

**Excerpt from the
CITY PLANNING COMMISSION
MINUTES**

**Minneapolis Community Planning & Economic Development (CPED)
Planning Division**

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MEMORANDUM

DATE: April 17, 2007

TO: Steve Poor, Manager, Community Planning & Economic Development -
Planning Division

FROM: Jason Wittenberg, Supervisor, Community Planning & Economic Development -
Planning Division, Development Services

CC: Barbara Sporlein, Director, Community Planning & Economic Development
Planning Division

SUBJECT: Planning Commission decisions of April 9, 2007

The following actions were taken by the Planning Commission on April 9, 2007. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued:

Commissioners Present: President Motzenbecker, El-Hindi, Huynh, LaShomb, Mains, Nordyke, Norkus-Crampton, Schiff, Tucker and Williams – 10

8. Zoning Code Text Amendment (Chapters 520, 530, 546 and 547; Ward: Citywide) (Molly McCartney).

A. Text Amendment: Amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions. Definitions.

Amending Title 20, Chapter 530 of the Minneapolis Code of Ordinances relating to Zoning Code: Site Plan Review.

Amending Title 20, Chapter 546 of the Minneapolis Code of Ordinances relating to Zoning Code. Residence Districts.

Amending Title 20, Chapters 547 of the Minneapolis Code of Ordinances relate to Zoning Code. Office Residence Districts.

The purpose of the amendment is to review and revise regulations related to residential infill construction of single and two-family dwellings, including but not limited to the definition of natural grade, building mass and bulk, impervious surface, grading, and site plan requirements.

Action: The City Planning Commission continued the zoning code text amendment to the May 7, 2007 Planning Commission meeting.

Staff McCartney presented the staff report.

Commissioner Huynh: I have a question regarding the text amendment language. There is a portion on the design standards on table 530 that calls out the area where you can measure context and character within 100 feet. How does staff go about coming to that 100 feet?

Staff McCartney: This is under the section for the site plan review for new, under four-unit, dwelling units. There are some features that can be included for the points if it's found in the neighborhood, such as a flat roof. Usually what we require is a picture of the adjacent or the home that it's matching and we try to verify that with some of the information that we have such as aerial photography as well as other information we have from the assessor's office.

Commissioner Huynh: Have you explored other options in terms of whether or not if it's one block or two city blocks? With that, I guess I just question whether or not if 100 feet is enough to measure context.

Staff Wittenberg: When that provision was drafted, there was a sense that we wanted to aware points and have incentives for features that really represent the predominant characteristics of a neighborhood and it was felt that if a feature really is a predominant characteristic of a neighborhood, it probably exists then within two or three lots of the home in question. If you have to go out farther than that, a couple blocks, to find a home that has an open porch for example, it's probably safe to say that that's not a predominant characteristic of the neighborhood.

Commissioner Norkus-Crampton: I know this issue has been talked about for the past few weeks here. When you talk about the goal of this ordinance is to preserve the traditional pattern of development in the residential neighborhoods, each residential neighborhood is different as we all know. The focus is on the compatibility of scale and bulk with the existing neighborhood. I'm just having a little confusion as far as setting it outright. If the height limit is always the same height for every area regardless of the context, it doesn't seem that that's really reflecting the context. For instance, 30 feet in a neighborhood like East Isles, may not quite come up to what a lot of the houses are over there versus some parts of southwest Minneapolis where the predominant structures are one and half stories. Thirty feet would almost be considered a McMansion probably from the neighbors just because of the context. I'm not quite seeing. I understand the intention is to try to deal with context, but I guess I agree... I think the FAR certainly deals with that to a certain point and the setbacks, but still, the issue for most neighborhoods, as we always here, is height. I'm not quite clear. I understand the goal, but I'm not quite clear on how this gets us where we want to be in reflecting context.

Staff McCartney: To respond to that, a lot of the new housing development we see, the concentrations are in areas where the homes are much smaller and are being demolished or building additions are done to increase the size and livability of those locations. We see more remodels in the area we're speaking about, in the kind of historic neighborhoods around the lake. Height would not be reduced on existing homes, that would not happen. Finishing off attic space or doing a rear addition would not necessarily be prohibited in that case. A lot of the homes in Minneapolis are the two and a half stories and are not unlikely to fit under that 30 foot height. Even a three story home with 10 foot building walls for each story would still fit under that. Currently, the height of 35 feet applies to the entire city as well for residential character.

Commissioner Norkus-Crampton: I guess I understand generally what you're talking about. I guess when we're looking at one and a half story homes, which is what we've been reviewing fairly frequently, and the issue is people buying a smaller home and either adding or tearing down and building up. You figure a story and a half, that's 14 for one floor, seven for the half so we're around 21 feet. A 30 foot maximum height limit next to that would probably be considered a monster home by the person living there. Again, I guess what we're dealing with and trying to grapple with here is context. I understand that we don't have perfect tools to deal with that, but I'm not clear on, if one size fits all, if we're talking about a one size fits all solution as far as height goes, I'm not sure that's going to get us where we want to get and it seems to me we need to figure out some way of incorporating context a little bit more in this and that's just what I'm struggling with as far as the goals of this ordinance. Thank you.

Commissioner El-Hindi: I have a question. This is just about calculating. In the old ordinance, if the basement is below six feet above natural grade, or grade, it's not considered a story and then 14 feet and 14 feet for two stories would add up to 34 feet, which would be under 35 feet with the old ordinance so it's under the minimum requirement for the height. Today, with the new ordinance that's proposed, four feet plus 28 feet would put it at 32 feet above already the suggested height ordinance and I guess I'm just asking, would that be limiting then the definition of a one story or of what one story is for residences?

Staff McCartney: Sure. Can I break that question up into two pieces? You spoke about basements and stories, the current code does define that if a basement projects more than six feet above grade for more than 50% of the perimeter of that structure then it is one story. That's not changing; just the calculation and the proposed gross floor area would include that basement if the basement exceeded four feet, if it was projecting more than four feet from grade. The six foot, four story rule would still apply.

Commissioner El-Hindi: Say at 5'11", which some people do to not count that as a story, and then you add 14 feet and 14 feet to that, that would be almost 34 feet, versus now, 3'11" plus 14 feet and 14 feet would put it above 30 feet.

