

**KENTON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
Minutes**

Mr. Wells, Chair, called the meeting to order at 6:15 PM on Thursday, November 4, 2010, and opened the proceedings with the Pledge of Allegiance and an invocation by Mr. Eilerman. The meeting was held in the Commission Chambers of the NKAPC Building in Fort Mitchell. Attendance of members (for this meeting as well as those during the year to date) was as follows.

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<b>Member</b>	<b>Jurisdiction</b>	<b>J a n</b>	<b>F e b</b>	<b>M a r</b>	<b>A p r</b>	<b>M a y</b>	<b>J u n</b>	<b>J u l</b>	<b>A u g</b>	<b>S e p</b>	<b>O c t</b>	<b>N o v</b>	<b>D e c</b>	
Mark Barnett	Taylor Mill	X	X	X	X	X		X		X		X		
Barbara Carlin	Kenton Co	X	X	X	X	X	X	X	X	X	X	X	*	
Barry Coates	Covington	X	X	X		X	X	X		X		X		
James Cook	Kenton Co	X	X		X	X	X		X		X	X		
Paul Darpel	Edgewood	X	X	X		X	X			X		X		
Chuck Eilerman	Covington	X	X	X	X	X	X	X	X	X	X	X		
Tom France, V.Chair	Ludlow	X	X	X	X	X	X	X	X	X	X	X		
David Hilgeford	Villa Hills	X	X	X	X	X	X	X		X		X		
Lynne Hood	Crestview Hills	X	X	X	X	X	X	X		X	X	X		
Marc Hult	Covington	X	X	X	X	X	X	X	X	X	X	X		
Dan Ruh	Fort Wright	X	X			X		X	X	X				
Ron Cook	Elsmere		X	X	X	X			X					
Mark Rogge	Crescent Spgs	X	X			X	X	X		X	X	X		
Phil Ryan, Treasurer	Park Hills	X	X	X	X	X	X	X	X	X		X		
Maura Snyder	Independence	X	X	X	X	X	X	X	X		X	X		
Diane Brown	Erlanger	X	X	X	X	X	X		X	X	X	X		
Joe Tewes	Bromley	X		X	X	X	X	X	X	X		X		
John Wells, Chair	Fort Mitchell	* X	X	X		X	X	X	X	X	X	X		
Mark Hushebeck	Lakeside Park	X		X	X	X		X	X	X		X		

“X” denotes attendance at the regular meeting and “x” denotes attendance at the continuation

meeting.

“\*” denotes arrival after roll call was taken.

“-“denotes not on the planning commission.

Also present were Matt Smith, Legal Counsel, and the following NKAPC staff: Martin Scribner, AICP, Deputy Director for Current Planning, and Mike Ionna, Associate Planner, and Sharmili Reddy, Senior Planner.

### **AGENDA:**

Ms. Snyder made the motion to approve. Mr. Tewes seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. Tewes, Mr. Barnett, Ms. Brown, Mr. Coats, Mr. Cook, Mr. Darpel, Mr. Eilerman, Mr. France, Mr. Hilgefurd, Ms. Hood, Mr. Hult, Mr. Hushebeck, Mr. Rogge and Mr. Wells in favor. Mr. Ryan abstained. The motion carried.

### **APPROVAL OF THE MINUTES:**

Mr. France noted a change to be made under the receipts and expenditures. He stated it should read 14% of expenditures and we have received 55% of our income. A motion was then made by Mr. Eilerman to accept. Ms. Snyder seconded the motion. A roll call vote on the matter found Mr. Eilerman, Ms. Snyder, Ms. Brown, Mr. Cook, Mr. Darpel, Ms. Hood, Mr. Hult, Mr. Rogge and Mr. Wells in favor. Mr. Barnett, Mr. Coates, Mr. Hilgefurd, Mr. Hushebeck, Mr. Ryan and Mr. Tewes abstained. The motion carried.

### **ACTIONS SINCE LAST MEETING:**

The memorandum regarding the actions taken by Staff over the past month was distributed for informational purposes only. There were no questions or comments.

### **RECEIPTS AND EXPENDITURES:**

Mr. France made the motion to accept. Ms. Brown seconded the motion. A roll call vote on the motion found Mr. France, Ms. Brown, Mr. Barnett, Mr. Coates, Mr. Cook, Mr. Darpel, Mr. Eilerman, Mr. Hilgefurd, Ms. Hood, Mr. Hult, Mr. Hushebeck, Mr. Rogge, Mr. Ryan, Ms. Snyder, Mt. Tewes and Mr. Wells in favor. The motion carried.

