

**CAMPBELL COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION
MINUTES OF THE
NOVEMBER 14, 2023
MEETING**

MEMBERS PRESENT:

Mr. Justin Verst, TPO
Mr. Troy Franzen
Mr. Dennis Bass
Mr. Jeff Schuchter
Ms. Megan Williams

MEMBERS ABSENT:

Mr. CJ Peters, Chair
Mr. Michael Williams
Ms. Sharon Haynes
Mr. Mark Turner

STAFF PRESENT:

Mr. Matt Smith, Legal Counsel
Ms. Cindy Minter, Director
Ms. Kaytlin Lake, Admin. Assistant

1 Mr. Verst called the meeting to order at 6:31 PM. After the Pledge of Allegiance was recited, the
2 clerk called the roll, and a quorum was found.

3

4 Mr. Verst reviewed the meeting procedure as listed on the presentation slide and asked anyone
5 wishing to speak to sign in for record keeping purposes. Due to the size of the crowd, Mr. Verst
6 asked that public testimony be limited to five minutes per person. In the event of cross-
7 examination, Mr. Verst asked those comments be limited to a couple of minutes per person.
8

Welcome to the Campbell County & Municipal Planning and Zoning Commission Meeting

Public Hearings are held during the course of the meeting and following this basic outline

A. Planning Staff will present facts and make a recommendation based on their investigations.

Commission members may pose questions to Staff to clarify their facts and recommendations.

B. The Commission will then take testimony from the Applicant.

Commission members may pose questions to either the Applicant and/ Staff to clarify the information provided.

C. The Commission will then take testimony from the Public.

Only those persons that have registered to speak prior to the start of the meeting may do so unless otherwise permitted by the Chair. We welcome any comments, questions, or cross examination you may have. You may do so only during your time to speak.

D. The Chair will provide the Applicant and Public time to rebut comments made, address concerns raised, answer questions asked, or provide cross examination.

In order to preserve time, prevent actions designed to disrupt the progress of the hearing and ensure the orderly flow of the hearing, if more than one person is present in support or opposition to the party with the floor, it is encouraged that one person should represent the group although not required.

E. The Commission will then recess the hearing for discussion among the Commission Members.

Comments or questions from the audience will not be permitted while the public hearing is in recess.

F. The Commission will then reopen the hearing to ask for clarifications from staff or anyone who gave testimony.

G. The Commission will then close the hearing and proceed toward a motion, a second, and a vote.

Thank you for joining us. This process works because citizens like you step up and participate.

Everyone's comments are welcome.

Please register to speak.

Plan review, variance and and waiver decisions are made by the planning commission.

Text and map amendment decisions take the form of recommendations which are sent on to elected officials in the jurisdiction where the site is located.

If you have any questions about our processes, please don't hesitate to ask.

2

1 Mr. Verst then transitioned to approve the minutes from the previous meeting on September
2 12th, 2023. Mr. Verst noted that a correction had been made since the minutes were sent out to
3 the Commission members. The correction was on page three to strike the text in red as it was
4 decided in the meeting. Mr. Verst asked if there were any additional corrections to be made.

5
6 Mr. Verst paused to introduce a new Planning & Zoning Commission member, Ms. Megan
7 Williams, and instructed her to abstain from voting on the previous meeting minutes since she
8 was not yet a member at the last meeting.

9
10 Mr. Schuchter asked for the word “workshop” to be changed to “wordsmith” at the top of page
11 11.

12
13 Mr. Verst then offered to entertain a motion to approve the minutes as corrected. Mr. Schuchter
14 made such a motion with a second by Mr. Bass. The clerk called the roll, and Mr. Franzen and
15 Ms. Williams abstained; all other present voted in favor. The minutes were approved.

16
17 Mr. Verst confirmed with Ms. Minter that there was no old business. He then introduced the
18 new business as follows:

19
20 **CASE:** PZ-23-047
21 **APPLICANT:** Grand Communities, LLC
22 **REQUEST:** Zone map amendment of approximately eighty-five (85) acres at Moock
23 Road and Fox Chase Drive in Southgate, Kentucky from R-1E/PUD
24 (Residential-1E/Planned Unit Development) and R-3 to R-3 with a PUD
25 Overlay.

26
27 **CASE:** PZ-23-048
28 **APPLICANT:** Grand Communities, LLC
29 **REQUEST:** Approval of Stage I Plan for a 575-unit residential development with public
30 improvements in Southgate with limited waivers for street construction.

31
32 Ms. Minter gave the Staff Report. Legal notice was published online via the LINK Reader on
33 October 27th, 2023 as well as on the City of Southgate’s website; zone change signs were placed
34 on the property; and the Agenda and Staff Report for this meeting were posted on the Campbell
35 County Website.

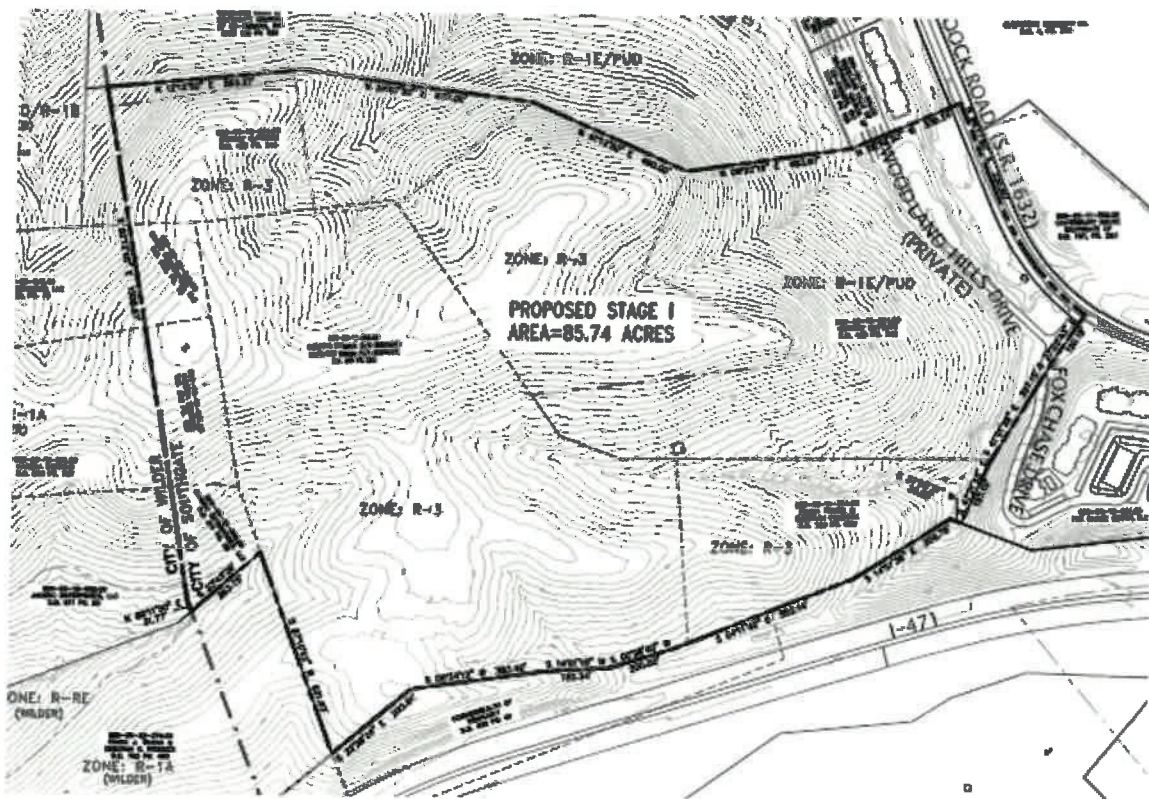
36
37 **Overview:**

38 The area under review consists approximately 85.7 acres in Southgate KY between Moock
39 Road (SR 1632) and I-471 at Fox Chase Drive in Southgate KY.



1
2
3
4
5
6

The applicant, Grand Communities LLC, is managed by Fischer Land Development LLC. The request is for a zone map amendment and approval of a Stage I Plan to accommodate a proposed residential development of approximately 85.7 acres in Southgate KY.



7
8
9
10
11

This current design of the residential development consists of 575 units. The units will include a variety of single-family and multi-family style units as proposed below:

Unit Type (Style)		Proposed Unit Count
Detached Units		
Single-Family (Masterpiece)		45
Attached Units		
Townhomes (Gallery, Tustin, Brookline)		236
Carriage Homes (Gallery above garage)		11
Paired Patio Homes		40
Apartment Homes (Breezeway, Garden Flat)		243
Apartments 1 Bedroom	50 %	
Apartments 2 Bedroom	36 %	
Apartments 3 Bedroom	14 %	
TOTAL		575

1
2 Styles, including the number of bedrooms, may vary within each unit type. It is not uncommon
3 between stage I and stage II design to see a 1% increase in the number of units. *Staff would*
4 *request that the Planning Commission allow up to 580 household units subject to final design.*



6
7 **Considerations of Zone Map Amendment**

8 The request is for zone change to Residential-Three (R-3) as a Planned Unit Development (PUD
9 overlay). The current zoning is a combination of R-3 and R-1E / PUD.

10 Southgate Zoning Ordinance Section 10.6 Residential-Three (R-3) Zone and Section 10.8
11 Planned Unit Development (PUD) Overlay Zone outlines the applicable details for these zones.

- 1 A PUD requires Stage I Plans as a condition to establish the overlay. Section 9.20
 2 Plan Requirements outlines the information required for Stage I Plans. The plans were
 3 submitted electronically to assist in the review. (see attached)
- 4 For discussion purposes the developer has included a graphic image to assist the reviewer with
 5 visualizing the products within the plan.
- 6 Relevant details are summarized as follows:
- 7 1. The total acreage consists of numerous parcels under contract by the developer,
 8 Grand Communities, LLC. The parcels, approximate acreage, and owners are as follows:
 9

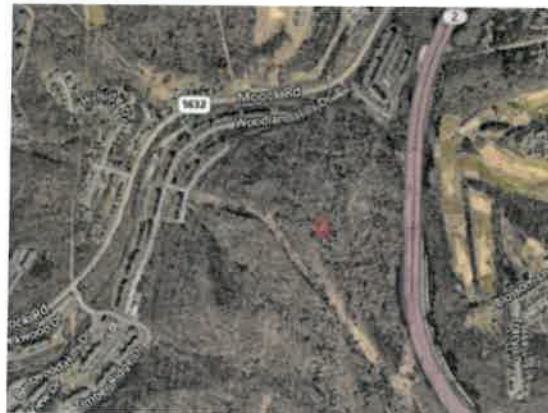
<u>PIDN</u>	<u>Approximate Acreage</u>	<u>Owner(s)</u>
999-99-11-354.00	7.0	TRAINA FRANK, PENDOCK DEBORAH
999-99-20-040.00 <i>Partial</i>	1.5	GRAND COMMUNITIES LLC
999-99-20-374.00 <i>Partial</i>	3.5	TRAINA FRANK J, PENDOCK DEBORAH
999-99-11-525.00	29.5	PENDOCK DEBORAH, TRAINA MARGARET
999-99-18-558.00 <i>Partial</i>	1.8	JANERIC ENTERPRISES LLC
999-99-10-834.00	39.4	GUTTMAN MURRAY
999-99-19-891.00 <i>Partial</i>	<u>3.1</u>	DOWNING KARENA
<i>Approximate Total</i>	85.8	

10 Article 17 of the Southgate Zoning
 11 Ordinance states that the zoning map or
 12 maps shall not be amended, changed, or
 13 modified in such manner as to create a
 14 freestanding zone of less than five (5) acres.
 15 A PUD requires a minimum of 25 acres. *The*
 16 *proposed zoning change is for over 85 acres.*

- 17 2. The existing acreage is vacant and
 18 heavily wooded.
- 19 3. The 2008 Campbell County & Municipal
 20 Comprehensive Plan identifies the future
 21 land use plan for the area as a mix of
 22 Multi-family and Higher Density Single-
 23 Family residential.

