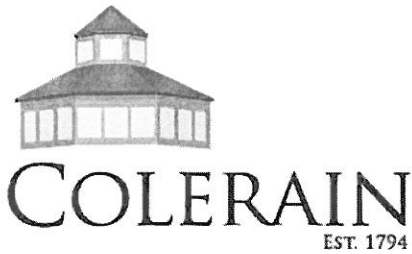


**Regular Meeting of the Board of Trustees
February 14, 2017**

- 1. Opening of Meeting – Fiscal Officer**
- 2. Executive Session 5:30 PM**
- 3. Pledge of Allegiance 6:00 PM**
- 4. Meditation (Moment of Silence)**
- 5. Presentations**
 - a. Recognition of Colerain Township Business – TAKK Industries
 - b. Certificate of Appreciation Presentation
 - c. Outstanding Unit Citation Presentation
 - d. Administrator Dan Meloy, Ohio Township Association Information
- 6. Citizens Address**
- 7. Administrative Reports**
- 8. Trustees’ Report**
- 9. Public Hearings (Action Required)**
 - a. Public Hearing for a Preliminary Development Plan at 9879 Colerain Ave
 - b. Public Hearing for Zoning Map Amendment and Preliminary Development Plan at the Southeast Intersection of Colerain Avenue and Strule Road
- 10. New Business**
 - Public Safety**
 - a. Hire Request – Part Time Employees Action
 - b. Pay Rate Change – Part Time Firefighter Action
 - c. Fire Department Services Contract Renewal Action
 - d. Approval to Fill Police Officer Position Action
 - e. Hiring of Weekend Clerk Action
 - Public Services**
 - a. Request Approval of Full Time Hires Action
 - b. Approval for Full Time Hire - Backfill Vacated Position Action
 - c. Request Approval for Hiring Process - Custodian Position Action
 - d. Request Approval to Hire Seasonal Workers for Community Center Action

COLERAIN



- e. Request the Board to Approve the Recommended Childcare Policy for
Clippard Park Action

Building, Planning and Zoning

- a. Request The Removal of an Assessment placed on the Property Located at 9040
Round Top Road Action
- b. Request for Public Hearing Action

Economic Development

- a. Resolution Approving the Community Reinvestment Area Recommendations
for the Grosebeck Skates Project Action
- b. Requesting to give Assistant Administrator authority to lock-in an electric rate
of no greater than \$.0579 per KWH for 3 years for Colerain Townships Residential
Aggregation Program Action

Administration

- a. Hamilton County Solid Waste Plan Update Action
- b. Approval of “Merit Pool” for Non-Union Employee Raises in 2017 Action
- c. Approval to Enter into Consultant Agreement for Economic Development Action
- d. Approval to Hire Part-Time Administrative Assistant Action

11. Fiscal Officer’s Report

- a. Approval of Minutes

12. Executive Session - if needed

13. Adjournment

14. Resolution # 5-17

COLERAIN

PRESENTATIONS

Department: Colerain Township

Department Head(s): Board of Trustees, Chief Frank Cook and Daniel P. Meloy, Administrator

Board of Trustees

a. Recognition of Colerain Township Business – TAKK Industries

Rationale:

TAKK Industries celebrated their 45th anniversary on February 4th and the Township will recognize their achievement with the issuance of a “Proclamation.”

Department of Fire and EMS

a. Certificate of Appreciation Presentation

Rationale:

This award is presented to a person or people for their contributions, support or assistance during an emergency incident or services provided which may be deemed beneficial to Colerain Fire & EMS.

Mr. Jim Engel, Sr. and Mr. Jim “Jimmie” Engel, Jr. of Engel’s Auto Service and Towing are being recognized for their assistance during the mitigation of a technical rescue incident (motor vehicle accident) that occurred on December 31, 2016 on Interstate-275 east of Interstate-74.

b. Outstanding Unit Citation Presentations

Rationale:

This award is presented to employees of the Department who participated in an action that contributed to the overall professionalism of the Colerain Fire & EMS. All employees that participated in the mitigation of the following incidents are being recognized:

- November 19, 2016: Building fire at 5727 Beckridge CT.; and
December 31, 2016: Technical rescue on Interstate-275 east of Interstate 74.

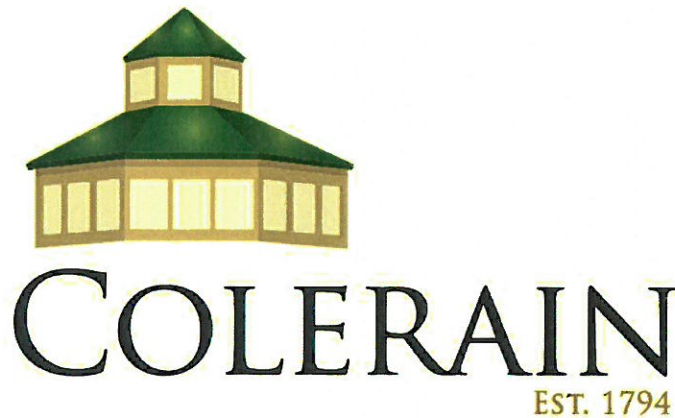
Administration

a. Administrator Daniel Meloy, Ohio Township Association Information

Rationale:

Information and updates will be provided on topics and upcoming issues for Ohio Townships.

**PROCLAMATION FOR TAKK INDUSTRIES INCORPORATED
FOR 45 YEARS OF SUCCESSFUL BUSINESS OPERATION
IN COLERAIN TOWNSHIP**



Whereas TAKK Industries and the Overman Family have been in continuous operation of a Corporation in Colerain Township since 1972, for more than 45 years.

Whereas TAKK Industries has shown a dedication and commitment to excellence through its contributions as a business operator and local employer.

Whereas TAKK Industries and The Overman family has contributed to the success of all who have worked with their company and the business community.

Therefore, be it resolved, that the Colerain Township Board of Trustees recognizes TAKK Industries Incorporated as an outstanding company that has contributed greatly to our community during their 45 years of business operation.

Be it further resolved that in recognition of all the positive work that TAKK Industries Incorporated has done in it business pursuits, the Colerain Township Board of Trustees hereby proclaim Saturday February 14, 2017 as a special day of recognition for TAKK Industries.

Mike Inderhees
Trustee

Greg Insco
Trustee

Jeff Ritter
Trustee

Date February 14, 2017

CERTIFICATE OF APPRECIATION

PRESENTED TO

ENGEL'S AUTO SERVICE & TOWING, INC.

MR. JIM ENGEL, SR. AND MR. JIMMIE ENGEL

ON THE MORNING OF DECEMBER 31, 2016, NEW YEAR'S EVE, UNITS OF THE COLERAIN TWP. DEPARTMENT OF FIRE & EMS RESPONDED TO BACK TO BACK AUTO ACCIDENTS WITH ENTRAPMENT ALONG A ONE-MILE STRETCH OF EASTBOUND I-275. AT THE SECOND, MORE SERIOUS INCIDENT, THE DRIVER OF A PASSENGER VEHICLE WAS TRAPPED UNDER THE REAR OF A TRACTOR-TRAILER WITH THE VEHICLE WEDGED UNDER THE TRAILER WITHIN INCHES OF THE UNCONSCIOUS DRIVER'S HEAD. WITH THE TRACTOR-TRAILER FACING UPHILL, THE LEVERAGE NEEDED TO RAISE THE TRAILER AND REMOVE THE VEHICLE WOULD HAVE TAKEN OVER AN HOUR TO CREATE. THE DECISION WAS QUICKLY MADE TO CONTACT ENGEL'S TOWING TO ASSIST THE CREWS AT THE SCENE. ENGEL'S ARRIVED WITHIN MINUTES AND UNDER THE DIRECTION OF THE RESCUE CREWS, ATTACHED SLINGS AND USE OF THE HEAVY-DUTY WRECKER BOOM TO RAISE THE TRAILER TWO- FEET WHICH ALLOWED THE CREWS TO PULL THE VEHICLE FROM UNDER THE TRAILER USING THE WINCH ON RESCUE 26. RESCUERS WERE THEN ABLE TO SAFELY REMOVE THE DRIVER AND TRANSPORT HIM TO UNIVERSITY HOSPITAL BY MEANS OF AIR MEDICAL TRANSPORT WITHIN 51 MINUTES OF THE INITIAL CALL.

THE SUPPORT RENDERED BY ENGEL'S TOWING THAT NIGHT IS INDICATIVE OF THE ASSISTANCE THIS COMPANY HAS RENDERED TO THE COLERAIN TOWNSHIP DEPARTMENT OF FIRE & EMS AND ITS PREDECESSORS FOR MORE THAN 50 YEARS. FOR ITS LIFE SAVING ASSISTANCE THAT NIGHT AND FOR ALL THE SUPPORT IT HAS RENDERED TO COLERAIN'S FIRE & EMERGENCY MEDICAL SERVICES THROUGHOUT THE YEARS, WE GRATEFULLY AWARD THIS CERTIFICATE TO THE ENGEL'S AUTO SERVICE & TOWING.

PRESENTED THIS 14TH DAY OF FEBRUARY, 2017

FRANK W. COOK, MPA, CFO, EFO, CHIEF

ALLEN WALLS, BS, EFO, ASSISTANT CHIEF

WILL MUELLER, BS, ASSISTANT CHIEF

OUTSTANDING UNIT CITATION

PRESENTED TO

ENGINE 103

CAPTAIN JOE HEMPEL, FIREFIGHTERS ALEX PAULY & SHANNON FLYNN

ON THE MORNING OF DECEMBER 31, 2016, NEW YEAR'S EVE, UNITS OF THE COLERAIN TWP. DEPARTMENT OF FIRE & EMS RESPONDED TO BACK TO BACK AUTO ACCIDENTS WITH ENTRAPMENT ALONG A ONE-MILE STRETCH OF EASTBOUND I-275. BEGINNING AT 02:16 AM, CREWS WERE DISPATCHED TO A TRUCK VS. CAR MOTOR VEHICLE CRASH AT THE 29 MILE MARKER AND WITHIN 19 MINUTES FROM DISPATCH HAD EXTRICATED THE DRIVER AND PASSENGER WITH BOTH STARTING TRANSPORT TO THE HOSPITAL. AS THE CREWS WERE CLEARING THIS SCENE, THEY WERE DISPATCHED TO A SECOND MOTOR VEHICLE CRASH ALSO ON EASTBOUND I-275 WITHIN A MILE OF THE FIRST CRASH. IN THIS INSTANCE, THE DRIVER WAS TRAPPED UNDER THE REAR OF A TRACTORTRAILER WITH THE VEHICLE WEDGED UNDER THE TRAILER WITHIN INCHES OF THE UNCONSCIOUS DRIVER'S HEAD. WITH THE TRACTORTRAILER FACING UPHILL, THE LEVERAGE NEEDED TO RAISE THE TRAILER AND REMOVE THE VEHICLE WOULD HAVE TAKEN OVER AN HOUR TO CREATE. THE DECISION WAS QUICKLY MADE TO CONTACT UNIVERSITY HOSPITAL AIR CARE AND ENGEL'S AUTO SERVICE & TOWING TO ASSIST THE CREWS AT THE SCENE. ENGEL'S ARRIVED QUICKLY AND UNDER THE DIRECTION OF THE RESCUE CREWS, ATTACHED SLINGS AND USE OF THE HEAVY-DUTY WRECKER BOOM TO RAISE THE TRAILER TWO-FEET WHICH ALLOWED THE CREWS TO PULL THE VEHICLE FROM THE TRAILER USING THE WINCH ON RESCUE 26. RESCUERS WERE THEN ABLE TO SAFELY REMOVE THE DRIVER AND TRANSPORT HIM TO UNIVERSITY HOSPITAL BY MEANS OF AIR CARE WITHIN 51 MINUTES OF THE INITIAL CALL.

THESE SWIFT, DECISIVE ACTIONS AND THE DETERMINATION BY THE CREW OF ENGINE 103 IN THE FACE OF THE CONDITIONS PRESENT, REFLECT THE HIGHEST TRADITION OF PROFESSIONALISM AND BEST PRACTICES OF THE COLERAIN TWP. DEPARTMENT OF FIRE & EMS, AND THE AMERICAN FIRE SERVICE.

PRESENTED THIS 14TH DAY OF FEBRUARY, 2017

FRANK W. COOK, MPA, CFO, EFO, CHIEF

ALLEN WALLS, BS, EFO, ASSISTANT CHIEF

WILL MUELLER, BS, ASSISTANT CHIEF

OUTSTANDING UNIT CITATION

PRESENTED TO

ENGINE 26, RESCUE 26 & MEDIC 26

CAPTAIN CHRIS RUWE, FIREFIGHTERS RON STENGER, DON ANGST, MATT BEAHR,
DAVID DERBYSHIRE, BEN ERDMAN, BRAD HARDEN & PARAMEDIC VANESSA CURE WASHINGTON

ON THE MORNING OF DECEMBER 31, 2016, NEW YEAR'S EVE, UNITS OF THE COLERAIN TWP. DEPARTMENT OF FIRE & EMS RESPONDED TO BACK AUTO ACCIDENTS WITH ENTRAPMENT ALONG A ONE-MILE STRETCH OF EASTBOUND I-275. BEGINNING AT 02:16 AM, CREWS WERE DISPATCHED TO A TRUCK VS. CAR MOTOR VEHICLE CRASH AT THE 29 MILE MARKER AND WITHIN 19 MINUTES FROM DISPATCH HAD EXTRICATED THE DRIVER AND PASSENGER WITH BOTH STARTING TRANSPORT TO THE HOSPITAL. AS THE CREWS WERE CLEARING THIS SCENE, THEY WERE DISPATCHED TO A SECOND MOTOR VEHICLE CRASH ALSO ON EASTBOUND I-275 WITHIN A MILE OF THE FIRST CRASH. IN THIS INSTANCE, THE DRIVER WAS TRAPPED UNDER THE REAR OF A TRACTOR-TRAILER WITH THE VEHICLE WEDGED UNDER THE TRAILER WITHIN INCHES OF THE UNCONSCIOUS DRIVER'S HEAD. WITH THE TRACTOR-TRAILER FACING UPHILL, THE LEVERAGE NEEDED TO RAISE THE TRAILER AND REMOVE THE VEHICLE WOULD HAVE TAKEN OVER AN HOUR TO CREATE. THE DECISION WAS QUICKLY MADE TO CONTACT UNIVERSITY HOSPITAL AIR CARE AND ENGEL'S AUTO SERVICE & TOWING TO ASSIST THE CREWS AT THE SCENE. ENGEL'S ARRIVED QUICKLY AND UNDER THE DIRECTION OF THE RESCUE CREWS, ATTACHED SLINGS AND USE OF THE HEAVY-DUTY WRECKER BOOM TO RAISE THE TRAILER TWO- FEET WHICH ALLOWED THE CREWS TO PULL THE VEHICLE FROM THE TRAILER USING THE WINCH ON RESCUE 26. RESCUERS WERE THEN ABLE TO SAFELY REMOVE THE DRIVER AND TRANSPORT HIM TO UNIVERSITY HOSPITAL BY MEANS OF AIR CARE WITHIN 51 MINUTES OF THE INITIAL CALL.

THESE SWIFT, DECISIVE ACTIONS AND THE DETERMINATION BY THE CREWS OF ENGINE 26, RESCUE 26, AND MEDIC 26 IN THE FACE OF THE CONDITIONS PRESENT, REFLECT THE HIGHEST TRADITION OF PROFESSIONALISM AND BEST PRACTICES OF THE COLERAIN TWP. DEPARTMENT OF FIRE & EMS, AND THE AMERICAN FIRE SERVICE.

PRESENTED THIS 14TH DAY OF FEBRUARY, 2017

FRANK W. COOK, MPA, CFO, EFO, CHIEF

ALLEN WALLS, BS, EFO, ASSISTANT CHIEF

WILL MUELLER, BS, ASSISTANT CHIEF

OUTSTANDING UNIT CITATION

PRESENTED TO

ENGINE 25, LADDER 25, MEDIC 25, DISTRICT 25 & DIVISION CHIEF 2504

BATTALION CHIEF GREG BROWN, DIVISION CHIEF BRAD MILLER, LIEUTENANT DAVE SCHNEBERGER,
FIREFIGHTERS JIM BOWMAN, RICK WILLIAMS, LARRY BAIBAK, MIKE DAVIS, MATT DRENNAN, IAN GRUBB,
BRIAN MAGINN & RICHARD WITSKEN

ON THE MORNING OF DECEMBER 31, 2016, NEW YEAR'S EVE, UNITS OF THE COLERAIN TWP. DEPARTMENT OF FIRE & EMS RESPONDED TO BACK TO BACK AUTO ACCIDENTS WITH ENTRAPMENT ALONG A ONE-MILE STRETCH OF EASTBOUND I-275. BEGINNING AT 02:16 AM, CREWS WERE DISPATCHED TO A TRUCK VS. CAR MOTOR VEHICLE CRASH AT THE 29 MILE MARKER AND WITHIN 19 MINUTES FROM DISPATCH HAD EXTRICATED THE DRIVER AND PASSENGER WITH BOTH STARTING TRANSPORT TO THE HOSPITAL. AS THE CREWS WERE CLEARING THIS SCENE, THEY WERE DISPATCHED TO A SECOND MOTOR VEHICLE CRASH ALSO ON EASTBOUND I-275 WITHIN A MILE OF THE FIRST CRASH. IN THIS INSTANCE, THE DRIVER WAS TRAPPED UNDER THE REAR OF A TRACTOR-TRAILER WITH THE VEHICLE WEDGED UNDER THE TRAILER WITHIN INCHES OF THE UNCONSCIOUS DRIVER'S HEAD. WITH THE TRACTOR-TRAILER FACING UPHILL, THE LEVERAGE NEEDED TO RAISE THE TRAILER AND REMOVE THE VEHICLE WOULD HAVE TAKEN OVER AN HOUR TO CREATE. THE DECISION WAS QUICKLY MADE TO CONTACT UNIVERSITY HOSPITAL AIR CARE AND ENGEL'S AUTO SERVICE & TOWING TO ASSIST THE CREWS AT THE SCENE. ENGEL'S ARRIVED QUICKLY AND UNDER THE DIRECTION OF THE RESCUE CREWS, ATTACHED SLINGS AND USE OF THE HEAVY-DUTY WRECKER BOOM TO RAISE THE TRAILER TWO- FEET WHICH ALLOWED THE CREWS TO PULL THE VEHICLE FROM THE TRAILER USING THE WINCH ON RESCUE 26. RESCUERS WERE THEN ABLE TO SAFELY REMOVE THE DRIVER AND TRANSPORT HIM TO UNIVERSITY HOSPITAL BY MEANS OF AIR CARE WITHIN 51 MINUTES OF THE INITIAL CALL.

THESE SWIFT, DECISIVE ACTIONS AND THE DETERMINATION BY THE CREWS OF ENGINE 25, LADDER 25, MEDIC 25, DISTRICT 25 AND CHIEF 2504 IN THE FACE OF THE CONDITIONS PRESENT, REFLECT THE HIGHEST TRADITION OF PROFESSIONALISM AND BEST PRACTICES OF THE COLERAIN TWP. DEPARTMENT OF FIRE & EMS, AND THE AMERICAN FIRE SERVICE.

PRESENTED THIS 14TH DAY OF FEBRUARY, 2017

FRANK W. COOK, MPA, CFO, EFO, CHIEF

ALLEN WALLS, BS, EFO, ASSISTANT CHIEF

WILL MUELLER, BS, ASSISTANT CHIEF

PUBLIC HEARING

Department: Building, Planning & Zoning

Department Head: Jenna M. LeCount, AICP

Zoning

- a. Public Hearing for a Preliminary Development Plan at 9879 Colerain Avenue for Case No. ZA2016-08.

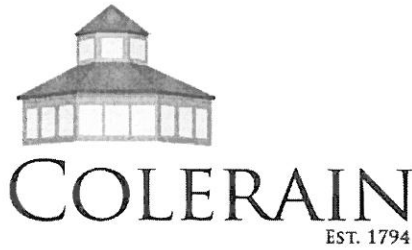
Rationale:

The Colerain Township Zoning Commission recommended 5-0 to approve with four conditions and six variance the Preliminary Development Plan located at 9879 Colerain Avenue during the January 17, 2017 Regular Meeting. The applicant proposed to redevelop the site into a Raising Canes fast food location. The development plan includes 1.3 acres over two parcels. The PD-B district includes the previously developed Valvoline Oil Change location immediately to the north of the proposed 3,400SF Raising Canes building. The proposed redevelopment portion of the existing Preliminary Development Plan is approximately 0.73 acres.

