

**KENTON COUNTY PLANNING COMMISSION**  
**REGULAR MEETING**  
Minutes

Mr. Paul Darpel, Chair, called the meeting to order at 6:15 p.m. on Thursday August 7, 2014, and opened the proceedings with the Pledge of Allegiance and an invocation by Mr. Hult. The meeting was held in the Commission Chambers of the PDS Building in Fort Mitchell. Attendance of members (for this meeting as well as those during the year to date) was as follows.

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Member	Jurisdiction	J a n	F e b	M a r	A p r	M a y	J u n	J u l	A u g	S e p	O c t	N o v	D e c	
Diane Brown	Erlanger	X	X		X			X	X					
Doug Neuspickle	Ryland Heights		X	X	X	X			X					
Barry Coates	Covington	X	X	X	X	X		X	X					
Gailen Bridges	Kenton Co		X	X	X	X	X	X	X					
Paul Darpel, Chair	Edgewood	X	X	X	X	X	X		X					
Tom France, V.Chair	Ludlow	X	X	X	X	X	X	X	X					
Joe Gray	Covington		X	X	X	X	X	X	X					
David Hilgefurd	Villa Hills	X	X		X		X	X	X					
Lynne Hood	Crestview Hills	X*	X	X	X	X	X	X	X					
Marc Hult	Covington		X	X	X	X	X	X	X					
Keith Logsdon	Lakeside Park	X	X	X	X			X	X					
Joe Pannunzio	Elsmere	X	X	X	X	X	X	X	X					
Stan Porter	Taylor Mill		X		X	X	X		X					
Mark Rogge	Crescent Spgs	X	X	X	X	X		X	X					
Paula Rust	Kenton Cty		X	X	X	X	X		X					
Jack Toebben	Fort Wright	X	X	X	X	X	X		X					
Shad Sletto, Treasurer	Fort Mitchell	X	X	X	X	X	X	X	X					
Maura Snyder	Independence	X	X		X	X	X		X					
Joe Tewes	Bromley	X	X	X	X		X	X	X					
Carl Gerrein	Park Hills	X	X	X	X	X	X		X					

“X” denotes attendance at the regular meeting and “x” denotes attendance at the continuation meeting.

“\*” denotes arrival after roll call was taken.

Also present were Matt Smith, Legal Counsel, and the following PDS staff: Martin Scribner, Scott Hiles, and Andrew Videckovich.

### **AGENDA**

Mr. Darpel asked for a change to insert an item for next month’s meeting as an item on the agenda motion to after item 4. A motion was made by Ms. Brown and seconded by Ms. Snyder to approve the change. A roll call vote on the motion found Ms. Brown, Ms. Snyder, Mr. Bridges, Mr. Coates, Mr. Gray, Mr. France, Mr. Hilgefard, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Ms. Rust, Mr. Toebben, Mr. Sletto, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried. Sharmili Reddy spoke briefly about where to hold the meeting next month with regard to discussing the comprehensive plan. She discussed various locations available for the meeting to be held. She asked if the Commissioners wanted to hold the meeting in the chambers or if they wanted her to look into one of the other locations mentioned. Ms. Rust mentioned the sanitation district as a possible meeting site. Mr. Rogge mentioned the water district also as possible location. Mr. Darpel suggested authorizing staff to try to find a location and possibly try to keep the cost under \$750. A motion was then made by Mr. Hult to authorize staff to make arrangements to hold the meeting for next month. Ms. Hood seconded the motion. A roll call vote on the matter found Mr. Hult, Ms. Hood, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. Gray, Mr. France, Mr. Hilgefard, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Ms. Rust, Ms. Snyder, Mr. Toebben, Mr. Sletto, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried.

### **APPROVAL OF THE MINUTES:**

Mr. Bridges made a comment to correct the minutes where it states “6000 homes” it should read “600.” Mr. Darpel asked for a motion to approve the minutes from July. A motion was then made by Mr. Bridges and seconded by Ms. Snyder. A roll call vote on the motion found Mr. Bridges, Ms. Snyder, Ms. Brown, Mr. Coates, Mr. Gray, Mr. France, Mr. Hilgefard, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Sletto and Mr. Tewes in favor. Ms. Rust, Mr. Toebben, Mr. Gerrein and Mr. Darpel abstained. The motion carried.

