

**KENTON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
Minutes**

Mr. Darpel, Chairman, called the meeting to order on February 2, 2017 at 6:15 p.m. 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.

Commission Member	Jurisdiction	J	F	M	A	M	J	J	A	S	O	N	D
		a	e	a	p	a	u	u	u	e	e	o	e
		n	b	r	r	y	n	l	g	p	t	v	e
Diane Brown, V. Chair	Erlanger	X	X										
Nancy Collins	Ryland Hts.		X										
	Covington												
Gailen Bridges	Kenton Co	X	X										
Paul Darpel, Chair	Edgewood	X	X										
Mike Gaiser	Ludlow		X										
Joe Gray	Covington	X	X										
Brian Wischer	Villa Hills	X	X										
Lynne Hood	Crestview Hills	X	X										
Marc Hult,	Covington	X	X										
Keith Logsdon	Lakeside Park	X	X										
Joe Pannunzio	Elsmere	X	X										
Stan Porter	Taylor Mill												
Greg Sketch	Crescent Spgs	X	X										
Brian Dunham	Kenton Cty	X	X										
Jack Toebben	Fort Wright	X	X										
Jeff Bethell	Fort Mitchell		X										
Maura Snyder	Independence	X	X										
Marco Sansone	Bromley		X										
Phil Ryan, Treasurer	Park Hills	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 and Mr. Andy Videkovich.

After the roll was taken, Mr. Darpel welcomed the new Commissioners Marco Sansone for the City of Bromley and Mike Gaiser for the City of Ludlow. He welcomed both to the Commission. They had previously been sworn in prior to the meeting by Mr. Matt Smith.

### **AGENDA**

Mr. Darpel commented the presentation on the audit report would be postponed to next month’s meeting to allow for additional time to review the report and provide questions. He stated he would prefer to send any questions directly to the auditor to allow him to prepare. Mr. Darpel asked for any other questions with regard the agenda. Mr. Smith stated he would like to add an item as 5a to be added to the agenda as ratification of appointment with regard to the appointment for the new commissioners. Mr. Darpel noted there was a request to table issue PC1701-0002 to the March 2, 2016 meeting. He asked for a motion with regard to the tabling. Ms. Snyder made the motion to table. Mr. Ryan seconded the motion. All in favor by acclamation. The motion carried. Mr. Darpel then asked for a motion to approve the agenda as amended. Mr. Bethell made the motion to approve the agenda as amended. Ms. Brown seconded the motion. All in favor by acclamation. Mr. Darpel then asked for a ratification to approve Commissioner Mike Gaiser as the city failed to appoint him prior to the time to do so having expired. Mr. Bridges made the motion to approve. Mr. Gray seconded. All in favor by acclamation. The motion carried.

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

Mr. Darpel asked for any comments or questions with regard to the minutes from January. There being none, he then asked for a motion to approve. Mr. Hult made the motion to approve. Ms. Brown seconded. A roll call vote on the motion found Mr. Hult, Ms. Brown, Mr. Bridges, Mr. Dunham, Mr. Gray, Ms. Hood, Mr. Logsdon, Mr. Pannunzio, Mr. Ryan, Mr. Sketch, Ms. Snyder, Mr. Toebben, Mr. Wischer and Mr. Darpel in favor. Ms. Collins, Mr. Sansone, Mr. Gaiser and Mr. Bethell abstained. The motion carried.

### **RECEIPTS AND EXPENDITURES:**

Mr. Darpel stated the receipts and expenditures report was distributed. There being no comments or questions then asked for a motion to approve. Mr. Ryan made the motion to approve the receipts and expenditures. Mr. Dunham seconded. All in favor by acclamation.

### **RECENT ACTIONS BY STAFF:**

*(No action required)*

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

*(No action required)*

### **PUBLIC HEARINGS:**

**FILE:** PC1701-0001 (action required)

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

**REQUEST:** A proposed text amendment to the Edgewood Zoning Ordinance adding completely-enclosed self-storage units and warehousing businesses as a conditional use within the IP (Industrial Park) Zone.

Staff presentation and Staff recommendations by introduced by Mr. Andy Videkovich

**PDS STAFF RECOMENDATION:**

Favorable recommendation on the proposed text amendment to the Edgewood Zoning Ordinance adding completely-enclosed self-storage units and warehousing businesses as a conditional use within the IP (Industrial Park) Zone.

