

BLUE ASH PLANNING COMMISSION

January 6, 2011

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ITEM 1: MEETING CALLED TO ORDER

Chairman Schafer called the regular meeting of the Blue Ash Planning Commission to order at 7:19 p.m. on Thursday, January 6, 2011.

MEMBERS PRESENT: Raymond Schafer, John Berry, Beverley Gill, John Moores and James Sumner

ALSO PRESENT: City Manager David Waltz, Assistant to City Manager Kelly Osler, Administrative Clerk Traci Smith, Council Member Lee Czerwonka and interested citizens

ITEM 2: OPENING CEREMONY

Pledge of Allegiance

ITEM 3: APPROVAL OF THE MINUTES

Commission Members waived the reading of the minutes.

DECISION: John Moores moved, Jim Sumner seconded, to approve the regular meeting minutes of October 7, 2010 as submitted. A voice vote was taken. All members present voted aye. Motion carried.

ITEM 4: Lot Split – 4100-4130 Hunt Road, KM Blue Ash Development Company

Appeal to allow a lot split that was not approved administratively.

John Berry recused himself due to client business relationship with Kroger Co.

PRESENT: Julie Strong – KM Blue Ash Development Company, Applicant
Bill Seitz, Attorney

Bill Seitz said they are requesting approval of a lot split for a fully developed parcel at Hunt and Plainfield Roads that includes the newly renovated Kroger building. The reason for their request is because the Hamilton County Auditor is no longer making the assessor's notes available for purposes of allocating real estate taxes between the newly developed Kroger and the existing strip center immediately adjacent. He said the applicant was told by Dan Johnson that he did not have the authority to administratively approve that request because it was in the C-2 Planned Commercial District. Mr. Seitz read the Analysis & Recommendation section of the Staff Report. He said currently KM Blue Ash Development Company owns the entire parcel. The Kmart property is not part of this site. The lot split would result in a more equitable distribution of the real estate tax obligation between Kroger, which recently redeveloped, and the remaining strip center. There is a recorded Reciprocal Easement Agreement from 1980 which establishes the traffic patterns and the points of ingress and egress. There will be no physical changes or changes to the traffic patterns due to the split.

Julie Strong described the existing traffic patterns and reiterated that there are no requests for curb cuts or any other site changes.

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In answer to the Code provisions at issue in the Staff Report, Mr. Seitz said the best evidence that the proposed split is appropriate is that this property lies in the C-2 Planned Commercial District and Blue Ash previously approved the very development that is there now. The City has plenary authority under the C-2 Planned Commercial District regulation to approve or disapprove any proposed future redevelopments at either proposed lot.

Mr. Seitz noted that the proposed lots satisfy the dimensional requirements and that he believes the resulting lots will not be undesirable building sites. The fact that both sites are already developed indicates that they are appropriate building sites.

He pointed out that a Target store is coming in close to this area and that Kmart is in the process of retrenchment. The strip center lot is immediately adjacent to the Kmart lot. Approving the split will make it more feasible to consider a future long-term redevelopment that might include both the Kmart parcel and the strip center parcel, allowing something really good to happen on those two parcels.

In answer to a question, Ms. Strong explained why the allocation of real estate taxes to Kroger and the strip center would be more equitable if the lot split is approved.

Jim Sumner asked if they anticipate the total net taxes to go down as a result of the changed assessment or if the total assessment would stay the same. Mr. Seitz said they anticipate the total assessment to stay the same.

David Waltz commented that this split would create a unique situation and will allow the strip center to be sold separately. He noted that the potential for Kmart and the strip center to be redeveloped together involves a lot of speculation since those parcels would have different owners.

Mr. Sumner said that it might be more prudent to split the lot at the time that a redevelopment was proposed, but that he does not have a strong objection at this time. Mr. Sumner said it does create a very strange lot but does not feel it would be setting precedence. Ray Schafer agreed.

Jim Sumner noted that parking will not be impacted.

Chairman Schafer opened the floor to public comment. Since there was none, he said he would entertain a motion.

DECISION: Jim Sumner moved, Bev Gill seconded, to approve the lot split as proposed in the appeal. A roll call vote was taken. All members present voted aye. Motion carried.

ITEM 5: MISCELLANEOUS BUSINESS

David Waltz introduced Gordon Perry, the new Public Works Director, who is replacing the retiring Mike Duncan. Mr. Waltz thanked Mr. Duncan for his service the past few years and commented on the great job he did while he was here.

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ITEM 6: ADJOURNMENT

DECISION: There being no further business to be discussed, Jim Sumner moved, John Moores seconded, to adjourn the meeting. A voice vote was taken. All members present voted aye. Motion carried. The meeting was adjourned at 7:51 p.m.

Raymond Schafer, Chairman

MINUTES RECORDED BY:

Traci Smith