

KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING
Minutes

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

Also present were Mr. Mathew Smith, Legal Counsel, and the following PDS staff: Mr. Andy Videkovich, Ms. Jill Conniff, Mr. Scott Hiles, Mr. Clink Kapsher 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 asked for a motion to approve. Ms. Snyder made the motion to accept the agenda as submitted. Mr. Bethell seconded. All in favor by acclamation.

APPROVAL OF THE MINUTES

Mr. Darpel stated the minutes for February were before the Commissioners. He then asked for any questions or comments with regard to the minutes. There being no comments, Mr. Darpel then asked for a motion to approve. Mr. Bridges made the motion to approve. Mr. Bethell seconded the motion. A roll call vote on the issue found Mr. Bridges, Ms. Best, Mr. Bethell, Ms. Baumgardner, Mr. Berling, Mr. Darpel, Mr. Dunham, Mr. Logsdon, Mr. Martin, Mr. Pannunzio, Mr. Ryan and Mr. Sketch in favor. Mr. Ahrens and Ms. Snyder 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 no comments, Mr. Darpel asked for a motion to accept the report. Ms. Snyder made the motion to accept the report 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

FILE:	PC2002-0002
APPLICANT:	PLK Communities per Mark Morrison
LOCATION:	1400 Highland Avenue, Covington; an area of approximately 14.94 acres located on the southwest corner of the intersection of East Henry Clay Avenue with Highland Avenue.
REQUEST:	A proposed map amendment to the Covington Zoning Ordinance changing the described area from RS-7.5 (a suburban residential zone intended to accommodate low- to moderate-density) to RU-2B (an urban residential zone intended to accommodate moderate-density); the applicant proposes to construct a 132-unit multi-family development consisting of five buildings and a clubhouse with a pool.

Staff presentation and Staff recommendations by Mr. Andy Videkovich

PDS STAFF RECOMMENDATION

Unfavorable recommendation on the proposed map amendment changing the described area from RS-7.5 (a suburban residential zone intended to accommodate low- to moderate-density) to RU-2B (an urban residential zone intended to accommodate moderate-density).

Mr. Nick Lingenfelter addressed the Commission on behalf of the applicant and gave background information on PLK Communities. He noted a typical project is not under 125 units so that is the minimum that they look for. He stated they control their management team and look to the long term with their properties. He then showed examples of recent townhomes and apartments done recently in a powerpoint presentation. He reiterated all of their projects are independently funded and they have no outside investors. He stated the price point is 1,200 to 1,800 dollars per unit.

Mr. Mark Golaskey addressed the Commission and gave more details about the project itself. He gave some history on the site and stated they are asking for zone RU-2B which is the only zone that would allow them to build the number of units they are requesting. He stated they feel this plan will hold them to the standards set forward. He noted the land use is identified as 4.1 to 7.0 units per acre. He then noted the goals and objectives of the plan. He stated they feel like this type of development is missing from the area. He noted this development is only 3 miles from the Covington RiverCenter and downtown. He additionally stated another objective is to enhance and expand the effectiveness of the transportation system in the area. He noted they would be interested in building a sidewalk down to Highland and are also interested in talking with TANK in that regard. He stated the site will provide connectivity to the Civil War Museum and park. He further stated a lot of the acreage is unusable and they do not intend to use all of the area. He stated they are going to work to protect the topography of the area and stated it is a beautiful asset to the area. He then highlighted the proposed development plan. He stated they would have to do a little bit of clearing in the pool and clubhouse area but they intend to minimize that. He stated traffic counts were done in 2018 and those numbers were analyzed in relation to this development. He noted in reviewing those it was determined that left turn lanes were not warranted. Mr. Golaskey commented on the storm water aspect and stated SD1 is collaborating with a company to monitor in real time the basins to make sure the basin has full capacity based on the weather.

Mr. Mark Morrison addressed the Commission and commented about the storm water system. He stated he has met multiple times with SD1. He stated part of their proposal includes public improvement to the intersection and does not intend to make the storm system worse. He further stated they are going to improve what is there currently. Mr. Sketch asked about the parking and asked why they were increasing it so much. Mr. Morrison stated they just want to provide for overflow parking and to have that available. Mr. Dunham asked what the specific plan is for the storm water. Mr. Morrison stated they are proposing a detention basin that meets SD1's criteria. He stated they are willing to give them the land to construct it but the project has not been specifically determined at this time. He further stated from a long term standpoint they are still developing that with SD1. Mr. Ryan stated they have to make a determination as to whether or not this meets the criteria for approval and asked what aspects of the comprehensive plan this aligns with. Mr. Golaskey stated they have outlined that in their goals and objectives. Mr. Dunham asked if they would be open to a mix. Mr. Morrison stated the 2 bedroom is their preference.

