

COMMISSIONERS' ORDINANCE NO. 0-36-19

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP CHANGING 209 GREENUP STREET, AN AREA OF APPROXIMATELY 0.65 ACRES LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF GREENUP STREET AND EAST 3RD STREET IN COVINGTON, FROM RU-0.5 (AN URBAN RESIDENTIAL ZONE) TO CG-3P (A GENERAL COMMERCIAL ZONE) INCLUDING REVIEW AND ACTIONS ON VARIANCES PERMITTED BY THE COVINGTON ZONING ORDINANCE; THE APPLICANT PROPOSES TO CONSTRUCT A FOUR-STORY OFFICE BUILDING WITH A SETBACK OF 30 FEET FROM COURT STREET/ROEBLING WAY AND 5.91 FEET FROM GREENUP STREET WHERE A MAXIMUM OF FIVE FEET IS PERMITTED.

\* \* \* \*

WHEREAS, the Catalytic Development Funding Corp. of Northern Kentucky submitted an application requesting that the Kenton County Planning Commission (KCPC) to review and make recommendations on a map amendment to the official Zoning Ordinance of the City of Covington, Kentucky changing an area of approximately 0.65 acres at 209 Greenup Street from RU-0.5 (an urban residential zone) to CG-3P (a general commercial zone) and variances of a 30 foot setback from Court Street/Roebling Way and 5.91 feet from Greenup Street where a maximum of five feet is permitted; and

WHEREAS, the Kenton County Planning Commission held a public hearing on this application on October 3, 2019, wherein a favorable recommendation of the proposed text amendments was entered; and

WHEREAS, the Board of Commissioners, reviewing KCPC Staff Comments, Findings, and Recommendations and the record provided to the Kenton County Planning Commission, finds that the proposed changes are in compliance with the City's Comprehensive Plan, and agrees with the recommendation to amend the zoning text as indicated in the caption of this ordinance and that the variance requests will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the zoning regulations. Improvements to the site in question will not be out of character with the general vicinity, which is characterized by a dense urban fabric and a mix of uses.

NOW, THEREFORE,  
BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF  
COVINGTON, KENTON COUNTY, KENTUCKY:

Section 1

City of Covington Board of Commissioners hereby adopts the findings set forth and the findings of fact referenced in the KCPC's Statement of Recommendations, which are attached hereto as Exhibit A and incorporated herein by reference.

Section 2

The Official Zoning Map of the City of Covington is amended as follows:

The zoning designation of the approximately 0.65 acres at 209 Greenup Street from RU-0.5 (an urban residential zone) to CG-3P (a general commercial zone)

Section 3

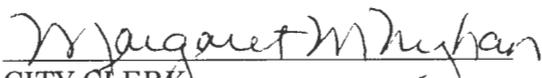
That any ordinances or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4

That this ordinance shall take effect and be in full force when passed, published and recorded according to law.

  
MAYOR

ATTEST:

  
CITY CLERK

Passed: 11-26-19 (Second Reading)

11-12-19 (First Reading)

Meeting Date:					
ORD.: 1ST		2ND			
OR:					
	Z Bowman	Downing	1 Smith	Williams	Meyer
Yeas	✓	✓	✓	✓	✓
Nays					
Present, not Voting					



**Kenton County Planning Commission**  
MANY COMMUNITIES / ONE FUTURE

October 17, 2019

David Johnston – City Administrator  
City of Covington  
303 Court St.  
Covington, KY 41011

Dear Mr. Johnson:

NUMBER: PC1909-0002

Attached please find a copy of this Commission's action from its meeting on October 3, 2019 regarding a proposed map amendment to the Covington Zoning Ordinance. (The proposal was submitted by the Northern Kentucky Regional Alliance per Karen Finan on behalf of Champ Realty Investment Corporation) Copies of this action have been sent to those persons or agencies which may be affected by this matter.

