

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

“*” denotes arrival after roll call was taken.

Also present were Matt Smith, Legal Counsel, and the following NKAPC staff: Mr. Martin Scribner, Director, Planning and Zoning Administration Department, Ms. Jenna Haverkos, Principal Planner, Mr. Ed Dietrich, Principal Planner.

AGENDA

Mr. Darpel asked for a motion to approve the agenda. Ms. Snyder made the motion to approve. Mr. Gray seconded. All in favor by acclamation.

APPROVAL OF THE MINUTES:

Mr. Darpel noted under the Executive Committee report that it should state “...he further noted the executive committee will be serving on the committee unless others are added or substituted.” There being no further changes, Mr. Rogge made the motion to approve. Mr. Hilgeford seconded. A roll call vote on the motion found Mr. Rogge, Mr. Hilgeford, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Gray, Mr. France, Ms. Hood, Mr. Hult, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. Mr. Pannunzio and Mr. Ruh abstained. The motion carried.

RECEIPTS AND EXPENDITURES:

Mr. Darpel stated his only comment was that for the fiscal year they are 67% over, 55% of the revenue and 69% of expenses. He stated he is generally not as concerned about expenses because it looks like that is fairly on track. There being no further comments, Mr. Darpel asked for a motion. Ms. Snyder made the motion to approve. Mr. France seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. France, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Gray, Mr. Hilgeford, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Ruh, Mr. Sletto, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

ACTIONS SINCE LAST MEETING:

The memorandum regarding the actions taken by Staff over the past month was distributed for informational purposes only.

RECENT ACTIONS BY LEGISLATIVE BODIES:

No action required.

PUBLIC HEARINGS:

2101R

APPLICANT: Robert Henderson on behalf of RJ&F

LOCATION: an approximate 1.96-acre area located at the northeast corner of the intersection of Russell Street with West Ninth Street in Covington

REQUEST: a proposed map amendment to the Covington Zoning Ordinance changing the described area from IL – 1M (Industrial-Limited) and IL-1M (HP-O) (Industrial-Limited with Historic Preservation Overlay) to CBD-7P (Central Business District)

Staff recommendations and Staff presentation by Ms. Jenna Haverkos.

NKAPC STAFF RECOMMENDATIONS:

Favorable recommendation of the proposed map amendment to the Covington Zoning Ordinance changing the described area from IL-1M (Industrial-Limited) and IL-1M (HP-O) (Industrial-Limited with Historic Preservation Overlay) to CBD-7P (Central Business District)

Ms. Emily Wagner registered to speak on behalf of the applicant. She stated they opened Crossfit Covington about two years ago at 632 Russell and quickly outgrew their business and had to find another location. She further stated they then moved to their current location in October of 2012 and realized it was not zoned for their use. Ms. Wagner then stated Crossfit Covington is a unique facility of about 250 members, 7 employees and a couple independent contractors. She stated they are a tight knit community and they do a lot of community events and charity events together. She stated if they have to move out of this facility there are actually very few that would be able to accommodate them. She additionally stated there just is not a lot out there that can accommodate them and the parking they need. She stated they have done a lot for the City of Covington as far as bringing in revenue for the city. She noted they have also hosted events that have raised funds for the city. She stated they want to stay in Covington and their name is Crossfit Covington so she noted it would be difficult for them to survive if they had to move out of Covington. She additionally stated they feel they would lose members if they move from their current location. She also stated the city wants them to stay there and their landlord is 100% in favor of the zone change. Ms. Wagner stated it just makes sense considering there is a gym right next to them that is the exact same use - why not allow another one.

Mr. Yuengling addressed the Commission and stated they are in support of the zone change. He stated there are some concerns as far as the technicalities of the historic overlay. He stated the city would like to maintain that parking lot within the HPO as that was not originally included and they would like for that lot to the south of the structure to remain in the HPO. He also stated the other technical concern is with the building height. Mr. Yuengling further stated there are two current uses that would be grandfathered in so all in all it brings them into conformance. He stated they would like to see it go forward and the only concerns are the technical issues with the overlay zone. Mr. Darpel then asked if the only area over the historic overlay zone is the parking lot. Mr. Yuengling stated that was correct. Mr. Darpel then asked if there was any historic relevance to the parking lot. Mr. Yuengling stated he really couldn't speak to why that parking is in the historic district. Mr. France asked what the consequence was of being non-compliant and asked if the other similar businesses were also non-compliant. Mr. Yuengling then noted that these had been grandfathered in and this issue came up after the zoning was already passed.

