

**KENTON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
Minutes**

Mr. Darpel, Chairman, called the meeting to order on July 6, 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.

| <b>Commission Member</b>  | <b>Jurisdiction</b> | <b>J<br/>a<br/>n</b> | <b>F<br/>e<br/>b</b> | <b>M<br/>a<br/>r</b> | <b>A<br/>p<br/>r</b> | <b>M<br/>a<br/>y</b> | <b>J<br/>u<br/>n</b> | <b>J<br/>u<br/>l</b> | <b>A<br/>u<br/>g</b> | <b>S<br/>e<br/>p</b> | <b>O<br/>c<br/>t</b> | <b>N<br/>o<br/>v</b> | <b>D<br/>e<br/>c</b> |
|---------------------------|---------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| Jeff Bethell              | Fort Mitchell       |                      | X                    | X                    | Xx                   | X                    | X                    | X                    |                      |                      |                      |                      |                      |
| Diane Brown, V. Chair     | Erlanger            | X                    | X                    | X                    | Xx                   |                      | X                    | X                    |                      |                      |                      |                      |                      |
| Nancy Collins             | Ryland Hts.         |                      | X                    | X                    | Xx                   | X                    |                      | X                    |                      |                      |                      |                      |                      |
| Gailen Bridges            | Kenton Co           | X                    | X                    | X                    | Xx                   | X                    |                      | X                    |                      |                      |                      |                      |                      |
| Paul Darpel, Chair        | Edgewood            | X                    | X                    | X                    | Xx                   |                      | X                    | X                    |                      |                      |                      |                      |                      |
| Brian Dunham              | Kenton Cty          | X                    | X                    | X                    | Xx                   | X                    | X                    | X                    |                      |                      |                      |                      |                      |
| Mike Gaiser               | Ludlow              |                      | X                    | X                    | Xx                   | X                    |                      | X                    |                      |                      |                      |                      |                      |
| Lynne Hood                | Crestview Hills     | X                    | X                    | X                    | Xx                   |                      | X                    | X                    |                      |                      |                      |                      |                      |
| Marc Hult,                | Covington           | X                    | X                    | X                    | Xx                   | X                    | X                    | X                    |                      |                      |                      |                      |                      |
| Keith Logsdon             | Lakeside Park       | X                    | X                    | X                    | Xx                   | X                    |                      | X                    |                      |                      |                      |                      |                      |
| Matthew Martin            | Taylor Mill         |                      |                      | X                    | X                    | X                    | X                    | X                    |                      |                      |                      |                      |                      |
| Ron Padget <i>Padgett</i> | Covington           |                      |                      | X                    | Xx                   | X                    | X                    | X                    |                      |                      |                      |                      |                      |
| Joe Pannunzio             | Elsmere             | X                    | X                    | X                    | Xx                   |                      | X                    | X                    |                      |                      |                      |                      |                      |
| Phil Ryan, Treasurer      | Park Hills          | X                    | X                    |                      | Xx                   | X                    | X                    | X                    |                      |                      |                      |                      |                      |
| Marco Sansone             | Bromley             |                      | X                    | X                    |                      | X                    |                      | X                    |                      |                      |                      |                      |                      |
| Greg Sketch               | Crescent Spgs       | X                    | X                    | X                    | Xx                   | X                    |                      | X                    |                      |                      |                      |                      |                      |
| Maura Snyder              | Independence        | X                    | X                    | X                    | X                    | X                    |                      | X                    |                      |                      |                      |                      |                      |
| Jack Toebben              | Fort Wright         | X                    | X                    | X                    | Xx                   | X                    | X                    | X                    |                      |                      |                      |                      |                      |
| Robert "Bob" Whelan       | Covington           |                      |                      | X                    | Xx                   | X                    | *                    | X                    |                      |                      |                      |                      |                      |
| Brian Wischer             | Villa Hills         | X                    | X                    | X                    | Xx                   | 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 Mr. Matt Smith, Legal Counsel, and the following PDS staff: Mr. Andy Videkovich.

