

COLERAIN TOWNSHIP ZONING COMMISSION

Regular Meeting

Tuesday, February 20 - 6:00 p.m.

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

1. Meeting called to order.
Pledge of Allegiance.
Roll Call.
Election of Officers
2. Approval of Minutes: November 21, 2017 meeting.
3. Public Address:
4. Final Development Plan:
A. ZA2010-06 Liberty Nursing, 8440 Livingston Road, Final Development Plan
5. Public Hearings: None.
6. Informal Concept Review: None.
7. Old Business: None.
8. New Business: Motion to initiate Text Amendment: Medical Marijuana
9. Administration: None.
10. Announcements: None.
11. Next Meeting: April 17, 2018.
12. Adjournment.



Final Development Plan
ZA2010-06 Liberty Assisted Living
8440 Livingston Road
February 20, 2018

Prepared By: Marty Kohler
Senior Planner

PROJECT SUMMARY:

Jonathan Wocher with McBride Dale Clarion has submitted an application on behalf of Liberty Nursing Properties of Colerain, LTD (owner) for a Final Development Plan. The proposal is to construct a 100 bed assisted living facility in the PD-R Planned Development Residential district where assisted living facilities are a permitted use subject to Zoning Commission approval. The applicant proposes to construct the second phase of the existing assisted living facility to include a three-story, 32,000 square foot building with 57 parking spaces utilizing the existing driveway access from Livingston Road.

PROJECT HISTORY:

The 8440 Livingston Road property was approved for a zone change from R-5 Suburban-High Residential to PD-R Planning Development Residential in February of 2011. At that time, phase one of the development was approved to include a 148-bed skilled nursing facility with the following conditions:

1. The number of beds permitted in this phase of development shall not exceed 148 beds.
2. The existing tree cover along Livingston Road shall be maintained to the greatest extent possible, especially along the area abutting the “future development area”.
3. The front setback for the “future development area” shall be 50 feet minimum.
4. The building setback to the south (side) and east (rear) property lines shall be no less than 120 feet.
5. The Final Development Plan shall comply in all other respects with the Colerain Township Zoning Resolution.

On November 2, 2017 the Hamilton County Regional Planning Commission voted unanimously to approve a major modification for the addition of the proposed assisted living facility. On November 21, 2017 the Colerain Zoning Commission voted 3 to 2 to approve the Preliminary Plan subject to the following conditions and variances:

1. That a common open space plan in compliance with the Zoning Resolution shall be submitted as part of the Final Development Plan.
2. That the FDP include compliance with the Architectural Design Standards described in Section 12.11 of the Colerain Township Zoning Resolution to be

applied to this phase of development including the Façade Massing Offset Requirement and Customer Entrance requirements for all non-service entries into the building and assisted living spaces.

3. That the northwestern existing, mature and healthy vegetation that is able to remain, remains; and that the rest of the approximately 400 feet of frontage along Livingston Road (north of the main entry driveway) be newly landscaped at a rate of double what is required per Section 14.5.2(B) for lot line buffers with a mix of vegetation.
4. That no existing vegetation located on the south side of the main entry driveway and along the southern property line be disturbed during or after the construction of this phase of development.
5. That a maximum number of 248 beds between the two buildings shall be permitted where a total maximum number of 148 beds is permitted.
6. That the sidewalk installation requirement be waived as Liberty Nursing Center was approved for a Sidewalk Waiver and paid a fee in-lieu of sidewalks during Phase I of construction.
7. The Final Development Plan shall comply in all other respects with the Colerain Township Zoning Resolution.

On December 12, 2017 the Colerain Township Trustees unanimously voted to approve the preliminary plan with the same conditions and variances as Zoning Commission's approval.

SITE DESCRIPTION:

The 19.27 acre property is located on the east side of Livingston Rd. just south of the Cross County Highway underpass. The property is adjacent to the Cross County Highway on the north and single family residences on the remaining sides. The property to the north, east and south of the site is zoned R-5 Suburban High Residential and the property to the west is zoned R-4 Suburban Medium Residential. The western portion of the site contains natural wooded vegetation with the exception of the entrance driveway. The eastern portion of the site contains the skilled nursing facility.

PROPOSED DEVELOPMENT:

The applicant proposed to construct a three floor, 32,000 square foot assisted living facility. The development includes parking with 57 spaces, landscaping, a monument sign, a gazebo, and fencing. At the Zoning Commission Public Hearing on November 21, 2017, several concerns were discussed. Surrounding residents and Zoning Commission expressed concerns regarding the exterior lighting on the site, landscape buffering on the Livingston Road frontage and the south side of the existing nursing facility, and the height of the building.

The proposed building and parking are of the same configuration and size as proposed on the approved Preliminary Plan. Condition 2 of the original 2010 Preliminary Plan was to preserve

the existing vegetation along Livingston Road which was modified by condition 3 of the modified 2017 Preliminary Plan to allow for removal of the vegetation and re-planting at double the required amount of buffering using a mix of tree types. The proposed Final Development Plan calls for the complete removal of vegetation north of the entry drive with replacement vegetation in accordance with the modified 2017 Preliminary Plan.

An initial set of Final Development Plans was received from the applicant on January 9, 2018. Staff reviewed the plans and responded with several questions for code compliance and clarification on the plans. A revised set of plans was received on February 5 along with a response letter and supplemental information from the applicant. The revised information addressed issues such as the gazebo, fence and retaining wall design, architectural features for the entry, and wall massing designs. The initial plans called for solid ground floor entry doors for each unit. Staff questioned the lack of windows in these rooms and the lack of pedestrian connections to the entries. On further consideration the applicant decided to have windows instead of doors for these units and corrected the exterior elevation drawings but not the floor plans included in the packet.

CONFORMANCE WITH COMPREHENSIVE PLAN:

The Comprehensive Plan provides land use recommendations which include the site in question within the Springdale/Blue Rock Character Area. This Character Area is described as a strong and stable neighborhood as well as an attractive employment center for the Township that will be designed in a fashion as to capitalize on the visibility of the area as well as create an entryway into the more developed areas of the Township.

CONFORMANCE WITH ZONING RESOLUTION:

The Final Development Plan substantially conforms with the requirements of the Colerain Zoning Resolution and variances previously approved for the property.

A site inspection for compliance with the previously approved nursing home landscape plan was conducted on February 12, 2018. The buffer landscape proposed on the south property line and around the monument sign on the north side of the property was not planted or is substantially missing. Several other trees throughout the site were missing. This landscaping must be installed according to the approved plan with material complying with the standards outlined in Section 14.4 of the Zoning Resolution.

RECOMMENDATION:

Staff's recommendation is for APPROVAL of the Final Development Plan subject to the following conditions:

1. Landscaping and buffering materials required for the Phase I of the development must be planted and restored according to the approved 2010 Final Development Plan. All deciduous trees must be 2.5 inches DBH at planting per section 14.4.4(B)(1)(a).
2. A dumpster screen is required per section 12.5.3.
3. Lighting levels must be provided at the Livingston Rd. right-of-way per section 12.9.4.
4. Reconcile the discrepancy between the light pole locations and proposed trees in the parking area.
5. The freestanding sign allowance in the PD-R zone is not clear in the Zoning Resolution, however the additional proposed sign is not visible from the street or surrounding properties and is directional in nature. This additional sign should be approved as presented with landscaping at the base equal to the size of the sign face per section 15.5.4.



