

THE PARK HILLS CITY COUNCIL HELD A CAUCUS MEETING ON MONDAY, MARCH 26, 2018 AT 7:00 P.M. AT THE ST. JOSEPH HEIGHTS LOCATED AT 1601 DIXIE HIGHWAY WITH MAYOR MATT MATTONE PRESIDING.

COUNCILMEMBERS PRESENT: KATHY ZEMBRODT, PAM SPOOR, JASON RESER, GREG CLAYPOLE AND KARL OBERJOHN

ABSENT: STEVE ELKINS

ALSO PRESENT WAS ATTORNEY, KYLE WINSLOW

Call to Order

Pledge of Allegiance

Roll Call

Mayor Mattone asked everyone to keep Elliot Feltner in their thoughts as he undergoes transplant therapy Wednesday morning.

Mr. Bernie Wessels was present at the meeting as an alumnus of Covington Catholic High School. He presented Mayor Mattone with a CCH gift bag with school spirit items.

I. Public forum to discuss the possible formation of a Local Human Rights Commission in Park Hills.

Mayor Mattone asked anyone wishing to speak to please sign in. He stated after the panelists' introductions, residents will have 2 minutes to speak and then the panelists will have an opportunity to respond. After Park Hills' residents have addressed the panelists, others will be invited to speak. Before Ms. Sarah Froelich gave her presentation, the panel introduced themselves.

Reverend Donald Smith, Park Hills resident, who served for 15 years at the Faith Presbyterian Church. He served for five years in the Army and is married with four children. He was instrumental, among others, in making sure Covington had a fairness Ordinance.

Mayor Butch Callery was unable to attend the meeting.

Mr. Frank Warnock, the Assistant City Manager for Covington, was retained to write Covington's Human Rights Ordinance in 2003; which passed unanimously. He served as Covington's City Solicitor for thirteen years. He served as the city attorney for Bellevue as well as Melbourne. He is an advocate of the Fairness Ordinance and the HRC. He is here as a volunteer to provide guidance.

Mr. John Fisher is the Northern KY Field Supervisor for the KY Human Rights Commission which was formed in 1960. He helped to found Covington's Human Rights Commission (HRC). He works with around 25 Local Rights Commissions throughout Kentucky. He stated that the LHRC board is comprised of friends and neighbors.

Ms. Sarah Froelich thanked the panel and gave a presentation of frequently asked questions regarding a Local Human Rights Commission. **Ms. Froelich's presentation is added as an addendum to the minutes.**

An email was sent to the Mayor and Council from Ms. Lauren Scheffel, a resident of Park Hills. In the email, she states the 'n' word was written on the window of her fiancé's

car in the snow. Ms. Scheffel's fiancé is black. She claims he was also a victim of racial profiling by the city's police department in connection with a theft. She believes a LHRC would be good for Park Hills.

Teresa, Lawton Road, was first to speak. She opposes the formation of a LHRC and states research shows HRC's have a basis of socialism. She would like to hear a presentation, such as Mr. Froelich did, from the other side.

Mr. Syl Masih, Irish Rose, thanked Ms. Froehlich for her presentation. He asked if the committee would be more about educating, not legislating. Ms. Froelich stated it could be with the help of the state; there could be some mediation. He wonders if the commission will have rights to impose additional Ordinances. Mr. Warnock replied it depends on how the Ordinance is written; it can be flexible. He added; the commission cannot establish rules to be followed. Mayor Mattone stated the enabling legislation to form a LHRC is passed by Council. He added; he does not want to discuss an Ordinance at this time, just how the formation of a LHRC could benefit Park Hills. Mr. Masih asked, if the Mayor appoints the members, how this is fair to make sure all types are represented. Mr. Warnock stated the Ordinance would establish these criteria.

Mr. Fisher reminded everyone that everyone is a member of a protected class. Any law, or Ordinance, that protects the minority protects the majority.

Mr. Marty Boyer, Altavia Avenue, told a story of how his female boss felt she had to learn to play golf to participate in a meeting with men. Based on this experience, he is in support of the LHRC.

