

**KENTON COUNTY PLANNING COMMISSION  
REGULAR MEETING**

**Minutes**

Mr. Darpel, Chairman, called the meeting to order on September 3, 2020 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>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>
Jeff Bethell	Fort Mitchell	X	X	X		X	X		X	X			
Debbie Vaughn	Kenton Co	X	X			X	X		X	X			
Diane Brown, V. Chair	Erlanger	X	X			X	X			X			
Carl Ahrens	Ryland Hts.			X		X	X		X	X			
Paul Darpel, Chair	Edgewood	X	X	X		X	X		X	X			
Brian Dunham	Kenton Cty	X	X	X		X	X		X	X			
Tom France	Ludlow					X	X		X	X			
Margo Baumgardner	Crestview Hills	X	X	X		X	X		X	X			
Keith Logsdon	Lakeside Park	X		X		X	X			X			
Matthew Martin	Taylor Mill	X	X	X		X	X		X	X			
Jen Best	Covington		X	X		X	X		X	X			
Joe Pannunzio	Elsmere	X	X	X		X	X		X	X			
Sean Pharr	Covington	X	X			X	X		X	X			
Phil Ryan, Treasurer	Park Hills	X	X	X		X*	X		X	X			
Gailen Bridges	Bromley	X	X	X		X	X		X	X			
Greg Sketch	Crescent Spgs	X	X	X		X	X			X			
Maura Snyder	Independence	X		X		X	X		X	X			
Todd Berling	Fort Wright	X	X	X		X	X			X			
Robert "Bob" Whelan	Covington	X	X			X	X						
Brian Wischer	Villa Hills		X			X	X		X	X			

Also present were Mr. Mathew Smith, Legal Counsel, and the following PDS staff: Mr. Andy Videkovich and Ms. Emi Randall.

“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 any comments with regard to the agenda. Mr. Darpel asked if there would be one presentation or two for items 11 and 12 from the agenda. He then stated the agenda would be left as is. He then asked for a motion to approve. Ms. Snyder made the motion to approve. Mr. Pannunzio seconded the motion. All in favor by acclamation.

**APPROVAL OF THE MINUTES**

Mr. Darpel asked for any questions or comments with regard to the minutes for August. Mr. Darpel stated he abstained on the first issue so that change would need to be made. Mr. Bridges made the motion to table the approval to check on any changes that were suggested.

**RECEIPTS AND EXPENDITURES:**

Mr. Darpel asked for any questions or comments with regard to the receipts and expenditures report. There being none, Mr. Darpel asked for a motion to accept the report for July. Mr. Ryan made the motion to accept. Ms. Snyder 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**

Mr. Martin and Mr. Dunham recused themselves from any voting on the following two issues.

**FILE: PC2008-0001**

**APPLICANT:** City of Covington per Dalton Belcher, Zoning and Development Specialist  
**LOCATION:** A proposed text amendment to the current Covington Zoning Ordinance to permit Waste-Related Services as a Conditional Use in the IP (Industrial Park) Zone, as well as a use specific standard for waste transfer facilities.  
**REQUEST:** A proposed text amendment to the current Covington Zoning Ordinance to permit Waste-Related Services as a Conditional Use in the IP (Industrial Park) Zone, as well as a use specific standard for waste transfer facilities.

Staff presentation and Staff recommendations by Ms. Rachel Scutter

**PDS STAFF RECOMMENDATION**

Favorable recommendation on the text amendment to the City of Covington Zoning Code to permit Waste Related Services as a Conditional Use in the IP (Industrial Park) Zone as well as use-specific standards for waste transfer facilities.

Mr. Dalton Belcher addressed the Commission on the issue and stated Staff pretty much covered everything they were going to say. He stated he agreed with Staff and didn't really have anything to add.

