

City of Crestview Hills
Economic Development Committee Meeting
Monday, June 13th, 2016
5:00 PM

The Economic Development Committee meeting was called to order by Chairman Dave Kramer at 5:00 pm.

Those attending included Vice-Mayor Frank Sommerkamp, Councilmember Joe Roesel, Dave Wurtenberger, Brian Summe, Mike Beiting and Joe Price. A quorum was present. City Administrator Tim Williams and City Attorney Mary Ann Stewart also attended the meeting.

Minutes from the June 6th, 2016 meeting were approved on motion by Joe Roesel and seconded by Frank Sommerkamp.

Discussion of Crown Point Deed Covenants and Garage Restrictions

The Committee continued discussions from the June 6th meeting regarding deed covenants for the Crown Point subdivision.

Chairman Kramer summarized the discussions to date and expressed support for the development in our community and the work of Mr. Burks and his partners. However, he also expressed concerns about the significant amount of changes made by the developers to the deed covenants from the first submission to the City to the actual recording of the documents. The City Council utilized the previously submitted covenants as the basis for approving the development. City staff had prepared a side-by-side comparison between the initially submitted covenants and those filed with the County Clerk.

Mr. Roesel noted that under the currently written covenants, the Architectural Review Committee (“ARC”) could modify any of the restrictions without City input.

Mr. Wurtenberger stated that he had issues with how the subdivision was presented by the developers and thought that the Committee had reached agreement with the developers regarding issues such as garages, setbacks, etc. Inserting language that allows the ARC to make any changes they deem necessary was not in keeping with the spirit of the Committee’s discussions. There were significant changes made by the developers between submission of the deed covenants and the filing of those covenants with the County Clerk. Mr. Wurtenberger also listed his concerns about the changes, including garages, pavement permitted in the front yards, screen porches, etc. Mr. Wurtenberger stated that the developers had specifically shown the Committee drawings and pictures of ways to handle three garages without all three facing the street.

City Attorney Mary Ann Stewart noted that it appears that the City Council, based on the recommendation of the Economic Development Committee, had provided approval to the development based on the prior submitted development plan. She suggested that the best course of action would be for the City Council to approve a revised set of deed restrictions so the Council approval matches up with the actual recorded document. The City could compose a letter to the developers detailing the concerns of the changes, and seeking a response as to which of the changes are necessary.

Mr. Sommerkamp indicated that he thought Mr. Burks and his partners know far more about home building than he does. He would be hesitant to second guess the developer and tie their hands on building out the subdivision.

Brian Summe stated that the City should work with the developer to identify the greatest areas of concern and come to an amicable agreement. Mary Ann Stewart inquired as to whether the Committee was satisfied with the changes made by the developer. Most of the Committee stated that they were not satisfied with many of the changes. The issue of rear setbacks for porches and swimming pools came up, and many in the Committee expressed concerns about encroaching into the setbacks, especially in the interior lots.

Mr. Wurtenberger again stated that any discussions about garages, setbacks, screened porches, etc. are unimportant as long as the ARC has the right to change any standards that they see fit. He further indicated that he was willing to be flexible, but felt strongly that the City should require the developers adhere to some basic standards for the subdivision.

Mr. Kramer asked the Committee members to list those items on the changed deed covenants that were unacceptable. There was much discussion on street facing garages, setbacks, pools, minimum square foot requirements, chimney vents, driveways, etc.

The Committee determined the best course of action would be for each of the Committee members to send an email to the City Administrator outlining their individual objections to the changes in the deed covenants. The Administrator would then send out a summary of those items to the Committee. Once an agreement was reached on those items, the City Administrator in coordination with the City Attorney would draft a letter to Mr. Burks outlining the Committee's concerns.

Mr. Kramer stated that the Committee would then revisit the concerns with the developer prior to any further action by the City.

Mr. Summe thought it would be better if the City wrote a letter that asked the developers which of the changes in the deed covenants were critical for their success, and explain why. This would place the burden on the developer.

Mr. Roesel clarified that the Economic Development Committee would only recommend an action to the City Council. He suggested that any changes would be effective prospectively for new houses.

Committee comments are to be submitted to the City Administrator by Wednesday afternoon.

Motion by Dave Wurtenberger to adjourn. Seconded by Mike Beiting. All in favor of the motion.

Meeting adjourned at 6:08 pm.