Ms. Christie Pavia read a letter from Ms. Gretchen Stephenson, resident of Park Hills, in favor of a LHRC. She states, although her experience in Park Hills is positive and happy, there are others in the community who do not share this experience. She states she was contacted privately by two African American residents who described Park Hills as exclusive and subtly discriminatory.

Mr. Lawrence Flick, Lawton Road, stated his opposition for the LHRC. He believes some people on Nextdoor are mean spirited. He would like to see people be civil and nice to each other.

Mr. Mark Koenig, St. Joseph Lane, was next to speak. Since this topic first came up back in August, Mr. Koenig has spent numerous hours discussing the HRC in meetings at the city building. He read from some of his material which said "LHRC's are allowed to adopt Ordinances to enforce all civil rights laws the KHRC oversees". He says the Local commission can go further than the KHRC by adding classes such as sexual orientation the state law doesn't cover. He believes whoever adopts the Ordinance would be able to customize it with other conditions. He is concerned about this. The Mayor reminded only Council can do this, not the commission. Reverend Smith stated in Covington, they met with various groups to make sure everyone was happy with it. He says the Ordinance can be fashioned however the city wants. Mr. Koenig stated he asked Mayor Callery, through email, why Villa Hills hasn't pursued the Ordinance. He replied that he didn't see the need for it. Mr. Koenig does not see the need for it in Park Hills either.

Mayor Mattone wanted to make clear: there is an Ordinance that will establish a commission which would enforce the state human rights but there would have to be a Fairness Ordinance approved by Council before it would be overseen by the LHRC. Mr. Fisher backed this up by saying when, or if, the city adopts a LHRC Ordinance, it can contain the protected classes within the Ordinance. It doesn't have to be a separate Ordinance.

Ms. LuAnn Holmes, Rose Circle, also thanked Ms. Froelich for her presentation. She states these issues have been going on longer than the last six months. She stated she moved into Park Hills in 1999 and had some trouble within two weeks. She said it would have been wonderful to have a safe spot to discuss. She would like for everyone to give up their prejudices and come together. She is in favor of a LHRC.

Ms. Sheila Dean, Old State, spoke next. She would like to see our city take the steps to enforce, not legally, but be examples of what we taught our kids and grandkids to be which is kind, loving and open.

Ms. Joan Bovard, Old State, stated suicide is the leading cause of death in teenagers and that the way some people treat the sexual minorities can directly affect this rate. Many times in shootings, the suspect is described as a loner. She would like to see people like this have connections and people to go to.

Mr. Monty O'Hara has been a Park Hills resident for twenty-five years and a former councilmember for fourteen. He believes having a commission that looks at issues in which someone thinks they may have been treated wrong, gives us an opportunity to talk. He said we don't have to make a law but it gives us the opportunity to bring these issues to a commission that could mediate a solution.

Ms. Jillian Hocker, Old State, brought up the installation of the security cameras in the park that she believes cost an outstanding amount of money. She believes this commission, which would cost next to nothing, could be a good thing for the residents. She stated she donates to religious organizations and plays soccer for a religious organization. Even though she is not a religious person, she believes in being a good person. She believes a commission like this is needed to teach people what being a good person is. She sees no downside and supports a LHRC.

Mr. Jonathan Pearson lives in Fairfax, Ohio but has considered moving to Park Hills. He is a conservative that believes in less government. He believes Catholics will be targeted and claimed Mr. Fisher made a remark about his Catholic faith saying Catholics were all about bureaucracy and ceremony. He is not in support of a LHRC.

Ms. Maureen Gerrein of Montague Road stated she did not agree with Mr. Pearson's inflammatory talk. She believes having a LHRC would attempt to engineer residents to make it illegal to adopt a certain way of thinking. She is afraid of the legal and financial ramifications of a LHRC. She would like to see the research that shows that Park Hills is plagued with bigots. She does not want the city to be thought police. She sees everyone as equal.

