

Passed

**KENTON COUNTY PLANNING COMMISSION
SPECIAL MEETING (CONTINUED)
Minutes**

Mr. Darpel, Chairman, called the meeting to order on January 16, 2018 at 6:15 p.m. The meeting was held at Lakeside Christian Church, 195 Buttermilk Pike, Lakeside Park, Ky. Attendance of members was as follows:

Mr. Jeff Bethell, Mr. Gailen Bridges, Ms. Diane Brown (V. Chair), Ms. Collins, Mr. Paul Darpel (Chair), Mr. Mike Gaiser, Mr. Keith Logsdon, Mr. Matthew Martin, Mr. Ron Padgett, Mr. Joe Pannunzio, Mr. Sean Pharr, Mr. Phil Ryan (Treasurer), Mr. Greg Sketch, Ms. Maura Snyder, Mr. Jack Toebben, Mr. Bob Whelan and Mr. Brian Wischer. Also present were Mr. Mathew Smith, Legal Counsel, and the following PDS staff: Ms. Emi Randall, Mr. Scott Hiles and Mr. Chris Schneider.

PUBLIC HEARINGS:

FILE: PC1711-0004

APPLICANT: City of Villa Hills per Craig Bohman, City Administrator

REQUESTS: Proposed text amendments to the Villa Hills Zoning Ordinance: (1) allowing temporary parking of campers, boats, recreational vehicles, trailers, and other such equipment for a 72- hour period from November 2 through March 31; (2) amending the list of permitted commercial and public/semi-public uses within the PUD (Planned Unit Development) Overlay Zone; and, (3) amending the off-street parking requirements and loading and/or unloading requirements within the PUD (Planned Unit Development) Overlay Zone.

FILE: PC1712-0005

APPLICANT: Ashley Commercial Group per Bill Kreutzjans Jr. on behalf of the Saint Walburg Monastery of Benedictine Sisters of Covington, Kentucky, Inc.

LOCATION: An area of approximately 86 acres located on the north side of Amsterdam Road between Stonewood Court to the east and Lauren Drive to the west, approximately 140 feet west of Stonewood Court in Villa Hills.

REQUESTS: A proposed map amendment to the Villa Hills Zoning Ordinance changing the described area from INST (an institutional zone) to R-1EE (PUD) (a single-family residential zone with a planned unit development overlay).

FILE: W-773

APPLICANT: Ashley Commercial Group

LOCATION: An approximate 86-acre area located on the north side of Amsterdam Road, between Stonewood Court to the east and Lauren Drive to the west, approximately 140 feet west of Stonewood Court in Villa Hills.

REQUEST: Waivers from requirements of Articles 4 and 8 of the Kenton County Subdivision Regulations; granting the requests would waive typical street cross sections, off-street parking requirements, and residential driveway and intersection spacing requirements.

Mr. Darpel stated in the interest of time there was request to table issue PC1711-0004 by the City of Villa Hills. Mr. Darpel then asked for a motion to table the issue until the next regularly scheduled meeting. Mr. Sketch made the motion to table. Ms. Snyder seconded the motion. A roll call vote on the issue found Mr. Sketch, Ms. Snyder, Mr. Toebben, Mr. Whelan, Mr. Wischer, Mr. Bethell, Ms. Brown, Mr. Bridges, Ms. Collins, Mr. Darpel, Mr. Gaiser, Mr. Pharr, Mr. Logsdon, Mr. Martin, Mr. Padgett, Mr. Pannunzio and Mr. Ryan in favor. The motion carried.

Mr. Martin recused himself from any consideration and voting on the issue pertaining to the map amendment.

Staff presentation and Staff recommendations by Ms. Emi Randall, Mr. Chris Schneider, Mr. Adam Kurr (pertaining to traffic study completed), and Mr. Scott Hiles.

PDS STAFF RECOMMENDATION:

To approve he proposed Map Amendment and amended Stage I Development Plan changing the described area from INST (an institutional zone) to R-1EE (PUD) (a single-family residential zone with a planned unit development overlay).

