

**KENTON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
Minutes**

Ms. Brown, Vice, Chairman, called the meeting to order at 6:15 p.m. on Thursday, September 1, 2016, and opened the proceedings with the Pledge of Allegiance and 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.

| <b>Commission Member</b> | <b>Jurisdiction</b> | <b>J</b> | <b>F</b> | <b>M</b> | <b>A</b> | <b>M</b> | <b>J</b> | <b>J</b> | <b>A</b> | <b>S</b> | <b>O</b> | <b>N</b> | <b>D</b> |
|--------------------------|---------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
|                          |                     | <b>a</b> | <b>e</b> | <b>a</b> | <b>p</b> | <b>a</b> | <b>u</b> | <b>u</b> | <b>u</b> | <b>e</b> | <b>c</b> | <b>o</b> | <b>e</b> |
|                          |                     | <b>n</b> | <b>b</b> | <b>r</b> | <b>r</b> | <b>y</b> | <b>n</b> | <b>l</b> | <b>g</b> | <b>p</b> | <b>t</b> | <b>v</b> | <b>c</b> |
| Diane Brown, V. Chair    | Erlanger            | X        | X        |          | X        |          | X        | X        | X        | X        |          |          |          |
| Nancy Collins            | Ryland Hts.         |          |          |          |          | 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        | X        | X        |          |          |          |
| Paul Darpel, Chair       | Edgewood            | X        | X        | X        | X        | X        | X        |          | X        |          |          |          |          |
| Tom France               | Ludlow              | X        | X        | X        | *        |          | X        | X        | X        | X        |          |          |          |
| Joe Gray                 | Covington           | X        | X        | X        | X        |          | X        | X        | X        | X        |          |          |          |
| Brian Wischer            | Villa Hills         |          | X        | 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        | X        | X        |          |          |          |
| Joe Pannunzio            | Elsmere             | X        | X        | X        | X        | X        | X        | X        |          | X        |          |          |          |
| Stan Porter              | Taylor Mill         | X        | X        | X        |          | X        | X        | X        | X        |          |          |          |          |
| Greg Sketch              | Crescent Spgs       | X        | X        | X        | X        | X        |          |          | X        |          |          |          |          |
| Brian Dunham             | Kenton Cty          |          |          | X        | X        | X        |          | X        | X        | X        |          |          |          |
| Jack Toebben             | Fort Wright         | X        | X        | X        | X        | X        | X        | X        | X        |          |          |          |          |
| Jeff Bethell             | Fort Mitchell       | X        | X        | X        | X        | X        | X        | X        | X        | X        |          |          |          |
| Maura Snyder             | Independence        | X        | X        | X        | X        |          | *        |          | X        | X        |          |          |          |
| Joe Tewes                | Bromley             | X        | X        | X        | X        |          |          |          |          |          |          |          |          |
| Phil Ryan, Treasurer     | Park Hills          | X        | 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: Ms. Emi Randall, Mr. Andy Videkovich and Mr. Mike Ionna.

### **AGENDA**

Ms. Brown noted a change to the agenda. She stated item number 17 under new business that some new information was submitted so she would like that item removed from the agenda for the month so the By Laws committee could discuss it. She then asked for a motion to approve the agenda for September. Ms. Snyder made the motion to approve. Mr. Bethell seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Bethell, Mr. Bridges, Ms. Collins, Mr. Coates, Mr. France, Mr. Gray, Mr. Wischer, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Dunham and Mr. Ryan in favor. The motion carried.

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

Ms. Brown asked for any questions or comments regarding the minutes for August. Mr. France commented on page three where Mayor Mattone acknowledges the proposal would overwhelm traffic. The sentence reads “...if there was a plan to extend State Road from the Park Hills side...” He indicated that should read “Patton Drive.” Mr. Dunham then noted on page five in the last paragraph the word “and” should be changed to “an” where it reads “and extraordinary hardship.” There being further questions or comments, Ms. Brown asked for a motion to approve the minutes as amended. Ms. Snyder then made the motion to approve. Mr. Bridges seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Bridges, Mr. Bethell, Ms. Brown, Ms. Collins, Mr. Dunham, Mr. France, Mr. Gray, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Ryan and Mr. Wischer voted in favor. Mr. Coates and Mr. Pannunzio abstained. The motion carried.

### **RECEIPTS AND EXPENDITURES:**

Ms. Brown stated the receipts and expenditures report was distributed. She then asked for a motion to approve. Mr. Ryan made the motion to approve. Ms. Snyder seconded the motion. A roll call vote on the motion found Mr. Ryan, Ms. Snyder, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. Dunham, Mr. France, Mr. Gray, Ms. Hood, Mr. Hult, Mr. Logsdon, Ms. Collins, Mr. Pannunzio and Mr. Wischer in favor. The motion carried unanimously.

