



Tom Alf
Commission Member

Teri Horsley
Commission Member

Dale McAllister
Chairperson

David Belew
Commission Member

Patrick Moeller
Mayor

Michael Samoviski
Commission Member

Joshua Smith
City Manager

Roll Call:

2 Public Hearings

Alf	Belew	Horsley	McAllister	Moeller	Samoviski	Smith

Swearing in of Those Providing Testimony to the Commission:

Kathy Dudley, Assistant Law Director

Approval of Meeting Minutes- Written summary and audio recording for the following dates:

1. December 19, 2016

Alf	Belew	Horsley	McAllister	Moeller	Samoviski	Smith

Old Business: None

New Business:

Agenda Item #1- Public Hearing

Request by John Ingram for a Conditional Use to allow the establishment of a Residential Use on property zoned B-2 Community Business District located at 732 Central Avenue, City Lot No. Pt. 870 (John Ingram, Owner).

Staff: John Creech

Alf	Belew	Horsley	McAllister	Moeller	Samoviski	Smith

Miscellaneous:

1. Appointment of Representative to the Board of Zoning Appeals
2. Appointment of Representative to the Architectural Design Review Board

Reports:

1. Verbal Report on Architectural Design Review Board Meeting of December 20, 2016
– Staff: John Creech



2. Verbal Report on Board of Zoning Appeals Meeting of January 5, 2017 – Staff: John Creech
3. Verbal Report on previous Planning Commission cases in progress – Staff: John Creech

Adjournment:



For the Planning Commission Meeting of January 3, 2017

To: Planning Commission

From: John Creech

Subject: AGENDA ITEM #1

Request by John Ingram for a Conditional Use to allow the establishment of a Residential Use on property zoned B-2 Community Business District located at 732 Central Avenue, City Lot No. PT. 870 (John Ingram, Owner).

Date: December 22, 2016

BASIC INFORMATION		
Applicant/Property Owner	John Ingram, Owner	
Architect/Engineer/Consultant	N/A	
Size of Property	8,943 Square Feet	
Current Zoning	B-2 Community Business District	
Proposed Use: Conditional Use	Residential	
Comp. Plan Land Use Designation	Mixed Use	
Special Purpose/CRA	N/A	
ADJACENT LAND USE/ZONING INFORMATION		
<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>
North	Church	B-2 Community Business District
South	Residential	B-2 Community Business District
East	Residential	B-2 Community Business District
West	Commercial/Residential	B-2 Community Business District
ZONING/DIMENSIONAL INFORMATION		
	<i>Minimum Required</i>	<i>Existing/Proposed</i>
Minimum Lot Area	1,500	8,943
Minimum Lot Width	55	130 LF
Minimum Front Yard Setback	N/A	N/A
Minimum Side Yard Setback	N/A	N/A
Minimum Rear Yard Setback	N/A	N/A
Maximum Bldg. Height	N/A	N/A
Other Requirements	N/A	N/A

Introduction:

This is a request submitted by John Ingram, for a Conditional Use to allow the establishment of a Residential Use on property zoned B-2 Community Business District located at 732 Central Avenue, City Lot No. PT. 870 (Exhibit A). The property is zoned B-2 Community Business zoning district (Exhibit B) and is a 8,943 square foot property comprised of a single parcel (City Lot No. PT. 870), located on just northeast of the corner of Central Avenue and Walnut Street. Residential Uses are



Conditional Uses in the B-2 Community Zoning District and require review by the Planning Commission (Section 1121.39) and approval by City Council.

Proposed Project:

The proposed project involves the renovation of an existing vacant building space to create a residential dwelling unit. The existing two story building is comprised of two separate spaces: an existing commercial storefront (future beauty shop) and an upper level former medical office that has been vacant for many years.

Approximately 4,000 square feet of the property is a paved surface but there are no defined parking spaces. A minimum of one (1) parking space should be designed for the proposed residential dwelling unit. Vehicular access to the property is provided from the existing driveway on Central Avenue. The proposed dwelling unit, parking area and the existing site layout and access is shown on the attached site plan submitted by the applicant. No additional changes are proposed.

