

AGENDA
THE HAMILTON COUNTY RURAL ZONING COMMISSION
REGULAR MEETING

Room 805-B, Administration Building

DECEMBER 18, 2014
1:00 P.M.

Joel Cornelius, Chairman/Presiding Officer

- 1. MEETING CALLED TO ORDER**
- 2. ROLL CALL OF COMMISSIONERS**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF MINUTES OF REGULAR MEETING**
- 5. PUBLIC HEARINGS**

MAJOR ADJUSTMENTS

- A. CASE: Green 2014-03; Sullivan Office
REQUEST: Major Adjustment to an existing "E PUD" Planned Retail District
PURPOSE: To modify Condition #3 of the 2014 PUD approval to permit a right-in only driveway from North Bend Road, to modify parking and access along the front of the existing office building, to eliminate the rear drop-off area, and to shift the future building addition.

APPLICANT: Dr. David & Diane Sullivan (applicant); Dr. David & Diane Sullivan and Westover Court LLC (owners)
LOCATION: 5177 North Bend Road; on the west side of North Bend, 140 feet south of Boomer Road (Book 550, Page 73, Parcels 15, 16, 17, 68)
TRACT SIZE: 0.43 acres (net PUD) and 0.88 acres (net OO)

- 6. OLD BUSINESS**
- 7. NEW BUSINESS**
- 8. SCHEDULED PUBLIC HEARINGS**

- A. CASE: Green 2-78; Delco Development Corp. – Gabriel Brothers Sign
REQUEST: Major Adjustment to an existing EE Planned Retail District
PURPOSE: To permit a second freestanding sign for an existing shopping center
APPLICANT: Richard A. Paolo (applicant), Daniel G. Kamin Cincinnati LLC (owner)
LOCATION: 5750 Harrison Avenue (Manchester Plaza Shopping Center); on the northeastern corner of the Harrison Avenue and Filview Circle Intersection (Book 550, Page 180, Parcel 125)
- B. CASE: Green 2010-02; Blue Sky & Harrison
REQUEST: Major Adjustment to an existing EE Planned Retail District
PURPOSE: To reduce the building size and number of parking spaces, relocate the curb cut from Bluesky Drive to Northcrest Lane and maintain Northcrest Lane in its existing location
APPLICANT: Michael E. Doty, Brandicorp, LLC (applicant), Bluesky Shoppes, LLC (owner)
LOCATION: On the northeast corner of the Harrison Avenue & Blue Sky Drive intersection, south of Northcrest Lane (Book 550, Page 220, Parcel 1169)
- C. CASE: Green 2015-01; Artis Senior Living
REQUEST: From: C Single-Family Residence
To: OO Planned Office
PURPOSE: To construct a 72-unit assisted living facility for seniors with Alzheimer's disease and similar memory disorders
APPLICANT: Thomas Jones, Artis Senior Living (applicant); Jenny E. Dawson TRS, Generoso & Edna Simon TRS (owners)
LOCATION: On the south side of Bridgetown Road, approximately 240 feet east of Lakewood Drive (Book 550, Page 170, Parcels 136 & 137; Book 550, Page 173, Parcels 150 & 228)

- 9. DATE OF NEXT MEETING** January 15, 2015
 - 10. ADJOURNMENT**
-

**HAMILTON COUNTY
RURAL ZONING COMMISSION**

RECORD OF PROCEEDINGS – NOVEMBER 20, 2014 REGULAR MEETING

PAGE 1

SUMMARY OF ACTIONS

PRESIDING OFFICER: Cornelius
MEMBERS PRESENT: Cornelius, Luken, Steinriede, Polewski
ABSENT: James
STAFF PRESENT: Snyder, Fazzini, Huth, Ambrosius
LOCATION: Room 805, County Administrative Bldg.
TIME: 1:00 PM – 2:00 PM

	AGENDA ITEM	REQUEST	RZC Action	Vote	Conditions & Codes
MAJOR ADJUSTMENTS:	Miami 98-4; Aston Woods Phase 6 – 3613 Chadwell Springs	A Major Adjustment to an existing A-CUP Residence District	Approval	4-0-0	1, 2, 5
PLANNED UNIT DEVELOPMENT:	Columbia 2014-05; Mad Tree Brewing	PUD in an F SPI_SC Light Industrial District	Approval	4-0-0	1, 2, 5
DISPOSITION OF MINUTES:	Disposition of the minutes of the August 21, 2014 Rural Zoning Commission meeting		Approval	4-0-0	
ADMINISTRATIVE ITEMS:	ADM08: Election of Officers – Joel Cornelius, Chair and David Steinriede, Vice-Chair		Approval	4-0-0	
NEW BUSINESS:	Adoption of Resolution of Appreciation for Jerry Thomas		Approval	4-0-0	

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 or required revisions.
 5. Approval subject to conditions recommended by RZC.

ABBREVIATIONS IN MINUTES:

MSD - Metropolitan Sewer District
 ODOT - Ohio Department of Transportation
 SCS - U.S. Soil Conservation Service, Hamilton County Soil and Water Conservation District
 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 Committee
 TT - Township Trustees

HAMILTON COUNTY
RURAL ZONING COMMISSION

RECORD OF PROCEEDINGS – NOVEMBER 20, 2014

PAGE 2

ADMINISTRATIVE ITEMS

DISPOSITION OF MINUTES

MOTION: To approve the minutes of the Regular Meeting of the Rural Zoning Commission, August 21, 2014

Moved: Luken Second: Steinriede

VOTE: AYE: 3 Cornelius, Luken, Steinriede
NAY: 0
ABSTAIN: 1 Polewski

ACTION:

ADM08: Election of Officers

MOTION: To consider approval of officers for 2015 as presented
Joel Cornelius: Chairman (expires 2015)
Dave Steinriede: Vice-Chair (expires 2016)

