

BOARD OF TRUSTEES

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Debbie S. Schwey

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Loretta E. Rokey



950 Locust Corner Road
Cincinnati, Ohio 45245

(513) 752.6262

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www.piercetownship.org

PIERCE TOWNSHIP ZONING COMMISSION

Regular Meeting

6:30pm

TUESDAY October 5, 2021

AGENDA

I. Call to Order: Stanley Shadwell, Chair of Zoning Commission

1. Roll Call: Mr. Schuler _____ Mr. Stitt _____ Mr. Shadwell _____ Ms. Cann _____ Ms. Frede _____ Ms. Neal _____ Mr. Bergman _____
2. Pledge of Allegiance
3. Approval of Meeting Minutes: July 6, 2021

II. New Business:

1. ZC2021-003 (Davis Concepts): A Concept Plan submittal of two (2) residential development concepts for property located at 595 Davis Road, submitted by James J Bertram Jr. (CT Consultants, Inc.).

III. Additional Business:

IV. Motion to adjourn:

V. Meeting adjourned at:

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Zoning Commission
Public Hearing Minutes
July 6, 2021
6:30 p.m.

The Zoning Commission of Pierce Township, Clermont County, Ohio met in public hearing at 6:30 p.m., on Tuesday, July 6, 2021, at the Pierce Township Administration Building, 950 Locust Corner Road.

CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

Chair Stan Shadwell called the meeting to order. Board members answering roll call: Mr. Stan Shadwell, Mr. Dick Schuler, Ms. Susan Frede, Ms. Donna Cann, Ms. Catherine Neal, and Mr. Steven Bergman; personnel who were also present: Mr. Eddie McCarthy, Planning & Zoning Administrator.

APPROVAL OF MINUTES

Approval of Minutes – June 1, 2021 –Regular Meeting

Ms. Cann made a motion, seconded by Ms. Frede to approve the minutes of the June 1, 2021, Regular Meeting of the Zoning Commission. Roll call on motion: All aye.

OPENING OF PUBLIC HEARING FOR CASE ZC2021-002 TEXT & MAP AMENDMENT(S)

Chairman Shadwell opened the public hearing stating the hearing is for case ZC2021-002 Text & Map Amendment(s); explained if anyone wishes to speak during the public hearing will need to take the oath.

OATH TAKEN BY ATTENDEES & STAFF

Chairman Shadwell administered the oath to attendees and staff wishing to speak during the public hearing.

NEW BUSINESS (PUBLIC HEARING)

Chairman Shadwell introduced the Zoning Commission newest member, Steven Bergman as an alternate.

Mr. McCarthy presented the staff report on case ZC2021-002 an application for a Text & Map Amendment(s) to expand the Downtown Overlay (DO), Rezone select parcels and modify the Resolution.

PUBLIC COMMENT

None

MOTION

Mr. Schuler made a motion seconded by Ms. Cann to close public comment. Roll call on motion: all aye.

Mr. Shadwell read into recording the Clermont County Planning Commission recommendation of case ZC2021-002 Text & Map Amendment(s).

Ms. Cann made a motion seconded by Mr. Schuler to recommend to the Board of Trustees to consider case ZC2021-002. Roll call on motion: all aye.

ADDITIONAL BUSINESS

Bill Gupton, President of Heritage Acres Memorial Sanctuary spoke to the Zoning Commission Board on the cemetery located on Locust Corner Road. He provided the background into Heritage Acres Memorial Sanctuary, procedures, location, and burials. David Spinney & Susan Conley were also in attendances.

The Board asked about burial of a body, why they picked the location of the cemetery, maintenance of cemetery, expansion, re-use of plots, and the number of green burial cemeteries in Ohio.

Renee Geber introduced herself to the board and spoke about previous meetings.

ADJOURNMENT

At 7:29 p.m., Ms. Frede made a motion, seconded by Ms. Cann that the Public Hearing be adjourned. Roll call on motion: All aye.

Stanley Shadwell, Chair
Pierce Township Zoning Commission

Date

**Pierce Township
Zoning Commission
October 5, 2021
Case Number: ZC2021-003**

Davis Road Concept Plans

Summary: A Concept Plan submittal for property located at 595 Davis Road. The applicant is exploring the feasibility of two (2) residential development concepts.

