

**Unedited Captioning Transcript of Planning and Zoning Committee Meeting -
March 7, 2023**

Planning and zoning will begin in approximately 45 seconds metro TV.

Good afternoon and welcome to planning and zoning committee. I'm councilman Madonna chair. I'm joined by my vice chair accountants.

Scott Reed I'm also joined by committee members council woman, Jennifer chapel, councilman, Betsy councilman that shown.

We also are joined by who does, who does have an item on our agenda.

These following items will be held today and not heard on the agenda their items number 1289 and 11 with the possibility of number 3 being held.

Yes, if you are a council member, you must keep your in your virtually you must have your camera on at all times. Whoever is TB identify yourself please.

By councilman Baker,

I can't think of.

Also, this meeting is being held pursuant to 61.806 and counselor role 5 a.

Council and would you like us to hear your legislation? 1st.

If you don't mind that, I'm sure that'd be great. Thank you.

We're going to go to item number 10.

For those who were may need to help address this so resolution requesting the planning commission review, the local metro land development code LDC, relating to notices.

Looking for a motion 2nd.

Probably made by Catherine raised 2nd, by councilman that shown we are ready for discussion and I will chair will recognize councilman Anthony Thank you Madam chair.

So, colleagues, this is a resolution calling for the planning commission to look at really 2 things to add to the land development code.

Around notifications, uh, so this came up related to at least 1, but I would argue I've got, uh, evidence of having this issue with with multiple cases, uh, or at least city wide that number 1.

Um, with the amount of suburban cities that we have, uh, 1 of the.

Issues if you will, it's not an issue. It's just 1 of the truth 1 of the facts related. How we notify residences we notify the resident.

We don't notify suburban cities when a resident is affected by a development.

So, for example, if you have a, a development that requires a tier 1 notification, and 1 of those tier 1 notification residences, or inside a suburban city, that.

Resident will receive the notification the suburban city is just unaware, right? Or they don't receive a notification they could sign up for the list serve, like the members of the general public, but they don't get a notification 1 number 1 in section. 1.

here asks that the planning commission, uh, explore providing suburban cities, providing notice to suburban cities when a property within their jurisdiction is entitled to notice of a planning and zoning matter. I want to be super clear.

This does not notify everybody in the suburbs.

City just notifies, whatever is listed as their city hall. Right? You know, their mayor or their clerk's office. Uh, so that's number 1, right?

Just to provide additional visibility to that suburban city and working with, uh, developed global.

This didn't seem, uh, this was something that was operationally doable. They could, of course, speak for themselves.

I don't wanna misrepresent their comments to me, but they indicated this was a possibility because, uh, the good news is suburban cities are very clear delineated lines. So, when the maps are constructed these.

They can determine whether or not residents were within those suburban cities.

As a matter of note before I get to, I did also ask that we attempt to do this with, uh, or homeowners associations. The lines are unclear related to number 1 and number 2.

we really don't have or require HR ways to have this regimented database of registrations and who's viable and et cetera. So, um, we'll encourage HR ways to continue to use the list serve process.

But since the suburban cities are other government agencies that are planning and zoning.

Has it may impact in some cases we want them to be notified number 2. you'll notice that there is an amendment and I'm going to ask if a colleague of mine from on this committee could propose all the amendments I have here.

I'll read 1 here and then I'll clarify 1 that's above that links to this. But in talking with develop global about number 2.

The issue here to describe the problem.

Is that right now tier 1 notifications, which are sent out by the developer are done in any 1 of a myriad of ways? Right? Theoretically an infinite number of ways. The developer has the mailing list.

They have the Mailer, they can go that developer could have somebody do it on their behalf, for example, their attorney, uh, that the developer, and, or the attorney could go to any post office theoretically, in the city. It doesn't even have to be in the city.

And hand it to them, and then they process it.

We have seen examples of where that process has not been as reliable as it could be.

And, frankly, there's a lot of variability in what I just described again, an infinite number of developers, an infinite number of proxies on behalf of those developers, such as attorneys and they could hand those off to an infinite number of post offices, et cetera.

What I was originally asking for was saying something more specific and this is what's being amended, which is to have planning and design services sort of develop level. Do this themselves still have the developers.

For it, so not changing the cost structure to the city, but having 1 organization do it and bring it to 1 post office, a much more regimented process to take out the variability that I was just describing.

What the recommendation that came back from developed global was this amended language, which creates still the similar intent, which is looking at a less variable and a more centralized process,

but not specifically saying it has to be developed global, giving the planning commission. The opportunity to look at 1 of multiple scenarios and ideas.

That can create a way to send these notifications out in a more regimented manner, as opposed to just again these sort of infinite number of scenarios that I described earlier. So the amended language would read.

If it's adopted procedures are sending mail notices to better insure notices. Are provided the United States Postal Service for timely delivering the planning commission should specifically review the responsible party for mailing the notices.

I do want to say that I am convinced beyond a shadow of doubt that part of.

A problem with some of these notifications hitting the actual recipients has everything to do with the post office.

Uh, I have brought this up with Congressman McGarvey when he came and visited, he visited the Republican caucus, and I said, you know, it'd be great. You've been there a month, can you fix the post office?

He thanked me for giving a very low ask for his initial, a term in Congress. But, um, but I do know that's an issue and as a specific example, my God, I have twin daughters.

They just got, uh, they were supposed to receive their acceptance packets to a local high school. They were mailed out.

From the same place on the same day going to the same address. We received 1 package. The other was returned to send her a week later. Okay all because of the post office. Okay. Now I'm not here to beat up on the post office.

They're not here to defend themselves, but until we get more reliability there, again, what we're trying to do is reduce variability in this process. It's just a way to potentially reduce error.

Um, so again, I, the only other amendment in here that again, I'll ask if somebody can make.

Motion to adopt these amendments under the 2nd, whereas clause again recommended by the administration and working with them on this language. Um, we added the words and procedures.

So it says in the existing notice, requirements and procedures, contain the land development code to align with the intent on number 2, uh, which we've have the substitute language here. So, with that said, I'd like glad to answer any questions that I'd ask.

If somebody could make a motion and vote on the amended version motion.

I've got people that have come in, or is this questions on the amendment or on the thing as a whole.

Okay, well, let's do the amendment then it was probably made by councilman Shawn and who.

2nd councilman. Okay.

All those in favor of the amendments, signify by saying, aye.

Aye, those opposed by lifetime.

Hearing on the amendment passes and the chair will recognize councilman ruin.

Okay, my question does necessarily pertain to what you've got in there, but precisely who are the notice is supposed to be sent to.

I can respond Madam chair so there's a definition and I would actually defer to develop level to specifically define it.

But, for example, the most common or what's referred to as tier 1 notification so the land development code has a definition of if you have a property X address location parcel right?

If there if this is where the, um, where the develop the land that's going to be, and it's not just rezoning, it could be re, zoning could be a design change just anything that triggers a notification. There's a list of criteria that trigger notification.

There's this tier 1 notification, which essentially.

Take that spot and draw a radius circle. And if your property is inside that circle, you rate to be notified via Mailer that that this is happening.

And then, where, and it's usually in the form of some type of postcard style mailing, it tells you where the hearing is going to be held if any of your public comment, and this type of thing. But I know Madam chair could recognize Jeff, maybe to give him more specific answer.

Just 3rd, because I failed to say for the record that. that

Engel actually enter the room as soon as councilman started talking so he's been here for a few minutes. Go ahead.

Thank you, sir. Uh, Jeff Bryan chief of global for counsel into your question.

Councilman is right we do send notifications, depending on the type of applications being made to the tier 1 properties, which are they immediately budding, and then tier 2 as the property owners abutting the 1st,

tier property owners and then there was amendment made last year. We also notify tenants, rental units as well. So we go to property owners and tenants under the proposal.

Counsel and put forward, we are not proposing who gets notified. It's just that the, how the notifications get sent out in terms of the suburban cities. We would notify that we are discussing internally who exactly.

We would notify, but I believe we settled on city clerks. Is that correct?

Yep, we'll be notifying the city clerks of the of the suburban cities.

You might want to just stick there for just a 2nd, just in case.

Councilman councilman chapel, I was just hoping that you could speak a little bit more on item 3, and that fee schedule, especially if there's

questions as to how many people would show up to a meeting and be included in the record need to be noticed. Yeah.

So, again, this is part of the procedures that we are discussing right now the applicant pays for all of the mailing costs.

So, none of that cost is shifted to metro government again from my conversations with Council.

There's a discussion about how those notices get mailed and who actually does the mailing. I think what the intention of the legislation is is that we don't shift the cost burden of that mailing from the applicant to the city.

And so that's that is that I think that's just clarification that in the past the city had paid for those.

The notification have gone through the city's mailing system, um, which I will also say is not great. Uh, no offense to our folks working in the mailroom.

They're working very hard, but it was, in these cases, these notifications have to be precisely made then received enough to meet the legal standards. So, um.

What we want to do is we make sure we don't shift that cost, which can be significant. Especially if we have large apartment complexes that need to be notified. We don't want to shift that burden to the taxpayers.

Um, just to add, yes, the intention was, uh.

So 1st of all the cost is being borne already by the developer, right? Arguably, somebody, either the developer themselves via their time, or an attorney on behalf of the developer is going and mailing this. Right?

So they're already procedurally. Right? The process that they're doing right now has some cost to it. It could be in labor or time. Uh, but the developer is currently bearing it.

And the point was the purpose of this is to consolidate it, not to shift cost burden. Right? So.

Number 3 was added to make sure that as we discussed procedure, we are also making sure we understand what if any cost is attributable to that. So that we're not we're just adding to the budget, right? We're not just adding to the city's cost structure.