Please notify Emi Randall, Director of Planning & Zoning, of the meeting time and date when this item is placed on your agenda. Once your legislative body acts on this map amendment, please provide our staff at PDS with a copy of your executed ordinance. For questions regarding our action or to request PDS staff representation at your meeting, please contact Emi Randall, AICP, RLA, Director of the Planning and Zoning Administration Department at PDS 859.331.8980 or [erandall@pdskc.org](mailto:erandall@pdskc.org).

**Please note that per KRS 100, map amendments require action by the legislative body within 90 days of the Planning Commission's action. If no action is taken, the Planning Commission's recommendation shall become final and effective.**

Thank you.

A handwritten signature in black ink, appearing to read "Paul J. Darpel". The signature is fluid and cursive.

Paul J. Darpel,  
Chair

pb

attachment

c: Karen Finan, Applicant  
Champ Realty Investment Corp, Property Owner

**KENTON COUNTY PLANNING COMMISSION  
STATEMENT OF ACTION AND RECOMMENDATION**

NUMBER: PC1909-0002

**WHEREAS**

Northern Kentucky Regional Alliance per Karen Finan on behalf of Champ Realty Investment Group, HAS SUBMITTED AN APPLICATION REQUESTING THE KENTON COUNTY PLANNING COMMISSION TO REVIEW AND MAKE RECOMMENDATIONS ON: A proposed map amendment to the Covington Zoning Ordinance changing 209 Greenup Street, an area of approximately 0.65 acres located on the northwest corner of the intersection of Greenup Street with East 3<sup>rd</sup> Street in Covington, from RU-0.5 (an urban residential zone) to CG-3P (a general commercial zone) including review and actions on variances permitted by the Covington Zoning Ordinance; the applicant proposes to construct a four-story office building with a setback of 30 feet from Court Street/Roebing Way and 5.91 feet from Greenup Street where a maximum of five feet is permitted.; AND

**WHEREAS**

A PUBLIC HEARING WAS HELD ON THIS APPLICATION ON THURSDAY, OCTOBER 3, 2019, AT 6:15 P.M., IN THE KENTON CHAMBERS, 1840 SIMON KENTON WAY, COVINGTON, KY; AND A RECORD OF THAT HEARING IS ON FILE AT THE OFFICES OF THE KENTON COUNTY PLANNING COMMISSION, 1840 SIMON KENTON WAY, COVINGTON, KENTUCKY.

**NOW, THEREFORE,**

THE KENTON COUNTY PLANNING COMMISSION SUBMITS THE FOLLOWING RECOMMENDATIONS, ALONG WITH SUPPORTING INFORMATION AND COMPREHENSIVE PLAN DOCUMENTATION:

**KCPC RECOMMENDATION – COVINGTON ZONING ORDINANCE:**

**Recommendation on the Map Amendment**

Favorable recommendation on the proposed map amendment changing the site in question from RU-0.5 to CG-3P.

**Action on Variances**

Approval of the requested variances of the Covington Zoning Ordinance allowing a maximum setback of 30 feet from Court Street/Roebing Way and 5.91 feet from Greenup Street where a maximum of five feet is permitted.

**COMPREHENSIVE PLAN DOCUMENTATION:**

- Date of Adoption by the Kenton County Planning Commission: September 5, 2019.

**SUPPORTING INFORMATION/BASES FOR KCPC RECOMMENDATION ON MAP AMENDMENT:**

1. The KCPC finds that the proposed map amendment is generally in agreement with the adopted comprehensive plan.

1840 Simon Kenton Way – Suite 3400, Covington, Kentucky 41011-2999 Phone: 859.331.8980 Fax:

859.331.8980

Email: [kcpc@pdskc.org](mailto:kcpc@pdskc.org)

Website: [www.pdskc.org](http://www.pdskc.org)

2. Based on testimony provided during the public hearing held on October 3, 2019.

**SUPPORTING INFORMATION/BASES FOR KCPC ACTION ON VARINACES:**

1. The variance requests will not adversely affect the public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the zoning regulations. Improvements to the site in question will not be out of character with the general vicinity, which is characterized by a dense urban fabric and a mix of uses.
2. Based on testimony provided during the public hearing held on October 3, 2019.

