

Indian Head Planning Commission Meeting Minutes
Indian Head Pavilion
June 19, 2019

Michael Pellegrino called the Planning Commission meeting to order at 7:20p.m. Members in attendance:

Michael Pellegrino, Chairman
Warren Bowie
Wayne Higdon
Thomas Gordon

Staff in attendance:
Ryan Hicks, Town Manager
Mark Harman, Zoning Administrator
Andrea Brady, Clerk

Approval of Meeting Minutes for March 20, 2019– Chairman Pellegrino requested a motion to approve the minutes as revised. Warren Bowie made a motion to approve the minutes as revised. Wayne Higdon seconds the motion. Motion carried.

TCMX Discussion – Zoning Admin sent via email some examples of TCMX in other municipalities. Chairman Pellegrino feels the Planning Commission’s concern is the intent and purpose of the zone itself, what they want TCMX to be.

Mr. Bowie discussed that the Commission has been going over mixed use for around 4 years and developers come in wanting TCMX and then come back with nothing but residential. The Commission discussed the existing TCMX developments that are strictly residential and the potential development that is proposed to be strictly residential. Mr. Bowie provided the attached example for a revised definition of the TCMX zone. Mr. Bowie mentioned the two important parcels of land in Town, the old Ely property and the Phillips property, both currently zoned commercial, that have a need to allow mixed uses and need a zoning change, but the definition needs to be worded to hold them to the fact that it is mixed use.

Mr. Gordon stated that the problem with the existing TCMX definition is that what is in place allows for what the Commission does not want, and they have to figure out a way to force businesses to appear, which they can’t do. Mr. Bowie said developers should be required to put in place what the zoning will allow. Mr. Gordon felt Mr. Bowie might be on to something by requiring that the structure be built to a standard for businesses that way further down the line when there is a demand for a business it can be converted from residential to commercial. Mr. Bowie stated that there are not a lot of parcels in Town that fit the TCMX concept.

Mr. Bowie stated that his suggested verbiage would allow the needed flexibility for the parcels that fit the TCMX concept but would also make the developers abide by the mixed-use requirement. Town Manager Hicks reminded the commission that the Council currently has

everything along 210 in the draft Zoning Ordinance as TCMX. The Planning Commission was previously informed of the Council's plan to change the zoning along 210 to TCMX and had suggested against it. There is nothing preventing the Council from making further revisions, but it is currently in the review process and would have to be sent out for re-review. The Commission could still suggest a definition for the TCMX zone.

Mr. Gordon felt the Commission still has the same mission, to make sure what is written doesn't allow for residential only with empty lots for commercial. Chairman Pellegrino stated that planning practice to him would dictate you come up with the language and the language is based on a physical reality, such as where the TCMX zoned land is located. Mr. Bowie read Mr. Harman's memo that was given to the Commission in January that gave the information on the Council's 210 zoning change as well as additional changes that were added to the draft. Chairman Pellegrino feels the definition and the map should work in concert with each other.

The Commission reviewed Mr. Bowie's draft document which states that a parcel in the TCMX zone have a compatible use of 2 or more, commercial, cultural, residential or institutional. The Commission agreed with Mr. Bowie's proposed verbiage. Chairman Pellegrino spoke about the Comprehensive Plan and the Zoning Ordinance currently in place. The Comprehensive Plan supersedes the Zoning Ordinance and the current Comprehensive Plan says nothing about TCMX whereas it is all over the place in the Zoning Ordinance. (see attached document) Mr. Pellegrino felt that the documents not being cohesive could be preventing people from knowing what the zone is. Mr. Bowie expressed concern about the Council's move of doing all TCMX doing away with the commercial zone. Mr. Gordon stated that having the definition state that it must include 2 or more compatible uses including commercial, will make sure there is a commercial requirement, and the Commission can define that TCMX has to be compatible for commercial.

Mr. Harman informed the Commission the draft ordinance has the definitions in it that the Council plans to use including the new map. The Zoning Ordinance is a lot more residential friendly now, allowing residential to be put in areas where it could not be put previously. Mr. Harman stated that the Council and the Commission seem to have two different schools of thought on the topic. The most recent update completed by Mr. Harman was done through what was on the memo that the Commission received in January. The Planning Commission has not received the most recent draft because it was just completed around 2 weeks ago.

TM – no public hearing has been held at this point. MH – PC would develop whatever changes you think are appropriate then put them through to the Council, MP should request the Mayor and Council for a direction on what they wish the PC to do. If they say to tackle TCMX then move forward, but if they are done with it then it is complete. WH – should sit down with the Council and get everything ironed out? MG – suggest have a definition ready to be able to present to them if they ask what they would suggest the changes to be. Have something ready, to be able to present to the Council.

Town Manager Hicks asked Mr. Harman to send the Planning Commission the draft for them to see what has been proposed and what is going forward, and suggested the Commission take their concerns directly to the Council. Mr. Harman agreed with Mr. Hicks suggestion, and with

fundamental differences in the way the Council and Commission thinks it would be beneficial to sit down and discuss it. Mr. Higdon feels the Commission should sit down with the Council and figure out the differences so they can communicate and get on the same page.

The public hearing that would be held prior to adoption of the Zoning Ordinance would be a joint hearing with the Commission and the Council. Recommendations could be made at that time, but by the time of the hearing it has gone through several organizations and the attorney for review. Town Manager Hicks feels that the Council may implement the suggested changes. Mr. Harman explained that to make the suggested changes they would have to add the language to the ordinance, revise the document and resubmit to the Critical Area Commission. Town Manager Hicks informed the Commission that the document is currently with the Critical Area Commission, but it has not moved onto the County or the State.

The Commission decided to forward Mr. Bowie's draft document to the Council via email and request a joint meeting to discuss the TCMX zone and the Council's changes to the draft Zoning Ordinance and map. Chairman Pellegrino will provide draft wording for the email to be reviewed by the full Commission for consensus and the Commission members will provide available dates for the requested meeting.

Without further comment, Chairman Pellegrino requested a motion to adjourn. Thomas Gordon made a motion to adjourn. Wayne Higdon seconds the motion. Motion carried. Chairman Pellegrino adjourned the meeting at 8:26pm.

Submitted by:


Andrea Brady
Town Clerk

8/21/19
Date