

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

Mr. Darpel, Vice Chairman, called the meeting to order on March 2, 2023, at 6:15 p.m. and opened the proceedings with the Pledge of Allegiance and invocation by Mr. Ryan. The meeting was held in the Planning and Development Services office located in Covington, Kentucky. Attendance of members is as follows (for this meeting as well as those during the year to date).

Commission Member	Jurisdiction	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Anthony Baker	Covington	X											
Margo Baumgardner	Crestview Hills	X		X									
Todd Berling	Fort Wright	X											
Jeff Bethell	Fort Mitchell	X		X									
Gailen Bridges	Bromley	X		X									
Paul Darpel, Vice Chair	Edgewood	X		X									
Brian Dunham, Chairman	Kenton Cty	X											
Tom France	Ludlow	X		X									
Keith Logsdon	Lakeside Park			X									
John Hennessey	Villa Hills	X		X									
Matthew Martin	Taylor Mill	X		X									
Joe Pannunzio	Elsmere	X		X									
Dan McElheney	Erlanger	X		X									
Sean Pharr	Covington	X		X									
Phil Ryan, Treasurer	Park Hills	X		X									
Kareem Simpson	Covington	X		X									
Greg Sketch	Crescent Spgs	X		X									
Maura Snyder	Independence	X		X									
Debbie Vaughn	Kenton Co	X		X									
Shannon Schawe	Ryland Hts.			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. Mathew Smith, Legal Counsel, and the following PDS staff: Mr. Andy Videkovich, Ms. Megan Busse, Ms. Laura Tenfelde and Mr. Patrick Denbow.

#### **AUDIT REPORT:**

Mr. Adam Berke addressed the Commission with regard to the audit. He stated they have no concerns or issues or disagreements with management. He stated there were no significant changes with prior years and everything is in compliance. He then stated he was available to answer any questions. Mr. Darpel stated they are certainly in tremendous shape from a few years ago and he is glad to see that. There were no questions or comments. He thanked Nicole as well. He then stated he would entertain a motion to approve. Ms. Snyder made the motion to approve. Mr. Ryan seconded the motion. A roll call found Ms. Snyder, Mr. Ryan, Ms. Baumgardner, Mr. Bethell, Mr. Bridges, Mr Darpel, Mr. France, Mr. Logsdon, Mr. McElheney, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Simpson, Mr. Sketch, Ms. Vaughn, Mr. Hennessy and Ms. Schawe in favor. The motion carried.

#### **AGENDA:**

Mr. Darpel asked for a motion to approve the agenda as presented. Ms. Snyder made the motion. Mr. Martin seconded the motion. All in favor by acclamation.

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

Mr. Darpel asked for a motion to approve the minutes from January. He commented there was no meeting for February. He asked for any questions or comments. There being none, he asked for a motion to approve. Mr. Bridges made the motion to approve as submitted. Mr. Ryan seconded. A roll call vote on the matter found Mr. Bridges, Mr. Ryan, Ms. Baumgardner, Mr. Bethell, Mr. Darpel, Mr. France, Mr. McElheney, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Simpson, Mr. Sketch, Ms. Snyder, Ms. Vaughn, Mr. Hennessy and Ms. Schawe in favor. Mr. Logsdon abstained. The motion carried.

#### **RECEIPTS AND EXPENDITURES:**

Mr. Darpel stated the receipts and expenditures report was distributed. He stated he didn't see anything that would jump out. He then asked for a motion to approve. Ms. Snyder made the motion to accept the reports for both December and January. Mr. Pharr seconded the motion. All in favor by acclamation.

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

*(No action required)*

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

*(No action required)*

#### **PUBLIC HEARINGS**

##### **FILE: PC2302-0001**

**APPLICANT:** Towne Properties per Scott Arentsen on behalf of Wright's Point Limited Liability Company and the Estate of Joan Metzger

**LOCATION:** An area of approximately 0.94 acres located on the east side of Kyles Lane between Castle Hill Lane to the north and Farrell Drive to the south, approximately 150 feet north of Farrell Drive in Fort Wright. This area includes portions of 520 Kyles Lane and 109-A Wrights Point Drive.

