

**KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING
Minutes**

Mr. Darpel, Chairman, called the meeting to order on January 7, 2020 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 Covington. 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											
Debbie Vaughn	Kenton Co	X											
Diane Brown, V. Chair	Erlanger	X											
Carl Ahrens	Ryland Hts.												
Paul Darpel, Chair	Edgewood	X											
Brian Dunham	Kenton Cty	X											
Mike Gaiser	Ludlow												
Margo Baumgardner	Crestview Hills	X											
Keith Logsdon	Lakeside Park	X											
Matthew Martin	Taylor Mill	X											
Jen Best	Covington												
Joe Pannunzio	Elsmere	X											
Sean Pharr	Covington	X											
Phil Ryan, Treasurer	Park Hills	X											
Gailen Bridges	Bromley	X											
Greg Sketch	Crescent Spgs	X											
Maura Snyder	Independence	X											
Todd Berling	Fort Wright	X											
Robert "Bob" Whelan	Covington	X											
Brian Wischer	Villa Hills												

Also present were Mr. Mathew Smith, Legal Counsel, and the following PDS staff: Mr. Andy Videkovich, 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 asked for any questions or comments on the agenda. There being none Mr. Darpel then asked for a motion. Ms. Snyder made the motion to accept the agenda as submitted. Ms. Brown seconded. All in favor by acclamation.

APPROVAL OF THE MINUTES

Mr. Darpel stated the minutes for December were before the Commissioners. He then asked for a motion to approve as submitted. Mr. Bethell commented on page three, second paragraph, where it references Mr. Bethell it might be a good idea to clarify and state Mr. Jeff Bethell, Public Works Administrator for Fort Wright. There being nothing further, Mr. Darpel then asked for a motion to approve. Mr. Bridges made the motion to approve as amended. Mr. Bethell seconded the motion. A roll call vote on the minutes found Mr. Bridges, Mr. Bethell, Ms. Baumgardner, Mr. Berling, Ms. Brown, Mr. Darpel, Mr. Dunham, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Sketch, Ms. Snyder, Ms. Vaughn and Mr. Whelan in favor. The motion carried unanimously.

RECEIPTS AND EXPENDITURES:

Mr. Darpel asked for any questions or comments with regard to the receipts and expenditures report. Mr. Darpel commented on the bonds issue brought up at last month’s meeting and stated with the holidays and all they hadn’t had an opportunity to clarify that yet. He stated that will be looked into. Ms. Snyder made the motion to approve as submitted. Mr. Bethell seconded. All in favor by acclamation.

RECENT ACTIONS BY STAFF:

(No action required)

RECENT ACTIONS BY LEGISLATIVE BODIES:

(No action required)

PUBLIC HEARINGS:

FILE: PC1912-0002

APPLICANT: Subhas Patel of Keystone Hotel Group, on behalf of Kentucky Multi-Family Investment

LOCATION: 601 Scott Street, Covington; an area of approximately 0.47 acres bounded by East Sixth Street to the north, Scott Street to the east, and East Pike Street to the south.

REQUEST: A proposed map amendment to the Covington Zoning Ordinance changing the described area from CG-3P (HP-O) (a general commercial zone with an historic overlay) to CBD-7P (HPO) (a central business district zone with an historic overlay); the applicant proposes to construct a hotel with seven floors and underground parking.

Staff presentation and Staff recommendations by Mr. Patrick Denbow

PDS STAFF RECOMMENDATION

Favorable recommendation on the proposed map amendment to the Covington Zoning Ordinance changing the described area from CG-3P (HP-O) (a general commercial zone with an historic overlay) to CBD-7P (HP-O) (a central business district zone with an historic overlay).

Ms. Laura Hoebling addressed the Commission on behalf of the applicant. She highlighted some aspects of the concept plan and reviewed the basis for the zone change. She stated there is no building height limit and the building is proposed to be 7 stories. She also highlighted aspects of how the building would look in relation to the surrounding buildings. Mr. Darpel asked what the building height would be. Ms. Hoebling stated it will be approximately 110 feet tall. Mr. Ryan asked about the parking for the building. Mr. Bridges asked if this would be like a regular hotel for overnight guests or would it be for extended stay guests. Mr. Patel then addressed the Commission and stated Keystone tends to do franchise hotels and commented they have extended stay versions and they believe this site would accommodate an upscale extended stay market. Mr. Patel stated the current structural integrity of the underground parking garage is not good and they will totally be taking that out.

