



## KC&MP&ZC MINUTES

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### KENTON COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION REGULAR MEETING

September 6, 2001  
9:00 A.M.

NKAPC Meeting Room  
2332 Royal Drive  
Fort Mitchell, Kentucky

### MINUTES

#### COMMISSION MEMBERS PRESENT:

Mr. Tim Theissen - Chairman - Edgewood  
Ms. Barbara Carlin - Kenton County  
Mr. Russell England - Independence  
Mr. Al Hadley - Elsmere  
Mr. Eugene Meyer - Covington  
Mr. Joseph Price - Crestview Hills  
Mr. Bernie Wessels - Fort Wright  
Mr. Paul Swanson, Secretary/Treasurer - Erlanger

#### LEGAL COUNSEL PRESENT:

Joseph Baker, Esq.

Mr. Theissen, Chairman, called the meeting to order at 9:10 a.m. Mr. Theissen opened the meeting and dispensed with the Pledge and prayer due to the time.

#### APPROVAL OF THE MINUTES:

Mr. Theissen stated the minutes were distributed to the Commissioners and asked for any questions or comments. There being none, Mr. Price made a motion to approve the minutes from August. Mr. Hadley seconded. A roll call vote on the motion found Mr. Price, Mr. Hadley, Ms. Carlin, Mr. England, Mr. Meyer, Mr. Wessels, Mr. Swanson, and Mr. Theissen in favor. The motion carried.

Mr. Theissen stated that a request to table item PP-598 until the regular October meeting. Mr. Berling noted that he had submitted a letter as well as the application on the issue. He further requested additional time in the event pending differences could not be worked out by the next meeting. Mr. Theissen suggested the matter could be tabled for a period of up to six (6) months. Mr. Swanson then made a motion to table the matter for a period not to exceed (6) months. Ms. Carlin seconded the motion. A roll call vote on the matter found Mr. Swanson, Ms. Carlin, Mr. England, Mr. Hadley, Mr. Meyer, Mr. Price and Mr. Theissen in favor. Mr. Wessels abstained.

#### SUBDIVISION ITEMS:

##### a. PRESENTATION OF PRELIMINARY PLATS, OTHER PLATS, AND OTHER ISSUES REQUIRING COMMISSION ACTION AT A REGULAR MEETING FOR REVIEW:

###### W-574 TROOPERS CROSSING EAST ADDITION

APPLICANT: James W. Berling Engineering, in behalf of Troopers Crossing L.L.C.

GENERAL LOCATION: A 48.5-acre area located along the south side of Cody Road, contiguous to the west by the existing Troopers Crossing Subdivision, and to the south by Brushy Fork Creek.

REQUEST FOR ACTION: Waiver of Section 6.7 PEDESTRIAN WAYS and previously approved PP-574 TROOPERS CROSSING EAST ADDITION Condition #6, that required a hard surfaced pedestrian walkway system connecting remotely located cul-de-sac streets.

Staff presentation and Staff recommendation by Mr. Scott Hiles.

#### NKAPC STAFF RECOMMENDATION:

To deny the requested Waiver to 6.7 PEDESTRIAN WAYS and previously approved PP-574 TROOPERS CROSSING EAST ADDITION Condition #6.

#### BASES FOR RECOMMENDATION:

1. The modification as requested does not include the findings necessary to grant a waiver to the regulations as set forth within Section 8.5 A, or B, or C, or D (referenced above);

2. As permitted by Section 6.7 PEDESTRIAN WAYS, the planning commission's duly authorized representative has determined that a walkway system connecting the remotely located cul-de-sacs is essential for effective pedestrian circulation within the approved subdivision.

**NKAPC STAFF SUBSEQUENT RECOMMENDATION:**

To modify PP-574 TROOPERS CROSSING EAST ADDITION Condition #6 to read as follows:  
That a pedestrian walkway system with a maximum grade of fifteen (15) percent (including a concrete sidewalk extending 75 feet from the back of curb into the lots in question) connecting the remotely located cul-de-sac streets be provided.