Uh, but I would say for the developers out there who may look at this and be like, oh, God, Here's another fee 1 way, or the other developers are paying for this right now they're just paying for it via time, or via contracted labor through an Attorney's office or something like that.

So.

Just making sure that if we shift, if we shift this in some way procedurally right we're taking that into account.

Thank you any more questions, Madam chair if I might jump in just real quick. Go ahead Travis ecosystem county attorney. I just noticed a typo of my own.

Creation in in that section 1 part 3, um, at the end, there should say, uh, paid by the applicants. In each matter. Not key applicants just missed the T. so as a technical correction, if the clerk could note that, that would be great.

The chair will consider that technical in nature.

Thank you any other questions.

Seeing, then this is a resolution calling for a voice vote, therefore, off all those in favor signify by saying, aye, aye opposed by lifetime hearing none.

And since it was amended, it will go to old business at our next council meeting. And I need to ask councilman Baker. Did you want to hear your other? I know we were holding 2 of your items.

Were you ready to hear your legislation number 3 which is.

To to zoning on South clay street or do we need to hold that to.

No, we can, we can hear the South clay. Thank you.

Thank you, man, I'm going back to item number 3, which is an ordinance related to the zoning of property located at 1239, South place 3 containing approximately 0.0978 acres and being a little metro case number 22 zone.

0, 104. little metro case number twenty two zone zero one hundred and four

Probably made by Catherine angle and 2nd, and back council that Shawn, we're ready for discussion. Right? Good afternoon. Brian Davis, little ventral planning and design. Uh.

Presentation here we go, this is a planning commission doc, number, 22 zone. 114. it's for 239 South clay street.

Uh, the property located at 1239 staff clay street is located. Mitchell, cancel district. 6 this is an outline of the property as you can see it's a vacant parcel. The structure that used to exist on the site is no longer there.

The applicant is proposing residential use on the property, um. property um

This is the, uh, existing zoning in the area the, uh, the, the area.

We're residential development is you have our 6 across the street and park is currently zoned are are 1. excuse me and the Abacus proposing to change the zoning to you in, which is urban neighborhood zoning.

So, that request again changes, only from our 6 multi family residential to you in urban neighborhood.

The site is vacant Athens, proposing to subdivide and subdivide the lot into 2 lots and then construct a semi detached single family units on the parcel. The various there was a various request that was required for the private yard area.

That was heard by the planning commission. And then parking would come off of the alley.

So this is a a blown up version of the development plan that was provided with the application. So you can see the app was proposing to divide the parcel and half the structure that would be built would have the property line going through the middle.

So that you'd have 1 of the units on 1 lot, the other unit on the other, there would be parking coming off of the rear alley. And then there's a couple of on street spots where they would also have some parking availability.

This is a view of the site from South clay street. So again, you can kind of see the whole there between the 2 existing houses that are there.

And these are some site photos of the surrounding areas again, residential in nature, uh, with the park located across the street.

That being conducted their neighborhood meeting on June, 14th, 2022, land development transportation committee had their meeting on January, 12 2023 and then the planning commission. How's your public hearing? On February? 2nd 2023? No.

One's spoken opposition to this request and the planning commission motion was to improve the change in zoning from our 6 to a U. N. or recommend to change this from our, that motion passed by a vote of 80.

and I saw that I haven't seen any questions for me. of eight zero and i saw that i haven't seen any questions for me

This kind of reminds me of the discussion that director Lou had with us last week, kind of like, the missing type of housing that the city of local desperately needs.

So, I'm really glad to see this and this is councilman baker's district and then I will call on canceling that show next.

Yeah, so to your point, Madam chair, this is a, uh.

A development that's coming to the district 6 that we welcome again, as you saw that the planning and zoning committee voted at unanimous release. So I encouraged.

My fellow members to look at this property, and to encourage you to pass this to the zoning committee, there were also talked to the neighborhood association. They were for the development as well.

And so there were no reservations on the type of developments. And so again, to your point, these are the type of things that we are trying to do and you want to continue to do in district 6.

so, I just asked that you consider that and taking on your your vote. Thank you.

Counseling bat shown yeah, thank you Madam chair. Um, thanks for that.

Council picker, so I have some questions. It seems like that's a pretty tight squeeze for 2 residential families there. Um.

You know, it's right under an acre. So is there any.

Visuals of what that renderings of what that will look like, and how it's going to be possibly replaced.

Just, it seems a little tight.

And then my 2nd, part of my question is obviously I'm new to the planning and zoning and I'm still trying to get my feet wet here.

What benefit does it do to the developer and, or the neighborhood if you're moving it from our to urban, urban, um, zone.

They did not have any renderings, but I think if if you look at the picture here, like, structurally, it's going to be 1 structure and really there will be 2 front doors.

But, other than that, I mean, I don't think that, like, from a like, a visual, like, the size standpoint,

it's not going to necessarily stand out from the other structures on the site because it's the existing lot as it is, is similar.

And all the other lots on the properties you will obviously you won't see the property line that's being divided in the middle.

The UN district, what it allows, it allows the creation of the smaller lives, so that you're taking this existing lot, you're splitting it and have that. That would not be permitted in the existing zoning district.

And then, and then the UA, and also you have the permissions to have the shared wall structure. You know, there was the various for the, for the common wall.

But overall they would be more permissive of this type of development and allow the 2 units versus.

The, which would only permit the 1 unit on the site.

Will there be requirements as far as, like, any type of binding elements in regards to this development what specific types of firewalls are going to put between both structures?

Things of that nature, right? Yeah. So since there is a, uh, building, uh, uh, or a, uh.

Property line, running through the building. They would they would have to meet all the Kentucky building code requirements for, uh, for fire separation, between the 2 properties.

So you would have an enhanced firewall between the 2 units more so than you would if you were just thinking of a, you know, just a normal unit that's on the property. They are showing 5 foot setbacks on the, on the side yard.

So there would be.

They'd have to be building code there as well on the side yard. So that, you know, if there was a situation where you had a fire, then since they are 5 feet from there, they would have limitations on, like, the amount of openings that they could have on the property.

So, we do have that, and then they're just the way the land development code works. Like, we would look at the, like, from an standpoint, in terms of the design of the structure.

We would look at that with the adjoining properties.

If anything you want to Illinois? Yes.

Actually, a multi family or 6 they are by right could have 2 units. Right now the property owner would like to put a line in there so they can sell that to owner occupied.

So they can have exactly the same building on 1 lot by rezoning. They are allowed to create 2 lots in the middle, which will look exactly the same, but they can sell it to to property owner.

Is that 1 property owner kind of like a condo.

It's a duplex, so each person will own. It's own site. They're sharing a common law.

Who would be responsible for maintaining that if 1 rented and 1 owned, who would maintain the property in that facet?

The property owner, uh, will, uh, responsible for the maintaining of the property. I mean, this was intended for owner occupied, uh, this particular property.

Thank you so much chapel.

I was just going to say that this is a neighborhood that has a lot of shotgun houses in it and I live in 1 of the really long and skinny. I can understand for a lot of people that it might look like a very odd structure who would want to live in that. But I'm glad to see that.

It is conforming to what the neighborhood already looks like.

And also, I think we hear family home, and I think that these are really attractive structures for people that are single or couples or people that don't want to have a large footprint and want to have an urban existence.

I just wanted to.

Say that I completely understand who would want to live in these, but I think that they are really attractive and even though I would like to see a backyard with a wonderful tree, um, it is nice that there's parking, even though there's ample parking since it is across the street, so I just want to say that.

Baker capsule chapel's point and I probably should've withdrew my request to speak. However, same thing. It keeps the aesthetic value from the outside.

So, again, when you look at it, it still would be look as 1 structure. And then when you talk about the aesthetic value of the entire neighborhood, a lot of shotgun homes, it looks to it would look the same.

It just gives me the owner.

Director Lou, just a little more flexibility on how they could use that.

With that zoning, how they could use that property, but those are the type of addressing affordable housing and things like that. Those are the type of thing developments that we want to see in district 6. and so that's why I strongly encourage your vote.

I think it's a great addition to I mean, I wouldn't like to have some duplexes out of my area of campus. I think it gives people more choice of how they want to live. I mean.

Not all of us want to cut grass, especially when you get my just like there. I have to do this again councilman backbone.

Thank you, ma'am. Sure. Thank you. Councilman chapel and council.

From a Baker for the record I am supportive of the development 100% right?

My question, I guess, to the point is, let's use this as an example, let's say.

I'm the developer, I'm the builder, et cetera. Right? Let's say, I today rent Jennifer.

1 side of it and then.

Later tomorrow, I just want to Baker. You purchased the other side.

As the landlord.

I still own the structure correct that jennifer's renting that is attached to your structure that you own, who is responsible.

Let's say the roof leaks who is responsible. Let's say the water pipes bust and.

It's in between both spaces, that is my, I guess my biggest concern in in how that will be maintained because.

At the end of the day, let's say it doesn't get fixed by councilman Baker who owns.

Counsel women chapel gets frustrated and moves out.

Now, you have a vacant space ultimately, probably maintenance falls on the owner. Uh, so.

Uh, there may be an agreement in that tenant agreement. I don't know that talks about maintenance of the yard or maintenance of the building but ultimately, from a metro standpoint, uh, if something's going wrong on the site, the 1st person, we reach out to the property owner.

Because they are ultimately responsible for maintenance and and I appreciate that, but maybe Travis might be able to jump in on this.

Is that some type of wording that we can put into?

Request of these these again 1st and foremost.

