



“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 PDS staff: Mr. Martin Scribner and Mr. Andy Videkovich.

### **AGENDA**

Mr. Darpel stated items 9 and 10 from the agenda would be presented together as they were part of the same issue. He stated other than that the agenda remained the same. Ms. Snyder made the motion to approve the agenda as it stands. Mr. Hult seconded the motion. All in favor by acclamation. The motion carried.

### **APPROVAL OF THE MINUTES:**

Mr. Hult commented on page 5 there needed to be some clarification on the committee he was to be serving on. He stated it should read the Kenton County Conservancy District. He also stated on page 5 under the Executive section of Reports from Committees the point he was trying to make was that he would interested in taking over a commission if there was a vacancy so he wanted added to the minutes as well. Mr. Bridges then commented that under the approval of the minutes his name was misspelled. He additionally commented at the top of page 2 it refers to “NKAPC” Staff and should read “PDS” Staff. There being no other changes or corrections, Ms. Snyder then made the motion to approve the minutes with changes. Mr. Bridges seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Bridges, Ms. Brown, Mr. Coates, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Tewes and Mr. Darpel in favor. Mr. Bethell abstained.

Mr. Darpel then welcomed new commissioner Jeff Bethell to the Commission and noted he will be serving for the City of Ft. Mitchell.

### **RECEIPTS AND EXPENDITURES:**

Mr. Darpel asked for any questions or comments with regard to the receipts and expenditures. There being none, Mr. Darpel then asked for a motion to approve. Ms. Snyder made the motion to approve the report. Ms. Brown seconded the motion. A roll call vote on the motion found Ms. Snyder Ms. Brown, Mr. Bethell, Mr. Bridges, Mr. Coates, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Ms. Rust, 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:**

Mr. Darpel stated that issue 10 from the agenda would be heard prior to issue 9. He further

commented since that was different from the approved agenda, he asked for a motion to revise the agenda to reflect that. Mr. Bridges made the motion to revise the agenda. Ms. Brown seconded. All in favor by acclamation.

**PC-1408-0002**

**APPLICANT:** City of Erlanger per P. David Hahn, Economic Development Director

**REQUEST:** A proposed text amendment to the Erlanger Zoning Ordinance adding the CS (Commonwealth Station) Zone, along with necessary cross-references to other sections of the Zoning Ordinance.

**PDS STAFF RECOMMENDATION:**

Favorable recommendation of a proposed text amendment to the Erlanger Zoning Ordinance adding the CS (Commonwealth Station) Zone along with necessary cross-references to other sections of the Zoning Ordinance, with the following conditions:

1. That the final report produced after the design workshop not be included as an appendix to the zoning ordinance; and
2. The purpose statement be revised to say:
3. "The purpose of the CS (Commonwealth Station) Zone is to enable the implementation of the community and city endorsed vision established for Commonwealth Station through a design and visioning workshop, the final report of which is on file at the City Building."

**PC1408-0003**

**APPLICANT:** City of Erlanger per P. David Hahn, Economic Development Director

**LOCATION:** an approximate 42-acre area located on the northwest, northeast, and southwest side of the intersection of Commonwealth Avenue with Baker Street in Erlanger

**REQUEST:** A proposed map amendment to the Erlanger Zoning Ordinance changing the area from R-1G (a detached single-family residential zone and housing for the elderly with a maximum density of 6.7 dwelling units per net acre), R-3 (a multi-family residential zone with a maximum density of 20 dwelling units per net acre), PO ( professional office zone), and SC (a shopping center zone), to CS (Commonwealth Station; a mixed use zone with a focus on creating a pedestrian atmosphere) Zone.

**PDS STAFF RECOMME NDATION:**

Favorable recommendation on a proposed map amendment to the Erlanger Zoning Ordinance changing the area from R-1G, R-3, PO, and SC, to CS (Commonwealth Station) Zone

Staff presentations and Staff recommendations by Mr. Andy Videkovich.