January 9, 2018

Ms. Jenna LeCount
Director of Building, Planning and Zoning
Colerain Township
4200 Springdale Road
Cincinnati, OH 45251

Hand Delivered

RE: Liberty Nursing Center of Colerain – Final Development Plan Application for Proposed Assisted Living Facility – 8440 Livingston Road

Dear Ms. LeCount:

Liberty Health Care Corporation owns and operates an existing nursing home on 18.7 acres at 8440 Livingston Road, Parcel #510-203-5. I am transmitting this letter and the enclosed application and plans to request approval of a Final Development Plan to allow construction of an assisted living facility on the property. The property is zoned “PD-R” Planned Development Residential District. Colerain Township approved Resolution No. 50-17 on December 12, 2017 for Zoning Case No. ZA2010-06, approving a Major Modification to the Preliminary Development Plan for construction of an assisted living facility on the site. Enclosed I am transmitting the following material:

- 10 copies of this Application Letter.
- A copy of the \$550.00 Application Fee Check – the check was previously transmitted to Colerain Township by Liberty Nursing Center – see attached copy.
- 10 full size and 10 reduced size copies of the Final Development Plans.
- 10 copies of the proposed Assisted Living sign.
- A flash drive containing PDFs of the Final Development Plans and sign.

Below are responses to the conditions specified in Resolution No. 50-17:

1. That a common open space plan in compliance with the Colerain Township Zoning Resolution shall be submitted as part of the Final Development Plan.
The proposed open space is consistent with the open space approved on the Preliminary Development Plan.
2. That the FDP include compliance with the Architectural Design Standards described in Section 12.11 of the Colerain Township Zoning Resolution to be applied to this phase of development including the Facade Massing Offset Requirement and Customer Entrance requirements for all non-service entries into the building and assisted living spaces.
The proposed building elevations are consistent with the building elevations submitted with the Preliminary Development Plan. The building will be three stories tall and will have a pitched, shingled roof. The exterior of the building will be a combination of brick and hardiplank siding.
3. That the northwestern existing, mature and healthy vegetation that is able to remain, remains; and that the rest of the approximately 400 feet of frontage along Livingston Road (north of the main entry driveway) be newly landscaped at a rate of double what is required per Section 14.5.2(B) for lot line buffers with a mix of vegetation.

RECEIVED *New landscaping material is proposed along Livingston Road in compliance with the required standard, except that 6 existing trees will be preserved along the street frontage.*

JAN 09 2018

Planning • Zoning • Development Services

COLERAIN ZONING


7721 Dayton Rd., Suite 300 • Cincinnati, OH 45227 • (513) 561.6232 • fax: (513) 561.1615
www.mcbridedale.com

4. That no existing vegetation located on the south side of the main entry driveway along the southern property line be disturbed during or after the construction of this phase of development.
The Final Development Plans comply with this standard.
5. That the previous allowable total maximum number of 148 beds permitted between the two buildings is increased to a new allowable total maximum number of 248 beds permitted between the two buildings.
The Final Development Plans comply with this standard.
6. That the sidewalk installation requirement be waived as Liberty Nursing Center was approved for a Sidewalk Waiver and paid a fee in-lieu of sidewalks during Phase I of construction.
The Final Development Plans comply with this standard.
7. The Final Development Plan shall comply in all other respects with the Colerain Township Zoning Resolution.

By transmitting this request, it is my understanding that the Colerain Township Zoning Commission will review this application at their regularly scheduled meeting on Tuesday, February 20, 2018 at 7:00 PM.

Please let me know if additional information is needed. Thank you for your continued assistance. Please do not hesitate to contact me with any questions or comments.

Sincerely,



Jonathan Woche, AICP

JW/

Enclosures

cc: Liberty Health Care
WDC Group
Thomas Graham Associates

MDC #3941



Application/Submission Requirements Colerain Township Zoning Commission for Final Development Plan

For office use only:

Case #:

2A2010-06

See Zoning Resolution Section 4.3 for full description of the FDP review process. For questions, clarification, and confirmation of meeting times, please call the Colerain Township Planning & Zoning Department at (513) 385-7505.

All required items must be submitted by the published deadline for the desired Zoning Commission meeting.

NAME OF PROJECT: Liberty Nursing Center - Assisted Living Facility

PROPERTY ADDRESS: 8440 Livingston Road

- ☒ Application letter signed by the applicant, describing conformance with the approved zone change resolution and preliminary plan. (10 copies)
- ☒ Application fee *Transmitted under separate cover.*
- ☐ Performance bond for landscaping and/or storm drainage facilities (if applicable)

Drawing Copies required:

Ten (10) full size copies of the drawings listed below, signed and stamped by registered professional preparer. These should be folded to 8.5" x 11", with title block visible.

Ten (10) 11" x 17" copies of the drawings listed below.

Digital version REQUIRED for each of the drawings listed below, in JPEG or PDF format (use colors readable on white background), on CD. To email, contact the Planning & Zoning Dept. for contact: 513-385-7505.

Site Drawing(s) shall include:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Property lines, dimensions, and orientations. | <input checked="" type="checkbox"/> Parking and loading configuration, including calculation of total spaces, criteria used to determine total needed, pavement detail, curb location, curb detail, and aisle and stall dimensions. |
| <input checked="" type="checkbox"/> Adjacent streets and rights-of-way. | <input checked="" type="checkbox"/> Existing site contours (5' minimum) and proposed grading plan. |
| <input checked="" type="checkbox"/> Proposed new construction and site work. | <input checked="" type="checkbox"/> Impervious surface ratio (for non-single family projects). |
| <input checked="" type="checkbox"/> Equipment, outbuildings, dumpster locations, etc. that will be visible on the site. | <input checked="" type="checkbox"/> Location(s) of any proposed ground signage. |
| <input checked="" type="checkbox"/> Total gross and net acreage of the site and square footage of proposed buildings. | <input checked="" type="checkbox"/> All restrictive covenants required by the zone change and preliminary development plan Resolution adopted by the Colerain Township Board of Trustees. |
| N/A <input type="checkbox"/> Proposed flood plain drainage and control measures. | N/A <input type="checkbox"/> Other applicable conditions and/or restrictive covenants. |
| <input checked="" type="checkbox"/> Watershed details for site and within 200 feet around site. Include GPM calculations for expected runoff for 5, 10, and 50 year storms. | <input checked="" type="checkbox"/> Deed of Acceptance signed by owners. (After approval).* |
| <input checked="" type="checkbox"/> Proposed site drainage, including water retention/detention and sedimentation control measures. | N/A <input type="checkbox"/> Declaration of Condominium (if applicable). |
| <input checked="" type="checkbox"/> Building downspouts and storm sewer sizes and locations. | |
| N/A <input type="checkbox"/> Legal descriptions for easements and other site restrictions. | |
| <input checked="" type="checkbox"/> Setbacks and rights-of-way. | |

***AFTER FDP IS APPROVED, FINAL SITE PLAN MUST BE SUBMITTED LISTING DATE OF APPROVAL AND CONDITIONS.**

RECEIVED

JAN 06 2010

(over)

COLERAIN ZONING

Landscape Drawing(s) shall include:

- ☒ Clearing limits and existing plant material that is to remain, including an indication of the size of all major trees, shrubs, etc. Existing trees of four-inch caliper and greater must be shown if subject to removal. (Size and extent may be conveyed by photograph.)
- ☒ Proposed new landscaping including notation indicating size and species of all new plants.
- N/A ☐ Existing landscaping on adjacent properties must be indicated if it influences the landscape planning for the site under construction (may be conveyed by photograph).

Building Drawing(s) shall include:

- ☒ A building plan for each building, showing the interior layout of the building and overall dimensions.
- ☒ Exterior elevations shall show all major mechanical equipment, satellite dishes, etc. that will be located on the exterior of the building and the method(s) of screening these items.
- ☒ Exterior elevations of all sides of proposed new construction (including significant renovation). Building materials should be noted. (For additions to existing buildings, sufficient portions of the existing building shall be shown in elevation to convey an understanding of the relationship between new construction and existing.
- ☒ A roof plan shall be submitted if any major items of equipment are to be located on the roof. (Drawings, photographs, and/or manufacturer's literature may be required to convey the size and character of these items.)

Lighting and Signage Drawing(s) shall include:

- ☒ Text, color, dimensions, character, and location of all existing and proposed signage. (Building mounted signage may be shown on the building elevations.)
- ☒ Location, dimensions, details and specifications for exterior lights, including type of standards and radius of lights.
- ☐ Photometric chart showing intensity in footcandles across the site and at property lines.