Mr. Jerry Dusing addressed the Commission in favor of the issues and introduced various individuals who would be speaking in favor of the issue.

Sr. Mary Catherine Wenstrup addressed the Commission and gave background history and information pertaining to the property in question and how it has been used over the years. In addition she noted in 2012 they were advised by a company that works with religious organizations to sell off property that was not being used in order to fund their retirement needs. She stated they have met with Staff on the development of the property for the past four years. She noted they attended and participated in every public meeting regarding the development. She stated the sisters still own the property and the sale is contingent on the development being approved. She then stated they support the proposed development because it is the result of professional studies, detailed facts and projections. She noted they are grateful the plan calls for walking trails and space for citizens to gather and appreciate the variety of housing being offered. She noted they especially like the traditional neighborhood design. She stated they recognize that change that change can be threatening. She further noted to live is to change and they believe the development will provide a variety of housing opportunities for current and new families that will positively affect the community of Villa Hills.

Mr. Forest Gibson of OHM Advisors then addressed the Commission in favor of the development as the design firm for the issue. He then gave background information on OHM's qualifications and their intentions with the design for the property. He noted key factors of traditional neighborhood development such as walkability and layout. Examples of prior developments were then provided and the master plan details were highlighted. He referenced the waivers with regard to the street layouts as well as sidewalks within the development. He

noted there are 453 proposed units with the flexibility for 493 units. He noted pricing for the proposed housing would range from two hundred and fifty thousand dollars to a million dollars. Mr. Gibson then showed a community planning concept of the homes proposed in the price range of two hundred and fifty thousand dollars to three hundred and seventy-five thousand dollars. He highlighted components of the Village Center and the concept involving that aspect of the plan. He stated it is truly a mixed use development. In addition, Mr. Gibson stated twenty-five percent of the site is open green space. He noted the green space serves as both active and passive recreation within the development. He stated an important part of the green space will be family activities to benefit the entire community. He noted they as planners utilized the original study as part of their design plan.

Mr. Dusing readdressed the Commission and stated he has been doing zoning work for forty-four years and he has never experienced a process as thorough and encompassing as this one. He stated he has known the Benedictine Sisters for a long time. He noted Villa Hills has developed into a premier community in the area and this development will be the crown jewel. Mr. Dusing stated this has been in process since 2015 and has gone through many studies during that time. He then thanked the various individuals, residents, planners, etc. that have been involved with the project. He noted when the Sisters came to him they had already engaged with the PDS Staff for a study about what to do with the property. He noted they wanted to work with the citizens and PDS to come up with the best development for the property. Mr. Dusing stated the Sisters wanted the site to be affordable and also pointed out the community is an aging community. Mr. Dusing stated there is a huge demand for this type of development in the area based on the studies done. He additionally stated this is exactly what they commissioned the designer to do with this property. Mr. Dusing stated they then put together a comprehensive request with regard to the plan and the requirements being stipulated with the property.

Mr. John Yeager had nothing to add.

Mr. Craig Bowman addressed the Commission as the applicant and the city. He stated he is also available to provide additional data with regard to the application. He referenced the data in the handout and gave specific information as to available properties available to rent within the city. He referenced demographics of the area as compared to surrounding cities and areas. He stated an issue in Villa Hills is they do not have step down housing and the proposed plan provides for that. He noted currently millennials are thirty-five percent of all home buyers. He stated he believes the current proposal has what the group is looking for in terms of the development. Mr. Darpel then marked the handout as an exhibit to be made a part of the record on the issue.

Sister Catherine Ryan had nothing to add.

Mr. Butch Callery addressed the Commission in favor of the issue and stated he wanted to make it clear that he cannot vote on the plan but he is here to support it. He gave a brief background on the property and the Sisters' positive influence on the community. He stated the Sisters could have just sold the property to fund their retirement but they worked with the city for the best development for the land. He stated he feels the Sisters have worked very hard for the community need the support of this plan and he asked for its approval.