Mr. Hahn addressed the Commission in favor and stated he would be brief. He stated he wanted to speak on how they got to this point. Mr. Hahn noted four year ago the mayor got with him about the under development of the area. He stated they got together to discuss what would be good for the area and also met with staff on the issue. He further stated in November there was an election and there is now a new mayor who does not agree with the issue. He

commented further that he had a letter from the mayor that he was requested to read into the record. Mr. Hahn then read the letter into the record in which the mayor requested that the issue be denied to allow for additional information on the issue to be gathered before making a decision. He then stated he was available to answer any questions. He also stated the request of council is for approval after holding a meeting the previous night. After reading the letter into the record Mr. Darpel asked what changes had been made without the steering committee approval. Mr. Hahn stated after the steering committee was finished they invited the public to public forums. He then commented that additional changes were made after the initial changes were approved. Mr. Videkovich commented there were minor changes made after the initial approval, but due to them being minor changes they didn't feel it necessary to reconvene the committee. Ms. Brown clarified that each of the changes made were emailed to the committee members. Mr. Videkovich stated they had each been emailed to the committee members and many times had no response. Ms. Brown then commented that this is not a highway commercial zone and it was not intended as such. She asked Mr. Hahn if he could comment from the city's perspective. Mr. Hahn stated when this was in the talking phases it was discussed as more of a pedestrian friendly area and when it got to the steering committee they felt it shouldn't be those types of uses with drive thrus and such. He commented that came from the steering committee.

Ms. Deb Wilson addressed the Commission and stated she was born and raised in the area and could tell her friends to pull off at this exit in Erlanger. She further commented she would like to have one area in Erlanger that she could say was well kept, well maintained, etc., but she cannot. She said she would like to see one area be improved. She further commented she was originally against this when it started but has talked to a lot of people and now sees it as progress for the community.

Ms. DeSala addressed the Commission and stated she was a member of the steering committee. She stated she wanted to thank Martin and Andy for their input and helping them with the process. She commented they always got the minutes of the meetings and were made aware of any changes that had been made and could comment. She further stated she has been in the area long enough to see a lot of changes - some good, some not so good. She also stated they know the area is right off the interstate and they are working for a balance somewhere between in terms of the auto and pedestrian area. Ms. DeSala also commented that the city has reorganized the area as a Gateway and they want to grasp the momentum the city has started and look at the potential of the area. She then stated as such, she is in favor of the issue.

Janeen Schilling addressed the Commission against the issue and stated they are business and property owners and have been for the past 28 years. She stated they are opposing the zone change. She commented she was approached to serve on the steering committee also and she appreciates it. She noted some concerns are that they will lose the ability to do what is financially feasible for them. She also commented they will be restricted by designs and some of the changes that would be mandated. She stated in conversations with the mayor and other individuals they believe in free enterprise and feel this in some ways violates that opportunity. She stated they would like to see the urban code option or to exclude their property. She further commented they tried to do their homework on the issue and consulted with a real estate professional who showed this to their legal team. She basically said this would devalue their property and limit its use. Ms. Schilling then stated they were continually told this was basically

a Gateway to Erlanger. She then stated she asked why only certain areas were viewed as the gateway area. She father commented that some of the issues on her mind were traffic and public safety. She stated she felt that it should be the property owner's right to make the improvements they feel are best for them and for the safety of the public. She commented another thing the code does is tell property owners where they can locate their dumpster. She then stated this is the right idea but the wrong location.

Mr. Bob Schilling then addressed the Commission against the issue and stated he just wanted to talk about why they purchased the building He stated they've been through a lot of changes in the area for the past 23 years. He stated there was a set back change made by council that affected their property. He stated he wanted to mention the new building that Drees has recently put in and commented there is no parking. He noted he just wanted to point that out. He further stated he feels Erlanger should develop more but not make changes to the whole entire area. He also pointed out that most of the steering committee was comprised of persons that would have an interest and not regular citizens.

Ms. Lyn Ingram addressed the Commission against the issue and stated her main concern is the safety of kids on Riggs Avenue. She stated Riggs is a residential street and no trucks are allowed. She further stated you cannot park on Riggs without your mirrors getting hit and this is going to make it worse. She asked if Riggs was to be widened or if sidewalks would be put on both sides. She then stated she feels like Erlanger is saying one thing but on paper is saying another. Ms. Ingram then commented it is not consistent for them. She also stated this will bring more traffic and cause more issues for Riggs Avenue.