Tremendously appreciate the development that thought the opportunity, and the the growth in what we're moving towards but my, my concerns are, I don't want us as a city as a whole to fall back into the situation where we are and look at the,

the structures surrounding this right. Let's let's continue to thrive and move forward. Is there any wording um, with the county Attorney's office that we can put into this.

You and zoning or this restructure of the zoning or zoning change that says.

Who is going to be fully responsible for maintaining.

That, and if there aren't if it is not maintained.

What what the repercussions are? Travis assistant county attorney Thank councilman.

Um, so a couple of comments here, 1, just to go back a little bit to what Brian just said, if this structure were in significant disrepair, and it, where to be reported to metro through 301 or what have you um, and it's because, you know, the roof caved in, for example, and it's across both structures, um.

both structures um

Code enforcement, or who have you would notify assuming the loss are owned by 2 different people at that point.

Both owners and I think from our perspective.

We would continue to communicate with and if necessary enforce against both those owners for the structure they're responsible for. Now, if 1 owner really is going to hire a roofer and come out, and we construct up to exactly the property line or repair only his half.

Maybe we can get into the sort of metrics of that, but I think it's probably unlikely situation. Um, I, we get a little bit into sort of private property law.

Issues here my suspicion, and admittedly, I haven't seen an exact case like this, and obviously operate in the government arena. But my suspicion is that if.

Refer to Cavan and owner of lot 1, where to repair entire structure. He would then have a claim against owner of a lot too, and say, hey, you need to pay me for the cost of jointly repairing the structure. And if you won't, then I'll take you to court and seek damages.

As to what I spent, you know, 1, approximately 1 half, assuming the damage was roughly equal. Sorry. Um, so I think all those metrics sort of exist, there's nothing we need to necessarily add in this case to do that.

And I would caution us a little bit against getting too much into the weeds of trying to regulate those sort of private agreements. Um, I know that when you refer to the condo situation earlier, and, um, you know, this is not proposed to be a condominium regime.

Um, but there is some pretty strong state law on condos generally. Um.

And we might be able to look at some sort of broader creation, and it will apply to town hall type buildings that don't necessarily fall under that condo.

Umbrella, but I think it'd be really hard to do, sort of 1 off on this case, to try to figure out all the different metrics of what the responsibilities would be and where they lie and enforced mechanisms. There's just a lot going on there.

So this is a topic you'd like to pursue I'd be happy to follow up with you, but I think it'd be really tough to just kind of apply it to this case within the 90 days that we have. No, I appreciate that. Thank you. Travis. I just wanted to play devil's advocate in that role.

I'm supportive of this development and I want to see things moved forward. I just want to make sure that we have this on our radar.

Of what could or possibly may happen in a situation. So I'm trying to think forward thinking here.

Catherine Reid, if you want to join in, on something, if because my phone keeps.

Cutting off you can see. Okay. Okay. Thank you. I just want to make sure I don't miss you. Okay.

No, 1 else is in the queue. So I take that as we're ready to open the voting for a vote on this.

Vice Jerry yes, without objection voting is closing. There are 7 years folks and this will go to old business at our next council meeting. Thank you item number 4.

An ordinance relating to the zoning of property located at 4,500, South heartburn park by containing approximately 0.92 acres and being a little metro case number 22 zones. 0, 1, 2 5.

Motion probably made by councilman read 2nd, back councilman that shown we're ready for discussion.

Hey, this is planning commission document for 22 7125forchristian brothers automotive.

The property located at 4,500 South 1st born Parkway located metro Council district 26.

So, the aerial photo here, um, so this is the Meyers is located at along South, South, born Parkway. So you can see the area and raise the approximate location of the proposed site for this rezoning.

The area of the site is currently commercial. You're wishing to continue to do commercial operations on the site. Um.

The zoning and on the site is they are requesting a change in zoning to to accommodate the proposed use. You can see that this, uh, this area you have commercial nodes all along this portion.

You have multi family, residential located to the North, and then you have some mixed use to the, to the West multifamily cities.

So, the request is it changes only from to.

Evans proposing to construct an automobile repaired facility as a new outlet within the existing Meyer shopping center.

Development,

they approved general development plan was originally approved under docket at 93,994 at Stony Brook South and then that plan has since been amended a couple of times buying element number 3 from the general plan prohibits automobile repair garages among other uses within areas of the general plan

and so the part of the request is again to amend the general plan as well as the development plan for the proposed use. development plan for the proposed use

So the applicant is proposing a non bay garage or automobile repair center on the site that was outlined previously.

So you have Southwest form Parkway here that northern, most interested into the site is located along here.

So the proposed uses up on the northern end of the site, the, the trees and stuff that you see here, that's the, the buffer that is currently in place between the.

Development and the multi family is located to the North.

These are some renderings that were provided by the applicant with their application and presented at the planning commission hearing so that you can get an idea of the scale and the type of materials being proposed for this use.

Uh, the applicant conducted their neighborhood meeting on August 22nd, 2022, the land development transportation committee meetings on January, 12 2023 in the planning. Christian public hearing was on February. 2nd 2023. no, 1 spoken opposition.

And the planning questions motion was to recommend approval to change the zoning from that passed by vote at 80 and it's all that. I have answer any questions for me.

This is in council member and ackrason district, and he has sent me a text earlier that he is in supportive of this.

That rendering was extremely nice rendering and it's going to be automotive repair, but they won't be storing cars that they're repairing on the lot.

I take it, right yeah, they're they will not be storing any cars and there was a binding element that was worked out as part of the planning commission that talked about a limit for having cars being stored outside a lot of discussion at play commission about that. So.

Just wanna make sure it's on the record in public, so thank you canceling. Cancel mama. Chappel. I'm sorry.

I was going to ask if we could add a binding element.

What was the binding? I'm just looking at the sorry it took me a 2nd to remember why I was going to speak. That's why I took a 2nd to come out. Um.

If you look in the citizen comments, there's only 1 that's been submitted and it is someone from the greenhorn condominium homeowners association, and they're requesting a binding element,

simply that Christian Brothers automotive be required to follow the local metro noise ordinance regarding the hours for trash pickup outside of the urban services district, they decided having issues with people collecting trash at 430 and 530 am.

So I would like to add in that finding element. If possible. if possible

Maybe here, I can speak to that assistant county attorney. So I think that concern was actually already.

Noted and, uh, immortalised and, uh, proposed binding all at number 6, trust collections, or not occur before 60 a m or later than 10. 0. P. M.

And according to the noise ordinance, so fortunately, the planning commission heard you there and that's already been done. Great work.

Cancel my yeah, so thank you. Um, I'm sure my question is in regards to the binding element about storing cars and what not. So.

Let's say that they've got an overload and the bays are full with the 9 cars, or let's say they can even 12 cards in those days and they've got 5 or 6 cars.

Lined up for the next day, let's say they have the tow truck, drop them off and they've got flat tires or the, the motor went out on 1 or transmission dropped or something. Where do you propose that? This.

Business owners store the vehicles. I don't know if I have an answer for that. I mean, the big concern at planning commission was whether or not there would be any kind of jumped or inoperable cars.

And so if you look at the binary yellow that was proposed, that's where a lot of the, you know, they say, no, no, none of those types of vehicles shall be stored on there.

And then the 2nd, part of that vehicles are to remain on site or vehicles that are to remain on site for longer than 24 hours after check in. Shall we store it overnight within the repair base? I don't have an answer, though, for, like, potential overflow. If they. they

Are dealing with that and in cars, coming in I don't know what the answer would be classified as a jumped car inoperable car like.

If my transmission goes out, then it's inoperable and it gets tested then a junk car would be just like something that's crashed. And do we have that defined any way?

There may be some language in ordinances that, that specifically define those types, but typically with an inoperable, you know, you're talking about moving and then jumped. It refers to like the title and things like that.

Thank you. Mm. Hmm. Catherine Baker.

Thank you, Matt Madam chair 2 counseling by sean's point. Can you speak to the type of operations? Like, what? What type of auto repair with this company be doing?

Um, for instance, if it's a tire shop, that's much different than a auto motivate transmission. I'm going through the documents, but I'm not.

Not finding it, so I think it was like General repair so, like, all changes tires, transmissions and mechanical issues not necessarily body work. That's not something. If I recall from the testimony that isn't it's something that they really get into.

It's more like your your operational type of repairs that you think about, and not like a a service repair center that where you're fixing crashed vehicles and things like that.

Thank you I read something about the tires in a 3rd party being called in, for tire work. I'm trying to locate it again.

I can't yeah, there was discussion about like, tire storage on site and that's where the 3rd party conversation came in during the hearings. Yes.

Yeah, and I think there's a time limit of 24 hours. Did I see that on? Um.

On cars that are brought in, right? Yeah, yeah, on the revised district development plan.

Is that item? Number? 7? There should be now outdoor storage.

Um, it was, um.

Can you try and lower ferguson added.

That information into the record.

Yeah, right yeah.

When I refresh my screen that still brought up councilman bet shown. He's still.

Sorry, yes, thank you. I'm sure and again, I'm not trying to be a nuisance of some sorts here. I'm trying to really just lessen the burden on the developers, lessen the burden on the business owners, lessen the burden on everyone. All of you all everybody at.

Stake here, when you say 24 hours who's maintaining that who's monitoring those 24 hours? Because.

It could take with the way shipping of parts and things are 7810weeksbehind who, who you can't store a car with, that needs a new transmission for.

24, it's only has to be there for 24 hours in that parking spot who's going to maintain and monitor that 24 hours so that car is being removed. Then you're costing the owner of the vehicle.

Additional bills, um.

Storage fees, et cetera on that case. I don't I don't know how we can really enforce a 24 hour limit to to that binding element. There.

