The Alexandria Planning & Zoning Commission met in regular session on the above date at 7:00 p.m. Chairperson Jewell opened the meeting with the Pledge of Allegiance.

The following members answered roll call:

Present:  
John Jewell, Chair  
Rick Neltner  
Susie Thomas  
Ron Johnson  

Present:  
Sonny Markus  
Dave Iart  
Dan Feldmann  

Absent:  

Present:  

Also:  
Jan Johannemann  
Mike Duncan  
William Rachford  

Asst. City Clerk  
City Attorney  
Mayor  

Carol Hofstetter  
Mark Brueggemann  

Zoning Administrator  
City Engineer  

APPROVAL OF MINUTES:

February 19, 2013:

MOTION: Dave Har: made a motion to approve the minutes of February 19, 2013, seconded by Rick Neltner. All in favor, the motion passed 6-0-0.

VISITORS & GUESTS:

None

John Jewell opened the Public hearing at 7:05 p.m.

PUBLIC HEARING:

To hear and gather evidence and public comment regarding the following:

(1) Adoption of a comprehensive plan amendment and to make a zoning recommendation or other land use regulations for the 46.292 +/- acres known as the “Tollgate” property not already within the city limits, proposed to be an addition to the Arcadia subdivision, upon its annexation.

(2) To consider a Zoning Map Amendment to re-zone 4.817 +/- acres of the “Tollgate” property already within the city limits.

Mr. Duncan suggested that the first two public hearings be addressed as one since they both pertain to the Arcadia Development and should be made by the same public record. Mike explained years ago the city rezoned and annexed property known as the Arcadia Subdivision. Because the development was so large, and for safety and emergency access reasons, it was suggested there be a second entrance to the subdivision. The developers have now purchased the Sams property. Mr. Duncan had a plat (see attached); the yellow section is not currently in the city, and the sections in white are properties already in the city that should be rezoned. The proposal is that the city annex the 46.292 acres (yellow) and zone it Planned Unit Development (PUD). The applicants are asking for a rezoning of the 4.817 acres (white) from R-RE and R-1D to PUD. After the Public Hearing, different motions will be required to address the different properties: (1) Per KRS 100.209, a recommendation for zoning when the property comes into the city, and to make a Comprehensive Plan amendment to encompass that property if it comes into the city; and (2) whether or not to recommend zoning to PUD as requested by the applicant, to make findings of fact whether or not it is consistent with the Comprehensive Plan, and whether there have been major changes, or if there is something that needs to be corrected.
Mike Schoettelkotte, Bill Viox from Viox & Viox Engineers, Todd Husck from Fischer Group, and Jim Keller from Drees were present for questions.

Mr. Schoettelkotte then gave a presentation of the history of the Arcadia Development, explaining why this development will improve property as a whole, and details of how they plan to use the property that is the subject of this public hearing. Attached is a Plan Book Addendum dated February, 2013 with the information that was presented.

Mark Brueggemann has a concern about the offset intersection onto Tollgate being on a curve and the potential sight distance issues. Mr. Schoettelkotte said the concept plan indicates an approximate location, and after looking into it they feel it is acceptable, however, they have not done a detailed design or survey to make a final determination. This is one of the things that will be done at the next phase.

Mr. Jewell asked for public comment, and then Mr. Schoettelkotte would respond.

1) **Arnd Rehfuss, 169 Breckenridge Dr.** - Will the recreation areas be turned over to the residents? He had an experience in the Horizon Hill Subdivision where there was a space that was to be bordered and maintained by Drees, but that didn’t happen and the residents had to buy that land. Also, Tollgate Road needs improvements and will anything be done to widen the road? With the access to this property will the road become city maintained instead of county maintained? Will there be any government housing required as a part of this subdivision?

2) **Matt Reed, Reed Acres** – Is there any type of provisions for a buffer between the Arcadia property and existing property owners? He also understood that the original plan had $400,000 homes. Now there are lower-priced homes and the lots are smaller than in the original plan. He asked if there would be a traffic study on Tollgate. He wants to see one done before this is accepted. The original proposal indicated a traffic light at the intersection of Arcadia Blvd. and Tollgate Rd., but they don’t need one there. The traffic light is needed at Tollgate and US 27.