Mr. Hahn had no comments in rebuttal.

Mr. Darpel then closed then recessed the public hearing for discussion amongst the Commissioners. Mr. Darpel stated he didn't feel architectural guidelines are appropriate here. He commented further that he doesn't think this is where it belongs. Mr. Darpel then read a letter into the record from Phil Drees stating he was in favor of the issue. Mr. Darpel apologized for forgetting to read it earlier. He then marked the letter as an exhibit to the minutes and made a part of the record. Ms. Brown stated she does like how the city went over and above what they see some other cities do in getting public input with this plan. She also stated the threshold for existing properties will not change and those properties can stay the way they are. She further commented a lot of that came from the public hearings that were held. Mr. Logsdon stated he favors this kind of planning process and that change is not always easy. He stated it takes time but you have to start someplace. He commented further that this is putting their best foot forward. Mr. Bridges commented that it is obvious that a great deal of time and effort went out on the part of a lot of people and he thinks this process is what we need with the public input and planning. He also commented that he has some concerns that if the city comes in and says they would like to do this but then the city's own mayor says to deny the plan and alleges irregularities, he has concerns. He also stated it is a concern that one of the largest businesses in this area feels that this will not benefit them. Mr. Darpel commented they would be voting on the text amendment first. He then reconvened and closed the public hearing and asked for a motion on issue P1408-0002. Ms. Brown then made the motion to approve the text amendment based on Staff's report and that the text amendment is supported by the evidence heard. She also recommended it be approved with the two conditions as stated by Staff. Mr. Logsdon

seconded the motion. A roll call vote on the motion found Ms. Brown, Mr. Logsdon, Mr. Bethel, Mr. Coates, Mr. Hult, Mr. Pannunzio, Mr. Porter and Mr. Tewes in favor. Mr. Bridges, Ms. Rust, Ms. Snyder and Mr. Darpel voted against. The motion carried. Mr. Darpel then asked for a motion on issue PC1408-0003. Ms. Brown made the motion to approve the map amendment if and when the city passes the text amendment, that the map amendment also be approved, and also based on Staff's report. Mr. Logsdon seconded the motion. A roll call vote on the motion found Ms. Brown, Mr. Logsdon, Mr. Bethell, Mr. Coates, Mr. Hult, Mr. Pannunzio, Mr. Porter and Mr. Tewes in favor. Mr. Bridges, Ms. Rust, Ms. Snyder and Mr. Darpel voted against. The motion carried.

**PC 1411-0001**

**APPLICANT:** City of Erlanger per P. David Hahn, Economic Development Director

**REQUEST:** proposed text amendments to the Erlanger Zoning Ordinance: 1) amending the definition of "pet hotel;" and 2) adding pet hotels as a conditional use in the IP-1 Zone

Staff recommendations and Staff presentation by Mr. Martin Scribner.

**PDS STAFF RECOMMENDATION:**

Favorable recommendation of proposed text amendments to the Erlanger Zoning Ordinance: 1) amending the definition of "pet hotel;" and 2) adding pet hotels as a conditional use in the IP-1 Zone.

Mr. Hahn addressed the Commission in favor of the issue and stated he was there to answer any questions. He stated there is one pet hotel in the iP-2 zone and the city has a specific user for this in the IP-1 zone. He stated the city felt it would be better served in the IP-1 zone and that is the reasoning for this request.

All others registered to speak had nothing to add.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. There being none, the public hearing was then reconvened and closed. Mr. Darpel asked for a motion on the issue. Ms. Brown then made the motion to approve the issue based on Staff's recommendations and the evidence heard. Ms. Snyder seconded. A roll call vote on the matter found Ms. Brown, Ms. Snyder, Mr. Bridges, Mr. Bethell, Mr. Coates, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Ms. Rust, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

**Reports from Committees:**

*By-Laws* – Mr. Darpel noted they are scheduled to meet January 15<sup>th</sup>. Mr. Pannunzio said he wasn't sure if it was the 9<sup>th</sup> or the 15<sup>th</sup> of January. Mr. Scribner clarified the meeting would be held on January 15<sup>th</sup>.

