

**ITEM 1. - MEETING CALLED TO ORDER**

Chairman Schafer called the regular meeting of the Blue Ash Planning Commission to order at 7:00 p.m. on Thursday, April 6, 2006.

MEMBERS PRESENT: Raymond Schafer, Beverly Gill, John Moores, William Sikute and James Sumner

ALSO PRESENT: Assistant City Manager David Waltz, Assistant Community Development Director Dan Johnson, Administrative Clerk Traci Smith, Council Member Lee Czerwonka, Council Member Henry Stacey, Council Member Stephanie Stoller, Council Member Mark Weber 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: Bill Sikute moved, Jim Sumner seconded, to approve the regular meeting minutes of March 2, 2006 as submitted. A voice vote was taken. All members present voted aye. Motion carried.

**ITEM 4. - CITY OF BLUE ASH – Zoning Amendments**

Approval of amendments to the Zoning Code (*tabled March 2, 2006*)

DECISION: Jim Sumner moved, Bill Sikute seconded, to remove this item from the table. A voice vote was taken. All members present voted aye. Motion carried.

Ray Schafer explained that the members had received information with regard to the discussions during the last meeting. Mr. Waltz said that staff had looked at some of the properties in the Hazelwood area and found it evident that the zoning districts were designed to permit houses closer together. Variability of side setbacks within a single district is problematic.

Jim Sumner said there were a number of issues brought up by the public and members of Planning Commission at the last meeting and Administration was asked to look into other codes and consider alternatives such as variable yard requirements, density requirements and a number of other items that came from the public. The discussion last month centered on building R-1 size homes in R-3 districts. Mr. Sumner feels the scale of the home should be based partially on the size of the lot, regardless of the zoning district. David Waltz explained that the development pattern in R-3 was brought about largely by the standards currently in place. Mr. Sumner said that older R-3 homes were generally smaller and they looked appropriate, but that new construction tends to be as large as the homes that used to be built in the R-1.

Dan Johnson said he drove around the community to those areas that had both old and new development and saw quite a bit of variability in housing sizes and setbacks. Given some fairly dramatic differences, Mr. Johnson was surprised this was not discussed as Hazelwood was redeveloped. In the opinion of Mr. Johnson, an effective sliding side setback regulation would be extremely difficult to write because of the variability in the existing development. Any such regulation would be likely to create so many non-conformities that the purpose of the regulation would be defeated. Each residential district covers a broad area with a wide variety of housing. The R-3 district covers all of Arcadia, Hazelwood, and much of the area just west of Downtown. R-3 requires a 50-foot minimum lot width and 5-foot side setbacks, which permits a 40-foot wide house. Any increase in the side setback requirement increases the potential that a new house, which is attractive to a modern home buyer, is not going to fit on the lot. These development patterns have been established for so long that any change made is going to affect the ability to develop it in the way it has already been developed.

David Waltz summarized that the existing character of the neighborhoods was created by the set of rules that is already been in place. New regulations have the potential to degrade the very character that we try to maintain.

Jim Sumner said that new construction in Hazelwood does not look out of proportion with the other homes in the neighborhood, while the new 4,000 square foot homes built 5-feet off of the property line on Northfield Road do. The surrounding homes are in the 800-1,000 sq. ft. range. This dramatic difference affects the character of the neighborhood. He believes that the R-3 regulations did not contemplate this size of home and encouraged the City to continue to seek some solution to prevent overbuilding of a lot.

Mr. Sumner said his concern is for infill houses only. He said he feels the Code should be changed to recognize the average setback and elevation changes. Mr. Sumner also suggested looking at the side yard setbacks that contemplate the scale of the home, so we do not have a situation like on Northfield.

Ray Schafer asked what other communities have done to address this issue. Jim Sumner said other communities have adjusted yard requirements and density after neighborhoods were established, but he noted that that may not be the best solution.

David Waltz noted that storm water drainage is being addressed pro-actively by changes in administrative procedures.

Ray Schafer opened the discussion to the public for questions and comments.

Jim Dyer of Myerdale Drive said he distributed a document to the Commission titled "Zoning Regulation White Paper" and requested this paper to be included with the minutes to be a paper of record. He said he is encouraged that the City is talking about these issues, but discouraged that the measures seem inadequate. He has done research and there are communities around the country that are addressing these problems. He feels the Administration has more concern about potential future situations than about the immediate problems and concerns the residents are discussing.

Brent Fisher of Myerdale Drive said he feels there has been a lot of good work and progress. He asked that what is being started now be passed along and to not quit. He said he also feels more needs to be done to provide homes in the mid-ticket price range. He asked the Commission to support the White Paper and the work being done. He also encouraged safety be observed.

There was no further discussion and Ray Schafer asked for a motion.