**Additional Information**

1. While not required on the Stage I Development Plan, the applicant will have to provide the following additional information as part of the plans submitted for permits:
  - a. Section 3.05.02 provides standards for Ground-Floor Transparency. Building elevation plans will need to be submitted to determine compliance with this regulation.
  - b. Section 7.11.06., states that no lighting shall be permitted which glares onto any right-of-way or into any adjacent property. A photometric plan will need to be submitted to determine compliance with this regulation.
  - c. Section 7.12 states the following about access points:
    - i. Section 7.12.09 states that plans for all access points, including plans to use existing access points where a change of use for any tract of land would generate more traffic than the previous use, must be submitted to the Zoning Administrator and the Planning Commission staff. There are no specific regulations for access points onto local streets. A plan which includes all information as required by this section must be submitted.
  - d. Section 10.12 of the Covington Zoning Ordinance regulates signs. Sufficient information will need to be submitted to determine the size, height, and setbacks of any proposed signs.
2. The submitted development plans indicate proposed improvements within the public right-of-way. Any improvement within the public right-of-way is subject to approval by the City.

## ATTACHMENT PC1909-0002

### **SUMMARY OF THE EVIDENCE AND TESTIMONY PRESENTED BY THE PROPONENTS/OPPONENTS OF THE PROPOSED MAP AMENDMENTS**

*(NOTE: This summary was compiled by the Commission's secretary in compliance with 100.211 (1). It is believed to be accurate, but has not been reviewed or approved by the Commission. A summary will be found in the officially approved minutes, which will be available following the next meeting of the Commission.)*

#### **ISSUE**

The application of Northern Kentucky Regional Alliance per Karen Finan on behalf of Champ Realty Investment Corporation for a proposed map amendment to the Covington Zoning Ordinance changing the described area from RU-0.5 (an urban residential zone) to CG-3P (a general commercial zone) including review and actions on variances permitted by the Covington Zoning Ordinance; the applicant proposes to construct a four-story office building with a setback of 30 feet from Court Street and 5.91 feet from Greenup street where a maximum of five feet is permitted.

#### **PROPONENTS**

The proponents to the issue addressed the Commission and thanked the Commission for having them. He stated he is present on behalf of the Northern Kentucky Regional Alliance. He noted they appreciate and agree with Staff's recommendations. He stated they hope the map amendment is also approved. The proponent noted they believe there are major changes to the area that have altered the area. He stated with regard to the variance they concur with Staff as to their recommendations. He noted they believe the requested variance is in line due to the configuration of the lot size. The proponent then introduced another proponent to speak on the issue.

Another proponent addressed the Commission and stated he was speaking on behalf of the applicant. He noted he is speaking about a truly community based project and is a member of the Northern Kentucky Regional Alliance. He noted one goal is to focus on unification and consolidation of all efforts and activities and financial contributions within the community. The proponent stated a lot of people have worked on the project. He additionally stated the building is for the sole purpose of housing five or six not for profit organizations. He then noted the organizations that would be occupying the new development. He stated their goals are pretty obvious, but in simple form it is to bring these organizations together to share and present a very united front to the community. The proponent then stated all of those involved have been working together for about a year. He stated to have something of a high quality nature at the front door of Covington was his hope. He stated they are finally in a position where that can happen. The proponent noted the project will mimic the Ascent but is significant because of the height and design as you come across the bridge. He commented the project in the end will be owned by the community so to speak. He stated they are seeking the Commission's endorsement and support for the development.

Another proponent addressed the Commission and stated they think this is going to elevate Covington and showcase growth strategies. The proponent stated it will be a world class building that will house Northern Kentucky's growth organizations in one place. She stated it has a central location and will enhance the area and downtown. The proponent then presented a power point presentation and graphics with renderings depicting the development. She highlighted what will be available within the development and what will be offered. She noted there will be a one stop shop for comprehensive services available. The proponent stated they will have a new and progressive community statement that will attract talent and retain talent in Northern Kentucky. The proponent commented this is consistent with the Center City Action Plan. She stated it strengthens the urban core vitality through infill development. She also stated it complements the Ascent architecture and yet is sensitive to the community character. The proponent stated there has been a world of development since 2010 to the area. The proponent additionally stated it also benefits the region and this is needed to draw attention to the area. She then thanked Staff for working with them through the process.