Staff McCartney: Right. We'd have to look at that and look at the height as well as the gross floor area and perhaps that combination is too large of a house and couldn't be built under the proposed calculations. Fourteen foot ceilings for the entire floor area of a home is a pretty rare style of home and if that is the case we are happy to work with applicants to try to come up with a solution to some creative designs that folks want to do.

Commissioner El-Hindi: I was just curious where, originally, the 35 feet came from that's why I was trying to...and where the 30 foot is coming from also, to try to...

Staff McCartney: Sure. I think the original 35 foot comes from that a two and a half story home is allowed and if each story is 14 feet and the half story is 7 feet – that gives you 35 feet. We're proposing a reduction in five feet to minimize some of the impacts that we've been hearing about that height does have on the surrounding homes.

Commissioner El-Hindi: The 35 feet came from the 14 feet, 14 feet and then seven feet, but now the 30 feet doesn't fit the criteria of the same kind of calculation.

Staff McCartney: I'm not sure of the original reason for that height in the zoning code. I think that has probably been around for many years.

Commissioner El-Hindi: Ok. My second question would be in regards to the point system. It's really in regards to the pitch of the primary roof line, if it's 6, 12 or steeper... I guess I'm trying to understand, is this promoting a higher pitch form or lower pitch form for the roof gable itself?

Staff McCartney: The current standards, the design review for 1-4, in order to get the points you have to do a minimum roof pitch of 6/12 and we're introducing... you get points for the hip roof if it's shallower than 6/12 recognizing that's a very common roof style in a lot of Minneapolis homes such as that typical four square home, so hoping that that's another design element that will get points, it's an incentive for home owners or builders to do that style home and not necessarily a very steep roof which may have a greater impact on height as well.

Commissioner El-Hindi: This was added in regards to limiting the height or at least helping the height of a home.

Staff McCartney: It's another choice. It's another feature that could get the points. We're hoping that it is more in style with some neighborhoods and also reducing the height of a building.

Commissioner El-Hindi: I guess my question is, is this an attempt to reduce the height or an attempt to address character? It seems to me like the height is sort of addressed somewhere else where it's calling out 30 feet as the maximum height. It seems like there is maybe somewhat of a stylistic approach now to looking at the roof form to maybe give more points for a stylistic issue. I guess maybe I'm just not understanding.

Staff McCartney: It is the site plan review, it's design standards for new homes to be built... the intent of that section of the ordinance is to have some minimum quality, some minimum design standards for new homes so it can be both I think. It can be both a height and a neighborhood character piece. People can do that style of home; they just wouldn't get the points currently.

Commissioner El-Hindi: Ok. Thank you.

Commissioner Nordyke: How do we count things like swimming pools or water attractions such as fountains, pool houses and that kind of thing in back yards under this kind of...

Staff McCartney: The hard cover, such as walkways, decks and patios, that would be calculated under the impervious surface. Above ground pools we count for impervious surface. I might have to ask Jason Wittenberg about the in ground pools.

Staff Wittenberg: I believe all pools are counted as impervious, however, if it's an in ground pool it's not counted as floor area, I believe.

Commissioner Nordyke: How about something... I've been to a couple of houses that have pretty substantial sort of fountain type fish attraction thing in the back yard, how do we count those?

Staff McCartney: Most landscaping isn't regulated so it's not part of a required plan that has to be submitted as far as the zoning office. If there's review that's done for new construction or remodels...

Commissioner Nordyke: I'm looping back to the discussion about some of the grander old neighborhoods where we actually have real mansions, not McMansions, and some of them are some of the more significant architectural pieces here in our city and there's a reason for that. I'm listening to some of the other commissioners and I guess I would like to hear a little more about considering what we're talking about with vaulted ceilings and starting to count that kind of thing and issues that we've already identified with nonconforming and Lowry. [tape unclear]...why we shouldn't be a little more concerned about that impacting people's ability to build what is a relatively normal size house there and granted it probably doesn't match what you want to see in some other neighborhoods, but it's still a pretty significant part of our history and hopefully part of our future.

Staff McCartney: Again, the existing homes will not be impacted as far as the size of those homes. I've identified those. The new construction under the proposed changes would meet that. There is the possibility of doing a variance if the neighborhood character is very strong. Again, in that neighborhood there are a lot of large, very large, lots so the FAR does work in favor for large lots. You can build a much larger home on a larger lot.

Commissioner Nordyke: Within the context of the variance that we can provide there's still a limit to those. I'm just thinking like Kenwood Parkway where sometime around the 1960's some people took down some of those big mansions and put up, in some instances, ramblers or very small houses. Would someone who's interested in moving back to the city and putting up another house that's in more of the context of that neighborhood, would that be something that they can do or is this moving in a direction that actually prohibits that kind of thing?

Staff McCartney: From the numbers that we looked at, the nonconforming properties is a small number even in those neighborhoods with the concentrations. It's less than 15% of the single family dwelling lots. It's a small number in the overall neighborhood. Again, they are much larger lots. It's kind of hard to say...just to think of a certain situation that might occur, I know a lot of people don't like the hassle and the time it takes to go through a variance, but that is one of the release valves that is used throughout the code to have that relief from some sort of hardship that's created by the ordinance. So, that's some of the issues that we would look at. We would work with homeowner's and contractors on those kind of issues.

President Motzenbecker opened the public hearing.

Council Member Hodges: I appreciate the opportunity and I appreciate you all taking the time and attention to look at this issue and for your service and for folks who are coming out here tonight. The intention of this is to handle an issue that I know is a big issue in Ward 13 and in

