

**KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING
Minutes**

Mr. Darpel, Chairman, called the meeting to order on April 5, 2018 at 6:15 p.m. and opened the proceedings with the Pledge of Allegiance and invocation by Mr. Ryan. 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.

Commission Member	Jurisdiction	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Jeff Bethell	Fort Mitchell	X	X	X									
Debbie Vaughn	Kenton Co			X	X								
Diane Brown, V. Chair	Erlanger	X	X	X	X								
Nancy Collins	Ryland Hts.			X	X								
Paul Darpel, Chair	Edgewood	X		X	X								
Brian Dunham	Kenton Cty		X		X								
Mike Gaiser	Ludlow	X	X	X	X								
Lynne Hood	Crestview Hills	X	X	X	X								
Keith Logsdon	Lakeside Park	X	X	X	X								
Matthew Martin	Taylor Mill	X	X	X	X								
Ron Padgett	Covington	X	X	X	X								
Joe Pannunzio	Elsmere	X	X		.								
Sean Pharr	Covington	X	X	X	X								
Phil Ryan, Treasurer	Park Hills	X	X	X	X								
Marco Sansone	Bromley												
Greg Sketch	Crescent Spgs	X	X	X	X								
Maura Snyder	Independence	X	X	X	X								
Jack Toebben	Fort Wright	X	X	X	X								
Robert "Bob" Whelan	Covington	X	X	X									
Brian Wischer	Villa Hills	X	X	X	X								

Also present were Mr. Mathew Smith, Legal Counsel, and the following PDS staff: Mr. Andy Videkovich, Mr. Scott Hiles, Ms. Jill Conniff, Mr. Patrick Denbow and Ms. Emi Randall.

"X" denotes attendance at the regular meeting and "x" denotes attendance at the continuation meeting. "*" denotes arrival after roll call was taken.

AGENDA

Mr. Darpel noted a request to table had been received with regard to issue 1803-005. Ms. Hood made the motion to table the motion for a period of up to six months. Ms. Brown seconded the motion. All in favor by acclamation. Mr. Darpel noted there was a request to move item 17 forward on the agenda. Mr. Ryan made the motion to amend the agenda as requested. Ms. Snyder seconded the motion. A roll call vote on the motion found Mr. Ryan, Ms. Snyder, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Padgett, Mr. Pharr, Mr. Sketch, Mr. Toebben, Mr. Wischer and Mr. Whelan in favor. The motion carried. Mr. Darpel stated a request was also made to move 1802-001 forward on the agenda. He noted they typically do not move items up on the agenda as such but they have been assured it will be very quick. Ms. Snyder made the motion to amend the agenda as stated. Ms. Brown seconded the motion. A roll call vote on the motion found Ms. Snyder, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Padgett, Mr. Pharr, Mr. Ryan, Mr. Sketch, Mr. Toebben, Mr. Wischer and Mr. Whelan in favor. The motion carried. Mr. Darpel then noted the items from the January 16th minutes were left out of the minutes that needed approval. He asked for a motion to approve. Ms. Snyder made the motion to approve. Mr. Martin seconded the motion. A roll call on the motion found Ms. Snyder, Mr. Martin, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Gaiser, Ms. Hood, Mr. Logsdon, Mr. Padgett, Mr. Pharr, Mr. Ryan, Mr. Sketch, Mr. Toebben, Mr. Wischer and Mr. Whelan in favor. Mr. Dunham and Mr. Vaughn abstained. The motion carried.

APPROVAL OF THE MINUTES:

Mr. Darpel then asked for a motion to approve the minutes from March. Ms. Snyder made the motion to approve. Mr. Martin seconded. Mr. Padgett noted a change to page four indicating he serves on the Covington Ladies "Home" versus "Board" as noted in the minutes. A roll call vote on the motion to approve with the changes noted found Ms. Snyder, Mr. Martin, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Padgett, Mr. Pharr, Mr. Ryan, Mr. Sketch, Mr. Toebben, Mr. Wischer and Mr. Whelan in favor. Mr. Dunham abstained. The motion carried.

RECEIPTS AND EXPENDITURES:

Mr. Darpel noted the receipts and expenditures were at the Commissioners seats. There being no questions or comments, he asked for a motion to approve the report. Mr. Ryan made the motion to approve the report. Ms. Snyder seconded the motion. All in favor by acclamation.

RECENT ACTIONS BY STAFF:

(No action required)

RECENT ACTIONS BY LEGISLATIVE BODIES:

(No action required)

PUBLIC HEARINGS:

FILE: PC1802-0001 (action required)

APPLICANT: Kenton County Cooperative Extension District Board per Robert A. Tewes, Chair

LOCATION: 450 Kenton Lands Road; an area of approximately five acres located on the east side of the intersection of Kenton Lands Road with Riggs Avenue in Erlanger.