24 Per Article X, Section 10.8, All types of
 25 Residential Housing units (attached
 26 and detached) may be permitted in the
 27 PUD Overlay zone.

28 The existing zones would allow multi-
 29 family units throughout the entire
 30 property. However, the overall density
 31 shall not exceed the density
 32 requirement of the underlying zone.



Future Land Use Category

- Land Use Category
- Lower Density Single Family Residential
 - Higher Density Single Family Residential
 - Multi-Family Residential



- 1 The lots sizes and setbacks may be reduced from the underlying zone provided that at
2 least 20% greenspace is reserved.

3

Higher Density Single Family Residential – Smaller lot, one or two family detached residential dwellings, on lots smaller than one acre, where sanitary sewer is readily available. Higher density single family residential developments typically occur in a subdivision type setting (e.g. detached single family dwelling on ¼ acre, patio homes, duplex, etc.).



Multi-Family Residential – Residential developments housing three or more families in individual units in one or more buildings (e.g. Condominiums, Apartments, Townhouses, etc.).



- 4 4. The Campbell County & Municipal Vision Statement and Goals and Objectives as
5 updated in 2016 highlights the importance of a variety of quality housing options.
6 Excerpts from this document include:
7

Vision

Campbell County is a dynamic community that provides meaningful opportunities for all people in which to live, learn, work, play, worship, and achieve their goals. The County promotes lifelong learning, innovative enterprises, quality neighborhoods, agricultural heritage, diverse recreational opportunities, environmental balance, and participatory governance. We draw from the strength of our rich history of values, creativity, and decisions to realize the vision for Campbell County.....

Campbell County offers a variety of housing options for people in all life phases spanning a wide income level. We have a diversified mix of high-quality housing to support the educational and economic objectives of our community.

Goal: Land Use - Balance existing and future land use patterns to provide various well-planned, high quality, and effective developments.

1. Cultivate future development and redevelopment, which reinforces the County's high quality natural and livable environment through its buildings, site development, traffic patterns, signage, and landscaping.....
2. Evaluate and implement strategies to balance development and mitigate risk to public infrastructure, private property and environmental degradation within unstable soils and special flood hazard zones.

Goal: Residential Development - Foster a safe, healthy, attractive and life-long residential environment for Campbell County's residents.

3. Encourage a variety of densities and housing types that will provide options for a range of household sizes, age groups, and income levels to promote a high-quality environment.
4. Facilitate neighborhood-scale and mixed-use developments that promote a sense of community and provide housing, employment, recreation, community gathering, educational, and service options.....
5. Utilize performance standards for housing development that incorporate the effects on water and sanitary sewer needs, traffic congestion, and open space preservation.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

5. Southgate Zoning Ordinance Article VII provides the following relevant definitions:

DWELLING, ATTACHED, SINGLE-FAMILY: A dwelling unit which is attached to one or more dwelling units, each of which has independent access to the outside of the building to ground level and which has no less than two (2) exterior walls fully exposed and not in common with the exterior walls of any other units.

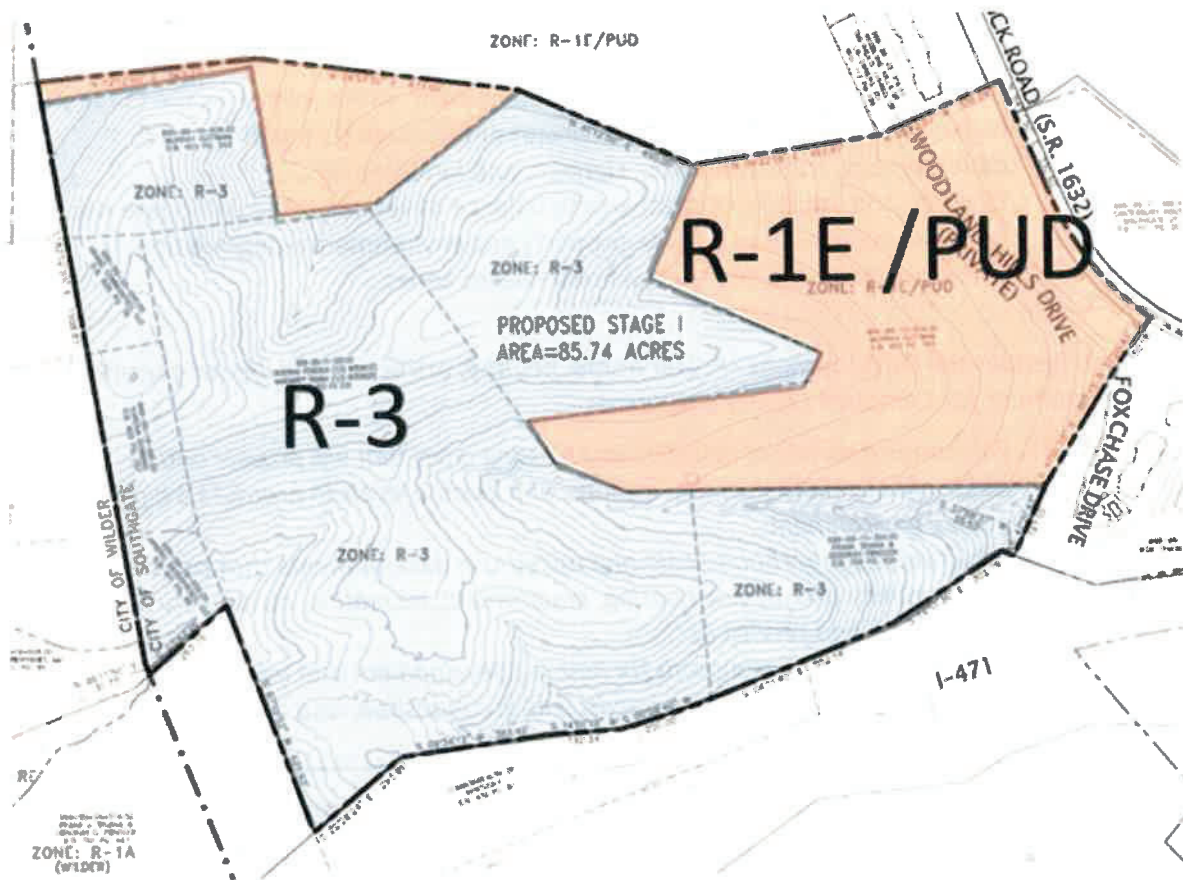
DWELLING, DETACHED, SINGLE-FAMILY: A dwelling standing by itself and containing only one (1) dwelling unit, separate from other dwellings by open space, but shall not include mobile homes.

DWELLING, MULTI-FAMILY: A residential building having three (3) or more dwelling units, as separate housekeeping units.

DWELLING, TWO-FAMILY: A residential building designed, arranged, or used exclusively by two (2) families, living independently of each other.

DWELLING UNIT: A building or portion thereof providing complete housekeeping facilities for one (1) person or one (1) family.

6. The acreage is currently zoned R-1E/PUD and R-3. Details from the current PUD overlay for this area not known. The parcel currently zone R-1E/PUD was not indicated to be part of the adjacent existing condominium development and it under separate ownership. The surrounding zones include R-1A, R-RE, R-1E, P-1B/PUD and R-1E/PUD.



1
2
3

7. As defined in Article 10 of the Southgate Zoning Ordinance the following uses are permitted for the zones under discussion:

R-1E	Single-family dwellings (detached)
R-3	Two-family residential dwellings Multi-family residential dwellings
PUD Overlay	Over an R Zone – All types of residential housing units (attached and detached) including single-family, two-family and multi-family units

4
5
6
7
8

The existing R-1E / PUD zone has a density of approximately 4.3 units per acre. The existing R-3 Zone has a maximum density of 10 dwelling units per acre.

Based upon the current zoning and the zoning regulations, a development could have up to 704 units within the acreage. This density was recalculated after publication of the initial Staff Report.

PIDN	Approximate Acreage	Current Zoning	
		Zone	Maximum Density
999-99-11-354.00	7	R-3	70
999-99-20-040.00 Partial	1.5	R-3	15
999-99-20-374.00 Partial	3.5	R-3	35
999-99-11-525.00	29.5	R-3	295
999-99-18-558.00 Partial	1.8	R-3	18
999-99-10-834.00	27.3	R-1E / PUD	119
	12.1	R-3	121
999-99-19-891.00 Partial	3.1	R-3	31
	85.8		704

The developer is proposing an R-3 zone with a PUD overlay over the roughly 85.8 acres. Approximately 12 acres would be dedicated to rights-of-way, leaving a net acreage (less rights of-way) of approximately 74 acres. The proposal concept would be for 575 to 580 units. This would result in an average density of 7.8 units per acre. *The density would be less than that permitted under the current zoning.*

SUMMARY	
TOTAL AREA TO BE REZONED:	85.74 Ac.
APPROXIMATE R/W AREA:	12.12 Ac.
APPROXIMATE NET ACREAGE	73.62 Ac.
TOTAL UNITS	577 UNITS
APPROXIMATE DENSITY	7.83 D.U./ACRE
MAXIMUM DENSITY OF R-3 ZONE	10.00 D.U./ACRE
REQUIRED OPEN SPACE (@20%)	17.15 Ac.
APPROXIMATE OPEN SPACE:	25.00 Ac.

The required open space for a PUD is twenty percent (20%) or approximately 17 acres. The development has set aside approximately 25 acres for open space.

8. A Stage I plan requires the depiction of all existing and proposed residential areas in the project. This plan shall include:
- 1) Detached housing – location and approximate number of lots, including a typical section(s) identifying approximate lot sizes and dimensions, and setback and height of buildings;
 - 2) Attached housing – location and description of the various housing types (i.e., townhouse, fourplex, garden apartment, etc.) including approximate heights of typical structures, and the approximate number of units by housing type.

The setbacks for a PUD are set per plan.