**AGENDA**

Mr. Darpel asked for a motion to accept the agenda as stated. Ms. Snyder made the motion to accept as stated. Ms. Brown seconded. A roll call vote on the motion found Ms. Snyder, Ms. Brown, Mr. Bethell, Mr. Bridges, Ms. Collins, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Padget, Mr. Ryan, Mr. Sketch, Mr. Sansone, Mr. Toebben, Mr. Wischer, Mr. Whelan and Mr. Darpel in favor. The motion carried unanimously

**APPROVAL OF THE MINUTES:**

Mr. Darpel asked for any questions or changes to the minutes for June. There being no questions or comments, Mr. Darpel asked for a motion. Mr. Bethell made the motion to approve the minutes for June. Mr. Wischer seconded the motion. A roll call vote on the motion found Mr. Bethell, Mr. Wischer, Ms. Brown, Mr. Dunham, Ms. Hood, Mr. Hult, Mr. Martin, Mr. Pannunzio, Mr. Padget, Mr. Ryan, Mr. Toebben, Mr. Whelan and Mr. Darpel in favor. Mr. Bridges, Ms. Collins, Mr. Gaiser, Mr. Logsdon, Mr. Sketch, Mr. Sansone and Ms. Snyder abstained. The motion carried.

**RECEIPTS AND EXPENDITURES:**

Mr. Darpel stated the receipts and expenditures report was distributed. There being no comments or questions he asked for a motion to approve. Ms. Snyder made the motion to accept the receipts and expenditures. Mr. Ryan seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Ryan, Mr. Bethell, Mr. Bridges, Ms. Brown, Ms. Collins, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Padget, Mr. Sketch, Mr. Sansone, Mr. Toebben, Mr. Wischer, Mr. Whelan and Mr. Darpel in favor. The motion carried unanimously.

**BUDGET (FY2018)**

Mr. Darpel asked for a motion to accept the budget as stated. Ms. Snyder made the motion to accept as submitted. Mr. Ryan seconded. A roll call vote on the motion found Ms. Snyder, Mr. Ryan, Mr. Bethell, Mr. Bridges, Ms. Brown, Ms. Collins, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Padget, Mr. Sketch, Mr. Sansone, Mr. Toebben, Mr. Wischer, Mr. Whelan and Mr. Darpel in favor. The motion carried unanimously.

**RECENT ACTIONS BY STAFF:**

*(No action required)*

**RECENT ACTIONS BY LEGISLATIVE BODIES:**

*(No action required)*

**PUBLIC HEARINGS:**

**FILE:** PC1706-0002 (action required)

**APPLICANT:** City of Crescent Springs per George Ripberger, City Administrator

**LOCATION:** 2525 Anderson Road; an area of approximately 10,500 square feet located on the southeast corner of the intersection of Anderson Road with Croley Street in Crescent Springs

**REQUEST:** A proposed map amendment to the Crescent Springs Zoning Ordinance changing the described area from NC (a neighborhood commercial zone) to R-1G (a moderate density single-family residential zone).

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

**PDS STAFF RECOMENDATION:**

Unfavorable recommendation on the proposed map amendment to the Crescent Springs Zoning Ordinance changing the described area from NC (a neighborhood commercial zone) to R-1G (a moderate density single-family residential zone).

Mr. Ripberger registered to speak in favor of the issue. He deferred his comments until a bit later. Alan Pompei addressed the Commission and gave a brief history of the area. He noted the original zoning was R1-G and during that time it was zoned as such the city started getting calls about businesses being run out of residential zones. He noted there are actually two lots for the property in question so there is a discrepancy there. He noted the pictures show a lot that is pretty clear but three months ago the lot was covered with wood and there never was a house on that. He noted in the past eight years the city has not received any interest in the property until approximately two months ago. The city received interest in the property and was asked whether they would consider rezoning the property back to what it was previously. He additionally stated the city believes this would allow the lot to be developed in a positive way and enhance the area. Mr. Smith clarified what the basis would be in requesting the zone change. He asked if it would be that the existing zoning is inappropriate and the suggested zoning is appropriate. Mr. Pompei stated he would defer to Mr. Ripberger on that question.