Concept 1 (Attached): Mix of 13 single family homes and 64 townhomes.

Density: 6.42 Units/Acre*

Concept 2 (Attached): 90 townhomes, in which 22 would be for sale and 68 for rental.

Density: 7.5 Units/Acre*

**For reference, the Single Family Residential District (SFR) permits 2 units/acre with 20,000 sq. ft lots.*

Applicant: James J Bertram Jr. (CT Consultants, Inc.)

Owner: Elizabeth A. Ponder

Property Location(s): See attached map

Lot Area: 12 Acres

Existing Zoning: General Business (GB)

Current Use: Vacant

Future Land Use: Neighborhood Commercial w/Mixed Use Option

**Pierce Township
Zoning Commission
October 5, 2021
Case Number: ZC2021-003**

Action(s) Required:

- A. No formal action is required of the Zoning Commission
- B. The goal of this work session style meeting is to facilitate discussions between the applicant and the Zoning Commission and to review the initial concepts of the proposed PUD
 - Discussions that occur during the Concept Plan work session with Township staff or the Zoning Commission are not binding on the Township and do not constitute official assurances or representations by Pierce Township or its officials regarding any aspects of the plan or application discussed.
 - The Zoning Commission may request the applicant to attend one additional work session in order to progress the PUD plan discussions to an application.

Prepared By: Eddie F. McCarthy, Planning and Zoning Administrator

Pierce Township
Zoning Commission
October 5, 2021
Case Number: ZC2021-003

General Vicinity:



Staff Analysis and Recommendation:

Land Use Plan:

Staff Comment: The underlying Future Land Use designates the subject property as Neighborhood Commercial with a Mixed Use Option. This indicates that some commercial and residential mix that serves the general vicinity was envisioned in the 2013 Land Use Plan.

At this time, a fully residential proposal that includes a significant number of higher density townhomes does not appear to follow the Land Use Plan.

Adjacent Use(s):

Staff Comment: The property is surrounded on all sides by a mix of multifamily to the west, and low density single family residential and agricultural property along the north, east and south. It should also be noted that this site is in close proximity to the Vineyard Golf Course.

General Review and Observation:

General:

- 1) Do you have permission from the owner to submit these concepts?
- 2) Do you propose any waivers?
- 3) Detail wastewater, potable water and stormwater plans etc
- 4) Have you contacted the Clermont County Engineer's Office regarding Ninemile etc?
- 5) A small berm between the development and Davis Road would be beneficial.
- 6) As it pertains to the Mixed use and land use component, have you considered a golf type use, such as a TopGolf, BigShots Golf or practice range? This is something worth exploring, as the Vineyard does not have a driving range.

**Pierce Township
Zoning Commission
October 5, 2021
Case Number: ZC2021-003**

- a. The Land Use Plan contemplates a commercial or mixed use development. Residential, particularly higher density residential is not generally supported.
- 7) Active Open Space does not appear to have been accommodated.
- 8) Street trees in both concepts would be beneficial
- 9) Interconnectivity appears to be lacking. A second access is generally very beneficial from an emergency response perspective.
- 10) The soils on site are Rossmoyne silt loam and Jonesboro-Rossmoyne Silt Loams. The soils on site are considered prime farmland and or farmland of local importance. These areas should be preserved to the greatest extent feasible.
- 11) The density on both proposals appears high:

TABLE 7.04-1: PUD DENSITY AND INTENSITY STANDARDS			
Zoning District	Minimum Open Space Required	Maximum Gross Density	Maximum Net Density
PUD-R without sewer	40%	0.50 dwelling units per acre	0.80 dwelling units per acre
PUD-R with sewer	35%	2.00 dwelling units per acre	4.25 dwelling units per acre
PUD-R within 500 feet of a municipal boundary	20%	8.00 dwelling units per acre	16 dwelling units per acre
PUD-B	20%	0.30 FAR	0.38 FAR
PUD-MU	30%	4.50 dwelling units per acre	7.50 dwelling units per acre
FAR = Floor Area Ratio – FAR is calculated as a ratio of the total gross floor area of the building(s) divided by the total square footage of the lot area.			

