

**KENTON COUNTY PLANNING COMMISSION  
REGULAR MEETING**

**Minutes**

Mr. Darpel, Chairman, called the meeting to order on May 6, 2021 at 6:15 p.m. and opened the proceedings with the Pledge of Allegiance and invocation by Mr. Ryan. The meeting was held virtually via the GoToMeeting platform. 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>	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Jeremy Armbruster	Erlanger	X	X	X									
Margo Baumgardner	Crestview Hills	X		X		X							
Todd Berling	Fort Wright	X	X	X	X	X							
Jen Best	Covington	X	X	X									
Jeff Bethell	Fort Mitchell	X	X	X	X	X							
Gailen Bridges	Bromley	X	X	X	X	X							
Paul Darpel, Chair	Edgewood	X	X	X	X	X							
Brian Dunham	Kenton Cty	X	X	X	X								
Tom France	Ludlow	X	X	X	X	X							
Keith Logsdon	Lakeside Park	X	X		X	X							
John Hennessey	Villa Hills			X	X	X							
Matthew Martin	Taylor Mill	X	X	X	X	X							
Joe Pannunzio	Elsmere	X	X	X		X							
Sean Pharr	Covington	X	X	X									
Phil Ryan, Treasurer	Park Hills	X	X	X	X	X							
Kareem Simpson	Covington	X	X	X	X								
Greg Sketch	Crescent Spgs	X		X		X							
Maura Snyder	Independence	X	X	X	X	X							
Debbie Vaughn	Kenton Co	X	X		X	X							
Robert "Bob" Whelan	Covington	X											
Brian Wischer	Villa Hills	X	X										

Kristi Zavitz	Ryland Hts.	*				X							
---------------	-------------	---	--	--	--	---	--	--	--	--	--	--	--

Also present were Mr. Mathew Smith, Legal Counsel, and the following PDS staff: Mr. Andy Videkovich. Mr. Patrick Denbow and Ms. Megan Busse

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

**AGENDA:**

Mr. Darpel asked for a motion to approve as submitted. Mr. Ryan made the motion to approve the agenda as presented. Mr. Bethell seconded the motion. All in favor by acclamation.

**APPROVAL OF THE MINUTES**

Mr. Darpel asked for approval of the minutes from April. Mr. Logsdon noted he was not removed from the log for being present at the meeting for March. There being no other comments or corrections, Mr. Darpel then asked for a motion to approve. Mr. Logsdon made the motion to approve as amended. Ms. Snyder seconded the motion. A roll call vote on the motion found Mr. Logsdon, Ms. Snyder, Ms. Vaughn, Mr. Hennessey, Ms. Zavitz, Mr. Berling, Mr. Bethell, Mr. Darpel, Mr. France, Mr. Martin, Mr. Ryan in favor. Ms. Baumgardner, Mr. Pannunzio and Mr. Sketch abstained. Mr. Bridges did not vote. The motion carried.

**RECEIPTS AND EXPENDITURES:**

Mr. Darpel stated the report was submitted and asked for a motion to approve. Mr. Ryan made the motion to approve the report. Mr. Bethell seconded. All in favor by acclamation.

**RECENT ACTIONS BY STAFF:**

*(No action required)*

**RECENT ACTIONS BY LEGISLATIVE BODIES:**

*(No action required)*

**PUBLIC HEARINGS**

**FILE: PC2104-0001**

**APPLICANT:** Glass Family Pizza, Inc. dba Domino’s Pizza on behalf of Edgewood Dental Company II, LLC.

**LOCATION:** 160 Barnwood Drive; An area of approximately 0.80 acres on the northwest corner of the intersection of Barnwood Drive with Turkeyfoot Road in Edgewood.

**REQUEST:** A proposed map amendment to the Edgewood Zoning Ordinance from PO (a professional office building zone) to NC (a neighborhood commercial zone).