If we had nobody to enforce that, I mean, ultimately the complaint would have to come from the public to 301 and then we could send out our enforcement officers to go and say, yeah, there's a car there. And then we can schedule another 1. schedule another one

24 and a half hours later and go. Look again, if that's the case, then they would be in violation of the buying element. And we can discuss that with the property owner at that time.

You see, my point though, where I'm kind of alluding to here, we just continues to procure cost on top of cost on top of cost if we, if we continue to just add these things on there.

So, I'm just trying to makesure we're, we're lessening the burden on on our community as well as giving them what they need to get everything taken care of. of

Brian, did you say there's 9 days? Yes, 9.

Did they answer your question sufficiently? Okay.

Councilwoman chapel, I love to see in those binding elements within 60 days that they'll construct 2 transit shelters on her spin Parkway. I really, really love that.

I'm just wondering who's going to make sure that that happens.

Right. So typically, what we would do when we have a buyer like that, is we flag it so that once they completed construction and get their certificate of occupancy than we.

It can either check in to see if they're up if not then you have the 60 day account, and then we would go back out and inspect that again.

If I might real quick, uh, since it's a county attorney Brian, I think those are contained in the general binding elements as part of the broader. Is it? Not part of the okay. All right. Yeah. So they, they may already be out there then. So, if that's the case, it's part of the general plan.

Because I think it was, unless I misread it, was there something in there I'll check real quick.

Um, I think that's where it's located. Yeah, that's right. Dreams. Yeah. Um, so those should be constructed, hopefully years and years ago. Yeah.

Admittedly, this is not something that we regularly get into and our sort of land use training. So maybe I'll give you a very quick.

Primer occasionally, we do have these large sites, um, that contain multiple lots that are all sort of, part of a single, broader development. Um, and they get what's called a general and, uh, detailed binding elements of the general binding on the general. Uh.

Detail district developed plan, binding elements applied to sort of the entire broad development. So this is Meyer in, like, 4 or 5 other, lots of strip malls, a bunch of different things, and those apply to everything on site, regardless of which a lot it's on and then each individual, like, it's its own specific.

Finding elements, so if you look in the in the minutes.

Starting on page, 17, those are the general plan binding. Almost those have been in existence for years. Those apply to again the Meyer and everything that's on this general sort of broader development.

And then starting on page 20 are the specific binding elements for.

This specific site, uh, within the broader development.

Again, these aren't, we don't see these everywhere. A lot of developments are entirely self contained, but anytime you have a strip center of all, um, or some kind of anchor tenant that contingently has multiple other.

Businesses surrounding them, you might see this kind of general and.

A specific setup

Yup. Okay.

Okay, they were in an attachment elsewhere that didn't have that. I didn't see the stuff proceeding proceeding to it. It's not normal that we get 2 sets of binding elements.

So, your 1st look is, let's look at the binding elements and then you're like, oh.

And sometimes we have a 2nd set of dynamics that have been completely taken off because of something that the planning commission level on a, on a redesign or something. So it gets, this is unlikely. Yes. Okay.

This is actually, this is the 1st, 1. I've seen in.

Long time, it's probably been a while. Uh, there was 1 we dealt with recently with the redesign at the corner of Shelbyville and heard from Parkway.

I can't remember what the sort of name is, you know, with changes and there's like, multiple residential pieces and there was a grocery store that whole structure redeveloped a couple years back.

Um, and it's, I think, in the process of sort of those being constructed, but the mall as another, but again, these aren't Super common. Um, so I'll try to flag these in the future just so we have a heads up because there are a little bit unusual.

No, 1 else in the queue. So therefore, I think we're ready to vote.

Yes.

Without objection volume is closing and there are 7. yes. Folks on that will go to old business at our next council meeting.

Moving on to item number 5 an ordinance related to the zoning of property located at 10,001 Vista hills Boulevard containing approximately 1.

Point 022 acres and being a little metro case number 22 zones. 0, 1, 2 1.

Motion properly made by councilman angle and segment by councilman Reid we're ready for discussion is planning commission docket number 22 7121forvista hill subdivision.

Property is located at 10,001 Vista, hills Boulevard, Metro cancel district 22. so this is the subject site here outlined in red. There's an existing single family structure on the site. They are wishing to add more single family structures.

single family structures

Uh, you can see the bardstown road located immediately to the.

To the East, and then there's an R5 portion here, which will show it better on this map. There are 5 portion was previously rezoned similarly

from our, our, to our 5, which is the request that you are hearing today. So the request, the changes only from our. our

Now, there was a 44 review to accompany the subdivision plan is located neighborhood form district they are proposing to create 4 slots with access coming from Vista hills Boulevard.

So this is the development plan that was provided by the applicant, the existing structure would remain on lot 3 and then there would be 3 additional new parcels where they would propose are proposing to construct single family structures on those lines. lines

This is the existing saved single family structure that will remain.

The applicant conducted their neighborhood meeting on August 22nd, 2022 land development, transportation meetings on January, 12 2023. no one's spoken opposition at the planning commission hearing on February.

2nd, and the planning commission's motion was to recommend approval to change the zoning from our and that passed by vote of 8. 0. our and that passed by vote of eight zero

That's all that. I have any questions for me councilman.

Thank you Madam chair, this, uh, colleagues, as you can see by the area runs parallel with the gene bardstown road or the Bridgestone Parkway actually. And so my question 1 of my questions is when.

When I see encroaching on the parkway buffer that is very concerning to me.

Uh, because I wrote we dove into this many years ago.

Along along this buffer or this Parkway.

It's actually bardstown road, it became bardstown Parkway for a reason. And that is to keep a very tight, some type ropes around developers, encroaching into the buffer and, you know.

Developing scattered development and and such. I won't get too far into the, into the weeds here.

But my question is, why are we encroaching on the parkway buffer?

And who made that decision? Sure.

So, the, if you pull the development backup, the existing, how slightly encroaches into it the 2, Southern most properties, they do not or they come into the, the parkway building setback, but not the parkway buffer.

And so the only place you have the enclosure into the perfect buffers on proposed lot for the existing garage, which is they're proposing to remove, but they would basically keep that the corner.

The proposed house in keeping with that the.

A facade of the proposed garage that faces bar sound road African did include a a landscape exhibit. Um.

They would still be providing the, um, all the buffering materials.

In that buffer, but again, you would have the house it would sit back in that, that buffer area. And so that was part of their justification is that they could still provide the plannings that are required by the parkway buffer and still have.

But, but then have that that this property itself go into the buffer area.

So they felt that between the, the shielding that they would, they would be providing with the, the buffering as well as the contour differences there in that location that they weren't.

Getting too much of a visual intrusion into the Parkway.

My my concern has always been if this, if we went down this path, which we just did, which we just are right now, voting 8 to nothing in favor of this thing is that we're setting the president Madam chair.

And so I'm here to, I'm here to propose in any way possible wording.

That states that this, this is not precedent setting it, you know, for future developers for future development.

This is not the open door to start encroaching on the parkway buffer that.

We wrote language for years ago for for various reasons and.

Um, you know, this is a very, this is a I'm, I'm very particular about this particular area because this is.

This leads to the park lands, Baldwin park parkland, and there's a lot of focus on making sure that this is a very, very well designed road Parkway as development is starting to.

Very, very intense development is starting to happen. Nice residential. So.

Travis, I don't know, I've lost some language in here potentially that we can support.

That states that this is not precedent setting and that it's not an open door for future residential and or commercial developers to come rolling in here, trying to encourage them this buffer. Thank you sure, Travis feature to the county attorney.

So, my general recommendation would be to add some, uh, some, whereas clauses that follow basically what Brian just laid out that this is a, you know, it's a, it's a long angled lot. So, some of this land would be unusable. It's entirely contained within the buffer that some of these structures are Pre existing the buffer.

Um, and.

That, um.

You know, everything else that Brian talked about. So, I think we can work on just filling that all down into language. That makes it very clear to the current case. Anyone who were to look up this case in the future. That this is a unique set of circumstances are heavily additional paintings or posts et cetera. So I think we've worked on all that language.

Um, it's up to you, whether you'd like to table this and we can bring it for the next Tuesday or 2 Tuesdays from now, I guess.

Way to spring break coming up I forget the calendar exactly. 25th at our next meeting. Um, or we can, uh, I think that's something we could arrange between now and counsel and on Thursday whatever your preference is. I'm good with voting it out tonight. If you can put those that were us together, we can, we can vote on on Thursday night.

That'd be happy to thank you. thank you

I share your concern counsel when they go, because we've done a good job of trying to protect areas and then when we start waving it, I mean, but this is a special circumstance because it's.

Basically, 1 of the buildings is, it's it's just there.

It's just a W, where it's what it's going to be angled.

From here on out, but yes, very true.

Free buddies development is special.

To them special circumstance, if I'm a developer and I want to get in.

But I understand where we're coming. Ah, we are all too wise to that to that right? After after all these years Robin I'm sure I must say that this committee.

My colleagues around here are unbelievable and they're asking great questions, so I don't even have to talk. This was my development so I had to but this is a great committee. I'm excited for this planning zoning committee, so they've got it. Right Thank you.

They're going to watch out for us.

And I am so glad we have so many people that we're eager to serve on this committee this time.

It's, it's a great that it's a great thought, you know.

They have that kind of support any other questions or comments about this development.

And Travis will work on that language. So then I think we're ready to go ahead and vote.

Hi, cherie.

Yes, without objection voting is closing there 7 years false and this will go to our business at our next meeting.

