

**BOARD OF TRUSTEES**

Allen M. Freeman  
Nicholas J. Kelly  
Peter J. Kambelos, MD

**Fiscal Officer**

Debbie S. Schwey

**Administrator**

Loretta E. Rokey



950 Locust Corner Road  
Cincinnati, Ohio 45245

(513) 752.6262

Fax # (513) 752.8981

[www.piercetownship.org](http://www.piercetownship.org)

**PIERCE TOWNSHIP ZONING COMMISSION**

**Regular Meeting**

**6:30pm**

**TUESDAY December 7, 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: October 5, 2021
4. Selection of Officers (Effective January 2022)

**II. New Business:**

1. ZC2021-003 (Davis Concept): A Concept Plan submittal of one (1) residential development concept for property located at 590 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  
Regular Meeting Minutes  
October 5, 2021  
6:30 p.m.

The Zoning Commission of Pierce Township, Clermont County, Ohio met in regular meeting at 6:30 p.m., on Tuesday, October 5, 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, Mr. Jeff Stitt, 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 – July 6, 2021 –Public Hearing**

Ms. Frede made a motion, seconded by Ms. Cann to approve the minutes of the July 6, 2021, Public Hearing of the Zoning Commission. Roll call on motion: Mr. Stitt, abstained; Ms. Cann, aye; Ms. Frede, aye; Mr. Schuler, aye; Mr. Shadwell, aye.

**NEW BUSINESS**

Mr. McCarthy presented the staff report on case ZC2021-003 (Davis Concepts): A Concept Plan submittal of two (2) residential development concepts for property located at 590 Davis Road, submitted by James J Bertram Jr. (CT Consultants, Inc.). Mr. Shadwell explained where the property was located in the township.

The Board asked about the construction near the property, PUD, no rear entry garage(s), five acre lots, road frontage, and roundabout.

Mr. Bertram Jr. from CT Consultants, Inc. presented three concept plans for Davis property located at 590 Davis Road. Mr. Bertram spoke about a third concept plan that was not submitted to the township or board.

The Board asked about the intersection, open space, traffic study, site distance, curb cut, roundabout, clubhouse, commercial uses, property zoned, water & sewer, land use plan, laundry area, utilities, number of dumpsters & locations, emergency access, destiny, mailboxes and width of the roadway.

**PUBLIC COMMENT**

1. Brenda Tyminski – 3778 Hopper Hill Road
  - a. Price of homes
  - b. Price for rentals
    - i. Subletting

**OTHER BUSINESS**

Mrs. Renee Gerber (30 Hummingbird Way) asked about zoning in the business district. She asked about Amelia Automotive Body Repair business; they are asking about adding additional structure on the property. Mr. McCarthy explained they business owner would need to request a conditional use permit with the Board of Zoning Appeals.

Mrs. Renee Gerber requested a copy of the plans for the new structure that will be located at 1299 SR 125 in front of the retail center. The Board talked about the new structure that will be coming to 1299 SR 125, size of the new structure, and if any permits issued.

**ADJOURNMENT**

At 8:19 p.m., Mr. Stitt made a motion, seconded by Ms. Frede that the Regular meeting be adjourned. Roll call on motion: All aye.

ATTESTED;

The foregoing minutes were approved by the Pierce Township Zoning Commission on November 9, 2021:

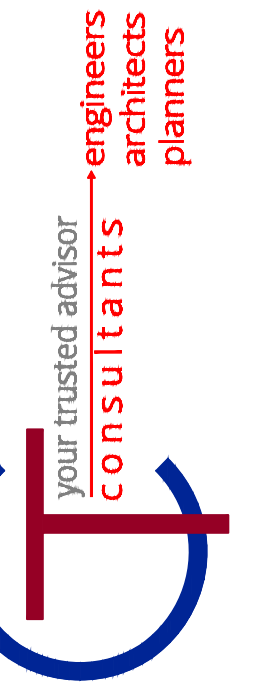
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Stanley Shadwell, Chair  
Pierce Township Zoning Commission

