

**KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING**

Minutes

Mr. Darpel, Chairman, called the meeting to order on August 5, 2021 at 6:15 p.m. and opened the proceedings with the Pledge of Allegiance and invocation by Mr. Ryan. The meeting was held ¹⁴virtually via the GoToMeeting platform. 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
Anthony Baker	Covington							-					
Margo Baumgardner	Crestview Hills	X		X		X	X						
Todd Berling	Fort Wright	X	X	X	X	X	X						
Jeff Bethell	Fort Mitchell	X	X	X	X	X	X						
Gailen Bridges	Bromley	X	X	X	X	X	X	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				
Tom France	Ludlow	X	X	X	X	X	X	X	X				
Keith Logsdon	Lakeside Park	X	X		X	X	X		X				
John Hennessey	Villa Hills			X	X	X	X	X	X				
Matthew Martin	Taylor Mill	X	X	X	X	X		X	X				
Joe Pannunzio	Elsmere	X	X	X		X	X	X	X				
Sean Pharr	Covington	X	X	X			X	X	X				
Phil Ryan, Treasurer	Park Hills	X	X	X	X	X	X	X	X				
Kareem Simpson	Covington	X	X	X	X		X	X	X				
Greg Sketch	Crescent Spgs	X		X		X							
Maura Snyder	Independence	X	X	X	X	X	X	X	X				
Debbie Vaughn	Kenton Co	X	X		X	X		X	X				
Kristi Zavitz	Ryland Hts.	*				X	X	X					

Also present were Mr. Mathew Smith, Legal Counsel, and the following PDS staff: Mr. Andy Videckovich, Mr. Patrick Denbow and Ms. Megan Busse.

FILE: PC2106-0002

APPLICANT: The City of Covington per Ken Smith, Interim City Manager

LOCATION 1: An area of approximately 44 acres located on the west side of Madison Pike between Howard Litzler Road to the south and Latonia Avenue to the north, approximately 700 feet north of Howard Litzler Road.

REQUEST 1: A map amendment to the Covington Zoning Ordinance changing the described area from AUC (Auto-Urban Commercial) to SR (Suburban Residential).

LOCATION 2: An area of approximately 28 acres located on the east side of Kyles Lane between Madison Pike to the south and Valley Drive to the north, approximately 400 feet north of Madison Pike.

REQUEST 2: A map amendment to the Covington Zoning Ordinance changing the described area from AUC (Auto-Urban Commercial) to SR (Suburban Residential).

LOCATION 3: An area of approximately 3.5 acres bounded by West 4th Street to the north, West 5th Street to the south, Johnston Street to the east, and the railroad tracks to the west. This excludes the properties located at 409 Johnston Street and 415 Johnston Street.

REQUEST 3: A map amendment to the Covington Zoning Ordinance changing the described area from TUR (Traditional Urban Residential) to AUC (Auto-Urban Commercial).

LOCATION 4: Two areas located on the north side of Pershing Avenue between Main Street to the west and the railroad tracks to the east: (1) An area of approximately 5,000 square feet located 300 feet east of Main Street; and (2) An area of 5,100 square feet located 420 feet east of Main Street. **REQUEST 4:** A map amendment to the Covington Zoning Ordinance changing the described area from TUR (HP) (Traditional Urban Residential with an Historic Preservation Overlay) to TUMU (HP) (Traditional Urban Mixed Use with an Historic Preservation Overlay)

Staff presentation and Staff recommendations by Mr. Patrick Denbow

PDS STAFF RECOMMENDATION

Favorable recommendation on: 1. Request 1: A map amendment to the Covington Zoning Ordinance changing the described area from AUC (Auto-Urban Commercial) to SR (Suburban Residential). 2. Request 2: A map amendment to the Covington Zoning Ordinance changing the described area from AUC (Auto-Urban Commercial) to SR (Suburban Residential). 3. Request 3: A map amendment to the Covington Zoning Ordinance changing the described area from TUR (Traditional Urban Residential) to AUC (Auto-Urban Commercial). 4. Request 4: A map amendment to the Covington Zoning Ordinance changing the described area from TUR (HP) (Traditional Urban Residential with an Historic Preservation Overlay) to TUMU (HP) (Traditional Urban Mixed Use with an Historic Preservation Overlay).

Mr. Christopher Meyer addressed the Commission and stated this corrected some zoning issues they currently had. He noted if residents say today they want to switch back they will correct that. He noted this is really to correct a legal non-conforming designation. He stated they are putting forth this correction for any single family property owner and the main goal was to make a lot of these properties legal so this is another correction. He stated it allows those uses to be legal. He then noted a third area where they are just extending the zone across the entire property. He also stated for any property owner who does not want to be a part of the zoning, they would support them remaining in the non conforming district. He noted they just ask that they state their name and give their address. He stated this is the one request they are making

Mr. Rick Sakstedder addressed the Commission and stated he is opposed to request number three. He stated the people of this neighborhood fought to keep this area preserved and in the past have been considered when other zones have occurred. He stated this change is likely that there will be no consideration to the existing residents in the area. He asked that the Commission deny the application.

