

KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING
Minutes

Mr. Darpel, Chairman, called the meeting to order on December 1, 2022, 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 located in Covington, Kentucky. 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			X			X			
Margo Baumgardner	Crestview Hills		X	X	X	X	X				X	X	X
Todd Berling	Fort Wright		X	X	X	X	X		X	X	X	X	
Jeff Bethell	Fort Mitchell		X	X		X	X	X		X	X	X	X
Gailen Bridges	Bromley	X	X	X	X	X	X	X	X	X	X	X	X
Paul Darpel, Chair	Edgewood	X	X	X	X		X		X	X	X	X	X
Brian Dunham	Kenton Cty	X	X	X		X	X		X		X		X
Tom France	Ludlow	X	X	X	X	X	X		X	*	X	X	X
Keith Logsdon	Lakeside Park		X	X	X	X	X	X	X	X	X	X	X
John Hennessey	Villa Hills	X	X	X	X	X	X	X	X	X	X	XX	
Matthew Martin	Taylor Mill	X	X	X	X	X	X		X	X	X	X	X
Joe Pannunzio	Elsmere		X	X	X		X	X	X	X	X		
Dan McElheney	Erlanger			X		X		X	X		X	X	X
Sean Pharr	Covington		X	X	X	X	X		X	X		X	
Phil Ryan, Treasurer	Park Hills	X	X	X	X	X	X	X	X	X	X	X	X
Kareem Simpson	Covington	X		X	X		X		X		X	X	X
Greg Sketch	Crescent Spgs	X		X	X		X	X			X	X	X
Maura Snyder	Independence	X	X*	X	X	X	X	X	*	X	X	X	X
Debbie Vaughn	Kenton Co	X	X*	X	X	X			X	X	X	X	X
Shannon Schawe	Ryland Hts.												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. Mathew Smith, Legal Counsel, and the following PDS staff: Mr. Andy Videkovich, Ms. Megan Bessey and Ms. Laura Tenfelde

Prior to the roll being taken, Mr. Darpel welcomed a new Commissioner for Ryland Heights, Ms. Shannon Schawe.

AGENDA:

Mr. Darpel asked for a motion to approve the agenda. Mr. Darpel noted items 13 and 14 on the agenda would be done together as they are related to the same matter. He noted the vote on those issues would be taken separately. Ms. Snyder made the motion. Mr. Ryan seconded. All in favor by acclamation.

APPROVAL OF THE MINUTES

Mr. Darpel asked for any questions or comments regarding the minutes from November. Mr. Darpel then asked for a motion to approve. Mr. Bridges made the motion to approve as revised. Mr. Bethell seconded the motion. A roll call vote on the matter found Mr. Bridges, Mr. Bethell, Mr. Darpel, Mr. France, Mr. Logsdon, Mr. McElheney, Mr. Martin, Mr. Ryan, Mr. Simpson, Mr. Sketch, Ms. Snyder, Ms. Vaughn, Mr. Hennessey and Ms. Baumgardner in favor. Mr. Dunham and Ms. Schawe abstained. The motion carried.

RECEIPTS AND EXPENDITURES:

Mr. Darpel stated the receipts and expenditures report was distributed. He stated it was pretty straight forward and nothing jumped out. He then asked for a motion to approve. Ms. Snyder made the motion to accept the report. Mr. Ryan seconded the motion. All in favor by acclamation.

RECENT ACTIONS BY STAFF:

(No action required)

RECENT ACTIONS BY LEGISLATIVE BODIES:

(No action required)

Public Facility Review

FILE: PFAC 2210-0001

APPLICANT: Viox and Viox, Inc. per Michelle Bollman

LOCATION: 26-28 Montgomery Drive in Erlanger

REQUEST: A public facility review per KRS 100.324 and KRS 147.680; the applicant proposes to relocate their public works facility. The applicant proposes to construct a two-story administrative building, a maintenance and storage garage, salt storage, a storm water management area, and off-street parking.