Moved: Polewski Second: Luken

VOTE: AYE: 4 Cornelius, Luken, Polewski, Steinriede
NAY: 0
ABSTAIN: 0

ACTION:

ADJOURNMENT: Meeting was adjourned at 2:00 PM

ATTEST: Chairman: _____ Secretary: 

HAMILTON COUNTY
RURAL ZONING COMMISSION

RECORD OF PROCEEDINGS – NOVEMBER 20, 2014

PAGE 3

MAJOR ADJUSTMENT: MIAMI 98-4; ASTON WOODS PHASE 6 - 3613 CHADWELL SPRINGS

REQUEST: Approval of a Major Adjustment to an existing A CUP Residence District
PURPOSE: To allow construction of a retaining wall and pool with less rear yard setback than required
APPLICANT: Joel Messing (applicant), Joshua S. Dennison (owner)
LOCATION: 3613 Chadwell Springs Court; on the northwest side of Chadwell Springs Court, 470 feet southwest of the intersection of Hamptonshire Drive and Chadwell Springs Court (Book 570, Page 103, Parcel 4)

REPORTS: RECEIVED: None
PENDING: None

SPEAKERS: J. Huth, B. Snyder, J. Messing

DISCUSSION: (Summary of Topics)

Staff Comments:

1. **J. Huth** – Review of Staff Report
2. **B. Snyder** – We received a letter from an adjoining property owner generally supporting the proposed modification but also requesting a condition that requires a barrier for sound around the pool equipment and removal of a debris pile adjacent to the northern property line.

Applicant Comments:

1. **J. Messing** – We recently purchased this property. The retaining wall and fence around the pool were removed by the former owner. The retaining wall is needed to keep the pool, which is salvageable, sound.
2. We intend to add landscaping and a wooden fence and will provide a sound barrier around the filter to protect adjoining property owners from the noise. The debris pile will be removed.

MOTION: To consider case Miami 98-04; Aston Woods Phase 6 – 3613 Chadwell Springs Court, a request for a Major Adjustment in an existing A CUP Residence District with conditions and variances per Attachment A.

VOTE: Moved: Steinriede Second: Polewski
AYE: 4 Cornelius, Luken, Polewski, Steinriede.
NAY: 0
ABSTAIN: 0

RZC ACTION: APPROVAL with Conditions

ATTEST: Chairman: _____ Secretary: 

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

Attachment A

The Rural Zoning Commission approves Case Miami 98-04; Aston Woods Phase 6 – 3613 Chadwell Springs Court, a request for a Major Adjustment in an existing A CUP Residence District with the standard covenants and the following conditions and variances:

Conditions:

1. That a fence shall be installed around the pool that meets the standards of the Hamilton County Building Code and Section 10-7 of the Hamilton County Zoning Resolution.
2. THAT ADDITIONAL LANDSCAPING SHALL BE INSTALLED AROUND THE POOL FILTER EQUIPMENT TO PROVIDE A SOUND BARRIER
3. THAT THE DEBRIS PILE NORTH OF THE POOL SHALL BE REMOVED FROM THE PROPERTY.

Variances:

1. Section 10-7.4 – To permit a 6-foot retaining wall located 2 feet 8 inches from the northwestern property line and 9 feet from the southwestern property line where a 12-foot setback is required.
2. Section 10-13 – To permit a swimming pool located 9 feet 8 inches from the rear property line where a 10-foot setback is required.

Note: Revisions of the Staff recommendations as approved by the Rural Zoning Commission are crossed out if deleted (i.e. ~~deleted by RZC~~) and capitalized and underlined if added (i.e. ADDED BY RZC).

HAMILTON COUNTY
RURAL ZONING COMMISSION

RECORD OF PROCEEDINGS – NOVEMBER 20, 2014

PAGE 4

PLANNED UNIT DEVELOPMENT: COLUMBIA 2014-05; MAD TREE BREWING

REQUEST: Approval of a Planned Unit Development in an existing F SPI-SC Light Industrial District

PURPOSE: For the expansion of existing operations related to Mad Tree Brewing, including internal building modifications, parking lot paving and striping, and the inclusion of outdoor dining and recreation areas.

APPLICANT: Kevin Kluender, Drawing Dept. (applicant); S & G Realty Company (owner)

LOCATION: On the east side of Kennedy Avenue, approximately 200 feet north of Duck Creek Road (Book 520, Page 240, Parcels 8 & 9)

TRACT SIZE: 2.23 net acres

REPORTS: Received: MSD, HCSW
Pending: DPW, FPO, TT, CWW, HCE

SPEAKERS: E. Fazzini, B. Snyder, S. Huber, K. Kluender, D. Sansalone, J. Hunt

DISCUSSION: (Summary of topics)

Staff Comments:

1. **E. Fazzini**– Review of staff report.
2. **B. Snyder** – The condition regarding the removal of the pylon sign is consistent with recommendations that we made for Wendy's, McDonald's, and Marathon. We feel that if it is not removed at this time it may never become compliant with the SPI District regulations.
3. We have received correspondence from Columbia Township agreeing with the staff recommendation with the exception that they would allow the northern pole sign to stay until any changes to the sign occur in the future.
4. We can't address what will happen in the future. Staff has not supported any of the pylon signs that have come before in this area. We are concerned about setting a precedent for future requests to keep pylon signs.
5. The logo on the silo can is considered commercial signage even if the wording is removed.