Ms. Jo Rogers registered to speak against the issue. She addressed the Commissioners and stated Emily Wagner addressed the problem with parking as to only being during events which is not the case. She stated the area fills up because of Crossfit Covington and people will park illegally near the railroad tracks. She stated this is a narrow street that runs along the railroad tracks. She stated her concern is in the event of a fire it would be difficult to get through. She then noted on the other side there is a park. She stated it is impossible to park and it is an

ongoing issue. She then noted that if she does not get home from work by 4:30 then she will have nowhere to park. She then showed pictures of the parking in the area, cars parking near the railroad area, as well as the Covington Crossfit parking lot as being full. She stated she admires Emily Wagner and stated she had done a wonderful thing but suggested maybe she should have looked into a location that had the necessary zoning before this space was rented. She then stated if this is allowed and the building height is allowed to increase they will lose their wonderful skyline views and their property values will be reduced. She stated they do not have a lot of outdoor space but they do have wonderful views. She stated a concern is that this was not in the original request. She stated the homes in the neighborhood are owner occupied and not renters. She stated the values of their properties are going to be decreased also. She noted many are not present because they do not drive and noted they are the youngest in the neighborhood. She said she cannot speak for them but feels their property values would be decreased also by this zone change. She stated this business is not within the confines of the zoning. Mr. Darpel then referenced the height restrictions and asked for more clarification on that issue. Ms. Rogers stated she can only speak from experience and they have just been in the neighborhood two years. Mr. Darpel marked the items submitted by Ms. Rogers as an exhibit to be made a part of the record on the matter. Mr. Hult asked if she felt a fire truck could fit through the street when the cars are parked there on the street. Ms. Rogers stated she didn't think one could and that she is afraid to drive her vehicle down that portion of the street when it is full of cars.

Mr. Reichert then addressed the Commission against the issue and stated he was present years ago making sure their building was in compliance. He stated with their building they had to make sure they fit into the neighborhood. He noted part of the reason they bought was the historic overlay and because it probably wouldn't change. He stated everything was very quiet but it became very different once Crossfit Covington came into the neighborhood. He then noted that there are no garages, there are no driveways and everyone has to park on the street and there is nowhere else to park. He stated when you have twenty people coming to the gym every day it's okay until they get busy and the parking overflows onto the street. He stated you have trouble parking in front of your house. He then further noted the area is already very dense and the parking is limited. He stated the reason you have zoning is to protect things from going the wrong way. He stated the area is just being rehabbed and just growing and if somebody plans a five story building there it will affect the whole area. He stated he is glad their business is growing but he thinks they have outgrown the site.

Mr. Yuengling addressed the Commission in rebuttal about the parking requirements. He stated this is based off of the tenant's square feet. He then noted with regard to the building height it basically means it could be a seven story building. Mr. Yuengling stated after seeing the proposal they are in support of this in general but with regard to the building height, it is something they would probably end up coming back on. He stated they would like to see it as a different designation with regard to the intensity and the building placement. Mr. Hult then stated that they are in support of the issue as it stands but that they would like to see that -7 number lower. Mr. Yuengling stated they are in favor of it but they would like to see a lower number. He stated they obviously wouldn't be able to take care of that tonight so they would probably end up coming back on it. Mr. Darpel then marked the submissions by Mr. Yuengling as exhibits to be made a part of the record on the matter. Mr. Hult also inquired as to the safety issue brought up. Mr. Yuengling stated he is not sure as to the width of the street but it's

something that would need to be looked into.

Emily Wagner also addressed the Commission in rebuttal as to the parking issues that were raised. She stated there is a big sign at the check in that says "Do Not Park in Residential Areas" and directs the members to the parking lots that are available and she also noted an email gets sent out to the members that specifically outlines where they can park. She also noted they do have permission to park along the railroad tracks. She stated if any neighbors ever come up to them (about a parking complaint) the car is moved immediately. She stated they are doing their very best with the issue and have no problem with addressing it immediately.

Mr. Reichert addressed the Commission in rebuttal and stated he is not against her having her business there. He is against having his quality of life ruined by someone having a 7-story building down the road.