There being no others registered to speak, Mr. Darpel then recessed the public hearing for discussion. There being none, he reconvened the public hearing and called for a motion on the issue. Mr. Pharr made the motion to approve based on Staff's report. Ms. Best seconded the motion. A roll call vote on the motion found Mr. Pharr, Ms. Best, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Ryan, Ms. Snyder, Ms. Vaughn, Mr. Wischer, Mr. Ahrens, Ms. Baumgardner and Mr. Berling in favor. The motion carried.

**FILE: PC2008-0002**

- APPLICANT:** YK Properties LLC & Kreutzjans Yeager Properties
- LOCATION:** An area of approximately 91 acres located on the northwest side and southeast side of Marshall Road between Petty Road and Pruett Road, approximately 1,600 feet north of Petty Road in Unincorporated Kenton County.
- REQUEST:** An amended Stage I Development Plan for the Village of Decoursey Creek Subdivision, which is currently zoned R-1C (PUD).

Staff presentation and Staff recommendations by Mr. Patrick Dunbow

**PDS STAFF RECOMMENDATION**

Favorable recommendation on the proposed amended Stage I Development Plan for the Village of Decoursey Creek Subdivision, which is currently zoned R-1C (PUD), subject to the applicant agreeing to the following conditions: a. That the open space/recreation areas shall be physically situated so as to be readily accessible, available to, and usable by all residents of the PUD. Amenities such as pocket parks and paths must be provided. If paths are provided, some must be constructed of a firm, stable, and slip resistant surface to be usable by all residents.

**FILE: W2008-0001**

- APPLICANT:** YK Properties LLC & Kreutzjans Yeager Properties

**LOCATION:** A 91.5-acre area located approximately 1,600 feet north of Petty Road on the east and west side of Marshall Road in the Unincorporated Kenton County.

**REQUEST FOR ACTION:** To grant a waiver to the requirement of Section 4.1-29 of the Kenton County Subdivision Regulations; To grant a waiver to the requirement of Section 4.1-11 (C) of the Kenton County Subdivision Regulations; granting the request would waive the requirement that sidewalk be provided along existing streets that abut the limits of a subdivision shown on a Preliminary Plat.

Staff presentation and Staff recommendations by Mr. Steve Lilly

**PDS STAFF RECOMMENDATION**

To deny the requested waiver from the requirements of Section 4.1-11 of the Kenton County Subdivision Regulations and require that sidewalks be provided along the existing street that abuts the limits of a subdivision shown on a Preliminary Plat.

Mr. Mark Glasky addressed the Commission on behalf of the applicant and stated the Ashley Builders Group is the group looking to develop this property. He stated they have developed over 1,000 lots in the Greater Cincinnati area. He then showed a series of slides highlighting and referencing the proposed project. He stated they are present for a change to the concept plan. He stated as they looked at the plan, the original concept plan doesn't meet the current needs of the area. He further stated there have been major economic changes from the 2008 housing crisis to the present. He stated they are requesting the waiver for sidewalks and stated they feel they meet items 1 and 2 with regard to the waiver. He additionally noted it is barely wide enough for the road and there is barely room enough to widen much less put in sidewalks. He noted strict compliance would create a hardship. He noted they do still have a very nice range of lots sizes within the development and he thinks it important to point out that along the Manor Hill Subdivision they have all larger lots. He noted he is happy to answer any additional questions with regard to the issue. Mr. Darpel asked about the connectivity. Mr. Glasky stated they do not feel that Skyway Drive can handle any additional traffic as they don't meet the minimum standards.

Mr. Kreutzjans addressed the Commission and stated he would like to reiterate and they did talk to Staff and they would like to put a path in there to meet the requirements. He stated they are committed to turning that area into a connected area. He stated he would hope that would be considered in the waiver request. Mr. Darpel stated as long as there is the connectivity, it makes it a whole lot more palatable. He stated he would just like to see something that provides connectivity. He asked if they would be willing to extend it to provide for that connectivity. Mr. Kreutzjans stated they do think that probably covers that issue with having a path system in that area. Mr. Darpel stated they just want connectivity from one end to the other. Mr. Kreutzjans then stated he does think they can commit to that.