Applicant Comments:

1. **S. Huber** – We have reviewed the staff report. We are in general agreement with conditions 1 through 3.
2. We would like the Commission to consider the Township's letter that would allow us to keep the northern pole sign. It is not a sign that faces Kennedy Avenue. It faces the highway and can be seen from a distance. We are willing to remove the southern pylon sign, but ask that Condition 5 be revised to allow the northern sign. We are working on a future zone change or major adjustment request for the property, so this site will come back to this Commission in the future. We feel that the sign can be addressed in the future zone change or major adjustment. Mad Tree has only been here for two years and the faces of the pylon signs were changed at that time. They are still establishing their business and need the sign recognition.
3. Condition 4 addresses the window signage. We feel that it is more directional in nature and not for advertising, so we are asking that it be allowed to remain.
4. The staff report recommends that once Mad Tree occupies the other building that the window signage be removed. It has already been removed.
5. **K. Kluender** – The portion of the building that includes the glass door covered in signage is currently offices and not accessible to the public. The glass is covered to direct foot traffic to the other side of the building. It is frosted to prevent a view into the office after hours. The wording is more functional and directional, not advertising for the business.

6. **D. Sansalone** – The original permit included the signage. Renovations were done on both the small sign and the pylon. In regard to the graphic on the grain silo – it was their interpretation that the graphic representation of the Mad Tree can on silo was a mural which is different than signage covered by zoning. This could be changed to just the graphic with no wording.
7. Army Corps of Engineers truncated size of parcel, necessitating this request. Mad Tree has grown exponentially.
8. **J. Hunt** – We are doing things to try and promote our business and grow our business. We have only been here for a short time and spent money to change the signs and would need to spend money to take them down after a very short time.

Commissioner Comments:

1. **Commissioner Steinriede** – It appears the northern sign is the only contentious issue. I understand the rationale of staff for removing the northern pylon sign. It is not clear to me if the sign will come into play if there is future development on this site. Is there a purpose in keeping it intact until the future?
2. I can be supportive of the northern sign with some rationale.
3. I like the suggestion to allow the northern sign to stay for one year, however shouldn't the condition still be to remove the southern sign? That's the essence of what the Township supports.
4. **Commissioner Cornelius** – We have been through this discussion several times in this area
5. Signage is the biggest issue that comes up in this SPI District. Other businesses have accepted the regulations of the district. If we allow the sign to stay it might set a precedent. The sign may not come into play in the future.
6. No issue with can sign.
7. **Commissioner Polewski** – We deal with these signage issues a lot. In this case the applicant already has about six times what is normally allowed for signage. An applicant must present a hardship to keep the signage. I don't see any rationale or hardship to have six times what is allowed.
8. However, we could change the condition to allow the pole sign to stay for one year due to the short timeframe that the business has been on the property.

MOTION:

To consider approval of case Columbia 2014-05; Mad Tree Brewing, a request for approval of a Planned Unit Development in existing F SPI-SC Light Industrial District, subject to the standard covenants, conditions, variance, and modifications per Attachment A.

Moved: Polewski

Second: Luken

VOTE:

Aye: 4 Cornelius, Luken, Polewski, Steinriede

Nay: 0

Abstain: 0

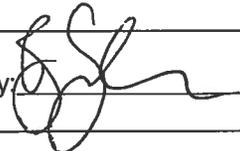
RZC ACTION:

APPROVAL with Conditions

ATTEST:

Chairman: _____

Secretary: _____



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

Attachment A

The Rural Zoning Commission approves case Columbia 2014-05; Mad Tree Brewing, a request for approval of a Planned Unit Development in an existing F SPI-SC Light Industrial District, subject to standard covenants and the following conditions, variance, and modifications:

Conditions:

1. That a landscape plan which complies with Sections 8-4.8, 12-6, 14-7, and 14-8 of the Zoning Resolution and with the Modifications below shall be submitted as part of the Zoning Compliance Plan.
2. That sidewalks shall be completed along Kennedy Avenue for the length of the frontage in accordance with the standards of the Hamilton County Engineer.
3. That any semi-trailer boxes stored on the site shall be placed against the rear of either building.
4. That any window signage on either building shall comply with the Zoning Resolution requirement of 30% glass coverage area.
5. That the ~~two~~ existing SOUTHERN pole signs along Kennedy Avenue shall be removed AND THAT THE REMAINING NORTHERN POLE SIGN SHALL BE REMOVED WITHIN ONE YEAR OF THIS APPROVAL.

Variance:

1. Section 8-4.8 (g)(1) & (2) – That the existing 150 sq. ft. ground mounted sign and 180 sq. ft. grain hopper sign shall be permitted where one freestanding sign is permitted with the grain hopper sign permitted to be 18 feet in height where 12 feet is permitted.

Modifications:

1. Section 8-4.8 (e) & 12-6.4 – That only the northernmost parking area shall be subject to the interior parking lot landscaping requirement and that these standards shall be waived for the remaining parking areas within the site as they would serve no meaningful purpose.
2. Section 8-4.8 (i)(2) – That a portion of the required streetscape shrub plantings shall be permitted to be planted as foundation plantings around the western façade of the northern building where all shrubs are required to be planted within the streetscape buffer area.

Note: Revisions of the Staff recommendations as approved by the Rural Zoning Commission are crossed out if deleted (i.e. ~~deleted by RZC~~) and shown in CAPS and underlined if added (i.e. ADDED BY RZC).



STAFF REPORT

FOR CONSIDERATION BY THE RURAL ZONING COMMISSION ON DEC. 18, 2014

**MAJOR
ADJUSTMENT
CASE:**

GREEN 2014-03

SULLIVAN OFFICE

REQUEST: Approval of a Major Adjustment to an approved Planned Unit Development in an existing “E” Retail district

PURPOSE: To modify Condition #3 of the 2014 PUD approval to permit a right-in only driveway from North Bend Road, to modify parking and access along the front of the existing office building, to eliminate the rear drop-off area, and to shift the future building addition

APPLICANT: Dr. David & Diane Sullivan (applicant & owner)

LOCATION: Green Township: 5177 North Bend Road; on the west side of North bend, 140 feet south of Boomer Road (Book 550, Page 73, Parcel 15)

SITE DESCRIPTION:

Tract Size:	0.43 acres (net)
Frontage:	129 feet on North Bend Road
Topography:	Flat in front of building sloping down and away from North Bend towards the rear
Existing Dvlpmt:	Multi-tenant office building and parking