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Date

PRELIMINARY



NO	REVISION	DATE

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

**CONCEPT PLAN #4**

PROJECT NO.	210726
DISCIPLINE	CIVIL
SHEET NAME	CONCEPT
SHEET	OF
1	1



**UNIT COUNT**  
 66 - TOWNHOME UNITS

**DENSITY CALCULATION**  
 60 UNITS / 12.0 ACRES  
 5.5 UNITS PER ACRE

**OPEN SPACE**  
 4.72 OPEN SPACE  
 4.72 AC / 12 AC = 39.3% OPEN SPACE

**PARKING CALCULATION**  
 66 - TOWNHOME UNITS  
 66 SPACES IN GARAGES  
 66 SPACE IN DRIVEWAYS  
 18 ADDITIONAL SPACES  
 216 SPACES TOTAL  
 3.27 SPACES / UNIT

**MAP AMENDMENT REQUESTED**  
 CURRENT ZONING - GB (GENERAL BUSINESS)  
 PROPOSED ZONING - MFR (MULTI-FAMILY RESIDENTIAL)

- LEGEND**
- TOWN HOME UNITS FOR RENT
  - DUMPSTER / MAIL BUILDING
  - PARK BENCH
  - 4' MULCH TRAIL
  - OPEN SPACE

**DEVELOPER**  
 3565 FAWRUN DRIVE  
 CINCINNATI, OHIO 45241  
 CONTACT: KRISHNAMOHAN RAVIPATI

W:\2021\PROPOSAL\BETHLEHEM\DAVIS ROAD - REALTRAC\DAVIS ROAD CONCEPT LAYOUT - LAYOUT1 - 110221 3:41:44 PM - JAMES BERTON

**Pierce Township  
Zoning Commission  
December 7, 2021  
Case Number: ZC2021-003**

## **Davis Road Concept Plans**

**Summary:** A Concept Plan (#4) submittal for property located at 595 Davis Road. The applicant is exploring the feasibility of one (1) residential development concept. Specifically, the applicant is considering rezoning the parcel from General Business (GB) to Multi Family Residential (MFR).

**Concept 4 (Attached):** 66 townhomes

Density: 5.5 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)

**Proposed Zoning:** MFR

**Current Use:** Vacant

**Future Land Use:** Neighborhood Commercial w/Mixed Use Option

### **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 or Multi Family Residential (MFR) proposal

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- 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

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December 7, 2021  
Case Number: ZC2021-003

**General Vicinity:**



## Staff Analysis and Recommendation:

### History:

#### October 5, 2021 Concepts:

- **Concept 1:** Mix of 13 single family homes and 64 townhomes.  
Density: 6.42 Units/Acre\*
- **Concept 2:** 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.*

#### 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 (Density approximating 8.8 units/acre) 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 propose any waivers?
- 2) Detail wastewater, potable water and stormwater plans etc
- 3) Have you contacted the Clermont County Engineer’s Office regarding Ninemile etc?
- 4) Mixed use is not present on site. Further, the Land Use Plan does not support multi family.
  - a. The Land Use Plan contemplates a commercial or mixed use development. Residential, particularly higher density residential is not generally supported.
- 5) 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.
- 6) The density on the proposal appears high:

<b>TABLE 7.04-1: PUD DENSITY AND INTENSITY STANDARDS</b>			
<b>Zoning District</b>	<b>Minimum Open Space Required</b>	<b>Maximum Gross Density</b>	<b>Maximum Net Density</b>
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.			

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7) PUD setbacks and lot sizes are as follows:

<b>TABLE 7.04-2: LOT STANDARDS</b>					
<b>Unit Type</b>	<b>Minimum Area (Sq. Ft.)</b>	<b>Minimum Lot Width (Feet)</b>	<b>Minimum Front Yard [1] (Feet)</b>	<b>Minimum Side Yard[1] (Feet)</b>	<b>Minimum Rear Yard[1] (Feet)</b>
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

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8) MFR setbacks and lot sizes are as follows