Mr. Bill Lindsey addressed the Commission in favor of the issue and stated he is the elder of the Presbyterian Church. He stated according to the assessment before any map amendment is granted the planning Commission must find one or the other criteria to apply. He stated he wanted to speak to that. He stated this has happened to their church. He noted there have been major changes of economic and physical nature to the area. He stated as such it has altered the character of their property. He then gave some background information on the Presbyterian church and the combining of the two churches that now form the one. He stated they have owned the property since the 1960's. He stated unfortunately their church numbers about 80 members currently. He stated after a year long study they decided there was no

alternative but to put the property and the church up for sale. He stated this was sad but they decided to stay together and to go back to their roots in Covington. He stated if this zoning permit is not granted they would be forced to close their church and program within a year. He stated the building and the church would revert to the church in Cincinnati and they would have to make a determination with the property. He further stated if this does not go through they would not have a church which they have had since 1841.

Ms. Dawn Farwick addressed the Commission in favor of the issue and stated she is an elder and trustee of the church. She stated one of the things that no one mentioned is that they are surrounded by RU-2B already. She stated right across the street and right down the hill are RU-2B zones. She stated on Farrell Drive is also RU-2B so the maps shown are very tight into their property. She wanted to give some context that what they are asking for is not that unusual for the area. She stated there is already large multi unit housing in the area. She noted they have tried to be good stewards and are still trying to be and have entertained offers. She stated this was the best one they had that was in line with what they would like to see for the property. She stated they had tried to do a catch basin on the property at one point in time and worked with numerous people on the development of that. She stated no one at the city seemed to know what they were talking about. She stated she came to find out that all those they had spoken to on the issue had left their positions so they did not know what they were talking about. She stated she is very happy that they are putting a catch basin with the development.

Ms. Sharon Carter addressed the Commission in favor of the application and stated they are kind of in a tough spot because on the one hand they would love to maintain the property as it is. She also noted on the other they are a small declining church population that can no longer care for the property as they have. She stated they must sell the property to someone as they can no longer maintain it. She further stated they went through a process of soliciting proposals and evaluated them and they felt that this was the one that met their needs and would fit with the property and the area the best. She stated they feel that this would be a way to move forward in a way that would benefit everyone to some degree.

Ms. Susan Barnett addressed the Commission against the issue and stated she represented the Peaselburg Community. She stated they are very empathetic to the church and the needs of the church and noted they have many concerns with the development. She noted traffic and congestion on an already hilly and windy road. She noted the KYT study showed a lower amount of traffic and stated she would have to disagree because most people go 35 miles per hour in that area. She stated there were no sidewalks and for anyone walking it would make it dangerous. She noted she's not sure there is a need for additional apartments as there are many vacancies in the area. She stated the development alone will bring additional water runoff, etc to the area.

Mr. Anthony Trudeau addressed the Commission and stated he lives directly across the street. He stated the traffic is bad. He stated he has lived there for about a year and has seen three cars flip over in his yard. He stated the traffic is already a massive problem and this will increase that. He stated he cannot back out of his driveway or he will get hit. He stated he completely disagrees with the statements about traffic. He stated if this development goes in he will have balconies looking right at his house.

Mr. Mike Burge addressed the Commission against the issue and stated he represents Kenton Vale and they cannot handle any more storm water runoff. He stated the proposal looks like the plans aren't certain so he wanted to say they cannot handle any more water. He stated there is only one way in and one way out and if the bridge goes they will have a mess. He stated they would like to be made aware of any plans because they cannot handle any more water down the stream. Mr. Darpel stated any water issues would be regulated by SD1 and the Commission does not have any say as to any water issues. He stated any water issues would be handled by SD1 and not the Kenton County Planning Commission.