There being no further questions, Mr. Darpel recessed the hearing for discussion. Mr. Porter noted he has a bit of a concern with the building owner wanting to have it so that he could put in a 7-story building or someone that he sold it to could. He stated he doesn't have a problem with the business being there and changing the zoning to approve that. He stated if there was a way to leave the historical aspect on the other section but he didn't know if there was a way to break that up. Mr. Darpel then stated they have to deal with what's in front of them and they can do that with comments but not conditions. Mr. France then stated this might be an issue to consider for tabling in order to have an amended application submitted to work out the issues with parking and the historic overlay zone as well as the issue of the 7P designation. Mr. Darpel then noted the applicant would then have the opportunity to submit an amended application versus refile the application and paying another fee. He then asked Martin Scribner what the time frame was for submitting applications for the next month's meeting. Mr. Scribner then noted they would have time to do so if that were the case. Mr. Smith commented that the applicant was not present which made things difficult to determine what the intent was but the planning commission has the power to table the issue in terms of the testimony heard. He further stated this could be a very different application if it was going to the central business district 1P rather than the current designation of 7P which would allow for the seven floors and if maybe the application included the historic overlay zone on the southern portion. Mr. Darpel then stated if it is their intention to go to the 7P then the commission will deal with that and if they say no then the application was right and we deal with the situation at hand. Mr. Darpel then closed the meeting for discussion and reconvened the hearing. He called for a motion. Mr. Hult then made the motion to table the issue for the reasons discussed and the difference between what the city would like to see and what was actually applied for, not to exceed 90 days. Mr. Hilgeford seconded the motion. A roll call vote on the matter found Mr. Hult, Mr. Hilgeford, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Gray, Mr. France, Ms. Hood, Mr. Porter, Mr. Rogge, Mr. Ruh, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. Mr. Pannunzio voted against. The motion carried.

2103R

APPLICANT: City of Covington per Larry Klein, City Manager

REQUEST: a proposed text amendment to the Covington Zoning Ordinance adding a PI (Public & Institutional) Zone to the list of zones which allow an exemption to the off-street parking requirements of the zoning ordinance.

Staff recommendations and Staff presentation by Mr. Jenna Haverkos.

NKAPC STAFF RECOMMENDATIONS:

Favorable recommendation of the proposed text amendment to the Covington Zoning Ordinance adding Public and Institutional Zones (PI) to the off-street parking exemptions.

Mr. Yuengling registered to speak on the issue. He addressed the Commission and stated basically this would exempt any business or use in the PI district from having to meet the parking requirements for the number of off-street spots for that use. It's to help spur development for those two parcels.

There being no others registered to speak, Mr. Darpel then recessed the public hearing for discussion. Mr. France commented that the first bullet point in staff's report states that this is to accommodate large public and institutional uses. He stated if it is a large public or institutional use it would seem that parking would have to be provided for instead of dumping the parking onto the streets. Mr. Hult stated it was his recollection that the Stewart Iron Works site, the whole location has its own parking lot. Following a very brief discussion about the parking, Mr. Darpel then closed the public hearing and reconvened the public hearing. He then called for a motion. Mr. Hult then made the motion to approve the text amendment for the reasons articulated by staff. Mr. Rogge seconded the motion. A roll call vote on the motion found Mr. Hult, Mr. Rogge, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Gray, Ms. Hood, Mr. Pannunzio, Mr. Porter, Ms. Snyder, Mr. Gerrein and Mr. Darpel voted in favor. Mr. France, Mr. Hilgeford, Mr. Ruh, Mr. Sletto and Mr. Tewes voted against. The motion carried.

2104R

APPLICANT: City of Park Hills per Robert Winter, City Attorney

REQUEST: proposed text amendments to the Park Hills Zoning Ordinance to; (1) add regulations pertaining to outdoor sales and display areas; (2) exclude drive-thrus for candy stores, soda fountains, ice cream stores, and eating and drinking places in the NC (Neighborhood Commercial) Zone; and, (3) add Outdoor Dining as a permitted use in the NC (Neighborhood Commercial) Zone.

Staff recommendations and Staff presentation by Mr. Ed Dietrich.

NKAPC STAFF RECOMMENDATIONS:

Favorable recommendation of the proposed text amendment to the Park Hills Zoning Ordinance adding outdoor displays and outdoor dining as permitted uses and excluding drive-thrus within the NC (Neighborhood Commercial) Zone.

Mr. Robert Winter registered to speak in favor of the issue. He addressed the Commission and stated they were approached by one of their citizens wanting to provide a new business within the city. He stated they thought it was a good idea so they decided while they were at it they decided to clean up some other things in the zone. He further stated they definitely wanted to add outdoor dining. He additionally stated there was a lot of give and take on this and they came up with the current version submitted. Mr. Winter then detailed requested changes to the application, including to eliminate "food" from the first section under outdoor displays and

then in attachment "C" to eliminate item "b" with regard to sound amplification. Mr. Winter also noted that the front door requirement would be deleted also in attachment "C". Mr. Darpel then clarified those changes.

Mr. Stegman had nothing to add.

Mr. Fangman had nothing to add.

Ms. Couchman had nothing to add.

No one registered to speak against the issue.