**Pierce Township
Zoning Commission
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Case Number: ZC2021-003**

Concept 1

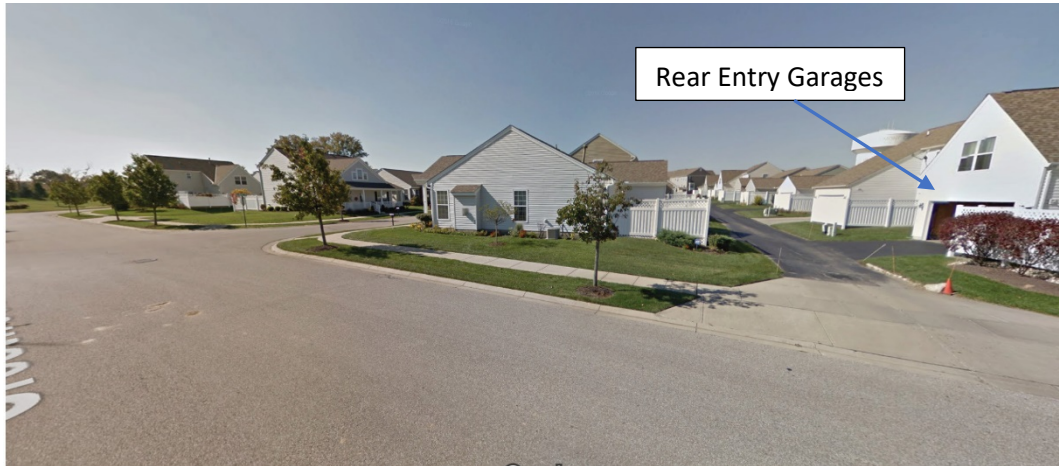
- 1) How many Townhomes are proposed to be rented vs sold?
- 2) Setbacks on the single family appear narrow (5' min – 10' total), as well as the rear.
- 3) Lot sizes appear deficient

PUD setbacks and lot sizes are as follows:

TABLE 7.04-2: LOT STANDARDS					
Unit Type	Minimum Area (Sq. Ft.)	Minimum Lot Width (Feet)	Minimum Front Yard [1] (Feet)	Minimum Side Yard[1] (Feet)	Minimum Rear Yard[1] (Feet)
Single-family detached [2][3]	10,500	60	25	8	30
Two-family [2][3]	5,000 per unit	50	20	6	25
Multi-family: four units or less [2][3]	3,000 per unit	25	20	none	30
Multi-family: more than four units [2]	2,500 per unit	100	30	12	25
Nonresidential [2][4]	20,000	100	40	10	75

- 4) Rear entry garages for the townhomes should be explored. (See Weatherby Farms N Gensen Loop). This allows a more pedestrian friendly street.

**Pierce Township
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Case Number: ZC2021-003**



Driveways and garages placed behind structure allows for more pedestrian focused streets



- a. Proposed renderings show townhome garages attached but parking spaces (in lot) are also shown. This would not be functional.
- 5) Please advise on the Single Family Lot Sizes
- 6) Detail housing style type(s). It is advisable to vary styles, garage location (recessed with longer driveways) mixed with alternatives etc.

Concept 2

- 1) Multi family does not appear to be supported in this location
- 2) Rear entry garages for the townhomes should be explored. (See Weatherby Farms N Gensen Loop)
 - a. Proposed renderings show townhome garages attached but parking spaces (in lot) are also shown. This would not be functional.