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

Mr. Brandon Gray addressed the Commission against the issue and stated he is opposed to the project because he doesn't want 229 homes at his back door. He stated right now it is extremely quiet and peaceful and he hates to see it be disturbed. He stated his biggest concern is traffic. He noted as someone

that drives that road every day that is not going to be possible. He stated to get a school bus or garbage truck now you pretty much have to hold in your mirrors. He stated it is a pretty small street. He stated it is very concerning on the backside of the development. He additionally stated Marshall Road is a very windy road and it needs to be redone. He stated it is a rough stretch of road there and he cannot imagine adding more traffic to it. He noted it will probably need to be replaced and widened to make it workable. He stated adding 500-700 more vehicles a day is going to be dangerous. He noted an additional concern is crowding the schools that are already full. He noted his final point is sewer systems. He asked where those were going to be accessed. He stated there is a sewer system in his backyard and he is concerned about where that will be accessed. He stated he doesn't want to see more money come out of his pocket to handle the issues. He stated he drives the roads as a firefighter/EMT and he sees on a daily basis the issues with the roads.

Mr. Darpel stated really the only difference is the developer wants to build smaller homes with smaller yards and they can actually build the 200+ homes the way the plan is. He stated they basically just want to change it slightly from the original plan and everything else will be the same.

Mr. Mark Sebastian addressed the Commission as a neutral party and stated he just had a few comments. He noted the green space borders his home and he asked for clarification on the green space. He additionally asked about the culvert and stated the bridge is really dangerous if two cars pass. He asked if they actually have enough space to do a turn from the culvert going into it.

Mr. Milne addressed the Commission as a neutral party and stated he bought his property in 2018 for a primary residence. He stated he liked the rural nature and open space. He asked about the provisions for the fencing and the trees along his property line and he'd like better understanding about that. He also has concerns about liability of people coming onto his property. He then stated the barn is so beautiful and it is with a heavy heart that it's being torn down. He stated those are his comments and he appreciates the opportunity to speak.

Ms. Robin Chadwick addressed the Commission as a neutral party and stated she does recognize this is more about the sidewalks. She stated this is not a great road for a lot of traffic. She stated she did hear in a meeting that once the traffic study is done it won't be discussed in a public forum and she is wondering why that is. She stated she is concerned about the schools as well and is wondering what provisions are made for the infrastructure as well. Mr. Darpel stated when the project is further along they will do a Stage II Development and that is when the traffic study comes into play. He stated if it is not a passing grade then basically they need to figure out how to improve it to make it passing. He noted once they do submit the traffic study it does become public record. He stated a traffic study can be fairly expensive and they really have to figure out what impact the development is going to have on a study. He stated hopefully that addresses some of her concerns. Ms. Chadwick then stated she has one more comment about approving a few more lots and she stated she is a realtor and she never hears people say they want smaller homes but rather larger lots.

Mr. Mark Glasky addressed the Commission in rebuttal and stated the open space will have detention basins on it but there other will be minimal disturbed. He commented about the turn lane and stated they are working with the engineers to work out the appropriate length of that culvert. He stated they have a preliminary design and that will be part of the Phase II. He noted with regard to the street stub it will end at Mr. Milne's property. He then noted with regard to the traffic study that will be available once made

public. Mr. Darpel then asked about the rationale about the berms being removed. Mr. Darpel then asked how many of the trees would be left along the backside of the yards. Mr. Glasky stated the topography is such that the majority of the trees would be removed. Mr. Darpel then asked about the right of way for the culvert. Mr. Glasky then stated that will be provided for. Mr. Kreutzjan stated that it wouldn't be a problem to require additional right of way if necessary for the berms. Mr. Darpel stated he appreciated them being open to that.

Mr. Brandon Gray then addressed the Commission in rebuttal and asked about the approval for the 218 lots if that was from 2008 or a new approval. Mr. Darpel stated that was from 2008.

