

COLERAIN TOWNSHIP ZONING COMMISSION
Regular Meeting
Tuesday, August 21, 2018 - 6:00 p.m.

Colerain Township Government Complex
4200 Springdale Road - Cincinnati, OH 45251

1. Meeting called to order.
Pledge of Allegiance.
Roll Call.
2. Approval of Minutes: June 19, 2018 meeting.
3. Public Address: None.
4. Final Development Plan: None.
5. Public Hearings:
ZA2013-0003 Sanctuary Pointe Nursing & Rehab
11501 Hamilton Avenue
Major Amendment to a Preliminary Development Plan
6. Informal Concept Review: None.
7. Old Business: None.
8. New Business: None.
9. Administration: None.
10. Announcements: None.
11. Next Meeting: September 18, 2018
12. Adjournment.



4200 Springdale Road
Colerain Township, OH 45251

STAFF REPORT: Major Modification to a Preliminary
Development Plan
Case #ZA2013-003
11501 Hamilton Ave.
August 21, 2018

PREPARED BY: Marty Kohler
Senior Planner

Request:

Major Modification to an approved Preliminary Development Plan in an existing PD-R Planned Development Residential District.

Purpose:

To increase the permitted beds per acre from 10.9 to 17.5 to allow the property to be split into two lots to create a separate parcel for future development.

Applicant/Owner:

Chase M. Kohn, Next Up Investments 2, LLC (applicant and owner)

Location:

11501 Hamilton Ave., on the southwest corner of Hamilton Ave. (US 127) and Crest Rd. north of I-275.

Site Description:

Tract Size:	11.38 acres
Frontage:	520 feet on Crest Rd. and 1,050 feet on Hamilton Ave.
Topography:	Drops 20 feet to a pond in the northwest portion of the property
Existing Development:	Nursing Home and vacant land

Surrounding Conditions:

<u>Zone</u>	<u>Land Use</u>
North: R-6 Urban Residential	Single Family and Commercial
South: R-6 Urban Residential and PD-B	Retail, Fuel and Single-Family
East: R-2 (Forest Park) Single Family	Single Family Homes and Medical
West: PD-R Planned Residential	Multi-Family Condo Homes

Case History:

In 2013, a zone change from “PD-B” Planned Development Business to “PD-R” Planned Development Residence was approved for the construction of a 124-bed skilled nursing facility consisting of rehabilitation, nursing care, and Alzheimer’s care. The one-story building was constructed of brick and stone with a pitched roof. The site created access via two curb cuts onto Crest Road with an associated 140-space parking lot, with no direct access from Hamilton Avenue (US 127). The

northern portion of the site was listed as a future development area with no specific plans.

Proposed Use:

There is no proposed new construction as a part of this application. The applicant is proposing to create a new parcel that was designated as a “future development area” in the original approval of the Sanctuary Pointe facility. As a result, the applicant is requesting a variance for the increase of 10.9 beds per acre to 17.5 beds per acre on the parcel that would contain the existing nursing home. No new development has been shown on the second parcel. Any future development on that parcel would require a Major Modification as described by the original development Resolution 87-13.

The applicant stated that the primary reason for the request is to refinance the existing nursing home using HUD’s financing vehicle. The applicant further stated that without the major modification approval, stricter Federal building guidelines would need to be followed on the future development parcel. These guidelines would limit the type of future development and slow the construction process. Aside from the request, the applicant is not proposing any other site improvements.

Since a variance was granted for additional density of nursing home beds per acre in the Trustee resolution, an additional variance will also require Trustee approval. This request is being considered as a Major Modification to the approved Preliminary Development Plan. This modification will be processed similar to a zone change request with a review and recommendation by the Regional Planning Commission and the Township Zoning Commission, with the final vote by the Township Trustees.

Conformance with Comprehensive Plan:

The Comprehensive Plan provides land use recommendations which include the site in question within the Bevis/Pleasant Run Character Area. Key issues for this area concern the maintenance and preservation of residential area and the improvement and re-investment in the Hamilton Ave. corridor.

Conformance with Land Use Plan:

The Land Use Plan designates this site as “Commercial Corridor” along Hamilton Ave. Specific policies call for the development and redevelopment along Hamilton Avenue to include adequate landscaping and buffering between residential and non-residential areas. The plan also recommends against big box retail in this area.

Conformance with Zoning Regulations:

Section 7.4.6 (A) & (B) - Institutional Housing - Density

This section states that the maximum density of institutional housing shall be 7 units or 7 beds per acre and that there shall be a maximum of 21 units or beds per site.

