

MINUTES
CITY PLANNING COMMISSION
October 17, 2017

Present: Desmond Baker (Vice-Chair), Lloyd Budd, Patrick Carter, and Joseph Chickadel (Commission Members); and Herb Inden, Gwinneth Kaminsky, Timothy Lucas, and Gemma Tierney (Planning).

The meeting was convened at 6:00 p.m. by Desmond Baker.

REGULAR MEETING

Approval of the minutes of the September 19, 2017 Planning Commission Meeting

Mr. Baker asked the Commission whether there were any questions regarding the minutes of the September 19, 2017 City Planning Commission meeting. Joseph Chickadel stated that, because he was not at the last Commission meeting, he would vote to approve the minutes based on the acceptance of their accuracy by the other Commissioners. Patrick Carter moved to approve the minutes, and Lloyd Budd seconded the motion. All members of the Commission voted to approve the minutes.

New Business

Resolution 14-17: Proposed amendments to the FY 2006-FY 2011 Capital Improvement Program and FY 2006 Capital Budget for the purpose of transferring funds between projects within the Fire Department. Revision #9.

Gwinneth Kaminsky from the Department of Planning and Development presented the analysis for Resolution 14-17, which addresses an amendment to the FY 2006-FY 2011 Capital Improvement Program (CIP) to transfer funds between Fire Department projects. Ms. Kaminsky stated that the first year of this CIP represents the FY 2006 Capital Budget, which City Council adopted in May 2005. She said that this Capital Budget was amended several times since its original adoption, most recently in 2016 for the Department of Parks and Recreation's Eden Park A&E project.

Ms. Kaminsky presented a series of slides on the proposed amendment. She explained that the amendment proposes to transfer the balance of funds from the completed "Station #5 Replacement" project to the "Fire Station Renovations/Refurbishing" project. She elaborated that the funds used to complete the "Station #5 Replacement" project went towards engineering and land acquisition costs for relocating the station. She stated that the Fire Department requested the transfer of the completed project's remaining balance of \$568,400 to the "Fire Station Renovations/Refurbishing" project, which upgrades several fire stations across the city. Ms. Kaminsky explained that the funds proposed to be transferred are intended to be used for upgrades to Fire Stations #3 and #7, and that the scope of the "Fire Station Renovations/Refurbishing" project was amended to include Station #7.

Ms. Kaminsky noted that the proposed amendment would have no net effect on the overall FY 2006 Capital Budget, which remains at \$80,843,000. She explained that this budget includes the General Fund, the Water/Sewer Fund, the Commerce Fund, and a category called "Other Funds," which includes grants, loans and matching funds. She noted that the total funds allocated in the FY 2006-FY 2011 CIP would also be unaffected by the amendment, remaining at \$165,888,000.

Ms. Kaminsky stated that Resolution 14-17 recommends the approval of the proposed amendments to the FY 2006-FY 2011 CIP and FY 2006 Capital Budget that will transfer the balance of funds from the "Station #5 Relocation" project to the "Fire Station Renovations/Refurbishing" project and modify the latter project's description. She noted that this amendment would be the ninth revision to the FY 2006 Capital Budget, and that it is consistent with past budgeting and planning efforts, and with the City's comprehensive planning process.

Ms. Kaminsky concluded by stating that the related City Council legislation is expected to be introduced to Council on October 19, 2017, reviewed by Council's Finance Committee on October 30, and considered for final action by Council on November 2.

Mr. Baker asked whether there were any questions from the Commission. Mr. Carter stated that he had no questions and moved to approve Resolution 14-17. Mr. Chickadel seconded the motion, and all members voted in favor of Resolution 14-17.

Resolution 15-17: Proposed amendments to the FY 2012-FY 2017 Capital Improvement Program and FY 2012 Capital Budget for the purpose of transferring funds between projects within the Police Department. Revision #7.