There being nothing further, Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. Ms. Vaughn asked what the standard is for deciding the change. Mr. Darpel stated basically it's the Comprehensive Plan and they are saying there have been major changes of economic nature. There being no further questions, Mr. Darpel reconvened and closed the public hearing. Mr. Darpel then asked for a motion on the Amended Stage I Development Plan. Mr. France then made the motion to approve based on Staff's report and the discussion had, and to include the Staff's recommendations on open spaces. Mr. Sketch seconded the motion. Mr. Ryan asked if the reasoning had to be stipulated in the motion. Mr. Darpel stated for the records that Staff's report did state that it is in compliance with the Comprehensive Plan. Mr. France and Mr. Sketch stated they were fine with the clarification. A roll call vote on the motion found Mr. France, Mr. Sketch, Ms. Snyder, Ms. Vaughn, Mr. Wischer, Mr. Ahrens, Ms. Baumgardner, Ms. Best, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. Pharr and Mr. Ryan in favor, Mr. Pannunzio voted against. Mr. Berling had to leave the meeting prior to the roll being taken. Mr. Martin and Mr. Dunham recused themselves from any voting on the issue. The motion carried. Mr. Darpel then asked for a motion on the waiver request. Mr. Sketch made the motion to grant the waiver based on unusual topographical and exceptional physical conditions and strict compliance would create an unnecessary hardship and create an unnecessarily unsafe condition. Mr. Wischer seconded the motion. Mr. Darpel made the clarification that the waiver is only for Marshall Road. Mr. Sketch amended his motion to include connectivity from end to another of the development. Mr. Wischer stated he was okay with that amendment. A roll call vote on the matter found Mr. Sketch, Mr. Wischer, Mr. Ahrens, Ms. Baumgardner, Ms. Best, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. France, Mr. Logsdon, Mr. Pharr and Mr. Ryan, Ms. Snyder and Ms. Vaughn in favor. Mr. Pannunzio voted against. Mr. Martin and Mr. Dunham recused themselves from any voting on the issue. The motion carried.

### **Ongoing Business**

#### **Reports from Committees**

*Bylaws* – No report. Ms. Brown stated something would be set up next month.

*Direction 2030 Implementation* – Mr. Bethell stated they do have a meeting coming up September 8th at 5:30 via GoToMeeting.

*Executive* – Mr. Darpel stated they did meet.

*Social Media* – No report.

*Subdivision Review* – Mr. Darpel stated they have a meeting on the 15th to discuss the pavement standards to make sure all the stakeholders are aware of the changes. He noted some language has been put together but they will be dealing with that the next few weeks.

*Z21 Review* - Mr. Bridges stated nothing to report.

*Reports from Commission members* – Mr. Bridges stated he would like to be counted as present and not have an asterisk on the roll for the meeting.

*Report from Legal Counsel*– Nothing to report.

*Reports/announcements from Staff* - Ms. Emi stated she wanted to discuss next month's agenda. She asked if the desire was to go back to virtual meetings or go back to in person meetings. Mr. Darpel stated he would like to wait until about ten days before due to everything hanging so much. He stated let's keep it virtual for now. Ms. Emi stated the only other announcement is this is her last meeting as the Planning Director and will be moving on as Erlanger's Planning Director. Mr. Darpel stated he can't thank Emi enough and she has always been an asset and Erlanger is sure lucky to have her. He stated he has enjoyed everything about having her on Staff and working with her. Mr. Bethell stated he wanted to echo that and he wished her well in her endeavors and stated Erlanger is very lucky to have her. Mr. France stated we are all sorry to see her leave and look forward to her work in Erlanger. Mr. Darpel stated there are certainly some big shoes to fill and is happy for the folks to move on and sad for those leaving.


*New Business* – None.

There being nothing further to come before the Commission, a motion to adjourn was made by Ms. Snyder and seconded by Mr. France. All in favor by acclamation. The meeting then adjourned at 8:48 p.m.

APPROVED:

Chair

Date

  
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Nov. 06, 2020