

# Colerain Township Board of Trustees

**June 12, 2012**

**8:00 p.m.**



**Planning & Zoning Department**

Project: Zone Map Amendment

Case No.: ZA2012-01 Joseph Toyota Inventory Lot

Prepared By: Susan H. Roschke

Action Requested: Zone Amendment from R-5, Suburban-High Residential District, to PD-B, Planned District Business, to allow for an expansion of Joseph Toyota.

Applicant: Joseph Realty LLC, George Joseph

Owners: Joseph Realty LLC, Soo & Jung Kim, Grady Meinhardt

## SITE DESCRIPTION:

Parcel No.: 0510-0104-0125 and 0510-0104-0128 thru 0133

Parcel Size: 2.174 gross entire rezoned area; 1.4 gross acres (1.34 net acres) of project area

Location: The north side of Poole Road opposite Farbach-Werner Nature Preserve and beginning approximately 250 feet west of Colerain Avenue

Topography: The land gains approximately 15 feet in elevation from the northeast to the southwest corners.

## ZONING & LAND USE:

Current Zoning: *R-5 Suburban-High Residential District, minimum lot size 10,500sqft.*

This district is intended to provide for the protection of older, existing neighborhoods in Colerain Township where development is more compact. The primary use in the R-5 District is single-family detached homes at higher densities on lots served by water and sewer services.

Current Land Use designation: *Retail—General*

Community and regional oriented business uses that tend to locate along highways with relatively high traffic volumes.

## PRELIMINARY PLAN SUMMARY:

A zone change of four single family residences to Planned District Business. Plans include an 115-space, lit parking lot for new car overflow inventory surrounded with fencing. The lot has gated access onto Poole Road. Three of the residences will be demolished. The fourth and easternmost home will remain as such.

## CASE HISTORY:

March 1, 2012 Hamilton County RPC 5-1, Recommended Approval with 7 conditions and 2 variances.

### Comments:

- Suggestion to move Poole access point further east, closer to Colerain Avenue.
- In regards to gate being open, they questioned whether it would be open earlier to accommodate service center hours, etc.
- Rezoning is favorable to future redevelopment of the northwest corner of Colerain/Poole.

March 20, 2012 Colerain Township Zoning Commission 4-1, Recommends Denial of the original application.

May 15, 2012 Colerain Township Zoning Commission, 4-1, Recommends Approval of the revised application, with 12 conditions and 3 variances.

## AGENCY REVIEW:

*Comments not yet received from: Hamilton County Park District, Cincinnati Water Works, Colerain Township Public Works, and Hamilton County Health District.*

### Hamilton County Regional Planning Staff:

- ☐ The proposed 8-foot vinyl coated chain link fence along the south property line (Poole Rd.) should be replaced with decorative fencing given that Poole Rd. is primarily residential and the fencing would be across from the Farbach-Werner Nature Preserve, which utilizes a 3-4 foot wood post fence.
- ☐ There is a concern that the proposed driveway along Poole Rd. could be used for semi-tractor trailer shipment of vehicles or other dealership traffic and would create a conflict with primarily residential traffic and users of the Nature Preserve on two-lane Poole Rd. If the driveway is approved, it should be sited as far away as possible from the existing residences to the west and should not line up with the Nature Preserve entrance as they are incompatible uses.
- ☐ Please clarify if the rezone area includes the entire parcel with the house to remain—parcel 128. A zoning plat and legal description has not been provided so it is unclear what the parameters of the zone change are. The dimensions shown on the plan do not go to the centerline of Poole Rd. and do not include parcel 128 (3434 Poole Rd.), so it is not clear if these areas are part of the zone change, though 3434 Poole Rd. is part of the application.

Soil & Water Conservation District: No objections to the requested zone change. Typical letter addressing procedures and regulations during construction. SWCD also referenced regulations the by Army Corp of Engineers in regards to a stream located along the northern property lines.

Landscape Advisory Board: The LAB found the plan to be commendable. While the Kentucky Coffee and Sweetgum trees are messy and therefore will mean extra work for the property owner, they are beautiful and durable. The coated chain link fence will be well-hidden as the landscaping fills in. Some decorative sections of split rail to mirror the Park would further soften the appearance.

