



City of Glenview, Kentucky

Minutes: City Of Glenview Overlay Public Hearing 6:00 p.m., Tuesday, January 24, 2012

Mayor Richard M. Breen calls to order the public hearing on January 24, 2012 at 6:00 P.M. at the Knights of Columbus, statutorily required for The City of Glenview to adopt an overlay. The meeting was held in conjunction with a meeting of the Glenview Conservancy. Also invited were members of the Glenview neighborhood plan (G.A.P.) project team. Notice was sent by first-class mail as required by the statute, as well as by e-mail to those on the city's list, and a notice was posted on the bulletin board at the Glenview post office.

A sign-in sheet circulated and the following signed in: Commissioner Dr. Donald Bennett, Commissioner Debbie Reiss, Clerk Administrator Kacy DeVore, City Engineer Mark Adams, Pat Dominik, Dan & Pam Lawson, Don Freytag, Gail Bujake, Bob Ogden, Laurie & Clarence Short, Erskine Courtenay, Aaron Mueller, Guy Jarboe, Richard Bean, John Warmack, Lisa Barr, Missy Allen Kelly, Winona Shiprek, Edith Bingham, Connie & Jim Fox, Justin Miller, Gar Davis, Bill Burbank, Hollis Smith, Juan Quintero, Tom Halbleib, Rose & Fred Nett, Rory McMahan, and Libby Brown. Pat Payne attended but refused to sign the list.

Mayor Breen started the meeting with "where we are now". Mayor Breen was elected as Mayor in November 2006, and initiated the Glenview Conservancy which started in 2007, and recommended the city of Glenview explore a Glenview Area Plan (G.A.P.). Metro Councilman Kelly Downard was part of the taskforce on the now adopted G.A.P, which recommended down-zoning and Glenview's consideration of an overlay. The City is now downzoned to R1, and this public hearing is held for consideration of the overlay component recommended by the G.A.P.

Mayor Breen also serves on the River road corridor management plan project team. If an overlay is enacted, which the plan calls for, it will be done by City of Glenview for the corporate limits area of the city of Glenview, or just the River road corridor through Glenview, or both, or Glenview could decide not to proceed with any overlay(s). No decisions have been made. This meeting will determine if people want an overlay, and if an overlay is desired then there will need to be 1 or 2 more meetings to forge the overlay.

Mayor Breen served on the Bike Path Committee for 18 months starting Fall 2008. The River Road Corridor Management Plan has not been adopted or approved yet. Glenview has been told by the State and Metro that the small cities (Glenview, Indian Hills, etc.)

must approve the plan, then adopted by the Jefferson County planning commission and Metro government before it is implemented. The old inter-urban is no longer public right of way, but LG&E and Louisville Water Company easements on much of it. There are 3 types of bicyclists – Class A, B, C – which all want different type paths. What does the bike path have to do with an overlay? An overlay is an area that has historical, architectural, natural, or cultural significance that is suitable for preservation or conservation; or an area that is located near a river or other body of water, or along an established commercial corridor that has a special character related to a location that is suitable for conservation. We, the City of Glenview, can make the overlay very restrictive or minimally restrictive. Another option for Glenview is Conservation Easements. A conservation easement is a voluntary agreement that allows a landowner to limit the type or amount of development on their property while retaining private ownership of the land. The easement is signed by the landowner, who is the easement donor, and the Conservancy, who is the party receiving the easement. The Conservancy accepts the easement with the understanding that it must enforce the terms of the easement in perpetuity. If the City decides on an Overlay then the City of Glenview possibly can regulate what is done to River Road within the City limits with the Bike Path.

How does everyone feel about Bike Path, Conservation Easement, and Overlay?

Bill Burbank asked if the Commission has made an opinion on the Overlay. He is not in favor. The Commission of Glenview has not formed an opinion since this is the first meeting about an overlay, and the purpose of the meeting is to see how the community feels before any action is taken to implement an overlay.

Hollis Smith has lived along River Road for 14 years, and not much has happened. Can the City of Glenview live without an overlay? Pat Dominik responded, while doing the G.A.P we found that this area has a lot of historic appeal. One negative impact of not having an overlay is the fact that Glenview could lose its appeal.

Dan Lawson asked since most of Glenview is zoned R1, can you build condominiums on R1? Pat Dominik said the condominiums would have to file for rezoning first.