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
North:	“E” Retail	Beau Vita offices
South:	“C” Residence	Single-family homes
East:	“E” Retail & “OO” Planned Office	Office, hospital and vacant land
West:	“B” & “C” Residence	Single-family homes and vacant land

ZONING JURISDICTION: Hamilton County Commissioners

SUMMARY OF RECOMMENDATIONS: **APPROVAL with Conditions**

APPROVED USE:

On September 12, 2012, the Board of County Commissioners approved case Green 2012-01, a Zone Amendment from “B” and “C” Residence to “OO” Planned Office for 1.06 acres of land surrounding the existing PUD site in order to construct a parking lot to serve the adjacent office building. This approval included the demolition of a vacant two-family residence on Boomer Road and a single-family residence on North Bend Road for the installation of a new driveway onto each road to access the rear parking area. No improvements specifically related to the office building on the PUD site were approved as part of the Zone Amendment.

On June 19, 2014, the Rural Zoning Commission approved case Green 2014-03, a Planned Unit Development for the “E” Retail site in question in order to construct a 3,600 sq. ft., two-story addition on the north end of the existing medical office building, a drop-off area to the rear of the addition, and to reconfigure access and parking in front of the existing building along North Bend Road. Condition 3 of this approval requires the following:

“That the existing northernmost driveway within the PUD area shall be removed and parking and access in front of the building provided which complies with Chapter 12 of the Zoning Resolution, prior to a certificate of occupancy for the building addition.”

To date, parking areas, retaining walls, and landscaping have been constructed in the rear “OO” area in accordance with the 2012 Zoning Compliance Plan, but no parking spaces have been striped.

PROPOSED USE:

The applicant is now requesting to modify Condition #3 of the 2014 PUD approval for the “E” Retail site to permit a right-in only driveway from North Bend Road in the area of the existing two-way driveway in the northeast corner of the site. As stated above, this driveway is required to be closed upon occupancy of the building addition. In addition to the proposed right-in driveway, the applicant has proposed to replace the parallel parking spaces approved in front of the existing building with four 45-degree angled spaces. The proposed building addition would be shifted towards the rear property line (west) by 10 feet and the drop-off area to the rear of the addition would be removed and replaced with an additional three parking spaces and modified walkways. The impervious surface ratio (ISR) for the entire development would remain at 78% as previously approved.

**AUTHORITY AND
CRITERIA:**

Authority to Make Adjustments to PUD Plans

Section 18-9 authorizes the Rural Zoning Commission to consider adjustments to approved PUD plans provided there is no modification of recorded easements or of written conditions of approval contained in a Board of County Commissioners Resolution. Any modifications must be in substantial conformity with the intent of the PUD approval.

Compliance with Section 18-9.1

Minor alterations shall be limited to altering the location of structures, circulation elements, open space or grading where such alterations will comply with the intent of all perimeter setbacks and buffer yards that are required by any regulation or by the approved PUD plan. Because the request includes a modification to a condition approved as part of the PUD, it must be considered a Major Adjustment reviewed by the RZC during a public hearing.

ANALYSIS:

Findings for rear site modifications:

- *As part of this request, the applicant is proposing to shift the future building addition 10 feet to the west.*
- *Staff has no issue with this request as the rear corners of the addition would match the setback of the existing building and this shift creates no setback issues with the “O” office district in the area of the proposed projection.*
- *Also as part of this request, the drop-off area would be replaced with three parking spaces.*
- *Though it is not clear why the additional spaces have been added, staff has no issue with the loss of the drop-off area as this is not a zoning requirement.*
- *Therefore, staff recommends approval of this part of the request.*

Findings for access and parking modifications:

- *Condition 3 of the 2014 PUD Approval requires the following:*
“That the existing northernmost driveway within the PUD area shall be removed and parking and access in front of the building provided which complies with Chapter 12 of the Zoning Resolution, prior to a certificate of occupancy for the building addition.”
- *The first part of this condition was recommended by staff as part of the General Standards for PUD approval, which require consistency with land use plans adopted by RPC. For this site, the North Bend/Cheviot Road Corridor Strategies apply. Related to these strategies, the staff report contained the following findings:*
“Strategy 3 encourages traffic improvements to improve efficiency and Strategy 4 encourages the elimination, reduction, and/or consolidation of existing curb cuts and driveways onto North Bend Road. The applicant has proposed that the existing driveway onto North Bend in the northeast corner of the site remain. Staff feels that this driveway is no longer necessary given the commercial driveways approved onto Boomer and North Bend as part of the adjacent Zone Amendment for parking for this building. The new commercial driveway constructed immediately south of the building as part of the Zone Amendment was approved with the understanding that there would be a consolidation of driveways along North Bend with the new parking lot. However, the applicant revised their initial submittal to propose two commercial driveways onto North

Bend and a third onto Boomer Road. Given Strategies 3 and 4, staff recommends that the existing driveway proposed to remain be removed and the front parking lot be reconfigured with 90-degree parking and two-way access from the driveway approved as part of the Zone Amendment to the south.”

- *At the June 19 hearing, there was a discussion between RZC, the township, and the applicant, regarding the necessity of the front parking area and cross-access between this site and the adjacent site to the north on the southwest corner of North Bend and Boomer. This discussion led to the final part of Condition 3 being added by RZC, which permits the driveway to remain open until the building addition is complete. As part of that discussion, Condition 7 was also added by RZC to the PUD approval:*

“That the property must allow a cross-easement to the property to the north.”