No objections with proposed plan: Colerain Township Fire Inspections, MSD, Hamilton County Engineer, Hamilton County Stormwater & Infrastructure.

#### LAND USE COMPLIANCE:

The Colerain Township Land Use Plan classification of this property is GR, General Retail. The subject parcels were included in Resolution #41-04 which approved a 2004 update to the Land Use Plan. The reasoning is stated below. No further updates were made in the recent 2009 update.

*Upon motion to amend parcels 510-104-0128 thru 0133 from Single Family Residential. The rationale for the change is that in the event of redevelopment or new development that planned developments, developed with a consistent theme and architectural, landscape, streetscape, and signage standards, are encouraged. Typically a campus-styled planned development sharing a common image, prohibiting outdoor storage and provide a 75-foot buffer to the residential areas to the west and consists strictly of pervious green space.*

*In addition:*

Strategy 5: Provide for the protection of and maintain existing uses that are consistent with the area's character.

Strategy 6: Maintain road safety and capacity; and mitigate traffic problems by limiting the number of curb cuts, and encouraging internal circulation between parcels.

Strategy 13: Require the design of new commercial (or non-residential) uses in a manner that will control access and limit impact on residential areas and will be compatible with existing residential uses and adopted plans. Ensure that the site and building design of new non-residential development is sensitive to existing and planned adjacent uses.

Rationale d:) Existing land use or zoning district creates undesirable potential for inappropriate redevelopment (on-site) to more intensive uses since the district is more permissive than required for existing other appropriate and reasonable uses.

#### *Staff Findings:*

While the proposed amendment to a business zoning district is accounted for in the Land Use Plan, there are two specific elements that are not in accordance: 1.) Only a 30-50 foot buffer (rather than 75-feet) is allotted for along the western property edge, and 2.) Outdoor storage is highlighted in the reasoning as a prohibited use.

The proposed amendment and resulting preliminary plan does improve shared access among Colerain Avenue properties. Currently, Joseph Toyota has a single access point located at the intersection of Colerain Avenue and Compton Road. It is a signaled intersection. The proposed access point onto Poole Road is gated and would be utilized by Joseph personnel and clientele only.

#### COMPREHENSIVE PLAN COMPLIANCE

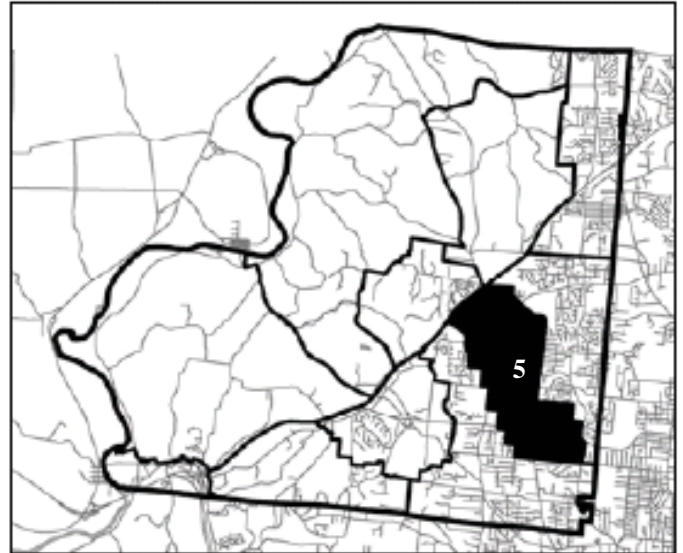
The subject property is located in Area 5: Colerain Avenue of the Colerain Township Comprehensive Plan.

The vision for this character area is that *Colerain Avenue will continue to see signs of reinvestment*

and redevelopment and be a quality commercial corridor for the region. The Township will take steps to work with property owners to help improve the curb appeal that will benefit both the value of the property and the Township overall.

*Staff Findings:*

Joseph Toyota is one of several local auto dealerships that have made significant reinvestment in their property in the past few years. The updated facades are making gradual aesthetic improvements that are much needed along the Corridor. The question is does allowing this zone change and expansion for an auto retail use along Poole Road help the surrounding properties and Township in the long-term, as well as meeting the needs of this business.