Mr. Ripberber addressed the Commission and stated back in 2008 when the city made the application he was the one that made the application. He stated the lot in question was a vacant lot owned by the Wilson family that had been vacant for a number of years. He noted the city's intent was to clear that all up and make what was non-conforming, conforming. He additionally stated a lot of complaints were received from residents in the area when it was commercial. He stated this was another purpose in changing the zone and cleaning up the lot. He further stated this particular zone is appropriate at this time. He commented nothing significant has changed and they feel this would be a good area to make a single family development. Mr. Ryan asked if the house is to remain on the property. Mr. Ripberger stated it was.

Mr. Ron Hammond registered to speak in favor and stated he and his partner own the property and it is being rented out a single family house at the moment. He stated he does not have an objection of this going to residential at this point.

Mr. Ken Kramer registered to speak on the issue and stated for the record that he has no objections to the home being built.

There being nothing further, Mr. Darpel then recessed the public hearing for discussion. There being none, he reconvened and closed the public hearing. He asked for a motion on the matter. Mr. Sketch made the motion to approve the zone change based upon the fact that the current zone change is inappropriate and the zone requested is appropriate. Mr. Martin seconded the motion. A roll call vote on the motion found Mr. Sketch, Mr. Martin, Mr. Bethell, Mr. Bridges, Ms. Brown, Ms. Collins, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Padget, Mr. Ryan, Mr. Sansone, Ms. Snyder, Mr. Toebben, Mr. Wischer, Mr. Whelan and Mr. Darpel in favor. The motion carried unanimously.

**FILE:** PC1706-0003 (action required)

**APPLICANT:** Holds Branch Investments Associates, LLC per Kirk Ridder on behalf of Holds Branch Associates, LLC, Holds Branch Development Company, LLC and BF Development

**LOCATION:** Request 1/Area A: an area of approximately 101 acres located on the south side of Horsebranch Road between Rust Drive to the west and the terminus of Holdsbranch Road to the East.

Request 2/Area B: an area of approximately 53 acres located approximately 1,500 feet south of Holdsbranch Road and 4,500 feet east of Madison Pike in Taylor Mill.

**REQUEST 1: Area A:** A proposed map amendment and amended Stage I Development Plan to the Covington Zoning Ordinance changing the described area from RS-7.5 (a suburban single-family residential zone with a maximum density of 5.8 dwelling units per net acre) and R-1D (PUD) (a residential unit development with a maximum density of 4.84 dwelling units per net acre) to RS-7.5(PUD)(a residential planned unit development zone with a maximum density of 5.8 dwelling units per net acre)

**REQUEST 2: Area B:** A proposed map amendment and amended Stage 1 Development Plan to the Taylor Mill Zoning Ordinance cha1D(PUD) (changing the described area from RS-7.5 (a suburban single family residential zone with a maximum density of 5.8 dwelling units per net acre) and R-1C (a suburban single-family residential zone with a maximum density of 4.84 dwelling units per net acre) to R-1D (PUD) (a residential planned unit development zone with a maximum density of 4.8 dwelling units per net acre).

Staff presentation and Staff recommendations by Mr. Andy Videkovich

**PDS STAFF RECOMMENDATION:**

**Request 1:** To approve the proposed Map Amendment and amended Stage I Development Plan for Area A, located within the City of Covington, but only subject to compliance with the following conditions: 1. The proposed amended Stage I Development Plan for Area B be approved by the City of Taylor Mill. 2. Street connections from Bella Ridge be made to streets A and B. 3. Sidewalks be provided within the multi-family areas with connection to the sidewalk on Tuscanyview Drive. 4. The maximum density of the existing and proposed PUD area within the City of Covington not exceed 5.0 dwelling units per net acre. 5. The location, height, and type of all fences and walls on the detached single-family residential lots be in conformity with the requirements of the RS-7.5 Zone. 6. Subsurface geotechnical investigation be performed and submitted with subsequent Stage II Development Plans. 7. A traffic impact study be conducted and submitted with the first subsequent Stage II Development Plan. 8. The waivers previously granted by the KCPC be reevaluated for applicability at the time of the Stage II Development Plan submittal.