Ms. Kaminsky presented the analysis for Resolution 15-17, which addresses an amendment to the FY 2012-FY 2017 Capital Improvement Program (CIP) to transfer funds between Police Department projects. Ms. Kaminsky stated that City Council adopted the FY 2012 Capital Budget, which represents the first year of the CIP, in May 2011. She said that this Capital Budget was amended several times since its original adoption, most recently in 2012 for a project of the Department of Public Works' "Renewable Energy Biosolids Facility" project.

Ms. Kaminsky presented a series of slides on the proposed amendment. She explained that the amendment proposes to transfer the balance of funds from the completed "Weapons Range Improvements" project to the new "Patrol Rifle" program. She elaborated that the funding used to complete the "Weapons Range Improvements" project went towards grading, paving and repairs to the Target Mounting System, and other constructed-related tasks. She stated that the completed project's balance of \$194,600 was originally budgeted for the purchase of a replacement fire arms training structure, but the Police Department requested to transfer these funds to the Department's new "Patrol Rifle" program, to purchase rifles and provide training and duty ammunition, targets, and replacement parts.

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Ms. Kaminsky explained that the proposed amendment is to have no net effect on the overall FY 2012 Capital Budget, which remains at \$108,537,000, and that this budget includes the General Fund, the Water/Sewer Fund, the Commerce Fund, and a category called "Other Funds," which includes grants, loans and matching funds. She noted that the total funds allocated in the FY 2012-FY 2017 CIP, would also be unaffected by the amendment, remaining at \$253,641,000.

Ms. Kaminsky stated that Resolution 15-17 recommends the approval of the proposed amendments to the FY 2012-FY 2017 CIP and FY 2006 Capital Budget that will transfer the balance of funds from the existing "Weapons Range Improvements" project to the new "Patrol Rifle" program. She noted that this amendment would be the seventh revision to the FY 2012 Capital Budget, and that it is consistent with past budgeting and planning efforts, and with the City's comprehensive planning process.

Ms. Kaminsky concluded by stating that the related City Council legislation is expected to follow the same schedule as the first budget amendment she had presented. Finally, she stated for the record that, on October 9, 2017, the City Planning Commission's October meeting agenda was mailed to the Commission's standard mailing list and posted on the City's website and in the lobby of the City/County Building.

Mr. Baker asked whether there were any questions from the Commission. As there were none from the other commissioners, Mr. Baker asked Ms. Kaminsky where the firing range she had mentioned was located. Ms. Kaminsky replied that she did not know, and asked Mr. Carter if he knew. Mr. Carter replied that he also did not know. Ms. Kaminsky added that she thought the firing range was located south of the city, on Route 13, and Mr. Baker replied that he had seen a sign in that area that said, "Firing Range." Ms. Kaminsky said that she would find out the answer to his question. Mr. Baker asked if there were any other questions from the Commission. As there were none, Mr. Carter moved to approve Resolution 15-17. Mr. Chickadel seconded the motion, and all members voted in favor of Resolution 15-17.

Resolution 16-17; MS-17-08: Major Subdivision application from APEX Engineering on behalf of Bank of America National Association, entitled "Bracebridge Corporation", which proposes to subdivide one noncontiguous parcel located on three separate blocks into three parcels, for the purpose of creating a lot for each existing building. The property is bounded by King, Walnut, 10th, and 12th Streets.

Mr. Lucas presented the analysis for Resolution 16-17, which addresses an application from APEX Engineering on behalf of Bank of America National Association, to subdivide one parcel consisting of three noncontiguous buildings into three separate parcels.

Mr. Lucas explained that the applicant's proposal was subject to review by the City Planning Commission because it was a major subdivision, and that it qualified as a major subdivision because the site is larger than 2.5 acres.