## ZONING RESOLUTION COMPLIANCE

*USE:*

Auto retail is permitted in the B-2 General Business zoning district and thus allowed in the Planned District Business which allows B-2 uses, as well as B-1 and B-3 uses. The residence at 3434 Poole Road will not be demolished and will become a non-conforming use. This status has been made clear to both the Applicant and the Owner.

*SITE DEVELOPMENT STANDARDS:*

The impervious surface coverage of the site is 70% which falls in the middle of the ISR range allowed in business districts in Colerain Township. The existing Joseph Toyota site is almost entirely impervious surface. No buildings or structures are proposed as part of this project.

*PLANNED DISTRICT:*

One of the purposes of a planned district is to allow flexibility in zoning requirements where the result will be a *higher quality development*.

20% open space is required in a Planned District Business zone. Given the need for a buffer on the western property line, a significant amount of greenspace is provided there, roughly 12%. The land area of the property located at 3434 Poole which will remain a residence, is included in the zone change but it is neither included in the impervious surface nor overall calculations. The addition of that land would greatly increase the open space area.

*GENERAL DEVELOPMENT STANDARDS:*

Eight "single" and four "back-to-back" 20-foot light posts are proposed for the parking area. Illumination levels are less than 0.1 footcandles at the lot edges and along Poole Road. The lighting plan shows the illumination with only a few exceptions is below the measurement permitted by code of 2.0 footcandles. The lighting is cut-off fixtures.

An 8-foot chain link fence is proposed around the new parking lot and connecting to an existing fence. The fence is located out of the western landscape buffer. An 8-foot high fence is allowed for safety purposes in the B-3 Commerce District.

*PARKING:*

Access aisles, ingress/egress points, and parking spaces meet the required dimensions.

A variance from Section 13.4.2 which requires public sidewalks is requested by the Applicant.

## ZONING RESOLUTION COMPLIANCE (cont.)

### *LANDSCAPING & BUFFERING:*

Code requires a 30-foot landscaped buffer between R-5, Suburban-High Residential Districts and PD-B, Planned District Business areas. A 30-foot buffer is provided which includes fencing, berms, and evergreen trees. A 15-foot streetscape buffer which is required has also been shown on the Preliminary Plan. Landscaped islands are also provided as required by code. (As noted above, the Land Use Plan anticipates a 75-foot buffer for development in this area.)

*SIGNAGE:* No signage is currently proposed for this property. A driveway sign at the gate entrance may be needed.

### CONCLUSION

*This Preliminary Plan is in accordance with the Colerain Township Zoning Resolution and represents some of the concepts and intent of the Colerain Township Comprehensive Plan and Land Use Plan.*