Staff Recommendation:

Staff Recommendation:

Based upon the Township Land Use Documents, and a review of the proposed concepts, staff believes that high density residential development is inappropriate at this time. Of particular concern are the following:

- **Road infrastructure in the general vicinity needs to be addressed. In particular, the Davis/Ninemile intersection is deficient.**
- **Commercial mixed with residential or lower density residential use(s) appear more appropriate in this area.**
- **The applicant should address waste and potable water service availability and capacity.**
- **The soils on site appear to be of local importance and value. They should be preserved to the greatest extent feasible.**

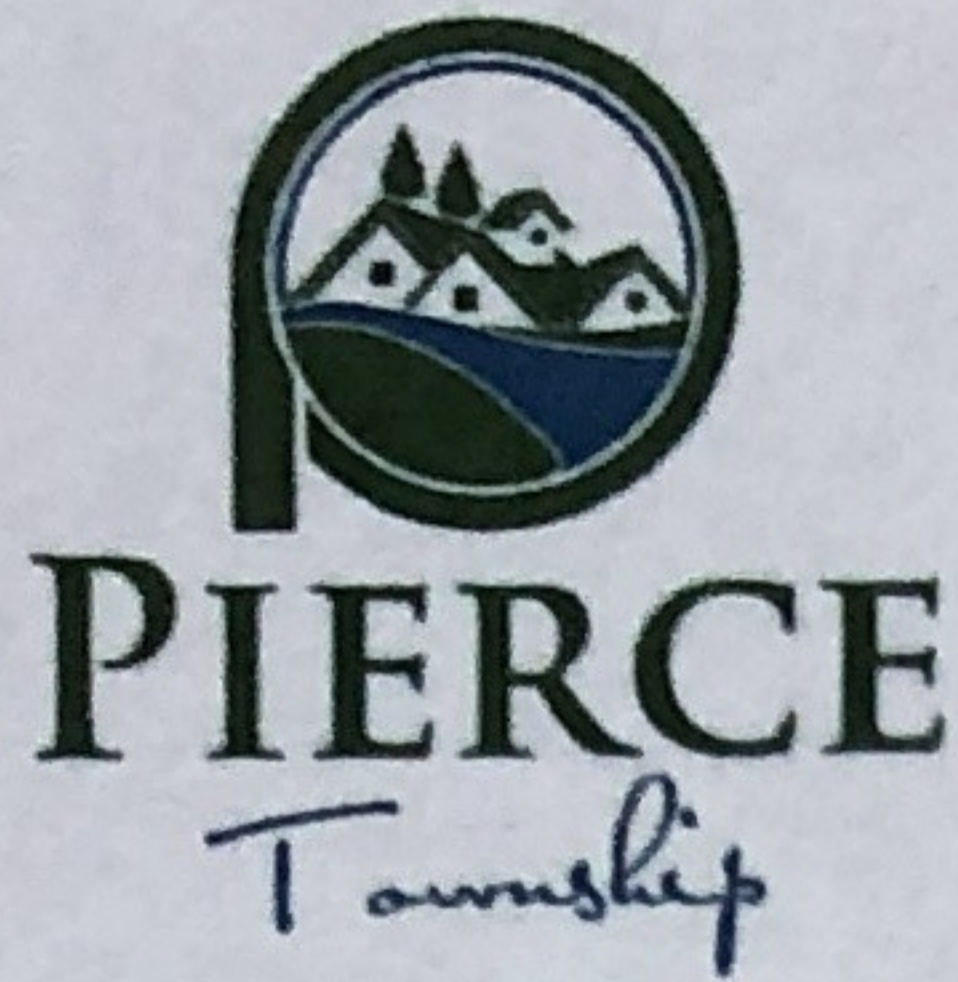
**Pierce Township
Zoning Commission
October 5, 2021
Case Number: ZC2021-003**

**Article 3: Development Review Procedures
3.06: Zoning Text and Map Amendments**

A) Amendment Initiation

- 1) Amendments or supplements to the zoning resolution may be initiated by:
 - (a) Motion of the Zoning Commission;
 - (b) Passage of a resolution by the Board of Trustees; or
 - (c) By the filing of an application by the property owners or authorized agent of each property within the area proposed to be changed or affected by the proposed amendment.
- 2) If the Board of Trustees initiates the amendment, the board shall, upon the passage of such resolution, certify it to the Zoning Commission.

September 8, 2021



Attn: Eddie McCarthy
950 Locust Corner Road
Cincinnati, Ohio 45245

RE: 595 Davis Road Future Development

Dear Eddie,

CT Consultants (CT) on behalf of RealFin LLC is requesting a Conceptual Plan review from the Pierce Township Planning and Zoning Commission. RealFin is currently under a contract to purchase the 12-acre site located at 595 Davis Road. They are looking to have the property rezoned from NB – Neighborhood Business to a zone that will work for the proposed development they are seeking.

