

KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING
Minutes

Mr. Brian Dunham, Chairman, called the meeting to order on September 7, 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 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
Anthony Baker	Covington	X				X							
Margo Baumgardner	Crestview Hills	X		X		X	X			X			
Todd Berling	Fort Wright	X			X		X						
Jeff Bethell	Fort Mitchell	X		X	X	X	X			X			
Gailen Bridges	Bromley	X		X	X	X	X			X			
Paul Darpel, Vice Chair	Edgewood	X		X	X		X			X			
Brian Dunham, Chairman	Kenton Cty	X				X	X			X			
Tom France	Ludlow	X		X		*	X			X			
Keith Logsdon	Lakeside Park			X	X	*	X			X			
John Hennessey	Villa Hills	X		X	X	X	X			X			
Matthew Martin	Taylor Mill	X		X		X	X			X			
Joe Pannunzio	Elsmere	X		X	X	X	X			X			
Dan McElheney	Erlanger	X		X									
Sean Pharr	Covington	X		X	X	X				X			
Phil Ryan, Treasurer	Park Hills	X		X	X	X	X			X			
Kareem Simpson	Covington	X		X		X				X			
Greg Sketch	Crescent Spgs	X		X			X			X			
Maura Snyder	Independence	X		X	X	X	X			X			
Debbie Vaughn	Kenton Co	X		X	X	X				X			
Shannon Schawe	Ryland Hts.			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. Matt Smith, Legal Counsel, and the following PDS staff: Mr. Patrick Denbow and Ms. Megan Bessey.

AGENDA:

Mr. Dunham asked for a motion to approve the agenda as presented. Ms. Snyder made the motion to approve as submitted. Mr. Bethell seconded the motion. All in favor by acclamation. The motion carried.

APPROVAL OF THE MINUTES

Mr. Dunham stated Mr. Bridges provided some changes to the minutes that were provided for. Mr. Bethell commented under PDS Staff recommendations where it states Mr. Bethell he noted it should possibly read Mr. Jeff Bethell to avoid any confusion. Mr. Hennessey noted he was present at the meeting and his name was not listed as having attended, and he noted he voted in favor of issue PC2305-0002. Mr. Sketch also noted his attendance at the June meeting. There being no further changes, Mr. Bridges made the motion to approve the minutes as corrected. Ms. Snyder seconded the motion. A roll call vote on the motion found Mr. Bridges, Ms. Snyder, Ms. Baumgardner, Mr. Bethell, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Ryan and Mr. Sketch in favor. Mr. Pharr, Mr. Simpson and Ms. Vaughn abstained. The motion carried.

of the City of Fort Worth

Mr. Dunham noted the updated minutes from April needed to be approved and asked for a motion. Ms. Snyder made the motion to approve. Mr. Darpel seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. Darpel, Mr. Bethell, Mr. Bridges, Mr. Dunham, Mr. Hennessey, Mr. Logsdon, Mr. Pannunzio, Mr. Pharr, Mr. Ryan and Ms. Vaughn in favor. Ms. Baumgardner, Mr. France, Mr. Martin, Mr. Simpson and Mr. Sketch abstained. The motion carried.

RECEIPTS AND EXPENDITURES:

Mr. Dunham stated the receipts and expenditures report was distributed. There being no comments or questions, he asked for a motion to approve. Mr. Ryan made the motion to approve the May, June and 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 NUMBER: PC2308-0001

Applicant: David Andrukhov of Brothers Homes LLC on behalf of the residents and property owners of the Lookout Valley Subdivision.

Location: An area of approximately 3.4 acres located on the east side of Kyles Lane between Valley Drive to the north and Madison Pike to the south, approximately 850 feet north of Madison Pike in Covington.

Request: A proposed map amendment to Covington Neighborhood Development Code changing the described area from AUC (an Auto-Urban Commercial district) to SU (a Semi-Urban Residential district).