- b. Public Hearing for a Zoning Map Amendment and Preliminary Development Plan at the southeast intersection of Colerain Avenue and Struble Road for Case No. ZA2016-09.

Rationale:

The Colerain Township Zoning Commission recommended 5-0 to approve with seven conditions and one variance the Zone Change Request and Preliminary Development Plan by the Struble Road Development Company during the January 17, 2017 Regular Meeting. The applicant proposed to change the zoning from B-3 to PD-I to develop 52.73 acres into an office and industrial park. This development is proposed to include two office building with 93,600SF and seven office/warehouse buildings with 286,500SF of space.



Staff Report:

Preliminary Development Plan

Case #:ZA2016-08

Raising Cane's

9879 Colerain Avenue

February 14, 2017

Prepared By:

Jenna M. LeCount, AICP
Director of Planning & Zoning

Project Summary:

The applicant proposed to redevelop a portion of an existing Preliminary Development Plan by demolishing the existing fast food restaurant building and redeveloping the property for a new restaurant use. The redevelopment area is approximately 1.3 acres and includes the previously developed Valvoline Oil Change location immediately to the north of the proposed construction of the roughly 3,400SF Raising Cane's building. The proposed redevelopment portion of the existing Preliminary Development Plan is approximately 0.73 acres.

Project History:

- Approval of Zone Change (from B-2 and R-4 to PD-B) | Board of Trustees: September 11, 2007
- Final Development Plan | Township Zoning Commission: Approved October 16, 2007

Conformance with Comprehensive Plan:

The site is located within the Comprehensive Plan Character Area 5: Colerain Avenue, which is described by the Colerain Avenue vision statement as an area that will continue to see signs of reinvestment and redevelopment and will be a quality commercial corridor for the region. It is the intention of the Township to take steps to work with property owners to help improve the curb appeal that will benefit both the value of property and the Township overall. The Comprehensive Plan identified that curb appeal continues to be an issue for many who would like to see new, lower signage, more greenspace and landscaping and improved appearances in older buildings. The Plan also notes that a key element in the future of Colerain Township will be encouraging the full redevelopment of underutilized sites and working with property owners to improve the appearance of their sites.

In addition, the Comprehensive Plan map identifies the site as commercial, and land use guidelines for Colerain Avenue further identify the area as appropriate for general commercial and office uses are appropriate. The proposed redevelopment of this site is in conformance with the Comprehensive Plan.

Conformance with Land Use Plan:

The Land Use Map designates this area as Planning Mixed Use employment which is defined as developments containing some combination of office, retail, light industrial or compatible uses developed with a consistent theme and containing architectural, landscape, streetscape, and signage standards. Further, these developments are typically a campus-style planned development with multiple uses that are created in separate buildings or within single buildings. Sharing a common image and circulation system. The proposed preliminary development plan is adjacent to the Stone Creek Towne Center and will share a circulation system with the existing

Valvoline oil change location. The proposed redevelopment of this site is in conformance with the Land Use Plan.

Conformance with Zoning Resolution:

The site plan for the proposed Preliminary Development Plan appears to meet the minimum standards of the Colerain Township Zoning Resolution and the “PD-B” Planned Development Business District with the following exceptions:

Section 9.3.7 Common Open Space Requirements – This section requires 15% common open space for sites zoned “PD-B” and that this space be dedicated to a public or quasi-public entity for maintenance and responsibility. The applicant has not indicated the amount of open space on the site development plans.

Section 12.9.4 Lighting Standards – Though a lighting plan will not be formally reviewed for compliance until the Final Development Plan portion of the planning review, the applicant originally submitted a photometric plan with lighting levels that exceed the requirement of 0.5 footcandles for cut off lighting in the “PD-B” district. Since that time, the applicant has submitted new site plans for a reconfigured site. The updated plans did not include a photometric plan.

Section 12.11.1 Architectural Standards for Customer Entrances – Though elevation renderings will not be formally reviewed for compliance until the Final Development Plan portion of the planning review, the applicant has submitted elevation drawings and floor plans that indicate that a customer entrance on the south side of the building would not be present. This section of the Zoning Resolution states that there must be at least one customer entrance for each side of a building facing a public street and that all customer entrances must comply with certain design standards.

Section 13.3.2 Required Number of Spaces – This section requires 15 parking spaces per every 1,000 square feet or 1 space for each 4 seats, whichever is greater. A minimum of 51 spaces are required for the proposed building at 3,392 square feet in size. A 10% increase or reduction is permitted as of right in the Zoning Resolution and would allow the applicant to have between 46 and 56 parking spaces to accommodate the site. The applicant is indicating 34 parking spaces.

Section 13.4.1(D) and Section 14.5.1 Parking and Streetscape Buffer – This section indicates that a streetscape buffer yard of 15 feet is required for parking lots. The applicant has proposed a buffer yard of 6 feet in width along the frontage of Haverkos Court. No landscape plan has been submitted to determine if street trees will be planted as required.

Section 13.4.2 Sidewalk Access – This section establishes that any new use or building shall be required to provide a 4-foot wide sidewalk along all public streets for the full length of the street frontage and that a pedestrian connection be constructed from the building to the sidewalk. The applicant will need to indicate compliance in the Final Development Plan.

Section 13.4.2(D) Access – This section establishes that parking spaces shall not be located along entry drives within 30 feet of the right-of-way. The applicant has indicated a parking layout which provides 11 feet from the right-of-way.

Section 15.8.3 Wall Signs in the PD-B District – Though signage will not be formally reviewed for compliance until the Final Development Plan portion of the planning review, the applicant has submitted elevation drawings which indicate signage on the property. This section

establishes that corner lots are permitted to have wall signs on each frontage provided that they meet the requirements of this section. The applicant has submitted building elevations which indicate wall signs on all four sides of the building. Additionally, the applicant has indicated the location of one monument sign 10 feet from the Colerain Avenue right-of-way. The placement of this monument sign is the only portion of the signage package under review in the Preliminary Development Plan.

Other Agency Review:

Hamilton County Regional Planning Commission – The Regional Planning Commission voted 6-0 at their December 1, 2016 regular meeting (prior to plan revisions) to recommend approval of the project for a Substantial Modification of an existing “PD-B” Planned Development Business District, subject to the standard covenants for planned districts and the following conditions and variances: *(full staff report is attached)*

Condition:

1. That right-of-way shall be dedicated along Colerain Avenue in compliance with the Hamilton County Thoroughfare Plan unless waived by the Ohio Department of Transportation.
2. That 15% of the total lot area shall be dedicated common open space in accordance with Table 9-2 of the Zoning Resolution.
3. That a lighting plan in compliance with Section 12.9.4 of the Colerain Township Zoning Resolution shall be submitted as part of the Final Development Plan.
4. That all building signage shall comply with Article 15 of the Colerain Township Zoning Resolution and that a detailed signage plan shall be submitted as part of the Final Development Plan.
5. That the site shall be limited to a maximum of one freestanding sign that complies with the Colerain Township Zoning Resolution.
6. That a landscape plan that complies with the Zoning Resolution shall be submitted as part of the Final Development Plan.
7. That the eastern most curb cut onto Haverkos Court shall be limited to a right-turn in AND RIGHT TURN OUT only and that directional signage shall be installed directing traffic to utilize the western most curb cut onto Haverkos Court for access onto Colerain Avenue.
8. That a sidewalk connection shall be provided from the eastern building entrance to the existing sidewalk along Colerain Avenue.

Variances:

1. Article 12.11.1 – Architectural Standards for Customer Entrances – That the required customer entrance along Haverkos Court shall be waived and that only one entrance on the eastern façade that faces Colerain Avenue shall be required where entrances on all facades facing a street are required.
2. Table 13-1 – That the site shall be permitted to provide a minimum of 34 parking spaces where 51 parking spaces are required.

ODOT – See attached letter from Thomas Makris, PE, MBA

Hamilton County Engineer – See attached letter from Eric Beck, P.E.

Metropolitan Sewer District – See attached letter from Steven Parker, PE

Hamilton County Soil & Water Conservation District – See attached letter from Chey Alberto, PESCS.

Hamilton County Stormwater & Infrastructure – No response.

Colerain Township Fire – No concerns.

Hamilton County GIS – No response.

Discussion:

Per Section 4.5.3(A) of the Zoning Resolution, the following 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;	The site is consistent with the Land Use Plan and the proposed development is generally consistent with the text and maps of the Comprehensive Plan.
2.	The proposed uses will have a beneficial effect on the community;	The proposed plan will provide redevelopment and needed improvements to the visual appeal of the site.
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 project is located on a county roadway and a state route. The applicant will have to satisfy those agencies' requirements.
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 Subsection 9.3.7 (Common Open Space).	Due to the specific characteristics of this site, staff does not recommend requiring the dedication of common open space.
6.	The preliminary development plan is consistent with the intent and purpose of this Resolution and, in particular, the furtherance of the purpose of the PD District as set forth in Section 9.3.1.	The implementation of the proposed Preliminary Development Plan will provide for flexibility in the zoning requirements where the result will be a higher quality development.
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.

Recommendation:

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 locations, uses, density, intensity, yard requirements and area and frontage requirements.

Due to modifications the Applicant intended to make based on the recommendation of the Hamilton County Regional Planning Commission, Staff recommended tabling of the case at the Colerain Township Zoning Commission December 20, 2017 Regular Meeting to allow the Applicant to make modifications to the site plan. The Applicant made said modifications and presented these to Staff in early January 2017. The above Staff analysis is based on these modifications and presented this to the Colerain Township Zoning Commission at their January 17, 2017 Regular Meeting.

The Colerain Township Zoning Commission unanimously agreed in a 5-0 vote, with Staff recommendation for Approval of the PDP application with 4 conditions and 6 variances.

Staff recommends APPROVAL of the PDP with the following conditions and variances:

Conditions:

1. That right-of-way shall be dedicated along Colerain Avenue in compliance with the Hamilton County Thoroughfare Plan unless waived by the Ohio Department of Transportation.
2. That the site shall be limited to a maximum of one freestanding sign that complies with the Colerain Township Zoning Resolution.
3. That the sidewalk gaps along Colerain Avenue and Haverkos Court are completed and indicated on the Final Development Plan.
4. That the site meet the requirement of Section 8.3 Table 8-2 Maximum Lot Coverage by all Impervious Surfaces must be 75%.

Variances:

1. *From Section 8.3.1 Site Development Standards* – That the building setback shall be allowed at 40 feet from the Colerain Avenue Right-of-Way and 19 feet from the Haverkos Court right-of-way rather than the required 50 feet.
2. *From Section 9.3.7 Common Open Space* – That the site be permitted to forego the 15% common open space requirement as well as the requirement to dedicate open space.
3. *From Section 12.11.1 Architectural Standards for Customer Entrances* – That the required customer entrance along Haverkos Court be waived and that only one entrance on the eastern façade that faces Colerain Avenue shall be required where entrances on all facades facing a street are required.
4. *From Section 13.3.2 Required Number of Spaces* – That the site shall be permitted to provide a minimum of 34 parking spaces where 51 parking spaces are required.
5. *From Section 13.4.1 Location and Setback Requirement and Section Streetscape Buffers 14.51* – That the site shall be permitted a variance from 15' streetscape buffer requirements along Haverkos Court to a 6-foot streetscape buffer yard.
6. *From Section 13.4.2(D) Access* – That the site be permitted a variance from the requirement that parking spaces shall not be located along entry drives within 30 feet of the right-of-way.

AGENDA

THE HAMILTON COUNTY REGIONAL PLANNING COMMISSION
Room 805, County Administration Building
138 East Court Street
Cincinnati, OH 45202

DECEMBER 1, 2016

Administrative Session – 12:30 PM
Development Review Session – 1:00 PM

David Okum, Chairperson/Presiding Officer

1. ADMINISTRATIVE SESSION

SESSION CALLED TO ORDER

ROLL CALL OF COMMISSIONERS

ADMINISTRATIVE ACTIONS:

- A. ADM 33: RPC Financial Report – November
- B. ADM 34: Disposition of Minutes, November 3, 2016 Regular Meeting
- C. ADM 35: Election of Officers (Discussion, recommendation, appointment January, 2017)
- D. ADM 36 Election of 2017 OKI Representative
- E. ADM 37: Set Public Hearing for Consideration of Adoption of Hamilton County Thoroughfare Plan Text

PROGRAM REPORTS:

Zoning Services	Systems / Data Products
Planning Partnership	Community Planning
Community Development	OKI Board of Trustees
Other Reports	

2. DEVELOPMENT REVIEW SESSION:

SESSION CALLED TO ORDER

PRELIMINARY SUBDIVISION PLANS:

- A. NAME: Anderson 16-05; Woods at Forest Hills Revision
- REQUEST: To revise the boundary of the approved Woods at Forest Hills subdivision
- PURPOSE: To construct a 48-lot single family residential subdivision
- APPLICANT: Joseph Farruggia, Coldstream Area Development, LLC
- OWNER: Forestville Reality General Partnership and Coldstream Area Development, LLC
- LOCATION: Anderson Township: On the south side of Hopper Road (opposite Innisfree Lane), approximately 1,250 feet west of the Hopper Road and Eight Mile Road intersection (Book 500, Page 113, Parcels 17 & 32-35)

- B. NAME: Anderson 16-06; Parke Place at Coldstream Revision
 REQUEST: To revise the boundary of the approved Parke Place at Coldstream subdivision
 PURPOSE: To construct a 32-lot single family residential subdivision
 APPLICANT: Joseph Farruggia, Coldstream Area Development, LLC
 OWNER: Forestville Realty General Partnership
 LOCATION: Anderson Township: On the north side of Ayers Road, approximately 1,500 feet east of the Ayers Road and Asbury Road intersection (Book 500, Page 181, Parcels 4 & 5 AND Page 182, Parcels 1 & 13 AND Page 184, Parcel 49 AND Parcel 42 & 44)

COUNTY ZONING MAP AMENDMENT:

- A. CASE: Harrison 2016-01; Unilock Industrial
 REQUEST: From: "F PUD SPI-SC" Planned Light Industrial, "F SPI-SC" Light Industrial, and "A SPI-SC" Single-Family Residence
 To: "GG SPI-SC" Planned Heavy Industrial
 PURPOSE: To construct a concrete paver and retaining wall manufacturing facility including two manufacturing plant buildings, two accessory buildings, outdoor storage areas and access drives from Southwest Parkway and Dry Fork Road
 APPLICANT: Glenn Wiley, General Manager, Unilock Ohio Inc. (applicant); Dry Fork Farms LLC and Candlelight Park Ltd (owners)
 LOCATION: Harrison Township: southeast of the end of Southwest Parkway extending east to Dry Fork Road (Book 560, Page 50, Parcel 203 AND Page 60, Parcels 19 and 51)

TOWNSHIP ZONING MAP AMENDMENT:

- A. CASE: Colerain ZA2016-08; 9869 Colerain Avenue – Raising Cane's
 REQUEST: Substantial Modification of an existing "PD-B" Planned Development Business District
 PURPOSE: To demolish the existing fast food restaurant building and redevelop the property for a new restaurant use
 APPLICANT: Drew Gatliff, MA Architects (applicant), Colerain Land Company LLC (owner)
 LOCATION: Colerain Township: 9869 Colerain Avenue; on the northwest corner of the Haverkos Court and Colerain Avenue intersection (Book 510, Page 111, Parcel 25)

3. ADJOURNMENT

NOTE: Individuals with disabilities requiring special accommodations to participate in or attend any meeting or hearing should call the Planning & Development Department at 946-4550 seven days prior to the meeting.

>>>>FOR ADDITIONAL INFORMATION ON ANY AGENDA ITEM, PLEASE CALL 946-4550<<<<



HAMILTON COUNTY

Regional Planning Commission

STAFF REPORT

FOR CONSIDERATION BY HAMILTON COUNTY REGIONAL PLANNING COMM. ON DEC. 1, 2016
FOR CONSIDERATION BY THE COLERAIN TOWNSHIP ZONING COMMISSION ON DEC. 20, 2016

**ZONE
AMENDMENT
CASE:**

COLERAIN ZA2016-08

9869 COLERAIN AVE – RAISING CANE’S

REQUEST: SUBSTANTIAL MODIFICATION of an existing “PD-B” Planned Development Business District

PURPOSE: To demolish the existing fast food restaurant building and redevelop the property for a new restaurant use

APPLICANT: Drew Gatliff, MA Architects (applicant), Colerain Land Company LLC (owner)

LOCATION: Colerain Township: 9869 Colerain Avenue; on the northwest corner of the Haverkos Court and Colerain Avenue intersection (Book 510, Page 111, Parcel 25)

SITE DESCRIPTION:

Tract Size:	Approximately 0.72 acres (gross)
Frontage:	Approximately 100 feet on Colerain Avenue and approximately 310 feet on Haverkos Court
Topography:	Flat
Existing Dvlpmt:	Long John Silver’s Restaurant

**SURROUNDING
CONDITIONS:**

	<u>ZONE</u>	<u>LAND USE</u>
North:	“PD-B” Planned Dev. Business District	Auto repair
South:	“PD-B” Planned Dev. Business District	Stone Creek Towne Center
East:	“B-2” General Business District	Retail
West:	“PD-B” Planned Dev. Business District	Stone Creek Towne Center

ZONING

JURISDICTION: Colerain Township Board of Trustees

SUMMARY OF

RECOMMENDATION: APPROVAL with Conditions

ZONING PETITION HISTORY:

In 2016, the township adopted Case Colerain ZA2016-06 Text Amendments which require substantial modifications to an approved plan which are not in conformance with the intent of or are in direct conflict with a specific standard or requirement of the resolution of approval adopted by the Colerain Township Trustees to be processed similar to a zone change request. This requires review and recommendation by the Hamilton County Regional Planning Commission and the Colerain Township Zoning Commission with the final approval by the Colerain Township trustees. Because this site had no specific preliminary development plan, Colerain Township staff determined that the proposal was a substantial modification subject to the process outlined above.

ANALYSIS:

Land Use Plan Consistency

- Adopted by RPC March 1989
- Last 5 Year Update adopted by RPC December 2001

Findings:

- *The Land Use Plan is not considered current as defined in the HCRPC Bylaws because it has not been reviewed and updated by the Regional Planning Commission within the last 5 years.*

- However, the Colerain Township Trustees have adopted a Land Use Map for the entire Township dated September 2011.
- The Colerain Township Land Use Map designates the site as “Planned Mix Use Employment”, which is defined as community and regional oriented business uses that tend to locate along highways with relatively high traffic volumes. Typically 1 story structures with a scale, massing, intensity, layout and specifications compatible with site constraints and character of surrounding residential developments.
- A restaurant use would be consistent with this designation.
- The Colerain Township Comprehensive Plan indicates the site is within Character Area 5: Colerain Avenue, which is described as the major commercial corridor for the Township, and the Vision Map for this area, along with the Land Use Map, supports commercial use of this site as part of the Colerain Avenue commercial corridor.
- The vision for this character area is that “Colerain Avenue will continue to see signs of reinvestment and redevelopment and will be a quality commercial corridor for the region. Investments from the Township, such as tax-increment financing, and property owners along this corridor will, in the long-term, help stabilize and improve this important commercial center. The Township will take steps to work with property owners to help improve the curb appeal that will benefit both the value of property and the Township overall. Colerain Avenue will encompass a mixture of large scale and small-scale retail and office space with the creation of a town center that will create a positive identity for the Colerain Township.”
- Land use guideline #5 of the character area encourages “the development of a mixed-use development or town center along the Colerain Avenue corridor that will incorporate a pedestrian scale environment...” Staff finds that a pedestrian connection should be identified between the existing sidewalk along Colerain Avenue and the proposed building to achieve the pedestrian scale identified in this guideline.
- With the proposed pedestrian connection identified above, staff finds that the proposal would be consistent with both the Colerain Township Land Use Plan and Comprehensive Plan.
- However, consistency with the adopted Land Use Plan and Comprehensive Plan is not required in accordance with RPC Consistency By-laws because the Land Use Plan is not current.

**RECOMMENDED
MOTION:**

To accept staff findings that consistency with the adopted land use plan is not required.

ANALYSIS:

Thoroughfare Plan Consistency

Applicable Policies and Recommendations: The proposed development has frontage on Colerain Avenue and Haverkos Court. The Hamilton County Thoroughfare Plan designates Colerain Avenue as a Major Arterial with a required right-of-way of 120 feet (60 feet from centerline). Haverkos Court is not classified on the Thoroughfare

Plan.

Findings: *The applicant has not indicated existing or proposed right-of-way, but it appears that the site currently has 50 feet of right-of-way from the centerline of Colerain Avenue. Staff finds that the additional 10 feet should be identified on the plan in compliance with the Thoroughfare Plan.*

Zoning Compliance

The site plan appears to meet the minimum standards of the Colerain Township Zoning Resolution and the “PD-B” Planned Development Business District with the following exceptions.