**REQUEST:** A proposed map amendment to the Fort Wright Zoning Ordinance from R-1C (a single-family residential zone) to R-3 (a multi-family residential zone). The applicant proposes to extend the adjacent apartment development by constructing six multi-family buildings for a total of 72 units, with access from the existing Wright's Point development, surface parking, and storm water basins. Only a portion of this development is located in the area to be rezoned. The remainder of the property is already zoned for multi-family uses.

\*Mr. Matt Smith recused himself due to a conflict of interest.

Staff presentation and Staff recommendations by Ms. Megan Busse

### **PDS STAFF RECOMMENDATION**

Favorable recommendation on the map amendment to the Fort Wright Zoning Ordinance changing from R-1C (a single-family residential zone) to R-3 (a multi-family residential zone); The applicant proposes to extend the adjacent apartment development by constructing six multifamily buildings for a total of 72 units, with access from the exiting Wright's Point development, surface parking, and storm water basins.

Mr. Scott Arentsen addressed the Commission and stated the first phase of this project was built back in the late 1980's. He stated the reason they did not develop the entire property is because the Metzger's were still living on the property and did not want to sell that portion of the property. He stated he was available to answer any questions. He then stated Mr. Jay Bayer was available to answer any technical questions. He commented as to the sidewalks and commented that that was an oversight and they intend to put in sidewalks if the city wants them.

Mr. Jay Bayer then addressed the Commission and stated this is a unique piece of property and they are kind of cleaning up the zone that should have been done a long time ago with the zoning. He stated they are in agreement with the Comprehensive Plan. He then stated he was available to answer any questions. Mr. Ryan asked about the emergency exit and access. Mr. Bayer stated they haven't worked through the details yet but have had great communication with the city. He stated the easement has been in place with the original development and they will probably have an asphalt drive or something for that emergency access.

Mr. Jeff Bethell addressed the Commission on behalf of the city and stated the city agrees with the project and they agree with the Staff recommendations. He stated he is available to answer questions.

All others registered to speak on the issue had nothing to add and declined to speak. There was no one registered to speak against.

Mr. Darpel asked for any questions or comments. Mr. Martin asked about the access and if they would have to come back or would that be a major change because of the power lines. He stated there is no way a fire truck would get through so he is wondering if they would have to come back. Mr. Videkovich stated because the access drive is not actually a requirement he didn't know if they would have to come back. He stated they would have to work with the city on that to make sure they were comfortable and determine if they would have to come back or not. Mr. Arentsen stated back in the day there was an access road there so he doesn't know if they moved the power lines or what. Mr. Darpel stated he understands they have to put something down on paper and if they have to do something later they will but at least everyone is aware of it.

There being no further comments, Mr. Darpel recessed the public hearing for discussion. There being none, Mr. Darpel reconvened and closed the public hearing. He then asked for a motion on the issue. Mr. Sketch made the motion to approve the map amendment based on Staff's report and that it is in compliance with the Comprehensive Plan. Mr. Martin seconded the motion. A roll call vote on the matter found Mr. Sketch, Mr. Martin, Ms. Baumgardner, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. France, Mr. Logsdon, Mr. McElheney, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Simpson, Ms. Snyder Ms. Vaughn, Mr. Henessey and Ms. Schawe in favor. The motion carried.

**FILE: PC2302-0002**

**APPLICANT:** City of Fort Wright per Jill Cain Bailey, City Administrative Officer

**REQUEST:** Proposed text amendment to the City of Fort Wright Zoning Ordinance reducing the required number of off-street parking spaces for multi-family dwellings.

Staff presentation and Staff recommendations by Ms. Megan Busse

**PDS STAFF RECOMMENDATION**

Favorable recommendation on the proposed text amendment to reduce the required number of off-street parking spaces for multi-family dwellings.