Staff presentation and Staff recommendations by Mr. Patrick Denbow

**PDS STAFF RECOMMENDATION**

Favorable recommendation on the proposed map amendment to the Edgewood Zoning Ordinance from PO (a professional office building zone) to NC (a neighborhood commercial zone).

Charlotte Markovich registered to speak on behalf of the issue and stated they have been looking for a location in Edgewood for quite some time to open a new Domino's Pizza. She stated they are willing to comply with whatever standards they need to in order to make this happen. She noted they are also working with the city of Edgewood with regard to the site. She stated that is about all she has to add unless anyone has any questions. Mr. Darpel asked about the access point and whether or not they will work with them on that. She stated they will have to look at it and it is probably okay to use the second access point if the first is too dangerous.

There being no others registered to speak on the issue, Mr. Darpel recessed the public hearing for discussion. He stated he thinks it's a great use for the location and he would love to see something go into it. He stated the sidewalk coming down Barnwood doesn't really make any sense - it goes right into a parking lot in front of Subway. He commented if they can work something out in terms of the first entrance and the parking it sounds like they are on top of it. There being no other comments, Mr. Darpel reconvened and closed the public hearing. He then asked for a motion on the issue. Mr. Berling then made the motion to approve based on Staff's report and the testimony provided and that it is in compliance with the comprehensive plan. Mr. Bethell seconded the motion. A roll call vote on the motion found Mr. Berling, Mr. Bethell, Mr. Darpel, Mr. France, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Ryan, Mr. Sketch, Ms. Snyder, Ms. Vaughn, Mr. Hennessey, Ms. Zavitz and Ms. Baumgardner in favor. Mr. Bridges did not vote. The motion carried.

\*Mr. Darpel noted he was recusing himself from the following issue and Mr. Ryan would be taking over for the following issue. Mr. Ryan presided over the issue for purposes of the public hearing.

**FILE: PC2104-0002**

**APPLICANT:** Mitchell's Crossing per Tammy Stansbury on behalf of 260 Grandview, LLC.  
**LOCATION:** 260 Grandview Drive; an area of approximately 12.19 acres located on the east side of Grandview Drive east of Beechwood Road and south of the terminus of Grandview Drive, approximately 1,900 feet east of Beechwood Road in Fort Mitchell.

**REQUEST:** A proposed map amendment to the Fort Mitchell Zoning Ordinance from R-1C (a single-family residential zone) and PO (a professional office building zone) to R-2 (a multi-family residential zone). The applicant proposes to construct a four-story building identified as senior housing, including 88 residential units with off-street parking.

Staff presentation and Staff recommendations by Ms. Megan Busse

**PDS STAFF RECOMMENDATION**

Unfavorable recommendation on the map amendment to the Fort Mitchell Zoning Ordinance from R-1C (a single-family residential zone) and PO (a professional office building zone) to R-2 (a multi-family residential zone).

Mr. Cliff Ashburner registered to speak on behalf of the applicant and stated he would be recognizing various individuals speaking on behalf of the applicant. He noted they agree with parts of the Staff report and disagree with others. He stated the land use was probably not correct in 2018 so they feel the zone change they are proposing should be used. He then gave a powerpoint presentation highlighting the proposed development. Mr. Ashburner noted having another multi-family in the area would be in keeping with the type of existing development. He noted there are a variety of uses that can take care of those interested in living in Mitchell's Crossing. He additionally stated one thing he thinks is important is they are proposing development to the area of the property that is more appropriate for development. He then introduced Mike Kegley to discuss the development.

Mr. Mike Kegley then addressed the Commission and stated he is the property owner and commented that coming out of the recession it took many years before they successfully filled every office condo. He stated that the pandemic has made the demand even less. He further stated there are over 240,000 square feet of office space available within two miles of this proposed development. He stated no one wants a viable office space on this property more than him, but they just do not see that occurring with the existing development.

Mr. Cliff Ashburner introduced Chuck Gravitz to provide more detail about the plan.

