

AGENDA

THE HAMILTON COUNTY REGIONAL PLANNING COMMISSION
Room 805, County Administration Building
138 East Court Street
Cincinnati, OH 45202

DECEMBER 3, 2015

Administrative Session – 12:30 PM
Development Review Session – 1:00 PM

James Obert, Chairperson/Presiding Officer

1. ADMINISTRATIVE SESSION
SESSION CALLED TO ORDER

ROLL CALL OF COMMISSIONERS

ADMINISTRATIVE ACTIONS:

- A. ADM 35: Disposition of Minutes, November 5, 2015
- B. ADM 36: RPC Financial Report – November
- C. ADM 37: Madeira Planning Contract

PROGRAM REPORTS:

Zoning Services	Systems / Data Products
Planning Partnership	Community Planning
Community Development	OKI Board of Trustees
Other Reports	

2. DEVELOPMENT REVIEW SESSION: (1:00PM)
SESSION CALLED TO ORDER

TOWNSHIP ZONING MAP AMENDMENT:

- A. NAME: Colerain ZA2015-05; 7600 Colerain Avenue
- REQUEST: FROM: "B-2" General Business and "R-7" Multi Family Residential
- TO: "B-3" Commerce
- PURPOSE: To rezone a portion of the property in order to bring the entire site under one zoning classification
- APPLICANT: Stephen L. Cahill, Abercrombie & Associates Inc. (applicant); FKS Realty LLC (owner)
- LOCATION: Colerain Township: 7600 Colerain Avenue; on the east side of Colerain Avenue between Jonrose Avenue and Shadycrest Drive (Book 510, Page 71, Parcels 41, 43, 165, 248 & 478)

3. ADJOURNMENT

NOTE: Individuals with disabilities requiring special accommodations to participate in or attend any meeting or hearing should call the Planning & Development Department at 946-4550 seven days prior to the meeting.

>>>>FOR ADDITIONAL INFORMATION ON ANY AGENDA ITEM, PLEASE CALL 946-4550<<<<

**HAMILTON COUNTY
REGIONAL PLANNING COMMISSION**

RECORD OF PROCEEDINGS NOVEMBER 5, 2015

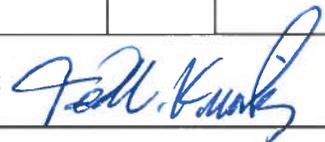
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SUMMARY OF ACTIONS

PRESIDING OFFICER: Obert
MEMBERS PRESENT: Franke, Linnenberg, Obert, Okum, Stillpass, Sprague
MEMBERS ABSENT: Simpson
STAFF PRESENT: Kinskey, Snyder, Huth, Stratton, Johns, Todd
LOCATION: Room 805, Administration Building
TIME: 12:30 PM – 2:10 PM

	AGENDA ITEM	RPC ACTION	VOTE		
ADMINISTRATIVE ITEMS:	ADM29: Disposition of Minutes, October 1, 2015 ADM30: RPC Financial Report – October ADM31: Approve 2016 RPC Fees ADM32: Approve 2016 RPC Price List ADM33: Approve 2016 RPC Budget ADM34: Approve 2016 Planning & Zoning Contracts	Approval Approval Approval Approval Approval Approval	6-0-0 6-0-0 6-0-0 6-0-0 6-0-0 6-0-0		
	AGENDA ITEM	RPC ACTION	VOTE	CONDITIONS & CODES	
LAND USE PLAN AMENDMENT:	To consider adoption of a LUPA Miami 2015-02; Miami Heights Retail	Approval	6-0-0		
	AGENDA ITEM	AMENDMENT REQUEST	RPC ACTION	VOTE	CONDITIONS & CODES
PRELIMINARY SUBDIVISION PLANS:	Anderson 15-02; Nordyke Estates	Subdivision and Re-plat Approval	Approval	6-0-0	
	Green 15-03; Forest Cove	Subdivision and Re-plat Approval	Approval	6-0-0	

ATTEST: Chairman:

Secretary: 

CONDITIONS AND CODES

1. Approval subject to standard covenants.
 2. Approval subject to conditions recommended in the staff report.
 3. Approval subject to conditions recommended by the RPC.
 4. Approval pending receipt of favorable reports.
- R = Received and accepted for processing.
 C = Confirmed approval after review of compliance with conditions.
 P = Postponed by applicant.
 W = Withdrawn by applicant.

ABBREVIATIONS IN MINUTES

- MSD - Metropolitan Sewer District
 ODOT - Ohio Department of Transportation
 SCS - US Soil conservation Service, Hamilton County Soil & Water Conservation Dist
 DPW - Hamilton County Department of Public Works
 ENG - Hamilton County Engineer
 ZNG - Hamilton County Zoning Administrator
 FPO - Township Fire Prevention Officer
 TPZ - Township Planning/Zoning Officer
 TT - Township Trustees

ADMINISTRATIVE ITEMS

ADM29: DISPOSITION OF MINUTES

MOTION: To approve the minutes of the Regular Meeting of the Regional Planning Commission, October 1, 2015.

Moved: Okum Second: Stillpass

VOTE: AYE: 6 Franke, Linnenberg, Stillpass, Obert, Okum, Sprague
NAY: 0
ABSTAIN: 0

ACTION: APPROVAL

ADM30: RPC FINANCIAL REPORT

MOTION: To approve the RPC Financial Report for October 2015 as presented.

Moved: Linnenberg Second: Franke

VOTE: AYE: 6 Franke, Linnenberg, Stillpass, Obert, Okum, Sprague
NAY: 0
ABSTAIN: 0

ACTION: APPROVAL

ADM31: APPROVAL OF THE 2016 RPC FEES

MOTION: To approve the 2016 Regional Planning Commission fees as amended.