southwest Minneapolis which I represent. The issue is the volume of some of the homes that are going in once an older home is torn down. When I held a community meeting last year, overwhelmingly what I heard was the issue of volume. To some extent height has an impact on the impression of volume so that's why there are some height provisions being suggested here because we continue to hear about that in the public meetings. Overall the issue is volume. Right now the zoning code has mathematical ways of handling new construction and additions. There are setbacks here and 35 feet here and 10 feet there, but volume is a geometric problem and it needs a geometric solution which is where the gross floor area ratio comes in. That will regulate the volume. I am sensitive to the fact that there... the whole process, as I have consistently said that I do not want to create solutions for southwest Minneapolis that create problems for other parts of the city and it continues to be my ethos moving forward as I work on this, although now it's in the city's hands. It's in your hands; it will be in the hands of the council. To the extent I am working on this, I am very sensitive to the idea that there are some neighborhoods in this city that have a small but significant number of nonconforming properties and I am willing to work with staff and with you all and with council members to find solutions for that issue moving forward. I want to assure the folks here, many of whom I think are going to be talking about nonconforming uses, that I am working with folks to find some solutions to those moving forward. The overall intention of this is to make sure... I'm thrilled that people want to invest their housing dollars in Minneapolis; I am thrilled that people want to invest their housing dollars in southwest Minneapolis... I want to make sure that investment is a sound investment for them so that the things that they love about the neighborhoods that are drawing them to our neighborhoods currently are still there 30 and 50 years from now. That the things people love about their neighborhoods are going to be able to be maintained when construction happens, when new construction of any sort happens. That's the intention here, to keep what people love about Minneapolis, to keep a good experience while still allowing people to invest their housing dollars in Minneapolis while still allowing people to develop and redevelop Minneapolis in a way that moves us forward, understands that times change, that expectations about housing changes, but to place some limit on that so it doesn't change so much that we lose what we love about the city. So the intention, mostly, is about volume and is about people's experience of their neighborhood which is why I started working on this issue. I appreciate your time and attention tonight. Thanks.

John Finlayson (5005 Zenith Ave S): I live in the Fulton neighborhood. Minneapolis has not had the issue of large houses being built since the early 1920s. Old money went west of the lake. As a result, a lot of the city got built out in the boom of the '20s with working class houses. The carpenter got to live in the house he built, for a change, because everybody had money. We have this disparity between large houses in some of the older sections, larger lots and we have working class houses. Those are being purchased right now because they have low acquisition costs for speculators. There's nothing wrong with speculation, but that's the economic factor behind it. This particular ordinance suggestion allows us to make a change in a direction where right now we have a very large envelope with one hitch which everything goes and what is being addressed by this ordinance is an attempt to define things. Now, some of you may know but so the rest of you understand, I also sit in on the Minneapolis Zoning Board of Adjustment. We hear variances for all sorts of things. When you get a house that is in an older historic area, the Board historically, I can't predict future votes, but historically the board has had sympathy with design elements that are in continuity with an area. Carriage houses are not built in my part of town, but if somebody's been before the Board of Adjustment over the past seven or eight years and wanted a carriage house in Kenwood, they generally got it because it fit in with the character of the

neighborhood. Again, I would say this is a lot to consider, but please do not in your minds, I would ask, let the perfect be the enemy of the good. Thank you for your consideration.

Michael [not on sign-in sheet]: I live in the Linden Hills neighborhood. I'm an owner of what one would have called a signature cottage at one time that is presently being surrounded by started castles with more in the making. I feel I'm one of the ultimate examples of why people want some type of legislation done about this. I'm looking at the criteria that you're starting to develop to change this and I find it misguided and ineffective criteria. It's somewhat arbitrary and misplaced and out of context sometimes. I would prefer that you might consider approaching solving this by coming up with rules that address how a particular development impacts the immediate adjacent neighbor because, as a designer/architect, I could take any of the new criteria and make a terrible imposition on any of these example houses that you've picked. They don't really solve the problem. You can still have huge walls in front of other people's living rooms. You can still cut off views, air rights, and all kinds of things. I think that this whole item needs to find a new, more creative, list of criteria that really does have a positive impact on existing residences who appreciate what they have, work on what they have and work from that perspective. Thank you.

Dana Mitchell (3932 Chowen Ave S) [not on sign-in sheet]: I have the unfortunate experience of living near a monster house. I am the principal behind the monster homes make bad neighbors, I stand by that. I have a story and a half home. Next to me is a 3800 square foot home that is built to setback. In fact, it's built beyond the setback because they have an egress window that is two feet off of my property, or three feet off of my property line. The egress window is 12 feet by six deep by three feet wide with no fence. It creates a hazard to my family. I have a four year old child. This is a start; we need to start somewhere. What I'm finding in my neighborhood is that there are developers who are being predatory. They are looking at vulnerable residents, older residents, single residents, residents who are disabled in some way and trying to convince them to sell their homes in favor of these very big homes. They're building them with greed in mind, they're not building them with any sort of idea that they're going to live there and enjoy the home, but impact my quality of life in such a way that I can't run away from it. I can't run to other parts of Minneapolis because I'm going to face the same problem. I urge you to pass this legislation, it has a profound impact on my quality of life and I think we need to start somewhere. One aspect of this legislation that I would encourage you to consider is a firm setback. Again, as I indicated, the egress window extends two feet from the property line, five feet away from my actual footprint of my home. The eaves are two feet off the property line. There is no green space on this house whatsoever. I think we need to start someplace and I think now. We need to start now.

Anthony Waldera (2519 Lake Pl): I am very much against McMansions or monster homes. I support much, not all, of the ordinance changes. I think the penalty regarding attached garages is much too severe. We live in Minnesota, people want attached garages and I think the penalty should either be eliminated or greatly reduced. I think changing the height from 35 feet to 30 feet on a citywide basis is arbitrary and it will hurt some of the nicest homes in some of our nicest blocks, especially if they want to do some remodeling. I think that 30 feet is too much so I urge you to reject that portion of the ordinance change or raise it above the 30 feet to 33 or 34, something in there. I'm not an architect but I thin the staff and the Planning and Zoning department should reach out much more aggressively to the architectural community. My conversations with a number of architects that work in the Lake of the Isles and Lake Harriet area were not aware of the extent of these changes. It's going through very quickly and I would urge

Betsy and staff to send a letter out to all the architects in Minneapolis and their respective professional associations to tell them exactly what's going on and the extent of it and ask for their input. Two things are going to happen. They're either going to applaud your efforts and you'll feel better about making the change or they will come up with some additional changes that will be good and you'll want to accept them, like the three to four foot pop-up garage. That's just one idea that's come up recently. Thank you for your time.

Barry Lazarus (1716 Colfax Ave S): I just restored the home at 1716 Colfax Ave S, the original Lyman house. I must say that I think you are moving too fast. I don't know why the rush that you want to get this adopted by May 1st is necessary. I will tell you that some of these proposed new ordinances would have impacted whether or not I would have purchased this house and spent the money to restore the house. I think that you need to look at the fact that neighborhoods change and they're only going to change if you allow development. I recognize that it isn't always welcome, but certainly in the Lowry Hills and East Isles and probably Harriet areas, there are some very large homes. I don't see where you're grandfathering in the right that we build. What about a casualty loss? Can you rebuild in its entirety [tape ended]...loss. What about people that want to remodel and restore? I think you should encourage that. I know that Council Member Hodges was welcoming people's dollars to be invested in housing dollars in Minneapolis. I think this ordinance, unless it's better thought through, will chase housing dollars out of Minneapolis and therefore I think that more thoughtfulness should be added into this ordinance to encourage neighborhood development, neighborhood restoration allowing rebuilding and to keep the beautiful areas of Minneapolis on a continued beautiful basis. For that reason I am hoping that you do not rush through judgment to the detriment of those of us that live here in the city and are investing housing dollars.