CONDITIONAL USE REVIEW

1155.10 – Conditional Uses:

1. The Planning Commission (PC) shall review and make a recommendation to City Council, in accordance with the provisions of this Ordinance for applications for Conditional Uses. The PC shall review the particular facts and circumstances of each proposed Conditional Use, and if recommending approval shall find adequate evidence that the proposed conditional use complies with the General Standards applicable to all Conditional Uses found in 1155.30. (REVISED OR2015-9-80)
2. The PC has no obligation to recommend approval of a Conditional Use, and City Council has no obligation to approve a Conditional Use. The Hamilton Zoning Ordinance assumes that the uses listed as conditional are not outright appropriate unless an applicant demonstrates to the PC that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which the Conditional Use is proposed. (REVISED OR2015-9-80)
3. In considering an application for a Conditional Use, the PC and City Council shall give due regard to the nature and condition of all adjacent uses and structures and in recommending approval of a conditional use may impose such requirements and conditions, in addition to any expressly stipulated in this Ordinance, as the PC may deem necessary for the protection of adjacent properties and the public interest. (REVISED OR2015-9-80)

Section 1155.00 which regulates Conditional Uses states the following:

1155.30 – Application and Review

The applicant shall submit an application to the Department of Community Development for a Conditional Use along with applicable fee. The applicant shall



submit at least the following supporting information to be considered for a Conditional Use.

- A. A written description of the proposed Conditional Use including nature of the business and hours of operation. The written description of the proposed Conditional Use should further address the nine (9) Conditional Use Review Criteria below in Section 1155.30.C. The written description of the proposed Conditional Use is attached to this report (attached as Exhibit C).
- B. Plans of the proposed site for the Conditional Use indicating the location of all existing and proposed buildings, parking, loading, and driveway areas, traffic access and circulation, open spaces, landscaping, refuse and service areas, utilities, signage, yards and setbacks, and such other information as the PC may require to determine of the effect of the proposed Conditional Use on the surrounding neighborhood. (REVISED OR2015-9-80). The plans of the proposed Conditional Use are attached to this report (attached as Exhibit C).

C. Conditional Use Review Criteria – General Standards

In reviewing an application for a Conditional Use, the PC shall consider whether there is adequate evidence that the proposed Conditional Use is consistent with the nine (9) General Standards below.

- (1) The proposed Conditional Use is to be located in a district wherein such use may be permitted, subject to the requirements of this Section and the Zoning Ordinance.** A Residential Use is a Conditional Use in the B-2 Community Business zoning district. The Hamilton Zoning Ordinance assumes that the uses listed as conditional are not outright appropriate unless an applicant demonstrates to the Planning Commission that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which the Conditional Use is proposed. The applicant stated *“Yes there are others”* to the above. This information is attached to this report (attached as Exhibit C).
- (2) The proposed Conditional Use will not substantially or permanently injure the appropriate use of neighboring property and will serve the public convenience and welfare.** The applicant stated *“No”* to the above. This information is attached to this report (attached as Exhibit C).
- (3) The proposed Conditional Use will be harmonious with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area.** The applicant stated *“Yes another one next door”* to the above. This information is attached to this report (attached as Exhibit C).



- (4) **The proposed Conditional Use shall be adequately served by essential public facilities and services such as, but not limited to, roads, public safety forces, storm water facilities, water, sanitary sewer, refuse, and schools. If not, the applicant shall be responsible for the extension or establishment of any public facilities and services to effectively service the proposed Conditional Use.** The applicant stated *“Yes it has previously been used as an apartment”* to the above. This information is attached to this report (attached as Exhibit C).
- (5) **The proposed Conditional Use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding streets.** The applicant stated *“Yes existing parking on site no proposed changes”* to be above. This information is attached to this report (attached as Exhibit C).
- (6) **The proposed Conditional Use will comply with all applicable development standards, except as specifically altered in the approved Conditional Use.** The applicant stated *“Yes”* to the above. This information is attached to this report (attached as Exhibit C).
- (7) **The proposed Conditional Use will not be hazardous to or have a negative impact on existing or future neighboring uses.** The applicant stated *“No it was once used as residential”* to the above. This information is attached to this report (attached as Exhibit C).
- (8) **The proposed Conditional Use will not involve uses, activities, processes, materials, equipment and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to the uses permitted in the base zoning district.** The applicant stated *“No”* to the above. This information is attached to this report (attached as Exhibit C).
- (9) **The proposed Conditional Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.** The applicant stated *“No”* to the above. This information is attached to this report (attached as Exhibit C).