Sister Kimberly Porter addressed the Commission in favor of the issue. She stated she has been a resident for nineteen years of the Benedictine community. She addressed the Commission and urged the approval of the plan. She noted the character and quality of the development will enhance Villa Hills and she also urged its approval.

Mr. Collier addressed the Commission in support of the development. He noted growing up they would often use the Madonna Manor property for family walks, etc. and that the new development will provide additional opportunities for walking within the community. He noted he currently lives in Newport and this type of development would encourage him to move back to Villa Hills. He additionally stated they support this development and what it can offer.

Mr. Mike Whalen addressed the Commission in favor of the issue. He stated he has a lot of respect for the community and the Sisters have always done a lot for the community. He noted he personally likes the design and the mixed use aspect. He noted he thinks it's a great plan for the city. He additionally stated a concern is emergency access but he would definitely support the plan.

Mr. Bon Niehaus addressed the Commission in favor of the issue and stated he has been a Villa Hills resident all his life. He stated he just wanted to come and offer his support for the development. He noted he is excited to see the project go forward.

Ms. Katie Menniger had nothing to add.

Mr. McMurtry addressed the Commission representing a group of individuals against the proposal. He stated for the record he would like to object and stated the public hearing is improper. Mr. Smith clarified the objection and Mr. Darpel stated what transpired with the court hearing involving the objection. Mr. McMurtry then stated they think there is a critical issue with the development and that is the traffic impact study with regard to the issue. He noted this traffic study did not take into consideration the impact to the City of Villa Hills. He further stated the sanctuary development is introducing new competition and there is no proof it will be a good thing. He additionally noted there is also no real evidence this will benefit the city. He noted the city building is already too small and the study did not address the need for a new city building and the residents will be burdened with this as well as the cost of infrastructure as well as police and fire. Mr. McMurtry stated those additional costs are coming. He also stated the proposal will significantly change the feel of the city. He noted the traffic study also did not address what would happen if the state did not fund the proposed changes needed as a result of the study. He stated none of this was addressed. He then referenced the traffic study and what Staff's report said with regard to that traffic study. Mr. McMurtry noted various points made with respect to traffic by Staff in their report. He noted their recommendations are no improvements are needed with regard to the development. He additionally stated there is nothing that says the state is going to fund the construction of any road improvements and they feel this will be an adverse effect to Villa Hills. Mr. McMurtry noted it is a flawed assumption to assume the state will fund those improvements. He then stated it is a shaky assumption for the Commission to make. He read into the record the City of Villa Hills application for road improvements. He stated this would be marked as an exhibit to his presentation. He stated there is no way to look at this as being a good thing for the City of Villa Hills and the existing residents. He noted the Department of

Transportation noted this is going to be a problematic intersection with no improvements made. He stated the state is broke and to assume that the funding will occur for these improvements is presumptive. He further noted the City of Villa Hills is far down the list because other cities have been knocking at the state's door for road improvements. He stated there is no reason to expect that this road is going to be built in Villa Hills. He further stated this Commission should require the applicant that until the necessary road improvements will occur they should resist approving this until that is in place. He stated the zone change is premature due to their being no funding in place for road improvements. He additionally noted nothing in the materials presented indicates the City of Villa Hills is prepared to make the necessary funding for this. He stated there is also no evidence to indicate the City of Villa Hills can sustain these costs to make the necessary road improvements. Mr. McMurtry noted there is only one way in and one way out over a bridge. He stated there is a proposed second access but there has been no estimate of what this will cost. Mr. McMurtry stated the Sanctuary does nothing to improve the area. He stated Villa Hills has repeatedly been voted one of the best cities to live in and this development will change that. He noted they do not want the project to go through without the necessary road improvements. He then introduced his binder as an exhibit which was marked by Mr. Darpel and made a part of the record on the matter. Mr. Sketch asked if Mr. McMurtry did not want any new development in Villa Hills. Mr. McMurtry stated he did say the residents of Villa Hills are very satisfied with Villa Hills the way it was. Mr. Sketch asked what improvement projects make up the 10.5 million dollars of improvements as referenced in his exhibit. Mr. McMurtry then read what the Department of Transportation recommended. He noted this is part of the City of Villa Hills application to the Department of Transportation and are not his words.

