Mayor Dan Coody

City Attorney Kit Williams

City Clerk Sondra Smith

Fayetteville
ARKANSAS

Aldermen

Ward 1 Position 1 - Robert Reynolds
Ward 1 Position 2 - Brenda Thiel
Ward 2 Position 1 - Kyle B. Cook
Ward 2 Position 2 - Don Marr
Ward 3 Position 1 - Robert K. Rhoads
Ward 3 Position 2 – Robert Ferrell
Ward 4 Position 1 - Shirley Lucas
Ward 4 Position 2 - Lioneld Jordan

City of Fayetteville Arkansas
Special City Council
Meeting Minutes
July 17, 2006

A special meeting of the Fayetteville City Council was held on July 17, 2006 at 5:30 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

This was a joint meeting of the City Council and Planning Commission to discuss the City Plan 2025 and Future Land Use Map.

Mayor Coody called the meeting to order.

CITY COUNCIL PRESENT: Alderman Thiel, Cook, Marr, Ferrell, Lucas, Jordan, Mayor Dan Coody, City Attorney Kit Williams, City Clerk Sondra Smith, Staff, Press, and Audience.

CITY COUNCIL ABSENT: Reynolds and Rhoads

PLANNING COMMISSIONER'S PRESENT: Ostner, Myres, Graves, Harris, Clark, Trumbo, and Anthes.

PLANNING COMMISSIONER'S ABSENT: Bryant and Lack
Pledge of Allegiance

New Business:

City Plan 2025 and Future Land Use Map Adoption: A resolution adopting City Plan 2025 and the Future Land Use Map as the Comprehensive Land Use Plan for the City of Fayetteville.

Tim Conklin, Planning and Development Manager Director: I appreciate this opportunity to have this joint discussion with the Planning Commission and City Council along with the community. I think it is very important that as we look at our growth and development that is

occurring within our community that we discuss how that growth impacts our city. I would also like to thank the staff for all their planning and hard work, not just the Planning staff but other departments that have provided the technical support to bring this draft forward.

The reason we need to update the plan, we look at every five years updating our Comprehensive Plan. We have experienced a lot of growth, there are some areas of Fayetteville that if you look at the housing and the infrastructure that has occurred, five years seems to be a short period of time but in Fayetteville, Arkansas rapid change can occur. The City Plan 2025 directly relates to the goals and principles that you outlined with the process you did with the strategic plan, planned and managed growth for the City. This is a plan about big ideas. I would like to remind the Planning Commission, Council and citizens that this is a Comprehensive General Plan, looking at ideas of how we want to grow this city. It involved extensive public input, it looked at how we visualized change and how we create places and reclaim lost space.

Several years ago at a City Council meeting we talked about what we are planning, I am sure you as elected and appointed officials are asked by citizens what we are planning for the future of this community, what type of community we are planning, are we being reactive or proactive. Are we creating complete communities, are there development patterns that are desirable, are there development patterns that have created some issues that we are dealing with today that we have implemented in the past. City Plan 2025 tries to address these larger ideas of community planning and urban planning that we are looking at. How to create community, how to create livability, sustainability, how to look at how development can be environmentally sensitive, how different development patterns consume more land, how some development patterns consume less land, how those different development patterns can reduce traffic congestion and vehicle miles traveled. These ideas from a broad perspective or a policy we will be discussing as a community, tonight and into the future as we begin to implement City Plan 2025.

Dover, Kohl and Partners were the lead consultants on this project. They talked about systems and development patterns and the geography of the city and how we grow a city and the implications of that growth and how we plan it. They looked at Fayetteville historically, how it was planned and some of the development patterns that we see today. What Dover, Kohl asked you as a Council and Commission along with the School Board and the County and other entities that were invited to the policy summit was to look at how to provide solutions to address some of these issues. I hope this evening as we discuss this plan that we can look at solutions to some of the issues that we are facing as a community. This is something that will be implemented over time, it is not immediate.

Karen Minkel, Long Range Planner: I am going to refresh everyone's memory about the process that we went through for City Plan 2025 and then walk you through the different pieces of that plan.

This process started in September, 2005 when we held six different focus groups and began asking citizens about what they wanted to see in the 2025 Plan. We also collected input through a website that has had over 125,000 individual hits since mid December and has actually been sited by the American Planning Association as the best practice for a communication tool. We think it has been very successful and is the first time we have really used something like that for a planning process.

We had a ten day intensive charrette that most of you participated in ad we also had the unprecedented gathering of elected and appointed officials from the area policy summit and a final community presentation. The draft that you have in front of you has been unchanged since the beginning of June when it was first distributed. The meat of the document has been available to the public since the end of February.

At that charrette we had the open design studio for hands on design sessions in different parts of the city, an open house and a work in progress session. During that ten day intensive period hundreds of citizens participated and have somehow touched this document that you see in front of you.

Chapter 2 through 8 is an update from the General Plan 2020. It is an analysis of current circumstances. Most of the data that is used is from the 2000 census. We only updated numbers if we had new information from the Regional Planning Commission or the Center for Business and Economic Research at the University, otherwise that data is unchanged. We do plan to update it once our population counts have been certified through the special census. Other than that we have really added a lot of graphics to that section which we think enables the community to really visualize what we are talking about when we talk about historic and culture resources.

The next section, Chapter 10 is really the meat of this 2025 Plan and that is the policy framework and benchmarks. It includes the community vision and the over arching goals of the plan. It also includes a timeline for implementation. This is something that was specifically asked for at the policy summit from our elected and appointed officials. We have gone through and created benchmarks for both the staff and our elected and appointed bodies over the next five years until the next update. In that section is a visual depiction of change over time. That is one of the key things that separate the City Plan 2025 from the General Plan 2020.

The next chapter is Chapter 11 it is an economic analysis, it looks at our current trends and compares it to some of the patterns that are suggested in City Plan 2025. The Guiding Policy section is the section that has been recently updated. That is the packet that you received several weeks ago that included the proposed Future Land Use Map. It was an update to the Guiding Policies that were in the General Plan 2020. This has been reviewed by current and long range planning staff. We really looked at how this can be a better tool for current staff as we review development and then also for our elected and appointed officials as they review current development that is coming through. In that section it had a description of the different elements you see in the proposed Future Land Use Map and then it had a section on Community Character. The Community Character Section has been removed because we felt that what was in there should really address what was on the map; however each element in the Community Character Section has been crossed referenced with something that is currently in the City Plan 2025. So no element that was in there has been lost.

The Master Street Plan text is included but no changes have been made. We are currently working on a revision of that section and a revision to the Master Street Plan. The reason that it was not included in this draft that you have in front of you was because the last time there was an update to the Master Street Plan there were 26 meetings involved. We felt it would be better to take that through the traditional process of first going to the Planning Commission and then to the City Council to have ample time for public comment. It has not been discussed at most of the public input sessions that we have had for City Plan 2025. Also one of the objectives in the City Plan 2025 states that community planning and community design should out rank

transportation. Transportation planning follows that community planning and we are trying to keep in line with that. After this has been approved then we will bring forward the Master Street Plan for your review and approval.

Tim Conklin: On the Future Land Use Map that we have proposed for City Plan 2025 we removed the office category and reclassified that in many instances as mixed use. The purpose of that is that an office is allowed in many different zoning districts and also we have utilized that to allow different housing types within the R-O. The Historic Commercial that was downtown that we designated in 2000 we have shown that as a Neighborhood Plan type to reflect the Downtown Master Plan. Keep in mind the different scales of plans that we are talking about, this is citywide with the planning area over 31,000 acres in the city versus 350 acres so the downtown is a very small area specific plan. Areas where new development has changed the land use pattern based on City Council approval, those have been reflected in the new Future Land Use Plan. We also have within our plan on a separate map sector Overlay Districts that show where the City would encourage growth and infill to occur. That is something new that was recommended through this process to targeted growth areas, that is something that will also show up that will not be on the Future Land Use Plan but on a separate map. Those are the main changes that have been made to the Future Land Use Plan.

Karen Minkel went over the meeting process.

Mayor Coody opened the meeting for public comment.

Fran Alexander, a citizen: On the glossary which is on Page 167, By Right Permit says see deviations, there are no deviations. I think you need that definition in there. My other comments have to do with your form based code which allows for mixed use. On Page 67, action 3, develop and impalement a Form Based Code that allows for Mixed Use Development. The second sentence, a zoning process that requires additional hearings and variances increases the risk of time and money to developers but has not proven affective and guaranteed the desired results. I would like to know the meaning of that sentence and what we are talking about in the way of a policy when it comes to what these hearings and variances are and exactly what do they mean by the risk of time and money to developers. I think that needs to be discussed and definitely formalized in the way of a policy. I think that is rather vague.

On Page 68, Action 4, allow as of right traditional neighborhood form development. I believe the term as of right is defined in the glossary as by right permit. This is also a term that I think needs to be clarified for the public. It is difficult to understand exactly what is meant by this terminology and what the consequences of this terminology will be in the planning process. Those are generally the comments that I have to make right now. This is a very long complicated process and document. I think the public should be able to respond to any of your discussions later. Thanks.

Pete Heinzelmann, a citizen: Patty Erwin could not be here tonight she has asked me to read a letter that she wrote.

I have had the opportunity to be involved in the City of Fayetteville's green space program since its inception in the 1980's. First as the City's horticulturist in the Parks Department working with concerned citizens to develop a tree ordinance and then as staff working to develop the park land green space mitigation program. As a State Urban Forestry Coordinator I continue to have

the opportunity to work with city staff and organizations who participate in our urban and community forestry grant program. The Fayetteville Natural Heritage Association received a grant this past year to help the city determine those areas in and around the community that are forested areas and provide environmental services such as clean air and water and recreational opportunities that we appreciate here in Fayetteville. These areas have been identified and are on target with some of those same areas in the 2025 Plan. That grant is using the GIS system; we are using it in conjunction with the Nature Conservancy office in Fayetteville and also with the Landscape Architectural Department at the university. The Arkansas Forestry Commission has another program entitled Forestry Legacy. This program offers funding to government entities to purchase land from property owners who wish to conserve it in some way and to maintain land or land use rights to maintain benefits of the forested properties. By adopting the Future Land Use Map as outlined the Council will increase the opportunity of the Fayetteville Natural Heritage Association to help the city qualify for this funding. In this area the director for this program in the state, Jim Jolly, has recently been here. He gets funding for these grants from the National Forest Service. They have allocated up to $13 million for the State of Arkansas and possibility $2 million for Northwest Arkansas that can be used as grants to preserve qualified areas which are forested areas. He has recently been here and looked at some areas where some of the land owners are interested in preserving the land but needed a way to make it work financially for them. It would be advantageous for him when he makes this grant at the national level if he could state that the city as backed up this idea of preserving green space through this 2025 Plan. That would help the chance of getting the grant. This is a grant that comes up annually so the city will have this opportunity to obtain green space for parks, trails and the preservation of natural areas. I ask the City Council to adopt the Future Land Use Map and enhance Fayetteville's opportunity to qualify for the forest legacy program and maintain the livability of our community.

Mayor Coody: I want to take this opportunity to thank you for your leadership and involvement in helping Fayetteville be a better town. What you have done with the FNHA is remarkable. We all owe you a debt of gratitude; I want to say publicly thanks for everything you have done for the community.

Pete Heinzelmann: Thank you. There are a lot of people working that have made the things that we are trying to do happen. There are a lot of talented and committed people on the board of Fayetteville Natural Heritage Association and a great deal of people in this town that have backed this idea not only with their words but with their pocketbooks. We are continuing to work on fulfilling our commitment to this city for Mount Sequoyah Woods. We are actually getting pretty close to getting there.

Ken Stout, a citizen: I just wanted to call attention to a huge elephant that is in this room and the elephant is a question for everybody up here. Why should the people who love Fayetteville not be cynical about the overall goals that were asked to be talked about for over two years and the money spent and the time spent doing this. I am surprised that anybody is here. Why should we believe anything that is being done after the Divinity thing was allowed to go through? Could you answer that?

Mayor Coody: I know that a lot of people are upset about Divinity passing but this is one of those issues where people on both sides of the isle have good points and it did come down from 15 stories to 9.

Ken Stout: It is 169 feet tall.

Mayor Coody: Certainly it is not perfect but the fact that it came in without any kind of height limitation certainly was an issue. One comment that I have heard about how it did not fit with the Downtown Master Plan, one of the issues that we did have to deal with was the Master Plan called for more residential downtown, more walkability, and more people downtown in a walkable environment. It called for more retail on Dickson Street, and bringing more business downtown, so a lot of those elements it does fulfill in the Downtown Master Plan.

Ken Stout: But that could have been done with a building of much smaller scale.

Mayor Coody: That debate has pretty much been settled.

Ken Stout: It should not have been.

Mayor Coody: Well I am sorry.

Ken Stout: Why should we not be cynical about this?

