

**KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING
Minutes**

Mr. Darpel, Chairman, called the meeting to order on September 5, 2019 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	X	X	X	X	X	X			
Debbie Vaughn	Kenton Co	X	X	X	X	X	X	X	X	X			
Diane Brown, V. Chair	Erlanger	X	X	X	X	X	X			X			
Carl Ahrens	Ryland Hts.								X	X			
Paul Darpel, Chair	Edgewood	X	X	X	X	X		X	X	X			
Brian Dunham	Kenton Cty	X	X	X	X	X	X	X	X	X			
Mike Gaiser	Ludlow	X											
Margo Baumgardner	Crestview Hills			X	X*	X		X	X				
Keith Logsdon	Lakeside Park	X		X	X	X	X		X	X			
Matthew Martin	Taylor Mill	X	X	X	X	X	X	X	X	X			
Jen Best	Covington									X			
Joe Pannunzio	Elsmere	X		X	X	X		X	X	X			
Sean Pharr	Covington		X		X					X			
Phil Ryan, Treasurer	Park Hills	X	X	X	X	X	X	X	X	X			
Gailen Bridges	Bromley			X	X	X	X	X	X	X			
Greg Sketch	Crescent Spgs	X	X		X			X	X				
Maura Snyder	Independence	X	X	X	X	X*	*	X	X	X			
Todd Berling	Fort Wright									X			
Robert "Bob" Whelan	Covington	X		X		X	X		X	X			
Brian Wischer	Villa Hills	X		X	X	X	X	X	X	X			

Also present were Mr. Mathew Smith, Legal Counsel, and the following PDS staff: Mr. Andy Videkovich and Mr. Patrick Denbow.

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

Mr. Darpel noted there were two new Commissioners joining the Commission, Ms. Jen Best representing for Covington, and Mr. Todd Berling representing Fort Wright. Both had been sworn in prior to the start of the meeting.

AGENDA:

Mr. Darpel stated a request was received to withdraw item 13 from the agenda, as well as a request to table item 14 with regard to request #1 pertaining to cross connections. He then asked for a motion to table that for a period not to exceed 6 months. He additionally noted he had received a request from Staff with regard to the issues pertaining to Covington. He stated essentially they would hear the two items together. Mr. Darpel then asked for a motion to amend the agenda. Ms. Snyder made the motion to amend as stated. Mr. Darpel asked if that included the tabling for 6 months pertaining to issue 14 from the agenda. Ms. Snyder indicated her motion did include the tabling regarding that issue. Mr. Ryan seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Ryan, Mr. Ahrens, Ms. Best, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. Dunham, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Berling, Ms. Vaughn, Mr. Whelan and Mr. Wischer in favor. The motion carried unanimously.

APPROVAL OF THE MINUTES

Mr. Darpel asked for any questions or comments with regard to the minutes for August. Ms. Snyder stated the only comment she had was her attendance in the front of the minutes needs to be noted. Mr. Darpel then asked for a motion to approve. Ms. Snyder made the motion to approve. Ms. Brown seconded. A roll call vote on the motion found Ms. Snyder, Mr. Ahrens, Ms. Brown, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Ryan, Ms. Vaughn, Mr. Whelan and Mr. Wischer in favor. Ms. Best, Mr. Berling and Mr. Pharr abstained. The motion carried.

RECEIPTS AND EXPENDITURES:

Mr. Darpel asked for any questions or comments with regard to the receipts and expenditures report. There being none he then asked for a motion to accept the report. Ms. Snyder made the motion to approve as submitted. Mr. Ryan seconded. All in favor by acclamation.

RECENT ACTIONS BY STAFF:

(No action required)

RECENT ACTIONS BY LEGISLATIVE BODIES:

(No action required)

PUBLIC HEARINGS:

The following two items were combined for purposed of the meeting.