Mr. Steve Schlechter addressed the Commission against the issue and stated he wanted to take the opportunity to illustrate some of the points Mr. McMurtry was making. He referenced the cost of the road improvements and how those figures were calculated. He then showed a number of slides referencing the proposed development. He noted if there is the anticipated traffic it's very likely the crossover traffic is going to be significant to the surrounding areas and they will see a massive increase in traffic. He then referenced the jet fuel pipeline that is not yet operational in the area but stated that will need to be moved and that has not been discussed. Mr. Schlechter also addressed road accessibility with regard to the second access point. He additionally referenced the application for the funding for the roundabout that would need to be constructed should this project go forward. He stated Villa Hills is always at the top of the most livable cities list and their identity will be changed permanently with this development. He noted it is a great place to live and they would like to keep it that way. Mr. Ryan asked if he was able to attend some of the public hearings that were held in 2016. Mr. Schlechter stated he was not. Mr. Sketch stated when the Comprehensive plan was revised where were all the people then. Mr. Sketch noted there was one person in attendance and he lived on River Road. Mr. Schlechter stated that is a good point. He then stated the proposal is what has prompted the people to show up now. Mr. Sketch stated the small area study was actually more intense than what is being proposed. Mr. Schlechter stated he is comfortable with the fact that the roads need to be improved.

Ms. Kathy Stober addressed the Commission and stated she has the greatest respect for the Benedictine Sisters and appreciates their need to sell the property to fund their retirement. She stated she is opposed to the commercial aspect of this development. She noted they have walked the streets to collect signatures that oppose the commercial aspects of the development of the site

and they will continue to collect signatures in opposition. She noted the voices of the citizens that live here must be taken into account, not the wishes of a developer looking to maximize profit.

Mr. Henry Mitchell addressed the Commission against the issue and thanked the Sisters for all they have done to build a great community. He stated he supports their desire to sell the land to fund their retirement. He stated with the traffic study being released in December they have not had much time to collect signatures with two holidays and sub zeros temperatures. He asked that it not be approved by Kenton County Planning Commission. He stated they are once again coming together to protect their city from an outside threat and changing their city forever. He stated it is hard to imagine what the series of traffic and roundabouts will do to their way of life. He additionally noted every day of the school year 25 large school buses leave River Ridge Elementary at exactly the same time. He stated he doesn't think that roundabouts are right for their community due to the large number of school buses. He stated currently there are no known funds available to fund the construction of the roundabouts and road improvements. He noted the Villa Hills road improvements are not even on the state's top ten list of improvements. He asked the Commission to listen to the residents and vote no on the issue. He then shared a slide depicting residents being overwhelming against commercial and rental units. He additionally referenced a slide of desired housing and noted housing described as flats is not even referenced on there.

Mr. Tom Winnie addressed the Commission and reiterated what has been said with regard to the Sisters and he also understands they have to sell their property. He stated the study itself is not so bad but he doesn't think the proposed development meets those guidelines. He stated by the same token a lot of other developments fit the same criteria and there are a lot of other options that could go into the property. He stated with the commercial being built there is going to be a sudden burst of traffic to the area. He noted an interesting thing about the study is there were a lot of experts that stated commercial was not a good fit. He noted they said that they have enough commercial development and there was a question of whether office was needed. He stated they already have one shopping area and it has been struggling and noted the adjoining places have not been successful. He additionally stated he doesn't think the PUD is what is needed for Villa Hills right now. He noted it would be more in line with what it is currently. He noted he thinks there should be further evaluation on the issue. He noted he does not agree with the commercial aspect of the development. He then asked that it not be approved tonight.