<b>TABLE 6.05-1: RESIDENTIAL SITE DEVELOPMENT STANDARDS</b>						
<b>Standards</b>		<b>Zoning Districts</b>				
		<b>SFR</b>	<b>TFR</b>	<b>MFR</b>	<b>P</b>	
<b>Minimum Lot Area and Maximum Density (Square Feet)</b>						
Minimum Lot Area (Square Feet)	Single-Family	20,000	20,000	20,000	8,000	
	Two-Family	N/A	30,000	30,000	N/A	
	Multi-Family	N/A	N/A	36,000 for the first 6 units + 3,000 for each additional unit	N/A	
	Other Uses	If not established in the use-specific regulations, the minimum requirements shall be as established for single-family uses.				
Maximum Density		N/A	N/A	8 units per acre	N/A	N
<b>Minimum Lot Width and Street Frontage (Feet)</b>						
Minimum Lot Width at Building Line (Feet)	Single-Family	100	85	85	38	6
	Two-Family	N/A	100	100	38	N/A
	Multi-Family	N/A	N/A	110	38	N/A
	Other Uses	As established for single-family uses.				
Minimum Street Frontage		25	25	25	25	25
<b>Yards and Setbacks (Feet)</b>						
Front Yard Setback		50 [1]	50 [1]	50 [1]	25 from Township roads and 35 from County or State roads	20 from edge of pavement [2]
Side Yard Setback (On Each Side) [3]		15	15	15	5	15 total with minimum
Rear Yard Setback		40	40	40	30	30
<b>Maximum Building Height</b>						
Principal Building		35	35	45	35	35 from Base Flood Elevation
<b>Minimum Floor Area (Square Feet)</b>						
Minimum Floor Area (Square Feet)		1,600 [4]	1,600 per unit [4]	800 per unit	1,600 per unit [4]	1,600 [4]

9) The applicant has taken a number of staff and Commission comments and concerns under advisement. Of particular note are the following:

- a. The Density has been lowered to 5.5 units/acre from 7.5 and 6.4, respectively.

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- b. Rear Entry garages detailed with a more neighborhood oriented road network has been illustrated.
  - c. Active open space includes a dog park and playground that are centrally located and connected via a trail network.
  - d. A reduction in wet ponds is detailed with greater emphasis on bioswales indicated.
- 10) Architecture – Varied architecture needs to be considered, per below. The proposed architecture has excessive massing issues, has low variability on detail/materials, numerous units attached and exaggerated roof prominence.

*Alternative Examples: Varied materials (cement siding, brick, stone), facades, architectural pattern, less prominent roof, functional façade/window(s)*



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*Single story attached homes, wherein 2-3 units are attached at a time as opposed to connecting to larger massed two story homes.*



### **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.**

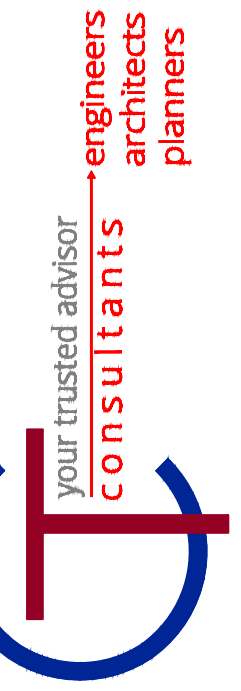
**Pierce Township  
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December 7, 2021  
Case Number: ZC2021-003**