Mr. Chuck Gravitz addressed the Commission and stated Staff did a great job of laying out the plan for everyone. He then highlighted aspects of the development with regard to the tree line and storm water retention as well as the sidewalks. He stated they believe it is possible to make a buildable route from Grandview Road and noted they would have to find a suitable location for a crossing. He noted in working with the city they want to locate that site and stated the owner would be willing to consider that as well. He addressed concerns with lighting and soil removal, etc. He noted all that would be a part of the final review and they will address all of Staff's concerns as to the site plan.

Mr. Ashburner then stated the peak hour trips from this proposal are going to be very minimal. He noted if you compare that to office space it would be 112 trips in the morning so by comparison it is a much lighter impact in terms of traffic. He then introduced Mr. Dan Grimm to discuss the architectural design aspect.

Mr. Dan Grimm addressed the Commission and stated it would be a four story building with one and two bedroom units. He stated this is a design they have had very good success with. He stated in this building there are a number of amenities and the exterior will be a combination of brick, stone veneer and siding and the air conditioning units will be concealed so no one will see them from the road.

Mr. Ashburner introduced Tammy Stansbury to speak on the issue.

Ms. Tammy Stansbury then addressed the Commission and stated they know people are concerned about this being a senior development. She noted they have applied for an extended use agreement which will ensure this remains a senior development. She further noted they have to abide by the federal laws of the housing credit program so people can't just lease a unit there and send their child to the schools. She stated it is only 0.1% of all senior development that children live in. She clarified what rent overburdened was and noted she wanted to explain what affordable housing was. She stated you have affordable housing, section 8 and rent overburdened. She stated in this instance they will be charging \$740 dollars for a one bedroom. She noted on a market level rental that would be \$963 dollars. She stated you can see that for a senior living on a fixed income that would be a lot for them to pay. She stated by bringing in the senior development allows seniors to remain in their community close to family and grandchildren instead of having to move out of the city. She also noted they currently have development under construction in

Hebron that is a 96 unit development and a 66 unit development in Walton. She then highlighted what is required of those living there. She noted there is no rent subsidy and they are required to have a certain income to live in the units. Mr. Ashburner asked about the turnover rate of this type of development. Ms. Stansbury stated most of those living in the senior living units stay until they have to move into assisted living development. She noted because of this the turnover rate is far less.

Mr. Ashburner then stated with regard to the map amendment they believe there have been major changes to the area and noted they feel the proposed designation is appropriate and the current zoning is inappropriate.

Mr. Ryan then introduced those neutral parties registered to speak on the issue.

Mr. Edwin King with the City of Fort Mitchell addressed the Commission and stated he is speaking as a neutral party and wanted to note he is new to the city but prior to that ran a multi family program in Tennessee. He additionally noted he is very familiar with what is being discussed and how these types of development affect planning. He noted they have been tirelessly working on Z-21 in Ft. Mitchell and stated they are very close to passing that. He noted in their plans thus far they do not have zoned as residential as part of the Z-21 modernization.

Mr. Greg Polgiers addressed the Commission and stated he agrees with what Mr. King has said.

Mr. Ashburner addressed the Commission in rebuttal and stated that what was heard by the representatives of the city was somewhat speculative and what was heard by Mr. Kegly was based on facts. He noted in this situation it's not every situation, but they should consider what the market has stated about the project. He stated it is needed and it is called for in Direction2030. He additionally noted they believe they have complied with the comprehensive plan with the exception of the land use map and they feel that was wrong and why they are asking for the one change.

