City of Taylor Mill
Commission Meeting
September 10, 2014
7:00 p.m.

CALL TO ORDER:

INVOCATION/PLEDGE OF ALLEGIANCE: Mayor Bell and Commissioner Murray.

MINUTES: Minutes from the August 13, 2014 Commission Meeting.
Minutes from the September 8, 2014 Special Meeting.

GUESTS: Bob Haake – Gordon Johnson 2014 Award Recipient.
Mark Baum – Penske Truck Rental/NC Zone Change Request.

LEGISLATION: **Resolution** recognizing Sept as Ovarian Cancer Prevention Month.
Resolution recognizing Nicole Young.
Resolution from TBNK approving transfer of Comcast/Insight to Charter Communications.
2nd Reading of an Ordinance in regards to establishing an Assessment for the Construction of Holland Drive.

UNFINISHED BUSINESS:

NEW BUSINESS: Ridgeway Neighborhood Block Party Request.
Taylor Mill Swim Club – Use of Facility Request.
Mark Balasa – Property Tax Bill Penalty Waiver Request.
Scott High School Homecoming Parade Permit Request.
Complete Streets Initiative – NKAPC/N. KY Health Department.

BUILDING & ZONING:

DEPARTMENT REPORTS:

City Administrator.	Legal Counsel.
Administration.	Maintenance.
Engineering.	Parks & Recreation.
Finance.	Police.
Fire.	

EXECUTIVE SESSION: **61.810 (f) - Discussions or hearings which might lead to the appointment, discipline, or dismissal of an ind employee.**
61.810 (c) - Discussions of proposed or pending litigation.

ADJOURNMENT:

ANNOUNCEMENTS:

City Of Taylor Mill
SPECIAL COMMISSION MEETING
September 17, 2014

The meeting was called to order at 7:05 pm by Mayor Bell. The City Clerk called the roll.

Mayor Bell	Here
Commissioner Kreimborg	Here
Commissioner Kuehne	Here
Commissioner Murray	Here
Commissioner Reis	Absent

The Mayor noted that a quorum was present for the meeting. CAO Ms. Jill C. Bailey, Attorney Mr. Frank Wichmann, Mr. Phil Peace, Attorney Mr. Marty Butler and Ms. Angie Wright, Treasurer/Asst. City Clerk were also in attendance. Mayor Bell stated the reason for this meeting was to hear proposed zone changes to DTM-2 Zone.

Mr. Peace addressed the Commission stating his address as 608 Brandtley Ridge Drive, Covington, Kentucky. He stated that Mr. Butler and Mr. Wichmann had been in communication regarding zoning, setbacks, boundaries, right of way and acquisition of land concerning his parcels. Mr. Peace stated that the purpose of tonight's meeting was to discuss these issues in greater detail.

Mr. Butler stated that he was an attorney with the law firm of Strauss & Troy, located at Suite 1400, 50 East River Center Boulevard, Covington, KY 41011. Mr. Butler stated he worked with Mr. Wichmann in June to obtain portions of the zoning ordinance pertaining to the DTM-2 Zone, particularly Sections 10.19 and 9.29.

Mayor Bell wanted to clarify what was said at the June Commission Meeting. Mayor Bell stated that Mr. Peace presented two options to the Commission. First being a new zone called DTM-5 or a text amendment to DTM-2. Mr. Peace said those were the two options presented and that he was directed not to pursue a new zone, but to come up with proposed changes to DTM-2.

Mr. Butler provided the Commission with two copies of the zoning ordinance Section 9.29 and Section 10.19. One copy is the ordinance in its original form and the second copy had the proposed changes underlined or crossed out.

Mr. Butler indicated that these proposed changes had been sent in July. Mr. Butler asked if the Commission had the opportunity to review the documents. Ms. Bailey stated that the Commission had not had a chance to look at the documents prior to this meeting. Mr. Butler then suggested that he go through each item and talk about the changes requested.