Our next order of business is an ordinance relating to the zoning of properties located at 77,717 and 7,721 St Andrews church row containing approximately 1.97 acres and being a global metro case number 22 zones. 0 1 1 1.

metro case number twenty two zones zero one one one

Secondary probably move back counseling, Shawn and seconded by councilman Baker. We're ready for discussion is the planning question docket number 22 zone 111 for dollar general property located at 7,717 and 7,721 St andrew's church road located metro Council district 25.

church road located metro council district twenty five

So the site is currently vacant, they are requesting a change in zoning to provide a commercial zoning on the property.

You can see the property here located in at the intersection of St, andrew's church road and then cardinal X drive. Cardinal extra is a private road. But you can see that the property outlined here.

Uh, this is the zoning for a map of the areas. Uh, so the current zoning is our 6.

Uh, they are proposing to change that zoning strong. It should be C in right?

Sorry about that. Hang on Yeah, see, and not you in sorry about that.

Uh, so proposing to changes only to, which is, you can see the adjoining properties on you do have some commercial node as you go to the west along saying andrew's church road and then you have some are for that surrounds the property as well.

So, the request is go from our to see in previously, the site was resolved from our for our 6 that was under docket 19 zone 1036 and there was a proposal for 24 multi family units on this site that never developed.

And so now the Africans proposing a 10,000 square foot dollar general store for the site. store for the site

This is the development plan. Uh, so you can see the proposed store located here. The entrance will come off of St Andrews church road. There is no connection to cardinal oak drive since it is a private road. So there is no entrance way coming to.

And from that particular street, but you can see the layout of the property, the building along with the proposed parking.

Uh, these were some of the renderings that were provided by the applicant at the planning commission hearing, and with their application.

This is a site photo, so this is looking from Saint Andrews church road into the site.

Uh, there's some more surrounding areas photos again, you have the elementary school and then high school beyond that, which is located to the East and then you can see the undeveloped property, which is located to the west of the property that has,

which is across cardinal X drive.

And then this is a look at the St, andrew's church road across the street and proposed development.

Here's a colorized rendering again, just to kind of give you an idea of where the entrance comes in and off, uh, Ingress and egress point comes from Saint Andrews church road. He had the building here.

And then the, the parking lot as well as the proposed sidewalk into pedestrian connection that goes to cardinal but again, no behavior connection to car dogs drive.

So the advocate had their neighborhood meeting on July 11th, 2022 land development, transportation committee meeting was on January, 12 2023.

and then the planning commission public hearing was on February 2nd, 2023 we did have 3 people speaking opposition to the request that that hearing but the planning commission made a motion to recommend approval the change in zoning from our that passed by vote of 8. 0.

the change in zoning from our that passed by vote of eight zero

That's all that. I haven't had any questions for me. I have a quick question for Travis Travis.

Especially looking over the binding elements for hours of operations and no alcohol sales and maybe we need to adapt the language.

Can we add standard language that says if there's any change in the development plan, or change in binding elements that it requires reviewed by the planning commission and the final approval by the metro Council.

We may need to modify that may have to add it Thursday.

I've got the standard language here and right now.

Let me look at the planner real quick. I think all they're proposing is commercial and so.

If this were a mixed use site, we might need to sort of tweak it. Yeah. But, um.

Don't think, I mean, building, high number of units and buildings all that should be.

I don't think this 1 needs any sort of specialization beyond there.

So, I'm happy to read that on the record if you'd like, would you please.

Sure, any significant increases to the Pro structure increases the building height number unit number buildings, increase in density on the property any changes in use on the property which directly or indirectly require public hearing, but with the planning commission or subcommittee thereof.

And or any amendments to the binding elements other, then I, the addition of new binding elements.

2 changes to binding elements that merely update the public hearing date or 3.

Updating a previous version of this binding element to reflect the current language shall be reviewed before the planning commission with final actions to be determined by Metro Council.

And I move that amendment. Is that okay? Count? Yes. Yeah. So I have some questions on this and I need to sit on the binding element. No. Okay. Can we go ahead and go.

Get that in the record real quick since it's been.

Properly moved in motion, so all those in favor of the binding element red back. Travis signify by saying, aye aye.

Those opposed by, like, sign hearing none and that's binding them on number 14. correct?

Yes, thank you. Okay go ahead. Thank you. All Thank you. Madam chair. Thanks, Travis. Um, so this is in my district and so I have some questions in regards to.

The private road, uh, have some questions in regards to the saint Andrews church road future, widening that I, I think they're taking place.

But no set dates and stone. So how does 1st of all.

There's going to be additional traffic trucks, things moving in, and out of this facility.

Um, on St, Andrew church road, and it already does get backed up in that general area.

Especially around school time, when you stop at the light, they're so on so.

Why can we not move that private road into.

A city road and put an opening there for. I think if I'm not mistaken, there's probably.

500 to possible 1000 residents in those apartments in that general area as well.

That would possibly be driving in and out to that dollar general. So it would be very helpful for them to go in.

From the private road, rather than going out onto saint Andrew church road, possibly getting unfortunately into a car accident, then turning back into the dollar general and vice versa. Um.

Just a thought there, um, in support of moving us forward and making this dollar general happen.

But I would like to see some some, um.

Adjustments on that as well as.

Who's going to be responsible? Let's say the General's built.

I know this is not a real number, but in the next 12 months, and then.

18 months down the road, the state comes in and why is that road?

Who's responsible for fixing the buffer that they just put up in the landscape there.

So, I'll start with the the road so, there there is a, uh, a process for public works evaluating private streets and determine whether or not, it's something that they want to take on. So, that that did not come up as part of this presenting process.

But if that was something that you wanted to initiate and explore, you could reach out to public works to find out what information is needed in order to move forward with that. Um.

As far as the buffering requirements, like you said, you know, they are proposing buffering alongside andrew's church road. I don't though for sure a timeframe on that widening project, but.

Well, yeah, so so the state would be responsible for replacing any landscaping and buffering that they remove as part of that widening project.

And so, that would be something that, that we would work with the state on to make sure that, hey, you know, this is what was there, we would catalog that. And then we would make sure that, that it is replaced. Should it be removed as part of that process?

Thank you so, I'm having some thoughts, um, Madam chair in regards to this. I think we should.

Entertain the private road issue, and I don't know if we should maybe table this.

Until we can discuss this with director brown or.

Do we move it through? I'd hate for the developer to incur additional cost going back in and adding an entrance in the back way. If they would like.

At a later date, if that was possible, if it if it works for them, but maybe the developer wants to speak on that as well, too. I'm not sure I'm just trying to.

To make it easy for them as well as the, the customers that will be frequenting in there as well.

So, I think I can provide a little bit of context here. Admittedly, I don't know a tremendous amount about cardinal oak drive. Um, but just based on the map. It looks like there are about 28.

Structures, uh, you know, South East of this site.

My suspicion is that they are the owners of this private drive, cardinal oaks drive, and that either they were not interested in this. Uh.

Dollar general having access, or they couldn't reach agreements, cause a commercial structure. If a commercial properties.

Want to access the private drive, then they're gonna wanna work on some kind of agreement regarding maintenance. Um, because obviously There'll be a significant increase in traffic over what? These 2008.

Houses would produce so, either they weren't coming doing either. They couldn't come to an agreement or the private property owners just didn't want it, or yeah I don't know what those negotiations those will all have occurred outside of our, our record but in any case.

Um, I'm assuming that's why that was done here. I obviously we love seeing connections and and public works and courses those whenever possible. Um, but private streets are, you know, private, and we, we can't sort of require.

Either of those private owners to allow access from commercial developments, or require the developer to.

Gotten obtain access to something that they don't have a right to obtain. I understand. So, I guess go ahead. No. Sorry. I apologize. So, there.

I don't think there's anything. We could do binding element wise here. That would grant them access. I mean, it it's it really is. It's owned by again. I suspect it's those, 28 individuals. I don't know that. For a fact I could try to find that out. So, if you'd like more information.

We can certainly continue it and I can have a more fleshed out sort of version of how the flux and why.

But ultimately, I don't think there's going to be anything we can do via binding element to create that connection. Um, Brian, I'm having a little bit of trouble interpreting this development plan. It doesn't look like there. I mean, obviously there's not a stub.

Um, but in the South.

Um, there's some elevation, I can't quite tell what this is intended to pick.

So you've got, yeah, so you have there's a landscape buffer there that goes along drive, but then at the rear of the south of the site, that's where their retention is taking place on the site.

And so, yeah, the reason for all those topography lines is because that's where they're storing water is going to hit and then, you know, eventually run off side but that's probably not an opportunity to.

If they were to reach an agreement with, um, with the cardinal folks.

There probably couldn't be a step through the rear of the property there right now it wouldn't happen as the rear and then up at the front of the site, I mean, it's so close to the intersection with Sanders, Andrew church road, you're not going to get a good connection there either.

Right. Um, so so that's an issue too. I mean, even if there were some sort of agreement would require a pretty significant rework. It looks like the current site design again, all that being said, I, I can attain some additional information if you'd want it.

But I, I do want to set expectations that we're probably not gonna be able to work out an agreement between this private property on, or the private owners or Carlos drive. And this developer.

All within the, the cycle of this rezoning case, with that being said, I would like to have some information on that just for educational purposes. Um.

Moving forward with the signature search road entrance will there.

I can't remember off the top of my head if that's why didn't stretch there with that extra little turning lane or is there going to be a turning lane added to get in and out of this property?

They this did not warrant the turning.

Uh, turn lane from Saint saint Andrews church wrote into the site.

Okay, thank you. Councilman Baker.

Thank you Madam chair. My, my question is.

Does the developer have any plans on because, as you mentioned, there are 22 schools and elementary school to high school when I think of a dollar general, you know, I'm thinking snacks and traffic flow. That's just a reality.