Mayor Coody: You are welcome to be cynical I guess but I don't see that there is much future in that.

Ken Stout: There is a lot of future in checking what the city does; it doesn't pay attention to over two years of work from the citizens.

Mayor Coody: Well some of us would disagree with that. Thanks Ken.

Len Schaper, a citizen: I am delighted to see this 2025 Plan finally coming to Council. I initiated the start of the 2020 Plan shortly after I was elected to Council back in 1993. I did it because the projections of the 2010 Plan were woefully obsolete even at that time and now we have the same opportunity because the projections of the 2020 Plan are obsolete and we definitely need a new plan. I looked at some of the housing numbers quoted in the document and between 1990 and 2000 there were roughly 6,600 new housing units added in Fayetteville. That was kind of out of line with what the 2020 Plan predicted in terms of its eventual population projection which was about 600 new dwelling units per year. From 2000 to 2004 there have been 5,300 dwelling units added in the City of Fayetteville that is over 1,000 per year. Obviously the stuff that was in the 2020 Plan is obsolete and it needs to be reworked and I am glad to see a vehicle to do that. There are some very good goals in this plan. The first one to make infill and revitalization the highest priorities, the second one is to discourage suburban sprawl, if I remember we wanted to discourage suburban sprawl in the 2020 Plan as well. As I look back on the development that has occurred it is a classical picture of suburban sprawl because our codes allowed that to happen and in fact encouraged it to happen. The words that are in the plan are not the critical thing. You can argue about this phrase or that phrase frankly in the end it probably doesn't mean too much. The key though will be what you do with this plan in terms of implementing the regulations to enforce the vision that you want to have for the city. It has taken a long time with the downtown plan to go from the planning process and Dover, Kohl's excellent planning process to implementation of the code. In fact it is up for discussion soon. Beware because even now that code has been watered down and changed in ways that will be very destructive to the vision that came out of that planning process. People are worried

about traditional buildings and setbacks versus build to lines; they are worried about height restrictions and about minimum heights. If you want to get the vision that the Dover Kohl process came up with through the citizen participation, you better revisit what was originally in those regulations and go back to some of them. The same way discouraging suburban sprawl, how are we going to do that, how are we going to do incentives, the core development, revitalization and infill, where are the incentives going to come from to do that versus suburban sprawl. The land is still cheap out there versus the land that is expensive in the core. How are you going to make that development happen? You have got to take the framework and put meat on the bones. One thing that is under consideration is a huge annexation between here and Farmington and if you go ahead and do that annexation without having a development plan in place first we are just going to get more of the same. Every property owner is going to come in with his or her zoning request to build another subdivision of houses or a commercial development along the strip. We are not going to get the kind of neighborhoods that this document says that we want, if it is business as usual and if you do that annexation without having a plan in place first. I would encourage you to go forward with this but don't stop with this. This is the bones you have got to put the meat on the bones in up coming debate and please get the meat on the bones of the downtown plan so that we don't have to worry about cynicism because we will have regulations that will be clear and people will come in with developments to meet those regulations. Thanks!

Cyrus Young a citizen: City Plan 2025 that is what they are calling it but it is a General Land Use Plan. The reason I point this out is because that is what the statutes and the court rulings refer to it, as a General Land Use Plan or just the Plan. This is a much bigger document than you think it is. I assume you think you discuss this and then pass it and then it just sits on the shelf. That is the way it has been done in the past but the General Land Use Plan is a huge document and the courts have said you have to follow it if you pass it. It is more than just the bones that is the plan you don't just have to follow the ordinances you have to follow the plan. I would urge the City Council not to pass this plan, do not adopt it. I urge you to rescind all of the other plans because if you are not going to follow the plan, don't have the plans on the books, it is a cruel joke to the people of Fayetteville that their property rights are protected. The Divinity project demonstrated that. Do not have anything on the books because there are lawsuits waiting out there in the wings if you do not follow the plan somebody can file a lawsuit if the city fails to follow the ordinances and their plan and the courts can rule that you have to follow it. Thank You.

Roy Emerson a citizen: I chose to live here because of the quality of life. I live in that annexation area towards Farmington, when I drive by there every day it is pretty interesting to see which trees make and which don't. Besides being what I would consider an environmentalist I am also for business and growth because that's what feeds me and pays most of our pay checks. That is what has made this area able to sustain the growth that it has had. We have to find a way to work together on these things. I would just like to bring to everybody's mind that we share this area with a lot of different animals and a lot of different kinds of people and that is what makes it so great to live here. I would like my son in 2025 to realize the reasons that I chose this place as a home for him and his family.

Mayor Coody closed the meeting to public comment.

Mayor Coody: The word cynicism has been used a few times this evening and I really want to try to get people to realize that the world isn't perfect and a lot of times things happen that we don't agree with and if we always focus on those things that we don't agree with then it is easy to become cynical. Too often it is easy to overlook all the good things that are going on in town. We have accumulated almost 800 to 900 acres in green space the last few years, we have a killer trails program going on, the paving programs and the way people are restoring buildings. There are a lot of good things going on in Fayetteville, Arkansas that wouldn't be happening if we weren't experiencing the kind of economic growth that we are having right now. That is the up side to all the things that are going on. I hope that as people focus on the negative that there is always room to at least recognize and respond to the positive as well.

Commissioner Anthes: I think Ms. Alexander had a couple of questions about the form based code in the hearing and variances section. Can staff respond to those questions?

Tim Conklin: There has been a lot of discussion with regard to a form based code; I think the question I understood was how that works with regard to as of right development. The idea behind the form based code and the language in there is to create predictability in the development process with community input. That is the reason we went through that process for the Downtown Master Plan and the City Plan 2025 is to gain and gather community input on what they would like to see. The idea for the visualization of this community as a whole is to create codes that will allow us to have more predictability not just for the developer but for the community as a whole and what actually gets built. That is one of the primary reasons why staff thought it would be a good idea to bring the Council and the Planning Commission together this evening. There does seem to be a sense of urgency to get implementation, actions or measures on the books, the meat on the bones. To address that question yes, it is in there, I do not believe we are going to have a form based code for every part of Fayetteville but as we look at area specific plans and we identify the desired development patterns that we have, we should be able to, as a community, develop that type of regulation. As with any ordinances we do have variance procedures currently either through the Planning Commission or Board of Adjustment that is something that is dealt with depending on the project and the findings that have to be made. Once again the idea is there are different development patterns, can we identify the type of development that we desire in this community if so lets provide incentives, lets codify it and then if there are projects that come in that do not meet those particular standards that there are means and methods to look at those projects just as we do through the PZD process.

Karen Minkel: I also wanted to add that I think Ms. Alexander had a question about allow as of right traditional form development. I also wanted to clarify that form based code doesn't equal as of right development they are two separate things. The as of right development is an incentive for developing whatever has been put in place but they are not the same thing. Form based code doesn't equal as of right development.

Commissioner Anthes: I can't speak for Ms. Alexander but the way I understood the question was that we have items in the glossary that we relate to specific processes or definitions that do not necessarily appear in this policy document. Is it the intent of staff that that would be part of the code and that it would follow this policy document.

Karen Minkel: Part of it was to catch any terms in here that might be unclear to the general public or someone that is not a planner but it also includes phases that might be used in planning

in general that are not maybe necessarily within in this document but that could come up in later discussions. The glossary is really more of a resource than an indication of anything to come.

Commissioner Anthes: If there was a policy enacted about as of right development or a form based code then the hearings and variance sections would be clarified.

Karen Minkel: Right. I also want to say that this is a broad look at policies. It says a form based code but there are many shapes that a form based code can take. This does not get into that level of detail because that would need to have multiple discussions.

Alderman Marr: So the statement in this by right permit definition that ends see deviations there is no definition of deviations. That is on Page 167.

Karen Minkel: That is probably a mistake that would need to be either included or excluded; it was not referring to any specific deviations. The definitions and terms were extracted from elements of the smart code. The smart code may have included deviations but it wasn't relevant to this plan so that is probably something that needs to be deleted but it is not referring to anything we had in mind.

Commissioner Anthes: I had a couple of other questions that have to do with definitions in the glossary that refers back to when we start looking at the Future Land Use Map that map has regional commercial and community commercial called out but those aren't included in the definitions. Will you describe the intent of those two areas?

Karen Minkel: Those can be included.

Commissioner Anthes: When we go on to talk about that map later this evening, the regional commercial, are we to think about that as a traditional strip development pattern or are we thinking about regional commercial in a different way?

Karen Minkel: It is defined in Chapter 12. It has an extended description of regional commercial areas and it doesn't give any context in terms of whether it is development or traditional neighborhood form. That is on Page 112. That actually has a description of all the land use types that are on the Future Land Use Map.

Commissioner Anthes: On Page 70 the objectives that talk about timing of development ordinances, concurrent development, impact fees that are structured across the city but there is no embellishment underneath those two objectives. When would we expect to see that?

Karen Minkel: This is the section that Dover, Kohl primarily wrote and there wasn't an explanation for each description of that, it is not blank because we were going to fill it in that was just the way the document is. There is an extended description on timing of development.

Commissioner Anthes: I am aware of the discussion of it but I was wondering how staff is envisioning concurrency within our development practices because currently we do not have anything like that in the City of Fayetteville.

Karen Minkel: I think that in the benchmarks in the first year it talks about concurrency and what staff would do. On Page 97 it specifically addresses that objective and says in the first year

staff will work on identifying the criteria that indicates the impact of development on city services and then we would submit that to the Planning Commission and the City Council for their approval so we all agreed on what we need to be looking at. Then in the second year staff would provide different policy options with a recommendation.

Commissioner Anthes: Thank you.

Karen Minkel: On Page 73 is the extended description if any elected or appointed officials or members of the public want to reference that.

Alderman Thiel: Did you not say the Planning Commission would discuss this and then we would discuss it or is this a joint meeting right now?

Karen Minkel: It is a joint discussion right now.

Mayor Coody: Karen I know you and I have spoken about this and things were highlighted in some of these areas but for the record one of the things that we need to look at in this plan is incentives to get developers to do the things that we need done in town. To give an example we passed a six story limit on Dickson Street and what some cities might have done in a case like this was to say four stories use by right and if you want the other two stories to make it six stories you have that option if you do one of several things. Which could be affordable housing, public art, green building codes, things to give an incentive for a developer or builder to do the things the city sets out as goals and there is something in it for them to do that. I know you highlighted some of these things would you mind mentioning your perspective on that?

Karen Minkel: Sure. Some of those are a part of this especially in terms of transfer of development rights increasing density in different areas that have been targeted for growth. There were two comments at the policy summit, one was about attainable housing and one was about creating incentives for green buildings. While the City Plan doesn't say specifically this is how it should be done there are several areas that mention where those incentives could come into play. For example if we did another area plan in a different part of the city that the community and Council thought was a key area we would need to plan things out. If we adopted something similar to a form based code, we could also look at different incentives like providing density bonus to developers who are including a certain percentage of attainable housing or a certain percentage of green buildings within their development. That is where something like that might come into play.

Alderman Lucas: On Page 67 you mentioned about that very thing and I was wondering why you didn't have the Downtown Master Plan as part of that you mentioned several areas but you did not mention the Downtown Master Plan area. I thought one of the things was that we wanted to have affordable or attained housing in the downtown area.

Karen Minkel: On Page 67 because we were proposing potential candidates for an area plan and since the Downtown Master Plan has already been identified that is why it is not mentioned there. It wasn't because we felt those incentives should not be included in part of the Downtown Master Plan.

Alderman Lucas: I don't recall them in the Downtown Master Plan are they in there?

Tim Conklin: They were not necessarily listed as incentives. There was a component for inclusionary zoning that was talked about in that plan. The incentive in the Downtown Master Plan was the architectural, design standards and guidelines with a two tiered system. Your development meets the design standards and guidelines as of right development, they do not meet the design guideline standards architectural review. One of the incentives was to create a pallet or some standards for design within our downtown as an incentive.

Alderman Lucas: So that should be in the Downtown Master Plan if we have it for green buildings and attainable housing, we should have those in the Downtown Master Plan, is that what you are saying and not in this?

Tim Conklin: This is city wide; I think it is a city wide policy to do attainable housing. I think that is one of the concerns that staff and Dover, Kohl has that it should be a city wide policy not just specifically downtown. If it were a green building policy or an inclusionary zoning policy then it would impact downtown.

Alderman Lucas: I see.

Alderman Thiel: By additionally granting this as of right development it concerns me that we are not getting anything for this and if we adopt this with basically that concept in mind then at what point will we be able to come back and say we are going to offer this if you give us a percentage of housing that is affordable in your project. There are examples throughout the nation that we can use as far as criteria. This bothers me that we are basically saying we are adopting this policy as is and there is nothing in here about attainable housing or inclusinary housing or requiring it. If we adopt this as it is we are saying this is what we are granting you and we are not asking for anything for this. I guess that bothers me, the same thing with a green building. This is not dealing with heights necessarily so I guess if you are going to look at heights as being the carrot that would be another conversation. It does concern me that nothing ever got addressed about attainable housing.