Mr. Butler expressed that UDF had major concerns about a zero front setback. He indicated that he had the preliminary site plan to display for reference during his presentation and it was placed on an easel for viewing.

Mayor Bell stated that he wanted to fully understand the ramifications of any changes to DTM-2. Mr. Butler expressed that what he was presenting to the Commission had been reviewed by Mr.Wichmann.

Mr. Butler stated the he would go through all the proposed changes starting with Seciton 9.29 E.1.c. Mr. Butler proposed to add "except with the DTM-2 Zone" as an exception. Then in Section 9.29 E.1.d, Mr. Butler proposed that parking shall be permitted in the front, rear and side yards in the DTM-2 Zone. This would carve out an exception to the existing ordinance for the DTM-2 Zone which only allowed parking in the rear or side yards. In Section 9.29 E.1.f, Mr. Butler proposed that a landscape buffer be provided "where necessary". Mr. Butler stated the existing topography of the land provides natural buffers because of the grading that will take place.

In Section 9.29 E.2 Mr. Butler proposed adding language that allows pre-existing lots or parcels which are landlocked by virtue of adjoining right of ways and property lines to be excluded from the existing minimum development area of 2.5 acres. Mayor Bell asked for clarification of what this exception means for the other side of the street that Mr. Peace owns and the implications this exception would have on that parcel. Mr. Butler stated that the other parcel in question had more than 2.5 acres.

Mayor Bell stated that originally Mr. Peace presented the concept of a DTM-5 zone for the parcels of property he owned. Mr. Butler interjected that the DTM-5 zone was his idea. He stated that the reason he proposed a DTM-5 Zone was because there is more land in DTM-2 than the parcels Mr. Peace owns and these proposed changes would apply to all land in that zone. Mr. Butler stated that he felt the Commission might have been more comfortable creating new zone for the parcels Mr. Peace owns rather than open up exceptions to all land in DTM-2.

In Section 9.29 E.7.a, Mr. Butler proposed to add that gutters be allowed to form a cornice to adhere to the architectural requirements in this section.

In Section 9.29 E.7.l Roof Forms, Mr. Butler proposed that in DTM-2, roofs for buildings would be excluded from having a flat or slightly sloped roof. Mr. Butler referenced that some banks interested in the site would want not want a flat roof.

Mr. Butler proposed that if the Commission is not comfortable with these changes, that creating a DTM-5 Zone would limit these expectations to just the parcels owned by Mr. Peace and would not apply to other land in DTM-2.

In Section 9.29 E.11.c, Mr. Butler proposed that a 30-foot wide planting strip not be required because of natural buffers already in place by hillsides, the Farm Apartments and the natural topography of the parcels.

In Section 9.29 E.13.b Off-Street Parking and Loading, Mr. Butler proposed to add language allowing off-street parking in the front, side and rear yards of parcels in the DTM-2 Zone with no more than four rows of parking located in any one side yard.

In Section 9.29 E.12 On-Street Parking: Mr. Butler propose language that would not require on-street parking in the DTM-2 Zone.

In Section 10.19 B.25: Permitted Uses, Mr. Butler proposed language adding convenience stores as a permitted use. Mr. Butler did not feel that UDF would fall under the category of grocery store.

In Section 10.19 B.46, Mr. Butler added language to specify salons could be hair salons and barber shops. Mr. Butler thought this would be a more clear description.

In Section 10.19 D.1 Area and Height Regulations, Mr. Butler added language that would allow parking the in front, back and side yards and that the parking provisions must comply with Section 9.29.

In Section 10.19 D.1.a Minimum Front Yard Depth, Mr. Butler added language that would change the front yard setback from zero to forty-five feet.

Commissioner Kuehne asked where that setback would start. He asked if it started at the City easement property or the curb or the sidewalk. Mr. Butler stated that it would start from the property line.

Mr. Butler stated that the forty-five foot setback was pulled from the City's existing neighborhood commercial zones.