FILE: PC1908-0002 *(action required)*

APPLICANT: Al Neyer, LLC per David Okun

LOCATION: 303 Court Street; an area of approximately 0.57 acres located as a standalone block bounded by Court Street, Park Place, East 3rd Street, and Scott Street in Covington.

REQUEST: A proposed map amendment to the Covington Zoning Ordinance changing the described area from CG-3P (a general commercial zone) to CBD-9P (a central business zone)

including review and actions on variances as permitted by the Covington Zoning Ordinance; the applicant proposes to increase the height of an existing nonconforming structure with a setback of 11 feet along Court Street and 20 feet along Park Place and East 3rd Street, where a maximum of five feet is permitted; and, to redevelop the existing building for a maximum of 130 apartment units and ground floor retail sales.

Staff presentation and Staff recommendations by Mr. Andy Videkovich

PDS STAFF RECOMMENDATION

Favorable recommendation on the requested variances of the Covington Zoning Ordinance where the existing non-conforming structure is setback 11 feet along Court Street and 20 feet along Park Place and East 3rd Street, where a maximum of five feet is permitted.

FILE: PC1907-0006 (*action required*)

APPLICANT: City of Covington per Tom West, AICP, Economic Development Director

REQUEST: Proposed text amendments to the Covington Zoning Ordinance: (1) adding the “-9” intensity designation, a new intensity designation that allows a maximum floor area ratio (ratio of building area to lot area) of 9.0, a minimum lot area per dwelling unit of 175 square feet, and no height limit; and, (2) permitting this new intensity designation within the CBD (Central Business District) Zone.

Staff on presentation and Staff recommendations by Mr. Andy Videkovich

PDS STAFF RECOMMENDATION

Favorable recommendation on the proposed text amendment adding the “-9 intensity designation, a new intensity designation that allows a maximum floor area ratio (ratio of building area to lot area) of 9.0, a minimum lot area per dwelling unit of 175 square feet, and no height limit.

Mr. David Okun addressed the Commission in favor and stated they are very excited about the project and have already gotten a lot of positive feedback on the development. He then introduced Mr. Kim Patton who would be speaking on the issue. Mr. Patton addressed the Commission and stated this is actually the second phase of the development. He stated Staff did a great job summarizing the site plan. He noted what he would add is the northern point is a limited access point for trucks going in and out to the dumpster. He stated the parking lot in front would be more for residents and Uber eats, etc. He stated the building has been around for quite a while and is primed to be redeveloped. He additionally noted one of the neat things about the structure is that the original construction will allow for balconies on almost every unit. He stated they would like to get up a little higher due to the IRS building, and to maximize the views which will be stunning. He stated they are going to be able to introduce glass on the lower floors and lighten it up. He then commented they think the commercial property is going to be very nice too. Mr. Patton stated the building will be lit up at night and have a nice glow to it. He additionally commented as an architectural rehab they are very excited about all that this can be.

All others registered speak had nothing to add. Mr. Belcher stated he had no objections.

Mr. Darpel then recessed the public hearing for discussion on the matter. Mr. Berling asked about the parking for the development. Mr. Darpel clarified the parking for the project from Staff's report. Mr. Ryan asked about the square footage for the project. Mr. Patton then clarified the scope and the square footage for the development. There being no further comments or questions, Mr. Darpel reconvened and closed the public hearing. He then asked for a motion on the text amendment. Mr. Whelan made the motion to approve based on Staff's report. Mr. Martin seconded the motion. A roll call vote on the issue found Mr. Whelan, Mr. Martin, Mr. Ahrens, Mr. Berling, Ms. Best, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. Dunham, Mr. Logsdon, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Ms. Snyder, Ms. Vaughn and Mr. Wischer in favor. The motion carried unanimously. Mr. Darpel then asked for a motion on the map amendment. Mr. Whelan made the motion to approve the map amendment based on Staff's report to include the conditions and that it is in compliance with the Comprehensive Plan. A roll call vote on the matter found Mr. Whelan, Mr. Martin, Mr. Ahrens, Mr. Berling, Ms. Best, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. Dunham, Mr. Logsdon, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Ms. Snyder, Ms. Vaughn and Mr. Wischer in favor. The motion carried unanimously. Mr. Darpel then asked for a motion with regard to the variance. Mr. Whelan made the motion to approve the variance based on Staff's report. Mr. Martin seconded the motion. A roll call vote on the matter Mr. Whelan, Mr. Martin, Mr. Ahrens, Mr. Berling, Ms. Best, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. Dunham, Mr. Logsdon, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Ms. Snyder, Ms. Vaughn and Mr. Wischer in favor. The motion carried unanimously.