REQUEST: A public facilities review per KRS 100.324 and KRS 147.680; the applicant proposes to build a new building with offices and a meeting room to serve the Kenton County Cooperative Extension District.

Staff presentation and Staff recommendations by Mr. Andy Videkovich

PDS STAFF RECOMMENDATION:

Unfavorable recommendation on the public facility request per KRS 100.324 and KRS 147.680.

Mr. Emmet Hayes addressed the Commission and stated they are excited about the new location and stated Staff has put a lot of time into the issue. Ms. Brown asked if they had taken a look at any of the adjustments recommended with regard to the turn lanes and crosswalk. Mr. Hayes noted they had taken a look into that in terms of the crosswalk and it will be changing.

Mr. Bob Tewes addressed the Commission and stated they have been working on locating a suitable site for ten years to serve this area of the county. He stated they have been working on the plan itself for about four years. He stated this is going to be a great place to be and also be very accessible for those in the area. He stated he Mr. Toebben asked if they were losing the other location and Mr. Tewes stated they are losing their lease. He noted it is a great learning opportunity for the area as well.

Mr. Darpel recessed the public hearing for discussion amongst the Commissioners. There being none, he reconvened and closed the public hearing. He then asked for a motion. Ms. Brown made the motion that the plan does meet the Comprehensive Plan and to include the additional comments stated by Staff in Staff's report. Mr. Logsdon seconded the motion. A roll call vote on the motion found Ms. Brown, Mr. Logsdon, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Martin, Mr. Padgett, Mr. Ryan, Mr. Pharr, Mr. Sketch, Ms. Snyder, Mr. Toebben and Mr. Wischer in favor. The motion carried.

FILE: PC1802-0003 (action required)

APPLICANT: Condoview, LLC per Paul Zeltwanger

LOCATION: Area A: An area of approximately 1.6 acres located north of West Pike Street between Arlington Road to the west and Grays Peak to the east, approximately 400 feet north of West Pike Street, located directly east of the former Covington Gateway site in Covington;

Area B: An area of approximately 18.6 acres located west of and adjacent to Area A on the southwest side of the intersection of Amsterdam Road with Montague Road, and on the north side of Dixie Highway/Pike Street between Arlington Road to the west and Grays Peak to the east, approximately 150 feet west of Grays Peak in Covington;

Area C: An area of approximately 7.5 acres located west of and adjacent to Area B on the south side of Amsterdam Road and at the terminus of Hamilton Road and Old State Road, approximately 200 feet east of Arlington Road in Park Hills;

REQUESTS: Area A: A proposed map amendment to the Covington Zoning Ordinance changing the described area from RU-2B (an urban residential zone) to RU-2B (PUD) (an urban residential zone with a planned unit development overlay). **Area B:** A Stage I Development Plan for the described area which is zoned RU-2B (PUD) (an urban residential zone with a planned unit development overlay) according to the Covington Zoning Ordinance.

Area C: A Stage I Development Plan for the described area which is zoned R-1EE (PUD) (a single-family and two-family residential zone with a planned unit development overlay) according to the Park Hills Zoning Ordinance.

Staff presentation and Staff recommendations by Mr. Andy Videkovich

PDS STAFF RECOMMENDATION:

Area A: Favorable recommendation on the proposed map amendment the Covington Zoning Ordinance changing the area of approximately 1.6 acres located north of West Pike Street between Arlington Road to the west and Grays Peak to the east, approximately 400 feet north of West Pike Street from RU-2B (an urban residential zone) to RU-2B (PUD) (an urban residential zone with a planned unit development overlay), subject to the agreement of the applicant to the following conditions:

1. That the proposed Stage I Development Plan for Areas B and C be approved by the Cities of Covington and Park Hills, respectively;
2. That all accessory structures meet the requirements of the underlying Ru-2B Zone, aside from the proposed entry monuments on the submitted plan.

Area B: Favorable recommendation on the Stage I Development Plan for an area of approximately 18.6 acres located west of an adjacent to Area A on the southwest side of the intersection of Amsterdam Road with Montague Road, and on the north side of Dixie Highway/Pike Street between Arlington Road to the west and Grays Peak to the east which is zoned RU-2B (PUD) (an urban residential zone with a planned unit development overlay) within the City of Covington, subject to the agreement of the applicant to the following conditions:

1. That the proposed map amendment for Area A and the Stage I Development Plan for Area C be approved by the Cities of Covington and Park Hills, respectively;
2. That all accessory structures meet the requirements of the underlying RU-2B Zone, aside from the proposed entry monuments on the submitted plan.

