

Colerain Township
Board of Trustees
April 12, 2011, 8:00PM

Zone Map Amendment: Case No.: ZA2011-01, American Scaffolding, Inc.

ACTION REQUESTED:

Zone Amendment from R-2, Estate Residential, to PD-B, Planned District-Business. (This is a rezoning of a portion of the parcel. The parcel is split into R-2, B-3, and RF zoning districts. The R-2 area has a history of and continues to be a non-conforming use.)

APPLICANT/OWNER: Eagle Creek Property Management, Inc.
 John Korn
 7161 Eagle Creek Road
 Cincinnati, Ohio 45247

SITE DESCRIPTION:

Parcel No.: 0510-0440-0144
Parcel Size: 5.07 acres (4.67 net acres)

Location: The northwest corner of Eagle Creek Road and Harrison Avenue.

Topography: Low elevation along roadside rising west to a steep hillside

ZONING & LAND USE

Current Zoning: R-2 Estate Residential District, minimum lot size 20,000sqft (with sewer)/1acre (without sewer).

The R-2 Residential District is intended to provide for large lot residential development consistent with the rural character of the western side of Colerain Township. Development in this district may or may not have access to sanitary sewer service or central water service. The district is intended for large residential lots or open space subdivisions to ensure the protection of open spaces or steep hillsides.

Current Land Use designation: Planned Mixed Use Employment *(with the exception of the extreme northwest corner which is Rural Residential)*

Developments containing some combination of office, retail, light industrial or compatible uses developed with consistent theme and containing architectural, landscape, streetscape, and signage standards.

Surrounding:

<i>Direction</i>	<i>Zoning</i>	<i>Land Use Plan</i>	<i>Current Land Use</i>
North	PD-B	PMUE with some Rural Residential	Undeveloped
South	RF	PMUE	Light industrial, restaurant
East	RF	PMUE with some Rural Residential	Ice cream shop
West	R-4 Suburban-Medium Resid.	PMUE with some Rural Residential	Single Family subdivision, under construction



CASE HISTORY:

01.18.2011 Application for Zone Change submitted
03.08.2011 HCRPC Recommends Approval, 5-0
03.15.2011 CTZC Recommends Approval, 5-0, as follows:

CONDITIONS

1. That the 150 foot open space buffer shall be preserved hillside and remain undisturbed;
2. That future construction beyond the proposed two-story structure shall require the installation of the required 15 foot streetscape buffer along Harrison Avenue;
3. That the landscaping shall otherwise comply with recommendations of the Colerain Township Landscape Advisory Board, and
4. That the Final Development Plan shall comply in all other respects with the Colerain Township Zoning Resolution.

VARIANCE

1. §13.4.2 Public Sidewalks *and to pay into the sidewalk fund*

PRELIMINARY PLAN SUMMARY:

This single parcel is split into three different zoning districts. Only the portion classified as R-2 is part of this zone change application to PD-B. The one alteration to the site is demolishing an existing one-story metal building and replacing it with a two-story pole storage building which will have a marginally larger footprint (40'x144'). There are seven other structures on the parcel, but not included in the zone change request, that will remain unchanged.

AGENCY REVIEW:

Comments not yet received from: Colerain Township Public Works and Colerain Township Fire Inspections

Hamilton County Soil & Water Conservation District: No objections to the zone change. Comments were given in regards to high landslide potential on the property, the appropriate permits for the replacement retaining wall, and providing information on procedure if there is an expected impact on the stream that runs alongside Eagle Creek Road.

Metropolitan Sewer District: No objections to the zone change. Comments acknowledged no current sewer service to the subject property, but that a mainline sewer lies approximately 250 feet east of the intersection of Harrison Avenue and Eagle Creek Road and may be extended by the owner as the property develops.

Hamilton County Public Works: Typical letter outlining rules and regulations. In addition, it was noted that along with the Final Development Plan, storm water detention and drainage calculations should be submitted to HCPW.

Hamilton County Floodplain: Comments regarded the subject area's proximity to a Special Flood Hazard Area and the necessity to construct above Base Flood Elevation (518') or floodproof new structures.

Hamilton County Engineer: Typical letter received.

Landscape Advisory Board: The LAB was in agreement that the existing vegetation along Eagle Creek was adequate for buffer along this frontage. They did recommend a redesign of the fence along the Harrison Avenue side of the property to provide screening for the staging area. The Board was in agreement that this area would be prohibitively costly to irrigate, as water service to the property is extremely limited. The Board also noted that the corner of Harrison and Eagle Creek is always clean and well kept. The applicant is preparing a proposal.

