

Town of Walden
 Walden Planning Commission
 Regular Monthly Meeting
 October 26, 2023

I. **Call to Order** Tim Hancock called the meeting to order at 5:37 PM.

II. **Roll Call**

Commissioners:

- | | |
|------------------|--------------------------|
| ✓Tom Bartoo | Werner Slabber |
| ✓Angela Cassidy | Bill Trohanis |
| ✓Tim Hancock | Lou Ziebold |
| ✓Joe Robbins Jr. | |

Staff:

- ✓Ashley Gates, SETD
- ✓Mariah Prescott, Town of Walden
- ✓Ellen Young, Town of Walden
- ✓Sam Elliott, Town of Walden
- ✓Sally Cole, Town of Walden

III. **Adoption of the Agenda**

Changes to the Agenda:			
No changes to the agenda			
Motion:			
Motion made to adopt the agenda as written.			
M	Tom Bartoo	✓	Werner Slabber
2nd	Angela Cassidy		Bill Trohanis
✓	Tim Hancock		Lou Ziebold
✓	Joe Robbins		

IV. **Consideration of the minutes**

a. Minutes of September 28, 2023

Changes to the minutes of
No changes to the minutes.
Motion:

Motion was made to approve September 28, 2023 minutes.			
2nd	Tom Bartoo	✓	Werner Slabber
M	Angela Cassidy		Bill Trohanis
✓	Tim Hancock		Lou Ziebold
✓	Joe Robbins		

V. Town Administrator Report

Mariah Prescott reported that at the October 17, 2023 Town Hall meeting the vote for Ordinance 2023-359 was as follows: Vice-Mayor Lizzy Schmidt moved to approve Ordinance 2023-359, but with the return of the 15,000 square footage cap for commercial buildings, seconded by Alderwoman Angela Cassidy. From public comments there were 40 for a 15,000 sq ft cap and 4 against.

Ordinance 2023-359 has now been sent back to the WPC for further review of the proposed amendment made by Vice-Mayor Lizzy Schmidt.

VI. Communication from Chair and Commissioners

No communication from Chair and Commissioners.

VII. Hearing of persons having business with the Commission

Jack Davidson spoke about rezoning application for 2902 Taft Highway. He was not aware of the application deadline and requested to be on the November WPC Agenda.

VIII. Unfinished Business

a. Short-Term Vacation Rental Ordinance

<p>Discussion: WPC discussion on expanding owner-occupied short-term vacation rentals in R-1, C-1, A-1, E-1 in accordance with list of conditions, and both owner occupied and non-owner occupied in C-1, TC-R and TC-MU. Staff proposed all STVR's require a special use permit.</p>			
<p>Motion (if any): Motion was made to adopt proposed STVR ordinance with list of conditions, amendment, and a recommendation for a 1-year review. Amendments to allow owner-occupied STVR's in R-1:</p> <ul style="list-style-type: none"> • Permitted on lots 5 acres or more • Insurance requirement with proof of a suitable endorsement • Limit of one per structure and one per lot 			
2nd	Tom Bartoo	M	Werner Slabber
✓	Angela Cassidy		Bill Trohanis
✓	Tim Hancock		Lou Ziebold
✓	Joe Robbins		

IX. New Business

- a. Ordinance 2023-359 as amended by the Board of Mayor and Alderman to place a maximum building footprint of 15,000 square feet on commercial structures in the Town Center-Mixed Used zone.

Discussion: WPC discussion on maximum building footprint of 15,000 square feet vs. maximum building square footage cap of 15,000 feet.			
Tim Hancock explained findings and justification for proposing two, 30,000 square foot maximum footprints.			
WPC findings and justification attached to these minutes.			
Motion (if any): Section 4.05(2)(6), Special Uses Permitted is to be modified to add the following language in addition to the cap language proposed by the Board of Mayor and Alderman under Special Uses Permitted:			
A. Single-use, single story commercial buildings shall be limited to a maximum footprint size of 30,000 square feet and limited to a maximum number of two within the Town Center.			
✓	Tom Bartoo	2nd	Werner Slabber
X	Angela Cassidy		Bill Trohanis
M	Tim Hancock		Lou Ziebold
X	Joe Robbins		

- b. Amendments to the Minutes of September 28, 2023

Discussion: Sam Elliot proposed adding the attendee list to each month’s minutes.			
Motion (if any): Motion made to attached attendee list to each month’s minutes.			
M	Tom Bartoo	2nd	Werner Slabber
✓	Angela Cassidy		Bill Trohanis
✓	Tim Hancock		Lou Ziebold
✓	Joe Robbins		

IX. New Business

- a. Ordinance 2023-359 as amended by the Board of Mayor and Alderman to place a maximum building footprint of 15,000 square feet on commercial structures in the Town Center-Mixed Used zone.