After all had a chance to speak, Reverend Smith asked that people remember to do unto others as you would have others do unto you.

Mr. Fisher thanked everyone and stated Park Hills has the opportunity to make history by having a LHRC.

Mr. Warnock is in favor of the city having a LHRC and is glad to volunteer his time to help. He added there is not a lot of cost and to keep it simple.

Mr. O'Hara believes a commission will help with problems as they arise.

The Mayor said he would just like to establish a local group of advisors to help identify any concerns or discriminations within the city. They could work with the state if there was cause to investigate.

Ms. Spoor thanked everyone for being here. She believes bureaucracies tend to expand. She stated that all of the things talked about this evening are addressed by professionals on the KHRC. She does not know why Park Hills wants to duplicate it. She is concerned about a legal case before the Lexington LRC. A Christian printer declined to print shirts for a gay pride group and gave them names of other printers in the area. The Lexington HRC found he had violated their Ordinance and sued him. He went through all three levels of the court system. He won at Supreme Court level but spent five years consumed with this. She believes we should all be concerned about this and that the state can address all these issues.

Mr. Claypole has lived in Park Hills about 34 years and is sad to see residents building walls and putting themselves on sides. He does not want more liability on the city and wants everyone to work together. He thanked the panel and everyone there.

Mr. Oberjohn thanked the panel. He thanked Ms. Froelich for the presentation and believes that should have been done earlier to answer some of the questions. He believes we all agree that no one wants to believe we need something like this in our city. He has heard many say we should aspire to be more civil to each other and he agrees with this. Also, we can't tell people how to talk to each other or to like each other; he agrees with this also. He said we don't want an organization taking too much power and making their own Ordinances. He agrees with Ms. Spoor in that we have a good start with the state's HRC. One thing he hasn't heard is any reference to the sad stories that started this discussion. He hasn't heard anyone comment on how to help them. He is still trying to learn more about what a LHRC can do to help them and if there is a way it could add value above what the state does could be beneficial. He believes making this a political statement is the wrong approach and we should focus on people in need.

Ms. Zembrodt stated she met with Ms. Froelich and also spoke to two attorneys, a senator and a congressman along with many residents. She stated some of them said the overlay of law is what can cause tax payers to be on the hook for somethings and she doesn't believe this is fair. She does agree that people with problems have a place to go just as people with a drinking or drug problem would. She thought maybe a private committee could be developed with people who have issues and put it on the website for people to be able to join. If this doesn't work and there continues to be a problem, then bring it to Council. She would like for people to have a place to go without bringing the government into it. People should treat others as individuals and respect them even if you don't agree with the way they live.

Mr. Reser thanked everyone and knows everyone just wants what is best for the city. He believes something is missing. He believes it is a LHRC and believes it is important to hear from everyone. He has heard from several who are concerned about identity politics which is defined as: a tendency for people of a particular religion, race, social background, etc. to form exclusive political alliances moving away from traditional broad based party politics. He believes a LHRC brings people together instead of stopping discussion and blocking 1st amendment rights. Many people tonight may have felt discriminated against and we need to work these things out. He worries private groups could split people up. He believes a LHRC could also help with issues between tenants and landlords.

Mayor Mattone said you're not supposed to mix religion and politics in public and the city is doing that. We all made a choice to live in Park Hills but discrimination happens. He believes a LHRC could give the city an opportunity to have residents work with other residents who feel like they are discriminated against. They could then work with the state to resolve these issues internally. He wants to look at what the best thing is for Park Hills.

Presenters:

A. Park Pointe Developers, Paul Zeltwanger and Bryan Bailin with CondoView, LLC were present at the meeting to give a presentation on the new development planned for the old Park Hills school and Gateway property.