Mr. Ryan then recessed the public hearing for discussion on the issue. Mr. Bridges then stated he believes the pandemic is a major change of economic nature to the area. He stated office space is going to be shrinking and definitely not expanding. He stated he doesn't have any problem with it. Mr. Bethell stated older residents have moved out of the city because they could not find places to live in the city for seniors. He stated he is not convinced that office space is the right fit for this because it has been for sale for years. He stated he thinks there have been changes of an economic nature as well. Mr. Ryan stated to have some senior housing available right across from a park and with walkability seems like a good idea. Mr. Mathew Martin commented that he does believe that it needs to be changed to a R2 zone. Mr. Berling spoke in support of the amendment as well and stated the proposed zoning is needed. Mr. Ryan then reconvened the public hearing. Mr. Mathew Martin asked about the government controlling senior living for age 55 and up. Mr. Smith stated since it is part of their application then they would be held to that. He noted part of the motion could contain a condition as to the age requirement. He then asked Mr. Ashburner if he would agree to making it a condition that this would be senior living by the housing authority. Mr. Ashburner was in agreement. There being nothing further, Mr. Ryan then closed the public hearing and asked for a motion on the issue. Mr. Bethell made the motion to approve the map amendment based on Staff's report and the testimony heard, and that major changes of an economic and social nature brought on by the pandemic have occurred. Mr. Ryan asked if his motion also included the condition that it is to be senior housing for the next thirty years based on the Housing Authority. Mr. Bethell agreed. Mr. Martin seconded the motion. A roll call vote on the motion found Mr. Bethell, Mr. Martin, Mr. Pannunzio, Mr. Ryan, Mr. Sketch, Ms. Snyder, Ms. Vaughn, Mr. Hennessey, Ms. Zavitz, Mr. Berling, Mr. Bridges, Mr. France and Mr. Logsdon in favor. Ms. Barmgardner voted against. Mr. Darpel recused himself from any voting on the issue. The motion carried.

**FILE: PC2104-0003**

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

**LOCATION:** All land within the corporate limits of the City of Villa Hills.

**REQUEST:** A new zoning ordinance, which includes new text and a new official zoning map for the City of Villa Hills.

Staff presentation and Staff recommendations by Mr. Andy Videcovich

**PDS STAFF RECOMMENDATION**

Favorable recommendation on the new Villa Hills Zoning Ordinance, including new text and a new zoning map.

Mr. Bridges commented and commended the committee on their efforts. He stated they gave Villa Hills their unanimous approval. He stated there was thought behind everything they did and it was very reasonable. He stated they want to commend them as well. He stated it was wonderful to see the cities working together and he commends them for that. Mr. Darpel stated he commends the Z21 Committee and especially the city. Mr. Bethell stated he wanted to commend Villa Hills for their work and for being a good neighbor.

Mr. Bowman addressed the Commission and stated he was going to be brief. He stated he wanted to thank Mr. Bridges and PDS Staff, Mr. Videkovich and former executive director Dennis Gordon for this coming to fruition. He stated they were very fortunate to be the first ones through. He commented they had a very dedicated group going through the process. He additionally noted they changed the map to match what is on the ground there. He further stated he is asking for approval.

Ms. Cathay Stover addressed the Commission and stated they have met sometimes twice a week for two years on this. She also thanked PDS and the Committee. She stated they read every word in the ordinance and believe this ordinance and map provide the most comprehensive and useful tool for the public to use. She noted the Committee's recommendation is that this be approved for the City of Villa Hills.

All others registered to speak had nothing to add.

Mr. Darpel then recessed the public hearing for discussion. Mr. Bridges stated he was impressed that there were no public comments or any negative comments. There being nothing further, Mr. Darpel then reconvened and closed the public hearing. He then asked for a motion on the matter. Mr. Hennessey made the motion to approve based on compliance with Direction 2030, the recommendations of Staff and the task force. Mr. Bridges seconded the motion. A roll call vote on the motion found Mr. Hennessey, Mr. Bridges, Mr. Darpel, Mr. France, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Ryan, Mr. Sketch, Ms. Snyder, Ms Vaughn, Ms. Zavitz, Ms. Baumgardner, Mr. Berling and Mr. Bethell in favor. The motion carried.

**FILE: PC2104-0004**

**APPLICANT:** Kenton County Planning Commission per Paul Darpel, Chairperson

**REQUEST:** Revisions to the Kenton County, Kentucky Subdivision Regulations (1) adding a "Light Commercial Pavement" section for design and (2) modify the name of the existing "Commercial/Industrial" pavement section to "Heavy Commercial/Industrial".