- *Staff is concerned with permitting a right-in driveway in the proposed location for the following reasons.*
- *First, permitting a right-in driveway would discourage use of the required cross-access between the front parking areas of the site in question and the adjacent site to the north. As proposed, it is likely that the driveway would solely be used for access to Sullivan’s site as drivers using it for cross-access to the property on the corner would be going against that site’s one-way, southbound traffic flow.*
- *Comment 5 of the County Engineer’s review letter states that the proposed right in only access point will be allowed as a temporary access point and that the access point will be readdressed if and when the parcel to the north redevelops.*
- *Staff cannot support the proposed right-in driveway to be temporary in the manner described above as the parcel to the north is not subject to this request. If the parcel to the north redevelops, it is unclear what will occur as far as access on that property. The only thing staff can support at this time between the sites is cross-access and the current proposal does not appear to allow for feasible, two-way cross-access between the two sites in the future given the point of access and the design of both parking areas.*
- *Secondly, the proposed reconfiguration of the front parking area would render the new, southernmost driveway onto North Bend as access solely for the rear parking area due to the one-way traffic flow to the south. This brings into question the appropriateness of approving a right-in driveway solely to be used for the 10 parking spaces proposed within the reconfigured front parking lot.*
- *With 47 spaces proposed to the rear of the building with two-way access from both Boomer and North Bend Road existing, the rear area is clearly intended to be the main parking area. Though the front 10 spaces provide more convenient access to the front of the existing building, as well as one ADA space, there is likely no scenario where staff would support an additional, exclusive access point for such a small parking area on a site that already has two two-way access driveways onto other roads. This*

convenience to front parking is also negated by the fact that this area would only be accessed from the right-in driveway from North Bend as drivers entering from Boomer or the southern North Bend driveway would have to go against one-way, southbound traffic to park in front of the building or in the ADA space. Visitors to the site would have to know in advance how to specifically park in front of the building or in the ADA space, potentially causing confusion and drivers to go against traffic flow in front of the existing building.

- *There is a need for PUD review and approval on the corner property to the north so there is a better understanding of the coordinated access plan along North Bend Road for these two properties. Without better coordination between the two properties through the PUD process, staff cannot support the proposed curb cut at this time.*
- *Given the above findings, staff recommends that the conditions approved as part of the 2014 PUD remain as stated and that the part of the Major Adjustment request to modify Condition 3 and approve a right-in driveway be denied.*

CONCLUSION:

Based on the above findings, there is not sufficient reason for staff to support the request to modify the PUD Conditions to permit a right-in driveway. The proposal would be in conflict with the intent of the PUD approval and Corridor Strategies for the area. The proposal would also limit required cross-access to the property to the north and restrict traffic flow in the front of the site. Therefore, staff finds that this part of the request is unnecessary and should be denied. Staff finds that the request to shift the proposed building addition and replace the rear drop-off area is reasonable and recommends approval of this part of the Major Adjustment request.

RECOMMENDED MOTION:

To consider approval of case Green 2014-03; Sullivan Office, a request for a Major Adjustment to an approved Planned Unit Development in an existing “E” Retail district with the standard covenants and the following condition:

Condition:

1. That all conditions approved on June 19, 2014, as part of PUD case Green 2014-03 shall remain in effect for the “E” Retail PUD area.

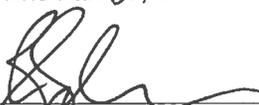
AGENCY REPORTS:

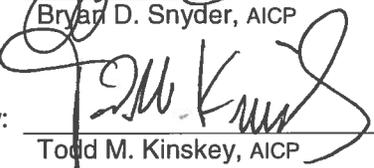
Hamilton County Engineer (HCE):
Twp. Trustees (TT):

Temporary Approval
Approval

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:  Senior Planner
Eric Pazzini, GNU-A

Reviewed by:  Development Services Administrator
Bryan D. Snyder, AICP

Approved by:  Planning Director
Todd M. Kinskey, AICP

SITE PHOTOS



Looking southwest from driveway in question at front of building



Looking north at driveway in question towards adjacent site



Looking south at parking area in question and new two-way North Bend driveway in OO