Karen Minkel: Staff has been working on an attainable housing white paper that has a range of policy options to increase attainable housing within the city. One option is inclusionary zoning but there is an array of other options and that will be brought forth I believe in September at an agenda session and staff will be presenting that paper. In terms of the attainable housing within the City Plan 2025 I think that the way we envisioned as of right development happening is instead of asking for things on the back end when the project is getting near the end of its approval process you would ask for those things up front. A certain percentage is going to be green building or you have a form based code and so this is the way the buildings have to be situated on the site. Those things are asked for on the front end and then as of right development is allowed and if they adhere to what is in the regulations then you would get administrative approval. It is simply one tool that acts as an incentive for developing projects and the way the community has envisioned in terms of the policies that the Council has set. I think that is the way we envisioned it to work rather than allowing it and then not having any recourse for encouraging different development patterns.

Alderman Thiel: It still concerns me that we are going to be discussing the white paper after this policy is passed. I realize this is just a guide but none the less it is a guide that we try to follow and we will try to implement ordinances from it.

Tim Conklin: Alderman Thiel you are correct it is a guide with pretty broad goals making infill revitalization our highest priority, discouraging suburban sprawl, traditional town form to standard, a livable transportation network and assembling an enduring green network. As you look at the traditional town form it goes into creating complete compact connected neighborhoods with a mix of housing types. We are going from a very broad policy statement to when we talk about creating complete connected compact neighborhoods we are talking about a mix of uses, a mix of house types and moving away from isolating land uses and housing types from each other and creating a more walkable community which provides greater opportunity for different housing values. It does not get into the actual details. Karen mentioned a white paper those are specific actions that the Council can utilize. Where this talks about urban form and I mention the five goals because that is the main skeleton of this plan that if traditional town forum is a goal of this City Council there are ways to encourage traditional town forum through incentives, code amendments, subdivision regulations and zoning regulations with regard to lot size and mixing of uses. As staff we would use this as a guide to bring forward what other communities have implemented with regard to more traditional urban town planning along with the other four goals in here. It is very broad and sets out the policy for us to move forward.

Commissioner Clark: I may be getting too deep on this but I am very simplistic when it comes to rules and stuff and since this is a bunch of potential rules I want to make sure I know what I am talking about. On Page 67, Action 2, establish a tier impact fee; does that mean that to develop to encourage infrastructure development we are going to anticipate waiving fees, like street fees, park fees, fire and police fees, etc?

Tim Conklin: As a policy if you as a City Council choose to direct and encourage certain development types and patterns, yes it would be potentially finding the mechanism to not require those fees to be collected.

Commissioner Clark: That would be where the infrastructure already exists?

Tim Conklin: Typically that is correct. What cities have done is where infrastructure is available and there is excess capacity and they want to encourage development infill reclaiming and redeveloping lost space or under utilized property that is what they have done.

Commissioner Clark: Action 3 the sentence that says the zoning process that requires additional hearings and variances increase the risk of time and money to developers, we are going to try to redo this to make this system a little more efficient, is that the intent?

Tim Conklin: The intent is we went through a public process to try to gain a better understanding of how we want to grow this city. We went through four different hands on design sessions to figure out how to place 40,000 additional people within Fayetteville. The idea here is, if we can identify the development pattern and where we want the development, is to create a process to encourage that development. This as of right and form based code, they are two different things, and you can have a form based code that may not allow as of right. One of the incentives that communities have used is to create a code. When we say form based code, what the development community has right now is minimum set backs. They can build different development patterns based on their own ideas that they think is appropriate for Fayetteville. A form based code sets the parameters. We are saying you are giving up the ability to build building placement anything and anywhere to a set of basic urban design principles and they differ from a downtown core to more of a suburban type development. The plan is not about

creating the City of Fayetteville, as all downtown, but if we could identify the development patterns we want in specific areas we can use that as an incentive to make that happen and encourage it.

Commissioner Clark: So what type of process are you seeing now that is inhibiting this development propensity? Are there any that we are looking at specifically?

Tim Conklin: I think every time we talk about mixing of uses there is a lot of concern in this community about how that will actually be achieved and the outcomes of that, so as implementation if we understand the form for more urban residential density versus apartment complexes, how do we add density and the type of density that builds and protects our community character? Those are the types of ideas that we talk about with a form based code. Right now we say you have 12 units per acre or 24 units per acre. It really doesn't talk about the form and how it interrelates with the entire community or the adjacent neighborhood. There is a lot of fear out there with regard to a project any time we talk about mixed use or higher density. If we can develop the type of urban form and design that is desirable I think we as a community are better off in managing that growth. It is going to occur and it is occurring that is why the term form is thrown out there.

Commissioner Clark: I agree with everything you say, I am just curious as to what type of procedures and hearings or variances are going to go away. I guess maybe I am reading this wrong, I am reading this to say that we are going to make development, so what are we going to exclude in that process or is it too early to tell?

Tim Conklin: If we look at a development code and we can come to consensus as a community on the type of development we want to see. The City Council when we look at projects, in one ward they take me through a neighborhood and show me a certain development form that it may not be as desirable as they would have liked to see. I don't think we are giving up or trying to make it easier for the development community. We would like to try to make it more predictable what the outcome is for the community as a whole and then guide the development community in that direction.

Commissioner Clark: So you are not talking about taking out any steps necessarily.

Tim Conklin: The steps would be taken out if we decide that a certain type of multi-family development is more desirable than a 100 twelve unit apartment buildings laid out in a complex in that type of forum if the Council desires you could remove the public hearing process and have that as of right development, that is one incentive. Along with the Downtown Master Plan with regard to the design elements the idea there was to encourage a certain form that we as a community would like to see.

Commissioner Clark: On the bottom of Page 67 it says that a form based code would allow by right development of property in concurrence with standards set forth in this code but they are different things?

Tim Conklin: That is a policy. I will agree with you it states that. The City Council will have to amend the ordinance to allow as of right development. You could have a code that sets out urban form and not provide that incentive. You would have a developer that would still have to go through all the public hearing process, the public process and at the same time meet a certain

code and form. What this plan is suggesting is that if we want to be more proactive, prescriptive on the type of development we want to see as a community we can allow that by right development, if you want to do something else in this community that does not conform to that code then there would be a public hearing process. Of course this does not go into the fine details of the actual code but that was the idea of the Downtown Master Plan code and these other form based codes is that the incentive is if we understand how we want our community to grow why not encourage that type of development. That is the incentive of as of right development.

Commissioner Clark: I just read it and I heard what everybody says but it kind of says it is the same. On Page 73 we are talking about establish and transfer development rights, first of all are we not tracking conservation easements because once upon a time we weren't doing that.

Tim Conklin: We include the conservation easements on the future land use plan as private open space back in 2000.

Commissioner Clark: I remember when we were talking about a PZD there was a conservation easement and at the Planning Commission we were told that the City does not keep track of those.

Tim Conklin: I asked the people that had conservation easements to provide a legal description to show them on the future land use plan. The green on the City Plan 2025 shows up as private open space. It is something we can track we just need to be able to have that information.

Commissioner Clark: I know on our reports we are still not getting it so I am glad that we are going to. This whole idea of credits can you please explain how that would work in a practical manner.

Tim Conklin: Your question is how does a transfer development rights program work in a community. A community will set out an area that is either a receiving or a sending zone, if you are sending the development rights you have a piece of property, in legal terms you have that bundle of rights and you have these certain rights to develop your property. You create an ordinance that allows you to transfer those into another area. That area typically is designated as a receiving zone so you have a piece of property and it is zoned at a certain density or allows a certain number of units and they can buy those development rights to increase the intensity or density. Basically it removes it and at the same time when you send them off that piece of property typically a conservation easement is placed on there and is held in perpetuity, depending on how it is drafted but a lot of times they allow farming or maybe one additional house that type of thing.

It works in a land trust, subdivision, steep hillside, 50 foot lots, large homes being built they allow the land trust to purchase the lots, they give you credit that you could add a certain square footage to your house on the lower more level land, if the you were limited to a 2,000 square foot house and wanted a 3,000 square foot house it could be one for one or three to one, you have to buy credits, remove the development rights off the piece of property and the property remains undeveloped. In the program that I was aware of they actually sell that piece of property to that adjoining property owner and it becomes their yard and the money would roll back into a program to do preservation.

Mayor Coody: Let's just say you have 20 acres downtown that is underdeveloped that you really want some high density development on and it is zoned RSF-4, low density. You have 20 acres out on the edge of town that has a sensitive spring on it or something on it that is also zoned RSF-4 that you don't want to see it developed. The developer downtown wants more density and he can basically buy the RSF-4 rights off this other property that you do not want to see developed so he can get RSF-8 in downtown where you want development and where you don't want development there is now a conservation easement. You have taken development rights from an area where you don't want to develop and you put it where you want higher density development. Does that make sense?

Alderman Jordan: Horse trading.

Alderman Thiel: This is like individual A and individual B, two different individuals are swapping this out so in other words we will see realtors selling development rights. People will start wanting to market development rights on their property if they don't necessarily want part of their property developed. It is a way for them to actually acquire something for giving up those development rights where as now it is very difficult for them to get much of anything. In fact I think they have to pay the Ozark Regional Land Trust to actually put something into conservation.

Commissioner Clark: Isn't that rezoning without a hearing? If I buy credits from my RSF-4 and make it RSF-8 don't I have to have a rezoning hearing in there and let people talk about it?

Tim Conklin: These are those policy issues that we will have to work out. If it is a policy to remove the development rights and create open space there are many programs across the country that manage it in different ways. You have to decide where you want to move the development off of or preserve that property undeveloped and where you want to encourage development within your community.

Alderman Thiel: Who decides this?

Tim Conklin: The City Council.

Alderman Lucas: Who keeps track of it?

Tim Conklin: The one that I was familiar with is they used the local land trust and provided that through a state planning organization. There are models back east; you may have read in here that this will require state enabling legislation which we are not proposing for this next session in 2007. We would want to work on that and propose that for 2009 General Assembly. This is not something that would happen very quickly but would take state enabling legislation to make it happen.

Mayor Coody: The way that I see this if someone has a 40 acre farm, it's a beautiful farm and they have had it in the family for a long time and they don't have any money but they have a farm that is worth a fortune, the land is worth a fortune. They want to retire but they can't without selling the land because that is where all their value is, that's where all their net worth is. They would have to sell their family farm in order to be able to retire but they don't want to do that. In this new scenario they could sell the development rights, they could get some cash out of the value of their land and still not see the land developed. It is good for the land owners and the

developers downtown that want to develop in ways that the city has said we would like to see it developed. So this has a potential through those options to be a win win situation for everyone, not that I am crazy about the win win scenario.

Alderman Marr: What about the question of the property around wherever that credit goes. Is there a maximum to that because we say we want infill, we talk about it all the time but every time it comes up in our ward everyone is against it?

Mayor Coody: That is right.

Alderman Marr: What is the maximum, because if there is no maximum credit and you don't want a height issue or you do want a height issue then you limit the amount of credit that you can take?

Mayor Coody: That goes back to Tim's statement that this is a policy decision because in these receiving areas which is the areas that you want to see developed you set your limits and you set your uses there that you want to see and that is all set by policy is that right?

Tim Conklin: You would have to by ordinance set those zones up to receive to a maximum, that's correct.

Alderman Marr: I guess that is my point, I don't see anything in his document that speaks to the maximum side of this equation.

Alderman Thiel: Right, I agree.

Commissioner Clark: If I can follow that up with one more step the receiving areas which would be the inter city wards will also be asked to give up impact fees because you already have developed infrastructure if we go to a tiered system plus you are going to have more density. I am not really sure, it sounds like a real good theory except if you are next door to where they want to apply these credits it sounds like we are giving an awful lot away.

Alderman Marr: And in an area where you have aging infrastructure and the benefit in getting development there is to get that infrastructure rebuilt or shared so if you give it away as an incentive how do you get the new sidewalk, the tree scape that we want and those types of things.

Mayor Coody: This isn't to be determined tonight. This is one of these long term big deals.

Alderman Cook: Basically I think Tim said it earlier this is an over reaching document. We could debate every issue in this document tonight. Each one of us sees each one of these differently. I think what was mentioned earlier this is only the bones of what we hope is the next few years of Fayetteville. It was also mentioned that if we don't add the meat to it that we might as well not even vote for it. Frankly in the four years that I have been in office I learned from the 2020 Plan that we never did really add the meat to that plan, we did in some cases but overall that document did sit on the shelf. This document has a lot more detail in it which we did ask Dove, Kohl to provide for us which is probably the reason we are debating some of these issues tonight. It is only the beginning of what I hope keeps the Planning staff very busy over the next few years.

