



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON APRIL 27, 2021

MIAMI TOWNSHIP CASE 579

APPLICANT: Andy Jones & Pat Manger
Brookstone Homes
7203 Wooster Pike
Cincinnati, OH 45227

OWNER(s):

Patricia Emmert
1007 Clough Pike
Cincinnati, OH 45245

Ron & Paula Brown
10462 Kenwood Road
Cincinnati, OH 45242

Thomas Hoffman
1160 SR 28
Milford, OH 45150

Richard Hoffman Trust
1160 SR 28
Milford, OH 45150

Dennis Gabriel
414 Washington Avenue
Cincinnati, OH 45217

Sharon Gabriel
414 Washington Avenue
Cincinnati, OH 45217

Diana Casteel
9325 Winton Road, #3
Cincinnati, OH 45231

James Herbert
6536 Branch Hill Miamiville Road
Loveland, OH 45140

Richard & Ron Brown
10462 Kenwood Road
Cincinnati, OH 45242

Tom Jindra
2501 Prancer Street
New Orleans, LA 70131

Edward Freeman
Cedar Resources
1743 Harmon Drive
Cincinnati, OH 45215

REQUEST:

Requesting to rezone multiple parcels consisting of 14.854 acres from R-1 – Residence District to R-1 – Residence District with R-PUD Overlay.

LOCATION: The subject properties are located on the south side of Branch Hill Guinea Pike, 350 feet southeast of Hollow Lane and 95 feet northwest of Epworth Rd.

ZONING: Current Zoning: R-1 Residence District

North: R-2 – Residence District
East: R-1 – Residence District
South: R-1 – Residence District
West: R-1 – Residence District

LAND USE: The existing land use is vacant woodland. The surrounding properties are single-family residential. There is a telecommunications tower located at the northwestern corner of the property that has direct access onto Branch Hill Guinea Pike.

HISTORY: On January 23, 1888, Webber’s Subdivision was recorded.

On April 30, 1918, Webber’s Subdivision all lots within Section/Block 1-5 & 7-13 were vacated.

On May 17, 1926, Doll Park Subdivision was recorded.

RELATIONSHIP TO TOWNSHIP ZONING & FUTURE LAND USE:

It appears this request is compatible with the regulations under “R-PUD” Residential Planned Unit Development within the Township’s Zoning Resolution (Chapter 15).

A. General – It is the purpose of the Residential Planned Unit Development Overlay District (“R-PUD”) to provide a flexible alternative to strict application of certain dwelling unit type, lot area, density and other requirements in Residential and Agricultural Zoning Districts, in order to encourage coherent planned residential development that are in keeping with modern site planning standards, so as to promote the general public health, safety, and welfare, and other general purposes of the Miami Township Zoning Resolution.

B. Objectives – The “R-PUD” is specifically designed to:

- 1. Encourage residential land development in consideration of topography, vegetation, community character, and compatibility with surrounding land uses;*
- 2. Encourage creative design in the arrangement of buildings, open space circulation, and all related factors by permitting maximum flexibility in design;*

3. *Achieve the most efficient land use by utilizing the special advantages of planned development and coordinated planning and design, and facilitating the economic arrangement of buildings, circulation systems and utilities; and*
4. *Create high quality living environments that balance certain permitted density increases with preservation of green space and/or provision of recreational amenities.*

Procedures – To achieve these purposes and objectives, special supplemental procedures to those applicable in the conventional Residence Districts are established in this Chapter, under which development plans specifically designed to meet these objectives may be submitted for review and/or approval. These special provision allow for the planned reduction or averaging of individual lot area requirements or other modification to further the purposes of the “R-PUD”.

In Miami Township’s Vision 2025 Plan, it specifies this area of the Township as “Residential Revitalization” (see Figure 16 – Preferred Land Use).

Residential Revitalization:

Revitalization areas are those where existing development patterns are fundamentally sound, but additional improvements should be encouraged to foster the area’s long-term viability and benefits to the Township as a whole. Revitalization areas are likely to require some public sector investment in order to facilitate their improvement, although these investments may range from entrepreneurship seed grants to large scale infrastructure construction.

Two of the Revitalization areas identified are historic riverfront communities located on the Little Miami Scenic Trail and surrounding residential areas. These communities provide a small-town quality of life that is attractive to many residents. Efforts to support and upgrade residential facilities and amenities will support this population and provide a unique lifestyle opportunity within Miami Township. In addition, these communities have the potential to function as regional destinations for bicycle trail users and others looking for a small-town environment. Both communities provide opportunities for goods and services that can be oriented to visitors; at the same time such businesses will enhance residents’ quality of life by providing convenient goods and services that the local population alone might not be sufficient to support.