Area C: Favorable recommendation on the Stage I Development Plan for an area of approximately 7.5 acres located west of and adjacent to Area B on the south side of Amsterdam Road and at the terminus of Hamilton Road and Old State Road, approximately 200 feet east of Arlington Road which is zoned R-1EE (PUD) (a single-family and two-family residential zone with a planned unit development overlay) within Park Hills, subject to the agreement of the applicant to the following conditions:

1. That the proposed map amendment for Area A and the Stage I Development Plan for Area B be approved by the City of Covington;
2. That all accessory structures meet the requirements of the underlying R-1EE Zone, aside from the proposed entry monuments on the submitted plan.

FILE: W-778 (action required)

APPLICANT: Condoview, LLC per Paul Zeltwanger **LOCATION:** An approximate 28-acre area located at the southwest corner of Amsterdam Road and Montague Road, and along Dixie Highway immediately south of “The Views” development, on the previous Gateway College site in Park Hills and Covington. **REQUESTS:** Waivers from requirements of Sections 4.1-11, 4.2-8, and 8.3-1 of the Kenton County Subdivision Regulations; granting the requests would: (1) waive the requirement that sidewalks be provided along both sides of the proposed streets, reducing them to one side; (2) waive the requirement that lots have frontage on no more than one street; and, (3) waive the requirement for intersection spacing along an arterial roadway.

Staff presentation and Staff recommendations by Mr. Scott Hiles

PDS STAFF RECOMMENDATION:

Recommendation #1: To deny the requested waiver from the requirements of Section 4.1-11 of the Kenton County Subdivision Regulations and require that sidewalks be provided along both sides of Streets B, C and D. Recommendation #2: To approve the requested waiver from the requirements of Section 4.2-8 of the Kenton County Subdivision Regulations to allow that lots have frontage on more than one street. Recommendation #3: To deny the requested waiver from the requirements of Section 8.3-1 of the Kenton County Subdivision Regulations and require that new street intersections be spaced a minimum distance of 1,200 feet along this portion of Dixie Highway.

Mr. Zeltwanger addressed the Commission and stated this has been a long process and he thanked all those involved in the process. He stated he has tried to acquire the land for about ten years so he is very excited about the project. He stated anytime you can link the property into Devou Park it is a good thing and he thinks potential residents will love that too. He stated they will always prioritize hillside protections. He stated they are working with the urban forestry in Covington with regard to the development and he thinks they will have a good result there as well. He stated they attended resident meetings and they listened to the traffic concerns of residents as well. He stated they looked at the market and what could fit into the area also. He stated he would rather put something that fits and will work well for the area and that is how they came to the number of lots. He stated the one thing he wants to point out is with regard to Street D they don't think the sidewalks make much sense due to the slope. He stated they are basically saying if there is a front door they are going to put a sidewalk there. He further stated the sidewalk will be linked to the hiking trail. He stated they want to make this a unique development and they want to make it fit into the community. Mr. Zeltwanger then showed some examples of architectural designs of what the exterior of the residences may look like within the development. He stated he met with some the residents of the area and they want to be a good neighbor. He noted they are talking with the Sanitation District and they feel they can solve any issues or concerns there may be. Mr. Zeltwanger additionally stated they are really trying to beautify the area and they think it helps their project as well. He stated he thinks they are in step with the 2030 plan and the Devou Park plan.

Mr. Matt Mattone addressed the Commission and stated they have been looking at the property since 2015. He stated in mid to late 2015 they started meeting with Staff and Covington elected officials and they came to the conclusion that a PUD overlay would benefit the site. He stated this has been a collaborative effort. He stated their worst fears were that a 449 unit development would be in the development. Mr. Mattone stated Park Hills main concern was the traffic brought to the area. He stated they feel this is consistent with the PUD overlay and they were pleased that the development was to consist of 84 units. He additionally stated they felt there was a real benefit to the city and to the corridor to allow the closing of Old State Road. He stated the proposed access of Dixie Highway was encouraged. He then noted they do not want the long term responsibility of a retaining wall so they are asking for conditions as to that. He then stated the retaining walls must be built on private property out of the right of way. He further noted with regard to Patton Drive that this has never been a publicly dedicated street. He stated they do not have any objections to the waiver requirements. He commented with regard to the waiver request to the access to Dixie Highway they also did not have any opposition at this point. He noted the developer listed to their concerns about access and provide a second site. He stated the city has no objection to the waiver but he believes the ultimate grantor of the waiver would be

the state. He stated they realize it is an extensive project to build that road but they do realize the value of that.

Mr. Rothert stated he was available to answer any questions.

Mr. Jim Fellers had nothing to add.

Mr. Jansen stated his questions have been answered at this time.