John Warmack is on the Board of the Bardstown Overlay and gave an example of a case where the overlay committee turned away a request even though zoning said yes. If Glenview decides to do an overlay adding some small provisions could save River Road.

Libby Brown asked if the City only does a partial overlay for River Road only, would the partial overlay protect us from the Bike Path plans? Tom Halblieb answered that the Government will trump right of ways. The State is not bound by zoning or overlays. The State is going to do what it wants to do. A good reason to have the partial overlay is it will give us a way supplement zoning (Glenview has values that may not be county wide, here is a set procedure that will keep our values in tact).

Edith Bingham said she believed that a certain portion of federal funds are placed for transportation to increase commuting on bicycles. These funds are supposed to make commuting on bicycles easier but should not be used for recreation use such as bicycles on River Road. She then asked what is the advantage and cost for Glenview as a community for conservation easements? Mayor Breen is not sure and will need to get specialized knowledge, if enough people are interested, the City will hold another meeting. Tom Halblieb said that every conservation easement is different; first there is an inspection to determine what is worth conserving. The major cost is preserving the easement. There is also an option for historic easements.

Bob Ogden stated that the purpose for incorporating Glenview in 1985 was to keep Glenview the way it is. What do the neighbors now really want? He thinks an overly would be great exploration, why not?

Richard Bean gave his opinion – Glenview has spent the last year trying to stay the same especially with the Bike Path happening. He is not a fan of the rezoning and does not want an Overlay. He thinks there are too many restrictions as is and he is also against the Bike Path but thinks the State will do what they want anyway.

Pat Payne has been on Bardstown Road for 41 years and doesn't like the fact that there is an Overlay. He doesn't like the idea that an Overlay Committee of 8 people would be deciding on what he can do. He thinks it would cause neighbor vs. neighbor issues.

Jim Fox owns property on Bardstown Road and Downtown and said it's very restrictive.

Dr. Donald Bennett thinks the big issue here is the potential change to River Road, he also doesn't want the inter-urban to become a bike path. The Bike Path will infringe upon rights on properties.

Gar Davis thanked the Mayor for his efforts and hours he put in. Conservation Easements may be a good idea if strictly volunteer, for benefit of preservation and for the tax advantage. He'd rather see Glenview control the easements than River Fields. He is opposed to the Overlay because he is not in favor of people telling him what to do. The Overlay Committee saying "No" to the property owner's proposed remodeling for instance could cause more legal fees for everyone. He then quoted from the Mayor's Message in the Winter Newsletter "We don't want to boss people around", and he agrees.

Gail Bujake loves living in Glenview and thinks the River Road Bike Path is going to be a safety hazard.

Mayor Breen has taken the position all along to keep bikes and cars away from each other. He doesn't think that the Bike Path should use condemnation. The River Road Corridor Management Plan needs to be in sync with the Glenview Area Plan.

Mr. Erskine Courtenay doesn't want a bike path. Why couldn't or why hasn't Glenview said no to bike path?

Rory McMahan suggested that everyone vote on Election Day for the candidate more concerned with the bridges.

Richard Bean says we are in a Catch 22 because you have people in Government who say one thing get elected then vote another way. He does not want an Overlay along River Road because there would be too many restrictions and we need to realize what punishment we would be putting on our River Road neighbors with an Overlay.

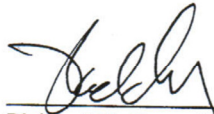
John Warmack ended up on the Bardstown Road Overlay because he built a building on Bardstown Road. He wanted to know "what is the goal" of the Overlay? He appreciated the Overlay goal by trying to get in the heads of the people who wrote the guidelines. The Committee of an Overlay are a cross action of capable, trained, interested people (2 architects, Metro staff member, interested people – Glenview Conservancy). The character definition is to be objective not subjective. What if an heir gets property or house long River Road and there is no Overlay then they can do what they want.

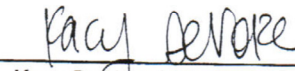
A vote was taken for an Overlay on River Road only; 7 yes, 14 no.

A vote was taken for an Overlay for all of Glenview; unanimously NO.

A vote was taken to investigate Conservation Easements; Yes was unanimous for conservation easement investigation.

The meeting adjourned at 7:27 pm.


Richard M. Breen/ Mayor


Kacy DeVore/ City Clerk Administrator

DATE 3/21/12