Ms Sheila Gray addressed the Commission and stated she is just across from Ivy Knoll. She stated one of the things she heard that is very positive is that the church can remain as a possibility to remain as a part of their community. She stated she was also happy to hear that PLK is a local developer so knowing this is a local developer committed to their community is a good thing. She said in terms of sidewalks Highland is dangerous and so if there can be a requirement that there are sidewalks along the entirety of Highland that would be great for the community. She stated her concerns are the traffic downhill and noted it is often going 40 mph. She stated it is a windy steep hill and there are blind curves. She stated if there is not a left turn you will have people flying down the hill wanting to turn left and that is a very dangerous situation. She stated it's the downhill traffic that makes that a real danger for the road. She noted in reference to the museum she was glad to hear they are dedicating parking for the museum. She additionally commented about the festival on the grounds. She then stated her biggest concern is to the environment and asked if the Hillside Development has been contacted. She stated she is glad they are going to have a detention pond but asked if it would be sufficient. Mr. Pannunzio asked about the sidewalk and if she was wanting a sidewalk to put in a sidewalk along the whole length of the development. Ms. Gray stated yes to have it installed along the whole length would be ideal. She stated if they are going to be a good neighbor the only way to do that is to have it run along the whole length to Henry Clay because it would just create a dangerous situation because it would tempt people to use the sidewalk and then they would be stuck. She noted the sidewalk has been needed for a long time. She stated the community could benefit from the sidewalk and would be an example of a way they could show their dedication to the community.

M. Mitsy O'Neil addressed the Commission against the issue for reasons stated and stated traffic is terrible along Henry Clay. She stated particularly during rush hour she was surprised to hear there was a decline because she believes they are cutting through on Henry Clay.

Mr. Joe Gray addressed the Commission against the issue and stated one of the things he is not seeing is any guarantees that would lead to any landslide issues. He then referenced recent flooding in the area. He stated he knows there's been repairs made on Henry Clay. He noted the other thing he wanted to point out is that Staff has recommended disapproval on this issue. He asked if there was going to be a retention pond that is going to go in up on the top to deal with the runoff on the hardscape. He additionally commented this isn't a very good egress onto a connector street.

Ms. Jill Corwin addressed the Commission against the issue and stated she was devastated by the flood in 2019 so she is concerned about putting another development where the water is already a problem. She stated she feels like there is already a lot of available rentals in the areas and she would like to see more single family homes vs. apartments come to the area.

Mr. Michael Lang addressed the Commission and stated he would like to address the comments about the elders of the church and stated they have been good neighbors. He stated they are not here to deny their right to develop their property. He stated this is not the proper zoning and not the proper plan. He stated declining members aren't new to the area. He stated financial hardship is not justification for a zone change. He stated he is here to support Staff's unfavorable recommendation of the zone change. He stated it does not comply with the land use plan. He stated the density is an increase over what is allowed today. He stated if this zone change goes through that is not going to prevent anyone from coming in with a much higher density in the future. He stated one idea is for the developer to come back with a lower density plan. He stated many have commented about traffic. He noted the traffic has increased phenomenally in the area and is a revenue generator for the city of Fort Wright. He stated they are coming up Henry Clay to avoid the congestion from Kyles Lane. He also commented about the drainage in the

area but there is only one retention basin planned for the development. He reiterated his suggestion would be for them to come back with a lesser density plan.

Mr. Bernard O'Brien addressed the Commission against the issue and stated he has taken the bus to this area and there is no bus stop that he has ever seen in front of the driveway. He stated it is a very steep area to get down to the bus stop and it is very curvy which is an unsafe area. He stated sidewalks would help but he anticipates safety concerns with kids coming down the hill on bikes and not being able to stop. He further noted people that own their own property have a bigger stake in the community. He stated people in apartments don't have as much of a stake in a community as they may stay two years and then leave. He cited concerns with runoff as well and stated it is absorbing a lot of it now. He stated with this development there isn't going to be that factor with it being absorbed. He additionally stated there is the potential that the runoff items won't work. He stated one of the goals with Covington is to increase the green space. He then noted there is a very large natural wildlife area and a lot of that will go away with this development. He stated the rodent and vermin population will increase with the increase in trash with the additional occupants.

Mr. Belcher addressed the Commission as the neutral party on the issue and he stated his concerns had been voiced.

The applicant addressed the Commission in rebuttal and stated they did look at a sidewalk wrapping all around the property which would be a significant cost. He also noted the topography is prohibitive and that is why there are not sidewalks there now. He stated they want to be respectful and want to find a way to tie it all together. He stated with regard to traffic they are willing to work with everyone in terms of a possible decel lane so they are willing to work with them. He stated in terms of the detention basin they do have the capacity to hold the water and have worked with SD1 on that. Mr. Morrison addressed the Commission and commented on home ownership vs. renters.