Mr. Tim Kruse addressed the Commission and stated he is still wanting Old State Road closed and is not proposing opening that up at this time. He also stated he does realize this would help accessibility for the development but he would like it to remain closed if the access on Dixie is denied.

Mr. Koenig addressed the Commission on the issue and stated he would echo the comments made. He stated this has been an interesting collaborative process. He stated he is in support of the map amendments and the Stage I conceptual plan with the understanding that it is conceptual at this point. He stated with regard to the waivers he is glad to hear the developer is in favor of putting sidewalks where there are front doors. He additionally stated with regard to the connection on Dixie Highway they would like to see what the transportation cabinet has to say with regard to that. He noted it might be a good idea to hold off on that waiver until there is more information from the state transportation cabinet.

Ms. Kathy Zemrodt addressed the Commission and stated she liked everything Mr. Koenig said and she just wants to support the waivers. She stated the one on Dixie Highway they have pretty much supported all the way. She additionally stated to not have to reopen the Old State Road is beneficial and access off of Dixie alleviates that issue. She stated after hearing everything tonight she is for the waivers on all points.

Ms. Shelia Hammonds addressed the Commission and stated there were some issues with the property lines as they were drawn on the plan submitted. She stated they had conversations with regard to this and the developer has agreed to adjust the property lines and the setbacks with regard to that. She stated she does have those changes and can submit those. She stated she also supports the waiver with regard to the access on Dixie Highway. Mr. Darpel then marked the email as an exhibit to be made a part of the record on the matter.

Ms. Monica Nomyar addressed the Commission and thanked the developers and stated it sounds like a wonderful development. She stated she still believes Old State Road should remain closed. She also stated the number of units was reduced so she was happy to hear that. She stated Park Hills is a wonderful place and she thinks Old State Road should remain closed because it's a straight shot and she fears speeders will come down there. She stated this is going to be a lot of cars coming down Old State and thanked the developers for narrowing it down to 84 lots.

Ms. Joan Lavard addressed the Commission and stated she really supports the whole development. She stated she wanted to address the access to Dixie. She noted she feels they should consider the access from Amsterdam. She stated she supports the opening of the entire Old State with the number of units planned for the development. She stated when it was over four hundred she did not support that. She additionally stated she thinks it will benefit the city by having it open.

Mr. Stephen Hill addressed the Commission and stated he drives Dixie Highway on a daily basis and utilized Amsterdam and Montague on a weekly basis. He stated he does have some concerns with the development. He then presented a brief history of the area with old photos in a slide presentation. He then addressed the hillside issues and gave a brief history of changes to the zoning code over the years. He commented the hillside runoff has increased dramatically since the Joshua One development. He stated the intersection of Amsterdam Road and Montague is pretty dangerous as a result. He stated another area of concern he has is with access of emergency services. He noted he is not an expert in management and fire but he has concerns with having one ingress and egress into the site. Mr. Hill stated one of his major concerns is an apparent disregard of regulations that are in place. He noted no tree inventory was performed when the Miranda project was done and it was a significant impact on the area. He stated the beauty of the hillside is extremely unique. He noted there are very few instances where you can find nice wooded hillsides that you have in Covington. He stated it is the view of the hillside afforded by the community and all members of the area.

Mr. Zeltwanger addressed the Commission in rebuttal and stated he appreciates all the input and it is part of the process and he respects that. He stated the hillside protections were not in place at the time the Joshua One project went in and they are in favor of being sensitive to that. He stated they are in favor of replacing some the trees that have been removed and are working on solutions for the area. He further stated he is excited about it and thinks it will beautify the area. Mr. Darpel asked about the retaining walls being on private property and asked if they would be in agreement. Mr. Zeltwanger stated they are in agreement with that. Mr. Darpel clarified whether the developer is in agreement with the amending of the property lines issue raised. Mr. Zeltwanger stated he did meet with her and is in agreement with that. Mr. Ryan asked if it is his intent to develop Old State all the way down to Dixie. Mr. Zeltwanger stated they would be okay with it either way. He stated they want to be sensitive to the residents in the area and they are in favor of that. Mr. Zeltwanger stated their biggest concern is the slope with regard to the retaining wall. He stated they are looking at all of that to make sure that works. He noted their biggest issue slope stability. With regard to the clearing of the Miranda area they worked with the city they have actually increased the slope stability with clearing some of that and making that more stable. He stated their geotech engineer stated there was a lot of junk top soil up there and it was in danger of sliding so they actually made it more stable.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. There being none, he then reconvened and closed the public hearing. He then asked for a motion on the issue and noted they could include all three areas if they desired. Mr. Padgett made the motion to approve the map amendment for Area A on the basis of Staff's recommendations and to include their two additional conditions, and that it is compliant with the Comprehensive Plan. Mr. Ryan seconded the motion. A roll call vote on the issue found Mr. Padgett, Mr. Ryan, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Pharr, Mr. Sketch, Ms. Snyder, Mr. Toebben, Mr. Wischer and Mr. Whelan in favor. The motion carried unanimously. Mr. Padgett then made the motion to approve with regard to Areas B and C on the basis of Staff's recommendations and the additional information comments. Mr. Ryan seconded the motion. A roll call vote on the motion found Mr. Padgett, Mr. Ryan, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Pharr, Mr. Sketch, Ms. Snyder, Mr. Toebben, Mr. Wischer and Mr. Whelan in favor. The motion carried unanimously. Mr. Darpel then asked for a motion with regard to the waivers on the issue. Mr. Sketch then made the motion to grant the waiver on the portion of Street B on Amsterdam due to topographical conditions. Mr. Ryan seconded the