Table 9-2 – Common Open Space Requirements

This section requires 15% common open space for sites zoned “PD-B”.

Findings: *The submitted plans do not indicate an official dedication of common space. Staff recommends that the applicant work with the Township to achieve some compliance with Table 9-2, or provide additional open space or landscaping in some other manner.*

Section 12.9.4 – Lighting Standards

This section establishes a maximum illumination at property lines of 0.5 foot candles for cut off lighting in the “PD-B” district.

Findings: *The applicant has submitted lighting levels that exceed this requirement. Staff finds that the lighting plan should be revised to meet the requirements of Section 12.9.4 of the Colerain Township Zoning Resolution and should be submitted as a part of the final development plan.*

Article 12.11.1 – Architectural Standards for Customer Entrances

This article establishes that there must be at least one customer entrance for each side of a building facing a public street and that all customer entrances must comply with certain design standards.

Findings: *The submitted floor plans identify one customer entrance on the east side of the building fronting Colerain Avenue. A customer entrance is not identified along Haverkos Court. Staff supports a variance to this section to waive the customer entrance along Haverkos Court as a customer entrance on the south side of the building would encourage pedestrians to cross at the drive-thru lanes which could be hazardous. Staff finds that pedestrians could walk east along the proposed sidewalk along Haverkos Court to the existing sidewalk along Colerain Avenue to gain entrance to the building on the eastern side.*

Table 13-1 – Required Number of Parking Spaces

This table mandates 15 spaces per every 1,000 square feet or 1 space for each 4 seats, whichever is greater.

Findings: *A minimum of 51 spaces are required for the proposed building at 3,392 square feet in size. Further, a 10% reduction is permitted as of right in the Zoning Resolution. However, the Hamilton County Zoning Resolution would require one space per 100 square feet for a restaurant and the amount of required parking would be 34 spaces which is the same number calculated by the applicant. Staff supports a variance to parking standards and finds that the Township’s requirement may be*

excessive for a fast food restaurant where many patrons utilize the drive-thru window but may be more appropriate for sit down restaurants.

Section 13.4.1 (D) and Section 14.5.1 – Parking and Streetscape Buffer

This section indicates that a streetscape buffer yard of 15 feet is required for parking lots, also requiring either one canopy tree per every 35 lineal feet of street frontage.

Findings:

Along the Colerain Avenue frontage three canopy trees have been identified meeting this requirement. Along the Haverkos Court frontage 9 canopy trees required. The applicant has only proposed 2 canopy trees along the frontage of Haverkos Court. Staff does not recommend a variance to the streetscape buffer along Haverkos Court as there is sufficient room for the plantings and it appears that this requirement has been met on the south side of Haverkos Court with the existing development to the south. Staff finds that a Landscape Plan that meets the code should be submitted as part of the Final Development Plan.

Section 13.4.2 – Sidewalk Access

This section establishes that any new use or building shall be required to provide a 4-foot wide sidewalk along all public streets for the full length of the street frontage and that a pedestrian connection be constructed from the building to the sidewalk.

Findings: *Sidewalks exist along Colerain Avenue and a sidewalk is proposed along Haverkos Court. However, no pedestrian connections are proposed that connect the proposed building to these sidewalks. Staff recommends that a sidewalk connection be constructed to the existing sidewalk along Colerain Avenue in the northeast corner of the site to avoid the drive-thru lane traffic. Staff recommends waiving the sidewalk connection to the proposed building along Haverkos Court for the reasons stated above and that appropriate cross-walk striping be identified on the plan where the pedestrian connection would pass through the parking lot and interior driveway.*

Section 15.8.3 – Wall Signs in the PD-B District

This section establishes that corner lots are permitted to have wall signs on each frontage provided that they meet the requirements of this section.

Findings: *The applicant has submitted building elevations which indicate wall signs on all four sides of the building. The Zoning Resolution permits buildings located on corner lots to have wall signs on each façade facing a street provided that they meet the requirements of this section. Staff finds that the proposed restaurant should conform to this section of Colerain Township Zoning Resolution and that the wall signs on the western and northern facades should not be permitted.*

Other Issues

Eastern Most Entrance on Haverkos Court

The applicant has proposed to utilize the two existing curb cuts onto Haverkos Court with an additional curb cut located to the north of the site providing direct access to Colerain Avenue. It appears that both curb cuts along Haverkos Court are necessary for the proposed drive-thru to function properly. However, staff finds that the eastern most curb cut should be a right-in only with no left turns permitted in or out of the site at this location. This would prevent traffic from trying to exit east bound on Haverkos Court at this location where traffic stacks at the Haverkos Court and

Colerain Avenue signalized intersection which could create traffic back-ups within the interior of the site. Staff finds that signage should be installed directing traffic to utilize the western most curb cut onto Haverkos Court as the method to get out onto Colerain Avenue. This directional signage would also discourage traffic from utilizing the existing unsignalized curb cut to the north onto Colerain Avenue for left-hand turns crossing 6 lanes of traffic.

CONCLUSION:

Based on the above findings there is sufficient reason for staff to support the requested Substantial Modification as the request would be consistent with the Land Use Plan, Comprehensive Plan, and original "PD-B" plan. With the right-of-way dedication to comply with the Thoroughfare Plan and other minor site modifications, the development would be an improvement for the property. Therefore, staff finds that the development would be appropriate in this location.

**RECOMMENDED
MOTION:**

To recommend approval of case Colerain ZA2016-08; 9689 Colerain Ave – Raising Cane's, a request for approval of a Substantial Modification to an existing "PD-B" Planned Business District, subject to the standard covenants for planned districts and the following conditions and variances:

Conditions:

1. That right-of-way shall be dedicated along Colerain Avenue in compliance with the Hamilton County Thoroughfare Plan unless waived by the Ohio Department of Transportation.
2. That 15% of the total lot area shall be dedicated common open space in accordance with Table 9-2 of the Zoning Resolution.
3. That a lighting plan in compliance with Section 12.9.4 of the Colerain Township Zoning Resolution shall be submitted as part of the Final Development Plan.
4. That all building signage shall comply with Article 15 of the Colerain Township Zoning Resolution and that a detailed signage plan shall be submitted as part of the Final Development Plan.
5. That the site shall be limited to a maximum of one freestanding sign that complies with the Colerain Township Zoning Resolution.
6. That a landscape plan that complies with the Zoning Resolution shall be submitted as part of the Final Development Plan.
7. That the eastern most curb cut onto Haverkos Court shall be limited to a right-turn in only and that directional signage shall be installed directing traffic to utilize the western most curb cut onto Haverkos Court for access onto Colerain Avenue.
8. That a sidewalk connection shall be provided from the eastern building entrance to the existing sidewalk along Colerain Avenue.

Variances:

1. Article 12.11.1 – Architectural Standards for Customer Entrances – That the required customer entrance along Haverkos Court shall be waived and that only one entrance on the eastern façade that faces Colerain Avenue shall be required where entrances on all facades facing a street are required.
2. Table 13-1 – That the site shall be permitted to provide a minimum of 34 parking spaces where 51 parking spaces are required.

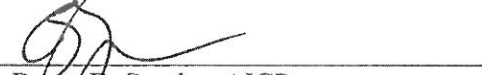
NOTE: Recommendations and findings in this staff report reflect the opinions of the staff of the Hamilton County Planning and Zoning Department, but may not necessarily reflect the recommendation of any Commission. This staff report is primarily a technical report on the level of compliance with adopted land use regulations and plans. The report is prepared in advance of public hearings and often in advance of other agency reviews. Additional information from other agency reviews and public review is considered by appointed commissions and elected boards. Therefore, the advisory and final decisions of such commissions and boards may result in findings and conclusions that differ from the staff report.

Prepared by:


John S. Huth

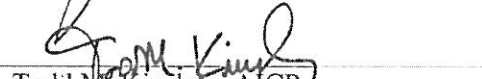
Senior Planner

Reviewed By:


Bryan D. Snyder, AICP

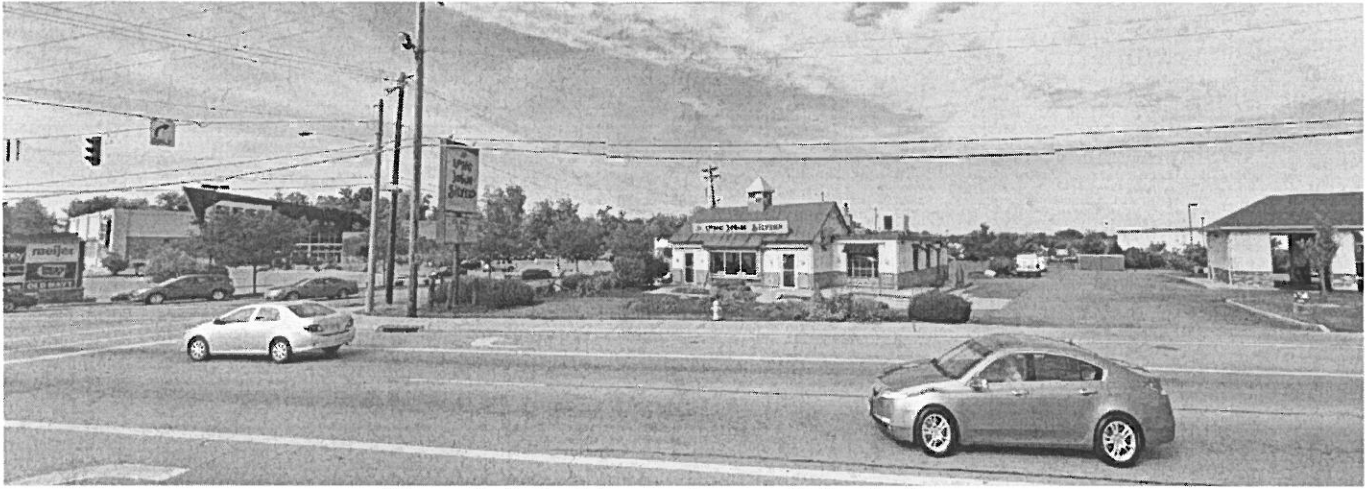
Development Services Administrator

Approved By:


Todd M. Kinskey, AICP

Planning Development Director

SITE PHOTOS



View of site looking west across Colerain Avenue



View of site looking north across Haverkos Court

















View of site looking east from Haverkos Court

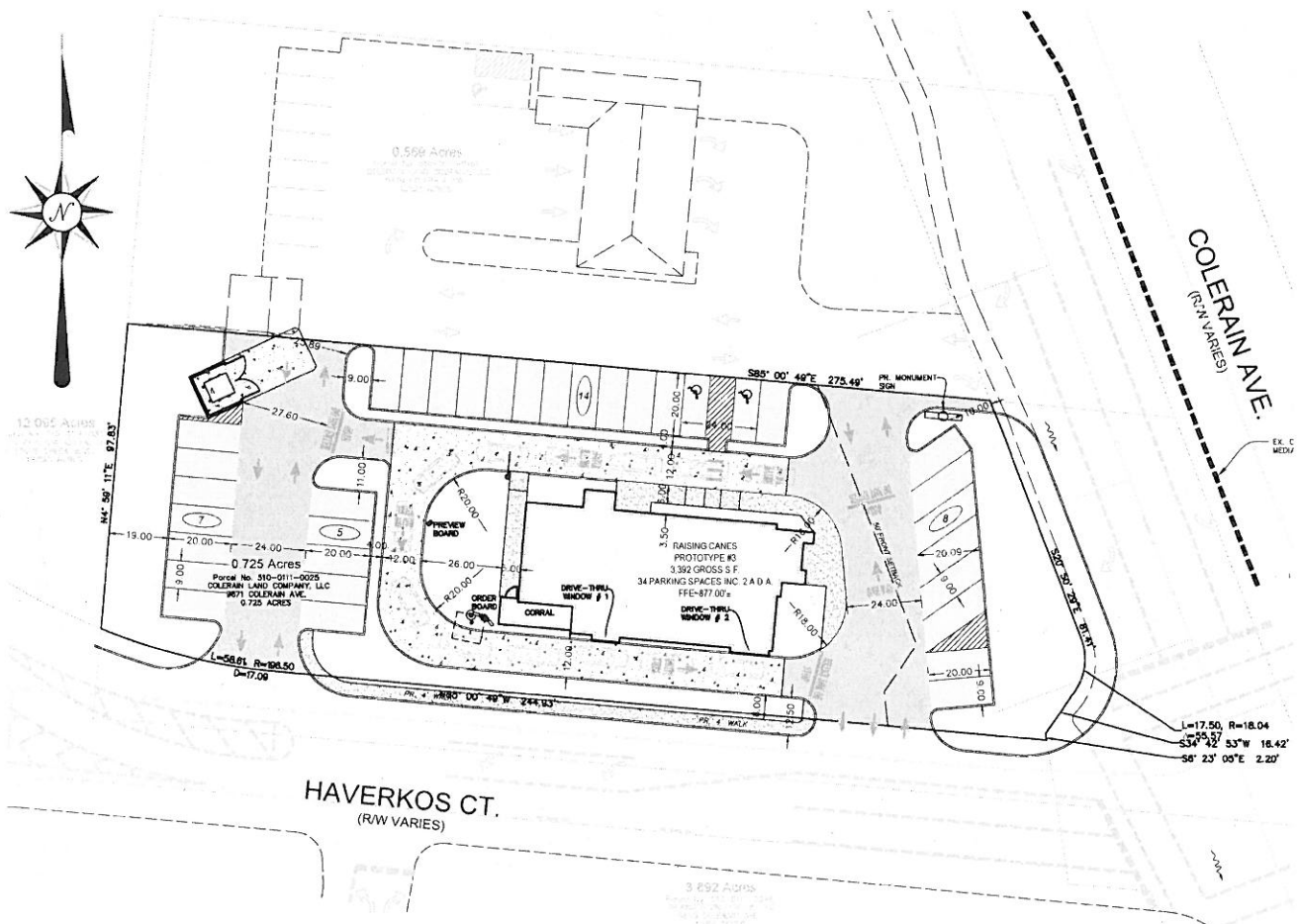
LAND USE PLAN MAP

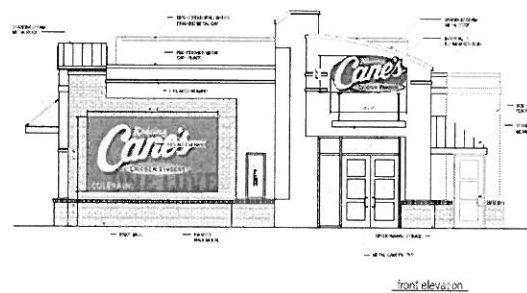
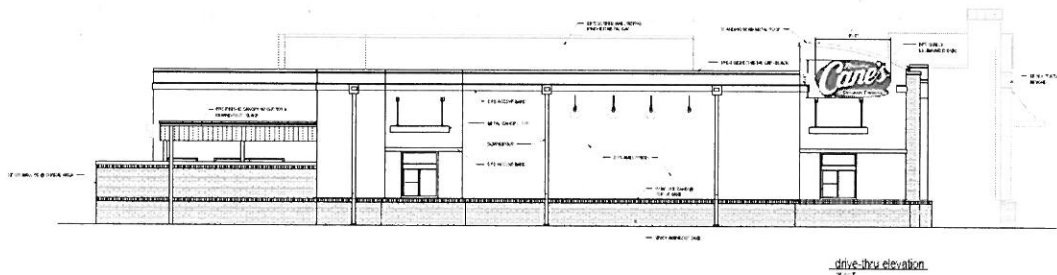
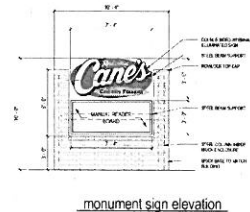
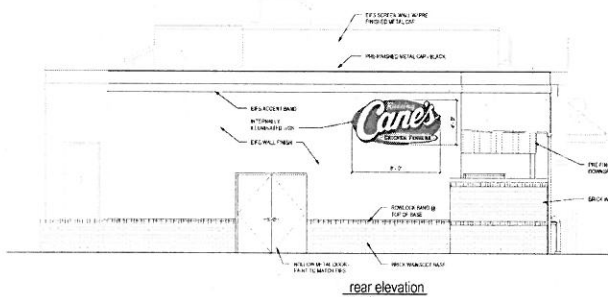
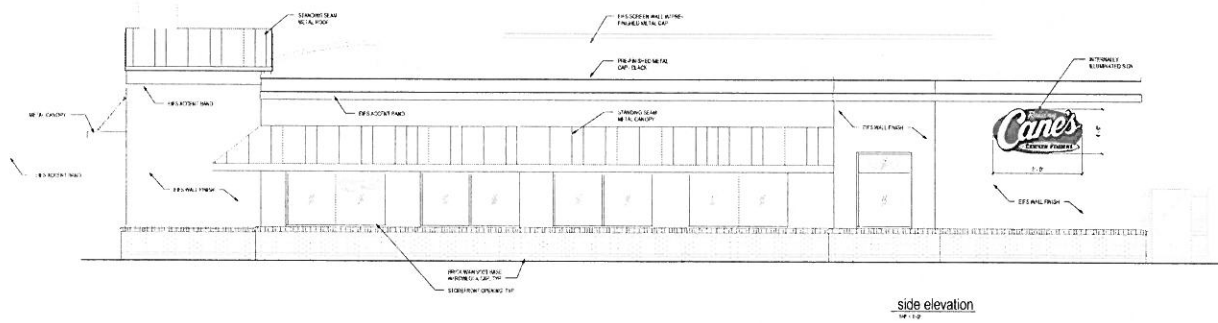


Land Use Plan

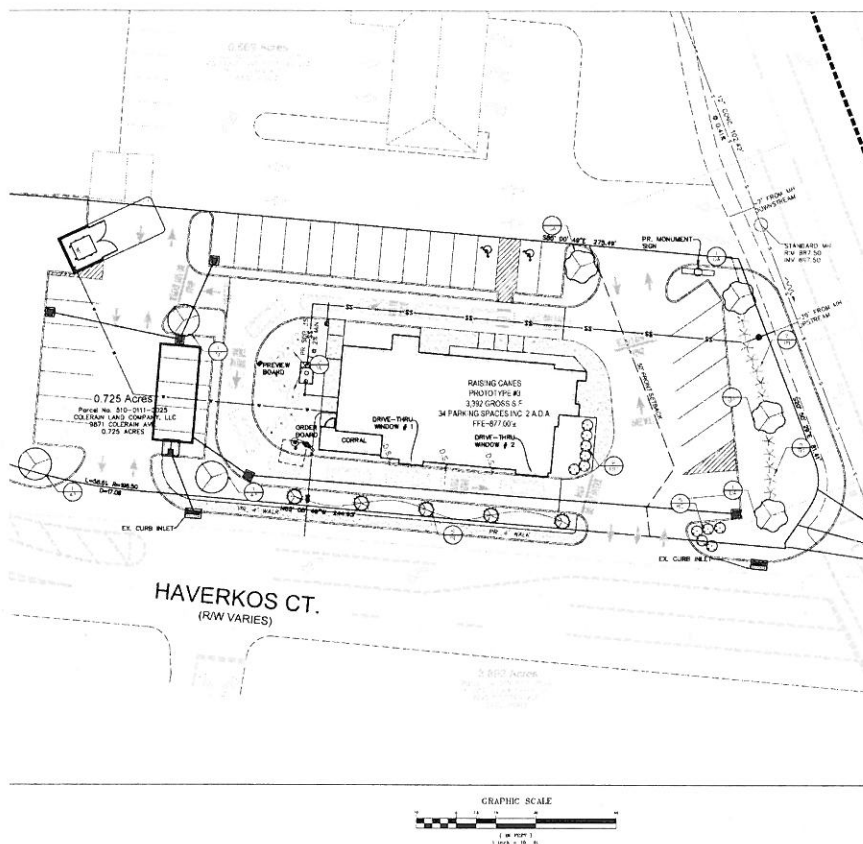
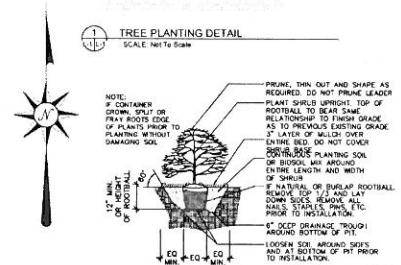
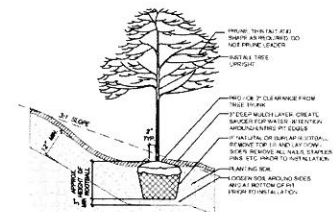
	Green Space & Agriculture
	Retail General
	Industry Heavy
	Industry Light
	Residence Multi-Family
	Retail Neighborhood
	Office
	Planned Mixed Use Employment
	Public, Semi-Public, Institutional
	Rural Residence
	Residence Single Family
	Mixed Use Transitional
	Residence Transitional
	Utility

