

PLANNING AND ZONING COMMITTEE

JUNE 13, 2018

The meeting was called to order at 5:30 p.m. by Chairman Tim McCarthy. Committee members present were Tim McCarthy, Jonathan Smith, and Becky Williams. Also present was Brody Walters, Planning and Zoning Administrator.

REZONING REQUEST – 24736 FIVE POINT ROAD – R4 TO RM

Mr. McCarthy stated that the request from Homestead Developers to rezone approximately 15 acres of the parcel at 24736 Five Point Road from R4 (Single Family Residential) to RM (Multiple Family) was the subject of a recent public hearing. Mr. Walters explained that this property was the former site of the proposed Meadows at River's Edge subdivision which had an approved preliminary plat with a CDP (Community Development Plan) that received several plat extensions over the years. The preliminary plat along with the CDP expired in November of 2015. The CDP allowed for smaller than otherwise permitted single family lot sizes. The applicant is requesting the zoning change to allow them to construct multi-family villas/townhouses. Bob Bailey of DGL and Matt Gruber were present on behalf of the applicant. Mr. Gruber said that they had originally planned to construct a three story assisted living facility, however they have seen a change in what people are looking for. He said that the trend as people age now is to go from owning a house to renting a townhouse, and then as needed move to a nursing home. Mr. Gruber said that they have completed similar projects in Cincinnati, Lebanon, and Waterville. Mr. Smith asked if the applicant would be able to build the types of units they are referring to if the zoning were not changed. Mr. Walters said they would not be able to. Mr. Smith asked if this area is affected by the SR25 Corridor Study. Mr. Walters said that it is not affected by that study and when they go through the site plan approval process, a traffic impact study may be required. There was discussion regarding a meeting that the developer held for neighbors of the property to be rezoned. Mr. Gruber said that the neighbors were receptive to what they are proposing. Ms. Williams asked about the Comprehensive Plan which indicates this area as encouraged growth/economic development. Mr. Walters said that north of Five Point Road the development pattern has already been established. The Committee agreed 3-0 to recommend approval of the rezoning request.

APPEAL TO CITY COUNCIL REGARDING BOARD OF ZONING APPEALS' DECISION

Mr. Walters stated that an appeal has been filed regarding the property at 4002 McAllister. The applicant requested a variance to permit two curb cuts on a new construction property in the Sanctuary in the Woods subdivision. The Board of Zoning Appeals denied the variance request because they were unable to meet the criteria to grant a variance. Mr. McCarthy stated that City Council will need to schedule a hearing for the appeal.

RIVERPLACE SHOPPING CENTER LIGHTS/SIGNS

There was discussion regarding the tube lighting that was installed at the Riverplace Shopping Center late last year. Mr. Walters said that no enforcement action has been taken since Dave Kienzle, the owner, was notified that the lighting was not permitted. Mr. McCarthy said that he thought Mr. Kienzle was going to be in attendance at the meeting,

but he was not present. Mr. Walters stated that there are some signs at Riverplace that were installed in the right of way. He said that they have not sent out an enforcement letter because he thought it could be discussed with Mr. Kienzle at tonight's meeting. The Committee told Mr. Walters to proceed in the usual manner regarding the signs, and said that he can inform Mr. Kienzle that the Committee discussed the lighting, but no changes were made which would permit it to remain.

OTHER BUSINESS

There was a brief discussion regarding amending the Code to permit licensed massage therapists in certain zoning districts as opposed to it being a special approval use. Mr. Walters agreed to do a comparison showing what areas would be affected if such a change were made.

Mr. Smith asked if there is any update on the civil code. Mr. Walters said that the last he heard it was with the magistrate.

There being no further business, the meeting adjourned at 6:14 p.m.

Respectfully submitted,

Tim McCarthy, Chairman
Planning and Zoning Committee

Next meeting: Wednesday, July 11, 2018 at 5:30 p.m.