Single family (attached or detached) and two family dwellings	
MINIMUM LOT WIDTH	TWENTY (20) FEET
MINIMUM FRONT YARD SETBACK	FIVE (5) FEET
MINIMUM SIDE YARD SETBACK	THREE (3) FEET*
MINIMUM REAR YARD SETBACK	FOUR (4) FEET
MAXIMUM HEIGHT	THREE (3) STORY
<i>*0 FT SETBACK ON COMMON WALLS FOR ATTACHED SINGLE-FAMILY</i>	

Single-family dwelling (attached) - A dwelling unit which is attached to one or more dwelling units, each of which has independent access to the outside of the building to ground level and which has no less than two (2) exterior walls fully exposed and not in common with the exterior walls of any other units

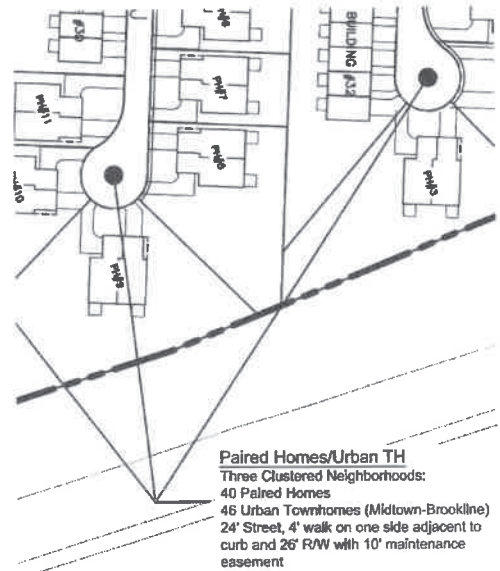
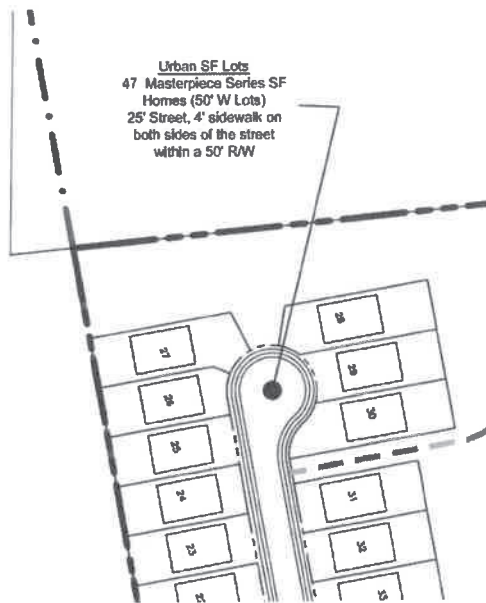
Single-family dwelling: A dwelling standing by itself and containing only one (1) dwelling unit, separate from other dwellings.

Two-family Dwelling: A residential building designed, arranged, or used exclusively by two (2) families, living independently of each other.

1
2
3
4
5
6
7
8

The single-family detached home lots would be 50 feet in width. Flag lots are proposed at the cul-de-sac which widen out to a width of 50 feet. The paired patio home lots will be a minimum of 40 width per paired units. Flag lots are proposed at the cul-de-sac which widen out to a width of 40 for the paired units. The attached single-family units (townhomes), range from 4 to 6 units in a row.

The front yard setback from the property line will be a minimum of five (5) feet.



9
10

- 1 9. Proposed street right-of-way and pavement widths are indicated. The named streets are
 2 to be publicly maintained. The streets within the Apartment areas will be privately
 3 maintained.
 4

STREET	Primary Service Area	ROW	Pavement	Sidewalks	On Street Parking
Street A	Entryway	50'	25'	6' one side	None
	Townhomes / Carriage Homes	26' + 10' Maintenance easement	24'	4' one side	None
Street B	Single Family Homes	50'	25'	4' both sides	Permitted
	Townhomes / Carriage Homes	26' + 10' Maintenance easement	24'	4' one side	None
Street C	Single Family Homes	50'	25'	4' both sides	Permitted
Street D	Townhomes / Carriage Homes	26' + 10' Maintenance easement	24'	4' one side	None
Street E	Townhomes / Carriage Homes	26' + 10' Maintenance easement	24'	4' one side	None
Street F	Townhomes / Carriage Homes	26' + 10' Maintenance easement	24'	4' one side	None
Street H	Paired Patio Homes	26' + 10' Maintenance easement	25'	4' one side	Permitted
Street I	Paired Patio Homes	26' + 10' Maintenance easement	25'	4' one side	Permitted
Street J	Paired Patio Homes	26' + 10' Maintenance easement	25'	4' one side	Permitted
Street K	Paired Patio Homes / Townhomes	26' + 10' Maintenance easement	25'	4' one side	Permitted
Unnamed privately maintained	Apartments	22'	22'	4' one side	As depicted

5 The connections to Woodland Hills Drive and Fox Chase Drive will be realigned.
 6 Both Woodwind Hills Drive and Fox Chase Drive will remain private.

7 Note, the City of Southgate does not accept sidewalks for public maintenance.

8 10. The site is partially encumbered by electrical transmission lines. As indicated, a 100-
 9 foot easement running the length of the property. The site plan indicates streets and
 10 parking within this easement. The developer is in discussion with DUKE Energy
 11 regarding this use.

12 11. Soil Conditions – Soil data from the United States Department of Agriculture
 13 (USDA) Natural Resources Conservation Services was reviewed. The variation in
 14 soils largely follows the ridgelines.

- 1 • Cg – Chagrin, gravelly
- 2 silty clay loam 1-4%
- 3 slopes
- 4 • EdD2 – Eden, silty clay
- 5 loam 12%-20% slopes
- 6 • EdE2 – Eden, silty clay
- 7 loam 20%-35% slopes
- 8 • NIB – Nicholson, silt loam
- 9 0 – 6% slopes
- 10 • NIC – Nicholson, silt loam
- 11 6 – 12% slopes

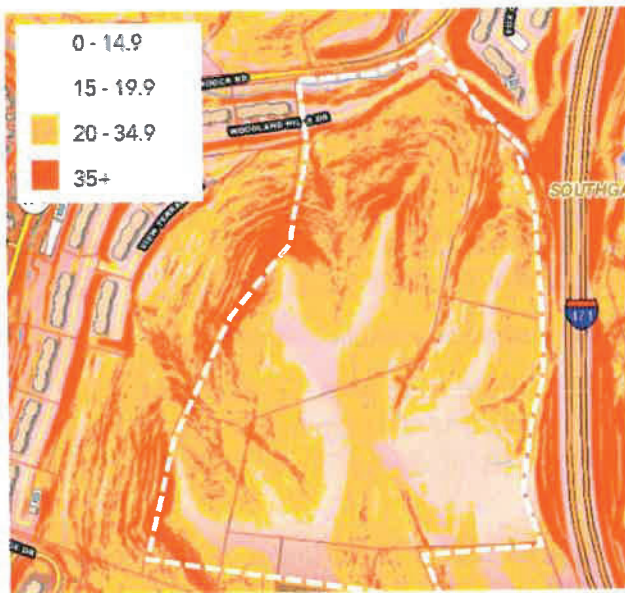


12 The site as NOT classified as prime farm land.

13 Additional geotechnical reviews are expected as part of the Stage II plans.

14 12. Topography and Slopes – A review of the topographical contours identifies a series of
 15 ridges that are suitable for development within the 85.7 acres. However, areas
 16 of increasing slopes exist particularly to north side of the property. These are proposed
 17 to remain as open space.

18



19

1 13. Areas abutting Mook Road are
2 within Flood Zone A as indicated.

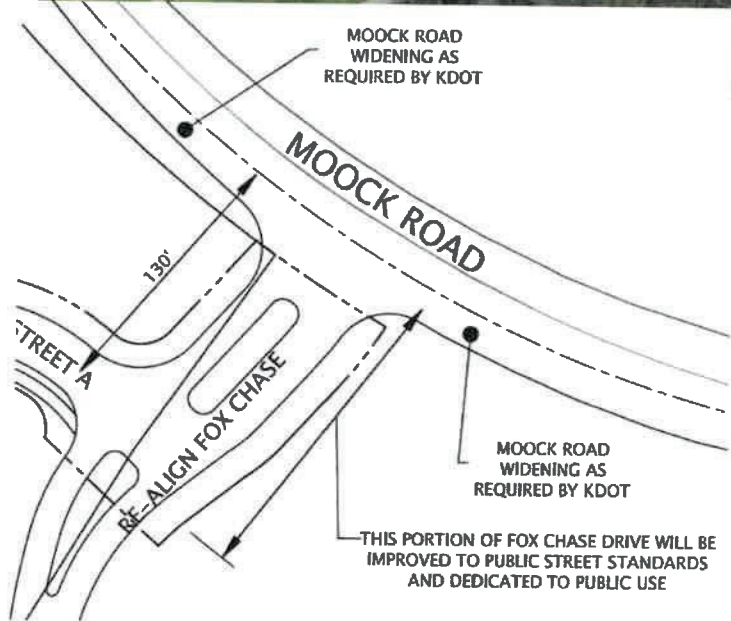
3 No development is proposed
4 along the creek however the
5 entrance to the site will be
6 upgraded.

7 *Coordination with the KDOW will*
8 *be required for the upgraded*
9 *entrance.*



10

11 The Kentucky Transportation
12 Cabinet identifies Mook Road
13 (KY1632) as an Urban Major
14 Collector. KYTC defines that
15 Urban Major Collector serve
16 both land access and traffic
17 circulation in higher density
18 residential areas.



19

20

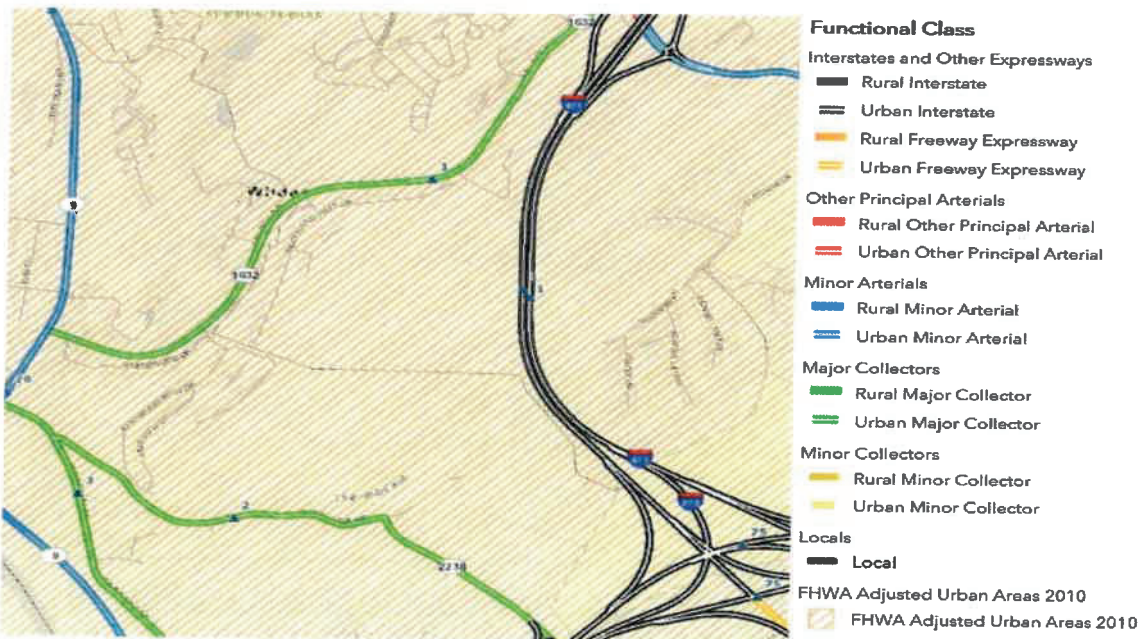
21

22

23

24

25



26

27

1 14. Street design standards - The streets shall be designed and constructed per
2 the Subdivision Regulations. The applicant stated that the depth of curb and pavement
3 for all streets will be based on the road classification and pavement specifications within
4 the Campbell County Subdivision Regulations.