At this time Mr. Darpel recessed the public hearing for discussion amongst the Commissioners. There being none, Mr. Darpel reconvened the public hearing. The public hearing was then closed. Mr. France then made the motion to approve the request as submitted based on the reasons described by the city attorney and to include the requested changes as noted. Mr. Darpel clarified those changes as being to remove the word "food" in 9.24.G, taking out "not being permitted within the outdoor dining area", adding "comply with the Park Hills Ordinance governing noise control" and taking out the word "front" and the comma behind "side" under subsection "C". Mr. Cook seconded the motion. A roll call vote on the matter found Mr. France, Mr. Cook, Ms. Carlin, Mr. Coates, Mr. Gray, Mr. Hilgeford, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Ruh, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

*At this time (8:05 p.m.) a five minute recess was taken

2105R

APPLICANT: City of Independence per Dan Groth, City Administrator

REQUEST: a proposed text amendment to the Independence Zoning Ordinance allowing self-storage units and warehousing businesses as a conditional use within the NSC (Neighborhood Shopping Center) Zone.

Staff recommendations and Staff presentation by Mr. Ed Dietrich.

NKAPC STAFF RECOMMENDATIONS:

Unfavorable recommendation on the proposed text amendment to the Independence Zoning Ordinance to allow completely enclosed self-storage units and warehousing businesses as a conditional use to the Neighborhood Shopping Center Zone (NSC).

Kareesh Shankar addressed the Commission in favor of the issue. He stated this building was formally a bowling alley, which was subsequently changed to a medical auditing company. The previous owner decided to shrink the business because of the way healthcare has changed. He stated he bought the building approximately a year and a half ago. He stated he has contacted many major big box retailers about taking over the space. He stated there is no way this business as it is, can afford to pay lighting, heating and the rent for this property. He noted after a lot of due diligence they have decided that an enclosed self-storage facility would possibly serve the community's needs since there is only one in the area. He noted there would be nothing visible from outside the building and it would be a climate controlled self-storage. He

noted the cities of Lexington and Louisville have this type of storage. He noted there would be some signage but there are not going to be trucks parked outside. He stated it's a building that is in good shape and if this is not permitted it will probably go to blight because they have not found another use for the building. He noted the mayor and the zoning commissioner went through the building. Ms. Carlin asked if the mayor was in favor of this when he went through it. He stated that the mayor was in favor. He further noted the building is in two parts with one half facing Route 16 and the other facing Cox Road. He noted only half would be used for the self-storage.

There were no others registered to speak on the issue.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. Mr. Sletto commented that he cannot imagine what it would take to have industrial in that location. He stated by virtue of what is before them today, basically they are saying unless they allow the zoning, they are not going to get the storage units. Mr. Darpel stated they are asking for a conditional use, not a permitted use. Ms. Carlin asked if this is conditional then the city actually has the final say on it. Mr. Smith then said the Board of Adjustment would have the final say. There being no further discussion, the public hearing was then reconvened. Mr. Hilgefurd then commented that he would just question what could be stored there. Mr. Shankar then clarified that they have software, cameras and a declaration that anyone that stores there has to show the manager what is being stored. He also noted they have the right to inspect a storage unit three times a month under the legislation the Self-Storage of America has passed. Mr. Darpel then passed around a handout of a PowerPoint presentation for review by the other Commissioners. Mr. Darpel then closed the public hearing. He then marked the document as an exhibit to be made a part of the record. Mr. Sletto then made the motion to accept the request of the City of Independence to amend their text to allow enclosed self-storage units based on an economic justification, the evidence submitted, and the testimony heard. Mr. Gerrein seconded the motion. A roll call vote on the matter found Mr. Sletto, Mr. Gerrein, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. France, Mr. Hilgefurd, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Tewes and Mr. Darpel in favor. Mr. Gray, Ms. Hood and Mr. Ruh voted against. Ms. Snyder had to leave prior to the vote being taken. The motion carried.

2106R

APPLICANT: City of Fort Wright per Mayor Joseph Nienaber

REQUEST: proposed text amendments to the Fort Wright Zoning Ordinance adding a definition for "Outlots, Shopping Center" and reducing the area requirements and adding building material restrictions for outlots in the SC (Shopping Center) Zone.

Staff recommendations and Staff presentation by Mr. Martin Scribner

NKAPC STAFF RECOMMENDATIONS:

Favorable recommendation of the proposed text amendment to the Fort Wright Zoning Ordinance adding a definition for "Outlots, Shopping Center" and reducing the area requirements and adding building material restrictions for outlots in the SC (Shopping Center) Zone.