3) **Mark Reed, 8003 Tollgate Road** – His property backs up to Arcadia. Does the city have any jurisdiction requiring the developer to add a buffer between existing properties and Arcadia? Mike Duncan said the City could offer a condition, but the developer would not have to accept it. If they did, it would be made a part of the plan. There is a requirement for buffering between residential and commercial uses, but there is nothing about buffering between residential uses. Mr. Reed said there was a gentlemen’s agreement with the prior owner that they both owned the cattle fence between the properties. What will happen to the fence and does he have any rights or can he come back to P&Z for any leverage? Mr. Duncan said as long as the developer follows the plans that were approved, the city could not get involved in a private dispute between the developer and an adjoining property owner. Mr. Reed also agreed with the others about the traffic and the proposed intersection on Tollgate.

4) **Linda Hanses, 55 Wright Court** – She lives at the end of Wright Court and is just a few feet from the sewer line. At what point would any housing or development be built next to her house?

5) **Linda Decker, 8085 Tollgate Road** – She owns the property in Reed Acres that runs along Arcadia. She agrees with Matt and Mark that there is no buffer on the plan between her property and Arcadia. Also, she owns the small wedge in the front that blocks Arcadia Drive from coming out directly across from Breckenridge. Contrary to what was said, they have never been approached by anyone to sell that piece of property. She concurs with the others that the bend on Tollgate is very dangerous and there should be a traffic study done.
6) Jim Decker, 8085 Tollgate Road — He also added that they have not been approached to sell that piece of land. He has heard that he is the problem and has not cooperated with them. He just wanted this to be known.

Mr. Schoettelkotte then responded to the questions.
- Horizon Hill did have open space when that subdivision was developed years ago, but there was no HOA set up, and no means to maintain it. To eliminate the joint open space, that property was cut up and transferred to the owners. Arcadia has a lot of facilities and common areas that will need to be managed and maintained, and will require a HOA. Mr. Feldmann read from Section 2, on p. 4.74 of the Zoning Ordinance that outlines those HOA requirements. Mr. Hart confirmed that the developer will be developing the green/recreational spaces, and the HOA is going to maintain them.
- Questions regarding buffering: Typically compatible uses (single family to single family) do not require buffering. This is in the early stages of development and it is difficult to give detailed answers about what trees would remain, etc. Improvement plans and detailed plans will come later.
- Questions regarding Tollgate Road: This is a state road and they will have to work with the State Highway Department on the entrance and how it lines up. The State has requested a traffic analysis be done. A permit is required from the Highway Department and all of those issues will be reviewed.
- Fencing: He is not familiar with exactly where the fence is, but typically they have never taken the position to just tear down a fence. They will work with the homeowner.
- Homes built near the end of Wright Court: This will probably be in the latter stages of development, but he believes that because of the topography, this section will remain open space.
- Decker Property: Mr. Keller of the Drees Company, addressed this question. He did meet with Mr. Decker and they rode the property. At that time Mr. Decker said he was not interested in selling, and it was left at that. Mr. Decker disagreed with this statement. John Jewell encouraged the two of them to meet again. Mr. Schoettelkotte said he would make efforts to continue to work with Mr. Decker to do what is best for the development.
- Government Housing: Mr. Schoettelkotte said there is no intention to do this and it is not a requirement in this area of the country.

Questions were then opened up to the commissioners.
Susie Thomas asked about minimum lot width that was approved. Mr. Schoettelkotte stated there were 80' and 65' wide lots in the original plan. Susie pointed out that the Sams property that was purchased to give the development a secondary access has been overloaded with 55' wide lots. Mr. Schoettelkotte said they wanted to provide more housing choices in the development. They have seen new housing trends where people want more house and smaller lots. Susie asked the city attorney to clarify whether they would be approving the development plan. Mr. Duncan stated they are asking for a recommendation for PUD zoning, and also asking for a preliminary concept development plan approval. Dave Hart pointed out that there are patio homes on 55' wide lots on the original plan. After discussion about lot sizes, Mr. Duncan pointed out this is a PUD development and there is more flexibility in this zone.