Mr. Brian Dehner addressed the Commission in favor of the applicant and stated they would prefer to keep the text amendment as a conditional use versus a permitted use. Mr. Dehner stated their concern would be with the surrounding properties having issues with what would be going into the vacant lot next to the property in question. He noted they have some concern with what will be going into that property. He also commented that they have some concern with what activity would be going on with that and how they would structure that in terms of fencing and landscaping. He stated there is some concern also with how they are going to move trucks in and out of that property. Mr. Logsdon stated his concern is that the use would be otherwise be permitted in an industrial zone typically and this is requiring another step and additional time with it being a conditional use. Mr. Dehner the stated he understands his concern and doesn't necessary disagree, but in Edgewood they prefer the extra step to go through to allow for the process for the surrounding business owners and the residents to ask questions and put any conditions that would need put on there to operate the business, considering they are adding a new activity to that zone. Mr. Darpel stated he lives near this property and he likes that it is a conditional use in terms of having a little more control over what is going in there in terms of traffic control. He commented this is why they have conditional uses. Mr. Dehner then commented one of the concerns was with garage doors they were showing all around the outside. He stated they feel that would be something for the Board of Adjustments to decide and should have the opportunity to review and make adjustments on.

Mr. Huffman addressed the Commission as a neutral party and stated he just had a couple questions with regard to the vacant lot. He asked if another building would be built on the vacant lot. He also asked about traffic and the impact on Dudley and whether or not any study had been done or not for that area. He also asked who he would need to talk to about suggesting another turning lane left in the area. Mr. Darpel stated the Edgewood Zoning Code is really what dictates when a turning lane is required and when it is not required. He noted it is difficult to have that put in as part of the development when it is removed from being adjacent to the property. He stated a lot of it is really building codes and traffic implementation. Mr. Huffman also asked about the hours of operation of the facility. He reiterated he was mainly interested in what would go into the vacant lot.

Ms. Kathy Huffman stated she had nothing to add.

Mr. Dehner stated with regard to the vacant lot and stated he does not want to speak on behalf of the developer but it will remain vacant for the time being. He noted renderings had showed nothing on the lot so it would remain vacant if this is approved but he did not want to speak on their behalf. He commented to the traffic concerns and stated they do agree that there are some traffic issues there but they think that this lowers the traffic count. He stated this is a good business and they have come with a good plan and they think it will lower the traffic at various times of the day.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. Mr. Darpel stated he thinks it is a good plan. He stated fortunately they recognized the traffic issue and they are trying to get a good business in. Mr. Dunham stated he lives in the area as well and he is more comfortable with it being a conditional use as well. He noted it is not a large industrial park away from everything that is buffered and this is the sort of area where you need to have industrial in Edgewood. He further stated any sort of unique uses need to be looked at a little harder because of that. Mr. Darpel then reconvened and closed the public hearing for discussion. He asked for a motion on the matter. Mr. Dunham then made the motion to approve the requested text amendment based on Staff's recommendations as a conditional use. Mr. Sketch seconded the motion. A roll call vote on the motion found Mr. Dunham, Mr. Sketch, Ms. Snyder, Mr. Toebben, Mr. Wischer, Mr. Darpel, Mr. Sansone, Mr. Gaiser, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Gray, Ms. Hood, Mr. Hult, Mr. Logsdon, Ms. Collins, Mr. Pannunzio and Mr. Ryan in favor. The motion carried unanimously.

### **Ongoing Business:**

#### **Reports from Committees**

***By Laws:*** - Ms. Brown stated they met but have things to discuss later in the agenda.

***Direction 2030 implementation:*** Mr. Darpel noted there was one change to the list of committees and noted Mr. Bethell is going to be the chair of the implementation committee and Ms. Brown will serve on that as well. Nothing else to report.

***Executive:*** – No meeting held.

***Social Media:*** - No meeting held. Mr. Ryan stated they would be meeting toward the end of the month.

***Subdivision Review*** – Mr. Darpel stated he and Scott have had discussions but have not had a committee meeting. He stated issues have come up since they are getting a lot more development and they will likely be meeting in the next couple months.

***Reports from Commission Members:*** Mr. Hult noted OKI met January 12<sup>th</sup> and there was discussion with regard to what infrastructure might come about with the recent election. He commented expenditures in infrastructures would likely occur with a change in the tax bill but stated that would come about in the fall. He additionally commented Boone County is working on their transportation plan and is looking at smart alternatives to vehicles. He commented if anyone had any questions to feel free to ask him.