**RECENT ACTIONS BY LEGISLATIVE BODIES:** No action required.

### **PUBLIC HEARINGS:**

#### **2020R**

**APPLICANT:** City of Covington per Larry Klein, City Manger.

**AREA AFFECTED:** approximately 10 acres located along Electric Alley from Tobacco Alley north to East 3<sup>rd</sup> Street, east along East 3<sup>rd</sup> Street to Scott Street, north on Scott Street to East 2<sup>nd</sup> Street, East along East 2<sup>nd</sup> Street to Greenup Street, south on Greenup Street to East 3<sup>rd</sup> Street, East on East 3<sup>rd</sup> Street to Sanford Alley, south along Sanford Alley to Tobacco Alley and west along Tobacco Alley to Electric Alley in Covington.

**REQUEST:** a proposed amendment to the comprehensive plan: (1) adopting the Roebing Point Small Area Study into the *Comprehensive Plan Update 2006-2026: An Area-Wide Vision for Kenton County*; (2) amending the Recommended Land Use Map as it relates to the referenced

area from Commercial Office, Other Community Facility, Recreation and Open Space, and Residential Over 30.0 dwelling units per net acre to Small Area Study; and, (3) amending the *County-Wide Plan Element* text to include Addendum 05 describing the *Roebling Point Small Area Study* and incorporating the entire study by reference.

Staff presentation and Staff recommendations by Mr. Mike Ionna.

**NKAPC STAFF RECOMMENDATIONS:**

To approve the proposed map and text amendments to the *COMPREHENSIVE PLAN UPDATE 2006-2026*.

**ADDENDUM 05**  
**ATTACHMENT A**  
**PROPOSED TEXT AMENDMENT TO THE**  
**COMPREHENSIVE PLAN UPDATE 2026:**  
**AN AREA WIDE VISION FOR KENTON COUNTY**

Words to be added are underlined

**CHAPTER 3: COUNTY WIDE PLAN ELEMENTS**  
**SECTION 3: LAND USE**  
**SMALL AREA STUDIES**

**ROEBLING POINT SMALL AREA STUDY**

The Roebling Point Plan is available, in its entirety, at the Northern Kentucky Area Planning Commission offices and on the Commission’s website at [www.nkapc.org](http://www.nkapc.org). Additionally the Plan is available at the City of Covington Community Development Office at 638 Madison Avenue, Covington, KY 41011. This Addendum is intended to be a brief summary of the contents of *The Roebling Point Plan* and is not intended to replace the document.

In July 2008, Progress with Preservation, the local Preservation Advocacy group and the group designated to implement the Preservation section of the Covington Strategic Plan, submitted an application to designate the area bounded by Scott Street on the west, Park Place on the north, Court Street on the west, 3<sup>rd</sup> Street on the north, Sanford Alley on the east, and 4<sup>th</sup> Street on the south as “Historic” and to extend the Ohio Riverside Historic Preservation Overlay Zone to the same area.

On June 29, 2009, following the Urban Design Review Board and the Kenton County Planning Commission public hearings, the City of Covington Commission had a first reading of an ordinance to establish the HPO zone over the original area minus the county building. June 30, 2009 the City Commission had a second and final reading of the ordinance and once this ordinance was signed the area was designated as a Historic Preservation Overlay Zone. At this meeting the City Commission also concluded that it was necessary to undertake a study and plan of the area addressing the development concerns and to determine if the Historic Preservation

Overlay zone is the best avenue for addressing these concerns.

The Roebing Point Plan was conducted by the City of Covington, and the 17 member Roebing Point Planning Committee, which consisted of residents, businesses, property owners, NKAPC staff, City representatives, and other organizations and stakeholders. The study boundary is located along Electric Alley from Tobacco Alley north to East 3<sup>rd</sup> Street, east along East 3<sup>rd</sup> Street to Scott Street, north on Scott street to East 2<sup>nd</sup> street, East along East 2<sup>nd</sup> Street to Greenup Street, south on Greenup Street to East 3<sup>rd</sup> Street, East on East 3<sup>rd</sup> Street to Sanford Alley, south along Sanford Alley to Tobacco Alley and west along Tobacco Alley to Electric Alley.

The Planning Committee met 9 times and held 2 public meetings during the planning process to review, analyze and discuss issues in the study area related to land use, growth and development, architectural design, transportation, public amenities and streetscape, and connectivity and marketing. The plan incorporates all of these elements and discusses existing conditions, past planning efforts, goals and objectives, recommendations, strategies, and implementation partners, along with a general timeline for achieving the goals of the plan. City of Covington Board of Commissioners adopted the Plan on September 7, 2010

Please refer to the Roebing Point Plan for the complete description of the public process, purpose, plan recommendations and implementation strategies made within.