**Request 2:** To approve the proposed Map Amendment and amended Stage I Development Plan for Areas B, within the City of Taylor Mill, but only subject to compliance with the following conditions: 1. The proposed amended Stage I Development Plan for Area A be approved by the City of Covington. 2. The maximum density of the existing and proposed PUD area within the City of Taylor Mill not exceed 4.8 dwelling units per net acre. 3. Street and sidewalk connections be made between streets E and F and between streets J and I in the “Prato” section. 4. Subsurface geotechnical investigation be performed and submitted with subsequent Stage II Development Plans. 5. The location, height, and type of all fences and walls on the detached single-family residential lots be in conformity with the requirements of the R-1D Zone. 6. A traffic impact study be conducted and submitted with the first subsequent Stage II Development Plan.

Mr. Kirk Ridder addressed the Commission in favor of the issue. He stated he was available to answer any questions on the issue and commented that Staff did a great job. He commented they are in agreement with Staff’s recommendations and conditions in general. Mr. Ridder stated the reason they have shown cul de sacs is they meet all the regulations set forth in the zoning regulations. He further commented another reason for the cul de sacs is basically because that is

what the single family market prefers. Mr. Ridder stated they understand the desire for the connectivity on the street where the condos are being proposed, they cannot do this due to topographical issues. He noted with regard to the density, instead of having two different densities they are asking for a density of 5.0 dwelling units per net acre for consistency. Mr. Dunham asked what expectation they have if approved under the bubble diagram. Mr. Ridder stated they know the bubble diagram is unique and has never been done before but has seen it in other counties in Ohio. He stated they came up with this for flexibility to move product around based on the market. He stated if they want to build more condos, they can do that, if the market demands more single family homes, they can do that, but they will not go over the density requirement. Mr. Ridder stated he understood the concerns with the bubble diagram. Mr. Sketch asked about the private street designation. Mr. Ridder stated that would only apply to the apartments and all the other areas would be public. Mr. Ridder additionally commented about the previously approved waivers and wanted clarification that those aren't going away. Mr. Videkovich stated they do go forward but would have to be reevaluated as it goes forward.

All others registered in favor of the issue had nothing to add.

Mary Stevie addressed the Commission as a neutral party and stated she just found out about the bubble diagram. She asked whether or not they can change the density or if that could change and they would not have to come back before the Commission. Mr. Darpel clarified the question and stated they could not exceed the density specified. She then asked if there was going to be a height limit on the apartment buildings. Mr. Darpel stated the highest on any of them is forty feet and there is nothing that exceeds that. He noted what they are trying to do is not have to come back and ask for additional items but he will let the applicant clarify that. She then asked about green space and wanted to know what would be the buffer area between the properties. Mr. Darpel then asked if she had seen the proposed plan and noted that is what will be being proposed.

Ms. Maura Flowers addressed the Commission and asked when it comes to the traffic study that has to be done, what happens after that is done and what are next steps. Mr. Darpel stated when that is done they have to maintain certain grades and meet the standards of the study. She also wanted to know who would pay for the traffic study. Mr. Darpel then stated the developer would pay for that. Ms. Flowers then asked who made the determination about the collector street. Mr. Darpel stated there is a whole criteria for how you classify a street that would determine whether or not it is a collector street. He noted it is basically in the statutes and regulations.

Mr. Brian Lonneman addressed the Commission and stated this is setting a dangerous precedent if the bubble diagram is approved. He stated he thinks that is bad and it would be setting a precedent.

Mr. Stephen Miley addressed the Commission and stated his biggest concern is the majority of the houses back up to the hillside and he is wondering what guarantees there are that there will be no (water) run off. He stated the other thing that concerns him is he was crunching some numbers and he doesn't think the density is matching up. He further stated he doesn't think Taylor Mill will come off of their 4.8 requirement. He noted a concern with traffic congestion and also run off and what damage that will do to existing housing along Holdsbranch. Mr. Darpel stated water runoff issues are handled through SD1 to review that and they would be responsible for the review of that and not the Commission. Mr. Darpel stated they would have to show a plan for the water runoff and SD1 is the entity that handles that.