### **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 STAFF:**

*(No action required)*

### **RECENT ACTIONS BY LEGISLATIVE BODIES:**

*(No action required)*

### **PUBLIC HEARINGS:**

\*Mr. Dunham recused himself from any voting or consideration on the matter due to a conflict of interest.

**FILE:** PC1607-0003

**APPLICANT:** The City of Covington per Larry Klein, City Manager

**LOCATION:** An area of approximately 20 acres located on the southwest side of the intersection of Amsterdam Road with Montague Road, and on the north side of Dixie Highway/Pike Street between Arlington Road to the west and Grays Peak to the east, approximately 150 feet west of Grays Peak in Covington.

**REQUEST:** A proposed map amendment to the Covington Zoning Ordinance changing the described area from RU-2B (an urban residential zone) to RU-2B (PUD) (an urban residential zone with a planned unit development overlay).

Staff presentation and Staff recommendations by Mr. Videckovich.

**PDS STAFF RECOMENDATION:**

Favorable recommendation on the proposed map amendment to the Covington Zoning Ordinance changing the described area from RU-2B (an urban residential zone) to RU-2B (PUD) (an urban residential zone with a planned unit development overlay).

Ms. Brown recessed the public hearing for discussion amongst the Commissioners. Mr. France noted a concern with the one access for the site. He noted a concern in terms of emergency vehicles. Mr. Videkovich stated this issue would be looked as a part of the study to be conducted. There being no further comments or questions, Ms. Brown then reconvened and closed the public hearing. Ms. Brown then asked for a motion on the matter. Mr. Hult then made the motion to approve based on Staff's recommendations. Mr. Gray seconded the motion. A roll call vote on the motion found Mr. Hult, Mr. Gray, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. France, Ms. Hood, Mr. Logsdon, Ms. Collins, Mr. Pannunzio, Mr. Ryan, Ms. Snyder and Mr. Wischer in favor. Mr. Dunham recused himself due to a conflict. The motion carried unanimously.

**FILE:** PC1607-0004

**APPLICANT:** The City of Edgewood per Brian Dehner, City Administrator

**REQUEST:** Proposed text amendments to the Edgewood Zoning Ordinance: (1) adding a definition for in-home daycare, and; (2) adding "in-home day care" to the list of conditional uses within R-1E (Single-Family Residential) Zone.

Staff presentation and Staff recommendations by Mr. Iona.

**PDS STAFF RECOMENDATION:**

Favorable recommendation of the proposed text amendments to the Edgewood Zoning Ordinance: (1) adding a definition for in-home day care, and; (2) adding "in-home day cares" to the list of conditional uses within R-1E (Single-Family Residential) Zone.

Following a brief discussion, Mr. Ryan noted a concern with no one from the city being present to answer any questions. He commented it does help to better understand when someone is present and it makes it difficult when they are not. Mr. Logsdon then noted

likewise the city is not present to hear any comments by the Commissioners. Mr. Bridges commented additional concerns with the city not being present and noted having brought the issue up before to the Commission. Ms. Brown noted for the record that no one was present for the city and recessed the public hearing for discussion amongst the Commission. Following the comments by Staff, Mr. Bridges suggested tabling the issue and then made a motion to table due to the fact that no one is present from the city to discuss the issue, and to allow the city to be present to answer any questions. Mr. France seconded the motion. Mr. Dunham commented he didn't feel the need to table the issue due to no one being present because that is not typically done in other cases. Mr. Dunham further commented he feels Staff did a good job in filling in the gaps and explaining the issue. Mr. Gray commented that if the issue is tabled, the Commission is going to have the same issue with no one being present on the next item on the agenda. Mr. Smith clarified that the Commission has a duty to take action on the issue within 60 days on the matter. Following further discussion, Ms. Brown then recessed the public hearing for discussion amongst the Commissioners. Mr. Smith added that he would like to suggest tabling the matter until next month's meeting if that is the motion by Mr. Bridges and seconded by Mr. Wischer to table the matter. A roll call vote on the matter found Mr. Bridges, Mr. Wischer, Mr. Bethell, Mr. France, Mr. Logsdon, and Ms. Collins in favor. Ms. Brown, Mr. Coates, Mr. Dunham, Mr. Gray, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Ryan and Ms. Snyder against. The motion failed. Ms. Brown then asked for a motion on the text amendment as presented. Mr. Dunham made the motion to approve based on Staff's recommendations. Ms. Hood seconded the motion. A roll call vote on the matter found Mr. Dunham, Ms. Hood, Mr. Coates, Mr. Hult, and Ms. Snyder in favor. Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. France, Mr. Gray, Mr. Logsdon, Ms. Collins, Mr. Pannunzio, Mr. Ryan and Mr. Wischer voted against. The motion failed. Ms. Brown then asked for a motion to deny the motion. She then stated due to numerous questions being raised with the text amendment it has influenced her to vote against the motion. Mr. Gray commented that turning this down would send a message to the city to have someone present to answer questions brought up. Ms. Brown then again asked for a motion on the matter. Mr. Ryan then made the motion to deny the request against Staff's report due to the wording contained in the amendment and not having any answers to questions that were raised on the issue. Mr. Pannunzio seconded the motion. A roll call vote on the matter found Mr. Ryan, Mr. Pannunzio, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. France, Mr. Gray, Mr. Hult, Mr. Logsdon, Ms. Collins, Ms. Snyder and Mr. Wischer in favor. Mr. Coates, Mr. Dunham and Ms. Hood voted against. The motion carried.