Summary: The applicant proposes to rezone the existing single-family detached subdivision to bring it into conformance with the zoning regulations. The subdivision contains 18 detached single-family lots.

Staff presentation and Staff recommendation by Ms. Megan Bessey.

PDS STAFF RECOMMENDATION

Favorable recommendation on the map amendment to the Covington Zoning Ordinance changing the described area from AUC (an Auto-Urban Commercial district) to SU (a SemiUrban Residential district); The applicant proposes to rezone the existing single-family detached subdivision to bring it into conformance with the zoning regulations. The subdivision contains 18 detached single-family lots.

Mr. David Andrukhov addressed the Commission in favor and stated he owns some lots. He noted currently it is zoned residential. He stated with the way the land is laid out, there is no way to fit residential. He stated this is why they want to zone it to bring it into conformance to fit in with the rest of the way the neighborhood looks. He noted he is building on three lots for himself and his family and will be selling the other lots.

Mr. Kyle Carpenter stated he would like the zoning changed to accommodate the neighborhood. He additionally stated he agrees with the recommendations David Andrukhov has said and would like the zoning changed to accommodate single families in the spirit of the neighborhood.

Mr. Dan Francis addressed the Commission and stated he lived at the property being most impacted by the development. He stated his concerns are with the drainage. He stated last year when water came down the hill it almost destroyed Jackson Florist. He stated you can't get to the property from where they're building and when you get to the top and see the forest, there are twelve more properties going in. He stated he is not against it but really the drainage is going to be an issue. Mr. Dunham stated the drainage issues are really out of their purview and it would be an issue for the city. Mr. Darpel stated his understanding is there is pretty significant drainage provided to get the water to go down front rather than the run off. Mr. Darpel stated SD1 is really the governing body regarding the drainage. Mr. Sketch commented the city no longer handles the storm water.

Ms. Bessey then clarified the uses for this particular zone. Mr. Simpson asked the applicant what state his business is registered in. Mr. Andrukhov stated he is registered in Wyoming but lives in Kentucky.

There being no others to speak on the issue, Mr. Dunham recessed the public hearing for discussion amongst the Commissioners. Mr. Darpel stated this should be a no-brainer and nobody should be putting any commercial up on this hill. Mr. Dunham then reconvened and closed the public hearing and asked for a motion. Mr. Pharr made the motion to approve the application based on the facts and considerations in Staff's report and the testimony presented and finding that the change is consistent with the comprehensive plan. He noted it is inappropriately zoned as it currently stands. Mr. Simpson seconded the motion. A roll call vote on the motion found Mr. Pharr, Mr. Simpson, Ms. Baumgardner, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Ryan, Mr. Sketch, Ms. Snyder and Ms. Vaughn in favor. The motion carried.

FILE NUMBER: PC2308-0003

Applicant: Bayer Becker on behalf of Toeppen, Ltd., Gary Mark Smock & Angela Smock, and White Castle Kentucky Inc.

Location: An area of approximately 19.93 acres located at the northeast intersection of Madison Pike (KY 17) and Harris Pike (KY 536) in Independence.

Request: A proposed map amendment to the Independence Zoning Ordinance changing the described area from NC (Neighborhood Commercial) and R-RE (Residential Rural Estate) to CC (Community Commercial)

Summary: The concept development plan proposes an approximately 48,387 square foot grocery store with an attached 3,200 square foot liquor store, retail space totaling approximately 12,600 square feet, an approximately 2,584 square foot restaurant with drive-thru, a new public street with access off Madison Pike, an access off Harris Pike, and associated off-street parking.