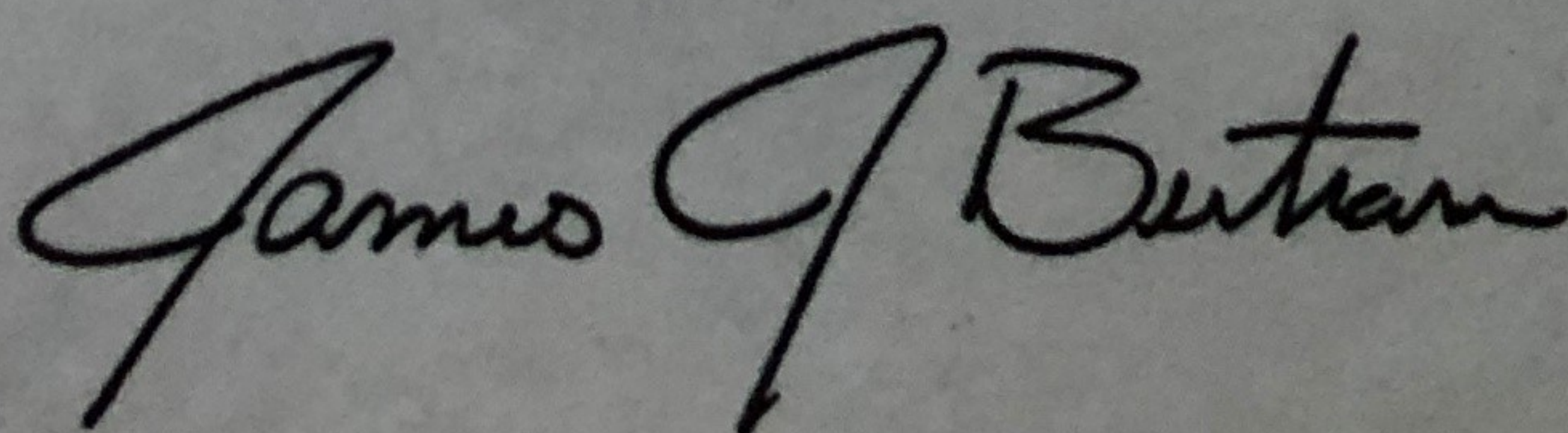
CT has prepared two concepts. Concept number 1 is a mixed use of single-family homes and townhomes. This plan shows 13 single-family lots along with 64 townhomes. This plan was developed after meeting with Eddie McCarthy to provide an option to the plan presented at our meeting. In our meeting Eddie suggested that a mixed use plan be presented as an option for discussion at the Planning Commissioner's meeting.

Concept number 2 is a Townhome Development plan showing a total of ninety (90) townhomes. The front of the lot along Davis Road would provide 22 townhomes that would be sold, and the back would provide 68 townhomes that would be rented. This plan was the original plat presented to Eddie.

It is our understanding that this meeting we will be discussing the concept plans and we look forward to the Commission's comments. It is our desire to provide Pierce Township with a plan that works for both parties.

Thanks for your time and we look forward to our meeting in October.

Sincerely,
CT Consultants, Inc.