### **RECEIPTS AND EXPENDITURES:**

Mr. Darpel asked for a motion regarding receipts and expenditures. Mr. Darpel noted there is no deficiency moving into the next fiscal year. Mr. Sletto asked if a copy was sent to the county. Mr. Scribner stated he would check on that and find out. Mr. Sletto made the motion to accept. Mr. France seconded the motion. All in favor by acclamation.

### **ACTIONS SINCE LAST MEETING:**

The memorandum regarding the actions taken by Staff over the past month was distributed for informational purposes only.

**RECENT ACTIONS BY LEGISLATIVE BODIES:**

No action required.

**PUBLIC HEARINGS:**

**PC 1406-0002**

**APPLICANT:** City of Fort Wright per Joseph Nienaber, Mayor

**LOCATION:** 1730, 1750, 1804, and 1820 Dixie Highway, between the Barrington Road and Sleepy Hollow Road, approximately 600 feet north of Barrington Road in Ft. Wright.

**REQUEST:** a proposed map amendment to the Fort Wright Zoning Ordinance changing the areas described herein from R-2 (a two-family and multi-family residential zone with a maximum density of 10.0 dwelling units per net acre) and LHS (a limited highway service zone) to CC (a community commercial zone)

Staff recommendations and Staff presentation by Mr. Andrew Videckovich

**NKAPC STAFF RECOMMENDATION:**

Favorable recommendation on the proposed map amendment to the Fort Wright Zoning Ordinance changing the areas described herein from R-2 (a two-family and multi-family residential zone with a maximum density of 10.0 dwelling units per net acre) and LHS (a limited highway service zone) to CC (a community commercial zone).

Mr. Maloney registered to speak in favor of the issue. He addressed the Commission and stated as to signs, most of them are non-conforming now and would not fit current zoning. He also noted with regard to gas stations, the city feels gas stations would be permitted as retail sales and services. He further commented that the Marathon station will be redeveloped and conversations have been had with that property owner. He stated more is available under the CC zone than the LHS zone. Mr. Sletto commented he was concerned about the impact of these changes to the existing business owners. Mr. Maloney stated he didn't feel any business owners would be caught off guard and they are fully aware of the proposed changes.

Mr. Berling addressed the Commission as a neutral party and referenced the properties he owns in the area. He noted he doesn't know exactly what is trying to be accomplished in this zone. He stated he owns several businesses in this area and he would be afraid if any of his businesses burnt down more than 50% and he could not rebuild. He stated if you look at the size of the lots and think about what you can put in them, a fair amount of parking would be needed in order to make it work. He stated he would be curious to hear if the property owners participated in the analysis of this zone. He stated he has been in Ft. Wright all his life and he does want to develop and expand but he is more interested in how it would affect the people if they would have to come up with a different use. He further stated he likes to see private development but doesn't want to see something put in place that would cause any vacant lots. Mr. Gray asked if he would have any objection to the sliver that was created to be included in the zone change. Mr. Berling commented he would like to just leave it like it is.

Mr. Maloney commented in rebuttal that more uses are being created with the new zone. He further stated the property owners were advised of the hearing. He also stated no non-conforming uses are being created with this zone. He further stated the design guidelines are

able to be waived by city staff. He then commented the last thing they would want to do is damage any of the existing properties.

Mr. Berling commented in rebuttal stated his biggest concern was non-conforming uses. He stated if they are now going to be conforming he thinks that a step in the right direction.

The hearing was then recessed for discussion amongst the commissioners. The public hearing was reconvened and closed. Mr. Darpel then asked for a motion on the issue. Mr. Rogge made the motion to approve the proposed map amendment based on Staff's recommendation and the testimony. Ms. Snyder seconded. A roll call vote on the matter found Mr. Rogge, Ms. Snyder, Mr. Bridges, Mr. Coates, Mr. France, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Toebben and Mr. Tewes in favor. Ms. Brown, Mr. Gray, Mr. Hilgeford, Mr. Sletto, Mr. Gerrein and Mr. Darpel voted against. The motion carried with a vote of 14-6.

### **W-444 Valley Plaza**

**APPLICANT:** James W. Berling

**LOCATION:** 492 Viewpoint Drive, an approximate 22-acre parcel of land that exists on the north and south side of Viewpoint Drive. Viewpoint Drive intersects Valley Plaza Drive approximately 300 feet north of Orphanage Road in Fort Wright.

**REQUEST FOR ACTION:** to grant a waiver to the requirements of Section R.3 of the Kenton County Subdivision Regulations; granting the request would waive the requirement that sidewalks be provided along both sides of Viewpoint Drive.

Staff presentations and Staff recommendations by Mr. Scott Hiles.