Mr. Todd McMurtry addressed the Commission and stated he didn't have much to say and that he is speaking on behalf of Kentucky Multi Family and they just ask for the Commission's vote and support.

All others registered to speak had nothing to add.

Mr. Darpel asked if Ms. Hoebling would like to include the power point presentation as an exhibit. She then stated she would like that added. Mr. Darpel then requested a hard copy of the presentation and stated he would mark that as exhibit one to be included with the record.

Mr. Guy van Rooyen addressed the Commission and stated they represent the owners of Hotel Covington. He stated they also own multi properties along Madison Avenue and have been involved for over 30 years with historic redevelopment and rehabilitation of buildings of historic nature. Mr. van Rooyen stated they have invested their entire portfolio into the Madison Avenue strip to ensure historic integrity behind development. He stated their concerns with the project are the parking which is suggested as overflow parking and the one way with Scott Street and Pike Street. He further commented the parking garage is almost fully utilized on the weekends due to banquet facilities. He stated in addition the flow of traffic is going to be significant. He stated this creates huge challenges with operating the garage and operating the event centers. He further commented they have invested significantly in historic buildings with the understanding that the historic aspect would remain. He stated they are very concerned about what that does to the area itself. He stated they invested into the area with the understanding that the zone would remain under the story limit and putting a seven story structure in the historic zone doesn't necessarily speak to an architecturally historic design. He asked that the Commission deny the development and stated they feel it would be destructive to the historic component and fabric of the district. He stated 90% of the zone exists outside the development and it would change the entire profile of the zone. He stated they have contributed many years to preserving the historical aspect of the area. Mr. Logsdon asked about the parking garage and if it was still a public garage. Mr. van Rooyen stated it is a public garage that they operate. He stated one hundred and twenty five spaces are committed to the Hotel Covington currently as well as the Madison Theater and the rest are public spaces. He stated there are significant overflow problems on Friday, Saturday and Sundays on weekends that over commit the garage presently. He stated the Madison has committed to parking in the garage but they do not have designated parking spots.

Mr. Kevin Jones addressed the Commission and stated they have concerns with historic preservation and parking with the development. He stated they thank the city and county for supporting their investment but they have concerns with historic preservation.

Mr. Tyler Watkins addressed the Commission and stated he would like to render a few comments with regard to the development. He stated he has done a lot of projects that are in the historic preservation district and he stated the project being represented would require a nearly unprecedented design waiver to have an approval from the Design Review Board given its story and height. Mr. Logsdon asked if the Urban Design Review Board has the ability to reduce the height of a building. Mr. Watkins stated they do have the ability to reduce the height.

Mr. Todd McMurtry addressed the Commission and stated the just wanted to address a couple of concerns brought up. He stated this project has already been through some previous approvals. He stated it's a very challenging lot due to the slope of the lot. He stated it's also difficult to develop due to the underground garage. He stated the Urban Design and Review Board would be able to address concerns with height. He stated the board knows how to defend their position and they will be able to dictate things like height. He stated also with regard to investments, everyone respects and admires the investments made by Mr. Van Rooyen. He further commented there are other significant developers and they are all on the same page and working for the good of the city. Mr. McMurtry stated he doesn't see that this is going to any way challenge the development after it goes through the Design and Review Board. He also stated it is pretty important to note cities aren't made of parking spaces but Covington has done a very nice job of dealing with parking and has built a lot of very nice parking garages. He stated he does know there is another significant garage at the corner of 5th and Scott that is a short walk away so parking is not an issue. He noted Mr. Patel mentioned with regard to parking it will be opposite the density of the weekends so it may not be the great conflict as described on this issue. He stated he also doesn't feel this is going to be a major change to the area. He stated the project is going to have to meet the historical character of the Urban Design and Review Board, there is parking not far from there, it's great for the city and he is asking for approval.

Mr. Patel stated with regard to parking in this case it is somewhat of an urban location and 25% of the traffic will be coming from taxi or Uber and people won't necessarily put a rental car in the garage or valet. He stated they know what the usage is and they know what the vacancy is so there is going to be plenty of parking. Ms. Brown asked if they have met with the City of Covington or met with the Design Review Board yet. Mr. Patel stated they have met and had discussion multiple times and they feel fairly comfortable. He stated it doesn't have to be an extremely historical looking building and can still fit into the mold as with the Duvence development.

