

BLUE ASH PLANNING COMMISSION

May 6, 2010

Page 1

**ITEM 1: MEETING CALLED TO ORDER**

Chairman Schafer called the regular meeting of the Blue Ash Planning Commission to order at 7:03 p.m. on Thursday, May 6, 2010.

MEMBERS PRESENT: Raymond Schafer, Beverley Gill, John Moores and James Sumner

MEMBERS NOT PRESENT: John Berry

ALSO PRESENT: City Manager David Waltz, Assistant Community Development Director, Dan Johnson, Assistant to City Manager Kelly Osler, Administrative Clerk Traci Smith, Council Member Tom Adamec, Council Member Lee Czerwonka, Council Member Stephanie Stoller and interested citizens

**ITEM 2: OPENING CEREMONY**

Pledge of Allegiance

**ITEM 3: APPROVAL OF THE MINUTES**

Commission Members waived the reading of the minutes.

DECISION: John Moores moved, Bev Gill seconded, to approve the regular meeting minutes of April 1, 2010 as submitted. A voice vote was taken. All members present voted aye. Motion carried.

**ITEM 4: Park Manor**

Replat of the property to accommodate the approved plan

Dan Johnson described the application as changes to the lot lines and easements on the Park Manor site that accommodate the new plan for the development that was approved by City Council in 2009. Nothing about the approved development plan will change because of this replat.

DECISION: Jim Sumner moved, John Moores seconded, to recommend to Council approval of the replat for the Park Manor project. A roll call vote was taken. All members present voted aye. Motion carried.

**ITEM 5: Pfeiffer Road**

Consideration of a zoning map amendment to rezone 7 lots east of Hickory Point Drive containing approximately 3.8 acres from R-2 Residential to C-2 Planned Commercial

PRESENT: Ryan Silverman, Applicant  
Brent Lansberg, Applicant

Ray Schafer stated that Items 5 and 6 on the Agenda would be combined for presentation purposes but would be voted on separately.

May 6, 2010

Page 2

Ryan Silverman said he was one of the Principles for the potential development. He introduced Brent Lansberg, his partner, Jason Williams of Phoenix Architecture who developed the land plan, and Jay Bayer of Bayer Becker who is the Civil and Traffic Engineer. Mr. Silverman described the project. The site is currently improved with six single family homes and one vacant lot. Two of the six homes are rental units. They believe that the current use does not represent the best use of the site.

Their goal was to develop a commercial plan that would conform with the existing commercial uses along Pfeiffer Road, while remaining sensitive to the proximity of the Hickory Ridge landminium development. Their initial vision of the site included a 3-story retail/office building totaling 67,000 square feet plus an additional 4,500 square foot building and included a number of design features that demonstrated sensitivity to the landminiums behind the site.

He and his partner met with the Board of Directors of the Hickory Ridge Homeowners Association on February 3, 2010 at the home of the Board's President. Their goal was to present their plans and to listen to any potential concerns. The Homeowners Association Board Members voiced many of the usual concerns which included the traffic, the height of the 3-story building and stormwater run-off. After the meeting, the development team deliberated on what changes, if any, they could make to address these concerns. They felt the height issue needed to be addressed, even if it meant less potential profit. So, they decreased the height to one story and the overall square footage significantly. Their conceptual site plan now shows a one-story building totaling 27,000 square feet and another one-story building totaling 4,500 square feet and a third one-story building totaling 5,000 square feet. The new plan shows that their buildings are now lower in height than the closest landminium unit and the buildings are significantly further away from the landminium units than the existing houses on Old Pfeiffer Lane. They feel this site represents the single best redevelopment opportunity in all of Blue Ash with their plan being consistent with the other uses located along Pfeiffer Road between I-71 and Plainfield Road.

In regards to their zone change request, Mr. Silverman said they are not asking the Commission to endorse a condition for which a precedent has not already been set. He provided examples of commercial zones adjacent to residential zones. They feel the re-zoning of this site allows for a transition of uses that makes good planning sense.

Chairman Schafer asked if there had been any traffic studies done. Mr. Silverman said they met with Mike Duncan to address any concerns, but have not done a full traffic study. They planned to seek preliminary approval before undertaking a full study.

In answer to a question from John Moores, Dan Johnson advised that the Fire Department reviewed the plans and did not have any concerns.