APPLICANT: Jonathan Wochoer, AICP, Planner for Liberty Nursing Center

ADDRESS: McBride Dale Clarion, 5721 Dragon Way, Suite 300, Cincinnati, OH 45227

TELEPHONE NO./EMAIL: 513-561-6232 Ext. 4 / jwochoer@mcbridedale.com

Checklist completed by: Jonathan Wochoer

(print or type name)

Signature: 

For Office Use Only:

Fees Paid:

CD enclosed:

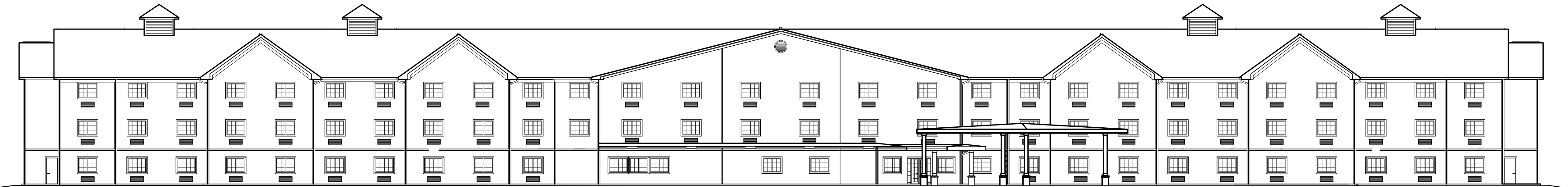
Performance Bond Paid:

Zoning Commission:

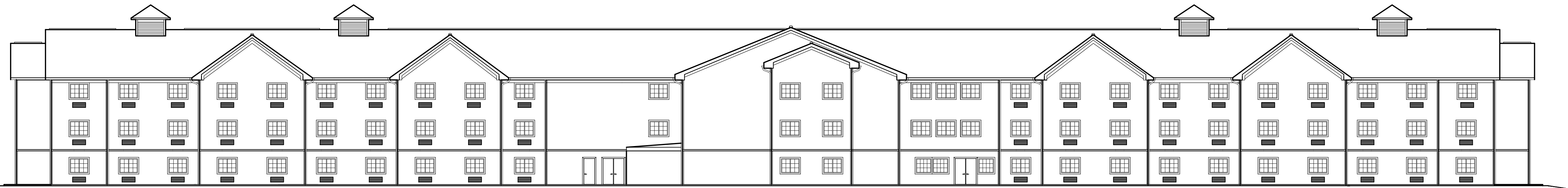
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GENERAL NOTES:

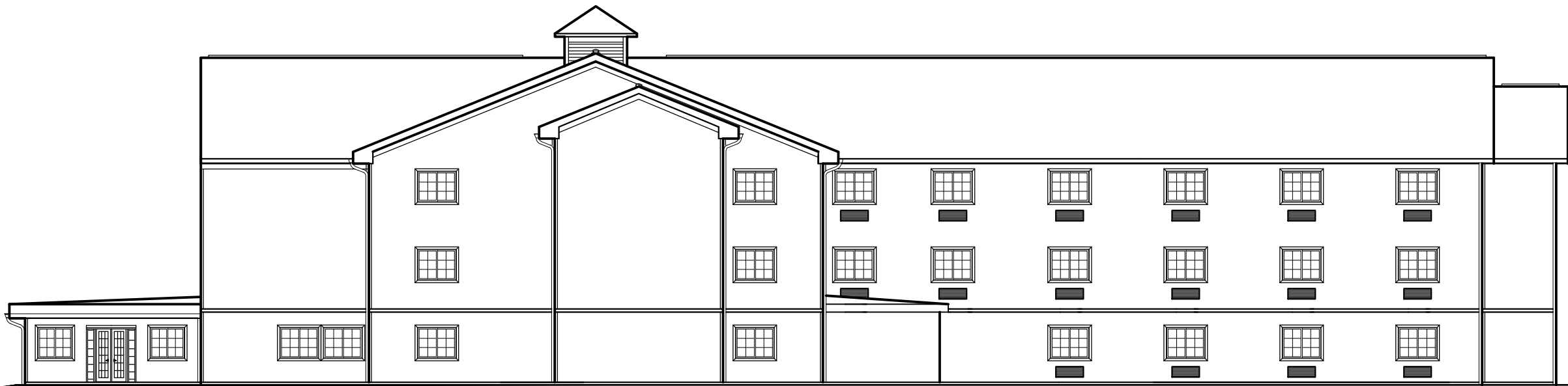
- A. THE CONTRACTOR IS RESPONSIBLE FOR THE COMPLETE REVIEW OF ALL DRAWINGS AND SPECIFICATIONS. THE CONTRACTOR SHALL PROVIDE A COMPLETE BUILDING PACKAGE AS SHOWN IN THE DRAWINGS AND SPECIFICATIONS.
- B. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE APPROVED STRUCTURAL SHOP DRAWINGS, SIGNED AND SEALED BY A QUALIFIED PROFESSIONAL ENGINEER RESPONSIBLE FOR THEIR PREPARATION. VERIFY SOIL BEARING CAPACITY IN ACCORDANCE WITH THE SPECIFICATIONS PRIOR TO FOOTING EXCAVATION.
- C. HARDIE PLANK PRE-FINISHED LAF SIDING AND TRIM COLORS WILL BE SELECTED BY OWNER.
- D. FIELD VERIFY ALL DIMENSIONS PRIOR TO ORDERING MATERIALS & LAYOUT OF WALLS.
- E. CONTRACTOR TO COORDINATE ALL BLOCKING IN WALLS FOR ALL WALL MOUNTED ITEMS.
- F. ALL CONTRACTORS ARE REQUIRED TO BROOM SWEEP & CLEAN EACH JOB SITE AT DAY'S END. EACH CONTRACTOR IS THEREFORE RESPONSIBLE FOR THEIR RESPECTIVE DEBRIS, TRASH, ETC., TO BE DEPOSITED IN THE DUMPSTER PROVIDED BY THE GW & L CONTRACTOR.
- G. WINDOWS ARE TO BE INSTALLED ABOVE BRICK WAINSCOT AND ROULOCK TO ENSURE A CONTINUOUS HORIZONTAL BRICK FLASHING.



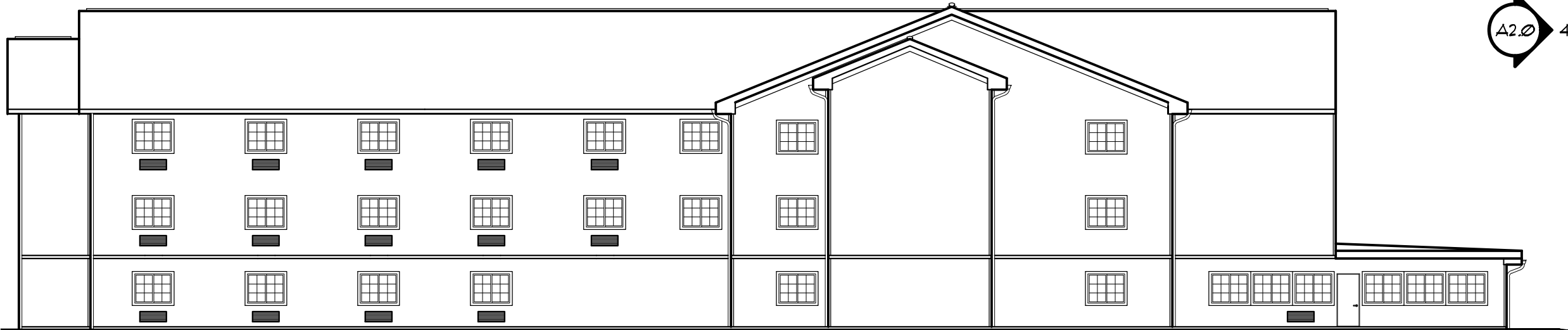
1 FRONT ELEVATION
SCALE: 1/16" = 1'-0"