***The following conditions and variances were included in the recommendation of the Zoning Commission:***

### CONDITIONS:

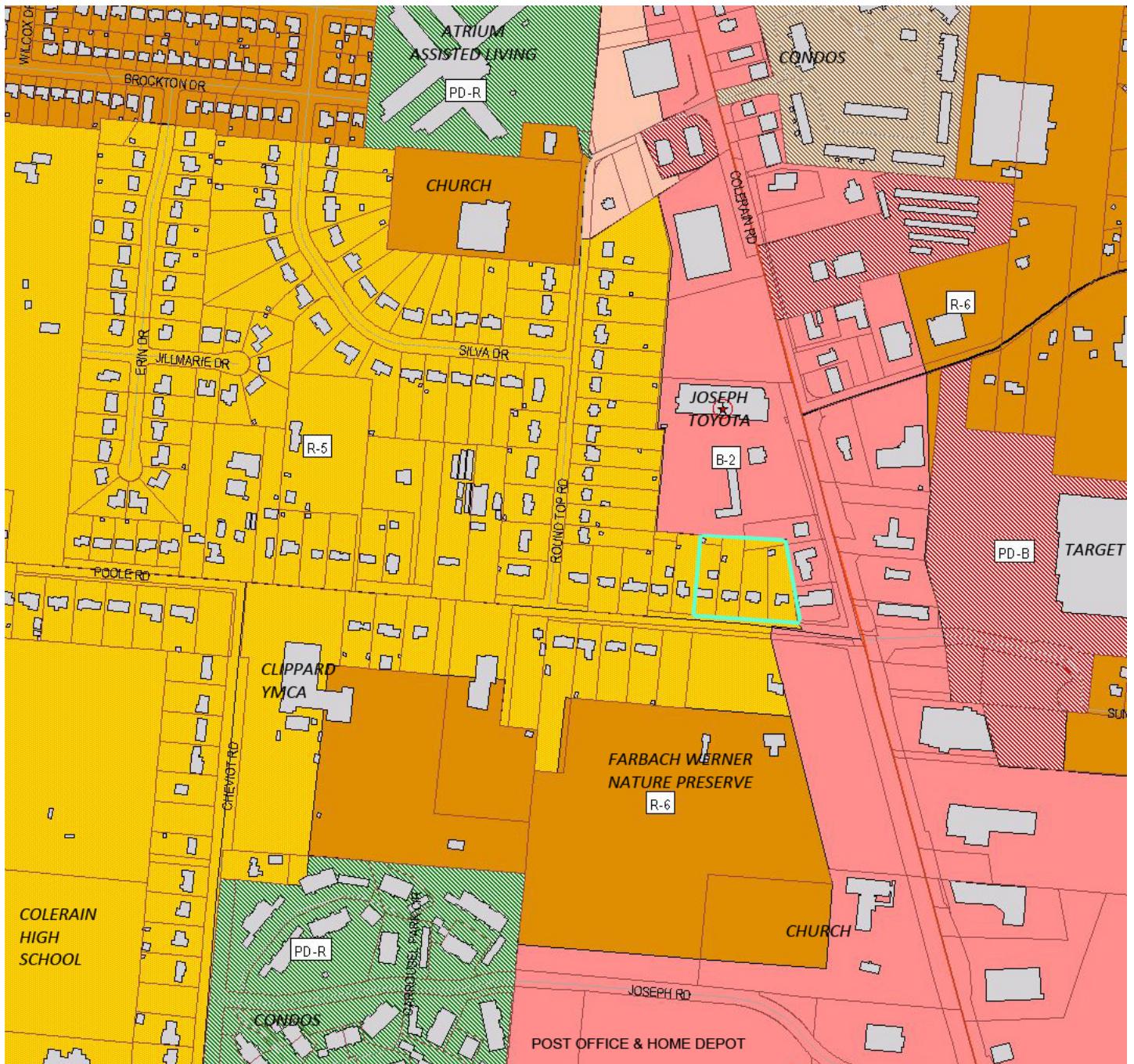
1. Parcels 0510-0104-0129 thru 0133 shall be consolidated with parcel 0510-0104-0121 (the primary Joseph Toyota parcel);
2. There shall be no curb cut onto Poole Road;
3. There shall be no additional signage;
4. The lot shall be for automobile storage only (no step-vans, trucks, recreational vehicles, commercial vehicles, etc.);
5. Light poles shall be a maximum height of 12 feet, 0.1 footcandles maximum at grade, with fixtures shielded to the south and west;
6. The revised landscape plan shall be reviewed and approved by the Landscape Advisory Board;
7. Landscaping shall be installed and approved prior to occupancy of the site;
8. The landscaping shall be irrigated;
9. There shall be a 75-foot buffer to the west;
10. Existing trees (excluding those diseased or dead) in the west buffer shall be maintained;
11. Split rail or shadow-box fence shall be used to the west, south, and east; chain link fencing shall be permitted only on the north side of the lot;
12. That the Final Development Plan shall comply in all other respects with the Colerain Township Zoning Resolution.

### VARIANCES:

1. Section 13.4.2(B) Public Sidewalks. A fee-in-lieu shall be paid to the Colerain Township Sidewalk Fund.
2. Section 14.6. Landscape islands shall not be required in the inventory lot.
3. Section 12.8.3 Fencing. Fencing on the site is permitted to be less than 75% open.

