

BLUE ASH PLANNING COMMISSION

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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 7:05 p.m. on Thursday, April 2, 2009.

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

ALSO PRESENT: City Manager David Waltz, Assistant to City Manager Kelly Osler, Assistant Community Development Director Dan Johnson, Administrative Clerk Traci Smith, Public Works Director Mike Duncan, Council Member Lee Czerwonka, Council Member Stephanie Stoller 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, Tom Adamec seconded, to approve the regular meeting minutes of February 5, 2009 as submitted. A voice vote was taken. All members present voted aye. Motion carried.

ITEM 4 – 9110 Blue Ash Road

Application for a Zoning Map Amendment

PRESENT: Douglas Whittenburg, Applicant

Doug Whittenburg said he is the owner of McClain Heating and Cooling and interested in moving his business from Norwood to Blue Ash. Mr. Whittenburg said this project is separate from the project that requested rezoning previously. Mr. Whittenburg showed the members a picture of the type of building that he would like to build for his business, which would be brick and look more like an office building not a warehouse. Mr. Whittenburg said they do residential heating and cooling. This location would be offices and warehouse, with approximately 45% being warehouse. All work is done off site. The trucks go home with technicians and are not left at the business overnight.

Ray Schafer received clarification from Dan Johnson that this is for modification to the Zoning map and not for approval of the building itself. Mr. Johnson said this is one of the properties that was included in the application from approximately a year ago that was denied, which was specifically seeking C-1. He said that Mr. Whittenburg is willing to work with either M-4 or C-2. Mr. Johnson said the Comprehensive Plan shows this area being rezoned to Commercial at some point in the future, but does not specify what Zoning district would be appropriate. He said that traditional zoning theory would suggest that the more restrictive commercial district would be appropriate immediately adjacent to residential. He said there was discussion last time about this parcel being different from the others since it was large enough to provide the correct buffer to protect adjacent residential district, as opposed to the area south of Alpine Avenue, which may not be large enough.

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Ray Schafer asked Jim Sumner to remind the Commission of the concerns he had with this area being rezoned. Mr. Sumner said his concerns remain with where the rezoning should start, how to draw the line, and where to stop. He does not want commercial zoning to continue to creep down the street. He said the building looks attractive, but is not sure if this is the right project for this property and how it would impact the properties to the south.

John Moores asked about the property to the north, with no buffer. David Waltz confirmed that the property to the north is county owned. Dan Johnson said this is just a rezoning application and there would be other steps required for approval of a site plan. Ray Schafer reminded the Commission to keep the thought process just around the rezoning application.

There was general discussion regarding the distinctions between C and M districts and buffer requirements. Dan Johnson said M-4 offers benefits because it's directly across from existing M-4, although C-2 offers more control for Planning Commission. John Moores asked about the status of the residential use if the zoning was amended, but the property was not developed with a commercial use. Dan Johnson stated that the residential use would become a legal nonconforming use. The owner could live in it and maintain it, but would not be able to make any substantive changes to the property, such as building an addition. David Waltz reiterated that the Comprehensive Plan shows the desire of that area to eventually be Commercial.

Tom Adamec asked where the driveway and access to the property would be should this get approved. Mike Duncan said the type of use being proposed would be a very low traffic volume so a driveway on either road would be adequate. He said that a driveway on Alpine, but close to Blue Ash Road, would probably be preferable.

Bev Gill thinks the proposed building would look nice in this area and his only reservation would be storing construction equipment outside. Mr. Whittenburg said there would not be any outside storage. He said the company would like to have a showplace type building. Dan Johnson said that outside storage would not be permitted in C-2, but is permitted in M-4 if inside a screened-in area.

