

**KENTON COUNTY PLANNING COMMISSION**  
**REGULAR MEETING**  
Minutes

Mr. Brian Dunham, Chairman, called the meeting to order on May 2, 2024, 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 Planning and Development Services office in Covington. Attendance of members is as follows (for this meeting as well as those during the year to date).

<b>Commission Member</b>	<b>Jurisdiction</b>	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>Anthony Baker</b>	Covington		X										
<b>Margo Baumgardner</b>	Crestview Hills	X	X		X	X							
<b>Todd Berling</b>	Fort Wright	X	X	X	X	X							
<b>Jeff Bethell</b>	Fort Mitchell	X	X	X	X	X							
<b>Gailen Bridges</b>	Bromley	X	X	X		X							
<b>Paul Darpel, Vice Chair</b>	Edgewood	X	X	X		X							
<b>Brian Dunham, Chairman</b>	Kenton Cty	X	X	X	X	X							
<b>Tom France</b>	Ludlow	X	X	X	X	X							
<b>John Hennessey</b>	Villa Hills	X	X	X	X								
<b>Yovonne Hurst</b>	Ryland Heights		X										
<b>Keith Logsdon</b>	Lakeside Park	X	X	X		X							
<b>Matthew Martin</b>	Taylor Mill	X	X	X	X	X							
<b>Dan McElheney</b>	Erlanger		X										
<b>Joe Pannunzio</b>	Elsmere	X	X	X	X	X							
<b>Sean Pharr</b>	Covington	X	X	X	X	X							
<b>Phil Ryan, Treasurer</b>	Park Hills	X	X	X	X	X							
<b>Kareem Simpson</b>	Covington	X	X		X	X							
<b>Greg Sketch</b>	Crescent Spgs	X	X	X	X	X*							
<b>Maura Snyder</b>	Independence	X	X	X	X	X							
<b>Debbie Vaughn</b>	Kenton Co	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 Mr. Matt Smith, Legal Counsel, and the following PDS staff: Mr. Andy Videkovich, Mr. Cody Sheets and Ms. Megan Bessey.

**AGENDA:**

Mr. Dunham noted a new 50 day extension was added to the agenda with regard to cell towers. He then asked for a motion to approve the revised agenda for the meeting. Ms. Snyder made the motion to approve. Mr. Ryan seconded. All in favor by acclamation.

**APPROVAL OF THE MINUTES**

Mr. Dunham asked for any questions or comments with regard to the minutes for April. There being none, Mr. Bridges made the motion to approve. Ms. Snyder seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Berling, Mr. Bethell, Mr. Dunham, Mr. France, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Simpson and Mr. Sketch in favor. Mr. Bridges, Mr. Darpel and Mr. Logsdon abstained. The motion carried.

**FY2025 Budget**

Ms. Nicole Cullum addressed the Commission with regard to the budget for the next year. She noted the reserve fund is fully funded. She additionally stated with regard to the applications, fees are strong for the year and more will be collected than anticipated, which will be about \$25,000 more than last year. She noted recording fees are the same. She noted most of the expenditures remained the same. Ms. Cullum commented about the PDS Staff services and noted those costs have decreased due a reduction in staff members that will not be replaced. She noted interest revenue would be about \$33,000 dollars. Mr. Ryan noted the Executive committee got together with Nicole and everything looks good. Mr. France asked about the credit card processing fees. Ms. Cullum stated those fees were from what the applicants were paying that is an expense going out but it is being funded in fees. Mr. Darpel commented the Commission is in so much better shape than we were years ago and it's due to Nicole and how she did such a great job. A motion was then made by Ms. Snyder to approve the FY2025 budget. Mr. Darpel seconded the motion. A roll call vote on the motion found Ms. Snyder, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Simpson, Mr. Sketch, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Bridges in favor. The motion was approved.

**RECEIPTS AND EXPENDITURES:**

Mr. Dunham stated the receipts and expenditures report for April was distributed. There were no comments or questions regarding the report. He then asked for a motion to approve. Ms. Snyder made the motion to approve the April receipts and expenditures. Mr. Ryan seconded the motion. All in favor by acclamation. The motion carried.

