

**MINUTES OF THE
CITY PLANNING COMMISSION
OCTOBER 25, 2007
BOND HILL RECREATION CENTER
HOPE ROOM
1501 ELIZABETH PLACE
CINCINNATI, OHIO**

CALL TO ORDER

Mr. Faux called the meeting to order at 6:05 p.m.

Commission Members:

Present: Caleb Faux, Jacquelyn McCray, Scott Stiles, Rainer vom Hofe and John Schneider

Community Development and Planning Staff: Charles Graves, Margaret Wuerstle, Bonnie Holman and Caroline Kellam.

Law Department:

Mary Clark

Department of Transportation and Engineering

Martha Kelly

Mr. Faux stated that holding the Planning Commission meeting out in the neighborhood was unusual due to the complexity of this project and the neighborhood concerns, the Commission felt that it would be appropriate to hold the meeting in the evening and in the neighborhood.

DISCUSSION ITEM

ITEM #1 A report and recommendation on a proposed change of zoning from RM 2.0 Multi-family to PD Planned Development District at 4721 Reading Road (St. Aloysius Orphanage) in Bond Hill.

Ms. Caroline Kellam, Senior Planner presented this item.

GENERAL INFORMATION:

Petitioner: Steven Karoly
GBBN Architects
332 E. 8th Street
Cincinnati, OH. 45202

Request: A change of zoning at 4721 Reading Road from RM-2.0 Multi-family to a PD Planned Development District.

Adjacent Land Use and Zoning:

South: MG - Manufacturing General
CG-A Commercial General-Auto

East: SF – 2 Single-Family Residential – 2,000 sf lots

North: SF – 4 Single-Family Residential – 4,000 sf lots
RM 1.2 Multi-family – 1,200 sf dwelling unit

West: SF – 4 Single-Family Residential – 4,000 sf lots
MG - Manufacturing General

Staff Conference: The Planning Division staff held a public conference on the initial zone change request from RM – 2.0 to CC-M on January 29, 2007. The petitioner, representatives of St. Aloysius, and several neighboring property owners attended. The main concern expressed by the neighbors was the fear of increased traffic because of the new development. There were several property owners in opposition to the proposed zone change.

Since January of 2007, St. Aloysius has changed their zone change request from RM-2.0 Multi-family to a PD Planned Development District. On August 2, 2007, St. Aloysius held their own public meeting regarding their new zone change request at their facility in Bond Hill in the evening. The City of Cincinnati provided the 400’ radius mailing list to St. Aloysius for notification of the meeting, however City staff did not facilitate the meeting. Between January and August, St. Aloysius hired traffic consultants to complete a traffic study to evaluate the impact of the development on the street grid system. The report was presented at the August 2nd meeting. In general, the public in attendance still had concerns regarding the impacts of the potential increased traffic.

On September 19, 2007, a second zoning staff conference was held by City staff. Staff provided notice to the property owners located within a 400’ radius of the St. Aloysius property as well as others persons who attended the previous public meetings. Again the petitioner, representatives of St. Aloysius and the traffic consultants were present to answer questions regarding the development and the traffic study. New information was presented regarding additional traffic analyses completed since August. Most property owners were still concerned about the property being developed and the potential increased traffic.

BACKGROUND:

Existing Use: Currently the property at 4721 Reading Road is in use as a school with social service offices related to the school. The property is situated immediately adjacent to the Norwood Lateral (SR562) to the south and manufacturing and commercial uses along the Lateral to the east. Residential uses border the property to the northeast and north.

Current Zoning – RM - 2.0 Multi-family: The current zoning is a multi-family residential district, which permits high-density development. With 16 acres of land, the site could be developed by-right with 348 residential units and the required 696 parking spaces.

St. Aloysius is an educational and social service institution. They have been at this location since 1861 and at one time they owned 88 acres of land. They have since sold off all but 16 acres. This institution would like to remain on their historic campus and they are not interested in doing residential development. However, St. Aloysius is a non-profit entity and funds have diminished over the years. It is crucial that they take advantage of the land they own and use the property to generate additional income to keep the institution in continuous operation. Their goal is to create a social service campus with office uses that relate to the mission of their institution.