Note: Land Use Map taken from Colerain Township website, not adopted by RPC

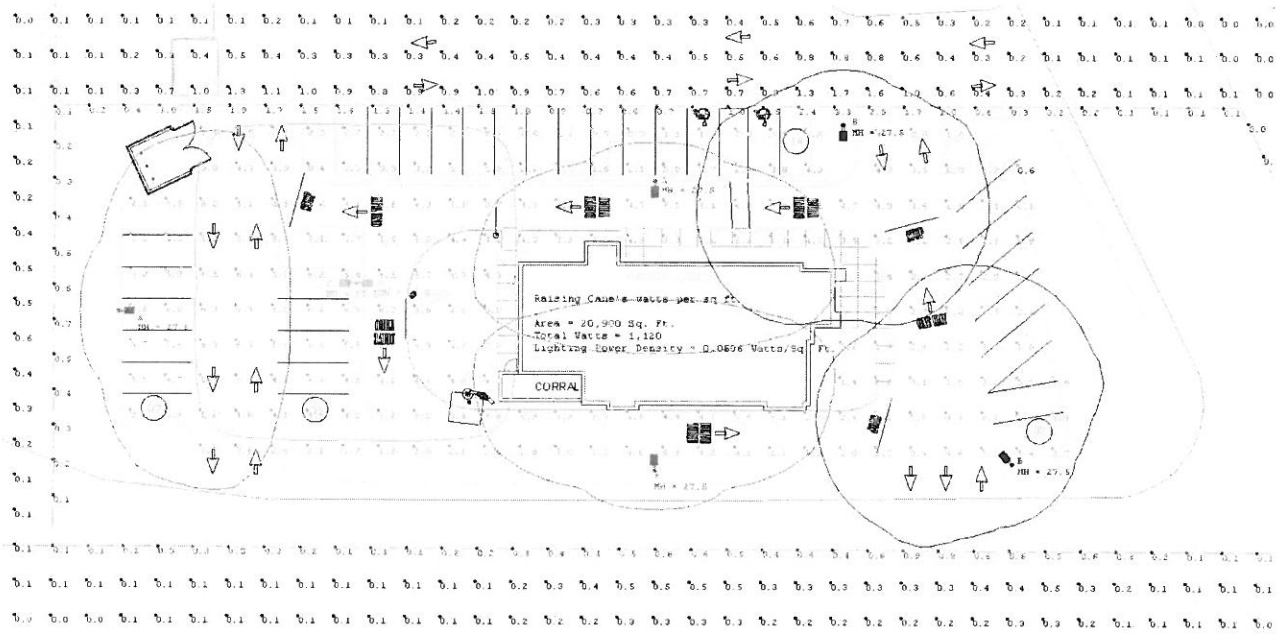




LANDSCAPE PLAN

[illegible]

LIGHTING PLAN



APPLICANT LETTER

Colerain Township Zoning Commission
4200 Springdale Road
Cincinnati, Ohio 45251

We are proposing to redevelop the property that is the current home to Long John Silvers at 9869 Colerain Avenue. We propose to raze the existing building and construct a new building with a new footprint in roughly the same place. The new building will be a Raising Cane's Chicken Fingers restaurant with a drive-thru. We will increase circulation to provide circulation around the front of the building as well as increase the amount of landscaping throughout the site.

Sincerely,

Amanda Zook

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at _____ p.m., on the _____ day of February, 2017 at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio, 45251, with the following members present:

Michael Inderhees, Greg Insko, Jeffrey F. Ritter

Mr./Ms. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____-17

Case No. ZA2016-08

9869 Colerain Avenue

Approval of a Zone Map Amendment and Preliminary Development Plan
Parcel 510-0111-0025 – PD-B Planned District Business

WHEREAS, the Applicant, Drew Gatliff, Meacham & Apel Architects, Inc., proposes a Zone Map Amendment and Preliminary Development Plan; and,

WHEREAS, the Hamilton County Regional Planning Commission heard the case, and on December 1, 2016 voted unanimously to recommend approval of the requested Zone Map Amendment and Preliminary Development Plan; and,

WHEREAS, the Colerain Township Zoning Commission conducted its public hearing on the case on January 17, 2017, and after consideration of the recommendation of the Regional Planning Commission, and all public comments, exhibits, and other materials submitted, voted unanimously to recommend approval of the application for a Zone Map Amendment and Preliminary Development Plan with conditions and variances; and,

WHEREAS, the Colerain Township Board of Trustees conducted its public hearing on the case on February 14, 2016, and after consideration of the recommendation of the Regional Planning Commission, the recommendation of the Zoning Commission, and all public comments, exhibits, and other materials submitted, voted _____ to approve the application for a Zone Map Amendment and Preliminary Development Plan with conditions and variances as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees accepts the recommendation of the Colerain Township Zoning Commission for a Zone Map Amendment and Preliminary Development Plan, and that the Board of Trustees does hereby approve the request for parcel 510-0111-0025 as PD-B Planned District Business, for the reason that the Zone Map Amendment and Preliminary Development Plan would be in the best interest of the Township and the health, safety, morals and welfare of the public, is consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is in keeping with good land use planning; and,

BE IT FURTHER RESOLVED that the Final Development Plan shall be subject to the conditions set forth below:

1. Final Development Plan

- 1.1 The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of approval which are depicted or noted on the Final Development Plan or contained in this Resolution are to be considered complimentary and what is required by one shall be as binding as if required by all.

1.2 No Final Development Plan shall be approved by the Colerain Township Zoning Commission before:

- A. detailed plans for grading, landscaping (indicating quality/quantity), exterior lighting and freestanding signs are submitted;
- B. all other “Requirements for Submission” of the Final Development Plans have been satisfactorily met;
- C. the Final Development Plan complies with the intent of this Resolution, the Zoning Resolution, the Preliminary Development Plan and all other complementary regulations and documents;
- D. the Final Development Plan complies with site plan recommendations of applicable development review agencies;
- E. the Final Development Plan complies with the following additional conditions or standards:

Conditions:

- 1. That right-of-way shall be dedicated along Colerain Avenue in compliance with the Hamilton County Thoroughfare Plan unless waived by the Ohio Department of Transportation.
- 2. That the site shall be limited to a maximum of one freestanding sign that complies with the Colerain Township Zoning Resolution.
- 3. That the sidewalk gaps along Colerain Avenue and Haverkos Court are completed and indicated on the Final Development Plan.
- 4. That the site meets the requirement of Section 8.3 Table 8-2 Maximum Lot Coverage by all Impervious Surfaces must be 75%.

Variances:

- 1. *From Section 8.3.1 Site Development Standards* – That the building setback shall be allowed at 40 feet from the Colerain Avenue Right-of-Way and 19 feet from the Haverkos Court right-of-way rather than the required 50 feet.
- 2. *From Section 9.3.7 Common Open Space* – That the site be permitted to forego the 15% common open space requirement as well as the requirement to dedicate open space.
- 3. *From Section 12.11.1 Architectural Standards for Customer Entrances* – That the required customer entrance along Haverkos Court be waived and that only one entrance on the eastern façade that faces Colerain Avenue shall be required where entrances on all facades facing a street are required.
- 4. *From Section 13.3.2 Required Number of Spaces* – That the site shall be permitted to provide a minimum of 34 parking spaces where 51 parking spaces are required.

5. *From Section 13.4.1 Location and Setback Requirement and Section Streetscape Buffers 14.51* – That the site shall be permitted a variance from 15’ streetscape buffer requirements along Haverkos Court to a 6-foot streetscape buffer yard.
6. *From Section 13.4.2(D) Access* – That the site be permitted a variance from the requirement that parking spaces shall not be located along entry drives within 30 feet of the right-of-way.

2. Construction Permits

- 2.1 No Zoning Certificate shall be issued by the Office of the Zoning Administrator before:
 - A. A Final Development Plan in compliance with Section 1 above, has been received and approved by the Colerain Township Zoning Commission, and
 - B. Construction documents submitted for permit are fully coordinated and consistent with the approved Final Development Plan.
- 2.2 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Administrator.

3. Maintenance of Improvements

- 3.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations of the Final Development Plan and/or contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

BE IT FURTHER RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Hamilton County Recorder and the Colerain Township Zoning Inspector.
2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and
3. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and
4. That this Resolution shall be effective at the earliest date allowed by law.
Mr./Ms. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Inderhees_____, Mr. Insco_____, Mr. Ritter_____

ADOPTED this _____ day of February, 2017.

BOARD OF TRUSTEES:

Michael Inderhees, Trustee

Greg Insko, Trustee

Jeffrey F. Ritter, Trustee

ATTEST:

Heather E. Harlow,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer

this _____ day of February, 2017.

Heather E. Harlow
Colerain Township Fiscal Officer



Staff Report:

**Map Amendment &
Preliminary Development Plan**

Case #:ZA2016-09

Struble Road Development Company
Southeast Intersection of Colerain Avenue
& Struble Road
February 14, 2017

Prepared By:

Jenna M. LeCount, AICP
Director of Planning & Zoning

Request:

Substantial Modification of an existing PD-I & Zoning Change
FROM: B-3 Commerce
TO: PD-I Planned Development Industrial

Purpose:

To construct two office buildings with 93,600 SF and seven office/warehouse buildings with 286,500 SF. The application includes a proposed internal roadway connecting to Colerain Avenue and Struble Road.

Applicant/Owner:

Struble Road Development Company, LLC, & Legacy Inc.

Location:

The southeast intersection of Colerain Avenue and Struble Road

Site Description:

Tract Size:	52.73 acres
Frontage:	570 feet on Colerain Ave and 1,940 feet on Struble Rd
Topography:	Sloping down gradually towards the south site boundary
Existing Development:	8 Single-Family homes (most are vacant) and mostly vacant land

Surrounding Conditions:

<u>Zone</u>	<u>Land Use</u>
North: B-3 Commerce, PD-I & Solid Waste District	Landfill, dental laboratories & single-family
South: PD-B & R-3 Residential	Wal-Mart shopping center & I-275
East: PD-I	Mini-warehouse storage facility
West: PD-B & R-3 Residential family	Small commercial properties & single-family

Case History:

There is no known zoning petition history for the portion of the site currently zoned as B-3 Business. There are zone amendments cases related to the PD-I Planned Industrial portion of the site; however, these cases focused on the adjacent PD-B development and for the extension of that development for an office/warehouse development. To date, no development has occurred on any portion of the PD-I Planned Industrial portion of the subject site and the entire property remains vacant.

Project Summary:

The applicant proposed a Zone Amendment from B-3 Business to PD-I Planned Industrial for 14 lots, including eight single-family residences along Struble Road, for a total of 6.92 acres in order to integrate this area with the large area surrounding these lots. The surrounding areas is currently zoned PD-I Planned Industrial and subject to the Substantial Modification portion of the request.

The proposed development includes a 3-story, 74,400 SF office building in the northwest corner of the site, surrounded on three sides by parking totaling 313 spaces. Additionally, a 30,000 SF office building is proposed on the northeast side of the parking field. To the east of this area along a proposed new public roadway, would be seven office/warehouse buildings ranging from 21,500 SF to 72,000 SF totaling approximately 286,500 SF. Each pair of buildings would have a corresponding parking lot and a shared loading areas.

Conformance with Comprehensive Plan:

The site is located within the Comprehensive Plan Character Area 2: Banklick Creek, which is described as area that will continue to reflect both the urban and rural characters of Colerain Township. While most of the northern portion of this Character Area is expected to remain unsewered in the long-term, sewer and the expansion of infrastructure in the southern portion will help open opportunities for industrial expansion in the Township and thus increase the tax revenue generated by nonresidential uses. The Land Use Guidelines of the Comprehensive Plan indicate that light industrial, office and employment centers are appropriate along Struble, Bank and Hughes Roads to create additional land for economic development. The Development Policies of the Comprehensive Plan include the policy to work with appropriate agencies to encourage the extension of sewers and water in this area to promote economic development efforts in one of the few areas of the Township available for new nonresidential uses. In addition, the Comprehensive Plan map identifies the site as Mixed Use Employment Center. The proposed redevelopment of this site is in conformance with the Comprehensive Plan.

Conformance with Land Use Plan:

The Land Use Map designates this area as Light Industrial use which is defined as smaller scale industrial uses such as warehouses, storage, limited manufacturing, research and development, transit terminals and wholesaling activities in enclosed facilities without offensive emissions or nuisance. Typically office warehouse uses with convenient access to major roads. The proposed redevelopment of this site is in conformance with the Land Use Plan.

Conformance with Zoning Resolution:

The site plan for the proposed Preliminary Development Plan appears to meet the minimum standards of the Colerain Township Zoning Resolution and the “PD-I” Planned Development Industrial District with the following exceptions:

Section 9.3.5 Permitted Use – This section indicates that all uses in a PD District must be approved during the review of the preliminary development plan by the Zoning Commission and the Board of Township Trustees pursuant to Section 4.5 of the Zoning Resolution. The use table indicates that uses permitted in the PD-I district shall be the same as those permitted in the I-1

Industrial District, and that uses not specifically listed as permitted may be approved as part of a preliminary development plan. Office use is not specifically permitted in the I-1 zoning district.

Section 9.3.7 Common Open Space Requirements – This section requires 15% common open space for sites zoned “PD-I” and that this space be dedicated to a public or quasi-public entity for maintenance and responsibility. The applicant has indicated more than 20% open space on the site development plans but has not indicated dedication of such space to a public or quasi-public entity.

Section 8.3.1 Site Development Standards – This section requires that the minimum front yard is 100 feet. The applicant indicates that none of the 7 proposed office/warehouse buildings would meet this setback requirement from the proposed new internal public street.

Section 13.3.4(A) – Providing More Parking Spaces than the Required Number of Spaces – This section requires that an applicant may provide a number of spaces equal to the number of required spaces or up to 10 percent more as of right. The applicant has indicated 490 parking spaces where 313 are required (+10%= 344.5 maximum).

Section 13.4.2(B) Sidewalks along a Public Street – This section indicates any new use or building shall be required to provide a 4-foot wide sidewalk along all public streets for the full length of street frontage. The applicant has indicated sidewalks along the frontage of the proposed new public right-of-way; however, they have not indicated completing sidewalks along Colerain Avenue or Struble Road frontages. The applicant will need to indicate compliance in the Final Development Plan or make an application to the Colerain Township Board of Trustees for sidewalk waiver approval and payment into the sidewalk fund as a fee in lieu of sidewalks.

Section 13.4.2(C) – Sidewalks and Connections – This section indicates that where a sidewalk exists in a public right-of-way adjacent to the site, or is required to be constructed as part of the development approval, a pedestrian connection shall be constructed from the building to the sidewalk. The applicant has not indicated this for the office/warehouse buildings on the interior of the site.

Section 14.6 Parking Area Landscaping – This section requires that no more than 15 spaces shall be located in a continuous row without being interrupted by a landscape island. Such landscape islands shall be of the minimum size of 135 square feet for single loaded parking rows, and a minimum size of 270 square feet for double loaded rows. The applicant indicates several areas associated with the office buildings which would fail to meet this requirement.

Section 13.4.1(D) and Section 14.5.1 Parking and Streetscape Buffer – This section indicates that a streetscape buffer yard of 15 feet is required for parking lots from public right-of-way. The applicant has indicated some areas where the buffer yard area may not be met and has not submitted a landscape plan for Staff to determine if street trees will be planted as required.

Other Agency Review:

Hamilton County Regional Planning Commission – The Regional Planning Commission voted 6-0 at the January 5, 2017 regular meeting, to recommend approval of the project for a

Substantial Modification of an existing “PD-I” Planned Development Industrial District and Zoning Change from B-3 to PD-I, subject to the standard covenants for planned districts and the following conditions and variances: *(full staff report is attached)*

Condition:

1. That the Final Development Plans for each phase of the development shall comply with all applicable zoning requirements for the specific area being reviewed.
2. That the plan shall be revised to comply with all requirements of the Hamilton County Thoroughfare Plan.
3. That all buildings on the site shall be designed to meet the setback requirements of the Zoning Resolution.
4. That a detailed landscape plan in compliance with the requirements of the Zoning Resolution, and with Conditions 7 and 8 below, shall be submitted as part of the Final Development Plan.
5. That a lighting plan in accordance with the requirements of the Zoning Resolution shall be submitted as part of the Final Development Plan.
6. That the Preliminary Development Plan shall be revised, to the maximum extent feasible, to locate parking to the rear and side of the façade of the main office building facing Colerain Avenue and that revised plan be submitted prior to the Zoning Commission hearing.
7. That the required 15-foot streetscape setback and landscaped buffer shall be provided along all public street frontages.
8. That a detailed parking analysis shall be submitted as part of each Final Development plan in compliance with the parking requirements of the Zoning Resolution for each phase of development.
9. That sidewalks shall be installed along all public streets, and that all buildings within the development shall provide pedestrian connections to any adjacent public sidewalk in accordance with Section 13.4.2 of the Zoning Resolution.
10. That detailed building elevations for the proposed main office building and general development standards for the remaining office and office/warehouse building in compliance with Section 12.11 of the Zoning Resolution shall be submitted prior to the Zoning Commission hearing for consideration and inclusion as part of the Preliminary Development Plan.
11. That standards for the location, size, and number of all proposed freestanding signs within the development shall be submitted prior to the Zoning Commission hearing for consideration and inclusion as part of the Preliminary Development Plan.

ODOT – See attached email from Thomas Makris, PE, MBA

Hamilton County Engineer – No response.

Metropolitan Sewer District – No response.

Hamilton County Soil & Water Conservation District – See attached letter from Chey Alberto, Urban Conservationist.

Hamilton County Stormwater & Infrastructure – No response.

Colerain Township Fire – No response.

Hamilton County GIS – No response.

Discussion:

Per Section 4.5.3(A) of the Zoning Resolution, the following 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;	The site is consistent with the Land Use Plan and the proposed development is generally consistent with the text and maps of the Comprehensive Plan.
2.	The proposed uses will have a beneficial effect on the community;	The proposed plan will provide economic development opportunities for the Township and development and a long vacant opportunity. The site will also act as the Northern gateway to the Township.
3.	The internal streets and primary and secondary roads that are proposed properly interconnect with the surrounding existing road network.	Proposed roadways appear to be appropriately connected to both Colerain Avenue and Struble Road for access to the proposed office and industrial park.
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 project is located on a county roadway and a state route. The applicant will have to satisfy those agencies' requirements.
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 Subsection 9.3.7 (Common Open Space).	<p>The applicant has indicated the designation of more open space than is required per the Township Zoning Resolution.</p> <p>Due to the specific characteristics of this site, staff does not recommend requiring the dedication of common open space.</p>
6.	The preliminary development plan is consistent with the intent and purpose of this Resolution and, in particular, the furtherance of the purpose of the PD District as set forth in Section 9.3.1.	The implementation of the proposed Preliminary Development Plan will provide for flexibility in the zoning requirements where the result will be a higher quality development.
7.	The preliminary development plan has been transmitted to all other agencies and departments charged with responsibility of	The plan has been transmitted to all appropriate agencies for review.

	review.	
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Recommendation:

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

The Colerain Township Zoning Commission agreed with the Staff recommendation of Approval with 7 conditions and 1 variance in a unanimous 5-0 vote at their January 17, 2017 regular meeting.

Staff recommended APPROVAL of the PDP with the following conditions and variances:

Conditions:

1. That the Final Development Plans for each phase of the development shall comply with all applicable zoning requirements for the specific area being reviewed.
2. That the plan shall be revised to comply with all requirements of the Hamilton County Thoroughfare Plan.
3. That all buildings on the site shall be designed to meet the setback requirements of the Zoning Resolution.
4. That the required 15-foot streetscape setback and landscaped buffer shall be provided along all public street frontages.
5. That parking areas include parking landscape islands and landscaping consistent with Section 14.6 of the Zoning Resolution.
6. That a detailed parking analysis shall be submitted as part of each Final Development plan in compliance with the parking requirements of the Zoning Resolution for each phase of development.
7. That sidewalks shall be installed along all public streets, and that all buildings within the development shall provide pedestrian connections to any adjacent public sidewalk in accordance with Section 13.4.2 of the Zoning Resolution.

Variances:

1. From Section 13.3 Required Parking Spaces to allow for up to 490 parking spaces associated with the two proposed offices buildings in the northwest corner of the development.

