

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

Mr. Paul Darpel, Chair, called the meeting to order at 6:15 p.m. on Thursday, September 4, 2014, and opened the proceedings with the Pledge of Allegiance and an invocation by Mr. Hult. The meeting was held at Notre Dame Academy in Park Hills. Attendance of members (for this meeting as well as those during the year to date) was as follows.

|                        |                 | 2<br>0<br>1<br>4 |             |             |             |             |             |             |             |             |             |             |             |  |
|------------------------|-----------------|------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--|
| Member                 | Jurisdiction    | J<br>a<br>n      | F<br>e<br>b | M<br>a<br>r | A<br>p<br>r | M<br>a<br>y | J<br>u<br>n | J<br>u<br>l | A<br>u<br>g | S<br>e<br>p | O<br>c<br>t | N<br>o<br>v | D<br>e<br>c |  |
| Diane Brown            | Erlanger        | X                | X           |             | X           |             |             | X           | X           | X           |             |             |             |  |
| Doug Neuspickle        | Ryland Heights  |                  | X           | X           | X           | X           |             |             | X           |             |             |             |             |  |
| Barry Coates           | Covington       | X                | X           | X           | X           | X           |             | X           | X           | X           |             |             |             |  |
| Gailen Bridges         | Kenton Co       |                  | X           | X           | X           | X           | X           | X           | X           | X           |             |             |             |  |
| Paul Darpel, Chair     | Edgewood        | X                | X           | X           | X           | X           | X           |             | X           | X           |             |             |             |  |
| Tom France, V.Chair    | Ludlow          | X                | X           | X           | X           | X           | X           | X           | X           | X           |             |             |             |  |
| Joe Gray               | Covington       |                  | X           | X           | X           | X           | X           | X           | X           | X           |             |             |             |  |
| David Hilgeford        | Villa Hills     | X                | X           |             | X           |             | X           | X           | X           | X           |             |             |             |  |
| Lynne Hood             | Crestview Hills | X*               | X           | X           | X           | X           | X           | X           | X           | X           |             |             |             |  |
| Marc Hult              | Covington       |                  | X           | X           | X           | X           | X           | X           | X           | X           |             |             |             |  |
| Keith Logsdon          | Lakeside Park   | X                | X           | X           | X           |             |             | X           | X           | X           |             |             |             |  |
| Joe Pannunzio          | Elsmere         | X                | X           | X           | X           | X           | X           | X           | X           | X           |             |             |             |  |
| Stan Porter            | Taylor Mill     |                  | X           |             | X           | X           | X           |             | X           | X           |             |             |             |  |
| Mark Rogge             | Crescent Spgs   | X                | X           | X           | X           | X           |             | X           | X           | X           |             |             |             |  |
| Paula Rust             | Kenton Cty      |                  | X           | X           | X           | X           | X           |             | X           | X           |             |             |             |  |
| Jack Toebben           | Fort Wright     | X                | X           | X           | X           | X           | X           |             | X           | X           |             |             |             |  |
| Shad Sletto, Treasurer | Fort Mitchell   | X                | X           | X           | X           | X           | X           | X           | X           | X           |             |             |             |  |
| Maura Snyder           | Independence    | X                | X           |             | X           | X           | X           |             | X           | X           |             |             |             |  |
| Joe Tewes              | Bromley         | X                | X           | X           | X           |             | X           | X           | X           | X           |             |             |             |  |
| Carl Gerrein           | Park Hills      | X                | 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, Sharmili Reddy and Jenna LeCount.

### **AGENDA**

Mr. Darpel asked for approval of the agenda. Ms. Snyder made the motion to approve. Mr. Tewes seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Tewes, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. Gray, Mr. France, Mr. Hilgefard, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Ms. Rust, Mr. Toebben, Mr. Sletto, Mr. Gerrein and Mr. Darpel in favor. The motion carried.

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

Mr. Darpel asked for any questions or comments. There being none, Ms. Snyder made the motion to approve the minutes from August. Mr. Gray seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. Gray, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. France, Mr. Hilgefard, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Ms. Rust, Mr. Toebben, Mr. Sletto, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried.

### **RECEIPTS AND EXPENDITURES:**

Mr. Darpel asked for a motion regarding receipts and expenditures. Ms. Snyder made the motion to accept. Mr. Hult seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. Hult, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. Gray, Mr. France, Mr. Hilgefard, Ms. Hood, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Ms. Rust, Mr. Toebben, Mr. Sletto, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried.