Mr. Ray Mannis had nothing to add.

Ms. Rebecca Seligman addressed the Commission and stated her concern is she is right on the corner on Holdsbranch. She stated they were suggesting making an access at the top of the hill so there could be more than one way out. She stated that is fine but it means residents would be coming up and down a private road and neither Taylor Mill or Covington maintains that since it is private. She stated currently torrential rain will send gravel across the road and into her grandmother's residence. She stated currently there is only one retention pond and she wanted to know if that is enough to handle that. She also noted the gravel road is sometimes impassable in the winter and she doesn't see it as an access road in the winter. She further stated that driveway is privately owned so putting access at the top will bring traffic down and the road will not be able to sustain it at all. She noted Holdsbranch is basically a one lane road anyway and is barely passable for two cars. She stated her concerns with traffic you will also have to navigate trucks going off of the hill. She noted they are already seeing run off from AT&T so she is concerned how this will affect at the bottom of the hill.

Mr. Alex Koenig addressed the Commission for the City of Covington and stated he doesn't have anything to add and just wanted to mention that they have been involved with the engineers on the issue and they are aware with what is being proposed.

Mr. Ridder addressed the Commission in rebuttal and stated he would do his best to answer all the questions. He stated with regard to the density issue, they basically haven't differentiated on the density and overall number cannot increase. He noted with regard to the height requirements they are not planning any apartments in the Taylor Mill area. Mr. Ridder stated with regard to the fencing and buffers, any fencing would meet the requirements of the underlying zoning. Ms. Brown commented there may be a potential to acquire other properties and allow for a connection. He stated they are not planning on any connection for any access to the gravel road that is currently there. Mr. Jason Wesneste addressed the Commission and stated there are no plans to connect Tuscanyview Drive to Holdsbranch. He stated there is a private drive that services properties they do not own and will not own. He stated there is no intention to connect at Holdsbranch from Tuscanyview. Mr. Ridder then commented about the traffic study and noted it would be paid for by the developer. He then commented about the discussion regarding one access point into the development and stated there is another access point from an existing development. Mr. Ridder stated SD1 would have to approve all the drawings for erosion as referenced earlier. Mr. Sketch stated he doesn't know if the general public has an idea of what can go into the bubble diagrams and he noted there is a chart of what can be put in. He then noted it's not just putting whatever you want in there and he wanted that clarified. Mr. Dunham asked if the cities could make the change with regard to density. Mr. Videkovich stated that was correct. Mr. Wesneste stated one of the challenges is they have already run into land swaps with Covington. He noted there might be some land swaps that occur or need to occur depending on land alignments so he didn't know if anyone can tell you what falls into which municipality because they are at the beginning stages of this and municipal lines can change. He stated he just wanted to add that because it could change slightly in the future.