**BASES FOR SUBSEQUENT RECOMMENDATION:**

1. The recommended modified Condition would allow for a pedestrian walkway system that is not hard surfaced. At the slopes that currently exist in the vicinity of the remotely located cul-de-sacs (in excess of 20%), a hard surfaced sidewalk could create a hazardous situation for users.
2. Conditioning a non hard surfaced sidewalk (i.e. a mulch path) would serve to discourage wheeled traffic such as bicycles and skateboards, etc., that could generate dangerous velocities on a hard surfaced sidewalk at such a steep slope. Conditioning a non hard surfaced sidewalk at a maximum grade of fifteen (15) percent would likely result in the provision of a "stepped" pedestrian connection that would further reduce user velocities and further discourage wheeled traffic while accomplishing the prime objective of providing effective pedestrian circulation throughout the subdivision.

Mr. Berling registered to speak on the issue. No one registered to speak against.

Mr. Berling addressed the Commission and stated there was a problem with the embankment with the area. He stated they will have to overcome those problems with the sidewalk and slope. He further stated they can do 75 feet of sidewalk and then a mulched pathway. Mr. Meyer asked if it would help the grade any by moving up a couple lots. Mr. Berling responded and stated that to do that a new embankment would have to be introduced and a cut in the hill would have to be made. Following a brief discussion amongst the Commissioners, Mr. Price made a motion to adopt Staff's recommendations and subsequent recommendations on the issue. Mr. England seconded the motion. A roll call vote on the matter found Mr. Price, Mr. England, Ms. Carlin, Mr. Hadley, Mr. Meyer, Mr. Wessels, Mr. Swanson and Mr. Theissen in favor. The motion carried unanimously. Mr. Theissen noted that the letter received regarding the issue would be marked as an exhibit to the minutes.

**PP-599 WILLIAMS WOODS**

**APPLICANT:** Raymond Erpenbeck Consulting Engineers, in behalf of Arlinghaus Builders.

**GENERAL LOCATION:** An approximate 83-acre area along the south side of Bristow Road (S.R. 536), directly opposite Battleridge Drive, Unincorporated Kenton County.

**REQUEST FOR ACTION:** To approve a Preliminary Plat consisting of 178 residential building lots, for WILLIAMS WOODS Subdivision, including public improvements such as streets, storm drainage, sanitary sewers and water systems.

Staff presentation and Staff recommendations by Mr. Scott Hiles.

**NKAPC STAFF RECOMMENDATION:**

To approve a Preliminary Plat for WILLIAMS WOODS, but only subject to compliance with the following CONDITIONS:

**CONDITIONS:**

1. That Sight Distances (Right and Left) for vehicles exiting the proposed intersection with Bristow Road (S.R. 536) be in accord with minimum Subdivision Regulation standards. Sight Distance measurements shall be clearly indicated on subsequent Improvement Drawings and Specifications (Section 6.0 E);
2. That full intersection improvements (left turn storage lane and right turn deceleration lane), with design approval by the Highway Department, be provided along Bristow Road (S.R. 536) at the entrance intersection and constructed in conjunction with the Highway Departments relocation / reconstruction of Bristow Road (S.R. 536) (Section 6.1);
3. That a minimum fire flow of 500 gpm at 20 psi be provided/ensured by certified flow test and fire hydrant spacing be maximum of 450 feet (Section 7.2);
4. That proposed streets " Gate Wood Lane" and "Pepper Wood Drive", with potential to serve more than 99 lots, be constructed 28 feet wide (Section 7.3);
5. That a temporary turnaround be provided at the terminus of proposed streets " Gate Wood Lane", "Pepper Wood Drive", and "William Woods Drive" (Section 7.3H);
6. That sidewalks be constructed along both sides of all streets as well as along Bristow Road (S.R. 536) for the portion fronting the proposed development (Section 7.3);
7. That all lots be accessed internally and not from Bristow Road (S.R. 536);
8. That a minimum of two (2) contiguous acres be reserved and/or dedicated to the applicable legislative body for active recreational uses. All reserved or dedicated acreage must be accessed via pedestrian walkway, fee simple land, or easements a minimum ten (10) feet in width, extending from the proposed public street system (Section 6.7); and
9. That all street names be limited to two words or less (including the suffix) (Section 6.0 G).