AGENDA

THE HAMILTON COUNTY REGIONAL PLANNING COMMISSION
Room 805, County Administration Building
138 East Court Street
Cincinnati, OH 45202

JANUARY 5, 2017

Administrative Session – 12:30 PM
Development Review Session – 1:00 PM

David Okum, Chairperson/Presiding Officer

1. ADMINISTRATIVE SESSION
SESSION CALLED TO ORDER

ROLL CALL OF COMMISSIONERS

ADMINISTRATIVE ACTIONS:

- A. ADM 01: RPC Financial Report – December
- B. ADM 02: Disposition of Minutes, December 1, 2016 Regular Meeting
- C. ADM 03: Election of Officers
- D. ADM 04 Authorize Executive Director to execute contract with MKSK for planning services

PROGRAM REPORTS:

Zoning Services	Systems / Data Products
Planning Partnership	Community Planning
Community Development	OKI Board of Trustees
Other Reports	

2. PUBLIC HEARING: (1:00PM)
SESSION CALLED TO ORDER

THOROUGHFARE PLAN

- | | |
|---------------|---|
| A. NAME: | Hamilton County Thoroughfare Plan Text Amendments |
| REQUEST: | Adoption of the Amendments |
| INITIATED BY: | Regional Planning Commission |

3. DEVELOPMENT REVIEW SESSION:
SESSION CALLED TO ORDER

PRELIMINARY SUBDIVISION PLANS:

- | | |
|------------|--|
| A. NAME: | Crosby 17-01; Fort Scott Revision |
| REQUEST: | To revise the density, create fewer lots, reduce the number of cul-de-sacs and overall street length, increase the detention/retention basins and create more greenspace |
| APPLICANT: | Justin Elam, P.E., CESO, Inc. |
| OWNER: | Fort Scott Project I, LLC |
| LOCATION: | Crosby Township: On the north and east side of Blue Rock Road and west of River Road, approximately 1,000 feet east of the New Haven Road and Blue Rock Road intersection (Book 530 Page 30 Parcels 62-96; Page 40 Parcels 149-205; 221; 223-258; 260-261; 265-279; 281-367 and Page 50 parcels 97-99) |
| B. NAME: | Sycamore 17-01; Heitmeyer Reserve |
| REQUEST: | To construct an 18-lot single family subdivision off of a new proposed PUD public street |
| APPLICANT: | Graham Parlin, HPA Development Group Inc. |
| OWNER: | Ralph Heitmeyer |
| LOCATION: | Sycamore Township: 8692 and 8710 Kenwood Road on the east side of Kenwood Road, approximately 300 feet south of the Kenwood Road and Bayberry Drive intersection (Book 600, Page 93, Parcels 1, 2, 7 & 246) |

C. NAME: Symmes 17-01; Lakeside Estates
REQUEST: To construct a 9-lot single family subdivision off of a new private driveway approximately 980 feet long and ending in a ci-de-sac
APPLICANT: Bob Rothert, Abercrombie & Associates, Inc.
OWNER: Francis J. & Judith F. Froehlich, Trustees
LOCATION: Symmes Township: On the north side of Loveland Madeira Road, approximately 1,200 feet east of the Humphrey Road and Loveland Madeira Road intersection (Book 620, Page 150, Parcels 37 & 176)

TOWNSHIP ZONING MAP AMENDMENT:

A. CASE: Colerain ZA2016-09; Rumpke Industrial
REQUEST: Preliminary Development Plan in an existing "PD-I" Planned Development Industrial District AND
FROM: "B-3" Commerce District
TO: "PD-I" Planned Development Industrial
PURPOSE: To construct two office buildings with a total of 93,600 sq. ft. and seven office/warehouse buildings with a total of 286,500 sq. ft. with an internal roadway connecting to Colerain Avenue and Struble
APPLICANT: Jose Castrejon, McGill Smith Punshon, Inc. (applicant), Struble Road Development Company, LLC & Legacy Inc. (owner)
LOCATION: Colerain Township: southeast of the Colerain Avenue and Struble Road intersection (Book 510, Page 114, Parcels 1, 7 through 18, 21 and 22, 71)

4. ADJOURNMENT

NOTE: Individuals with disabilities requiring special accommodations to participate in or attend any meeting or hearing should call the Planning & Development Department at 946-4550 seven days prior to the meeting.

>>>>FOR ADDITIONAL INFORMATION ON ANY AGENDA ITEM, PLEASE CALL 946-4550<<<<



HAMILTON COUNTY

Regional Planning Commission

STAFF REPORT

FOR CONSIDERATION BY HAMILTON COUNTY REGIONAL PLANNING COMM. ON JAN. 5, 2017
FOR CONSIDERATION BY THE COLERAIN TOWNSHIP ZONING COMMISSION ON JAN. 17, 2017

**ZONE
AMENDMENT
CASE:**

COLERAIN ZA2016-09

RUMPKE INDUSTRIAL

REQUEST: SUBSTANTIAL MODIFICATION of an existing “PD-I” Planned Development Industrial district AND
FROM: “B-3” Commerce
TO: “PD-I” Planned Development Industrial

PURPOSE: To construct two office buildings with a total of 93,600 sq. ft. and seven office/warehouse buildings with a total of 286,500 sq. ft. with an internal roadway connecting to Colerain Avenue and Struble Road

APPLICANT: Jose Castrejon, McGill Smith Punshon, Inc. (applicant), Struble Road Development Company, LLC, & Legacy Inc. (owner)

LOCATION: Colerain Township: southeast of the Colerain Avenue and Struble Road intersection (Book 510, Page 114, Parcels 1, 7 through 18, 21 and 22, 71)

SITE DESCRIPTION:

Tract Size:	52.73 acres
Frontage:	570 feet on Colerain Avenue and 1,940 feet on Struble Road
Topography:	Sloping down gradually towards the south site boundary
Existing Dvlpmt:	8 single-family homes and vacant

**SURROUNDING
CONDITIONS:**

	<u>ZONE</u>	<u>LAND USE</u>
North:	“B-3” Commerce, “PD-I” Industrial & “SWD” Solid Waste Disposal	Rumpke Landfill, dental laboratories, & single-family
South:	“PD-B” Business & “R-3” Residential	Wal-Mart shopping center & I-74
East:	“PD-I” Industrial	Mini-warehouse storage facility
West:	“PD-B” Business & “R-3” Residential	Small commercial properties & single-family homes

ZONING

JURISDICTION: Colerain Township Board of Trustees

**SUMMARY OF
RECOMMENDATION:** **APPROVAL with Conditions**

PROPOSED USE:

The applicant has proposed a Zone Amendment from “B-3” Business to “PD-I” Planned Industrial for 14 lots, including eight single-family residences along Struble Road, for a total of 6.92 acres in order to integrate this area with the large area surrounding these lots currently zoned “PD-I” Planned Industrial and subject to the Substantial Modification portion of the request. Only a portion of the proposed development would actually occur within the smaller area subject to the Zone Amendment. This would include the Struble Road access drive and portions of the proposed office/warehouse Buildings E and F. The majority of the proposed development would occur within area currently zoned “PD-I” Planned Industrial and would include a 3-story 74,400 sq. ft. office building in the northwest corner of the site surrounded on three sides by rows of parking totaling 313 spaces with an additional 30,000 sq. ft. office building on the northeast side of the parking field. To the east of this area along a proposed new public roadway would be seven office/warehouse buildings (Buildings A-F on the proposed development plan) ranging from 21,500 sq. ft. to 72,000 sq. ft. for a total of 286,500 sq. ft. Each pair of buildings would have a corresponding parking lot and a shared loading area between. A total of 364 parking spaces have been proposed for the office/warehouse buildings. The total impervious surface ratio for the entire development would be approximately 47%. The applicant has not submitted details on the design of the proposed buildings, lighting, freestanding or building signage, or specific details on the submitted parking and landscaping plans.

ZONING HISTORY:

There is no known zoning petition history for the portion of the site currently zoned “B-3” Business. However, there are several zone amendment cases related to the “PD-I” Planned Industrial portion of the site. The site has previously been approved for extension of the adjacent shopping center and for an office/warehouse development. To date, no development has occurred on any portion of the “PD-I” Planned Industrial portion of the subject site. The entire property remains vacant.

The Colerain Township Zoning Resolution requires that Substantial Modifications to approved “PD-I” Planned Industrial districts follow the same review procedure established for the Planned Developments. This procedure requires a zone amendment process, including Regional Planning Commission, Township Zoning Commission, and Township Trustee review. Because this request involves a major change to the previously approved plan, Colerain Township officials have determined that the proposed change to the “PD-I” Planned Industrial portion of the site is a Substantial Modification that must go through the Zone Amendment process according to Section 4.5.7 of the Colerain Township Zoning Resolution.

ANALYSIS:

Land Use Plan Consistency

Applicable Policies and Recommendations: The Regional Planning Commission has an adopted Land Use Plan for this site. The adoption and review history of the Colerain Township North East Sector Land Use Plan is as follows:

- | | |
|-------------------------------------|---------------|
| • Adopted by RPC | March 1989 |
| • Last 5 Year Update adopted by RPC | December 2001 |

Findings:

- *The Land Use Plan is not considered current as defined by RPC Bylaws as it has not been reviewed and updated by the RPC within the last 5 years. However, the Colerain Township Trustees have adopted a Land Use Map for the entire Township dated September 2011.*
- *The Land Use Map designates the area along Struble Road subject to the zone amendment and the entire area in question as Light Industry, which is defined as “smaller scale industrial uses such as warehouses, storage, limited manufacturing, research and development, transit terminals and wholesaling activities in enclosed facilities without offensive emissions or nuisance. Typically office warehouse uses with convenient access to major roads.”*
- *The proposed office/warehouse development would be consistent with this land use plan map designation as it would provide a range of small-scale office/warehouse buildings in enclosed facilities with access to Colerain Avenue.*
- *Staff has also reviewed the site for consistency with the Colerain Township Comprehensive Plan adopted by the Colerain Township Trustees in April 2005. The Comprehensive Plan has not been adopted by RPC but does provide further land use recommendations for the township.*
- *The Comprehensive Plan indicates that the subject site is within the Banklick Creek Character Area and identifies “Light Industrial, Office, and Employment Centers” as appropriate land uses within the character area and includes numerous references to the non-residential, non-retail development of properties in this area. Staff finds that the proposed use would be consistent with the text of the Comprehensive Plan.*
- *Therefore, staff finds that the proposed use would be consistent with both the Colerain Township Land Use Plan Map and the Colerain Township Comprehensive Plan.*
- *However, consistency with the adopted Land Use and Comprehensive Plans is not required, in accordance with RPC Consistency By-laws, because the plans are not considered current.*

**RECOMMENDED
MOTION:**

To accept staff findings that consistency with the adopted land use plan is not required.

ANALYSIS:

Thoroughfare Plan Consistency

Applicable Policies and Recommendations: The proposed development has frontage on Colerain Avenue and Struble Road. The Hamilton County Thoroughfare Plan designates Colerain Avenue as a Major Arterial with a required right-of-way of 120 feet (60 feet from centerline) and Struble Road as a Collector with a required right-of-way of 80 feet (40 feet from centerline).

Findings: *The Colerain Avenue/Struble Road portion of the site currently zoned “PD-I” includes the area on the southeast corner of the Colerain/US27/Struble Road intersection and appears to have close to the required 60 feet of right-of-way from the center line of Colerain Avenue and clearly has greater than 40 feet from the centerline of Struble Road. The Colerain Avenue portion is also under the*

jurisdiction of the Ohio Department of Transportation. There may be no additional dedication required in this area. The portion of the site along Struble Road subject to the Zone Amendment appears to have less than 40 feet from centerline and dedication would likely be necessary in this area. The submitted development plan does not indicate the existing right-of-way lines and does not mention dedication of any additional right-of-way. Staff finds that the plan should be revised to comply with the requirements of the Thoroughfare Plan.

Zoning Compliance

The site plan appears to meet the minimum standards of the Colerain Township Zoning Resolution and the “PD-I” Planned Development Industrial District with the following exceptions.

Table 9-1 – Planned Development Use Table

This table indicates that uses permitted in the PD-I district shall be the same as those permitted in the I-1 Industrial District, and that uses not specifically listed as permitted may be approved as part of a preliminary development plan.

Findings: *The I-1 Industrial district lists distribution facilities, light industrial uses, storage facilities, warehouses, and wholesale commercial activities as permitted uses. However, professional and business offices are specifically not permitted in the I-1 Industrial district. Staff finds that the seven office/warehouse buildings would be consistent with the intent of the PD-I District to permit flexible light industrial space with a warehouse component. Staff also finds that the proposed professional offices would be related to the large industrial and solid waste facility located on the north side of Struble Road. As part of the same use on the same property, the proposed offices would be permissible. This should not change because there is a street separating two areas of the same use. Therefore, staff finds that the office use should be permitted as part of the Preliminary Development Plan approval.*

Section 9.3.6 – Design Standards

This section states that standards for area, lot coverage, density, yard requirements, parking, landscaping, and screening shall be established in the preliminary development plan by the Zoning Commission and Board of Township Trustees.

Findings: *This section also states that exceptions and variations should be granted when it is determined that they are warranted by certain design elements, natural features, and public amenities. Since there is no mention of specific design elements or public amenities either in the submittal documents or on any of the plans, and because the only natural features appear to be several undefined areas of existing vegetation to remain and two new retention ponds constructed, staff can find no reason to indicate that exceptions or variation should be considered. Therefore, the site should be designed to meet the standards of the “I-1” Industrial district, as discussed below.*

Table 8-2 – Site Development Standards

This section states that the required minimum front yard in the “I-1” Industrial district is 100 feet.

Findings: *The proposed development plan shows that the 2 proposed office buildings*

would meet the required 100-foot setback from all public roads. Additionally, the remaining 7 office/warehouse buildings would be setback greater than 100 feet from the right-of-way of Struble Road. However, none of the 7 office/warehouse buildings would meet the required setback from the proposed new internal public street. The applicant could revise the plan to include private access roads within the interior of the site to eliminate the issue with this section or the warehouse building could be redesigned to meet the required setbacks, which would likely reduce the size of the buildings. The township may decide that it is desirable to have public streets within the development rather than private driveways. Therefore, staff finds that the development should be redesigned to meet the requirements of the Zoning Resolution unless this recommendation is waived by the township.

Table 13-1 – Required Number of Parking Spaces

This section includes the minimum number of required parking spaces for professional office uses (3 spaces per 1,000 square feet) and warehouse uses (1 space per 2,000 square feet).

***Findings:** The proposed development plan indicates that there would be more parking than required for the proposed 2 office buildings, which is discussed in the next section. However, the plan calculates the required parking for the 7 office/warehouse buildings as 100% warehouse, with no provision for office parking. As proposed, the office/warehouse section of the plan indicates that 364 parking spaces would be provided where 144 spaces are required (addition error on plan mistakenly says 425 spaces required), a 220 space surplus. However, if 30% of the building area were devoted to office use and calculated separately, as required, the number of parking spaces required would be 357. This reduces the surplus to 7 spaces and effectively prevents these buildings from including any additional office use. Staff finds that a detailed parking analysis should be provided for each individual building as part of any Final Development Plan to ensure that adequate parking is provided for this area depending on the eventual users of the buildings.*

Section 13.3.4(A) – Providing More Parking Spaces than the Required Number

This section states that applicants providing over 10% more parking spaces than required must provide a minimum of 20% landscaping coverage within the parking area and parking islands.

***Findings:** The 2 proposed office buildings are proposed to provide well over 110% of the required parking spaces. It appears that there would be significant landscape areas within the proposed parking lots and the proposed plan may meet this requirement. However, the plan does not include enough information to verify compliance. A landscape plan that meets this requirement should be required as part of the Final Development Plan.*

Section 13-4.1(A) & (B) – Design of Parking – Location and Setback

This section states that parking lots shall be located to the rear and sides of buildings to the maximum extent feasible and that there shall be a 15-foot streetscape buffer along the right-of-way.

***Findings:** The proposed parking areas for the majority of the 7 office/warehouse buildings would be located to the sides of the buildings and would be located more than 15 feet from all right-of-way lines. However, the larger parking lot for the proposed main office building would be located between the building and both*

Colerain Avenue and Struble Road. With the proposed public street within the development, this part of the site would include three street frontages, so some flexibility should be granted to the property. The township will have to decide if they want the proposed office development at one of the main entrances into the township from the north to include parking as the dominant use of the southeast corner of the intersection of Colerain and Struble Road. The site could feasibly be revised to move the building closer to Colerain Avenue or towards the intersection, with parking moved to the east or south. In addition, it appears that several sections of the parking area for the office use and one section of parking for Building E are located less than 15 feet from the existing and proposed rights-of-way. There is no justification for a variance as the project is being constructed on a very large vacant parcel. Staff finds that the plan should be revised to comply with the required 15-foot streetscape setback.

Section 13-4.2(B) & (C) – Design of Parking – Sidewalks and Connections

This section states that sidewalks are required along all public streets for the full length of street frontage and that pedestrian connections from buildings to public sidewalks are required.

Findings: *Sidewalks are currently provided along Colerain Avenue that dead end at the intersection of Colerain and Struble Road. There are no sidewalks along any portion of Struble Road. The applicant is proposing to construct sidewalks along both sides of the two new public streets within the development and the required pedestrian connections for both of the office buildings. Unless the township has a plan to add sidewalks to Struble Road in the future, there is no reason to require the development to provide these sidewalks. There are no sidewalks along any of the roads north, east, or west of the Colerain and Struble Road intersection. However, no sidewalk connections are proposed from any of the office/warehouse buildings to the sidewalks proposed along the new public street. Sidewalks in industrial areas may not be used by the general public since warehouse uses don't typically invite walk-up foot traffic but the employees of these buildings may choose to walk to Colerain Avenue to shop at the convenience store, fast food, restaurant, or big box retail uses adjacent to the south. Staff finds that all buildings within the development should comply with this section.*

Other Issues

Architectural Standards

Staff is concerned that no definitive standards have been proposed for the height and design of any of the 9 buildings in the development. The Colerain Township Zoning Resolution includes architectural standards for façade changes, roofline changes, and customer entrances. No details regarding compliance with these standards have been submitted. Understanding that the 7 office/warehouse buildings are speculative and there are no known users, there still seems to be a need for more information regarding the design of the buildings within the project. The proposed main office building is in a prominent location with great visibility at a major intersection within the township and there is an opportunity to provide a high quality development. Three design elements that are typically referenced for higher quality developments and could be considered for this development are enhanced architectural materials

and features for the buildings, enhanced landscaping, screening of objectionable portions of the development, and the siting of parking to the side or rear of buildings, especially the expanse of parking near the intersection of Colerain Avenue and Struble Road. Staff finds that greater detail regarding building design for the office buildings and basic standards for design characteristics for the remaining office/warehouse buildings should be submitted to the township prior to the Zoning Commission hearing in order to determine if they will result in a higher quality development and for these standards to be established as part of the preliminary development plan approval process.

Development Phasing

There is a potential for this development to be completed in multiple phases with numerous questions unanswered, including the possibility for the creation of future lots for each phase or building, and the potential for zoning review of Final Development Plans to be related to the overall project where parking and landscaping standards may be exceeded in one phase and not met or left out all together in another phase, while still meeting the requirements for the site as a whole. For this reason, staff recommends requiring that the Final Development Plans for each phase of development on this site meet the requirements of the Zoning Resolution for the area being developed, rather than the site as a whole.

Buffer for Single-family homes

There are two homes on Struble Road that would remain and be surrounded by the proposed "PD-I" Industrial district. The homes appear to be occupied but are currently zoned "B-3" Commerce. The boundary buffer section of the Colerain Township Zoning Resolution requires buffers be installed according to zoning district, not current use, and therefore no buffer is required between the proposed development and the existing homes. The proposed plan indicates installation of landscaping to the rear of the single-family properties but does not show any buffering to the west side of the western property. Staff is concerned that these homes will be impacted by the proposed development of Building F and no buffer may be installed. Therefore, staff finds that buffers should be installed to the west and south of the adjacent single-family properties as if the properties were zoned "R-3" Suburban-Low Residential, which would require a 50-foot boundary buffer. The "R-3" district is the closest residential zone district based on the size of the properties. The development plan indicates there would be at least 50 feet from these properties to the nearest building and this requirement would only ensure that landscaping and/or mounding would be installed within this area.

Signage

The applicant has not submitted any detailed signage plans for the development. The only mention of signage is a note on the plan indicating an entrance monument sign that meets zoning standards at the main entrance to the site from Colerain Avenue. Staff is concerned that, without further restrictions on freestanding signage within the development, there could be a sign for each building within the interior of the project. With the development including public streets within the interior and the potential that the project is developed with each office/warehouse building being located on a separate lot, staff is concerned that each of the 7 buildings could include a separate, 150 square-foot freestanding sign. Therefore, staff recommends that details or basic

standards for freestanding signage within the development be submitted to the township prior to the Zoning Commission hearing in order to determine the appropriate number and size of proposed signage within the development.