FILE: PC1907-0007 (*action required*)

APPLICANT: Kenton County per Joe Shriver, County Administrator

REQUEST: Proposed text amendments to the Kenton County Zoning Ordinance: increasing the total impervious surface area permitted within front yards of single-family-zoned lots from 25 percent to 40 percent and 45 percent when the property is fronting a cul-de-sac turn around.

Staff presentation and Staff recommendations by Andy Videkovich

PDS STAFF RECOMMENDATION

Favorable recommendation on the proposed text amendments to the Kenton County Zoning Ordinance: increasing the total impervious surface area permitted within front yards of single-family-zoned lots from 25 percent to 40 percent and 45 percent when the property is fronting a cul-de-sac turn around.

Ms. Katherine Donahue registered to speak on the issue. She noted she is sorry they weren't given the opportunity to research the issue prior to tonight in terms of how this would impact the rural areas. She stated they are not against it for the subdivision but she thinks the language needs to be tweaked to exclude the larger lots in rural areas.

There being no others registered to speak, Mr. Darpel recessed the public hearing for discussion on the matter. Ms. Vaughn stated she does have a concern about someone putting a large concrete pad in their front yard. Mr. Bethell stated he would concur with some of the issues brought up. He noted with the larger lots it could look like a parking lot. He stated the language should be tightened up. Mr. Whelan stated allowing that much pervious area in a front yard doesn't make much sense. Mr. Dunham stated from a procedural standpoint does this have to be decided tonight or can it be put off a month to allow for the time to look at the language. Mr. Bridges stated he would like to see it tabled and have the South Kenton County Group take a

look at it. Mr. Smith stated he doesn't see a benefit to tabling it and noted they would have to submit a decision within 60 days. Mr. Darpel noted tabling it does not give them another public hearing. Mr. Ryan stated he also thinks it's not very well thought out. He stated he thinks it needs to be tweaked more than applying to larger lots. There being no further comments, Mr. Darpel reconvened and closed the public hearing. He then asked for a motion on the issue. Mr. Dunham made the motion to deny the application and adding a note that it is generally supportive of the recommendation that there being input from the South Kenton Group on the issue. Ms. Vaughn seconded the motion. A roll call vote on the issue found Mr. Dunham, Ms. Vaughn, Mr. Ahrens, Mr. Berling, Ms. Best, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Ms. Snyder, Mr. Whelan and Mr. Wischer in favor. The motion carried.

*At this time (7:39 p.m.) Chairman Darpel had to leave the meeting. Ms. Brown, Vice Chair, presided over the remainder of the meeting.

FILE: PC1908-0005

APPLICANT: City of Fort Mitchell per Jude Hehman, Mayor

REQUEST: proposed text amendment to the Fort Mitchell Zoning Ordinance adding projecting signs as a permitted sign type within the NC (Neighborhood Commercial) Zone.

Staff presentations by Mr. Patrick Denbow

PDS STAFF RECOMMENDATION

Favorable recommendation adding projecting signs a permitted sign type within the NC (Neighborhood Commercial) Zone.

No one registered to speak on the issue.

