1. CALL TO ORDER / DECLARATION OF QUORUM

Chairman Peters called the meeting to order at 7:00 P.M. and explained the general meeting procedure, schedule, agenda items, time limits on public testimony and opportunities for cross examination of witnesses. Chairman Peters concluded the opening statement by saying that the Plan Commission forwards a recommendation to the City Council which makes the final determination on any matters discussed by the Plan Commission.

2. OLD BUSINESS

A. TEXT AMENDMENT TO THE ZONING ORDINANCE

Office and Financial Institution Uses in B1 and B2 Districts
Specifically consider a text amendment, pursuant to City Code Title 6, Zoning, to amend the list of permitted and special uses in the B1, Business and B2, Business Districts.

Mr. Latinovic presented the staff report. He explained the proposal was presented to the Zoning Committee in May, to Plan Commission in June and then again to the Zoning Committee in October. Based on staff's research and input from the Zoning Committee, staff is proposing that office and financial institution uses on ground floors of properties within Dempster St and Main St. Business districts be allowed as Special Use. Office and Financial Institution uses on floors above the ground level
would be continued to be allowed as Permitted Use. The Zoning Committee forwarded a positive recommendation in October.

Upon a question from Commissioner Ford, Mr. Latinovic explained creation of an overlay district is a good tool when there is a need to modify several zoning regulations and several use regulations across multiple underlying zoning districts. In this case the intent is only to modify how office and financial institution uses are allowed on the ground floor. The proposal is the easiest and simplest way to reach the goal and that is to just allow those uses as Special Use rather than Permitted Use on ground floors within certain B districts.

Commissioner Shure asked how the proposal differs from spot zoning. Mr. Latinovic stated that it is different because the intent of the proposal is consistent with the Comprehensive Plan’s goal to enhance neighborhood shopping centers. In addition the proposal affects multiple properties in multiple areas of the city and across multiple zoning districts.

There were no questions or comments from the public.

Commissioner Ford suggested creating an overlay district may be a better approach.

Commissioner Opdycke stated he is in favor of the intent of the proposal and is a fan of Special Use. The proposal is simple.

Discussion followed on the appropriateness of creating an overlay district.

Commissioner Ford suggested the proposal be sent back to the Zoning Committee for more refinement.

Mr. Latinovic stated the current proposal was approved unanimously by the Zoning Committee. Staff feels that it is important to move the proposal with recommendation to the City Council even if it is modified because the proposal has been under review since May and it needs to address the concern brought up by the area business associations.

Commissioner Goddard made a motion to approve the proposal as presented by staff. The motion failed due to lack of second.

Commissioner Pigozzi made a motion to send the case back to Zoning Committee for further refinement as an Overlay District. The motion failed due to lack of second.

Commissioner Ford made a motion to approve the proposed text amendment regarding the use regulations for office and financial institution uses along Dempster St. and Main St. business districts, but that it be done through creation of an Overlay District in designated areas.

Commissioner Shure seconded the motion.

Ayes: Commissioners Ford, Shure, Pigozzi, and Chairman Peters
Nays: Commissioners Goddard and Lewis

Abstain: None

The motion was approved 4:2

**B. TEXT AMENDMENT TO THE ZONING ORDINANCE**

14PLND-0102

**Modifications to Central Street Overlay District**

Specifically consider a text amendment, pursuant to City Code Title 6, Zoning, to various parts of *Chapter 15 Special Purpose and Overlay Districts* regarding the Central Street Corridor Overlay District.

Mr. Latinovic presented the Staff Report. He provided the summary of the events that led to adoption of the Central Street Master Plan in 2007 and adoption of the Central Street Overlay District (oCSC) in 2008. He stated staff met with area stakeholders on August 26, 2014 and November 3, 2014. The proposal has been modified to address many concerns of area stakeholders. He concluded by reviewing the standards of approval for text amendments stating staff recommends approval of the proposed modifications to the Central Street Overlay District.

Upon a question from Commissioner Opdycke, Mr. Latinovic confirmed one of the changes staff is proposing is to allow site development allowances for Planned Developments to be considered by the Plan Commission and the City Council except for the increase in height, FAR or density (number of dwelling units).