motion. A roll call vote on the issue found Mr. Sketch, Mr. Ryan, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Padgett, Ms. Snyder, Mr. Toebben, Mr. Wischer and Mr. Whelan in favor. Mr. Pharr voted against. The motion carried. With regard to waiver #2, Mr. Ryan made the motion to approve based on Staff's report and recommendations, and based on unusual topographical conditions. Ms. Brown seconded. A roll call vote on the matter found Mr. Ryan, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Padgett, Mr. Pharr, Mr. Sketch, Ms. Snyder, Mr. Toebben, Mr. Wischer and Mr. Whelan in favor. The motion carried. Mr. Darpel then asked for a motion on waiver #3. Mr. Sketch made the motion to approve the waiver based on unusual topographical issues and that it would be detrimental. Mr. Padgett seconded the motion. A roll call vote on the motion found Mr. Sketch, Mr. Padgett, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Pharr, Mr. Ryan, Ms. Snyder, Mr. Toebben, Mr. Wischer and Mr. Whelan in favor. The motion carried unanimously. Mr. Darpel then clarified the motion with regard to the first waiver then asked for another roll on the motion. A roll call vote on the motion found Mr. Sketch, Mr. Ryan, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Padgett, Mr. Pharr, Ms. Snyder, Mr. Toebben, Mr. Wischer and Mr. Whelan in favor. The motion carried unanimously.

FILE:PC1803-0001 (action required)

APPLICANT: Moss Dance Academy, LLC per Amy Moss on behalf of DGS Development, LTD

LOCATION: An area of approximately 0.6 acres located on the south side of Anderson Road between Bromley Crescent Springs Road to the east and Clock Tower Way to the west, approximately 500 feet west of the Bromley Crescent Springs Road and Anderson Road intersection in Unincorporated Kenton County.

REQUEST: A proposed map amendment to the Kenton County Zoning Ordinance changing the described area from R-3 (a multi-family residential zone) to MLU (a mixed land use zone); the applicant proposes to construct a 6,750-square foot dance studio.

Staff presentation and Staff recommendations by Ms. Jill Conniff

*Mr. Sketch recused himself from any consideration or voting on the following issue due to a potential conflict.

PDS STAFF RECOMMENDATION:

Favorable recommendation for a proposed map amendment to the Unincorporated Kenton County Zoning Ordinance changing the described area from the R-3 (Residential Three) Zone to MLU (Mixed Land Use) Zone.

Mr. Tom Banta addressed the Commission and stated he was available to answer any questions due to the late hour.

All others registered had nothing to add.

Mr. Darpel recessed the public hearing for discussion. There being none, he then reconvened and closed the public hearing. He asked for a motion on the matter. Mr. Dunham made the motion to approve based on Staff's report and recommendations. Ms. Hood seconded the motion. A roll

call vote on the motion found Mr. Dunham, Ms. Hood, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Gaiser, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Padgett, Mr. Pharr, Mr. Ryan, Ms. Snyder, Mr. Toeppen, Mr. Wischer and Mr. Whelan in favor. Mr. Sketch recused himself from the issue and any voting. The motion carried unanimously.

FILE: PC1803-0004 (action required)

APPLICANT: Bradley and Lena Snead on behalf of the Kentucky Community and Technical College System

LOCATION: An area of approximately 0.3 acres located on the north side of West 5th Street between Madison Avenue to the east and Russell Street to the west, approximately 300 feet west of Madison Avenue in Covington.

REQUEST: A proposed map amendment to the Covington Zoning Ordinance changing the described area from CO-1P (HP-O) (a commercial-office zone with a historic preservation overlay) to RU-2B (HP-O) (an urban residential zone with a historic preservation overlay); the applicant proposes to use the existing structure as a residence.

