

Town of Tyrone
Planning Commission Minutes
October 24, 2013

Present: Gordon Shenkle, Chairman
David Nebergall, Vice Chairman
Judy Jefferson- Commissioner
Mike Sanak- Commissioner
Kyle Hood, Town Manager
Patrick Stough, Town Attorney
Dina Rimi, Zoning Development Coordinator

Absent: Cary Dial- Commissioner

Call to Order

Chairman Shenkle called the meeting to order at 7:00 p.m.

Approval of Agenda

Commissioner Sanak made a motion to approve the agenda. Commissioner Jefferson seconded the motion; approved 3-0.

Approval of Minutes – October 24, 2013

Vice Chairman Nebergall made a motion to approve the minutes with corrections that were given to Ms. Rimi prior to the meeting. Commissioner Sanak seconded the motion; approved 3-0

1. Consideration of Text Amendment to the Tyrone Zoning Ordinance Article VII § 7-2 to amend the Quality growth development district special requirements.

Ms. Rimi introduced this item by reminding them that this is an ongoing meeting from the last Planning Commission meeting where the Planning Commission requested this item be on the October 24, 2013 meeting agenda so the Planning Commission can address the landscape requirement for the Highway 74 overlay.

Ms. Rimi stated that at the Council Meeting, where this item was discussed, the Mayor and Council voiced their opinion that there may be too much of a landscape buffer required along Highway 74. The Mayor and Council, in Ms. Rimi's opinion, may feel that this could impede the development of a property.

Commissioner Jefferson stated that there are multiple areas that need to be addressed such as building distance, landscape buffers, setback and berms.

Chairman Shenkle stated that the requirements can be affected by the size and shape of a property. Chairman Shenkle stated that a property owner can apply for a variance, if the property is large and he feels that the setbacks in place are sufficient.

Commissioner Jefferson asked Chairman Shenkle if the setbacks along Highway 74 are from the right of way.

Commissioner Jefferson stated that she wanted to thank Dina for supplying the Planning Commission with the Fayette County regulations, since she found them very helpful. Commissioner Jefferson stated that she has written something and would like to read it to the Planning Commission.

Based on the charge by the council of updating the Quality Growth Development District Special Requirements regulations, the Planning Commission can either cross it off the books or take a responsible action to coordinate our roadside development so that it adjusts to the adjacent districts and lift Tyrone to a level for effective business and beautification that will attract business and commerce that is vital to our future. Commissioner Jefferson stated that she feels very strongly that there may be a hint of getting rid of buffer and setback so that people can do what they want. Commissioner Jefferson states that she is totally against that and favors the Fayette County regulations and agrees if there are properties that cannot comply with the regulation the owner can apply for a variance. Commissioner Jefferson stated that she will not be part of just letting helter skelter happen.

Vice Chairman Nebergall stated he felt Commissioner Jefferson said it very well. He stated that a lot of hard work went into the regulations and is not in favor of changing the regulations.

Commissioner Sanak stated that he feels there needs to be more instructions for what is allowed and not allowed in the regulations. He explained that there can be specification to what the town would like to beautify the area.

Commissioner Jefferson stated that the Planning Commission shouldn't tell people what to plant.

Commissioner Sanak stated that there are items that developers may use that can eventually get out of control and not beautify the area, maybe there can be a list of items that can be suggested for landscaping.

Commissioner Jefferson stated that she remembers a conversation with the town lawyer where an overlay is for the town to have an opportunity to bring creativity to parts of the town that will lend themselves to that creativity. She can see how the Planning Commission can throw away this opportunity. Commissioner Jefferson stated again that she would like to stay as close to the county regulations as possible, and is in support of having some wiggle room. She does not want to see what Fairburn did and build, build, build.

Attorney Stough stated that these regulations are in addition to the other regulations that are in place.

Mr. Hood inquired to Commissioner Jefferson, what are the regulations that she likes from Fayette County,

Commissioner Jefferson stated that she likes the access roads and architectural standards just to name a few.

Chairman Shenkle stated that these regulations apply to a small amount of properties within the town.

Commissioner Jefferson stated that she was surprised by the amount of property but feels that we need to address the regulations for these properties and to protect what is there.

Mr. Hood stated that landscaping was the area that was supposed to be discussed tonight and he applauds Commissioner Jefferson for getting into and finding applicable language. Mr. Hood stated that out of the people currently at the meeting he is the closest to council and cannot speak for what they are thinking and nobody from council has suggested that it is 90 or nothing and they would like the conversation to start here. The official recommendation for Agricultural is to leave the 60 ft. landscape buffer in addition to what is appropriate to the underlying zoning.

Commissioner Jefferson stated that she feels it needs to be more than just landscaping and it is becoming more apparent that the Planning Commission is not sure what council is asking for and we are grappling with one thing that we can discuss.

Commissioner Jefferson stated that she likes the language in this section.

Commissioner Sanak stated that he feels what is in place currently does restrict a property owner from what they can do with their property. It eliminates the buffer plus the setbacks that eliminates a portion of the property that the builder can use, in some cases you are adding 60 feet plus 80 feet that can't be used. Commissioner Sanak would like to see them overlay.

Commissioner Jefferson stated that if someone thinks that the setbacks and buffers are too much then come up with something more reasonable and if it is still a problem the property owner can apply for a variance.

Commissioner Sanak stated that these setback and buffer requirements can take up area that can be used for parking.

The Planning Commission discussed different restrictions that could be placed on the buffer and what can be done in the buffer such as detention ponds.

Commissioner Jefferson stated that there are experts on this board that can develop a great list of restrictions.

Commissioner Sanak stated that if a developer used pavers instead of impervious surfaces then their restrictions may be different.

Vice Chairman Nebergall stated that he likes the buffers and is fearful if things are changed then inevitably they can impact something that they did not mean to.

Commissioner Jefferson stated she would like to talk about the landscaping behind the buffers, let's be friendly to business but keep our standards and if someone buys a small property let them come to us for a variance.

Ms. Rimi stated that there are additional buffer requirements for commercial properties that are adjacent to residential properties.

Mr. Hood stated that there are also additional development requirements.

Commissioner Jefferson stated she would like to see the acreage for the undeveloped properties.

Mr. Hood asked if any of the members of the Planning Commission asked the Council what they wanted.

Commissioner Jefferson stated that she did not and didn't know if Council wanted them to ask what they wanted.

Vice Chairman Nebergall stated that he did not want to change anything up front but if the regulations did not work for someone they could apply for a variance and if they found, during the process, that something needed to be changed they could address it.

Chairman Shenkle stated he felt that council wanted to look to see if additional changes were needed to this item.

Commissioner Jefferson asked Mr. Stough to put together the development requirements and Ms. Rimi to get the acreage of the properties along Highway 74.

Vice Chairman Nebergall stated that currently there is something in place and those items were put in place for a reason where even the courts got involved. Vice Chairman Nebergall asked why move away from those requirements.

Commissioner Jefferson stated that she will be willing to call a council member to find what they want to see from the Planning Commission.

The Planning Commission has requested to place this item on the agenda for the November 14, 2013 meeting.

Staff Comments

Ms. Rimi reminded the Planning Commission there will only be one meeting in the month of November due to the fourth Thursday falling on Thanksgiving.

Commission Comments

None

Adjournment

Commissioner Sanak made a motion to adjourn the meeting; approved 3-0.



Gordon Shenle- Chairman

Attest:



Dina Rimi- Zoning and Development Coordinator

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