John Bernstein (1788 Fremont Ave): I live in the Lowry Hill neighborhood. I just want to point out a couple of things that I think some of the commissioners have already raised. The need for context on this. I understand that this solves a problem that's occurring in the southwest part of the city, but it's going to create a problem in the Lowry Hill area and Kenwood and East Isles. Actually, the same problem in reverse. The people that take down larger homes will have to put up smaller homes that won't fit the context of the neighborhood where there are large mansions, not McMansions. The staff person pointed out that many of the lot sizes up there are so large that it's not a problem. The area of Lowry Hill that I live in, there is a large swath that is like this, lot sizes of about 50 by 135 which gives you a square footage of 6750 and gives you two floors of the house that are roughly 3300 square feet. I live in a 5000 square foot home. The first and second floors are about 4000 square feet. My home is not particularly large for the neighborhood. I don't know what the average is, but I might be near it. I'm not an expert on this, but it almost seems to me like you need a different FAR for a neighborhood like the one that I live in. I haven't done the work, but the 15% sounds on the low side to me in terms of the number of structures in Lowry Hill that would be nonconforming as a result of the way that this is currently written. To Commissioner Nordyke's point, as I heard it, I don't think the staff person answered your question which I think was important and that was, as I understood it, if someone's replaced a mansion with a rambler 20 years ago and someone else comes in and wants to tear down the rambler and put the mansion back, can you do that or is the nonconforming status been lost years ago? Whether or not there's a rambler there, any other house that someone would like to tear down and get appropriate city approval to do that and wants to put up a mansion that matches the rest of that neighborhood. This ordinance as I understand it would stop that. Thank you.

Kevin Terrell (5337 Oliver Ave NE): I'm currently rebuilding a tear down at 5337 Oliver. I would also express the need for some caution. I think my house right now is the exact specs of the new FARs that are proposed. It's a 5000 square foot lot; I'm about 2450 square feet finished above ground with a finished basement, detached garage. I intentionally did that and kept it a prairie style home to fit into the neighborhood. It fits very well on the block. You go one block south, I think some of you saw the news broadcast on the house on Newton. It's about 54th and Newton. You put my house on that block and it looks completely out of place because they're all ramblers on that street, but it would be a perfect fit per the FARs. There are a lot of nuances to the context issue that I think need to be thought through a little better. I think that my house does a really good job of fitting into the context of the neighborhood which I attempted to do, but that's pretty hard to do with such a quick swath like this. I urge you to think about it a little bit more.

Nate Wissink (4121 Upton Ave) [not on sign-in sheet]: I'm excited about the dialogue that's been happening. I live in the Linden Hills neighborhood. I work with Streeter and Associates so I do building and development in the area. We're generally positive about the ordinances and things that are being talked about with the exception of three or four comments that I have. First, in regards to the attached garage limitations, I think one of the things that comes about is that it doesn't take into account topography. There are a lot of lots in the city that don't have an alley and so the topography lends itself to an underground garage which would be counted in this the way it's proposed as something that would actually be a negative. I think that needs to be considered. Two, it's something that commissioner Huynh talked about which is the 100 foot rule and understanding the context of homes. If we are concerned about roof pitch or stylistically an appendage to a home or a front porch or whatever and we look at just 100 feet, I think what we're promoting in that case is similar type homes as opposed to architectural diversity. From that standpoint I would urge you to consider something that would be more diverse than that. The third thing that I think is important is that these proposed changes are a pretty formulaic approach which is fine under some circumstances but it really doesn't address things that I think are going to be impending things over the next 50 years which would be the sustainability aspects of homes and then also quality. One of the big things that is not coming up under the point system or the way things are handled is quality of design and quality of the structures themselves. As we look at these things, I think there's a lot of good things that have come out of the dialogue and I urge you to consider a more comprehensive dialogue and then look at putting some new ordinances into play based on that more comprehensive dialogue.

Dan Nepp (4820 Emerson Ave S) [not on sign-in sheet]: In general, I think they're approaching this fairly well, but context needs to be considered more thoroughly and may have to get a more developed or nuanced answer to this and the speed is too much. We're not getting a lot of chances to talk about this or work with them about it. The height is an issue for me. I've just heard about it recently, it was not at the March 19th meeting at all. This is moving too fast to be able to give good responses to it. The 35 foot rule may very well work in the bigger neighborhoods like everyone's talked about. Thirty may not work in some of the smaller neighborhoods so I think this has to be more nuanced or different areas have to have different rules or has to deal more with how the neighbors are to be considered as far as averages with pavers. Natural grade is being handled...they're trying to be simple about it. Grade is a very complicated issue. There are a lot of lots that unimproved or were improved poorly as far as where the grades are compared to the neighbors. I think using something similar to what the setbacks where you have an average of your neighbors, should be considered for that rule rather than just what the existing grade is which may be detrimental to that home owner. I think that's

an over-simplified approach. The garage, I am debating whether that is actually a detach is appropriate to promote that because of other conditions that are out there, but if it is to be promoted, I think the penalty is too large. An average garage today has a nominal modest size of 600 square feet which is 24 by 24. They're using 200 square...a garage of two cars is 400 square feet, 20 by 20. One single garage so that would be 200 square feet. I recommend 300 square feet rather than the 200 because I think it's more appropriate for today's garages. We're tearing down smaller garages because they're not usable today. In general, I'd really like more opportunity to give feedback and feel the public is moving too fast for us and it's going to be much more nuanced.

President Motzenbecker: Thanks. Can I get a show of hands of who is left who would like to testify please just so I can gauge time? We have about five, ok.