Summary Review of Conditional Use Standards:

Section 1155.10.2 confirms that the Planning Commission has no obligation to approve a Conditional Use. The Hamilton Zoning Ordinance assumes that the uses listed as conditional are not outright appropriate unless an applicant demonstrates to the Planning Commission that the use will not be detrimental to the public health,



safety, or general welfare of the City or the neighborhood in which the Conditional Use is proposed.

Notification

Public Hearing Notices were mailed to the owners of 122 properties within 500 feet of the subject property (Exhibit D). One (1) phone call was received requesting clarification of the application but there were no objections expressed to the proposed conditional use for 732 Central Avenue as of the date of the report was prepared for the Planning Commission.

Review and Findings:

A review of the nine Conditional Use Review Criteria found in Section 1155.30 (Exhibit C) provides the Planning Commission with the basic facts and circumstances of the proposed Conditional Use. After consideration of the Comprehensive Land Use Plan Designation, Conditional Use Review Criteria and the information provided by the applicant there is sufficient reason in the findings below to consider **approval** of the Conditional Use.

Recommendation:

If the Planning Commission approves the proposed Conditional Use the Department of Community Development recommends that the Planning Commission utilize the following motion:

The Planning Commission recommends that City Council approve the proposed conditional use after consideration of the site plan, written information provided by the applicant, findings, and review of the Conditional Use Review Criteria – General Standards, subject to the following conditions below:

- 1) A parking space be designed on the site for the residential dwelling unit.
- 2) The designated parking space to be identified by signage not to exceed four (4 square feet) indicating the space is for the exclusive use of the residential dwelling unit.
- 3) The sign copy/lettering from the existing free standing sign to be removed.
- 4) No outside parking or storage of junk or inoperable vehicles.
- 5) The construction drawings for the proposed improvements and work be revised subject to any future review requirements of the City of Hamilton Departmental Review.
- 6) All improvements and work indicated on construction plans approved by the City of Hamilton Departmental Review be installed and maintained in good repair and replaced as necessary to remain in compliance with the approved Conditional Use.



Attachments:

- 1) **Exhibit A - Public Hearing Location Map**
- 2) **Exhibit B – Zoning Map**
- 3) **Exhibit C – Conditional Use Application & Supporting Material**
- 4) **Exhibit D – Public Hearing Notice and 500 Ft Address Listing**