Mayor Coody: Tim will address the idea about the 2020 Plan sitting on the shelf because I know that has been stated kind of loosely a few times tonight and I want to get your opinion of that for the benefit of the folks at home.

Tim Conklin: As staff you might think my response is somewhat bias. The 2020 Plan talked about looking at our downtown and coming up with a Downtown Master Plan, it talked about hillside preservation and we started that in 2002 and we implemented that. I think there are many things within that plan that have been implemented and I think the City Council and the Planning Commission should be commended for commercial design standards, parking lot landscaping standards, Design Overlay District, our PZD process which I think we have seen some very large projects come through that we may not have seen get approved some of them were controversial, the Downtown Master Plan Redevelopment District, development of a possible improvement district, the purchase of the Faye Jones property, converting our one way streets, adding parking, moving towards a new code that provides some predictability with regard to the type of development that we are seeing. I think that when you look at long range plans and their policies I think we need to keep in mind that we are not going to implement everything within one year and that we will have a very strong healthy debate on what is appropriate. What you are seeing in here are growth management tools so we can implement your goals for planned and managed growth and how to achieve that. As a community we sometimes debate and maybe we don't move as fast as people think we should but at the same time I have heard we are moving too fast on the downtown code. There are buildings being built under our currents codes also. I guess to answer your question; I think we have been implementing our plans. As staff you asked us to provide some benchmarks of what we think we can accomplish with this plan and if there are things in this plan that you would like to look at or direct us to implement ahead of something else we are more than happy to do that. Our intention is to implement these ideas and figure out ways to actually make this a working plan just as the Downtown Master Plan.

Alderman Ferrell: The time that I have spent around Victor he and I certainly didn't agree on everything but one of the things that we did agree on were the form based and the by right. In remembering what he said if you are going to do this do it in the areas where you want to accomplish something? He said in some areas you already have your infrastructure there so you will not have that. I would like to know what the thoughts are from the Planning Commission chairman on the idea that this will be a departure in some form from where we are, on the notion or ideas of form based or by right.

Commissioner Anthes: I think that Mr. Schaffer said something really important this evening. He said that this plan has very strong goals that were developed, it has gone through the community input process and vision and that without the code to support that vision it is not going to amount to a heck of a lot. If you look at the letter that is in our packet from Dover, Kohl about the description of the sector map and the proposed land use development map that they put into the document as well as a lot of the verbiage throughout this document, its references to the smart code version eight many times and that code with its accompanying form based structure and its relationship to the transect and to the development principles that also allow for predictability in the system, clarity in the system, a reasonable expectation from developers for approval in a process that they respond directly to that code. Also predictability from the neighborhood standpoint that you know what is going to happen next door are very important in order to make this vision realized within the City of Fayetteville. Without us

looking at a wholesale look at our development ordinances and looking at them in terms of a structure such as the smart code will only do things part way.

Alderman Ferrell: Page 67, Action 3, develop and implement a form based code that allows for mixed use development states *by establishing clear standards that support the city's vision and provide a visual guide to design criteria*, would you tell me what you mean there by visual guide.

Tim Conklin: The premise of the form based code on Page 175 in the glossary it talks about different building forms and types and it visually shows the type of city that you can potentially create or place based on that code. Cities are not all downtown or all single family, it can be a mix so deciding on the type they call it a transect and it moves from the densest to most intense land use to the least intense. Determining what development pattern you want in a certain area of the city and then coding that to actually create those areas. So if you want a main street, there are certain development patterns, building placement that if you look at a certain area or place that you want to create. What planners have done is go back to urban design principles and urban forum and have created a code or pallet of building types and building forms that actually create that type of development. That is what it means by form based. Regarding the comment that we are giving that to the developer as of by right but we are actually being prescriptive to the developer to say we want you to build it this way. That way you don't have buildings just popping out of parking lots, that there is some coordinated overall plan for an area that when all the buildings are constructed that they relate to each other and actually create a new center or downtown versus 30 independent decisions on where the building is going to be placed and how high and where the parking lot is going to go. That is the difference between our conventional zoning scheme that the Planning Commission and the Council on occasion gets to review versus a very prescriptive code saying if you want it downtown here is a cookbook of how to create a downtown environment. If you want a suburb with single family detached more rural, here is a code that creates that type of environment.

Alderman Ferrell: Are they going to know from the form that they have to meet the requirements or are they going to know from the form what to expect?

Tim Conklin: That is the goal.

A discussion followed on swapping zoning rights and how much should be allowed or is appropriate.

Commissioner Ostner: Some of the comments made by the public earlier, the cynicism about the issues going on and fear about big projects, part of the reason we promote PZD's is to relay fears, so people can see what is going on. It seems to me that is really the key to this, instead of a standard method we are really saying we are coming up with these areas and we think it is going to be appropriate but the rubber meets the road at this other document and that is not here, it is coming, it is on its way, it has to fill in the key to appropriateness. Appropriateness of how much is enough zoning or how much is too much when you transfer develop rights or on the appropriateness of downtown when this document on Page 112 talks about utilize more intense development patterns within the infill sector. I think that makes people nervous, I know this is a very general document but it pretty much is a green light, so how do we judge what is appropriate? This document concerns me because there are all these requests to make these calls for appropriateness yet the outline step by step how to do that consistently are not here.

Tim Conklin: These are a set of growth management policies that states, counties and cities have used across the nation. Looking back at our hillside, there are 50 different ways to do hillside preservation. If we say as a city that we want to establish a transfer development rights program, I think it is going to be difficult to put into a draft in an ordinance what that means. Because that is going to take a lot of research.

Commissioner Ostner: I think transfer of development rights is awesome, how much, is appropriate is what concerns me.

Tim Conklin: That is where we debate, the first decision is do we want a transfer of development rights program.

Mayor Coody: I think we are starting to head in the right direction. The number one question would be do we want transfer of development rights; if the answer is yes then the next question would be what? We basically do it one step at a time until we get what we want fleshed out there is that right? This 2025 Plan would be the first step down that road.

Tim Conklin: Yes. The first step that we are proposing in order to even be able to do something like that is to have state enabling legislation to be able to even have a program. Then we would discuss the types of programs that are out there and what is the end result to our goal that we are trying to achieve.

A discussion followed on the implementation of the plan.

Tim Conklin: What I would ask is if you disagree with these rough management tools or the idea of form based or tiered impact fees, those are the tools that communities have used to guide plan and managed growth. That is what we are really considering tonight, if we can keep it at that level and provide staff guidance to what you want us to work towards and bring forward. It will take a lot of discussion and debate.

Commissioner Anthes: I agree with Tim in that this plan as written establishes a planning and development framework that is reflective of the community vision that was established during the workshops. It creates opportunity for jobs to be created near where people live, locating employment clusters appropriately within residential areas. It has the potential to enhance economic and social benefit of resource preservation and land development. It may be the only way to manage our traffic challenges with volume, safety, congestion and energy cost. There actually is a way to enact something quickly that would help us to that plan and that is to adopt the smart code in parallel to our existing ordinances. Short of doing that I think what staff has given us are the benchmarks. They have laid out the goals of the different pieces that we are starting to discuss tonight and they said we will by this date come to you with our research and recommendations that address all these different things that we have concerns about. I think that without those benchmarks being in the plan I had a lot of concern about it but with those benchmarks in there and with this dedication and commitment of staff to adhere to those benchmarks I am perfectly comfortable with forwarding this to Council as a policy document with the expectation that that research will come and hopefully sooner than what is benchmarked rather than later.

I have a couple of questions, the annexation directives and the Chapter 11 economic analysis, we have a map in here that shows where our ward, school district and growth areas are and what I don't understand is how our growth areas in our sector map relate to the economic analysis of revenues for schools. I wondered whether staff had evaluated an annexation directive that placed priority on annexing areas that are within the City of Fayetteville's school district rather another cities school district which are included in our growth boundary.

Karen Minkel: We have not done that analysis.

Alderman Thiel: Is the Planning Commission proposing to forward the plan and the map to the Council? I have some issues with the map.

Commissioner Anthes: We are not to the point where we can make that motion.

Mayor Coody: The City Plan 2025 document that we are looking at right now is a 10 CD cassette changer with no CD in it. Trading development rights is a CD that will be inserted after all the policy decisions have been made and every element from then on is a CD that is added to the machine until the whole thing is complete, is that a simple way to put it.

I will turn this over to the Planning Commission for amendments.

Commissioner Anthes: I would like some clarification from staff. It sounds like we might have an issue about the written policy document versus the map, would you like for us to debate both within the Planning Commission at this point?

Karen Minkel: Yes.

Commissioner Graves: I have a question with regards to the overall incentives that are listed for infill and urban sprawl and what we think the inter play with the annexation policy is on that. What we are typically confronted with is a small piece after small piece brought in by individual property owners who want to bring their property in and possibility with an implied or an overt hammer that they will just develop at the county standards if we do not get the annexation. I wonder if we think these policies are going to encourage more folks to come forward with annexation requests in order to take advantage of the transfer development rights program and is that what we want to happen. What I don't see in here is a description of what we want to happen with regard to annexation.

Karen Minkel: I think that is a fair statement. During the public participation process it was difficult to achieve a consensus around that issue. One of the steps we have taken to move that process along is on Page 98 under benchmarks and it specifically talks about annexing in key locations within the planning area and providing a land use plan that reflects the principles of City Plan 2025. One of the first actions under there was to approve a land use plan for the proposed annexation on the west side of Fayetteville.

Commissioner Graves: I appreciate that we want to identify possibly larger pieces strategically so that we do not see them trickle in over time and then look around and say we need a fire station or a police station. I am still wondering even if we implement a policy and annex these areas that we have identified, you are always going to have around the edge. I wonder if we

think these policies that we are recommending is going to be something that causes this piece mill thing to continue to happen. Do we have a strategy and if so what is it, if not, why.

Karen Minkel: I think that in general this plan was to focus on infill and revitalization, increase development within the city boundaries rather than increasing the development on the outskirts of our city as they are annexed in. The City Council will determine which areas are sending areas and which areas are receiving areas in the transfer of development rights, depending on how that is set up just by annexing into the city they would not necessarily get that benefit. If they were annexing in order to get that benefit of transfer development rights, it would still be achieving the goal of targeting the development where we want it rather than on that property.

I think this plan offers a lot of incentives for developing where there is already infrastructure and encouraging infill even though it doesn't address the piece mill policy specifically.

Commissioner Graves: If we don't address that then what I see happening even if we identify all the areas that we want you are still going to have piece mill annexations whether it might be to try to take advantage of these rights or a developer than wants to annex in next to these conservation easements. We have tried to get our arms around what to do about piece mill annexation. The way it practically happens on a piece by piece basis versus what our vision for the City might be, if we don't address that then none of this is going to work in my opinion. I am in support of the goals and I would vote for them tonight but I am not sure even adding the meat to the bones without addressing that issue I am not sure that it would work.

Tim Conklin: The way I looked at the annexation study committee and the ideas that we talked about were where to extend our current city limits and the City Council voted to have a special election. I think for me as staff we are setting a line as to where we think the city should grow in the next five to ten years. We will not encourage or recommend annexation further out beyond that because that is something that we studied. I am stating that as staff to you as the Planning Commission and City Council and that is really ultimately up to the City Council. I think it was very beneficial to go out and make a policy decision as to where we want to grow.

As you are aware of every two weeks we can rezone a piece of property or apply for an annexation through our process. Those are the decisions the City Council will have to make. They will have to determine if we annex to a point and are willing to go beyond that. That will be a policy decision.

Commissioner Graves: I am looking at it from the Planning Commission level; I am not looking at it from the City Council level. They have other things they can hang their hat on if they want to oppose or deny an annexation. When I am looking at it I have these guiding policies, so if they want to come in and they are not creating an island and not an environmentally sensitive area, I have a list of things I can look at, if they fit they typically come in. I don't know in doing that whether that fits our strategy or not. The Police and Fire Department when they are looking at a five acre annexation and they are asked is this going to impact services, well of course it is not, but when does the balance tip and all the sudden you look around and it has made a difference. No one of them made a difference but collectively they made a difference. I think that in not addressing that and I am not claiming I know how to address it but I think that this documents essential silence on annexation is very troubling to me especially since we have spent a lot of time talking about it and looking at it.

Commissioner Anthes: Might you answer that question in relationship to the proposed neighborhood section maps studies that we are trying to do. Will that give us any further guideline?

Commissioner Graves: I guess my question is if the policy is going to be that we are setting a special election and we are trying to set our lines where we see them going in the next few years and beyond that we do not envision the city needing to grow beyond that then why isn't that in the policy document.