Staff presentation and Staff recommendations by Mr. Andy Videkovich

Mr. Darpel asked for any questions or comments. Those registered to speak had nothing to add. He then asked for a motion to approve the recommendation. Mr. McElheney made the motion to make the recommendation based on Staff's presentation. Mr. Bethell seconded. A roll call vote on the matter found Mr. McElheney, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Logsdon, Mr. Martin, Mr. Ryan, Mr. Simpson, Mr. Sketch, Ms. Snyder, Ms. Vaughn, Mr. Hennessey, Ms. Schawe, and Ms. Baumgardner in favor. The motion carried.

PUBLIC HEARINGS

FILE: PC2210-0002

APPLICANT: City of Crestview Hills per Paul Meier, Mayor

REQUEST: Proposed text amendments to the City of Crestview Hills Zoning ordinance: (1)

Increasing the maximum building height within the R-2b (single-, two-, and multi-family) Zone

from three stories or 40 feet to five stories or 75 feet; and (2) Reducing the required number and adding a maximum number of off-street parking spaces for multi-family dwellings.

Staff presentation and Staff recommendations by Ms. Megan Bessey

PDS STAFF RECOMMENDATION

Favorable recommendations on the proposed text amendments to increase the maximum building height within the R-2b (single-, two-, and multi-family) Zone from three stories or 40 feet to five stories or 75 feet and to reduce the required number and add a maximum number of off-street parking spaces for multi-family dwellings.

Mr. Alex Mattingly addressed the Commission and stated the City is in favor of this text amendment and they agree with everything in Staff's report. He noted it is a fairly reasonable request. He stated it was to accommodate putting in the AC units for the surrounding building so they don't look out on those. He stated he was available to answer any questions. Mr. Dunham commented this appears to be using the term bedroom and the term used consistently is "dwelling units" and also he comments the language referring to parking spaces was just referred to as "space". He stated it just might clean up the language. Mr. Mattingly stated they would be doing the Z-21 update soon so that language would be cleaned up.

Mr. Jay Bayer addressed the Commission and stated he is representing the applicant and they are in full support of the Staff report.

Mr. Jeff Schroder addressed the Commission and stated he would like everyone to consider if there is a significant difference between three and five story buildings. He stated the Columbia Sussex building, the lights are on all night long and it changes the dynamics of those around it. He stated generally it does have an impact. He also noted when you go from three stories to five stories it does impact the density. He noted this will impact Horsebranch Road and certainly has an impact.

Ms. Janice Schroder addressed the Commission and stated she agrees with everything Jeff has said. She noted she would like to draw attention to the traffic and would like to see a traffic study done. She stated she is not against the development but would like to see a traffic study done. She noted the traffic on Dixie Highway will back up all the way to Horsebranch Road. She also stated she sees traffic generating trash and would like to see a study on those.

Ms. Sophia Holly addressed the Commission and stated she is an attorney for the applicant. She noted they support the request. She stated all lights would be addressed in the next issue and they make sure the lighting will be restricted so that shouldn't be an issue. She stated with regards to traffic this will not increase the traffic. She noted this does support the one bedroom option and would submit this is in compliance with the comprehensive plan. She stated overall they support the text amendment. She noted she completely understands the points made and thinks they are really good points.

Mr. Roger Schroder addressed the Commission and stated he's been a resident of Ft. Mitchell so he doesn't know how much credence he can give to Crescent Springs. He stated the lights are lit up all the time and maybe part of it is the ordinance that goes along with the development. He stated he thinks the lights are significant relating to the height and the lights are going to go farther than a forty foot building. He noted he does have some concerns with traffic. He additionally stated his concerns about the traffic study

