

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

Mr. Brian Dunham, Chairman, called the meeting to order on April 4, 2024, 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 in Covington. Attendance of members is as follows (for this meeting as well as those during the year to date).

<b>Commission Member</b>	<b>Jurisdiction</b>	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>Anthony Baker</b>	Covington		X										
<b>Margo Baumgardner</b>	Crestview Hills	X	X		X								
<b>Todd Berling</b>	Fort Wright	X	X	X	X								
<b>Jeff Bethell</b>	Fort Mitchell	X	X	X	X								
<b>Gailen Bridges</b>	Bromley	X	X	X									
<b>Paul Darpel, Vice Chair</b>	Edgewood	X	X	X									
<b>Brian Dunham, Chairman</b>	Kenton Cty	X	X	X	X								
<b>Tom France</b>	Ludlow	X	X	X	X								
<b>John Hennessey</b>	Villa Hills	X	X	X	X								
<b>Yovonne Hurst</b>	Ryland Heights		X										
<b>Keith Logsdon</b>	Lakeside Park	X	X	X									
<b>Matthew Martin</b>	Taylor Mill	X	X	X	X								
<b>Dan McElheney</b>	Erlanger		X										
<b>Joe Pannunzio</b>	Elsmere	X	X	X	X								
<b>Sean Pharr</b>	Covington	X	X	X	X								
<b>Phil Ryan, Treasurer</b>	Park Hills	X	X	X	X								
<b>Kareem Simpson</b>	Covington	X	X		X								
<b>Greg Sketch</b>	Crescent Spgs	X	X	X	X								
<b>Maura Snyder</b>	Independence	X	X	X	X								
<b>Debbie Vaughn</b>	Kenton Co	X	X	X	X								

“X” denotes attendance at the regular meeting and “x” denotes attendance at the continuation meeting. “\*” denotes arrival after roll call was taken.

Also present were Mr. Schneider, Legal Counsel, and the following PDS staff: Mr. Andy Videkovich, Mr. Cody Sheets and Ms. Laura Tenfelde

**AGENDA:**

Mr. Dunham asked for a motion with regard to the agenda for the meeting. Ms. Snyder made the motion to approve. Mr. Ryan seconded. All in favor by acclamation.

**APPROVAL OF THE MINUTES**

Mr. Dunham asked for any questions or comments with regard to the minutes for March. There being none, Ms. Snyder made the motion to approve. Mr. France seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. France, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Dunham, Mr. Hennessey, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Sketch, Ms. Snyder and Ms. Vaughn in favor. Mr. Simpson abstained. The motion carried.

**FY2023 AUDIT REPORT**

Mr. Todd Chamberlin addressed the Commission and gave the audit report for fiscal year 2023. He thanked Nicole Cullum and Sharmili Reddt for providing the records necessary for the audit and stated they appreciate everything they do. He noted there were no material weaknesses to report with controls. He additionally noted there were no discrepancies to report as well. He noted the Commission meets the rule of thumb and the requirements for cash reserves as well. He noted revenues increased by \$388,000 for the year. Mr. Chamberlin further commented the total revenues are at about 2.1 million dollars which is about a \$369,000 increase over last year. He stated there was a 15% increase in expenditures for the year as well. He stated one thing they track is the fund balance and stated they have a fund balance of about \$680,000 and are in a good spot to be with that. He stated they provided a governance letter and the Commissioners have that and noted he was available to answer any questions.

**RECEIPTS AND EXPENDITURES:**

Mr. Dunham stated the receipts and expenditures report for February was distributed. There were no comments or questions regarding the report. He then asked for a motion to approve. Mr. Ryan made the motion to approve the March receipts and expenditures. Ms. Snyder seconded the motion. All in favor by acclamation. The motion carried.

**RECENT ACTIONS BY STAFF:**

*(No action required)*

**RECENT ACTIONS BY LEGISLATIVE BODIES:**

*(No action required)*

Mr. Bethell noted for the record the reference for Covington should reflect Lakeside Park.

**PUBLIC HEARINGS**

**FILE: PC-24-0003-PF**

**APPLICANT:** Viox and Viox per Chris Sabetta on behalf of the City of Taylor Mill

**LOCATION:** 5219 & 5223 Taylor Mill Road, an area of approximately 2.16 acres located on the south side of Taylor Mill Road, between Vogelwohl Court to the east and Winston Hill Drive to the west, approximately 850 feet east of

Winston Hill Drive in Taylor Mill.