LAND USE COMPLIANCE:

The Colerain Township Land Use Plan classification of this property is PMUE, Planned Mixed Employment, which allows for office, retail, light industrial, and other compatible uses. This district is also meant to promote developments that share a common image and circulation pattern.

The existing R-2, Estate Residential, zoning classification is not consistent with promoting the types of land uses appropriate in the PMUE. The Planned District—Business zoning classification would better create the desired land use for this area.

COMPREHENSIVE PLAN COMPLIANCE

The subject property is located in the Miami River South character area of the Colerain Township Comprehensive Plan. This character area largely includes the rural residential area constrained by the Great Miami River, Blue Rock Road, and I-275. The southern boundary of this character area is primarily Harrison Avenue with some exceptions. Land Use Guidelines for this character area discourage new commercial and industrial uses, specifically listing constraints as sewer, water, and roadways. This proposed project is not a new one, but rather an improvement project. In addition it is also located along a major roadway with access to water, and sewer is nearby.

ZONING RESOLUTION COMPLIANCE

USE: American Scaffolding Inc. has occupied this site since 1992. The majority of their buildings are located within the B-3 or RF zoning districts, and thus not included in this zone change. Two buildings occupy the R-2 zone and are considered non-conforming uses. The remainder of the R-2 zoning on the parcel is predominantly steep hillside.

The uses of this company within the subject area of their property are within the permissible uses in a PD-B, which allows for uses permitted in the B-1, B-2, B-3, and O-1 districts.

SITE DEVELOPMENT STANDARDS: All site development standards are met in this proposal. If the remainder of the property, not included in this zone change request, was included, site development standards would still be within appropriate ranges given that much of the access aisles and parking are pervious, gravel, and not pavement.

No setback is required from the northern property line given that the adjacent parcel is zoned PD-B. The single proposed building is setback 10 feet from the property line. Ample setback is given from the R-4 zoned subdivision to the west.

The overall height of the structure is 22'10" which is well below the maximum permitted in any business district.

PLANNED DISTRICT: A minimum open space of 15% is required in a PD-B. With the 150 foot open space buffer, nearly 50% of the proposed PD-B area would be maintained as open space.

GENERAL DEVELOPMENT STANDARDS:

Lighting: Proposed lighting is cutoff and only located around the new building. The footcandle measurements are within guidelines.

Architectural Standards: The proposed structure does not meet code requirements for architectural design which requires additions such as façade offsets or color changes and roof line changes.

PARKING: No new access points onto Harrison Avenue or Eagle Creek Road are proposed. To support the increased square footage of the two-story building, six new parking spaces are proposed to meet code requirements.

§13.2.1 regarding applicability states that off-street parking and loading requirements shall apply (A) when a zoning certificate is issued for the construction of a new building. Thus, the parking and drive areas are required to be paved, as stated in §13.4.3(C). The surface is currently gravel.

The Applicant is requesting a variance to the public sidewalk requirement (§13.4.2) along Harrison Avenue.

HILLSIDE DEVELOPMENT OVERLAY DISTRICT (HDO): Most of the western edge of this property is within the HDO district. The HDO means that slopes are greater than 20%, but only the extreme northwest corner is shown to be 30% or greater. The Applicant proposes an open space buffer of 150 feet measured from the west property line. This buffer would protect much of the hillside and more than adequately meet any restrictions applicable by the HDO designation.

SIGNAGE: No new signage is proposed.

LANDSCAPING & BUFFERING: No new landscaping is proposed. A required buffer of 35 feet is required against the residential properties to the west. The 150 foot open space buffer meets this requirement while also preserving the hillside.

CONCLUSION

Staff finds this Preliminary Plan to be in accordance with the Colerain Township Zoning Resolution and in compliance with the Comprehensive Plan. This Zone Change would also bring the parcel into compliance with the Colerain Township Land Use Plan.