All others registered to speak had waived their opportunity to speak on the issue.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. Mr. Ryan commented the language really does need to be cleaned up because the language between existing and what is being proposed could cause a problem later. Mr. Darpel stated he agrees and he doesn't want to put anything in non-conforming use. Following a brief discussion Mr. Darpel then reconvened the public hearing. Mr. Mattingly addressed some issues raised and stated there is a maximum of two parking spaces per dwelling unit. He stated the applicant could address the compliance but he thinks they will be in compliance. Mr. Darpel stated if you're going to change something and allow it to be that much taller, it is going to have an impact with the lighting. Mr. Mattingly stated one of the things to note is this is above the tree line. He stated all the comments are well founded and when they go through Z21 he will address those. Mr. Bethell asked if he ever heard of Dark Skies and whether or not he was aware of it and just wanted to mention it. He stated there was a way to direct the light down. Mr. Dunham stated he is just worried about redevelopment and putting this in place in a larger zone. He stated he personally feels comfortable with that location being that height but he's a little concerned about the much

larger zone for redevelopment. Mr. Mattingly stated they are going through the Z21 process but he understands what he is saying.

Ms. Bessey clarified and stated bedroom is not defined in Z21 but dwelling units is. Mr. Sketch then stated there is a problem county-wide. She also clarified the lighting issue and noted it states no lighting shall be permitted which would glare from the zone onto any street, road, highway, deeded right of way or into any adjacent property which triggers a photometric plan. She noted she would talk about that in the map amendment. Mr. Darpel then closed the public hearing and asked for a motion on the matter. Ms. Baumgardner then made the motion to approve based on Staff's recommendation as well as the testimony. Mr. Dunham seconded the motion. Mr. Ryan asked if a recommendation could be placed in the motion as to the definition of bedroom. A roll call vote on the matter found Ms. Baumgardner, Mr. Dunham, Mr. France, Mr. Logsdon, Mr. McElheney, Mr. Martin, Mr. Ryan, Mr. Simpson, Mr. Sketch, Ms. Snyder, Ms. Vaughn, Mr. Hennessey, Ms. Schawe, Mr. Bethell, Mr. Bridges and Mr. Darpel in favor. The motion carried.

FILE: PC2211-0002

APPLICANT: 3RE Partners per Brian Earle on behalf of Centre View Plaza, LLC

LOCATION: A total project area of approximately 39 acres consisting of (1) an area of approximately 26 acres located at the terminus of Centre View Boulevard; and (2) an area of approximately 13 acres on the west side of Horsebranch Road, south of I-275 and north of Rhine Valley Lane, approximately 500 feet north of Rhine Valley Lane in Crestview Hills.

REQUEST: (1) A proposed map amendment and preliminary development plan to the Crestview Hills Zoning Ordinance from RP-1 (a research park zone) to R-2b (a flexible residential zone); and (2) a preliminary development plan within the R2b Zone. The applicant proposes to construct three five-story multi-family residential buildings with 230 units (5.91 dwelling units per net acre), including off-street parking, open space, and pedestrian walkways.

Staff presentation and Staff recommendations by Ms. Megan Bessey

PDS STAFF RECOMMENDATION

Favorable recommendation on (1) A proposed map amendment and preliminary development plan to the Crestview Hills Zoning Ordinance from RP-1 (a research park zone) to R-2b (a flexible residential zone); and (2) a preliminary development plan within the R-2b Zone. The applicant proposes to construct three five-story multi-family residential buildings with 230 units (5.91 dwelling units per net acre), including off-street parking, open space, and pedestrian walkways.

Mr. Brian Earle addressed the Commission as the applicant and thanked the City of Crestview Hills for working with them these last months. He then turned it over to Mr. Gino Polizzotto. Mr. Polizzotto stated he is co-founder and chief executive officer of #RE Partners. He stated they are a boutique development company with full service and they own and operate their own companies. He stated they currently own Grandview Apartments adjacent to the property. He stated they are focused on supplying immediate need to the surrounding market. He noted the site has some pretty severe topographical challenges.