CONCLUSION:

Based on the above findings, there is sufficient reason for staff to support the request. The proposed Zone Amendment from “B-3” Commerce to “PD-I” Planned Industrial for 14 lots and 8 single-family residences along Struble Road would be consistent with the Colerain Township Land Use Plan and Comprehensive Plan. Also, the plan can be made to comply with the Hamilton County Thoroughfare Plan with little impact on the development. However, staff is concerned with the lack of detail submitted at this time for a development of this scale and importance to the township. The site is located at a prominent intersection at what is effectively the northern entrance to the township. The conditions recommended below generally encourage the submittal of more detailed information prior to final consideration of the zone amendment by the township. With this additional information submitted, staff finds that the proposed development would be appropriate for this site.

RECOMMENDED MOTION:

To recommend approval of case Colerain ZA2016-09; Rumpke Industrial, a request for a Substantial Modification of an existing “PD-I” Planned Development Industrial district and a Zone Amendment from “B-3” Commerce to “PD-I” Planned Development Industrial subject to the standard covenants for planned districts and the following conditions and variance:

Conditions:

1. That the Final Development Plans for each phase of the development shall comply with all applicable zoning requirements for the specific area being reviewed.
2. That the plan shall be revised to comply with all requirements of the Hamilton County Thoroughfare Plan.
3. That all buildings on the site shall be designed to meet the setback requirements of the Zoning Resolution.
4. That a detailed landscape plan in compliance with the requirements of the Zoning Resolution, and with Conditions #7 and #8 below, shall be submitted as part of the Final Development Plan.
5. That a lighting plan in accordance with the requirements of the Zoning Resolution shall be submitted as part of the Final Development Plan.
6. That the Preliminary Development Plan shall be revised, to the maximum extent feasible, to locate parking to the rear and side of the façade of the main office building facing Colerain Avenue and that revised plan be submitted prior to the Zoning Commission hearing.
7. That the required 15-foot streetscape setback and landscaped buffer shall be provided along all public street frontages.
8. That a boundary buffer shall be provided adjacent to the two single-family homes at the northeast corner of the development site that complies with the standards of the Zoning Resolution as if these properties were zoned “R-3” Suburban-Low Residential.
9. That a detailed parking analysis shall be submitted as part of each Final


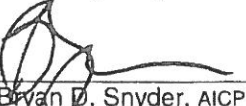
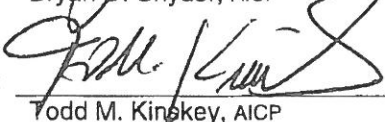
Development Plan in compliance with the parking requirements of the Zoning Resolution for each phase of the development.

10. That sidewalks shall be installed along all public streets, with the exception of Struble Road as granted by Variance #1 below, and that all buildings within the development shall provide pedestrian connections to any adjacent public sidewalk in accordance with Section 13.4.2 of the Zoning Resolution.
11. That detailed building elevations for the proposed main office building and general development standards for the remaining office and office/warehouse buildings in compliance with Section 12.11 of the Zoning Resolution shall be submitted prior to the Zoning Commission hearing for consideration and inclusion as part of the Preliminary Development Plan.
12. That standards for the location, size, and number of all proposed freestanding signs within the development shall be submitted prior to the Zoning Commission hearing for consideration and inclusion as part of the Preliminary Development Plan.

Variance:

1. Section 13.4.2(B) – That no sidewalks shall be required to be installed along Struble Road where a 4-foot sidewalk is required to be installed along all public street frontages.

NOTE: Recommendations and findings in this staff report reflect the opinions of the staff of the Hamilton County Planning and Zoning Department, but may not necessarily reflect the recommendation of any Commission. This staff report is primarily a technical report on the level of compliance with adopted land use regulations and plans. The report is prepared in advance of public hearings and often in advance of other agency reviews. Additional information from other agency reviews and public review is considered by appointed commissions and elected boards. Therefore, the advisory and final decisions of such commissions and boards may result in findings and conclusions that differ from the staff report.

Prepared By:	 Eric Fazzini, CNU-A	Senior Planner
Reviewed By:	 Bryan D. Snyder, AICP	Development Services Administrator
Approved By:	 Todd M. Kinskey, AICP	Planning & Development Director

SITE PHOTOS



View of site looking northeast from the US 27 and Reann Drive intersection



View of site looking southeast from the US 27 and Struble Road intersection



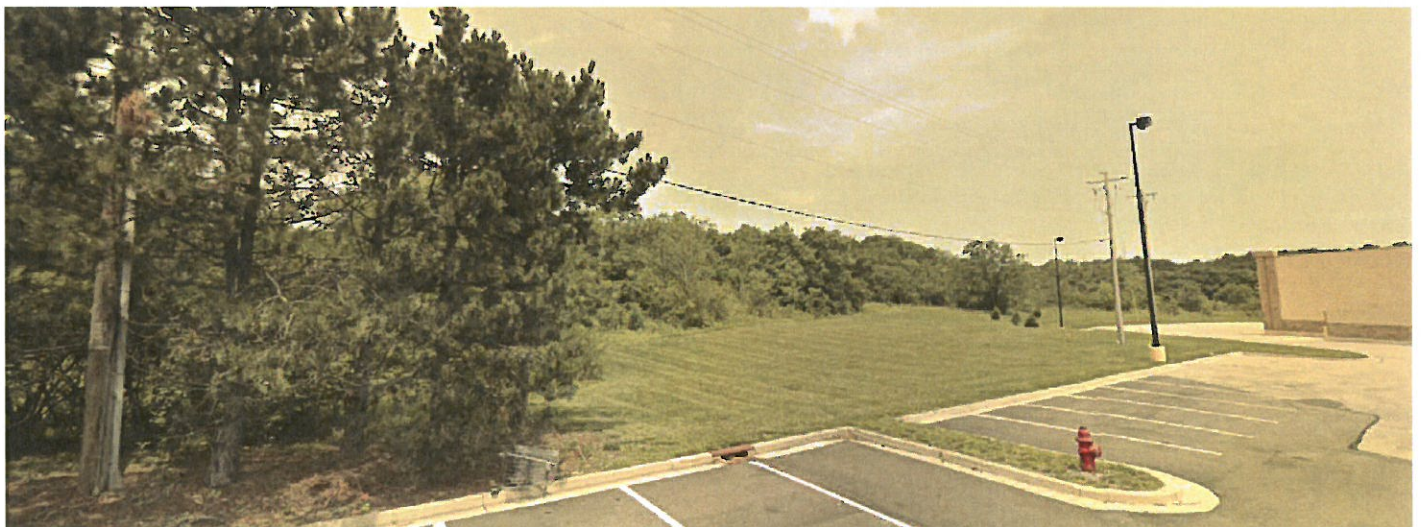
View of site looking south from Struble Road at the Rumpke western entrance



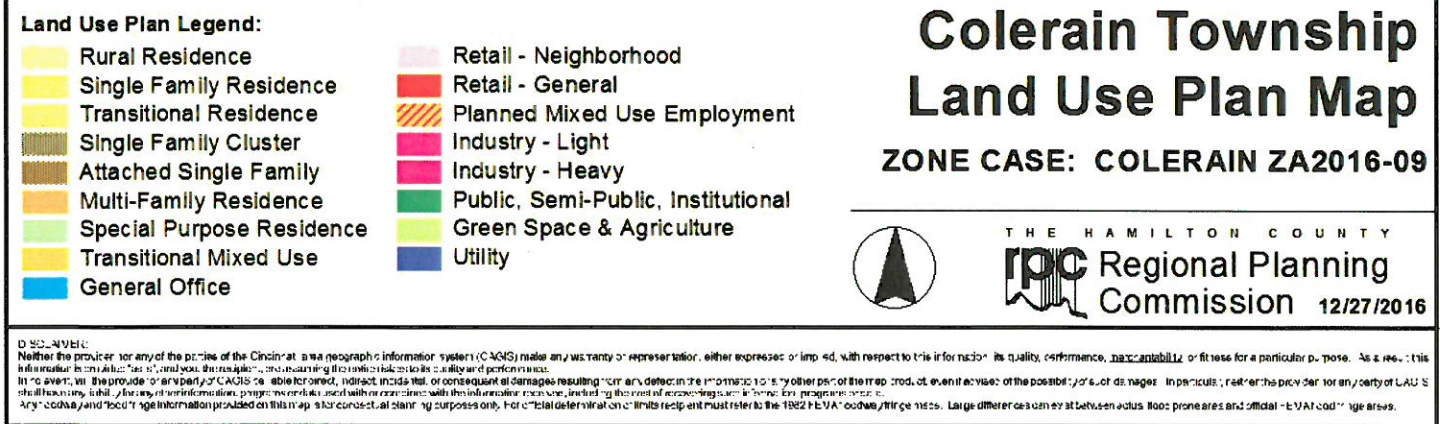
View of site looking south from Struble Road at the Rumpke eastern entrance

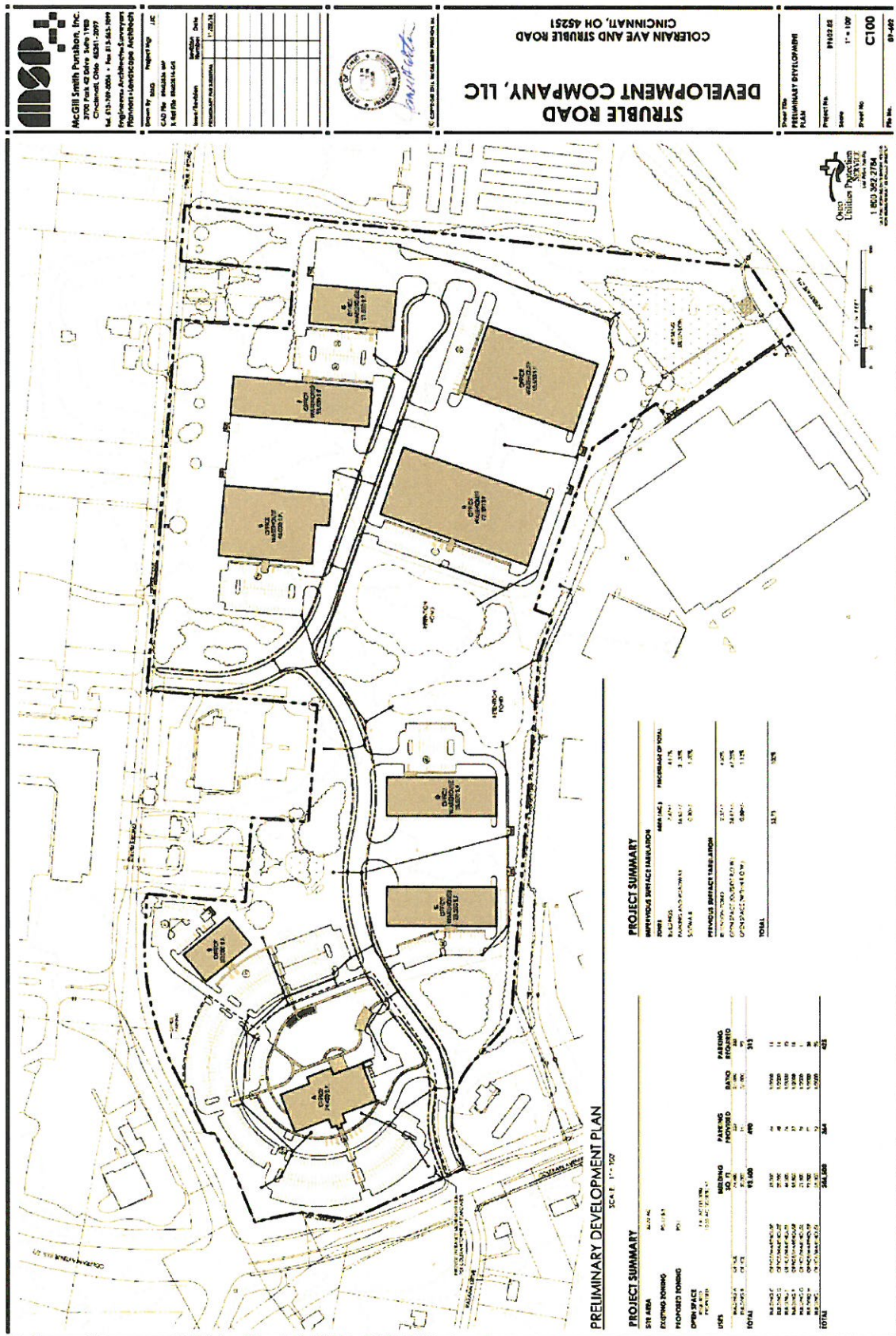


View of site looking southwest from Struble Road at the Circle Storage entrance



View of site looking northeast from the service road behind the Walmart Shopping Center





COLOR PRELIMINARY DEVELOPMENT PLAN



SCALE IN FEET
0 50 100 150 200 250 300

THIS DRAWING IS FOR ILLUSTRATION PURPOSES
ONLY AND SUBJECT TO CHANGE.

APPLICANT LETTER

November 22, 2016

Colerain Township
Office of Planning and Zoning
4200 Springdale Road
Cincinnati, Ohio 45251

Re: Struble Road Development Company Preliminary Development Plan.

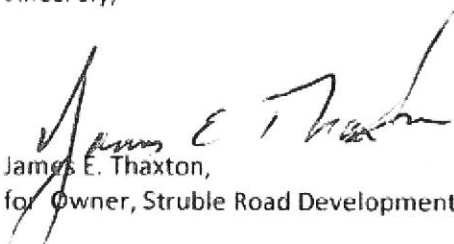
Dear Sir\Madame:

Enclosed for your consideration please find an Application for Preliminary Development Plan review with accompanying plan review package, and the requisite application fee in the amount of \$9,209.50. This application is for the development of 52.73 acres located at the southeast corner of Colerain Avenue and Struble Road, within Colerain Township, Hamilton County, Ohio.

The purpose of this development is: 1) The construction of three story class A single user office building consisting of approximately 74,400Sq. Ft. (gross) to be built for and leased to Rumpke Consolidated Companies for use as its corporate headquarters; and 2) Development of approximately 316,500 sq. ft. of light industrial\flex space for potential lease and\or sale to one or more third party user(s).

We look forward to working with you for the approval and ultimate construction of this development. Please do not hesitate to contact me with any questions or concerns you may have regarding the Application, Plans or the development in general. Thank you.

Sincerely,



James E. Thaxton,
for Owner, Struble Road Development Company.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at _____ p.m., on the _____ day of February, 2017 at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio, 45251, with the following members present:

Michael Inderhees, Greg Insko, Jeffrey F. Ritter

Mr./Ms. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____-17

Case No. ZA2016-09

3579, 3585, 3609, 3617, 3625, 3633, 3641, 3649, 3657, 3667, 3681 & 3697 Struble Road
Approval of a Zone Map Amendment and Preliminary Development Plan
Parcels: 510-0114-0001, 510-0114-0007, 510-0114-0008, 510-0114-0009, 510-0114-0010, 510-0114-0011, 510-0114-0012, 510-0114-0013, 510-0114-0014, 510-0114-0015, 510-0114-0016, 510-0114-0017, 510-0114-0018, 510-0114-0021, 510-0114-0022 – PD-I Industrial Planned Development

WHEREAS, the Applicant, McGill Smith Punshon, Inc., proposes a Zone Map Amendment and Preliminary Development Plan; and,

WHEREAS, the Hamilton County Regional Planning Commission heard the case, and on January 5, 2017 voted unanimously to recommend approval of the requested Zone Map Amendment and Preliminary Development Plan; and,

WHEREAS, the Colerain Township Zoning Commission conducted its public hearing on the case on January 17, 2017, and after consideration of the recommendation of the Regional Planning Commission, and all public comments, exhibits, and other materials submitted, voted unanimously to recommend approval of the application for a Zone Map Amendment and Preliminary Development Plan with conditions and variances; and,

WHEREAS, the Colerain Township Board of Trustees conducted its public hearing on the case on February 14, 2016, and after consideration of the recommendation of the Regional Planning Commission, the recommendation of the Zoning Commission, and all public comments, exhibits, and other materials submitted, voted _____ to approve the application for a Zone Map Amendment and Preliminary Development Plan with conditions and variances as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees accepts the recommendation of the Colerain Township Zoning Commission for a Zone Map Amendment and Preliminary Development Plan, and that the Board of Trustees does hereby approve the request for parcels: 510-0114-0001, 510-0114-0007, 510-0114-0008, 510-0114-0009, 510-0114-0010, 510-0114-0011, 510-0114-0012, 510-0114-0013, 510-0114-0014, 510-0114-0015, 510-0114-0016, 510-0114-0017, 510-0114-0018, 510-0114-0021, 510-0114-0022 as PD-I Industrial Planned Development, for the reason that the Zone Map Amendment and Preliminary Development Plan would be in the best interest of the Township and the health, safety, morals and welfare of the public, is consistent with the Colerain Township Comprehensive Plan previously adopted by the Township, and is in keeping with good land use planning; and,

BE IT FURTHER RESOLVED that the Final Development Plan shall be subject to the conditions set forth below:

1. Final Development Plan

- 1.1 The Zoning Resolution, required site plans or drawings, terms, covenants and conditions of approval which are depicted or noted on the Final Development Plan or contained in this Resolution are to be considered complimentary and what is required by one shall be as binding as if required by all.
- 1.2 No Final Development Plan shall be approved by the Colerain Township Zoning Commission before:
- A. detailed plans for grading, landscaping (indicating quality/quantity), exterior lighting and freestanding signs are submitted;
 - B. all other "Requirements for Submission" of the Final Development Plans have been satisfactorily met;
 - C. the Final Development Plan complies with the intent of this Resolution, the Zoning Resolution, the Preliminary Development Plan and all other complementary regulations and documents;
 - D. the Final Development Plan complies with site plan recommendations of applicable development review agencies;
 - E. the Final Development Plan complies with the following additional conditions or standards:

Conditions:

- 1. That the Final Development Plans for each phase of the development shall comply with all applicable zoning requirements for the specific area being reviewed.
- 2. That the plan shall be revised to comply with all requirements of the Hamilton County Thoroughfare Plan.
- 3. That all buildings on the site shall be designed to meet the setback requirements of the Zoning Resolution.
- 4. That the required 15-foot streetscape setback and landscaped buffer shall be provided along all public street frontages.
- 5. That parking areas include parking landscape islands and landscaping consistent with Section 14.6 of the Zoning Resolution.
- 6. That a detailed parking analysis shall be submitted as part of each Final Development plan in compliance with the parking requirements of the Zoning Resolution for each phase of development.
- 7. That sidewalks shall be installed along all public streets, and that all buildings within the development shall provide pedestrian connections to any adjacent public sidewalk in accordance with Section 13.4.2 of the Zoning Resolution.

Variances:

- 1. From Section 13.3 Required Parking Spaces to allow for up to 490 parking spaces associated with the two proposed offices buildings in the northwest corner of the development.

2. Construction Permits

2.1 No Zoning Certificate shall be issued by the Office of the Zoning Administrator before:

- A. A Final Development Plan in compliance with Section 1 above, has been received and approved by the Colerain Township Zoning Commission, and
- B. Construction documents submitted for permit are fully coordinated and consistent with the approved Final Development Plan.

2.2 No building permit for actual construction shall be issued by the Department of the Building Commissioner before a Zoning Certificate is received from the Colerain Township Zoning Administrator.

3. Maintenance of Improvements

3.1 All aspects of this development including property improvements, landscaping, ground cover, etc. as required in the specifications, covenants, conditions, requirements, and limitations of the Final Development Plan and/or contained in this Resolution shall be continually maintained by the owner of the property until the development ceases to exist. Enforcement shall be by the Office of the Colerain Township Zoning Inspector, with all discrepancies being considered Zoning Resolution violations.

BE IT FURTHER RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. That a certified copy of this Resolution be directed by the Fiscal Officer of Colerain Township to the Hamilton County Recorder and the Colerain Township Zoning Inspector.

2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and

3. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading; and

4. That this Resolution shall be effective at the earliest date allowed by law.

Mr./Ms. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Inderhees_____, Mr. Insco_____, Mr. Ritter_____

ADOPTED this _____ day of February, 2017.

BOARD OF TRUSTEES:

Michael Inderhees, Trustee

Greg Insco, Trustee

Jeffrey F. Ritter, Trustee

ATTEST:

Heather E. Harlow,
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040 (513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer

this _____ day of February, 2017.