A variance was granted as part of the original approval of the zone change from 7 beds per acre to 10.9 beds per acre with a maximum number of 124 beds for the site. The request is to increase the permitted beds per 45 of 52 acre to 17.5 for the portion of the site containing the existing nursing home. The density would increase with the proposed lot split since the nursing home is currently located on a 10.9 acre parcel that encompasses the entire PD district. The proposal to create a new 3.8 acre lot would reduce the parcel where the nursing home is located to 7.1 acres, which would increase the density of the nursing home parcel to 17.5 beds per acre. Staff supports the variance because the development of the overall site is still regulated by the “PD-R” district approval and the total density for the overall PD area would not change. Therefore, there is no concern that the increase in permitted beds per acre would negatively impact the surrounding area.

OTHER AGENCY REPORTS

Hamilton County Regional Planning Commission:

On August 2, 2018, the Hamilton County Regional Planning Commission voted unanimously to recommend approval of the Major Modification to a Preliminary Development Plan with one condition and one variance:

Condition:

That all conditions approved as part of case Colerain ZA2013-03 shall remain in effect for the subject site.

Variance:

Section 7.4.6 (A) - That the proposed development be permitted a maximum density of 17.5 beds per acre where 7 units or beds per acre is permitted.

Hamilton County Stormwater & Infrastructure

- No response

Colerain Township Fire Department

- No response

Hamilton County GIS

- No response

Hamilton County Soil & Water Conservation District

- E-mail from Chey Alberto attached.

ODOT

- Letter stating no comment

Hamilton County Engineer

- Letter from Eric Beck, PE attached

Metropolitan Sewer District

- Letter from Steve Parker attached

DISCUSSION:

1. Staff has reviewed zoning regulations from several communities and has found that the most common measurement of density for nursing homes is a limitation on bedrooms per

acre. Colerain's restriction of 7 beds per acre is the most restrictive of the sample. Some regulations only restrict lot coverage and setbacks for institutional housing.

2. In reviewing the approved Final Development Plan for Sanctuary Pointe it was noted that the some of the landscaping was never installed as approved on the plan. In particular, there were sections of evergreen buffers that were to screen the residential development to the south and west of the property that needs to be installed.
3. Any use of the vacant parcel created by this proposed lot split would require the approval of the Zoning Commission. Uses in the PD-R zone include and uses permitted in the R-1 to R-7 zones which are primarily residential in nature.

RECOMMENDATION:

Staff recommends **APPROVAL** of the Major Modification to the Preliminary Development Plan with the following variance and conditions:

Condition:

1. That all conditions approved as part of case Colerain ZA2013-03 shall remain in effect for the subject site including the approved landscape plan.
2. That a Major Modification to the Preliminary Development Plan be required for any future development on the remaining vacant parcel.

Variance:

Section 7.4.6 (A) - That the proposed development be permitted a maximum density of 17.5 beds per acre where 7 units or beds per acre is permitted.

2013-0003
Sanctuary Point

**APPLICATION FOR ZONE MAP AMENDMENT
REQUIRING A PRELIMINARY DEVELOPMENT PLAN
or MAJOR AMENDMENT TO A FINAL DEVELOPMENT PLAN
COLERAIN TOWNSHIP ZONING COMMISSION
4200 SPRINGDALE ROAD
CINCINNATI, OH 45251**

Case No.: ZA _____ Date Filed: _____

Date of Preliminary Hearing (if applicable): _____

Request Change from: _____ to: _____

Township: Colerain Book: 510 Page: 0021 Parcels: 0376

Physical location of property (address or brief description if no address assigned):
Southwest corner of Hamilton Avenue and Crest Road.

Name of Applicant: Next Up Investments 2, LLC

Telephone No.: 513-771-1779 Email Address: chase.kohn@caringplacehcg.com

Address: 779 Glendale Milford Road

City: Cincinnati State: Ohio Zip: 45215

*Name of Owner(s): Same as above

Telephone No.: _____ Email Address: _____

Address: _____

City: _____ State: _____ Zip: _____

Name, address and parcel number of each property owner of record within the proposed amendment area:

1. Same as above
2. _____
3. _____

(attach separate sheet if necessary for additional parcels)

Signatures: _____

Applicant:  Date: 6/17/2012

*Owner: _____ Date: 6/17/2012

*Owner: _____ Date: _____

Filing fees shall accompany the application. Make check payable to: Colerain Township Board of Trustees.

Filing fee: _____ Legal notices: _____ Cert. Mail: _____ TOTAL: _____

THERE SHALL BE NO REFUND OR PART THEREOF ONCE PUBLIC NOTICE HAS BEEN GIVEN.

*Although the Applicant need not be the same as the Owner(s), the Owner(s) shall co-sign for an amendment.