Mr. Tom Mottner addressed the Commission in opposition and stated he and his wife have a retirement fund and it is their home. He referenced a map from the Villa Hills public meetings held in May of 2016 and January of 2017. He stated all the way up to December of 2017 this is what was presented and now in order to accommodate the developer has moved the development fifty feet from his property line. He stated he is only an individual but this will affect him drastically. He stated maybe they should have jumped on this sooner but they are here now and they think it needs more consideration.

*At this time (9:11 p .m.) a ten minute break was taken.

Mr. Darpel reconvened the meeting and reiterated the Commission is a recommending body only on the issue for clarification.

Ms. Sue Marshall addressed the Commission against the issue and stated she has learned a lot tonight. She stated one of the things that struck her is when we kept talking about community. She stated they have a community. She stated she has been there for thirty-five years and loves Villa Hills. She stated they have the best sidewalks and everyone walks around the city. She stated he summarized a lot of things about who they are and she doesn't think it's correct. She stated she thinks the big issue is commercial. Ms. Marshall stated they know commercial business brings traffic. She stated any commercial business brings much more traffic than anything and that's why she is against it.

Ms. Dawn Johnson addressed the Commission against the issue. She stated she doesn't begrudge the Sisters for selling their property. She noted she thinks the Sisters are going to be greatly distressed when they are trying to bury one of their own and a car speeds down near the cemetery. She stated they don't want any more commercial development. She stated they knew what tax base they were buying into when moving to the city. Ms. Johnson stated she doesn't think it's appropriate for the city to do to the community. She noted if this development goes in she has already picked out her black out curtains and the white noise machine she is going to buy.

Mr. Richard Heeley addressed the Commission against the issue and asked if it is possible at this late stage to put it on the ballot since it is a critical change. He stated the people of Villa Hills do not want it. Mr. Darpel stated there is not a ballot issue available at this point. Mr. Heeley stated that is unfortunate that the people don't have a voice. Mr. Darpel stated he disagreed and that he is present at the public hearing on the issue and has the opportunity to speak on the issue.

Mr. Mike Kalin addressed the Commission against the issue and reiterated that he doesn't think the council understands the issue. He stated the apartment building aspect just came to their attention and they are just figuring it out. He noted he is not confident or trusting that this situation is what is going to be developed. He stated if the worst happens he is not going to stay in Villa Hills. He stated he loves the bedroom community and understands there is going to be development and there is nothing he can do about that. He then noted he feels the developer just slipped this in at the busiest time of the year.

Mr. Eric Robbins addressed the Commission against the issue and stated the first thing he wanted to do is thank the Sisters. He stated they have nothing against the Sisters and their desire to sell their property. Mr. Robbins stated what is surprising is how open the Sisters have been with the input. He stated what was never comprehended is a 187 unit apartment building being part of the development. He noted that was never what was presented. Mr. Robbins stated there are three hundred parking spaces being represented with that apartment building. He further noted if we had wanted to live in Covington in an urban area they would have chosen to live there but they didn't, they chose to live in Villa Hills. He noted his last comment is with regard to the traffic issue. He stated there was lots of discussion as to traffic. He noted it was pointed out that building this development before the funds are secured is inappropriate.

Mr. William Lawrence addressed the Commission and stated one thing that really bothers him is the access road. He stated they own the street that they want to run access through. He stated the city takes care of the road but they take care of the dam. Mr. Lawrence stated the roundabouts sound really good until you put a school bus on one. He stated over the years he has lost two tires trying to avoid hitting school buses. He stated he doesn't feel there is enough room. He stated he doesn't know if this whole thing has been presented the way it was presented to them. He stated it is the commercial that needs to be excluded and the additional access road needs to be eliminated too. He then thanked the Sisters and stated he appreciates everything they have done for Villa Hills.