Upon a motion recommending approval of Preliminary Plan ZA2011-01, a Zone Change from R-2 to PD-B, by the Colerain Township Zoning Commission, staff proposes the following conditions and variance,

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VARIANCE

1. §13.4.2 Public Sidewalks & and a fee in lieu shall be paid to the Colerain Township Sidewalk Fund
2. §13.4.3(C) Design Standards: Surface—to remove the paved surface requirement

SITE PHOTO

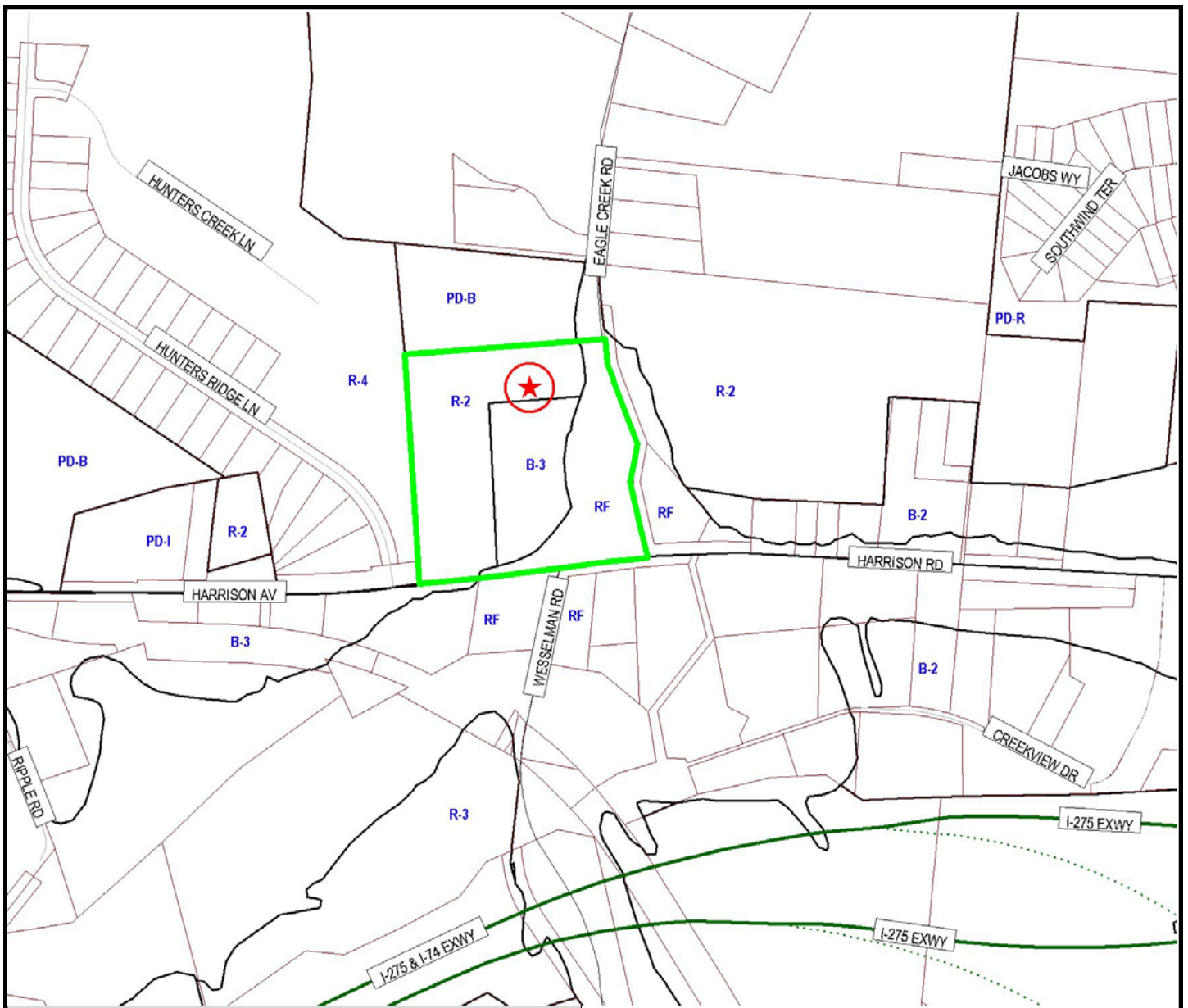
View from Eagle Creek of building to be demolished.



Photo by Scott Huber



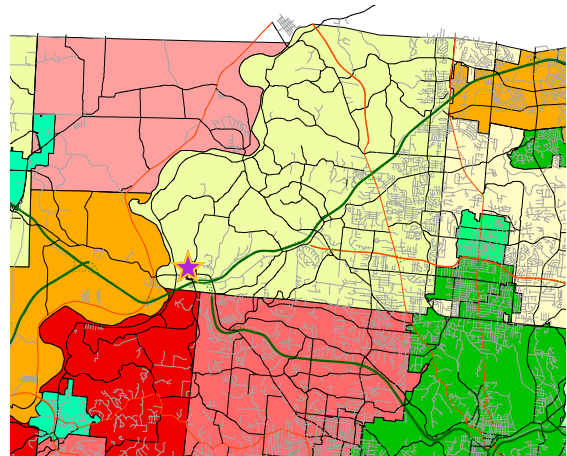
PRELIMINARY PLAN
ZA2011-01 American Scaffolding Inc.