Tim Conklin: I think with the Annexation Study Committee, Planning Commission and Council that has been a concern, the piece mill annexation and as we look at infrastructure and how to plan for infrastructure. Because something has changed, and that is the new centralized sewer systems, which has resulted in land uses occurring, blocking street stub outs that the Planning Commission has required of development and other ordinances that do not apply in the County. The other issue the committee looked at was how to manage growth and development. If it is inside the city I would say that we are probably one of the more progressive cities in the State of Arkansas with a tree ordinance, a sign ordinance, design standards and zoning, in the county you do not have that. As staff we have talked about how to use zoning and our land use controls, going back to land use plans and timing of development. That is something when it does come into the City it is discussed by the Planning Commission and the City Council with regard to what is appropriate land use intensity density. I think the question to annex or not annex that is a larger policy question which we talk about in the plan to actually develop land use plans within those areas. Then if we develop the land use plans we can achieve a greater mix of uses and a different type of development pattern. If it all goes together with regard to creating a livable transportation network and compact complete connected neighborhoods, possibly we can build our way out of some of the issues that we have created in the past like putting people, services, schools and parks together. From a land use side and a policy side, I think the policy of creating these land use plans is in there, with regard to the boundary it may not be specifically clear where we are setting them or where it is going to stop.

Commissioner Graves: I understand there are a lot of issues associated with this issue. If we have an annexation policy that says something along the lines that you indicated, that we are drawing the lines and we see where they need to be over the next few years. If that is the policy that helps incredibly when you are looking at these individual annexations on a smaller scale. I don't think that it is anti-growth because this is a policy document and the Council could elect to bring in a piece of property if it felt that it strategically should. I don't think that it would present a problem even if you had something along the lines that indicated that you would like to see more sizeable annexations so that we don't see one and two acre ones that encourages developers to bring them in on a larger scale. I don't see how the infill goal or the urban sprawl goal is fulfilled without even mentioning the word annexation as any part of those goals.

Tim Conklin: We do have in there to identify key areas in the planning area that should be annexed, that is on Page 98 and 99.

Commissioner Graves: Again we are talking about from the city side what the city is driving to bring into the city. I am taking about from the property owner's side, what the property owner may be driving to bring into the city. Something besides this list of guiding policies that may give us a bigger picture strategy of what the city hopes to accomplish viva annexation or what they hope to limit viva annexation. As long as people can bring property in on a piece mill basis

and we don't have a vision or an outline of what we think should happen with that then they are going to keep coming in piece by piece and whatever is going to happen on that piece of property is going to happen. Whether we implement the ability to trade development rights or whether they just have the right to get it zoned RSF-4 and build something. If the second thing happens then you haven't accomplished what you hoped to with infill and urban sprawl goals.

Tim Conklin: I would whole heartily agree with you that development is going to occur outside the city limits and it is occurring.

Commissioner Graves: I am not talking about outside the city limits I am talking about they bring it into the city limits and then do it.

Tim Conklin: Regardless if it is inside or outside the city limits it is an issue that we have identified to identify those key areas. I guess if you are looking for additional language to put in this policy document with regard to do we have to identify those key areas and the City Council establishes what areas should be annexed then we would consider additional areas five years or ten years down the road to strengthen.

Commissioner Graves: The city needs to absolutely identify those areas. We have had a couple of different committees or task forces that have attempted to do that and that work should continue. I think we should have something that addresses what the city wants to happen with that.

Tim Conklin: I think I understand your question.

Commissioner Clark: I am looking at the benchmarks on Page 99, *Planning Commission and City Council fall 2000, summer 2007; allow administrative approval for developments in complete neighborhood planned areas beginning with the Downtown Master Plan.* Please tell me what that exactly means.

Tim Conklin: That means that we would look at if we develop a code we would recommend that we set these parameters to allow development by right within that code.

Commissioner Clark: So it means that if we set up the rules and a developer meets the rules that we have set up the review process is bypassed?

Tim Conklin: That is correct.

Commissioner Clark: Community input is bypassed?

Tim Conklin: The input is going into the rules for the developers to follow that is correct.

Commissioner Clark: So once we set the rules then if they do it?

Tim Conklin: That's if the Council agrees to allow development to occur. Currently anything less than one acre is by right. When I say by right if it meets the current zoning and all the other standards, is by right. We already have by right development based on acre size. The question is do you want to allow by right development if it is form based such as in the Downtown Master

Plan area, if they adhere to a set of development standards. If not then you go ask for your variances through Planning Commission.

It is kind of interesting that some of the most desirable projects, I don't know if they are desirable, they show up in magazines that advertise Fayetteville, they had to get variances to build what we want to encourage as a community or at least I think we want to encourage as a community as we have gone through that process. Those projects we should remove the barriers. Projects that do not meet the standards, then you go through those public hearing processes. Some of the development that has been the most successful and the most desirable and has enhanced our community has had the most hoops to jump through to get approval and other development that meets more suburban standards have had less hoops to jump through or no hoops to jump through. We should decide which development we want to encourage and try to make it easier and if it doesn't meet those standards then we should have a public discussion about it.

At the request of Commissioner Clark Tim gave some examples of what he is talking about.

We have had a lot of discussion with regard to form based code and I look at what has been built that is most desirable and those projects have had to get variances where if you build more suburban type development you may not necessarily have had to get those variances. All we are talking about is if we can identify the building form and placement on the lot and height and if we adopt design guidelines and standards and they meet those and we debate those in this community, I guarantee you we will have a lengthy debate on design guidelines and standards. But if we can come to a consensus on that if a developer comes in that is one incentive you could give them, because they are meeting those standards, if they want to do something different then we can go through the public hearing process.

Commissioner Anthes: Are there any motions to amend any verbiage or sections in Chapter 1?

Commissioner Ostner: Bullet one, is that actually the reservation of open spaces and not preservation of open spaces.

Karen Minkel: Yes.

Commissioner Anthes: Chapter 2 Community Context, are there motions to amend?

There were no motions to amend Chapter 2.

Commissioner Anthes: Chapter 3 Demographics?

There were no motions to amend Chapter 3.

Commissioner Anthes: Chapter 4 Housing?

There were no motions to amend Chapter 4.

Commissioner Anthes: Chapter 5?

There were no motions to amend Chapter 5.

Commissioner Anthes: Chapter 6 Land Use?

Commissioner Ostner: There is a small degree of verbiage about annexation on Page 37.

Commissioner Clark: I know we are doing this chapter by chapter but it suddenly dawned on me an amendment that I would like to see in this document would be something along the lines that by the year 2025 we should have addressed inclusinary or affordable housing. I think it needs to be in front of us and I think it needs to be considered when we are talking about land use plans, zoning, credits, anything we do in this city. I think we are past time to address it and I don't know where it might go. When we talk about goals and objectives we have talked about attainable housing for many years and have yet to structure anything.

Commissioner Anthes: Ms. Minkel, if we wanted to state that we address that as a goal is that covered in the staff's benchmarks?

Karen Minkel: I don't have a specific location as to where you would put it, but I would direct you to Goal 3 which is traditional neighborhood form should be the standard and the first objective under that is a complete, compact and connective neighborhoods. It specifically talks about having a variety of homes within one neighborhood. That would probably be the most appropriate place, somewhere in that section.

Commissioner Anthes: That is what I was thinking, Commissioner Clark, it seems like it is implicit that it should be in there but what is needed is that there would be a scheduled time line in the benchmark's that says that the staff will develop and create, identify the criteria and study the viability of these kinds of ordinances and propose them.

Commissioner Clark: On Page 75 we are talking about objectives under A which is talking about compact and completely connected. I just really feel strongly that it is stated straight out. We are talking about transportation corridors, land use and everything so why not talk about attainable housing at the same time. Put the transportation with it, put the development with it, put the industrial and job growth with it. If you want to put it under that objective that is fine. I tried to figure out the best place for it. It seems like this whole document infers it but it doesn't say it and I think it is darn time that we say it. The Downtown Master Plan talks about it, it says that is a chapter that will be filled in by the City. It talks about giving developers a right to pay a fee in lieu of in the Downtown Master Plan. That is not something I am looking for, I am looking for something that says we are going to actually come up with a system that will provide affordable, attainable, whatever the politically correct statement is, housing in the City of Fayetteville.

Alderman Marr: Obviously in the very beginning while we are going through all this demographic and where we are today, 4.7 talks about housing concerns. While it speaks to the rising cost it doesn't speak to the concern that we don't have it. So maybe the first place to start is to make sure there is some adjustment into that about where we are accessing our attainable, affordable, whatever terminology that we are are going to use consistently throughout this document. I think it needs to be earlier in the document because we speak to it the first time in 4.7. In that housing concern area it talks about the fact that things are becoming less affordable but there is nothing in there that says and a concern is the lack of affordable, attainable housing. In this document in a future section we have a policy to do what Ms. Clark was talking about.

Karen Minkel: Two suggestions, one is the current white paper that we are working on has a look of that verbiage that I think Alderman Marr is talking about. It is much more of an in depth analysis than what is currently happening and we did not have it available when we were putting this draft together. I think one suggestion might be to update that section with some of that analysis. If you are interested in adding a benchmark, I think that because we do talk about having denser housing, varied housing, I think because that is implicit in terms of attainable housing, I think you could have a benchmark that specifically said that policy options for attainable housing are going to be explored and brought forward, which is in the process already. I think it would be consistent with what staff is currently doing and consistent with the plan. I will leave the wording to you on how you might want to phrase that. I think you can add it to the benchmark.

Commissioner Clark: Where would staff feel comfortable with it being added to the benchmark? I would add it to today's benchmark if possible but that might be pushing the issue.

Commissioner Myres: Page 57 is a list of concerns that occurred at the charrette process and at the top of Page 57 it says provide for diverse housing opportunities and choices, so it does come up.

Commissioner Clark: I read all the comments the citizens made on the 2025 Plan because they provided them. It is affordable housing, attainable housing. I think that is what we need to put in front of it, I don't think it needs to be diverse, distinctive, or impressive, it needs to be affordable.

Commissioner Anthes: Would you like to alter that sentence that Commissioner Myres spoke of on Page 57?

Commissioner Clark: Diverse housing opportunities and choices?

Commissioner Anthes: I don't think we can modify that, because that is an actual statement.

Commissioner Clark: It has been talked about since the Downtown Master Plan and that is just where I kind of teamed in. I think it also has been talked about since the 2020 Plan, I am not sure. I would like to see it included in the benchmark. Karen, how did you state it?

Karen Minkel: Present policy options for increasing attainable housing in the City of Fayetteville.

Commissioner Clark: How about not increasing just creating attainable housing.

Commissioner Harris: To have that in the benchmark without any supporting text behind it does that matter?

Commissioner Clark: I am making this up as I go.

Commissioner Anthes: It seems like it has been referred to in several sections in one way or another and then if we list it in a benchmark and the City is already working on the white paper.

Commissioner Clark: My intent is not ambiguous at all.

Commissioner Anthes: If we agree to have staff submit the white paper and we could amend Section 4.7 to include that text when that white paper is complete?

Commissioner Clark: Maybe add a Section 4.8 that talks about affordable housing specifically based on the white paper results.

Alderman Thiel: You refer to the comments that were made at the meeting and one thing that has concerned me all along is that all of those comments were incorporated in the goals with the exception of the diverse housing. If you will look on Page 57 all of those were incorporated in the goals except the diverse housing opportunities.

Commissioner Clark: I am afraid the word diverse sometimes can be really confusing.

Alderman Thiel: What I am saying is I would suggest that they add a goal because that was the only item that was recommended by the public that was not incorporated almost specifically verbatim into one of the goals.

Commissioner Clark: So we could get carried away and amend with an extra goal? That would be a wonderful thing to do and let the staff come up with the supporting documentation as you have throughout the rest of this. I am glad we are talking about it because I think we need to get something done.

Commissioner Anthes: I believe there is a motion being formulated but I don't know that I know what it is.

Commissioner Ostner: I think it was adding a statement and the timeline that the white paper will be presented this fall?

Commissioner Anthes: It looks like there are a couple of options that we have. One is that we can add Goal 6 on Page 2 that says provide for a broad spectrum of housing opportunities and choices and then ask staff to provide the corresponding chapter when they complete their white paper and insert the benchmark into the time frame that you indicated. There is a second option that steps back a little bit and doesn't create a new chapter and goal.

Commissioner Clark: My motion would be to create the new chapter and goal straight up and not just diverse housing but in that definition it would be affordable, attainable housing. Because I think when you say the word diverse you can talk about mixed use, zoning and all kinds of stuff that I am not talking about. I am talking about affordable.

Commissioner Clark moved to create a new Chapter and Goal 6 that says provide for a broad spectrum of housing opportunities and choices and then ask staff to provide the corresponding chapter when they complete their white paper and insert the benchmark into the time frame. Commissioner Ostner seconded the motion.

Karen Minkel: Just to clarify, all the goals are in one chapter so what you are saying is the goals are to make infill and revitalization our highest priorities, we will discourage urban sprawl and you want a sixth one that says we will create obtainable housing opportunities.