There was discussion regarding which zone would be a better choice for the area. David Waltz said Council supported the concept when the last rezoning was turned down but just wanted to see more specificity relative to potential future land uses. He said the general support also leaned toward C-2 because it provides more control over C-1, which would be important given the small lots and their proximity to the adjacent residential uses. Jim Sumner confirmed and added that he is still leaning negative so not to take his comments as supportive. He said that if the consensus of Planning Commission is leaning toward rezoning, that C-2 seems to be more appropriate as it gives more flexibility to arrange the project to be more consistent with future uses to the south and provides more control on the final project design. He added that he is still reluctant to give up residentially zoned land and feels if they hold the line it might become a different type of residential use.

Ray Schafer opened for public comment, but there was none. He asked if abutting properties were notified, but was reminded that notification goes before Council not before Planning Commission. Mr. Schafer feels this is a good place for a change per the Comprehensive Plan and that C-2 seems reasonable since the site is adjacent to the entrance to the highway and would have residential uses to the rear and across Alpine Avenue. Tom Adamec feels whatever zoning goes there needs to be restrictive enough

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to provide good buffering and fit into the residential area. Bev Gill said he would want any new structure to look more residential than commercial due to the location. Dan Johnson explained that, under C-2, the City has significant discretion over the land use, the arrangement of uses on the parcel, and all supplementary things like parking and dumpster location. The appearance can be regulated not simply from an esthetic standpoint but also in terms of how it relates to the area in which it is located. The whole point of a Planned District is to make sure the use compliments everything around it in a manner that the City finds acceptable.

DECISION: John Moores moved, Tom Adamec seconded, to approve recommendation to Council for a zoning change from R-3 to C-2. A roll call vote was taken. Three members present voted aye; Jim Sumner and Tom Adamec voted nay. Motion carried.

ITEM 5 – Park Manor (Cooper Road)

Application for modifications to the approved Special Use Permit for a Townhouse development

PRESENT: Richard Arnold, Applicant

Richard Arnold of McGill Smith Punshon introduced the development team: Patty Payne of Sibcy Cline, Tim Trachsel of The T2Group, Steve Ginter of Architects II and Jose Castrejon of McGill Smith Punshon. He said the new plan introduces a central park area and adds two new courtyard areas, which reduces approximately 1/3 of the impervious surface area from previous plan. Since the approval of the July 2008 plan, the owner has attempted to market the units and have found that there is not a viable market for that option. They would like to have the maximum number of units for Buildings 1-5 to be twelve and the maximum number of units for Building 6 to be eighteen. For Buildings 1-5, the area of square footage ranges from 1,300 and 1,800 sq. ft. with a price range of \$375,000-\$519,000. They have not yet completely determined what they would like to do with Building 6 but they would like to have the flexibility to develop that building for smaller units, approximately 900 sq. ft., for the affluent widow or widower. The price range for these units would be \$260,000-\$290,000.

Mr. Arnold said one of the comments in the staff report concerned dumpster pads. He said they would provide maneuverability diagrams to the City Engineer when they do the completed site construction diagrams to show that a dumpster truck can maneuver properly to remove trash from the site. They also acknowledge that they will need to go back to the utility providers to confirm there is adequate capacity for water, sewer, electric, and gas.

Mr. Arnold said that on one side of the building they are considering underground garages and would like to propose a change in wording for the Condition #2 to have the two stories be measured by what is designated FF (finished floor) on the concept grading plan. Due to the economy, on Condition #5 they would like to have 24 months instead of 12 before they would have to return for further review and approval. Jim Sumner he would not want to have half of the garage out and have the unit be 2 ½ floors. Mr. Arnold said the garage would not be halfway out and there is only one area with underground garage.

Dan Johnson suggested that the wording for Condition #2 be that no building shall have more than two stories above ground with livable area. Mr. Schafer thought that

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Condition #5 should remain at 12 months as it gives them the option to return if they feel there is a need.