Proposed Use: The existing school and chapel will remain. The remaining property will be subdivided into 6 parcels. The following uses will occupy the six parcels:

1. The front parcel along Reading Road (Parcel 4) will have the existing school/chapel, a new school and two parking lots accommodating 200 cars.
2. The parcel at the corner of Reading Road and Joseph Avenue (Parcel 6) will be occupied by a 2-story Medical Office building (15,000 sf).
3. The parcel containing the existing group homes (Parcel 5) will retain the group homes and add parking spaces.
4. The parcel west of the school (Parcel 3) will be developed with a 2-story office building (10,000 sf) and 35 parking spaces.
5. Parcel 2 to the west will be developed with an office building (15,000 sf) and 119 parking spaces.
6. Parcel 1 to the west will be developed with a 3-story office building (20,000 sf) and 120 parking spaces.

BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:

According to Section 1429-05 of the Cincinnati Zoning Code, a PD District and the development within a PD District must comply with the following:

- (a) *Minimum Area* – The minimum area of a PD must be two contiguous acres. However, Council may approve a PD District that contains less than the minimum acreage required for an area on affirmative recommendation of the CPC that special site characteristics exist and the proposed land use justifies the development of the property as a PD.

The property at 4721 Reading Road is 16.75 acres.

- (b) *Ownership* – Evidence that the applicant has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development.

The St. Aloysius Orphan Society of Cincinnati currently owns the property and is the developer.

- (c) *Multiple buildings on a lot* – more than one building is allowed on a lot.

Currently there are three buildings on this site and once the development is complete there could potentially be eight buildings on the site.

- (d) *Historic Landmarks and Districts* –

Currently the site is neither in a historic district nor is it designated an individual landmark, although the existing structure is eligible for the National Register of Historic Places.

- (e) *Hillside Overlay Districts* –

The site is not located in a Hillside Overlay District.

- (f) *Urban Design Overlay District* –

The site is not located within an Urban Design Overlay District.

CONCEPT PLAN AND DEVELOPMENT PROGRAM STATEMENT:

According to Section 1429-09 of the Cincinnati Zoning Code, a petition to rezone a property to PD must include a concept plan and development program statement. The purpose is to describe the proposed use or uses to be conducted in the PD District. The concept plan must include text or diagrams that specify:

- (a) *Plan Elements* – the applicant has submitted a survey of the site, including a metes and bounds description and has included sufficient information regarding the proposed land uses. A site plan has been submitted showing proposed new development, parking areas, streets and driveways, and landscaping and buffer zones.
- (b) *Ownership* – the applicant owns the property at 4721 Reading Road that is the subject of the proposed zone change.
- (c) *Schedule* – A construction schedule has not yet been determined and will be contingent on obtaining the zone change approval and financing. The goal is to proceed as soon as possible.

- (d) *Preliminary Reviews* – All utilities are available to the site and at adequate capacities. The owner has been coordinating the infrastructure issues with MSD, GCWW and other City departments. To ensure that all proposed infrastructure is sufficient, Planning Staff will circulate a copy of the final development plan upon submission to the necessary City departments.
- (e) *Density and Open Space* – Sufficient open space will be provided throughout the development.
- (f) *Other Information* – The required parking spaces will be provided within the development as outlined in the Development Program Statement.

PLANS:

There are no existing Plans that encompass or make reference to this property.

FINDINGS:

Community Response: As stated above there are several neighboring property owners in opposition to this zone change and development who attended the various zoning staff conferences. The Bond Hill Community Council is supportive of the zone change.