Susie wanted clarification on what exactly the commission was approving tonight. Mr. Duncan explained that they would not be approving the development plan as a final matter. The developers are just using the plan to illustrate what they are proposing. Susie asked if P&Z approves this PUD zone and the developers come forth with this development plan, is there any leeway? Mike said as long as they have plans that are consistent with the concept provided tonight, the answer is no.

The commissioners asked for several clarifications which were answered by Mr. Duncan.

John Jewell then closed the Public Hearing at 8:50 p.m.
**MOTION:** Dave Hart made a motion to adopt an amendment to the Comprehensive Plan and make zoning recommendations for the 46.292 +/- acres known as the "Tollgate Property" that is not already within the city limits, proposed to be an addition of the Arcadia Subdivision upon its annexation, and that it be zoned as PUD (Planned Unit Development). The motion was seconded by Ron Johnson. All in favor, the motion passed 6-0-0.

**MOTION:** Susie Thomas made a motion to rezone the 4.817 +/- acres of the Tollgate property which is already within the city limits to PUD (Planned Unit Development) so it will be compatible with the rest of the development, as the current zoning is not appropriate based upon the evidence and testimony heard tonight. The motion was seconded by Dan Feldmann. All in favor, the motion passed 6-0-0.

**MOTION:** Susie Thomas made a motion that the Stage I Development Plan that is revised not be approved until such time as a traffic study of Tollgate Road is done, and allowing further review of the proposed lot sizes on the plan, seconded by Rick Neltner. The motion was then brought up for a vote: Rick Neltner – yes; Susie Thomas – Yes; Dave Hart – Yes; Dan Feldmann – Yes; Ron Johnson – Yes; John Jewell - yes. The motion passed 6-0-0.

Mr. Feldmann asked Mr. Schoettelkotte to review page 4-67, Section H, “Criteria for Approval” of the Zoning Ordinance. Mr. Schoettelkotte agreed.

John Jewell opened the third Public Hearing at 9:15 p.m.

**PUBLIC HEARING:**

_To hear and gather evidence and public comment to consider a text amendment to Section 9.7(C) of the City’s Zoning Ordinance in order to revise the sizes of the allowable signs in the City._

Mr. Duncan said this originated from Resolution #2012-10 from City Council asking the P&Z to hold a public hearing and make a recommendation for appropriate zoning text amendments to the sign regulations pertaining to size, placement, and number, particularly real estate signs. This was discussed at prior meetings and text was drafted.

Mr. Duncan read the Public Hearing Notice with the text change (see attached) that was advertised. There is a "relaxing" of the 8 square foot minimum size for the higher traffic areas, especially on the AA Highway. The size of a sign would increase to 32 square feet. In the commercially zoned property along US 27 it would increase to 16 square feet.

Mr. Jewell asked for public comment, and hearing none, he closed the Public Hearing at 9:22 p.m.

The recommended amendment to Section 9.7(C) is as follows:

"...not exceeding sixteen (16) square feet in area on commercially zoned property abutting U.S. 27, or thirty-two (32) square feet in area on properties abutting the AA Highway, or eight (8) square feet in area, in all other areas and zones;”

**MOTION:** Rick Neltner made a motion to recommend to Council that they approve the text amendment to Section 9.7(C) of the City of Alexandria Zoning Ordinance regarding allowable signs, seconded by Dan Feldmann. All in favor, the motion passed 6-0-0.

**OLD BUSINESS:**

None
NEW BUSINESS:
None

INTERNAL BUSINESS:

Treasurer's Report:
Susie Thomas presented the Treasurer’s Report for March, 2013:

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MOTION: Dan Feldman made a motion to pay the bill, seconded by Dave Hart. All in favor, the motion passed 6-0-0.

MOTION: Dan Feldman made a motion to approve the Treasurer’s Report dated March 5, 2013, seconded by Dave Hart. All in favor, the motion passed 6-0-0.

ADJOURNMENT:

MOTION: Dan Feldmann made a motion to adjourn, seconded by Ron Johnson. All in favor, the motion passed with a 6-0-0 vote. Meeting adjourned at 9:29 p.m.

Attested to and submitted by:

Karen M. Barto  
City Clerk/Treasurer  

Dated 3/19/2013  

John Jewell, Chair  
Planning and Zoning  

Dated Mar 19, 2013