

KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING
Minutes

Mr. Paul Darpel, Chair, called the meeting to order at 6:15 p.m. on Thursday, November 6, 2014, and opened the proceedings with the Pledge of Allegiance and an invocation by Mr. Darpel. The meeting was held in the Commission Chambers of the PDS 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		
Doug Neuspickle	Ryland Heights		X	X	X	X			X		X	X		
Barry Coates	Covington	X	X	X	X	X		X	X	X	X	X		
Gailen Bridges	Kenton Co		X	X	X	X	X	X	X	X	X	X		
Paul Darpel, Chair	Edgewood	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		
Joe Gray	Covington		X	X	X	X	X	X	X	X	X	X		
David Hilgefurd	Villa Hills	X	X		X		X	X	X	X		X		
Lynne Hood	Crestview Hills	X*	X	X	X	X	X	X	X	X	*	*		
Marc Hult	Covington		X	X	X	X	X	X	X	X	X			
Keith Logsdon	Lakeside Park	X	X	X	X			X	X	X	X	X		
Joe Pannunzio	Elsmere	X	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			
Paula Rust	Kenton Cty		X	X	X	X	X		X	X	X	X		
Jack Toebben	Fort Wright	X	X	X	X	X	X		X	X	X	X		
Shad Sletto, Treasurer	Fort Mitchell	X	X	X	X	X	X	X	X	X	X	X		
Maura Snyder	Independence	X	X		X	X	X		X	X	X	X		
Joe Tewes	Bromley	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, Mr. Andy Videkovich, Mr. Ed Dietrich and Mr. Mike Iona.

AGENDA

Mr. Darpel stated item thirteen from the agenda would be moved to before item number ten. He then asked for a motion to approve the agenda as amended. Ms. Snyder made the motion to approve. Mr. Gray seconded. A roll call vote on the motion found Ms. Snyder, Mr. Gray, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. France, Mr. Hilgefard, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, 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 questions or comments. Mr. Bridges commented on page four in the last paragraph the line should read “land use plan.” Mr. Logsdon commented on page seven should read “assurance” instead of “insurance.” There being no further comments, Ms. Snyder made the motion to approve as amended. Mr. France seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. France, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. Gray, Mr. Hilgefard, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Toebben, Mr. Sletto, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion passed.

RECEIPTS AND EXPENDITURES:

Mr. Darpel asked for a motion regarding receipts and expenditures. Ms. Snyder made the motion to approve. Mr. Gray seconded. A roll call vote on the motion found Ms. Snyder, Mr. Gray, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. France, Mr. Hilgefard, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Toebben, Mr. Sletto, 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.

PUBLIC HEARINGS:

PC 1408-0005

APPLICANT: Pike Legal Group, PLLC, per David A. Pike on behalf of Skyway Towers, LLC

LOCATION: 987 Hogrefe Road; an approximately 5,625-square foot area located on the south side of Hogrefe Road, between Chestnutoak Drive and the terminus of Hogrefe Road, approximately 1,500 feet east of Chestnutoak Road in Unincorporated Kenton County

REQUEST: to review the location and extent of a proposed Wireless Communications Facility that includes a 199-foot monopole and associated ground structures

PDS STAFF RECOMMENDATION:

To approve the location and extent of a Wireless Communications Facility, including a 190 foot high monopole with a lightning rod up to 199 feet, and associated ground structures, but only subject to compliance with the following conditions;

1. Unless required by state and/or federal regulations, the proposed monopole shall be a uniform gray color.
2. Unless required by state and/or federal regulations, the proposed monopole shall not have any warning or identification lighting.
3. The proposed compound area meets the requirements of the design guidelines in administrative Police #6:
 - a. The use of barbed wire or sharp pointed fences shall be prohibited.
 - b. Screening shall be provided by evergreen trees, with a minimum height of six (6) feet, planted in a staggered pattern at a maximum distance of fifteen (15) on center. The screening shall be placed in an area between the property line, or lease line, and a ten (10) foot setback.
 - c. The off-street parking space be paved with either asphalt, concrete or Portland Cement concrete and shall be designed and constructed in accordance with Appendix A of the Kenton County Zoning Ordinance

