

**KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING**

Minutes

Mr. Brian Dunham, Chairman, called the meeting to order on November 2, 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		X	
Todd Berling	Fort Wright	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	X	
Paul Darpel, Vice Chair	Edgewood	X		X	X		X			X	X		
Brian Dunham, Chairman	Kenton Cty	X				X	X			X	X	X	
Tom France	Ludlow	X		X		*	X			X	X	X	
Keith Logsdon	Lakeside Park			X	X	*	X			X	X	X	
John Hennessey	Villa Hills	X		X	X	X	X			X	X	X	
Matthew Martin	Taylor Mill	X		X		X	X			X	X	X	
Joe Pannunzio	Elsmere	X		X	X	X	X			X		X	
Dan McElheney	Erlanger	X		X								X	
Sean Pharr	Covington	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	X	
Greg Sketch	Crescent Spgs	X		X			X			X	X	X	
Maura Snyder	Independence	X		X	X	X	X			X		X	
Debbie Vaughn	Kenton Co	X		X	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. Andy Videckovich, Ms. Megan Bessey and M. Laura Tenfelde.

AGENDA:

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

APPROVAL OF THE MINUTES

Mr. Dunham asked for any questions or comments regarding the minutes from October. Mr. Bridges made the motion to approve the minutes. Mr. France seconded the motion. A roll call vote on the motion found Mr. Bridges, Mr. France, Mr. Berling, Mr. Bethell, Mr. Dunham, Mr. Hennessey, Mr. Logsdon, Mr. Martin, Mr. Ryan, Mr. Simpson, Mr. Sketch and Ms. Vaughn in favor. Ms. Baumgardner, Mr. McElhenney, Mr. Pannunzio, Mr. Pharr and Ms. Snyder abstained. The motion carried.

RECEIPTS AND EXPENDITURES:

Mr. Dunham stated the receipts and expenditures report for September was distributed. There being no comments or questions, he asked for a motion to approve. Mr. Ryan made the motion to approve the October 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-23-0007

APPLICANT: The City of Independence per Chris Moriconi, City Administrator

REQUEST: Text amendments to the Independence Zoning Ordinance: (1) to allow the parking of flatbed utility trailers permanently on driveways with certain regulations, (2) the addition of new timeframes for temporary parking of campers, boats, and recreational vehicles, and (3) the addition of a definition for flatbed utility trailer.

Staff presentation and Staff recommendation by Megan Bessey

PDS STAFF RECOMMENDATION

Unfavorable recommendation for the proposed text amendments to the Independence Zoning Ordinance: (1) to allow the parking of flatbed utility trailers permanently on driveways with certain regulations, (2) the addition of new timeframes for temporary parking of campers, boats, and recreational vehicles, and (3) the addition of a definition for flatbed utility trailer.

Mr. Moriconi addressed the Commission in favor of the application. He stated Staff did a good job of highlighting some of the tweaks that needed to be made. He stated a lot of input happened with the city back in January and nothing was really done all summer. He stated there was a lot of discussion among the council. He additionally commented there was a lot of back and forth between council and the thirty feet and not blocking the driveways. He stated he submitted the application for the text amendment on Tuesday and noted after a fast review, they realized there are a lot of gray areas and they will probably have to tweak it around the edges. Mr. Ryan stated he doesn't normally suggest this, but as far as cleaning this up opposed to a potential turn down, he wondered if it would be best to table it and clean up some of those

issues. Mr. Moriconi stated maybe and noted it started off as pretty simplistic until Staff got into it and did their job the right way. He noted on paper it sounds simple but again, Staff, to their credit, found some issues. Mr. Ryan stated as far as the trailer, sides can be five feet tall and there can be a lot of variety versus what is in the pictures. Mr. Dunham stated if it is not tabled and the Commission gives them an unfavorable recommendation, how much flexibility does the city have to modify it. Mr. Smith stated ultimately he has to defer to the city attorney and what he feels comfortable with, but he thinks with the subject matter after it has been notified and it's been brought to the attention what text amendments the city is intending to, he thinks there's a decent amount of tweaking that can occur at the city level if denied. Mr. Smith then stated the city can decide whether to approve or not afterwards. Mr. Moriconi asked if it was not tabled and there is a lot of tweaking that has to be done, would they have to come back with it. Mr. Dunham then stated if it's tabled they can come back and it's more likely to have a favorable decision on it. Mr. Moriconi stated he appreciated the suggestion of that. He then stated probably tabling is the best so he would agree to table it on that issue. He further noted it all started with everyone having utility trailers now for grass cutting and other things. He stated five years ago we never saw that many. He then commented based on what the Commission is saying, it's probably better to table it. Mr. Moriconi stated he doesn't think it would take six months and they could come back in the winter time. Mr. Bridges asked why single out the utility trailers as opposed to all these other types. Mr. Moriconi stated like he said they are seeing so many of them now since covid and it seems everyone is getting trailers. He said he sees them everywhere. Mr. France stated there are some really nice trailers and there are some that look like they would barely make it. He further stated the ordinance doesn't state the condition but they may need to look at that when they are cleaning it up to ensure it is in good working order. Mr. Dunham stated he appreciates Staff bringing this up because he thinks it is in the city's best interest to have it drafted well. Mr. Moroconi stated it was really 50/50 among council but they wanted to hear what Staff had to say and let it work through the process.