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

***Announcements from Staff*** – Ms. Randall stated she had a few announcements and would then turn it over to James Fausz who is going to give an overview of the action website with is the direction for 2030. She asked how many have used the online course. She noted those are still available until the 7<sup>th</sup>. She commented they will need to evaluate if you want to purchase them again or not. She noted she is happy to announce that Villa Hills city council has adopted the Villa Hills Study and they would be having a couple meetings so the Commission can become acquainted with it. She noted the information sessions would be held on February 21<sup>st</sup> at 5:30 and one February 28<sup>th</sup> at 11:00 a.m. Mr. Darpel asked what the plan was with the small area study and whether or not the whole thing be adopted. She stated they are asking that the whole thing be accepted as amendment to the comprehensive plan for that area of their city. Mr. Bridges asked how long the session is expected to last. Ms. Randall stated it would probably last about an hour. She noted some information would be in follow up emails. Mr. Ryan asked about

tagging on the social media committee. She stated they could take a look at that and may need to revise the date. Ms. Randall also noted a training opportunity to be held March 31<sup>st</sup> and stated it is an all day event so it is a good opportunity to get hours in. She stated whoever is interested to please let her know. She then turned it over to James Fausz who has some information about current implementation projects for Direction 2030. He stated they thought since it was a light agenda they would review the Direction 2030 Plan. He then went through and highlighted the plan briefly and did a quick run through of the plan on the web site. He noted the site online is designed to be static and be more of a book online. He also highlighted some of the current projects of the plan and provided a quick overview of them on the web site. Mr. Dunham commented that the site looks great and the ultimate solution works and makes sense. Mr. Fausz stated the intent is to use this site to let people know what is going on and what is coming up.

**General Correspondence:** None.

***New Business:***

**Review of Bylaws Recommendations**

Ms. Brown commented the Bylaws Committee has worked for two years to come up with a revised fee schedule. She noted the fees had not been increased for over ten years. She stated they are fairly competitive if not a little below the other two counties in the area. She then stated they would like to propose the fees remain the same for the remaining FY2017 and adjust the fees using the metro-cincy CPI-U for the prior calendar year effective 7/1/17 for the FY2018 and annually thereafter. She commented it would require them to go back and adopt the new fees each year. Mr. Dunham stated he struggled with why fees are in the Bylaws to begin with. He stated he's not used to seeing fees covered in Bylaws and it seems inappropriate to have it there. He noted he doesn't know if there are other things that need to be looked at but he asked if someone can speak to why they are in the Bylaws. Mr. Smith commented he thinks it was the idea that that was just the place to establish new things to adopt to they would be in one place. He noted they could certainly remove it from the Bylaws but then would have to adopt it in another place. He further noted they don't have to be in the Bylaws. Mr. Darpel stated the short answer is it's there because it's always been done that way but it is something that should be looked at. Mr. Darpel noted he agrees and doesn't think it should be in the Bylaws. Ms. Brown stated it is a point well taken but for the time being at the moment the place to go to find the fees is the Bylaws. Mr. Hult commented it's kind of a one stop shop. Mr. Toebben asked if the fees were going to increase automatically as other cities did. Mr. Bridges stated it follows CPI and the fees would not raise simply because the other counties did. Mr. Darpel then clarified that the fee increases would be automatic and it would need to be adopted each year. Mr. Ryan asked Ms. Randall if she recalled what the CPI increase was over a period of time. She stated the increase was 1.4 %. Mr. Darpel then asked if there was any more discussion with regard to the Bylaws committee language. Ms. Brown clarified the exact language as being "The Bylaws committee recommends to the full commission KCPC will hold fees as current for the remaining FY2017 and automatically adjust fees using the metro-cincy CPI-U for the prior calendar year effective on 7/1/17 for FY2018 and annually thereafter" (i.e.: using the prior calendar year CPI-U). Ms. Brown then commented about how the fees would be posted. After some discussion Mr. Darpel stated they would be posted where fees are currently posted. Mr. Darpel stated if this is going to be how the fees are going to be implemented they can discuss where they are going to appear in the Bylaws later. Ms.