### **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 1408-0001**

**APPLICANT:** City of Independence per Patricia Taney, City Clerk

**REQUEST:** a proposed text amendment to the Independence Zoning Ordinance adding regulations for building design criteria (exterior wall materials, roofs, and mechanicals) to Section 10.14 E, 10.15 E, and 10.16 D

Staff recommendations and Staff presentation by Ms. Jenna LeCount.

### **NKAPC STAFF RECOMMENDATION:**

Favorable recommendation of the proposed text amendment to the Independent Zoning Ordinance adding Additional Construction Standards for exterior wall materials, roofs, and

mechanicals to Sections 10.14, 10.15, and 10.16.

Mr. Bridges recused himself after hearing the details of the issue due to a potential conflict of interest.

Mr. Moriconi addressed the Commission in favor of the issue and stated basically what they are trying to do is address the mechanicals on the outside of the buildings where electric is shown - panel boxes, exposed air conditioning units, etc. He showed a series of slides depicting some examples. He stated he's trying to avoid some of this happening to key areas of the cities. Mr. Moriconi stated with these three zones, when you look at the prohibitive materials, this type of thing is what they are trying to avoid. He stated the city is trying to be business friendly but they are just asking that the commission give them some say as to what type of materials are used on the buildings.

Mr. Chris Reinersman addressed the Commission and stated in response to Mr. Hilgefurd's question about what the definition of architectural grade building materials was. He further stated he would be fine to strike that from the description. Mr. Gray asked if the existing buildings that would become non-conforming uses would be grandfathered in. Mr. Reinersman stated they would in fact be grandfathered in with the zone change. Mr. Reinersman stated the way this started was about a year ago. He stated they came to the PDS staff and relayed what they would like to accomplish and how can we go about accomplishing that so they have worked hand in hand with staff on the issue. Mr. Logsdon stated it is within the limits of the city to do this and if they want to make changes later they can do so. Mr. Darpel commented that any time building materials have been brought before the Commission it's been debated and discussed. Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. Mr. Darpel stated the Commissioners don't know what all was involved with that prior decision and that is a legitimate issue. Ms. Brown commented that this just seems to be a natural next step by the city. She stated if it's not in their zoning code so there is cohesiveness, where would they place it. Mr. Darpel then reconvened the hearing for discussion and closed the public hearing. He then asked for a motion on the issue. Mr. Hult made the motion to approve based on Staff's recommendations. Ms. Snyder seconded. A roll call vote on the motion found Mr. Hult, Ms. Snyder, Ms. Brown, Mr. Coates, Mr. Gray, Mr. France, Ms. Hood, Mr. Logsdon, Mr. Pannunzio and Mr. Rogge in favor. Mr. Hilgefurd, Mr. Porter, Ms. Rust, Mr. Toebben, Mr. Sletto, Mr. Tewes, Mr. Gerrein and Mr. Darpel against. Mr. Bridges abstained. The motion carried by a vote of 10-8.

**FILE: PC-1407-0003**

**APPLICANT:** Kenton County Planning Commission per Paul J. Darpel, Chair

**REQUEST FOR ACTION:** review and adoption of Kenton County's Direction 2030: Your Voice Your Choice comprehensive plan in accordance with KRS 100.

Staff presentations and Staff recommendations by Ms. Sharmili Reddy and Jenna LeCount.

**NKAPC STAFF RECOMMENDATION:**

Staff presents the recommendation of the Direction 2030 Task Force to the KCPC to approve Direction 2030: Your Voice, Your Choice as the county-wide comprehensive plan for Kenton County.

Ms. Reddy thanked the Commission and Staff for all their hard work over the past two and half years who put in countless hours and hard work in developing the plan. She stated this is intended a guide and is an entirely new plan and is a web based plan. She further noted they feel they have accomplished something that is a strong base to go forward for the next twenty years. She stated the recommendations are based on the goals adopted in 2013. Ms. Reddy stated it is a web based plan for a reason. She further stated they need to have a constant interaction and building a web based plan accomplishes that. She stated the initial work actually began in 2009 so a lot of time has been invested in developing this plan. She then stated what is being viewed today are the recommendations of the plan. She further stated they had several task forces and highlighted these on the web site. She noted the idea was to get as many viewpoints as possible so this is the reason for the number of task forces. She additionally commented that everything is on the website if anyone wants to take a look as to the process.