Ms. Carol Lecter addressed the Commission and stated they have an RV and they said it has to be parked in the side or back yard and she wanted to know the definition for side yard under the ordinance. Ms. Bussey stated she did not have it currently but that would be a question for code enforcement, but she said as far as the side yard it would be from the front wall to the rear of the house.

Mr. Dunham stated in light of Mr. Moriconi's comments, he asked Ms. Snyder if she would like to make a motion. She then made the motion to table the issue to bring it back within a six month time frame. Mr. Martin seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. Martin, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Bridges, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Logsdon, Mr. McElhenney, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Simpson, Mr. Sketch and Ms. Vaughn in favor. The motion carried.

FILE: WAIVER 23-0007

APPLICANT: Brad Trauth, on behalf of Wildrose Development, LLC

LOCATION: 2943 & 2945 E. Wildrose Drive, Edgewood; approximately 450 feet Northeast of the intersection of E. Wildrose Drive and Dudley Road in Edgewood.

REQUEST: To grant a waiver to the following section of the Kenton County Subdivision Regulations:

- Section 4.1-18, Geometric Design of Streets; Granting this waiver would allow the applicant to build a public street that exceeds the minimum k-value design criteria established in Table 4.1-3 of the Kenton County Subdivision Regulations as well as the minimum intersection transition length established in Section 4.1-18 (D).

Staff presentation and Staff recommendations by Ms. Laura Tenfelde

PDS STAFF RECOMMENDATION

To APPROVE the requested waiver to Section 4.1-18, Geometric Design of Streets; Granting this waiver would allow the applicant to build a public street that exceeds the minimum k-value design criteria established in Table 4.1-3 of the Kenton County Subdivision Regulations as well as the minimum intersection transition length established in Section 4.1-18 (D).

Mr. Don Stegman addressed the Commission in favor and stated he has been hired by Wildrose Development for the development. He stated he really didn't have a lot to add to the presentation and stated he just has a couple things he'd like to clarify and show. He stated he would really like to see lower K value added to the sub regs. He noted he has twenty-five years of experience designing subdivisions and this would make it so much easier. He stated it is really kind

of interesting how they make the guidelines how they are. He then showed a layout of the proposed development. He stated the topography around here makes it difficult to fit with the natural grade. He stated it's a great little infill development. He further stated if he keeps it the way the subregs are currently and a K value of 15, he has to hold the street up higher. He stated it just makes the home sites tougher. He stated it allows the designer to curve the roads a little bit faster but doesn't change the slopes. He noted it is interesting how the guidelines came to how they are. He stated the other thing is the view in the profile is vertically exaggerated and people don't realize that. He stated it looks super steep but the lower profile is really not that big of a difference. He stated at the bottom it makes the lots two feet elevated which makes the lots better, and that is what is trying to do. He stated they all want a safe street and that is what they are trying to do. He then showed an example of an intersection that is a 6% K value and they are asking for 4%. He noted they are only looking at 300 feet then stated once again, this is a very safe street and they all want a safe development. He stated this is a really tight development but it is a great development and it will be an asset to the community.

There being no one else registered to speak, Mr. Dunham recessed the public hearing for discussion. There being none, he reconvened and closed the public hearing. Mr. Dunham then asked for a motion on the matter. Mr. Berling made the motion to grant the waiver as it is not detrimental to public interest, there are unusual topographical issues, and also based on Staff's recommendations. Mr. Martin second the motion. A roll call vote on the motion found Mr. Berling, Mr. Martin, Ms. Baumgardner, Mr. Bethell, Mr. Bridges, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Logsdon, Mr. Pannunzio, Mr. Pharr, Mr. Simpson, Mr. Sketch, Ms. Snyder and Ms. Vaughan in favor. Mr. McElheney and Mr. Ryan voted against. The motion carried.

