



COLERAIN TOWNSHIP
ZONING COMMISSION
Regular Meeting
Tuesday, July 15, 2014 - 7:00 p.m.

Colerain Township Government Complex
4200 Springdale Road - Cincinnati, OH 45251

1. Meeting called to order. Pledge of Allegiance. Roll Call.
2. Approval of Minutes: June 17, 2014 meeting.
3. Public Address: None.
4. Final Development Plan:
 - A. 91-2 – 11325 Dallas Blvd., Lot 11 - Request extension of FDP.
5. Public Hearing:
 - A. ZA2014-03 - Snow's Lake Tavern, 4344 Dry Ridge Rd., Cincinnati, OH.
Zone Map Amendment and Preliminary Development Plan for development of a new lakefront restaurant.
6. Informal Concept Review: None.
7. Old Business: None.
8. New Business: None.
9. Administration: None.
10. Announcements: None.
11. Next Meeting: August 19, 2014.
12. Adjournment.

RECEIVED

JUL - 1 2014

COLERAIN ZONING

*Tom and Jeff Ratterman
6000 S.R. 128
Cleves, Ohio 45002
513-477-8848
6/15/14*

Dear Colerain Twp Officials,

The purpose of this letter is to request an extension for our planned development of 11325 Dallas Blvd.

We are hoping that the prospects for a tenant are better a year from now and in view of the extreme economic times we are experiencing, we are asking for an 12 month extension.

One year will give us more time to find a rental prospect, and hopefully we will be experiencing an improving economy next spring.

We have been seeing a few signs of activity and it would be a shame if we gave up now just when things are starting to look better.

Please know that we are committed to moving forward with this project as we do have quite a bit invested in both time and money.

Even though last year we thought it would be our last request, we would like to give it one more chance.

Thank you very much for your consideration.

Very Sincerely,

A handwritten signature in black ink, appearing to read "Tom and Jeff Ratterman". The signature is fluid and cursive, with the first name "Tom" being more prominent.

Tom and Jeff Ratterman



4200 SPRINGDALE ROAD
COLERAIN TOWNSHIP, OHIO 45251

STAFF REPORT: **PRELIMINARY
DEVELOPMENT PLAN**
CASE #: ZA 2014-0003
SNOW'S LAKE
JULY 15, 2014

PREPARED BY: GEOFFREY G. MILZ, AICP

PROJECT SUMMARY: The applicant proposes to redevelop the subject property to allow for a lake-front restaurant.

PROJECT HISTORY: The subject property was dilapidated and condemned by the Hamilton County Health Department. The structures were ordered demolished by the Colerain Township Trustees. The former owner, as part of bankruptcy proceedings, sold the property to Mr. & Mrs. Fehring. Since purchasing the property, the Fehring's have demolished the building, graded the site and begun to reclaim the lakefront with rip-rap and stone.

CONFORMANCE WITH COMPREHENSIVE PLAN: The subject property is located in Character Area 4: Pebble Creek/Dry Ridge of the Colerain Township Comprehensive Plan.

The Comprehensive Plan's vision for the area is that "Pebble Creek/Dry Ridge will be the terminus for much of the nonresidential growth along Colerain Avenue. Expansion of new high-density residential development will also be limited because of the prevalence of steep slopes on the western side of this area and the overall lack of access to major roadways. The focus of new development will be single-family detached housing on large lots or clustered development that will preserve an extensive amount of greenspace"

In the comprehensive plan, this property is located at the nexus of two land use areas: "Commercial Corridor" and "Suburban Neighborhood". The property has been in use as a restaurant, tavern and pay lake for many years. It has been a non-conforming use since at least 2006 when the new zoning resolution was adopted. I believe that limiting commercial development at the entrance to the Donauschwaben Club is a prudent choice and the proposed development is in keeping with the intent of the comprehensive plan especially in this specific instance given the history of the parcel.

CONFORMANCE WITH LAND USE PLAN: The land use plan has identified this parcel as "transitional mixed use" which is described as "Detached or attached housing, low intensity office (such as conversion of single family residence) and related compatible uses (excluding retail and industrial) that provide a transition between residential uses and other types of development. Typically 1 and 2 story structures with scale, massing, intensity, layout and specifications compatible with site constraints and character of surrounding residential development."

The use proposed is a restaurant which is compatible with the surrounding uses including the social club, office and residential uses. Locally-owned, neighborhood restaurants are often considered an asset to communities, and an amenity to neighborhoods. The way the site plan is proposed, it provides a buffer to the homes located on Raeanne and, considering the size of the parcel (10.5 acres), represents a relatively low intensity use.