**BASES:**

The proposed subdivision WILLIAMS WOODS is consistent with the recommendations of the 1996 Area-Wide Comprehensive Plan Update, the Kenton County Subdivision Regulations, and the Kenton County Zoning Ordinance, except as noted under the above Conditions.

Mr. Ray Erpenbeck and Mr. Bob Schroeder registered to speak on the issue. No one registered to speak against.

Mr. Erpenbeck addressed the Commission and stated there may be some problems with the site distance. He asked that they be allowed to work with Staff to maximize the site distance. He further stated they cannot go into adjoining property but stated they would put in a right turn lane. Mr. Erpenbeck further stated that if they cannot meet the site distance they will have to go into the intersection off-set and move the intersection. Mr. Theissen stated he feels it's important that the streets are lined up. He further stated that this could potentially be a four-way stop down the road as development occurs. Mr. Theissen additionally stated that he would like to do something to make the intersection look nice. He then suggested an island type concrete landscaped area for the first 100-150 feet into the subdivision.

Mr. Bob Schroeder addressed the Commission and stated a landscaped island would be impractical because there is no homeowners association. He further stated it would be a maintenance nightmare because after they leave it would turn into weeds. He further stated that what is being proposed would not be an island but it would still be an attractive entranceway with brick and nice signage. He further stated that he personally feels most people would stay on the main road versus taking the smaller side street. Mr. Schroeder further stated he sees several problems with regard to the park area. He stated people don't want to maintain areas of this size as park areas. He additionally stated that more land would be set aside for green space. He further noted that he doesn't feel it should be a condition of approval because Staff lists it as a recommendation. Mr. Theissen stated he doesn't see why there couldn't be an area set aside for a play area in addition to playing in their own back yards. Mr. Wessels stated it is hard to swallow that a developer is being asked to give away 2 acres of their land that they own and pay taxes on to a public entity. Mr. Theissen then stated that with 178 homes going into the development there will be a need for a place to play. He further stated that just as a need is created for sidewalks and wider streets as is the case of other applications, that a need is being created in this instance for this development. Mr. Wessels stated this is the first time he can recall land being requested set aside for the park area. Mr. Hiles stated that under the provisions of KRS 100 they can allow that land be set aside for recreational development. Mr. Schroeder stated he knows this has been done in other developments but doesn't feel it is appropriate in this development nor is it right. Mr. Wessels then stated he doesn't feel it is unreasonable to set some land aside for this purpose, that he just questions the determination of 2 acres. Mr. Schroeder stated that economically it is not worth it to set aside the land. He stated it is a smaller development. He further stated that reserving the land versus giving it away would not be a problem.

Mr. Theissen then read into the record a letter received from Hillside Development regarding the issue and marked it as Exhibit 1 to the minutes.

Following the discussion on the matter, Mr. Wessels made a motion to approve PP-599 subject to Staff's conditions with two modifications; the first modification being to condition #4 eliminating the words "and Pepperwood Drive"; and the second modification being to condition #8 after the word "that" would be inserted "pursuant to KRS 100.281(5)," in that condition. Mr. Price seconded the motion. A roll call vote on the matter found Mr. Wessels, Mr. Price, Ms. Carlin, Mr. England, Mr. Hadley, Mr. Meyer, Mr. Swanson and Mr. Theissen in favor. The motion carried unanimously.

b. CONSIDERATION OF ACTIONS TAKEN ON PLATS BY COMMISSION'S DULY AUTHORIZED REPRESENTATIVE, SINCE THE COMMISSION'S LAST REGULAR MEETING (e. g., GRADING PLANS, IMPROVEMENT DRAWINGS, FINAL DEVELOPMENT/STAGE II PLANS, FINAL PLATS, IDENTIFICATION PLATS, etc.) - See listing of plans and plats recommended for approval on separate handout.

Mr. Theissen asked for any conflicts regarding plats and plans over the past month. Mr. Hiles noted there were no conflicts. Mr. Theissen then asked for a motion to ratify and approve. Mr. Hadley made the motion with Mr. England giving the second to the motion. A roll call vote on the motion found Mr. Hadley, Mr. England, Ms. Carlin, Mr. Meyer, Mr. Price, Mr. Wessels, Mr. Swanson and Mr. Theissen in favor. The motion carried unanimously.

c. CONSTRUCTION REVIEW PROGRAM - See listing of subdivisions for construction inspections in progress on separate handout.