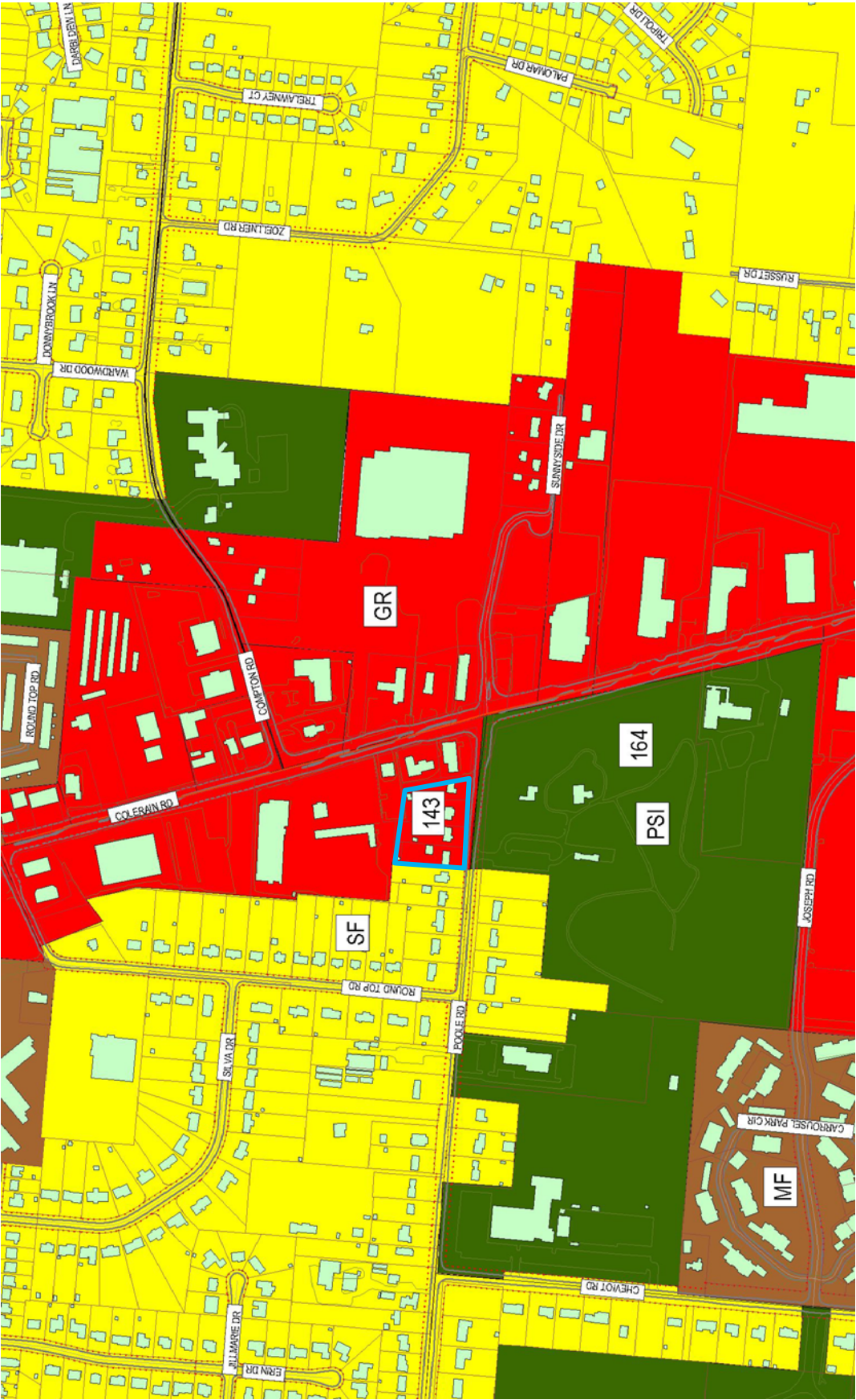
For the Board's consideration,  
Susan H. Roschke, Ph.D., Planning & Zoning Administrator





*Zoning Map*





Land Use Map

Direction	Zoning	Land Use	Current Land Use
North	B-2 General Business	Retail—General	Auto-dealership
South	R-5, & B-2	Public, Semi-Public, & Institutional	County Nature Preserve
East	B-2	Retail—General	Retail Businesses and Office
West	R-5	Single Family Residence	Single Family Homes