**RECENT ACTIONS BY STAFF:**

*(No action required)*

**RECENT ACTIONS BY LEGISLATIVE BODIES:**

*(No action required)*

**PUBLIC HEARINGS**

**FILE: PC-24-0004-PF**

**APPLICANT: Robert Ehmet Hayes & Associates., PLL per Noah C. Onkst.**

**LOCATION: 3911 Winston Ave;** an existing space of approximately 11,783 sq. ft. located within a parcel of approximately 12.4 acres located on the west side of Winston Avenue at the intersection with East 39th Street

**REQUEST: A public facility review per KRS 100.324 and KRS 147.680.**

**SUMMARY: The applicant proposes to establish a public facility (public library) within an existing commercial / retail center.**

Staff presentation and Staff recommendations by Mr. Cody Sheets

## **PDS STAFF RECOMMENDATION**

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

Mr. Noah Onkst addressed the Commission and stated he appreciates Staff and commented they have done dozens of these in his office and this is a bit unique. He noted there was a lot of back and forth about how to submit the project and he appreciates Staff. He noted this brings the library into the urban core and it works really well with walkability. He also noted there was a study done to indicate which location area residents were going to and it was interesting that all three local cities were represented. He noted there are four schools within a mile walking distance from the site. He stated he wanted to note this is the first new branch to open in 30 years and they are proud to say they've done it without raising any taxes. He commented they are hoping to get it open by the end of the year. He further noted most of the businesses in the location have been abandoned and are not currently being used so they are hoping this brings some more into the area. Mr. Dunham asked about the length of the lease. He further cautioned about investing in a building that isn't owned. Mr. Onkst noted the lease had the option of up to ten years.

All others registered to speak had nothing to add.

Mr. Dunham recessed the public hearing for discussion amongst the Commissioners. Mr. Simpson stated this was something that they did in the Independence branch. Mr. France stated he would think with the number of schools in the area this would go over very well. Mr. Dunham then reconvened and closed the public hearing and asked for a motion on the issue. Mr. Pharr made the motion to approve based on Staff's report and based on the finding that the proposed facility is consistent with the Comprehensive Plan. Mr. Simpson seconded the motion. A roll call vote on the motion found Mr. Pharr, Mr. Simpson, Mr. Sketch, Ms. Snyder, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Logsdon, Mr. Martin, Mr. Pannunzio and Mr. Ryan in favor. The motion carried.

### **FILE: PC-24-0009-MA**

**APPLICANT:** Toby Moeves on behalf of Western Garage, LLC

**LOCATION:** 813 Lewis Street & 957 Western Avenue, Covington; an area of approximately 0.63 acres located on two parcels. 957 Western Avenue is located approximately 100 feet south of the intersection of Western Avenue and Lewis Street and 813 Lewis Street is located approximately 132 feet west of the intersection of Western Avenue and Lewis Street and on the south side of the intersection of Lewis Street and Worth Street, in Covington

**REQUEST:** A proposed map amendment to the Covington Neighborhood Development Code changing the described area from SU (a Semi-Urban Residential district) to CMU (a Commercial Mixed Use district); the applicant operates an existing nonconforming light-industrial use (construction company with storage) and is proposing a map amendment in order to expand the use to include an additional building for retail, office, storage, and upper floor residential uses.

Staff presentation and Staff recommendation by Mr. Andy Videkovich

## **PDS STAFF RECOMMENDATION**

Favorable recommendation on the proposed map amendment to the Covington Neighborhood Development Code changing the described area from SU (a Semi-Urban Residential district) to CMU (a Commercial Mixed Use district); the applicant operates an existing nonconforming light-industrial use (construction company with storage) and is proposing a map amendment in order to expand the use to include an additional building for retail, office, storage, and upper floor residential uses.

Mr. Toby Moeves addressed the Commission and stated one of their intentions is to clean the place up. He stated he originally used it for a landscaping business and their intent is to make it a more appealing property. He noted a lot of what was depicted in the photographs needs to go and will be gotten rid of. Mr. Dunham asked if they have ever been cited and Mr. Moeves stated he had not. He noted when they purchased the property the shed was there. Mr. Dunham asked what the plan was for the building. Mr. Moeves stated they would like to have a retail type place on the first floor and have a dwelling above. He noted they have a woodworking business and would use this space as kind of a showroom. He noted there is currently one residential unit in the building. He stated the prior building housed an HVAC use. Mr. Dunham asked what their timing was for the property. The applicant then stated they hope to get going on it pretty quickly. Mr. Dunham further asked if the plan was to remove all the outdoor storage. Mr. Moeves then stated all the miscellaneous junk that is currently stored outside would be taken care of. He additionally stated if they are going to build something on the property they want to maximize what is allowed.