Looking west down new two-way driveway from North Bend



Rear OO parking area looking east towards North Bend

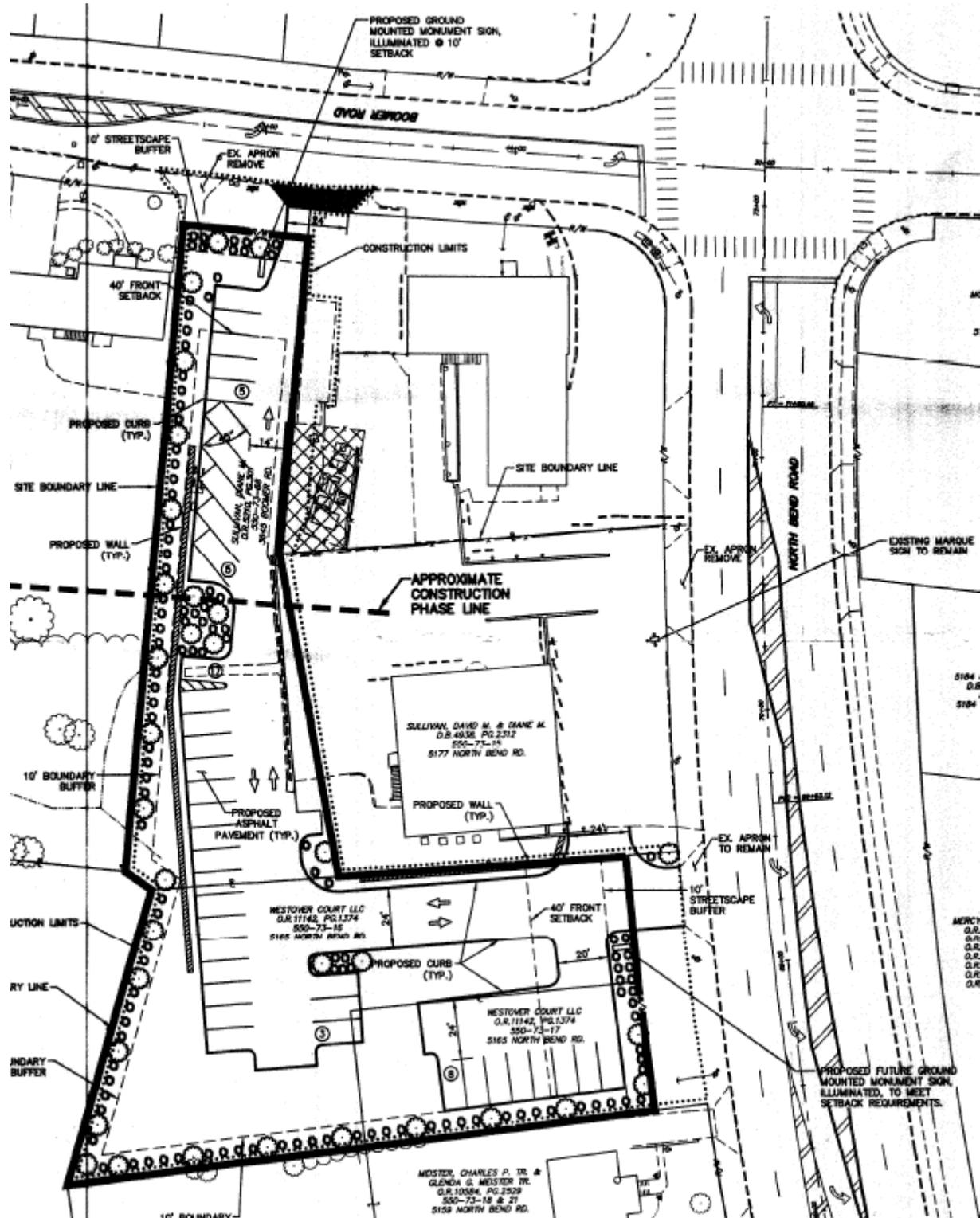


Area of proposed addition looking northeast towards adjacent site

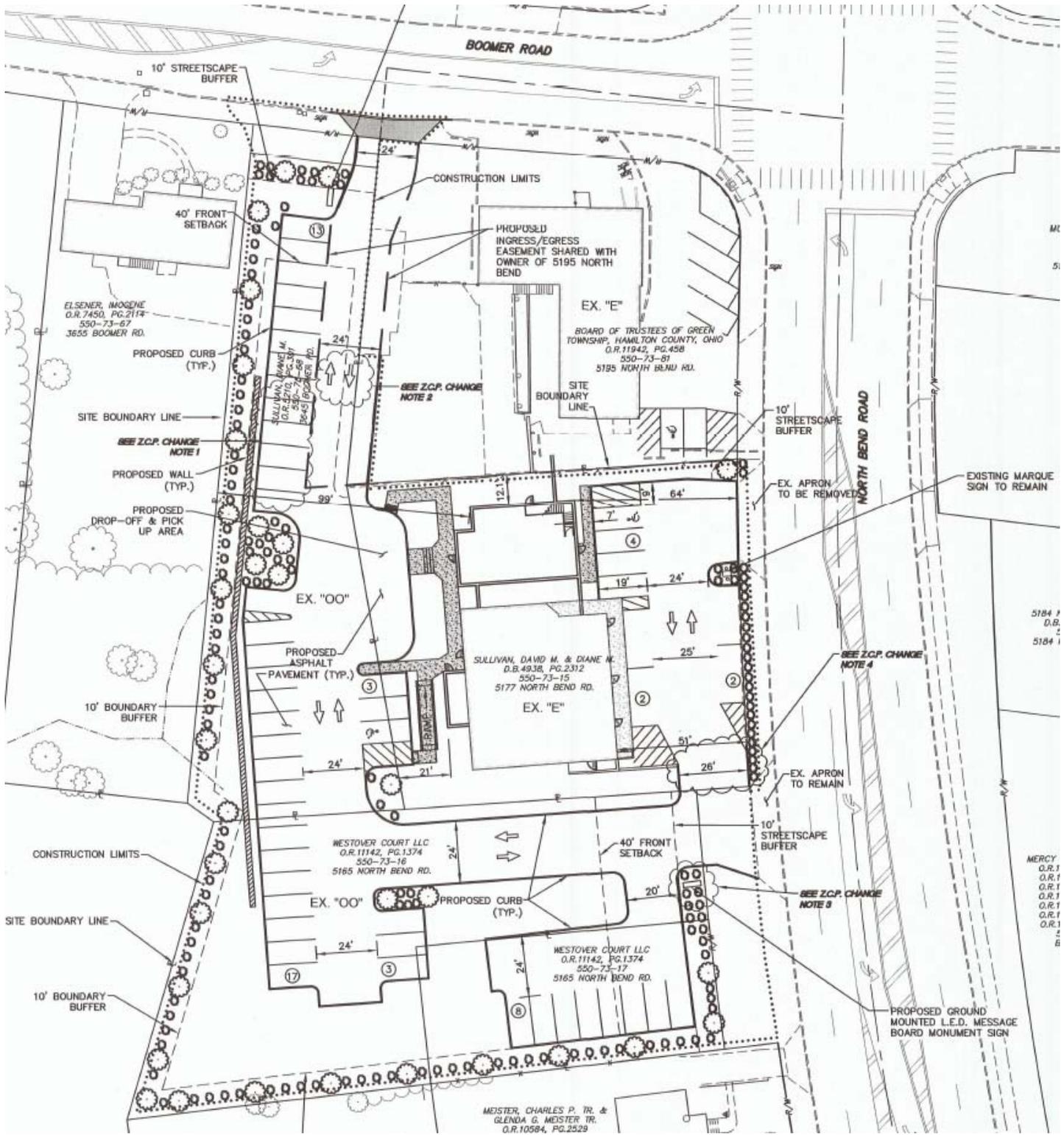
2011 AERIAL



APPROVED 2012 ZONING COMPLIANCE PLAN FOR REAR OO ZA



SITE PLAN PRESENTED AT 6/19/14 RZC PUD AND MA HEARING



APPROVED 2014 PUD AND MA CONDITIONS

HCRZC Record of Proceedings
June 19, 2014
Page 4.3
Green 2014-03; Sullivan Office

