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**City Council Work Session Minutes  
Neighborhood Mixed-Use Zoning District**

**Monday, September 23, 2019  
6:00 p.m., Community Auditorium**

***Minutes are unofficial until approved by Council.  
Council approved minutes as presented October 14, 2019.***

**1. ROLL CALL:**

Mayor Peter Truax called the Work Session to order at 6:04 p.m.

**ROLL CALL: COUNCIL PRESENT:** Timothy Rippe; Ronald Thompson; Adolph “Val” Valfre; Malynda Wenzl; and Mayor Peter Truax. **COUNCIL ABSENT:** Thomas Johnston, Council President, and Elena Uhing, excused.

**STAFF PRESENT:** Jesse VanderZanden, City Manager; Chris Crean, City Attorney; Paul Downey, Administrative Services Director; Bryan Pohl, Community Development Director; Dan Riordan, Senior Planner; and Anna Ruggles, City Recorder.

**2. WORK SESSION: NEIGHBORHOOD MIXED-USE ZONES**

Riordan, Pohl, VanderZanden facilitated the above-noted work session, noting the purpose of the work session was to provide background information pertaining to the four areas (David Hill West (six parcels, 29 acres); Gales Creek (nine parcels, 6.7 acres); David Hill East (two parcels, 26 acres); and Davison (2 parcels, 25 acres) in the City that were rezoned Neighborhood Mixed-Use Zones (NMU) in 2014 as part of the Comprehensive Plan implementation funded by Transportation and Growth Management (TGM) Grant. Pohl presented a PowerPoint presentation overview, noting the intent of the NMU zone was to serve as a commercial designation with an intensity between that of Community Commercial and Neighborhood Commercial. Pohl noted the NMU zone incorporates development standards that require development to be coordinated in the context of other surrounding development and to incorporate compact development form, including pedestrian and bicycle circulation. The NMU allows for general retail within the zone, but requires that said retail be located within a ‘Village Center’. Pohl noted Village Center designation is required for retail development; however, the Development Code does not define Village Center, or delineate a process by which an applicant may designate an area for Village Center. While not defined, the Development Code does provide context for what a Village Center should be. This includes a pedestrian scale environment, limitation on overall acreage, and uses that serve the immediately adjacent uses. It should be noted that the Code is intentionally discretionary to allow the City to have flexibility on the form of development, using broad parameters by which to evaluate a project in the NMU zone. This is intended to also give developers an opportunity to be creative in how to meet these performance metrics. Because the NMU zone was intended to both serve and be adjacent to residential neighborhoods, the flexibility in the Development Code is also intended to allow a multitude of approaches for mitigating

potential impacts from commercial uses onto surrounding residential uses, while also maintaining an overall high quality of development. Pohl advised Council recently denied a site review application because the proposed use was not located in a designated Village Center, noting this could be interpreted to mean that development of any of these four sites could not happen on an incremental basis, but must happen for the entire site. This would be problematic for areas with multiple parcels and multiple owners. The NMU zone was intended to avoid the requirement for all properties to develop together. However, this could be clarified with additional code language that provides a clearer direction for how Village Centers are delineated and how the discretionary standards are met. All four NMU-designated areas consist of multiple parcels. Two of the areas have multiple property owners. Pohl referenced Slides 6-7, which provided descriptions of each area, noting based on the Council's decision, any single commercial project on any one parcel would have to be denied. In conclusion of the above-noted staff report, Pohl posed the following potential policy directions:

1. Make no code changes. Code remains the same and applicant must show their site as a Village Center that meets all criteria.
2. Amend Code to define Village Center, as well as provide a process for single-property development for parcels that wish to be considered Village Center.
3. Change from NMU to another zone within the code. (This may be difficult, due to the goals of the TGM project that was used to fund this project.)
4. None of the above and/or other.

**Council Discussion:**

Mayor Truax opened the floor and roundtable discussion ensued as Riordan, Pohl, and VanderZanden responded to various Council inquiries and scenarios pertaining to the above-noted policy directions and the four areas currently zoned NMU. There was roundtable discussion pertaining to providing a clearer direction for how Village Centers are delineated and standards are met as well as closely assessing the NMU-designated areas that are owned by multiple owners and determining if these areas would be better suited rezoned to another zone within the code. At the conclusion of the roundtable discussion, Council collectively voiced consensus to consider Option 2 combined with Option 3. In conclusion of the above-noted discussion, VanderZanden advised staff will continue working on the policy recommendations relating to the above-noted options.

Council took no formal action nor made any formal decisions during the work session.

**3. ADJOURNMENT**

Mayor Truax adjourned the work session at 6:47 p.m.

Respectfully submitted,

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Anna D. Ruggles, CMC, City Recorder