Carol Pass (2536 18th Ave S) [not on sign-in sheet]: I'm the current president of the East Phillips Improvement Coalition and I think I'm speaking also for Midtown Phillips. We're very concerned about this ordinance. We really wish that more insight and just basic conversation would go on before this comes up because there are issues in here that I feel that I shouldn't have to come downtown for because they're fairly obvious. We have been working to...we have many 29 foot to 40 foot lots. If we have this ordinance passed, we simply couldn't build on about maybe two thirds of our lots because it would not allow the square footage of a house that we need. The other thing is that we've been trying to build for larger families. Fifty one percent of our neighborhood is new immigrants; Somali, Hispanic and African American families and all the families there are large. We don't do well with little tiny houses and they would have to be tiny if they were to fit on our lots. We've been building a pace and we have people who want to become home owners in Phillips. Some people find that hard to believe, but we really have people stepping up the plate and wanting to live there. This would just crush our new homeowner possibilities. The other thing that attached garages do for us is that it pushes the kids into playing in the alley. Because we don't have big lots, if you put in a detached garage on the lot, you can have a space behind the house where the kids can play safely. Basically we've tried to do this everywhere because you can see all the way down through all the lots, you can see the yards and you can see the kids are safe. If you attach a garage in the middle, that blocks the view all the way down the block. Additionally, it puts this big piece of concrete in the alley where the kids play basketball. The alleys in Phillips are not safe. We need to have this space behind the garage. In addition, if you turn the garage, you can see if somebody's breaking in to your garage. You can take care of yourself much better. we build for safety, for children, for large families and for crime prevention. We've been very successful and almost every piece of this seems to have not considered that.

President Motzenbecker: If you could summarize for us, please. Your two minutes have lapsed.

Carol Pass: I think we need to rethink this. I think we need to be able to have a much different, less formulaic and consider who is living in the neighborhoods. Our houses all have 12/12 pitch because they're Victorian, we'd like to keep that aesthetic. There's differences here. We need to consider who's there, what do they need, what do they want, what helps them. The detached garage helps us. The housing size that's proposed here does not help us and basically pushes our ethnic families out.

President Motzenbecker: Great. Thank you. Ok. I think we got the height idea and the FAR idea so if anyone is still wishing to speak, if you could give us new information that we haven't heard yet we'd appreciate that. It would help us focus our thoughts.

Aaron Rubenstein (3249 Emerson Ave S) [not on sign-in sheet]: I hadn't really planned to speak, but there has been some interesting discussion and I just wanted to offer my thoughts. Generally, I think this is a very fine proposal. I'll leave it up to you to decide if this is too broad. I'm not sure how the city comes up with a more fine-grained approach. It would be very complicated to come up with a different set of guidelines and rules for different types of neighborhoods. I think the idea of making new construction more compatible with existing neighborhoods is important and this seems to be a big step in that direction. I think it's important to accommodate new construction and different ways of building and not have absolute conformity but have some degree of similarity so that new construction doesn't stick out like a big sore thumb. It sounds like there is some lack of information or misunderstanding about what effect this would have on existing neighborhoods with large older houses, particularly around Lake of the Isles. My understanding is that it wouldn't affect existing buildings where people want to make changes in the rare case that a house is destroyed and someone wants to rebuild it, it seems like the city should make that clear what the implications are if it could be done as a right or if it could be approved administratively or if they have to go through variances and nonconforming use permits. With new construction in those neighborhoods where a house hasn't been destroyed, say it's on a vacant lot or could be a tear down, what is the process? Is it a nonconforming use permit? A variance? It's not that those things couldn't be approved and I think it's important to look at the good this would do to the overall city and not have this just because a few neighborhoods might be impacted in a very small way. My experience is that the Board of Adjustment is very willing to grant variances and nonconforming use permits that reflect the character of the surrounding area. A concern that I have in some of the new building that I see is the rear setback. I think the city's current requirement is five feet and I don't think this proposal addresses that directly, although it does encourage detached garages. Having the house go within five feet of the rear property line really dramatically affects that flow of rear yards that you see in most neighborhoods that's really important to people's sense of open space.

Fran Davis (1512 Douglas): I am a realtor and I am concerned about the uncertainty that this ordinance might present if every change to our houses in Lowry Hill would require some kind of variance. I think we would be approaching that in either the awful case of a fire or renovation. I'm very supportive of this kind of approach to not having McMansions, but I don't think we have a one size fits all opportunity here and we really need to re-look at this. Thank you.

Ann Knuth (4340 Drew Ave S) [not on sign-in sheet]: I've also owned property and built new and renovated in the last five years on Sheridan, Upton and Ewing and I just want to go on record that I believe the floor area ratio is too extreme. I don't believe, given a modern family today, three or four thousand square feet on a city lot... the appropriate footprint and sizing, with the appropriate setbacks, is a McMansion. I just don't think that definition means that. I think the .5 proposed ratio is far too extreme. If you were to approve the floor area ratio, I believe the attached garage, particularly for the lots that don't have alley access, there has to be an exception. I've owned two lots with no alley access and I had to do tuck-unders. Otherwise I would have been paving a driveway all the way back. My impervious surface would have been blown and to put something way in the rear, it would have to be an exception otherwise you're really giving favor to those who have alley access, those lots that do versus those that don't. I also feel that the height is...that change was kind of introduced after there were the city meetings so I feel like it's a little unfair and kind of just a last ditch way to bottle the idea, but again, with the topography,

I've built on a lot where it's got a grade change of maybe 15 feet from one side to another. Where are you going to measure the height from? I noticed in the text amendment it looks as if it's not necessarily from the front of the house anymore. I'd be really leery if was to be measured from the back because it would not be fair to so many existing homes and ones that are to be built. I think my major this is if you, for some reason, go forward with any of this, that detached garage cannot be enforced on someone who doesn't have alley access. It is unfair. Thank you.

Bruce Benson (4516 York Ave S): I agree with the context issues. I believe there could be exceptions written into the ordinance, but in southwest Minneapolis I think the FAR for the most part would fit very well as an upper limit of things. I think it's quite liberal compared to most of the areas that are having tear-downs currently. That is for the context of the homes that are going in. There was a question of the urgency. I think that May 1st may be impractical because of the resistance to this. I would prefer to see it January 1st because there are vacant lots in our neighborhood that have been sold recently or are for sale and you can almost see the vultures hanging over there waiting to pounce with these small one and half stories adjacent throughout in all directions for hundreds of yards. You know that what is going in there is some 30 or 35 foot monster that's going to go right to the back of the lot. There need to be, perhaps, some contextual allowances. Certainly the Lowry Hill Isles area may be defined or any area could be defined as the prevailing height for exceptions that perhaps wouldn't require a variance even. For the vast majority of the areas where these teardowns are going in, the 30 foot height is more than enough; in fact it's too much for most of the residents and the 50% or .5 FAR is more than adequate for the context of the neighborhoods that are going in. It's easily double the foot area of many of the homes throughout the block or in a block in all directions. I think it's a very good proposal. I think perhaps we need a little more context for limits, but overall I think the proposal is very good for the neighborhood.