Attachment A

The Rural Zoning Commission approves case Green 2014-03; Sullivan Office, a request for approval of a Planned Unit Development in an existing E Retail district AND a Major Adjustment to a previously approved OO Planned Office district, subject to standard covenants and the following conditions and modification:

Conditions:

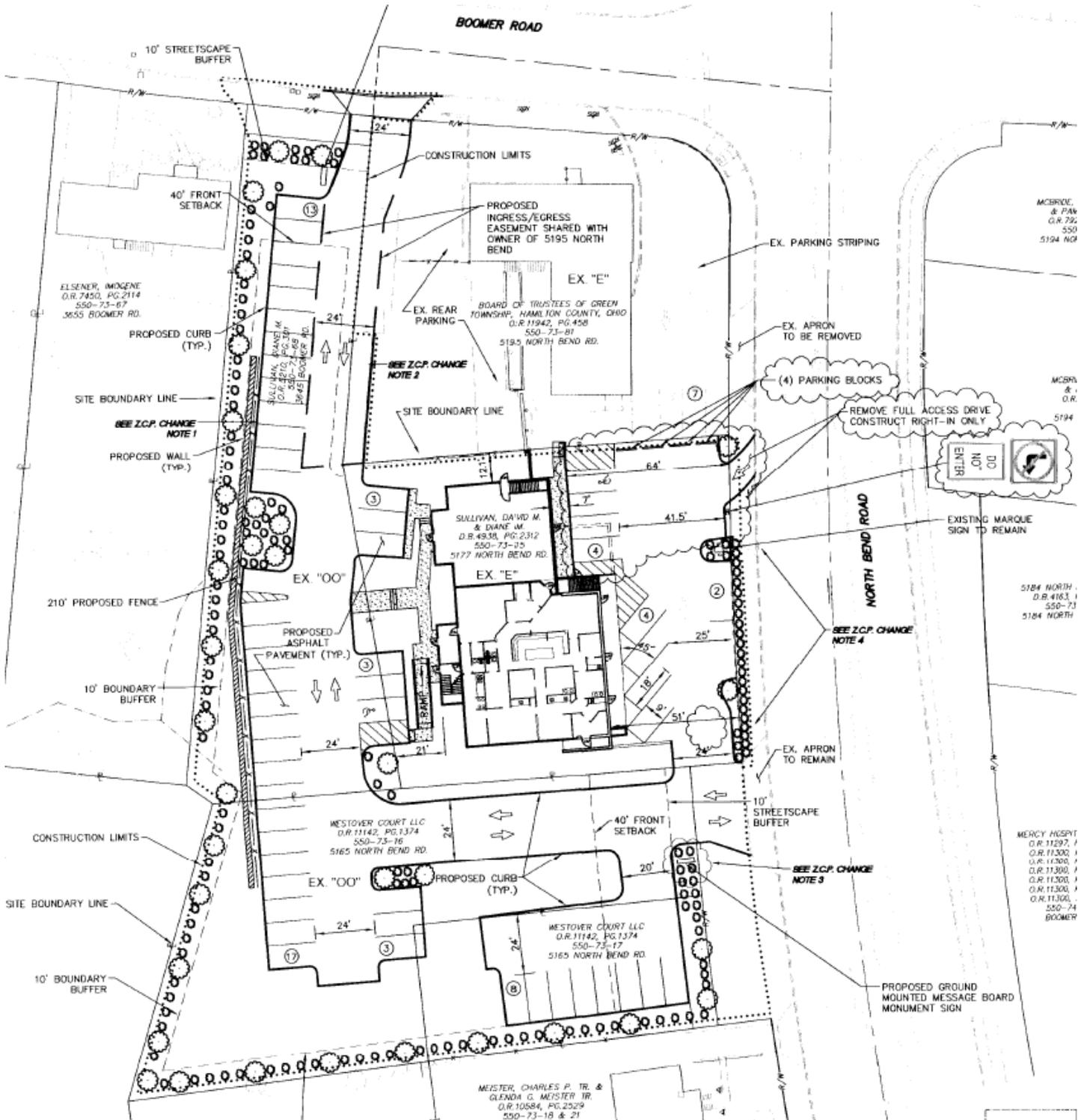
1. That all applicable Conditions of Case Green 2012-01 shall remain in effect for the OO area.
2. That a landscape plan which complies with Sections 12-6, 14-7, and 14-8 of the Zoning Resolution and Modification #1 shall be submitted as part of the Zoning Compliance Plan for the PUD area.
3. That the existing northernmost driveway within the PUD area shall be removed and parking and access in the front of the building provided which complies with Chapter 12 of the Zoning Resolution, PRIOR TO A CERTIFICATE OF OCCUPANCY FOR THE BUILDING ADDITION.
4. ~~That the existing freestanding sign within the PUD area shall be removed.~~
5. That no LED message boards shall be permitted within the PUD or OO area.
6. That the existing building and addition shall be constructed with durable materials, such as brick, stone or wood, in accordance with the North Bend/Cheviot Road Corridor Land Use Plan.
7. THAT THE PROPERTY MUST ALLOW A CROSS-EASEMENT TO THE PROPERTY TO THE NORTH.

Modification:

1. Section 14-5 – ~~That~~ a 0-foot streetscape buffer shall be permitted where a 10-foot streetscape buffer is required along North Bend for the PUD area subject to approval of the required plantings by the Hamilton County Engineer.

Note: Revisions of the Staff recommendations as approved by the Rural Zoning Commission are crossed out if deleted (i.e. ~~deleted by RZC~~) and shown in CAPS and underlined if added (i.e. ADDED BY RZC).

