

Planning and Zoning Board Minutes  
October 18, 2012  
6:00 p.m.

<b>Council Liaison:</b>	Mayor Weitkunat	<b>Staff Liaison:</b>	Laurie Kadrach
<b>Chair:</b>	Andy Smith	<b>Phone:</b>	(H) 482-7994

Chair Andy Smith called the meeting to order at 6:10 p.m.

Roll Call: Campana, Carpenter, Hatfield, Schmidt, Smith, and Stockover

Excused Absence: Kirkpatrick

Staff Present: Kadrach, Eckman, Shepard, Holland, Lorson, and Sanchez-Sprague

#### **Agenda Review**

CDNS Director Laurie Kadrach reviewed the agenda and noted two proposed changes. The Board at their work session asked that Bucking Horse, Second Filing, Project Development Plan, PDP #120022 be moved to consent. Also staff asks that Land Use Code Amendments for Multi-Family Housing, Phase 2 be removed from the discussion agenda due to the need for additional staff work. It will come back to the Board at their hearing on November 15, 2012.

#### **Citizen participation:**

Eric Sutherland, 3520 Golden Currant, said it seems lately every time that City Council meets they are hearing an appeal of a land use decision. He thinks that speaks to an issue of trust on what our government can accomplish. He said he attended a recent Type 1 hearing on a subdivision in the NCM zone. On that application, staff recommended a lot size modification of standards to 9,000 square feet from a minimum requirement of 10,000 square feet. He said there is nothing in our Land Use Code (LUC) that requires, advises, or welcomes staff to provide recommendation on modification of standards. He thinks that defeats the whole practice of having a hearing officer/a decision maker make those decisions. He said the LUC does require staff to comment on whether particular standards are applicable to a development proposal. He said that's acceptable, wise and prudent. He thinks with staff recommendations the decision maker(s) job is already done and that's a problem.

Sutherland said at the Type 1 hearing he recently attended, staff did not any way comport with the thinking behind the particular standard (10,000 square foot minimum in the NCM). He said in this particular case there are exceptional circumstances why that one modification ought to be granted. He said those listed, because it would lead to great infill and development, is completely out of step when that precedent was set when that section of the LUC became code. He said he doesn't understand why we do the things we do. He expects the LUC to provide protections and to provide opportunities that create the kind of community we want to create. He said there are probably more problems than have even been identified in this system. He doesn't see an awful lot of work going into improving how things work and what we're going to see instead is appeal after appeal as that's the only way people have for

driving change in the system. He thinks that's a bad way to do things and he would look to this Board to provide leadership to make sure that citizens input makes it into the city's processes.

Chair Smith asked if any member of the audience, the Board or staff wanted to pull an item from consent. No one did.

**Consent Agenda:**

- Minutes from the September 13 and 20, 2012 Hearings
- Provincetowne P.U.D. Third Filing, One-Year Extension of Final Plan Vested Rights, #73-82X
- Kechter Crossing Annexation #ANX120008
- Bucking Horse, Second Filing, Project Development Plan, PDP #120022

**Discussion Agenda:**

- Land Use Code Amendments for Multi-Family Housing, Phase 2 – **REMOVED** due to additional staff work required. It will be considered on the Board's November 15, 2012 discussion agenda.

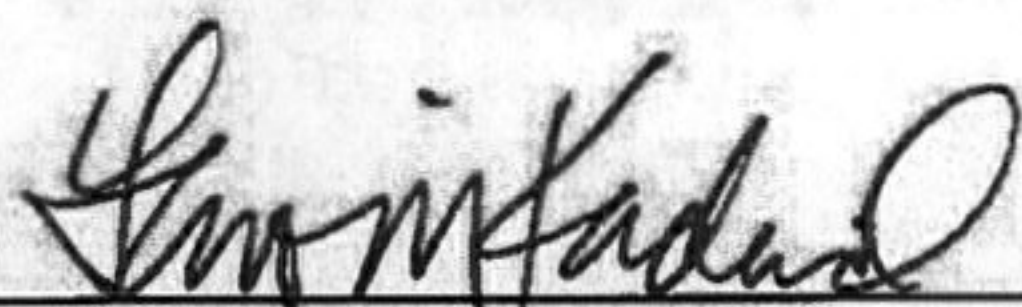
Member Campana left the room due to a conflict on one of the items on the consent agenda.

**Member Schmidt made a motion that the Planning and Zoning Board approve the consent agenda with consists of Minutes from the September 13 Special Hearing and the September 20, 2012 Hearing, the Provincetowne P.U.D. Third Filing, One-Year Extension of Final Plan Vested Rights, #73-82X, the Kechter Crossing Annexation #ANX120008, and the Bucking Horse, Second Filing, Project Development Plan, PDP #120022. Member Carpenter seconded the motion. The motion was approved 5:0.**

**Other Business:**

None

The meeting was adjourned at 6:30 p.m.



Laurie Kadrach, CDNS Director



Andy Smith, Chair