President Motzenbecker: I'm going to take one more. I see you're ready. How many more do we have? I'm getting the picture so unless you have something absolutely new, I'm going to take one more. If there's just two more...

Joan Menken (1067 14th Ave SE) [not on sign-in sheet]: I'm looking at this from a southeast Minneapolis perspective, a neighborhood with lots of small houses. Basically, we support these amendments. We're in R1, R1A and R2B zoning in most of my neighborhood. The proposed reduction limiting the footprint to 50% of the lot addresses a number of those issues. It's important to balance the desire for larger homes with the impact they have on the surrounding homes and neighborhood. What we have experienced is houses that are now overpowering their neighbors. They're losing their trees, their green space, their sunlight and there are people that don't see the sun come or the sun go down. Those features are all part of any building project. The reduction of the impervious surface further addresses some of those issues. It is important to also clarify the issues related to natural grade, including the drainage and water retention issues. Right now we don't feel those are being addressed at all. Those issues need to be addressed before any grading and backfilling occurs and before any building permit is granted. There is more to living in this city than simply allowing the current market to dictate how we proceed and the new ordinance is addressing a number of reoccurring issues for Minneapolis neighborhoods. We think that this is an opportunity to give some clear direction on how our neighborhoods in this city develop. We hope there is some clear guidelines that come out of this. I know it has been said, listening to this, coming in late, that maybe there are differences and maybe we need something for different parts of the city. There may be exceptions, but right now I think we need some very clear guidelines before we lose whole sections of our neighborhoods. Thank you.

Laura Wade (620 Upton Ave S) [not on sign-in sheet]: On behalf of a bungalow owner of 840 square feet, that is totally adequate, and I have a lovely yard, I fear the developers coming in who buy the little properties and build a big house and then leave. They just sell it, they don't care. They have no investment in Minneapolis. They have no investment in the neighborhood except their wallet. I am terrified of this because 30 feet in Bryn Mawr is when we have a couple. It's horrible. I just want to ask why it can't be neighborhood by neighborhood. Then everybody in Kenwood would be happy and you could do like they do in Lake Tahoe. Nothing can be higher than the tallest tree. Why can't, in Kenwood they can be huge and in your neighborhood they can be your size and in Bryn Mawr they have to stick to the cottage plan. We just got voted one of ten best neighborhoods in the country. What will happen to that? You owe it to each neighborhood to look at them individually. Everything is relative in each neighborhood I think. There is an energy consumption issue too, but that's another story.

President Motzenbecker opened the public hearing.

Staff Sporlein: I just wanted to address the issue of timing since it came up repeatedly in the public hearing. We were asked both by members of neighborhood organizations and the public as well as the decision makers on this panel as well as the Council Members, to have something in place before the busy construction season, but also to do additional process. We tried to balance; we added neighborhood meetings. Two of them, media advisory. I do want to thank the members of the media because we got substantial coverage of this issue in neighborhood papers as well as in the broadcast media and the print so there's been lots of opportunity to get input on this. Also, we want to listen at those public forums so there were changes made after those forums and that's why you're seeing changes because we were hopefully responding to the comments we received. That was the challenge, to balance additional process with the need to get it done before this construction season starts.

Commissioner Mains: I'm going to move approval to get this discussion started. I'll wait for a second and then I have some comments (Tucker seconded). I'd like to comment on not letting the perfect get in the way of the extremely good. I want to compliment the staff on a very good compromise. To tell you the truth, this doesn't go as far as I would like to see it, but it gives a lot more control than we have now. To address a few of the things from the public, and I'm sure the staff will correct me if I'm wrong on these comments; if you're house gets blown down or burns down you can rebuild it at the same size, we've said that. If you were listening you would have heard that. The comment from Phillips, there is in the text, you can build up to 2500 square feet or .5, whichever is greater. That does address the issue of small lot sizes. I view it as, we're not penalizing attached garages, we're promoting detached garages. It's a different viewpoint, but that's mine. I live in a neighborhood that would probably have to have four different systems if we were going to try to match the size of the house to the character of the neighborhood because depending on what part of Seward you're in, you have everything from humungous 2 1/2 story houses to ramblers to story and a half 1950s houses. We can't do it. We can't have something for all, what is it 87 different neighborhoods. I guess that's it.

Commissioner LaShomb: This is a simple concept. The simple concept is that the house should fit the lot, basically. It's basically something that I think is right. We shouldn't be allowing the destruction of a lot by oversizing houses on it. There should be an appropriateness. It sounds good in concept. The reality though is that it's more difficult to implement than that because, as people have pointed out very correctly, there are a ton of neighborhoods in Minneapolis and