In Section 10.19 D.1.a.(1), Mr. Butler stated that the changes proposed here are for parcels that are corner lots which is what UDF would be, that you have to treat both frontages as a front yard and not a side yard. He clarified that a side setback may be fifteen feet, but on corners you want the building setback with the front setback on both sides. He stated that UDF would be setback forty five feet on both sides. This would apply to all corner lots in DTM-2 Zone.

Commissioner Kuehne asked for clarification on the site plan as to where the setback would start. Mr. Butler stated that it would be forty-five feet from property line. Commissioner Murray interjected that the building would be a minimum of forty-five feet from the sidewalk. Mr. Butler stated he was correct and that would apply to both sides of the corner lot.

In Section 10.19 D.1.a.(2), Mr. Butler proposed language to ensure that a minimum sidewalk width of eight feet is available. He struck language stating that the sidewalk width would be measured from the edge of the street tree planter box because there would not be a tree planter box in this scenario.

In Section 10.19 D.1.a.(4), Mr. Butler proposed to strike out language requiring pedestrian spaces located within the front yard setback be surrounded on three sides by building walls unless located at a corner. Mr. Butler stated that would not be practical with the new setback of forty-five feet.

In Section 10.19 D.1.b. Minimum Side Yard Depth, Mr. Butler proposed language to change the current side yard setback from zero to fifteen. He clarified that if two buildings are side by side they would be thirty feet apart pursuant to the requirement of fifteen feet side yard for each building. This side yard setback is right from existing neighborhood commercial zone requirements.

In Section 10.19 D.1.b.(1), Mr. Butler proposed to strike out language requiring a 30-foot wide planting strip which was addressed in his proposed changes to Section 9.29.

In Section 10.19 D.1.b.(2), Mr. Butler proposed to take out buffering requirements as previously discussed. Mr. Butler also added language allowing parking in the front, and rear yards including along the perimeter of the building.

In Section 10.19 D.1.b.(3), Mr. Butler removed language pertaining to framed overhead architectural elements for pedestrian walkways stating that it did not make sense with other changes proposed.

Mr. Butler interjected that a DTM-5 Zone would still make sense. Commissioner Kreimborg stated that her fear in creating a DTM-5 Zone, is that it would set a precedent for other investors to ask for special zones to be created for their purposes.

In Section 10.19 D.1.b.(4), Mr. Butler added language permitting seating adjacent to buildings. Mr. Butler took out language pertaining to screening of parking in the rear lot. He stated that with the new setback of forty-five feet this provision was not logical.

In Section 10.19 D.1.b.(5), Mr. Butler added language allowing common parking lots to connect in the front, side and rear of buildings. This common curb would allow customers to exit and enter more easily. Mr. Butler stated that this would also allow shared parking for businesses.

In Section 10.19 D.1.c Minimum Rear Yard Depth, Mr. Butler changed the language to provide for a fifteen foot setback in the rear instead of a zero setback which is consistent with the City's existing neighborhood commercial zone. Mr. Butler also struck out language pertaining to the 30-foot wide plating strip as previously discussed in Section 9.29.

In Section 10.19 D.2.a (1) Building Height and Stories, Mr. Butler struck out language pertaining to creating a consistent street wall as that was not applicable with the new changes he is proposing as the buildings would not be side by side.

Commissioner Kuehne asked how Mr. Butler knew the buildings would not be side by side. Mr. Butler stated that the buildings would be separately owned and have a minimum of 15 foot side yard setback for each building.

In Section 10.19 D.2.a.(2), Mr. Butler proposed that the building height deviation of not more than two stories be eliminated. There was discussion of how this language would allow a building to be a maximum of four stories and how many stories an adjacent building could be under these provisions. Mr. Butler pointed out that this ordinance does not spell out what defines a story. Mr. Butler wanted the two story deviation language removed to allow more freedom for potential clients.