Mr. Darpel asked if any consideration was given with regard to the exterior building materials

where it states “unless otherwise approved by City Council.” He stated this seems open ended without any kind of requirements. He further stated it seemed to open up a lot of subjectivity. Mr. Scribner stated he would defer that to legal counsel. Mr. Smith asked if he has seen this in other cities. Mr. Scribner stated Independence has a similar requirement in certain zones. Mr. Smith stated there seems to be a better approach; to list the materials that would be appropriate. Mr. Scribner stated that there are certain items that you can apply for a variance from the BOA. He further noted anything design oriented does not fall within that. He stated he would let Mr. Huff address that.

Mr. Gary Huff addressed the Commission in favor of the issue. He commented on the design criteria, the idea is there are so many different building materials that could be accepted by the city because once it is sold, they may not have control of it. He stated that is about as far as they wanted to take it because they didn't want to limit them to brick or stone.

There were no others registered to speak on the issue.

Mr. Darpel then recessed the hearing for discussion amongst the Commissioners. There being none, the public hearing was then reconvened and closed. Mr. Darpel then asked for a motion. Mr. Ruh made the motion to approve based on staff's recommendations. Ms. Hood seconded the motion. A roll call vote on the motion found Mr. Ruh, Ms. Hood, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Gray, Mr. France, Mr. Hilgefurd, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Sletto, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

Ongoing Business:

Reports from Committees:

By-Laws – Mr. France noted there was nothing to report.

Direction 2030 (comprehensive plan) – Mr. Darpel stated there have been a couple more meetings. He noted there seems to be a concern with goals and objectives that it does not address private property rights. He noted they are trying to come up with some language that can address those issues. He stated they have a few more meetings and hopefully they will have full acceptance by all the cities.

Executive – Mr. Darpel noted they did not meet. Mr. France asked when the first joint NKAPC meeting would be held. Mr. Darpel stated they are meeting at the end of the month and he thinks it's the 29th. He noted Commissioner Hult asked to be one of the members appointed. Mr. Darpel stated they would have the executive committee as members and that he would also recommend Mr. Hult as a member. He stated they have asked for three and he would nominate four and they'll see where it goes.

Subdivision Regulations – Mr. Darpel stated they are basically waiting and received some standards that they want to put in the geotechs for some of the folks that deal with this on a regular basis. He noted they have a draft and he has met with Scott on a couple occasions. He stated for the most part they are working on drafting. Mr. Hult stated he met with Scott on how to integrate a section on green infrastructure. He stated what they have done is create a new

section and he thinks it's an excellent solution. He said it will provide more clarity.

2020 Sourcebook (model zoning ordinance) - Mr. Rogge had nothing to report.

OKI - Nothing to report.

Report from Legal Counsel - Nothing to report.

Announcements from Staff - Mr. Scribner reminded everyone of the Saturday April 13th all-day continuing education opportunity. He noted there are seven Commissioners signed up and there is not another webinar for the month of April so this will be the last NKAPC hosted education event for the month. He stated you can get seven hours of continuing education which is almost two years' worth of training. He further noted it is broken up into two parts so you can come to either one or to both.

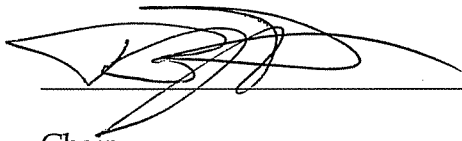
General Correspondence: None.

New Business: None.

Public Comments: None.

There being nothing further to come before the commission, a motion to adjourn was made by Mr. France and seconded by Mr. Rogge. All in favor by acclamation. The meeting then adjourned at 8:58 p.m.

APPROVED:



Chair

Date 4/6/13

KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING
Minutes

Mr. Paul Darpel, Chair, called the meeting to order at 6:15 PM on Thursday, May 2, 2013, and opened the proceedings with the Pledge of Allegiance and an invocation by Mr. Hult. 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.

		2 0 1 3												
Member	Jurisdiction	J a n	F e b	M a r	A p r	M a y	J u n	J u l	A u g	S e p	O c t	N o v	D e c	
Diane Brown	Erlanger	X	X	X		X								
Barbara Carlin	Kenton Co	X	X	X	X	X								
Barry Coates	Covington	X	X	X	X	X								
James Cook	Kenton Co			X	X									
Paul Darpel, Chair	Edgewood	X	X	X	X	X								
Tom France, V.Chair	Ludlow	X	X	X	X	X								
Joe Gray	Covington		X	X	X	X								
David Hilgefard	Villa Hills	X	X	X	X	X								
Lynne Hood	Crestview Hills	X		X	X	X								
Marc Hult	Covington	X	X	X	X	X								
Mark Hushebeck	Lakeside Park	*												
Joe Pannunzio	Elsmere	X	X		X	X								
Stan Porter	Taylor Mill	X	X		*	X								
Mark Rogge	Crescent Spgs	X	X	X	X	X								
Dan Ruh	Fort Wright	X	X		X									
Shad Sletto, Treasurer	Fort Mitchell	X	X	X	X									
Maura Snyder	Independence	X	X		X	X								
Joe Tewes	Bromley	X	X	X	X									
Carl Gerrein	Park Hills	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.