Mr. Jay Bayer addressed the Commission and stated they are in support of the application and noted they have been working closely with the city and appreciate their help on it. Mr. Bridges asked about the parking spots and overflow parking. Mr. Scott Arentsen addressed the Commission and stated they had like 392 parking spaces for the 192 units that are currently there. Mr. Bridges asked if they exceeded the number of required spots. Mr. Arentsen stated he believed they did. Mr. Bayer clarified the number of parking spaces and stated the number exceeds what is required. He stated they have a lot of hospital workers and people that are not always there. He also commented this will predominantly be one bedroom apartments. Mr. Darpel commented this will be a text amendment that goes across the city and will not just affect this property. He noted it is city wide. Mr. Arentsen stated there are no alternative parking spots so that will be their task to make sure they manage that.

Mr. Jeff Bethell addressed the Commission and stated he didn't have anything else to add other than this is the way the city is moving with Z-21. Mr. France asked if this impacts previous developments where they could reduce parking if they wanted to convert parking spaces to a garden or a playground or anything besides parking. He asked if that would impact existing developers. Mr. Darpel stated they would have to make sure it meets the regulations so they would have to deal with that that way.

Mr. Darpel then recessed the public hearing for discussion. He stated this is one consideration to have actual needed parking and not an extra open area that's paved to meet regulations. He stated they were trying to get the right number for the development. Mr. Bridges stated in his real world experience with parking disputes he doesn't see how this is going to work with these low numbers. Mr. Ryan asked if there was a consensus previously with the parking. Mr. Videkovish stated these are just parking minimums and they can always provide more parking if they feel they need it. He noted nothing is going to stop them from putting in more. Mr. Darpel reconvened and closed the public hearing and asked for a motion on the issue. Mr. Bethell made the motion to approve based on Staff's report and testimony of Staff and witnesses present. Mr. Sketch seconded the motion. A roll call vote on the motion found Mr. Bethell, Mr. Sketch, Ms. Baumgardner, Mr. Darpel, Mr. France, Mr. Logsdon, Mr. McElheney, Mr. Martin, Mr. Pharr, Mr. Ryan, Mr. Simpson, Ms. Snyder, Ms. Vaughn, Mr. Hennessy and Ms. Schawe in favor. Mr. Bridges and Mr. Pannunzio voted against. The motion carried.

**FILE: PC2301-0002**

**APPLICANT:** City of Villa Hills per Craig T. Bohman, City Administrator

**REQUEST:** Multiple proposed text amendments to the Villa Hills Zoning Ordinance including: (1) clarifying when a timeframe begins for the reestablishment, repair, or restoration of a nonconformity; (2) removing conflicting language regarding the cumulative floor area of accessory dwelling units and amending the required setbacks; (3) amending the standards for solar panels by fixing typos, allowing panels on roofs facing the street, adding safety regulations, and adding provisions for removal; (4) adding a setback for driveways; (5) adding a height limit on flag poles; (6) fixing a typo in the Character Standards for Services, Utilities, and Minor Accessory Uses; (7) clarifying that fences and walls are permitted along property lines, removing redundant language for walls and fences on a property with no principal structure, adding a

minimum offset for retaining walls, and allowing rear yard fences within corner side yards subject to conditions; (8) addition clarification

Staff presentation and Staff recommendations by Mr. Patrick Denbow

**PDS STAFF RECOMMENDATION**

Favorable recommendation on the text amendments to the Villa Hills Zoning Ordinance

Ms. Mary Ann Stuart addressed the Commission on behalf of the City of Villa Hills. She stated most of this is cleanup with the Z-21. She stated the dwelling accessory came up last year and it was actually a pretty significant accessory dwelling. She stated that an important change is on the solar panels. She stated under the current code under only those properties having the sun hitting the rear of their properties can put up panels. She stated this would allow all the residents to have access to the rebates going on. She stated they strongly approve the recommendation.