In Section 10.19 E.2 Standard Requirements, Mr. Butler added language allowing pre-existing parcels or lots which are landlocked by virtue of adjoining right of ways and property lines. This would allow Mr. Peace's current lot under 2.5 acres to be developed.

Mr. Wichmann asked Mr. Butler to clarify the intent of this change. Mr. Butler stated the intent was that Mr. Peace's parcel would never be 2.5 acres and it could never be 2.5 acres. Mr. Wichmann suggested that section needed some work and refinement.

In Section 10.19 F.1.(f) Use Standards, Mr. Butler added that drive through traffic should not "unreasonably" interfere or conflict with on or off-site pedestrian or vehicular circulation. Mr. Butler stated that adding unreasonably would more clearly define the intent. Mr. Butler felt the current language was unclear. Mayor Bell stated that we could ask for clarification from the Planning Commission.

Mr. Wichmann stated that from his understanding, changes proposed by Mr. Butler would have to go to the Planning Commission for review and recommendation before the Commission would have the authority to make any decision. Mr. Wichmann also stated that the Commission could authorize an application to the Planning Commission for the text amendments being proposed to get the Planning Commission to review the text amendment and give their recommendation or whether or not it should be adopted. Mr. Butler stated that the Planning Commission would have a hearing on the text amendment.

In Section 10.19 F.2.a Gasoline Stations, Mr. Butler proposed eliminating this section that stated the attendant stations shall be located close to the street right of way to help define the street edge. He stated with the new setback this was not applicable.

In section 10.19 F.2.b, Mr. Butler added language allowing for seven gas pumps instead of four gas pumps for parcels on a corner lot with fronts on to separate right of ways. Mayor Bell stated for reference that at the Commission meeting with the UDF representative, he pointedly asked the UDF rep if seven pumps was negotiable and he said it was negotiable.

Mr. Peace interjected that people look at two main factors when deciding to get gas at a station--the price and whether a pump is available. There was discussion how the number of gas pumps may effect traffic or wait times for pumps.

Mr. Butler stated that the pumps being prosed would be in one row and they are not proposing to double stack the pumps. Commissioner Kuehne questioned the distance requirement between each island of pumps. Mr. Peace stated that the proposed UDF would adhere to their new model of pumps at other locations. Mr. Butler stated that Mr. Peace should be open to what Commissioner Kuehne was saying. Commissioner Kuehne stated he was speaking about side to side distance not bumper to bumper distance. Mr. Butler stated that the 20 feet between pumps, as it would appear from the site plan, would not be enough. Mr. Butler stated that he would take note and get clarification on this issue. Mr. Wichmann stated that he thought the wording "gas pumps" should be changed to "pump islands" because there are fourteen pumps.

Commissioner Murray stated that he thought the language allowing additional pumps to the side and the rear of the attendant station should be removed in this section since we are allowing seven pumps per island. Commissioner Kuehne stated that kerosene and other items are off to the side. Commissioner Murray stated that he would not have problem with an additional kerosene pump or something along those lines. Commissioner Murray stated his concern would be additional regular gas pumps being added. Mayor Bell stated that he would not want a separate island for diesel pumps. Mayor Bell stated he still has concerns regarding the number of pumps. Mayor Bell stated that he didn't want cars backed up on the street waiting for a pump to become available. Mr. Peace stated that if cars are backed up it is because there are not enough pumps. He stated that more pumps doesn't mean more cars it means the cars are more quickly served. Mayor Bell said then you have more cars exiting the station which creates traffic problems. Mayor Bell expressed concerns about rush hour traffic and the lack of a traffic signal. Mr. Butler stated that the Department of Transportation had told him that there would be traffic signal in that location eventually. Commissioner Kuehne stated that the City would not pay for it. Ms. Bailey stated that we already have conduit to support a traffic signal in that area in the underground system. Mr. Peace again stated that the number of cars wanting gas is a constant. He stated that more pumps does not create more cars wanting has. More pumps would move the constant number of car through more quickly. Commissioner Kuehne suggested we should change the word "gas" to fuel pumps so that diesel pumps would be included.