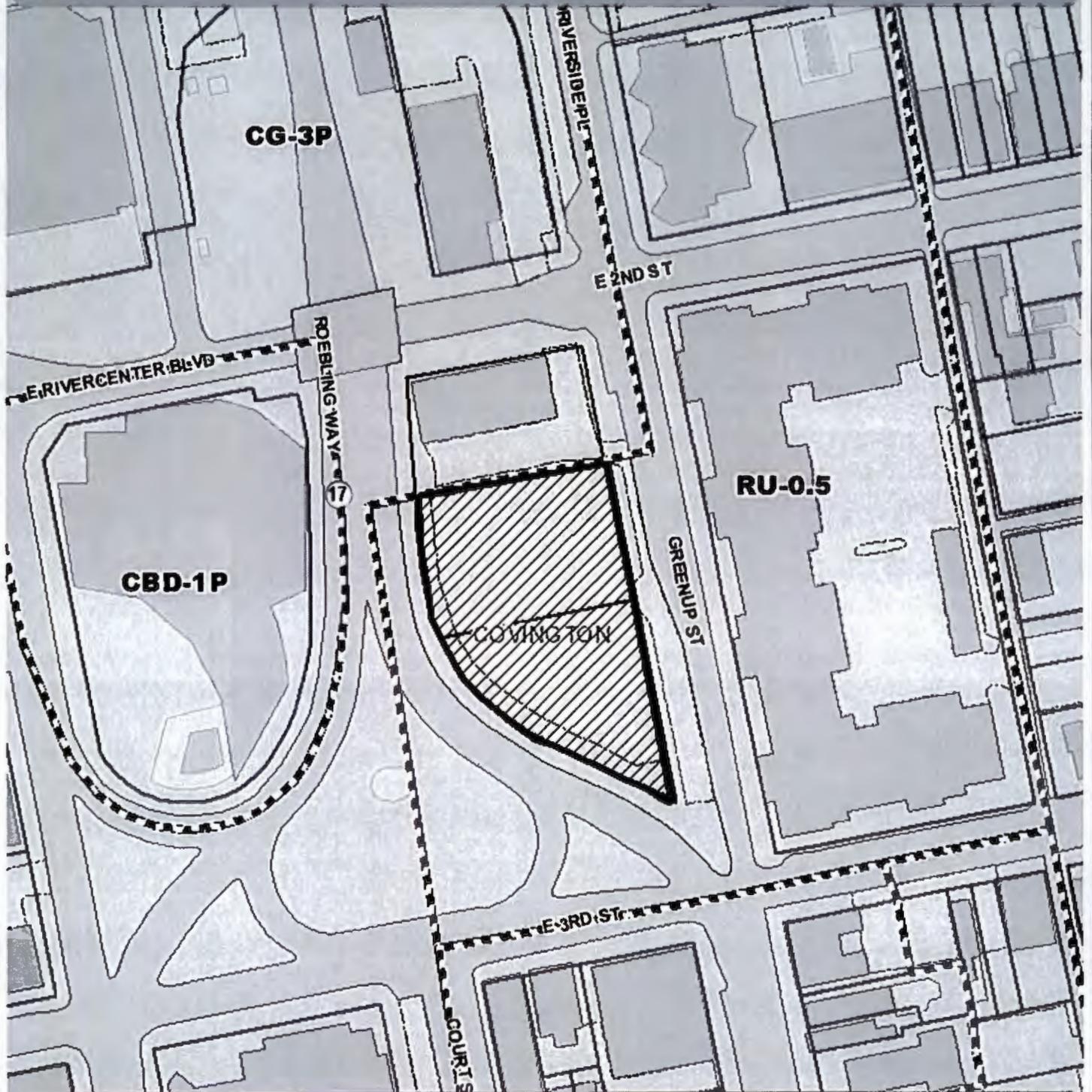
The proponent submitted two letters in support to be made a part of the records on the matter. He additionally added there would be 52 parking spaces within the development.