**REQUEST:** A public facility review per KRS 100.324 and KRS 147.680.

**SUMMARY:** The applicant is proposing to construct an 11,877 square foot fire station, along with a new off-street parking area with nine off-street parking spaces and 23 existing shared spaces.

Staff presentation and Staff recommendations by Mr. Cody Sheets

**PDS STAFF RECOMMENDATION**

Favorable recommendation on the proposed public facility request per KRS 100.324 and KRS 147.680.

Mr. Chris Sabata addressed the Commission on behalf of the city. He stated he did not have anything to add to the presentation and was available to answer any questions.

All others registered to speak had nothing to add.

Mr. Dunham recessed the public hearing for discussion. There being none, he reconvened and closed the public hearing and asked for a motion. Mr. Martin then made the motion to approve based on Staff's recommendations and that it is consistent with the goals and objectives of the comprehensive plan. Ms. Vaughn seconded the motion. A roll call vote on the issues found Mr. Martin, Ms. Vaughn, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Simpson, Mr. Sketch and Ms. Snyder in favor. The motion carried.

**File: PC-24-0008-MA**

**APPLICANT:** Madison Pike Partners, LLC on behalf of ANR Logistics, LLC, Josh Deters, and Arlinghaus Builders, Inc., Property Owners

**LOCATION:** 5306 Madison Pike, 5298 Madison Pike, 5308 Chateau Court, 5306 Chateau Court, and approximately 0.5 acres at the terminus of Chateau Court; a total area of approximately 9.3 acres located on the east side of Madison Pike between Independence Road to the north and Locust Lane to the south, approximately 250 feet south of Independence Road in Independence.

**REQUEST:** A proposed map amendment to change the described area from PUD (Planned Unit Development), R-CVS (Conventional Subdivision), and R-M (Residential Mixed) to PUD (Planned Unit Development). The applicant is proposing to construct condominiums consisting of 12 buildings with a total of 110 units (approximately 13.43 units per net acre). This includes 45% open space, 72 driveway parking spaces, 72 garage parking spaces and 113 off-street parking spaces.

Staff presentation and Staff recommendation by Mr. Andy Videkovich

**PDS STAFF RECOMMENDATION**

Favorable recommendation on the map amendment to the Independence Zoning Ordinance changing the described area from PUD (Planned Unit Development), R-CVS (Conventional Subdivision), and R-M (Residential Mixed) to PUD (Planned Unit Development). The applicant is proposing to construct condominiums consisting of 12 buildings with a total of 110 units (13.43 units per net acre). This includes 43.5% open space, 72 driveway parking spaces, 72 garage parking spaces and 113 off-street parking spaces., subject to the applicant agreeing to the following conditions: 1. That the proposed trails be constructed and surfaced with a material that is firm, stable, and slip resistant. 2. That the trail connecting with the north property line be completed prior to zoning permits being issued for the ninth building within the development (ninth building filed, not building number nine). 3. That an amenity be provided within the eastern open space that is readily accessible, available, and usable.

Mr. Jim Bertram with Rizzo Engineering addressed the Commission on behalf of the applicant. He then gave background information and introduced Tony Herring, James Murray, Cory Mason and Ryan Hutchinson as the development team. Mr. Bertram stated the site is a wooded site right now with trees that are not high value trees and he wanted to note that. He stated the density was reduced quite a bit to twelve buildings. He commented on the trail going to the north and noted their intention is to build that out. He stated they agree with the Staff that they will be building that portion. He stated they did add a sitting area to the east by the cul de sac. He noted the sitting area is down past the dumpster area. He then noted they are asking for the standard PUD items. He stated they did shorten it quite a bit and the development is more clustered now. He noted they shortened the streets and did want to mention they have walks on both sides all the way around. He stated the minimum lot size will be down to 1900 square feet. He stated the minimum rear yard is 15 feet along Madison Pike. He further commented the open space has increased as well with the development. He stated the builders were going