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Mr. Lucas presented a series of slides of the proposed subdivision. He explained that the three buildings were called Bracebridge I, II and III. He showed a slide of the second sheet of the subdivision plan submitted by the applicant, and explained that the red lines outlined the three proposed parcels, and the green boxes indicated the locations of the three skybridges between the buildings. He said that all access and maintenance responsibilities of current and future owners for the skybridges are addresses in a Cross Easement Declaration that was recorded on January 31, 2017.

Mr. Lucas stated that the applicant's subdivision plan was circulated to several City departments for them to review and provide comments, and that the Departments of Planning and of Development and Licenses and Inspection submitted comments. These comments are as follows:

1. The Zoning Manager has reviewed the plans and has indicated that proposed Lots 2 and 3 will require variances which must be approved by the Zoning Board of Adjustment prior to the approval and recordation of the final subdivision plan.
2. Plan Notes #2 and #3: Correct the owner and property addresses, as they are reversed.
3. Plan Notes #19: Provide the case number as well as the date of Zoning Board of Adjustment approval for Proposed Lots 2 and 3.
4. Add a note to the plan that explains which parcel or parcels will own each of the three overhead causeways.

Mr. Lucas said that the agenda for the current Planning Commission meeting was mailed to the standard City Planning Commission mailing list and posted on the City's website and in the lobby of the City/County Building. He concluded the presentation by stating that the Department of Planning and Development recommends approval of the major subdivision plan submitted by APEX Engineering to subdivide one noncontiguous parcel into three separate parcels. Finally, Mr. Lucas stated that all comments from City Departments must be incorporated into the final subdivision plan prior to recordation.

Mr. Baker asked whether there were any questions from the Commission. Mr. Carter asked Mr. Lucas if the three noncontiguous sections of the existing parcel were previously three separate parcels that became one parcel about twenty years ago. Mr. Lucas replied that this was most likely the case. He then returned to the slide showing the second sheet of the subdivision plan, and pointed out that there was a fourth skybridge leading to a building to the east of the Bracebridge III, and said that the building to the east was formerly known as Bracebridge IV, and was subdivided from the noncontiguous parcel in 2012 and later sold. He added that he understands that Bank of America National Association will retain ownership of Bracebridge I, and sell the other two buildings. Mr. Baker said that he would like to follow up on Mr. Carter's question. He explained that, when Bracebridge I was built, the owners had to apply for a campus-type zoning designation for the site in order to combine the buildings into one parcel. He then asked Mr. Lucas to confirm that the former Bracebridge IV is now an education building, which Mr. Lucas confirmed.

Mr. Chickadel asked Mr. Lucas to clarify the nature of the ownership of the skybridges. Mr. Lucas replied by first explaining that there were two separate easement documents, one of which was recorded in 2012 and addresses the former Bracebridge IV building, and the second of which was recorded in 2017. He explained that the easements indicated that the owners of Bracebridge III would own and be responsible for maintaining all four of the skybridges, and that the Planning Department is requesting that the applicant add a note to their subdivision plans to explain this ownership. Mr. Budd asked Mr. Lucas to provide more information on the easements. Mr. Lucas stated that the easements describe access rights for each of the buildings such as continued access via the skybridges to the parking areas in Bracebridge II and III, responsibilities relating to maintenance and repair of the bridges, and provisions for their demolition, should demolition be desired in the future. Mr. Budd then asked how the utilities are controlled, to which Mr. Lucas responded that he did not know. Mr. Baker stated that the utilities are separately metered, and Mr. Lucas then elaborated that he understands that all four of the Bracebridge buildings are separately metered, and that the only utility that crosses the buildings is electric.

Mr. Baker asked whether there were any additional questions from the Commission. Mr. Carter moved to approve Resolution 16-17 and Mr. Budd seconded the motion. All members voted in favor of Resolution 16-17.

Adjournment

Mr. Baker called for a motion to adjourn. Mr. Carter moved to adjourn, and Mr. Budd seconded the motion. All members being in favor, the meeting was adjourned at 6:24 p.m.