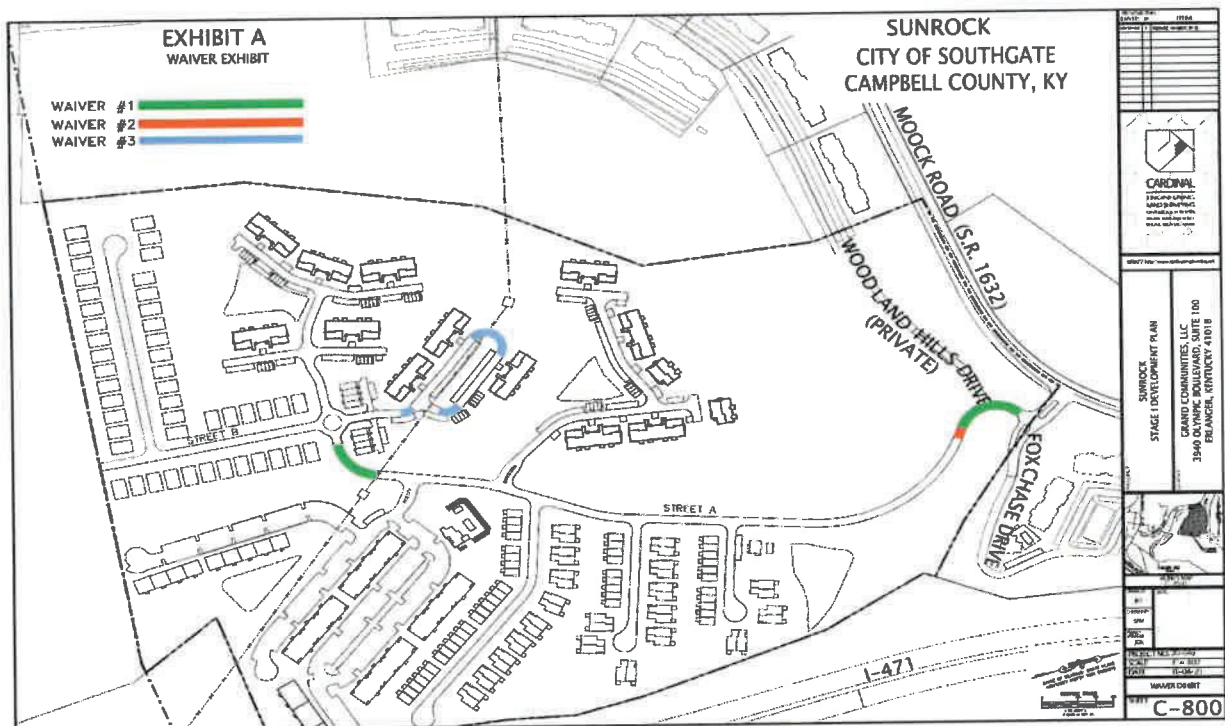
5 However, the applicant has requested three
6 waivers related to the street design. The detail of
7 these waiver requests is attached. Overall, these
8 waivers that will help reduce the amount of
9 excavation and clearing on the site.

The American Association of State Highway and Transportation Officials (AASHTO) provides the guidelines that are used in highway design and construction throughout the United States. AASHTO maintains the industry standard publication entitled "A Policy on Geometric Design of Highways and Streets" (the AASHTO Greenbook).

10 CC&M Subdivision Regulations § 405, J specify that:

11 *"Central angles of horizontal curves shall be kept to a minimum unless there is sufficient*
12 *radius length to minimize the severity of the curve. At no time shall the radius of the centerline*
13 *of a proposed street be less than two hundred feet (200') for collector streets, and one*
14 *hundred feet (100') for local streets, except at intersections or divided roadways. The*
15 *tangent distance between horizontal curves of proposed street centerlines shall not be less*
16 *than one hundred feet (100') for any arterial and any collector streets."*

17 The subdivision regulations are based upon a typical design speed of 25 MPH. The
18 applicant has indicated that all streets in this subdivision will have a design speed of
19 20 MPH or less. Reducing the design speed and adding intersection features like
20 the roundabout discourages pass through traffic.



22 **Waiver 1: Minimum Centerline Radius from 200 feet to 100 feet at 2 locations**
23 **along Street A. To make the transition horizontally at the top and bottom of the**
24 **hill, Street A has been designed with a centerline radius of 100 feet. The above**
25

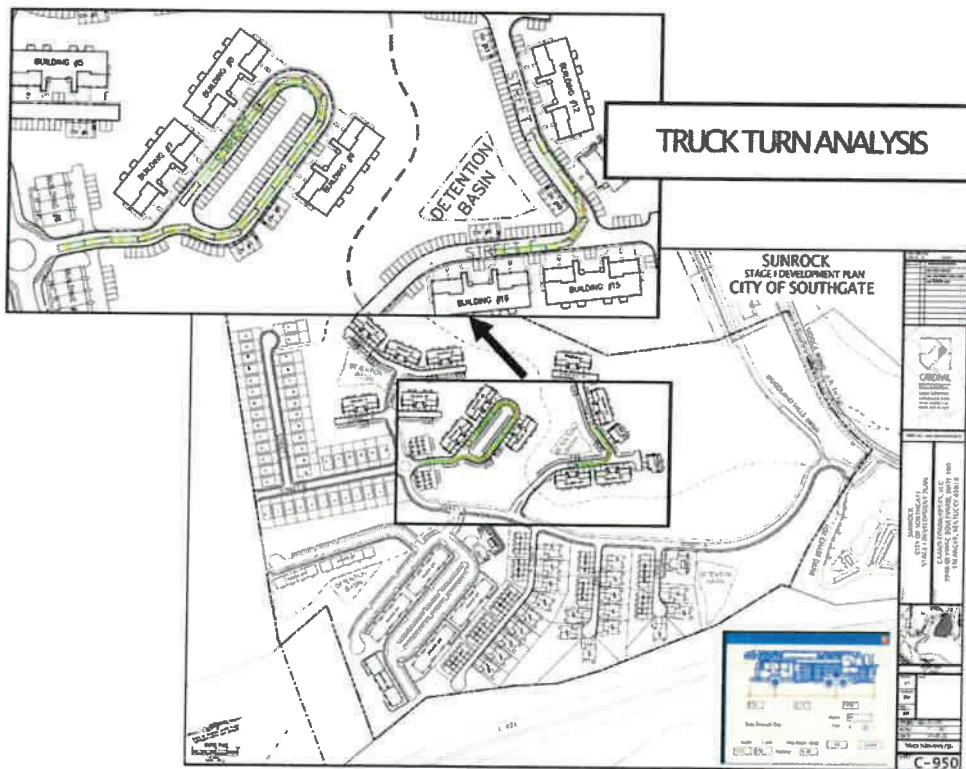
1 exhibit shows the two locations where this is being proposed. The AASHTO
2 Greenbook lists a minimum radius of 99 feet for a design speed of 20 MPH with
3 0% superelevation for low speed streets in urban areas.

4 **Waiver 2:** Minimum Distance Between Horizontal Curves waiver from 100 feet to 0
5 feet at the base of the hill on Street A. Compound curves (curves that have no
6 tangents between them) are used at the bottom of the hill to transition collector
7 Street A to Fox Chase where traffic is decelerating to a stop. The AASHTO Greenbook
8 states that "When the design speed of the turning roadway is 70 km/h [45 mph]
9 or less, compound curvature can be used to form the entire alignment for the turning
10 roadway."

11 **Waiver 3:** Minimum Centerline Radius for areas serving the condominiums on Street B.
12 The design speed of the streets in this area will be 15 MPH. The design speed selected
13 is due to the many continuous driveways serving condominiums on one side of the
14 street and off-street parking on the other side of the street. Horizontal street radii
15 are requested to be 47 feet. The AASHTO Greenbook lists a minimum radius of 47
16 feet for a design speed of 15 MPH with 0% superelevation. Given the geometry that
17 is being used within this area, this will help keep traffic speeds at a minimum.

18 *No on-street parking will be permitted within these curved areas to allow for the safe*
19 *movement of service trucks and other large equipment.*

- 20 15. The applicant has provided a study indicating the accessibility of full-size fire
21 apparatus.
22



23
24

- 1 16. The applicant is in coordination with Sanitation District Number 1 (SD1) regarding this
2 project. SD1 notes the following:
- 3 Stormwater:
- 4 a. This project will need to apply for and obtain a Storm Water Permit
5 from SD1 with a disturbance of 1-acre and greater.
- 6 Sanitary:
- 7 a. A reservation of sanitary sewer capacity has been reserved for this
8 development.
- 9 b. New sanitary sewers will need to be submitted to SD1 and KDOW for
10 review and approval.
- 11 c. New sanitary connection(s) with this project will need to obtain the
12 appropriate sanitary sewer connection permits from SD1.
- 13 Plats:
- 14 a. All plats with an SD1 easement(s) will need to be reviewed and signed
15 off on by SD1.
- 16
- 17 17. Plan Note 4 indicates that watermains will be 6", 8" and 12" and will be owned by
18 Northern Kentucky Water District (NKWD). The applicant is in coordination with
19 NKWD regarding a hydraulic analysis of the site. The analysis was based on the
20 following:
- 21 • Two 12" waterline feeds from a high pressure (1017) water pressure system.
 - 22 • 8" branch watermains throughout the site.
 - 23 • Domestic demand for 1,529 units in the development.
 - 24 • 500 gpm fire flow demand at a fire hydrant.
 - 25 • 600 gpm sprinkler demand for an apartment building.
 - 26 • 68 PSI residual pressure during peak demand.
- 27 18. Plan notes 5 and 6 indicate that Gas and Electric would be provided by Duke Energy.
28 Proposed utilities are to be underground. The existing overhead transmission lines will
29 remain.
- 30 19. A sanitary sewer capacity reservation has been made with and verified by SD1. The
31 Stage II Plans will note the location.
- 32
- 33 20. SD1's storm water boundary focuses on the urbanized areas of Northern
34 Kentucky. This site is within the SD1's stormwater boundary. Plan note 13 identifies
35 that erosion and sediment controls will be in accordance with the requirements of
36 SD1.

1 The plans note four areas for detention
 2 facilities. Additional details concerning their
 3 capacity will be developed as part of the Stage
 4 II Plans.

5 21. Plan note 14 indicates that off-street parking will
 6 be provided at a ratio of 1.5 spaces for one-
 7 bedroom units and 2 spaces per 2 or more-
 8 bedroom units.

9 The single-family attached and detached homes each
 10 provide a two-car garage. The town homes provide
 11 blend of garage space and off-street parking. Sufficient
 12 surface parking is indicated for the apartment units.

13 22. Two clubhouse areas are indicated.

14 23. The plan indicates that 25 acres will remain as open space. The narrative indicates
 15 the existing vegetated areas to remain. A conceptual landscape plan was included
 16 in the narrative.

17 The open space will be delineated on the Stage II Plans.

18 24. The applicant has provided the following timeline of development:
 19



	2024	2025	2026	2027	2028	2029	2030
Gallery + Carriage Homes		35	37	30	28	28	35
Urban Single Family + Townhome Lots				8	10	15	20
Paired + Urban Townhome Collections		20	22	22	22		
Apartments			180	63			
Total 575 units	0	55	239	123	60	43	55

**Site development will begin in 2024*

20

21 In summary, the applicant Grand Communities LLC is requesting a zone map amendment of
 22 approximately eighty-five (85) acres at Mook Road and Fox Chase Drive from R-1E/PUD
 23 (Residential-1E/Planned Unit Development) and R-3 to R-3 with a PUD Overlay. Approval of the
 24 Stage I Plans for a residential development with public improvements in Southgate, Kentucky.

25

26 Article XVII, Section 17.0 Amendment of Maps and Zones indicates the FINDINGS NECESSARY
 27 FOR MAP AMENDMENT:

28 Before any map amendment is granted, the Planning and Zoning Commission, or legislative
 29 body, must find that the amendment is in agreement with the adopted comprehensive plan
 30 by the Planning and Zoning Commission or in the absence of such a finding, that one or more

1 of the following apply, including the making of a written report, setting forth explicitly, the
2 reasons and substantiation as to how each would apply, and such finding and report shall be
3 recorded in the minutes and records of the Planning and Zoning Commission or legislative
4 body.