August
2nd - RPC
14th - Board of Trustees
21st - Zoning Comm



**Submission Requirements
for Amendment to the Colerain Township Zone Map
and Preliminary Development Plan
or Major Amendment to a Final Development Plan**

For office use only:

Case #:

See Zoning Resolution Section 4.3 for full description of the Amendment process. For questions, clarification, and confirmation of meeting times, please call the Colerain Township Planning & Zoning Department at (513) 385-7505.

All required items must be submitted by the published deadline for the desired Zoning Commission meeting.

- Application letter signed by the property owner, describing the proposed zone change and project. (15 copies)
- Completed application form.
- Application fee.
- Legal description of the property.
- Names and addresses of property owners adjacent to the subject property. N/A
- Hamilton County Public Works and SDS applications. (2 copies) N/A
- Letter confirming conceptual approval of sewer from MSD or OEPA as applicable. N/A

Drawing Copies required:

Fifteen (15) full size copies of the drawings listed below, signed and stamped by registered professional preparer. These should be folded to 8.5" x 11", with title block visible.

Fifteen (15) 11" x 17" copies of the drawings listed below.

Digital version REQUIRED for each of the drawings listed below, in JPEG or PDF format (use colors readable on white background), on CD. To email, contact the Planning & Zoning Dept. for contact: 513-385-7505.

Site Drawing(s) shall include:

- Vicinity map.
- Existing property lines, dimensions, and orientations.
- Parcel IDs and names of property owners adjacent to the subject property.
- Adjacent streets and rights-of-way.
- Existing and proposed zoning district boundaries.
- Existing buildings and structures on property and on adjacent property within 50 feet of property line.
- Proposed new construction and site work.
- Equipment, outbuildings, dumpster locations, etc. that will be visible on the site.
- Proposed demolition of existing buildings, pavement, fencing, etc.
- Total gross and net acreage of the site and square footage of existing and proposed buildings.
- Existing flood plain elevation.
- Proposed flood plain drainage and control measures.
- Dimensions for setbacks, rights-of-way, easements, and other site restrictions.
- Parking and loading configuration, including calculation of total spaces, criteria used to determine total needed, pavement detail, curb location, curb detail, and aisle and stall dimensions.
- Watershed details for site and within 200 feet around site. Include GPM calculations for expected runoff for 5, 10, and 50 year storms.
- Proposed site drainage, including water retention/detention and sedimentation control measures.
- Building downspouts and storm sewer sizes and locations.
- Existing site contours (5' minimum) and proposed grading plan.
- Impervious surface ratio (for non-single family projects).
- Location(s) of any existing and proposed ground signage.

Building Drawing(s) shall include:

- A building plan for each building, showing the interior layout of the building and overall dimensions.
- Exterior elevations shall show all major mechanical equipment, satellite dishes, etc. that will be located on the exterior of the building and the method(s) of screening these items.

RECEIVED

(over)

JUN 25 2018

COLERAIN ZONING

- Exterior elevations of all sides of proposed new construction (including significant renovation). Building materials should be noted. (For additions to existing buildings, sufficient portions of the existing building shall be shown in elevation to convey an understanding of the relationship between new construction and existing.
- A roof plan shall be submitted if any major items of equipment are to be located on the roof. (Drawings, photographs, and/or manufacturer's literature may be required to convey the size and character of these items.)

Landscape Drawing(s) shall include:

- Clearing limits and existing plant material that is to remain, including an indication of the size of all major trees, shrubs, etc. Existing trees of four-inch caliper and greater must be shown if subject to removal. (Size and extent may be conveyed by photograph.)
- Proposed new landscaping including notation indicating size and species of all new plants.
- Existing landscaping on adjacent properties must be indicated if it influences the landscape planning for the site under construction (may be conveyed by photograph).

Lighting and Signage Drawing(s) shall include:

- Text, color, dimensions, character, and location of all existing and proposed signage. (Building mounted signage may be shown on the building elevations.)
- Location, dimensions, details and specifications for exterior lights, including type of standards and radius of lights.
- Photometric chart showing intensity in footcandles across the site and at property lines.

Checklist completed by: Chase M. Kohn
(print or type name)

Signature: 

Phone/email: 513-479-5741/chase.kohn@caringplacehcg.com

All required items must be submitted by the published deadline for the desired Zoning Commission meeting.