Mr. Ronald Rand addressed the Commission against the issue and stated when he first moved in there were no houses, they just had horses. He stated they knew that it wouldn't stay that way forever. He stated in his lifetime he has dealt with a lot of things that deal with real estate. He noted the issue of mentioning what the Sisters and what they have done for the city should have no bearing as the Commission is a governing board. He stated the biggest thing is what is the best use for the property. He asked if this development is what the community really is. He then stated he says no. He additionally stated this development package looks like they tossed what is going to have the highest value for the property. He further noted when he first bought his home they were looking for a larger house than what they had. He noted one of the biggest problems is traffic. He stated he used to be able to pull out of his driveway and that his driveway sits about a hundred feet from Collins. He stated traffic gets jammed up on Collins and they won't even be able to get in and out. Mr. Rand stated more thought needs to go into the apartment complex.

Mr. Robert Miller addressed the Commission against the issue and stated he has heard a lot of talk about roundabouts and commercial buildings, etc. He stated the Commission doesn't care about that. He stated they want to have a good use for the area and this is not it. He further stated he thinks this plan needs more thought and with more thought, the Sisters can accomplish what they want. Mr. Miller stated they have a right to sell their property. He stated it will be good for Villa Hills for the property to be developed in a responsible manner but this is not responsible. Mr. Miller noted he doesn't stand in the way of development and that he encourages it, but this is a bad plan.

Mr. Walter Maloney addressed the Commission against the issue and stated he is for progress but for smart growth. He stated smart growth came about around twelve years ago. Mr. Maloney stated where this proposal falls apart is in the infrastructure of the road system. He stated from what he has seen, to accommodate this much traffic Collins and Amsterdam will both need to be widened. He further stated while this project incorporates a lot of those smart ideas, it puts too much traffic on the roads. Mr. Maloney then stated it's going to be a big headache for a lot of people and he for one will move right back out if this goes through.

Mr. Patrick Carpenter addressed the Commission against the issue and stated he did attend the meeting at River Ridge and one of the most common things was no apartments. He stated nobody said they were all for commercial. He noted a concern about traffic. Mr. Carpenter stated he has boys and they ride their bikes all over the city. He commented that you put in a thousand residential uses you're looking at more than two thousand cars on the road going in and out is not going to be good.

Mr. Gary Seibert addressed the Commission against the issue and stated he has been a resident of Villa Hills for forty-four years. He stated when he first heard of the selling of the property he didn't have an issue with it. He stated when he heard of the apartments the traffic is going to be horrific. He then added he thinks it's a bad idea.

Ms. Alice Clay addressed the Commission against the issue and stated clearly as a resident the nuns have been great neighbors and that is not her issue. She stated her problem is with the planning commission. She stated the worst part is the connector they want to put through to a private street. Ms. Clay stated it is a considerable cost and commented what that will mean to the residents of Prospect Point. She further noted this isn't good planning. Mr. Darpel stated this isn't their plan. He noted there is nothing that says there will be a connector to Prospect Point. He stated they have to decide on this plan in front of them but this is not the Commission's plan.

Mr. Josh Blair addressed the Commission against the issue and stated one of the issues that hasn't been discussed much is River Ridge. He stated the Kenton County School District is underfunded and this is going to overburden River Ridge and cause it to diminish the quality of education. Mr. Blair stated another concern is River Ridge feeds into Turkeyfoot. He stated they are the largest district and this is going to cause more issues. Mr. Blair stated that is the one thing he didn't hear from anyone in the meeting and the burden this will have on River Ridge.

Ms. Lou Keys Rust addressed the Commission against the issue. She asked when the 187 apartments got presented. Mr. Darpel then commented it was presented in December. She asked the Chairman if he didn't see a connection that that is a big sticking point with the proposal. Mr. Darpel stated they as a Commission are responsible for making sure this meets the comprehensive plan. He noted that process is what brings them to this particular point. He stated they don't have the final decision. He reiterated they received this plan in December. He further stated the question for them is, is this in compliance with the comprehensive plan. She stated no one seems to talk about the safety and that is a big concern. She wanted to know who is going to own the apartments. Mr. Darpel stated he did not know. She also stated she has to disagree with Mr. Dusing; this development will not be the crown of Villa Hills, the people are.