David Pike of Pike Legal Group registered to speak on the issue. He distributed a binder of information with regard to the issue and addressed the Commission and stated that was the most complete staff report he has heard on a cell tower. He then introduced various members of his team that would be available to answer any questions on the issue. He noted there are a number of conditions contained in the staff report and commented they are agreeable with all items. He additionally stated the application is in full compliance of all requirements and also exceeds the setback requirements. He commented further there is a critical need for this type of service for the area. Mr. Pike stated they try whenever they can to provide full coverage in a way they currently cannot. He further stated the existing towers in the area were found to not be sufficient and a new one is necessary. Mr. Pike commented in order to serve an area they have to be in the area. He stated an agricultural site was chosen because it is the best site for the tower and they would be hard pressed to find any other site with the required setbacks. Mr. Pike commented about the style of the structure and briefly commented on various aspects of the structure and how this site came to be chosen. He stated we now live in a wireless world and this is the best site for this tower. Mr. Pike reiterated that it meets or exceeds all requirements at the local and state level. He commented further that he was available to answer and questions. Mr. Bridges asked when this tower would be needed. Mr. Pike commented the coverage is needed right now. He stated this provides an immediate solution to coverage issues that exist. He then commented about the placement of the tower and stated it maximizes use of the area. Mr. Pike commented

that there is a set amount of people that can go through a cell tower. He commented as more services are added there is a need for an increase in demand. He further commented they are doing everything they can to maximize the existing structure but it is not sufficient. Mr. Gray asked about the barbed wire and related items and Mr. Pike stated that is one of the conditions of staff and that they are in agreement with not including that on this site. Mr. Pike stated the remainder of those registered to speak will not due to their comments being stipulated to.

Mr. Louis Richards addressed the Commission against the issue and stated he was concerned with the letter that was sent out that there is a 200 foot easement radius that would involve his property. He stated he would never give anyone access to come on to his property. Mr. Darpel stated that he doesn't believe there is an easement radius involved with the tower. Mr. Darpel stated that the radius circle being referred to is the area that those living in that radius that would be contacted about the issue. He stated he would confirm that but that is what he believes it to be.

Yvonne Yeager addressed the Commission against the issue and stated she is not a professional speaker but is speaking from the bottom of her heart. She stated she brought a few photos of the area and asked what good this tower is going to do to the area – nothing. She stated children play right in this area and run freely and now they are proposing this fence with barbed wire to the area. She commented many of the neighbors had no idea this was in the planning. She stated she has pages and pages of signatures of people in the area that area against the tower. She further commented that the commercials stated Verizon has such great coverage so why do they need another tower. She commented that this is going to affect the property values of the homes in the area. She additionally commented that lightning strikes the highest point so why put this in a residential area. She further asked why not put this in the highest point of the property than where it's being proposed. She stated the tower is going to be closer to her property and in sight than to the property owner's property. She stated the community does not want this tower. Mr. Bridges asked if she would like to introduce the pages of signatures to the record as well as the pictures, which were then reviewed and marked as exhibits to the issue.

Catherine Martin reserved the right to speak after Mr. Henry Martin.

Mr. Henry Martin addressed the Commission against the issue and stated he feels like the neighborhood was misrepresented by the slides of pictures in staff's presentation. He commented it didn't show how close the tower would be to the property. He stated there is tons of land where this could go and it doesn't need to go in their back yard. He further stated when the house was being built they could not get a permit to build a house in that area but a cell tower building gets permission to build there. He stated there are no houses to the west and it could go there. He further commented they can see cell towers all over the place but not at their back door. He asked that the location be considered and the fact that the slides misled how close this is to their driveways. He commented he has attended several of these meetings and he is not against growth but when he came in he stated he feels like this is a done deal. He commented he doesn't feel that way now and appreciates the commission hearing them on the issue. He stated this tower can be moved and it doesn't need to be in their back yards. Mr. Bridges asked how his cell service is. Mr. Martin stated they don't have any issues with their cell service. Mr. Darpel commented that it is difficult with cell tower issues and they are highly regulated and they can only do so much. Mr. Martin commented further that he feels like they have been misled and have not given

a full shot of the area. He further commented about the airport and the planes going overhead every day and the fact that it is an accident waiting to happen with an unlit monopole there. Mr. Darpel commented that both are highly regulated and there was a professional hired to evaluate the proposal.