<i>For Office Use Only:</i>
Preapplication Conference:
Fees Paid:
RPC meeting:
Zoning Commission:
Trustees Hearing:

Next Up Investments 2, LLC

779 Glendale Milford Road • Cincinnati, Ohio 45215 • 513-771-1779

June 26, 2018

Colerain Township Board of Trustees
Attention: Martin Kohler
4200 Springdale Road
Cincinnati, OH 45251

Re: Lot Split

Dear Martin:

We are requesting a modification to our final development plan with regard to splitting our lot into two (2) parcels. We would like the Zoning Commission to consider allowing a variance to increase the allowance of beds per acre from 10.9 to 17.5 beds per acre. The reason for the request is that we are in the process of refinancing our property and we use a HUD insured financing vehicle. If we refinance the entire lot, then when we develop the northern part of the property, we will be forced to follow more restrictive guidelines set forth by HUD that will slow the construction process.

We believe we have been good neighbors and we look forward to working with the Zoning Commission and the Township Trustees as well as you to continue meeting all zoning requirements and receive approval for our modification.

Thank you in advance for your consideration.

Sincerely,



Chase M. Kohn
Chief Operating Officer

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JUN 25 2018

COLERAIN ZONING

4
AZR

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in regular session at 5:30 p.m., on the 22nd day of October, 2013, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio, 45251, with the following members present:

Dennis P. Deters, Jeffrey F. Ritter, Melinda Rinehart

Mr./Ms. Rinehart introduced the following resolution and moved its adoption: Transfer Not Necessary

RESOLUTION NO. 89 -13

RA

Case No. ZA2013-0003

SANCTUARY POINTE NURSING & REHAB CENTER

Dusty Rhodes

Approval of a Zone Map Amendment and Preliminary Development Plan

Parcel 510-21-376 – PD-R Planned District-Residential

Hamilton County Auditor

WHEREAS, the Applicant, Next Up Investments 2, LLC, proposes a Zone Map Amendment and Preliminary Development Plan; and,

WHEREAS, the Hamilton County Regional Planning Commission heard the case, and on September 5, 2013 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 September 17, 2013, and after consideration of the recommendation of the Regional Planning Commission, and all public comments, exhibits, and other materials submitted, voted 5-0 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 October 22, 2013, 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 3-0 to approve the application for a Zone Map Amendment and Preliminary Development Plan with conditions and variances as set forth in this Resolution.

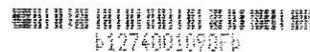
NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees accepts the recommendation of the Colerain Township Zoning Commission for a Zone Map Amendment and Preliminary Development Plan, and that the Board of Trustees does hereby approve the request for parcel 510-21-376, designated as PD-R Planned District-Residential, for the reason that the Zone Map Amendment and Preliminary Development Plan would be in the best interest of the Township and 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:

Wayne Coates
Hamilton County Records Office
Doc # 14-0109332 Type: AZR
27:42 AM \$20.00
Off. Rec. # 12740 01090 F 4 239

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 requirements or standards:

Conditions:

- 1) The applicant shall satisfy the requirements of the Hamilton County Soil and Water Conservation District, Hamilton County Planning & Development's Stormwater Division, Greater Cincinnati Water Works, Ohio Department of Transportation and Metropolitan Sewer District as outlined in the attached correspondence;
- 2) The applicant shall participate in the payment-in-lieu of sidewalks program;
- 3) The applicant shall design and construct a 30 foot landscaped buffer on the southern boundary of the property to be approved with the Final Development Plan;
- 4) The applicant shall submit a landscaping plan that meets the streetscape, boundary and parking lot landscaping standards of the Colerain Township Zoning resolution for review and consideration with the Final Development Plan;
- 5) Future development on the northern portion of the site shall be considered a major modification to the Preliminary Development Plan;
- 6) The applicant shall submit a signage plan for review and consideration with the Final Development Plan;
- 7) The applicant shall irrigate the landscaping.

Variances:

- 1) §7.4.6(A) - the proposed development be permitted a maximum density of 10.9 beds per acre where 7 beds per acre is required;
- 2) §7.4.6(B) - the proposed development be permitted a maximum of 124 beds per site where a maximum of 21 beds per site is permitted;
- 3) §7.4.6 (C) - the proposed development be permitted to have 40 ft setbacks in all yards where 50 ft setback is required;
- 4) §7.4.6(E) - the proposed parking areas shall be permitted to be no closer than 5 feet from the western property line where a minimum setback of 50 ft is required;
- 5) §15.8.1 - signage for the site shall be permitted in accordance with the signage approved as part of the Final Development Plan.

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, 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.

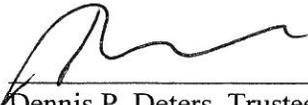
1. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were taken in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

2. That this Resolution shall be effective at the earliest date allowed by law.
Mr./Ms. W. H. H. H. seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Deters aye, Mr. Ritter aye, Ms. Rinehart aye

ADOPTED this 22nd day of October, 2013.