#### OPPONENTS/NEUTRAL PARTIES

There were no opponents or neutral parties registered to speak on the

**Bases for Staff Recommendation:** The PDS Staff Recommendation is on file at the PDS office.

# PC1909-0002



Building	Roads	Utilities	Topography
Building	Paved Road	Sewer	Index Contour
Pool	Unpaved Road	Sewer Structure	Intermediate Contour
Tank	Bridges	Water Pipe	Creek / Stream
Concrete Pad	Paved Parking	Water Hydrant	River / Lake
<b>Recreation</b>	Unpaved Parking		
Ball Field's	Railroad		
Playground/ General Rec			
Tee/Green	<b>Boundaries</b>		
	Parcel		
	Zoning		






2332 Royal Drive  
 Fort Meade, KY 41017  
 859.331.8980  
 Office hours M-F 8-5  
[www.linkgis.org](http://www.linkgis.org)

Parcel data provided by CCPVA,  
 CCPVA and LINK GIS

Date: 9/9/2019

These GIS data are deemed reliable and every effort has been made to ensure their accuracy. They are, however, provided "as is" without warranty of correctness, timeliness, reliability, or completeness. Map elements do not represent a legal survey of land. Use of these data for any purpose should be with an acknowledgment of their limitations, including the fact that they are dynamic in nature and in a constant state of maintenance. Field investigation may be necessary.







**LEGEND**

- BUILDING
- EXISTING GAS LINE
- EXISTING SEWER LINE
- EXISTING FIRE HYDRANT
- EXISTING SANITARY MANHOLE
- EXISTING STORM DRAIN/CULVERT
- EXISTING UTILITY VAULT
- EXISTING LIGHT POLE
- EXISTING ELECTRIC BOX
- EXISTING FIRE ALARM DEVICE
- EXISTING SIGN
- EXISTING FENCE
- EXISTING SIDEWALK
- EXISTING DRIVEWAY
- EXISTING OVERHEAD WIRE