Mr. Oberjohn began by introducing Mr. Zeltwanger and Mr. Bailin as well as the city engineer and members of the Infrastructure Committee. **Mr. Oberjohn's presentation is attached as an addendum to the minutes.**

Mr. Zeltwanger thanked everyone for the opportunity to present this evening. He went over the Amsterdam improvement plans and would like to beautify the area. The plan initially had the potential for over 400 units. After looking at traffic issues and the market, they decided on around 80 single family homes. They would like to start around September. Park Hills would have 26 homes while the others would be in Covington. He showed several options of what the surrounding area could look like. After the presentations, discussions took place regarding the retaining wall, road configuration, traffic signals, sidewalks, zoning, fencing and buffers and construction traffic. **The plans that Mr. Zeltwanger presented are attached as an addendum to the minutes.**

Mayor Mattone thanked them for working with the city on this project.

Mr. Bayer encouraged anyone interested in the upcoming project to attend the public meeting of the KCPC on Thursday, April 5th. He discussed some of the options for the street at the end of Old State. They could look into closing it, keeping it open, making it one way or having it open to pedestrians only. He said some aspects of the project will need waivers but shouldn't affect surrounding residents. The retaining wall would be about 20-25 feet high. He added the streets would be dedicated. Mr. Reser asked how businesses below the project on Dixie Highway would be protected. Mr. Bayer replied a

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geotech engineer would test the site. Discussion took place regarding water issues and traffic patterns.

Motion to table the remainder of the meeting due to the late hour was made by Ms. Spoor; second by Mr. Claypole

10:09 Motion to adjourn from Caucus meeting

Mayor, Matt Mattone

ATTEST:

City Clerk

Local Human Rights Commission (LHRC)

Frequently Asked Questions

What is a Human Rights Commission?

A Human Rights Commission is a municipal/state-wide/national/international body set up to investigate, promote, or protect human rights.

What are human rights?

Here's how United Nations defines it.

“Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination.

“These rights are all interrelated, interdependent, and indivisible.”

What are human rights?

Wikipedia says,

“Human rights are moral principles or norms that describe certain standards of human behaviour, and are regularly protected as legal rights in municipal and international law.”

What human rights are protected in Kentucky?

The Kentucky Civil Rights Act from 1966 states: "It is illegal to discriminate against any person because of race, sex, age (40 and over), disability, color, religion, national origin, familial status (for housing), and smoking, in the areas of employment, housing, public accommodations, financial transactions. It is illegal to retaliate against a person who files a discrimination complaint."

* Note that LGBTQ folks aren't protected by the Kentucky act and can therefore be discriminated against legally. The same is true for any other groups not listed in the Act, such as refugees and people of different economic status.

Who enforces the Kentucky Civil Rights Act?

The Kentucky Commission on Human Rights (KCHR)

kchr.ky.gov

What does the KCHR do?

The KCHR receives, initiates, investigates, hears, and determines charges of ordinances, orders, or resolutions prohibiting discrimination throughout the state of Kentucky.

What is a Local Human Rights Commission (LHRC)?

In short, an LHRC is a local extension of the KCHR. It can:

- Do the same things the KCHR does.
- Lean on the KCHR to handle issues that arise.
- Propose additional protected groups with a city ordinance.
- Accept grants, gifts, or bequests—public or private—to fund activities.

How does an LHRC function?

The main functions of a Local Human Rights Commission are to:

1. Address community or individual concerns.
2. Develop outreach for the city.

How does an LHRC function?

When addressing individual or community concerns, an LHRC can act as:

1. A liaison to the KCHR.
2. An advisory group that makes recommendations.

How does an LHRC function?

When developing outreach for the city, the LHRC can hold programs, seminars, training sessions or meetings to educate and celebrate diversity and inclusion.

How does an LHRC function?

For example, let's say a large group of Japanese workers moves into a city.

With an LHRC, the city can:

- Provide mediation, should any discrimination concerns arise.
- Arrange for interpreters to meet with new Japanese residents to make them feel more comfortable in their new city.
- Host a celebration of Japanese culture through food, music, poetry, and art to welcome new residents and bring the community together.

What does a city have to invest to have an LHRC?

The larger LHRCs in Kentucky, namely in Lexington and Louisville, have their own paid staff.

What does a city have to invest to have an LHRC?