He stated the reasons they are looking to use the five story height is to use the available area they have to use. He stated in doing so they are shrinking the area that is to be used. He stated the severe slope covers most of the site. He additionally stated they believe they've overcome most of these challenges by reducing it to three five story buildings. He further stated they planned well-appointed amenities which will minimize the impact on the surrounding area as much as possible. He noted the three buildings are very strategically placed to minimize the retaining walls and maximize the views. He stated they believe based on the elevation being lower than Columbia Sussex these will visually only reach the midpoint of the Columbia Sussex building. He commented on the units themselves and stated they will be mostly one bedroom, studio and two bedroom units with stainless steel appliances and hard counter tops. He stated they will have elevators accessible to all units which will be a luxury as well. He noted there will be a swimming pool, a club lounge and a fitness center available to the residents. He further noted they are very excited to present the applicant and look forward to approval. He noted the buildings are considerably lower and a large berm between this site and the Columbia Sussex site will obscure the view from the lower buildings. Mr. Simpson asked if any were going to be offered as affordable housing. Mr. Polizzotto stated all the units would be at market rate.

Mr. Jay Bayer addressed the Commission and stated he appreciated all the insight on the text amendment and stated he appreciated the Commission having it approved. He noted that he will work with the city to clarify the definition of bedrooms. He noted there are currently 152 1 bedroom units planned and 78 2 bedroom units planned. He stated as mentioned it is a very difficult site to plan. He stated this is the reason for bringing the building height issue. He stated they have had two geotechnical engineers who have been involved and they want to make sure they have a safe environment and will be following the geotechnical recommendations. He stated Megan did a great job of supplying information. He stated they plan to develop roughly 25% of the area with the plan. He then noted the requirements necessary to approve the map amendment. Mr. Ryan asked about the visibility of the buildings from Orphanage Road. Mr. Bayer stated he doesn't think you will see them as much since they will be tucked around the corner and also will be keeping all the vegetation more or less around the buildings.

Ms. Sophia Holly addressed the Commission and stated this property has been vacant for eighteen years since the change to the map. She stated let's develop it for the reasons stated by her colleagues and noted this is something that supports the community. She then commented that she respectfully requests approval.

Ms. Alex Mattingly addressed the Commission and stated one thing he did want to point out is that Mayor Meyer submitted a letter for the issue. Mr. Darpel stated he would be summarizing it into the record. He then commented on the office market and stated the developer is going to put a higher end project in the site. He stated they are not building into the hillside but preserving it. He then stated it is a good use of the property.

All others registered to speak had nothing to add for the applicant.

Ms. Elaine Rudderer addressed the Commission and stated she has a beautiful view of the Columbia Sussex building and she just wants some clarification as to what will be going in. She asked how many stories she would see because right now she sees six out of the eight stories of Columbia Sussex. Mr. Darpel stated the elevation at one building starts at 808 and Columbia Sussex starts at about 830. Mr. Darpel stated that would give about fifty feet because he doesn't know how much of Columbia Sussex would block. She also asked about room for future buildings. Mr. Darpel stated the project is subject to the site plan submitted and they would have to come back if they wanted to expand this. He stated right now they are pretty close to the density so that would be an issue.

Mr. Jeff Schroder addressed the Commission and commented about the lighting. He stated if he understood the site plan the building is going to go on the ledge past the Columbia Sussex building He stated they have property right across from that and that could be seen across the street and also across 275. He stated all that area will easily see it. He stated he suspects they will be able to see it from all the different properties from Orphanage and off of Highland Avenue. Mr. France stated the height of the building has nothing to do with the lighting of the building and commented that a parking lot light for a three story building is the same as a five story building. Mr. Ryan stated the light isn't going to be shining on anybody but stated it will be ambient lighting. He noted you're going to see lights but they are not going to be lights pointed at you. Mr. Schroder then asked if the lighting is going to shining down. Mr. Ryan stated the lighting wouldn't be any different than what is seen from your neighbor's property, it will just be five stories.

