

KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING
Minutes

Mr. Brian Dunham, Chairman, called the meeting to order on August 1, 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).

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

AGENDA:

Mr. Dunham asked for a motion on the agenda. Mr. Dunham noted item ten and twelve relate to the same project so he stated it makes sense to hear those two issues together. He asked for a motion for them to be heard together. Ms. Snyder made the motion to approve. Mr. Darpel seconded. All in favor by acclamation.

APPROVAL OF THE MINUTES

Mr. Dunham asked for any questions or comments with regard to the minutes for July. There being none, Mr. Bridges made the motion to approve. Mr. Berling seconded. A roll call vote on the matter found Mr. Bridges, Mr. Berling, Mr. Bethell, Mr. Dunham, Mr. France Mr. Hennessey, Mr. Herrmann, Mr. Logsdon, Mr. Pannanzio, Mr. Ryan, Ms. Snyder and Ms. Vaughn in favor. Mr. Darpel and Mr. Martin abstained. The motion carried.

RECEIPTS AND EXPENDITURES:

Mr. Dunham stated the receipts and expenditures report for July 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 July 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)

PUBLIC HEARINGS

FILE: PC-24-0016-TX

APPLICANT: City of Independence per Chris Moriconi, City Administrator

REQUEST: Proposed text amendment to the Independence Zoning Ordinance for medical cannabis uses: (1) to allow medical cannabis cultivation, processing, producing, and safety compliance facilities as permitted uses within the SI (Suburban Industrial) Zone; (2) to allow medical cannabis dispensaries as a permitted use within the RC (Rural Commercial), NC (Neighborhood Commercial), CC (Community Commercial), and SI (Suburban Industrial) zones; and (3) establishing use specific standards, required off-street parking standards, required spacing between medical cannabis facilities, and defining medical cannabis uses and related terms.

Staff presentation and Staff recommendations by Mr. Patrick Denbow

PDS STAFF RECOMMENDATION

Favorable recommendation on the proposed text amendments to the Independence Zoning Ordinance for medical cannabis uses: (1) to allow medical cannabis cultivation, processing, producing, and safety compliance facilities as permitted uses within the SI (Suburban Industrial) Zone; (2) to allow medical cannabis dispensaries as a permitted use within the RC (Rural Commercial), NC (Neighborhood Commercial), CC (Community Commercial), and SI (Suburban Industrial) zones; and (3) establishing use specific standards, required off-street parking standards, requiring spacing between medical cannabis facilities, and defining medical cannabis uses and related terms.

Mr. Mayor just stated he was available to answer any questions. He thanked the Commission for moving the item up on the agenda. There were no others registered to speak on the issue.

Mr. Dunham recessed the public hearing for discussion. There being none, Mr. Dunham then reconvened and closed the public hearing. He asked for a motion on the matter. Ms. Snyder made the motion to approve based on Staff's report and based on the testimony of Staff. Mr. Martin seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. Martin, Mr. Ryan, Ms. Vaughn, Mr. Bethell, Mr. Berling, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Herrmann and Mr. Pannunzio in favor. Mr. Logsdon abstained. The motion carried.

*The following two issues were combined for purposes of expediting the meeting as they are related matters.

FILE: PC-24-0012-MA

APPLICANT: Bayer Becker per Madison Meehan on behalf of Buttermilk Pike Development Company, B/FMP Land Company, LLC, MB Buttermilk LLC, and the City of Fort Mitchell.

LOCATION: 380 & 406 Buttermilk Pike and 2390, 2392, 2420, 2477, & 2500 Royal Drive; an area of approximately 26 acres located on the southeast side of the Interstate 71/75 interchange with Buttermilk Pike, in Fort Mitchell.

REQUEST: A proposed Concept Development Plan within the MU-2 (a mixed use zone) of the Fort Mitchell Zoning Ordinance; the applicant proposes to develop a mixed use development with nine buildings that includes a senior living and health center, medical office, business center, restaurants (including drive-thrus) and retail; this also includes streets, lighting, access drives, off-street parking/loading, signage, and landscaping.

****Mr. Duham recused himself from the following issues due to a potential conflict of interest. Mr. Darpel, Vice Chair, presided over the issue.**

Staff presentation and Staff recommendations by Mr. Patrick Denbow

PDS STAFF RECOMMENDATION

Favorable recommendation on a proposed Concept Development Plan within the MU-2 (a mixed use zone) of the Fort Mitchell Zoning Ordinance; the applicant proposes to develop a mixed use development with nine buildings that includes a senior living and health center, medical office, business center, restaurants (including drive-thrus) and retail; this also includes streets, lighting, access drives, off-street parking/loading, signage, and landscaping.