Most LHRCs in Kentucky:

- Are composed of volunteers who do not get paid.
- Have modest budgets to attend training sessions or pay for transportation or refreshments at meetings.
- Refer investigations to the KCHR, which has full-time paid staff in place to determine whether discrimination has occurred.

What does a city have to invest to have an LHRC?

The bottom line:

The budget is determined by the city, and with engaged volunteers, an LHRC can **cost next to nothing**.

What kind of effect can an LHRC have on economic development in a city?

While LHRCs are not created to directly spur economic development, they can help economic development indirectly by creating an inclusive atmosphere that tells businesses and residents that all are welcome.

What kind of effect can an LHRC have on economic development in a city?

They also help city service departments develop reputations for fairness.

How can an LHRC benefit residents in a city?

The services an LHRC provides helps residents, and more! It:

- Protects everyone who lives in, works in, and visits the city from discrimination.
- Creates a forum for positive social change, bringing more people together to resolve conflicts and make the city a more inclusive and welcoming place.
- Helps us mediate discrimination disputes before they create scandals and cost us tax dollars in legal suits.

What are the steps for creating an LHRC?

To establish an LHRC in Park Hills, all we have to do is draw up an ordinance and have it signed by Mayor Mattone and approved by City Council.

What do members of an LHRC do?

An LHRC meets at least once a month to address any current community concerns and decide what programs and speakers it can attract to help the community appreciate diversity.

Who can be a member of the LHRC?

An LHRC consists of residents who are appointed by the mayor or judge-executive (if the county is participating).

Who can be a member of the LHRC?

The commission can select its own chair or the mayor/judge-executive may appoint a chair.

Who can be a member of the LHRC?

An LHRC should include an uneven number of members (5, 7, 9, 11) to break any tie vote.

Who can be a member of the LHRC?

An LHRC should be as diverse as possible—inclusive of men, women, religious, non-religious, gay, straight, young, old, etc.

Who can be a member of the LHRC?

You! (If you're a resident.)

Thank you.

Park Pointe Presentation

- Infrastructure Committee
 - Karl Oberjohn, Greg Claypole, Kathy Zembrodt
- City Engineer
 - Jay Bayer
- Park Hills KCPC Representative
 - Phil Ryan
- CondoView, LLC
 - Paul Zeltwanger, Managing Member
 - Bryan Bailin, Project Manager

Gateway Site: Zoning & Restrictions

- R1EE Zone
 - Single and two-family residential
- PUD (Planned Unit Development) Overlay
 - Allows a variety of housing types (including multi-family) and amenities, requires open and recreational spaces
 - Public hearing before Kenton County Planning Commission (KCPC) followed by City Council vote on KCPC's recommendation
- Old State Road closed at Elementary School
- Kenton County Subdivision Regulations regarding design and layout of streets

Park Pointe Application Timeline

- 3/13: PDS shares plan with Council

March - April 2018

Week Planner

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
1	2	3	4	5	6	7
April						
8	9	10	11	12	13	14

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1	2	3	4	5	6	7
April 8	9	10	11	12	13	14

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- 3/26: Plan presented at Caucus

March - April 2018
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- 3/20: Mayor, City Attorney, City Engineer review plan with Developer and Engineer
- 3/26: Plan presented at Caucus
- 4/5: Plan presented before KCPC

Park Pointe Application Timeline

May 2018

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
	6	7	8	9	10	11
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

June 2018

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
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17	18	19	20	21	22	23
24	25	26	27	28	29	30

- 3/13: PDS shares plan with Council
- 3/13-14: Council reviews plan with City Engineer
- 3/15: KCPC posts public notice about Park Pointe presentation on 4/5
- 3/20: Mayor, City Attorney, City Engineer review plan with Developer and Engineer
- 3/26: Plan presented at Caucus
- 4/5: Plan presented before KCPC
- 5/14 & 6/11: Council votes on KCPC recommendation after 2 readings

Considerations

- Process (KCPC, City of Park Hills, Covington)
- Access and Proposed Traffic Patterns
- Public/Private Infrastructure
- Subdivision Standards