Mr. Roger Schroder addressed the Commission and stated he would like to point out a couple things that he thinks are wrong. He stated when they say that people probably won't see the tree line, he noted where they are building the building is not where the trees are, and this building is going to sit way above the trees. He stated he's not necessarily saying what lights he can see but he feels like what is being portrayed is distorted. He stated one of the conditions is so that lighting wouldn't be at the top of the building Mr. Darpel explained this is a residential zone and Columbia Sussex is in a commercial zone so the lighting is different. Mr. Schroder stated he just wanted to point out that what is being portrayed is distorted.

Mr. Bayer stated in rebuttal that they really appreciate the Staff's report, and they are in full agreement and they would appreciate approval.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. Mr. Dunham stated the height would be important to him if it were right next door. He stated the residents are thousands of feet away. He stated this is a completely different animal and yes, you will likely see the ends of it projecting out. But it is still sitting lower and thousands of feet away. He stated he knows if it was up to the city they would prefer to get another office but it's a

different environment now. Mr. France stated just because a project can be seen from an adjacent ridge is not grounds to deny assuming it meets other aspects of the comprehensive plan. He stated he doesn't think the comprehensive plan recognizes that as a denying factor. Mr. Simpson stated there's been a lot of talk about changes to the area but it's hard to wrap his head around it that housing is being proposed but there is no affordable housing in the plan. He stated he thinks some type of consideration needs to be given to the affordable housing going on in the area. Mr. Logsdon stated we do need to address affordable housing in the comprehensive plan. Ms. Vaughn stated more housing should be a goal of theirs and the more places you can find affordable housing. She stated she concurs with both sentiments by Mr. Logsdon and Mr. Simpson. Mr. Darpel then reconvened the public hearing and read the letter from the mayor of Crestview Hills into the record and marked it as Exhibit 1 to be made a part of the record on the matter. Mr. Darpel then closed the public hearing and asked for a motion. Ms. Baumgardner made the motion to approve based on Staff's report. Mr. France seconded. A roll motion on the issue found Ms. Baumgardner, Mr. France, Mr. Logsdon, Mr. McElheney, Mr. Martin, Mr. Ryan, Mr. Sketch, Ms. Snyder, Ms. Vaughn, Mr. Hennessey, Mr. Schawe, Mr. Bethell, Mr. Bridges, Mr. Darpel and Mr. Dunn in favor. Mr. Simpson voted against. The motion carried.

*At this time (8:25) a five minute break was taken.

**The following two items will be presented together since they are related to the same issue.

FILE: PC2211-0004

APPLICANT: Holland Design and Construction per Mark Rosenberger on behalf of Sons of Independence, LLC

LOCATION: An area of approximately 35 acres located at the northeast corner of the intersection of Taylor Mill Road (KY 16) and Madison Pike (KY 17).

REQUEST: A proposed amended concept development plan within a PUD (Planned Unit Development) Zone of the Independence Zoning Ordinance; the applicant proposes to develop 64 attached single-family apartment units, seven short term rental cabins, a seasonal farmers market, and four commercial buildings including a brewery with a restaurant and retail space, a rentable event venue, a gas station with restaurant and retail space, and a drive-through restaurant.

Staff presentation and Staff recommendations by Mr. Andy Videkovich

PDS STAFF RECOMMENDATION

Favorable recommendation on a proposed amended concept development plan within a PUD (Planned Unit Development) Zone of the Independence Zoning Ordinance; the applicant proposes to develop 64 attached single-family apartment units, seven short term rental cabins, a seasonal farmers market, and four commercial buildings including a brewery with a restaurant and retail space, a rentable event venue, a gas station with restaurant and retail space, and a drive-through restaurant, subject to the agreement of the applicant to the following: 1. Low Impact Development (LID) for storm water management principles be incorporated within the non-residential portion of the plan.

WAIVER: W-476-1

APPLICANT: Bayer Becker on behalf of HSH Holland

LOCATION: 12032 Taylor Mill Road, Independence, an area of approximately 35.21 acres located in the Northeast quadrant of the intersection of KY 17 and Taylor Mill Road within the City Limits of Independence.

