



**DEVELOPMENT COMMITTEE
MEETING MINUTES
JUNE 7, 2022**

I) CALL TO ORDER/ROLL CALL

Chairman Lorenz called the Development Committee meeting to order at 6:30 p.m. In attendance were: Brian Lorenz, Daniel Swartwout, Shaun Simpson, Heather Karr and David Lester. Staff in attendance were: Andrew White, City Manager; Jason Nahvi, HR Business Partner; Yazan Ashrawi, Law Director; Claudia Husak, Planning Director; Elise Schellin, Planning Developer; and Amy Deere, City Clerk

II) APPROVAL OF MINUTES

Approval of Development Committee Meeting Minutes of May 3, 2022
[DC Meeting Minutes of 05.03.2022.pdf](#)

MOTION: David Lester moved to approve the Development Committee meeting minutes of May 3, 2022. Shaun Simpson seconded the motion.

VOTE: Y 4 N 0 (None) AB 1 (Heather Karr)

Motion passed 4-0-1.

III) TODAY'S BUSINESS

Development Committee Rules Presentation

1. [Rules of the Development Committee.pdf](#)
2. [Rules of the Development Committee_Clean Copy.pdf](#)

Law Director Ashrawi gave a presentation and overview of the proposed Development Committee Rules.

Chairman Lorenz asked if City Council had to approve the rules for the Development Committee. Law Director Ashrawi stated it would not be inappropriate for City Council to approve the rules as they appoint Development Committee members, but it is not necessary, as this is a binding document for this committee. It is the committee's prerogative.

Committee Member Swartwout asked if a future Development Committee wanted to change the present rules and City Council as a whole, finds inappropriate, can City Council change them to something more palatable.

Law Director Ashrawi stated each of the committees reports to and works at the pleasure of City Council and works as drivers of policy and policy change adopted by City Council. He stated, the rules should stay here and City Council controls the makeup of the committees. He added he would look into this further.

Chairman Lorenz stated the committee had discussion and the rules will be adopted by the Development Committee.

Zoning Code Updates Overview

1. [060722_Memo_DC_Code Update.pdf](#)
2. [DevelopmentProcessChart.pdf](#)
3. [Current and Proposed Process Steps.pdf](#)
4. [Process Examples.pdf](#)

Planning Director Husak gave a presentation and overview of the zoning code updates.

Chairman Lorenz asked for a brief description of the difference between the Planning and Zoning Commission and the Board of Zoning Appeals as he felt not everyone knows the difference.

Law Director Ashrawi explained the primary role of the Board of Zoning Appeals is to hear variances along with other quasi-judicial issues that come before it. What that means is the Board of Zoning Appeals, unlike the City Council and the Planning and Zoning Commission, is simply applying facts of the existing rules and regulations of the City. Whereas the City Council as a legislative body, can rezone property, can create laws, etc. The Planning and Zoning Commission serves as a recommending body on those legislative changes. The Board of Zoning Appeals, exclusively deals in a quasi-judicial administrative capacity, meaning they act as a judge, a fact finder and decision maker. This requires there be testimony under oath, record keeping of the proceedings and the decisions made from those hearings are based on findings of fact and conclusions of law.

Planning Director Husak asked if the Development Committee would want the draft of the updates sent to the Development Committee or the Board of Zoning Appeals first. She advised the draft would not go before the Board of Zoning Appeals until approximately the month of September.

This was discussed by the committee and agreed upon to bring the draft back to the Development Committee first.

Chairman Lorenz asked for a status of the development review process.

Planning Director Husak spoke of some of the changes of the processes desired.

Chairman Lorenz asked if the Sketch Plan was optional and Planning Director Husak advised it was not optional, but it could be an option to consider. Chairman Lorenz stated it builds a certain amount of goodwill as an applicant with the community and shows transparency as he realizes the applicants get a lot of push from their clients to get things done as soon as possible. He continued by stating he would like to see some sort of language that would give the applicant administrative guidance to allow an applicant to pass through if they meet a certain criteria.

Committee Member Swartwout said he did not know if he felt strongly with making the Sketch Plan optional, but he feels strongly about what the parameters were. He gave an example which the Sketch Plan was crucial to the development of the new library.

Committee Member Simpson stated whenever there was an annexation or a zoning change, a Sketch Plan would be mandatory.

Committee Member Swartwout said the language making it optional or not, is more significant than it being optional or not.

Committee Member Karr stated she would hate the language not be tight enough where the applicant could get out of a Sketch Plan when it really should take place.

Law Director Ashrawi said we would make sure those triggers of criteria are objective and fit into the health, welfare, safety and other issues that relate to zoning changes or zoning development generally, so there is not disparate treatment.

Planning Director Husak spoke of some of the changes discussed regarding the Preliminary Development Plan. The suggestion would be that this step would be the one that establishes all of the development patterns for the site.

Chairman Lorenz said essentially the responsibilities of City Council was being flipped, in such, currently City Council only views the Final Development Plan.

Planning Director Husak added we are looking at the Planning and Zoning Commission being equipped and able to review those details whereas City Council looks at the bigger picture, is this development right for this site, for this part of town, and the Planning and Zoning Commission looks at the "nitty gritty" details.

Chairman Lorenz said he felt this made a lot of sense and believes it is a good idea.

Committee Member Lester said this sounded efficient.

Committee Member Swartwout stated he felt the elected should have the final say. The elected is accountable to the voters.

Planning Director Husak stated they were working on getting the permitting process to be more electronic.

Planning Director Husak spoke of HDAC and how little authority they have to approve anything within the district. It was discussed giving them more authority in terms of potentially approving larger additions to residences, more commercial buildings, allowing demolitions, more than 75 square feet, and a tight criteria would be written.

Committee Member Swartwout said he was open to the HDAC discussion, he would like to see the process more. He added as a process going forward, there is a fair amount of interviewing and things of that nature for our Planning and Zoning Commission. They are selected in a process that is different than a lot of our other boards and committees. If there is more power given to a board or commission, he would like to see the process be elevated for the selection of seats.

Committee Member Simpson stated the current way with HDAC is unnecessarily stretching the process out for a month or two, which he has a problem with due to the fact that time is of the essence, so he would not mind seeing some changes there.

Committee Member Karr would like to see the chart provided to the committee for this meeting, be placed on the City's website, for it is very informative.

Chairman Lorenz stated to go ahead and draft the language and that it was a lot of good work and a good start. He also stated next month he would like to begin discussing code enforcement.

IV) PENDING BUSINESS

None

V) FUTURE BUSINESS

Development Committee Activity Status Report

Next Meeting - July 5, 2022

VI) ADJOURNMENT

Meeting was adjourned by consensus at 7:25 p.m.

MINUTES APPROVED: JULY 5, 2022



Brian Lorenz,
Chair

7/5/22
Date



Amy Deere,
City Clerk

7/5/22
Date