

KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING
Minutes

Mr. Paul Darpel, Chair, called the meeting to order at 6:15 PM on Thursday, December 5, 2013, 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	
Diane Brown	Erlanger	X	X	X		X	X	X		X	X		X	
Doug Neuspickle	Ryland Heights												X	
Barry Coates	Covington	X	X	X	X	X	X		X	X	X	X	X	
James Cook	Kenton Co			X	X		X	X	X	X	X	X	X	
Paul Darpel, Chair	Edgewood	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	X	
Joe Gray	Covington		X	X	X	X	X	X	X	X	X	X	X	
David Hilgefurd	Villa Hills	X	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	X	
Keith Logsdon	Lakeside Park							X	X	X	X	X	X	
Joe Pannunzio	Elsmere	X	X		X	X		X	X	X	X	X	X	
Stan Porter	Taylor Mill	X	X		*	X		X	X		X	X	X	
Mark Rogge	Crescent Spgs	X	X	X	X	X	X		X	X		X	X	
Jack Toebben	Fort Wright												X	
Shad Sletto, Treasurer	Fort Mitchell	X	X	X	X		X	X	X	*			X	
Maura Snyder	Independence	X	X		X	X	X	X		X	X	X	X	
Joe Tewes	Bromley	X	X	X	X		X	X	X	X	X	X	X	
Carl Gerrein	Park Hills	X	X	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.

Also present were Matt Smith, Legal Counsel, and the following NKAPC staff: Mr. Martin Scribner, Director of Planning and Zoning and Mr. Andy Videkovich, Senior Planner.

AGENDA

Mr. Darpel noted a request to table was received with regard to item PC-1310-0004. He asked for a motion with regard to the agenda. Ms. Snyder made the motion to approve the agenda as listed and to make the motion to table separately. Mr. Hult seconded the motion. All in favor by acclamation. Mr. Darpel then asked for a motion to table issue PC-1310-004. Ms. Snyder made the motion to table the issue for a period not to exceed 180 days. Mr. Hult seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Hult, Ms. Brown, Mr. Coates, Mr. Cook, Mr. Gray, Mr. France, Mr. Hilgeford, Ms. Hood, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Toebben, Mr. Sletto, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried.

APPROVAL OF THE MINUTES:

Mr. Darpel asked for any corrections or comments with regard to the minutes. Mr. Darpel noted there was one typo with regard to the date of the upcoming January meeting. He noted it should read the 8th and not the 15th of January. Mr. Hilgeford then made the motion to accept the minutes as amended. Mr. Rogge seconded the motion. A roll call vote on the motion found Mr. Hilgeford, Mr. Rogge, Ms. Brown, Mr. Neuspickle, Mr. Coates, Mr. Cook, Mr. Gray, Mr. France, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Toebben, Ms. Snyder, Mr. Gerrein, and Mr. Tewes in favor. Mr. Sletto and Mr. Darpel abstained. The motion carried.

RECEIPTS AND EXPENDITURES:

Mr. Darpel asked for any questions or comments. He noted the commission is a third of the way through their fiscal year. There being no questions or comments, a motion was then made by Mr. Rogge and seconded by Mr. Hilgeford to approve. A roll call vote on the motion found Mr. Rogge, Mr. Hilgeford, Ms. Brown, Mr. Neuspickle, Mr. Coates, Mr. Cook, Mr. Gray, Mr. France, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Toebben, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes 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.

Audit Report:

John Chamberlain addressed the commission with regard to the audit report for the fiscal year.