Staff presentation and Staff recommendations by Ms. Jill Conniff

PDS STAFF RECOMMENDATION:

Favorable recommendation on the proposed map amendment to the Covington Zoning Ordinance changing the described area from CO-1P (HP-O) (a commercial office zone with a historic preservation overlay) to RU-2B (HP-O) (an urban residential zone with a historic preservation overlay).

Mr. Don Luebbers addressed the Commission on the issue and stated overall people think residential would be a good thing. He noted it is almost too good to be true. He stated the size of this building for one family seems large. He asked what the square footage of the home would be. He then sited a concern with the size after the purchase that it would be flipped and turned into a 12 room drug treatment facility. Mr. Luebbers then inquired about any blue prints that might be available for the project. He stated overall, most of the residents seem in favor of the project but it seems like it's too good to be true. Mr. Luebbers asked about any architectural renderings, the cost and any guarantees that it would be a one family residence.

Mr. Knead addressed the Commission and stated it would in fact be a one family residence. Mr. Padgett welcomed Mr. Knead and stated they are thrilled they are moving in down there.

All others registered had nothing to add.

Mr. Darpel reconvened the public hearing for discussion. There being none, he reconvened and closed the public hearing. Mr. Darpel then asked for a motion to approve. Mr. Padgett then made the motion to approve the issue based on Staff's recommendations and is consistent with the Comprehensive Plan. Mr. Ryan seconded the motion. A roll call vote on the motion found Mr. Padgett, Mr. Ryan, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Pharr, Mr. Sketch, Ms. Snyder, Mr. Toeppen, Mr. Wischer and Mr. Whelan in favor. The motion carried unanimously.

*At this time (9:08 p.m.) a brief recess was taken.

FILE: PC1802-0001 (action required)

APPLICANT: Anchor Associates per Brad Copp on behalf of M and T Real Estate Holdings, LLC and Stratford Development, LLC **LOCATION:** 615 and 621 Ireland Avenue and 616, 618, 620, and 626 Buttermilk Pike; an area of approximately 2.9 acres located between Buttermilk Pike and Ireland Avenue and between Anderson Road to the southeast and Harris Street to the northwest, approximately 450 feet northwest of Anderson Road in Crescent Springs.

REQUEST: Stage I Development Plan for the described area which is zoned MLU-2 (Mixed Land Use Two) Zone by the Crescent Springs Zoning Ordinance; the applicant proposes to construct an 11,800 square foot building that includes restaurants and retail uses (this project was tabled from the March 1, 2018 public hearing).

Staff presentation and Staff recommendations by Mr. Patrick Denbow

PDS STAFF RECOMMENDATION:

Favorable recommendation for a Stage I Development Plan for the described area which is zoned MLU-2 (Mixed Land Use Two) Zone by the Crescent Springs Zoning Ordinance.

Mr. Jonathan Woelker addressed the Commission on behalf of the applicant. He stated they have no objections to the conditions outlined in Staff's report. He noted they are in discussions with regard to a traffic study as well as with the city to work through any remaining issues. He then requested a recommended approval of the submitted application.

Mr. Copp passed unless there were any questions.

Mr. Darpel read a letter into the record received from David Heigard. He then marked the letter as an exhibit to be made a part of the record on the matter.

Mr. Frank Wichman addressed the Commission on the issue and stated Mr. Webber owns several parcels in the area. He stated although they signed up as opponents to the development they are really in favor of the development. He stated the opposition is to the access from Buttermilk Pike as it does not allow for access to the Webber site. He noted it does not provide for any direct access. He stated their understanding from discussions with the engineer, they city will not allow two accesses off of Buttermilk Pike. He stated without separate access to the Webber property, it cannot be developed commercially. He then stated that access can be provided in a number of ways but part of the problem is the Webber property is also zone MLU-2. He stated the city's intent for that area is to provide for a walkable use and that intent is not going to be accomplished by the proposed development. Mr. Wichman then stated if direct access is not granted through the Anchor development, the Webber property is not going to be developed commercially and it will remain in the condition that is in now. He additionally noted another way the access could be revised would be to move it toward the Webber property. He stated yet another alternative is to move access entirely on the Webber property. He then stated their request is some provision to provide for access to the Webber property to be negotiated with the city and Anchor Development.

Mr. Webber addressed the Commission and stated he is the property owner at 632 Buttermilk Pike. He noted they currently have access off Buttermilk Pike. He noted the state highway department will shut down access due to the development of the property in question. He stated they are willing to share access and need to have direct access. He reiterated if there is not direct

access off Buttermilk Pike his property will not be developed and it will be a detriment to him and to the city. He stated they strongly feel they have as much right to continue direct access off Buttermilk as the adjoining property owner. He stated they do desire a collaborative and cohesive agreement for the access off of Buttermilk Pike.