Larisa Sims, Assistant City Manager for Covington, addressed the Commission in favor of the issue. She noted in September of 2009 a planning committee was formed. She stated there were several meetings held with regard to the Roebing Small Area Study to gain input from the community. She stated public notice was given for the meetings. She stated the Commission did adopt the plan in September. She then highlighted the map layout of the study area and noted how the map was expanded to cover a wider area. She noted the demographics were looked at, the land use, building surveys were done as well as the conditions of the structures that fell into the study area, existing zoning, and historic preservation was looked into as to how all these would be affected. She stated the goals and objectives revolved mostly around land use, growth and redevelopment, public amenities, architectural design, transportation, connectivity, and marketing. She then illustrated the land use that is being proposed to give a visual of what the area could look like in the future. Ms. Sims highlighted the various uses proposed in the study and the different areas targeted for renovation. Ms. Sims discussed potential plans for the yoke area to allow for legal pedestrian access to this area as none exists currently. She noted the beautification committee had actually begun work to this area prior to the study being discussed. Additional recommendations of land acquisition and financial implementation strategies to facilitate property redevelopment were also discussed. She stated it was suggested that they keep the historic preservation overlay zone. Additional items discussed were updating historic Covington. Mr. France asked about the county offices and the possible relocation of county offices if this building were to be demolished. Larisa stated in discussions she has had with county officers they had indicated they were doing an evaluation of their space needs and did in fact have plans to eventually vacate the building. She stated what they do with the building of course is up to them but that was her impression in her communications with them.

Sharmili then gave her presentation and recommendations. She noted they are recommending

approval of the application.

Mr. Dan Huck addressed the Commission in support of the plan. He stated they are heavily invested in the neighborhood and the area and they want to continue to remain in the neighborhood. He stated he will continue to be a part of the Roebling planning committee and stated this is just going to enhance the area and make it more walkable. He stated as a business owner he just wanted to show his support for the plan.

At this time the hearing was recessed to allow for discussion of the issue. Mr. Hult stated when this came before us previously there was much contention as to the historic overlay zone. He noted this plan is now a very well thought out plan and he hopes the Commission will be reversed and instead of being 19-0 it will be voted in favor. Mr. Hilgefjord stated he feels the small area study is a much better idea than including block after block into the historic overlay zone. Mr. Darpel stated he agrees and thinks this is a great plan and was very well done but we are being asked to again make this part of our comprehensive plan and it is getting way more specific than what it needs to be. He stated he doesn't feel this is what the comprehensive plan is meant to be; it's too much. Mr. Ryan stated he agrees. Mr. Darpel stated the comprehensive plan would be increased by the amount proposed in the study and it's a lot. Sharmili stated they strongly feel that everything that is in the plan and study is a strong effort by the community and the committee and it should therefore be included in its entirety. Mr. Wells asked if there would be any other way that this would be implemented by the City of Covington versus putting it into the comprehensive plan. Marisa stated what is in the plan right now is practically in direct contention of the comprehensive plan. Mr. Smith stated he sees a benefit but also noted the question is how much of what is in the study belongs in the comprehensive plan. Mr. Darpel stated this proposed study would be added to the comprehensive plan, and not replacing what is currently in there. He stated if language is being replaced it is specifically noted but this is an amendment to the comprehensive plan. Sharmili stated she sees it as replacing because it essentially deals with all of the elements that are going to be looked at. Mr. Darpel asked if the language it is replacing is being taken out of the comprehensive plan. She stated she believes there should not be any conflicts with what is there and what is in the study. Much discussion was had as to the volume being proposed and whether or not this should all be included into the comprehensive plan. The public hearing was then closed for discussion amongst the Commissioners. Mr. Rogge stated he personally doesn't feel what the big deal is. He asked if the fact of it being too restrictive is the question or the volume of it. Mr. Ryan stated it's not the volume, it is the specificity of it. Mr. Ryan asked where the real line is drawn with the city as far as what needs to be included and what does not. Mr. Wells stated small area studies are great but asked if this much detail and specificity belong in the comprehensive plan. Mr. Eilerman stated to not approve this while there is a lot of momentum and plans to move forward might be detrimental. Mr. Hult stated he feels there is a simple solution to this and that is to create a summary of the study that includes everything in general but not the specifics of it all. Mr. France stated he felt this was an excellent idea. Mr. Eilerman stated to not approve this tonight would be a slap in the face of Covington after having put so much effort into it, even if it is not perfect. Mr. Darpel then stated that a vote against should not be considered to be a slap in the face of anyone, just that the specifics of it are not agreeable. Mr. Darpel stated he thinks this is a good plan and it does a great job of saying this is what we want to do. After further discussion on the matter Mr. Hult then made the motion to approve on all three recommendations submitted for the reasons specified by Staff. Mr. Eilerman seconded the motion. A roll call vote on the matter found Mr.