And keeping it in a tree lane street, and also the sidewalk from these images across the street.

You know, how.

What is the developers planned on working with whether it be a community benefits agreement or any other.

Uh, development on what that sidewalk traffic flow.

Is going to look like, because on the other side of this on both side, and I'm referring to both sides of.

Of the street as well is based on the pictures that I'm seeing.

It doesn't for an elementary school age child to.

To go to dollar general, it doesn't seem safe.

And then with that traffic low on the corner St Andrew starts road.

So so they do have the sidewalk that they are proposing along saint Andrews church wrote.

I can't remember if there's a, a gap between here and then the school entrances if so then that would likely be a good candidate to look at in terms of, like.

You know, some sidewalk in work there. I can't remember. Yeah, if you look at the site photos, whereas the residential across saint Andrews a road.

You know, is there's a, there's a ditch.

And there is what looks like to the left in the corner. It is a small sidewalk.

But it's not, you know, when we talk about increased traffic flow.

That can be a real concern in that intersection.

Now, I don't know how close that picture is. I'm assuming that's across the street right? Um.

And then also looking at the other.

The other site.

You know, what is their tree line going to look like? And then also.

The widening is that that looks very, very narrow. Mm. Hmm.

Or, and again for high schoolers and you said internal, elementary or external elementary? Yeah, yeah. On the north side of the of the road.

I mean, since it's not part of the of the development Friday, then we wouldn't typically require sidewalks to be across the street now.

With the, with the state road improvement project, though, that comes through and sidewalks have to be incorporated and then, you know, they, they evaluate that later on. But typically those would be important.

Right there, because like you said, there is a ditch that runs along the north side, and you would have, you know, essentially students and backpacks, right? Mm hmm. Various ages from.

You know, 3rd graders to.

Essentially to seniors in high school, walking along that road.

And, you know, I'm, I'm all for, um.

You know, my, my concern is just kids going after school. Sure. To get.

You know, some cost effective snacks or a gateway before again. And, um.

Getting hit on a heavily traffic intersection. Um, and so, and then also.

What does that tree line look like for? Um.

On their proposal, it just wasn't clear to me. I don't know if those are shrubs B*** or.

Or what as it relates to our 3 canopy right? Those 2 issues really? From a public safety standpoint. And I think that's kind of what my colleague counsel, Michelle.

What's coming from a standpoint of closing that interest for public safety, but just.

I don't want students there.

Traveling there and someone get hurt.

I don't have a tremendous amount to add here. Other than that it looks like there is a an existing, uh, continuous sidewalk between.

The property and the entrance to, uh.

Both, it's a tunnel, um, so it it looks like.

Yes, so they shouldn't have to cross the street. It looks like it might be. I mean, it's a Google area. It looks like some of the sidewalk on this property might be a little bit broken up at the moment, but they should have to clean that up as part of this.

Um, to be, so, it doesn't look like they would need to cross the street at any point. And because this development on the north side of Cardinal looks, they wouldn't need to cross that private drive either.

The only thing that's in between I, I don't know what it is.

There is some structure, uh, in front of.

Tunnel looks like a garage or something. I don't know if it's part of the school. I don't know what that is. That's the only piece where they wouldn't be on side what they need to cross some kind of blacktop for what looks like a driveway. Maybe.

I can't quite tell with the road and with the road binding project when that comes through, there will be a sidewalk on the north side of Saint Andrews church as part of that.

But then also they're proposing to expand the, the, the sidewalk along the South side to a 10 foot multi use path. So.

As that project moves forward and you'll see significant pedestrian and bicycle facilities increased on the South side, especially.

Thank you cancel.

Okay, thank you. I was looking at the comments from the neighbors and there was real concern about flooding.

So, can you speak to what they're doing to control the water since we're on to increase increase build.

Sure, so the here on the South, we didn't talk about the tension base and that's being proposed on the site with any new development in this area. They are required to detain at at 1.5 to 1 ratio.

So, they would actually be detaining at a higher rate than what is currently flowing off of that site.

And so the facilities that have in place were reviewed and approved preliminary preliminarily approved by, with this development plan. development plan

Councilman read, thank you, Madam chair.

Um, and Travis sort of sway some of my comments about the, the private roads.

And I had a question how long do we have before we, what does the 90 day expire on this? And how long do we have.

Before we really need to make a decision so may 2nd.

Okay, so we have this spring break. Well, we have another meeting between now. I think we'll have 1 more meeting between now and then correct?

We have a meeting on the 21st and then another meeting on April 18th I think.

2 councilman bash Matt shawn's, uh, concern, uh, with regard to the private roads, which, you know, you've you've explained and, you know, we don't want to get into the business too much of, uh, forcing ourselves on private property.

However, I do believe that. It begs the question. And maybe he can do some research if he wants.

To see, if there's any interest with regard to making that a private road part of a metro road or whatever, and also give him an opportunity, uh, to talk to public works about, uh, the plans for sidewalks to councilman baker's concerned.

Moving forward so, uh, I think if we have some time.

Uh, since there appears to be some concern about safety.

And concerned about the accessibility that maybe we should go ahead and table this.

I'm from a nutshell, I'm probably making a motion at table. I'm sorry I can make a motion to table. I'm just.

Yeah, I would I would be willing to do that to educate ourselves and move forward. Um, but for the record, I'm.

Supportive of the project I just want to make sure we are covering all the bases as far as safety and and all the aspects of the developments around it.

We have a motion to table motion at a table. Oh, I can probably move back council but Shawn seconded by councilman Baker all those in favor. Signify by saying, aye aye.

That was my life science seen on the motion passes that moves us to item number 7.

I will be pulling my sponsorship from item number 7 only since I have a concerned attorney in the, uh.

In the gallery, we're pulling my sponsorship today. However, we'll be reintroducing it with all the changes that have been sent out to all the, um.

Uh, folks who were interested in and out in the sector.

So, um, if, if you'll pay attention, when that comes down, because Laura Ferguson has worked on some amendments to it to made to make it a little bit more clear to the outside developing world.

What we are asking for, and it does not pay place a burden on planning and design. It will come down to the revenue commission and property tax information and they will.

Supply planning to design a certificate from those 3 agencies, showing that there. They do not all the city city any money before they are giving a public hearing date on their development.

Rather than just saying, it's blanket that they have to do it before they can start the process. They can start the process, but they're not going to be given a public hearing until those things are either. They have a certificate saying they owe. It's nothing. Or they have become square with the city of global.

So it is coming again, but just be a cleaner version then keep amending and amending.

Okay, that's for the record.

Brings us to item number 12.

Which is an ordinance relating to the closure of a portion of East Washington Street adjacent to 64 East ramp containing approximately 0.08 acres and being in metro case number street closure. 0 0, 2 3.

zero zero two three

I need a motion to approve should approved probably made by councilman angle 2nd by councilman Baker ready for discussion. This is planning commission docket number, 22 street closure, 23 for East Washington Street.

The the address for the properties that have been the right away or 1530 and 1535 East, Washington Street they're located. Mitchell cancel district 4. so, the little red triangle that you see here. That is the right of way.

That is being proposed for closure at this time. As you can see, this is a location where East Washington, 10 street terminates into the 64 right away. sixty four right away

So the app was requesting a closure of the public, right away the closures, approximately 95 feet long and it's at the terminus of East Washington Street,

the area that's about 2820 square feet the app that owns all properties adjacent to the portion of the right way to be closed, and this was related to a category 2 B plan that has been reviewed by playing and design services. been reviewed by playing and design services

So this is a look at the, um.

Area in question, you can see their property to 1 side of he's watching the street has a building that constructed you have, you know, basically the road just kind of terminates there at the interstate. So that gives you an idea of what it looks like.

This is the closure plant that was provided by the athletes part of their application. So, again, the African owns on both sides of the street and then this would close that portion.

Of the right of way. Uh, the land development transportation committee had their meeting on January, 2006, 2023, regarding this request and then the planning commission conducted the public hearing on February.

2nd, no one's spoken opposition and the motion was to recommend approval of the closure by vote of 8 to 0. that's all that. I have. You have any questions. that i have you have any questions

Cancel my you, Madam chair. I promise I'll keep this 1 short. Um.

When the road is closed like this at the end of the day who owns that?

Piece of land, uh, well, in this situation, since the property owner owns both sides, they would they would take over ownership of that closed area.

And what can they do with that?

Land, so it would assume the zoning of the parcels.

Uh, it is all easy 1, so it would, it would be the zoning would be easy 1 so they would be permitted to conducting a use that is permitted within the zoning district. So.

Thank you Brian. I just wanted to get clarifications. I I didn't know. Yeah, no, no, no problem.

Any other questions comments ready to vote. Um, I was sorry. Sorry I was wondering if, um.

Councilman Arthur had any comments regarding this. He didn't contact my office about this 1 specifically. We had a discussion about the 1 previously about what happens to the right away.

Like, if there's 4 people on it, what happens all for those people get that extra little piece of property if it's just 1 owner, then it's just.

That 1 owner, um, and he understood it and he said, oh.

He didn't know and he, he didn't know if we notified.

Tears down down the road are next to those properties and they don't have any use for that particular right away. So that no one's notified except for the adjoining property owners who that would affect.

Oh, no, I send out the standard email and we did not hear back from him.

Any more questions or comments seen none, we're ready to vote.

cherie yes.

Without objection, the bone is closing there are 7 yes. Boats.

And this will go to the consent calendar at the next meeting moving right along. We're going to our discussion phase of of this meeting and I would like to ask councilman.

Can you take over the committee for a few minutes? For me? Please.

I'm sorry my, uh, volume was down.