WAIVER: W-24-0003

APPLICANT: Buttermilk Pike Development, LLC

LOCATION: A 26-acre parcel located on the East side of Royal Drive between Buttermilk Pike and Grace Drive.

REQUEST FOR ACTION: To grant a waiver to the following sections of the Kenton County Subdivision Regulations: • Article 4.1-8 and Table 4.1-1 of the Kenton County Subdivision Regulations. These sections of the Subdivision Regulations set forth pavement design criteria including pavement width, right-of-way width and pavement symmetry. • Article 4.1-11 and Table 4.1-1 of the Kenton County Subdivision Regulations. These sections of the Subdivision Regulations require that sidewalks be constructed on both sides of each newly created street. • Article 4.1-9 of the Kenton County Subdivision Regulations. This section of the regulations sets forth the requirements for street connectivity between adjoining parcels of land.

Staff presentation and Staff recommendations by Ms. Laura Tenfelde

PDS STAFF RECOMMENDATION

To approve Waiver Request #1 to Article 4.1-8 and Table 4.1-1 of the Kenton County Subdivision Regulations allowing the applicant to construct Crown Place with a pavement width of 25 feet with an offset centerline within a reduced right-of-way width of 45 feet with an adjoining 15-foot access/maintenance easement.

To approve Waiver Request #2 to Article 4.1-11 and Table 4.1-1 of the Kenton County Subdivision Regulations allowing the applicant to construct sidewalks on only one side of the street of Crown Place from Royal Drive to the 90-degree turn providing that the alternative pedestrian access is provided as shown in Figure 4 of this recommendation memo.

To approve Waiver Request #3 to Article 4.1-19 of the Kenton County Subdivision Regulations allowing the Applicant to dead-end Crown Place at the adjoining property line.

Mr. Jay Bayer addressed the Commission and stated he had four pages of comments but noted after the very extensive presentation by Staff, he just stated he was available to answer any questions. He noted he had a couple slides that Staff did not have and he wanted to highlight those. He then presented a slide showing the rendering of the development and stated it was a premier development. He noted as to the waivers, that Staff did a great job of laying those out. He noted this is a redevelopment site and it has many challenges with redevelopment. He stated they are trying to be very careful because this is a very expensive property to develop. He additionally noted the location where the sidewalks cut through lot three would be a very steep walk so they likely would not be walking that way anyway. He stated Staff really did a wonderful job and he was available to answer any questions. Mr. France commented about the parking and asked if there was some consideration to carve out some of that parking for gardens or something. He asked what the reason was for having so much parking. He noted the city's requirement and the Commission's requirements that they have more than is needed, but they hope they can reduce that somewhat. Mr. France commented that possibly one of the surface lots could be reduced to minimize the surface parking. Mr. Bethell commented that Fort Mitchell has worked long and hard on this and it is a great development. He stated fortunately it's starting to move at this point and he thinks it will be great not just for Fort Mitchell but for Northern Kentucky.

Mr. Edward King addressed the commission and stated this is consistent with the Comprehensive Plan. He commented about the street being public because it serves the common good and residents will be accessing the road, and it is also for multiple business owners. He noted that is why they went that route with that street.

All others registered to speak in favor had nothing to add.

Mr. Darpel then recessed the public hearing for discussions. He noted he thinks this is well thought out. There being no comments, he then reconvened and closed the public hearing and asked for a motion. Mr. Bethell made the motion to approve the application based on Staff's report and the testimony heard. He noted it is consistent with the comprehensive plan and should be approved as such. Mr. Berling seconded the motion. A roll call vote on the matter found Mr. Bethell, Mr. Berling, Mr. Bridges, Mr. Darpel, Mr. France, Mr. Hennessey, Mr. Herrmann, Mr. Logsdon, Mr. Pannunzio, Mr. Ryan, Ms. Snyder and Ms. Vaughn in favor. Mr. Dunham recused himself due to a potential conflict and did not vote. The motion carried. Mr. Bethell then made the motion to approve Waivers #1, #2 and Waiver #3 as submitted based on Staff's recommendations, that they are not an extraordinary hardship in the face of exceptional conditions. Mr. Berling seconded the motion. A roll call vote on the motion found Mr. Bethell, Mr. Berling, Mr. Bridges, Mr. Darpel, Mr. France, Mr. Hennessey, Mr. Herrmann, Mr. Logsdon, Mr. Pannunzio, Mr. Ryan, Ms. Snyder and Ms. Vaughn in favor. Mr. Dunham recused himself due to a potential conflict and did not vote. The motion carried.