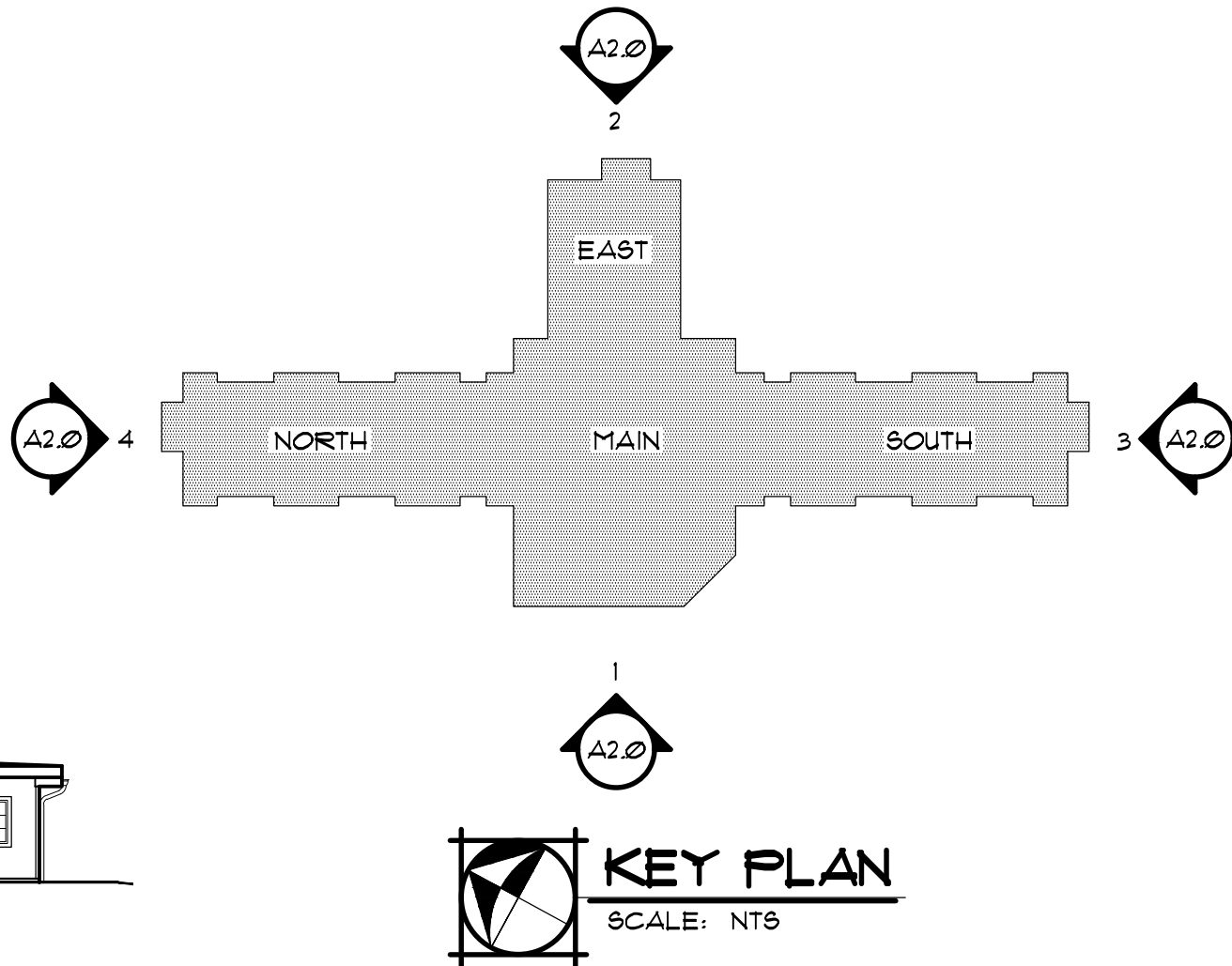
2 REAR ELEVATION
SCALE: 1/16" = 1'-0"



3 NORTH ELEVATION
SCALE: 1/16" = 1'-0"



4 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



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ALL WORK ON THIS SHEET BY
UNLESS OTHERWISE NOTED.

1A

23 South Center Street
Springfield, Ohio 45502
(937) 325-9991
(fax) 325-9804
info@wdc-group.com

WDC GROUP

REVISIONS:

A NEW ASSISTED LIVING CENTER
FOR
LIBERTY HEALTH CARE CORPORATION
8450 LIVINGSTON ROAD
CINCINNATI, OHIO 45247

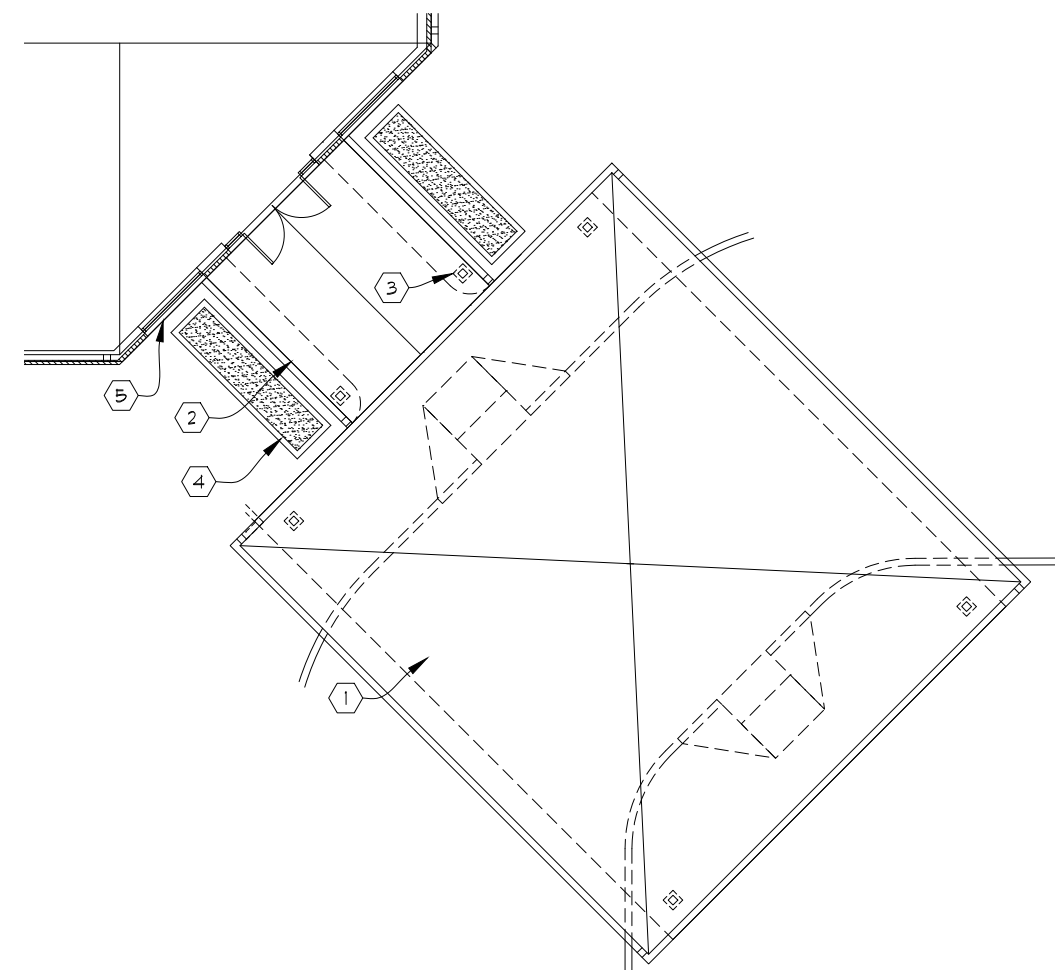
EXTERIOR ELEVATIONS & NOTES

PROJECT NO: 17102
DRAWN BY:
DATE: 2/02/18
CHECKED BY:

A2.0
46 OF 111



Front Entry Elevation



Front Entry Plan

Entrance Design

Please see the sketch listing the design features to be included in the construction of this facility that meet the requirements per Section 12.11 of the Colerain Township Zoning Resolution.