OTHER AGENCY Hamilton County Regional Planning Commission

REPORTS: The Regional Planning Commission voted unanimously to approve the project with the following conditions:

1. That the preservation of a wooded area of at least 15% of the total lot area shall be dedicated as common openspace in accordance with Table 9-2 of the Colerain Township Zoning Resolution.
2. That a photometric plan shall be submitted showing compliance with Section 12.9.4 of the Colerain Township Zoning Resolution
3. That the number of parking spaces shall comply with the requirements of Table 13-1 of the Colerain Township Zoning Resolution.
4. That a site plan shall be submitted showing compliance with required wheel stops or continuous curbs as required in Article 13 of the Colerain Township Zoning Resolution.
5. That the site shall be restricted to one access drive way off Dry Ridge Road and that its location shall follow a separation of 50 feet from existing intersections as required in Section 13.4.1(F) of the Colerain Township Zoning Resolution
6. That sidewalks and walkway connections shall be installed as required in Section 13.4.2 of the Colerain Township Zoning Resolution.
7. That a streetscape buffer width, tree species, and landscaping shall comply with Section 14.5.1 of the Colerain Township Zoning Resolution.
8. That a 30 foot buffer shall be installed along the portion of the western property line adjacent to areas of improvement in accordance with the requirements of section 14.5.2 of the Colerain Township Zoning Resolution
9. That landscaped islands shall be installed in compliance with Section 14.6.2 of the Colerain Township Zoning Resolution
10. That any signage planned shall comply with Article 15 of the Colerain Township Zoning Resolution.
11. That a vegetative buffer including 6 canopy or evergreen trees shall be installed in areas that separate the north edge of the site's parking lot from Snow's Lake

Hamilton County Stormwater & Infrastructure

1. See attached letter

Colerain Township Fire Department

1. No concerns

Hamilton County GIS

1. No response

Hamilton County Soil & Water Conservation District

1. The District has no objection to the proposed development plan however it is expected that the project would require an earthwork permit.

ODOT

1. No response

Hamilton County Engineer

1. No landscaping, screening or obstructions shall be permitted in the public right-of-way.
2. The owner must dedicate enough property to create a right-of-way in fee which shall have a minimum width of forty feet from the center line along the Dry Ridge Road frontage in accordance with the Hamilton County Throughfare Plan.
3. Grading within the ROW must conform to the most appropriate Hamilton County typical section. Any grading plan having an effect on the public ROW must be reviewed and approved by the Hamilton County Engineer's Office. ROW clearing and grading must occur during the initial phase of construction to facilitate utility relocation operations
4. Locations of driveways and movements from said locations shall be consistent with the previously approved Hamilton County Access Management Permit for this site

Metropolitan Sewer District

1. The township has not received evidence that the project has been given conditional availability of sewer approval

DISCUSSION:

Per Section 4.5.3 (A), seven criteria should be satisfied before the approval of a PDP:

1.	The PD District and preliminary development plan are consistent with the adopted Colerain Township Land Use Plan and Colerain Township Comprehensive Plan.	See discussion above.
2.	The proposed uses will have a beneficial effect on the community.	Locally-owned, neighborhood restaurants are often considered an asset to communities, and an amenity to neighborhoods.
3.	The internal streets and primary and secondary roads that are proposed properly interconnect with the surrounding existing road network.	No public roads are proposed.
4.	The site will be accessible from public roads that are generally adequate to carry the traffic that will be imposed upon them by the proposed development and the streets and driveways on the site will be adequate to serve the residents or occupants of the proposed development.	The property is located on a county highway. Hamilton County Engineer's Office recommended additional dedication of right-of-way and that additional ROW is shown on the site plan.
5.	The minimum common open space areas have been designated and shall be duly transferred to a legally established homeowners association, where applicable, or have been dedicated to, and accepted by, Colerain Township or another public or quasi-public agency as provided in §9.3.7.	There is no proposal for the dedication of common open space. This must be resolved by designating at least 15% or 1.575 acres as openspace on the property before FDP approval and shown on a revised copy of the Preliminary Development Plan. An easement must be recorded per §9.3.7.
6.	The preliminary development plan is consistent with the intent and purpose of the Zoning Resolution and in particular the furtherance of the purpose of the PD District as set forth in §9.3.1.	The implementation of the proposed Preliminary Development Plan with the proposed conditions will result in a high quality development that provides a community amenity
7.	The preliminary development plan has been transmitted to all other agencies and departments charged with responsibility of review.	The plan has been transmitted to all appropriate agencies for review.

The Final Development Plan will address landscaping, lighting, signage, parking, circulation and other design considerations. It is important to note that the Preliminary Development Plan addresses building location, uses, density, intensity, yard requirements, and area and frontage requirements.

