

Update to Planning Commission: Decision-Making Process for PUD Preliminary Site Plans

Provided by Donna Tinberg, PC Chair

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Main Responsibility of the PC relative to a PUD Preliminary Site Plan

- Develop a recommendation to City Council
- Primarily focused on whether the public benefits offered meet the intent of the PUD regulations and justify the deviations from the zoning ordinance requested in the site plan

What do we mean by “Public Benefits”?

- Components that are good for the community, but would be unlikely to occur without the PUD, such as:
 - Artwork, parks (including amenities desired by the community), and other amenities
 - Significant offers such as daylighting of the river and Farmer’s Market
 - Infrastructure and traffic improvements that might not otherwise occur---or at least would not occur right now
- Not always things that we can see or touch
- Do not have to be owned by the City
- Do not have to be 100% funded by a developer

DPAC Responsibilities

- Not the responsibility of the PC to determine the cost or financing of public benefits
- DPAC was created to work with the developer and make informed recommendations to Council regarding the costs and financing
- Items will be incorporated into the PUD agreement
- Neither the PC nor the DPAC approves the PUD agreement

DPAC Responsibilities

- DPAC will analyze costs and funding sources and make a recommendation to City Council.
- City Council will decide if the public benefits included in the preliminary PUD and preliminary site plan are acceptable given the proposed financing plan.
- Details addressed in the PUD agreement between City Council and the developer.

PC Responsibilities

- Obtain clarification from the developer regarding exactly which components the developer intends to fund and whether that funding would be whole or partial
- Identify the components that we expect to see in the site plan
- PC cannot defer its authority under the Planning Enabling Act to another party
- Set the expectations to which the PC can hold the developer accountable at final site plan

Recommendation to City Council

- Elmiger & Rosati will provide an analysis of the public benefits balanced against the deviations being requested
- Elmiger & Rosati will provide draft language for a recommendation to Council
- Draft language and analysis will be based on PC deliberations, including any missing items and expectations
- Draft language will include any conditions identified during deliberations
- Full PC to review, discuss, and modify at a public meeting

Next Steps

- Avoid rabbit holes during deliberations
- Give the developer specific recommendations that we expect to see in final iteration of the preliminary site plan
- Use this information to frame our deliberations on Infrastructure, Financials, and Phasing
- Questions right now...???