The building has a clearly defined, highly visible customer entrance that includes the following design features:

1. Canopies/porticos above the entrance. The proposed elevations includes a canopy above the main entrance. Please see Item 1 in the above sketch.
2. Roof overhangs above the entrance. The proposed elevations include a roof above the main entrance. Please see Item 2 in the above sketch.
3. Arcades that are physically integrated with the entrance. The proposed elevation includes columns (arcades) at the main entrance. Please see Item 3 in the above sketch.
4. Integral planters or wing walls that incorporate landscaped areas or seating areas. A wing wall is a wall secondary in scale projecting from a primary wall and not having a roof. The proposed entrance will include landscaped areas adjacent to the main entrance on both sides of the entrance. Please see Item 4 in the above sketch.
5. Display windows directly adjacent to the entrance. Please see Item 5 in the above s

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23 South Center Street
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(fax) 325-9804

WDC
GROUP

REVISIONS:

A NEW ASSISTED LIVING CENTER
FOR
LIBERTY HEALTH CARE CORPORATION
8450 LIVINGSTON ROAD
CINCINNATI, OHIO 45247

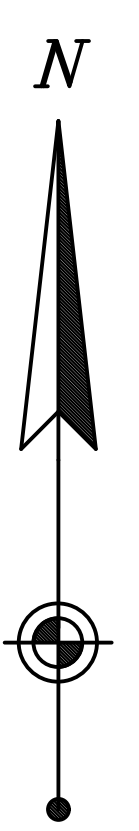
PROJECT NO.: 17102
DRAWN BY:
DATE: 02/02/18
CHECKED BY:

SK1



GENERAL NOTES

1. SEE SEPARATE LANDSCAPE PLANS (BY OTHERS) FOR DETAILS OF LANDSCAPED AREAS.
2. SEE SEPARATE LIGHTING PLAN (BY OTHERS) FOR DETAILS OF LIGHT POLES AND LIGHT FIXTURES.
3. ALL BUILDING DOWNSPOUTS ARE TO BE CONNECTED TO THE STORM DRAINAGE SYSTEM AND ROUTED TO THE STORMWATER DETENTION BASIN.
4. ALL DIRECTIONAL SIGNS ARE TO COMPLY WITH THE COLERAIN TOWNSHIP ZONING RESOLUTION



803 Compton Road
Cincinnati, Ohio 45231
513-521-4760
Fax # 521-2439

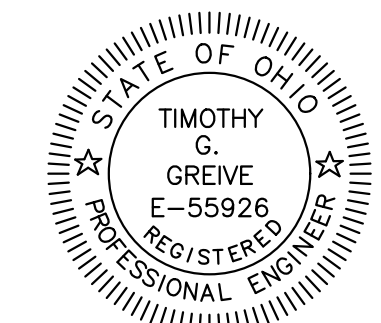
Date: JAN. 3, 2018
Scale: 1" = 50'
Job No: 7711

Revisions	
No.	Date
1	1/23/18 ADDED PEDESTRIAN WALK

SITE LAYOUT PLAN

MAJOR AMENDMENT
TO A FINAL DEVELOPMENT PLAN
LIBERTY NURSING CENTER
COLERAIN TOWNSHIP
HAMILTON COUNTY, OHIO

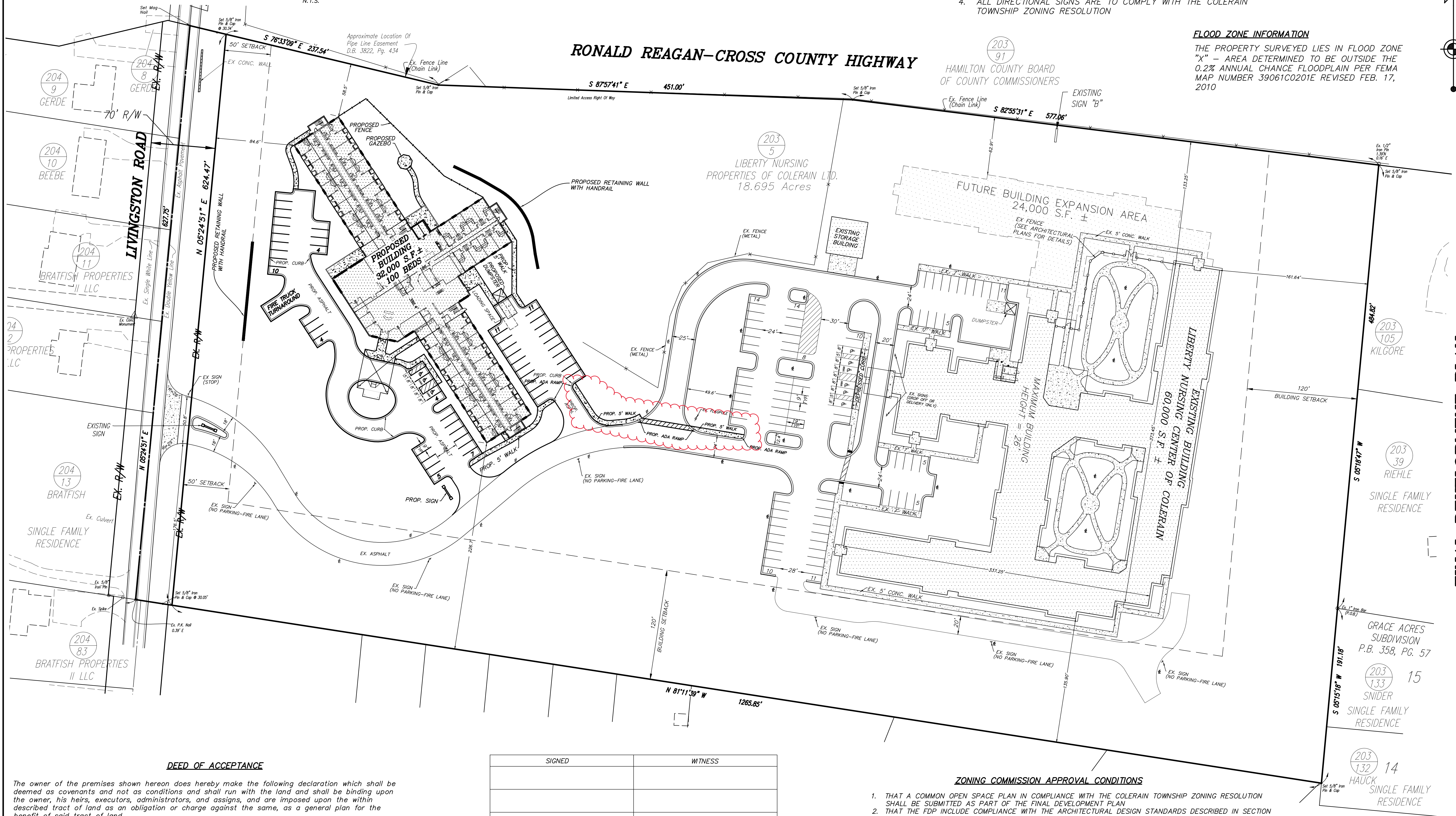
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Drawn By: S. TRENKAMP

Sheet
1 of _____

Job No: 7711-17



The owner of the premises shown hereon does hereby make the following declaration which shall be deemed as covenants and not as conditions and shall run with the land and shall be binding upon the owner, his heirs, executors, administrators, and assigns, and are imposed upon the within described tract of land as an obligation or charge against the same, as a general plan for the benefit of said tract of land.