In Section 10.19 F.2.c, Mr. Butler proposed to strike out this entire section that states the canopy height cannot exceed the height of the attendant station.

In Section 10.19 F.2.f, Mr. Butler proposed to delete the requirement of a thirty inch masonry retaining wall when gas pumps are located adjacent to a public right of way. He stated this made sense with the new setback of forty-five feet.

In section 10.19 F.2.g, Mr. Butler took out the word "unobstructable" pertaining to pedestrian walkways from pumps to the convenience store.

Article X1: Off-Street Parking And Access Control Regulations was the next topic of discussion Mr. Butler indicated.

In Section 11.0 C.1.d, Mr. Butler added DTM-2 Zone the other permitted zones that would allow for off-street parking in the front, side and rear yards.

Mr. Butler stated that concluded his presentation on the zoning sections and asked for questions. Commissioner Murray stated that walkways were provided in the site plan. Mr. Peace stated that walkways are provided, but his objection was to the wording that the walkway had to be unobstructed. Mr. Peace continued that UDF had concerns about the unobstructed walkway requirement and stated that the current planned walkways did not go into the flow of traffic but that once or twice day there may delivery trucks using a side road entrance.

Commissioner Kuehne stated that he needed time to review and understand the proposal before he could render an opinion or decision. Commissioner Kuehne stated that he would like to discuss this in Executive Session to hear the other Commissioner's opinions. Mr. Wichmann advised that this was not a subject that would allow for an Executive Session. Commissioner Kuehne stated he understood there could be no Executive Session and that he appreciated some the points Mr. Butler presented to the Commission.

Mayor Bell stated he was impressed with the specific detail of the presentation and that he needed time to think about the proposed changes. Mayor Bell stated he was glad to see the specific differences and what would be affected by the changing the setback. Mayor Bell stated that the City would ask the Planning Commission for clarification on the points discussed and that he would like to get Commissioner Reis up to speed on the presentation as well. Ms. Bailey stated that she would get copies of the documents discussed at the meeting to Commission Reis for his review. Mayor Bell thanked Mr. Butler for the presentation.

Commissioner Kuehne asked Mr. Peace if he still had UDF interested in the parcel in question. Mr. Peace responded that he absolutely did. Commissioner Kuehne asked Mr. Peace who was interested in other parcel he owns. Mr. Peace stated that there was a lot of interest but it was not practical to present this information until all of the zoning changes are ironed out. Mr. Butler stated that the zoning had to be refined before these negotiations could go further.

Mr. Butler also stated that until the State acquisition issues are resolved, they really didn't even know what they have to work with. Mayor Bell stated that the City didn't know yet either.

Mr. Peace asked the Commission when they would make a decision about presenting this proposal to the Planning Commission for review. Mr. Wichmann stated that nothing happens unless there is a motion and a second and it passes authorizing the administration to submit an application to the Planning Commission for review of the text amendment. Mr. Butler asked if this would be possible at the next Commission meeting. Mr. Wichmann responded that it depends on how long the Commissioners want to think about it.

Commissioner Kreimborg stated that she feels the original plan was put together the way it was for reason and that these zones were strategically planned out. She stated that her main concern is that these changes apply to all businesses in the DTM-2 Zone. She stated that the City spent a lot of time and money putting together the original plan to create a look for the City and she had reservations about allowing changes to that plan. She asked how others felt about that.

Commissioner Murray stated that another gas station in Taylor Mill was long, long overdue. He stated that he feels the residents of Taylor Mill should have more choices and competition for their fuel needs. He stated he is concerned about the changes affecting the whole zone and that he feels that we should have treated this property separately by creating a DTM-5 Zone. He said the original plan did not allow for a highly commercial zone and that he feels the citizens of Taylor Mill deserve a choice for their fuel. He stated that if another gas station came to Taylor Mill we may see the gas prices at BP go down as well. He stated that he believes that this is an up for down vote and the Commissioners should vote for whether they think another gas station should be added. If they think a gas station should be added they should move ahead with this process.