Mr. Victor Kanfield addressed the Commission and stated he concurs and this dramatic change allows for too heavy of a commercial development. He stated a concern is this will not be a buffer against the more dense surrounding areas and the existing residential will be encroached upon.

Mr. Bill Dellager addressed the Commission in favor of the issue. He stated he agrees with area one and he thinks Staff did a good job. He noted he grew up there since 1961. He noted it is residential and what was cut out was a gas station. He stated he thinks Staff did a good job of that and said it is mostly residential. He noted his mom wants to stay there so she is in favor of it.

Mr. James Titus addressed the Commission and stated he is here to give some history on the area. He stated in 1970 he bought the land and two weeks afterwards the city annexed them with promises to help with development, which never happened. He stated he had to put in 800 feet of road, of water and sewer lines. He stated he was told the city told him they could not do anything for him at the time and they would help put in a road. He noted today they have no service. He stated they receive no snow, ice assistance and everything they have to do themselves. He stated in 1070 there was no problem with the zone because they did not know what the zone meant. He commented today that his neighbors and himself have no snow service. He stated they have letters from the city stating they will do something but to date they have not done anything. He stated with the zone change he wonders what that is going to mean. He asked if his taxes were going to go up or go down with this. He stated he is past chairman of the Board of Appeals for Kenton County and wrote the building permits for the City of Covington. He stated he is aware that what is said and what is done are two different things even though that isn't right. He stated changing the zone is not going to help the residents of Kurs Lane.

Mr. Roger Pott addressed the Commission and stated he lives at the very last house at the top of Kurs Lane. He stated he is present to see what the zone change would mean. He asked if that would change the tax structure if the zone change goes into effect. Mr. Darpel stated it doesn't necessarily change the taxes and that the PVA comes in and takes care of that. He then commented this is very hilly. He noted there are creeks that run through these hills and any time there is development there needs to be extreme caution. He noted Jackson Florist has been out of business for a month now due to the water and he would urge them to take extreme caution with the zone change. Mr. Ryan then stated the AUC allows for less intrusive development.

Mr. Brandon Galos addressed the Commission and stated his concerns were with requests three and four. He stated he recognizes that the city has done a tremendous amount of work getting to this point. He then noted one of the concerns is that while in area three AUC fits for most of the block he is questioning why they are making the change. He noted in area four it is already multi-use and it is being recommended to change the back half of the properties. He stated these are independent lots and still allow for residential use but still opens the door for other uses. He asked where we draw the lines between individual changes for these spots.

Mr. Pannunzio and Mr. Simpson voted against. The motion carried. Mr. Darpel then asked for a motion as to Request #2. Mr. Simpson made the motion to deny the request as to Location 2 based on the testimony heard. Mr. Pannunzio seconded the motion. A roll call vote on the motion found Mr. Simpson, Mr. Pannunzio and Mr. Bridges in favor. Mr. Ryan, Ms. Snyder, Ms. Vaughn, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Logsdon and Mr. Martin voted against. The motion failed. Mr. Ryan then made the motion to approve based on Staff's report. Ms. Snyder seconded the motion. A roll call vote on the motion found Mr. Ryan, Ms. Snyder, Ms. Vaughn, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Logsdon, and Mr. Martin in favor. Mr. Bridges, Mr. Pannunzio and Mr. Simpson voted against. Mr. Darpel then asked for a motion with regard to Location 3. Mr. Simpson made the motion to deny the request based on Staff's report. Mr. Logsdon seconded. A roll call vote on the motion found Mr. Simpson, Mr. Logson, Ms. Vaughn, Mr. Bridges, Mr. Darpel, Mr. Mr. France, Mr. Hennessey and Mr. Pannunzio in favor. Mr. Dunham, Mr. Martin and Ms. Snyder voted against. The motion carried. Mr. Darpel then asked for a motion with regard to Location 4. Mr. Simpson made the motion to deny the request regarding Location 4 based on Staff's recommendation. Mr. Logsdon seconded the motion. A roll call vote on the motion found Mr. Simpson, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Ryan, Ms. Snyder, Ms. Vaughn, Mr. Bridges, Mr. France and Mr. Hennessey voted in favor. Mr. Darpel and Mr Dunham voted against. The motion carried.