Ms. Catherine Martin addressed the Commission and asked that the pictures showing the area be pulled back up. She commented that the houses aren't shown in the pictures but you can see the driveways. She further stated they made a point to take the pictures so that you can't see the houses in the pictures. She stated they are making it out to make you think it is a long distance but it's not and it's very, very close to where this is. She commented that there is a neighbor down the road that has to call pretty often because of falling and such and they have not had any trouble getting 911 calls out in the area as stated.

Mr. Don Seymour addressed the Commission against the issue and stated he lives about two football fields from where the tower is going to be built. He stated he never received a letter about this at all. Mr. Seymour asked about the feet of the pole and how wide it is going to be. He asked why this is the perfect spot to build this tower when over on Mt. Zion there is about fifty acres by FedEx where they could build it and it's in a commercial area. Mr. Darpel stated the Commission's hands get tied very quickly with cell towers and that all the criteria has been met. Mr. Seymour stated all the residents on the road are blue collar workers and have worked all their lives to buy their homes so they can live in the country. He stated he doesn't see how you can put this in a residential area.

All remaining registered to speak against had nothing to add.

Mr. Pike commented in rebuttal and addressed the question about the two hundred foot radius from the tower. He stated a two hundred foot radius was in order to contact those individuals in that area as those who are adjoining property owners and direct property owners so they can receive notice of the procedure. He again stated they have exceeded all requirements necessary. Ms. Brown asked about the airport down the road and whether or not the tower is going to have a light. Mr. Pike stated that has been addressed with the FCC and no light is required. Mr. Tewes asked if the area back further on his property might be a better location. Mr. Pike stated that area is across a creek and it would be difficult to get approval to cross a blue line creek in order to get the site. Ms. Hood asked if any other sites were considered. Mr. Logsdon asked about moving the location back 75-200 feet. Mr. Pike stated he could not agree with that because that would cause them to have to submit a new application and get new approvals. Mr. Pannunzio asked what the property line distance was from the property line to the tower. Mr. Pike clarified what those distances were with regard to the question. Mr. Logsdon asked how the coverage of the tower would be effected by moving the location a few hundred feet. Mr. Pike stated he would guess it would not affect the coverage that much by moving it. Mr. Gray asked if Verizon reached out to any members of the community on the issue. Mr. Pike stated they met with various members in deciding on the location but not with members of the community directly.

Mr. Larry Parry addressed the Commission and stated he would like to try to clarify some of the issues. He commented that there is a certain amount of coverage that the FCC requires each

carrier to carry. He stated the Commission is probably going to see seven or eight more of these applications over the next year, not necessarily by Verizon, but other carriers.

Mr. Seymour addressed the Commission in rebuttal and stated if he lived in Tennessee, he wouldn't mind this but not in his front yard. He stated this is ridiculous to put this in people's front yard. He stated there are many people that never even heard of this tower until the sign went up at the end of a dead end street.

Mr. Henry Martin addressed the Commission and stated in rebuttal that he thinks they have misrepresented the Commission. He stated they have said that if they move the tower there are houses on that side too but that isn't true. He further commented that he understands their hands are tied but he just feels like it has been misrepresented.

Ms. Catherine Martin addressed the Commission in rebuttal and stated the reason they don't want to move it back is money. She also commented there is another access they could have used for the tower.