He thanked Dennis and Nicole for getting the audit completed. He stated Nicole does a spectacular job of keeping the books in shape. He then noted the concern is the Kenton County Planning Commission has a negative net position, significant liabilities, reduced annual revenues, etc., that led them to note the concern stated. He stated they recommend the cash reserve to be at approximately \$17,000 and the commission falls below that threshold. He then gave a brief overview of revenues and noted the revenues have declined steadily over the past number of years. He additionally noted the fiscal revenues and expenditures for the year and briefly reviewed those figures. Mr. Chamberlain also wanted to point out that if there are ever any concerns or questions to contact him. He further noted the expenses exceed the income so the commission cannot continue to operate as it has been. He then highlighted briefly the remainder of the audit report as to where the commission stands financially. He also noted a deficit of revenue of almost \$14,000 for the fiscal year. He also noted the organization has proper internal controls so that is a good thing. He additionally noted there are no non-compliance issues. Mr. Darpel then stated the executive committee has been meeting the past several months and there has been talk of a reorganization of the commission. He stated at some time this will need to be rectified and stated he doesn't know if they can wait until it is reorganized. Mr. Darpel stated the commission as an entity shouldn't be running into a deficit. He also said they need to get with the NKAPC to ensure they are properly funded. Mr. Darpel stated currently at the end of July 2013, the commission owes the NKAPC \$32,427.00. Mr. Hult questioned the actual amount of the deficit and stated it was confusing as listed. Mr. Darpel stated he agreed and then stated he would like to have a motion to have the executive committee to meet with the NKAPC. Following additional discussion, Mr. Hilgefurd made the motion to have the executive committee meet with the NKAPC to get the KCPC on a sound financial basis. Ms. Hood seconded the motion. A roll call vote on the motion found Mr. Hilgefurd, Ms. Hood, Ms. Brown, Mr. Neuspickle, Mr. Coates, Mr. Cook, Mr. Gray, Mr. France, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Toebben, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously. Mr. Darpel then asked for a motion to accept the audit as presented. Mr. Hilgefurd made the motion to accept the audit as presented. Mr. Hult seconded the motion. A roll call vote on the matter found Mr. Hilgefurd, Mr. Hult, Ms. Brown, Mr. Neuspickle, Mr. Coates, Mr. Cook, Mr. Gray, Mr. France, Ms. Hood, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Toebben, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

PUBLIC HEARINGS:

PC-1310-0002

APPLICANT: City of Park Hills per Kyle Winslow for Todd McMurtry, City Attorney

REQUEST: proposed text amendments to the Park Hills Zoning Ordinance adding the "rental of automobiles and trucks weighing up to 25,999 pounds" as a permitted use within the HC (Highway Commercial) Zone, and adding an exception for automobile and/or truck rental business to allow outdoor business activities.

Staff recommendations and Staff presentation by Mr. Andy Videkovich.

NKAPC STAFF RECOMMENDATION:

Favorable recommendation on proposed text amendments to the Park Hills Zoning Ordinance

adding the “rental of automobiles and trucks weighing up to 25,999 pounds” as a permitted use within the HC (Highway Commercial) Zone.

Mr. Kyle Winslow addressed the Commission and stated the city was approached by Complete Appliance Services and they have been approached by Penske Auto Rental who requires that none of their trucks be over 26,000 pounds. He stated this is the reason for the specific weight limit request. Mr. Logsdon questioned how one would know how much a truck would weigh. Mr. Winslow then stated that typically a truck over 26 feet weighs over 26,000 pounds so that is their guideline. Mr. Darpel then recessed the public hearing for discussion. There being none, Mr. Darpel then reopened and closed the public hearing. He then asked for a motion with regard to the matter. Mr. Sletto made the motion to approve the text amendment based on Staff’s recommendations. Mr. Gerrein seconded the motion. A roll call vote on the matter found Mr. Sletto, Mr. Gerrein, Ms. Brown, Mr. Neuspickle, Mr. Coates, Mr. Cook, Mr. Gray, Mr. France, Mr. Hilgefurd, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Toebben, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

PC-1310-0003

APPLICANT: City of Ludlow per Brian Richmond, City Administrator

REQUEST: proposed text amendments to the Ludlow Zoning Ordinance: (a) adding definitions for Brewpub, Microbrewery, and Micro-distillery; and (b) adding Brewpub, Microbrewery, and Micro-distillery as permitted uses, subject to restrictions, within the NC (Neighborhood Commercial) Zone.

Staff recommendations and Staff presentation by Mr. Andy Videkovich.

NKAPC STAFF RECOMMENDATION:

Favorable recommendation on proposed text amendments to the Ludlow Zoning Ordinance: (a) adding definitions for Brewpub, Microbrewery, and Micro-distillery; and (b) adding Brewpub, Microbrewery, and Micro-distillery as permitted uses, subject to restrictions, within the NC (Neighborhood Commercial) Zone.

Mr. Hilgefurd stated the 100 foot restriction is going to be tight in this area.

Mr. Richmond addressed the Commission and stated he was present to answer any questions. Mr. Logsdon stated if the city is wanting this type of business then the 100 foot restriction will make it difficult to do so. Mr. Richmond then stated there are specific areas where this would be possible and not be affected by the 100 foot restriction.

