

**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.

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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	
<del>Ms.</del> 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 Hilgeford	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. Hilgefurd then made the motion to ~~approve~~ table. Ms. Snyder seconded the motion. A roll call vote on the matter found Mr. Hilgefurd, 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. Hilgefurd, 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-~~7P-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~~-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). ~~CBD-1P (HP-O) (Central Business District with Historic Preservation Overlay)~~.

Mr. France clarified the ~~1P~~-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 place-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 9<sup>th</sup> Street cars can park on one side of the street and fire trucks go down that street. She then stated

9<sup>th</sup> 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 9<sup>th</sup> 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. Hilgeförd, 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. Hilgefjord 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 8<sup>th</sup>. 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 13<sup>th</sup> 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:

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Chair \_\_\_\_\_

Date