FILE: WAIVER 23-0008

APPLICANT: Brad Trauth, on behalf of Wildrose Development, LLC

LOCATION: 2943 & 2945 E. Wildrose Drive, Edgewood; approximately 450 feet Northeast of the intersection of E. Wildrose Drive and Dudley Road in Edgewood.

REQUEST: To grant a waiver to the following section of the Kenton County Subdivision Regulations:

- Section 4.11, Sidewalks: Granting this waiver would allow the Applicant to build sidewalks on only one side of the street. In addition, the Applicant is requesting that no sidewalk be provided along the cul-de-sac as well as along the existing portions of E. Wildrose Drive that fronts the Applicant's property.
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Staff presentation and Staff recommendations by Ms. Laura Tenfelde

PDS STAFF RECOMMENDATION

To DENY the requested waiver to Section 4.11, Sidewalks, in the Kenton County Subdivision Regulations. Granting this waiver would allow the Applicant to build sidewalks on only one side of the street. In addition, the Applicant is requesting that no sidewalk be provided along the cul-de-sac as well as along the existing portions of East Wildrose Drive that fronts the Applicant's property.

Mr. Don Stegman addressed the Commission and stated he agrees with a lot of the topics brought up. He stated as an infill development, there are some things they were looking at. He stated they weren't thinking of having sidewalks on the left side of the street. He stated if you put them on both sides of the street, the end of the street is one concern. He stated there will be a circulation concern. He then noted there are no sidewalks in the whole subdivision anywhere. He stated when you are an infill development you want to match up what is there. He stated not everyone likes sidewalks and this is a small residential development and people don't mind walking in the street. He additionally showed a picture of the whole area and indicated Dudley Road over on the left is the only one with sidewalks. He noted nothing else has sidewalks. He then stated the discussion here is how do we blend in with that development. He stated the other is there is a legitimate question about going around a cul de sac. He stated it meets all the regulations and it is a basin area so that's why they thought to put the two connections where they can cross the street and back and have a nice little loop. He stated this is why they requested the loop be on one side but connect them so you can make a circulation around. He then noted the other spot is up at the front. He stated when the original existing street was built, they put in a nice wrought iron and fieldstone pillars with a gate along the side. He stated they wanted to preserve that so that is one of the reasons for the request. He stated if they have to put in sidewalks they will have to take that out and they don't want to. He stated they hoped to keep some of the original character by keeping the fence. He stated they can put the sidewalks on both sides of the street but do not want to put it on the cul de sac. He noted the developer is okay with this plan they have submitted after having further discussion. He further stated it is a sidewalk to nowhere and it would be very difficult to build it. He stated can they put it in, yes, but he stated in his mind it's a safety concern and they would rather not.