Heather E. Harlow
Colerain Township Fiscal Officer

NEW BUSINESS

Department: Colerain Township Department of Fire & Emergency Medical Services

Department Head: Frank Cook, Chief of Department

Colerain Township Department of Fire & Emergency Medical Services

a. Hire Request - Part-Time Employees

Recommend Board of Trustee approval to hire the following *part-time* firefighter (Ffr.) - Emergency Medical Technician (EMT) basic at the specified hourly rate of pay effective Sunday, February 26th, 2017:

- Jared Jones, Ffr. - EMT \$14.22

Recommend Board of Trustee approval to *rehire* the following part-time Ffr. - Paramedic at the specified hourly rate of pay effective Sunday, February 26th, 2017:

- Matt Gauthier, Ffr. - Paramedic \$15.62

Rationale:

The abovementioned recommended part-time employee candidates are requested to fill vacant positions.

b. Pay Rate Change – Part-time Firefighter

Request Board of Trustee authorization for a *change of pay status* for Steve Hayden from Firefighter Paramedic to the *Firefighter Paramedic Fire Apparatus Operator* classification at a new pay rate of \$16.98 per hour effective Sunday, February 26th, 2017.

Rationale:

Firefighter Paramedic Steve Hayden completed the training as “Fire Apparatus Operator.” Successful completion of the required training and responsibilities, includes a change of pay rate.

c. Fire Department Services Contract Renewal

Recommend the Board of Trustees approve the renewal of a contractual agreement with Springfield Township, OH to provide emergency medical first response to the Pleasant Run Farms neighborhood of Springfield Township.

Rationale:

The agreement is a renewal of a past agreement between Springfield Township and Colerain Township. This agreement allows for the provision of first-responder emergency medical services into Springfield Township’s Pleasant Run Farms neighborhood in the amount of \$70,000.00 annually from January 1, 2017 thru December 31, 2019. This agreement includes a \$5,000 increase from the previous agreement.

**COLERAIN TOWNSHIP
EMPLOYEE STATUS CHANGE**

EMPLOYEE PROFILE

Employee Name: Steve Hayden
Board Approved
Date: _____

Department: Fire & EMS
Date Effective: 1/29/2017

EMPLOYMENT CHANGES

New Hire: ☐ Job Title: Firefighter/Paramedic/FAO Supervisor: Chief Brad Miller
Rehire: ☐
Part-Time: ☒ Start Date: _____ End Date: _____
Full-Time: ☐ Start Date: _____ End Date: _____

CLASSIFICATION CHANGES

Change	Old Information	New Information
Transfer: <input type="checkbox"/>	Title/Dept: _____	Title/Dept: _____
Promotion: <input checked="" type="checkbox"/>	Title/Dept: <u>Firefighter/Paramedic</u>	Title/Dept: <u>Firefighter/Paramedic/FAO</u>
Demotion: <input type="checkbox"/>	Title/Dept: _____	Title/Dept: _____
Title: <input type="checkbox"/>	Title/Dept: _____	Title/Dept: _____
Salary: <input checked="" type="checkbox"/>	Salary: <u>\$15.62</u>	Salary: <u>\$16.98</u>
Status: <input type="checkbox"/>	Status: _____	Status: _____

Other changes: _____

Lay Off: ☐ Retirement: ☐ Resignation: ☐ Termination: ☐

Items Returned: Purchasing Card ☐ Keys ☐ Badge ☐ Laptop/iPad ☐ Township Issued Gear ☐

Term Benefits: Medical ☐ Dental ☐ Vision ☐ EAP Voluntary ☐ Life ☐

Eligible for Notice of
COBRA Rights? _____

Date
Processed: _____

ADDITIONAL COMPENSATION/BENEFITS INFORMATION

Please List Any Additional Changes in Compensation or Benefits: _____

VERIFICATION OF CHANGES

Approved by Administrator or Director Signature: *Amir*

Date: 1/24/2017

Processed by HR Director: _____ Verify Final Payout ☐

**AGREEMENT BETWEEN SPRINGFIELD TOWNSHIP AND COLERAIN TOWNSHIP
REGARDING THE PROVISION OF FIRE/EMS SERVICES IN SPRINGFIELD TOWNSHIP**

This Agreement ("Agreement") is made on this _____ day of December, 2016, by and between Colerain Township, Hamilton County Ohio, (hereinafter referred to as "Colerain") whose address is 4200 Springdale Road, Cincinnati, Ohio 45251 and Springfield Township (hereinafter referred to as "Springfield Township") whose address is 9150 Winton Road, Cincinnati, Ohio 45231.

Springfield Township desires to provide emergency medical services to a portion of the Township known as a Pleasant Run Farms which is shown on attached Exhibit A (hereinafter referred to as the "area to be served").

Colerain is comprised of men and women ready, able and properly trained to operate the necessary equipment to provide ALS emergency medical services, to said area to be served.

NOW THEREFORE, in consideration of the mutual promises contained in this Agreement, the parties agree as follows:

**Article I
Term of Agreement**

1. The term of this Agreement shall commence on January 1, 2017 and shall continue, unless terminated pursuant to other provisions of this Agreement, in full force and effect until December 31, 2019.
2. This Agreement may be terminated by either party upon ninety (90) days written notice to the other.

**Article II
Services to be Performed Colerain**

3. Colerain shall provide quality "First Responder" ALS (paramedic) emergency medical services to the residents, businesses and visitors of the area to be served. This shall include all necessary equipment and personnel.
4. The Springfield Township Fire Chief, in conjunction with the Colerain Township Fire Chief, shall establish policies and procedures for a response criteria (including stations responsible for response, diversion and dual dispatch), patient care. Colerain will provide a minimum ALS (paramedic) response of one paramedic and one emergency medical technician in accordance with the policies and procedures established by the Springfield Township Fire Chief and the Colerain Township Fire Chief. The vehicle in which the EMS "First Responders" are transported is at the discretion of the Colerain Township Fire Chief. A "paramedic engine" response is acceptable. Engine 109 will be the primary First Responder. If Engine 109 is not available, Engine 102 will respond. If Engine 102 is not available no other units from Colerain will be dispatched.

5. Upon arrival, Colerain will evaluate scene safety and conduct an initial patient assessment. Colerain will contact Springfield Township via radio and provide patient information along with instructions. Upon arrival, Springfield Township will communicate with the Colerain paramedic to transfer patient care. Colerain will assist with scene management and patient care as necessary. Unless otherwise deemed necessary by Springfield Township and communicated to Colerain, Springfield Township will transport patients. In the event that Springfield Township is unavailable to transport any patient, Colerain will provide the transport pursuant to mutual aid if Colerain is available to do so.
6. Colerain shall, through the Chief of the Fire Department, submit to the Springfield Township a monthly activity report detailing the number and type of calls and dispatch and arrival times. The Activity Report shall be submitted no later than the fifth (5th) day of each month.
7. Springfield Township shall pay all costs associated with dispatching.

Article III Professional Standards and Contractor Responsibilities

8. Colerain agrees to furnish the services of its organization, to exert its best efforts, and to exercise the appropriate degree of professional skill and competence in performing all services specified in this Agreement and as to any services incidental thereto.
9. Colerain agrees to furnish all tools, equipment, labor and materials necessary to complete the services specified in this Agreement and as to any services incidental thereto.
10. Colerain agrees to ensure that its Fire Department and its Fire Department personnel are in compliance with the National Incident Management System (NIMS). To that end, Colerain shall provide to its Fire Department personnel all required NIMS training and shall require that every member of the Fire Department obtain the required NIMS certifications on an annual basis.

Article IV Compliance with Applicable Statutes, Ordinances, and Regulations

11. In performing the services required of it under this Agreement, Colerain shall comply with all applicable federal, state, county, and township statutes, ordinances, regulations and resolutions.
12. At all times during the term of this Agreement, Colerain shall comply with the Ohio Revised Code Section 153.59 by ensuring that Colerain and/or any person acting on its behalf does not discriminate in its hiring practices by reason of race, creed, gender, handicap, national origin, ancestry, or color. Colerain shall further comply with the Ohio Revised Code Section 153.59 by ensuring that Colerain and/or any person acting on its behalf does not discriminate against or intimidate any employee hired for the performance of work under this agreement on account of race, creed, handicap, national origin, ancestry, or color.
13. At all times during the term of this Agreement, Colerain shall pay into the State Insurance Fund the amount of premium determined and fixed by the Industrial Commission pursuant to Ohio Revised Code Chapter 4123 promptly when due or shall elect to pay compensation

directly and contribute to the surplus of the fund as required by law. Colerain agrees that any injury or illness to its personnel or agents resulting from or related to the services provided pursuant to this Agreement shall be, to the extent permitted by law, covered by its worker's compensation policy and managed by its personnel. This paragraph is binding on all contractors and subcontractors that perform work under this Agreement and such compliance is warranted by Colerain. Springfield Township may require Colerain to provide a Certificate of Compliance from the Industrial Commission. If such certificate is required, the failure to provide it to Springfield Township is a breach of this Agreement and grounds for immediate termination of the Agreement.

14. At all times during the term of this Agreement, Colerain shall comply with all applicable Ohio safety regulations.
15. At all times during the term of this Agreement, Colerain shall comply with all applicable federal, state, and township statutes, regulations, ordinances and resolutions pertaining to a drug-free workplace.

Article V Insurance

16. In addition to the complete and adequate workers' compensation insurance required by this Agreement, Colerain shall carry general public liability insurance for personal injuries and property damages and also for errors and omissions (wrongful acts) to cover any and all personal-injury or property damage claims arising out of the activities of Colerain in performing the services under this contract. Colerain agrees that it will provide the Springfield Township with a minimum of thirty (30) days notice prior to any cancellation of such policy. It is acknowledged that the general public liability insurance and the errors and omissions insurance required under this paragraph shall be the primary insurance and that the Springfield Township insurance shall be excess insurance over and above that insurance. All insurance costs required under this paragraph shall be paid by Colerain.
17. It is acknowledged that the risk of loss for all contents and property belonging to Colerain shall be on Colerain which shall purchase and maintain any appropriate or desired insurance coverage relative thereto.

Article VI Compensation

18. Springfield Township shall pay to Colerain from funds in its possession from the operating levy in the Fire District including the area to be served the sum of SIXTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$65,000.00) annually for services rendered under this Agreement. Springfield Township shall pay each year's sum in three (3) installments on or before February 1st, May 1st, and September 1st of each year as follows:

February	\$21,700
May	\$21,650
September	\$21,650

19. It is understood and agreed that Colerain will *not* utilize a billing/collection program for emergency medical services provided pursuant to this Agreement. In the event that Colerain performs transportation services outside the scope of this Agreement, it shall perform those services as mutual aid and shall be permitted to utilize the billing program/company of its choice.

Article VII Waiver

20. The failure of Springfield Township and/or Colerain to insist in any one or more instances upon strict compliance with any of the provisions of this Agreement shall not be construed as a waiver or relinquishment of Springfield Township's or Colerain's right to thereafter require strict compliance.

Article VIII Termination of Agreement for Cause

21. In addition to termination as provided in other portions of this Agreement, this Agreement may be terminated by Springfield Township at any time without notice upon the occurrence of one or more of the following events:
- a) In the event Colerain notifies Springfield Township that it no longer retains the personnel or possesses the equipment necessary to fulfill its obligations under this Agreement; or
 - b) In the event Colerain shall fail or refuse to faithfully or diligently perform its obligations under this Agreement; or
 - c) Bankruptcy or insolvency of Colerain; or
 - d) Failure of Colerain to obtain insurance required by this Agreement; or
 - e) In the event that Colerain is found guilty of fraud, dishonesty, or other acts of misconduct in the rendering of professional services.

Article IX Governing Law

22. This Agreement will be governed by and constructed in accordance with the laws of the State of Ohio, and all obligations of the parties created under this Agreement are performable in Hamilton County, Ohio.

Article X Parties Bound

23. This Agreement shall be binding on and inure to the benefit of the parties and their legal successors, if any.

24. This Agreement and the rights, privileges, or duties created hereunder shall not be assigned by either party without the written consent of the other party.

**Article XI
Legal Construction**

25. In case any one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability shall not affect any other provision, and this Agreement shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in it.

**Article XII
Complete Agreement/Prior Agreements Superseded**

26. This Agreement constitutes the sole and only agreement of the parties with respect to the area to be served and supersedes any prior understandings or written or oral agreements between the parties respecting the subject matter of this Agreement.

**Article XIII
Notices**

27. Any notices to be given under this Agreement by either party to the other may be effected either by personal delivery in writing or by registered or certified mail, with postage prepaid, and return receipt requested. Mailed notices shall be addressed to the parties at the addresses appearing in the introductory paragraph of this Agreement. However, each party may change the address for the receipt of the notice by giving written notice in accordance with this paragraph. Notices delivered personally will be deemed communicated at the time of delivery. Mailed notices will be deemed communicated one (1) day after mailing.

**Article XIV
Authority to Sign**

28. The representative of Colerain whose signature is affixed to this Agreement affirms that he has been duly authorized to bind Colerain to the terms of this Agreement by his signature.
29. The representative of Springfield Township whose signature is affixed to this Agreement affirms that he has been duly authorized to bind Springfield Township to the terms of this Agreement by his signature.

IN WITNESS WHEREOF, the parties herein set their hands at Cincinnati, Ohio, this _____ day of December, 2016.

**SPRINGFIELD TOWNSHIP
BOARD OF TRUSTEES**

By: _____
Michael T. Hinnenkamp
Township Administrator

**COLERAIN TOWNSHIP
BOARD OF TRUSTEES**

By: _____
Dan Meloy
Township Administrator

CERTIFICATE OF AVAILABILITY OF FUNDS

I certify that the sum of SIXTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$65,000.00), the amount required annually to meet the contract, obligation, or expenditure for the attached, has been lawfully appropriated for the purpose for the current year and will be lawfully appropriated in future years, and is (or will be) in the treasury or in process of collection to the credit of the Fund # _____, free from any outstanding obligation or encumbrance.

Dan Berning, Fiscal Officer
Springfield Township

**AGREEMENT BETWEEN SPRINGFIELD TOWNSHIP AND COLERAIN TOWNSHIP
REGARDING THE PROVISION OF FIRE/EMS SERVICES IN SPRINGFIELD
TOWNSHIP**

AMENDMENT TO AGREEMENT

1. This amendment (the "Amendment") is made by Colerain Township, Hamilton County, Ohio and Springfield Township, Hamilton County, Ohio, parties to the agreement between Springfield Township and Colerain Township regarding the provision of fire/EMS services in Springfield Township (the "Agreement") dated the 29th day of December , 2016.
2. The Agreement is amended as follows:

Article VI, Original Agreement, Paragraph 18, is hereby amended to read: Springfield Township shall pay to Colerain Township from funds in its possession from the operating levy in the Fire District including the area to be served the sum of SEVENTY THOUSAND DOLLARS AND ZERO CENTS (\$70,000.00) annually for services rendered under this Agreement. Springfield Township shall pay each year's sum in three (3) installments on or before February 1st, May 1st, and September 1st of each year as follows:

February: \$23,250.00

May: \$23,250.00

September: \$23,500.00

This agreement amendment is necessary for Colerain Township to address the increased operational costs of executing a sufficient emergency response into Springfield Township's Pleasant Run Farms neighborhood with the necessary and or appropriate resources to fulfil the obligation of providing emergency services.

3. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the Agreement or any earlier amendment, the terms of this amendment will prevail.

**SPRINGFIELD TOWNSHIP
BOARD OF TRUSTEES**

**COLERAIN TOWNSHIP
BOARD OF TRUSTEES**

By: _____
Michael T. Hinnenkamp
Township Administrator

By: _____
Daniel P. Meloy
Township Administrator

Dated: _____

Dated: _____

NEW BUSINESS

Department: Colerain Police Department

Department Head: Mark Denney, Chief of Police

Police

a. Approval to Fill Police Officer Position

Rationale:

Police Officer Roger Mitchell has tendered his resignation effective February 9, 2017. Requesting the Board's approval to identify a candidate to back-fill this position. We are currently conducting background investigations on four candidates that remain from our last hiring process. With the Board's approval, one of the candidates would be extended a conditional offer of employment pending the Board's final approval in March.

b. Hiring of Weekend Clerk

Request the Board's approval to hire Deborah Hoerst to fill the vacant "Sunday Clerk" position. If approved, Ms. Hoerst would work ten hours per week at the rate of \$12.18 per hour. The effective date of hire would be February 19th.

Ms. Hoerst is currently a teacher in the Lockland City School District and has been employed there since 2001.

Rationale:

This position was formally held by Patrick Enneking who is currently in the police academy and was not permitted to maintain his ten hour per week position.

Ms. Hoerst is currently a teacher in the Lockland City School District and has been employed there since 2001.

NEW BUSINESS

Department: Public Services Department

Department Head: Tom Bosarge, Director of Public Services

Public Services

a. Request Approval of Full Time Hires

James Adleta, Laborer
James Bolin, Maintenance Worker
Geoffrey Payne, Maintenance Worker
Justin Sturgill, Maintenance Worker

Rationale:

The Board of Trustees approved the hiring of four positions in the Public Services Department during the December 13, 2016 Board meeting. The hiring of the above listed are with a one-year probationary period and are contingent upon the successful completion of their pre-employment evaluations (medical and background checks).

The starting salaries for these positions are: Maintenance Worker - \$21.73 per hour; Laborer - \$17.73 per hour. Mr. Adleta and Mr. Payne's effective hire date is February 16, 2017. Mr. Bolin and Mr. Sturgill's effective hire date will be February 21, 2017.

b. Approval for Full Time Hires - Backfill Vacated Position

Rationale:

The recommendation is for the Board to approve the hire of Mr. Kevin Weisgerber to the position of Laborer to backfill a position created with the move of the Mechanic position from the Union into the non-union "Fleet Services Division." Mr. Weisgerber will be hired as a Laborer with a salary of \$17.73 per hour with a one-year probationary period and is contingent upon the successful completion of the pre-employment evaluations (medical and background check) with an effective hire date of February 21, 2017.

c. Request Approval for Hiring Process - Custodian Position

Rationale:

Request approval to identify and hire (based on successful completion of pre-employment medical and background checks) to fill the Custodian position at the Laborer rate of \$17.73 per hour. The Custodian will be responsible for maintaining the cleanliness of the Community Center, Administration and Fire Headquarter buildings as well as maintaining the building grounds. The custodian will be responsible for maintaining inventory of cleaning supplies, facility lighting and equipment, and performing minor building repairs.

NEW BUSINESS

d. Request Approval to Hire Seasonal Worker for Community Center

Rationale:

Request to identify and hire a seasonal employee at the salary of \$15.00 per hour to work events at the Community Center.

e. Request the Board Approve the Recommended Childcare Policy for Clippard Park

Rationale

See attached Memorandum

COLERAIN TOWNSHIP MEMORANDUM

DATE: February 7, 2017
TO: Mr. Michael Inderhees, Mr. Jeffrey Ritter and Mr. Gregory Insko
FROM: Tom Bosarge, Director of Public Services
SUBJECT: Childcare Policy and Process for Clippard Park

The elimination of the park permit program necessitates a change in Colerain Township policy and processes to manage childcare operators at Clippard Park.

The previous Township policy was to restrict access to Clippard Park only to childcare operators from within the Township. The permit sellers checked “residency” and if the childcare was within the Township, the workers charged the childcare operator \$50 per busload of children. There were no restrictions to the number of childcares allowed in the park at any one time, resulting in both Clippard Park shelters frequently being used exclusively by childcare operators.

The Township discontinued the use of “park permit” employees that were used to monitor and charge the childcare operators as they enter the park. It has been the practice of the childcare providers to use a Park shelter for their children when they used the spray ground and playground. It is our intention to implement a shelter rental process for childcare providers that uses different fee amounts for residents and non-residents of the Township. The current shelter rental process can be used to accommodate the new process for childcare providers.

I am seeking Board approval to adopt a new policy that will allow only one childcare operator access to Clippard Park each day. The new policy will require the childcare providers to reserve a shelter ahead of the date while paying the appropriate fee before arriving to Clippard Park.

Should a childcare provider arrive without the proof of the required shelter rental agreement, they will be advised by the on-duty Public Services employees. If no childcare provider has previously scheduled a rental for that same day, the operator will be directed to Colerain Township Administration to complete the rental agreement along with the appropriate rental fee.

If the Park has a scheduled childcare renter already on the date, the other childcare provider will be provided the information to schedule a future visit to the Park.