ANALYSIS:

The 16.75 acres of land at St. Aloysius has featured the main orphanage building surrounded by undeveloped green space since the mid 19th century. This institution has a long history in Bond Hill and they wish to remain in Bond Hill. Finances have forced the institution to find ways to generate additional income to carry out their mission. Their proposal to market their property as a social service office park campus that will generate rent accomplishes both of their goals. In the last year two owners of medical office type uses have approached St. Aloysius, one being the American Red Cross, and they were unable to accommodate them because of the ongoing zoning issues. In addition, developers have also approached the institution interested in buying the property to be developed for multi-family residential.

The current appearance of their property, with so much open space, is very unique in Bond Hill. This is the last 16 acres left, from the original 88 acres that St. Aloysius once owned. It is not practical to expect the property to remain as green space. St. Aloysius is not trying to make a huge profit at the expense of the neighborhood. This is a non-profit organization trying to continue its operations and provide needed services to the community and the City.

The proposed office buildings will be of a similar scale and height of neighboring commercial and manufacturing buildings in the MG and CG-A Zoning District along Reading Road and the Norwood Lateral. This development will be phased over a period of several years. The impact of the traffic generated by this office park development will be far less than the impacts of developing 348 residential units with 696 parking spaces, which could be implemented with the existing zoning.

CITY PLANNING COMMISSION ACTION:

According to Section 1429-11(a) of the Cincinnati Zoning Code, City Planning Commission may recommend approval or conditional approval, with restrictions on the establishment of a PD District on finding that all of the following circumstances apply:

1. The PD concept plan and development program statement are consistent with applicable plans and policies and is compatible with surrounding development;

The development of this site for a social service office park is an appropriate use for property bordering the Lateral and an abutting manufacturing and commercial zone. A sufficient buffer should be installed between the residential district and the new development. This buffer should be a condition of the PD approval.

2. The PD concept plan and development program statement enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved;

Development of an attractive, properly landscaped office park is more desirable than a 348 multi-family apartment complex and a large surface parking lot.

3. Deviations from the base district regulations applicable to the property at the time of the PD application are justified by compensating benefits of the PD concept plan and development program statement;

Under the RM - 2.0 zoning district only residential development is permitted, which does not fit the mission of the institution nor would it generate the income necessary to continue operations of St. Aloysius.

4. The PD concept plan and development program statement includes adequate provisions for utility services, refuse collection, landscaping, traffic circulation, building design and preservation.

All aspects are covered in the concept plan as submitted. This issue is also addressed above.

FINAL DEVELOPMENT PLAN:

Pursuant to Section 1429-13 *Final Development Plan*, a final development plan and program statement would be submitted to City Planning Commission after approval of the concept plan and Planned Development (PD) designation by City Council.

A final development plan must be filed for any portion of an approved concept plan that the applicant wishes to develop and this plan must conform substantially to the approved concept plan and development program statement. The final development plan requirements anticipate changes from the concept plan by requiring significantly more

detail. Approval of the final development plan will allow the developer to obtain building permits.

CONCLUSIONS:

1. The re-zoning of 4721 Reading Road to a Planned Development is necessary for St. Aloysius to market their property in order to generate income and continue their mission of serving the community.
2. The applicant, Steve Karoly, has submitted a satisfactory concept plan and development program statement and has successfully met all basic requirements of the Planned Development District.
3. St. Aloysius, the institution, will be able to remain in Bond Hill and continue their nearly 150-year history in the community.
4. A historically significant building will be saved from potential demolition.
5. Currently this property is zoned RM – 2.0 which would allow for 348 multi-family residential units to be developed, which would have substantially more impacts on the community.
6. The new PD zoning increases the marketability and future development of this property.
7. The PD zoning designation will not negatively impact the existing character of the surrounding area.