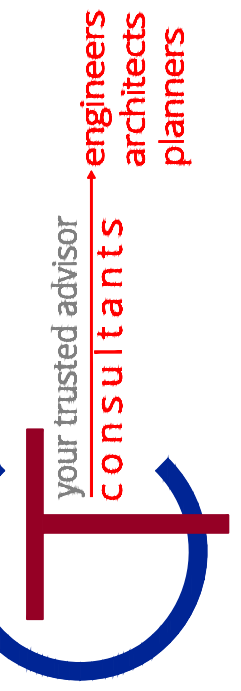


James J. Bertram Jr. P.S.
Land Development and Survey Manager

RECEIVED
SEP 09 2021

BY: |

PRELIMINARY

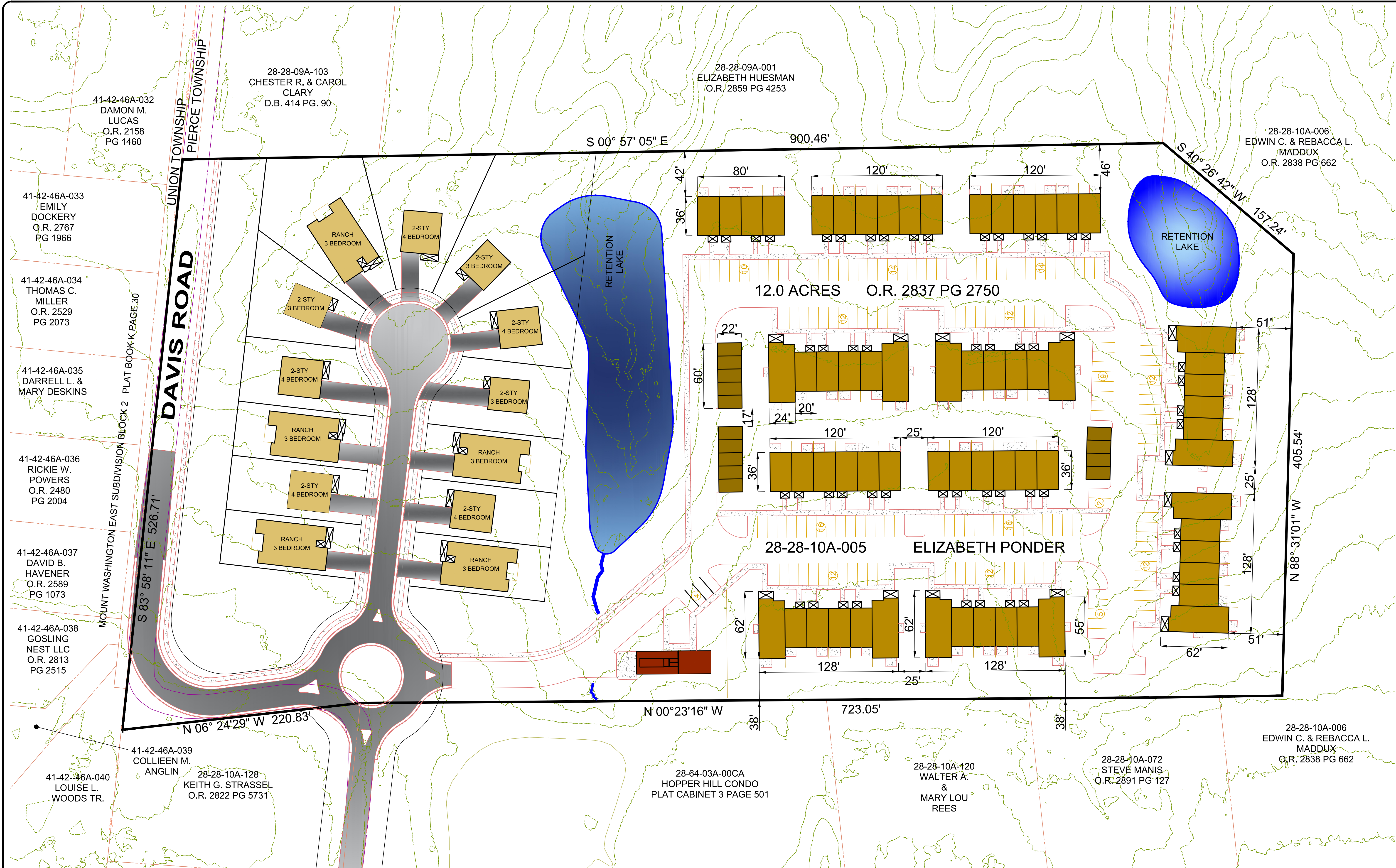


NO.	REVISION	DATE

DAVIS LAKES TOWNHOMES
 PIERCE TOWNSHIP, CLERMONT COUNTY, OHIO
 BEING PART OF NANGARROW M.S. NO. 1747

CONCEPT PLAN # 1

PROJECT NO.	21XXXX
DISCIPLINE	CIVIL
SHEET NAME	CONCEPT
SHEET	OF
1	1



UNIT COUNTY
 13 - SINGLE FAMILY LOTS
 64 - TOWN HOME UNITS
 77 - TOTAL UNITS

DENSITY CALCULATION
 77 UNITS / 12.0 ACRES
 6.42 UNITS PER ACRE

PARKING CALCULATION
 39 - SINGLE FAMILY PARKING SPACES
 2 SPACES / GARAGE
 1 SPACE / DRIVEWAY

39 - SINGLE FAMILY PARKING SPACES
 2 SPACES / GARAGE
 1 SPACE / DRIVEWAY

176 - TOWNHOME PARKING SPACES
 162 PARKING SPACES
 14 GARAGES

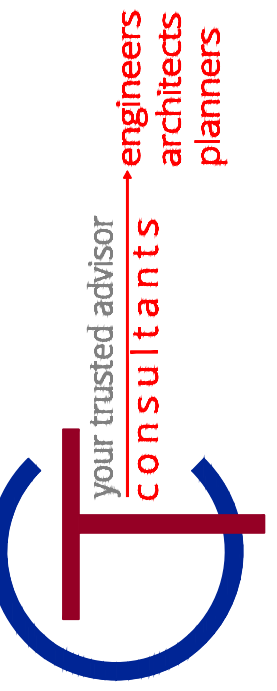
LEGEND

- SINGLE FAMILY UNITS
- TOWN HOME UNITS
- GARAGES
- DUMPSTER / MAIL BUILDING

SINGLE FAMILY LOTS
 LOT WIDTH = 50' AT FRONT YARD SETBACK
 FRONT YARD SETBACK = 25 FEET
 REAR YARD SETBACK = 25 FEET
 SIDE YARD SETBACK = MIN. 5 FT. TOTAL 10 FEET

W:\PROPOSAL\BETHLHAM\DAVIS ROAD - REALTRADING ROAD CONCEPT BRSS USE DWG - LAYOUT1 - 10/20/21 8:40 AM - JAMES BERTHOFF

PRELIMINARY



NO	REVISION	DATE

DAVIS LAKES TOWNHOMES
PIERCE TOWNSHIP, CLERMONT COUNTY, OHIO
