could entertain the idea of amending the parking standard for the Parking Overlay District variances could be obtained. In conclusion, she would prefer to simply work with the Consultant in addressing downtown land use and parking concerns. To do otherwise would create a panic to the area.

Commissioner Hahn explained that he too was not in favor of a moratorium. Although he understood what its purpose would be, he looked forward in working with the consultant in developing a master plan for the area that will better define/address a vision for the area.

Commissioner Ballard noted that he also did not support implementation of a moratorium to the Central Business District. He explained that he concurred with previous comments that it would send the wrong message to prospective developers.

M. Olson noted that this discussion has helped her better understand the moratorium issue. She explained that although the term may be scary to some, when applied to the right issue, it can allow time to study potential concerns. She questioned the use of first floors for residential use within the Central Business District area.

Commissioner Boettcher stated that a moratorium would have a limited life, in this case, would be applied to a timeline consistent with completion of the Development Code Update. He noted that he would support a moratorium in this case in that it would simply stay certain types of development within certain areas of the Central Business

District until such time that a vision for it had been clarified. He saw nothing wrong with this approach.

Commissioner Shortridge stated that he felt parking structures would be a solution. He further noted that reasonable residential to commercial blends within the Central Business District where desirable and needed and hoped that the Development Code Update process will consider this.

In response to a question from Commission Boettcher, Mr. Espinosa replied that he felt that adequate downtown parking existed to accommodate any new residential use that might occur within the next year.

Commissioner L. Olson asked at what point residential use would become overbuilt in the community. He also encouraged the City to begin considering the concept for a parking structure in the downtown area.

Commissioner M. Olson again commended staff and the Commission for discussing the issue. Through that discussion, she has been able to better visualize the pros and cons of a moratorium. As such, she didn't see a need to proceed at this time.

Following further discussion, the consensus of the Commission was to simply let the concept of implementing a moratorium in the downtown area drop. Given that, no motion to either proceed, or not proceed, was presented.

Other Business
No other business was presented.

Future Actions Items
Mr. Espinosa reminded the Commission that a joint Commission/Council meeting will be held on January 25th to generally hear a summary of where the code update process is. Further information of that meeting will be forthcoming. He also noted that staff was working with the consultant in forwarding a date for the public open house meeting pertaining to the Development Code Update. At this point, it appeared that it would occur during the week of January 10th. Again, staff will advise the Commission of this date once it's finalized.

Adjournment
There being no further business to come before the Commission, the meeting was adjourned.

Mark Moeller
City Planner