RECOMMENDATION:

The staff of the City Planning Department recommended that the City Planning Commission take the following action:

1. Accept the concept plan for the proposed office park development at 4721 Reading Road with the following conditions:
 - a. A required minimum 20’ buffer must be installed and maintained between the existing residential uses and the new development; and
 - b. The owners must work with DOTE city staff to address the traffic issues.
2. Approve a zone change from RM–2.0 Multi-family to a PD Planned Development District at 4721 Reading Road with the findings that the PD is consistent with the following requirement of Section 1429-11:
 - a. The PD concept plan and development program statement are consistent with applicable plans and policies and is compatible with surrounding development;
 - b. The PD concept plan and development program statement enhance the potential for superior urban design in comparison with the development under the base district regulation that would apply of their plan were not approved;

- c. Deviations from the base district regulations applicable to the property at the time of PD application are justified by compensating benefits of the PD concept plan and development program statement; and
- d. The PD concept plan and development program statement includes adequate provisions for utility services, refuse collection, open space, landscaping, buffering, pedestrian circulation, traffic circulation, building design and building location.

DISCUSSION

Ms. Kellam gave an overview of the staff report and presented PowerPoint slides of maps and photographs of the site. She stated that staff had worked with the applicants and determined that a Planned Development District (PD) would increase the marketability and potential development of the property and would not negatively impact the existing character of the surrounding area. She said that in response to neighborhood concerns, St. Aloysius hired traffic consultants to complete a traffic study to evaluate the impact of the development on the street grid system. The study was presented at a community meeting in August 2007. Ms. Kellam stated that several neighboring property owners were still in opposition to the zone change and development due mostly to traffic concerns. She reviewed the benefits of the zone change and went on to say that the Bond Hill Community Council was supportive of the proposal.

Mr. Steve Karoly, of GBBN Architects, explained that the institution would like to remain on their historic campus and that they were not interested in doing residential development on the site. He stated that St. Aloysius was a non-profit entity and funds had diminished over the years. He said that it was crucial that they take advantage of the land they owned and use the property to generate additional income to keep the institution in continuous operation. Their goal is to create a campus with office uses that relate to the mission of their institution. He gave examples of such uses and presented drawings and photos of the site and the PD concept plan. He described the buffering options and explained the placement of the proposed buildings. He said that the plan would move traffic off St. Joseph Street and explained that much of the traffic movement would be within the site.

Mr. Stiles asked if the Community Council had expressed any preferences for buffering. Mr. Karoly responded that he had not received any comments or suggestions and added that the buffering would exceed City requirements.

Mr. Schneider suggested retaining existing trees and Mr. Karoly stated that it was their intent to do so as much as possible. Mr. Schneider asked if neighbors would see auto lights and Mr. Karoly responded that a combination of walls and berms would prevent that the headlights from impacting the abutting residential properties.

Mr. vom Hofe asked if the neighbors were concerned with internal or external traffic. Ms. Kellam responded that the only concern appeared to be off the site traffic issues.

Mr. Pank Goulet, Executive Director of St. Aloysius Orphanage, thanked the Planning Commission members for holding the meeting in the neighborhood. He stated that the mission of St. Aloysius was the care and nurturing of children. He gave a brief overview of their services and budget and explained that their property was the last resource available to continue to finance their operation. He said that they had been working on the project internally for many years and decided that a social service office campus would work well in the neighborhood and provide needed revenue. He stated that St. Aloysius has 151 employees and that the proposed development would add income and benefits to the City. He also explained that St. Aloysius helped 450 children and their families each month. They have been offered \$550,000 per acre for the property. The Red Cross had considered locating to this site but moved elsewhere because the zoning didn't allow office buildings. Other entities that considered locating to this site are the Boys & Girls Club, Children's Hospital offices, YWCA/YMCA and Greater Cincinnati Behavioral Health. He stated that St. Aloysius needed the income from the project to continue providing services to children and families and asked the Commission members to approve the proposed zone change.

Ms. Martha Kelley, of the Department of Traffic and Engineering (DOTE), stated that the firm of Jacobs, Edwards and Kelsey prepared the traffic study for the developer and did perform all of the required counts and calculations relative to the development. She stated that traffic levels would warrant a traffic signal and left turn lane on Reading Road and would be required by DOTE. She stated that the counts seemed normal and reasonable for the development and DOTE did not object to the zone change.