732 Central Ave
PUBLIC HEARING MAP



Subject Property

CHESTNUT ST ALY

CENTRAL AVE

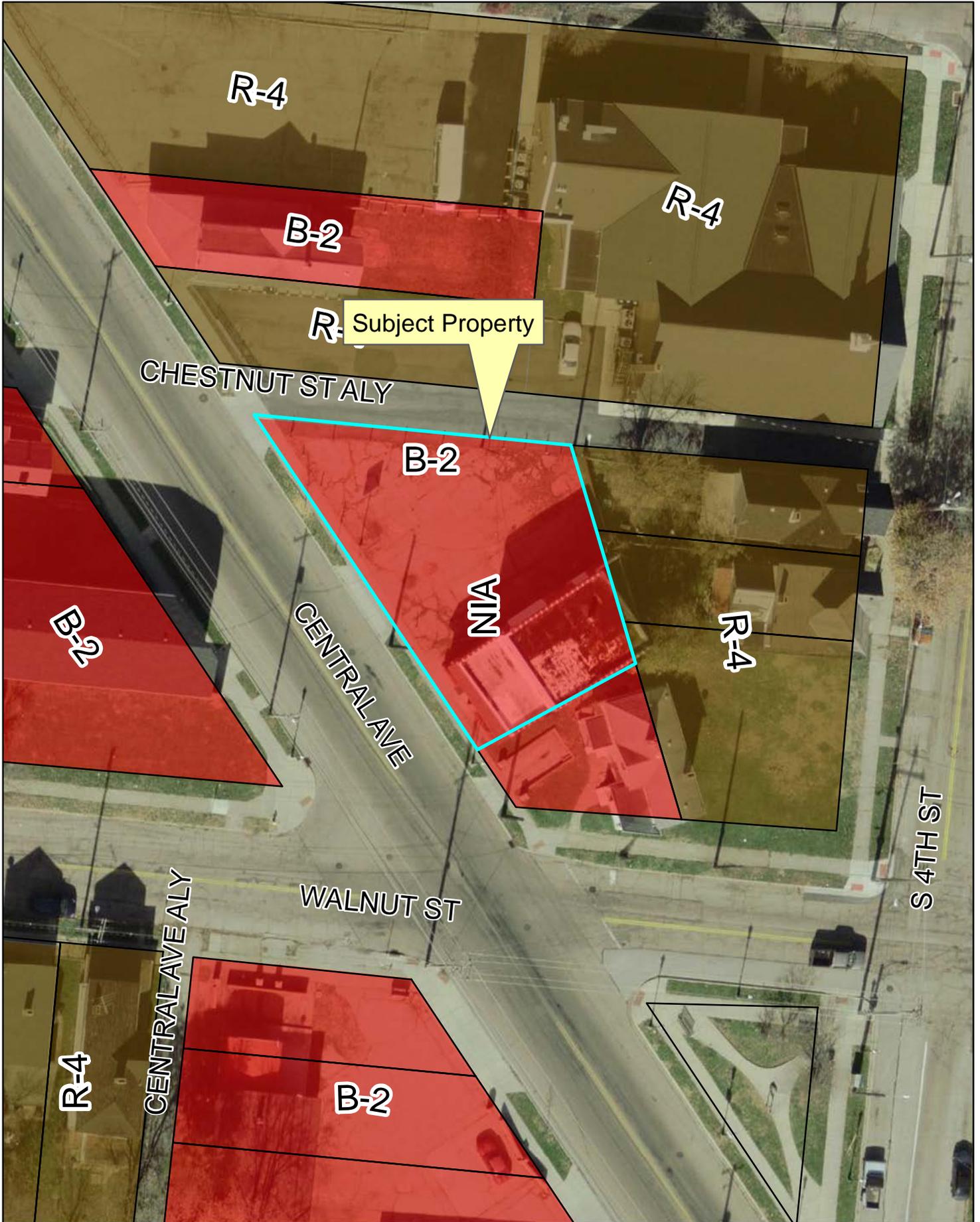
WALNUT ST

S 4TH ST

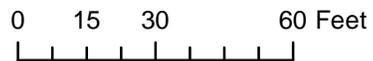
CENTRAL AVE ALY



732 Central Ave
PUBLIC HEARING MAP



 732 Central Ave



A164393
A164394

APPLICATION FOR CONDITIONAL USE

Please Note: The Planning Commission has no obligation to approve a Conditional Use.

The Hamilton Zoning Ordinance assumes that the uses listed as conditional are not outright appropriate unless an applicant demonstrates to the Planning Commission that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which the Conditional Use is proposed. (HZO Section 1155.10)

Property Address: 732 - Central

Lot No(s): _____

Property Owner: John Shroy

Owner's Mailing Address: 128 - Beckett St

Applicant's Name (If different than owner): _____

Applicant's Mailing Address: _____

Applicant's Email Address: _____

Applicant's Phone Number: 513-280-2343

Previous Legal Use of Property: Residential Unit - upstairs

Date Previous Use Discontinued: 1-1-14

Proposed New Use of Property: up stairs

Requesting a Conditional Use Approval from the following Sections of the Hamilton Zoning Code:

Resident Unit w. B-2.

Description of the proposed Conditional Use including nature of the business, hours of operation:

2 - Bedroom Kitchen - Bath.

Parking will be provided thru entrance inside

Date: 12/9/2016
 Time: 11:19 AM
 User: Con...
 City of Hamilton
 Office: 368522
 Fee: \$0.00
 Payment Total: \$200.00
 Project: 12/9/2016

Applicants must include adequate information to satisfy 1155.30 – Application and Review C. Conditional Use Review Criteria – General Standards (attached to application). Please add additional sheets if more space is needed. This will assist the Planning Commission in making an informed decision on the requested Conditional Use.

(1) Is the proposed Conditional Use to be located in a district wherein such use may be permitted, subject to the requirements of this Section and the Zoning Ordinance?

yes there are other

(2) Will the proposed Conditional Use substantially or permanently injure the appropriate use of neighboring property and serve the public convenience and welfare?