Randall then pulled up the web site to show the Bylaws page. Mr. Dunham stated it would likely need to be updated each year to reflect the new fees. Following the discussion, Mr. Darpel asked for a motion about how the Bylaws would be read. Ms. Brown stated they can wordsmith this how they want and how it will be listed or they can leave it as it is. Mr. Darpel suggested adopting it this evening to move forward. Ms. Brown then made the motion to adopt into Article 18 processing fees the language that reads “KCPC will hold fees as current for the remaining year for the FY2017 and automatically adjust fees using the metro-cincy CPI-U for the prior calendar year effective 7/1/17 for FY2018 and annually thereafter” (i.e. using the prior year CPI-U). Mr. Hult seconded the motion. A roll call vote on the motion found Ms. Brown, Mr. Hult, Mr. Bethell, Mr. Bridges, Ms. Collins, Mr. Dunham, Mr. Gray, Ms. Hood, Mr. Logsdon, Mr. Pannunzio, Mr. Ryan, Mr. Sketch, Ms. Snyder, Mr. Wischer, Mr. Darpel, Mr. Sansone in favor. Mr. Toeppen and Mr. Gaiser voted against. The motion carried.

Review of a staff recommendation relative to updating Planning Commission applications: Ms. Brown stated a lot of discussion has come about having a representative from the city when questions come up. She stated the suggestion is to have at the bottom of the form on the application there is a check box and they would have to check the box indicating their presence is highly encouraged. Mr. Gray suggested eliminating the word “to” from the language. Mr. Bethell then made the motion to adopt the language as well as removing the word “to” from the language. Mr. Ryan seconded the motion. A roll call vote on the motion found Mr. Bethell, Mr. Ryan, Mr. Bridges, Ms. Brown, Ms. Collins, Mr. Dunham, Mr. Gray, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Sketch, Ms. Snyder, Mr. Toeppen, Mr. Wischer, Mr. Darpel, Mr. Sansone and Mr. Gaiser in favor. The motion carried unanimously.

Review of a staff recommendation relative to sign regulation text amendments: Mr. Videkovich commented about the current issue of signage. He noted the majority of the areas that have adopted the model back in 2008 are in pretty good shape. The bad news is those that had not adopted it are now behind. Mr. Videkovich then stated what Staff is asking relates to a) Updating the sign regulations of Bromley, Covington, Crestview Hills, Edgewood, Elsmere, Erlanger, Fairview, Independence, Unincorporated Kenton County, Lakeside Park, Ludlow Park Hills, Taylor Mills, and Villa Hills; and b) Repealing and replacing the sign definitions and regulations of Crescent Springs, Fort Mitchell, Fort Wright, and Kenton Vale. He then briefly reviewed both applications and noted they did have a consultant review the sign regulations. He commented further as to the time line of how these new amendments would be implemented. Mr. Videkovich stated basically there would be one document adopted that would then taken to the cities and applied accordingly. Mr. Darpel stated a concern with doing work for the cities that possibly does not want it and he feels they should be asked before resources were expended to make the changes. Mr. Videkovich reiterated that when it concerns something of this importance they should address it. Mr. Darpel noted he understands but suggested asking the cities about whether or not they would want this done prior to work being done to change the regulations on behalf of the cities. Mr. Bridges then commented he thinks Mr. Videkovich is asking the Commissioners to stand up and be leaders in the community and he thinks they should do it. Mr. Videkovich stated they are asking for permission to authorize those changes. Mr. Gray

stated he agrees with Mr. Bridges that they have a civic duty to take the lead on this. He also asked if the Commission does not act on this could the Commission then be a co-defendant in a lawsuit. Mr. Smith clarified the issue and stated he doesn't think they have a duty to originate this but he thinks it is certainly necessary for the cities to update their sign regulations. Following the discussion Mr. Darpel then asked for a motion on the matter. Mr. Logsdon then made the motion to authorize Staff to make the applications on the Commission's behalf. Mr. Bethell seconded the motion. Following a brief discussion the roll was taken and found Mr. Logsdon, Mr. Bethell, Mr. Bridges, Ms. Collins, Ms. Brown, Mr. Dunham, Mr. Gray, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Ryan, Mr. Sketch, Ms. Snyder, Mr. Toebben, Mr. Wischer, Mr. Darpel, Mr. Sansone and Mr. Gaiser in favor. The motion carried unanimously.

***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. Hood to adjourn. All in favor by acclamation. The meeting then adjourned at 8:07 p.m.

APPROVED:

Chair

Date



March 2, 2017