The other two Revitalization areas include the Township’s two major employment centers. Both the Park 50 Tech Center and the Wards Corners interchange area have existing viable businesses, but both have additional capacity that has not yet been capitalized upon. In both cases, efforts to support new development and ongoing investments in existing development will have substantial impacts on the fiscal viability of the Township, the school districts that serve the Township, and Clermont County.

The proposed zoning request meets the goals of Miami Township’s Vision 2025 Plan by providing a development opportunity of new single-family residential lots similar to the surrounding single-family residential character.

DEVELOPMENT PROPOSAL:

Per the application, the proposed property consists of 14.854 acres to be subdivided into 32 single-family residential lots, 4 open space lots consisting of 4.67 acres (36%), and an overall project density of 2.15 units per acre. The proposed residential lots would have a minimum lot width of 70 feet with a minimum lot size of 8,400 square feet. Proposed sanitary sewer service would be extended from the west where the existing public sanitary sewer lines are located along Hollow Lane. Proposed public water would be extended from the existing public water line located along Branch Hill Guinea Pike. The proposed project is contingent upon the approval of vacating all public rights-of-way contained within the proposed development boundaries.

SITE ACCESS:

The proposed site access would from the southside of Branch Hill Guinea Pike onto a 50-foot public right-of-way (*Connor Lane*) that extends south into the property and ends in a cul-de-sac. Proposed pedestrian circulation has been proposed with sidewalks along both sides of the public right-of-way and along the Branch Hill Guinea Pike frontage.

STAFF ANALYSIS:

The proposed developments request consist of rezoning roughly 14.854 acres of property along Branch Hill Guinea Pike from R-1 – Residence District to an R-1 Residence District with R-PUD Overlay. The rezoning is an effort to develop single-family residential units, in compliance with the recommendations of the Vision 2025 Land Use Plan for this area of the Township. Per the review of the application, the proposed development meets all regulations pertaining to Article V in the *Clermont County Subdivision Regulations* and conforms with the regulations under Chapter 15, “R-PUD” Residential Planned Unit Development within the Township’s Zoning Resolution.

The street layout is efficient but does not provide any future connectivity that could promote further growth and revitalization efforts to adjoining properties that currently do not have access to public services. The proposed entrance and roadway will need to be shifted to the west to eliminate the intersection radius encroachment onto the frontage of the adjacent property to the east along Branch Hill Guinea Pike.

Additionally, for the proposed project to be approved, the applicant must first submit a roadway vacation request for the existing rights-of-way that were platted in 1888. These rights-of-ways were never constructed and are known as “paper streets”.

The applicant and township have two options for requesting a roadway to be vacated;

Option 1: Section 5553.04, .05,.06,.07 ORC

- Applicant requests Board of County Commissioners (BCC) to vacate.

Option 2: Section 5553.045 ORC New law from 6-10-04

- Township passes resolution to vacate a road and submits to Board of County Commissioners and Clermont County Engineer's Office (CCEO).

The proposed project site is partially situated within two platted subdivisions, Doll Park Subdivision & Webber's Subdivision. Before the recording of a new record plat, the vacated rights-of-way and adjoining lots will need to be re-platted. This may cause significant surveying work regarding the re-platting of the adjoining lot owners' properties. The applicant or township can either request to vacate all or none of an existing right-of-way, they will not be able to vacate "half" of a public right-of-way. The vacated rights-of-way will then need to be distributed equally to all adjoining property owners and re-platted so that the lots being created are not non-conforming.

Clermont County Community & Economic Development Comments:

- The applicant will need to decide which option for vacating the existing rights-of-way found throughout the proposed project area.
- There are unknown ownerships of parcels including 171433B016P located along the southern project boundary of the proposed development. If the parcel is found not to be right-of-way, the parcel would become a non-conforming lot due to lack of granted access. The applicant will need to determine the ownership of these unknown parcels.
- It is suggested that the developer considers the historical nature of the previously platted subdivision and it is recommended that the proposed subdivision name and road name be kept in some form as Webber's Subdivision and Johnston Avenue as originally platted in 1888.

The Clermont County Engineer's Office Comment:

1. A Traffic Impact Study is not required as less than 100 trips are expected to be generated by the proposed development during peak hour.
2. The proposed roadway will need to be shifted to the west to eliminate the intersection radius encroachment onto the frontage of the adjacent property.

The Clermont County Water Resources Department Comments:

1. There are no objections to this zoning request.

STAFF RECOMMENDATION:

Based on the Staff Analysis, move to **RECOMMEND APPROVAL** of Miami Township Zoning Case 579 to rezone multiple parcels consisting of 14.854 acres from R-1 – Residence District to an R-1 – Residence District with R-PUD Overlay with the following conditions:

1. Vacate all existing rights-of-way within the project area and re-plat all additional acreage.
2. Ownership of all unknown parcels will need to be determined, the creation of any non-conforming lots will not be permitted.
3. The proposed roadway will need to be shifted to the west to eliminate the intersection radius encroachment onto the frontage of the adjacent property.