No

(3) Will the proposed Conditional Use be harmonious with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area?

yes other on next block.

(4) Will the proposed Conditional Use be adequately served by essential public facilities and services such as, but not limited to, roads, public safety forces, storm water facilities, water, sanitary sewer, refuse, and schools? If not, the applicant shall be responsible for the extension or establishment of any public facilities and services to effectively service the proposed Conditional Use.

yes see it has previously been used
As And Apartment

(5) Will the proposed Conditional Use have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding streets?

Extra parking on site no propose changes

(6) Will the proposed Conditional Use comply with all applicable development standards, except as specifically altered in the approved Conditional Use?

yes,

(7) Will the proposed Conditional Use be hazardous to or have a negative impact on existing or future neighboring uses?

No it was once used Rena

(8) Will the proposed Conditional Use involve uses, activities, processes, materials, equipment and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to the uses permitted in the base zoning district?

no

(9) Will the proposed Conditional Use impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?

no

Applicants must also submit all pertinent plans of the proposed site for the Conditional Use indicating the location of all existing and proposed buildings, parking, loading, and driveway areas, traffic access and circulation, open spaces, landscaping, refuse and service areas, utilities, signage, yards and setbacks, and such other information as the Planning Commission may require to determine of the effect of the proposed Conditional Use on the surrounding neighborhood.

CERTIFICATION:

I certify that all of the information contained in this Application is complete, true and accurate.

Applicant's Signature

Date

Applicant's Printed Name

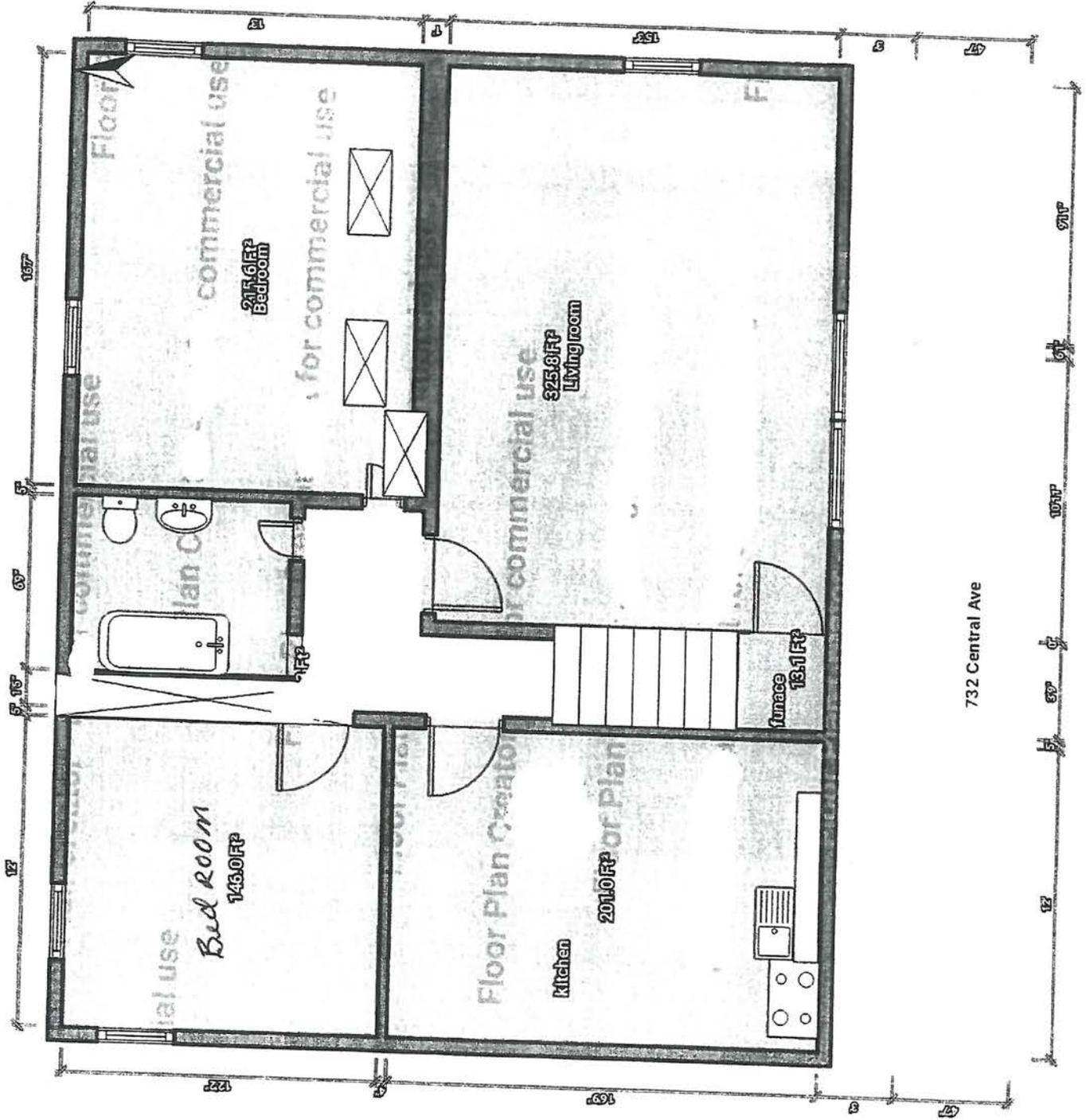
Johnathan Taylor
Property Owner's Signature