Mr. Darpel asked for any questions or comments. There being none, he recessed the public hearing for discussion. Mr. Darpel asked if the preference was to vote separately or all at one. Mr. Sketch asked that they would be considered at one time. Mr. Darpel then reconvened and closed the public hearing and asked for a motion on the matter. Mr. Hennessey made the motion to approve based on Staff's recommendations and testimony and that all the recommendations seemed appropriate. Mr. Sketch seconded the motion. A roll call vote on the matter found Mr. Hennessey, Mr. Sketch, Ms. Baumgardner, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. France, Mr. Logsdon, Mr. McElheney, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Simpson, Ms. Snyder, Ms. Vaughn and Ms. Schawe in favor. The motion carried.

**WAIVER W-506**

**APPLICANT:** Mr. Joe Kramer on behalf of the City of Covington

**LOCATION:** 200 Brent Spence Square, Covington. An area of approximately 20.39 acres located within the City of Covington, situated between Fourth Street, Johnson Street

**REQUEST FOR ACTION:** To grant a waiver to the following section of the Kenton County Subdivision regulations:

- Article 3.4-1 Granting this waiver would allow the Applicant to waive the requirements that "a subdivider may file and execute a written Guarantee with the Planning Commission in lieu of actual installation or completion of the required Public improvements or Private Street construction when requesting approval of the Final Plat."

Staff presentation and Staff recommendations by Laura Tenfelde

**PDS STAFF RECOMMENDATION**

To approve the requested waiver to section 3.4-1, General Provisions, in the Kenton County Subdivision regulations. Granting this waiver would allow the Applicant to waive the requirements that "a subdivider may file and execute a written Guarantee with the Planning Commission in lieu of actual installation or completion of the required Public improvements or Private Street construction when requesting approval of the Final Plat."

Mr. Joe Kramer of Cardinal Engineering addressed the Commission on behalf of the city. He stated they were providing the survey work and platting. He stated Andrew Wilhoit from the City of Covington could address questions and he was also available to answer any questions.

Mr. Andrew Wilhoit addressed the Commission on behalf of the City and introduced himself. He stated when the IRS left, it took thousands of jobs with it. He stated the city would love to get it developed and create a public square that they can all be proud of for the city and the region.

Mr. Darpel recessed the public hearing for discussion amongst the Commissioners. He reiterated it is the City that requested the waiver for this bond so that was clear down the road. Mr. Bridges suggested adding language when the bond-ee is the same as the bond-er to the regulations to avoid having this incident again. Mr. Darpel agreed that would make sense. There being no further discussion, Mr. Dapel reconvened and closed the public hearing. He asked for a motion on the matter. Mr. Pharr made the motion to grant the waiver for the reasons stated in Staff's report and the testimony heard and stated it would

not be detrimental to the public interest and that strict compliance would create a hardship. Mr. Simpson seconded the motion. A roll call vote on the motion found Mr. Pharr, Mr. Simpson, Ms. Barumgardner, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. France, Mr. Logsdon, Mr. McElheney, Mr. Martin, Mr. Pannunzio, Mr. Ryan, Mr. Sketch, Ms. Snyder, Ms. Vaughn, Mr. Hennessy and Ms. Schawe in favor. The motion carried.

## **Reports from Committees**

*Executive*– Mr. Darpel stated he didn't have anything to report since the last meeting.

*Bylaws* – Mr. Bethell stated they met twice actually and they'll put something on the agenda in the two months.