Jim Sumner commented that the Master Plan clearly calls for this area to remain residential and asked Mr. Silverman if they considered the viability of a moderate density residential as an alternative to retail and commercial. Mr. Silverman does not feel this site lends itself well to residential because of the high traffic volume on Pfeiffer Road and does not think such a development would succeed at this location.

Chairman Schafer explained to those in attendance that the Planning Commission would be recommending to Council to either approve or deny this request. After the recommendation by Planning Commission, it would go to Council for the first reading

BLUE ASH PLANNING COMMISSION

May 6, 2010

Page 3

in July and would be open for public comment at that meeting. The second reading would be in August when Council discusses the matter and asks any questions they feel are necessary to make a decision. He also noted that Commission members have received all written comments that individuals already submitted to the City.

Tom Schenk of 5371 Hickory Trail Lane said he was speaking on behalf of several residents who oppose this development because of the “commercial creep” going on in Blue Ash and has heard this development is only Phase I of a three phase project.

Jonathan Wocher, a planner at McBride Dale Clarion, said he was hired by concerned residents of Hickory Ridge and distributed a summary to the Commissioners requesting denial of this development. He said they have identified twelve inconsistencies with the comprehensive plan and urged the Planning Commission to review that information in detail as well as the other policies. He said there are many details the applicant has not addressed and urged the Planning Commission to recommend denial of the zone change and denial of the site plan as presented.

Virginia Tafel lives at 5670 Old Pfeiffer Lane and said she is in favor of this development because the area is no longer a pleasant place to live with all the cars and commercial development. She said she wholeheartedly supports this change in zoning and will relocate within Blue Ash.

Dr. William Bishop who lives at 5356 Hickory Trail Lane is opposed to the development and commented about his concerns with the property values. He urged the Commission to reject.

Peg Chandler who lives at 5323 Hickory Trail Lane is opposed to the development and said she believes development will endanger their stable and well-managed community. She also expressed concerns about additional traffic and declining property values.

Alma Blazic who lives at 10430 Hickory Point Drive is opposed to the development and commented that the brick wall will drastically change the landscape and she has concerns about all the vehicles that will service the area and additional traffic.

Eileen Bishop who lives at 5356 Hickory Trail Lane is opposed to the development and commented she feels this area should remain residential.

Edward McTigue is one of the owners of the properties located at 5428 and 5470 Pfeiffer Road that is subject to the zoning request. He said that when they originally purchased those properties they intended to develop them into a single-family project. Even before the housing bust, they learned very quickly that this was not the appropriate place to continue single-family residences. The houses they own now are extremely difficult to rent. He asked the Commission to recommend approval of the rezoning and is in support of the plan.

Jim Stewart who lives at 5325 Hickory Trail Lane is opposed to the development and commented that gates would need to be put up in the private drive which would turn the community into a compound instead of a community. He said the gates and traffic combined would make it almost impossible for quick, emergency service.

Jeremy Hicks who lives at 5372 Hickory Trail Lane is opposed to the project and the additional island the plan calls for. He asked that it be rejected.

BLUE ASH PLANNING COMMISSION

May 6, 2010

Page 4

Mark Rogoff who lives at 5386 Hickory Trail Lane is opposed to the development because he does not want to look out his window and see a sea of asphalt. He feels this will affect the quality of life for him and all of the Hickory Ridge residents.

Greg Henley who lives at 10569 Kenridge Drive is opposed to the development and feels there is too much commercial area in Blue Ash and urges the Commission to maintain the residential uses to maintain community character. He said the City has made a lot of mistakes with regards to zoning changes.

Lisa Hoyer who lives at 5623 Kenridge Drive spoke on behalf of the families in the neighborhoods of Kenridge and Brasher who are opposed to the development and asked it to be kept residential.

Barbara Nickol who lives at 5592 Old Pfeiffer Lane is in favor of rezoning and commented that the residential nature of their street is no longer the same as it was when they moved into their home 54 years ago. She said that when City Council was considering approval of the Hickory Ridge development in the early 1980's, they did not stand up and oppose as many people did. They understood that the development would be in the best long term interest of the City. They did not feel they had the right to tell the property owners they should not sell their properties for the development of Hickory Ridge. They feel it is now their turn to benefit from the sale of their property. Previous decisions by City Council allowing redevelopment of the surrounding properties have resulted in their properties no longer being well-suited for residential.

Denise Olden who lives at 5387 Hickory Trail Lane is opposed to the development and commented that if the development goes through there will be a parking lot 25-ft. from her back porch. She also said two doors away from her porch is a motel and a transient highway and she no longer feels safe. She said her vision of the area would be a walled, multi-use development. She is not against change; just against the commercial use.