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

- Table 4.1-1, Infrastructure and Design Standards for Streets. Granting this waiver would allow the Right of Way for Commercial Streets to be reduced to 50 feet with a 5 foot maintenance easement on each side of the Street.

PDS STAFF RECOMMENDATION

To approve the requested waiver to Table 4.1-1, Infrastructure and Design Standards for Streets in the Kenton County Subdivision Regulations. Granting this waiver would allow the Right of Way for Commercial Streets to be reduced to 50 feet with a 5 foot maintenance easement on each side of the Street.

Staff recommendations by Ms. Laura Tenfelde

Mr. Darpel asked the applicant if they wanted to have these held together or separate. The applicant stated it would be helpful to do the concept plan first and then the three waivers.

Mr. Mark Rosenberger from Bayer Becker addressed the Commission and introduced the other members of the team. He stated last year at this time the previous plan was submitted and since then they have refined it. He stated they are setting it up as a farm setting and the structures will be barn like structures. He stated the gas station remained, and the club house became an event center. He stated for the parking they do have additional parking which they feel is necessary because of the dual events of the event center and restaurant. He also stated the cabins will be integral for the event center. Mr. Rosenberger stated he appreciated the favorable recommendation by Staff and was available to answer any questions. Mr. Bridges stated he was concerned about a farmers market that is not on a paved area. Mr. Rosenberger stated he does see Farmer's Markets in unpaved areas.

Mr. Chris Reinersman addressed the Commission and stated he is here to express the City's strong support of the plan and all three of the waivers. He stated looking at the site to him looked like it would be slow traffic but he wouldn't contest Ms. Tenfelde's expertise. He stated this was always a horse farm theme but they wanted it to look more like one. He stated it was all about more grass, and as a mayor he was all for it, but as a commercial realtor he asked if it made sense. He stated he was told there wouldn't be anything like this anywhere. He stated it is a unique development and they are excited to have it in Independence. He stated he feels they do have to have some flexibility and the idea of more grass is good. He additionally stated even though they have picked up these parking spaces, they still have a lot more grass. He noted when you drive up to it, it is going to look like a farm and a place you want to go. Mr. Bridges asked what restrictions were there going to be on noise and lights and times at this edge of the country for these facilities. Mr. Reinersman stated the discussion was ten o'clock during the week and 11 o'clock on weekends.

Mr. Gary Holland addressed the Commission and stated they are excited about the development and the concept plan. Mr. France asked if there was going to be fencing like a horse farm on Kentucky 16. Mr. Holland said there was. He commented it was going to be expensive, but it is going to look nice. Mr. Bridges asked if there would be outside music at the Brewery. Mr. Holland stated if there was it would be over at 11:00. He further commented the Brewery is over 15,000 square feet and he suspects that most of the music will occur inside.

Mr. Rosenberger addressed the Commission with regard to the waivers and stated they don't have much to say with regard to the first and the third one. He stated with regard to the second waiver he would like to note on street C, which is the street somewhat close to 16 that this was a private drive. He stated they would like to keep that as natural as possible, and putting in a sidewalk is going to jeopardize that. He stated they wanted the walkway to be more interior. He additionally stated he would like to open it up to questions on the sidewalk. Mr. Darpel stated this is forcing people to cross the street. He further commented he knows Mr. Rosenberger said it's slower, but he doesn't see that. Mr. Rosenberger stated in the interest of street C it's a personal drive. Ms. Tenfelde clarified since it is still a part of a major subdivision it is still required to have sidewalks. Mr. Darpel stated they are forcing people to walk across and people will drive faster on a private drive versus through a parking lot. Mr. Ryan stated he has the same concerns about sidewalks being eliminated. He stated you have people coming in both directions and parking lots and a lot going on, you'll have people dodging cars. Mr. Ryan stated he doesn't see the safety factor and that's quite a bit of dodging traffic in his opinion.