Mr. Ryan asked about the collector road and asked what is required if that is designated a collector. Mr. Videkovich stated they can construct the street how they want but if they want to build a thousand lots off that street, they have to build it to the standards of a collector. He stated if they want to build it out to capacity and this is likely what they want to do, they can build as many units as you can have off of a collector street.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. He stated his concern is the bubble map. He stated he thinks the concept is good; however, you have to prepare people on how you can use them. Mr. Ryan asked about the bubble diagram Mr. Ryan stated he does like the idea of the bubble but not having seen it before this body before makes him leery. There being no further comments, Mr. Darpel then reconvened the public hearing. Mr. Dunham asked about the conditions and noted some of these really didn't need to be included as conditions. He stated he is just trying to better understand the conditions. Mr. Videkovich clarified the conditions with regard to the issue. Mr. Smith stated the only thing the Commission needs to focus on with request number one, is condition number 2 - they were not in favor of any street connection and the other is condition number 4, the limitation on the dwelling units per net acre. Mr. Smith stated those are the only two that were at issue, the rest they are in agreement on. He stated with request number 2, they weren't in agreement with number 2 but there is nothing they can do about that because that is mandated by the City of Taylor Mill. Mr. Darpel stated essentially you cannot condition the approval on the 5.0 density so that would essentially be removed from the conditions. He stated you cannot condition something the applicant does not agree to. He noted with regard to the street connections you would have to strike that as well because they did not agree to that. Mr. Wesneste then asked for clarification on what is being conditioned. Mr. Smith stated everything is being considered except condition 2 and 4 on condition one. Mr. Darpel then asked if they were in agreement with the 5.0 density limitation. Mr. Wesneste stated they were. Mr. Darpel and Mr. Smith stated that makes things easier. Mr. Darpel stated all the others are essentially ones they feel are already part of the zoning ordinance. Mr. Wesneste stated they are also in agreement with the 4.8 density limitation. Mr. Darpel then closed the public hearing and asked for a motion on the matter. He noted these would be done in two separate motions, the first being the City of Covington. Mr. Padget then made the motion to approve Request 1 as stated with conditions, except for condition number 2, and also to include the bubble diagram based on Staff's report. Mr. Hult seconded the motion. Mr. Dunham stated he has to say he loves the concept about the bubble diagram, however, for the Commission to be using it for the very first time, this is a very large scale project and he is uncomfortable with having enough guidance to deal with the issue without the framework to decide what he can and cannot agree to. He further noted he cannot agree to the bubble diagram. Mr. Ryan stated he would tend to agree, and asked if Mr. Padget would agree to approving without the diagram. Mr. Darpel stated there has been a motion and a second. Mr. Padget asked if he could amend the motion. Mr. Darpel stated he could since it was his motion. Mr. Padget then amended his motion to approve based on Staff's recommendations and conditions with the exception of number 2, and not to exclude the bubble diagram. Mr. Hult seconded the motion. A roll call vote on the motion found Mr. Padget, Mr. Hult, Mr. Bethell, Mr. Bridges, Ms. Brown, Ms. Collins, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Logsdon, Mr. Martin, Mr. Ryan, Mr. Sketch, Mr. Sansone, Ms. Snyder, Mr. Toebben, Mr. Wischer, Mr. Whelan and Mr. Darpel in favor. Mr. Pannunzio voted against. The motion carried. Mr. Martin then made the motion with regard to Request 2 to approve the map amendment based on Staff's report, excluding condition three and excluding the bubble diagram. Mr. Sketch seconded the motion. A roll call vote on the motion found Mr. Martin, Mr. Sketch, Mr. Bethell, Mr. Bridges, Ms. Brown, Ms. Collins, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Padget, Mr. Ryan, Mr. Sansone, Ms. Snyder, Mr. Toebben, Mr. Wischer, Mr. Whelan and Mr. Darpel in favor. Mr. Pannunzio voted against. The motion carried.

**FILE:** PC1706-0001 (action required)

**APPLICANT:** Kenton County per Kris Knochelmann, Judge/Executive

**REQUEST:** Proposed text amendments to the Kenton County Zoning Ordinance: (1) adding a definition for mansard roof; (2) adding a purpose statement, amending the list of permitted, accessory, and conditional users, increasing the minimum required side yard, and decreasing the maximum permitted building height within the RC (Rural Commercial) Zone; (3) amending the regulations pertaining to outdoor storage, lighting, noise, odors, and dust, and add material and design standards for signs and buildings within the RC (Rural Commercial) Zone; and (4) amending the public hearing notice for all Board of Adjustment meetings to include posting a sign on the subject property at least 14 days in advance of the public hearing.

Staff presentation and Staff recommendations by Mr. Andy Videkovich

**PDS STAFF RECOMMENDATION:**

Request (1) Favorable recommendation on the proposed text amendment to the Kenton County Zoning Ordinance adding a definition for mansard roof. Request (2) Favorable recommendation on the proposed text amendments adding a purpose statement, amending the list of permitted, accessory, and conditional uses, increasing the minimum required side yard, and decreasing the maximum permitted building height with the RC (Rural Commercial) Zone, subject to the following conditions:

1. The language in the permitted uses limiting the gross floor area of uses be revised to say: “The following uses are permitted to be within buildings that are no greater than 5,000 square feet in area” and “The following uses are permitted to be within buildings that are no greater than 15,000 square feet in area”.
2. The maximum 30 percent articulation be deleted from Section 10.21, G., 1., BUILDING DESIGN REGULATIONS.