Ms. Jenna LeCount gave the presentation itself and highlighted various specific areas of the plan and what was focused on with the plan. She stated one of her favorite aspects of the comprehensive plan is the interactive mapping. She stated you can click on the interactive maps and obtain different information by clicking on separate areas of the map.

She then addressed a couple of the larger themes and land uses. She commented briefly on the interactive mapping of the recommended land uses and highlighted industrial areas also. She further stated the idea is to provide more flexibility and noted each city had the opportunity to provide input. She noted there are a couple of new terms, one being developmentally sensitive areas that was previously known as developmentally restricted. The other new term is the idea of focus areas that can be turned on and off on the map. She stated these were formally known as the urban forest area. She noted the reason they developed this new terminology was to determine the needs for Kenton County and determine what is appropriate for one county versus another. She noted the other point she would like to make is that there has been a lot of work put in by the South Kenton Services Group also.

Ms. Sharmili Reddy then closed the presentation by pointing out that everything has been done that is humanly possible to get the word out about the new plan. She said they have had tremendous response from the community and support. She then stated they are forwarding the 2030 Task Force to the Commission for approval.

Suzanne Parker Leist registered to speak in favor of the issue. She stated she is present to give a little background on what guided the sub area of Kenton County. She stated since the end of 2011 they have been working with PDS on the plan to have a voice in the future so they have been working for a while. She stated they worked with a UK professor and developed and mailed a comprehensive survey in January and had a 35% response. The second thing they did is they shared the results of the survey and followed up with that. She stated they tried to cover all the bases and presented their findings. She further stated there was an unusually strong majority of 80% that valued the rural aspect of that area of Kenton County according to the survey. She encouraged everyone to go to the website and understand the aspects of the plan and what is planned for their area of the county.

Mr. Paul Metzger addressed the Commission in favor on behalf of the Home Builders

Association. He stated they are in general agreement with the comprehensive plan and noted some areas of concern involve the 536 Corridor and development of that, the industrial area, and the southwest corner of 25. He stated they appreciate all that has gone into the plan and noted it is a guideline only.

Ms. Sherry Carran addressed the Commission in favor of the plan and thanked the Staff and all who attended the meetings over the years and the effort that has been put forth. She stated she thinks this is a really good plan for Kenton County and she is anxious to see how it moves forward. She asked what would be the process if there is a change requested after this is final. Ms. Reddy stated there is an amendment process available through KRS for that specifically. Ms. Carran then thanked the Commission again for their work on the plan.

Mr. Paul Meyer addressed the Commission in favor and stated he wanted to thank everyone that worked on the plan. He stated he knows there have been a lot of meetings and he appreciates it. He stated every time he goes into the plan he discovers something good and he looks forward to the approval of the plan.

Mr. Patrick Hughes addressed the Commission representing the Frankman family. He noted this is an impressive document and he has to express his and his client's appreciation of what went into the plan. He stated they are basically in favor of the plan with the exception of one area of the concept plan. He further commented the area is on new Highway 17 and just east of that. He commented that is an area for east west connectivity. He stated in the proposed plan his client's property is designated as suburban residential. He commented if you're familiar with the area, this property has one house and a barn on the property and it has primarily been rural. He stated up the hill is more commercial and in the other direction is an NC zone. He stated to keep this property residential could be in direct opposition to the surrounding areas. He stated if this were to be residential property it would be across the street from non-residential property and would be separate from another residential property up the hill. He further noted the plan shows a realignment that would considerably alter the area. He stated in this one specific area there is an opportunity to make the area consistent with what is surrounding the area and he is suggesting making this area commercial to be more in line with other zones. He stated they are requesting the Commission consider tabling this portion of the plan to possibly take another look at this particular section. He commented further on his appreciation for all that has been done on the plan. Mr. Darpel stated Staff met with the cities extensively and with this being a county-wide plan he would hate to see tabling approval on a portion of the plan and maybe when the realignment occurs it might then be a good idea to revisit this particular area if a change or amendment is needed. Ms. Reddy addressed the question and stated she agreed with Mr. Darpel in that this is a county wide plan and they would be willing to make a note of this particular area and address it when the avenues are in place.

Ms. Sandy Gad addressed the Commission against the issue. She asked how many would be effected by the 536 Corridor. She stated they have lived there and have raised their children there. She noted with this 536 Corridor will come water pollution, noise pollution, light industrial, water runoff etc. She commented there is lot of negative to this and she just wanted her comments heard. Ms. Reddy stated there is a recommendation in the plan that some process be pursued with the area that will be impacted to the surrounding communities. She noted she

just wanted to point that out.