DECISION: John Moores moved, Bev Gill seconded the recommendation to council of the amendments to the Zoning Code, which the proposed revisions generally do the following:

1. Specifically regulate “big box” retail and limit it to the C-2 Planned Commercial district
2. Clarify sign regulations, particularly in the D-1 Downtown district
3. Add a nonconforming provision that specifically deals with nonconforming buildings
4. Clearly specific penalties for Zoning violations and add references to all pertinent Chapters
5. Regulate transient and portable structures as temporary only
6. Add regulations that direct infill residential construction to help maintain an established neighborhood character
7. Clarify definition of “group homes”
8. Add and clarify definitions in support of proposed amendments

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

Bill Sikute commented regarding safety and that contractors should be encouraged to take all necessary safety precautions. Dan Johnson said the Blue Ash Codified Ordinances cover that issue and police are authorized to enforce that a contractor put up barriers.

#### **ITEM 5 – JITEN PATEL – Planned Development**

Recommendation to Council to approve a Planned District development at 4300 Glendale Milford Road (Hilton Garden Inn)

PRESENT: Jon Crowdus, architect

Jon Crowdus, architect representing Jiten Patel and Blue-Kenwood LLC, said they have submitted drawings of a hotel they are proposing to build. They have complied with staff recommendations as far as materials previously submitted and meet the code. Due to the distance the hotel sits behind the main road, they are requesting a standard Hilton Garden monument sign of 50 square feet be allowed at the entrance.

Bill Sikute said on the drawing two surface signs are shown, one on the front and one of the end, and wanted to know if this was intended. Mr. Crowdus said the one on the end is intended for building identification when coming down the drive. Dan Johnson pointed out that above the first floor on a multi-story building, only one sign is permitted. Jim Sumner asked how bright the sign on the front of the building was going to be as there is an adjacent residential area. Mr. Crowdus said the sign on the gable would not be seen on the

Page 4

residential side. He said if they are only permitted one wall sign, they would want the one on the gable side, which faces the airport.

Bill Sikute asked about outside lighting. Jon Crowdus said they have given their photometric to City Staff and have complied with all Code standards.

Ray Schafer opened the discussion to the public.

Pat Marston, lives at 4178 Fox Hollow, and wanted to know if the entrance to the hotel was going to be on the greenbelt side of the Xerox building. He also said the greenbelt area has been cut into which is taking away any protection they have from the light. He is concerned with the lighting from the traffic at all hours of the night. Ray Schafer asked Dan Johnson to check into the Xerox building buffer, how the lights are shielded, and the noise. With regard to the entrance, Mr. Crowdus confirmed the drive will be on the east side of the Xerox building, away from the greenbelt and all of the lights will be shielded.

Bill Sikute asked about the logic for the 50 square foot sign versus a 32 square foot sign. Jon Crowdus said the 50 square foot sign is what was recommended by hotel staff, which is a standard Hilton Garden sign.

Sally McConaughy lives on Plainfield Road to the left of the development. She had questions regarding the sanitary sewer. Dan Johnson said all sanitary sewer issues must be resolved with the Metropolitan Sewer District. Jon Crowdus said the sanitary sewer on the property runs into an existing sanitary sewer on the property in an existing easement that is to the northwest. There is no request for any additional easement.

Bev Gill asked Dan Johnson where the stormwater was being routed. Mr. Johnson said our City Engineer is currently reviewing stormwater, but said there is a holding area to the northwest that should have sufficient room for this use.

Ray Schafer reviewed the items being requested for approval. First item is the height of the building exceeding the maximum height requirement by 20 feet. Dan Johnson said the applicant told him that there is not a height issue relative to the airport. The second is an additional ground sign and a larger than normal sign at Glendale-Milford Road.

DECISION: Jim Sumner moved, Bill Sikute seconded to approve as submitted with the following conditions:

1. Final development plans and construction be in compliance with all City regulations relative to any items not fully addressed in the application materials.
2. A 50 square foot ground sign be allowed at Glendale-Milford Road.
3. Two small directional signs be allowed near the actual parking area, subject to approval by City Staff.
4. That there be no signs above first floor on west elevation.
5. If substantial development does not occur within 12 months of the date of approval, the applicant may be required to return for further review and approval.

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

**ITEM 6 – MISCELLANEOUS BUSINESS**

Bill Sikute commented that Mr. Healy, who attended the last meeting and talked about a property on Mohler that has been under construction for some time, said he had been contacted by the City and was told a letter went out to that property owner. Mr. Healy was happy to hear that and satisfied with the quick response of the City. Mr. Healy said that if that is appealed, he would like to be advised so he could attend any hearing that might happen.

**ITEM 7 – ADJOURNMENT**

DECISION: There being no further business to be discussed, Jim Sumner moved, Bill Sikute seconded, to adjourn the meeting. A voice vote was taken. All members present voted aye. Motion carried. The meeting was adjourned at 8:48 p.m.

---

Raymond Schafer, Chairman

MINUTES RECORDED BY:

---

Traci Smith, Administrative Clerk