He stated a lot of their tenants do move into home ownership in the area. He stated their typical renter is an empty nester.

Mr. O'Brien stated in rebuttal that every building is on a slope and unfortunately when you look at it from a bird's eye view you don't really see the steep topography of it. Ms. Best asked about the Hillside Development as to this project.

Mr. Darpel recessed the public hearing for discussion amongst the Commissioners. Mr. Bridges stated it seemed pretty clear cut but the bottom line is it does not meet the Comprehensive plan. He stated a financial burden is not a reason to change the zone. He noted there have been no major economic or physical changes to the area that would allow for the zone change so this is cut and dry for him. Mr. Dunham stated he would disagree and he doesn't think it is cut and dry. He stated there is no distinction between single and multi-family in terms of it being in compliance with the Comprehensive plan. He stated both sides did a phenomenal job and he doesn't feel it is cut and dry. He further commented they stated they would agree that at least 50% would be one bedroom units and now it is within the general limits of the Comprehensive plan. Mr. Darpel stated run off is a problem and he wishes they had more say over it but they don't. He stated the issue is whether or not it is in compliance with the Comprehensive plan. Mr. Logsdon stated he's been on both sides of the fence and he has very rarely heard such a good argument from both sides. He stated the water runoff issues could be handled. He further stated roadwork has to be improved and he doesn't think the traffic counts are correct. He stated he doubts TANK would create another stop at the entrance of the church. He stated the storm water runoff is a serious issue. He stated he's not sure another single family developer would jump into a solution and he thinks this can be a real positive with the developer offering to remedy this. Ms. Snyder asked how many single family homes would be allowed as the zone stands now. She stated as it is now they can put in 81 single family homes. She noted she just wanted to point out what can be done now and what they are wanting to put in, which

is 132 units clustered together. There being no further questions, Mr. Darpel reconvened and closed the public hearing. He then asked for a motion on the matter. Mr. Sketch made the motion to approve based on the fact that it is in compliance with the Comprehensive plan and testimony heard, and adding a condition that sidewalks be added down to the Highland. Ms. Snyder seconded the motion. Mr. Logsdon stated he would like to add an informational comment with regard to the traffic study. Mr. Sketch stated that would need to be looked at anyway but that is fine. A roll call vote on the motion found Mr. Sketch, Ms. Snyder Mr. Ahrens, Ms. Baumgardner, Mr. Berling, Mr. Bethell, Mr Darpel, Mr. Dunham, Mr. Logsdon, Mr. Martin and Mr. Pannunzio in favor. Ms. Best, Mr. Bridges and Mr. Ryan voted against. The motion carried.

***at this time (8:32 p.m) a five minute break was taken**

FILE: PC2002-0003
APPLICANT: City of Covington per Dalton Belcher, Zoning Administrator
REQUEST: A proposed text amendment to the Covington Zoning Ordinance removing restrictions for maximum duration, placement of trash receptacles, hours of operation, and required parking for mobile food trucks and adding a reference to the City's Code of Ordinances where additional regulations are located.

Staff presentation and Staff recommendations by Ms. Jill Conniff

PDS STAFF RECOMMENDATION

Favorable recommendation of the proposed text amendment removing restrictions for maximum duration, placement of trash receptacles, hours of operation, and required parking for mobile food trucks and adding a reference to the City's Code of Ordinances where additional regulations are located.

Mr. Belcher addressed the Commission on behalf of the applicant. He stated the only comment he had was on the definition regarding the mobile food trucks. He stated it's not necessarily conflicting, it's just that they are talking about different things. He stated they can address that, he just doesn't know if it is necessary. He stated the zoning text is a couple pages but what the Commission has is the ordinance that was passed.

Mr. Darpel 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 issue. Ms. Best made the motion to approve based on Staff 's report and the presentation given. Mr. Dunham seconded the motion. A roll call vote on the motion found Ms. Best, Mr. Dunham, Mr. Ahrens, Mr. Baumgardner, Mr. Berling, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Logsdon, Mr. Martin, Mr, Pannunzio, Mr. Ryan, Mr. Sketch and Ms. Snyder in favor. The motion carried.