FILE: PC2106-0003

APPLICANT: The City of Covington per Ken Smith, Interim City Manager

REQUESTED ACTION: Proposed text amendments to the Covington Neighborhood Development Code: (1) Updating and clarifying the Character Districts; (2) Permitting or restricting additional uses, and clarifying use specific use standards; (3) Amending the Development Design Guidelines; (4) Clarifying the Nonconformities; (5) Clarifying the Administration; (6) Clarifying the Development Review Procedures; (7) Clarifying and adjusting the Definitions and Calculations; and (8) Updating the Historic Covington Design Guidelines. The proposed text amendments also include fixing typos and other minor changes throughout the Neighborhood Development Code that do not alter the application and intent of the regulations.

Staff presentation and Staff recommendations by Mr. Patrick Denbow

PDS STAFF RECOMMENDATION

Favorable recommendation on the text amendments to the Covington Neighborhood Development Code: (1) Updating and clarifying the Character Districts; (2) Permitting or restricting additional uses, and clarifying use specific use standards; (3) Amending the Development Design Guidelines; (4) Clarifying the Nonconformities; (5) Clarifying the Administration; (6) Clarifying the Development Review Procedures; (7) Clarifying and adjusting the Definitions and Calculations; and (8) Updating the Historic Covington Design Guidelines. The proposed text amendments also include fixing typos and other minor changes throughout the Neighborhood Development Code that do not alter the application and intent of the regulations.

Mr. Chris Meyer addressed the Commission and stated Staff did a great job. He stated they initially wrote this code intending on helping the users. Mr. Darpel asked for clarification on the specification of cutting down one tree as it related to this text amendment. The other applicant had nothing to add.

Mr. Chris Moriconi stated he doesn't have anything to add to Staff's report. He stated he wanted to compliment Staff on their efforts as this process started about three and half years ago. He stated they feel good about the final product.

Further stated that the Z21 Committee recommends approval of all three issues before commission tonight

There were no others registered to speak on the issue. Mr. Bridges stated on behalf of the Z21 Committee they would commend the City of Independence, Erlanger and Elsmere for having gone through the process and considered their neighbors, they've all made an effort to simplify the code and he just wanted to commend them. Mr. Darpel then recessed the public hearing for discussion. There being none, he reconvened and closed the public hearing. Mr. Darpel then asked for a motion on the matter. He stated it was a lot of work and he really appreciates the committee. Ms. Snyder then made the motion to approve the issue based on Staff's report and that it is in agreement with the land use map and Direction 2030. Mr. Martin seconded the motion. A roll call vote on the issue found Ms. Snyder, Mr. Martin, Mr. Pannunzio, Mr. Ryan, Mr. Simpson, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. France Mr. Hennessey and Mr. Logsdon in favor. The motion carried unanimously.

FILE: PC2107-0003

APPLICANT: City of Elsmere per Matt Dowling, City Administrator **LOCATION:** All land within the corporate limits of the City of Elsmere.

REQUEST: A new zoning ordinance, which includes new text and a new official zoning map for the City of Elsmere.

Staff presentation and Staff recommendations by Mr. Andy Videkovich

PDS STAFF RECOMMENDATION

Favorable recommendation on the new Elsmere Zoning Ordinance, including new text and a new zoning map.

Mr. Marty Lenhoff addressed the Commission and thanked the Staff for all their hard work in the process.

There were no others registered to speak on the issue. Mr. Darpel recessed the public hearing for discussion. Mr. Ryan asked if the specification standards were redone. Mr. Videkovich thanked him for mentioning it and stated the letters had been out of order and that had been corrected and updated. There being no other comments, Mr. Darpel reconvened and closed the public hearing. He asked for a motion on the matter. Mr. Pannunzio made the motion to approve the issue based on the testimony and comments from the Committee. Mr. Ryan seconded the motion. A roll call vote on the motion found Mr. Pannunzio, Mr. Ryan, Mr. Simpson, Ms. Snyder, Ms. Vaughn, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. France, Mr. Hennessey, Mr. Logson and Mr. Martin in favor. The motion carried unanimously.

FILE: PC2107-0004

APPLICANT: The City of Erlanger per Jessica Fette, Mayor

LOCATION: All land within the corporate limits of the City of Erlanger.

REQUEST: A new zoning ordinance, which includes new text and a new official zoning map for the City of Erlanger.

Reports/Announcements from Staff - Mr. Videckovich stated their first Z21 Group 2 group meeting will be August 17th 5:00 - 7:00 with Group 2. He stated they are looking forward to it and are expecting it to be about a year long process. Mr. Videckovich stated it is open to anyone who wants to come and observe the meetings.

New Business – None

Public Comments - None.

Listen for comments by Martin.

There being nothing further to come before the Commission, a motion to adjourn was made by Ms. Snyder and seconded by Mr. Ryan. All in favor by acclamation. The meeting then adjourned at 10:09p.m.

APPROVED:

Chair

Date



9/2/21