they're very different. Very, very different. I do a lot of walking in the city. When I lived downtown I used to walk all the way down to 50th and France. I walked through Council District 13. I think Council Member Hodges is right to push this. I think the concept is appropriate to be pushed. The problem I have though is that I don't think we've gotten there yet. I have one of these old fashioned computers when you program in some new website you see this little bar coming over, do new ones still do that? Sometimes then it goes back, comes back... the point is that, it doesn't complete the job until it's complete. I think there are issues that have come up in this public hearing and issues that have come up from questions from the Planning Commissioners that lead me to believe that this is not a finished product. My fear is that what is going to happen is that if we let this go forward to Zoning and Planning, there's no public hearing process, I don't believe at Zoning and Planning. The basic point is that if this goes forward then the public comment, basically, becomes what I call discreet meaning that it isn't above board, it's how you deal with your council member, it's how you deal with... it's a whole different kind of process and I don't think that's an appropriate thing to do. I heard at least four things that I think need to be talked about. One is the issue of height. How that height issue really is going to be used. The second one is the issue of a penalty for attached garages. I happen to think detached garages in Minneapolis look kind of nice, but there is a problem that not every neighborhood has alleys all over the place. The third one is this whole big issue of context. I didn't hear answers to Commissioner Norkus-Crampton's comments about context. I heard an answer, but it didn't ring with me. Having walked through a lot of neighborhoods, I know context is the number one issue that you need to look at. We've done that at the Planning Commission on the issue of division of lots. We've said we won't allow a lot addition in certain neighborhoods because it's inconsistent with the context of the neighborhood and I can site them up and down and sideways. Then I think there is a legitimate issue about the effect of lot size on house options. I think the issue about having a very small lot and then trying to say "well, you're going to have an FAR of .5", could make some very small homes that aren't marketable. The last comment that I would make is that once in a while in these public hearings you hear words like "greed" and "vulture" and "desperado" and all sorts of stuff. Frankly, I kind of like the idea that some people do things out of greed. It's called "economic development". We all do certain things out of greed. Architects earn a living so they don't do things out of greed I guess. The basic point is, I'm glad there are people out there who want to develop within the city of Minneapolis. I don't totally understand the issue about land use and the economic implications of buying land and then trying to figure out how you make a sufficient return on investment by the size of the house you build, but that's really what's going on. People are buying expensive lots and then they're using the size of the house to kind of pay for the loss that they might have taken on the lot. Given all this stuff, I think moving this forward at this point is not a good idea. I would prefer to lay this over at least two cycles so the record can stay open and I'd like to talk about this in Committee of the Whole again at least once. I would even take it out four cycles, but maybe that's just too far out. My last comment is about timeframes. My understanding is that if you haven't pulled your building permits for summer construction by now you're probably going to be building way into the fall because I don't think that process is that quick. My sister's building a house in Pine City, MN and they assured her should they get her house built in 90 days, and I made her kind of a side bet and said I want to see if they can pull the permits up there and do all that and dig the basement and everything else. I think that we ought to do this right rather than to do it in a rushed way. I'm against moving this forward so I hope that we vote that down. Someone's probably going to make a motion that we lay this over a couple cycles with the direction at least the staff taking a look at those four items that I've noted to see whether or not we need to retalk those things. It's a good start. It's a very good start. The staff work is really good here and Council Member Hodges should be commended for having the guts to say "enough is enough; we're not gonna let

people force character in our neighborhoods that we don't want". I think we need to do it in a way that's judicious rather than to put a policy into effect and then come back two or three years later from now and say that we blew this one because we were in a big rush.

Commissioner Nordyke: I'm going to make a substitute motion that we lay this over two cycles (El-Hindi seconded) for further consideration.

President Motzenbecker: Ok, we have a substitute motion that we lay this over two cycles.

Commissioner Huynh: I would also have to be in agreement with Commissioner LaShomb. I think that although we're all in agreement that there are issues with larger developments that don't fit in the character and context of the existing neighborhood, I think that the text amendment and what we have in front of us, I think, doesn't address a lot of the issues that could be further discussed with the neighborhood but also other members of the public in regards to context. I think that if you look at it, it separates what issues we have now versus not thinking about potential long term issues, potential consequences on the neighborhood but also your definition of context. I think that although staff defines context within 100 feet, I think that everyone that lives in Minneapolis understands that you want to stay in Minneapolis and whether or not if your adjacent neighbor has lived there for forty years they could have added on a second addition and what they have 20 years later never resembled what they had when they moved in. I think that the general definition of context needs to be explored a little bit more. I think that 100 feet limits what context is and perhaps a little bit more, like 350 feet with one block, still remaining in the neighborhood but not extending too far out. I think that another issue is what Commissioner El-Hindi had mentioned regarding height. I think that there's probably some logic with the 30 feet height restriction, but I think that in order to accommodate the four feet plus 14 plus 14 with the logic of how we had it in the past, perhaps 32 is a more fitting number but I'm not sure. I'm not proposing 32, but what I'm trying to say is that I'm not sure if 30 is the number either. I think one more issue is looking, again, at context. I think the whole idea of character and context with neighborhood... what this does too is that the architectural diversity as someone had mentioned. Also it creates more cookie cutter type homes and conformity. I think that, as a designer, I think we all fear box-like homes and conforming to suburban-like standards. I think that one thing I really like about Minneapolis is that there is diversity and higher quality homes and we should be able to encourage that. I would like to support the substitute motion.

Commissioner El-Hindi: I don't think we can find anyone in this room that disagrees with the premise of this ordinance or the proposed ordinance. I don't think anybody's disagreeing with that. I think that the idea of trying to get this ordinance to be an ordinance that really looked at the multiple issues that are in front of us today, I think, is the issue that is being raised here on this panel. Like Commissioner LaShomb has mentioned, there are several issues that I believe maybe could be looked at a bit further within the public today. There are several architects that would like to comment further on this. They have a tremendous amount of expertise in this field. This is a historic, I think, ordinance that would have a tremendous amount of ripple effect in the city and it's a really large one. I think that, again I'm going to reiterate some, but also add to some others that I've heard to others, the impact of the ordinance on the existing fabric of the city as mentioned in the Lake of the Isles, East Isles and other areas, the issue with areas without alley access, neighborhoods or blocks without alley access and obviously the issue of context that has been repeated. One thing I'd like to add is the five foot rear yard setback that could be potentially one more factor of looking at maybe even increasing that to limit size of homes. Obviously, the penalty in the height that was some other ones that were talked about, but the one aspect that I

think...I know Nate has brought that up, which is quality. I don't think anybody really addressed that. I see in the point system, again, where the materials have been addressed where masonry, stone a sort of equivalent to wood and stucco, I believe, maybe some of that could also be looked at to be part of this as far the quality of a smaller home 2500 square foot footprint. If you put something out there that's not quality, I don't really care if it's fitting as far as height and bulk within the rest of the block as much as the quality is completely gone and it's all vinyl siding. What's that to say when you have a context that's all brick or stone homes and suddenly because of the requirement, now a developer decided they're going to put vinyl siding on a house just because they can't afford to put something else to be able to sell this house. I guess I don't know, I'm just raising all of these questions up as things that maybe could be somewhat looked at and addressed as part of this ordinance as well. Thank you.