Walter Reuszer who is a Blue Ash resident is in favor of the development and commented that the neighborhood has changed drastically. He said he thinks it would be a good move for the City of Blue Ash and the residents to rezone this area as proposed.

Mabel Hintrock who lives at 5326 Hickory Trail is opposed to the development and urged the Commission to deny the change to commercial.

Bill Speer who lives at 10432 Hickory Point Drive is opposed to the development and commented that this development would change their quality of life.

Tom Barhorst and Richard Huddleston of Ursuline Academy voiced concerns not necessarily against the development but for the traffic generation of the proposed rezoning, since the only entrance to the school is directly across Pfeiffer Road. They are concerned that if the City gives up the Old Pfeiffer right-of-way, it would eliminate any opportunity to create a service road to service the north side of Pfeiffer Road. They are very concerned about traffic safety and hope an informed decision is made with a comprehensive traffic study done prior to any decision. This should include the existing traffic generated from any proposed businesses with a clear articulation of what those businesses would be and what impact they would have.

May 6, 2010

Page 5

Chairman Schafer closed the public comment portion of the meeting. He commented that the Commissioners look at projects as to what they feel is best for the City, not from a personal standpoint, but by reflecting on the various plans and codes that exist and the direction in which the City is moving.

Bev Gill said that commercial creep will continue to go on until we can find a way to incentivize residents to maintain their properties better. He feels it should be a primary policy of the City to keep residential and feels a higher density residential area would be a good fit in this location or even an expansion of the Hickory Ridge condominium complex. He said he is opposed to changing the residential zoning.

John Moores said he thinks the City should look at various ways to keep that area residential in nature with condos or multi-family without changing it to commercial and to remain in keeping with the Comprehensive plan. He said he is also against this rezoning.

Jim Sumner asked Dan Johnson what the criteria was for rendering a decision specifically in regards to the zoning matter. Mr. Johnson said there are no specified criteria in the Code for a zoning amendment. The Code simply outlines the procedure to undertake a rezoning, but there is no other guidance.

Jim Sumner asked Ryan Silverman to share his thoughts. Mr. Silverman commented that commercial creep is always a concern, but this area is already bookended by commercial uses and there is a home on Old Pfeiffer Lane that is already zoned C-2. He does not ever see the property to the north becoming commercial. He also quoted from the Land Use Plan and said he does not understand why the north side of Pfeiffer would be different from the south side.

Jim Sumner said he believes the Master Plan is clear and that these areas were considered and maintained as residential. He said when Pfeiffer Road was expanded; they worked very aggressively to preserve that residential property to leave Old Pfeiffer in place and to create buffering and landscaping features to minimize the impact of the new broader, bigger road. He recognizes the difficulty of the current residential use and that it probably does not have a long-term viable future, but believes an alternate residential use is best for that parcel.

Ray Schafer said he does not know what is appropriate for this site, but that Planning Commission has made changes to zoning and those changes have been in line with what the Comprehensive Plan has outlined. The current Comprehensive Plan does not envision changing this area to commercial and he feels the Commission should follow that direction.

Chairman Schafer reminded the Commission there are two separate applications on which to vote: the proposed rezoning and the proposed preliminary planned development.

DECISION: John Moores moved, Bev Gill seconded, to recommend to Council to deny the application for rezoning from R-2 to C-2. A roll call vote was taken. All members present voted aye. Motion carried.

**ITEM 6: Old Pfeiffer Road**

BLUE ASH PLANNING COMMISSION

May 6, 2010

Page 6

Consideration of preliminary approval for a Planned Development on approximately 3.8 acres in a proposed C-2 Planned Commercial district

DECISION: John Moores moved, Bev Gill seconded, to recommend to Council to deny the proposed Old Pfeiffer Road commercial development based upon lack of zoning. A roll call vote was taken. All members present voted aye. Motion carried.

**ITEM 7: MISCELLANEOUS BUSINESS**

There was no miscellaneous business.

**ITEM 8: ADJOURNMENT**

DECISION: There being no further business to be discussed, Jim Sumner moved, John Moores seconded, to adjourn the meeting. A voice vote was taken. All members present voted aye. Motion carried. The meeting was adjourned at 9:12 p.m.

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Raymond Schafer, Chairman

MINUTES RECORDED BY:

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Traci Smith