**LEGEND**

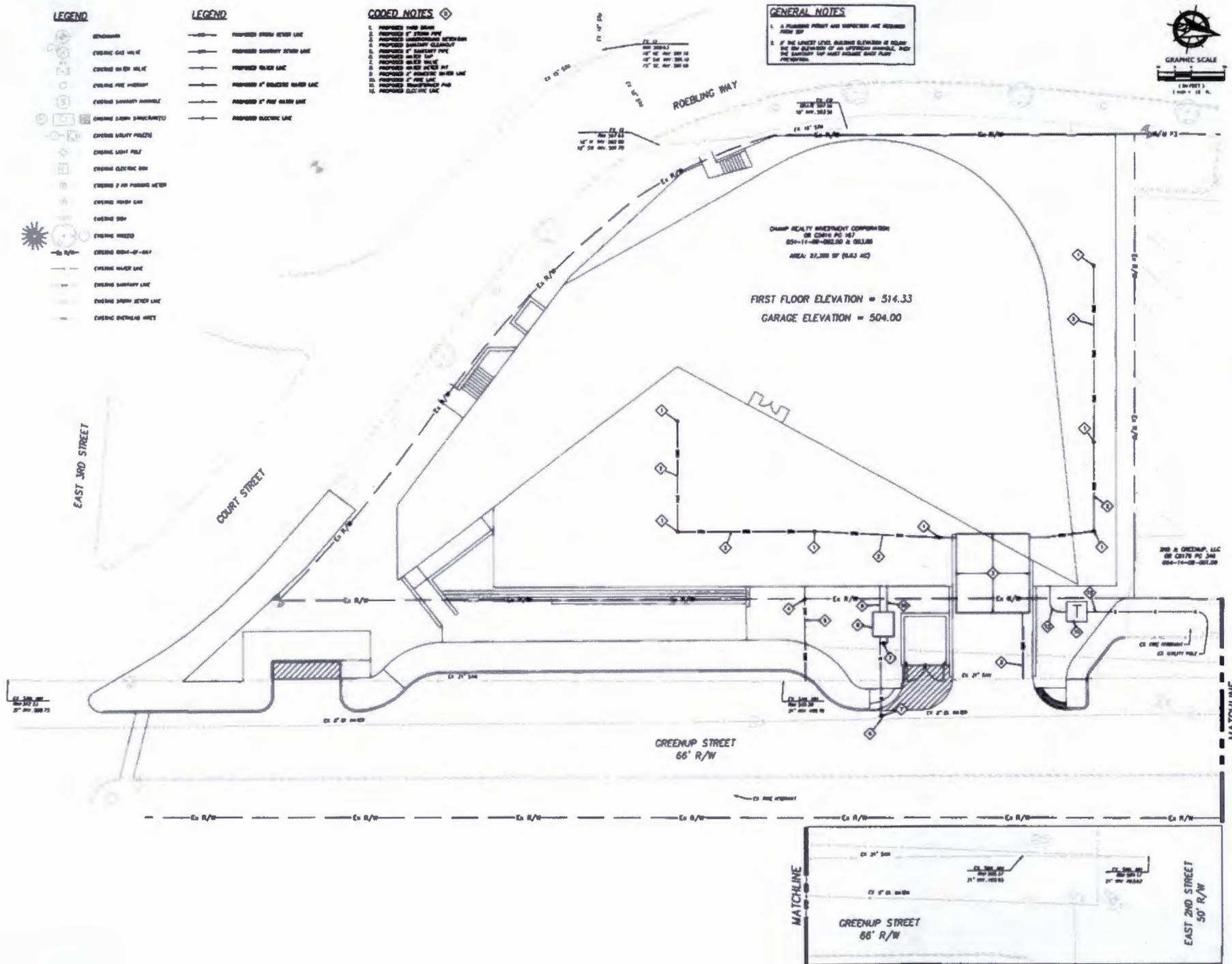
- PROPOSED STORM SEWER LINE
- PROPOSED SANITARY SEWER LINE
- PROPOSED WATER LINE
- PROPOSED FIRE HYDRANT LINE
- PROPOSED 12" FIRE MAIN LINE
- PROPOSED ELECTRIC LINE

**COORD. NOTES**

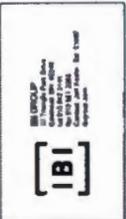
1. PROPOSED 12" FIRE MAIN
2. PROPOSED 8" STORM PIPE
3. PROPOSED SANITARY SEWER
4. PROPOSED SANITARY CLEANOUT
5. PROPOSED 8" SANITARY PIPE
6. PROPOSED 12" WATER
7. PROPOSED 12" FIRE MAIN
8. PROPOSED 8" ELECTRIC WATER LINE
9. PROPOSED 8" FIRE LINE
10. PROPOSED SANITARY AND
11. PROPOSED ELECTRIC LINE

**GENERAL NOTES**

1. A PLUMBING PERMIT AND INSPECTION ARE REQUIRED FOR ALL
2. IF THE LOCATED LEVEL ELEVATION IS LOWER OR THE ALLEVIATION OF AN UPPER ELEVATION, PER THE SLOPE AND THE SLOPE SHALL BE MAINTAINED.