Mr. Mike Bartels addressed the Commission against the issue and stated everything is going to change. He stated traffic is going to increase, that's a given. What is not a given is the apartment building. Mr. Bartels noted the apartment complex poses more of a problem than what he's heard than traffic. He asked where all the drainage is going to go with that big parking lot. He stated this is not the right use for the land that he wants to see. Mr. Darpel stated as far as water discharge that is not the Commission's prevue and that would be the Sanitation District. Mr. Bartels stated he's seen so many developments going in and in a few years the city will have to take care of it. He stated the people feel like they're getting the shaft and they don't like it.

Mr. Tm Sober addressed the Commission against the issue and stated he was a city council member for 25 years and they always tried to keep it a single family residential community. He stated that is what it should remain, no apartments, no retail. He stated if this goes into a three to three vote the mayor would be the tie breaking vote. Mr. Smith clarified that that is not the case in a land use issue and the mayor would not have a tie breaking vote.

Mr. Dale Howard stated his concerns have been addressed.

Mr. Mike Goetz addressed the Commission against the issue and asked if any of this makes any difference with the vote. Mr. Darpel stated what they are here to do is to make certain this meets the comprehensive plan and is in compliance with the Comprehensive Plan. Mr. Goetz asked what the cost is in building a roundabout. Mr. Sketch stated it's not ten million dollars. Mr. Goetz stated if the roundabout goes it he won't be able to get out. Mr. Ryan stated the roundabout is just one of many recommendations for the plan. Mr. Goetz then asked where the traffic was going to go. He asked if this is passed do they have any more say to the council. Mr. Darpel stated they are a recommending body to the City of Villa Hills. He noted they are the authority with approval and the City will make the final recommendation on this issue.

Mr. Brian McKinney addressed the Commission against the issue and stated he would like to thank the Sisters for all of their service and he hopes they have a very long retirement. He stated what he would like to mention is in Hebron there are roundabouts and there is a backup and long wait to get on the highway. He stated this is a nice plan but he doesn't think the commercial will fly. He stated part of his objection is also the proposed connection. Mr. McKinney noted with regard to the senior citizens, three friends wanted to know when a unit became available in Prospect Point because they loved it. Mr. McKinley stated if this goes through it will destroy that side of the development in Prospect Point.

Mr. Byron Wolfe addressed the Commission against the issue and stated he is on the board at Prospect Point and has talked to the founding fathers of Villa Hills Kentucky and other people. He stated the bottom line is he received seventy-five emails last night about Cliffview Court. He wanted it on the record that this did not have anything to do with Cliffview Court.

Mr. Christopher Kelly addressed the Commission as a neutral party and asked whether or not this Commission votes in favor of this if it still goes to the city. Mr. Darpel stated that is correct. Mr. Kelly asked about the fuel pipeline mentioned earlier and what would happen if that was reactivated. Mr. Darpel stated that is one of his questions for the proponents.

All others registered to speak had nothing to add.

Mr. Jay Bayer addressed the Commission in rebuttal. He stated this is a state route and before anything is done those items with traffic will need to be addressed. Mr. Darpel then stated what the people wanted to know is if this is going to be put in, are those issues going to be addressed. Mr. Bayer reiterated those issues would need to be addressed. Mr. Ryan asked if the roundabouts are one option. Mr. Bayer stated that is correct. Mr. Darpel then asked about the jet fuel line in regard to the development. Mr. Dusing stated he has never seen anything like this before. He noted this easement is such that the Sisters can ask Transpontaine to move it to any other location on their property at any time. Mr. Dusing stated they have asked them to move it back when they put in the gymnasium and Transpontaine moved it to go around the building. Mr. Dusing stated he wanted to address the comment from Mr. Mottner about this being 50 feet from his property line. Mr. Dusing said that is pretty much accurate since it's about 52 or 53 feet but that the property down at the other end of the corner is closer. Mr. Dusing then stated there has