PUBLIC HEARINGS ON SCHEDULED PUBLIC FACILITIES: None.

OTHER COMMITTEE BUSINESS: None.

There being nothing further to come before the Commission, the meeting was recessed at 11:15 a.m. until 6:15 p.m.

KENTON COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION  
REGULAR MEETING

September 6, 2001  
6:15 P.M.

NKAPC Meeting Room  
2332 Royal Drive  
Fort Mitchell, Kentucky

## MINUTES

### COMMISSION MEMBERS PRESENT:

Mr. Jay Bayer - Park Hills  
Mr. James Bertram - Taylor Mill  
Ms. Barbara Carlin - Kenton County  
Mr. James Cook - Kenton County  
Mr. John Dorsey - Fort Mitchell  
Mr. Russell England - Independence  
Mr. Al Hadley - Elsmere  
Mr. David Hilgefurd - Villa Hills  
Mr. Eugene Meyer - Covington  
Mr. Joseph Price - Crestview Hills  
Mr. Frank Smith - Lakeside Park  
Mr. James Sucher - Crescent Springs  
Mrs. Alex Weldon, Vice Chair - Covington  
Mr. Bernie Wessels - Fort Wright  
Mr. Paul Swanson, Secretary/Treasurer - Erlanger

### COMMISSION MEMBERS NOT PRESENT:

Mr. Barry Coates - Covington  
Mr. Jeff Gaiser - Ludlow  
Mr. William Snyder - Bromley  
Mr. Tim Theissen - Chairman - Edgewood

### LEGAL COUNSEL PRESENT:

Joseph Baker, Esq.

Ms. Weldon, Vice Chairperson, called the meeting to order at 6:15 p.m. Ms. Weldon opened the meeting with the Pledge of Allegiance and a prayer by Mr. Price.

### APPROVAL OF THE MINUTES:

Ms. Weldon asked for any questions or comments regarding the minutes from August. There being none, Mr. Price motioned to approve. Mr. Smith seconded the motion. A roll call vote on the motion found Mr. Price, Mr. Smith, Mr. Bertram, Ms. Carlin, Mr. Cook, Mr. Dorsey, Mr. England, Mr. Hadley, Mr. Hilgefurd, Mr. Meyer, Mr. Price, Mr. Sucher, Mr. Wessels and Mr. Swanson in favor. Mr. Bayer

and Ms. Weldon abstained. The motion carried.

#### FINANCIAL REPORT:

There were no questions or comments regarding the report.

#### SUBDIVISION ITEMS:

a. CONSIDERATION OF PRELIMINARY PLATS AND OTHER PLATS AND ISSUES REQUIRING COMMISSION ACTION AT A REGULAR MEETING.

b. CONSIDERATION OF ACTIONS TAKEN ON GRADING PLANS, IMPROVEMENT DRAWINGS AND SPECIFICATIONS, (STAGE II PLANS), FINAL PLATS, AND IDENTIFICATION PLATS BY THE COMMISSION'S DULY AUTHORIZED REPRESENTATIVE SINCE THE COMMISSION'S LAST REGULAR MEETING.

c. CONSIDERATION OF THE REPORT OF ACTIONS TAKEN BY THE SUBDIVISION/PUBLIC FACILITY REVIEW COMMITTEE AT A MEETING PRIOR TO, BUT ON THE SAME DAY, AS THE REGULAR MEETING.

Mr. Schwartz read the report of the actions taken at the morning Subdivision Review Committee meeting. Mr. Hadley made a motion to approve. Mr. Hilgefard seconded the motion. A roll call vote on the matter found Mr. Hadley, Mr. Hilgefard, Ms. Carlin, Mr. Dorsey, Mr. England, Mr. Meyer, Mr. Price, Mr. Smith, Mr. Sucher, Mr. Wessels, Mr. Swanson and Ms. Weldon in favor. Mr. Bayer, Mr. Bertram and Mr. Cook abstained from item TF-2001-27. The motion carried.

d. CONSIDERATION OF CONSTRUCTION REVIEW PROGRAM. See listing of subdivisions for construction inspections in progress on separate handout.