*Executive* – No meeting held

*Subdivision Regulations* – Mr. Darpel stated they have pretty much finalized everything with the engineer's group. He noted they are putting the finishing touches on it and anticipate it being submitted. He also noted he would be meeting with Scott tomorrow.

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

**Direction 2030** – Mr. Scribner stated the implementation efforts continue especially with the rural sub area. He stated the plan is for staff to meet with the chairman next week sometime to go through the specifics.

**Reports from Commission Members** – Mr. Hult stated the 536 Task Force met for the first time. He commented that Mr. Bridges is also serving on that committee. He stated the rest of the corridor from Boone County to Campbell was essentially agreed upon several years and has challenges. He commented the folks stated they didn't want bigger, wider roads, they just wanted the existing roads fixed. Mr. Hult then stated those are just some of the topics they will be working on.

**Reports from Legal Counsel** – Nothing to report.

**Announcements from Staff** – Mr. Scribner stated he and Mr. Smith discussed some cell tower training later in the month since they do anticipate seeing more cell tower applications in the future. He stated it would probably be a weeknight for an hour. He also commented that for anyone needing hours this would count for 1 hour of continuing education training. He also stated there would be some other opportunities for education in the February and March and noted to look for information in emails as soon as it is coordinated.

**General Correspondence:** Nothing to report.

**New Business:**

**Election of Officers:** Mr. Darpel noted the following nominations: Ms. Brown and Mr. Hult for Vice Chair, Mr. Sletto for Treasurer and himself for Chair. He stated as Mr. Sletto did not get reappointed there was no nomination for treasurer. Mr. Darpel stated prior to the meeting Commissioner Brown and Commissioner Hult stated they would like to amend the nomination as Ms. Brown for Treasurer and Mr. Hult for Vice Chair so no election was needed. Mr. Darpel then commented that Phil Ryan was going to be appointed but did not get approval from council beforehand and he was going to nominate him for treasurer. Mr. Darpel stated he doesn't know what that does. He commented further it was up to the pleasure of the Commission to go ahead and accept the nominations as they are or postpone the vote. Mr. Smith stated elections are supposed to be pursued in January but there are instances with other public bodies with a shift like Mr. Darpel just explained and the commissioners continue to serve until their successor is appointed. He stated he wouldn't see an issue with it if the Commission wanted to push it to the next meeting. Mr. Darpel asked if there were any other nominations than what there were at the last meeting. Ms. Snyder commented that an issue could come up with the people that aren't present because now things have changed. Mr. Darpel then asked for a motion to hold the elections. Mr. Logsdon asked if there was anything in the by laws that stated how many had to be present to vote. Mr. Darpel stated there was not. Mr. Logsdon commented to go ahead and vote. Mr. Porter commented also to go ahead with the vote. A motion was made by Mr. Logsdon and seconded by Mr. Porter. A vote was taken by acclamation. Ms. Snyder and Ms. Rust voted against. Mr. Darpel stated he would have to go along with the majority vote. Mr. Darpel then reiterated the nominations as himself for chair,

Mr. Hult for Vice Chair and Ms. Brown for Treasurer. He then asked if there were any other nominations. Mr. Smith stated when there is no opposition a vote is taken on the slate that is presented. Mr. Darpel then asked for a motion. Mr. Tewes made the motion to vote on the slate as presented. Mr. Pannunzio seconded. A roll call vote on the matter found Mr. Tewes, Mr. Pannunzio, Mr. Bridges, Mr. Bethell, Ms. Brown, Mr. Coates, Mr. Hult, Mr. Logsdon, Mr. Porter, Ms. Rust and Mr. Darpel in favor. Ms. Snyder voted against. The motion carried.

*Public Comments: None.*

There being nothing further to come before the commission, a motion to adjourn was made by Ms. Snyder. Mr. Pannunzio seconded the motion. All in favor by acclamation. The motion carried unanimously. The meeting was adjourned at 9:18 p.m.

APPROVED:

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Chair \_\_\_\_\_

Date