There being no comments, Ms. Brown closed the public hearing and asked for a motion on the matter. Mr. Bethell made the motion to approve. Mr. Logsdon seconded. A roll call vote on the matter found Mr. Bethell, Mr. Logsdon, Mr. Ahrens, Mr. Berling, Ms. Best, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. Dunham, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Ms. Snyder, Ms. Vaughn, Mr. Whelan and Mr. Wischer in favor. The motion carried unanimously.

FILE: PC1908-0001 (*action required*)

APPLICANT: Kenton County Planning Commission per Paul J. Darpel, Chair

REQUESTS: Amendments to Kenton County's comprehensive plan: review of proposed updates to Kenton County's *Direction 2030: Your Voice. Your Choice*. Comprehensive plan as part of the five year update in accordance with KRS 100.197 (2).

Staff presentation and Staff recommendations by Mr. James Fausz

PDS STAFF RECOMMENDATION

Favorable recommendation on the proposed amendments to Kenton County's *Direction 2030: Your Voice. Your Choice*. Comprehensive plan. These amendments will revise recommendations and tasks to various elements of the comprehensive plan, update website links, update base map information, and meet the requirement of KRS 100.197 to be review at least once every five years.

Ms. Brown then read the resolution into the record with regard to the matter.

Mr. Bob Schroeder addressed the Commission and stated he wanted to comment on the Industrial Land Use plan and the economy section. He stated he is in favor of that and feels Kenton County needs the jobs.

Mr. Brian Miller addressed the Commission and stated he wanted to clarify on the housing element as to new residential development should be developed only when there are amenities next to it. He also voiced support for the industrial land aspect of the plan. He stated he would like to emphasize to not move industrial to Boone County and to keep it in Kenton County. He stated they are excited to see what the new industrial development will mean for Kenton County.

There being no further comments, Ms. Brown recessed the hearing for discussion. Mr. Bethell stated he wanted to echo Staff and the Committee for their work on the issue. Ms. Brown then reconvened and closed the public hearing and asked for a motion on the issue. Mr. Bethell made the motion to accept the amendment. Mr. Logsdon seconded. A roll call vote on the matter found Mr. Bethell, Mr. Logsdon, Mr. Ahrens, Mr. Berling, Ms. Best, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. Dunham, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Ms. Snyder, Ms. Vaughn, Mr. Whelan and Mr. Wischer in favor. The motion carried unanimously.

Ongoing Business

Reports from Committees

Bylaws – no report

Direction 2030 Implementation – Mr. Bethell stated there was no meeting held and there will be no meeting this month.

Executive – no meeting held. Ms. Brown noted the audit is getting ready and will be seeing that next month.

Social Media – Mr. Ryan stated since the move is happening there will not be a meeting this month and hopefully next month.

Subdivision Review– Ms. Brown stated there was no update.

Reports from Commission members – None.

Report from Legal Counsel– nothing to report.

Reports/announcements from Staff– Mr. Videkovich noted new Commission members Jen Best and Todd Berling. He additionally stated this will be the last meeting in these meeting chambers as the move will be happening over the next few weeks. He also noted the office will be closed on September 13th. He noted there is an upcoming training opportunity in Louisville if interested. He noted anyone interested should contact Pam about attending.

General Correspondence – Ms. Vaughn reminded everyone that the Farm Tour is upcoming on September 21st and 22nd.

There being nothing further to come before the Commission, a motion to adjourn was made by Ms. Snyder and seconded by Mr. Ryan. The meeting then adjourned at 8:06 p.m.

APPROVED:

Chair _____

Date _____

General Correspondence – Ms. Vaughn reminded everyone that the Farm Tour is upcoming on September 21st and 22nd.

There being nothing further to come before the Commission, a motion to adjourn was made by Ms. Snyder and seconded by Mr. Ryan. The meeting then adjourned at 8:06 p.m.

APPROVED:

✓Chair Deane M. Brown

Date Nov. 8, 2019

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