Moved: Stillpass Second: Okum

VOTE: AYE: 6 Franke, Linnenberg, Stillpass, Obert, Okum, Sprague
NAY: 0
ABSTAIN: 0

ACTION: APPROVAL

ADM32: APPROVAL OF THE 2016 RPC PRICE LIST

MOTION: To approve the 2016 Regional Planning Commission price list.

Moved: Okum Second: Linnenberg

VOTE: AYE: 6 Franke, Linnenberg, Stillpass, Obert, Okum, Sprague
NAY: 0
ABSTAIN: 0

ACTION: APPROVAL

ADM33: APPROVAL OF THE 2016 RPC BUDGET
MOTION: To approve the 2016 Regional Planning Commission budget.

Moved: Linnenberg Second: Sprague

VOTE: AYE: 6 Franke, Linnenberg, Stillpass, Obert, Okum, Sprague
NAY: 0
ABSTAIN: 0

ACTION: APPROVAL

ADM34: APPROVAL OF THE 2016 PLANNING & ZONING CONTRACTS
MOTION: To approve the 2016 Planning & Zoning contracts.

Moved: Okum Second: Stillpass

VOTE: AYE: 6 Franke, Linnenberg, Stillpass, Obert, Okum, Sprague
NAY: 0
ABSTAIN: 0

ACTION: APPROVAL

ADJOURNMENT: The meeting was adjourned at 2:10 PM

ATTEST: Chairman: _____ Secretary: 

Note: This Record of Proceedings is not an exact transcription, but a condensed version representing the ideas expressed at the Regional Planning Commission meeting.

APPROVAL

ATTEST:

Chairman: _____

Secretary: _____



Note: This Record of Proceedings is not an exact transcription, but a condensed version representing the ideas expressed at the Regional Planning Commission meeting.

HAMILTON COUNTY
REGIONAL PLANNING COMMISSION

RECORD OF PROCEEDINGS – NOVEMBER 5, 2015

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PRELIMINARY
SUBDIVISION:

ANDERSON 15-02; NORDYKE ESTATES

NAME: Anderson 15-02; Nordyke Estates

APPLICANT: Craig Abercrombie, Abercrombie & Associates, Inc.

LOCATION: Anderson Township: on the west side of Nordyke Road, north of the Koszo Drive and Nordyke Road intersection (Book 500, Page 40, Parcels 31, 77 & 214)

TRACT SIZE: 2.5 net acres

TOTAL LOTS: 6

REPORTS: RECEIVED:

PENDING:

SPEAKERS: J. Huth, T. Kinskey, C. Abercrombie, B. Taylor, A. Hodson, L. Rodgers, L. James, D. James, J. Weber Sr., G. Rosenberry, S. Lotts, B. Johnson, D. Rodgers

DISCUSSION: (Summary of Topics)

Staff Comments:

1. **J. Huth** - Review of staff report.
2. Apologized for the mistake in the staff report and did clarify that it was Lot 4 that contains the retention lake.
3. **T. Kinskey** – The subdivision regulations have been officially amended. We have moved the power of approving a “T” turn around to the decision of this board. As we have said in the staff report, we are very sympathetic to the implication here of having to design a road versus having four 20 foot panhandle lots.
4. There is not a hearing that the public can attend on stormwater. It is an administrative function. The developer will have to meet federal regulations for storm water.
5. Typically “T” turn arounds are very rarely used. Because the standards in Anderson are different for the area for panhandle lots this is the reason it is being allowed with the Commissions blessing.
6. The reality of the situation is, if someone wanted to raise issues with the water in the future, everyone will look to sue the county, but in terms of actual liability, after its designed and developed it will need to be handled between the two property owners.
7. We are not going to resolve water issues at this meeting, but I would be happy to have you sit down with our hydrology folks to let them hear your concerns.
8. That is why the strip is there to separate Ms. Rodgers from becoming a double frontage lot.

Applicant Comments:

1. **C. Abercrombie** – Applicant on behalf of the Wolfer family. There is a strip east of the proposed right-of-way and was suggested by Paul Drury with Anderson Township when we met, to not make the lots to the east double frontage lots. This would not prohibit the northern lots from making building additions, etc.
2. There is a small sliver of property north of lot 5 to give the existing garage the ability to meet the rear yard setback.
3. I would assume the property owner or the HOA would be responsible for the maintenance of the sliver of property north of lot 5.
4. Looked at putting in a cul-de-sac, but I was worried about pushing the house on lot 3 to far to the south and it also made the retention lake tighter. We are tight on space.
5. Developer does put no parking signs on the plans for all projects in Anderson Township.
6. Developer has agreed to do a fee in lieu of sidewalks for this development.
7. The retention basin will be the size of a small pond. We have not yet determined the final design of the retention basin.

8. The proposed homes would have a 40 foot front yard setback, a 35 rear yard setback and 10 foot side yard setbacks. We are not asking for any variances.
9. **B. Taylor** – We may look at the option of building sidewalks on one side of the street but definitely not on both sides.
10. The intention is to add one street light in the cul-de-sac area.

Public Official Comments:

1. **A. Hodson** – We have our standard comments. We do prohibit parking on the side of the street and in cul-de-sacs, including “T” turn arounds.
2. The only outstanding item would be concerning the sidewalks. We do require sidewalks on both sides of the street for a development such as this, but we do offer options for the developer to pay a fee in lieu of installing sidewalks. If the developer wishes to pay a fee in lieu of the sidewalks for this subdivision they will be used along Nordyke, on the east side of the street just north of this development to help connect it to an existing trail network. This is something the Township will need to act on prior to the development beginning.
3. It is not a Township requirement to add additional lighting.

