

Minutes of the Planning Commission

Meeting Date: February 25, 2013 Called To Order At: 6:00 pm

PC Members	Present	Absent	Recused	Observed
Chris Dermody, Chair	X			
Jeff Bean	X			
Michael Smith	6:15			
David Barber	X			
Peter Ford	X			
Ryan Doyle	X			

A. PLANNING SEGMENT

1. General Discussion

Chris Dermody opened the meeting with a general discussion about planning. Chris Dermody stated that he wants input from the board members when they are receiving applicants, but he also requests that the applicant and the public be respected by the board so that the most can be gotten out of the meetings.

Jeff Bean stated that any observations made by the board should be relayed to the applicant in a constructive manner.

Ryan Doyle asked the board about having working sessions where staff would not have to be involved since staff has many current commitments.

David Barber raised concerns on the interpretation of the zoning regulations as related to what constitutes a two story building and what constitutes a blank wall.

Peter Ford stated that he was not happy with the planning process as currently administered by the City. He stated that he feels that decisions are being made prior to projects coming before the board. He also stated that projects are not being vetted enough by staff or boards.

Jeff Bean raised his concerns about the status of current height regulations that were amended in recent months.

2. Update to Form Based Codes and Zoning re-write projects

Chip Sawyer gave an update on the development of the draft form-based code project. He stated that he expects to have a draft ready for the March planning commission meeting and further revisions for the April meeting. He also discussed how the stand alone draft of the form-based code could be integrated into the land development regulations using the zoning rewrite grant that the city has been awarded.

Jeff Bean suggested that a checklist be developed with all of the topics in the land development regulations in order to gauge what needs to be added, changed, removed or remain the same. Chip Sawyer said that the Regional Planning Commission does a good job in this capacity when it works with towns on zoning rewrites, and that staff can work with the Regional Planning Commission to get that together.

3. Discussion on role of Planning Commission & DAB

Peter Ford stated that the DAB should be able to review a project again if significant changes are made to the design after the first meeting. Chris Dermody suggested that the rules could be rewritten in order to provide more time for reflection on the part of the board. Jeff Bean agreed that there was not enough time to reflect on the project while at the meeting and then felt uncomfortable making recommendations that were formulated after the DAB meeting was concluded.

David Barber read into the record portions of a Messenger article about a proposed one story Dollar General that looks like a two story building in town of Georgia that was approved without two functional stories based on the applicant's interpretation of the rules. Town planning commissions said that the project went against the original intent of the town planning commission. David Barber noted the similarity to the Ace project and called for more clarity in the rules on this subject in order to prevent the issue from arising in the future.

Ryan Doyle stated that the board should consider the difference in opinion between the staff review and the board's opinion with regard to the Ace projects conformance with the regulations. Chip Sawyer responded by saying that staff does not approve projects like this – the DRB decides.

Jeff Bean stated that the Ace proposal showed the necessity for the DAB to have more advanced notice of projects of this magnitude and perhaps working sessions when such projects come before them. Chip Sawyer asked whether the DAB was looking to be more involved in project review or less involved once the form based code is adopted. Jeff Bean stated that the form-based code will not be in effect for months, and in the mean time this needs to be resolved. Peter Ford suggested that applicants be encouraged to submit conceptual elevations further in advance.

Jeff Bean stated that he would like updates on how the form-based code will or will not alleviate these questions regarding aesthetics and design.

David Barber asked whether it would be appropriate to have design charette for what the hotel might look like downtown that could be attended by the mayor, city manager, staff and the public. Chris Dermody asked whether a design charette was under the auspices of the planning commission or DAB to call. Chip Sawyer said that you could not force an applicant to go through a charette, but that the commission could host one. However, this sort of project is not something that staff could adequately administer given the current priorities of the planning staff. Chris Dermody asked whether there were forums for the

public to share input on design. Chip Sawyer said there are many public meetings that could serve as the forum.

Peter Ford suggested that a map of the city be created that showed potential development sites might be for a hotel, so that the planning board can have some choice regarding where these large developments are located. Chip Sawyer suggested that the board review the St. Albans Toolkit document for work that has already been done in regard to this.