- 5 1. That the original zoning classification given to the property was inappropriate or
6 improper; and
- 7 2. That there have been major changes of an economic, physical, or social nature within
8 the area involved which were not anticipated in the comprehensive plan and which
9 have substantially altered the basic character of such area.

10 **Staff Recommendation - Zone Map Amendment**

11 To approve the request for a zone map amendment and forward the action the City of
12 Southgate for consideration.

13 **Bases for Recommendation:**

- 14 1. Notice has been given regarding the Zone Map Amendment consistent with Article
15 17 of the Southgate Zoning Ordinance.
- 16 2. As defined in Article 17, the Planning Commission has the authority to review such
17 Zone map Amendments and provide recommendations to the legislative body.
- 18 3. The proposed Zone Map Amendment and associated Stage 1 Plan has been
19 reviewed and found to be consistent with the recommendations of the 2008
20 Campbell County & Municipal Comprehensive Plan Update, the Goals and
21 Objectives as adopted in 2016, the Campbell County & Municipal Subdivision
22 Regulations and Southgate Zoning Ordinance.

23 **Staff Recommendation - Waivers**

24 To approve the following three (3) waivers of the Subdivision Regulations:

- 25 1. Reduce the Minimum Centerline Radius from 200 feet to 100 feet at 2 locations
26 along Street A.
- 27 2. Reduce the Minimum Distance Between Horizontal Curves waiver from 100
28 feet to 0 feet at the base of the hill on Street A.
- 29 3. Reduce the Minimum Centerline Radius for areas serving the condominiums on
30 Street B.

31
32 **Bases for Recommendation:**

33 The Planning Commission through the official Administrative Official for the subject
34 jurisdiction, may reasonably waive or modify, with conditions, the requirements of these
35 regulations, if it is determined that such action is warranted give the nature of an individual
36 project and such action will serve to preserve the purpose and intent of these regulations. The
37 Administrative Official can require a detailed traffic study from the applicant in order to make
38 a determination.

39 ~Section 139: Waiver of Requirements

1 **Staff Recommendation – Stage I Plans**

2 To approve the Stage 1 Plans with waivers.

3

4 **Bases for Recommendation:**

5 1. Evidence was presented and/or heard which confirms that the project complies
6 with the City Zoning Ordinance including Section 9.20 - Site Plans.

7 2. Proper notice has been given in accordance with Southgate Zoning Ordinance
8 Article XVII, Section 17.0 D.

9 3. The proposed development is consistent with the recommendations of the
10 Comprehensive Plan Update, Subdivision Regulations and Zoning Ordinance;

11

12 [end of Staff Report]

13

14 Mr. Verst asked to confirm if Mook Road was a state road. Ms. Minter said yes. Mr. Verst asked
15 if the road fell under the “arterial” classification. Ms. Minter was not sure.

16

17 Mr. Verst asked if there was a second potential access point or connector to a future
18 development included on the plans. Ms. Minter said that at the time, this is an independent
19 development even though there have been discussions in the past regarding another
20 development on the adjacent property.

21

22 Mr. Verst asked to confirm that this development was within the Sanitation District’s stormwater
23 authority. Ms. Minter said that was correct.

24

25 Ms. Minter found the answer to Mr. Verst’s earlier question and said that Mook Road was
26 classified as an “Urban Major Collector” according to the Kentucky Transportation Cabinet.

27

28 Mr. Verst said it appeared the minimum front yard setback was five feet. He asked if it was
29 intended to have parking in the driveways in front of the units, and he wanted to make sure that
30 the driveways were long enough to actually park in without encroaching on the sidewalks. Ms.
31 Minter said they expect more detail on that with the Stage II Plans. She also said there is a ten-
32 foot maintenance easement included with the street width, so the developer’s intention is to
33 keep that area clear.

34

35 Mr. Verst asked about the turnarounds included with the plans. Ms. Minter said on the longer
36 streets they included a turnaround but not with shorter streets that only had one building on
37 them.

38

39 Ms. Minter mentioned that sidewalks are only on one side of the street in addition to a walking
40 trail around the development.

41

42 Mr. Schuchter asked to confirm that all streets would be public except those in front of the
43 apartments. Ms. Minter said that was correct.

44

1 Mr. Schuchter asked who the City Engineer was that reviewed the street waivers. Ms. Minter
2 said it was CT Consultants in addition to the Public Works manager and an additional engineer
3 from CT Consultants who all reviewed the plans.

4
5 Mr. Schuchter asked about the turn analysis included in the Staff Report. Ms. Minter said this
6 was for large emergency vehicles coming in on Street B such as firetrucks. She said they intend
7 for it to be a one-way traffic pattern. Mr. Schuchter asked if this was within the City of
8 Southgate's fire district, and Ms. Minter said yes. In addition, Ms. Minter said the Fire Chief
9 critically reviewed the plans with his entire department especially on the turning analysis and
10 water service for this area.

11
12 In regard to stormwater, Mr. Schuchter asked if it was still a requirement that post-development
13 runoff could not exceed pre-development runoff. Ms. Minter said that was correct.

14
15 Mr. Schuchter then echoed one of Mr. Verst's questions by asking if the residents chose not to
16 use the garage for parking, would there be room to park in the driveway. Ms. Minter said she
17 would let the applicant address that concern but the number of parking spaces did match the
18 requirements.

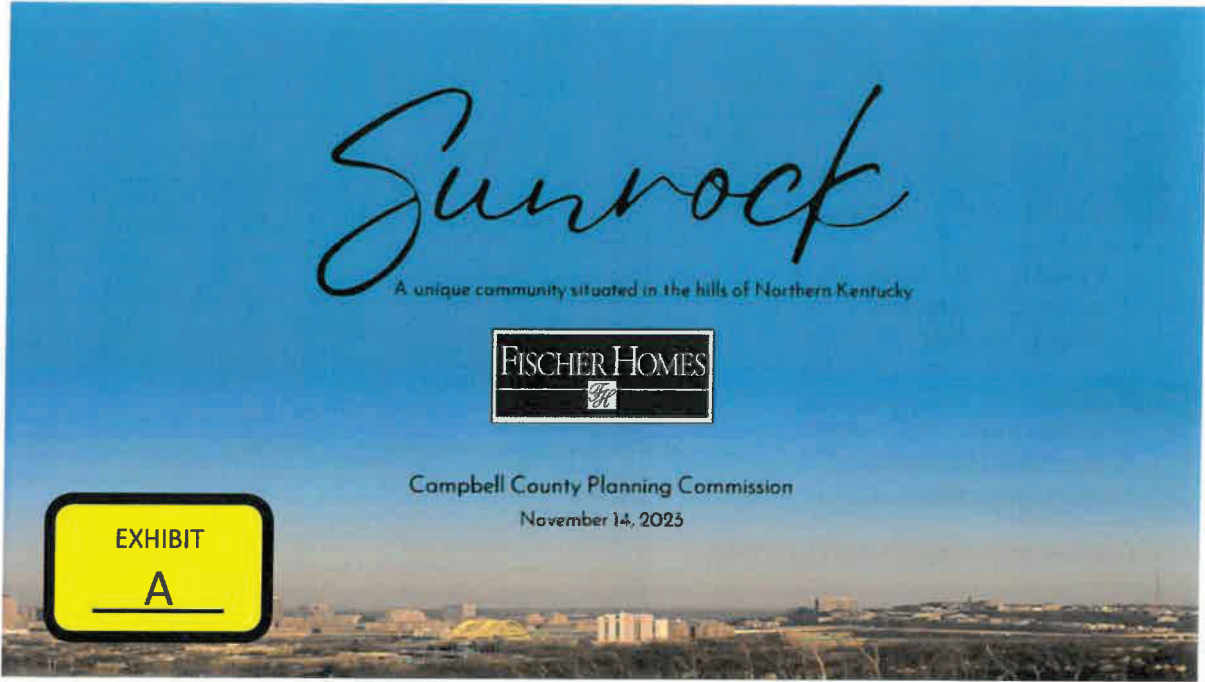
19
20 Mr. Schuchter asked if a traffic study was required given the number of units in this development.
21 Ms. Minter said yes, there was a traffic study in progress on Mook Road, the scope of services
22 had been approved and it was submitted to the Transportation Cabinet, but the final results were
23 not back yet. Ms. Minter expects some feedback from the Transportation Cabinet on Mook
24 Road that would be a part of this development and worked into the Stage II Plans.

25
26 Mr. Verst asked if an encroachment permit was required since the roadway connection was on
27 Foxchase Drive. Ms. Minter replied that staff had asked for a review from the Transportation
28 Cabinet because there would be more traffic coming out of that intersection. Mr. Verst asked if
29 the Highway Department made a recommendation, would the developer be required to comply
30 or would it fall to the Planning Commission to enforce that. Ms. Minter suggested working that
31 requirement into the Stage II Plans. She also recommended the Stage II Plans come back to the
32 Planning Commission for review since this involves public infrastructure.

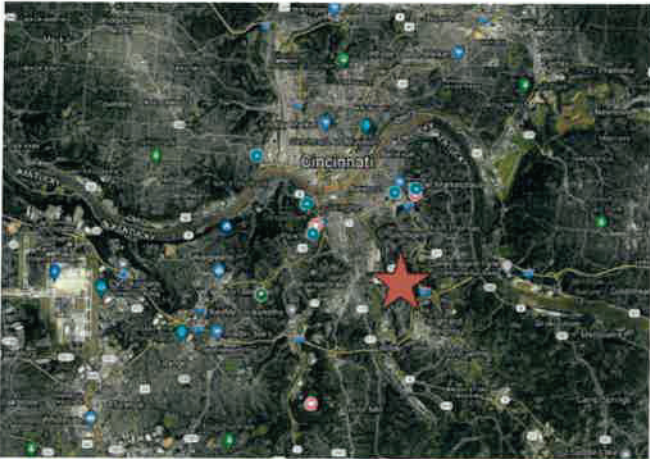
33
34 Mr. Schuchter asked if two means of egress to the development were required given the number
35 of units. Ms. Minter said no, but the matter was reviewed extensively with the fire department.
36 The ability to get an emergency vehicle throughout the entire complex and no on-street parking
37 on the main hill made everyone involved in the review feel more comfortable with the situation.

38
39 Mr. Verst opened the floor to the applicant after there were no further questions from the
40 Commission for staff.





41
42 Mr. Greg Fischer, Chairman of Fischer Homes, introduced himself and gave a presentation
43 (Exhibit A) on the proposed development. He mentioned that they were meeting with the HOA
44 and residents of Woodland Hills on Monday.



1
2



Sunrock is a community like no other in NKY.

-  Upscale homes spread out across 85 acres of rolling Northern Kentucky Hills.
-  Tree-lined streets and natural buffers of foliage and bushes.
-  Walking paths and hiking trails through wooded areas.
-  Top amenities designed to foster a sense of community among residents.



3
4



Woodland Preservation



More than a 1/3 of the property remains wooded or will be revegetated, not including buffers surrounding the property

The nearest existing neighbor will be several hundred feet away surrounded by woods.

There will be clearing and replanting.