Mr. Faux stated that under the current zoning the property could be developed for multi-family residential and asked Ms. Kelley to compare traffic levels to the proposed PD development. Ms. Kelley stated that multi-family residences averaged 6-8 trips per day per household and said that the traffic levels could be higher than that of the light business uses proposed for the PD. She added that residential traffic would occur 24 hours per day as opposed to business traffic, which would typically occur during the day.

Mr. Dwight Tillery, former Mayor, former City Council member and long time Bond Hill resident, described his concern with the speed of the traffic on Reading Road. He said that St. Aloysius had not been a good neighbor and felt that their development would not be a benefit to the community. He said that increased traffic would cause people to move out of the neighborhood and undermine the community. He asked that the Planning Commission members deny the zone change request.

Mr. Wardell Wilcox, of Jacobs, Edwards and Kelsey, gave an overview of the traffic analysis process. He explained that after consulting with DOTE it was determined that a traffic light and left turn lane on Reading Road was recommended. Ms. McCray asked if the impact of increased traffic on the neighborhood residential streets was studied. Mr. Wilcox responded that all intersections in the study area were considered and gave a listing. Mr. Faux asked the total number of trips that would be generated from the new development. Mr. Wilcox stated that the total trips generated by the development would be an average of 2542 trips per day. However subtracting out the existing school traffic

would result in an increase of 2200 trips over a 24-hour period. He gave a breakdown of the trips based on time of day. Mr. Faux asked what the average number of trips would be for the 348 residential units that would be allowed with the current zoning. Ms. Kelley said that the multi-family traffic would be approximately the same as the proposed PD development. Mr. Schneider stated that the traffic from the proposed development would be concentrated during the day hours and low on the weekends. Mr. Schneider explained that he had visited the site and acknowledged that the speed on Reading Road was excessive. Mr. Wilcox stated that the addition of a traffic signal typically slows traffic and that speeding was an enforcement issue.

Ms. Laketa Cole, City Council member spoke as a Bond Hill resident and not as a Council member. She stated that she was present to speak as a resident of the community. She said that she was against the zone change request and that the proposal would change the complexion of the neighborhood. She stated that St. Aloysius had not communicated well with the residents in the past. She said that the project would not enhance the neighborhood and it would cause traffic difficulties. She emphasized that traffic was a major concern. She felt that a traffic light would not help because traffic backed up to Joseph Avenue. Mr. Schneider asked the engineers if they had done a stacking plan to address Ms. Cole's concern. Mr. Wilcox replied that they had done a queuing analysis and the timing of the traffic lights upstream would prevent stacking to Joseph. She asked the Commission to deny the zone change request. She questioned the support of the Community Council.

Mr. Faux asked Ms. Cole if she felt that property owners had the right to develop their property. Ms. Cole responded that property should be developed based on current zoning. She stated that there was no guarantee as to the nature of the businesses that would occupy the proposed office buildings. She stated that additional problems could be brought into the neighborhood if the proposed buildings housed mental health or other treatment programs.

Barbara Burkes, Joseph Avenue resident, stated that she was concerned with increased traffic and that the value of her home could be depreciated. She was also concerned that the project would require that a house be torn down on Joseph. Mr. Karoly again showed how the two drives on Joseph would be elongated and that no house on Joseph was to be demolished.

J. W. Isabel, Berkley Avenue resident, stated that he agreed with Ms. Cole and Mr. Tillery. He questioned how many of the St. Aloysius employees lived in Bond Hill and felt that the development would not benefit the neighborhood.

Allen Harris, Berkley Avenue resident, stated that he was concerned that the development would have a negative impact on his property value. He explained the traffic problems that occur when the Norwood Lateral backs up and added that a new development nearby would create additional traffic. He was concerned about the stacking issue. He also stated that children could not play in the front yards because of the speeds on Berkley.

He felt that the neighborhood was residential and that office buildings should be located in properly zoned districts.