Commissioner Norkus-Crampton: I really appreciate the comments here. I think I could speak for most of us that we really appreciate the gesture and the effort and the impetus of all this. Again, when the initial presentation was made and we talked about that the goal of this whole process is to preserve traditional patterns of development in residential neighborhoods and also to deal with compatibility in scale and bulk with existing neighborhoods of new construction, additions, whatever. I guess I just don't see... we're not there yet. I think it's a good start, but again, if we're going to be doing an ordinance like this, what we need... really, clarity is important. Certainly each neighborhood, as we've heard tonight, has a different context. We have some letters in this packet and I've heard from other neighborhoods that didn't really feel like they really had the time as a neighborhood to even really evaluate this ordinance so I think this additional time would go a long way towards getting some very educated opinions of people on the ground who know what's happening in their communities and what the dynamics are. I think the context issue is really important and I think we need to figure out a way that we can sort of get to what...incorporating context whether it's going like a 350 radius of what exists around there, whether it's going for average FAR and 350 feet and average height so we can see what actually might fit in in a quantifiable way of what exists on the ground. I think the whole idea of reinvestment, I mean, we all live in different parts of town but people invest and we hear this all the time as Planning Commissioners that people not only invest in their house, they invest in their community, they invest in their neighborhood, they love their neighborhoods. Some people love bungalows, some love Victorians, some people like cottages, some like as big of houses as they can muster, but we're all here for different reasons and that's the beautiful part of Minneapolis is that we have something for everyone here. I think preserving whatever character it is in whatever way we can with some flexibility of course, I mean we're not talking Disney World or some sort of created community, but I think there are ways for people to capitalize, for investors to capitalize on what is good in Minneapolis without destroying the very thing that makes it good to a lot of people that live there. I strongly support the substitute amendment and I hope that we support that. Thanks.

Commissioner Tucker: It's obvious that we couldn't work out an agreement on the floor today so postponing this is a very good idea. Our next Committee of the Whole meeting is a very full one so two cycles does make sense. It will also give us a bit more time to digest all the excellent comments that we've heard today. I speak in favor of the motion to substitute and hope we get to the main motion pretty soon. Instead of speaking to that, I'll just warn that I don't think with this one zoning text amendment we'll be able to fine tune everything so much that each neighborhood gets exactly what it wants. I think we'll limit things somewhat and we need to do that fairly soon, but we need to do it in a way that we all feel comfortable.

Commissioner Nordyke: I agree with a lot of what's being said up here and I'm interested in the process that we take here to make this work. I am going to talk about one specific thing that jumped out at me because it is something I'm going to hang on to and keep talking about and that is the fact that the majority, if I remember your map, the majority of the houses that are getting thrown out of compliance because of this proposal exists in a relatively concentrated area. Granted, it is only about 15% of the houses in Lowry, not a large number or percentage of the neighborhood, but it is a concentrated percentage and that map kind of pops out at you. The other thing about that concentration is it's our large historic house area. There are historic assets that we have been trying for about 100 years to find ways of ensuring that people keep and make and don't tear down because of their size and historic nature costs extraordinary amounts of money to bring in to sort of a modern use and often times in having done that they generate an awful lot of our tax base. Following up on something Commissioner LaShomb said, variance is risk. When you look at buying one of these houses and thinking about putting millions of dollars into it, the more times we put the word "variance" on the table, the more risk people are going to perceive. I'm interested in continuing the discussion there, but personally very interested in making sure that whatever we do we are not jeopardizing that historic asset that we have spent many, many decades trying to make sure that people are comfortable renovating and moving back into the city and bringing those back into life.

Commissioner Schiff: It's clear that the commission would like some more time to discuss this in the next few weeks and that was the tone of a lot of the comments we heard tonight. In particular, I think what would be helpful from staff is some of the concerns about inner city neighborhoods that want that infill development, do an analysis of some of the lots that we've sold to make sure that we're not discouraging investment unintentionally. I think some clarification of what happens when you have a nonconforming house. The impact for getting a mortgage, getting insurance. The Zoning Administrator sends letters all the time to people that are qualifying for mortgages and what impact do those letters really have when someone's applying for interest rates? I think we need to understand clearly how the market is seeing the changes that the state legislature made a few years ago that make it easier to rebuild nonconforming uses, but it may not have changed the real world situation for qualifying for mortgages in the sale process. We certainly don't need thousands of more nonconforming uses out there and I know that wasn't the intention of these ordinances and these changes so we want to make sure that we're not making it more difficult to become a homeowner in the city of Minneapolis. The issue of context has been said and I think early on we discussed the possibility of people looking at 60% of the homes on one lot, I'm sorry, on one block as a context for appropriate size scale volume and I know that's going to be more administratively difficult to determine, but it would be interesting to see if that could work because that would be a solution that allows us to have not a one size fits all solution but something that works in each neighborhood. We have 81 recognized neighborhoods in the city of Minneapolis and I don't even think we have 81 employees in the Planning Department; there's no way we could have 81 different design guidelines in the city of Minneapolis. It would be impossible to administer so that has to be said, but I appreciate working with all of you so we can get this passed sometime this year. Thanks.

Staff Wittenberg: If I could just add to that, thank you for those comments Council Member Schiff. I would also suggest that if you send five people to go find out what the floor area is of a home that you will get five different answers. We have some concern about sending developers out to tell us exactly how much floor area there is in each home on their block, but staff does have some ideas about contextual issues so we will spend some time taking a look at those.

President Motzenbecker: Great. I just had two things that I wanted to...if this goes forward for staff to look at as well is just to tag on to Commissioner Schiff's point, just to clarify what the process is for what happens when a house is possibly destroyed by fire or something, a house that is in these nonconforming pieces. Just some clarified language on that. I did think it was important, some of the points that were brought up about topography on this site, how that relates to having to do a tuck under garage where's there's no alley access. I think we should really explore that as well as measuring from the natural grade. If the topography varies across the site, which elevation are you choosing to measure from it from, front, back, side? Just those two points if we could give it some more exploration on those, that would be great. Seeing no more comments from Commissioners, what we have to do now is vote whether we're going to vote on this substitute motion and then we can vote on it. All those in favor of voting on the substitute motion? Opposed?

The motion carried 9-0.

President Motzenbecker: Ok. Now we can vote on the substitute motion which is to lay this over for two cycles. All those in favor?

Commissioner Norkus-Crampton: I just wanted to add one more caveat to that that we would have one Committee of the Whole meeting to revisit this before we meet again. I think that would really be useful and make the time that we're extending really help us address the issues at hand.

President Motzenbecker: Ok. All those in favor of the substitute motion to lay this over for two cycles including one more visit to Committee of the Whole? Opposed?

The motion carried 9-0.