

“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, Mr. Andy Videkovich, Senior Planner.

Mr. Darpel recognized Mr. Dan Ruh, former Commissioner and thanked him for his service and dedication to the Commission. He was presented with a plaque in recognition of his time on the Commission. Mr. Darpel then recognized Barbara Carlin for her service on the Commission since 1999. He stated it took the changing of a city to another class to have her quit and noted she only missed eleven meetings during that entire period. He stated he can’t say enough and that Kenton County owes her a great debt. She was then presented with a plaque in recognition of her service.

AGENDA

Mr. Darpel asked for a motion to approve the agenda for March. Mr. Rogge made the motion with Mr. Gray giving the second. All in favor. None opposed.

APPROVAL OF THE MINUTES:

Mr. Darpel asked for any corrections or comments with regard to the minutes. There being none, Mr. France made the motion to approve. Mr. Gerrein seconded the motion. A roll call vote on the motion found Mr. France, Mr. Gerrein, Mr. Bridges, Mr. Coates, Mr. Gray, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Rogge, Ms. Rust, Mr. Toeppen, Mr. Sletto, Mr. Tewes and Mr. Darpel in favor. The motion carried.

RECEIPTS AND EXPENDITURES:

Mr. Darpel asked for any questions or comments. Mr. Darpel noted there will be some discussion later as to Staff services. There being no other comments, he asked for a motion. Mr. Rogge made the motion to accept. Ms. Hood seconded the motion. All in favor by acclamation. 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:

Mr. Sletto recused himself from any voting or consideration on the following issue due to a conflict of interest.

PC-1401-0006

APPLICANT: City of Ft. Mitchell per Chris Wiest, Mayor

REQUEST: a proposed text amendment to the Fort Mitchell Zoning Ordinance adding

residential uses as a conditional use to the Mixed Business Land Use (MBLU) Zone, provided that they are located above non-residential uses permitted in the MBLU Zone.

Staff recommendations and Staff presentation by Mr. Andy Videkovich.

NKAPC STAFF RECOMMENDATION:

Favorable recommendation of the proposed text amendment adding residential uses as a conditional use to the Mixed Business Land Use (MBLU) Zone, provided that they are located above nonresidential uses permitted in the MBLU Zone, but only subject to the following conditions:

1. Residential uses, provided that they are located above non-residential uses, be added as a permitted use rather than a conditional use;
2. The Purpose Statement be updated to add a residential component; and
3. Language be added to set the maximum density of residential uses at 150 dwelling units per net acre.

Mr. Chris Wiest addressed the Commission in favor of the issue and stated they looked at this and they recognize as a city that this is really their last chance for substantial commercial development and stated this is a pretty unique site. He stated it is prime commercial real estate and they were not inclined to propose any residential development. He further noted when the development progressed the developer asked to put some residential into the development. He stated they then had discussions as to what kind of use it would be and they decided on a conditional use for the residential. He further noted having an added step allows the city to have some control over the use. He noted the city does not want this to take over the development so the city's thought process was to have them go through the Board of Adjustment to determine what is appropriate. He further stated they really want to control the residential development of what is their last prime development in the city. He stated they are open to having residential uses above commercial property; they just want to have some control over it.

Mr. Gray asked if they would like to see the text amendment without the conditions. He stated they are open to allow this type of use but they are not comfortable setting a density because they do not know how many stories they could be looking at so they would rather look at that when they have a development plan. He stated they would rather have it approved as is for that reason. Mr. Logsdon then commented that he is fearful that establishing a residential use in the zone, that it is more of a hindrance to the developer in determining whether or not it's going to be too much.

Mr. Moriconi addressed the Commission in favor and added that they spoke to the developer and they are on board with this and fully supportive of the text amendment. He added for what it's worth, the developer does not have a problem with this if it is a conditional use. Mr. Bridges asked if you can have a zone but not have density in it. Mr. Videkovich stated it has been done before but he doesn't see it as a problem.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. Mr.

Rogge stated whether it's conditional or permitted it can be done either way. He stated either way allows the city to have control and he doesn't feel it's up to the Commission to make that determination and they obviously know what's best for them. There being nothing further, the public hearing was then reconvened and then closed. He then asked for a motion with regard to the issue. Mr. Rogge made the motion to approve as submitted by Staff. Ms. Hood seconded. A roll call vote on the motion found Mr. Rogge, Ms. Hood, Mr. Bridges, Mr. Coates, Mr. Gray, Mr. France, Mr. Hult, Mr. Neuspickle, Mr. Pannunzio, Ms. Rust, Mr. Toebben, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. Mr. Logsdon voted against. Mr. Sletto recused himself due to a conflict. The motion carried.

