

COLERAIN TOWNSHIP BOARD OF ZONING APPEALS

Regular Meeting Minutes

4200 Springdale Road - Cincinnati, Ohio 45251

Wednesday, December 19, 2018 – 6:30 p.m.

Meeting called to order: 6:30 p.m.

Pledge of Allegiance was led by Mr. Reininger.

The Explanation of Procedures was presented by Mr. Reininger.

Roll Call: Mr. Bartolt – aye, Ms. Wilson – aye, Mr. Reininger – aye, Mr. Roberto - aye.

Also present were staff Jesse Urbancsik and Jenna LeCount, and alternate board members, Mr. Schupp and Mr. Hill.

Mr. Hill was seated to fill the vacant seat.

Swearing in: Mr. Reininger swore in the appellants, attorneys and all speakers in the cases.

Hearing of Appeals:

BZA2018-017 – Request for a Conditional Use permit and variance requests for student drop off and parking arrangements.

Location: 4850 Poole Road

Applicant/Owner: The Kleingers Group / Northwest Local School District

Ms. LeCount stated the subject property is currently zoned R-4 (Suburban Medium Residential District) and is approximately 19 acres. The elementary school building has been on the current site since 1923. An additional building on the property, constructed in about 1965, currently contains Colerain Middle School. Educational facilities are Conditionally Permitted in the R-4 zone per section 7.2.5 of the zoning resolution subject to conditions specified in section 7.4.5. The property is bounded by single-family residential across Poole Road to the west, residential adjacent to the south, Colerain Park and the Police impound lot to the east, and a non-conforming auto towing and repair business to the north across Springdale Road. Ms. LeCount presented graphics showing the property as it is today and pointed out that it seemed like the school allowed staff to park along the old existing fence to help create a barrier for the children on the

playground. Ms. LeCount stated that this was an issue because staff would have to pull out of the busy street. Ms. LeCount stated that since the school property was constructed prior to current zoning standards, the site is substantially non-conforming with respect to parking design, landscaping and setbacks. Ms. LeCount stated the importance of the sidewalk addition because it will be a major connector in the Township's sidewalk program.

Staff Findings:

1. The use is a conditional use, permitted with approval by the Board of Zoning Appeals, in the district where the subject lot is located;
2. The use is in accordance with the objectives of the White Oak character area in the Colerain Township Comprehensive Plan and the Zoning Resolution;
3. The conditional use will not substantially and/or permanently injure the appropriate use of neighboring properties if approved with reasonable restrictions to mitigate the more intensive use of the property including noise, outdoor lighting and parking, otherwise the use will serve the public convenience and welfare;
4. The use will not create excessive requirements, at public cost, for public facilities and services and will not be detrimental to the economic welfare of the community.

Staff recommended approval of the conditional use and subject to the following variances:

1. A variance from Sections 7.4.5 (A) and (C) to allow parking and playground facilities within 50 feet of the property lines.
2. A variance from Section 14.6.2(A) to eliminate the requirement for landscape islands at the ends of the rows of proposed parking.
3. A variance from Section 14.6.3(A) to eliminate the requirement for two trees and six shrubs in the landscape islands.

Having been sworn, Steve Korte, representing Kleningers Group, thanked staff for the presentation. Mr. Korte stated that the driver behind the entire project was the concern of safety. The main concern was with the cars driving so close to the playground on Springdale Road, so they wanted the playground to be father away from the road to improve the safety for the children. Mr. Korte additionally reiterated that the Kleningers Group are adding sidewalks to the frontage of the property and addressed their desire to dress up the frontage of the elementary school in general.

With no more questions for staff, Mr. Hill motioned to open a Public Hearing and seconded by Mr. Roberto. Motion Carried.

With no one to speak in favor or against the case, Mr. Roberto made a Motion to close the Public Hearing. Ms. Wilson seconded the Motion. Motion Carried.

Mr. Roberto asked about the trees in the frontage and asked if they are going to interfere with the power lines. Mr. Korte stated that he will plant ornamental trees that will not grow very large. Mr. Roberto asked how the buses are pulling in. Mr. Korte stated that are coming in on Springdale Road and circling around the newly constructed pavement.

Mr. Bartolt questioned the applicant on how long they have had it up and running and asked if they have had any problems. The applicant responded they have no problems.

Mr. Reininger appreciated that the trees were being planted but asked why the bushes were not going to be planted. Mr. Korte responded that it impacts the life of the pavement and the pavement had been freshly coated, so tearing that up for the bushes would affect that heavily.

Mr. Reininger appreciated the action of tree plantings and clarified the location of the trees and asked what amount of pavement will be taken out to accommodate them. Mr. Korte responded a small portion would be removed to plant each tree.

Mr. Roberto asked if the shrubs could be put along the streetscape as a condition along with the other variances. Mr. Korte stated that it would be possible.

Mr. Reininger asked how the trees are being protected from being run over by cars. Mr. Korte responded that there is no protection. Mr. Reininger asked if there was anything prohibiting putting the shrubs in and the applicant responded that there was not anything.

With no more questions for the applicant, Mr. Roberto made a Motion to approve the Conditional Use with Variances with the conditions of the shrubs being added in the tree lawns with a minimum of 2 shrubs between each tree along Springdale Road. Mr. Hill seconded the Motion.

Roll Call: Ms. Wilson – aye, Mr. Bartolt – aye, Mr. Hill - aye, Mr. Roberto – aye, Mr. Reininger – aye.