12-9-16
Date

Johnathan Taylor
Property Owner's Printed Name

11/17/2016

732 Central Ave.png



732 Central Ave

RECEIVED NOV 17 2016



7-17

7-18

7-25

7-26

CENTRAL AVENUE

732 Central Ave
PUBLIC HEARING MAP



Subject Property

CHESTNUT ST ALY

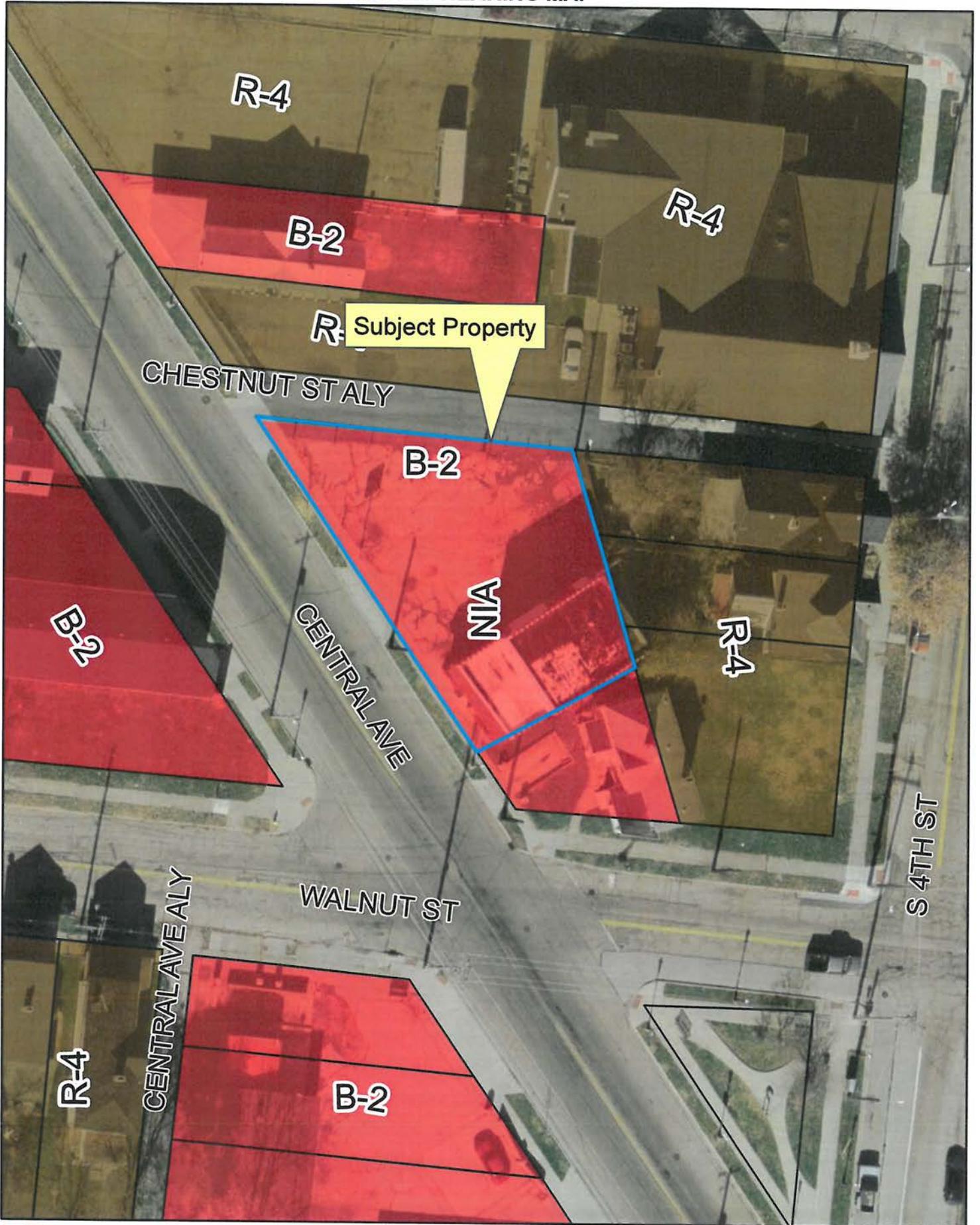
CENTRAL AVE

WALNUT ST

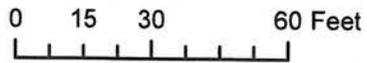
CENTRAL AVE ALY

S 4TH ST

732 Central Ave
PUBLIC HEARING MAP



732 Central Ave





December 12, 2016

NOTICE OF PUBLIC HEARING

RE: Request by John Ingram for a Conditional Use to allow the establishment of a Residential Use on property zoned B-2 Community Business District located at 732 Central Avenue, City Lot No. Pt. 870 (John Ingram, Owner).

Dear Property Owner:

A public hearing will be held on Tuesday, January 3, 2017 at 1:30 p.m., before the City Planning Commission in the Council Chamber, First Floor, 345 High Street, Hamilton, Ohio 45011 over a Conditional Use request submitted by John Ingram to allow the establishment of a Residential Use on property zoned B-2 Community Business District located at 732 Central Avenue, City Lot No. Pt. 870.

The subject property is zoned "B-2" Community Business District and is shown on the map on the reverse of this notice. The "B-2" Community Business Zoning District is regulated by Section 1121.00 of the Hamilton Zoning Ordinance (HZO). Section 1121.39 of the HZO requires Conditional Use approval for Residential Uses use in the "B-2" zoning district, therefore a recommendation from the Planning Commission and approval from City Council is required in order to allow this proposed use.