Request (3) No recommendation on the proposed text amendments amending the regulations pertaining to outdoor storage, lighting, noise, odors, and dust, and add material and design standards for signs and buildings within the RC (Rural Commercial) Zone.

Request (4) Favorable recommendation on the proposed text amendment amending the public hearing notice for all Board of Adjustment meetings to include posting a sign on the subject property at least 14 days in advance of the public hearing.

Kathy Donahue addressed the Commission in favor of the text amendments. She stated Staff gave pretty much of the history. She noted they have been active for four years and they have several committees. She further stated they have been working on RC Regulations for going on two years now so they have put a lot of work in this. She stated they got a lot of good advice but stated they are not zoning people. She additionally stated they looked at design in other areas and just kind of tweaked those to what they thought would go best in the rural area. She noted Judge Knochelmann asked them to have Staff review what they were proposing and to word smith what they wanted to say. She commented on how they came about determining the language for developmental controls and how to deal with a business owner if there was a problem. She stated she realizes it’s subjective but a good starting point. She stated the amendments represent two years of work and are a good example of how a community can work with government and come up with something good. Mr. Bridges asked if they were going to continue to meet if this is adopted. Ms. Donahue stated they would continue to meet and intend to keep going and are very committed.

Ms. Suzanne Parker addressed the Commission and commented about the lighting. She stated they have a lot of stars in the rural areas so they want to limit the light to preserve that.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. Mr. Bridges stated 2030 is open to any citizen group that wanted to have input and only the Southern Kenton County



group stepped up. He stated it is directly from the people working themselves. He noted there is no one opposing this tonight. He stated what they have done should probably be written up in terms of the way they have done this because it could be a national model. He stated this is the first thing that has come organically from the people and he really thinks they should be applauded and rewarded. Mr. Dunham commented he is not concerned about the objectionable language. He stated the language is very well drafted. Mr. Sketch asked what the objection to mansard roofs. Ms. Donahue stated honestly she thinks they took that from Independence and used it as a standard.

Mr. Darpel then recessed the public hearing for discussion. There being none, he reconvened and closed the public hearing. He then asked for a motion on each issue. Mr. Bridges made the motion with regard to Request (1), to approve. Mr. Ryan seconded the motion. A roll call vote on the motion found Mr. Bridges, Mr. Ryan, Ms. Collins, Mr. Dunham, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Padget, Mr. Sketch, Mr. Sansone, Ms. Snyder, Mr. Toeppen, Mr. Whelan and Mr. Darpel in favor. Mr. Bethell, Ms. Brown, Mr. Gaiser and Mr. Martin voted against. Mr. Wischer and Ms. Hood left prior to roll being called.

With regard to Request (2) Mr. Bridges made the motion to approve including the two changes recommended by Staff which are set forth in Staff's recommendations. Mr. Martin seconded. A roll call vote on the matter found Mr. Bridges, Mr. Martin, Mr. Bethell, Ms. Brown, Ms. Collins, Mr. Dunham, Mr. Gaiser, Mr. Hult, Mr. Logsdon, Mr. Padget, Mr. Ryan, Mr. Sketch, Mr. Sansone, Ms. Snyder, Mr. Toeppen, Mr. Whelan and Mr. Darpel in favor. Mr. Pannunzio voted against. The motion carried.

With regard to Request (3), Mr. Bridges made the motion to approve based on Staff's recommendations. Mr. Sansone seconded the motion. A roll call vote on the motion found Mr. Bridges, Mr. Sansone, Ms. Brown, Mr. Dunham, Mr. Hult, Mr. Logsdon, Mr. Padget, Ms. Snyder and Mr. Whelan in favor. Mr. Bethell, Ms. Collins, Mr. Gaiser, Mr. Martin, Pannunzio, Mr. Ryan, Mr. Sketch, Mr. Toeppen and Mr. Darpel voted against. The motion failed.