Mr. Darpel then recessed the public hearing for discussion amongst the commissioners. Mr. Logsdon stated it seems to him that maybe they cannot do much tonight but maybe we need to look into tweaking current guidelines so when these issues come up again more can be done. Mr. Gray stated the applicant is clearly following the comprehensive plan, but they have done a terrible job with community relations on this issue. He commented they have made their job very difficult here and Verizon needs to do a better job. Mr. Bridges commented that after sitting through a couple of these he said there has to be a better way to go about this than the one holding the check is smiling while his neighbors have to deal with it. Ms. Hood stated she feels like they are basically screwing these poor people over and there isn't anything the Commission can do about it. Mr. Smith commented briefly that unfortunately due to FCC regulations many commissions are feeling like their hands are tied because they basically have free rein of where these can go. Mr. Hilgefurd commented that this is the new world and this is the way people live now due to technology. Mr. Neuspickle commented that if this is regulated by the FCC then why does it even come before the Commission. He also commented that Verizon has done a poor job of human relations. Mr. Porter commented that they are limited to those criteria but those have been met so there is not a lot that can be done. Mr. Sletto stated he is appreciative of the fact that certain requirements have to be met. Mr. Darpel then reconvened and closed the public hearing. Mr. Darpel then asked for a motion. Mr. Sletto then made the motion to approve the issue based on staff's recommendations. Mr. Porter seconded the motion. A roll call vote on the motion found Mr. Sletto, Mr. Porter, Ms. Brown, Mr. Coates, Mr. Hilgefurd, Mr. Logsdon, Mr. Pannunzio, Ms. Rust, Mr. Toebben, Mr. Tewes and Mr. Darpel in favor. Mr. Bridges, Mr. Gray, Mr. France, Ms. Hood, Mr. Neuspickle, Ms. Snyder and Mr. Gerrein voted against. The motion carried.

Mr. Smith commented briefly on what would occur should the Commission deny a cell tower application.

PC 1410-0001

APPLICANT: City of Ft. Mitchell per Brian Houillion, City Administrator

REQUEST: proposed text amendment to the Fort Mitchell Zoning Ordinance adding the Professional Office-One (PO-1) Zone to Article X, Zones, along with necessary cross references to other sections of the Zoning Ordinance

Staff recommendations and Staff presentation by Mr. Mike Iona

PDS STAFF RECOMMENDATION:

Favorable recommendation of the proposed text amendment to the Fort Mitchell Zoning Ordinance adding the Professional Office-One (PO-1) Zone to Article X, Zones, along with necessary cross references to other sections of the Zoning Ordinance, subject to the condition that the language regarding the allowance of new PO-1 zoning districts to use the area of an abutting PO Zone to meet the minimum size of new freestanding zones be removed.

Mr. Houillion addressed the Commission and requested approval of the request based on staff's report.

All others registered had no comment on the issue.

Mr. Darpel then recessed the public hearing for discussion amongst the commissioners. The public hearing was then reconvened and then closed. Mr. Darpel then asked for a motion on the matter. Mr. Sletto then made the motion to approve based on staff's recommendations. Mr. Gray seconded. A roll call vote on the motion found Mr. Sletto, Mr. Gray, Mr. Bridges, Ms. Brown Mr. Coates, Mr. France, Mr. Hilgeford, Ms. Hood, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Toebben, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

PC1410-0002

APPLICANT: City of Ft. Mitchell per Brian Houillion, City Administrator

REQUEST: proposed text amendments to the MBLU (Mixed-Business Land Use) Zone in the Fort Mitchell Zoning Ordinance: 9a) removing language within the purpose statement pertaining to the location of residential land uses; (b) amending the location and density requirements for residential land uses; (c) removing requirements for application and processing of development plans; (d) amending the list of permitted uses to allow drive thru operations used in conjunction with certain permitted retail and service uses; € adding parks to the list of permitted public and semi-public uses; (f) adding swimming pools, used as a residential amenity, to the list of permitted accessory uses; (g) changing the hours of operation for drive through window service used in connection with a restaurant, and; (h) amending the notification requirements for expired development plans requiring a public hearing

Staff presentation and Staff recommendations by Mr. Mike Iona

PDS STAFF RECOMMENDATION:

Requests 1 and 2: Favorable recommendation of the proposed text amendments: (a) removing language within the purpose statement pertaining to the location of residential land uses, and; (b) amending the location and density requirements for residential land uses; Request 3:

Unfavorable recommendation of the proposed text amendment removing requirements for application and processing of development plans; Request 4: Favorable recommendation of the proposed text to allow drive-thru operations used in conjunction with certain permitted retail and service uses subject to the following condition;

1. That they be added as conditional uses instead of as permitted uses.

Request 5: Favorable recommendation of the proposed text amendment adding parks to the list of permitted public and semi-public uses; Request 6: Favorable recommendation of the proposed text amendment adding swimming pools, used as a residential amenity, to the list of permitted accessory uses; Request 7: Favorable recommendation of the proposed text amendment changing the hours of operation for drive-thru window service used in connection with a restaurant; Request 8: Favorable recommendation of the proposed text amendment amending the notification requirements for expired development plans required during a public hearing.

Mr. Houillion addressed the Commission and stated with regard to Request #3 that one of the issues brought up was traffic outside of the city so those are already in place to deal with any traffic issues that would come up. He also stated the city does advertise in the same way. He commented with Request #4 he believes there is a slight error and commented that they wanted to clarify drive ins. He then asked for approval as recommended.

All others registered to speak had nothing to add. Mr. Darpel then recessed the public hearing for discussion. Mr. Darpel then reconvened and closed the public hearing. Mr. Gray then made the motion to approve Request #1 based on Staff's recommendations. Mr. Logsdon seconded the motion. A roll call vote on the motion found Mr. Gray, Mr. Logsdon, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. France, Mr. Hilgefard, Ms. Hood, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Toebben, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously. Mr. Bridges made the motion to approve Requests 4,5,6,7 and 8. Mr. Neuspickle seconded the motion. A roll call vote on the matter found Mr. Bridges, Mr. Neuspickle, Ms. Brown, Mr. Coates, Mr. Gray, Mr. France, Mr. Hilgefard, Ms. Hood, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Toebben, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried. Mr. Darpel then asked for a motion regarding Request #2. Mr. Logsdon made the motion to approve based on staff's recommendation. Mr. France seconded the motion. A roll call vote on the motion found Mr. Logsdon, Mr. France, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. Gray, Mr. Hilgefard, Ms. Hood, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Toebben, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. Mr. Sletto voted against. The motion carried. Mr. Darpel then asked for a motion regarding Request #3. Mr. Sletto made the motion to approve based on Staff's recommendations. Mr. Toebben seconded the motion. A roll call vote on the motion Mr. Sletto, Mr. Toebben, Mr. Coates, Mr. France, Mr. Pannunzio, Mr. Porter, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. Mr. Bridges, Ms. Brown, Mr. Gray, Mr. Hilgefard, Ms. Hood, Mr. Logsdon, Mr. Neuspickle, Mr. Rust and Ms. Snyder voted against. The motion failed. Mr. Logsdon then made the motion to not approve Request #3 based on Staff's recommendations. Mr. Bridges seconded the motion. A roll call vote on the motion found Mr.

Logsdon, Mr. Bridges, Mr. Gray, Mr. France, Mr. Hilgefurd, Ms. Hood, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, Ms. Snyder and Mr. Gerrein voted in favor. Ms. Brown, Mr. Coates, Mr. Toebben, Mr. Sletto, Mr. Tewes and Mr. Darpel voted against. The motion carried with a vote of 12-6.

PC 1410-0003

APPLICANT: James and Keli West

LOCATION: an approximate 0.62-acre area located along the east side of Dixie Highway across from the intersection of Dixie Highway with Fort Mitchell Avenue

REQUEST: a proposed map amendment to the Fort Mitchell Zoning Ordinance changing the area described from R-1F (Residential) to PO-1 (Professional Office-One)

Staff recommendations and Staff presentation by Mr. Mike Iona

PDS STAFF RECOMMENDATION:

Favorable recommendation of the proposed map amendment to the Fort Mitchell Zoning Ordinance changing the area described from R-1F (Residential) to PO-1 (Professional Office-One)

Mr. Jay Bayer addressed the Commission and stated he appreciates the staff report. He states this is a great opportunity for the city.