Jim Sumner said he did not want this project to sit as it does today. He was curious why they feel this plan is viable and if this is a marketable plan for the economic conditions. He said that in the past Blue Ash has tried to stay away from high density projects. Patty Payne said they have done several condominium projects throughout Greater Cincinnati and they have learned that flats as opposed to townhouses are what the empty nester market is requesting. They feel this redesign supports the current need in terms of size and product-type. David Waltz commented that his understanding is that the overall size and scale of the lot coverage is not going to change much. Mr. Sumner did say the layout does appear to be more attractive in terms of external impact with the driveways to the north and no driveways on Cooper Lane.

Jose Castrejon added that this new configuration provides additional green, passive-type space with walkways and trees beyond the courtyard. Ray Schafer asked if this area would be available to others in Blue Ash. Mr. Castrejon said the idea of this green space is to provide balance between the hardscape and softscape within the development. They are not planning to shut out the public as it provides a good sense of community and as long as there are no problems.

Tom Adamec asked about guest parking. Rich Arnold pointed out the different locations on the plan where spaces are located and pointed out that on Cooper Lane there are parallel spaces in front of those units for guests to park. Ray Schafer asked if there was additional parking added for this plan. Mr. Arnold said that 186 spaces are required and 241 spaces are being provided. Mr. Arnold also said he had a conversation with the Assistant Fire Chief to ensure that the layout would be acceptable in case of fire.

Ray Schafer opened the discussion to the public. As there was none, he said he would entertain a motion.

DECISION: Jim Sumner moved, Tom Adamec seconded, to recommend approval to City Council with the following conditions:

1. Approval of final detailed plans by City Staff and City Engineer.
2. No building shall have more than 2-stories of living space above ground.
3. If any building is proposed to have exterior dimensions greater than specified in this approval, the plan shall be subject to approval by Planning Commission and/or City Council.
4. City staff shall review all proposed buildings for consistency with the existing buildings and with the architectural style and quality depicted in the elevation included in this application (a 10-unit building), and may submit any such building to Planning Commission and/or City Council for approval if any element appears inconsistent.
5. If substantial continued development has not occurred with 24 months of approval, the applicant may be required to return for further review and approval.
6. The driveway widths within the development be made to satisfy the Fire Department requirements.

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A roll call vote was taken. All members present voted aye. Motion carried.

ITEM 6 – Reserve of Blue Ash (Myerdale Drive)

Application for minor modification to the Plat Procedures and Standards as applied to this subdivision to allow the City to accept the roadway for public maintenance

Dan Johnson said he would represent the applicant since it is more for the City than for the applicant to allow the City to accept the street, which allows the City to provide public services to the residents in the subdivision. The subdivision regulations do not permit the City to accept maintenance for a year after the streets are totally complete. During that year, the City cannot provide services such as garbage pick-up and snow removal. Since all of the houses in the subdivision are built and occupied, it seems fair to allow the City to accept the street, with a bond to ensure that the public will not suffer any financial damage if the street fails during that period of time.

Stephanie Stoller asked about stormwater damage done by the development to a property in the neighborhood and what the status was. Dan Johnson said an inspector looked at that the extent of the damage to this property and, from the City's perspective, it had been fixed.

DECISION: Jim Sumner moved, John Moores seconded, to approve the application for minor modification to the Plat Procedures and Standards as applied to this subdivision to allow the City to accept the roadway for public maintenance. A roll call vote was taken. All members present voted aye. Motion carried.

Ray Schafer asked Dan Johnson to be sure the file adequately notes the reasons why the Commission recommended the C-2 district for that area and stress that it was key to the recommendation.

ITEM 7 – MISCELLANEOUS BUSINESS

There was no miscellaneous business.

ITEM 8 – ADJOURNMENT

DECISION: There being no further business to be discussed, John Moores moved, Tom Adamec seconded, to adjourn the meeting. A voice vote was taken. All members present voted aye. Motion carried. The meeting was adjourned at 8:33 p.m.

Raymond Schafer, Chairman

MINUTES RECORDED BY:

Traci Smith, Administrative Clerk