Also present were Matt Smith, Legal Counsel, and the following NKAPC staff: Mr. Martin Scribner, Director, Planning and Zoning Administration Department, Ms. Jenna Haverkos, Principal Planner, Mr. Mike Ionna, Associate Planner.

AGENDA

Mr. Darpel asked for a motion to approve the agenda. Mr. France made the motion to approve. Ms. Brown seconded. All in favor by acclamation.

APPROVAL OF THE MINUTES:

Mr. Darpel noted he spoke to Staff and requested that staff review the minutes for accuracy before they are sent out so when they are recorded they are accurate. He stated in doing so, staff sent back the minutes with revisions and rather than go through the minutes he made the suggestion to table the approval in order to have them reviewed for accuracy. Mr. Hilgefjord then made the motion to table. Ms. Snyder seconded the motion. A roll call vote on the matter found Mr. Hilgefjord, Ms. Snyder, Ms. Brown, Ms. Carlin, Mr. Coates, Mr. Gray, Mr. France, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Gerrein, and Mr. Darpel in favor. The motion carried.

RECEIPTS AND EXPENDITURES:

Mr. Darpel asked for any questions or comments. He stated they are 75% through the budget. He noted there were no surprises and at some point they would need to get some extra funds in and they will look at that. There being no questions or comments, Ms. Snyder made the motion to approve. Mr. Rogge seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. Rogge, Ms. Brown, Ms. Carlin, Mr. Coates, Mr. Gray, Mr. France, Mr. Hilgefjord, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Gerrein and Mr. Darpel in favor. 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.

RECENT ACTIONS BY LEGISLATIVE BODIES:

No action required.

PUBLIC HEARINGS:

2101R

APPLICANT: Robert Henderson on behalf of RJ&F

LOCATION: an approximate 1.96-acre area located at the northeast corner of the intersection of Russell Street with West Ninth Street in Covington

REQUEST: a proposed map amendment to the Covington Zoning Ordinance changing the described area from IL-1M (Industrial-Limited) and IL-1M (HP-O) (Industrial-Limited with Historic Preservation Overlay) to CBD-1P (Central Business District) and CBD-1P(HP-O) (Central Business District with Historic Preservation Overlay)

Staff recommendations and Staff presentation by Ms. Jenna Haverkos.

NKAPC STAFF RECOMMENDATIONS:

Favorable recommendation of the proposed map amendment to the Covington Zoning Ordinance changing the described area from IL-1M (Industrial-Limited) and IL-1M (HP-O) (Industrial-Limited with Historic Preservation Overlay) to CBD-1P (Central Business District) and CBD-1P(HP-O) (Central Business District with Historic Preservation Overlay).

Mr. France clarified the 1P versus the 7P that had been previously requested. Ms. Haverkos stated the difference was that the 7P allowed for up to almost an 8 story building and the 1P designation allowed for up to a 2 story building.

Mr. Robert Henderson addressed the commission in favor of the issue. He stated Emily Wagner has been growing her business and has been an excellent tenant and has had no complaints. He stated she has been an asset to the city and he is in favor of the request.