Alberta Harris, Berkley Avenue resident, felt that the proposed zone change would not be considered in a more upscale neighborhood. She stated that when St. Aloysius brought in trailers for a charter school, the relationship with the community was damaged. She said that a social service campus could include treatment programs for sexual predators, halfway houses and other programs that could create an unsafe environment in a residential neighborhood. The neighborhood would prefer that homes be built on this site.

Stella Layson, Berkley Avenue resident, stated that the increased traffic would make it difficult to exit her driveway. She was also concerned about the proposed social service uses.

Michael Ramundo, Clifton resident, felt that the proposal did not add value to the neighborhood and that the City needed to develop a plan to increase the residential base.

Denise Simpson, Laidlaw Avenue resident, stated that change was difficult. Bond Hill had once been safe and was now crime infested. She stated that she supported the zone change.

Debra Forte-Muhammad, Berkley Avenue resident, felt that Bond Hill was a safe and culturally diverse neighborhood where people lived harmoniously. She said that the proposed use of the site would not be in the best interest of the neighborhood. Mr. Schneider asked if she felt that general use office uses and not social service uses would be better. Ms. Forte-Muhammad said that the use should be residential. She felt that Bond Hill residents were amiable and tolerant and that St. Aloysius should work with the neighborhood to develop a plan.

Charlene Wells, Dawn Road resident stated that she worked for St. Aloysius and felt that traffic was reasonable. She described working with children and their families and supported the vision of St. Aloysius. She stated that St. Aloysius was a good employer and needed to expand.

Mr. Schneider asked how many St. Aloysius employees lived in Bond Hill and Mr. Goulet responded 30% of the employees.

Ms. McCray stated that initially after reading the staff report she felt that the proposal would benefit the area. However, she stated that after listening to the comments from community members she felt that there was a communication problem. She moved to table the item to give St. Aloysius time to meet again with the Bond Hill residents and Community Council. She suggested allowing a month before returning to the Planning Commission.

Mr. Goulet stated that he had attended the Bond Hill Community Council for five years and presented the proposal numerous times. He said that he did not think that a common ground could be found. He described working with City staff and community members and said that three community meetings were held to present the proposal. He stated that they had repeatedly worked in good faith with neighbors to create an acceptable plan. In respect to the trailers that were mentioned, he said that an agreement was made with the Bond Hill Community Council and Bond Hill Businessmen's Association to allow them to be installed and used for three years. He said that if the residents that were present had attended any of the meetings they would have known that. He stated that he was willing to continue in dialog but did not think they could go much further.

Mr. vom Hofe suggested that a mediator would be helpful. Mr. Schneider encouraged the Planning Commission members to visit the St. Aloysius campus and said that he was pleasantly surprised when he visited the site. He felt that there were some misunderstandings and encouraged residents to work with St. Aloysius.

Mr. Faux stated that the item would be placed on the agenda in one month. He went on to say that property owners had a right to develop their property. Mr. Graves stated that December 7, 2007 would be the next regularly scheduled Planning Commission meeting after the one month time period stipulated, unless the Commissioners decided to schedule a special meeting. Mr. Faux stated that it could be presented at the regularly scheduled meeting. He reminded the people present that the Commission had made a special effort to meet in the community that night and that this was only the second time in nine years that the Commission had met in a community.

Motion: Ms. McCray moved to table Item #1.
Second: Mr. vom Hofe
Ayes: Mr. Faux, Ms. McCray, Mr. Stiles, Mr. vom Hofe and Mr. Schneider
Nays: None, **motion carried**

ADJOURN

Motion: Mr. Schneider moved to adjourn.
Second: Ms. McCray
Ayes: Mr. Faux, Ms. McCray, Mr. Stiles, Mr. vom Hofe and Mr. Schneider
Nays: None, **motion carried**

Charles C. Graves, III
Director, Department of City Planning

Caleb Faux, Chair

Date: _____

Date: _____