There being no further questions, Mr. Dunham recessed the public hearing for discussion amongst the Commissioners. Mr. Sketch stated his personal opinion is he does not like sidewalks in there. Ms. Snyder stated if there is a sidewalk curving around it will encourage kids to stay on the sidewalk. The question was asked if a fence would be required around the water retention pond. Mr. Berling stated it would be dry except for after a very hard rain. Mr. Bethell stated they have sidewalks on both sides of their street and the reason is for mobility. He stated it's all well and good to have sidewalks to connect somewhere, but at this stage it's an established subdivision. He stated you would have sidewalks that go nowhere. Mr. Pannunzio stated he believes that sidewalks are important to a development. Mr. Logsdson stated there will also be children that need to walk up the street to the bus. He noted it is actually creating a worse instance by not building the sidewalk. He stated he believes it's appropriate for a new subdivision to build the sidewalks. He noted Edgewood has the option to build sidewalks to connect to Dudley. Ms. Vaughn stated she thinks sidewalks create circulation within that development and it creates community within the development. She noted they walk a lot and she wishes they had sidewalks. Ms. Snyder stated she doesn't know when everything was built there but they didn't put sidewalks in. She stated now the move is toward sidewalks. She stated her experience in her subdivision is there are sidewalks all the way around. She stated why not give the new people the feasibility to make their laps and give kids the ability to ride their bikes around making a loop on their bikes. Following the discussion, Mr. Dunham reconvened and closed the public hearing. Ms. Tenfelde commented to keep in mind the basis for the sidewalks around the development is the area can change, so a lot of that requirement along the front of the development is so when the city comes in to put in sidewalks, they don't have to do it there. She stated she realizes this is a small development but that is the basis. Following the discussion, Mr. Dunham asked for a motion on the issue. Mr. Logsdson made the motion to deny the request based on Staff's report, but to not build the sidewalks along where the fence is. Mr. Dunham stated rather than accept the denial of the waiver it may be better to allow it with the conditions. Mr. Bethell asked if they were amending the motion. Mr. Dunham stated he thinks the motion would be to grant the waivers as requested by the applicant under the condition that they install the sidewalk on both sides of the street and around the cul de sac. He stated in doing that, they are being given the waiver on part of it. He then noted they are willing to agree to part of the waiver and the way to do it would be to grant the waiver under the conditions for the other part of it. The basis for the waiver were then clarified by Mr. Ryan with regard to the topographical conditions. Mr. Dunham then asked Mr. Logsdson if he was in agreement with those findings in terms of amending his motion. Mr. Logsdson agreed. Mr. Pannunzio seconded the motion. A roll call vote on the after found Mr. Logsdson, Mr. Pannunzio, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Bridges, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Martin, Mr. McElheney, Mr. Pharr, Mr. Ryan, Mr. Simpson, Mr. Sketch, Ms. Snyder and Ms. Vaughn in favor. The motion carried.

FILE: WAIVER 23-0009

APPLICANT: Lauren Campagna on behalf of Core 5 Industrial Partners

LOCATION: 1731 Garvey Avenue, Elsmere; An approximate 94-acre parcel located in the NW quadrant of the intersection of Garvey Avenue and Fuchs Road approximately 1,500 feet North of New Buffington Road in Elsmere.

REQUEST: To grant a waiver to the following section of the Kenton County Subdivision Regulations:

- Section 4.11, Sidewalks: Granting this waiver would not require the Applicant to construct sidewalks along Fuchs Road and Garvey Avenue, fronting the subject property.

Staff presentation and Staff recommendations by Ms. Laura Tenfelde

PDS STAFF RECOMMENDATIONS

To DENY the requested waiver to Section 4.11, Sidewalks, in the Kenton County Subdivision Regulations. Granting this waiver would not require the Applicant to construct sidewalks along Fuchs Road and Garvey Avenue, fronting the subject property.

*Mr. Dunham recused himself from the following issue due to a potential conflict of interest. Mr. Ryan, Treasurer, presided over the following public hearing.

Ms. Tenfelde commented before the presentation she wanted to point out in her report item ten on the report there were utility lines mentioned as being part of the development and that was a mistake on her part. She stated those had been there for years and she stated she just wanted to comment about that before getting started.

Mr. Rob Keller addressed the Commission in favor of the issue and introduced other members of his team. He thanked Ms. Tenfelde for clarifying number 10 in Staff's report. He then stated he wanted to clear up a couple things and spoke briefly about the history of the project. He noted there is a mixed use path that goes for about two miles and stated their

intent was to use the mixed use path as a connector, He stated that was kind of the idea with the city to utilize the mixed use path to bring people together. He stated they are trying to create this friendly corridor within this industrial area by installing some park benches. He further noted they talked a little bit about the mixed use path along Garvey. He stated one of their reasons for this is safety. He additionally stated part of the reason for the request is there are trucks going back Fuchs Road. He noted they would have wider than normal driveway curb cuts. He stated safety is very important to them in an industrial development and they think they are accomplishing that with this plan. He stated they are trying to not encourage pedestrian traffic where you have a railroad crossing and that is really what they are trying to avoid on Fuchs. He stated they originally didn't want sidewalks along Fuchs Road but now they want to go back to the plan along the north side of Fuchs and that will connect the pedestrians into their site. He noted they would improve the crossing and the signing with striping along Garvey. Mr. Keller stated they will have internal sidewalks and that is why they want to put the sidewalks on the north side.

Mr. Michael Bartlett addressed the Commission for the city of Elsmere. He stated as far as the city, with that existing multi-use path on the south side, they don't see a need for the sidewalk on the north side. He stated they would have to expand that bridge over and someday it might happen, but they don't see it happening right now. He additionally stated they think the multi-use path is sufficient. He noted in terms of Fuchs it doesn't make sense to put the sidewalks there so they are okay where it is. He stated they would like a nice crosswalk and noted he had nothing else to add.