Staff presentation and Staff recommendations by Mr. Patrick Denbow

PDS STAFF RECOMMENDATION

Favorable recommendation on the proposed map amendment to the Independence Zoning Ordinance changing the described area from NC (Neighborhood Commercial) and RRE (Residential Rural Estate) to CC (Community Commercial); The concept development plan proposes an approximately 48,387 square foot grocery store with an attached 3,200 square foot liquor store, retail space totaling approximately 12,600 square feet, an approximately 2,584 square foot restaurant with drive-thru, a new public street with access off Madison Pike, an access off Harris Pike, and associated off-street parking.

Mr. Matt Smith noted for the record the Commission cannot make a decision on whether a proposed business will compete with an existing business. He stated they can only make a determination as to the zoning. He stated he just wanted that noted for the record.

Mr. Rob Keller addressed the Commission with Bayer Becker in favor of the issue. He thanked the Staff for the report and noted it was very thorough and he did not need to repeat much of it. He noted in terms of utilities, those are available at the site. He stated with regard to access the street will be a public street and will extend to the residential area of the property and be maintained as residential. He stated the photometrics and landscape items will be addressed at the final development plan. He further stated that they agree with Staff's approval and they are requesting the rezoning and map amendment change. Ms. Snyder asked the applicant if he thought about putting a turn only lane into the development. Mr. Keller stated that is really for the next stage but whatever is required is what they will do.

Mr. Chris Moriconi addressed the Commission and stated he is speaking on behalf of himself and the mayor and not on behalf of city council. He noted they met with the developer several times and they expect this will get developed. He stated right now if nothing gets done with the property, the owner could put in a restaurant, animal hospital, gas station, etc. He stated when they looked at this they thought a better use would benefit the area more, such as a grocery store. He stated they don't want to see development from stop sign to stop sign. He stated when you look at this intersection, it is going to get developed and they would like to manage it the best they can. He stated the city did not want a multi-family with the drain on the city schools. He noted it is a prominent corner and it will be developed. Mr. Bridges stated he thinks the city is selling itself short and it's a shame as there are already multiple grocery stores in the area.

Mr. Chris Taft addressed the Commission and stated they are excited to be working in Kenton County and in Independence. He stated White Castle is selling the property but is not part of this project. He stated they are there to answer any questions. Mr. Taft stated the grocery store going in is a best in class operator and they are excited about what's going into the project.

Ms. Carrie Myers addressed the Commission and stated she is opposed to the project as a resident. She stated she is concerned that Independence does not have the infrastructure to support this. She stated she does not think enough has been done to support a development such as this. She further stated there is only so much development you can do in a certain space before it becomes unsafe. She stated this area is already congested. She stated she knows you can't pick what goes in, but none of what is proposed is in any way needed in the area. She stated everybody wants to bring more jobs to the area but there are jobs that can't be filled as it is. She noted she just wanted some representations from the other side against the issue.

Mr. Dunham noted two emails were received against the issue, one from Antoinette Hensley and one from Caitlin Watson. He then read portions of each and marked them as exhibits "A" and "B" respectively to be made a part of the record on the matter. Mr. Dunham then recessed the public hearing for discussion. Ms. Vaughn addressed the Commission and stated she appreciates that people want to keep it rural. She noted she does see the love of the rural atmosphere but she has appreciated the changes Independence has seen. She stated she does think this is the right scale and the right place for it. Mr. France stated no one from the public emailed or came in support of the project. Mr. Dunham stated he felt Mr. Moriconi's comments were spot on and stated they need to balance the needs and wants of the city and respect it. Ms. Snyder stated she thinks the city has done a good job of talking with the city and working with developers. She stated they are specific corners and this has been thought out making sure people can get in and out. She stated she thinks it's going to be nice for the city and competition is always a good thing. Mr. Simpson asked what the definition of rural is. He stated we keep saying rural and he was wondering what the definition is. Ms. Snyder stated people think of rolling hills and pastures and such and the problem is people aren't keeping it, and they are selling the farms. Mr. Dunham stated he likes

that it fronts Ky 17 and that it is adjacent to the shopping center. He noted it seems like an appropriate expansion there. Mr. Bridges asked Independence to take more of a proactive approach than a reactive one. Mr. Dunham then reconvened and closed the public hearing and asked for a motion on the matter. Ms. Snyder made the motion to approve based on Staff's report and the testimony heard. Mr. Sketch seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Sketch, Ms. Baumgardner, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Simpson and Ms. Vaughn in favor. The motion was approved.