**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.

PRELIMINARY

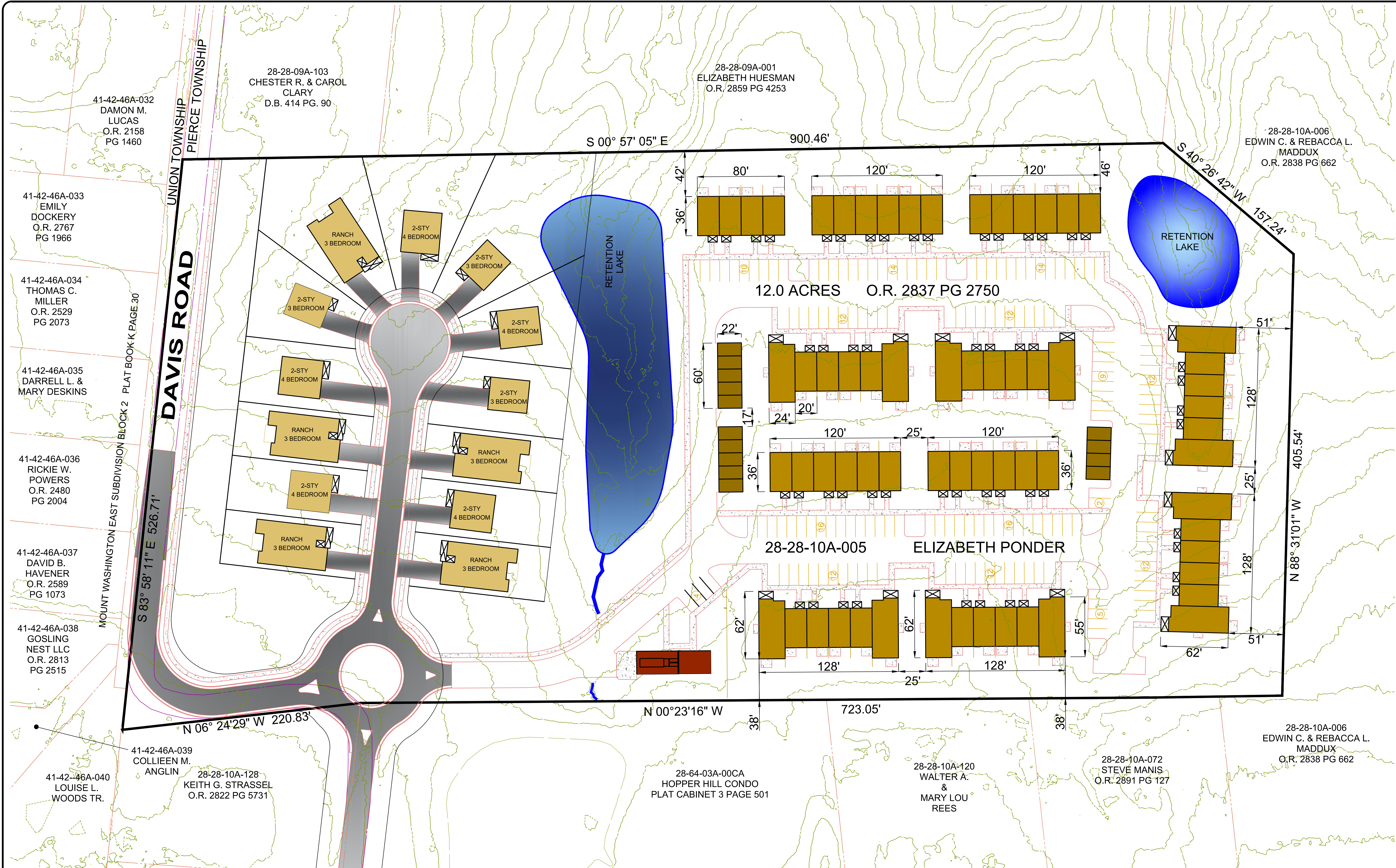


NO.	REVISION	DATE

**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**

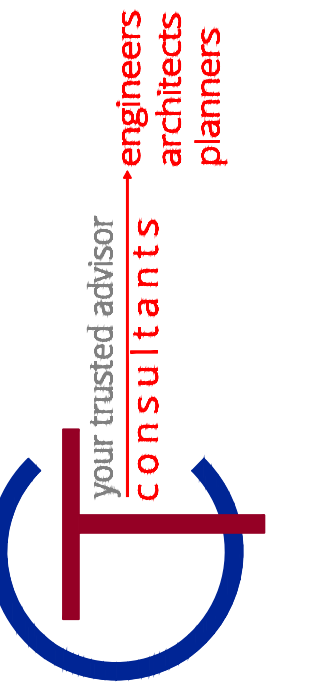
- SINGLE FAMILY UNITS
- TOWN HOME UNITS
- GARAGES
- DUMPSTER / MAIL BUILDING

**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\BETHLEHEM\DAVIS ROAD - REAL TRADING ROAD CONCEPT BRIDGE 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.	21XXXX
DISCIPLINE	CIVIL
SHEET NAME	CONCEPT
SHEET	OF
1	1