Mr. Gary Holland stated he is trying to build something different here but if this is seen as a safety feature, they'll do the sidewalks. He stated he's trying to achieve something that's not seen anywhere else in Northern Kentucky. He stated this is not a hill worth dying on, but they are trying to do something special here. Mr. Holland stated he will own and operate everything going into the development. He stated he cares about Independence and he cares about the people who live in Independence, and if they feel it's not going to be safe he won't do it. Ms. Vaughn stated she thinks this is going to be a different place. Mr. Holland stated it's not going to look as good but he also doesn't want it to not be safe. Ms. Vaughn stated there are not many walkable places in Independence and she thinks this will be a uniquely walkable place. Ms. Snyder stated she doesn't think anyone is wanting to argue about the sidewalks and she thinks it is a

great thing for Independence. She stated she thinks down the road people will want a sidewalk and will wish it was there. Mr. Holland stated it should be voted down then. Mr. Darpel stated now is the time to do it and that's really where they're coming from. Mr. Holland stated he understood. Mr. Darpel then stated they have a set of conditions necessary to grant a waiver. Mr. France stated if you reduced the scope of the sidewalk elimination it would help him. He commented people are going to be parking all along the Brewery and people aren't going to walk down to the sidewalk, they are going to just walk through the parking lot. He then commented there should be some more crosswalks by the event center. Mr. Logsdon asked what the demographics were that he was looking for for the people who were going to live there. Mr. Holland stated he really didn't have a demographic but he thought it was people who were tired of cleaning out their gutters, tired of cutting their grass, etc. Mr. Logsdon stated he would be encouraging sidewalks to make it more walkable. Mr. Simpson stated he is assuming a business plan was done for the area so he was surprised he didn't have a specific demographic for it. Mr. Simpson stated he is asking what is put in the plan, and who is he building it for. Mr. Holland stated he is building it for people who want to live in Independence.

Mr. Darpel asked if there were any other questions. Ms. Snyder then asked how the road was going to be private if people were going to be driving through it. Ms. Tenfelde stated the city would not maintain it and the developer would have to maintain it. Ms. Snyder then stated who is going to repair it with people driving through it all the time or would it be blocked off or what. Ms. Tenfelde stated her guess people won't know it's private. Ms. Snyder stated she was just trying to wrap her head around a private road being right in the middle of the development. Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. Mr. Darpel stated he liked the concept plan. Mr. Bridges stated he feels it is an improvement from what was submitted before. He stated on the waivers, he doesn't buy its hardship on the first waiver, and stated he thinks the sidewalks need to be there regarding waiver request 2. He further commented on waiver 3 he stated he thinks the firetrucks can get around there with no problem. He asked for any other clarification needed of Staff. Ms. Tenfelde commented about parking on the street and stated once the streets are dedicated the city intends to pass an ordinance to not permit any parking on the street. Following a brief discussion on the parking, There being no further comments, Mr. Darpel reconvened the hearing and closed the public hearing. Mr. Darpel then asked for a motion on the issue of the concept plan. Ms. Snyder made the motion with a condition as to storm water management that it is in agreement with the comprehensive plan and Staff's report. Mr. Martin seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. Martin, Mr. Ryan, Mr. Simpson, Mr. Sketch, Ms. Vaughn, Mr. Hennessey, Ms. Schawe, Mr. Baumgardner, Mr. Bethell, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Logsdon and Mr. McElheney voted in favor. Mr. Bridges abstained. The motion carried. Mr. Darpel then asked for a motion regarding waiver #1. Ms. Snyder made the motion to approve based on strict compliance that would create a hardship in exceptional conditions. Mr. Martin seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Martin, Mr. Ryan, Mr. Simpson, Mr. Sketch, Ms. Vaughn, Mr. Hennessey, Mr. Schawe, Ms. Baumgardner, Mr. Bethell, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Logsdon and Mr. McElheney in favor. Mr. Bridges voted against. The motion carried. Mr. Darpel asked for a motion with regard to waiver request #2. Ms. Snyder made the motion to deny and stated she doesn't think it is advantageous to the development and noted she could not find a criteria to grant the waiver. Mr. Martin seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Martin, Mr. Ryan, Mr. Simpson, Mr. Sketch, Ms. Vaughn, Mr. Hennessey, Ms. Schawe, Ms. Baumgardner, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. France and Mr. Logsdon in favor. Mr. McElheney voted against. The motion carried. Mr. Darpel then asked for a motion regarding waiver #3. Ms. Snyder made the motion to approve based on strict compliance that would create a hardship in exceptional conditions. Mr. Martin seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. Martin, Mr. Ryan, Mr. Simpson, Mr. Sketch, Ms. Vaughn, Mr. Hennessey, Ms. Schawe, Ms. Baumgardner, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Logsdon and Mr. McElheney in favor. The motion carried.