The tract of land shown hereon is being developed under a development plan as defined in Section 4.5 and in accordance with the provisions of Section 9.3 of the Colerain Township Zoning Resolution effective August 19, 2006.

Said entire tract of land and all improvements thereon shall remain in a single ownership and no part thereof shall be sold or divided into individual lot or tracts until such time as the owner of said entire tract shall conform in all respects to the then existing rules and regulations as have been adopted by the Colerain Township Zoning Commission governing plats and subdivision of lands, and the rules and regulations as are provided in the Colerain Township Zoning Resolution.

We, the undersigned do hereby adopt and confirm the plan of development as shown hereon for the purposes indicated and agree to comply with all the terms, restrictive covenants and conditions included as a part thereof.

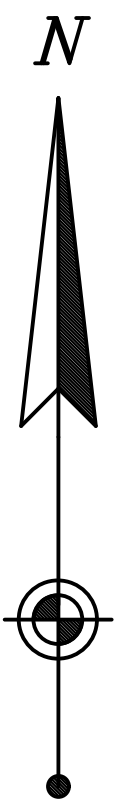
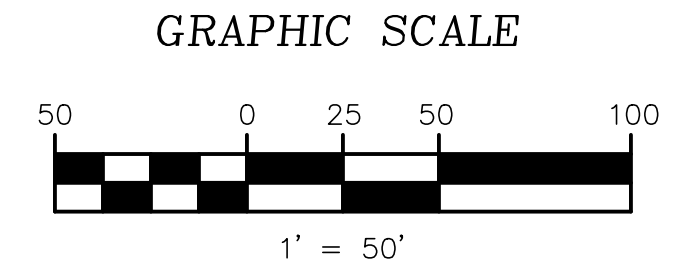
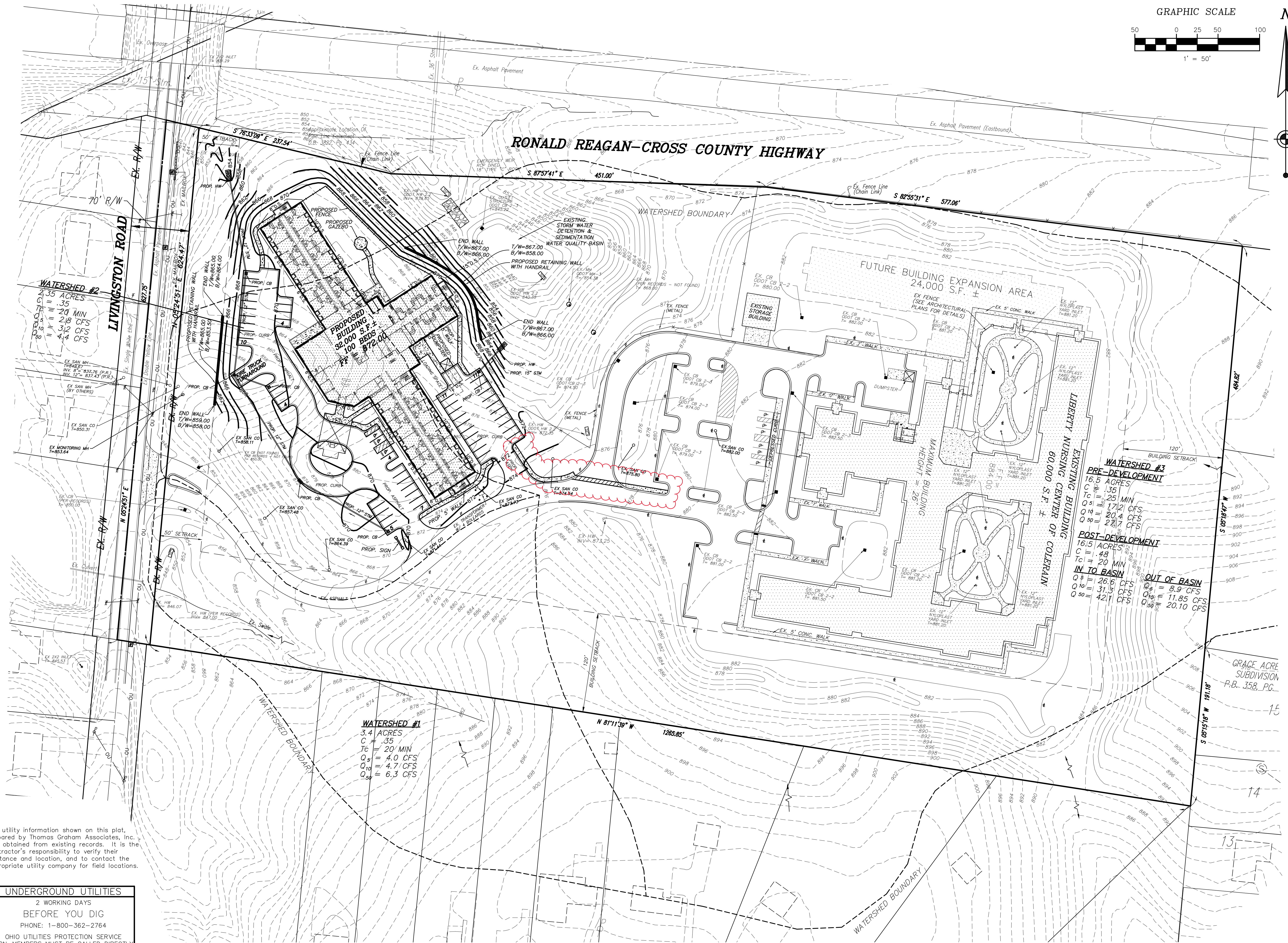
<i>SIGNED</i>	<i>WITNESS</i>

State of Ohio
S.S.
County of Hamilton

Before me a notary public in and for said county personally appeared _____
of the _____, who represent that they are
duly authorized in the premises and acknowledge that they did sign the foregoing instrument and that
the same is their voluntary act and deed in testimony whereof I have hereunto set my hand and
official seal this _____ day of _____, 2018

My commission expires _____

1. THAT A COMMON OPEN SPACE PLAN IN COMPLIANCE WITH THE COLERAIN TOWNSHIP ZONING RESOLUTION SHALL BE SUBMITTED AS PART OF THE FINAL DEVELOPMENT PLAN.
2. THAT THE FDP INCLUDE COMPLIANCE WITH THE ARCHITECTURAL DESIGN STANDARDS DESCRIBED IN SECTION 12.11 OF THE COLERAIN TOWNSHIP ZONING RESOLUTION TO BE APPLIED TO THIS PHASE OF DEVELOPMENT INCLUDING THE FACADE MASSING OFFSET REQUIREMENT AND CUSTOMER ENTRANCE REQUIREMENTS FOR ALL NON-SERVICE ENTRIES INTO THE BUILDING AND ASSISTED LIVING SPACES.
3. THAT THE NORTHWESTERN EXISTING, MATURE AND HEALTHY VEGETATION THAT IS ABLE TO REMAIN, REMAINS; AND THAT THE REST OF THE APPROXIMATELY 400 FEET OF FRONTAGE ALONG LIVINGSTON ROAD (NORTH OF THE MAIN ENTRY DRIVEWAY) BE NEWLY LANDSCAPED AT A RATE OF DOUBLE WHAT IS REQUIRED PER SECTION 14.5.2(B) FOR LOT LINE BUFFERS WITH A MIX OF VEGETATION.
4. THAT NO EXISTING VEGETATION LOCATED ON THE SOUTH SIDE OF THE MAIN ENTRY DRIVEWAY ALONG THE SOUTHERN PROPERTY LINE BE DISTURBED DURING OR AFTER THE CONSTRUCTION OF THIS PHASE OF DEVELOPMENT.
5. THAT THE PREVIOUS ALLOWABLE TOTAL MAXIMUM NUMBER OF 148 BEDS PERMITTED BETWEEN THE TWO BUILDING IS INCREASED TO A NEW ALLOWABLE TOTAL MAXIMUM NUMBER OF 248 BEDS PERMITTED BETWEEN THE TWO BUILDINGS.
6. THAT THE SIDEWALK INSTALLATION REQUIREMENT BE WAIVED AS LIBERTY NURSING CENTER WAS APPROVED FOR A SIDEWALK WAIVER AND PAID IN FEE IN-LIEU OF SIDEWALKS DURING PHASE I OF CONSTRUCTION.
7. THE FINAL DEVELOPMENT PLAN SHALL COMPLY IN ALL OTHER RESPECTS WITH THE COLERAIN TOWNSHIP ZONING RESOLUTION.



tga
THOMAS
GRAHAM
ASSOCIATES, INC.