Mr. Dan Wood addressed the Commission on the issue as the zoning administrator for Covington. He stated they have been in conversations with the owners to clean up the property. He further stated they talked with the applicant about suggestions for the property to better utilize it. He additionally stated there was a long history of the site and what they would like to do is rather than go back through all the paperwork they would rather have a new zone. Mr. Wood stated he has been pretty strict with the buffer zones and noted they are required in that area and they would be addressed. Mr. Wood noted chain link fencing is currently not allowed in front yards and he thinks there is a lot of opportunity to bring this up to code. Mr. Darpel stated the outdoor use should not be something that an architectural board can decide. Mr. Dunham stated he was a little surprised that a development plan was not required. Mr. Wood commented that with something this small it is not required. Mr. Wood noted under SMVU this is a better zone for this type of use. He stated having something at the front is better than having something at the back and he feels this is a better design than what the current use is. Mr. Wood stated in order to keep the use they have to show that it was legally purchased and also to show that it was never modified or altered. Mr. Dunham asked if he had received any calls or emails from neighbors. Mr. Wood stated he stated he did not.

Mr. Martin Daniel addressed the Commissions and stated they don't have any plans to ask for a variance. Mr. Daniel then gave a brief background of the uses the building has seen over the years up until the present.

Mr. Dunham closed the public hearing for discussion amongst the Commission. Mr. Ryan stated he drove by it today and noted there were a lot of windows and doors on the property but noted they intended to clean it up. Mr. Bethell asked how the zone change will affect the encroachment. He then stated he was just curious. Mr. Smith stated he believes it would only affect the lot. Mr. France stated if the outdoor storage is a non-issue then the barbed wire wouldn't be needed. He stated this seems to be the best way to address the site in a residential neighborhood. Mr. Dunham stated he wouldn't normally be in favor of this but there are no neighbors complaining and no one from the city, so he is in favor. Mr. Dunham then reconvened and closed the public hearing and asked for a motion on the issue. Mr. Simpson made the motion to approve the application based on Staff's recommendations and the testimony heard. Mr. Berling seconded the motion. A roll call vote on the issue found Mr. Simpson, Mr. Berling, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Sketch, Ms. Snyder and Ms. Baumgardner in favor. The motion carried.

**FILE: PC-24-0010-MA**

**APPLICANT:** Midland Acquisitions, LLC., dba Midland Atlantic Properties per Crescent Springs Baptist Church, Inc., Property Owner

**LOCATION:** An area of approximately 0.89 acres located on the southwest side of Buttermilk Pike between Horton Street to the northwest and Anderson Road to the southeast, approximately 512 feet from Anderson Road. This area includes portions of 627 & 629 Buttermilk Pike in Crescent Springs.

**REQUEST:** A proposed map amendment to the Crescent Springs Zoning Ordinance from R-1G (a single-family residential zone) to PO (a professional office zone). The applicant is proposing to construct a 4,300 square foot bank with two access points, surface parking to include 49 parking spaces, and a stand-alone ATM. A portion of this development will be located in an area already zoned PO.

\*Mr. Darpel noted Mr. Dunham had to recuse himself from the following issue due to a potential conflict of interest.

Staff presentation and Staff recommendation by Ms. Megan Bessey

**PDS STAFF RECOMMENDATION**

A favorable recommendation for a proposed map amendment to the Crescent Springs Zoning Ordinance from R-1G (a single-family residential zone) to PO (a professional office zone). The applicant is proposing to construct a 4,300 square foot bank with two access points, surface parking to include 49 parking spaces, and a stand-alone ATM. A portion of this development will be located in an area already zoned PO.