PROPOSED SITE PLAN



COUNTY ENGINEER LETTER

County of Hamilton

THEODORE B. HUBBARD, P.E.-P.S. COUNTY ENGINEER

700 COUNTY ADMINISTRATION BUILDING

138 EAST COURT STREET

CINCINNATI, OHIO 45202-1232

PHONE (513)946-4250 FAX (513)946-4288

December 1, 2014

RECEIVED

DEC - 8 2014

Hamilton County
Planning & Development

Mr. Todd Kinskey, Executive Director
Hamilton County Regional Planning Commission
Hamilton County Administration Building
138 E. Court Street, Room 807
Cincinnati, OH 45202

Attn: Mr. Eric Fazzini

RE: Case 2014-04, Green Township, North Bend Road, Sullivan Office

Dear Mr. Fazzini:

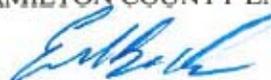
The Hamilton County Engineer's Office has conducted a review of a Major Adjustment to the Planned Unit Development as requested. The following comments are submitted as a result of our review:

- 1) Grading within the right-of-way must conform to the most appropriate Hamilton County typical section. Any grading plan having an effect on the public right-of-way must be reviewed and approved by the Hamilton County Engineer's Office. Right-of-way clearing and grading must occur during the initial phase of construction to facilitate utility relocation operations.
- 2) The owner must dedicate enough property to create a right-of-way in fee which shall have a minimum width of sixty feet (60') from the centerline of right-of-way to the adjacent proposed right-of-way line along the North Bend Road frontage and forty feet (40') along the Boomer Road frontage in accordance with the Hamilton County Thoroughfare Plan.
- 3) No landscaping, screening or obstructions shall be permitted in the public right-of-way.
- 4) Locations of driveways and movements from said locations shall be consistent with the Hamilton County Access Management Regulations. The proposed right in only access point will be allowed as a temporary access point. The access point will be readdressed if and when the parcel at 5195 North Bend Road redevelops. At that time compliance with the Hamilton County Access Management Regulations will need to be met with regards to this access point and potential cross access easements.

This office reserves the right to add, delete or make modifications to the above stated comments. Should any questions arise, please contact the undersigned at 946-8432.

Very truly yours,

THEODORE B. HUBBARD, P.E.-P.S.
HAMILTON COUNTY ENGINEER


Eric J. Beck, P.E.
Deputy Engineer

GREEN TOWNSHIP LETTER

Administration Offices:
6505 Harrison Avenue
Cincinnati, Ohio 45247-7818

(513) 574-4848
Fax: (513) 574-6260
E-mail: admin@greentwp.org
Website: www.greentwp.org



Board of Trustees:
David Linnenberg
Tony Rosiello
Triffon Callos

Fiscal Officer:
Tom Straus

County of Hamilton
Regional Planning Commission
807 County Administration Building
138 E. Court Street
Cincinnati, Ohio 45202

December 9, 2014

Attn: Bryan Snyder, Development Services Administrator

RE: Green 2014-03 Major Modification to an approved Planned Unit Development in an existing "E" Retail District

Dear Mr. Snyder:

I am writing on behalf of the Board of Trustees of Green Township with respect to Case Green 2014-03 Sullivan PUD for the modification of Condition #3 to permit right in only driveway access to North Bend Road, a modification of the approved parking layout in front of the building, and the reduction in size of the building footprint.

The Green Township Board of Trustees considered this matter at their regularly scheduled meeting on December 8 2014, passing resolution #14-1208-W endorsing the modification request. The Trustees believe that the proposal is within the spirit of the Zoning Resolution and is an appropriate application of the standards set forth in the code. They have endorsed the modification request as proposed and in conformance with the plans submitted.

I ask that this letter be submitted to the members of the Zoning Commission for their consideration at the December 18, 2014 hearing. Thank you for your time and consideration in this matter, please feel free to contact me at 598-3060 with any questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam B. Goetzman".

Adam B. Goetzman
Green Township Assistant Administrator/Development Director

APPLICANT LETTER



4357 Harrison Avenue
Suite 100
Cincinnati, Ohio 45211
p. 513.721.5500
f. 513.721.0607

November 10, 2014

Principals:

John R. Goedde
Daniel W. Schoster
Jennifer L. Varter
M. Doug Webster

Bryan Snyder
Hamilton County Development Services
138 E. Court Street, Rm 801
Cincinnati, OH 45202

Re: Green 2014-03; Sullivan Office
JMA #3506

Mr. Snyder

Our client, Dr. Sullivan, is filing for a Major Amendment to the PUD for his site at 5177 North Bend Road. Attached is the check for \$1,011, a completed application and 5 copies of the proposed plan.

Condition 3 in the June 19 staff report required the closure of the northern most drive on this site. It is this Condition that Sullivan would like to be modified. He would like it to be the removal of the full access drive, but allow for it to be replaced with a right-in only access at the same location.

It was once thought possible that coordination between the property to the north (5195 North Bend; Green Township owned) and Sullivan would allow for a cross access between the 2 sites, with one-way southbound traffic, while also closing 5195's driveway and additional parking for both sites. This would also keep Sullivan's north drive open due to the closure of 5195's drive. The timing required by Sullivan does not match with the Township's current plans for 5195 therefore it can not be included in Sullivan's PUD. However Sullivan would still like to keep the front parking lot one-way. To do so he would like to make his north drive a right-in only access. We feel like this would still allow for minimal road impact by still maintaining just one full access drive, while also allowing for a better site parking arrangement and flow.

If you have any questions or comments please feel free to contact me at 721-5500 or bgoubeaux@gmail.com.

Sincerely,

Brian Goubeaux, PE

RECEIVED

NOV 10 2014

HAMILTON COUNTY
PLANNING & DEVELOPMENT