to discuss in more detail the aspects of the buildings. He additionally noted they are requesting 110 units so that is a decrease. He noted the main part of the building is going to be 36 feet from the property line. He stated the walk in front of the buildings will be unencumbered. He stated the sitting area is going to be about 41 feet from the property line. He stated there will be about 127 feet of separation from their buildings and the buildings on Hartland. He then noted they did extend the parking lot some. He then discussed the different sizes in parking pads for the buildings. Mr. Bertam then commented on the parking lot and stated they are looking at the parking and trying to keep the walking path open. He noted there are two types of buildings, one with a slab and one with walkout basements. He then showed slides of renderings of what the back yards would look like. He noted the wall will hide the back yards and is part of the landscaping plan. He stated the site is down on the Hartland side in terms of the topography. He further noted the signage will remain the same and will not obstruct any of the sight triangles at the entrance of the site. He noted it fits in well and it does meet the requirements. He further noted street lighting will be throughout the whole development. Mr. Bertam noted the walking trail will have a non-slip surface as suggested by Staff. He stated there would be landscaping around the sign and throughout the parking lot and commented it will be an extensive landscaping package. He additionally stated they meet the goals and objectives of the comprehensive plan. He further stated they are proposing an infill development in the downtown area. He stated this will put residents in walking distance and hopes it will encourage walking to the corridor. He further stated condos provide empty nesters and retirees, and young professionals the option to own something in the city and to stay in the city with low maintenance. He stated they are extending existing sewers and water lines and improving the situation there. He further comments they are providing a new type of building to the area. He then stated this will be a very nice development. He also stated this development will provide a residential development near the commercial. Mr. Bertam noted this a good use of vacant unused property to revitalize the downtown area. He also stated this is only a segment of the population and they are fulfilling the need for alternative housing. He then noted this does meet the goals and objectives of the comprehensive plan.

Mr. Chris Moriconi addressed the Commission and stated he was just going to go over some of the highlights since most had already been discussed. He discussed the three zones already there and stated right now 86 units could go in with no change and they are proposing 110. He noted it would not make sense to purchase this for one or two houses. He stated even the transportation district did not require another entrance due to traffic. He noted they will be constructing a 12 foot retaining wall along the development. He further stated Fisher Homes has been developing in the city for a long time, and he frequently gets complaints about builders, but not about Fischer. He then showed images of renderings of the buildings. He then highlighted the changes from what was presented in February. He further commented the redesigned path will take you directly to the new farmer's market being built, which is a better location. He stated he gets calls every week about developments for the city and he always considers whether they will be good for the city. He further commented he didn't think he would say this, but independence is short on housing. He stated according to a residential study just two months ago, there are not enough residential homes, there are not enough rentals, there are not enough patio homes, etc. He stated he would love to have it remain woods, but it's not an option because the property has been sold. He stated at the end of the day, this development is not going to cause traffic issues and fills a need for the city. Mr. Dunham then commented he would have Mr. Moriconi's presentation entered into the record.

Mr. Andrew Collins addressed the Commission and stated he wanted to go into a little more detail about the buildings. He stated the front is a mixed veneer type of material and there will be painted cedar trim. He noted the colors are designed to provide a cohesive and clean look to the city. He noted the largest building lot is 152 feet wide and the smallest would be about half of that. He then stated all the landscaping would be freshly maintained by a Homeowners Association.

Mr. Tony Herring addressed the Commission and stated after the last meeting they heard all the comments and got right to work the next day. He stated they took all that information in and that's how they got to today. He noted the traffic study was done by a licensed traffic engineer. He additionally stated when they met with the homeowners, they wanted to put a berm in and they are going to actually put that up. He stated with regard to the walking paths, the homeowners didn't want it where it was planned. He noted after they spoke with the mayor, they decided to put it where it is now being proposed. He noted they have the city's endorsement with the plan.

Others registered to speak in favor had nothing to add.

Mr. Danny Powers addressed the Commission against the issue and stated they always knew the land would be developed but they didn't think it would be condos. He stated he thinks the mayor is trying to scare them with rentals and would rather just let it be the way it is.

Terri McKuhl addressed the Commission against the issue and stated she is concerned with the fact they want to bury them with more units. She stated she understands the topography is a challenge. She stated when they put more hard surfaces in, the water has to go somewhere. She noted they already have water that settles in yards. She noted she is worried this is going to bring more and more people, more and more density. She noted she is concerned about the quality of life for the residents. She stated she knows what it's like to live in the city and she chose to leave Ohio and come here. She asked that they please keep it the way it is for her family and grandchildren. She stated they can slow it down just a tad and consider the long term developments.