All others registered to speak had nothing to add.

Mr. Darpel then recessed the public hearing for discussion amongst the commissioners. Mr. Logsdon stated his concern is to the curb cuts that are going to merge from residential to commercial. He asked that the city look into merging some of the curb cuts as a precaution. Mr. Darpel then reconvened and closed the public hearing. Mr. Hilgefurd made the motion to approve based on the condition that that the prior text amendment be approved relating to the PO-1 zone. Ms. Brown seconded the motion. A roll call vote on the matter found Mr. Hilgefurd, Ms. Brown, Mr. Bridges, Mr. Coates, Mr. Gray, Mr. France, Ms. Hood, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Toebben, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

PC 1410-0004

APPLICANT: Robert and Barbara DeVault on behalf of Nathan Burris

LOCATION: 482 Erlanger Road in Erlanger

REQUEST: a proposed map amendment to the Erlanger Zoning Ordinance changing the approximate 0.5 acre area from R-1G (detached single-family residential zone) to SC (shopping center zone)

Staff recommendations and Staff presentation by Mr. Ed Dietrich

PDS STAFF RECOMMENDATION:

Favorable recommendation on the proposed map amendment to the Erlanger Zoning Ordinance, changing the area described herein from R-1G (a single-family residential zone) to SC (a Shopping Center Zone), with the condition that the Stage 1 Plan requirements listed in the staff comments be met and the Stage 1 Plan requirements listed in the staff comments be met and the Stage II Development Plan meet the minimum requirements of the zoning ordinance.

Mr. DeVault reserved the right to speak and answer any questions.

Mr. Darpel then recessed the public hearing for discussion. There being none, Mr. Darpel then reconvened and closed the public hearing. He then asked for a motion. Mr. France made the motion to approve based on the comments and staff's recommendations. Ms. Brown seconded the motion. A roll call vote on the matter found Mr. France, Ms. Brown, Mr. Bridges, Mr. Coates, Mr. Gray, Mr. Hilgefurd, Ms. Hood, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Toebben, Mr. Sletto, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

PC 1409-0004

APPLICANT: City of Covington per Larry Klein, City Manager

REQUEST: a proposed text amendment to Section 9.04 of the Covington Zoning Ordinance allowing Outdoor Storage/Display in the CBD (Central Business District), CG-P (Commercial General – P), and CT (Commercial Tourist) zones, subject to conditions

Staff recommendations and Staff presentation by Mr. Ed Dietrich

PDS STAFF RECOMMENDATION:

Favorable recommendation on the proposed text amendment to the Covington Zoning Ordinance allowing outdoor display and sale of merchandise, with restrictions, in the CBD (Central Business District, CG-P (Commercial-General-P) and CT (Commercial Tourist) Zones.

Mr. Juengling addressed the Commission and stated it will be the city's responsibility to manage and make sure they are in compliance. He noted they will have to see the measurements of their display and it would be limited to merchandise they sell. Mr. Logsdon stated he thinks it will be difficult for the city to monitor.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. Ms. Rust stated she doesn't see where it differentiates what type of merchandise is displayed on the exterior. Mr. Darpel commented that if the city doesn't have an issue with it then they shouldn't either. Mr. Darpel then reconvened and closed the public hearing. He then asked for a motion. Mr. Sletto then made the motion to approve based on Staff's recommendation. Mr. Gerrein seconded. A roll call vote on the matter found Mr. Sletto, Mr. Gerrein, Mr. Bridges, Ms. Brown, Mr. Coats, Mr. Gray, Mr. France, Mr. Hilgefurd, Ms. Hood, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Toebben, Ms. Snyder, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

PC 1410-0005

APPLICANT: Kenton County Planning Commission per Paul J. Darpel

REQUEST: Proposed text amendment to all Kenton County zoning ordinances updating all sections that refer to Physically Restricted Development Areas (PRDA), Urban and Nonurban Service, Area, Northern Kentucky Area Planning Commission (NKAPC), and Floodplain Regulations; these changes are being pursued based on contents of the newly-adopted Kenton County comprehensive plan *Direction 2030*