Public Comments:

1. **L. Rodgers** – You can color it anyway you want, but the last lot abutting Nottingham will still be a double corner lot and it will devalue the property to someone. I am protesting this part.
2. Have concerns about streetlights. We have enough light back there already and wonder if the developer plans to put in more.
3. Have concerns about the storm water basin. Would like to see dimensions and details. Believe it will also become a safety and insect issue.
4. Currently has a drainage problem on my property and with this new development it will cause additional problems.
5. **L. James** – Pointed out a discrepancy on Page 2, under Description of the staff report. Lot 5 should actually read Lot 4.
6. Wanted to find out if there is a hearing that the neighbors can attend to discuss the retention concerns, because we want to make sure it will not impact our yards.
7. Does anyone know if the new houses will be on a sanitary sewer or septic?
8. **D. James** – Abuts proposed area. All of the houses on Nottingham have historically drained towards the rear. The wooded area in the back is usually under water 4 – 6 months out of the year. There is an old stream bed that runs through the area back there that was altered when the Nottingham Cove subdivision was built and the water drains into that area currently today.
9. I feel that the way that the developer has proposed the retention pond and the way it manages water is going to cause problems upstream including us.
10. Not for or against the proposal, but want to ensure my property is not affected adversely and dealt with proactively, because after it is built it will be hard to rectify the problem.
11. **J. Weber Sr.** – My backyard already stays fairly wet on the east side and my largest concern is, if the drainage is not taken care of properly, and by taking out a lot of the trees, the water is going to go somewhere. Losing natural greenspace is a shame.
12. If Drees thinks that they have figured out the drainage issues appropriately and it fails in the future what course do we as homeowners have?
13. **G. Rosenberry** – Lives at the beginning of lot 5. Trying to understand why the “T” turn around is okay in some Townships but not okay in Anderson.
14. Believe that Drees did a drainage study on this property the last time and was wondering if this report was available for the public.
15. **S. Lotts** – All lots on Nordyke have drainage issues. 48 years ago when we built our house, there were concerns about the percolation tests. Not sure if this has changed, or if anyone is paying attention to it.
16. My concern is when they build the street, if the elevation is just one inch off, it will flood our property.
17. Curious to find out if the homes would be required to tap into the sewers.
18. Wonder if it would be appropriate for the developer to place trees along the side of the development.
19. **B. Johnson** – Biggest concern is the retention lake, who will maintain it and how often.



HAMILTON COUNTY

Regional Planning Commission

City of Madeira Proposal for Planning Services

Prepared for:

**Tom Moeller
City Manager**

Prepared by:

Hamilton County Regional Planning Commission

December 3, 2015

CONTRACT FOR SERVICES CITY OF MADEIRA

This contract is made and executed on this _____ day of _____, 2015 by and between CITY OF MADEIRA (herein referred to as the “Client”) and the HAMILTON COUNTY REGIONAL PLANNING COMMISSION (HCRPC, herein referred to as the “Contractor”).

1. **Services:** The Contractor agrees to perform the professional and technical services outlined in Appendix A (Scope of Services) attached to this Contract, and the Client agrees to compensate the Contractor for such services.
2. **Terms:** The Contractor’s performance under this contract shall commence on December 3, 2015 and be completed by April 1, 2016. All terms of this contract shall remain in force and effect unless and until either party receives thirty (30) days written notice to the other party of its intent to terminate this agreement, in which event this agreement will terminate after the said thirty (30) day period, or unless and until either party desires to change the terms of the Contract and such changes are agreed upon by a properly executed revision, as per section 8 of this contract.
3. **Compensation:** The estimated total amount of compensation to be paid by the Client to the Contractor for the performance of the professional and technical services outlined in Appendix A shall be approximately \$6,500.00. *A discount of \$616.00 will be deducted from this amount to reflect the free eight (8) hours of annual service guaranteed to current members of the Regional Planning Commission.* The Client agrees to compensate the Contractor in accordance with the terms and conditions set forth in Appendix B (Method of Payment) attached to this contract. The Contractor shall keep an accounting of all charges against this contract which shall be accessible to the Client for review.
4. **Data to be furnished by the Contractor:** If the services to be performed by the Contractor are dependent upon the Client furnishing data and information to the Contractor, all information, data, reports, maps, and other graphic material as are existing, available and necessary for the carrying out of the work shall be furnished to the Contractor without charge by the Client, and the Client shall cooperate with the Contractor in every way possible in carrying out the services program.
5. **Personnel:** The Contractor represents that it has, or will secure, at its own expense, all personnel required in performing the services under this contract. Such personnel shall not be deemed employees of, or have any contractual or agency relation with the Client, but shall be subject to necessary supervision as defined in the “Scope of Services” in Appendix A.
6. **Termination or Suspension of Contract:** In the event of termination as provided for in Section 2 of this contract, all finished or unfinished documents, data, studies, surveys, drawings, maps, photographs, files, and reports, or other materials prepared by the Contractor and delivered to the Client under this contract, shall at the option of the Client, become the Contractor’s property. The Client also agrees to fully compensate the Contractor for all partial performance under this contract for which the Contractor has not

already invoiced the Client.

7. **Waivers or Revisions:** To be valid, a waiver or revision of any portion of this contract must be put in writing and signed by duly authorized representatives of the Client and the Contractor.
8. **Remedies:** In the event of a disagreement under this contract, the parties agree to first submit the dispute to a mediator agreeable to both parties. If the mediator is unable to resolve the dispute, the parties are then free to pursue other legal and equitable remedies.
9. **Public Records:** All documents and maps produced by HCRPC are considered public documents and are subject to the Freedom of Information Act.
10. **Special Provision Regarding CAGIS Maps:** At the conclusion of this contract, all the HCRPC CAGIS (Cincinnati Area Geographic Information System) maps produced for the purpose of this study will remain a part of the HCRPC archives and will be considered public documents. As such, the HCRPC will have the right to reproduce the maps at public request for a small fee to cover reproduction costs.
11. **Authority:** The Client and the Contractor warrant that they have taken all necessary steps, in accordance with the Ohio Revised Code, to lawfully empower their representatives signed below, to execute this contract and any revisions thereto.

IN WITNESS THEREOF, the parties have caused the contract to be duly executed by its duly authorized officers, all as of the day and year written herein as the date of execution.