Ms. Shields registered to speak against the issue and stated she wanted to applaud the process in allowing the residents of southern Kenton County to preserve the nature of the rural nature. She cited concerns with the east west corridor in terms of environmental effects to the area and to preserve the green space with the area. She stated her concern is that she doesn't really feel this is in direct compliance to the wishes of the residents of the area.

Mr. Schneider addressed the Commission as a neutral party on the issue and stated he does appreciate the time being taken to listen and the effort that has gone into the plan. He stated one of the primary concerns is not with new big roads but to fix the existing roads. He noted the fact that this is a web based plan and commented that the infrastructure to the rural areas needs to be addressed first because some residents cannot get the internet. He noted a concern of some of the residents is that they will lose some of their little slice of heaven.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. He stated he has been involved with the process from the very beginning and he is very proud of the product. He stated the goal was that the plan reflect what the people want to make their home better and he thinks this plan does that. He stated he is very proud of the efforts of Staff and of the public involvement. He also noted this is a starting process and a guide and hopefully it makes the job easier and a great start. Mr. Sletto asked if there is a table that shows what cumulative changes have been made. Ms. Reddy stated it is on the map and can be easily extracted. He commented he would like to see that. Mr. France commented that this plan replaces a plan that was forty years old and it was time to have a plan that is accessible and now it is on the web and is widely accessible. He further commented that it is user friendly and that is going to benefit everyone. He also commented on the citizen input and the input of the cities and the opportunity to be able to do that. He commended Staff and everyone that worked so hard to get the plan to where it is today. Mr. Gray stated he feels you would be hard pressed to find any area with more input. Mr. Logsdon also applauded staff and everyone involved for their work that was put into the plan and noted every citizen in Kenton County can easily access the plan. He commented he feels it is a great step forward. Mr. Hult asked about the timeframe involved with any changes that would be made. He asked the question of whether or not there is an approach to adding to or amending the comprehensive plan. Mr. Darpel stated there has always been an avenue and process for doing that and that hasn't changed. Mr. Bridges thanked everyone for coming out to the meeting. He noted as a lifelong resident of Kenton County it was nice to sit through a meeting that has been truly reflective of a community. He stated they feel they have been heard and they really appreciate that. He also applauded Staff on their efforts with the plan. Mr. Hilgefurd commented that in the last three comprehensive plans in the meeting after the comprehensive plan was adopted there have been those that have come before them asking for zone changes based on the comprehensive plan. He stated he hopes this isn't the case with this plan. Mr. Darpel stated he feels the comprehensive plan gives a greater flexibility. Mr. Darpel then read the resolutions into the record with regard to the new comprehensive plan. Mr. Darpel reconvened and closed the public hearing and requested a motion to adopt the resolution Your Voice Your Choice per KRS 100.183 and 10.197. Mr. Hult made the motion to adopt the comprehensive plan and resolution. Mr. Gray seconded the motion. A roll call vote on the matter found Mr. Hult, Mr. Gray, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. France, Mr. Hilgefurd, Ms. Hood, Mr. Logsdon, 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 no meeting was held.

Subdivision Regulations – Mr. Darpel noted they are continuing to work on this and it is going well, it’s just a lot of work. He stated there are two upcoming meetings and they would like to make the effort to get it done before the end of the year.

*2020 Sourcebook (model zoning ordinance)* –

2030 Sourcebook – Mr. Darpel stated they have previously discussed the comprehensive plan so there was no comment.

*Reports from Commission Members* – Mr. Hult stated OKI did not meet.

*Reports from Legal Counsel* – Nothing to report.

*Announcements from Staff* – Mr. Scribner commented on how proud he is of his planning staff and the GIS staff as well as Dennis Gordon and that he couldn’t be more proud of the group. He also thanked the Commission for their involvement and especially Chairman Darpel for his many hours of involvement. He stated next month will be a full agenda so be prepared.

*General Correspondence:* Mr. Darpel stated they have been requested to deal with a bond issue but since this is a special meeting they cannot discuss that and will put it on the agenda for next month.

*Public Comments:* None.

There being nothing further to come before the commission, a motion to adjourn was made by Ms. Hood and seconded by Mr. Sletto. All in favor by acclamation. The motion carried unanimously. The meeting was adjourned at 8:27 p.m.

APPROVED:

\_\_\_\_\_

Chair \_\_\_\_\_

Date