BOARD OF TRUSTEES:



Dennis P. Deters, Trustee



Jeffrey F. Ritter, Trustee



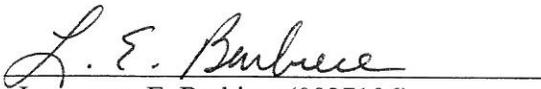
Melinda Rinehart, Trustee

Attest:



Heather E. Harlow
Colerain Township Fiscal Officer

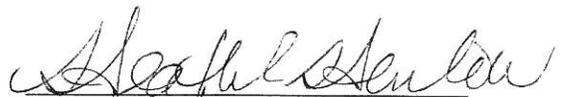
Resolution approved as to form:



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 10th day of October, 2013.



Heather E. Harlow
Colerain Township Fiscal Officer

Summary Table

Total Area = 10.9056 Acres
 All Road R/W Has Been Dedicated. No New Road Dedication Is Needed.
 New Parcel Area = 3.82 Acres
 Residue Parcel Area = 7.08 Acres

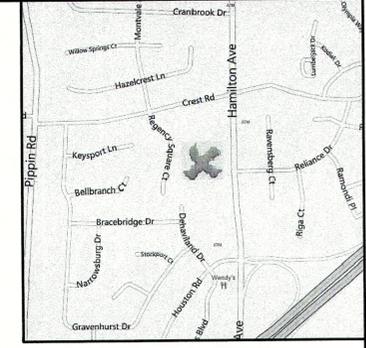
Impervious Surface Ratio (ISR)

New Parcel Impervious Surface = 0.45 Acres
 New Parcel ISR = 0.45 / 3.82 = 0.12
 Residue Parcel Impervious Surface = 3.79 Acres
 Residue Parcel ISR = 3.79 / 7.08 = 0.54

Parking Summary

New Density of Residue Parcel:
 124 Beds / 7.08 Acres = 17.5 Beds / Acre

2 Space/Bed - 124/2 = 62 Spaces
 Parking Required = 62 Spaces (124 Beds)
 Parking Provided = 153 Spaces



VICINITY MAP

Case No. ZA 2013-0003 - Sanctuary Pointe Nursing & Rehab Center
 Colerain Township Zoning Commission Approval - September 17, 2013

- Conditions:**
- 1) The Applicant Shall Satisfy The Requirements Of The Hamilton County Soil And Water Conservation District, Hamilton County Planning & Development's Stormwater Division, Greater Cincinnati Water Works, Ohio Department Of Transportation And Metropolitan Sewer District As Outlined In The Attached Correspondences;
 - 2) The Applicant Shall Participate In The Payment-In-Lieu Of Sidewalks Program;
 - 3) The Applicant Shall Design And Construct A 30 Foot Landscaped Buffer On The Southern Boundary Of The Property To Be Approved With The Final Development Plan;
 - 4) The Applicant Shall Submit A Landscaping Plan That Meets The Streetscape, Boundary And Parking Lot Landscaping Standards Of The Colerain Township Zoning Resolution For Review And Consideration With The Final Development Plan;
 - 5) Future Development On The Northern Portion Of The Site Shall Be Considered A Major Modification To The Preliminary Development Plan;
 - 6) The Applicant Shall Submit A Signage Plan For Review And Consideration With The Final Development Plan;
 - 7) The Applicant Shall Irrigate The Landscaping.

- Variances:**
- 1) §7.4.6(a) - The Proposed Development Be Permitted A Maximum Density Of 10.9 Beds Per Acre Where 7 Beds Per Acre Is Required;
 - 2) §7.4.6(b) - The Proposed Development Be Permitted A Maximum Of 124 Beds Per Site Where A Maximum Of 21 Beds Per Site Is Permitted;
 - 3) §7.4.6 (c) - The Proposed Development Be Permitted To Have 40 Foot Setbacks In All Yards Where 50 Foot Setback Is Required;
 - 4) §7.4.6(e) - The Proposed Parking Areas Shall Be Permitted To Be No Closer Than 5 Feet From The Western Property Line Where A Minimum Setback Of 50 Feet Is Required;
 - 5) §15.8.1 - Signage For The Site Shall Be Permitted In Accordance With The Signage Approved As Part Of The Final Development Plan.

Deed Of Acceptance

The Owner Of The Premises Shown Hereon Does Hereby Make The Following Declaration Which Shall Be Deemed As Covenants And Not As Conditions And Shall Run With The Land And Shall Be Binding Upon The Owner, His Heirs, Executors, Administrators, And Assigns, And Are Imposed Upon The Within Described Tract Of Land As An Obligation Or Charge Against The Same, As A General Plan For The Benefit Of Said Tract Of Land.

The Tract Of Land Shown Hereon Is Being Developed Under A Development Plan As Defined In Section 4.5 And In Accordance With The Provisions Of Section 9.3 Of The Colerain Township Zoning Resolution Effective August 19, 2006.