City of Madeira

Hamilton County Regional Planning Commission

By: City Manager

By: Executive Director

Witness

Witness

Date

Date

APPENDIX A SCOPE OF SERVICES

The Hamilton County Regional Planning Commission (HCRPC) shall, by agreement, perform the following support services for the City of Madeira:

Project Description

HCRPC will assist in the preparation for and facilitation of a planning workshop for downtown Madeira, the exact boundaries of which will be identified by the client. This event will engage the citizens and businesses of Madeira to discuss a conceptual vision and strategies for improving the area. HCRPC will present the findings from the workshop at a second meeting to the City of Madeira Planning Commission. HCRPC will incorporate the feedback from the Planning Commission into the final products discussed within this contract.

Participants

HCRPC will serve as consultants for the City of Madeira in the facilitation of a planning workshop and deliverables discussed within this contract.

Cost

The cost of the meeting workshop preparation, facilitation, preparation of a final planning map and document, and presentation to the Planning Commission is estimated at approximately \$6,500.00 (*minus \$616.00 discount – see page 8*). This rate is a maximum/not to exceed amount and will be renegotiated if the scope of services is voluntarily modified after agreement by both parties.

Time

Estimated completion time is 4 months, beginning December 3, 2015.

Tasks and Meetings

In facilitating the preparation of the workshop meetings and planning study, HCRPC staff will be responsible for attending all meetings and completing all tasks described below.

1. Review all relevant existing planning documents for the “downtown” area identified by the client.
2. Visit the corridor and take photographs.
3. Review the existing zoning code.
4. Plan/design the workshop format with input from Madeira staff.
5. Prepare necessary analytic data and maps for the event.
6. Conduct the workshop.
7. Analyze workshop results and prepare illustrative “concept” map with accompanying meeting summary results appendix.
8. Present final work at City of Madeira Planning Commission meeting for feedback.
9. Incorporate Planning Commission feedback into final deliverables.
10. Final products delivered to City of Madeira.

Facilitation

If attendance at either workshop exceeds forty (40) participants, Madeira staff will recruit Planning Commission members who will be trained by HCRPC to act as facilitators during any small group portion of the workshops.

Project Contact

Madeira staff will serve as the primary contact for questions from residents/stakeholders.

Expectations of the Client:

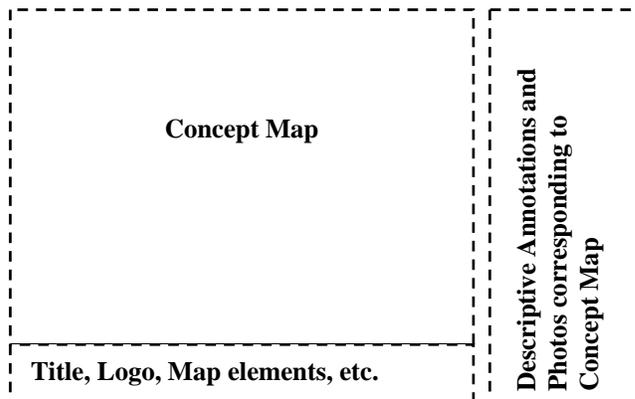
Beyond those expectations previously identified in this contract, the City of Madeira will provide the following information to HCRPC:

1. A compilation of relevant existing planning documents. (KZF plan)
2. Information regarding any planned road improvements in the study area.
3. Vehicular and pedestrian accident data for the study area.
4. Recruitment of Planning Commissioners to serve as facilitators if necessary based on attendance at the workshop.
5. Any other relevant document and/or information available to Madeira staff that would be useful in completion of the contract.
6. High resolution City of Madeira logo and/or any appropriate branding materials

Deliverables

The final deliverables will include: a 3' x 4' printed presentation quality poster and associated digital files, compiled citizen feedback from the workshop document, HCRPC analysis data or maps created for preparation of citizen workshop, and any photos taken by staff in digitally saved format.

An example of the layout of the final illustrative “concept” plan poster:



Compensation

In consideration of the foregoing services, Madeira shall compensate HCRPC for all services performed by HCRPC staff as follows:

Administrators: \$85.25 per hour
Professionals: \$68.75 per hour
Technicians: \$38.25 per hour
Interns: \$15.00 per hour

Mileage: \$0.575 per mile

Other Miscellaneous Direct Expenses
(postage, mailings, equipment, tools, supplies, etc.)

APPENDIX B METHOD OF PAYMENT

The Contractor shall submit monthly invoices for services performed by HCRPC covering expenses incurred in carrying out this contract. All costs, to be eligible for reimbursement, must be reasonable, incurred pursuant to work performed on this contract, and recorded in a manner consistent with accepted accounting principles. The Client shall process and pay the Contractors' invoices, within thirty (30) days following submission by the Contractor.