Mr. Dawn Johnson addressed the Commission and stated she owns property on Harris. She then asked about three quarter access to adjacent property. She stated she did not know what that meant. Mr. Denbow then explained the definition of a three quarter access. She stated in general the people on Harris are against any additional traffic and with this development there will be more traffic.

Mr. Woelker addressed the Commission in rebuttal and stated they have not seen a development plan and are not in a position to hold up this plan based on the access. He noted they agree to Staff's report. He stated Anchor Associates is not the reason why they cannot have access. He further noted they do intend to provide cross access to the development.

Mr. Darpel recessed the public hearing for discussion amongst the Commissioners. Mr. Ryan asked about the driveway along Walgreens as to access along there. Mr. Darpel stated the Commission is really not here to design their property. Mr. Darpel then reconvened and closed the public hearing. He then asked for a motion on the matter. Mr. Sketch made the motion to approve based on Staff's report and recommendations. Mr. Wischer seconded the motion. A roll call vote on the matter found Mr. Sketch, Mr. Wischer, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Padgett, Mr. Pannunzio, Mr. Pharr, Mr. Toebben and Mr. Whelan voted in favor. Mr. Ryan abstained. Ms. Snyder left prior to the vote being taken. The motion carried.

FILE:PC1803-0003 (action required)

APPLICANT: Three Springs Townhomes, LP on behalf of the Estate of Ignace and Helen Winterberg **LOCATION:** 2404 Anderson Road, an area consisting of approximately 2.12 acres located between Lynn Street and Queen City Avenue, across from Crest Avenue, approximately 930 feet northeast of Buttermilk Pike in Crescent Springs.

REQUEST: Stage I Development Plan for the described area which is zoned MLU-2 (Mixed Land Use Two) Zone by the Crescent Springs Zoning Ordinance; the applicant proposes to construct a 40-unit multifamily development.

Staff presentation and Staff recommendations by Mr. Patrick Denbow

PDS STAFF RECOMMENDATION:

Favorable recommendations for a Stage I Development Plan for the described area which is zoned MLU-2 (Mixed Land Use Two) Zone.

*Mr. Sketch recused himself from any consideration and voting on the issue due a potential conflict.

Mr. Scott Harold addressed the Commission and stated they do have in place zoning and this is not a re-zoning. He stated they are surrounded on all sides by rental housing. He noted they are in a walkable site and they feel like this development flows together well with the area.

Mr. Berling had nothing to add.
Mr. Brazieze had nothing to add.

Ms. Dawn Johnson addressed the Commission and asked about the Gateway Study for Crescent Springs they were told there was already too much rental property in the area. She asked about the pedestrian access and asked where that is going to go.

Mr. Harold addressed the Commission in rebuttal and stated they did a market area study and concluded there is a demand for this type of housing. He noted the walkability he referenced is the sidewalks within the development. He additionally stated they will add another sidewalk connection in the corner lot and noted they did not have time to show that on the plan.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. He noted this may be something they have Staff look at in the future because it's basically a review of the subdivision regulations. Mr. Darpel then reconvened and closed the public hearing. Mr. Darpel then asked for a motion on the issue. Mr. Dunham made a motion to approve based on Staff's report and recommendations and that it complies with the subdivision regulations. A roll call vote on the motion found Mr. Dunham, Ms. Brown, Ms. Collins, Mr. Darpel, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Padgett, Mr. Pharr, Mr. Ryan, Mr. Toeppen, Mr. Wischer and Mr. Whelan in favor. Mr. Sketch recused himself from the issue and any voting. The motion carried unanimously.

FILE: W-777 (action required)

APPLICANT: The Drees Company

LOCATION: An approximate 70-acre area along the north side of Narrows Road immediately opposite Nelson Road in Erlanger.

REQUESTS: Waivers from requirements of Sections 4.1-11 and 4.1-19 of the Kenton County Subdivision Regulations; granting the requests would: (1) waive the requirement that sidewalks be provided along the portion of Narrows Road fronting the subdivision; (2) waive the requirement that sidewalks be provided along both sides of the proposed street serving single-family attached residences, reducing them to one side; and 3) waive the requirement that the internal street system be connected to an adjacent street stub contiguous to the northwest portion of the site.