Cc: Geoff Milz, Assistant Administrator, Colerain Township
Daniel Meloy, Administrator, Colerain Township

CLIPPARD PARK CHILDCARE USAGE POLICY

Colerain Township is committed to maintaining and managing its parks for use by the residents of the township. The Public Services Department needs to manage access to Clippard Park spray ground to address the safety issues and restrict access to the spray ground in an attempt to prevent overcrowding that can be caused by multiple childcare providers using the spray ground simultaneously.

Childcare facilities, including those from outside of Colerain, are permitted to use the Clippard Park spray ground if they have a paid reservation. Any childcare facility wishing to use the sprayground must reserve a shelter, using the same process that any group wishing to reserve a shelter in our parks would follow, utilizing the process and fee schedule below. Only one childcare organization may reserve a shelter for Clippard Park, per day.

If a childcare provider enters Clippard Park without a shelter reservation, the park attendant will notify the childcare representative of the Township policy. If no childcare is scheduled for that day, they will be advised that they can visit 4200 Springdale Rd., to reserve and make the appropriate payment for a Clippard Park shelter.

Childcare shelter reservation process:

1. Childcare provider/organization must visit the Colerain Township Administration building at 4200 Springdale to complete a shelter reservation form.
2. Colerain Township confirms that the requested date is available; if available, Township will schedule the rental on Township's Park reservation calendar.
3. Applicant childcare provider pays the appropriate reservation fee, according to the fee schedule and they will be provided a copy of the shelter rental agreement.
4. Childcare providers will be instructed to bring a copy of the shelter rental agreement with them on the day of their visit to the park. The childcare provider must have the agreement, upon entering the Park on the day scheduled. Without the agreement, the provider will be directed to leave the park, with all children and return with the signed and approved agreement.
5. The park attendant will be provided a copy of the shelter rental agreement and a reserved sign, with the name of the childcare, to be posted on the shelter notifying the public that a specific shelter has been reserved.

Fee Schedule:

\$135 – Childcare Facilities located within Colerain Township

\$225 – Childcare Facilities located outside Colerain Township

NEW BUSINESS

Department: Building, Planning & Zoning

Department Head: Jenna M. LeCount, AICP

Zoning

- a. Request for the Removal of an Assessment placed on the property located at 9040 Round Top Road

Rationale:

The current owner of the property located at 9040 Round Top Road have requested the removal of an assessment to their property taxes in the amount of \$556.00. The property was abated for tall grass and weeds while under previous ownership and the property was transferred before the assessment was conveyed to the County Auditor's Office for inclusion on the tax bill.

- b. Request for Public Hearing to be set for a Text Amendment Case No. ZA2017-01 on March 7, 2017 at 6:00PM

Rationale:

The Colerain Township Zoning Commission is expected to make a recommendation on the Text Amendment request to allow for Breweries and Distilleries in the I-1 Zoning District and for Micro Breweries and Micro Distilleries in the B-3 Zoning District at their February 21, 2017 regular meeting. This Text Amendment would require a Public Hearing to be held in front of this Board of Trustees within 30 days of that recommendation.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at _____p.m., on the _____day of February, 2017, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Michael Inderhees, Greg Insco, Jeffrey F. Ritter

Mr. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____-17

RESOLUTION REMOVING THE ASSESSMENT FROM 9040 ROUND TOP ROAD

WHEREAS, on June 14, 2016 in Resolution No. 26-16, the Board of Township Trustees of Colerain Township declared the property at 9040 Round Top Road, Colerain Township, Ohio (Auditor's Parcel Number 510-0140-0143-00) (the "Real Property") a nuisance and ordered the removal of weeds, vegetation, and other debris and further provided for an assessment for the cost of removal to be placed on the real estate tax duplicate of the Real Property if the weeds, vegetation, and other debris were not removed in seven days; and

WHEREAS, the Township placed an assessment on the tax duplicate of Real Property in the amount of \$556.00, such amount to be collected with the real property taxes on the Real Property; and

WHEREAS in addition to the current lien/assessment totaling \$556.00, there are also penalties, fees, and interest which have been assessed by the Hamilton County Auditor's office against the real property located at 9040 Round Top Road, Colerain Township, Ohio 45251, identified as Hamilton County Parcel #510-0140-0143-00 with respect to the aforementioned lien/assessment which brings the total amount of the current assessment against the real property to \$572.68; and

WHEREAS, the owner of the home hired an outside contractor to provide the appropriate clean up at the Real Property; and

WHEREAS, the Colerain Township Administrator has visited the Real Property and is satisfied with the service that was provided and the abatement of the nuisance; and

WHEREAS, this Board desires to remove the assessment from the tax duplicate of the Real Property; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. The assessment of \$556.00 placed upon the Real Property located at 9040 Round Top Road, Colerain Township, Ohio, being Auditor's Parcel Number 510-0140-0143-00 is hereby declared to be paid in full, and the Board further releases such assessment and authorizes and directs the Hamilton County Auditor and Hamilton County Treasurer to remove such assessment from the real estate tax duplicate for the Real Property and to release any and all penalties, fees, and interest which have accrued and have brought the current total amount of \$572.68 attached to the Real Property with respect to above-referenced lien/assessment.

2. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

3. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.

4. That this Resolution shall be effective at the earliest date allowed by law.

Mr. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Inderhees_____, Mr. Ritter_____, Mr. Insko_____

ADOPTED this _____ day of February, 2017.

BOARD OF TRUSTEES:

Michael Inderhees, Trustee

Jeffrey F. Ritter, Trustee

Greg Insko, Trustee

ATTEST:

Heather E. Harlow,
Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of February 2017.

Heather E. Harlow,
Colerain Township Fiscal Officer

NEW BUSINESS

Department: Administration – Economic Development

Department Head: Geoff Milz

Administration

- a. Resolution approving the Community Reinvestment Area incentive recommendations for the Groesbeck Skates project

Rationale:

Groesbeck Skates, better known as The Skatin' Place, is seeking a Community Reinvestment Area property tax exemption which the Township offers as part of our strategic effort to drive investment toward the Groesbeck business district.

A Community Reinvestment Area is an economic development tool administered by the Township and county to provide real property tax exemptions for property owners who renovate existing or construct new buildings.

The Skatin' Place is making a major investment in their long-standing Colerain Township facility located on Lina Place near the intersection of Galbraith Rd. and Colerain Ave. They intend to construct a 17,000 square foot addition to the existing roller rink, that will include multiple new attractions including laser tag, elevated ropes course, climbing walls and arcade. This expansion is located in Colerain Township's Community Reinvestment Area #2 which covers a significant portion of the Groesbeck business district.

The owner applied for the incentive and the application was reviewed by the Hamilton County Development Company - who serves as the Township's partner in the administration of CRA tax incentives. According to the criteria set by the Township Trustees when the district was created, the project qualifies for a 50% property tax exemption for a period of 8 years, so long as certain employment and investment metrics are achieved.

I recommend approval of the Resolution.

- b. Request to give Assistant Administrator authority to lock-in an electric rate of no greater than \$.0579 per KWH for 3 years for Colerain Township residential aggregation program.

Rationale:

Since 2010, Colerain Township has used Dynegy as its provider of electricity for the residential electric aggregation program. In Currently, Township residents pay \$.0599 per KWH. This contract will reduce the rate at least \$.002 per KWH through May 31, 2020.

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at _____ p.m., on the _____ day of _____, 2017, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Jeffrey F. Ritter, Greg Insco, Michael Inderhees

Mr. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO. _____-17

**APPROVING COMMUNITY REINVESTMENT AREA INCENTIVE
RECOMMENDATIONS FOR THE GROESBECK SKATES PROJECT**

WHEREAS, Colerain Township, Hamilton County, Ohio has encouraged the development of real property and the acquisition of personal property located in the area designated as the Colerain Township Community Reinvestment Area #2; and

WHEREAS, the Colerain Township Board of Trustees, Hamilton County, Ohio by Resolution 70-08 passed on September 23, 2008 consented to the establishment of Community Reinvestment Area #2 as authorized by Section 3735.66 of the Ohio Revised Code; and

WHEREAS, the Board of County Commissioners of Hamilton County passed a Resolution dated October 8, 2008 (Volume 312) consenting to establishing the Community Reinvestment Area #2 as authorized by Section 3735.66 of the Ohio Revised Code; and

WHEREAS, the Director of Development of the State of Ohio determined on November 18, 2008 that the aforementioned area designated by the Board of County Commissioners in said Resolution contains the characteristics set forth in O.R.C., Section 3735.66 and confirmed said area as a Community Reinvestment Area under said Chapter 3735; and

WHEREAS, Groesbeck Skates DBA The Skatin' Place, Colerain Township, Ohio is desirous of constructing a 17,000 SF addition to the existing roller rink, that will include multiple attractions including laser tag, elevated ropes course, climbing walls and arcade games located in Colerain Township Community Reinvestment Area #2, provided that the appropriate development incentives are available to support the economic viability of said project; and

WHEREAS, Colerain Township having the appropriate authority for the stated type of project is desirous of providing Groesbeck Skates DBA The Skatin' Place with incentives available for the development of the project in said Community Reinvestment Area #2 under Chapter 3735 of the Ohio Revised Code; and

WHEREAS, Groesbeck Skates DBA The Skatin' Place has submitted a proposed agreement application to Colerain Township through Hamilton County Development Company and remitted a \$1,500 application fee; and

WHEREAS, the Hamilton County Development Company acting on behalf of Colerain Township has investigated the application of Groesbeck Skates DBA The Skatin' Place and has recommended a fifty percent (50%) exemption for eight (8) years on the assessed value of the improvements to the property at 3195 Lina Place, 3185 Lina Place and 3179 Lina Place (Parcels 510-0083-0074-00, 510-0071-0010-00, and 510-0071-0009-00) to the Board of Trustees of Colerain Township on the basis that Groesbeck Skates DBA The Skatin' Place is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Community Reinvestment Area #2 and improve the economic climate of Colerain Township; and

NOW, THEREFORE, BE IT RESOLVED, the Board of Trustees of Colerain Township, Hamilton County, Ohio:

Section 1. For the benefit and welfare of Colerain Township and its citizens, proposes entering into an agreement with Groesbeck Skates DBA The Skatin' Place for a fifty percent (50%) exemption for eight (8) years on the assessed value of the improvements to the property at 3195 Lina Place, 3185 Lina Place and 3179 Lina Place (Parcels 510-0083-0074-00, 510-0071-0010-00, and 510-0071-0009-00)

Section 2. Hereby consents to said agreement subject to the following conditions:

- a. That, approval of said agreement shall be withdrawn immediately if all or a portion of the subject property is annexed from Colerain Township into any other political subdivision;
- b. That, "4200 Springdale Rd., Colerain Township, Ohio 45251" be used for all communications for this development;
- c. Groesbeck Skates DBA The Skatin' Place abide by all aspects of the Community Reinvestment Memorandum of Understanding.

Section 3. Hereby authorizes and directs the Assistant Township Administrator to execute said agreement on behalf of the Board of Trustees.

Section 4. That the Board of Trustees of Colerain Township upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorize the adoption of this Resolution upon its first reading.

Section 5. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

Mr. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Ritter _____, Mr. Insco _____, Mr. Inderhees _____

ADOPTED this _____ day of _____, 2017.

BOARD OF TRUSTEES:

Jeffrey F. Ritter, Trustee

Greg Insco, Trustee

Michael Inderhees, Trustee

ATTEST:

Heather E. Harlow,
Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this _____ day of _____, 2017.

NEW BUSINESS

Department: Colerain Township Administration

Department Head: Daniel P. Meloy

Administration

a. Hamilton County Solid Waste Plan Update

Recommend the Board of Trustees approve the attached resolution

Rationale:

See attached memorandum

b. Approval of "Merit Pool" for Non-Union Employee Raises in 2017

Recommend the Board of Trustees approve a merit raise pool of \$43,351.00 for the Township "non-union" personnel.

Rationale:

During 2016 collective bargaining negotiations, the Township and its three bargaining units agreed to 2.5% pay increases for the 2017 calendar year. The non-union merit pool was created using a 2.5% average for the Township "merit" rated employees.

c. Approval to Enter into Consultant Agreement for Economic Development

Recommend the Board of Trustees approve the Administrator enter into contract with Mr. Ken Geis, Economic Development Consultant, at a rate of \$200.00 per hour, plus a \$1,000 retainer fee.

Rationale:

Mr. Geis is being solicited for hire as a consultant to assist the Township with funding options for the Struble Road and Colerain Avenue development project.

d. Approval to Hire Part-time Administrative Assistant

Recommend the Board of Trustees approve the hire of Ms. Glenna Carter for the position of Part-time Receptionist. Ms. Carter previously served as the Administrative Assistant for two past City of Cincinnati Police Chiefs. She is also a Colerain Township resident. If approved, Ms. Carter's rate of pay will be \$15.00 per hour and she is subject to a one-year probationary period. Ms. Carter will work approximately 24 hours per week and begin her service on Wednesday February 15, 2017.

NEW BUSINESS

Rationale:

Ms. Carter will be assigned to work from the Administration Building, under the direct supervision of Assistant Administrator Geoff Milz. Because of her customer and administrative experience, she will assist with a variety of responsibilities to include code enforcement follow up communications, and general customer service responsibilities, as they present themselves to the varying Township departments. Ms. Carter will partner with another part-time employee to provide five days per week customer service.

COLERAIN TOWNSHIP MEMORANDUM

DATE: February 7, 2017
TO: Mr. Michael Inderhees, Mr. Jeffrey Ritter and Mr. Gregory Insco
FROM: Daniel P. Meloy, Colerain Township Administrator
SUBJECT: Hamilton County Recycling and Solid Waste District – Plan Update

During the past two years, the Hamilton County Recycling and Solid Waste District has undergone a process of reviewing its strategies and programs in order to complete a state-mandated update of its Solid Waste Management Plan (Plan). The Plan includes:

- 15-year projections for waste generation, landfill disposal, recycling diversion
- Programs that will be implemented to meet the State's goals
- Demonstration that Hamilton County will meet the State mandated recycling goals (25% residential commercial recycling rate and 66% industrial recycling rate)
- Funding mechanism and budget

The major changes to its programs in the draft "Plan" (program changes will be implemented in 2018 after Plan approval):

- **Residential Recycling Incentive Program** - The District will continue its commitment to provide grant funding to communities to help offset recycling collection costs through the Residential Recycling Incentive Program. However, the District will reduce the amount of funding to the program. The new budget will be \$800,000 (compared to \$1,050,000 as in the current Plan). In addition, the District will now allow separate yard trimmings that are composted to be a credited towards a community's recycling rate.
- **Assistance to Underperforming Community Recycling Programs** - The District will more extensively work with communities with low recycling rates. Depending on the community's needs, the assistance provided can include outreach and technical assistance to improve the residential recycling infrastructure.
- **Business Recycling** - The District will place a renewed emphasis on commercial recycling programs (offices, bars, restaurants, schools, multi-family complexes, etc.) in an effort to divert more materials from landfill. Staff will provide technical assistance, interior recycling containers, and employee education. Changes include the addition of an employee to focus on this sector and allocate additional funding to market the program.
- **Advertising/Outreach** - The District will emphasize advertising, with an adequate budget as a means of increasing residential waste diversion.
- **Priority Waste Stream** - The District has identified paper and organics (food waste and yard trimmings) as its priority waste streams. In order to adequately address these waste streams, the District will set aside funds to be used once staff researches and develops specific programs.

Priority waste stream programs could include food waste reduction, partnerships to promote food recovery, or seed money to assist in project development targeted toward paper or organics.

- **Environmental Crimes Taskforce** - The District will work with stakeholders and the Hamilton County Sheriff to designate a deputy towards the investigation of illegal dumping and enforcement of existing laws.

Programs recommended for elimination in the Plan include: Priority Grant, Litter Collection, and Household Hazardous Waste Collection events (if revenue exceeds projections, the District may conduct a household hazardous waste event).

District fees will remain the same (which are the lowest tiered disposal fees allowed by state law). Since it is difficult to definitively project annual District revenue from disposal fees, the District included the following contingency in the Plan if annual revenue falls below \$2.5 million/year:


- If District revenue is \$2.4 million, the amount allocated to the Residential Recycling Incentive Program will be reduced by \$100,000.
- If District revenue is \$2.3 million, the amount allocated to the Residential Recycling Incentive Program will be reduced by \$100,000 and the amount allocated to the Environmental Crimes Taskforce will be eliminated.
- If District revenue is reduced to \$2.2 million, the District will develop a designation fee in the amount necessary to raise revenue to \$2.5 million.

Alternatively, if annual revenue is greater than \$2.5 million/year, the following contingency will apply:

- If District revenue is \$2.6 million, the amount allocated to the Residential Recycling Incentive Program will be increased by \$100,000.
- If District revenue is \$2.7 million, the amount allocated to the Residential Recycling Incentive Program will be increased by \$100,000 and \$100,000 will be allocated for a household hazardous waste collection program.

One of the requirements outlined in the Ohio Revised Code is that the Plan must be approved by political jurisdictions representing 60% of the population plus the City of Cincinnati and Board of County Commissioners. A resolution has been prepared for the Board's consideration at the February 14th, regular meeting of the Board of Trustees. A full copy of the plan will be provided to the Township, from Hamilton County.

Respectfully submitted,



Daniel P. Meloy, CLEE
Administrator

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at _____ p.m., on the _____ day of February, 2017, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Michael Inderhees, Jeffrey Ritter and Gregory Insco

Mr. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____-17

**A RESOLUTION APPROVING THE UPDATE OF THE SOLID WASTE
MANAGEMENT PLAN OF THE HAMILTON COUNTY SOLID WASTE
MANAGEMENT DISTRICT**

WHEREAS, pursuant to the provisions of Chapter 3734, Ohio Revised Code (the “Act”), the Hamilton County Solid Waste Management District Policy Committee (the “Policy Committee”) has adopted an update of the solid waste management plan (the “Plan Update”) for the Hamilton County Solid Waste Management District (“the District”); and

WHEREAS, pursuant to the Act, the Board of County Commissioners in the District, and the legislative authority of each municipal corporation or township under the jurisdiction of the District, must approve or disapprove the Plan Update by ordinance or resolution; and

WHEREAS, Colerain Township reviewed the Plan Update and has determined that the Plan Update is in the best interests of COLERAIN TOWNSHIP and Hamilton County;

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township: Hamilton County, Ohio:

SECTION 1: Approval of the Plan Update. The Board of Trustees hereby approve the Hamilton County Plan Update.

SECTION 2: Compliance with Open Meetings Law. It is hereby certified that all formal actions of the Colerain Township Board of Trustees, relating to the adoption of this Resolution were taken in an open meeting of the Board of Trustees for Colerain Township and that all deliberations of the Board of Trustees were in meetings open to the public, in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION 3: Emergency. This Resolution is hereby declared to be an emergency necessary for the immediate preservation of the public health and welfare of Colerain Township; the reason for the emergency being the need to comply with statutory provisions and to proceed with solid waste management policies without delay in order to properly serve Colerain Township.

SECTION 6: That this Resolution shall be effective at the earliest date allowed by law.

Mr. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Inderhees _____, Mr. Ritter _____, Mr. Insko _____

ADOPTED this _____ day of February, 2017

BOARD OF TRUSTEES:

Michael Inderhees, Trustee

Jeffrey Ritter, Trustee

Gregory Insko, Trustee

ATTEST:

Heather E. Harlow,
Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this _____ day of February, 2017

Heather E. Harlow,
Colerain Township Fiscal Officer

January 20, 2017

Mr. Lawrence E. Barbieri
Law Director
Colerain Township
5300 Socialville-Foster Road, Suite 200
Mason, Ohio 45040

Dear Larry,

This letter will confirm my engagement to represent the Colerain Township or Assignee, with regard to an economic development project(s) in Colerain Township (To be later defined). Specifically, but not limited to, I will assist the Township and Staff with matters relating to site and project development, financing, construction, demolition, tax incentives, zoning, and other subjects as mutually agreed upon.

I will bill the township on a monthly basis for my time, costs incurred on your behalf and any other special services. Payment is due upon receipt of my invoice. I reserve the right to impose a service charge of one percent (1%) per month for late payments. Statements outstanding for more than 30 days are considered delinquent.

An Engagement Fee of \$1,000 payable upon acceptance of this Agreement and this amount will be applied to the first two hours of work. Beyond the first two hours, my hourly billing rate currently is \$200, and may not be adjusted without your prior authorization. Costs include, but are not limited to, mileage, fees, delivery and messenger services.

You have the right, at any time, to terminate my services. You will be responsible for fees for services rendered and costs incurred through the time of termination.

If you have any questions about my representation of you or the fee arrangement outlined above, please call me. If not, please sign the acceptance copy of this letter and return it to me. Thank you for the opportunity to assist you in these matters.

Very Truly,

Ken Geis

Ken Geis
Geis Consulting Group LTD.

Colerain Township