Mr. Clayton Ryan addressed the Commission and stated to answer a couple questions, he was not aware they were supposed to have a sidewalk to Morton Street and noted that is not a problem. He stated you would be able to take a left turn into the site off Buttermilk via a left in and then would access back out right onto Buttermilk. He stated he doesn't want to add too much to what Staff has recommended and just added some background information on his company and gave examples of prior developments. He then noted hopefully those show what they are capable of. He then stated they

cannot announce who the banking institution is but noted it is a national chain. He additionally stated this particular location will have a stand alone ATM in the parking lot. He noted he was available to answer any questions.

Mr. Michael L. Baker addressed the Commission on behalf of the city and noted the city is neutral on this issue. He stated at the last council meeting there was a concern about the parking spots and traffic on Buttermilk Pike. He stated they are not opposed to this request and stated traffic will be addressed with the zoning administrator.

There being no others registered to speak on the issue, 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 issue. Mr. Sketch made the motion to approve based on Staff recommendations and that it is in compliance with the Comprehensive Plan. Mr. Martin seconded the motion. A roll call vote on the matter found Mr. Sketch, Mr. Martin, Mr. Pannunzio, Mr. Pharr and Mr. Ryan Simpson, Ms. Snyder, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. France and Mr. Logsdon in favor. Mr. Dunham recused himself from any voting on the issue. The motion carried.

**FILE: PC-24-0012-TX**

**APPLICANT:** The City of Covington per Dan Wood, AICP, Zoning Administrator

**REQUEST:** Proposed text amendments to the Covington Neighborhood Development Code to categorize ShortTerm Rentals as limited uses within the SR (Suburban Residential), SU (Semi-Urban), DTC (Downtown Core), TUMU (Traditional Urban Mixed Use), TUR (Traditional Urban Residential), and AUC (Auto Urban Commercial) District. This includes requiring a Short-Term Rental Dwelling License to be obtained from Code Enforcement, removing use specific standards, and amending the definition of Short-Term Rental, Non-Host Occupied.

Staff presentation and Staff recommendation by Mr. Cody Sheets

**PDS STAFF RECOMMENDATION**

Favorable recommendation on the proposed text amendments to the Covington Neighborhood Development Code to categorize Short-Term Rentals as limited uses within the SR (Suburban Residential), SU (Semi-Urban), DTC (Downtown Core), TUMU (Traditional Urban Mixed Use), TUR (Traditional Urban Residential), and AUC (Auto Urban Commercial) District including requiring a Short-Term Rental Dwelling License to be obtained from Code Enforcement, removing use specific standards, and amending the definition of Short-Term Rental, Non-Host Occupied.

Mr. Dan Wood addressed the Commission thanking Staff and stating he was available to answer any questions. Mr Ryan asked about the moratorium on the rentals in 2022 if it shut down everybody who had licenses as well.. Mr. Wood stated it was a moratorium on new licenses and at the time they had 277 STRs operating in the city and only 37 of them had licenses. He stated they had to figure out how to more effectively leverage code enforcement to get them licensed. He noted that was enacted as an emergency and came up with the code enforcement they have now. He additionally stated that the vast majority of STRs are now approved on consent by the Board with very little discussion. Mr. Berling asked if the zones identified were the same ones as allowed previously. Mr. Wood stated he didn't believe it was. He stated he thinks he has the old unamended version and they had a lot more conditional uses, so things were going to the Board a lot more often and it was unmanageable.

There being no others to speak on the issue Mr. Dunham recessed the public hearing for discussion. Mr. Ryan asked Mr. Sheets to define limited use. Mr. Sheets stated it is unique to Covington and then gave an explanation. He stated basically a limited use is like a permitted use, that just has additional use standards associated with it. He stated in the case of the short term rental they would have a long list of use standards to follow in order to have that limited use. Mr. Dunham then reconvened and closed the public hearing and asked for a motion on the issue. Mr. Pharr made the motion to approve based on Staff's report and the testimony heard. Mr. Simpson seconded the motion. A roll call vote on the motion found Mr. Pharr, Mr. Simpson, Mr. Sketch, Ms Snyder, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr Dunham, Mr. France, Mr. Logdson, Mr. Martin, Mr. Pannunzio and Mr. Ryan in favor. The motion carried.