Staff presentation and Staff recommendations by Mr. Scott Hiles

PDS STAFF RECOMMENDATION:

Recommendation #1: To deny the requested waiver from the requirements from Section 4.1-11 of the Kenton County Subdivision Regulations and require that sidewalks be provided along the entire portion of Narrows Road and Nelson Road fronting the subdivision. This would include providing a portion of sidewalk along Narrows Road in the vicinity of Street D, rather than only a sidewalk connection to the cul-de-sac of Street F. Recommendation #2: To approve the requested waiver from the requirements of Section 4.1-11 of the Kenton County Subdivision Regulations and allow sidewalks to be provided along one sides of the proposed street serving the proposed 48 single-family attached residences. Recommendation #3: To approve the requested waiver from the requirements of Section 4.1-19 of the Kenton County Subdivision Regulations and not require that the internal street system be connected to an adjacent street stub configuration to the southwest portion of the site.

Mr. Maines addressed the Commission on the issue and stated ultimately they just wanted to do whatever made sense with the sidewalk. Since then they have had conversations with the city and did not want to put a sidewalk in that might connect anywhere. He stated the city is going to continue on the one side so they are now in agreement with bringing the sidewalk down to Narrows Road. He stated all along there it is sort of a non-issue for them so the waiver is not really applicable. He additionally noted they are talking about raising the intersection at Narrows Road. He stated if that happens the smartest thing would be to have everyone cross at the stop sign versus the middle of the road. He stated he would like to have the waiver with the condition that sidewalk on the south side of the street would be connected, or to go back and have it where they are showing now. He stated they just didn't want to build it if there was never any intention to connect it down the road. Ms. Brown stated she appreciated the fact that Mr. Maines heard what was said and that they have taken this into consideration.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. There being none, he reconvened and closed the public hearing. He then asked for a motion on the issue. Ms. Brown made the motion with request #3 to waive the requirement based on Staff's report and the testimony heard, and that unusual topography exists. Mr. Dunham seconded the motion. A roll call vote on the motion found Ms. Brown, Mr. Dunham, Ms. Collins, Mr. Darpel, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Padgett, Mr. Pharr, Mr. Ryan, Mr. Sketch, Mr. Toeppen, Mr. Wischer and Mr. Whelan in favor. The motion carried unanimously. With regard to request #2 regarding sidewalks along both sides, Ms. Brown made the motion based on Staff's report, that it would not be detrimental to public interest, and that it is in compliance with the Comprehensive Plan. Ms. Hood seconded the motion. A roll call vote on the issue found Ms. Brown, Ms. Hood, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Padgett, Mr. Pharr, Mr. Ryan, Mr. Sketch, Mr. Toeppen and Mr. Whelan in favor. Mr. Wischer voted against. Ms. Brown made the motion to approve with regard to Request #1 based on Staff's report and recommendations, and that it is detrimental to public interest. Mr. Pharr seconded the motion. A roll call vote on the motion found Ms. Brown, Mr. Pharr, Mr. Padgett, Mr. Sketch and Mr. Toeppen in favor. Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Ms. Hood, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Ryan and Mr. Wischer voted against. The motion failed. Ms. Brown made the motion for the entire frontage of the sidewalk to deny the waiver and will continue to require sidewalks from corner to corner along Narrows Road. Ms. Hood seconded the motion. A roll call vote on the motion found Ms. Brown, Ms. Hood, Ms. Collins, Mr. Darpel, Mr. Dunham, Mr. Gaiser, Mr. Vaughn, Mr. Logsdon, Mr. Martin, Mr. Whelan, Mr. Wischer, Mr. Padgett, Mr. Pharr, Mr. Ryan, Mr. Sketch, Mr. Toeppen and Mr. Wischer in favor. The motion carried unanimously.

Ongoing Business

Reports from Committees

By Laws: - Ms. Brown stated they have some language that needs to be recommended and approved but did not have a quorum. She noted they will try again the first week in May.

Direction 2030 implementation: They did not meet.

Executive: Mr. Darpel stated they did not meet.

Social Media:Mr. Ryan stated they did not meet.

Subdivision Review:Mr. Hiles commented they do need to get the committee back and active again and find some meeting dates. He stated they do have some issues they are getting calls on saying when is that committee going to meet.

Reports from Commission Members: None.

Reports from Legal Counsel: With regard to the Villa Hills project Mr. Smith gave a brief update on the lawsuit that was filed. He noted all the parties that were named and stated claims against the Commission were basically the same claims the judge had already dismissed. Mr. Smith stated he didn't believe the Commission should be a party so he doesn't think the Commission should even be named in the lawsuit. He stated he deferred the suit over to insurance to handle it but he just wanted to provide an update.

Reports/Announcements from Staff:Ms. Randall stated Pam is asking that the Commissioners check their emails as they are having trouble getting people to respond and to have a quorum. Mr. Ryan asked if Pam could utilize a text message possibly.

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. Brown and seconded by Mr. Ryan. All in favor by acclamation. The meeting then adjourned at 10:53 p.m.

APPROVED: -

✓Chair *Diane Brown*

Date *June 7, 2018*