Ongoing Business: *None*

Reports from Committees:

By-Laws – Mr. France stated they have not met and an email will be sent out so they know who is on the Committee. Mr. Darpel stated he will get that send out hopefully by tomorrow, latest Monday.

Direction 2030 (comprehensive plan) – Mr. Scribner stated hopefully the cities have heard from one of the planners by now and have seen the map. He stated that is just getting started so they should be hearing something soon. He stated if anyone had any questions they could be directed to him or Sharmili Reddy.

Executive – Mr. Darpel stated the Executive Committee met with the KCPC and stated basically there is a \$60,000 debt that they weren't aware of and they asked that to be forgiven because they collect taxes. He stated legal counsel stated technically Staff services should be provided and it shouldn't have to be paid for. Mr. Darpel stated they asked for the \$60,000 to be forgiven and they provide the services at no charge until such time they can build it up again. He further stated they have received a lengthy letter about the issue and basically stated they were working on it. He further noted the Executive Committee is going to draft a formal letter asking that the debt be forgiven. Mr. Darpel stated he would like the Commission's endorsement to request that the debt be forgiven and that the Commission should not be required to cover Staff services, which is nearly 80% of the budget and that will go away. Mr. Darpel stated it's an odd thing and we're the only county in the State that has this so that is the reason for the confusion with it. He stated the bottom line is we need to take these steps and be a viable commission. He noted if you take out staff services there would be a surplus every year. He additionally stated the Commission needs to have a reserve and once it gets back to having a surplus the Commission will help out with those costs and cover some of those expenses. Mr. Logsdon asked how much of the \$60,000 is actually staff services and how much is overhead. Mr. Darpel stated he could go back and look at each year but there would definitely be a surplus had they not had staff services to cover. Ms. Rust asked if the \$60,000 included expenses for the year. Mr. Darpel stated he believed it did not include this year and that amount would be added to the \$60,000. He noted the NKAPC has been very cooperative with the issue and stated they want to work with them. He then asked for a motion to allow the Commission to inform them via a letter that they are requesting the debt be forgiven and that all staff services be provided for. Mr. Hult made the motion to allow Mr. Darpel to do so. Mr. Bridges seconded the motion. A roll call vote on the motion found Mr. Hult, Mr. Bridges, Mr. Coates, Mr. Gray, Mr. France, Ms. Hood, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Rogge, Ms. Rust, Mr. Toebben, Mr.

Sletto, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

Subdivision Regulations – Mr. Darpel stated they had a seminar with the Northern Kentucky Engineering Committee and it was very positive and pretty well attended. He noted they have been spending a lot of time and they are doing a great job. He stated the challenge is getting all the research and writing the regulations. He stated they are anxious to get that a little more formalized. He stated he hoped to have it done this quarter but he is looking at mid-year. Mr. Darpel asked Martin if he could put the seminar down as a continuing education credit. Mr. Hult commented regarding storm water management and stated it is disappointing that the terms ecological, sustainable, green infrastructure have been stripped out of the regulations. He stated the country has been moving forward on green infrastructure for the past thirty years and this area is being conceptually left behind.

2020 Sourcebook (model zoning ordinance) – Nothing to report since there was no quorum.

OKI – Mr. Hult stated the Kenton County transportation plan is to continue through June. Mr. Darpel encouraged everyone to get on the site and take the surveys to give opinions and recommendations regarding anything concerning traffic, roadways, etc. Mr. Sletto stated ULI has a seminar coming up March 26th which is the regional kickoff. He also noted the university of Cincinnati roundtable will be having a discussion also that should be very informative and this will be held on March 14th.

Report from Legal Counsel – Nothing to report.

Announcements from Staff – Mr. Scribner stated the educational opportunity for next week will be held at 4:00 and there is no need to R.S.V.P. for this training. He reminded the Commissioners if they needed to know their continuing education hours to please contact him.

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. Gray and seconded by Mr. Hult. The motion carried unanimously.

APPROVED:

Chair _____

Date