There being no others to speak before the Commission, Mr. Ryan recessed the public hearing for discussion amongst the Commissioners. Mr. Sketch stated if the city is going to maintain the mixed use path he doesn't see any need for a sidewalk down in there. He stated he thinks the city is happy with having the path improved so he thinks it makes more sense to put the sidewalk along Fuchs Road. Mr. France stated the only crosswalk is at the 90 degree intersection of Garvey, and if you choose to bike or walk from the neighborhood, the reason to have the sidewalk on the development side so they don't have to walk all the way around because there is no crosswalk on the multi-use path. Mr. Martin stated he understands what Mr. France is saying but OKI has already given the money for this and they would not get another 50/50 grant. Mr. Sketch commented it is a controlled stop at that area and he doesn't see that. Ms. Tenfelde stated because of that, that would be the safer location for the crossing.

She also commented that when a waiver for a sidewalk is added at the last minute, it's difficult for her to make an assessment and she did not know about the Fuchs Road sidewalk so it's difficult when changes are made at the last minute. There being no further discussion, Mr. Ryan reconvened and closed the public hearing. He then asked for a motion on the issue. Mr. Pannunzio made the motion to deny the application. He stated Fuchs Road is just going to be a turn around and no one is going to be walking down that area. He stated his motion is based on Staff's report and the testimony heard and the witnesses presented at the public hearing, and he noted none of the criteria for approving it apply. Mr. Simpson seconded the motion. A roll call vote on the motion found Mr. Pannunzio, Mr. Simpson, Ms. Baumgardner, Mr. Bridges, Mr. France, Mr. Hennessey, Mr. Logsdon, Mr. Pharr, Mr. Ryan, Ms. Snyder and Ms. Vaughn in favor. Mr. Berling, Mr. Martin and Mr. McElheney voted against. Mr. Dunham recused himself from any consideration or voting on the issue. The motion carried.

Reports from Committees

Bylaws – Mr. Dunham stated they have not met and have no meeting on the schedule.

Direction 2030 Implementation – Mr. Simpson stated they had a meeting last week and are in the process of doing a lot of different things. He stated they did have a meeting with the cities to talk about the housing study with Covington, Elsmere, Crestview Hills and Kenton County to discuss the housing study which is at the Commissioner's seats. He stated Andy would talk about the housing study and another item. Mr. Videckovich stated it is a very technical document and he's not going to go through everything. He referenced a chart where there is a housing deficit and a housing surplus. He stated there is a deficit in housing at the lower end of the bedrooms and the income. He noted there is also a deficit in the larger houses at the higher incomes too. He noted there is a surplus in our county regarding the three bedroom housing. He stated there is a ton of information in the study but he thinks this particular table is a nice summary of the overall document. He stated they haven't actually gotten into the review of the Comprehensive Plan yet. He noted once they have all the information compiled and summaries they will sit down and see where that is going to apply. He stated they are planning two phases of public input and from there after they take a look at it and develop recommendations. He stated they are kind of in the middle of a two phase project. He stated they are on schedule for final adoption in September of 2024. He just recommended the Commissioners to take some time to look at the study and stated it is pretty enlightening.

Executive— Nothing to report.

Social Media - Nothing to report.

Subdivision Review – Nothing to report.

Z21 Review - Mr. Bridges stated they had a meeting and had Ft. Wright come through and they recommended approval and a short meeting to approve their minutes. Mr. Dunham asked if there was any idea when they would expect that. Mr. Videkovich stated they indicated they wanted to get that in before the December meeting.

Comments from Commissioners - Nothing to report.

Report from Legal Counsel – Nothing to report.

Reports/Announcements from Staff - Mr. Videkovich stated last month he mentioned the virtual summit on housing being put on November 15th th is an all day training. He stated they would like to get people registered for those who are interested. He asked if anyone knew at this point if they would be interested in attending that. Mr. Ryan, Hennessey, Mr. Simpson and Ms. Vaughn expressed interest. He noted there was still time if anyone changed their mind. He gave a deadline of next Monday or Tuesday to let him know if interested.

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 Ms. Snyder and seconded by Mr. Ryan. All in favor by acclamation. The meeting then adjourned at 9:24 p.m.

APPROVED:

Chair



Date