APPENDIX C
ESTIMATED COST OF SERVICES

Task	Staff Person	Estimated Hours	Billing Rate	Estimated Cost
Analysis:				
• Field Review	Todd Kinskey,	2	\$85.25	\$170.50
• Plans Review	Steve Johns,	3	\$85.25	\$255.75
• Zoning Review	Brian Wamsley,	10	\$68.75	\$687.50
• Other analysis	Intern	5	\$15.00	\$75.00
Mapping	Brian Wamsley,	20	\$68.75	\$1,375.00
	Intern	5	\$15.00	\$75.00
Meeting Preparation and related Correspondence	Todd Kinskey,	1	\$85.25	\$85.25
	Steve Johns	3	\$85.25	\$255.75
Meeting Attendance	Todd Kinskey,	4	\$85.25	\$341.00
	Bryan Snyder,	4	\$85.25	\$341.00
	Brian Wamsley,	4	\$68.75	\$275.00
	Stacey Todd,	4	\$68.75	\$275.00
	Eric Fazzini	4	\$68.75	\$275.00
Poster Creation	Brian Wamsley,	16	\$68.75	\$1,100.00
	Intern	4	\$15.00	\$60.00
Planning Commission Meeting	Todd Kinskey,	2	\$85.25	\$170.50
	Steve Johns	2	\$85.25	\$170.50
Final Map and Document Preparation	Brian Wamsley,	3	\$85.25	\$255.75
	Intern	1	\$15.00	\$15.00
	Total Estimated Hours:	97	Total Estimated Labor Cost:	\$6,258.50
Expense	Breakdown	Estimated Amount	Billing Rate	Estimated Cost
Mileage	10 trips @ 20 miles each	200 miles	\$0.575 per mile	\$115.00
Final Document Printing	Concept Poster 3' x 4'			\$50.00
	Copies of Workshop Feedback 8.5" x 11"	5	\$5.00 per copy	\$25.00
			Total Estimated Expense Cost:	\$190.00
Discount			4 hrs @ \$85.25	
			4 hrs @ \$68.75	(\$616.00)
			Total Estimated Cost of Services:	\$5,832.50



STAFF REPORT

FOR CONSIDERATION BY HAMILTON COUNTY REGIONAL PLANNING COMM. ON DEC. 3, 2015
FOR CONSIDERATION BY COLERAIN TOWNSHIP ZONING COMM. ON DEC. 15, 2015

**ZONE
AMENDMENT
CASE:**

COLERAIN ZA2015-05

7600 COLERAIN AVE

REQUEST: FROM: "B-2" General Business and "R-7" Multi Family Residential
TO: "B-3" Commerce

PURPOSE: To rezone a portion of the property in order to bring the entire site under one zoning classification

APPLICANT: Stephen L. Cahill, Abercrombie & Associates Inc. (applicant); FKS Realty LLC (owner)

LOCATION: Colerain Township: 7600 Colerain Avenue; on the east side of Colerain Avenue between Jonrose Avenue and Shadycrest Drive (Book 510, Page 71, Parcels 41, 43, 165, 248 & 478)

SITE DESCRIPTION: Tract Size: 12.72 acres (gross area); 9.54 acres (area of rezoning)
Frontage: 360 feet on Colerain Avenue and 110 feet on Jonrose Avenue
Topography: Gentle slope downward to the eastern property line
Exist. Dvlpmt: Former Builders FirstSource industrial facility

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	"B-2" General Business & "R-7" Multi Family Residential	Retail Strip Center & Apartments
South:	"B-3" Commerce	Commercial & Industrial mix
East:	"R-6" Urban Residential	Single Family Homes & School
West:	"B-2" General Business	Commercial

**ZONING
JURISDICTION:** Colerain Township Board of Trustees

**SUMMARY OF
RECOMMENDATION: DENIAL**

PROPOSED USE:

The subject property currently falls under three different zoning classifications: “B-3” Commerce, “B-2” General Business, and “R-7” Multi Family Residential. The applicant has not indicated a proposed use or submitted a development plan for the site. Rather, the applicant has stated that the purpose of the rezoning is to make the site “more desirable for future occupation and possible development” by bringing the entire site into the “B-3” Commerce district. This zoning district is similar to Hamilton County’s “F” Light Industrial district.

ZONING PETITION HISTORY:

There is no known zoning petition history for this site.

ANALYSIS:

Land Use Plan Consistency

Applicable Policies and Recommendations: The Regional Planning Commission has an adopted Land Use Plan for this site. The adoption and review history of the Colerain Township South East Sector Land Use Plan is as follows:

- Adopted by RPC March 1989
- Last 5 Year Update adopted by RPC December 2001

Findings:

- *The Land Use Plan is not considered current as defined in the RPC Bylaws as it has not been reviewed and updated by the RPC within the last 5 years; therefore, consistency with the plan is not required.*
- *However, staff has reviewed the site for consistency with the Colerain Township Land Use Plan Map adopted by the Township in September 2011.*
- *The Land Use Plan Map designates the site as “Light Industrial”, which is defined in the Colerain Township Zoning Resolution as the manufacturing, processing, or assembly of products within a fully enclosed structure where noise, odor, light, and vibrations are not noticeable to adjacent properties.*
- *Rezoning the entire site to “B-3” Commerce allows for commercial and office as well as light industrial uses, meaning the site would be consistent with the Land Use Plan Map.*
- *Staff has also reviewed the site for consistency with the Colerain Township Comprehensive Plan adopted by the Township in April 2005. This plan has not been adopted by the RPC.*
- *However, the Colerain Township Comprehensive Plan does provide land use recommendations for the township, and it shows the site belonging to the White Oak Character Area.*
- *The Vision Map for the White Oak Character Area in the Comprehensive Plan designates the site as a Mixed Use Employment Center which is defined as a mixture of commercial, office, and industrial uses with a focus on the creation of jobs and services in the Township.*
- *Rezoning the entire site to “B-3” Commerce allows for a mix of commercial, office, and light industrial uses, meaning the site would be consistent with the Comprehensive Plan’s Vision Map.*

- *Land Use Guideline #4 in the Comprehensive Plan encourages the continued development of light industrial and office uses in the White Oak Character Area, but also says that these uses should be fully enclosed because of the area's high visibility.*
- *Land Use Guideline #5 in the Comprehensive Plan states that development in the White Oak Character Area needs to include adequate landscaping and buffering between residential and non-residential uses.*
- *Staff finds that the proposal would generally be consistent with the Colerain Township Land Use Plan Map and Comprehensive Plan's Vision Map but not necessarily with the Comprehensive Plan's Land Use Guidelines concerning mitigation of development impacts.*
- *Since the zone change request is not for a Planned Development district, compliance with the storage, landscaping, and buffering requirements cannot be assured through the addition of conditions.*
- *However, consistency with the Colerain Land Use Plan and Comprehensive Plan is not required in accordance with the RPC Consistency Bylaws because the Land Use Plan and Comprehensive Plan last adopted by the RPC are not current.*

**RECOMMENDED
MOTION:**

To accept staff findings that consistency with the adopted land use plan is not required.