Ms. Melissa Boyers addressed the Commission against the issue and stated she is directly across from the entrance of the development. She stated she has a few questions. She then commented at the city meeting they discussed the construction of an office building being built. She stated she wanted to know if that was being built. Mr. Dunham stated he thinks the answer is no but they will ask the applicant. She commented about the traffic study and stated it was done at 35 mph and it's 25 mph there so she didn't know if it was wrong. She stated she has the flash drive of the school crossing guard that she couldn't get working last time. She also presented footage of the traffic in the area from her daughter. She noted it was taken at 2:30 in the afternoon when school is letting out. Mr. Dunham stated they would get that entered into the record. She noted a concern with cross country runners going up and down the road there after school is out. She noted the traffic study from 2020 was over 6 thousand vehicles and asked what the study was that was done recently. Mr. Martin noted it was over 4 thousand vehicles but it was a shorter length of time. She then stated she is directly across from the proposed development and the headlights from the cars would shine directly in her house. She asked if the Commissioners would want that. She also commented about concerns for the safety of the school children in the area.

Mr. Dunham then read emails into the record that were received on the record. These were then marked as exhibits and made a part of the record.

Mr. Dunham asked the applicant about the office building that was originally planned. Mr. Bertram stated that had been taken off. Mr. Dunham also asked about the speed limit of the traffic study being 35 or 25. Mr. Bertram stated that was a typo and the study was done at 25 mph. Mr. Bertram reiterated the traffic study was done by a licensed engineer. Mr. Dunham then asked about the traffic study done back in 2020. He deferred the question to Staff. Ms. Tenfelde then stated any traffic study done in 2020 is probably not an accurate study due to the pandemic, and without knowing what month it was taken in, it is really not an accurate comparison. Mr. Dunham then asked about the additional conditions and if they were agreeable to those. Mr. Bertram stated they were in agreement.

Mr. Randy Eckler addressed the Commission on the question of handicapped access with the development. He stated he was not aware of any elevators within the development.

Mr. Dunham recessed the public hearing for discussion. Mr. France asked about the slope of the streets with regard to the walking trail. Ms. Tenfelde stated the slope is 12% and typically ADA guidelines follow the slope of the street. Mr. Berling commented about the applicant providing the traffic study and stated that is not something they usually have at this point and he commended them for having done that. Ms. Snyder commented about how the applicant, the mayor and the residents all worked together diligently to get the best product on this property. Ms. Baumgardner stated she seconded Ms. Snyder's comments and stated the applicant did a lot of work and she appreciated them listening to the people and being good neighbors. Mr. Dunham commented he felt the same way about them removing the house at the end of the cul de sac and working to put up a berm instead to provide more screening. Mr. Duham then reconvened and closed the public hearing and asked for a motion on the matter. Ms. Snyder made the motion to approve. Mr. Martin seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. Martin, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Simpson, Mr. Sketch and Ms. Vaughn in favor. The motion carried unanimously.

**FILE: PC-24-0010-TX**

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

**REQUEST:** The City of Fort Wright seeks to replace the current zoning ordinance with a new zoning ordinance that recognizes Fort Wright's development patterns, streamlines processes, and addresses new development trends.

Staff presentation and Staff recommendation by Mr. Cody Sheets

**PDS STAFF RECOMMENDATION**

Favorable recommendation on the new Fort Wright Zoning Ordinance, including new text and a new zoning map.

Ms. Jill Bailey addressed the Commission and thanked them for hearing the issue and also thanked Staff for their patience and working with them on the issue. She stated she knows there are things they will have to work through, but they commend everyone for assistance on the issue. She stated she was happy to answer any questions.

Mr. Dunham recessed the public hearing for discussion. Mr. Berling recognized Ms. Bailey for her work in getting this done. There being no other comments or questions on the issue. Mr. Dunham reconvened and closed the public hearing and asked for a motion on the matter. Mr. Berling made the motion based on Staff's recommendations and the favorable recommendations of the Z21 Committee. Mr. France seconded the motion. A roll call vote on the motion found Mr. Berling, Mr. France, Ms. Baumgardner, Mr. Bethell, Mr. Dunham, Mr. Hennessey, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Simpson, Mr. Sketch, Ms. Snyder and Ms. Vaughn in favor. The motion carried.