Ms. Emily Wagner addressed the commission in favor of the issue. She stated the zoning change is needed because they are one of the non-conforming businesses in the building currently. She noted there is another business nearby that would be considered non-conforming also. Ms. Wagner then gave a brief background on Covington Crossfit and noted her business is bringing people to Covington from many surrounding areas. She stated Covington Crossfit is a unique style of fitness that combines weightlifting, cardio and basic gymnastics. She stated in terms of growth they grew from 15 members to 125 members in their first year and are now currently at 265 members. She further stated she has been able to bring in quite a few employees since their opening in March of 2011. She stated Crossfit is more than just a gym and they offer more than just workout classes and also offer classes for kids as well as participate in community service activities. Ms. Wagner also noted they do many fundraisers to benefit various groups and foundations. She further stated they host 3 competitions a year which is a great way to bring in additional business as well as revenue for neighboring businesses. She then addressed some issues that were brought up at the last meeting, specifically the parking issues during competitions. She noted their solution is if they hold these events again they will provide parking attendants to direct people as to where to park in the two lots they have secured for this purpose. She also noted if necessary they can make arrangements to secure a third lot to alleviate any mentioned parking problems when these events are held. She further noted the parking for the facility is clearly noted in the welcome letters sent to new members; it is on signage when they enter the facility, and is also on the sign in screen that every member has to sign in to when they come to the gym. She noted they feel they have done just about everything possible to advise their members as to where they can park when using the facility. She then highlighted noise levels the neighbors hear when they play music during classes when the doors are open. She noted the noise decibels recorded were lower than the trains that go through the neighborhood quite frequently. She further noted that the noise level decibels that were noted coming from neighbor's radios after 9:00 when the gym is closed is close to what the noise levels are when they have the music playing during classes. She then addressed the issue raised at the last meeting with fire trucks being able to get through the street. She stated on 9th Street cars can park on one side of the street and fire trucks go down that street. She then stated 9th Street is 17'4" wide. Ms. Wagner stated Chesapeake Street seems to be the street people have

an issue with and that street is 2 feet wider than 9th Street. She then highlights awards and accolades Covington Crossfit has received. In addition Ms. Wagner read into the record some letters that were received in support of the issue.

Gary Turner addressed the Commission in support of the issue. He stated he is a neighbor residing across the street from the facility. He stated since they have moved in they have been nothing but great neighbors and he is directly across the street.

Mr. Kyle - local business manager in the area. He stated Crossfit is a benefit to the area and that he appreciates them supporting him and he supports them on the issue.

Mr. Yuengling addressed the Commission and stated the issues brought up at last month's meeting have been addressed and they are obviously in support.

Mr. Darpel noted there are several others that had registered in support and asked if anyone wished to speak in favor. There were none. Mr. Darpel then recessed the hearing for discussion. He stated she has obviously done her homework on the issues that were raised at last month's meeting. Mr. Darpel then reconvened the hearing. The public hearing was then closed and Mr. Darpel asked for a motion on the issue. Mr. Hult made the motion to approve based on Staff's recommendations. Ms. Hood seconded the motion. Mr. Darpel referenced an additional letter that was received in support and marked that to be made a part of the record on the matter. A roll call vote on the matter found Mr. Hult, Ms. Hood, Ms. Brown, Ms. Carlin, Mr. Coats, Mr. Gray, Mr. France, Mr. Hilgefjord, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Ms. Snyder, Mr. Gerrein and Mr. Darpel in favor. The motion carried unanimously.

2107R

APPLICANT: Robert Bell on behalf of the Estate of Ignace and Helen Winterberg and Joe Spille

LOCATION: An approximate 1.68-acre area located along the northwest side of Anderson Road between Lynn Street and Queen City Avenue, Crescent Springs.

REQUEST: a proposed map amendment to the Crescent Springs Zoning Ordinance changing the described area from R-1F (Single-Family Residential) to R-2 (Multi-Family Residential).

Staff recommendations and Staff presentation by Mr. Mike Ionna.

NKAPC STAFF RECOMMENDATIONS:

Favorable recommendation of the proposed map amendment to the Crescent Springs Zoning Ordinance changing the described area from R-1F (Single-Family Residential) to R-2 (Multi-Family Residential)

Mr. Robert Bell addressed the Commission in favor of the issue. He stated he really didn't have anything to add to staff's presentation and stated they did a very good job. He noted the purpose is to enhance the value of the property. He stated with the property being split with two different kinds of zones it does not lend itself to development and that is the reason for the request.

Mr. George Ripberger addressed the Commission as a neutral party. He stated the proposed map amendment is not in agreement with the comprehensive plan. He stated they looked at that particular area years ago and the long range plan of the city at that time was for

commercial office for the north side of Anderson Road. He noted this particular area now is all residential until you get to the unincorporated portion of the county. He stated it was the city's plan back in 2006 to plan for commercial office development down through this area. He noted currently in the city 42.6% of the households are made of up rental properties. He stated this was taken into consideration when they looked at this years ago because they felt it needed to be balanced out. He stated there are only 33.6% in the county that are apartment unit households. He stated he wanted the record to reflect what the city's intentions were for the long range planning committee and the city on what the vision was for that particular stretch. He stated the city attorney did ask him to let the record reflect that it is not in compliance with the comprehensive plan.