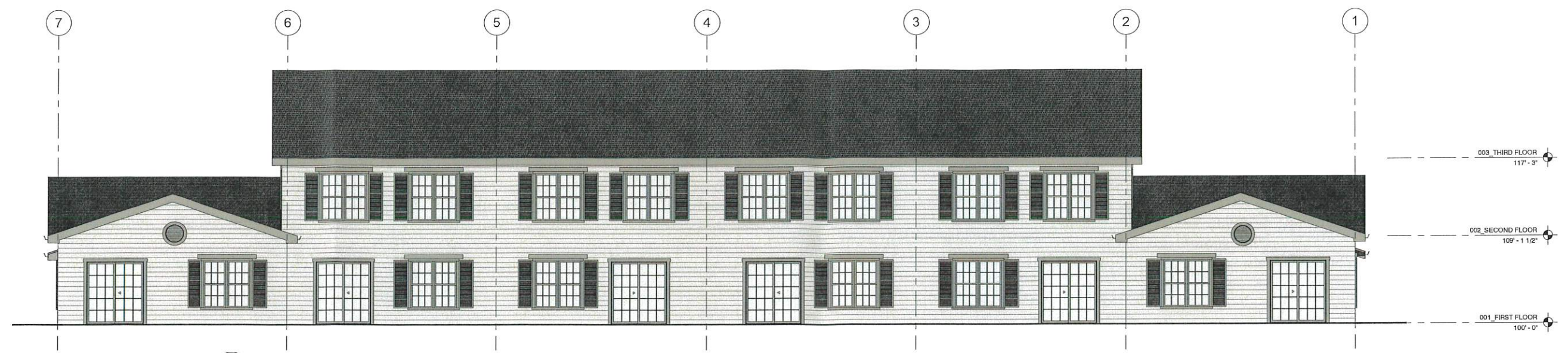


<p><b>UNIT COUNTY</b></p> <p>22 - TOWNHOMES FOR SALE          68 - TOWN HOME UNITS          90 - TOTAL UNITS</p> <p><b>DENSITY CALCULATION</b></p> <p>90 UNITS / 12.0 ACRES          7.5 UNITS PER ACRE</p>	<p><b>PARKING CALCULATION</b></p> <p>22 - TOWNHOME UNITS FOR SALE          22 SPACES IN GARAGES          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><b>LEGEND</b></p> <p><span style="display:inline-block; width:15px; height:10px; background-color:lightbrown; border:1px solid black;"></span> TOWN HOME UNITS FOR SALE</p> <p><span style="display:inline-block; width:15px; height:10px; background-color:darkbrown; border:1px solid black;"></span> TOWN HOME UNITS FOR RENT</p> <p><span style="display:inline-block; width:15px; height:10px; background-color:lightgrey; border:1px solid black;"></span> GARAGES</p> <p><span style="display:inline-block; width:15px; height:10px; background-color:darkgrey; border:1px solid black;"></span> DUMPSTER / MAIL BUILDING</p>
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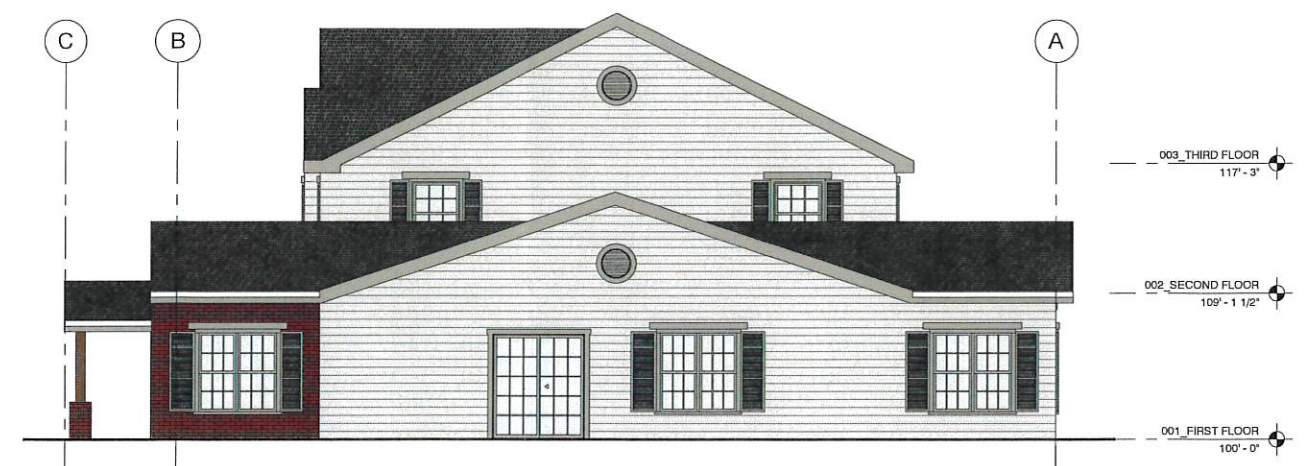
\\002\PROPOSAL\BETHAN\MORE DAVIS RD - REAL TRADING ROAD CONCEPT FINAL.DWG - LAYOUT1 - 8/3/2021 1:28:29 PM - JAMES BERTHIAU