Commissioner Kuehne said if he had to vote tonight that he would vote no because Mr. Peace does not own the ground he wants to build on. He stated that Mr. Peace only owns half of the land and the State owns the other half and that we don't know what will happen with that process. Mr. Peace stated that he owns an acre of the 1.5 acres required for the station to go in. Mr. Peace stated that if we don't proceed with getting the text changed there is no reason to proceed with the acquisition. He stated that he can't even sign contracts because he doesn't know what the rules of engagement will be.

Mr. Butler stated that he felt a DTM-5 Zone was in the City's better interest. Mayor Bell said he would need time to consider the changes and to consider a DTM-5 Zone. Mr. Butler asked Mr. Wichmann if he was opposed to the creation of a DTM-5 Zone. Mr. Wichmann stated that he had no concerns with a DTM-5 Zone.

Commissioner Kuehne said that he would like to see another gas station in Taylor Mill but he does not believe that it will drive the price at other stations down. Commissioner Kuehne asked about the storm sewers under the UDF building on the site plan. Mr.

Peace pointed out that there were no storm sewers under the building. He stated the existing sewers would not be disturbed.

Commissioner Murray interjected that he has seen BP drop prices in the face of competition in other communities and he stated that he believes that would be the case in Taylor Mill as well.

Mr. Butler provided the Commission with a Discussion Outline for Development Agreement. Mr. Butler stated the goal of the project is to remove the existing Davis Road, to have Mr. Peace build a new Davis Road so that it lays out better for parcels on both sides of the road. The new Davis road would have to comply with all regulations in place for subdivision roads. Mr. Butler stated that once Taylor Mill received title to the right of way parcel. Mr. Butler stated that there is a distinction between the right of way parcel and potential excess parcel. Mr. Butler stated that he had the same experience with the Department of Transportation as Mayor Bell had in that they won't really tell you exactly where that right of way line is. Mr. Butler stated that he would like the City to enter into a Development Agreement with Phil and Laurie Peace to cooperate and work together to expedite the acquisition process. Mr. Butler stated that it is his thinking that if the City is involved that the process will move along faster so that development plans can move forward. Mr. Butler stated that until we know the perimeter of the property it is a waste of time to make any plans. Mr. Butler stated that Mike Beezold at the Department of Transportation told him that the Pride Parkway project would not be completed until fall of next year. Mr. Butler stated that Mr. Beezold then advised him that it is typically another two years before you can acquire excess. Mr. Butler stated that Mr. Beezold suggested to him to make their application next fall or summer.

Mr. Butler directed the Commission to look at Exhibit A in the Development Agreement he provided where he has the right of way to be transferred to Taylor Mill depicted in red. He stated that another section of the Exhibit showed the Potential Excess right of way. He stated that the Department of Transportation has made no commitment and won't say what part of it they might be willing to give up. The City or adjoining property owners can apply for the Excess parcel. Mr. Butler stated that his thinking is that the City could get the excess parcel more quickly than Mr. Peace. Mr. Butler said that he would like to ask the City to be the applicant in this process and that he understand that Mr. Pease would bear the cost of the engineering designs and drawings that would need to be submitted. Mayor Bell asked if the City did get the land whether Mr. Peace would have to pay the State for the land. Mr. Butler stated that he believed that normally the state can give land to a City with the restriction that it cannot be developed. Mr. Butler stated that we would not want to go here because then the land could not be developed. Mr. Butler advised that the City would apply for the land with the understanding that the State would be compensated for the land. Mayor Bell expressed concern that because we are a City the State may not permit development on the land if we apply for it. Mr. Butler asked that the City support Mr. Peace's application if it turs out the he would have to apply for the land instead of the City.