- Engineers
- Surveyors

803 Compton Road
Cincinnati, Ohio 45231
513-521-4760
Fax # 521-2439

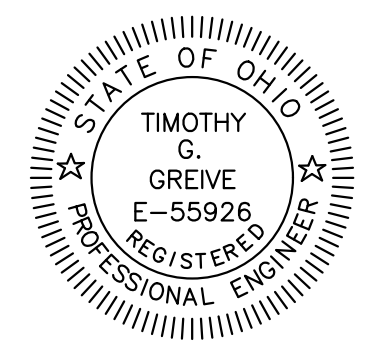
Date: JAN. 3, 2018
Scale: 1" = 50'
Job No: 7711

Revisions	
No.	Date
1	1/23/18 ADDED PEDESTRIAN WALK

FINAL DEVELOPMENT PLAN

SITE GRADING & DRAINAGE PLAN

MAJOR AMENDMENT
TO A FINAL DEVELOPMENT PLAN
LIBERTY NURSING CENTER
COLERAIN TOWNSHIP
HAMILTON COUNTY, OHIO



Drawn By: S. TRENKAMP
Sheet 2 of 2
Job No: 7711-17

The utility information shown on this plat, prepared by Thomas Graham Associates, Inc. was obtained from existing records. It is the contractor's responsibility to verify their existence and location, and to contact the appropriate utility company for field locations.

UNDERGROUND UTILITIES
2 WORKING DAYS
BEFORE YOU DIG
PHONE: 1-800-362-2764
OHIO UTILITIES PROTECTION SERVICE
NON-MEMBERS MUST BE CALLED DIRECTLY

ACAD FILENAME: 7711_2017_BASE2.DWG

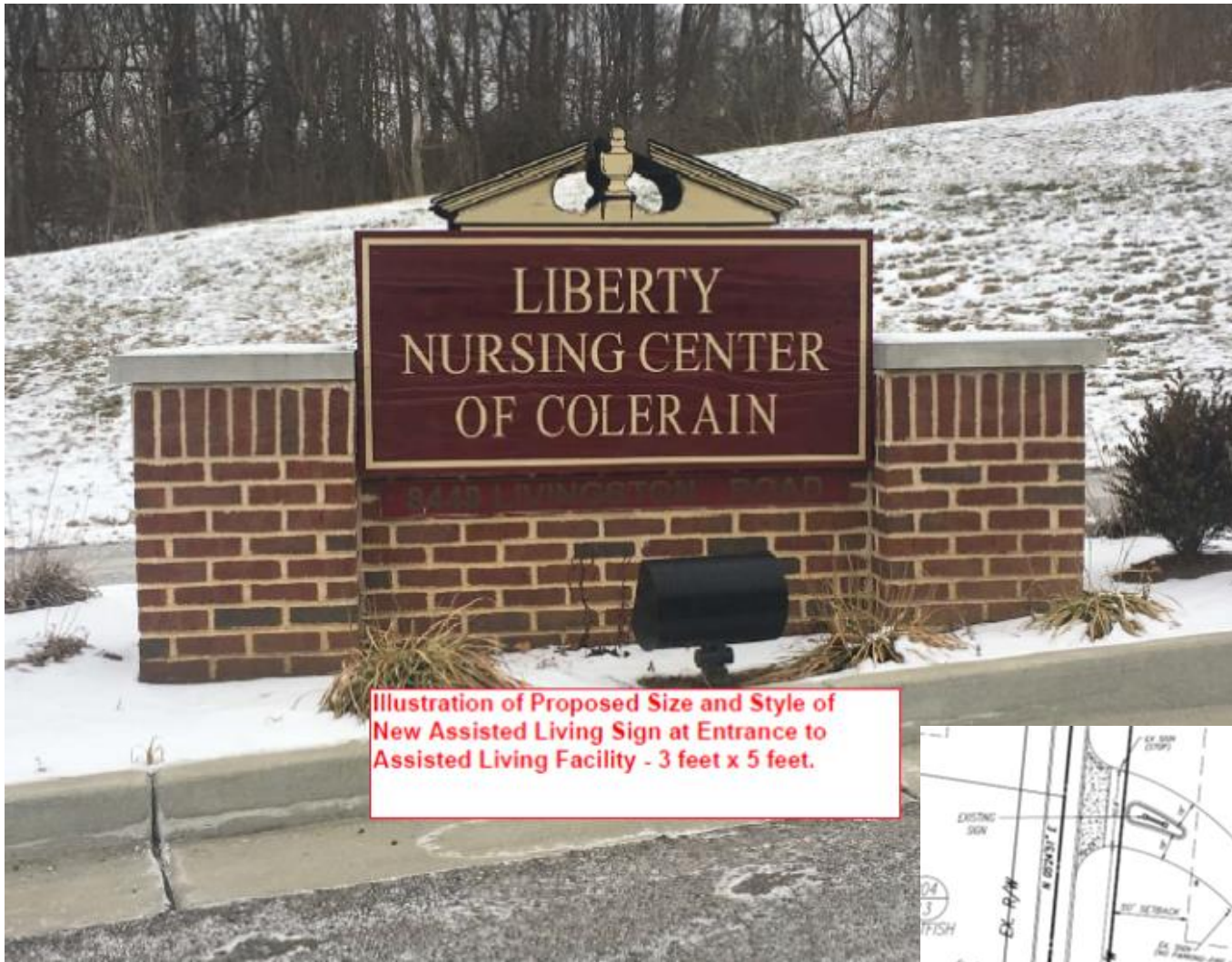
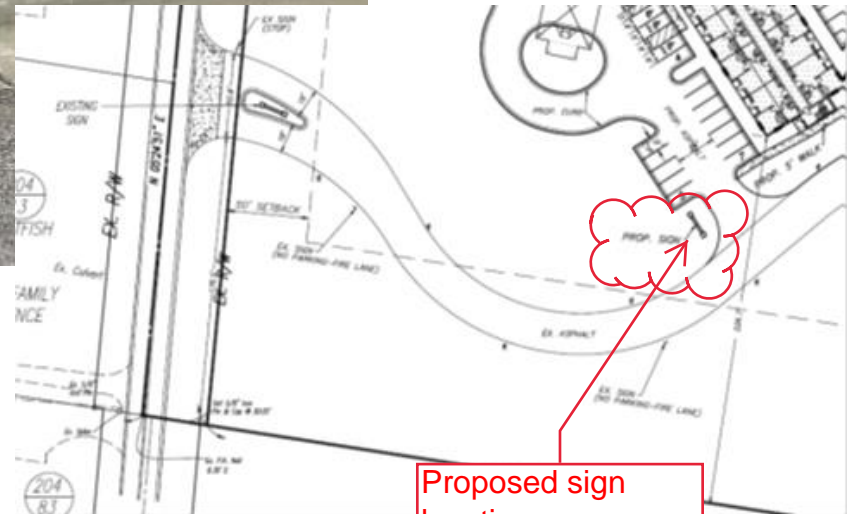


Illustration of Proposed Size and Style of New Assisted Living Sign at Entrance to Assisted Living Facility - 3 feet x 5 feet.



Proposed sign location.