Staff presentation and Staff recommendations by Ms. Laura Tenfelde

### **PDS STAFF RECOMMENDATION**

Favorable recommendation on the proposed revisions to the Kenton County, Kentucky Subdivision Regulations (1) adding a "Light Commercial Pavement" section for design and (2) modify the name of the existing "Commercial/Industrial" pavement section to "Heavy Commercial/Industrial".

Mr. Bruegeman stated he was available to answer any questions.

Mr. Darpel stated the committee did a great job and there was a ton of work that was done. He stated he really couldn't be more proud of the product they have gotten through. He stated these regulations were clearly straight engineering and that's why it was so important to have people in the industry doing what they did and he can't say enough thanks. Mr. Darpel recessed the public hearing for discussion. Mr. Berling stated he would like to recognize Mr. Darpel for his efforts and for putting together a great group of people on this. There being no further comments, Mr. Darpel reconvened and closed the public hearing and asked for a motion. Mr. Sketch recommended approval of the changes to the regulations. Mr. Ryan seconded. A roll call vote found Mr. Sketch, Mr. Ryan, Ms. Snyder, Ms. Vaughn, Mr. Hennessey, Ms. Zavitz, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. France, Mr. Logsdon, Mr. Martin and Mr. Pannunzio in favor.

### **Ongoing Business**

#### **Reports from Committees**

*Bylaws* – Mr. Darpel stated no meeting was held.

*Direction 2030 Implementation* – Mr. Bethell stated he has nothing to report. He noted Covington is going to be having a meeting next week so they may call a meeting later in the month.

*Executive*– Mr. Darpel stated the Executive has met numerous times over the past months. He stated they have a written agreement with PDS as Staff. He noted as you look every week at receipts and expenditures you see that basically PDS comes forward and says this month we charged this amount, they then fund us that amount and then that amount is paid. He stated they tried to streamline tht and it doesn't even come close to what it takes to fund it. He stated a long story short, they went through it and for the different things they get it shows the different activities and different things they offer. When all that is looked at essentially they are saying what it costs for PDS services to the Commission, the budget will be set to the new amount to truly reflect what it costs to operate the services and use the Staff available to the Commission. He stated the Executive committee spent a lot of time looking at this and the reality is this is what it costs. He stated the bottom line is that what you will see. Mr. Darpel stated they are asking basically if the budget will be presented next month this number is going to be on it and you'll see it go from \$384 thousand to over a million and this is why. He stated they are happy to answer any question but he feels it reflects the true nature of what PDS does for the Commission. Mr. Ryan stated this is not new money, it's just that the money was already allocated, it's just now coming into the budget of the Commission.

*Social Media* – Nothing to report.

*Subdivision Review* – Mr. Darpel stated tonight they did their thing with subdivision review.

Z21 Review - Mr. Bridges commented and thanked the committee for all their hard work with Villa Hills.

Reports from Commission members – Mr. Sketch stated he wanted to clarify on the minutes that he abstained from approval of the minutes on the record.

Report from Legal Counsel– Nothing to report.

Reports/announcements from Staff - Mr. Videckovich stated continuing education forms went out and noted they do need to be returned to Pam Biushelman now. He also noted there was a continuing education seminar on being presented by Mr. Smith and himself and there is a fee of \$20 for that. He also noted with regard to the Z21 there are a whole bunch of cities waiting to move forward as well. He stated they as Staff learned a whole lot working through the process. He noted Staff will be strategizing on how to work with those communities.

New Business – None


Public Comments - None.

Mr. Darpel asked about moving back to in person meetings and noted for now they will stay virtual since it's probably too late at this point to change it. There being nothing further to come before the Commission, a motion to adjourn was made by Mr. Ryan and seconded by Ms. Snyder. All in favor by acclamation. The meeting then adjourned at 9:15 p.m.

APPROVED:

Chair

Date

  
\_\_\_\_\_  
6/3/21  
\_\_\_\_\_