*Direction 2030 Implementation* – Mr. Bethell stated they met in January and are going to meet on the 23rd of this month at 5:30 and that it will be a virtual meeting. He noted one thing they want to do for transparency's sake, they want to get the complete Commission involved because there will be some funds involved. He stated every five years they have to amend or readopt the plan elements. He stated the last time it was essentially rewritten and this time it will just be a review. He stated there are some items that are no longer viable. By example, he stated the City of Bromley has changed in terms of income, population, etc. He noted these are some of the things they have to take care of. He stated they want to go ahead and do this. He commented further that one thing that he thinks is going to be necessary is to ask the Commission to touch base with all the entities with whom they work to let them know what is happening and that the Comprehensive Plan is being updated. He stated if they have any input they can provide it and get ahold of Andy Videkovich or Patrick Denbow so they know something is happening with the Comprehensive Plan and they are on the same page. Mr. Videkovich stated he thinks this is a good opportunity to reach out to your cities and Staff can provide some bullet points so everyone is relaying the same message. Mr. Bethell then commented briefly about the funding costs and resources and what needs to be done there. He then stated they will probably get together with the Social Committee as to what they need to do. He stated they want to be the best stewards of the City's money but they want to also be sure He also stated he would like someone to make a motion to update the action of the 2030 plan. Videkovich commented that Mr. Darpel asked about the planning for the task of drafting the project charter and discussed the amount in relation to KRS 100. He stated he wants to make sure where the funds are coming from and where they are going. Mr. Videkovich stated this will be funded from the taxpayer funds that are collected. Mr. Videkovich stated this to be more transparent with the resources so any questions will be able to be answered. Mr. Darpel suggested making sure this gets in the budget and it gets adopted. Mr. Bethell asked if the Commission would be more comfortable doing a vote next month to give time to review this. Mr. Darpel stated he was fine with what was presented, nothing is being adopted, it is just stating this is what we think it will involve. Mr. Sketch then made the motion Mr. Bridges seconded. All in favor by acclamation. Mr. Bethell stated for the sake of transparency he thinks it's important. Mr. Logsdon stated to put this in context a little bit, this is the only Planning Commission in the state of Kentucky - and there are only five in the United States - that has a body like PDS, a taxation authority. He commented this releases the Commission from having to go get more money.

*Social Media* - Mr. Ryan stated they have not met but will have Pam send out a survey to see if people want to meet virtually.

*Subdivision Review* – Mr. Darpel stated they have not met.

*Z21 Review* - Mr. Bridges stated they did not meet.

*Comments from Commissioners* - None

*Report from Legal Counsel* – Nothing to report.

**Z21 Review** - Mr. Bridges stated they did not meet.

**Comments from Commissioners** - None

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

**Reports/Announcements from Staff** - Mr. Videkovich stated there is a conference taking place next Friday. He stated it is an all day event but is something that the planning Commission does have in the budget so if any Commissioners have any interest to let them know. He stated it is a good opportunity and it will be held at the UC College of Architecture Design and Planning. He further commented about the Z-21. He stated various cities have been meeting biweekly. He stated they have started working with Edgewood, Villa Hills and Kenton County. He asked if anyone had any questions about the Z-21 project and stated he wanted to make sure everyone was getting information regarding that and moving along. There being none, he then stated hopefully they will have something soon and will see more cities coming along.

**New Business** – Mr. Phil Ryan asked Mr. Matt Smith to read a resolution on behalf of the Commission. Mr. Smith then read the resolution for Mr. Darpel into the record for his service to the Planning Commission as Chairman. Mr. Ryan presented Mr. Darpel with a wooden box with the resolution engraved on it as well as a framed copy of the resolution. Mr. Ryan stated Mr. Dunham sends his regrets for not being able to attend but wanted it to go forward. Mr. Ryan then thanked Mr. Darpel for his leadership and dedication over the years and stated they are all very appreciative of his services. Mr. Darpel was then given a standing ovation by those in attendance in appreciation for his years of dedication to the Commission. Mr. Darpel thanked the Commission and stated it has been a labor of love and it's only because of the people here. He stated he feels like they have done so many good things and he feels comfortable with getting some new blood in the Commission and it is greatly appreciated. Mr. Ryan also thanked the members of Staff for pulling that all together. Mr. Bridges made the motion to accept the resolution. Mr. Ryan seconded. All in favor by acclamation.

**Public Comments** - None.

There being nothing further to come before the Commission, Mr. Darpel asked for a motion to adjourn. A motion was made by Ms. Snyder and seconded by Mr. Ryan. All in favor by acclamation. The meeting then adjourned at 8:23 p.m.

APPROVED:

Chair

Date



4/6/23