Commissioner Clark: You don't come to our meetings often enough to know that we get carried away at times. I think this is a great goal. I think Alderman Thiel is correct; it is not really out there big enough, based on what I am reading that citizens of the charrettes also want. In some of my documents it says affordable housing.

Commissioner Anthes: Is the second to the motion amendable to that change?

Commissioner Ostner: I am concerned that we are requesting more efforts on staff but I think this is vital and huge. If staff has gotten the ball rolling I have seen a draft of this somewhere on some shelf, no offense, it is doable so yes, I would be in favor of the motion.

Commissioner Anthes: We have a motion and a second to add a 6th Goal reflecting the community comment on Page 57, asking staff to insert that text when their white paper is complete and to insert that as a benchmark in the fall 2006 to summer 2007 time frame. I believe that is what you said Commissioner Clark?

Commissioner Clark: Yes madam.

Commissioner Harris: My understanding of this is that we are saying that we would add Goal 6? My only concern with that is I think the history of urban development in this country suggests that isolating some notion of affordable housing, whatever it is called in its particular area, or however it is understood, on the one hand it might look as if we are prioritizing it by giving it its own goal. On the other hand it is a kind of a form of isolation or even ghettoization of that particular concept. From my perspective it might serve us well to put it in Section 5 under Goal 3. Affordable housing is not something separate from everything else that we are trying to accomplish here rather its absolutely a part of creating the traditional town or a part of the social, transportations and commercial networks that we are trying to set up here. I want some version, I want to see absolutely what Commissioner Clark and Commissioner Thiel have brought forward tonight, I personally have some discomfort with separating it out as a completely separate goal because I think it is absolutely matrixes it into, if you will, the main stream of what we are trying to accomplish here.

Commissioner Anthes: I am glad that you brought that up because it was my understanding that we would tie it to the community response on Page 57 which is providing for a diverse or changing that to a broad spectrum of housing opportunities and choices including obtainable housing so that we would not be giving priority to one over the other, but would be sure that the spectrum would exist in the City. I may have misunderstood.

Commissioner Clark: No you did not and the intent is not for ghettoization in the least. The intent is to make sure that we focus on all spectrums of people in need of housing, not just those on the upper end which unfortunately I think is very tempting to do. I am not talking about designated areas of affordable housing, concentrated areas necessarily, I think the Downtown Master Plan hints at a very great system, when you build something you also have to make sure that you have something that is more attainable right in with it, so it is more of a mixed use but it still keeps the eye on a broad spectrum of housing options not just the high end.

Commissioner Harris: I have no argument with that. Mine was completely just the kind of rhetoric, the words and where we are going to place them. I think I completely understood the

intent. It seems appropriate to me to go ahead and place this within one of the other goals if we can at all in part so that doesn't become something like an appendix that we can get rid of without much trouble if it gives us a little bit of biliousness down the road. So I would like to put it in as a part of one of the other goals if at all possible.

Commissioner Anthes: Let me ask for staffs comment on that. What would your druthers be?

Karen Minkel: We have not had a chance to thoroughly discuss this issue but I would lean toward putting it under one of the goals that currently exists partially because I think it is varied housing choices. I think when citizens talked about diverse housing I think they were talking about attainable housing and I think that does fit under varied housing. I feel like it is already said there. I think it could be elaborated upon. I think if the Commission wanted to have it stand out as a separate objective under Goal 3, I think that would be appropriate as well.

Commissioner Clark: I am leaving my motion the way it is. If it doesn't work then we will add it some place else. I am making a motion; I am making a goal so it gets the attention that I don't think it has gotten in many years. I don't think it makes it more severable, I think adding it in makes it more watered down. If you put it out there big and bold and brassy maybe someone will embrace it and do it?

Commissioner Ostner: I would hope that even without a specific motion as to verbiage that staff could go back and find other appropriate areas to refer to this goal that is just floating by itself. Is that possible?

Karen Minkel: I guess I am not sure what your question is. Are you asking if staff would be able to write enough to complete a goal about attainable housing?

Commissioner Ostner: Find those spots where statements that refer back to this new goal might fit into it and not require an act of congress. Such as the position that we are talking about right here.

Karen Minkel: I am sure staff could do that if we had direction from these two bodies to do so.

Commissioner Ostner: You would have to get approval afterwards of course.

Tim Conklin: I like that idea of a certain text, we have a quote from the focus group right below there, that paragraph talks about the ability to afford homes so I think it could go under 4.7 as another paragraph or 4.8 if you want to expand it. I think under Goal 3 traditional town forum, you have Action 5 you could place it there as development and implement an attainable housing program, some language like that, add it into our action timeline steps, so I think three places are there if you choose not to make a Goal 6. The ultimate goal is to develop complete neighborhood plans that have a mix of housing types and that includes attainable housing. We talk about jobs, housing balance within this document of looking at when we create jobs providing housing that balances with the jobs that we create. It may not be as clear in the document as some of you wish but the idea behind it is we know we create jobs in this community and we know we have an issue with housing the worker that work within our community. That it is an action goal to actually get complete.

Commissioner Ostner: So it is possible, I am not requesting or demanding it but that this new goal might be elaborated on in other sections or are you all saying now is the time to mention it and put it in?

Karen Minkel: I think we would like specific direction about how to change this to amend the plan.

Commissioner Ostner: Okay that is a fine answer.

Commissioner Harris: I believe the motion is to add Goal 6 and so Ms. Minkel if what you are asking for is some direction does that mean you would like some action items to follow that goal? Is that the direction you are asking for?

Commissioner Ostner: Specific words and exactly where.

Karen Minkel: I think that would be helpful but I don't think it would be practical at this time to provide unless the Commission has developed some of those already?

Commissioner Anthes: It seems to me that there are two courses of action, one to establish Goal 6 per the motion that is on the table and then if that passes it passes if that fails there would be an opportunity to go back and add the same verbiage under Goal 3 and the other sections as Mr. Conklin and Ms. Minkel have stated.

We are voting on adding Goal 6.

Upon roll call the motion passed 4-3. Commissioners Ostner, Myers, Clark and Trumbo voting yes. Commissioners Graves, Harris and Anthes voting no. Commissioners Bryant and Lack were absent.

Commissioner Anthes: The motion passed.

Commissioner Anthes: Chapter 7 Transportation. I am assuming this section we will take up with the Master Street Plan portion or are you asking us to act on that this evening?

Karen Minkel: It is simply an analysis of current circumstances. You would take it up now; it would not be affected by the Master Street Plan.

Commissioner Anthes: Are there any comments or motions to amend in Chapter 7?

There were no motions to amend Chapter 7.

Commissioner Anthes: Chapter 8?

There were no motions to amend Chapter 8.

Commissioner Anthes: Chapter 9?

There were no motions to amend Chapter 9.

Commissioner Anthes: Chapter 10?

Commissioner Graves: On Goal 2, Page 73, I would move that we add an Action 4.

Commissioner Graves moved to add Action 4 to establish an annexation strategy for the City, which would read *the City will implement a comprehensive annexation strategy to address issues in managing annexations in concert with the City's other goals without limitation to other tools identified for managing future land use, the annexation strategy will be developed by consideration of anticipated growth and development in and around the City for use in preparing desired or expected future boundaries for the City. These boundaries will in turn be used as a planning tool for managing annexations of land into the City.* Commissioner Anthes seconded the motion.

Commissioner Clark: I think that is a wonderful amendment simply because it gives direction. It is not just isolated to the western annexation where we seemed to be focused because there is a lot in the east and even a little bit in the north that is still clambering to come in. I think it will certainly help give us some better insight and guidelines.

Commissioner Trumbo asked for the amendment to be read again.

Commissioner Graves read the amendment again.

Karen Minkel: I assume if you added that it would also be added to the benchmark under annexation as part of the time line?

Commissioner Graves: Yes.

Upon roll call the motion passed 7-0. Commissioners Bryant and Lack were absent.

Commissioner Ostner: On Goal 1, Page 60, I think this is a terrific big picture, I do think the insertion of the word appropriateness; *we will make appropriate infill and revitalization our highest priorities.* I know this is not an ordinance that we look at to specifically build things but when a developer or member of the public looks at this as street signs or guide post, you can call anything infill. You can tear down the greatest building in town and say I am doing infill. I don't think having infill without saying appropriate is right. It can be used as a hammer. It should fall in under other statements that are underneath that also. Almost everywhere you mention infill I believe it should say appropriate infill.

Commissioner Anthes: Would you read the third sentence and see if that meets your criteria? That third sentence is *by making infill a priority, the City should also consider mechanisms to insure quality development and promote appropriate development that reflects the existing community character of Fayetteville's neighborhoods.*

Commissioner Ostner: Yes it does. That is one way to look at it but there are other ways to look at infill. If Goal 1 says infill is the highest priority but you have to read on down, this sort of goes along with the same reasoning Commissioner Clark says, the goal is the goal, it is the big statement. If you want to read the supporting text you can find ways to support inappropriate. I believe all infill should be appropriate, period. If it is inappropriate it is backwards with everything else and you are stretching it. Sort of like the affordable housing statement it has

been implied and inferred and all of us see it in this document but if we don't put it there I don't think it is really there.

Commissioner Anthes: Is your motion to insert the word appropriate before the word infill in all instances where infill is used on Page 60?

Commissioner Ostner: Yes. And also the pages following that when it discusses infill. In fact all mentions of infill under Goal 1 I believe should say appropriate infill. I do not want to try to throw a wrench in anything. I haven't explained it well I don't think. I think what happens in our existing neighborhoods as we all know is hotly debated and it all comes back to appropiateness. Who is going to answer that whether it is going to be by right with staff approval, with administrative or if it is going to keep going through the Planning Commission and the City Council as it has traditionally that is fine but if the word appropriateness is thrown in from the get go I think that makes it clear that it has to be a neighbor, a part and it has to fit. At this point we all still make that call what is appropriate? So that is okay but that is my motion.

Commissioner Ostner moved to on Page 60 to rephrase Goal 1 to read *we will make appropriate infill and revitalization our highest priorities. Insert the word appropriate before the word infill in every case that it is used under Goal 1 starting on Page 60.* Commissioner Clark seconded the motion. Upon roll call the motion passed 7-0. Commissioners Bryant and Lack were absent.

Commissioner Anthes: Are there any motions to amend the economic analysis and or the appendices, the vision statement and resources? I assume Chapter 12 the Master Street Plan that those street sections and street classifications will be discussed at future meetings?

Karen Minkel: That is correct.

Commissioner Anthes: I would like to ask staff if they will insert definitions for regional, commercial and community commercial in the glossary but I do not need to make a motion for that.

Karen Minkel: Right, for all the land use types.

Commissioner Ostner: The three growth sectors did you want to skip this part or is it the actual map that you wanted to skip?

Commissioner Anthes: I was thinking what we might be able to do is make a motion to forward the policy document verbiage and then we could discuss the map as a separate issue. It makes it easier but that is up to you all. Are there changes to that verbiage that you would like to see in anticipation of that discussion?

Commissioner Ostner: If you could highlight the difference between intended growth sector and control growth sector and downtown growth sector.

Karen Minkel: The sector overlay district is meant to be more conceptual and so the control growth area is identified areas where you are possibly on the border of a flood plain or because of the land type you might want to control growth there in the sense that you might want to have

limits as to how much density goes there. But the limit has not been determined and would not be determined in this discussion. The intended growth areas are areas that you want to target for growth, they were also areas where we would probably look at completing neighborhood plans for and they would be a higher priority.

Commissioner Ostner: So basically these are ways to get peoples attention. These are parts of town where in general we are interested in development.

Karen Minkel: Do you mean the growth areas?

Commissioner Ostner: Right.

Karen Minkel: I think they are meant to identify areas that we might target for growth by doing complete neighborhood plans for those areas and as a tool for long range planning when we look at where we want to have those complete neighborhood plans and also for developers to use as a tool.

Commissioner Ostner: Okay, thank you.

Commissioner Trumbo: Ms. Minkel did mention complete neighborhood plans could you briefly discuss how that is going to look or could look. I know it is below the main goal but it is mentioned quite a bit.

Karen Minkel: The Downtown Master Plan qualifies as a complete neighborhood plan. It has a mixture of uses including a jobs housing balance, it is looking at having varied housing within that area, it is compact, connected, and those are all elements of a complete neighborhood plan. The idea in the City Plan 2025 is that we would start doing those specific area plans in key areas of the City to be determined by Council. As one of the benchmarks during the first year, staff would present a list with recommended prioritization of those areas where we want complete neighborhood plans and then Council would decide where we should do those areas. We are not suggesting that we would hire a consultant like Dover, Kohl to come in and do each of those plans, we feel that staff has the capacity to do something similar to that and really get significant public input in developing those plans whether they be for 30 acres or for 400 acres.