ANALYSIS:

Thoroughfare Plan Consistency

Applicable Policies and Recommendations: The proposed development site has frontage on Colerain Avenue, which is designated as a Major Arterial on the Hamilton County Thoroughfare Plan with a recommended right-of-way of 120 feet (60 feet from centerline). The proposed development site also has frontage on Jonrose Avenue which is not identified on the thoroughfare plan.

***Findings:** The proposed zone plat appears to indicate a right of way along Colerain Avenue of approximately 25 feet from centerline. Dedication of right-of-way is not required as part of a single-letter zone change and therefore dedication of right-of-way cannot be required as part of this zone amendment.*

Zoning Compliance

Single-letter zone amendments do not include site plan review. Because this is not a planned district, zoning compliance does not apply.

Other Issues

Single-Letter Zoning

A single-letter zone district request does not include a site plan review and the applicant has not indicated a proposed use or submitted a development plan. Any issues with future development and repurposing, as stated above, cannot be addressed by staff, as zoning compliance does not apply. While the proposed Commerce district would comply with the Colerain Township Land Use Plan Map and the Colerain

Township Comprehensive Plan, the Land Use Guidelines could not be enforced under a single-letter zone change. The site already has nonconforming setbacks and is in-part surrounded by residential uses, so staff cannot support a zone change without the assurance of sufficient landscaping and buffering to mitigate impacts. In addition, compliance with the Hamilton County Thoroughfare Plan cannot be enforced.

CONCLUSION:

Based on the above findings, staff does not support the zone change request. The inability for staff to apply conditions to help mitigate potential nuisances related to industrial uses could leave adjacent residential uses particularly exposed. The Land Use Guidelines of the Comprehensive Plan cannot be enforced for this single-letter zone change nor can compliance with the Hamilton County Thoroughfare Plan. Therefore, staff finds the requested zone amendment not appropriate in this location and recommends denial of the request.

RECOMMENDED MOTION:

To consider case Colerain ZA2015-05, 7600 Colerain Avenue; a request for a Zone Amendment from "B-2" General Business and "R-7" Multi Family Residential to "B-3" Commerce.

NOTE: Recommendations and findings in this staff report reflect the opinions of the staff of the Hamilton County Planning and Zoning Department, but may not necessarily reflect the recommendation of any Commission. This staff report is primarily a technical report on the level of compliance with adopted land use regulations and plans. The report is prepared in advance of public hearings and often in advance of other agency reviews. Additional information from other agency reviews and public review is considered by appointed commissions and elected boards. Therefore, the advisory and final decisions of such commissions and boards may result in findings and conclusions that differ from the staff report.

Prepared by:


Timothy A. Hawk

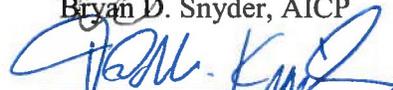
Development Services Intern

Reviewed By:

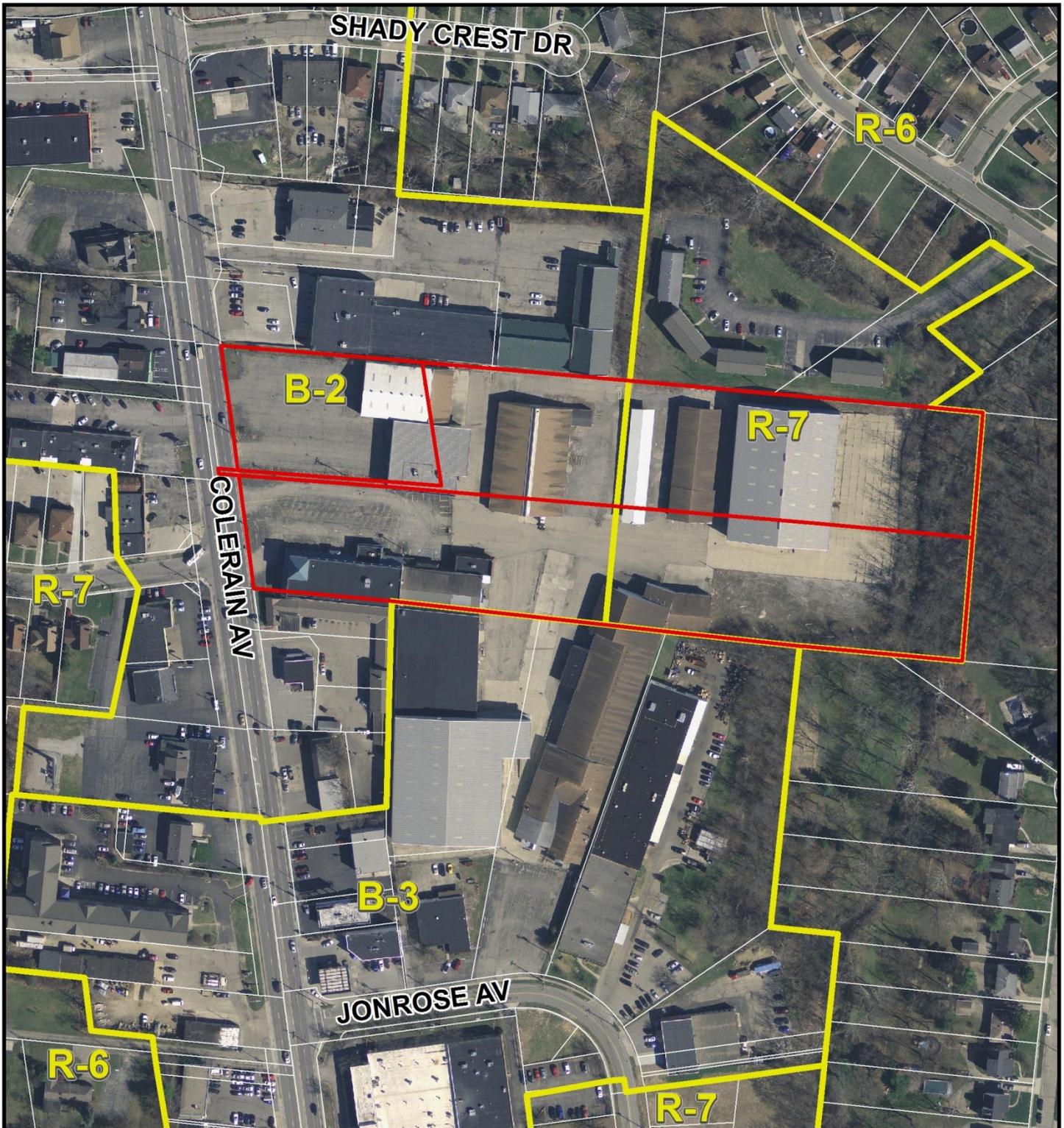

Bryan D. Snyder, AICP

Development Services Administrator

Approved By:


Todd M. Kinskey, AICP

Planning & Development Director

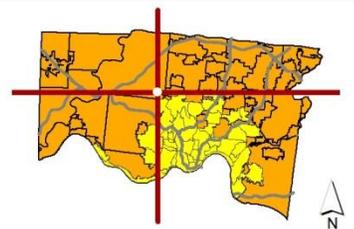


VICINITY MAP

Case: Colerian ZA2015-05

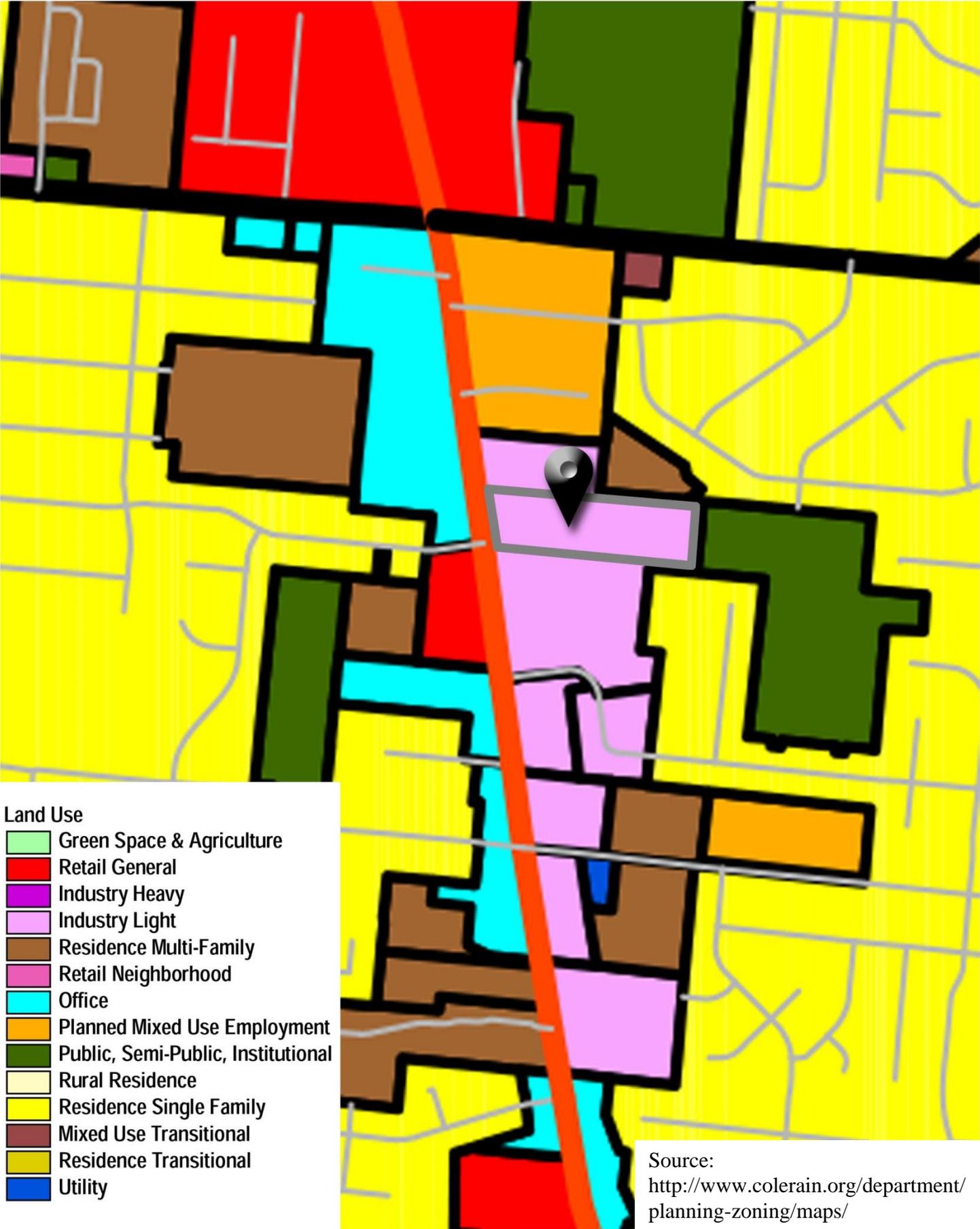
Request: Zoning Amendment from B-2 & R-7 to B-3