BUILDING ELEVATIONS



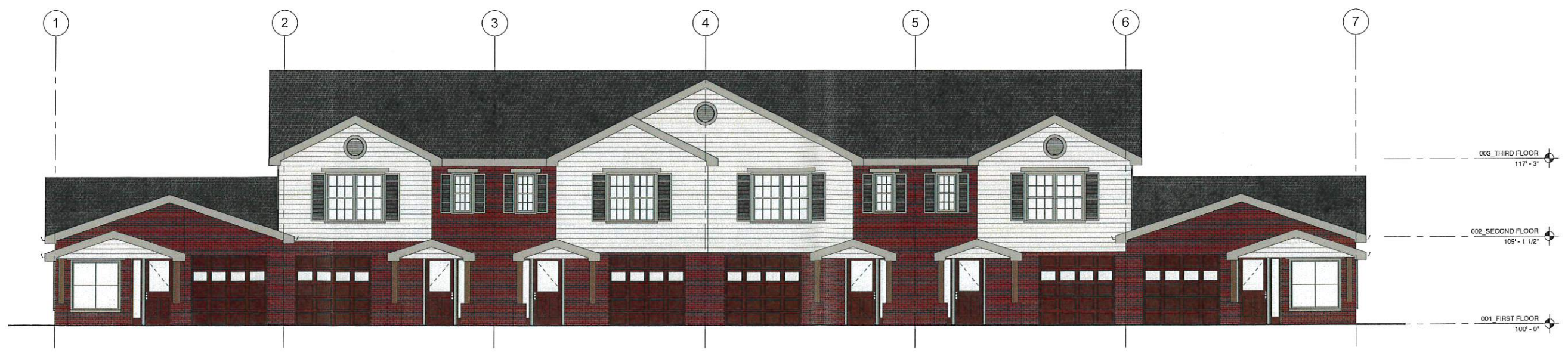
4 NORTH ELEVATION  
A2.01 3/16" = 1'-0"