Commissioner Anthes: I have one further amendment to propose. I am not sure if we can just ask for this or if we need to make it formally. I would like in the annexation area in Chapter 12 to add a line that says that we should consider existing school district boundaries when creating annexation policy. Perhaps it could say the potential annexation area should be identified in the City using the following criteria, and one of those criteria would be to consider the existing school district boundaries.

Tim Conklin: Commissioner Anthes is your question that school districts should be considered as part of the criteria for the annexation?

Commissioner Anthes: I was asking that when you create the annexation policy that it be evaluated as potential criteria for prioritizing annexation areas. I believe that in our economic analysis there are very specific recommendations or discussions about creating complete centers and how that affects school district revenue. To me that would tie into our annexation policy in

one way or the other if we are following the guidelines of this plan. If that is incorrect feel free to tell me.

Tim Conklin: I don't think it is an incorrect statement; I would just like to remind the Commission and Council that I believe there are four or five school districts within Fayetteville. I am not sure how you are weighing those criteria because the Fayetteville School District goes to the Madison County line and includes Goshen. The Farmington school district is over by the Boys and Girls Club and included many parts of west Fayetteville.

Commissioner Anthes: I don't know how to weigh it, I am just asking whether it should be weighed and if there is a way to ask you to consider whether it should be weighed when you formulate the annexation policy. That is why I said maybe it doesn't need to be formally inserted in the document, but on the record.

Tim Conklin: I apologize, I am not sure how to respond to your statement other than there are multiple school districts and planning for Fayetteville and how we grow is just as important to the school districts or Farmington, Greenland or Springdale. There may be a time when we will have schools from other school districts inside the City of Fayetteville and make sure they are the same name as our City.

Commissioner Anthes: Okay I will withdraw my comment.

Commissioner Graves: If you have an area that is within the school district but outside the city limits today, would there be anything improper in considering the fact that that proposed annexation already falls in the Fayetteville school district as one of the factors to consider for bringing it into the City? Is there anything improper about considering the fact that it is already in the Fayetteville school district as part of determining whether it should be annexed into the City of Fayetteville or not.

Tim Conklin: I look at school districts and corporate limits as two different types of boundaries.

Commissioner Graves: I am disputing that.

Tim Conklin: Every square foot has to have a school district.

Commissioner Graves: I understand that there are areas of the Fayetteville school district that are not in the City and never will be because they are already in another City. My question is would there be anything improper about adding a bullet point that says you can at least consider that it is in our school district. These bullet points I don't know how we weigh them, we probably weigh them different depending on which annexation we are looking at so it may not matter.

City Attorney Kit Williams: The City Council has great discretion when it comes to what property it wants to annex. The basic question is do you want to annex it or not assuming someone is voluntarily trying to place their lands within the City limits of Fayetteville. From the purely legalistic point of view, no, you can consider anything you want to consider at all. However keep in mind that we do have Fayetteville citizens already going to other school districts and I am sure there is an overall feeling by the City Council that we do not want to

discriminate against any of our citizens. I guess I share a little bit of reluctance that Mr. Conklin had when he says that in this way we are kind of doing apples nor oranges if we try to tie ourselves to one particular school district which happens to be named the same as our City. We have citizens going to many other school districts and so therefore we are obviously interested in having all of these citizens get the best education that they can get.

Commissioner Graves: Again we are getting the disconnect I think between City driven annexations versus property owner driven annexations. I think if you have a property owner who lives out in the County but is in the Fayetteville school district and he decides to come forward to annex his property in is there anything wrong with as one of the factors among the many that we have considering the fact that they are already in our school district?

City Attorney Kit Williams: I think the City Council has virtual absolute discretion in a case like that I guess they can almost consider anything. I guess there might possibly be some citizen who would want to annex his property who was not in the Fayetteville school district and we said well according to our annexation policy it is a closed case and because you are not in the Fayetteville school district we are not going to annex you. That possibly there could be an equal protection of laws argument that we are considering something that is unfair to consider. I don't know if that would be successful because as I said we have such great discretion in deciding whether or not we want land inside. I think it is up to the Planning Commission and the City Council about whether they want to list something like that in their plan.

Commissioner Graves: That last thing you said about equal protection is enough for me.

Commissioner Ostner: What if it was phrased continuity of school district lines should be a consideration? Not trying to include or exclude anyone simply looking at how we work continuity with City limit lines and sewer lines, we just try to coordinate.

City Attorney Kit Williams: City limits lines and school district lines are nor contiguous and there is no continuity in there throughout the state so I don't know how we could ever go back in that direction and try to get continuity. They are different bodies, the school districts are different bodies than the cities and they have their thing that they must do and they must serve the citizens within their borders and we must serve the citizens within our borders and sometimes they are overlapping. I don't know how you can get away from the way the system has developed at this point in time.

Commissioner Ostner: I am not trying to change it, I am actually just trying to promote it and work with it. It seemed innocuous to me it must not be.

Commissioner Anthes: Are there further motions to amend?

There were no more amendments.

Commissioner Anthes moved to forward the City Plan 2025 document as amended in its entirety with the exception of the Future Land Use Plan Map to the City Council with a recommendation for approval. Commissioner Ostner seconded the motion. Upon roll call the motion passed 7-0. Commissioners Bryant and Lack were absent.

Mayor Coody: We are all going to discuss the map. Jill wanted to table it for further discussion but I think we are going to discuss it tonight.

Karen Minkel: In terms of time and the questions that have been brought up, staff recommends that Council now look at the policy document and choose whether to make a motion to adopt it and then as a large group discuss the Land Use Plan because we have been informed that there are going to be a lot of questions about that. The Commission will have to stay throughout the meeting as well. That would be our suggestion.

Mayor Coody: The Planning Commission has forwarded this to the City Council. I am going to open it up for City Council discussion. What do you think about this document or amendments or anything else that you would like to discuss?

Alderman Thiel: I think I support the written document at this time. I feel like it is a guideline and it is something we need to follow. I think the concepts in there are basically what the public felt like they wanted, I think there are still some concerns about the form based code and about the as of right building incentive. I think those are ordinances that will come forward and be debated. I think Tim explained it very well; the public wants our plan to look a certain way and our City to look a certain way. We keep saying we want a plan and I think that is one way to achieve one, you get a consensus in a certain area and you adopt the form based code and if you want to have inclusionary housing within that area as part of the ability to have the as of right development and also the speedier process of the form based code then that is something that we will all be concerned about within the whole adoption of that ordinance. To me that is the only thing that is questionable about it but I don't think we are adopting that, I think we are adopting a concept of a way to possibly plan certain areas and I think it has been clarified to us that it would be based on certain areas. It would certainly not be the entire City if I understand that correctly. I appreciate the amendments that the Planning Commissioners made and would support those amendments. As far as the map goes we will probably discuss that a little more in depth. I do have some concerns about the map and would probably rather recommend that it be tabled so that the public has more opportunity to really look at some of the areas. There are a couple of areas that I have identified that I am positive that constituents are not aware of what I think have been basically new zonings. That is a question to the staff whether or not they are basically new zonings.

Alderman Ferrell: I concur overall. I think the good out does the fair in this thing. There are some things that I disagree with but the more that I read it and the more familiar I became with it and the more I went through it I liked it better.

Alderman Ferrell asked what the first amendment was.

Karen Minkel read the first amendment that was made by the Planning Commission.

Alderman Ferrell: In looking through the text, what was presented to us? I see that in there. I see it in black and white that is something that is going to be pursued and is part of the plan so I don't think that needs to be made a goal. The other amendment that I would not support was inserting appropriate in front of infill in all instances where the word infill is used. I think you guys spent a lot of time on this thing and I think your message is loud and clear so I would not support that amendment.

Alderman Ferrell moved to accept all the amendments except to create a new Chapter and Goal 6 that says provide for a broad spectrum of housing opportunities and choices and then ask staff to provide the corresponding chapter when they complete their white paper and insert the benchmark into the time frame and the amendment that added the word appropriateness before the word infill.

The motion died for a lack of a second.

Alderman Marr: I struggle with the term affordable, attainable, I still think of it in terms of housing for people or work force housing and it starts from the person at an entry level position all the way through and that we need housing options for all of them. It would be hard to argue that we have that today and so because of that I like the goal.

I do have a concern over defining what is appropriate infill but I like the terminology. It scares me to not have a factor in there that addresses it from a maximum credit standpoint when we get to defining that through these ordinances or the meat that is going to be on the bone. That is why I can't support taking it out because I think the biggest fear from people is what they don't know. Commissioner Clark was asking a question about this development is going to go thorough on a use by right without having to go through an approval process, I think that sentiment is shared mostly city wide because people do not have confidence in the kind of development we are going to get so it is the protection in a way. We are trying to develop a code a visual picture, a form that if they built that we would be comfortable with it and that the public input process is on the front end of it so that we get the predictability that the development community and Alderman Ferrell wants and we get the stability and quality of life issues that the neighborhood side wants. I think if we don't put the word appropriate in it and define it in this process we are going to have a lot of arguments about that point. I think they were both very good amendments.

On the street cross sections that are in this plan they do not appear to me to be what we have, they do not have bike lanes, they have four foot sidewalks when we currently have six foot standards, we are talking about being a more pedestrian oriented city and we are going to reduce sidewalk cross sections on our local streets. I am just trying to understand this. When I think about looking at these cross sections in that section of this plan they are so different in some ways than what we have today. I don't really like them. I am trying to understand what the rational for that is. I did not hear one thing in our public process that spoke to reducing sidewalks.

Karen Minkel: The Master Street Plan guidelines are what are currently in the General Plan 2020 document; there are no changes right now. That is something that we are currently drafting. .We are working with the Engineering Department and our trails coordinator to gather all the cross sections that we have distributed throughout multiple plans in the City. We will bring forward a draft and a new Master Street Plan that will go through the traditional process of first going to the Commission and then to the Council in order to address that. Right know there are no changes to that section but we are bringing something else forward.

Alderman Marr: So when the Street Committee looks at these items and the public talks about transportation projects what is our guiding principle?

Karen Minkel: It was actually in line which is also in this policy under Goal 4 in that we create a livable transportation system. One of the objects there was that community planning will

precede and out rank transportation planning. We feel that if this is adopted then this gives us a general framework that we would use to address our transportation system in our Master Street Plan.

Alderman Marr: Again I go back to my concern on builder, developer, citizen, predictability. That if we are trying to get to the point where people could trust what it is that we are going to have as the end result. Then I think that is something that needs the gas pedal instead of the brake. I don't want development being improved in any part of the City that doesn't address multi-motor, pedestrian access environments.

Mayor Coody: How long do you think it will be before you can bring that to us?

Karen Minkel: The current work plan that I have put together would take approximately one month.

Jill Anthes: It was my understanding that we were not even considering those transportation issues today. When I made the motion to forward, I did not believe that was part of it.

Karen Minkel: That is correct we are not making changes to that currently.

Alderman Lucas: I have looked for a definition of urban sprawl, suburban sprawl, what is the planner's definition of that?

Karen Minkel: I think you would probably find that multiple definitions exist. It is usually described as low density and single use. We can include a definition in there if that would help to define it for everyone. I do not think there is a standard definition.

Tim Conklin: On Page 74, Goal 3, it talks about not creating a single use development but creating a place that has more things that people need every day. A neighborhood contains not just houses but a mix of uses that are adaptable for change over time, houses that are not just one type, a range of housing types.

Alderman Lucas: It would be nice if we had it in the glossary what it was. The statement regarding limit growth on the edges of the city under the suburban sprawl, I went to some of the charrettes and the participants placed several circles in the northwest especially around the schools, I did not see that reflected in here. I think it would be smart for us to use the traditional town forms to control the growth or the suburban sprawl.

Karen Minkel: The sector map, I am wondering if that will be enough. It does have targeted growth areas in the northwest and the northeast even within the planning area which I think reflect some of the public participation that you were talking about on the west side. In my mind it might address your concern.

Alderman Lucas: When we address these areas like annexations or the development in the west or the new areas in the east that will be addressed later on when we do the traditional town forums of planning those areas. We need the Land Use Plan before large annexations so that when you develop these codes or ordinances to address these things I hope that those will be included in it. What is human scale?

Tim Conklin: I think when we talk about human scale the scale of an urban type form that we are comfortable in. For me when I use that term or we look at that term understanding how the public space is interacting with the buildings. I think it is important to be able to tell how many stories you have with regard to design. I think when we talk about human scale it is a development pattern that is not just auto oriented but allows for people to interact in the community and move about the community based on its design.

Alderman Thiel: Shirley pointed out in the charrettes they targeted certain areas, I understand the concern with development in the edges of the City but we keep saying the infrastructure is not out there, I think what people need to understand is the infrastructure in the older part of town in some areas is non-existing, in some areas we do not have sewer. Some of the sewer lines and water lines are very old and aging. We need to be mindful of that when we start talking about tiered impact fees because we need to look at parts of town to make sure they are not in need of infrastructure. I understand about sprawl in the edges of the City but in some cases they are in a better situation than some of our inter city which we continue to encourage infill and I think we want infill but we need to be mindful. Everyone says the infrastructure exists there but not necessarily or it is very inadequate.