RECOMMENDATION: Staff recommends approval of the PDP with the following conditions:

Conditions:

1. The applicant shall designate at least 15% or 1.575 acres as Common Open Space on the property before FDP approval and submit a revised copy of the Preliminary Development Plan. An easement must be recorded per §9.3.7.
2. That the number of parking spaces shall comply with the requirements of Table 13-1 of the Colerain Township Zoning Resolution.
3. That a site plan shall be submitted showing compliance with required wheel stops or continuous curbs as required in Article 13 of the Colerain Township Zoning Resolution.
4. That sidewalks and walkway connections shall be installed as required in Section 13.4.2 of the Colerain Township Zoning Resolution.
5. That a streetscape buffer width, tree species, and landscaping shall comply with Section 14.5.1 of the Colerain Township Zoning Resolution.

6. That landscaped islands shall be installed in compliance with Section 14.6.2 of the Colerain Township Zoning Resolution
7. That any signage planned shall comply with Article 15 of the Colerain Township Zoning Resolution.
8. That a vegetative buffer be included in areas that separate the north edge of the site's parking lot from Snow's Lake. The vegetative buffer shall include an appropriate combination of canopy trees, evergreen trees, shrubs and other landscaping.

APPLICATION FOR ZONE MAP AMENDMENT
REQUIRING A PRELIMINARY DEVELOPMENT PLAN
or MAJOR AMENDMENT TO A FINAL DEVELOPMENT PLAN
COLERAIN TOWNSHIP ZONING COMMISSION
4200 SPRINGDALE ROAD
CINCINNATI, OH 45251

RECEIVED

MAY 02 2014

Case No.: ZA 2014-03

Date Filed: COLERAIN ZONING

Date of Preliminary Hearing (if applicable): _____

Request Change from: R3 to: PD-B

Township: Colerain Book: 510 Page: 0182 Parcels: 0068-00

Physical location of property (address or brief description if no address assigned):
4344 Dryridge Rd, Cincinnati, OH 45252

Name of Applicant: Mark Fehring

Telephone No.: 513-702-7071 Email Address: fehring@fuse.net

Address: 5641 Yeatman Rd.

City: Cincinnati State: OH Zip: 45252

*Name of Owner(s): Mark Fehring

Telephone No.: 513-702-7071 Email Address: fehring@fuse.net

Address: 5641 Yeatman Rd

City: Cincinnati State: OH Zip: 45252

Name, address and parcel number of each property owner of record within the proposed amendment area:

1. Mark Fehring 4344 Dryridge Rd, Cin, OH 45252 510-0182-0068-00
2. _____
3. _____

(attach separate sheet if necessary for additional parcels)

Signatures: Applicant: Mark E. Lehman Date: 4-30-14

*Owner: " Date: "

*Owner: / Date: _____

Filing fees shall accompany the application. Make check payable to: Colerain Township Board of Trustees.

Filing fee: 2700 Legal notices: 100 Cert. Mail: 2 mailings 90.72 TOTAL: 2890.72

THERE SHALL BE NO REFUND OR PART THEREOF ONCE PUBLIC NOTICE HAS BEEN GIVEN.

*Although the Applicant need not be the same as the Owner(s), the Owner(s) shall co-sign for an amendment.

pd 5/2/14
CR#808

1200 * 150/acre (10 acres)
40 - legal notices (2)
90.72 - adj owners 6.48 ea x 7 (2 mailings)

April 30, 2014

Colerain Township Zoning Commission
4200 Springdale Road
Cincinnati, OH 45251

LETTER OF INTENT

Re: Zoning Change
4344 Dry Ridge Road
Cincinnati, OH 45252

To Whom It May Concern:

I, Mark Fehring, am submitting site plans, conceptual renderings, landscape/lighting plans, etc. for your consideration of a Zone Change request on the above-referenced property.

The 10+ acre parcel is currently zoned R-3. I am requesting the property be re-zoned to PD-B.

The primary use of this property has been a bar and a "pay" lake for the past 50+ years. This property currently has a Hamilton County tax use code of: 430 Restaurant, cafeteria and/or bar.

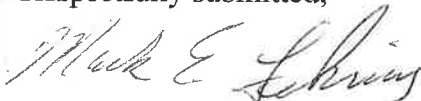
Existing Land Use Map of Colerain Township shows the property as Commercial.

The previous building/bar has been demolished and removed. Repair and clean-up of the existing lake banks is in progress under Permit No. HSW130296 through Hamilton County Soil and Water Conservation District.

Plans for this property include one approx. 6,000 sq. ft. lakefront restaurant/bar.

My intent is to build an attractive, locally owned and locally operated gathering place for the residents of Colerain Township and surrounding communities.

Respectfully submitted,



Mark E. Fehring
5641 Yeatman Road
Cincinnati, OH 45252
513-702-7071