1
2

Stormwater & Drainage



Current drainage area to the west is **±40 acres**



Area to be contained within the new storm system: **±20 acres**



Direction of current conditions runoff

Benefits of Plan:

- Natural areas
- Landscaped revegetated areas
- Controlled discharges
- Reduction of peak flows to improve existing drainage issues



3
4

Traffic Improvements at Mook Road + Fox Chase



- Addition of Turn Lanes on Mook Road
- Restriping of Mook Road
- Upgrades entrances at Fox Chase Drive
- Reconfiguration Woodland Hills Drive



1
2

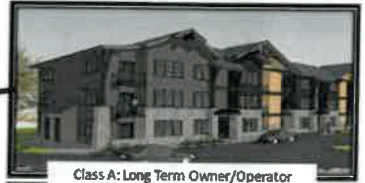
Amenity Plans

- Elaborate Monumentation
- Designated Clubhouse + Amenity Areas
- Natural Trails throughout the community
- Sidewalks on one side
 - 4' Residential
 - 6' Main Road
- Natural Wooded & Landscaped Revegetated areas
- Professionally maintained grounds.



3
4

Home Types



1
2

Win-win is a belief in the third alternative. It's not your way or my way; it's a better way.

The Southgate Community benefits

- Increased tax revenues** The addition of upscale homes will create new revenue streams that will improve our infrastructure and keep our community safe.
 - Projected Tax Revenues over 40 Years
 - Campbell County **\$10M**
 - Campbell County Schools **\$48M**
 - City of Southgate **\$46M**
- Create a signature community unique to NKY** A community like Sunrock hasn't been seen in NKY and will attract new residents and economic investment.
- Enhance our sense of community** The addition of Sunrock will enhance an already thriving community in Southgate. New residents attracted to Sunrock will likely be interested in seeing the greater communities thrive.



3

FISCHER HOMES

FFH

PRIVATELY OWNED HOMEBUILDER
 Founded in 1980 by Henry Fischer. Our homeowners are our stakeholders. Locally owned, private home builder with a dependable track record.

ENDURING VALUE
 Continuous investment in home designs and community designs.

HIGH QUALITY HOMES IN HIGH QUALITY LOCATIONS
 Thoughtful and caring approach to the community design. Fischer Homes is the right developer for Southgate.

CUSTOMER SATISFACTION
 Maintain high customer service ratings before, during and after the build process.

Local communities include:

- River's Breeze
- Villa Grande
- Tuscany
- Cityview Station

Please visit
www.fischerhomes.com
 to tour all our communities

Our mission is to deliver the best total new home solution.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

Mr. Fischer said with regard to stormwater, their recent development in Ludlow is steeper than this property, and it has been successful.

Mr. Schuchter asked if the land was owned by Fischer Homes. Mr. Fischer said most of the land was under option contingent upon approval of their entitlements. Mr. Schuchter asked Ms. Minter if the applicant could make the request for a zone change without owning the land. Ms. Minter replied that the request is being made based on their sale contracts. In the event the sale contracts are not exercised, the zoning would revert back to current classification.

Mr. Schuchter asked what school district the proposed community would fall under. Ms. Minter and Mr. Fischer said they would be in the Campbell County School District.

Mr. Schuchter asked if the existing Woodland Hills Drive would be an easement with Woodland Hills HOA since it is a private drive. Mr. Fischer said they had made arrangements with the HOA to make that connection.

Mr. Verst asked Mr. Fischer to confirm the plans for a turn lane on Mook Road. Mr. Fischer said yes, there would be a left turn lane. Ms. Minter said the left turn lane was a solution to feedback from the Transportation Cabinet based on the initial traffic study. Mr. Schuchter asked to confirm that there would be three lanes on Mook Road at the entrance to the Development. Mr. Fischer said this was correct.

Mr. Verst asked the applicant about the access point for a potential future development. Mr. Fischer said they have allowed for it but do not control it.

1 Mr. Verst asked the applicant if they had acquired the ability to make the secondary water
2 connection required by the Northern Kentucky Water District. Mr. Fischer said they had acquired
3 that. Mr. Verst asked where that would be. Mr. Joe Kramer of Cardinal Engineering answered on
4 behalf of the applicant that there were three options for the secondary connection: Mook Road,
5 Three-Mile Road, and off of I-471.
6
7 Mr. Verst asked about the plans for replanting any cleared hillsides. Mr. Fischer pointed out on
8 the map where existing vegetation would be undisturbed and where the property would be
9 cleared and replanted.
10
11 Mr. Verst asked Mr. Fischer to consider widening the sidewalk width from four-feet to five-feet
12 since the sidewalk was only on one side of the street.
13
14 Mr. Schuchter asked who would own the buffer zone between Woodland Hills and this proposed
15 development. Mr. Fischer said most of it is and will continue to be owned by Woodland Hills.
16
17 Mr. Verst then transitioned to hear testimony from the public after the Commission had no
18 further questions for the applicant. He reminded the crowd to sign in if they wished to speak
19 and said he would call them to the podium from the sign-in sheet. He reiterated that comments
20 should be limited to five minutes per person. Mr. Verst called the first person to the podium.
21
22 Ms. Charlotte Gressett of 10 Beverly Circle in Wilder introduced herself. She asked if noise,
23 environmental, or traffic studies had been done or suggested. Ms. Gressett wanted to make the
24 Commission aware that the upper tier of Woodland Hills Condominiums had a history of flooding
25 and asked what was being done to address that in the future in addition to flooding along Three-
26 Mile Creek that they already experience. She said she was not comforted by the idea of replanting
27 after destroying the natural habitat. She was also concerned about the current residents
28 enduring six years of construction along Mook Road.
29
30 Mr. Verst asked the crowd to refrain from applauding, booing or hissing. He also said he would
31 keep track of the questions the public had and then they would ask the developer to answer
32 those all at once.
33
34 Mr. Garrett Scotty of 9 Beverly Circle in Wilder introduced himself. He asked if the Transportation
35 Cabinet was going to widen Mook Road to three or four lanes in order to accommodate the
36 huge increase in traffic. He expressed concern about the current traffic issues on Mook Road
37 and how they would worsen with this development. Mr. Scotty said the Fischer development in
38 Ludlow was actually a negative for the residents below the hill according to a Channel 12 news
39 segment. He asked if the Stage II Plans coming back to the Commission meant that the
40 development was already approved. Mr. Verst said an approval of the development would be
41 contingent upon the Stage II Plans and traffic study being satisfactory. Mr. Scotty asked if there
42 was a condition concerning the Transportation Cabinet widening Mook Road. Mr. Verst said
43 that was outside the purview of the Planning Commission.
44

1 Mr. Ken Riffe of 16 Woodland Hills Drive in Southgate introduced himself. Mr. Riffe said he was
2 also concerned about the stability of the hillside, flooding, traffic, and the extended timeline of
3 construction. He felt the cost of repairs would fall to the HOA in the event of any damage.

4
5 Ms. Marana Harris of 68-9 View Terrace Drive in Southgate introduced herself. Ms. Harris felt
6 that Fischer Homes was trying to shoehorn a development into a piece of land that was not meant
7 to be developed. She said Mother Nature and gravity will always win. Ms. Harris said that Mook
8 Road could not handle the increase in traffic and noted that when I-471 is blocked by a wreck,
9 Mook Road becomes the alternate route. Even without a wreck, she said that it is difficult to
10 turn out of Woodland Hills onto Mook Road. Ms. Harris echoed the previously raised concern
11 for enduring the estimated six years of construction. However, her biggest concern was the slope
12 of the hill behind View Terrace Drive and the landslides that would ensue. In August of 2020, Ms.
13 Harris said there was a landslide that caused damage to her neighbor's truck as well as a
14 dumpster after a hard rain. She said this happened with a hillside full of trees and wondered how
15 much worse it would be if the trees were no longer there. Ms. Harris was not comforted by the
16 idea of replanting because she said trees take 25-30 years to reach maturity. She asked if Fischer
17 Homes would be paying for the resulting landslide damage over the next 15-20 years. Ms. Harris
18 asked the Planning Commission to not allow Fischer Homes to cause damage in Southgate like
19 they are doing with their developments in Wilder and Ludlow, leaving the residents of Woodland
20 Hills to deal with the consequences for decades to come.

21
22 Mr. Eric Russo, Executive Director of the Hillside Trust, introduced himself. He said the Hillside
23 Trust is a private, non-profit organization that advocates for the responsible use and preservation
24 of the region's hillsides. Mr. Russo said this area has one of the highest landslide rates in the
25 country rivaling California, Washington State and Pennsylvania. While the landslides do not
26 result in deaths, he said they cause millions of dollars in annual damages. Mr. Russo said a lot of
27 the region's green space is currently on steep slopes of 25% or greater such as this one which
28 also contains slip-prone Eden soil. He said it often takes 15-25 years for damages to manifest
29 after the homes are built, and in this region, insurance agencies view hillside properties as "buyer
30 beware." He urged the Planning Commission to pay special attention to what this type of hillside
31 development requires. Mr. Russo warned that traditional landslide season is winter through
32 early spring in Greater Cincinnati.

33
34 Ms. Kathy Shaffer of 70-8 View Terrace Drive in Southgate introduced herself. Ms. Shaffer agreed
35 with the traffic issues previously discussed, but wanted to warn the Commission of her
36 experience with landslides while living in Newport. She said the landslides damaged her
37 neighbors' property and foundation, and after they cut down the top of the hill in Newport in
38 order to build houses, nothing was ever the same.

39
40 Mr. David Basinger of 40-4 Woodland Hills Drive in Southgate introduced himself. Mr. Basinger
41 questioned how long Fischer Homes would stand behind their impact because twenty years after
42 Woodland Hills was built, they had to spend a lot of money to make the buildings structurally
43 sound again. He was also concerned about the impact on Mook Road traffic and emphasized
44 how badly it already backs up when there is a wreck on the interstate. Mr. Basinger suggested
45 the land be used as a park instead and was worried about the loss of green space and animal

1 habitat with this development. He said while increased tax revenue looks great on paper, in
2 reality more money is also spent on city services such as fire, police, etc.

3
4 Ms. Kayla Trenkamp of 76-7 View Terrace Drive in Southgate introduced herself. She said there
5 is a lot of wildlife such as coyotes on this property that has been pushed there from other
6 developments like Memorial Pointe. Ms. Trenkamp warned that if the wildlife is further
7 displaced, there will be more human-animal conflict that arises such as car accidents involving
8 wildlife or wildlife attacking pets. She was also concerned about losing the mature trees with
9 deep roots that help hold the hillside up and replacing them with new trees susceptible to
10 landslides. Ms. Trenkamp said according to KYTC's website, Moock Road sees an average of 4,984
11 cars per day. She was concerned not only with the increase in traffic on an already high-volume
12 road, but also for the stability of the road itself due to construction and land shifting. Ms.
13 Trenkamp read that according to CrashInformationKY.org which is run by the Kentucky State
14 Police, Moock Road had 50 accidents between November 14, 2022 and November 14, 2023 —
15 five of which resulted in injuries and forty-five that included property damage. She said
16 increasing the traffic would increase the probability of more accidents and property damage. Ms.
17 Trenkamp also warned that these new houses would eventually be uneven as they settled over
18 time just as her unit in Woodland Hills is not level.

19
20 Ms. Angela Roach of 38 Woodland Hills Drive in Southgate introduced herself. Ms. Roach asked
21 how the Planning Commission could make a decision without all of the information being
22 available such as transportation and soil studies. She expressed how difficult it was to turn onto
23 Moock Road from Woodland Hills during rush hour and worried about a 25% increase in traffic.

24
25 Ms. Jan Baumann of 46-6 Woodland Hills Drive in Southgate introduced herself. Ms. Baumann
26 said she has lived at Woodland Hills for 39 years, and over that time she has seen the creek flood,
27 witnessed mudslides, and watched hours of bumper-to-bumper traffic all on Moock Road. She
28 does not want to see the integrity of the land change, and she does not want to move. Ms.
29 Baumann was concerned that the detention basins would be ineffective if neglected and worried
30 that the stormwater would run off to Woodland Hills below. She felt more research was needed
31 and that it was an accident waiting to happen. She also felt there was not enough room to widen
32 Moock Road. Ms. Baumann implored the Planning Commission to protect the existing residents
33 so that they would not end up like the neighbors in Ludlow on the news.