PUBLIC FACILITIES: Refer to 9:00 AM agenda.

#### PUBLIC HEARINGS ON SCHEDULED ITEMS:

Ms. Weldon noted a request to table had been received regarding item 1519R. Mr. Hilgefard made a motion to table the item. Mr. Wessels seconded. None opposed.

1517R

APPLICANT: City of Fort Wright, per Mr. Larry Klein, City Administrator.

GENERAL LOCATION: N.A.

REQUEST FOR ACTION: Proposed text amendments to the Fort Wright Zoning Ordinance: (1) reducing the maximum size of political signs; and (2) requiring permission from the owner of the premises to install a political sign.



Staff presentation and Staff recommendations by Mr. Michael Schwartz.

## NKAPC STAFF RECOMMENDATION - FORT WRIGHT ZONING ORDINANCE:

To approve the proposed text amendments: (1) reducing the maximum size of political signs; and (2) requiring permission from the owner of the premises to install a political sign (see Attachment A).

## COMPREHENSIVE PLAN DOCUMENTATION / SUPPORTING INFORMATION/ BASES FOR NKAPC STAFF RECOMMENDATION --

### COMPREHENSIVE PLAN DOCUMENTATION:

o Date of Adoption by the Kenton County and Municipal Planning and Zoning Commission: December 11, 1996.

### SUPPORTING INFORMATION/BASES FOR NKAPC STAFF RECOMMENDATION:

1. The proposed text amendments: (1) reducing the maximum size of political signs; and (2) requiring permission from the owner of the premises to install a political sign (see Attachment A) are allowed to be included within the text of the zoning ordinance, as authorized by Kentucky Revised Statute (KRS) 100.203 (1).

2. The proposed text amendment reducing the maximum size of political signs (see Attachment A) provides for a reasonable size limitation and is consistent with a previous recommendation made by the NKAPC staff and the KC&MP&ZC.

On October 8, 1986, the City of Fort Mitchell submitted a request for NKAPC and KC&MP&ZC review and recommendation on a proposed text amendment reducing the maximum size of political signs from twelve (12) square feet to ten (10) square feet in area (Z-86-10-02/743R). On January 30, 1987, the NKAPC staff recommended approval of the proposed text amendment. On February 5, 1987, the KC&MP&ZC held the public hearing. Following that public hearing, the KC&MP&ZC took action to recommend approval of the proposed text amendment.

3. Five other cities in Kenton County (Crestview Hills, Edgewood, Fort Mitchell, Lakeside Park, and Villa Hills) regulate political signs. Of these, three place a maximum size limitation of twelve (12) square feet. The proposed text amendment reducing the maximum size of political signs (see Attachment A) will provide for consistent regulations within the county.

4. The proposed text amendment requiring permission from the owner of the premises to install a political sign rather than the tenant (see Attachment A) is appropriate since the owner of the property is ultimately responsible for the activities on the property. Additionally, political signs are often placed on

vacant properties where there is no tenant. Therefore, permission should be granted by the owner.

No one registered to speak on the issue.

Mr. England noted since a renter of a property is paying rent then he should have some say as to what signs are put up versus having the property owner make the decision. Mr. Wessels then expanded on that issue, noting that if you have a 200-unit building and you allow each renter to put up a sign, then you can imagine how that would look.

Following a brief discussion on the issue. Mr. Bayer made a motion to approve 1517R. Mr. Price seconded the motion. A roll call vote on the matter found Mr. Bayer, Mr. Price, Mr. Bertram, Ms. Carlin, Mr. Cook, Mr. Dorsey, Mr. Hadley, Mr. Hilgefurd, Mr. Meyer, Mr. Smith, Mr. Wessels and Swanson in favor. Mr. England, Mr. Sucher and Ms. Weldon voted against. The motion carried.

1518R

APPLICANT: City of Park Hills, per Ms. Linda L. Flora, City Clerk.

GENERAL LOCATION: N.A.

REQUEST TO BE REVIEWED: A proposed text amendment to the Park Hills Zoning Ordinance adding "catering establishment" to the list of permitted uses within the HC (Highway Commercial) Zone.

Staff presentation and Staff recommendations by Mr. Michael Schwartz.