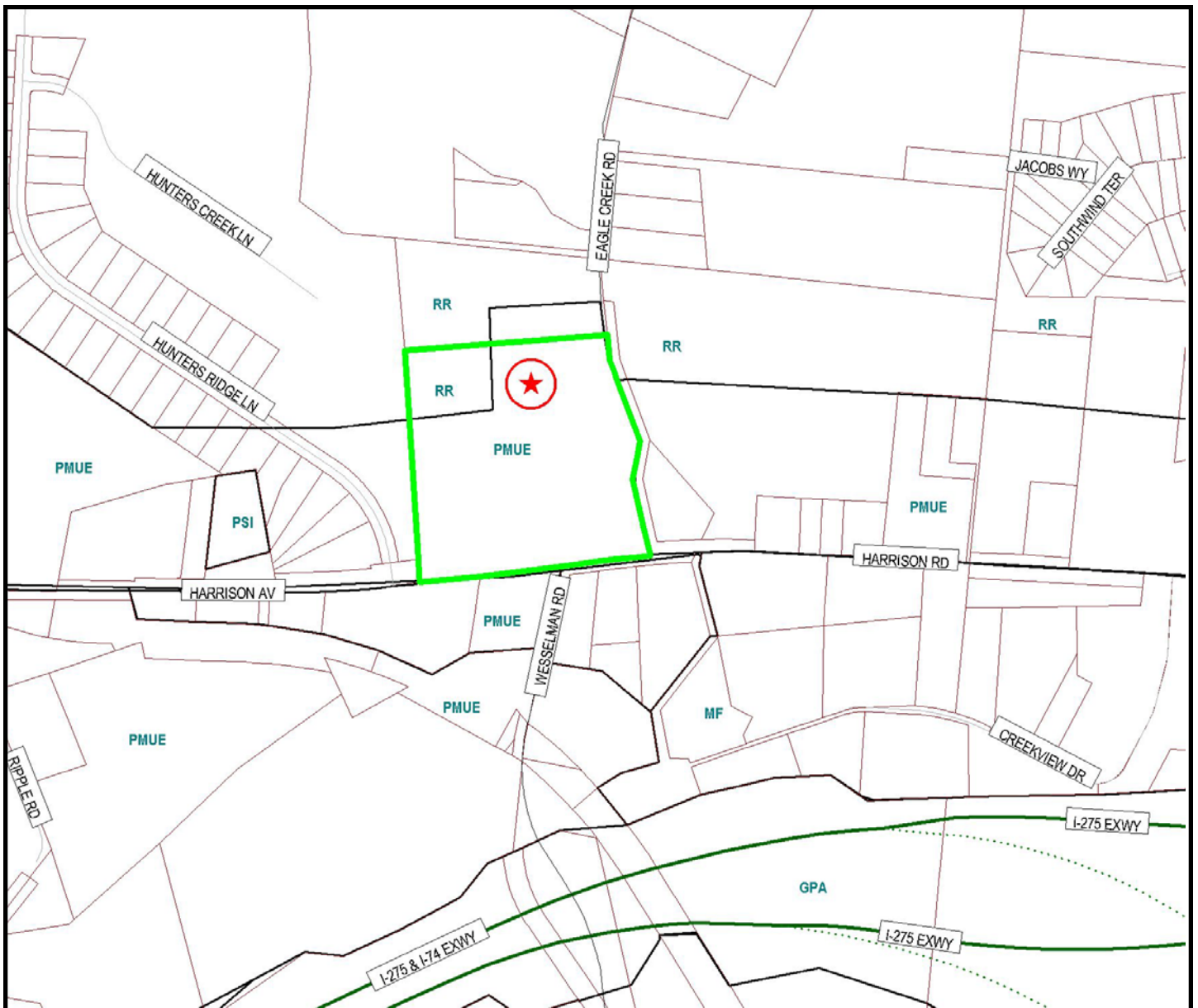


ZONING MAP

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LAND USE MAP

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