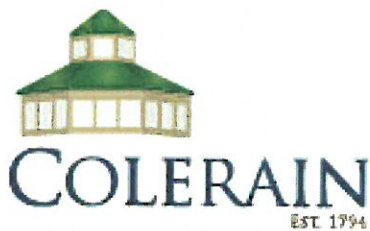


10-ft Cedar Panelized Octagon Gazebo

Proposed Style for Liberty Assisted Living Gazebo



Proposed Liberty Assisted Living Fence – 5 feet tall painted aluminum fence



MEMORANDUM

DATE: February 20, 2018
TO: The Colerain Township Zoning Commission
FROM: Jenna M. LeCount, AICP, Director of Planning & Zoning
SUBJECT: Initiation of Text Amendment regarding the prohibition of land uses associated with medical marijuana within the Township

SUMMARY

Recent policy announcements at the Federal level have indicated that the Trump administration intends to more aggressively enforce federal laws against marijuana in states that have decriminalized its production and sale. Attorney General Jeff Sessions has rescinded the policy that discouraged federal prosecutors in most cases from bringing charges wherever the drug is legal under state laws.

Due to this policy update, it appears appropriate for Colerain Township to initiate a Text Amendment to the Zoning Resolution to prohibit the uses related to cultivation, processing, or retail dispensing of medical marijuana within the Township.

On February 13, 2018, the Colerain Township Board of Trustees made a motion to initiate this text amendment. It is now being requested that this Zoning Commission follow suit with a motion to initiate also. Once initiated by motion of this Zoning Commission, this Text Amendment would be sent to the Hamilton County Regional Planning Commission for review and recommendation at their April 5, 2018 regular meeting. This recommendation will be passed back to the Colerain Township Zoning Commission for Public Hearing at the April 17, 2018 regular meeting and then make a recommendation back to this Board of Trustees for a second Public Hearing and final decision in May of 2018.

The proposed Text Amendment language is attached within this Zoning Commission packet.

7.2.3 Conditional Uses

A “C” in a cell indicates that a use category is allowed only if reviewed and approved as a Conditional Use by the Board of Zoning Appeals in accordance with Section 4.4 (Appeals, Variances, and Conditional Uses). Conditional uses are subject to all other applicable regulations of this Resolution, including, but not limited to provisions in Articles 10 through 15.

7.2.4 Prohibited Uses

A shaded cell indicates that a use is prohibited in the respective zoning district.

7.2.5 Numerical References

The numbers contained in the “Additional Regulations” column are references to additional standards and requirements that apply to the use type listed. Standards referenced in the Additional Regulations column apply in all zoning districts unless otherwise expressly stated.

Table 7-1: Residential Use Table								
Use P=Permitted Use P* = Permitted with Conditions C= Conditional Use	Zoning Districts							Additional Regulations
	R-1	R-2	R-3	R-4	R-5	R-6	R-7	Refer to Section:
Agricultural Uses								
<u>Agricultural Uses</u>	P*	P*	P*	P*	P*	P*	P*	Section 7.4.2
Riding Stables	P*	C						Section 7.4.11
Residential Uses								
<u>Adult Family Homes</u> or Small Residential Facilities	P	P	P	P	P	P	P	
<u>Adult Group Homes</u> or Large Residential Facilities							P	
Group Homes for Children	P*	P*	P*	P*	P*	P*	P*	Section 7.4.13
Adult or Child Day Care Centers							P	
Institutional Housing						P*	P*	Section 7.4.6
Multi-Family Dwellings						P*	P	Section 7.4.7
<u>Medical Marijuana</u>								
Open Space Residential Developments	P*	P*	P*					Section 7.4.8
Permanently Sited Manufactured Homes	P*	P*	P*	P*	P*	P*		Section 7.4.9
Single-Family Dwellings	P	P	P	P	P	P		
Two-Family Dwellings						P	P	
Commercial and Office Uses								
<u>Bed and Breakfast Establishments</u>	C	C	C	C	C	C		Section 7.4.3
Telecommunications Towers	P*	P*	P*	P*	P*	P*	P*	Section 7.4.12

Table 8-1: Business Use Table

Use P=Permitted Use	Zoning Districts					Additional Refer to
	B-1	B-2	B-3	O-1	I-1	
<u>Brewery</u>					P	
<u>Broadcasting Studios</u>			P	P		
<u>Clubs</u>	C	P	P	P		
Commercial Kennels		P*	P*		P*	Section 8.4.4
<u>Contractor or Construction Sales</u>		P*	P		P	Section 8.4.5
Day Care Centers	P	P	P	P		
Distillery					P	
Distribution Facilities					P	
Drive-Through Facilities	P*	P*	P*	P*		Section 8.4.6
Funeral Services		P*	P*	P*	P	Section 8.4.7
Heavy Industrial Uses					C	Section 8.4.8
Hotels and Motels		P	P	P		
Laboratories			P	P	P	
Light Industrial Uses			P		P	
<u>Medical Marijuana</u>						
Micro Brewery			P			
Micro Distillery			P			
Nurseries		P			P	
Personal Services	P	P				
Professional or Business Offices	P	P	P	P		
Restaurants	P	P		P*		Section 8.4.9
Retail Commercial Uses	P	P	P*	P*		Section 8.4.10
Service Commercial Uses	P	P	P*	P*		Section 8.4.11
Storage Facilities					P	
Telecommunications Towers	P	P	P	P	P	
Theaters		P				
Type A Family Day Care Home	P	P		P		
Vendor Markets	P*	P*				Section 8.4.13
Veterinary Facilities	P*	P*		P*	P	Section 8.4.12
Warehouses			P		P	
Wholesale Commercial Uses			P		P	
Institutional/Public Uses						
<u>Active Parks and Recreational Facilities</u>	P*	P*	P*	P*	P*	Section 7.4.1
Cemeteries	P*	P*	P*	P*	P*	Section 7.4.4
Educational Facilities	C	P*	P*	P*		Section 7.4.5
Essential Services and Utilities	P	P	P	P	P	

- The structure was manufactured after January 1, 1995; and
- The structure is not located in a manufactured home park as defined in Section 3733.01 of the Ohio Revised Code.

Maximum Extent Feasible shall mean that no feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize the potential harm or adverse impacts have been undertaken. Economic considerations may be taken into consideration.

Medical Marijuana shall mean the uses related to cultivation, processing, or retail dispensing of medical marijuana and any business, building, structure, or land used for the cultivation, processing, or retail dispensing of Medical Marijuana as defined by Ohio Revised Code Section 3796.01(A)(2).

Meteorological Tower shall mean a facility consisting of a tower and related wind-measuring devices, which is used solely to measure winds preliminary to construction of a small wind energy conversion system. Meteorological Towers shall not be allowed for time periods in excess of six months, and shall be removed prior to the installation of the wind energy conversion system for which they are measuring. A request to install a meteorological tower shall be included in the application to install a small wind energy conversion system.

Micro Antenna. Micro antennas are defined as antennas and transmission facilities only, with no supporting structures other than brackets. Micro antennas shall be equal to or less than 5 feet in height and with an area of not more than 580 square inches.

Micro Brewery shall mean an establishment that is primarily used for the production of beer and ale and must include restaurant/bar space, tasking or retail space. The brewing operation processes the ingredients to make beer and ale by mashing, cooking and fermenting. The brewing operation does not include the production of any alcoholic beverage other than beer or ale. The brewery shall not produce more than 10,000 barrels of beer or ale per year.

Micro Distillery shall mean an establish that is primarily used for the production of spirits and liquor, including wine, in small quantities of a maximum of 52,000 cases or a maximum of 50,000 proof gallons annually and must include restaurant/bar space, tasking or retail space.

Mineral Extraction shall mean any artificial or mechanical act by which earth, sand, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or moved and shall include the conditions resulting therefrom, including but not limited to gravel pits and not including the impacts of such operation.

Mixed-Use Development shall mean the development of a lot or structure with 2 or more different uses such as, but not limited to, residential, office,