Said Entire Tract Of Land And All Improvements Thereon Shall Remain In A Single Ownership And No Part Thereof Shall Be Sold Or Divided Into Individual Lot Or Tracts Unless Such Time As The Owner Of Said Entire Tract Shall Conform In All Respects To The Then Existing Rules And Regulations As Have Been Adopted By The Colerain Township Zoning Commission Governing Plots And Subdivision Of Lands, And The Rule And Regulations As Are Provided In The Colerain Township Zoning Resolution.

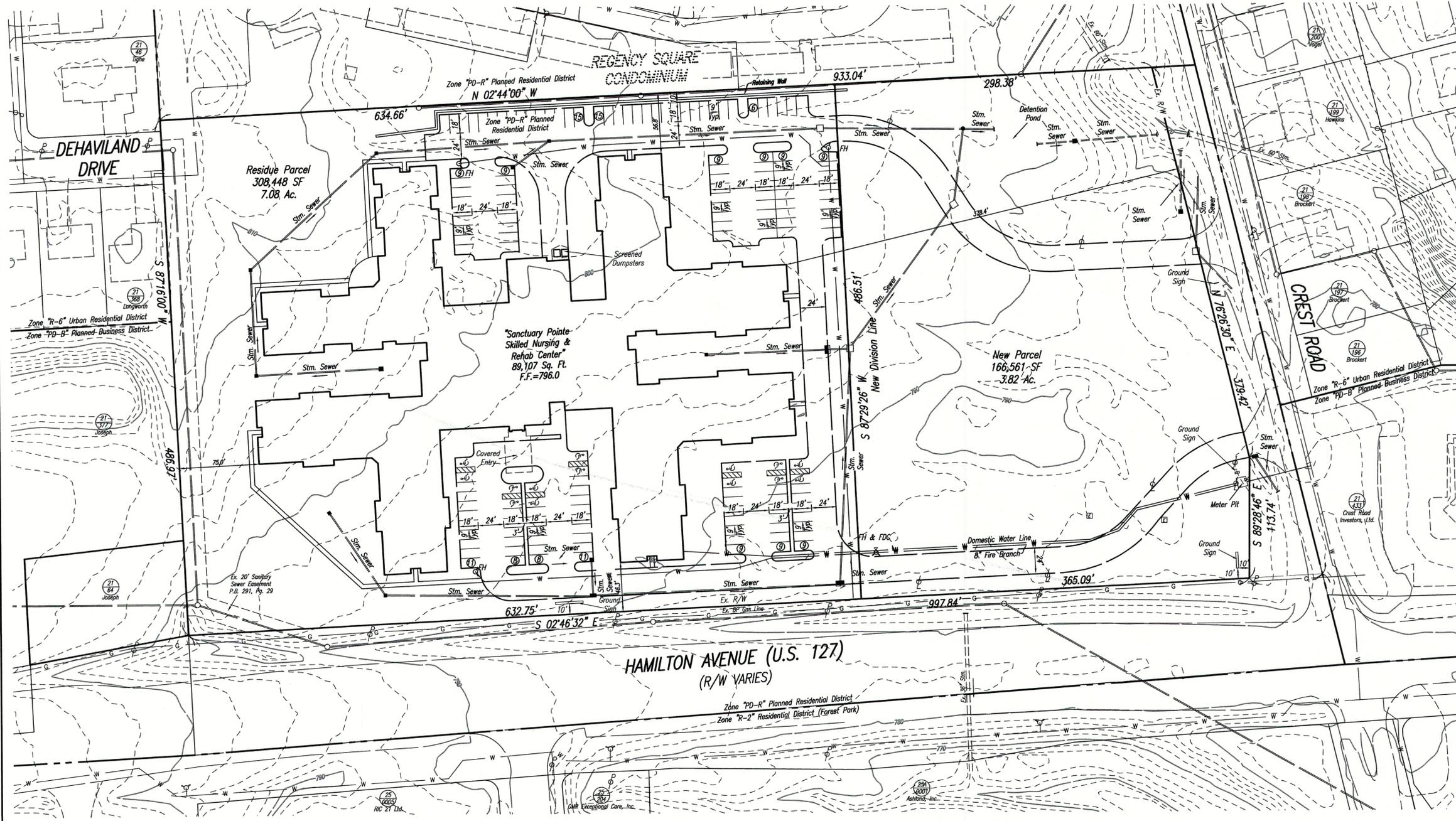
We, The Undersigned Do Hereby Adopt And Confirm The Plan Of Development As Shown Hereon For The Purposes Indicated And Agree To Comply With All The Terms, Restrictive Covenants And Conditions Included As A Part Thereof.