PC 2211-0005

Proposed Subdivision Regulation Edits - Kenton County Planning Commission

Staff presentation and Staff recommendations by Ms. Laura Tenfelde

Mr. Darpel stated this is the stuff they've been talking about for months and working on for years. He stated it's really cleaning up a lot of stuff and he thanked the committee members for all their work. He stated he feels like they've beaten it and beaten it but asked if anyone had any questions. Mr. Ryan commented regarding 3.6-3b is duplicated and also asked about 3.6-6 the language regarding may be submitted - he noted "be" was omitted. He then asked about the use of "may" and "shall". Ms. Tenfelde stated they would change that throughout the document to "shall." There being no other comments on the regulation edits, Mr. Darpel asked for a motion to approve. Mr. Sketch made the motion to approve the revised subdivision regulations and to include the additional comments by Mr. Ryan. Mr. Dunham seconded the motion. A roll call vote on the motion found Mr. Sketch, Mr. Dunham, Mr. France, Mr. Logsdon, Mr. McElheney, Mr. Martin, Mr. Ryan, Mr.

Simpson, Ms. Snyder, Ms. Vaughn, Hennessey, Ms. Baumgardner, Mr. Bethell and Mr. Bridges in favor. Ms. Schawe abstained. The motion carried.

Reports from Committees

Bylaws – Mr. Dunham stated there will be a meeting held January 30th and to let Pam know if you were attending.

Direction 2030 Implementation – Mr. Bethell stated they plan on meeting in January, date to be announced.

Executive– Mr. Darpel stated they did not meet

Social Media - Mr. Ryan stated there was nothing to report and they did not meet.

Subdivision Review – Mr. Darpel stated they just passed the subdivision regulations.

Z21 Review - Mr. Bridges stated there was nothing to report.

Comments from Commissioners - Mr. Darpel stated with regard to the nomination committee Ms. Snyder would be contacting everyone with regard to that to vote on officers at the next meeting.

Report from Legal Counsel – Nothing to report.

Reports/Announcements from Staff - Mr. Videkovich stated the Z21 date for the meeting is Thursday the 26th to put on calendars.

General Correspondence - None.

New Business – Mr. Darpel stated they had a request for a bond claim for roadway improvements regarding Madison Pike and Shaw Road. Ms. Tenfelde addressed the Commission and gave some background on the bond issue. She stated a couple months ago the city contacted them to call the bond. She noted the total amount of the bond was about \$226,000 when they were taken out. She stated they are working through a collaboration to work on that to get the intersection improvements done without having to call the bond. She then stated as long as the city and the developer can come to an agreement on the issue she does not plan on calling the bond at this point. Mr. Darpel stated they are 100x better shape than they were in terms of the bonds just sitting for years and a lot have been cleared out. Mr. Darpel then commented on the behind the scenes work that Mr. Smith does and that he is well versed in these areas and does a great job for the Commission.

Public Comments - None.

There being nothing further to come before the Commission, a motion to adjourn was made by Ms. Snyder and seconded by Mr. Bethell. All in favor by acclamation. The meeting then adjourned at 10:38 p.m.

APPROVED:

Chair



Date

1/5/23