FILE: PC2307-0002

APPLICANT: City of Crescent Springs per April Robinson, City Clerk/Treasurer

REQUEST: A text amendment to the Crescent Springs Zoning Ordinance increasing the amount of paved areas permitted within a front yard based on a percentage of the total lot size and providing an increase for cul-de-sac lots.

Staff presentation and Staff recommendations by Patrick Denbow

PDS STAFF RECOMMENDATION

Favorable recommendation on the proposed text amendment to increase the amount of paved area permitted within a front yard based on a percentage of the total lot size and providing an increase for cul-de-sac lots.

The city of Crescent Springs had nothing to add.

Mr. Dunham recessed the public hearing for discussion amongst the Commissioners. Mr. Sketch stated this is something they are working on with Z21 but they just haven't gotten there yet. Mr. Ryan stated they just did this this week with Park Hills with Z21. He stated Park Hills doesn't even have any regulations so he is glad something is coming into play. Mr. Dunham reconvened and closed the public hearing and asked for a motion on the matter. Mr. Sketch made the motion to approve the text amendment based on the facts and considerations and testimony of Staff. He noted the proposed text amendment is reasonable. Mr. Bethell seconded the motion. A roll call vote on the motion found Mr. Sketch, Mr. Bethell, Ms. Baumgardner, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Ryan, Mr. Simpson, Ms. Snyder and Ms. Vaughn in favor. Mr. Pharr had to leave the meeting prior to a vote being taken. The motion carried.

Reports from Committees

Bylaws – Mr. Dunham stated they have a September 25th meeting scheduled, but he doesn't think there is anything to deal with. He stated they will cancel that and reschedule when they need to meet.

Direction 2030 Implementation – Mr. Bethell stated they had a meeting on August 24th but he was unable to attend. He stated he will defer to Patrick Denbow for the details. He stated it was really an introduction introducing the implementation committee. He stated Staff is continuing with the public engagement efforts and stated they will be attending the Fiesta event on the 23rd in Erlanger so they had all their materials translated into Spanish and will have translators present for the event including PDS Staff. He stated they will also be attending the Crescent Springs Villa Hills Fall Fest on the 30th. He stated the consultants are getting busy getting ready to conduct virtual engagements with stakeholders which will be a long and interesting process.

Executive – Mr. Dunham stated they have not met since the last meeting and he is not aware of anything on the horizon.

Social Media - Mr. Ryan stated they have not had a meeting.

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

Z21 Review - Mr. Bridges stated they have not met but another city stated they wanted to meet with them.

Comments from Commissioners - Mr. Bridges noted the Kenton County Farm Tour is on October 1 which is a Sunday. Mr. Ryan shared the news that his son and his wife are going to have a baby.

Report from Legal Counsel – Nothing to report.


Reports/Announcements from Staff - Mr. Denbow stated the Key Connection emails do go out so always be looking for those for continuing education. He stated if you go to KCPC's website under the "about" tab there is a link titled "continuing education requirements and forms". He stated all of the links that have been sent can be found there as well. He noted in addition there is an electronic forms submission now to submit hours to Pamela and you can enter four forms at a time. He noted there is still the option of downloading the forms and doing it the old fashioned way. He noted the KLC event is holding a summit on November 14th at 9:30. He noted if you want to sign up for that to let Pamela know by October 2nd.

New Business – None.

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 Mr. Darpel and seconded by Mr. Ryan. All in favor by acclamation. The meeting then adjourned at 8:02 p.m.

APPROVED:

Chair 

Date 10-5-2023