Printed: Dec. 3, 2015
 Printed By: Tim Hawk



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Land Use Plan Map



SITE PHOTOS



View looking east from Colerain Avenue toward the site



View looking northwest from Jamerine Avenue toward the site

SITE PHOTOS

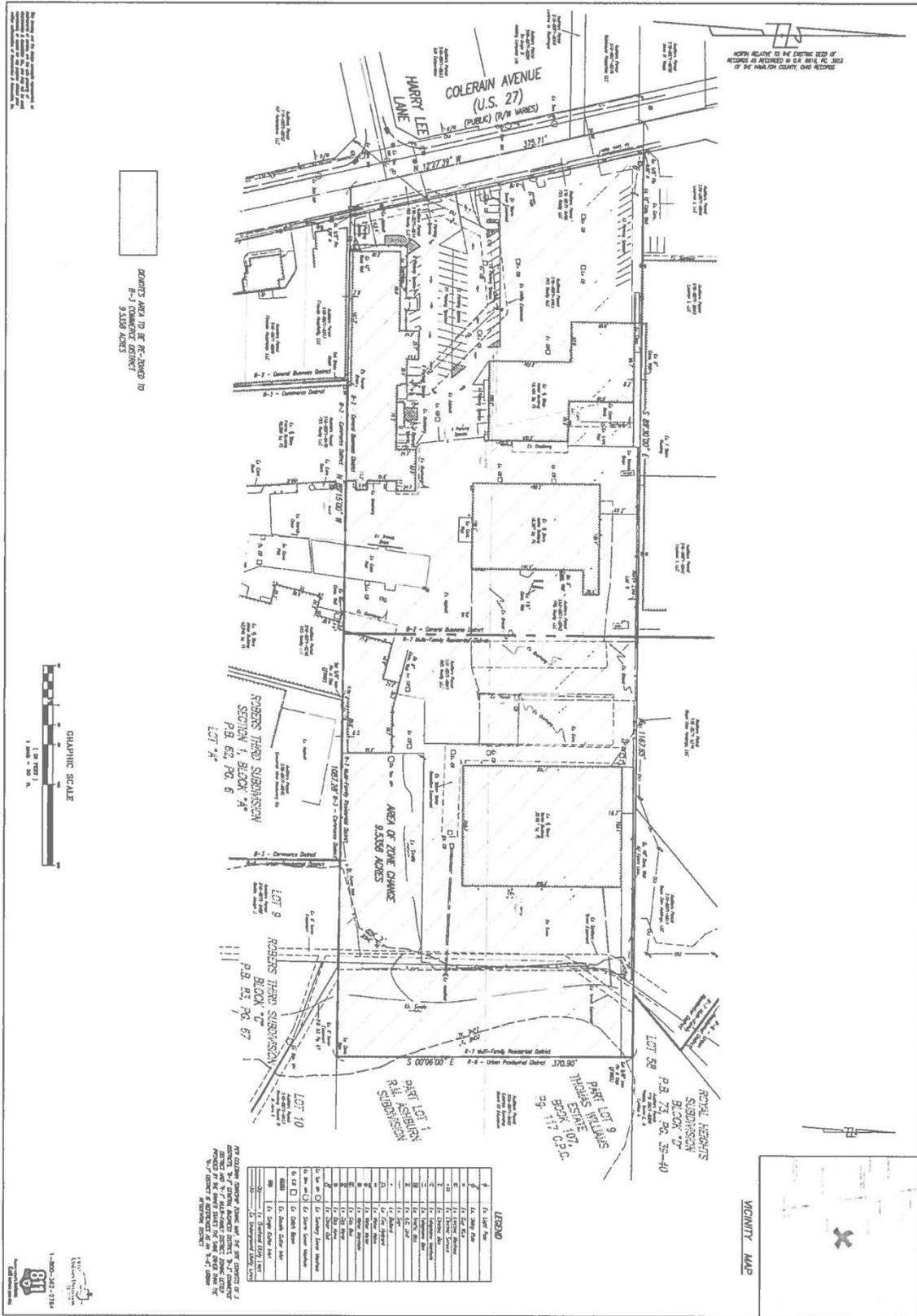


View looking south from apartment complex toward the site



Buffer/setback between adjacent apartments and the site

ZONE PLAT



<p>Abercrombie & Associates, Inc. Civil Engineering • Surveying 2819 Colerain Road, Suite 100 Cincinnati, Ohio 45212 Phone: (513) 763-7300 Fax: (513) 763-7301 www.abercombie.com or abercombie.net</p>	ZONE CHANGE PLAT		Date: 10-8-15 By: J.C. Checked: S.L.C. Scale: 1" = 50'
	SECTION-1, TOWN-2, ENTIRE RANGE-1 MIAMI PURCHASE, COLERAIN TOWNSHIP HAMILTON COUNTY, OHIO		

APPLICANT LETTER



October 20, 2015

Colerain Township
Department of Building, Planning & Zoning
4200 Springdale Road
Cincinnati, Ohio 45251

RECEIVED
OCT 20 2015
COLERAIN ZONING

Attn: Jenna LeCount

Ref: Proposed Zone Change-FKS Realty, LLC
7600 Colerain Avenue, Colerain Township, Hamilton County, Ohio
Our Job No.: 77-0287A

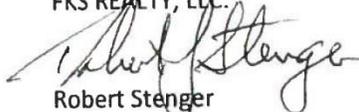
Dear Ms. LeCount:

Please see attached application form, application fee, legal description of property, adjacent ownership list and existing conditions plan for the above referenced project. The property that our company recently purchased, formerly known as "Builders First Source" and prior to that "Western Home Center" contains three zoning designations - B-2 (General Business District), B-3 (Commerce District) & R-7 (Multi-Family Residential District) and we are asking for a zone change amendment to change the portions of this property from B-2 & R-7 to B-3. We feel that this zoning conformity will more logically address the existing improvements and development of the site and at the same time make the property more desirable for future occupation and possible development.

This proposed zone change will help make the property more desirable for business in Colerain Township while also taking into careful consideration the existing adjoining land uses that abut our property. Would you please place this project on the December 3, 2015 Zoning Commission Agenda and contact me with any questions as you review this submittal.

Sincerely,

FKS REALTY, LLC.


Robert Stenger
Authorized Member

Attachment