Uh, yeah, certainly, uh, we have a council, uh, director, uh, Lou and again for special discussion, and I was not at the last meeting at the end of the discussion so I'm not sure how it was left off. So, if you'd like to take it from this point.

Julia Williams with planning and design services. I do.

So this is a similar presentation that we've given for our land development code reform, and regarding process and education.

So the 1st part, I'm going to talk about zoning in general and and then move into.

Notification and other education.

So the 1st part is, what is zoning so a lot of you are new to the of this committee.

So, zonings a method in which each parcel land within a city is designated a zone, which determines what what the land could be used for as well as unsure compatibility with surrounding parcels.

So Jefferson County, we have zoning district map and we use logic dot org, kind of holds that information.

So, the zoning district map is a set of regulations, governing permitted land to use density and intensity of development.

Uh, so we use the land development code to regulate land use. So our land development code is a set of land use and design rules that regulates development. And what can be done on a private property.

So we have 2 tiered zoning. We have zoning districts, and we have form districts.

So an area with distinct boundaries delineated on the zoning district map to which a set of regulations governing the pattern and form of development and redevelopment applies. So.

Zoning districts are divided, we've got residential and non residential, so single family, multi family, and then office residential districts, and are non residential or where you find commercial districts,

manufacturing and industrial and multipurpose districts.

So, this is a very detailed map of the zoning districts in Jefferson County.

And then also, we look at the 2nd tier, which is form districts. So form districts, regulate the building in site design.

So you have zoning that regulates land use and then you have formed district that regulates design.

So, we've got 12 form districts right now.

We've got traditional and suburban, traditional forms are downtown, traditional marketplace, village, center, workplace, traditional neighborhood and town center and then suburban is regional center, suburban marketplace, village,

outlying, suburban, workplace, neighborhood and campus. So, in the traditional form districts, generally the buildings are located closer to the road. You've got parking behind the building or parallel parking.

Front along the street, the streets in a grid pattern, you've got alleys and sidewalks. Uh, you've got those narrow residential, lots.

And then non residential uses at those street corners, which I'm sure some of you are familiar with in your own neighborhoods and then suburban areas, the buildings are set back from the road parking's usually in front of the building.

And then you have these larger residential, lots, there's less transit and pedestrian oriented than what you find a traditional forms.

And it's mainly auto oriented.

So this is a detailed map of our form districts.

And then we also used plan 2040. so plan 2040 recommended the addition of 2 form districts that will be coming your way at some point in time in the future.

But those are urban center neighborhood and in a conservation neighborhood form district. in a conservation neighborhood form district

So also, the land development code guides us with regulations regarding street design and access standards.

So we have access management street design and how you name streets how you close the streets this was mentioned earlier transit and some transit guidelines,

traffic and air quality assessment. So this is where your traffic impact studies would come in.

And then the land development code also discuss this landscaping and tree canopy it guides, or has regulations regarding landscape design, the tree canopy requirements,

as mentioned earlier parkways and scenic corridor requirements as well as any streetscape master plans are incorporated into the land development code.

So, there's also other standards, like, subdivision regulations, sign, regulations, parking regulations and finally, with the procedures that we follow as planning and design services,

when we're reviewing development plans.

So, I wanted to take a break in there just. So you could ask any questions if you'd like before I get into the 2nd, half, which really kind of goes into how citizens find information what notification looks like.

And some of our tools that we give to the public and how you all can find information. So if you have any real like, questions on zoning.

I'm here to answer them. I don't know who else there. I don't know how this works, so.

If somebody calls on somebody.

I'm virtual, so I can't see the, the, the board there.

So somebody needs to, uh, to pipe it and just let me know.

Yeah, if that's okay um, uh, cancel my read. I'm gonna ask a quick question the batch on the.

Thank you thank you. Sorry um, just a quick question. Um, all very useful information. Is there a way we can get a copy of that for.

My office, um, it's especially the 1 where the slide where it showed the difference between the urban development or the residential and the commercial and so on. So I'd love to have that information for my office.

So we can reference back to.

Yes, and I'm going to give you a whole bunch of information that your office is going to want to have as well.

So, yeah, yes, yes any other questions.

It's the only person in the queue, sir, is that the is at the end of our presentation.

Oh, I got a 2nd half go for it.

So, this is the really good information right here that you'll use. Not that you wouldn't use owning but so, in general, you know, we've got a planning and design.

We've got the board of Zoning adjustment, planning commission, development, review committee. And so this is just an overview, the board of Zoning adjustment here's conditional use permit. So, you know, you're a lot of your constituents might talk about short term rentals.

We also have conditional use permits for.

Or alcohol, sales and consumption and daycares. They also hear variances typically like fence Heights, building, heights, building and setbacks.

Those are some general general thing developments that the board of Zoning adjustment would here.

And so there's a process for the conditional use permit it starts with the Pre application.

Uh, there's agency review neighborhood meetings, then they formally file the application and then there's more agency review.

And then once that plan is ready for a public hearing, and then they both the board Zoning adjustment, holds a public hearing in which they have final action on that conditional use permit.

So the various process is somewhat similar, there's an application submitted, there's agency review and then once that application is ready, you'll,

it will go to the board of Zoning adjustment for a public hearing and which they'll have final action on that variance.

So, the planning commission has a couple of different committees. There's the development review committee, and the land development transportation committee.

So, the types of cases that the planning commission hears are zoning changes.

Plan certain development plans and subdivisions.

So, the zoning process, so included in some of this information we have a 1 page sheet that we give out to applicants and citizens that describe this process. Hopefully, a little bit, more friendly.

But, uh, the zoning process starts out with a Pre application. So, when they, when an applicant submits a Pre application, there's agency review, and then that then a neighborhood meeting.

After they have the neighborhood meeting, they can formally file that application for a change in zoning. Again it's going to go through some agency review.

And then, once that application is ready for its 1st, public meeting, it goes to the land development transportation committee at that video.

At that committee, they discuss things like transportation, landscaping, drainage, the building design. And then that committee determines whether that application's ready for.

For public hearing, and they schedule the public hearing date for the planning commission.

So when it gets to planning commission, the application gets the planning commission, the planning commission here's the case, and makes a recommendation to the legislative body.

So you hear those cases as Metro council but then there's all those 6+cities like Jefferson town and Saint Matthews. They also hear those owning cases as well. So the legislative body has final action on the zoning cases.

zoning cases

In a nutshell, that's the zoning process.

Take 6 to 9 months in general.

So there's also the development plan and subdivision process that the planning commission follows. So with development plans and subdivision plans we received the application is planning in design. We go through rounds of agency review.

And then, once it's determined that the application is ready for a public meeting, we schedule it either for land development, transportation, or

the development review committee. And those committees have final action on.

The plan certain development plans and the subdivisions.

There's also legislative review of development plans. So you've received these a couple times recently you've been adding, uh, binding element.

That a lot of development plans come back, but there's actually a process in the land development code that describes the legislative review process.

So, the legislative review process could be initiated by Metro Council, or the specific counsel person for that district, or could be initiated by an interested party. So, if it follows the metro council route.

A resolution, there's 45 days of the planning commission action for a resolution to be brought forth.

So the resolution would go to the applicant, the property owner, and to the planning commission.

So the resolution would also give notice to where metro council would send a letter to the planning commission speakers at the public hearing 1st, and 2nd tier Jason property owners, the registered groups,

and the list serve and then the current residence, which would be your multi family. Um.

Developments, so all of these people would send notice that there's been a resolution to look at.

This this development plan, this legislative review of the development plan, so metro council has 2 options, they can hold a public hearing,

and they follow establish legislative procedures for having that public hearing or metro council could not hold the public hearing. And then they could just take action by relying on the record of the planning commission, similar to what you do with Sony cases.

So, there is legislative review of development plans.

Outside of adding a binding element. So, another part of.

Looking at these development plans is a determination of a ministerial review and a discretionary review. So ministerial reviews are category 3 development plans and subdivision plans.

So these are these are sites and properties that are already zoned before zoning 1975. thousand nine hundred and seventy five

Before we had our lay development codes, so these are what we call Pre, planned certain developments. They're already zoned for that use properties already.

Zoned are 6 and are for that's a ministerial review. Discretionary reviews are changes in zoning plans.

Certain development plans, waivers anything where we're looking for mitigation for.

The any kind of request.

So, there's a difference between, you know, a subdivision and a category 3 where it's already zoned for that use and something that underwent a zoning change, which is discretionary.

So another big portion of how planning and design operates is trying to get citizens involved and get information out to citizens.

So we encourage citizens to attend neighborhood meetings before zoning change sign up for the neighborhood notifications that list serve, use the resources to educate themselves. The website.

And then to contact the case manager and attend those public meetings.

So, there's a timeline of citizen involvement so the Pre application attend that neighborhood meeting,

and the Pre application occurs sometimes between the Pre application and the formal and then to also attend that land development and transportation committee and planning commission meeting.

So, we talked a little bit earlier. You all had a discussion about noticing. So notices are sent by email and by the Postal service.

So they're sent prior to a neighborhood meeting prior to, and prior to planning commission. And those are, those are the postcard notices that that gets sent.

So notices are sent to 1st and 2nd tier adjacent property owners and current residences. This map here shows you, the site is.

Indicated here in yellow 1st, here is anyone that is directly adjacent to that site and across the street and then 2nd tier is going to be here in blue, which is anyone adjacent within 500 feet.

Of that 1st, here and then we also send out notices via delivery.

And stat, planning and design staff case manager is also supposed to receive that notice as well. So for zoning cases a sign is posted on the property.

And so you've got this big red sign that some of you may see in your areas for zoning change. There's also a big red sign for board Zoning adjustment as well.