Mr. Van Rooyen received permission to speak to clarify misrepresentations made by the applicant. Mr. Darpel noted the applicant's objection. Mr. Van Rooyen then stated the prior development approved was a totally different density and use and that it was a condo project. He stated it did not extend a hundred and seven feet high. He noted it had a very direct and obvious plan and this plan is a very nebulous plan. He stated this could literally be the tallest building in this district with a six or seven story variance. He stated the vote today is basically giving broad rights to that component. He stated to compare the other development is in error. He also stated with regard to parking at the other garage is also at capacity on Friday and Saturday nights.

Mr. McMurtry responded to the clarification and stated the response on the prior project was just that the height restrictions had been waived. Mr. Sketch then clarified and stated the height is limited with this plan to 6 or 7 stories per his plan. He noted it is not unlimited and would have to come back through the whole process. Mr. Logsdon asked if the Design Review Board could review the plan and then come back to the Commission with what they are looking for. Mr. Smith stated they had to get the zone change first before they can look at the design review.

Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. Mr. Berling asked if this is approved and they decide not to proceed what would then happen. Mr. Darpel stated

someone else could then put something in that matches the zone. Ms. Brown stated she found it very interesting that there are no representatives from the Historic District to speak on this development where in the past they would be present on something such as this. Mr. Logsdon stated he was a bit concerned but not too much with the 7 stories but the parking he finds a bit intriguing. Mr. Darpel stated he doesn't doubt the Design Review Board won't be all over this but he doesn't feel comfortable saying oh they will work it out. He stated he has a difficult time saying as a planning commission member that an unlimited height restriction should be added and would be allowed. Mr. Sketch then stated it basically comes down to the city is going to do what the city wants to do. Mr. Dunham stated he doesn't feel comfortable based on what they've seen, to vote on the current plan. He noted he doesn't think it is good zoning. Mr. Darpel then reconvened the public hearing and stated they want to make sure everyone registered to speak had been heard and had the opportunity to be heard. Mr. van Rooyen then stated the Duveneck project conformed to the four-story designation. He stated they are not anti-development or anti hotel; they are anti 107 feet outside the designation. Mr. Patel stated the city is going to redo the mapping and it's going to be this way in a couple years anyway when they modify the code. He stated with regard to the parking and analyzing it, they are fairly comfortable with the valet feature. Mr. Ryan asked if this was a feasible project at 5 stories. Mr. Patel stated with regard to the stories the street drops off so it's really lower than that. He further stated if you chop off twenty rooms it would cut into the margins. Mr. McMurtry stated he wanted to address Mr. Dunham's statement that putting a hotel next to a hotel was not consistent with the comprehensive plan. Mr. Dunham stated he did not say that and clarified by stating what he said was the current zoning is appropriate and it would be inappropriate to change it to what is requested. Mr. Darpel then stated he did not ask what the grounds were for the previous objection and asked for clarification. Mr. McMurtry then stated it was an objection to the rebuttal. Mr. Darpel then closed the public hearing and asked for a motion on the matter. Mr. Whelan made the motion to deny the request based on the fact that the requested zoning classification is inappropriate and there have not been any major changes of economic, physical or social in nature, and also based on Staff's report. Mr. Dunham seconded the motion. A roll call vote on the motion found Mr. Whelan, Mr. Dunham, Mr. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Bridges, Ms. Brown, Mr. Darpel, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Mr. Sketch, Ms. Snyder and Ms. Vaughn in favor. The motion carried. Mr. Darpel stated they are a recommending body and the city has the final say on the matter.

FILE: PC1912-001

APPLICANT: Scott Smith, City Administrator

REQUEST: Proposed text amendments to the Ludlow Zoning Ordinance: (1) adding attached single-family residential dwellings as a permitted use within the R-1J (Residential One-J) Zone with specific standards and development controls; and, (2) adding the R-1J Zone to the Exception to Area and Yard Regulations, which will allow for yards and lot sizes smaller than required in the R-1J Zone if certain criteria are met.

Staff presentation and Staff recommendations by Mr. Patrick Denbow

PDS STAFF RECOMMENDATION

Favorable recommendation on the text amendment to the Ludlow Zoning Ordinance adding attached single-family residential dwellings as a permitted use in the R-1J (Residential One-J) Zone with specific standards and development controls.