Hult, Mr. Eilerman, Mr. Barnett, Ms. Brown, Mr. Coates, Mr. Cook, Mr. France, Mr. Hilgeford, Mr. Hushebeck, Mr. Rogge and Mr. Wells in favor. Mr. Darpel, Ms. Hood, Mr. Ryan, Ms. Snyder and Mr. Tewes voted against. Ms. Carlin abstained. The motion carried.

## **2021R**

**APPLICANT:** City of Lakeside Park per Mayor Katherine Terwort

**REQUEST:** Proposed text amendments to the Lakeside park Zoning Ordinance: (a) amending the time limits for the storage of trailers, recreational vehicles, campers, inoperable vehicles, and other such type equipment; (b) adding regulations for temporary signs, subject to restrictions, being used in connection with an event being held or occurring on the premises of one or more properties being used in connection with a residential dwelling unit or units; and, (c) adding regulations for billboards.

Staff presentation and Staff recommendations by Mr. Mike Ionna.

### **NKAPC STAFF RECOMMENDATIONS:**

(Request 1) Favorable recommendation of the proposed test amendment to the Lakeside Park Zoning Ordinance amending the time limits for the storage of trailers, recreational vehicles, campers, inoperable vehicles, and other such type equipment subject to the following condition: 1. That the wording contained within Section 9.21.C of the proposed text amendment be changed to read as follows:

It shall be unlawful to park and or store any trailer (garden trailer exempted), recreational vehicle, camper, boat or other such type vehicle or equipment, within any place or location within the city, unless properly screened from view of adjacent property such as provided in Section 9.15 herein, as determined and approved by the board of adjustment as a conditional use within all residential zones between September 15<sup>th</sup> and May 15<sup>th</sup>. Such vehicles may be stored in a completely enclosed building.

(Request 2) Unfavorable recommendation of the proposed test amendment to the Lakeside Park Zoning Ordinance adding regulations for temporary signs, subject to restrictions, being used in connection with an event being held or occurring on the premises of one or more properties being used in connection with a residential dwelling unit or units.

(Request 3) Favorable recommendation of the proposed text amendment to the Lakeside Park Zoning Ordinance adding regulations for billboards.

Mr. Dave Jansen, City council member, addressed the Commission in favor of the issue. He stated they have worked on this for months with staff. He noted the intent is from May to September they can have a recreational vehicle in their driveway for a total of five days to load it and five days to unload it. He stated there probably needs to be a few words added to clarify it. He stated if they want to store it in their garage, so be it. He stated currently the ordinance allows an RV owner to back his RV in his driveway in May and leave it there all summer. Mr. Darpel stated why not make it a limit of 5 days year around instead of limiting it to September. Mr. Darpel the way it reads is onerous. Mr. Jansen stated he doesn't care when it is as long as it takes care of the problem. Mr. France stated the May to September limitation could be removed and have it read not to exceed 5 consecutive days for loading, unloading and maintenance. Staff