**FILE:** PC1608-0001

**APPLICANT:** The City of Ft. Wright per Ed Butler, City Administrator

**REQUEST:** A proposed text amendment the Fort Wright Zoning Ordinance adding "animal clinics, excluding boarding and outside runs" to the list of permitted uses within the NC (Neighborhood Commercial) Zone.

Staff presentation and Staff recommendations by Mr. Iona

**PDS STAFF RECOMENDATION:**

Favorable recommendation of the proposed text amendment to the Fort Wright Zoning Ordinance adding “animal clinics, excluding boarding and outside runs” to the list of permitted uses within the NC (Neighborhood Commercial) Zone.

Ms. Brown noted for the record that no one was present to speak for the city on the issue and no one was registered to speak for or against the issue. Ms. Brown then recessed the public hearing for discussion amongst the Commissioners. Mr. Bridges reiterated previous comments that it is ridiculous that no one from the city is present to answer questions on the issue. Mr. Dunham stated he sees his concern but noted some of these items are routine and the city knows there is an excellent staff handling the issue. Ms. Brown then reconvened and closed the public hearing. Mr. France made the motion to approve based on Staff’s recommendations. Mr. Bethell seconded. A roll call vote on the matter found Mr. France, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. Dunham, Ms. Hood, Mr. Hult, Mr. Logsdon, Ms. Collins, Mr. Pannunzio, Mr. Ryan, Ms. Snyder and Mr. Wischer in favor. Mr. Gray voted against. The motion carried.

**Reports from Committees:**

***By Laws:*** - Ms. Brown stated they are meeting this coming Tuesday at 5:30 after the holiday and will have proposed language to be discussed.

***Direction 2030 Implementation:*** – Mr. Brown stated a meeting would be held the fourth Thursday and there is a heavy load to be discussed.

***Executive:*** – Ms. Brown stated they Executive Committee met today and will have some language next month regarding the mini cell tower issues.

***Social Media:*** - Mr. Ryan stated they met and did have a quorum. He stated they discussed the concept of developing the website and doing some tweaking with that. He further added they discussed web site design and domain names, etc. He noted it was a very good meeting. He noted the next meeting would be held September 21<sup>st</sup> at 5:30 p.m. Mr. Gray commented about trying to avoid the back to back meetings and asked if it was possible to switch one of them. Ms. Brown stated both of them have significant items to be discussed. Mr. Smith then reminded the commissioners that any changes to the meetings a special meeting notice would have to be sent out.

***Subdivision Review*** – No meeting held.

***Reports from Commission Members:*** Mr. Bridges noted the Kenton County Farm Tour will be held September 17<sup>th</sup> from 9 – 5 p.m. Mr. Hult commented OKI did not meet. Mr. Ryan announced the happy news that his son, who was given much time to live when he was in the first grade, was married this past weekend. Mr. Gray and others offered their congratulations on the happy news.

***Reports from Legal Counsel*** – Nothing to report.

**Announcements from Staff** – Ms. Randall discussed the lawsuit involving the NKAPC for the past five years and stated she is happy to report that the case is officially closed. She stated this closes the book on a very long process for the PDS organization and she thought the Commission would want to know. She commented they are in the process of compiling the cost of defending the matter and will let the Commission know as soon as they have that. She also commented about upcoming continuing education opportunities available for Commissioners.

**General Correspondence:** Nothing to report.

**New Business:** 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 to adjourn. All in favor by acclamation. The meeting then adjourned at 8:22 p.m.

APPROVED:

✓ Chair Diane Brown

Date Oct 6, 2016

Diane Brown