Signed _____ Witness _____

 State Of _____
 County Of _____

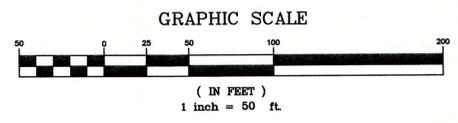
Before Me A Notary Public In And For Said County Personally Appeared _____
 of _____
 Who Represent That They Are Duly Authorized In The Premises And Acknowledge That They Did Sign The Foregoing Instrument And That The Same Is Their Voluntary Act And Deed In Testimony Whereof I Have Hereunto Set My Hand And Official Seal This _____ Day Of _____, 20____

My Commission Expires _____



This drawing and the design concepts represented, as instruments of service, are the sole property of Abercrombie & Associates Inc., and may not be used, reproduced, or copied for any purpose without prior written authorization of Abercrombie & Associates, Inc.

RECEIVED
 JUN 25 2018
 COLERAIN ZONING



OWNER/DEVELOPER:
 NEXT UP INVESTMENTS 2, LLC
 779 GLENDALE MILFORD ROAD
 CINCINNATI, OHIO 45215

SUBJECT PROPERTY IS ZONED
"PD-R" PLANNED RESIDENTIAL DISTRICT



MAJOR AMENDMENT TO
SANCTUARY POINTE SKILLED
NURSING & REHAB CENTER
FINAL DEVELOPMENT PLAN

Date: 6-22-18
 Drawn By: SPH
 Checked By: SPH
 Scale: 1" = 50'

FINAL DEVELOPMENT PLAN
SANCTUARY POINTE
SECTION-6, TOWN-2, E-RANGE-1
COLERAIN TOWNSHIP
HAMILTON COUNTY, OHIO

Abercrombie & Associates, Inc.
 Civil Engineering + Surveying
 13000 Colerain Ave., Suite 120
 Cincinnati, Ohio 45242
 513-385-5757
 www.aberacrombie-associates.com

From: Alberto, Marcelo
To: [Jesse Urbancsik](#)
Cc: [James Gleason](#)
Subject: FW: CASE ZA2013-0003 SANCTUARY NURSING & REHAB
Date: Thursday, July 19, 2018 9:25:51 AM
Attachments: [ZA2013-0003 SANCTUARY POINTE APPLICATION ATTACHMENTS.PDF](#)
[ZA2013-003 SANCTUARY POINTE APPLICATION & ATTACHMENTS.PDF](#)

Mr. Urbancsik,

Thanks for your email and for taking my call regarding Sanctuary Pointe. Per our conversation, this application is for splitting the northern portion of the site into a new parcel (166, 561 square feet, 3.82 acre).

The Hamilton County Soil & Water Conservation District administers the County Earthwork Regulations as it pertains to construction.

The District offers no comments as it pertains to the request for the lot split.

However, any future earthwork proposed for the site (or the new lot) must provide a submittal to the District and undergo a review for compliance with the Earthwork Regulations.

- Sites disturbing more than 1 acre of ground for construction activities must file a notice of intent (NOI) to the Ohio EPA for Stormwater discharge associated with construction. A copy of the approved NPDES Construction NOI must be provided to the District. Instructions to file this notice can be viewed at: <https://ebiz.epa.ohio.gov/login.html>
- The final development plans must include the Erosion Prevention and Sediment Control Plan (EP&SC Plan) compliant with the requirements under the Rules and Regulations of the Hamilton County Soil & Water Conservation District and the Hamilton County Stormwater District Governing Earthwork. The regulations can be downloaded from http://www.hamilton-co.org/stormwater/HCSWD_Rules_And_Regulations.htm.
- The EP&SC must address the "Earthwork Requirements for Improvement Plans" under Section 309 of the Earthwork Regulations.
- The EP&SC must comply with the requirements of Section 310 "Erosion Prevention and Sediment Control Performance Standards" and Section 312 "Non-Sediment Pollution BMP Performance Standards"
- The Erosion Prevention and Sediment Control Plan or the Stormwater Pollution Prevention Plan must use best management practices (BMPs) approved under the 2006 State of Ohio Rainwater and Land Development Manual. The Rainwater and Land Development Manual can be downloaded from the Ohio EPA website at: http://epa.ohio.gov/Portals/35/storm/technical_assistance/RLD_11-6-14All.pdf
- The Erosion Prevention and Sediment Control Plan must also include Non-sediment Pollutant Controls. Non-sediment pollutant sources, which may be present on a construction site, include paving operations, concrete washout, structure painting, structure cleaning, demolition debris disposal, drilling and blasting operations, material storage, slag, solid

waste, hazardous waste, contaminated soils, sanitary and septic wastes, vehicle fueling and maintenance activities, and landscaping operations.