Commissioner Kuehne asked if we did acquire this land and we want to get rid of it, would we have to advertise for bids or can we ear mark it? Mr. Butler stated that he had collaborated with Mr. Wichmann and the bid process could be avoided if the land was part of a Development Agreement. Mr. Wichmann concurred that was correct.

Commissioner Murray stated that land is currently nothing but a drainage ditch. Commissioner Murray stated that it would have to be filled in and Mr. Butler stated that would be done at Mr. Peace's expense. Commissioner Kuehne asked for verification from Mr. Wichmann that we would not have to undergo a bid process. Mr. Wichmann advised that the City would not have to have a bid process.

Mr. Butler referenced Exhibit B in the Development Agreement for discussion on the other side of the street. Mr. Butler stated he is looking for the City to help Mr. Peace in whatever way to help expedite the acquisition process. Mr. Butler asked for the City's help and cooperation in this process so that development activity can progress as quickly as possible.

Mr. Butler referenced the last attachment to the Agreement, which is a Resolution adopted by the Commission on February 16, 2011 whereby the City accepts ownership and maintenance responsibility of the right of way parcels. Mr. Butler stated that the reason he has this document in the Agreement is because of the back and forth discussions Mr. Peace had with Ms. Baily requesting the contract between the City and State accepting this ownership. Mr. Butler stated that Mr. Peace said Ms. Bailey advised him that there was no contract. Mr. Butler stated that he discovered there is no contract but this resolution serves as the agreement. Ms. Bailey stated that she had provided Mr. Peace with everything had asked for and had no recollection of the conversation referenced by Mr. Butler and Mr. Peace.

Mr. Butler Referenced his last Exhibit D as a drawing that shows how, assuming that the parcels can be acquired from the State, you can eliminate the existing Davis Road and put a new Davis Road in that will continue to serve properties up the hillside behind, but would also serve development parcels on both sides of it.

Mr. Butler stated in closing that he would like to start working Mr. Wichmann to fine tune a Development Agreement to be presented to the Commission to foster a cooperation between the City and Mr. Peace.

Mayor Bell thanked Mr. Butler for his time and stated that the Commission needs to think about the changes proposed and get Commissioner Reis involved. Mr. Butler stated the he would be happy to sit down with Commissioner Reis and go over the proposal with him.

Commissioner Murray stated that in a nutshell what was being proposed on the Davis Road side is to fill it in at Mr. Peace's expense, put in any drainage needed at Mr. Peace's expense, move Davis Road and take it from the existing one lane blacktop road it is now to a regular subdivision City street with sidewalks at Mr. Peace's expense, and it is going

to line up with the parcel on the other side and make a good four-way intersection. He stated that the new Davis Road would run up behind the parcel. He stated that the new Davis Road would be under the control of the City for future development. Mr. Butler agreed with Commissioner Murray's summary.

Mayor Bell stated that he thinks the Commission should first decid on the changes proposed to DTM-2 or whether a new DTM-5 Zone should be created before anything happens with the Davis Road development. Commissioner Murray stated that he feel the creation of DTM-5 is the way to go.

Mayor Bell stated that the original purpose of DTM-2 was to create a walkable community that was unique, but he recognizes that Mr. Peace's parcels have a different set of circumstances attached.

Mr. Butler stated that he didn't think the concept of a walkable "Hyde Park Square" type community could work with 180 acres.

Commissioner Kuehne said that Taylor Mill as interest in developments on the Holland side. There was discussion about traffic counts on Taylor Mill Road once the new Pride Parkway is complete and how fast people will be going.

There being no further business Commissioner Murray made a motion to adjourn. Commissioner Kuehne made a second. All Commissioners were in favor.

MOTION CARRIED

Meeting adjourned at 9:15 pm.

Daniel L Bell

Mayor Daniel L. Bell

ATTEST: Angie [illegible]

DATE: 10-15-14