noted it was worded the way the city wanted it to read. Mayor Terwort noted the only reason they put in the months of May to September was because those are the times they get the most complaints and those are the typical recreational times. The public hearing was then recessed for discussion. No discussion. The public hearing was closed. Mr. France then made the motion based on the testimony and to approve it as submitted, based on the intent of how the city intends the ordinance to be read. Mr. Hult seconded. Mr. Hilgefurd stated he cannot approve something that is flawed. He noted there are too many loopholes with it as written. Mr. Ionna stated the language could be removed. Mr. France then stated he would rephrase his motion to approve as it is written based on how they will enforce the issue. Mr. Hushebeck asked for clarity on the ambiguity of the dates before he could second the motion. Mr. Eilerman then seconded the motion. A roll call vote on the matter found Mr. France and Mr. Eilerman in favor. Mr. Barnett, Ms. Brown, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Darpel, Mr. Hilgefurd, Ms. Hood, Mr. Hushebeck, Mr. Rogge, Mr. Ryan, Ms. Snyder, Mr. Tewes and Mr. Wells voted against. The motion failed. Mr. Ryan then made the motion as to item Request One to deny the request. Mr. Darpel seconded the motion. A roll call vote on the matter found Mr. Ryan, Mr. Darpel, Mr. Barnett, Ms. Brown, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Eilerman, Mr. Hilgefurd, Ms. Hood, Mr. Hult, Mr. Hushebeck, Ms. Snyder, Mr. Tewes and Mr. Wells in favor. Mr. France and Mr. Rogge voted against. The motion carried. A motion was then made with regard to Request 2. Mr. Barnett made the motion to deny based on Staff recommendations. Ms. Hood seconded the motion. A roll call vote on the matter found Mr. Barnett, Ms. Hood, Ms. Brown, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Darpel, Mr. Eilerman, Mr. France, Mr. Hilgefurd, Mr. Hult, Mr. Hushebeck, Mr. Rogge, Mr. Ryan, Ms. Snyder, Mr. Tewes and Mr. Wells in favor. The motion carried. Mr. Barnett then made the motion to approve Request 3. Mr. Ryan seconded the motion. A roll call vote found Mr. Barnett, Mr. Ryan, Ms. Brown, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Eilerman, Mr. France, Mr. Hilgefurd, Ms. Hood, Mr. Hult, Mr. Rogge, Ms. Snyder, Mr. Tewes and Mr. Wells in favor. Mr. Darpel voted against. The motion carried.

## **2022R**

**APPLICANT:** City of Covington per Larry Klein, City Manger

**REQUEST:** a proposed text amendment to the Covington Zoning Ordinance adding projection sign, subject to restrictions, to the permitted signs within the General Business and Commercial Zones.

Staff presented by Mr. Mike Ionna.

### **NKAPC STAFF RECOMMENDATIONS:**

Favorable recommendation of the proposed text amendments to the Covington Zoning Ordinance adding projection signs, subject to restrictions, to the permitted signs within the General Business and Commercial Zones.

The city zoning administrator addressed the Commission in favor of the issue. He stated they are adding one sentence to the existing regulations. He stated this didn't make sense to the business owners who are right in the downtown area not to use signage. He stated this is right out of that Roebing study. Larisa had nothing to add.

The public hearing was then recesses for discussion. Mr. Hult stated this is not just for the business owners but for those in the area. He stated it's just a good idea. Mr. Eilerman made the

motion to approve the text amendment based on upon Staff recommendations. Mr. Hult seconded the motion. A roll call vote on the issue found all in favor. The motion carried.

**Unfinished Business:** - Nothing to report.

**Reports from Committees:**

*By-Laws* –Nothing to report.

*Executive-* Mr. Wells stated all of the funds are in for the bonds that were called in and the work is scheduled to be completed. He noted they are in the process of looking into the age of some of the other bonds. He stated hopefully there will not be any more calling in of bonds but he is not optimistic.

*2020 Sourcebook (model zoning ordinance)* – Nothing to report.

*Subdivision Regulations* – Nothing to report.

*Report from legal counsel* – Nothing to report.

*Announcements from Staff* – Mr. Scribner reminded everyone of the Farm tour this coming weekend. He stated a flyer was distributed at everyone's place.

Mr. Wells stated several people have filled out the W-4 forms. He stated in order to be paid the W-4 form will have to be filled out and turned in to Martin.

He also noted there would be a continuing education event held October 20 from 12-1p.m or from 6-7p.m. He asked that those interested in attending to please R.S.V.P.

Next Wednesday an audio conference will be held that will count for an hour and a half of continuing education credit.

Mr. Wells noted he has one short letter he feels he should read. He stated it was sent to Dennis Gordon. He then read the letter from the Home Builders Association of Northern Kentucky. He stated they are requesting a draft of the building regulations immediately. Mr. Wells then stated there was a response this afternoon from Gary Edmondson stating basically that a draft will not be made available but when the subdivision regulations are finalized they will then get a copy.

Ms. Hood asked what the status is of the 1099 issue because her term is up and she needs to know if it needs to be signed or not. Mr. Scribner then stated they have received word that the 1099 needs to be signed. Mr. Wells stated he thinks it's a personal thing to sign it or not sign it and then go from there.

*Correspondence:* None.

*New Business:* - None.

*Public Comments:* None.



There being nothing further to come before the Commission, a motion was made by Ms. Snyder and seconded by Mr. France to adjourn. All in favor. None opposed. The meeting then adjourned at 8:38 p.m..

APPROVED:

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Chair

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Date