But then also, legal ad is required to be posted in the courier Journal. And this is kind of a sample of what that looks like.

And that legal ad is posted prior to the planning commission.

So this is what our postcard notice looks like.

Or a public hearing, you may be familiar with this.

And then we have neighborhood notification. So, what this does is, uh, this is a really simple way to sign up for, uh, for getting electronic notices.

And I'm going to save you awesome minutes here by not showing you how to do this.

But because I do have a flyer that indicates how to do this, and I encourage you to use that flyer and send it out in your newsletters to encourage everyone to sign up for these neighborhood.

In meetings this is.

This is what you should include in here in your in your newsletters. It gives a very detailed, uh, idea of what you should, what your constituents should sign up for.

Uh, let's see it. Yes.

Yeah, definitely let me go back to.

Okay, so that's neighborhood notification and then part of that neighborhood notification is signing up to receive our weekly activity report.

So our weekly activity report becomes really important, because it gives everyone an idea of what's going on new developments that have been received in your neighborhood.

So someone who gets the weekly activity report can click on a case number.

And it's going to take them to excel. So, Excel is our business portal. It's going to take them to that case.

And they're going to be able to find out anything that has been submitted for this case. So you can look under record information under attachments.

I usually takes a 2nd, but then, you see everything that the applicant has submitted for this particular case. So, and this 1 was quite a large case. So it has a couple of different pages.

But this is everything that the applicant submit, and we do this for transparency, uh, to just get this information out to the public as soon as we can.

So, as soon as that document is scanned, it is uploaded to this to the case number and.

In this portal, and so you can click on any of these documents and they pull them up as a PDF.

So this is so, that that page brought you to the xcella information portal.

So planning is is where you would find all this information the weekly activity report is also a list of all the council districts.

So, if you got that email, you can just look and see what immediately with what's going on in your Council district.

So, we also post on legislator, which you're familiar with, we post our staff reports, the plans all of that is available to the public to see.

Through the legislator address.

And then also the planning and design website so this is a host of information that has everything to do with everything. We do here, planning and design.

And then also for citizens, and for applicants, we have developed a user guide.

And so, that user guide goes through a couple of different processes. What is staff approvable? What are those ministerial reviews?

What are the committee approved processes like, zone changes in zoning subdivisions?

Anything that has to be approved by committee, the board of Zoning adjustment process for conditional use permits and variances and then the zoning change process.

We also cover landmarks and all the design overlays nonconforming rights and appeals all of that. But there's also a resident user guide and the zoning change user guide and we.

Send this off, we'd like to communicate with our citizens to say to have them look at this. So they can see how they can be involved in the process.

Then logic, so hopefully you all are all familiar with logic. So I wasn't gonna click on the map, but the logic holds the, uh, all the zoning math amendments and where.

All our mapping is located, and you use, you would use logic to, uh, find a zoning for a site and to find out some basic information about environmental constraints,

fire districts and that type of thing.

So that was my last slide. So, are there any questions about.

How to get information? Councilman ingol.

Thank you Madam chair. Very, very informative. Um, presentation. I know I've been at this thing for a little while, but it's always good to get a refresher.

Sent me and a couple of computers going on here, but, uh, let me move this way. Uh, it wasn't me I don't think. Um, but.

1 of the challenging parts, and something that's sort of has evolved over time over the years at least is the interpretation of.

What we as council members, the communication line, uh, I'm going to ask the staff or maybe Travis faster to share, you know.

We sometimes are anxious to jump into these, these, these zoning changes. Okay.

Zoning because they're dear, dear dogs, because we're responsible to a certain extent, because they're in our district and our districts are all important to us.

But colleagues, we have to be very cautious.

And I want I want to ask for clarification because over time, um, you know, we.

We have a vote on all these, every when these zoning changes come through and we have a vote. And what we don't want to do is prejudice our vote because we have communicated to a particular level that we either accident.

Perhaps accidentally inadvertently, whatever the case may be. I know we learned early on that. We have to be very cautious on.

For example, speaking directly to a developer.

Correct once it's reached a Pre application.

Stage, I think, or an application stage Travis, could you address perhaps where we are there? There there was state. This thing went to, I believe to the.

To the courts, uh, at 1 point, I think through through these last 20 years of merger, as to what exactly our role are is legally.

With regard to these zoning changes, could you maybe touch on a few few of these points?

Be happy to try to speak through this accounting attorney again. Um.

So, there's a couple things 1, is that there is not a, um.

A bright line rule here, there's not a specific word or a set of words or statement that will automatically get you in trouble automatically made a case needs to be thrown out of your but it needs to be discounted or anything like that. Um, it's all a sort of.

Much like zone in cases themselves it's facts and circumstances. Um.

The county attorney's device has consistently been that.

The best thing you all can do is be as minimally involved in the process before. It's your time as possible. Um, and so, that really starts at the Pre application phase. You might have properties in your, um, in your district.

That have not been developed for years. And some development calls you up and says, hey.

You know, I'm thinking about maybe doing something here. Can we sit down and have a chat about what kind of projects you might like.

Those sort of theoretical conversations are fine.

But once they have gotten to the Pre upstage, they're looking at a sort of more specific project at that point.

You also really take a step back and let the process play out. Um, now that doesn't mean you won't get communications developers may reach out to you. Citizens may reach out to you. Um.

And the best thing to do in those cases is to refer those comments to planning and design services um, as Julia went over the case managers are available, you can send them by email. You can, um, you know, have people, give verbal comments.

You can tell them the date and time, I think public hearings um, there are all sorts of possibilities and times for the public to participate.

And you all aren't the repository of that information for the purposes of assembling the record for the eventual decision it needs to all go to the planning commission for their hearing. So.

If you receive those about, you know, sort of active project, that's working its way through the process and typically a Pre app. You're not necessarily going to get automatic notice of unless you're really paying very, very close attention to all the filings over planning and design.

But neighborhood meetings, once you start hearing that kind of talk them into already occurred, and probably the 1st stage, you all would really be.

Potentially aware, um, as the process moves forward again, if you receive communications, the best thing to do is refer them on, um, to make sure they're incorporated into the record.

And then once the planning commission has issued a decision.

Um, once they've given us a recommendation.

At that point, the public hearing is closed and we'll have a bundle of documents.

Images and staff reports and sitemaps and plans and citizen comments and video recordings and all sorts of information. And that is really what the record is from from the moment that Pre app opens to the moment.

The planning commission says all right, the public hearing is closed.

All that information is what gets sent to us in these attachments that we see in planning and zoning committee every, every other week. Uh, and so once you have that information in front of you, that's the information.

We need to make a decision on, um, it's not now time to go talk to the developer that's been waiting to talk to you the whole time. Now, they should have made their case in front of the planning commission in front of the public. It's not not time to go talk to your neighborhood meetings that you've been waiting on it.

Any additional information that comes in outside of that record that's been established.

Is potentially grounds for some sort of appeal and whether it could be striking out a vote, or sending a case back down for us to read here or meaning the planning commission recommendation is put into place. It really depends on the facts and circumstances. Um.

But you don't want to go outside the bounds of that that established record. Um, it is dangerous to do. So, for the sake of not dangerous, you know, physically dangerous, but dangerous as far as the, the validity of the appeal and the validity of our decision making process.

So avoid that as much as possible, if you have questions or concerns, you can always reach out to myself or Laura or Holly, anyone, the county Attorney's office for a specific advice. But.

Once that process is finished once we've come in front of council obviously, once we get to the to the committee stage.

Um, you're welcome to say your piece, whether you like the project, whether you don't what you like about, or what you dislike at that point,

it's time for you to make your common cause that's that's the whole purpose of this process. Um, so once we get the planning and zoning committee.

You're welcome to obviously comment and let you let your voice and opinions be heard based on the record that's been established.

And again, if you want to overturn a planning commission case, please reach out to myself or Laura early, we can work on those those required findings. In fact, you can't just say, no, like, you can't any other council council matter more or less. Um, so we are unique in that aspect as well.

Um, and then once the case is concluded once council has taken final action.

You're welcome to continue speaking if you'd like, if you, if you want to take an interview, or what have you on a project and why you voted for it, or voted against it.

You can, um, again, if you have concerns, you're always looking to reach out to us, but once once you're all transfer, a decision is passed.

You're no longer under that same level of concern.

I think that probably covered your question. It might be more than what you wanted, but if you have anything else, I'm happy to no, there's other questions, but just real quickly. The neighborhood meeting. Okay. Developers out their neighbors are out there.

What's the role of the, what would be the role of the council member as far as speaking at that neighborhood meeting?

Again, our general vice would be don't if you want to say anything, say, hey, I'm the counsel person. I'm here to just watch and observe.

Um, you know, my time to to speak on this is later, um.

You don't want to 1 of the concerns in the case laws. Um, the idea of someone sort of prejudging a case. Uh, so what you don't wanna do is show up in your neighborhood meeting and say, I love this case. This is my favorite developer. He's a real good friend of mine. I can't wait for this to be built or I hate this case.

I've got a long running blood feud with this developer and no matter what his name proposals I will vote against it. Those are the extreme ends of things, but, uh.

Really you just, you don't want to wait until those waters.

Because you don't want someone to claim you were biased 1 way, or the other, you don't want someone to claim that you made your decision based on your initial preconceptions and not the record that's been established.

Thank you, we really don't have time for any more questions we're like, 2 minutes till and they're already plugging in, for the next committee that needs to plug in for their meeting.

So, could cancel woman, Rui and councilman Ray can you hold your questions till the next committee meeting? Because we're going to continue this until everyone's comfortable.

Comes up 1. okay, thank you. Without objection. Then this committee shot and until we meet in 2 more weeks.

Thank you.