**PC-24-0011-TX  
Kenton County Subdivision Regulations Amendment**

Staff presentation and Staff recommendation by Ms. Laura Tenfelde

Mr. Sketch commended Ms. Tenfelde and stated she does a great job of explaining things for the Commission. Mr. France asked about the slope. Mr. Dunham recessed the public hearing for discussion. He stated they appreciate the sub regs committee and they do a lot of work. There being no other comments, he reconvened and closed the public hearing. He then asked for a motion on the matter. Mr. Sketch made the motion to adopt the Kenton County Subdivision Regulations as recommended by Staff. Mr. Simpson seconded the motion. A roll call vote on the motion found Mr. Sketch, Mr. Simpson, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Ms. Snyder and Ms. Vaughn in favor. The motion carried.

**Reports from Committees**

**Bylaws** – Mr. Dunham stated they have not had a need to meet, but in the Executive meeting he discussed the budget/audit. He noted it was also discussed the procedure other counties take in submitting applications and going before the zone change committee and the whole process. He noted the issue was raised about doing something similar in Kenton County where it takes about four meetings to get through the process. He stated the overwhelming consensus is that they are doing works. He also noted that they pointed out for more complicated matters the Commission has encouraged the applicants to come back and it then allows them time to get more information and come back when more prepared. He noted he would rather continue down that road than implement multiple meetings. He noted he is not suggesting what Boone County is doing is incorrect and noted they have more land and more complicated applications on a regular basis but we don't see as much here.

**Direction 2030 Implementation** – Mr. Videkovich stated they did meet last month and they will be having another meeting the Tuesday after next regarding housing recommendations. He noted Staff has been busy and they had two meetings within the last month. He stated they will be meeting with the Northern Kentucky Action Committee. He noted they will be having some open house style meetings, the first to be held May 7, then May 8th and 9th. He also noted they are trying to set up an open house meeting in Southern Kenton County and are working on a location for that. He noted they will be seeing the marketing for that ramping up this month. He asked the Commissioners if they had the time to attend one of the meetings.

**Executive** – Mr. Dunham stated they met and they looked at the budget and audit and are continuing to tweak the sub regs.

**Social Media** - No report.

**Subdivision Review** – No report.

**Z21 Review** - No report. Mr. Videkovich noted Park Hills is in the pipeline and noted Bromley and Ludlow are pretty close and Crestview Hills and Crescent Springs as well.

**Comments from Commissioners** - Mr. Dunham noted there was a request from Ft. Wright to appoint to their Board of Adjustment Gary Joseph Kebler. He stated under statute if there is a vacancy for a period of time they are to appoint a representative. He noted the term would expire December 31, 2027. He then asked for a motion. Mr. Sketch made the motion to appoint Mr. Kebler to that position. Mr. Ryan seconded. All in favor by acclamation. He noted Boone County goals and objectives circulated a notice for a public hearing on April 17th at 7 p.m. in the Boone County Fiscal courtroom. Mr. Dunham commented briefly about the Independence matter and why he allowed for the additional discussion on the matter. He stated the applicant is making their case and that is what the city will use to make a decision. He noted he thought it was important to allow them the additional time given the initial vote and what was involved with the issue and what the mayor and the applicant went through with the issue.

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

**Reports/Announcements from Staff** - Mr. Videkovich commented there will be training on April 18th on House Bill 55 which will be an all day training. He noted they are registering tomorrow so to please let Pamela know by 10:00 if interested in attending. Ms. Tenfelde stated they are trying something new and are hosting an open house to communicate the changes with the sub regs that will be upcoming and they will be available to answer any questions. Mr. Dunham stated he appreciated them having that and it's a great idea.

**General Correspondence** - None.

**New Business** – Mr. Berling asked about having the applicant's presentation on their tablets which would be helpful. Mr. Videkovich stated he would look into that.

**Public Comments** - None

There being nothing further to come before the Commission, Mr. Dunham 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 9:39 p.m.

APPROVED: B. Dunham  
Chair

Date 5-2-2024