WAIVER: W2002-0001
APPLICANTS: ECE, Inc. on behalf of Woodhill Development Co., LLC
LOCATION: A 16.7-acre area located approximately 725 feet west of Western Reserve on the south side of Woodhill Drive in the City of Crescent Springs.
REQUEST FOR ACTION: To grant a waiver to the requirement of Section 4.1-29 of the

Kenton County Subdivision Regulations; granting the request would waive the requirement that cul-de-sac turnarounds be provided at the terminus of new streets in favor of T-Type turnarounds.

Staff presentation and Staff recommendations by Mr. Clint Kapsher

PDS STAFF RECOMMENDATION

To grant the requested waiver from the requirements of Section 4.1-29 of the Kenton County Subdivision Regulations to allow for T-Type turnarounds.

Mr. Greg Berling addressed the Commission and stated this is a typical T-type turnaround used in many developments locally. He stated it is used by emergency vehicles, etc and the design is one used throughout Northern Kentucky. He stated the roundabout they've used is to allow for more room for people to turn around if necessary but the T-type is the one generally used throughout Northern Kentucky. He stated it is the standard size that is used in developments. He noted putting a full culdesac versus the T-type would cut into the hillside and would constrict the buildings so they thought the T-type turnaround would be better in that location. He stated they've used this type of turnaround in other developments and it's worked very well.

Mr. Mike Daly addressed the Commission and stated he is the City Administrator for the City of Crescent Springs. He stated they have met with city developers and Staff on the issue. He stated he also visited Tuscany to look at their T-turnarounds and didn't see any issues there.

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

Mr. Darpel then recessed the public hearing for discussion among the Commissioners. There being none, he reconvened and closed the public hearing. He then asked for a motion on the issue. Mr. Darpel then marked the email from the city as an exhibit to be made a part of the record. Mr. Sketch then made the motion to approve based on Staff's recommendation. Mr. Pannunzio seconded the motion. A roll call vote on the issue found Mr. Sketch, Mr. Pannunzio, Mr. Ahrens, Ms. Baumgardner, Mr. Berling, Ms. Best, Mr. Bethell, Mr. Bridges, Mr. Darpel, Mr. Dunham, Mr. Logsdon, Mr. Martin, Mr. Ryan and Ms. Snyder in favor. The motion carried unanimously.

Ongoing Business

Reports from Committees

Bylaws – No report

Direction 2030 Implementation – Mr. Bethell stated next month they will be presenting a motion before the Commission with regard to the concept map (GIS map). Mr. Darpel stated that would be on next month's agenda. He stated there is no meeting this month but they have a tentative meeting set for April 23rd.

Executive– Mr. Darpel stated they did not meet so there is nothing to report.

Social Media – Mr. Ryan stated there is a lot of the architectural groundwork laid out and they would like to launch that tomorrow. He stated he would like to thank Emi Randall, Pete and all the staff and Chairman

Darpe for having the desire to have their own independent website. He also acknowledged committee people over the years as well and stated it is long overdue. He stated there were a few people that still needed their pictures taken to contact Staff about that. Mr. Ryan noted that any changes that folks see that need to be taken care of to let him know.

Subdivision Review – No meeting held. Mr. Darpe stated there is nothing really to report at this time.

Z21 Review - Mr. Bridges stated they will be meeting Wednesday March 25th at 5:30.

Reports from Commission members – None.

Report from Legal Counsel– Nothing to report.

Reports/announcements from Staff - Nothing to report

New Business – Mr. Tom West addressed the Commission on the Urban Design Review Board and Neighborhood Development Code. He spoke briefly about the steering committee and the changes that are being proposed. He then introduced Mr. Bill Sanderson for a brief presentation. He stated they are a non-profit infill developer in the fringe areas of cities where there are vacant lots. He stated they are the vehicle to help people invest in those neighborhoods. He stated they work with various cities in terms of what building requirements and zoning are, and do a market analysis with regard to developing vacant lots within cities. He stated one of his greatest accomplishments is to build homes that fit into the area and look as if they've always been there. Mr. Tom West stated there are nineteen different neighborhoods in Covington so one type of code really doesn't work for their community. He stated they really want to take advantage of the opportunity to develop and improve the area.

There being nothing further to come before the Commission, a motion to adjourn was made by Mr. Ryan and seconded by Ms. Brown. All in favor by acclamation. The meeting then adjourned at 9:45 p.m.

APPROVED: 
Chair _____

Date 5/7/20