BEING PART OF NANCARROW M.S. NO. 1747

CONCEPT PLAN #2

PROJECT NO.	DISCIPLINE	SHEET NAME
21XXXX	CIVIL	CONCEPT
1	1	1



<p>UNIT COUNTY</p> <p>22 - TOWNHOMES FOR SALE 68 - TOWN HOME UNITS 90 - TOTAL UNITS</p> <p>DENSITY CALCULATION</p> <p>90 UNITS / 12.0 ACRES 7.5 UNITS PER ACRE</p>	<p>PARKING CALCULATION</p> <p>22 - TOWNHOME UNITS FOR SALE 22 SPACES IN GARAGES 22 SPACE IN DRIVEWAYS 43 ADDITIONAL SPACES</p> <p>87 SPACES TOTAL</p> <p>68 - TOWNHOMES FOR RENT 172 PARKING SPACES 18 GARAGES</p> <p>190 SPACES TOTAL</p>	<p>LEGEND</p> <p> TOWN HOME UNITS FOR SALE</p> <p> TOWN HOME UNITS FOR RENT</p> <p> GARAGES</p> <p> DUMPSTER / MAIL BUILDING</p>
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\\002\PROPOSAL\BETHAN\MORE DAVIS RD - REAL TRADING ROAD CONCEPT FINAL.DWG - LAYOUT1 - 8/3/2021 1:28:29 PM - JAMES BERTHIAU

To whom it may concern,

This letter give permission to representatives of Peirce Twp Zoning to enter the potential development site at 595 Davis Rd. Cincinnati OH 45245 to facilitate the developer, Fawnrun Properties LLC, in a zoning change. This permission shall be granted for the entire duration in which the Developer has this property under contract to purchase.

Sincerely,

Elizabeth Ponder

dotloop verified
10/01/21 9:47 AM EDT
1B4B-C6XT-IWCD-L04W

Beth Ponder, Owner