<p>Discussion:</p> <p>WPC discussion on maximum building footprint of 15,000 square feet vs. maximum building square footage cap of 15,000 feet.</p> <p>Tim Hancock explained WPC findings and justification for proposing two, 30,000 square foot maximum footprints in TC-MU.</p> <p>WPC findings and justification are attached to these minutes.</p>			
<p>Motion (if any):</p> <p>Section 4.05(2)(6), Special Uses Permitted is to be modified to add the following language in addition to the cap language proposed by the Board of Mayor and Alderman under Special Uses Permitted:</p> <p style="padding-left: 40px;">B. Single-use, single story commercial buildings shall be limited to a maximum footprint size of 30,000 square feet and limited to a maximum number of two within the Town Center.</p>			
✓	Tom Bartoo	2nd	Werner Slabber
X	Angela Cassidy		Bill Trohanis
M	Tim Hancock		Lou Ziebold
X	Joe Robbins		

- b. Amendment to the Minutes of September 28, 2023

<p>Discussion:</p> <p>Sam Elliot proposed adding the attendee list to each month's minutes.</p>			
<p>Motion (if any):</p> <p>Motion made to attached attendee list to each month's minutes.</p>			
M	Tom Bartoo	2nd	Werner Slabber
✓	Angela Cassidy		Bill Trohanis
✓	Tim Hancock		Lou Ziebold
✓	Joe Robbins		

Adjournment

The meeting was adjourned at 8:10 PM by Tim Hancock.

Walden Planning Commission Chair

Walden Planning Commission Secretary

TOWN OF WALDEN

ATTENDANCE

Sign in Sheet Planning Committee

Meeting Date: 10/26/2023

Name (Please Print)	Signature	Address	E-Mail
LINDA COLLINS		2907 E Blvd	
Beth Worburger		5222 Castille Lane	
Larry Danks		2238 LS 127	
Dick Schmitt		219 Lake	
Larry Chapman		161 Woodcliff Cir	
Tom Wheeler		1831 Lewis Drive	
Geoff Worburger		5502 Castille Lane	
Stuart Bush		2562 Crestwood	
John Argo		Pine Hill Rd	
JOE DAVIS		2115 Alhwa Walden	
Hilda Floster		1009 Northern Ave	
Jack Davis		2602 Anderson Rd	

Walden Planning Commission
Section 4.05 Town Center Mixed Use (TC-MU) Zoning
Findings and Recommendations
October 26, 2023

The following FINDINGS were established by the Walden Planning Commission as part of the recommended revisions to section 4.05, referenced below:

Based on the adoption of the Walden Town Plan by the Board of Mayor and Alderman, the Walden Planning Commission made recommendations for changes to the zoning ordinance to implement the Town Center goals as adopted in the Town Plan.

At their scheduled hearing on Tuesday, March 17, 2023, the Walden Board of Mayor and Alderman accepted all proposed zoning changes with one addition, proposing a building footprint limitation of 15,000 square feet on all buildings within the TCMU zoning district.

Throughout the adopted Walden Town Plan, the author cites the use of design standards to control the development within the Town Center, including elements such as 'type, placement, and height of buildings' (pg. 21) and further advocates the use of small to medium footprints (pg. 29) along with the creation of 'a new district with appropriate design standards' (pg. 29).

The approved Walden Town Plan also states that 'careful attention must be given to the placement, height, and massing of buildings' to achieve a vibrant town center (pg. 61) and clarifies the design intent to include buildings with 'smaller footprints or resemble buildings with smaller footprints to minimize their mass' (pg. 60).

Nowhere in the Town Plan is a cap on building size referenced or recommended, and as stated in the approved Town Plan on page 59, that 'the ultimate design and size of Walden's Town Center will be affected by many factors, including natural constraints, infrastructure constraints, and market realities' (emphasis added).

The adopted Town Plan encourages the town to work with developers to arrive at creative and beneficial plans for the Town Center, as stated in the Public Comment Summary on Page 137 that 'Developers should be encouraged to be creative in achieving the intent of the plan even if the solution differs from the plan scenario.'

The Walden Planning Commission finds that the suggested footprint limitation of 15,000 square feet would render many approved land uses in the TCMU District improbable and as such, ignores the potential market realities referenced in the adopted Town Plan. This specific cap further erodes the ability for a developer to use creativity in design to advance the goals of the Town Plan.

The Walden Planning Commission also recognizes the concerns raised by residents regarding the potential for unlimited building sizes in the Town Center and the need to address concerns over the Town Center being developed with a big box style retailer. Therefore, the Planning Commission is modifying its zoning recommendation for Section 4.05, Town Center Mixed Use to read as follows:

RECOMMENDATION

Section 4.05(2)(6), Special Uses Permitted is to be modified to add the following language in addition to the cap language proposed by the Board of Mayor and Alderman under Special Uses Permitted:

- A. Single-use, single story commercial buildings shall be limited to a maximum footprint size of 30,000 square feet and limited to a maximum number of two within the Town Center.

JUSTIFICATION:

The desired effect of this added language is as follows:

1. It places a maximum allowable square footage in the zoning code and limits single use commercial buildings that are larger than 15,000 square feet to 2. This addresses the public's stated concerns regarding having no limits on the size of commercial uses in the Town Center while potentially maintaining the economic viability of any future project.
2. This language promotes the development of mixed-use buildings containing residential uses on upper floors as envisioned in the adopted Town Plan.
3. Should the Board choose to retain the footprint limitation of 15,000 square feet for all buildings in the Town Center, this body recommends that grocery stores remain a permitted use in the C-1 district.