### **NKAPC STAFF RECOMMENDATION:**

To grant the requested Waiver to Section 5.3F and allow sidewalks to be provided along the south side of Viewpoint Drive only subject to the following condition:

That a performance bond be provided to the Kenton County Planning Commission for the uncompleted sidewalk along the south side of Viewpoint Drive subject to Section 5.16. In addition, the bond shall be updated to reflect current R.S. Means Book prices a minimum of every two years.

Mr. Berling registered to speak in favor of the issue. He stated he is one of the developers of the property. He noted in order to make this happen they had to clear a lot of trees and about a million yards of dirt to develop the area. He said they wanted to capture this lot to be able to develop it into a nice hotel or a couple nice restaurants, which is what they are trying to do. He stated as far as walking, he bets no one here will walk a grade like that. He noted he feels one side will be sufficient for the development. He further stated they are trying to market it and he thinks it's going to happen. He additionally noted he doesn't feel the need for a second sidewalk and he'd rather not spend the money. He commented that anything the Commission could do to help them, they would appreciate it.

Mr. Maloney addressed the Commission and stated the city is fine with the recommendation

and they would prefer to have a bond on it.

Mr. Hilgeförd asked if there was any way to write the bond to state that if someone wanted to come back years from now and say they didn't want to do a sidewalk on either side because no one is going to walk it. Mr. Hiles stated you could add a condition to it. Mr. Smith then commented they could not limit a Commission in the future on granting of a waiver. At this time Mr. Darpel recessed the public hearing for discussion. There being none, the public hearing was then reconvened and closed. Mr. Darpel then asked for a motion. Mr. Hilgeförd made the motion to grant the waiver regarding W-444 for sidewalks on both sides due to unusual topographical conditions and to allow them on one side only, and also to add a comment that the bond is to be removed under only the most extreme conditions. Ms. Hood seconded the motion. A roll call vote on the motion found Mr. Hilgeförd, Ms. Hood, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. Gray, Mr. France, Mr. Hult, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Ms. Rust, Mr. Toebben, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

### **Ongoing Business:**

#### **Reports from Committees:**

*By-Laws* – No report.

*Executive* – Mr. Darpel stated they did meet. He noted they did sign the agreement to allow the bond to be released.

Subdivision Regulations – Mr. Darpel stated they have met several times. He noted there will be a meeting at the end of the month to discuss everything except for street standards. He stated they finally see a light at the end of the tunnel.

2030 Sourcebook – Mr. Darpel stated they have the application on hand and the Comprehensive Plan will be on the web for review. He commented that Staff has done a great job. He additionally commented they will find out where the meeting will be held for next month for discussing the Comprehensive Plan. He noted if anyone had any questions to be prepared to discuss them. He also encouraged the Commissioners to get any questions to Staff and to understand what it is they will be voting on. He noted they will try to limit the discussion to the actual document itself. Mr. Scribner thanked everyone for coming out and doing the one on ones on the plan. He stated Staff felt it was a good opportunity to give everyone a one hour credit for continuing education and asked for approval. Mr. Gray made the motion to approve the one hour training session. Mr. Gerrein seconded the motion. All in favor. None opposed. Mr. Scribner commented the Commissions will not get a copy of the plan in their packets and encouraged them to study the plan over the next month and to call Staff if they have any questions. Mr. Darpel stated it would nice to be prepared and know what questions to anticipate because this is a big document. He commented there will be one printed version and the plan will be available online with the links. He commented further that the plan will be adopted as it is the date it is approved and adopted. He noted it's important the people know that and understand it. Mr. Scribner noted they did get input from the one on one sessions and those changes did get made, but that nothing substantive would be changed. The Commissioners were encouraged to bring in their personal laptops to access the plan while the

presentation is going on. Mr. Scribner noted they would have a few Ipads available that he could probably get together for the meeting also.

*Reports from Commission Members* – Mr. Hult noted the OKI August meeting had been cancelled. Nothing to report.

*Reports from Legal Counsel* – Nothing to report

*Announcements from Staff* – Mr. Scribner stated the State Chapters of the American Planning Association would hold their conference in Kentucky the first week in October in Lexington.

*General Correspondence:* None.

*Public Comments:* None.

There being nothing further to come before the commission, a motion to adjourn was made by Ms. Snyder and seconded by Ms. Brown. The motion carried unanimously. The meeting was adjourned at 8:21 p.m.

APPROVED:

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Chair \_\_\_\_\_

Date