Reports from Committees

Bylaws – Mr. Dunham stated they have no update.

Direction 2030 Implementation – Mr. Videkovich stated Mr. Bridges has a brief update. He noted there was a short meeting and very little to be taken care of. He noted they voted to put the update on next month's agenda. Mr. Videkovich stated they are now in a position to put the update before the Commission. He stated this is a very significant milestone in this project and he wanted to make sure it was given the necessary feedback. He expressed a big thank you to the implementation committee and stated it was quite a big commitment on their part. He stated they also worked with a consultant and assisted with public outreach and they could not have reached as many as they did without their help. He further commented and thanked various committees and individuals who played a part and extended a big thank you to them as well. He stated he thinks it's important to understand the basics of the Comprehensive Plan. He then gave some background on the process and history of Direction 2030. He stated the overall timeline was a two year process of updating aspects of the plan as well as public outreach. He then noted the housing ad hoc committee was active as well in the process and the research done as part of the update. He stated from the outset they knew this was going to be a little more of an intense project. He stated they identified areas that needed to be updated and other areas required more substantive rewrites. He additionally noted Staff showed up where the public would be in order to engage with the public. He stated they found this was a very effective way to be engaged with the public where they might not normally be involved. He noted they reached out to stakeholders

to get their recommendations as well. He noted one of the principles that he was pushing for was to reach out to residents and citizens that would normally not be involved in the planning process. He noted he thinks their public engagement efforts paid off and it was a great way to get feedback from all ages and backgrounds. He noted they had all materials translated in spanish for the large spanish community. He also noted they engaged with several black groups of the county as well. He stated the journey of putting the plan together is as important as the plan itself so all the public engagement was important. He then highlighted some of the public engagement takeaways as to supply and demand of housing, impacts of industrial development, housing for workers, public transit and transportation projects. He noted there are a lot of different aspects to the housing issue. He also noted they learned the plan as it is currently written and made changes per recommendations by OKI as part of the process. He noted they wanted to make sure that they are doing all they can so that federal dollars are doing the most they can do to assist with projects. He commented that housing is a very complex issue and what they are working on is a very small aspect of it. He noted they want to make sure there is the infrastructure in place to recover from shock. He also noted they learned during the pandemic how important childcare is and having access for that. He additionally stated housing is also an economic development issue as well, and if they want to recruit people into the area they have to be able to have places to live. He noted they are looking at ways to enhance public transit and ways to strengthen that. He additionally stated with regard to freight and transportation improvements, they know it is coming and they need to make sure they are looking ahead and proactively planning. He stated the entire plan will be available for review August 8th for the September meeting. He noted it might be able to go live a little earlier than that and he will certainly let the Commissioners know. He noted if the Commissioners have any comments those can be sent to Staff by August 28th and those can be addressed at the public meeting. He stated the committee met last week and voted this be presented before the Commission at the September meeting. He asked that that be submitted to Chairman Dunham to be able to be placed on the agenda for next month. Mr. Bethell stated the public outreach that was done was just excellent. Mr. Dunham stated he's been part of the process and he thinks this has to be right up at the top as far as all the great things the Commission and Staff has done. He encouraged everyone to review it and get any comments, questions or concerns to Staff. He stated there were many countless hours invested in this and many eyes on this. He stated he thinks it's helpful for those watching at home to see what has gone into this process. Mr. Bridges stated he's been on the Implementation committee for many years and noted he wanted to recognize Mr. Bethell for all his hard work and dedication. He noted he is very proud to recommend to the planning commission a motion to authorize the application be formally noticed and heard at the September meeting. Mr. Bethell second the motion. All in favor. None opposed.

Executive— Mr. Dunham stated there was nothing to report.

Social Media - Mr. Ryan stated August 7th is the next meeting and will be held at 5:30 and will be hybrid virtual or you can come to the office.

Subdivision Review – No report.

Z21 Review - Mr. Bridges stated they have not met, nothing to report.

Comments from Commissioners - Nothing to report.

Legal Counsel - Nothing to report.

New Business – Nothing to report

General Correspondence - Nothing to report.

Public Comments - None

Reports/Announcements from Staff - Mr. Videkovich stated there is a continuing education opportunity on August 20th. He noted there is a fee so if anyone is interested to let Pamela know and she will get them registered.

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. Darpel to adjourn. All in favor by acclamation. The meeting then adjourned at 8:06 p.m.

APPROVED:

Chair



Date

9-5-2024