34
35 Mr. Gene Blanchet of 40-2 Woodland Hills Drive in Southgate introduced himself. Mr. Blanchet
36 was upset that Mr. Mike Williams of the Planning Commission was not in attendance since he
37 was their Southgate representative and resident of Woodland Hills. Mr. Smith interrupted to say
38 that he had advised Mr. Williams as legal counsel that being in attendance would be a conflict of
39 interest under Kentucky Law. Mr. Blanchet continued with his concerns which included water
40 runoff, potential slippage of the hillside, road construction, and lack of sidewalks and lighting on
41 Moock Road. He expressed that he was totally against the development and considered Fischer
42 Homes to be an unwelcome guest in the city.

43
44 Ms. Helen Mijasato of 38-4 Woodland Hills Drive in Southgate introduced herself. Ms. Mijasato
45 asked what the estimated population of the new development would be and felt the increase in

1 population would create a need for more schools and first responders. She asked if their property
2 taxes or homeowner's insurance would increase with this new development. Ms. Mijasato asked
3 how the increase in sewage and waste management would be handled. She requested more
4 information on how water runoff was going to be redirected from the hillside and how many
5 detention basins there would be. Ms. Mijasato asked if there was anything Fischer Homes could
6 do to encourage the wildlife to stay in the area such as planting crabapple trees. She was
7 concerned about how the snow emergency and other natural disaster plans would be revised
8 with the addition of this development. She agreed with Mr. Verst that the sidewalks should be
9 widened in the new community.

10
11 Ms. Baumann returned to the podium to ask for clarification on how many units would be
12 permitted. Mr. Verst explained that the developer was allowed over 700 units per the zoning
13 regulation, however, the developer is only intending to build 575 units at the top of the hill.

14
15 Mr. Michael Kearns of 76-11 View Terrace Drive in Southgate introduced himself. Mr. Kearns
16 agreed with all of the questions and concerns raised by the preceding speakers, and he asked the
17 Planning Commission to specifically deny the items on the agenda.

18
19 Mr. Verst closed the public comment portion of the meeting and transitioned to allow the
20 applicant a chance to respond to the questions, concerns, and objections raised.

21
22 First, Mr. Verst addressed the question from Ms. Roach as to how the Planning Commission could
23 make a decision without all of the information available. Mr. Verst explained that a Stage I Plan
24 is a generalized concept of whether or not the development could work in the area proposed
25 whereas Stage II Plans contain a lot more specific details and logistical information. He said that
26 as for the zone change, the Planning Commission is just a recommending body and does not make
27 the final decision.

28
29 Mr. Fischer began by saying they would be providing a safer intersection at Moock Road and Fox
30 Chase Drive than what is currently there, but it is not a solution to traffic backup on the interstate.
31 He said Fischer Homes has a lot of experience and expertise in building on hillsides, and the tax
32 revenue in Ludlow, for example, greatly helped to fund their school system. Mr. Fischer said he
33 cannot control who moves into these houses. He said they will be primarily building on top of
34 the hill, and they will control the water runoff better than it is now and reduce the risk of
35 landslides. Mr. Fischer said one of the benefits of this site versus somewhere like Southern
36 Campbell County is that all the infrastructure is already in place. He said there is a housing
37 shortage in Northern Kentucky and this development helps relieve that need.

38
39 Mr. Kramer said they have been working on this project for over two years and have been in
40 contact with the Highway Department throughout. The plan has evolved over time and the traffic
41 study has changed multiple times due to the change in plans, he said. However, one of the things
42 that was consistent in the traffic engineer's report was that a turn lane was going to be required.
43 Mr. Kramer said that Fischer Homes is committed to following the recommendations of the
44 Highway Department as they evolve, and they trust the Highway Department's expertise.

1 Mr. Kramer said he is very familiar with the flooding around Woodland Hills which in the past has
2 resulted from drainage rushing down the hill, clogging up inlets, running across parking lots, and
3 entering the lower-level units. He said as it relates directly to Woodland Hills, there will be two
4 detention basins which fill up with water and release it near the property line at a slower rate
5 like the drain in a bathtub. By the time the stormwater reaches the Woodland Hills' parking lots,
6 Mr. Kramer said there will be an approximately 20-25% reduction in hillside drainage. He said
7 Woodland Hills will have to continue to maintain their ditches and inlets, while the new detention
8 basins can be maintained by the Sunrock HOA. However, the Sanitation District always has the
9 right to access and maintain the basins as well. Mr. Kramer could not think of an example where
10 a basin overflowed due to lack of maintenance.

11
12 Mr. Kramer said a lot has changed in geotechnical studies over the past 40 years since Woodland
13 Hills was cut directly into the hillside. He said there is also a difference between working at the
14 top of the hillside with this development versus the bottom where Woodland Hills is.

15
16 Mr. Kramer said as for sewage, the developer has sent the estimated flows to the Sanitation
17 District and, in return, SD1 confirmed that there was capacity on their end. The design specifics
18 are not official, but the infrastructure is in place.

19
20 Mr. Kramer said as for water, they have spent a lot of time with the fire department regarding
21 water flow and pressure at the top of the hill, and he reiterated that they have three options for
22 a suitable water main.

23
24 Mr. Kramer said no noise study has been done or proposed.

25
26 Mr. Kramer said in regard to the environmental concerns, the typical streams and wetlands
27 studies have been done and preliminary information has been submitted to the Army Corps of
28 Engineers and the EPA, but the final reports have to wait until the details of the development are
29 finalized. Mr. Verst asked to confirm that they would have to get a permit from the Army Corps
30 of Engineers, and Mr. Kramer said that was correct.

31
32 Mr. Fischer said he cannot speak to homeowner's insurance, but he does speculate that their
33 property taxes will increase from the current rate.

34
35 Mr. Fischer said snow removal discussions have begun, but the City of Southgate will ultimately
36 be responsible for that. Mr. Verst elaborated that all of the streets in the development are going
37 to be publicly maintained, and only the streets in front of the proposed apartments would be
38 privately maintained by the HOA through a third-party contractor similarly to Woodland Hills.

39
40 Mr. Fischer said he would be willing to discuss the wildlife displacement issue further with the
41 Woodland Hills HOA, and he would certainly be willing to plant crabapple trees for the deer as
42 mentioned by Ms. Mijasato.

43
44 Mr. Fischer returned to the earlier discussion regarding turnarounds and said that it is the policy
45 of Fischer Homes to not provide turnarounds on a street less than 300-feet. Mr. Verst said it is

1 fairly common that if delivery trucks have line of sight to the end of the road, they will not drive
2 down there. Mr. Fischer said they felt it was unnecessary to provide turnarounds on those short
3 roads, but if the Planning Commission wanted them, then they would comply. He said this could
4 be a Stage II discussion as well, and Mr. Verst agreed that Stage II would be a more appropriate
5 time to decide on the turnaround issue. Mr. Fischer said extending the width of the sidewalks
6 on one side to five-feet was fine.

7
8 Mr. Schuchter asked if, over the past two years, a geotechnical engineer had been consulted. Mr.
9 Kramer said a preliminary study had been done, but until the final grading plan was completed,
10 they could not go much further.

11
12 Mr. Schuchter asked for clarification on the traffic study's status. Mr. Kramer said a preliminary
13 study was done by a third party and reviewed by the Highway Department. Since the initial
14 review, the development plans have changed, so the updated numbers are still being reviewed
15 by KYTC.

16
17 Mr. Verst was concerned that because the development is not actually on Moock Road, the
18 applicant would not have to comply with the recommendation provided by KYTC. He asked the
19 applicant if they were committed to making those improvements. Mr. Kramer said because they
20 are widening Fox Chase and working within the right-of-way, that puts them in KYTC's
21 jurisdiction. Mr. Verst confirmed that this means they would have to get a permit and comply
22 with KYTC's recommendation. Mr. Kramer said that was correct.

23
24 Mr. Schuchter asked where the stormwater would be discharged from the basins – he assumed
25 it would be into a ditch or creek. Mr. Kramer said that assumption was correct. Mr. Schuchter
26 asked if these drainage ditches were naturally established. Mr. Kramer said generally, yes, but
27 the final points were not decided on even though they did do a detailed drainage analysis based
28 on the current layout.

29
30 Mr. Fischer said they are 100% committed to making the hillside drainage situation better than
31 what it is today.

32
33 After no further questions from the Commission members, Mr. Verst opened the floor for the
34 public's cross-examination of the applicant. He asked that comments be kept to two minutes.

35
36 Ms. Roach asked to clarify that the traffic study was completed by a third party paid for by Fischer
37 Homes and then sent to KYTC. Mr. Verst said that was the standard process.

38
39 Ms. Mijasato asked if the applicant answered her question about the expected population of the
40 new development. Mr. Fischer said 2.5 people is the average household size, but it is illegal to
41 control that so there can be no certainty.

42
43 Ms. Mijasato asked if there was going to be commercial zoning in the development. Mr. Verst
44 said the applicant is only asking for residential zoning, and they would not be permitted to have
45 any commercial development. Ms. Mijasato asked if the Commission was planning on putting

1 more gas stations up. Mr. Verst said that was not in control of the developer and not within the
2 scope of the Planning Commission's meeting agenda.

3
4 Ms. Harris reiterated her concern for issues resulting from the development that take 15-20 years
5 to manifest and questioned Fischer Home's commitment to fixing those issues after construction
6 is completed. Mr. Smith said that is not a requirement the Planning Commission can impose.
7 Mr. Fischer said his business is an upstanding member of the community.

8
9 Mr. Verst asked Mr. Kramer to elaborate on what makes Woodland Hills having been built many
10 years ago at the bottom of the hill different from a new development at the top of the hill which
11 follows current geotechnical standards. Mr. Kramer said the way Woodland Hills was built was
12 to cut into the bottom of the hillside without any provisions to stop the weight of the soil at the
13 top of the hill from sliding down due to the overburden pressure. At the top of the hill, the rock
14 is much shallower because much of the overburden has already slid off over thousands of years.
15 Mr. Kramer said that when they create slopes, they are cutting in horizontal stair-like sections so
16 that the material on top is pushing straight down instead of sliding. At the top of the hill, they
17 remove material in order to flatten it, and this is less weight pushing down below.

18
19 Mr. Fischer said they are also reducing the amount of water present that makes the hillside
20 slippery. Mr. Kramer said this is the second part of the equation; landslides happen because
21 water is introduced. By controlling the stormwater and putting drainage blankets down in the
22 fill, they can decrease the amount of water present that threatens landslides. Mr. Verst asked to
23 confirm that a geotechnical engineer would design these safeguards to stop the hill from moving.
24 Mr. Kramer said that was correct.

25
26 Mr. Russo brought up statistics of major storms which have exacerbated landslide problems. He
27 said these weather events are unpredictable by nature, and climate change is starting to affect
28 stormwater runoff and flooding. Mr. Kramer asked if Southgate could require the developer to
29 post a performance bond in case something goes wrong so that money was already set aside for
30 damages. Mr. Smith said that was outside the purview of zoning.

31
32 Ms. Gressett said the City of Ludlow was trying to sue Fischer Homes for potential mudslides and
33 flooding damage which she claimed was in the news recently. She said you cannot stop flooding
34 or gravity, and she did not feel like anyone present was happy with the traffic issues this
35 development would cause on Mook Road.