been all this talk about not wanting commercial. He stated that is not entirely true. He stated at one of meetings held this was not case. He noted the problems with commercial are traffic. He stated the commercial will be walkable so you will not have to drive. With regard to traffic Mr. Dusing noted they can't move this development without the blessing by KDOT. With regard to the question about the apartment building he noted this has been discussed since March of last year. He stated this is the smart growth they are all after and he hopes they can move forward. Mr. Sketch asked about the water runoff and if the water was going to be directed into the lake. Mr. Bayer addressed the question and stated they would be doing that and building a berm around the lake.

Mr. McMurtry addressed the Commission in rebuttal and asked where the pipeline was going to go. Mr. Bayer stated they are working with Transmontaine and they will be working with them to pick the best spot. He stated it is currently in Transmontaine's court and they are waiting to hear back from them. Mr. Dusing stated it does not go along Carpenter's Trace. Mr. McMurtry stated currently there is not funding for the road improvements and asked if this was going to be addressed.

Mr. Darpel then recessed the public hearing for discussion on the issue and reiterated the job of the Planning Commission and the job at hand. Ms. Brown stated she pulled up the Villa Hills study and did a quick review and she saw two mentions of commercial and for apartments being proposed. She stated this was part of the comprehensive plan. There being nothing further Mr. Darpel reconvened and closed the public hearing. Mr. Darpel asked for a motion with regard to the text amendments for PC1711-0004 requests 2 and 3. Mr. Wischer made the motion to approve. Mr. Sketch seconded the motion. A roll call vote on the motion found Mr. Wischer, Mr. Sketch, Mr. Bethell, Ms. Brown, Ms. Collins, Mr. Bridges, Mr. Darpel, Mr. Gaiser, Mr. Pharr, Mr. Logsdon, Mr. Martin, Mr. Padgett, Mr. Pannunzio, Mr. Ryan, Ms. Snyder, Mr. Toebben and Mr. Whelan in favor. The motion carried. Mr. Darpel asked for a motion with regard to the map amendment. Mr. Wischer made the motion to approve PC1712-0005 based on Staff's recommendations and that the application is in compliance with the Comprehensive Plan. Mr. Sketch seconded the motion. Chairman Darpel asked if the commission members making the motion and seconding the motion would be agreeable to include in their motion the additional information items from staff's reports as well as to include an additional information item that the applicant follow the traffic study and provide adequate screening between the multi-family building and existing single family home located at 1089 Carpenter's Trace and other single family homes located on the north-western parcels of Carpenter's Trace. The commission members that made and seconded the motion agreed to amend their motion to include these additional informational items. A roll call vote on the motion found Mr. Wischer, Mr. Sketch, Ms. Snyder, Mr. Whelan, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. Gaiser, Mr. Logsdon, Mr. Padgett, Mr. Pannunzio, Mr. Pharr and Mr. Ryan in favor. Ms. Collins and Mr. Toebben voted against. Mr. Martin recused himself from any consideration or voting on the map amendment issue. The motion carried. Mr. Darpel then asked for a motion on the waivers. Mr. Wischer made the motion to approve the request based on Staff's report and that strict compliance would create an extraordinary hardship in the face of exceptional conditions. Ms. Brown seconded the motion. A roll call vote on the motion found Mr. Wischer, Ms. Brown, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Gaiser, Mr. Logsdon, Mr. Martin, Mr. Padgett, Mr.

Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Sketch, Ms. Snyder and Mr. Whelan in favor. Ms. Collins Mr. Toeppen abstained. The motion carried.

A motion was made to adjourn by Ms. Brown and seconded by Mr. Ryan. All in favor, none opposed. The meeting then adjourned at 11:33 p.m.

Approved

A handwritten signature in cursive script, appearing to be the initials 'BP' with a large flourish extending to the left.

April 5, 2018