- The grading plan will also be reviewed for compliance with Section 311 "Geotechnical Performance Standards". Depending on the review, the earthwork might have to be monitored by a geotechnical engineer during construction and certified upon completion. The geotechnical report must be forwarded to the District.

Please contact the District if you have questions or comments.

Sincerely,

Chey Alberto
HCSWCD

From: Jesse Urbancsik [mailto:jurbancsik@colerain.org]

Sent: Tuesday, July 17, 2018 1:03 PM

To: Beck, Eric; Cassiere, Greg; Alberto, Marcelo; Mark Walsh; Islam, Mohammad; Schmidt, Penny; Parker, Steven; Tom Makris

Cc: Jenna LeCount; Martin Kohler

Subject: CASE ZA2013-0003 SANCTUARY NURSING & REHAB

Good afternoon,

CASE ZA2013-0003 SANCTUARY NURSING & REHAB will be placed on the agenda for the **August 2nd, 2018** Hamilton County Regional Planning Commission Meeting. This case is a modification to the final development plan with regards to a lot split.

This has been placed on the Colerain Township Zoning Commission Meeting on **August 21st, 2018**.

Any comments you can provide before **August 13th** would be greatly appreciated.

Please feel free to contact us with any questions.

Have a great day!

JESSE URBANCSIK

PLANNER | Planning & Zoning Department

COLERAIN TOWNSHIP

4200 Springdale Road

Colerain Township, OH 45251

513-923-5021 – DIRECT

513-245-6503 – FAX

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County of Hamilton

THEODORE B. HUBBARD P.E. - P.S. COUNTY ENGINEER

700 COUNTY ADMINISTRATION BUILDING
138 EAST COURT STREET
CINCINNATI, OHIO 45202-1232
PHONE (513)946-4250 FAX (513)946-4288

August 1, 2018

Colerain Township
4200 Springdale Road
Colerain Township, OH 45251

Attn: Jesse Urbancsik, Planner

RE: ZA 2013-0003 Sanctuary Nursing and Rehab, SW corner of Hamilton Ave and Crest Road

Dear Jesse,

The Hamilton County Engineer's Office has conducted a review of the subject modification to a final development plan as requested. The following comments are submitted as a result of our review:

- 1) Grading within the right-of-way must conform to the most appropriate Hamilton County typical section. Any grading plan having an effect on the public right-of-way must be reviewed and approved by the Hamilton County Engineer's Office. Right-of-way clearing and grading must occur during the initial phase of construction to facilitate utility relocation operations.
- 2) No landscaping, screening or obstructions shall be permitted in the public right-of-way.
- 3) Lot split should be coordinated with the Hamilton County Engineer's Survey Department, Mr. Robert Heidkamp, P.S.
- 4) The locations of the existing driveways do not meet the Hamilton County Access Management Regulations.
- 5) The owner must dedicate enough property to create a right-of-way in fee which shall be in accordance with the Hamilton County Thoroughfare Plan.
- 6) Hamilton Avenue (US 127) is a state highway under the jurisdiction of the Ohio Department of Transportation. The State of Ohio must be contacted for their recommendations.

This office reserves the right to add, delete or make modifications to the above stated comments. Should any questions arise, please contact the undersigned at 946-8432.

Very truly yours,

THEODORE B. HUBBARD, P.E.-P.S.
HAMILTON COUNTY ENGINEER


Eric J. Beck, P.E.
Deputy Engineer

RECEIVED

AUG 06 2018

COLERAIN ZONING

TBH/EJB/ejb

c:T.Hubbard, J. Newby, D. Jones, Const., Regional Planning Comm., T. Makris ODOT, Case/Office File
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July 17, 2018

Mr. Martin Kohler
Colerain Township
4200 Springdale Road
Cincinnati, Ohio 45251

**Subject: ZA2013-0003 – Sanctuary Pointe Nursing & Rehab Center
HMD1300141**

Dear Mr. Kohler:

We are in receipt of your request for review of the Zone Map Amendment for the above mentioned development.

While the District has no objection to the amendment for a lot split, it will be necessary to submit a request for sewer availability for the future development of the northern lot, as per the attached form, which includes flow usages and the means for providing sanitary sewer service.

Should you have any questions, please do not hesitate to contact Penny Schmidt at 557-7112.

Sincerely,



Steve Parker, P.E.
MSD Development Services

SP:ps

Cc: Project File
Applicant – Mr. Chase Kohn
Next Up Investments 2, LLC
779 Glendale Milford Road
Cincinnati, OH 45215

RECEIVED
JUL 24 2018
COLERAIN ZONING