**SHOWN NOT FOR CONSTRUCTION**



**Corporex**  
 Corporate Development and Construction Management LLC  
 102 E. Huntington Blvd., Suite 1100  
 Georgetown, KY 40311

**ONE NKY**  
 200 & 215 GREENUP STREET  
 COWINGTON, KENTUCKY  
 41015

REVISION DATE	DESCRIPTION

**COPYRIGHT**  
 PROJECT NUMBER: 08  
 DATE: 08/14/2018  
**SITE UTILITY PLAN**  
**C2.0**



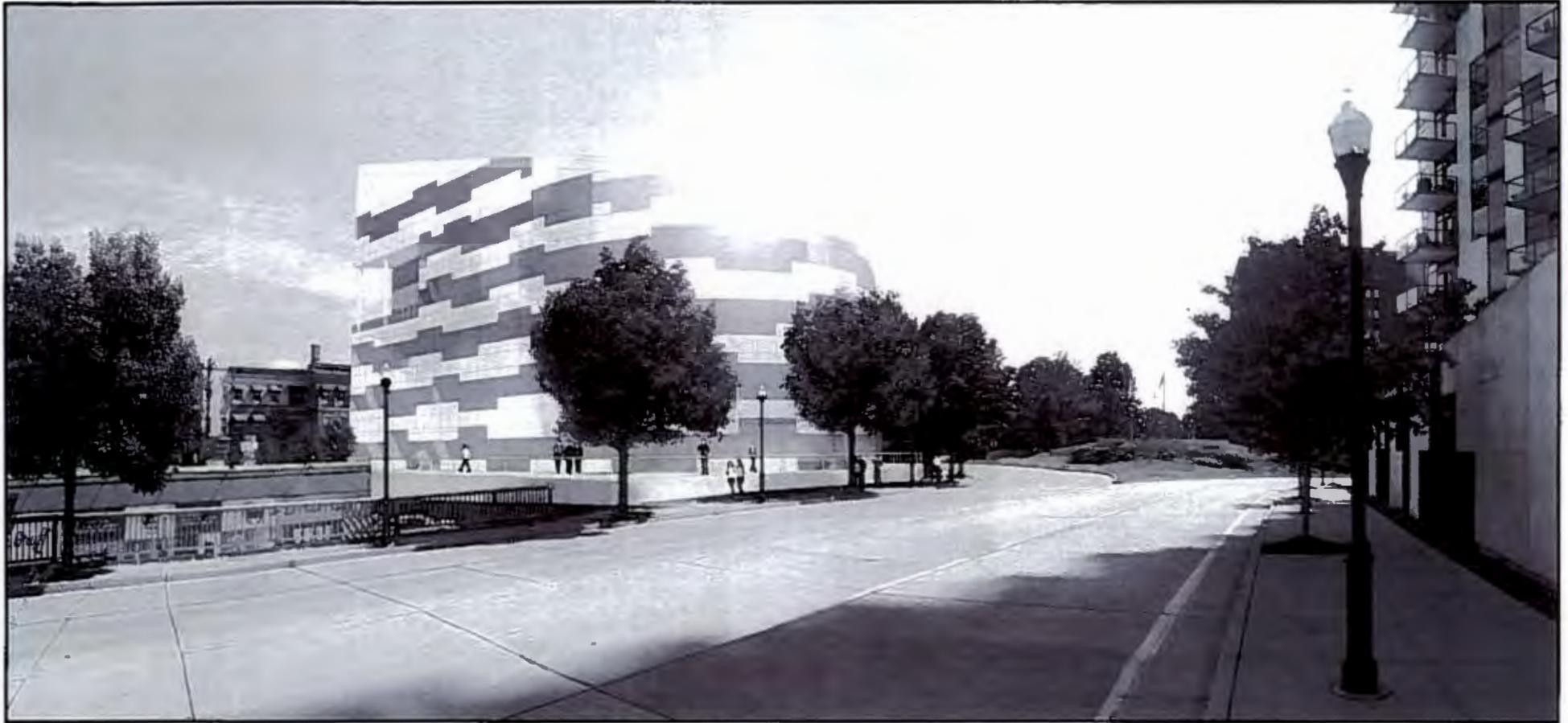


**1NKY**

**ZONING VARIANCE APPLICATION  
VIEW FROM INTERSECTION OF  
COURT STREET & GREENUP STREET**

**Corporex**

**PHOENIX**  
ARCHITECTURE



**1NKY**

**Corporex**

**ZONING VARIANCE APPLICATION  
VIEW FROM ROEBLING WAY**

**PHOENIX**  
ARCHITECTURE