Jeff Bean suggested that the board meet one Saturday a month at which time the board could get caught up on all of these lingering issues with procedures and regulations.

Mike Smith stated that developers are not knocking down the doors to develop in the City at this time, and that the more we tell developers where to build and what to build the more likely those potential developers will go to another town. He said that sometimes we have to look for the bigger picture of what is best for downtown and seize upon opportunities when they arise.

David Barber stated that since the City is subsidizing the hotel's parking by providing a parking garage through TIF, then the public should be able to have input on elements of the design of the hotel.

Chip Sawyer stated that planning and zoning does not make a vision happen. The private sector builds buildings and they can only do so when they can afford it.

Chris Dermody recessed the Planning Commission segment at 7 pm and opened the Design Advisory Board segment.

B. DESIGN ADVISORY SEGMENT

- 1. 18-20 Lake Street – Americanadian, LLC** – Applicant requests a favorable recommendation to the Zoning Administrator for façade alterations. This property is located in the DR-1 Traditional Downtown Design Review District.

Brad Lanute gave an overview of the submitted application. He stated that the application was complete and that the proposal was in conformance the land development regulations. The applicant, Keith Taruski, gave a presentation of the proposal.

Ryan Doyle made the motion to approve the application as presented. The motion was seconded by David Barber with all in favor.

PC Members	Motion	Second	Yes	No	Abstain
Chris Dermody, Chair					
Jeff Bean			X		
Michael Smith			X		
David Barber		X	X		

Peter Ford			X		
Ryan Doyle	X		X		

2. **260 North Main Street – Abbott Furniture Store** – Applicant requests a favorable recommendation to the Zoning Administrator for a building sign. This property is located in the DR-4 Gateway Design Review District.

Brad Lanute gave an overview of the submitted application. He stated that the application was complete and that the proposal was in conformance the land development regulations. The applicant, Greg Abbott, gave a presentation of the proposal.

Ryan Doyle made the motion to approve the application as presented. The motion was seconded by Jeff Bean with all in favor.

PC Members	Motion	Second	Yes	No	Abstain
Chris Dermody, Chair					
Jeff Bean		X	X		
Michael Smith			X		
David Barber			X		
Peter Ford			X		
Ryan Doyle	X		X		

3. **65 North Main Street – Jeff’s Restaurant.** Applicant requests a favorable recommendation to the Zoning Administrator for a building sign. This property is located in the DR-1 Traditional Downtown.

Brad Lanute gave an overview of the submitted application. He stated that the application was complete and that the proposal was in conformance the land development regulations. The applicant, Jamie West, gave a presentation of the proposal.

Peter Ford made the motion to approve the application as presented. The motion was seconded by David Barber with all in favor.

PC Members	Motion	Second	Yes	No	Abstain
Chris Dermody, Chair					
Jeff Bean			X		
Michael Smith			X		
David Barber		X	X		
Peter Ford	X		X		
Ryan Doyle			X		

4. **184 Lake Street – Burlington Laboratories, Inc.** - Applicant requests a favorable recommendation to the Zoning Administrator for a building sign. This property is located in the DR-2 Downtown Expansion Design Review District.

Brad Lanute gave an overview of the submitted application. He stated that the application was complete and that the proposal was in conformance the land development regulations. The representative of the applicant, Julie Phillips, gave a presentation of the proposal.

Peter Ford made the motion to approve the application as presented. The motion was seconded by Ryan Doyle with all in favor.

PC Members	Motion	Second	Yes	No	Abstain
Chris Dermody, Chair					
Jeff Bean			X		
Michael Smith			X		
David Barber			X		
Peter Ford	X		X		
Ryan Doyle		X	X		

- 5. 29 Lower Newton Street – Redstone.** Applicant requests a favorable recommendation to the Zoning Administrator for building signs and a free-standing sign. The property is located outside of the design review district in the S-IND zoning district.

Brad Lanute gave an overview of the submitted application. He stated that the application was complete and that the proposal was in conformance the land development regulations. The representative of the applicant, John Lloyd of Design Signs, gave a presentation of the proposal.

Peter Ford made the motion to approve the application as presented. The motion was seconded by Ryan Doyle with all in favor.