With regard to Request (4) Mr. Bridges made the motion to approve. Mr. Ryan seconded the motion. A roll call vote on the motion found Mr. Bridges, Mr. Ryan, Mr. Bethell, Ms. Brown, Ms. Collins, Mr. Dunham, Mr. Gaiser, Mr. Hult, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Padget, Mr. Sketch, Mr. Sansone, Ms. Snyder, Mr. Toeppen, Mr. Whelan and Mr. Darpel in favor. The motion carried unanimously.

Mr. Darpel stated with regard to Request (3) he asked if anyone wanted to revisit the motion. Mr. Sansone asked if the goal with the request was to limit the big plastic bright signs and rather have the signs with directed light. Mr. Bridges stated that was correct. Mr. Ryan stated it could be included under Article 14. Mr. Sansone stated that is a good point. Mr. Darpel asked if anyone wanted to make another attempt at a motion. Mr. Bridges then read the text and stated the language is already there. Mr. Bridges then made the motion to approve Request (3). Mr. Hult seconded. A roll call vote on the motion found Mr. Bridges, Mr. Hult, Ms. Brown, Mr. Dunham, Mr. Logsdon, Mr. Padget, Mr. Sansone, Ms. Snyder and Mr. Whelan in favor. Mr. Bethell, Ms. Collins and Mr. Gaiser, Mr. Martin, Mr. Pannunzio, Mr. Ryan, Mr. Sketch, Mr. Toeppen and Mr. Darpel voted against. The motion failed with a tie vote. Mr. Smith stated by statue the issue can be forwarded on without a recommendation.

### **Ongoing Business**

#### **Reports from Committees**

**By Laws:** - No report.

**Direction 2030 implementation:** No report

**Executive:** – Mr. Darpel stated they did meet and went over the budget.

**Social Media:** - Mr. Ryan stated they did not meet but did get approval from an outside source saying it was a reasonable price.

**Subdivision Review** – No report, no meeting held.

**Reports from Commission Members:** Mr. Dunham stated there was a presentation for a model sign ordinance and he met with Mr. Videkovich and Mr. Gordon. He stated the consultant is proposing some alternate language and they are trying to move that forward.

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

**Two Year Status Report** – Mr. Darpel stated Scott Hiles sent out a report and asked the Commissioners to read over the report. Mr. Darpel stated it's a good report and things are going well. He commended Scott Hiles for his work on the report and stated there is a lot of work going on. Mr. Martin commented about Hunters Ridge in Taylor Mill and the curb situation. He stated they don't believe it's the developers running their skid loaders into the curb. He stated he hasn't see it in other subdivisions so he's not sure why Hunters Ridge is beat up but it's something that needs to be monitored for sure. Mr. Hiles commented it's going to be monitored and evaluated.

**Reports/Announcements from Staff** – Mr. Videkovich stated they received notice from Boone County that they are going to be working on their transportation plan for those concerned. He commented about Kenton County's new bicycle plan and highlighted briefly a portion of the web site and the public safety aspects. He stated they are working on updating the land use maps and are trying to get a jump on this. Mr. Dennis Gordon commented briefly on the fiscal court making PDS a very attractive offer to move into the new County Administration building in 2018. He stated a contract has been negotiated and the deal is done. He stated they will be leaving the current building in approximately January 2019. He stated they are working with the architects now to have space that will facilitate staff continuing to contribute as they have. He stated the meetings would now be held in that building once complete. He stated he will keep everyone updated. Mr. Bridges asked if PDS owns the existing building and what will happen afterwards. Mr. Gordon stated they do and part of the deal is the Fiscal Court did not want the building to be a hindrance as part of the deal so they have an agreement that when they move out the Fiscal Court will take title to the building and PDS will be absolved of any responsibility under the bond issue at that point. He stated their intent would be to sell it.

**General Correspondence:** None

**New Business:** None

**Public Comments:** None.

There being nothing further to come before the commission, a motion to adjourn was made by Ms. Snyder. Mr. Bethell seconded. All in favor by acclamation. The meeting then adjourned at 10:27 p.m.

APPROVED:

Chair

A handwritten signature in black ink, appearing to be 'V. B. S.', written over a horizontal line.

Date

8/3/17

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