NKAPC STAFF RECOMMENDATION - PARK HILLS ZONING ORDINANCE:

To approve the proposed text amendment adding "catering establishment" to the list of permitted uses within the HC (Highway Commercial) Zone (see Attachment A).

COMPREHENSIVE PLAN DOCUMENTATION / SUPPORTING INFORMATION / BASES FOR  
NKAPC STAFF RECOMMENDATION --

COMPREHENSIVE PLAN DOCUMENTATION:

o Date of Adoption by the Kenton County and Municipal Planning and Zoning Commission: December 11, 1996.

SUPPORTING INFORMATION/BASES FOR NKAPC STAFF RECOMMENDATION:

1. The proposed text amendment adding "catering establishment" to the list of permitted uses within the HC (Highway Commercial) Zone (see Attachment A) is allowed to be included within the text of the zoning ordinance, as authorized by Kentucky Revised Statute (KRS) 100.203 (1).

2. The proposed text amendment adding "catering establishment" to the list of permitted uses within the HC (Highway Commercial) Zone (see Attachment A) is reasonable in that it is generally consistent with other uses currently permitted within the HC Zone (i.e., eating and drinking places).
3. The recommendation of approval is generally consistent with a previous recommendation made by the NKAPC staff and the KC&MP&ZC.

On August 1, 1998, the City of Bromley, per Mayor Jim Miller, submitted a request for NKAPC and KC&MP&ZC review and recommendation on a proposed text amendment adding "catering services" to the list of permitted uses within the NC (Neighborhood Commercial) Zone (Z-98-08-04/1367R). On August 28, 1998, the NKAPC staff recommended approval of the proposed text amendment. On September 3, 1998, the KC&MP&ZC held the public hearing. Following that public hearing, the KC&MP&ZC took action to recommend approval of the proposed text amendment.

While the issue in Bromley applied to the NC Zone and the present issue applies to the HC Zone, it is important to note that given the physical layout of the city of Park Hills, the only commercial areas are located along Dixie Highway. While some of these areas are zoned NC and the others are zoned HC, they are access from the same roadway system, serve the same population, and are functionally equivalent. Therefore, in the case of Park Hills, adding "catering establishment" as a permitted use within the HC Zone is appropriate.

No one registered to speak regarding the issue.

As there was no discussion regarding the issue, Mr. Wessels then made a motion to approve. Mr. Meyer seconded the motion. A roll call vote on the matter found Mr. Wessels, Mr. Meyer, Mr. Bayer, Mr. Bertram, Ms. Carlin, Mr. Cook, Mr. Dorsey, Mr. England, Mr. Hadley, Mr. Hilgefurd, Mr. Price, Mr. Smith, Mr. Sucher, Mr. Swanson, and Ms. Weldon in favor. The motion carried unanimously.

1520R

APPLICANT: Kenton County Fiscal Court, per Mr. Richard S. Kimmich, Deputy Judge/Executive.

GENERAL LOCATION: N.A.

REQUEST TO BE REVIEWED: A proposed text amendment to the Kenton County Zoning Ordinance adding towing and recovery facility to the list of permitted uses within a I-6 (Rural Industrial) Zone.

Staff presentation and Staff recommendation by Mr. Michael Schwartz.

**NKAPC STAFF RECOMMENDATION - KENTON COUNTY ZONING ORDINANCE:**

To approve the proposed text amendment adding towing and recovery facility to the list of permitted use within the I-6 (Rural Industrial) Zone (see Attachment A).

**COMPREHENSIVE PLAN DOCUMENTATION / SUPPORTING INFORMATION / BASES FOR**

## NKAPC STAFF RECOMMENDATION --

### COMPREHENSIVE PLAN DOCUMENTATION:

o Date of Adoption by the Kenton County and Municipal Planning and Zoning Commission: December 11, 1996.

### SUPPORTING INFORMATION/BASES FOR NKAPC STAFF RECOMMENDATION:

1. The proposed text amendment adding towing and recovery facility to the list of permitted use within the I-6 (Rural Industrial) Zone (see Attachment A) is allowed to be included within the text of the zoning ordinance, as authorized by Kentucky Revised Statute (KRS) 100.203 (1).
2. The proposed text amendment adding towing and recovery facility to the list of permitted use within the I-6 (Rural Industrial) Zone (see Attachment A) is reasonable in that it is generally consistent with other uses currently permitted within the I-6 Zone.