BZA2018-018 – Request for a Conditional Use permit and variance requests for student drop off and parking arrangements.

Location: 8791 Cheviot Road

Applicant/Owner: The Kleingers Group / Northwest Local School District

Ms. LeCount presented stated the subject property and case and stated to the Board that this case is very similar to the case they heard before. The property is currently zoned R-5 and is approximately 27 acres. The high school has been on the current site since 1964. Ms. LeCount stated that educational facilities are Conditionally Permitted in the R-5 zone per section 7.2.5 of the zoning resolution subject to conditions specified in section 7.4.5. The site is surrounded by residential with the exception of White Oak Presbyterian to the south.

Ms. LeCount stated since the current site was developed prior to the current Zoning Resolution, much of the parking layout and landscaping are not in conformance with current regulations. The gates were installed to prevent traffic crossing over the parking lots and in order to create this, there was a minor reduction in the parking spaces. Ms. LeCount stated that the applicant said safety of the students was the main reasoning for the reconfiguring of the traffic flow. A

dumpster pad was added and will be screened per the plantings. The applicant had spoken that trees would be planted along the edge of the parking lot with the addition of shrubs in between them.

Staff Findings:

1. The use is a conditional use, permitted with approval by the Board of Zoning Appeals, in the district where the subject lot is located;
2. The use is in accordance with the objectives of the White Oak character area in the Colerain Township Comprehensive Plan and the Zoning Resolution;
3. The conditional use will not substantially and/or permanently injure the appropriate use of neighboring properties if approved with reasonable restrictions to mitigate the more intensive use of the property including noise, outdoor lighting and parking, otherwise the use will serve the public convenience and welfare;
4. The use will not create excessive requirements, at public cost, for public facilities and services and will not be detrimental to the economic welfare of the community.

Staff recommended approval of the conditional use and subject to the following variances:

1. Variance from Section 14.6.3(A) to waive the 6 shrubs per 15 parking spaces in the newly constructed islands.
2. Variance from Section 14.6.2(B) to exceed the 15 space parking regulation without interior islands on the newly refigured parking in the northwest corner of the site.

Mr. Korte stated that the Kleingers Group designs many school sites and that there are barely any buses due to parents dropping their kids off or the kids having their own vehicles. Mr. Korte stated that the student lot, the lower lot, is very unsafe and they Kleingers Group felt obligated to gate it off so that the students have the right-of-way. Their intent was to give parents a lot of area to drops of their kids along the curb. Mr. Korte stated that the School Board responded that it is working very well and are happy with the results so far. Mr. Korte additionally stated that they are planting the number of trees required and prefer not to plant bushes in the island due to the pavement issues like the issues mentioned in the previous case. Mr. Korte stated that this is an overall big improvement of the safety on site.

Having been sworn, Chris McKee, with Local Northwest School District, clarified that they worked with the Colerain Township Fire Department and staff to make sure they were doing everything right. They wanted to make sure a fire truck could safely and efficiently be maneuvered throughout the site.

With no more questions for the applicant, Mr. Hill made a Motion to open the Public Hearing. Mr. Roberto seconded the Motion. Motion Carried.

With no one to speak for or against the case, Mr. Hill made a Motion to close the Public Hearing. Mr. Roberto seconded the Motion. Motion Carried.

Mr. Roberto asked how the gate system works. Mr. Korte stated that there are four gates, with bollards very six feet that can be a barrier. The gates can be opened and closed. Mr. Roberto asked why islands weren't just installed. Mr. Korte stated that a raise islands would have conflicted with the new plans and the gates would need to be opened for emergency situations. Ms. LeCount clarified that this portion of the plan is just restriping.

Ms. Wilson asked Ms. LeCount what exactly is the variance. Ms. LeCount responded that the variances are for the 15 space minimum for the parking islands. Ms. Wilson responded that she doesn't want to be inconsistent on waiving parking island shrubs.

Mr. Bartolt questioned if the islands are just for channeling. He asked the reasoning for not putting the shrubs and asked if it's because of tearing up the pavement like the previous case.

Mr. Reininger asked the applicant how strong is their directional signage. Mr. Reininger additionally appreciate their efforts in the tree plantings.

A Motion was made by Mr. Roberto to approve the Conditional Use with variances as directed and Mr. Hill seconded the Motion.

Roll Call: Ms. Wilson – aye, Mr. Bartolt – aye, Mr. Hill - aye, Mr. Roberto – aye, Mr. Reininger – aye.

Unfinished Business: None

A motion was made by Mr. Roberto and seconded by Mr. Bartolt to approve the Minutes of the November 28, 2018 meeting.

Roll Call: Ms. Wilson – aye, Mr. Bartolt – aye, Mr. Hill - abstained, Mr. Roberto – aye, Mr. Reininger – aye.

Next Meeting: February 27, 2019.

Ms. LeCount stated to the Board that the new members will be sworn in at the February Meeting.

With no further business the meeting was adjourned by Mr. Reininger at 7:20 pm.

Respectfully Submitted:



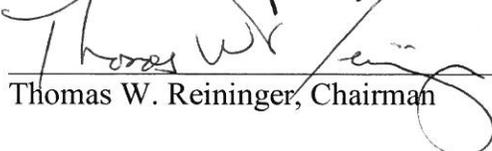
Jesse Urbancsik, Planner

Secretary:



Robert A. Bartolt, Secretary

Accepted by:



Thomas W. Reininger, Chairman