**Reports from Committees**

**Bylaws** – Mr. Dunham stated they have a reason to have a meeting and they are going to try to move up the regularly scheduled meeting. He noted they are going to try to put into the Bylaws some sort of standard related to excess reserve and how that is handled so to be on the lookout for that.

**Direction 2030 Implementation** – Mr. Simpson stated they had a meeting a couple weeks ago that he unfortunately had to miss due to a work emergency. He stated he was able to watch the video and afterwards met with Staff regarding what was gone over. He noted they went through the redline changes one by one and noted there were not a lot of issues that had come up. He stated basically Staff presented a couple of the elements they had recommended for review. He noted there weren't a lot of issues that came up and they are going to have another meeting in a couple weeks. He stated the draft is going to be coming to the Commission in September and noted the draft recommendations will be up on the web site for review. He stated they have had thorough discussion about many of those updates. Mr. Videkovich then stated it has been very busy for Staff and commented about recent meetings with various organizations to get public input. He noted one of the things discussed was the need for public transit. He stated the draft recommendations are online and they are rolling those out slowly. He then walked through how to access those on the website. Mr. Dunham asked if it would be possible to email the actual link for that to the Commissioners. Mr. Videkovich stated he could do that. He additionally noted some upcoming open houses regarding the updates to the comprehensive plan to be held May 7-9th and on May 13th. He also noted they will be having a housing Stakeholder meeting on May 15th at 9:00 a.m. and noted they will be meeting with the City/County Administrator's Group on May 30th at 9:45. He stated he just wanted to let them know where this is at and what next steps will be. He noted the next meeting will be May 14th and stated there weren't any additional elements to go through, however there were some questions raised at the last meeting. He stated he would be happy to answer any questions over the next couple months. Mr. Dunham commented and stated he has been participating with the committee and noted everyone would be proud of the job that Staff and Andy and his team have been doing on this. He also noted Mr. Smpson has been doing a fantastic job with taking the bull by the horns with leading the committee.

**Executive**– Mr. Dunham stated they met and met with the PDS Executive Board and discussed matters for the coming year.

**Social Media** - No report.

**Subdivision Review** – No report.

**Z21 Review** - Mr. Bridges stated they met this week and reviewed the Z21 plan for the City of Bromley and recommended approval.

**Comments from Commissioners** - Nothing to report.

**New Business** – Mr. Dunham stated they have two items of new business where they have to extend the 60 day cell tow hearing deadline. He stated with regard to issues PC-24-001-CT and requested the extension of the 60 day cell tower hearing deadline from June 16, 2024 to July 10, 2024. Mr. Darpel made the motion to approve. Ms. Snyder seconded. All in favor by acclamation. Mr. Dunham then noted a similar request with PC-24-00-002-CT and asked for a motion for the similar request involving the same dates. Mr. Darpel made the motion with Ms. Snyder giving the second. All in favor by acclamation.

**Reports/Announcements from Staff** - Mr. Videkovich commented he wanted to take a few minutes to go over some of the activities Staff is involved with on a regular basis. He stated every month they talk about the comprehensive plan, but there are a lot of other activities that they are doing that are comprehensive plan related but not necessarily things they hear about on a regular basis. He stated there are a lot of recommendations that don't necessarily fall under the planning commission's purview. He stated certainly the comprehensive plan is statutorily a guide for all public and private development within the county and it doesn't always have to ascertain to zoning or functions that come before the Commission. He noted it is really supposed to be a recommendation but it's really supposed to be the foundation within the county. He noted he put together a list of Staff Activities to show what Staff does on a monthly basis outside of this body. He briefly highlighted some of those items and stated he thinks it is important to see how things are implemented in the plan. He further stated they rely on relationships when working with these organizations to move issues forward. He noted he just wanted to share this with the Commission and stated if there were any questions of something they are involved with or they want the Staff to be involved with to let them know. Mr. Dunham commented that he was looking at the minutes and noted the attendance and said he knows this is not a high paying position and appreciates everyone's attendance at all the meetings.

**General Correspondence** - None.

*Public Comments* - None

There being nothing further to come before the Commission, Mr. Dunham asked for a motion to adjourn. A motion was made by Ms. Snyder and seconded by Mr. Ryan. All in favor by acclamation. The meeting then adjourned at 8:26 p.m.

APPROVED:                       
Chair                       
Date