PC Members	Motion	Second	Yes	No	Abstain
Chris Dermody, Chair					
Jeff Bean			X		
Michael Smith			X		
David Barber			X		
Peter Ford	X		X		
Ryan Doyle		X	X		

6. Questions and Discussion for Zoning Administrator

There were no questions.

C. CONTINUATION OF PLANNING SEGMENT

1. Meeting Minutes – January 28, 2013

Ryan Doyle and Jeff Bean both identified minor errors in the minutes regarding their statements. Peter Ford asked that a disclaimer be added to the minutes to reflect that board did not make a vote in favor or against the Ace Hardware project.

David Barber made the motion to approve the minutes as amended. The motion was seconded by Ryan Doyle with all in favor.

2. Planning & Development Update

Chip Sawyer gave an update on the proposed changes to the Land Development Regulations that will be presented at the next City Council meeting – including noise, signage, and board membership requirements.

3. Other

Peter Ford asked whether there would be any instances where projects similar to the Ace project or Hotel would go to the state downtown program for review or comment. Chip Sawyer said no, the state program does not have any local regulatory oversight of individual projects.

Jeff Bean stated that he is seeing a disconnection between the various boards and the City staff. He said that the once in a lifetime opportunity of TIF requires that these boards work together. He stated that the process of project review should be reviewed by the Planning Commission to further understand the responsibilities of the boards and how they can work together.

David Barber stated that he felt that the Ace project was rushed, and that given the steps that had be taken prior to breaking the ground for the construction of the building, a one month delay would not have been a big setback. Michael Smith stated that we do not know what the leasing situation was with the applicant. Peter Ford said that the leasing situation should not be a concern for the board. Chip Sawyer said that it should be of the concern to the board because things like financing can hinge on the ability to obtain local approval for projects.

Jeff Bean asked about the rules for tabling applications. Chris Dermody asked staff to look into the ability of the board to table an application. Staff agreed to look at the ability of the board to table applications before them for review.

Brad Lanute presented a draft applicant handout that was requested by Chris Dermody that would inform applicants of the procedures of the board during the meeting.

Jeff Bean stated that the DAB gets the same sort of scrutiny that the DRB gets over their decisions and therefore the DAB deserve the same amount of time to assess the project.

Peter Ford stated that this board has a responsibility to the community to call into question a developer's proposal when their submission is shoddy. He also said that it is not the board's responsibility to go along to get along.

Ryan Doyle stated that he agrees that the board should not go along to get along, but that the board should be as articulate and specific as possible without insulting the applicant. He also stated that he does not think the board needs private deliberative sessions, but that the board could use more time to fully work out its thoughts and recommendations.

David Barber stated that since his time starting in August, he has had close to a 90 percent or higher approval rating of projects before the board, and that sometimes, in order to be responsible to the community, the board has to just say no.

Chris Dermody said that he is going to encourage staff to get materials on projects before the board sooner. He also stated that he would like to have more discussions with applicants prior to the meeting.

Jeff Bean reiterated his view that the board should meet more frequently and possibly on Saturday's when more citizens could be a part of the meeting. He stated that he did not feel it necessary to have staff present. Michael Smith stated that additional meetings would be difficult to add to his schedule. He said that he would prefer to meet later at the normal meeting days rather than have additional meetings.

Chris Dermody stated that we should continue to try and have the planning segments at the beginning of the meeting prior to the DAB segment, and then come back to the planning segment if more discussion was warranted.

Ryan Doyle asked the board whether they wanted to review something in particular for the next meeting. Peter Ford wanted to review the board's definition of aesthetics and the criteria under which the board is to weigh aesthetics. Chip Sawyer suggested reviewing article 7. Chip Sawyer suggested that individual board members also discuss some of these issues with the City Council or its individual members. Ryan Doyle requested that the board review title 24 chapter 117 and article 7 of the land development regulations.

Jeff Bean and Michael Smith where in favor of having the DAB segment first at the meeting and then move into the planning segment. Ryan Doyle stated that he was good either way.

D. PUBLIC COMMENT

There was no public comment.

Motion to adjourn the meeting was made by Ryan Doyle, seconded by David Barber with all in favor. The meeting was adjourned at 9:00 pm.

Respectfully submitted, Brad Lanute, minute taker.