

**BLUE ASH PLANNING COMMISSION**

**June 6, 2013**

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**ITEM 1: MEETING CALLED TO ORDER**

Chair Ray Schafer called the regular meeting of the Blue Ash Planning Commission to order at 7:07 p.m. on Thursday, June 6, 2013.

MEMBERS PRESENT: Raymond Schafer, Beverley Gill, and Jim Sumner

MEMBERS NOT PRESENT: John Moores and John Berry

ALSO PRESENT: City Manager David Waltz, Assistant City Manager Kelly Harrington, Community Development Director Dan Johnson, Administrative Clerk Traci Smith, Mayor Mark Weber, Vice Mayor 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: Bev Gill moved, Jim Sumner seconded, to approve the regular meeting minutes of January 3, 2013 as submitted. A vote was taken. All members present voted aye. Motion carried.

Jim Sumner advised for the record that John Berry was not participating in this meeting due to a potential conflict of interest.

**ITEM 4: HEARINGS**

**a. Kenwood Road – Silverman and Company**

Zoning Map Amendment to rezone from M-4 Light Industrial to R-4 Residential

PRESENT: Ryan Silverman – Applicant

Dan Johnson described the public notice requirements for the agenda items and noted that one written public comment had been submitted after the Agenda had been sent out. He also described the effect of the City Engineer and Police Department comments.

Ryan Silverman summarized the proposed Zoning Map Amendment and Special Use Permit. He described the proposed clientele and noted the rationale provided by the Gruen + Gruen housing study. He described the proposed amenities, which include a clubhouse, pool, and walking trails. He said that the dwelling units would have finishes similar to those that Hal Homes uses in its high-end homes.

He noted that the location would take advantage of sidewalk and other amenities that the City has already been installing and would provide additional residents who will support service providers in Blue Ash.

Hal Silverman summarized the history of his developments in Blue Ash.

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In answer to a question, Ryan Silverman described the neighboring land uses and zoning.

Jim Sumner asked about the size of the building shown in the northwest corner of the site and its setback from the closest homes in the Hazelwood area. Ryan Silverman noted that they would be willing to provide whatever screening is necessary to ensure that those adjacent properties are adequately protected.

Bev Gill said that the project looks pretty good, but he is uncomfortable with turning commercial property over to residential zoning. He also expressed concern that the adjacent commercial properties would be constrained in the future because of this residential property. Mr. Johnson described potential limitations, particularly including those dealing with noise in Zoning and in other sections of the Code.

Ryan Silverman answered that they did not want to hinder business activity in any way and that the site is configured in such a way that it is not generally attractive for commercial development.

Ray Schafer said he likes the project but is concerned about recommending a zoning change like this without guidance from the Comprehensive Plan or any other adopted City document that has already considered and accepted the idea. Sumner and David Waltz answered that, although clear guidance from another adopted document would be best, the Planning Commission is charged with making whatever recommendation it feels is appropriate based on the application as it was made.

Schafer asked for any public comment; there was none.

There was further discussion about the basis for Planning Commission to make a recommendation for a proposed rezoning that has not been previously considered. This is different from others done in recent years because all of those have been supported by the Comprehensive Plan.

Sumner noted that a multifamily residential use in this area has been conceptually approved by City Council both north and south of Osborne Boulevard in the last several years. He also noted that a large part of this site abuts existing residential.

Sumner and Schafer both noted that they are leaning towards a recommendation to approve.

In answer to a question, Johnson said that the developer would have to ensure that the development satisfied the FEMA and Hamilton County Stormwater District regulations that, and that the City Engineer would ensure compliance. Bob Garlock described the applicant's considerations of the floodplain area in preparation of the plans.

**DECISION:** Ray Schafer moved, Jim Sumner seconded, to recommend approval to Council of the proposed Zoning Map Amendment as submitted. A roll call vote was taken. Two members present voted aye, Bev Gill voted nay. Motion carried.

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**b. Kenwood Road – Silverman and Company**  
Special Use Permit for a Multi-Family Development

PRESENT: Ryan Silverman – Applicant

Johnson suggested that the Planning Commission go through the staff report to highlight those areas where the proposed plan does not meet the Code, so that a motion to approve can specifically address those areas.

Those items included: the sign was not specified and so will need to meet the Code, the plan did not include fences around patio areas for the units, stormwater management and the configuration of the detention/retention ponds shown on the plans, a reduced overall parking ratio from 2 per unit to about 1.6 per unit is proposed, 3 of the garages are shown within the bufferyard setback, the north and south driveways do not connect (or loop) which was not noted as a concern by the Fire Department, the south driveway width exceeds the normal limit of 24-feet because of the way it lines up with Osborne Boulevard, the landscaping plan is not detailed enough to ensure that it would satisfy the Code, the bufferyard does not satisfy the Code along Kenwood Road between the driveways, the plan does not meet the 50-foot minimum buffer between the developed area of the site and the properties in the adjacent R-3 District (Hazelwood).

Ryan Silverman described the mix of 1 and 2 bedroom units, which would result in 357 bedrooms; the proposed plan has 399 parking spaces. Theoretically, this will provide sufficient spaces for each resident and some visitors. Johnson summarized the reasons that zoning codes, generally, require minimum amounts of parking, which include public problems in the right-of-way or private problems on adjacent properties. Bob Garlock explained that several other new multifamily developments in other communities have been developed at 1.5-1.6 units per unit and that ratio seems to be satisfactory.

Bob Garlock said the garage along the north property line is setback 5 feet from the Matthew 25 property line to buffer an outdoor storage area. The two garages near the southeast corner are setback 18 and 10 feet from the adjacent property lines to help buffer the railroad.

Sumner said that he was uncomfortable with a 5-foot setback where a 30-foot setback is required and said that 10-feet should be the minimum. Johnson clarified that the structures indicated in the southeast corner of the site would be okay, but something else would need to be done along the north property line; the Commission generally agreed.

After discussion regarding the Fire Department review, Sumner encouraged the applicant to try to find a secondary access for the development on the south side of the site.

The Commission generally agreed that the 50-foot buffer was not necessary given a reduced building setback of 10-feet in the area of the detached garage along the north property line. A 6-foot high brick wall is required along that area also, with appropriate plantings in that area to supplement the buffer.

Ryan Silverman asked if there was flexibility relative to the sign size so that they could provide a nice sign for the development. Johnson explained that the process

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for measuring sign area is somewhat left up to interpretation and that he would need to see the sign to be able to tell whether the size was an issue.

**DECISION:** Ray Schafer moved, Bev Gill seconded, to recommend approval of the Special Use as proposed to Council as submitted, with the following conditions:

1. Waiving the building setback to 10-feet in those locations specified
2. The buffer along the driveway to the northeast as shown to include a 6-foot tall brick wall and appropriate plantings behind
3. Approving the parking ratio as indicated
4. Entrance drives as shown are acceptable with a recommendation that emergency access be provided if possible to the south side
5. The south drive be approved at the width shown on the plan
6. Landscaping be required to satisfy the Code
7. The buffer along the roadway be required except between the driveways
8. Subject to all requisite approvals and consistent with comments by the City Engineer and City staff

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

**ITEM 5: MISCELLANEOUS BUSINESS**

None

**ITEM 6: ADJOURNMENT**

**DECISION:** There being no further business to be discussed, Jim Sumner moved, Bev Gill seconded, to adjourn the Planning Commission meeting. A voice vote was taken. All members present voted aye. Motion carried. The meeting was adjourned at 8:49 p.m.

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Ray Schafer, Chair

MINUTES RECORDED BY:

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Dan Johnson