Mr. Scribner noted at this time the property owners are asking for multi-family use which is more appropriate and more in line with what is there now than what it is currently zoned for. He noted they really haven't had a conversation with the city on it and that Staff has put out their opinion on it knowing that the city can always come in and work with them on it. At this time the public hearing was recessed for discussion. Mr. Gerrein asked if there were any comments from any of the neighbors in the area on the issue. Mr. Ionna stated he received one phone call from a resident in a condo nearby with regard to the multi-family. Mr. Darpel then reconvened the public hearing. The public hearing was then closed. Mr. Rogge made the motion to deny the request for the map amendment based on the fact that it does not comply with the comprehensive plan. Mr. Hilgefurd seconded the motion. A roll call vote on the matter found Mr. Rogge and Mr. Hilgefurd in favor. Ms. Brown, Ms. Carlin, Mr. Coates, Mr. Gray, Mr. France, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Porter, Ms. Snyder, Mr. Gerrein and Mr. Darpel voted against. The motion failed. Ms. Brown then made the motion in favor of the issue on the basis that it is in compliance with the comprehensive plan and also based on staff's recommendations. Ms. Hood seconded the motion. A roll call vote on the matter found Ms. Brown, Ms. Hood, Ms. Carlin, Mr. Coates, Mr. Gray, Mr. France, Mr. Hult, Mr. Pannunzio, Mr. Porter, Ms. Snyder, Mr. Gerrein and Mr. Darpel in favor. Mr. Hilgefurd and Mr. Rogge voted against. The motion carried.

2108R

APPLICANT: City of Taylor Mill per Jill Bailey, City Administrator

REQUEST: proposed text amendment to Section 9.29 of the Taylor Mill Zoning Ordinance, reducing the minimum development area in all DTM (Downtown Taylor Mill) Zones to 2.5 acres.

Staff recommendations and Staff presentation by Mr. Scribner

NKAPC STAFF RECOMMENDATIONS:

Favorable recommendation of the proposed text amendment to Section 9.29 of the Taylor Mill Zoning Ordinance, reducing the minimum development area in all DTM (Downtown Taylor Mill) Zones to 2.5 acres.

No one registered to speak on the issue. Mr. Darpel then recessed the hearing for discussion. There being none, the public hearing was reconvened and closed. Mr. France then made the motion to approve based on staff's recommendations. Mr. Porter seconded the motion. A roll call vote on the matter found Mr. France, Mr. Porter, Ms. Brown, Ms. Carlin, Mr. Coates, Mr.

Gray, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Gerrein and Mr. Darpel in favor. Mr. Hilgefurd and Mr. Rogge voted against. The motion carried.

Ongoing Business:

Reports from Committees:

By-Laws – Mr. France noted there was nothing to report. No meeting held.

Direction 2030 (comprehensive plan) – Mr. Darpel stated there has been a lot going on behind the scenes. He noted Fort Wright and Ft. Mitchell have been very vocal as to the goals and objectives. He stated they have gotten a lot of good input. He further noted as of right now hopefully by next meeting they will have a draft of the goals and objectives before the Commission. He stated he is very positive to get it approved by all the cities and he thinks they have a very good product but there is still some discussion to be had. Ms. Brown noted now is the time to go back to your cities to see if they have any questions because now is the time to do so since they have a limited time in order to do so. Mr. Darpel agreed and encouraged the Commissioners to ask if there were any questions of the cities so they can be addressed. Mr. Rogge asked what the time frame was to do this. Mr. Scribner stated the next meeting will be June 6, 2013. Mr. Darpel then stated once it is sent out it is for approval as far as the goals and objectives are concerned.

Executive – Mr. Darpel noted they have not had a formal meeting. He noted the Executive Committee as well as Mr. Hult met and agreed that there should be an outside source involved to make sure things are being done as they should.

Subdivision Regulations – Mr. Darpel stated they have had several meetings and have put out a draft of all of the regulations dealing with recommendations and street design. He noted that a lot of it has gone well and they intend to have a round table discussion on the issues. He noted this is an integral part of what is being done and there is a light at the end of the tunnel.

2020 Sourcebook (model zoning ordinance) – Mr. Rogge had nothing to report.

OKI – Nothing to report.

Report from Legal Counsel – Nothing to report.

Announcements from Staff – Mr. Scribner reminded everyone of a webinar on Wednesday the 8th. Mr. Scribner commented that there is no need to RSVP and you can just show up. He stated there were about 8 Commission members that turned out for the April 13th conference. He commented about the City of Independence receiving an award for an outstanding project for the form based code. He further noted Staff will be presenting the award to the city.


General Correspondence: None.

New Business: None.

Public Comments: None.

There being nothing further to come before the commission, a motion to adjourn was made by Ms. Snyder and seconded by Ms. Hood. All in favor by acclamation. The meeting then adjourned at 7:43 p.m.

APPROVED:



Chair

Date 6/6/13