Mr. Scott Smith, City Administrator, addressed the Commission and stated he was available to answer any questions.

There being no others registered to speak, Mr. Darpel recessed the public hearing for discussion. Ms. Brown commented she initially had concerns with the density on such a large area but then stated she

feels this will really help with infill and she thinks this is a great benefit to the city. Mr. Dunham stated he has been impressed with Ludlow and revitalizing and recognizing with what Ludlow is doing in terms of land use. He stated he appreciates what they are doing. There being nothing further, Mr. Darpel reconvened and closed the public hearing. He then asked for a motion on the issue. Mr. Sketch made the motion to approve based on Staff recommendations. Ms. Brown seconded the motion. A roll call vote on the motion found Mr. Sketch, Ms. Brown, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Pharr, Mr. Ryan, Ms. Snyder, Ms. Vaughn and Mr. Whelan in favor. The motion carried.

Ongoing Business

Reports from Committees

Bylaws – No report

Direction 2030 Implementation – Mr. Bethell stated they did not meet in December but will be meeting January 30th in Room 57 at 5:30 p.m.

Executive– Mr. Darpel stated they did not meet. He did state he had the address changes made on the checking accounts.

Social Media – Mr. Ryan stated they did not meet due to some family obligations but it looks like PDS is getting ready to launch theirs and they'd like to launch at the same time. Mr. Ryan stated he would get with Emi by next month finalize everything.

Subdivision Review – No meeting held. Mr. Darpel stated the home owners association did send an email out right before the holidays and he will be responding to them.

Reports from Commission members – None.

Report from Legal Counsel– Nothing to report.

Reports/announcements from Staff– Mr. Videkovich gave more details on the Z21 project and highlighted the major goals with the project. He stated those goals came directly from Direction 2030. He stated he just wanted to highlight some of the major changes being suggested with the document. He then showed a presentation indicating some of the proposed changes and what those changes would look like. He also referenced the platform that will utilize the technology and explained briefly what that entails. Mr. Darpel stated the following six Commissioners would be on the ad-hoc committee to get this up and running: Mr. Bridges, Mr. Dunham, Mr. Martin, Mr. Bethell, Ms. Brown and Mr. Berling. Mr. Videkovich thanked Mr. Darpel and stated they do expect their first applications this summer. Mr. Darpel stated he hasn't had a whole lot of opportunity to review it but stated what he has reviewed, Staff has done a great job. Mr. Videkovich stated it's very exciting to know your fingerprints are on something 20 even 30 years down the road.

New Business – Election of 2020 Officers: Ms. Snyder stated those nominated were Paul Darpel for Chairman and Phil Ryan for Treasurer. She stated the one position requiring a vote was the position where two were two nominated for Vice Chair; Diane Brown and Gailen Bridges. Ms. Snyder stated the ballots would be handed out and the votes taken. Mr. Smith stated the ballot would contain all names and to just circle the commissioner you are voting for. Mr. Bridges stated he would like to comment as to why he is running. He then stated nothing against Ms. Brown but he thinks it would be a stronger organization if the position rotated among other people. He noted he has been on the Commission five of the last 6 years for the new Commissioners. Ms. Brown then commented she has been on the Commission ten years and it has absolutely been her pleasure and honor to serve as Vice Chair. She also noted she thinks there are some advantages to having a Chair and Vice Chair that have some longevity and noted she feels she and chair have developed a trust in how they run the meetings and the confidence from the chair to do so when he has family obligations has been an honor as well. Mr. Smith and Ms. Snyder then tallied the votes. While that was ongoing, Mr. Darpel commented about the upcoming agenda for the year and adopting the calendar for the year. He stated the July meeting would be held on July 2nd. He stated with the holiday being on a Saturday and some people going away for the holiday he suggested leaving it on that Thursday the 2nd. Ms. Snyder then stated the votes were for Chairman Paul Darpel, Vice Chair Diane Brown and Treasurer Phil Ryan. Mr. Darpel then addressed the calendar for the year and commented the meeting in July would be held as normal on the 2nd since some may be taking off the following week with the holiday. No other changes to the calendar were noted.

There being nothing further to come before the Commission, a motion to adjourn was made by Ms. Snyder and seconded by Mr. Sketch. All in favor by acclamation. The meeting then adjourned at 8:19 p.m.

APPROVED:

Chair  _____

Date 3/5/20 _____