Uses which are currently permitted within the I-6 Zone and are similar to the use being proposed are: automobile junk yards, including retail sale of salvaged parts; bulk storage and/or transfer stations for materials; farm equipment sales and service; highway maintenance garages; and transportation facilities, including railroad rights-of-way, marshaling yards, maintenance, and fueling facilities.

The inclusion of a towing and recovery facility is compatible with other uses currently permitted within the I-6 Zone.

No one registered to speak regarding the issue.

There being no discussion regarding the issue, Mr. Hilgefurd made a motion to approve 1520R. Mr. Cook seconded the motion. A roll call vote on the matter found Mr. Hilgefurd, Mr. Cook, Mr. Bayer, Mr. Bertram, Ms. Carlin, Mr. Dorsey, Mr. England, Mr. Hadley, Mr. Meyer, Mr. Price, Mr. Smith, Mr. Sucher, Mr. Wessels, Mr. Swanson and Ms. Weldon in favor. The motion carried unanimously.

### OLD BUSINESS:

Ms. Weldon noted that numerous letters had been received regarding the proposed amendments to the Subdivision Regulations and stated they are overwhelmingly in opposition. She then stated that Mr. Theissen verbalized to her that his suggestion would be to withdraw the item. Mr. Hilgefurd then made a motion to withdraw the application. Mr. Smith seconded the motion. A roll call vote on the matter found Mr. Hilgefurd, Mr. Smith, Mr. Bertram, Ms. Carlin, Mr. Cook, Mr. Dorsey, Mr. England, Mr. Hadley, Mr. Meyer, Mr. Price, Mr. Sucher, Mr. Wessels, Mr. Swanson and Ms. Weldon in favor. Mr. Bayer voted against. The motion carried.

CORRESPONDENCE: None.

#### PLANNING, STAFF AND LEGAL COUNSEL ITEMS:

Mr. Schwartz noted that all Commissioners received a pamphlet regarding a seminar being held on "open space residential design." He stated all Commissioners are encouraged to attend and it is free. He also stated the 2-hour training should apply to the continuing education requirement. He further stated that anyone interested should get with him or call the NKAPC office. The seminar is being held September 17th from 4-6 p.m.

Mr. Swanson noted the fall conference is being held September 19th-21st in Owensboro and the 6-7 hours would also be applied to the continuing education requirement. Mr. Schwartz additionally noted that anyone interested could contact the NKAPC office.

#### COMMISSION ITEMS:

##### Standing Committee Reports:

Mr. Schwartz reported on the Joint Task Force Committee. He reported that they are moving into land use issues and are beginning to work on writing portions of the text. He noted the next meeting will be held September 12th at 4 p.m.

Mr. Dorsey reported for the by-laws Committee. He noted he had made a request some time ago regarding conflicts of interest and the by-laws. Ms. Weldon noted Mr. Theissen would like to be present when this is discussed and since he could not attend the meeting he was requesting that it be put off until next month's meeting. Ms. Weldon then requested the Commissioners to re-visit the by-laws regarding this issue for discussion at the October meeting.

#### COMMENTS/REQUESTS TO THE COMMISSION:

Ms. Weldon noted that the Commission has been asked to appoint Mr. George Deitmaring to the Fort Mitchell Board of Adjustment for a term expiring April 30, 2005. Mr. Hilgefurd made a motion to appoint Mr. George Deitmaring to the Fort Mitchell Board of Adjustment for a term expiring on April 30, 2005. Mr. Dorsey seconded the motion. A roll call vote on the matter found Mr. Hilgefurd, Mr. Dorsey, Mr. Bayer, Mr. Bertram, Ms. Carlin, Mr. Cook, Mr. England, Mr. Hadley, Mr. Meyer, Mr. Price, Mr. Sucher, Mr. Wessels, Mr. Swanson and Ms. Weldon in favor. The motion carried.

There being no further matters to come before the Commission, Mr. Theissen then adjourned the meeting at 7:00 p.m.