Mr. Darpel then recessed the public hearing for discussion. There being none, the public hearing was then reopened and closed the public hearing. Mr. Hult made the motion to approve the text amendment based on Staff’s recommendations. Mr. France seconded the motion. A roll call vote on the motion found Mr. Hult, Mr. France, Ms. Brown, Mr. Neuspickle, Mr. Coates, Mr. Cook, Mr. Gray, Mr. Hilgefurd, Ms. Hood, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Toebben, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

PC-1311-001

APPLICANT: City of Ludlow per Brian Richmond, City Administrator

REQUEST: proposed text amendments to the Ludlow Zoning Ordinance, Article XVIII, designating all Board of Adjustment reviews to be under the jurisdiction of the Kenton County Board of Adjustment.

Staff recommendations and Staff presentation by Mr. Martin Scribner

NKAPC STAFF RECOMMENDATION:

Favorable recommendation on proposed text amendments to the Ludlow Zoning Ordinance, Article XVIII, designating all Board of Adjustment review to be under the jurisdiction of the Kenton County Board of Adjustment.

Mr. Richmond registered to speak but had nothing to add. Mr. Darpel then recessed the public hearing for discussion. There being none, the public hearing was reopened and closed. Mr. France made the motion to approve the request based on Staff's recommendations. Ms. Brown seconded the motion. A roll call vote on the matter found Mr. France, Ms. Brown, Mr. Neuspickle, Mr. Coates, Mr. Cook, Mr. Gray, Mr. Hilgefurd, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Toebben, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

Ongoing Business:

Reports from Committees:

By-Laws – Mr. France noted that he agreed that the given the audit he fee structure needs to be reviewed. Mr. Darpel suggested a meeting be held to start that discussion.

Direction 2030 (comprehensive plan) – Mr. Darpel stated all the cities have obviously approved the goals and objectives and they have started to review the different areas and different sections and it is going well. He noted Staff has been meeting with the cities to get their opinion on land use maps. Mr. Sletto noted he feels it would be valuable to present more data to the cities.

Executive – Mr. Darpel stated they have been requested by the City of Independence for Deana's Ridge to call the bond. He stated he needs a motion that the executive committee be authorized to do that. Ms. Snyder made the motion to call the bond. Mr. Hult seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. Hult, Ms. Brown, Mr. Neuspickle, Mr. Coates, Mr. Cook, Mr. Gray, Mr. France, Mr. Hilgefurd, Ms. Hood, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Toebben, Mr. Sletto, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously. Mr. Darpel also noted with Ryland Heights becoming a 5th class city down from the 6th which is why Ms. Carlin is no longer eligible to serve. He noted in the past they have always deferred back to the city. He stated they have been asked to change the by-laws, which it has been discovered it is not in the by-laws but is something that will be determined by the Interlocal Agreement and to make the change to the by-laws would be time consuming to do. Ms. Hood asked for an explanation of the different classes. Mr. Smith then explained the difference in classes and the reason for the need to appoint a new commission member. Mr. Darpel stated at this point they do not have anyone to appoint and hopefully next there will be someone to appoint.

Subdivision Regulations – Mr. Coates stated they had a great meeting with the engineers and homebuilders. Mr. Darpel stated they hope to have the draft together in the next couple of months. Mr. Darpel stated he believed by the time they were done the other adjoining counties will come in and adopt basically what the cities have adopted.

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

OKI – Nothing to report.

Report from Legal Counsel – Nothing to report.

Announcements from Staff – Mr. Scribner stated Mr. Sletto brought a couple of continuing education opportunities to him and he forgot to put them together. He stated he will bring that to the January meeting. Mr. Scribner also noted the final changes to the schedule and stated there was a typo with regard to the January meeting and that it would be held on the 8th and not the 15th.

General Correspondence: None.

New Business: Mr. Darpel stated he nominated Maura Snyder to the nominating committee for officers for the next year. He further stated Mr. Rogge usually helps out with that. Mr. Darpel then stated if anyone is interested in serving to get the names to Maura. Mr. France then made the motion to nominate Maura Snyder to the nominating commission. Mr. Logsdon seconded. All in favor, none opposed.

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 to adjourn. All in favor by acclamation. The meeting then adjourned at 7:48 p.m.

APPROVED:

Chair _____

Date