36
37 Mr. Scotty asked what Fischer Homes' responsibility was after the last unit was built. Mr. Fischer
38 said all new homes have a one-year warranty. Mr. Scotty alleged that at a similar meeting in
39 Wilder, Fischer Homes' representative stated that after the last unit is sold, their responsibility
40 ends. Mr. Scotty asked if City Council could enforce some type of liability on Fischer Homes for
41 future damage. Mr. Smith said they could not speak for City Council, but the matter was outside
42 the purview of the Planning Commission and would be untypical for City Council.

43
44 Mr. Verst said staff's job was to ensure the developer was following all regulations and design
45 standards for the Stage II Plans which would include more detail for the Commission to review.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

Mr. Verst closed the public cross-examination portion of the meeting and opened up the floor for discussion amongst the Commission members.

Mr. Verst said the role of the Planning Commission is to recommend to the City of Southgate approval or disapproval of these plans, and they can add conditions to their approval if necessary. He said their main goal is to determine whether or not the development is in compliance with the Comprehensive Plan, and he read some excerpts from the Comprehensive Plan off the screen. Mr. Verst felt like this development had a mix of types of units as well as adequate water and sewage but that the Commission needed to discuss the roadway condition and whether or not the applicant had strategies to balance development and mitigate risk to public infrastructure, private property and environmental degradation within unstable soils and special flood hazard zones. Mr. Smith clarified that even if the Commission found the development to be consistent with the Comprehensive Plan, they are not obligated to approve the project. There are other factors to be considered such as existing infrastructure.

Mr. Verst confirmed with Mr. Smith that they could ask for conditions if necessary, and Mr. Smith said yes, as long as the applicant would be agreeable. Mr. Schuchter asked if they could impose conditions at the Stage II review. Mr. Verst said now would be the time to establish those conditions, but they could be conditions for Stage II. Ms. Minter confirmed that if the Commission wanted an additional level of analysis on a specific feature to be done as part of the Stage II Plan, this was the time to do so. Mr. Schuchter asked if that meant above and beyond what they already have to do per the normal regulations. Ms. Minter said that was correct. Mr. Smith emphasized that the developer would still have to consent to the conditions.

Ms. Williams asked if there was any analysis on current gaps between need in the County and the Comprehensive Plan. Ms. Minter said there are gaps in housing types, and a recent independent study by the Northern Kentucky Area Development District showed the biggest gap was workforce housing for the middle-income demographic which is not keeping up with the projected demand from jobs in the region. Ms. Minter said there is a need, and she feels that if the housing was available, it would be filled.

Mr. Verst asked how the Commission members felt about the traffic on Moock Road. Ms. Minter said there are two types of traffic patterns on Moock Road: the average day and when I-471 is blocked or backed up. According to Ms. Minter, the Transportation Cabinet does have substantial plans for improvements to the Route 9/I-275 interchange to help alleviate this problem, but there is no estimated timeline of when this would take place. She said this region will also be stressed when the Brent Spence Bridge is being reconstructed. Ms. Minter asked the Planning Commission to decide if this is truly a Moock Road problem or regional transportation problem.

Mr. Verst felt they should defer to the higher authority of the Highway Department because the developer would need to obtain a permit from the Highway Department and satisfy their requirements.

1 Mr. Schuchter confirmed that SD1 controls the stormwater. Mr. Verst said yes, they would need
2 to meet or exceed SD1's regulations, and the Sanitation District will sometimes issue additional
3 requirements if they are aware of any downstream problems. Mr. Schuchter asked to clarify that
4 SD1 would monitor stormwater runoff during construction and long-term. Mr. Verst said yes,
5 they would monitor stormwater but not landslides.
6

7 Mr. Verst asked if there was anything based on the topography of this site that could not be
8 handled by a geotechnical engineer. He felt it was manageable, but he does want a geotechnical
9 study done and to be made available to staff for review.
10

11 Mr. Franzen said the community's biggest concern would be landslides. He asked Mr. Kramer if
12 Woodland Hills had current engineering technology, would the outcome have been different.
13 Mr. Kramer felt things would have been done differently. Mr. Franzen said he felt there were
14 more barriers in place now and greater knowledge than there was back then. Ms. Minter added
15 that they updated the Subdivision Regulations years ago based on improvements to geotechnical
16 studies that require more extensive preventative measures than before.
17

18 Mr. Schuchter felt the development met the Comprehensive Plan, but it was just a matter of
19 deciding on additional conditions.
20

21 Ms. Minter reviewed the Staff Recommendations included in the Staff Report.
22

23 Mr. Verst asked if the Commission had any changes to or discussion on the Staff
24 Recommendations. He quickly summarized their earlier discussions and asked for the sidewalk
25 width to be a minimum of five-feet as a condition to approval.
26

27 Mr. Schuchter asked why the waivers requested could not be avoided.
28

29 Ms. Minter said the Subdivision Regulations are based on a generic speed, however, the waivers
30 match the AASHTO national standards. The intent is to have a calm, safe, and maneuverable
31 street. Mr. Schuchter asked Mr. Kramer why they could not avoid these waivers in their design.
32

33 Mr. Schuchter asked Mr. Kramer why they could not avoid the waiver requests through the
34 design process.
35

36 Mr. Kramer said the goal of the first two waivers is primarily to slow people down while the third
37 waiver connects the condominium streets to function like a cul-de-sac. Mr. Verst asked to
38 confirm that a firetruck could make that turn, and Mr. Kramer said yes. Mr. Fischer said
39 decreasing the centerline radius also saved an extra hillside cut and bringing down more trees,
40 and Mr. Kramer said that yes, the 200 feet radius would have impacted the grading plan.
41

42 Mr. Schuchter was concerned about the curves at the bottom of the hill in the wintertime and
43 whether or not the speed limits would be observed. Mr. Bass said if they increase the radius,
44 however, they would have to increase the speed. Mr. Verst said they made need some advance
45 signage such as "stop sign ahead" or "sharp turn ahead" so that people will slow down around

1 the bend. Mr. Kramer said that the 100-foot radius is being used in 70-80% of subdivisions right
2 now, and the only reason they need a waiver is because they are serving over 500 units.

3
4 Mr. Verst asked if anyone was ready to make a motion. Mr. Schuchter moved to approve the
5 zone map amendment based on:

- 6 1. Notice having been given regarding the Zone Map Amendment consistent with Article 17
7 of the Southgate Zoning Ordinance;
- 8 2. The Planning Commission having the authority to review such Zone map Amendments
9 and provide recommendations to the legislative body as defined in Article 17 of the
10 Southgate Zoning Ordinance; and
- 11 3. The proposed Zone Map Amendment and associated Stage 1 Plan having been reviewed
12 and found to be consistent with the recommendations of the 2008 Campbell County &
13 Municipal Comprehensive Plan Update, the Goals and Objectives as adopted in 2016, the
14 Campbell County & Municipal Subdivision Regulations and the Southgate Zoning
15 Ordinance.

16 Ms. Minter clarified that the recommendation would be forwarded to the City of Southgate for
17 consideration, and Mr. Schuchter said that was correct. Mr. Verst asked if the map amendment
18 approval would be contingent upon the Stage I Plan approval, and Mr. Smith said yes. There was
19 no further discussion. Mr. Franzen seconded the motion. The clerk called the roll: Mr. Verst
20 voted yes, Mr. Franzen voted yes, Mr. Bass voted yes, Mr. Schuchter voted yes, and Ms. Williams
21 voted no. The motion carried.

22
23 Mr. Verst requested to add a "stop sign ahead" sign at the lower curve as a condition for
24 approving the waivers if deemed necessary at the Stage II Plan review stage. He also requested
25 that the geotechnical report submitted with the Stage II Plans include an evaluation and
26 mitigation recommendation for any increased risk to downslope properties caused by this
27 development. Mr. Fischer said that was agreeable.

28
29 Ms. Williams raised a concern about the developer recommending a mitigation plan as a result
30 of the geotechnical study but not actually being held accountable for following through on it. Mr.
31 Verst said if the developer failed to implement the recommendation of the geotechnical report,
32 they would be assuming a huge legal liability. Ms. Minter confirmed that there are many fail
33 safes in place in the event a developer did not comply with their engineer's recommendation
34 such as denying the Stage II Plans.

35
36 Mr. Verst asked for a motion. Mr. Verst asked if this would also be a recommendation to the
37 Southgate City Council. Ms. Minter said that the city takes action on the zone change, but the
38 Planning Commission decides on the Stage I Plans. Mr. Smith clarified that the Stage I Plan is
39 attached to the zone change recommendation. Ms. Minter said both will be sent to the City
40 Council with the Stage I Plan being supporting information to the zone change recommendation.

41
42 Mr. Franzen made a motion to approve the Stage 1 Plans not to exceed 580 residential units with
43 a stop-ahead sign to be evaluated near the lower curve as part of the Stage II Plans, and all
44 sidewalks on a single-sided street be a minimum of five feet in width in addition to the following
45 waivers:

- 1 1. Reduce the Minimum Centerline Radius from 200 feet to 100 feet at 2 locations
- 2 along Street A.
- 3 2. Reduce the Minimum Distance Between Horizontal Curves waiver from 100 feet to
- 4 0 feet at the base of the hill on Street A.
- 5 3. Reduce the Minimum Centerline Radius for areas serving the condominiums on
- 6 Street B.

7 And, that the geotechnical report completed as part of the Stage II plans include an evaluation
8 and mitigation recommendation of any increased risk to down slope properties caused by this
9 development. The basis for this recommendation was:

- 10 1. Evidence being presented and/or heard which confirms that the project complies
- 11 with the City Zoning Ordinance including Section 9.20 - Site Plans.
- 12 2. Proper notice having been given in accordance with the Southgate Zoning
- 13 Ordinance Article XVII, Section 17.0 D.
- 14 3. The proposed development being consistent with the recommendations of the
- 15 Comprehensive Plan Update, Subdivision Regulations and Zoning Ordinance.
- 16 4. The Planning Commission having the authority to reasonably waive or modify, with
- 17 conditions, the requirements of these regulations, if it is determined that such
- 18 action is warranted give the nature of an individual project and such action will serve
- 19 to preserve the purpose and intent of these regulations.
- 20 5. The City Engineer having reviewed the proposed street waivers and finding that the
- 21 analysis provided by the developer to be applicable and acceptable.
- 22 6. The waivers being the minimum necessary for the site.

23
24 There was no discussion on the motion. Mr. Schuchter seconded the motion. The clerk called
25 the roll, and all present voted in favor. The motion carried.

26
27 Mr. Verst asked Ms. Minter to review the next steps in the process. Ms. Minter said the City of
28 Southgate will receive a packet of information from the Planning Commission, and the City
29 Council will have two readings on the matter. City Council has the ability to accept, reject, or
30 send the matter back to the Planning Commission.

31
32 Mr. Verst said the two new business items were completed, and anyone in the audience that
33 wished to leave had the opportunity to do so. Mr. Verst asked if there was an Administrator's
34 Report. Ms. Minter asked the Commission Members to hold the next meeting date on their
35 calendars for December 12th.

36
37 Mr. Verst said he would entertain a motion to adjourn. Mr. Schuchter moved to adjourn which
38 was seconded by Mr. Franzen. All voted in favor with none opposed, and the meeting was
39 adjourned at 10:02 PM.

40
41 Respectfully Submitted,

42 
43 _____
44 Cindy Minter
45 Director

Approved:



CJ Peters
Chair