2 EAST ELEVATION  
A2.01 3/16" = 1'-0"



3 WEST ELEVATION  
A2.01 3/16" = 1'-0"



1 SOUTH ELEVATION  
A2.01 3/16" = 1'-0"

A2.01



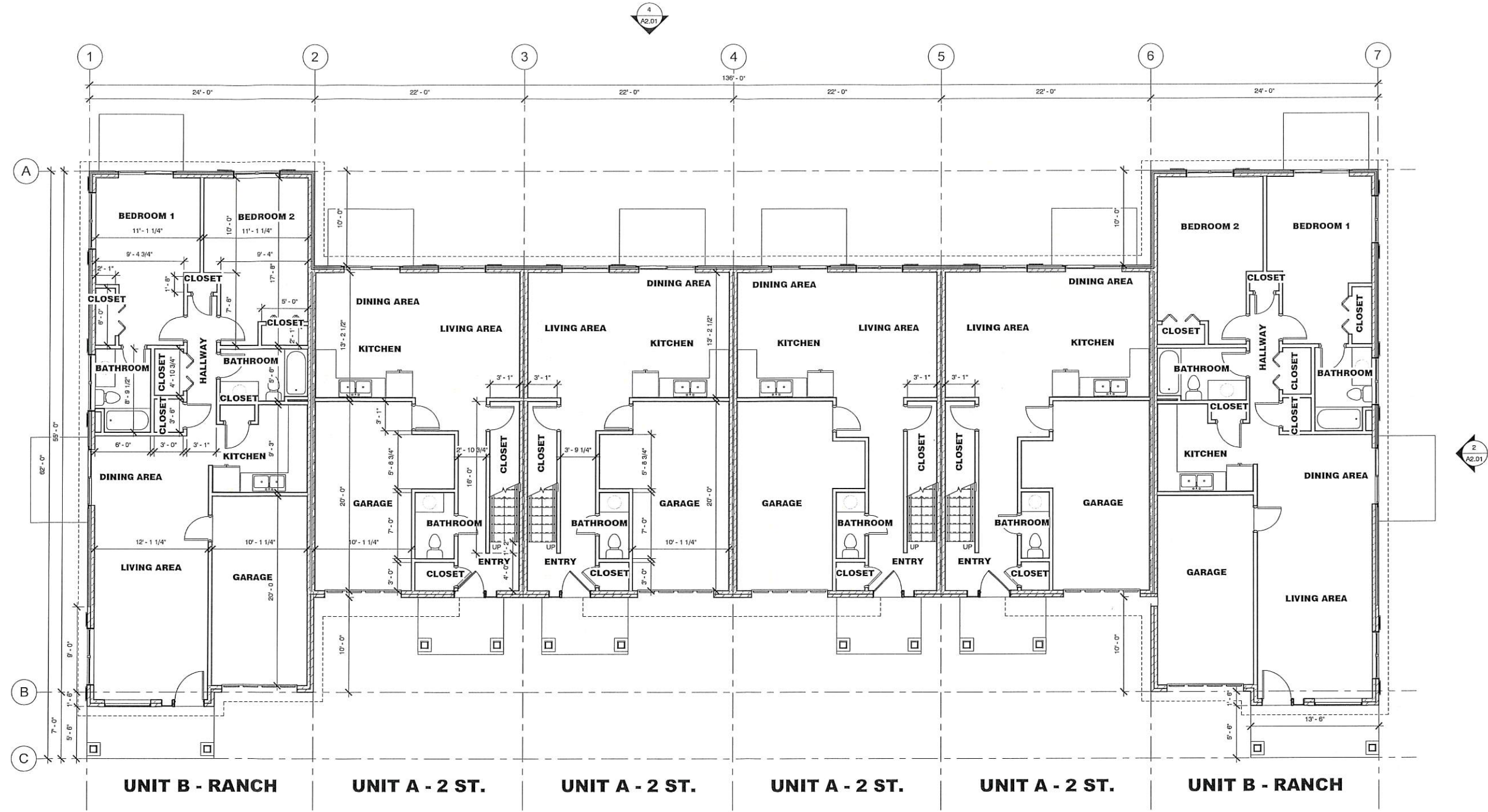
565 DAVIS ROAD, PIERCE TOWNSHIP, CLERMONT COUNTY OHIO

REALFIN, LLC PROJECT NUMBER: P201722 DATE: 06/03/2021  
DRAWN BY: DWUR SCALE: 3/16" = 1'-0"