Staff recommendations and Staff presentation by Mr. Andy Videkovich

PDS STAFF RECOMMENDATION:

Request #1: Favorable recommendation of the proposed text amendment to all Kenton County Zoning Ordinance updating all sections that refer to Physically Restricted Development areas (PRDA) to Developmentally Sensitive Areas (DSA); Request #2: Favorable recommendation of the proposed text amendments updating all sections that refer to Urban and Nonurban Service Areas to Urban/Suburban Focus Areas and Rural Focus Areas respectively; Request #3: Favorable recommendation of the proposed text amendments updating all sections that refer to Northern Kentucky Area Planning Commission (NKAPC) to Planning and Development Services of Kenton County (PDS).

No one registered to speak. Mr. Darpel then recessed the public hearing. He then reconvened and closed the public hearing. Mr. Darpel then asked for a motion. Ms. Brown made the motion to approve based on Staff’s recommendation. Ms. Hood seconded. A roll call vote on the motion found Ms. Brown, Ms. Hood, Mr. Bridges, Mr. Coates, Mr. Gray, Mr. France, Mr. Hilgefard, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, 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 – No report.

Executive – Mr. Darpel stated they have not met this month so nothing to report. Sletto asked about follow up on the invoicing question. Mr. Scribner stated he thought that had been sent out and that he would check on it.

Subdivision Regulations – Darpel stated they have had multiple meetings and are waiting for the engineering staff. He stated it is very important to get history in on the issue. He stated they are doing a really good job but it’s just taking them a long time. He stated they are going to be a little bit behind but not much. He said it will be worth the effort.

2020 Sourcebook (model zoning ordinance) – Mr. Darpel stated he would like to keep the committee and task force together and he would like to stay involved. He commented he would like to take the time to thank Martin and Sharmili for taking the time to talk to him about it. Mr. Scribner commented that they’ve jump started the sub area plans and what those were going to be and how those were going to work. He stated they have started meeting with them to help

with that process. He stated they are also working on the sub area as well as the 2020 Sourcebook and how to move forward with that. He also commented they are talking with UC regarding the 536 Corridor improvement

Reports from Commission Members – Logsdon commented about a news report that stated there has been a 30% decrease in young couples buying homes. He stated that could have some ramifications and is something to keep an eye on.

Mr. Darpel commented they will have a nominations committee. He asked for any nominations to serve on the Committee. He also commented they are to present the officers in December.

Reports from Legal Counsel – Nothing to report.

Announcements from Staff – Mr. Scribner stated he wanted to commend everyone for showing up with such a large agenda for the evening. He stated usually there are training opportunities available but there is a lull with the time of the year. He also mentioned they have decided to discontinue the webinars due to a change in the way they are going to be handled. He stated they will be providing a training opportunity on November 1st. He noted they will be doing a half day of training opportunity specifically for BOA but anyone is welcome to attend. He stated it will be four hours of continuing education. Mr. Scribner then commented there needs to be a clean-up of language so that it is clear the correct things are being referred to. He also commented on language that would need cleaned up. He stated nothing changes and it is just house cleaning changes. Mr. Scribner then asked for a motion to make an application for that. Ms. Snyder made the motion to make the application. Mr. Gray seconded. A roll call vote on the motion found Ms. Snyder, Mr. Gray, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. France Mr. Hult, Mr. Logsdon, Mr. Neuspickle, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Toebben Mr. Sletto, Mr. Gerrein, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

General Correspondence: Mr. Darpel commented briefly about the cell tower issue for next month's meeting. Mr. Darpel then asked for a motion to place the item on the agenda. Ms. Snyder then made the motion. Mr. Bridges seconded. All in favor by acclamation.

Public Comments: None.

There being nothing further to come before the commission, a motion to adjourn was made by Mr. Hult and seconded by Ms. Snyder. All in favor by acclamation. The motion carried unanimously. The meeting was adjourned at 10:03 p.m.

APPROVED:

Chair _____

Date _____