Chairman Peters invited the public to ask questions or provide comments.

Jim Hughes, 2518 Hartzell St, provided a power point presentation with images of various developments along Central Street. Mr. Hughes showed images of a multiple-family residential building built during the early 1990s before the overlay district was adopted and highlighted its negative effects on surrounding residential properties. Mr. Hughes recommended that existing step back, yard setbacks and transitional plane height restrictions be also included in the prohibited site development allowances because many commercial areas are directly adjacent to single family residences.

Commissioner Opdycke asked if those requirements, as suggested, are also prohibited from being considered as site development allowances, what would be left from the zoning requirements that could be varied for Planned Developments. Mr. Latinovic stated that in that case parking requirements and other more minor zoning requirements would be still eligible as site development allowances.

George Retzill, 1937 Central St., stated that the proposal would allow developers to do what they want and there would be no control or ways the City can stop them. Per Chairman Peters suggestion, Ms. Lorrie Pearson, Planning and Zoning Administrator, provided an overview of the approval process for Planned Developments.

Chairman Peters also stated there are standards for approval for all Planned Developments that the Plan Commission reviews.
John Myefski, Myefski Architects Inc., 630 Davis St. stated that images of their project at 1620 Central Street shown during Mr. Hughes presentation show an early version of the proposal. The design of the project has been changed since the project was presented to the area stakeholders to reduce the potential impact the development could have on surrounding properties. He stated the proposed amendment regarding site development allowances would afford him the chance to present his project to the Plan Commission and the City Council. Without the changes, his project could look a lot differently and may not provide the benefits as it would with some site development allowances.

Jane Grover, 7th Ward Alderman, stated the Overlay District covers a large portion of her Ward. She complemented the staff for their comprehensive efforts to improve the regulations and for meeting with area stakeholders. She stated she was involved in the process for adoption of the Central Street Master Plan before she was elected to serve as the Alderman for 7th Ward. She believes both the Master Plan and the subsequent Overlay District were very well done. But they both need to be reviewed from time to time and updated to reflect the changes in economic and social environment. Ald. Grover stated all proposed modifications will improve the regulations of the district so that new developments meet the pedestrian-friendly mixed-use character of the corridor. She supports the proposed amendment as presented by Staff.

Mark Tendam, 6th Ward Alderman, expressed his concern that if the proposed amendment is not approved, the approval of larger projects through Planned Development process would be discouraged. The City may lose good projects. The developers may opt to build what the Code allows and that sometimes can lead to developments that are not as good as they could be if reviewed through the Planned Development process by the Plan Commission and City Council. He is also in support of the proposed text amendment.

There being no further public comment, Chairman Peters suggested taking a ten minute break at 8:50 pm.

The Commission reconvened at 9 pm.

Chairman Peters opened the floor to deliberation by the Board members.

Commissioner Ford explained he is in favor of allowing the front step back to be considered as an allowable site development allowance.

Chairman Peters confirmed allowing certain requirements to be considered as site development allowances enables projects to come in front of the Plan Commission and be considered by the City Council. The City Council ultimately approves or denies the projects and can make sure the important elements of the Overlay District or the Master Plan are achieved.

Commissioner Lewis, stated he lives in the area and supports the revisions that enable new projects and new development to come into the area. The Planned Development review process allows for review of projects in compliance with the Master Plan.

There being no further discussion, Commission Lewis made a motion to approve the proposed text amendment as presented by Staff.
Commissioner Pigozzi seconded the motion.

Ayes: Commissioners Lewis, Pigozzi, Goddard, Ford, Shure and Chairman Peters.

Nays: None

Abstain: None

The motion was approved unanimously.

Mr. Latinovic reminded everyone the next regularly scheduled meeting is December 10, 2014.

C. ADJOURNMENT

There being no further discussion, Commissioner Lewis made a motion to adjourn the meeting. Commissioner Pigozzi seconded the motion.

A voice vote was taken and the motion was approved by voice call 6-0. The meeting was adjourned at 9:15 pm.

Respectfully Submitted,
Damir Latinovic
Neighborhood and Land Use Planner
Community Development Department