9/9/2021 5:53:50 PM



FIRST FLOOR PLAN



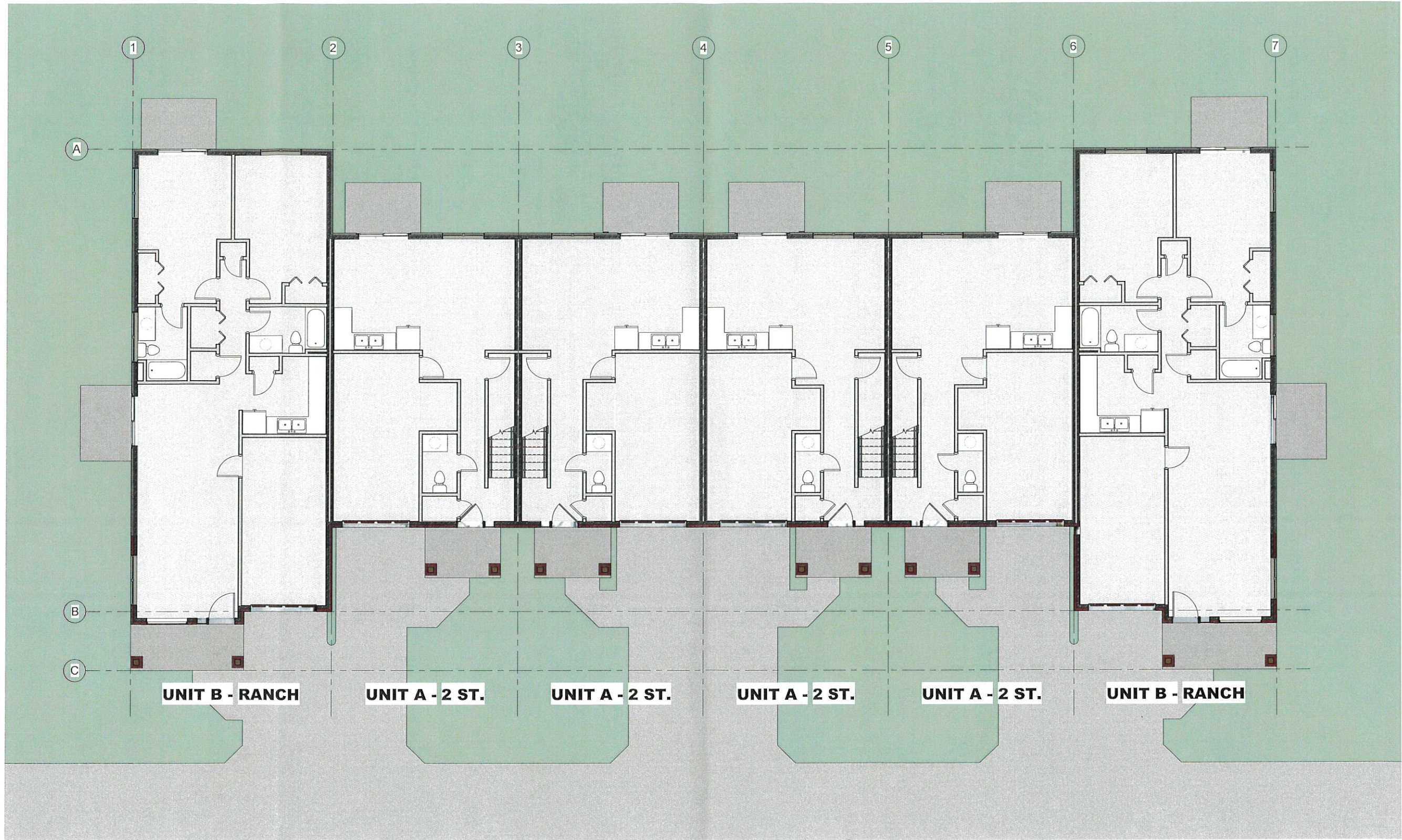
1 OVERALL FIRST FLOOR PLAN  
 A1.01 3/16" = 1'-0"



565 DAVIS ROAD, PIERCE TOWNSHIP, CLERMONT COUNTY OHIO

REALFIN, LLC PROJECT NUMBER: P201722 DATE: 06/03/2021  
 DRAWN BY: DWUR SCALE: 3/16" = 1'-0"

A1.01



1 OVERALL SITE PLAN  
 A1.03 3/16" = 1'-0"

09/03/2021 5:53:47 PM



565 DAVIS ROAD, PIERCE TOWNSHIP, CLERMONT COUNTY OHIO

REALFIN, LLC PROJECT NUMBER: P201722 DATE: 09/03/2021  
 DRAWN BY: DWUR SCALE: 3/16" = 1'-0"