Considerations

- Process (KCPC, City of Park Hills, Covington)
 - KCPC votes on PUD as recommendation
 - City of Covington and Park Hills vote on PUD (2 readings)
 - KCPC votes on Subdivision Waiver items

Considerations

- Access and Proposed Traffic Patterns
 - Old State Road is closed (consider vehicular or pedestrian access)
 - New access proposed from Dixie
 - Proposed reuse of existing Patton Drive (Prior Driveway access to the school)

Considerations

- Public/Private Infrastructure
 - Retaining Walls to be private (proposed for Dixie Access and existing along Patton Drive)
 - Trails with in HOA parcels
 - Public Roads (cities to maintain)
 - Sanitary and Storm (SD1 to maintain)
 - Water (NKWD to maintain)
 - Stormwater Detention (if required may be on city property above VFW)

Considerations

- Subdivision Standards
 - Waivers requested for
 - Spacing on access on Dixie
 - Sidewalks on one side of streets
 - Lots with dual frontage
 - Waivers that may be required
 - Centerline slope (12% maximum)
 - Intersections design (Horizontal and Vertical)

Next step...

Kenton County Planning Commission



Next meeting: April 5th at 6:15 p.m.

2332 Royal Drive, Fort Mitchell

Watch last month's meeting at

TBNK.org



PARK POINTE

Experience life from a different point of view

Stage 1 & Map Amendment Submission Package

April 5th, 2018





Planning Work to Date

- Reviewed the Direction 2030 plan, the Devou Park Master Plan (2008) as well as past planning efforts by Park Hills, Covington & PDS regarding the Gateway site
- Met with the cities of Park Hills & Covington, PDS Planning, KTC District 6, Triad & PDS Traffic Engineer regarding issues, options and/or possible concerns
- Engaged Geotechnical & Civil Engineers for plan development
- Completed a Tree Inventory Report
- Analyzed numerous options & alternatives
- Finalized the current plan based on what we believe best meets the market demand and fits into the existing community

PARK POINTE Plan



- ***Up to 82 Free Standing Homes***
- ***Maintenance Free Yards & Community***
- ***6-8 Floor Plan Choices & Exterior Elevations – Coordinated & Planned Architecture, Rooflines, etc...***

PARK POINTE Plan (cont.)



- *Proposed Hiking Paths*
- *Proposed Pocket Parks*
- *Connected to the Surroundings*

PARK POINTE Plan – Architectural Examples



Main Level Masters, Study, Great Room & Kitchen



Exterior Variety



Designs Integrated into the Area & Each Lot



Large Livable Terraces

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STAGE 1 PRELIMINARY & MAP AMENDMENT

A Abercrombie & Associates, Inc.

8. Via.	
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PARK POINTE — *Proposed Dixie Highway Entrance*



Proposed Dixie Highway Entrance



Amsterdam Rd Entrance

Proposed on Existing Concrete Retaining Wall

A photograph of a landscape at night. In the foreground, there is a field of tall, dry grass. In the middle ground, there is a line of trees and shrubs. In the background, there is a dark, silhouetted area that appears to be a hill or a large building. The text 'PARK POINTE' is overlaid in the center of the image.

PARK POINTE

DeVou Park Entrance & Amsterdam Valley Beautification Options – Current State



DeVou Park Entrance & Amsterdam Valley Beautification Options (cont.)



DeVou Park Entrance & Amsterdam Valley Beautification Options (cont.)





DeVou Park Entrance & Amsterdam Valley Beautification Options - Benefit Summary

- *Shores up landslide exposure along North bound Amsterdam Rd.*
- *Improves entrance into DeVou Park South entrance*
- *Part of future 2-way Montague Rd. option*
- *Eliminates road mileage and related maintenance costs*
- *Improves entrance corridor into Covington and Park Hills*
- *Eliminates maintenance requirement of current Amsterdam Valley*
- *Potential for future development opportunity and/or park if desired.*

DISCUSSION & QUESTIONS