Alderman Jordan: Commissioner Ostner, when we use the word appropriate what would be your definition difference between appropriate and compatible?

Commissioner Ostner: I would think appropriate is a larger tool. Two buildings could be compatible but for a building and a river to be appropriate you have to think different. You have to look at the place how do I get it appropriate. Does it look appropriate as I walk down the street, maybe the uses need to be appropriate. When I look at compatible it is usually apples and apples. That building is not compatible with that building.

Alderman Jordan: Basically does it fit?

Commissioner Ostner: Even outside the box does it fit in many ways?

Alderman Jordan: We talk about this being a skeleton. This is a broad based framework but the Aldermen could come back with an ordinance to fine tune this?

Karen Minkel: I think that is the reality. I think the benchmarks lay out what ordinances staff has proposed pursuing and we will certainly take direction from Council.

Alderman Jordan: I just did not want to be locked into something. There are a few things in here that I don't agree with either, I would like to bring something back later to the Council. I have a problem supporting anything where public input is kept out of it. For the most part I like the amendments. Regarding attainable housing I feel people should own their own homes and whatever we need to do to get that going it needs to happen. I think we need to bring forward things where people in the low incomes can afford a home. I appreciate Commissioner Clark bringing that forward. I believe that what makes a community strong is their diversity. I believe that all people regardless of who they are or what their income levels are should be at peace and harmony. I believe that creates a very strong and vibrant City. I will support this plan.

Alderman Cook: This is only the beginning; it does not tie us in any corners until we actually as policy maker's start passing ordinances does this become reality. That is certainly our burden

and everybody's goal here. I think this is an excellent starting point. I agree with the goals that were discussed tonight. We may have different views on how to get there but that is the fun of the debate.

Alderman Marr: The use of the term neighborhood plan when you look at the map it looks like that is the urban core. I am nervous about people hearing neighborhood plan and feeling that it is how we define neighborhoods today as opposed to talking about town forum or using something that speaks to all the uses. I feel like at some point there should be better vocabulary to describe what it is we are trying to communicate.

Frank Sharp a citizen thanked the City Council for funding the Dover, Kohl study and the charrettes. He also thanked the Planning Commission and staff for all of their work. He stated it has been very beneficial and he enjoyed the process. He stated there are three points that he would like to make one is the ecological map that was completed by the Nature Conservatory, he stated he hopes they look at the map and the important sites on the map. He also would like to look at the possibility of using the transfer of development rights to the core to help build this enduring green network and not just the core. Third, there is a possibility of getting grants to buy or get the development rights to the green network.

Mayor Coody: Thank you for helping the City for many years we would not be the same town without you. Could we get a copy of that map?

Frank Sharp: Sure.

Alderman Lucas: I would like to thank you for taking this group around to look at different acres.

Alderman Cook moved to adopt the plan. Alderman Lucas seconded the motion. Upon roll call the motion passed 6-0. Alderman Reynolds and Rhoads were absent.

Resolution 123-06 as Recorded in the Office of the City Clerk.

Mayor Coody: Now we need to discuss the map.

Karen Minkel: There may be a lot of discussion on this but staff would like to point out that without the Future Land Use Map the policy document will be in limbo. They need to go together when our planners use them.

Alderman Thiel asked about the area east of the 265 intersection and north on Huntsville that is zoned community commercial and the neighborhood commercial. She stated on the north side there is a single family residential area abutted against a more intense commercial development zoning and on the south side there is neighborhood commercial joining no development. Why did you place the higher use commercial closer to a single family residential area?

Karen Minkel: Staff made as few changes to this map as possible partly because the City plan suggests going forward and doing complete neighborhood plans in different areas. When we looked at it we looked at zoning that has changed over the past five years that Council has approved have been changed on the map to reflect those zoning decisions that Council made.

Other than that the only decisions we made were removing the office type as a land use because we felt it was somewhat redundant. Also getting rid of the historic commercial land use now that the Downtown Master Plan is in that area. We are definitely open to suggestions.

Alderman Thiel: The area south of South School and north of Sunrise Mountain Road that area is not zoned industrial now.

Karen Minkel: It was zoned industrial and there has not been a Council decision within the past five years regarding the zoning in that area.

A discussion followed on the zoning in this area.

Commissioner Myres: Is there a difference between a Land Use Map and a Zoning Map?

Tim Conklin: Yes. These maps reflect the General Plan Future Land Use Plan. It is not the Zoning Map but it does try to reflect the zoning decisions that have been made in the past.

Alderman Marr: When I think of the Future Land Use Plan it should be a picture of where we want to go. It seems to me that we aren't looking as completely at nodes as we are continuing to create strips. That bothers me about this map. One of the reasons for looking at the west annexation area was so that we would develop these nodes in this section of town as opposed to getting strips. I guess I don't see in the new plan the future nodes that we want to see, I don't see where they are recommending that. It looks to me like we are just staying with what we have.

Karen Minkel: What staff was hoping to accomplish is that those nodes would be fully developed with a complete neighborhood plan. I think one of the concerns when we talk about these commercial nodes, when we talk about replicating them, I am not sure everyone bought into the idea that all of those nodes should look like something like Mission and Crossover. We were looking more at the complete neighborhood plan through traditional neighborhood plans. What we are hoping to do is that there are key areas of the City that the community might want to see developed as a traditional neighborhood plan. What staff is hoping to see with this map is as we bring those areas forward and the Council prioritize which areas we want to do complete neighborhood plans you would begin to see this map change. The Sector Map gives a conceptual idea of what that might look like, that was the intent on this map.

Alderman Marr: If this is an area we want to see that forum developed, I don't see it anywhere other than where we have it today.

Karen Minkel: In the benchmarks in the City Plan it lays out the complete neighborhood plan strategy. In the first year we would select different areas and present that to the Council and present how we prioritize it. The staff recommendation and the Council would decide whether to move forward with that. After that each year we would tackle a new area.

Alderman Marr: I hear the Planning Commission say they want to be able to have direction and I don't see where they are going to get this neighborhood node concept whether through the document or the map until later down the road and yet we are addressing some of those other things as we roll it out with its initial item.

Commissioner Anthes: That has been my biggest concern about the map too. I feel like this map reflects more of what is on the ground than the vision so why are we calling it the Future Land Use Map if it is not really indicative of the future but indicative of what we have already decided. I am looking at the Sector Map that was in our packet and Dover Kohl's proposed Future Land Use Map as proposed in the document and to me this proposed Future Land Use Map is much more correlative to the Sector Map and to the vision than what was proposed by staff. At this point I would be much more inclined to adopt the map as proposed by Dover Kohl in our document rather than the one that is merely a formalization of past decisions.

Tim Conklin: One of the challenges that we face is how to show these complete neighborhood plans geographically. It is hard to show this on a map.

A discussion followed on the different maps.

Karen Minkel: Our intent was that the two maps would be used together. We initially tried to overlay the Growth Sector Map on the Future Land Use Map but it was difficult to read. That is why we separated them. The current Planning staff uses the Future Land Use Map whenever they consider any kind of development so they need to look at more than just the land use type. We do consider them both a part of the City Plan 2025 and how we would consider looking at growth areas and complete neighborhood plans.

Commissioner Anthes: But the actual geography's of the zoning placements on this map are very different.

Jeremy Pate: Actually the overlay that Dover Kohl utilized in the map that you are referencing is the General Plan 2020 Map and they included the growth sector overlay and the infill sector overlay over the top of those.

A discussion followed on the map.

Alderman Marr: What in your opinion are the other changes on the 2025 Map from what we have today?

Karen Minkel: I think one of the things is that we removed the office land use type and we also removed the historic commercial. We also went through all the ordinances that have been passed in the last five years since the 2020 Plan was adopted and made sure they were reflected accurately in this map. In your memo you received an itemized list of the specific changes and a description of where those changes were. The major change is you have the addition of the Growth Sector Map, before we did not have anything like that.

Commissioner Clark: I understand the problem Alderman Marr and Commissioner Anthes are having. To me the map that we are going to get from this process is not just descriptive it is proscriptive. I hope we can fix that map but I am not sure we can do it tonight. The citizens of Fayetteville need to know their future is right here on this piece of paper. Even though you say it is an idea, it is a conception, it is a suggestion, by the time we get it, it is fact.

Commissioner Graves: My problem with the current interaction of the map is I don't understand what it is supposed to do to help me. It is a snapshot of now as opposed to a tool for me to use as we encounter proposals in the future.

Karen Minkel: Zoning is an emotional, controversial topic, our approach in working at changing zoning through complete neighborhood plans in terms of the City perspective we felt was a way to give each of those areas the attention it really deserves in terms of zoning. It would take a lot of staff time to give each part of the City the attention it would deserve and to look at rezoning each part of it. There would also need to be signification public comment.

Commissioner Graves: I do not want a rezone or a map that is a proposal of rezonings. What I thought a Future Land Use Map was suppose to be was here is what we envision what we want in these areas and then as things come in for rezonings we look at that Future Land Use Map and attempt to conform to it as best as we can. To just have a snapshot of how it is now there are things we already know we don't like about how it is now. What is more useful is a map that says this is the vision of what we want in 2025. So we can look at a Future Land Use Map and say here is what the City Council has told us that they would like to see this area developed as.

Karen Minkel: They are two tools. The Sector Map is the tool for long range planning and the Future Land Map is a tool for current planners.

Jeremy Pate: The plan document that the Council has adopted tonight is probably more comprehensive than our General Plan 2020 ever was. It is more useful to us to make recommendations to you in understanding exactly what we are going to do in our vision of growth and development, One way you could do this is to call the entire City mixed use the planning area mixed use and understand that type of pattern. This is a multi use tool, one is the plan document that we have, the book, the other is this plan which does reflect the polices the City Council has set. It does reflect areas where we didn't feel industrial uses were appropriate and things that had been zoned already by the Council. The third tool is the Future Land Use Plan and the growth Sector Map and understanding in these areas that the citizens defined the areas that they would like to grow.

A discussion followed on the maps.

Alderman Marr: Why is it so critical to have this map if it is the same as what we have today?

Jeremy Pate: It is a visual tool. You have to have a map that goes along with the plan.

Alderman Marr: I want to make sure that when a developer comes forward they get a map they can understand.

Commissioner Anthes: This seems to be a poor reflection of our intent and I don't understand how it adds the predictability either from the Planning Commission stand point or from the development stand point.

A discussion followed on the maps.

Tim Conklin: I recommend as staff we go back and look at ways to illustrate on the Future Land Use Plan what is reflected in this document that you adopted this evening.

City Attorney Kit Williams: You can amend the map or adopt the map by resolution at the next meeting. I am concerned that you would have a plan adopted without a map. Maybe not adopt a new one but have some map that goes with the plan that you adopted.

Commissioner Graves moved to forward the 2025 Future Land Use Map to the City Council with a recommendation that it be revised before it is adopted by the City Council. Commissioner Ostner seconded the motion.

Commissioner Graves withdrew his motion. Commission Ostner withdrew his second.

Commissioner Graves moved to table the proposed 2025 Future Land Use Map until staff can make revisions to it. Commissioner Clark seconded the motion. Upon roll call the motion passed 7-0. Commissioners Bryant and Lack were absent.

Tim Conklin: I would like to recommend that you go ahead and adopt the Sector Map but allow staff to continue to utilize the 2020 Plan in the interim because it does have the land use on it where the Sector Map doesn't.

Alderman Thiel moved to adopt the Sector Map as a temporary map. Alderman Thiel withdrew her motion.

Alderman Cook: Did I understand that this 2025 Plan and the Sector Plan those are working together to be the overall 2025 Plan. The only reason you did not overlay them is because it was too much information to put on one map.

Tim Conklin: That is correct.

Alderman Thiel moved to continue to use the 2020 Plan until we have a 2025 Plan based on the Sector Map. Alderman Ferrell seconded the motion.

Alderman Marr: If we are going to adopt an interim map it makes more sense to adopt the newly proposed one because at least we get mixed use as an option in the map that we don't have in the old map.

Alderman Lucas: The Sector Map is reflected in the 2025 Plan.

Alderman Lucas: In this proposed city plan why didn't we extend the planning area on the west side of town?

Tim Conklin: We did not make any amendments to our planning area as part of this process. That is something we could work on and bring that forward to adopt.

Alderman Thiel changed her motion to accept the City Plan 2025 Map as the interim map. Alderman Ferrell seconded the motion. Upon roll call the motion passed 6-0. Alderman Reynolds and Rhoads were absent.

Meeting adjourned at 10:10 p.m.

Dan Coody, Mayor

Sondra Smith, City Clerk/Treasurer