You are a property owner within 500 feet of the Conditional Use request and as such, Planning Commission rules require that you be notified of this public hearing.

An application for this project is on file in our office and available for your review. If you have any comments concerning this matter, you may appear at the public hearing or you may forward your comments to the Planning Commission in writing for presentation at the meeting.

If you have any questions, please visit the Community Development Department located at 345 High Street, Hamilton, Ohio, or contact **Meredith Snyder** of the Community Development Department at **785-7350**.

Sincerely,

A handwritten signature in black ink that reads "Eugene F. Scharf".

Eugene F. Scharf, Secretary
City Planning Commission

See Reverse Side for Public Hearing Notification Map

NEIGHBORHOOD HOUSING SERVICES
OF HAMILTON INC
100 S MARTIN LUTHER KING JR BLVD
HAMILTON OH 45011 2859

DEBORAH E JACKSON
1024 STRATFORD PL
MASON OH 45040 1017

BARBARA A RAMSEY
10705 SILVERBROOK DR
CINCINNATI OH 45240

JESSICA HIDALGO
1071 S 2ND ST
HAMILTON OH 45011 3133

RICARDO RAMIREZ HIDALGO
1117 GRAND BLVD
HAMILTON OH 45011 4055

MOLLIE AND LEONARD BLAINE
1119 CENTRAL AVE
HAMILTON OH 45011 3822

THOMAS C HENDRIX SR TRUSTEE
11273 LEANDER CT
CINCINNATI OH 45240 2205

EDITH C JAMES
1152 PINNACLE DR
COLUMBUS OH 43204 4715

LENZY HUFFMAN
11851 KNOLLSPRINGS CT
CINCINNATI OH 45246 2107

LEONARD E FLORENCE
1261 SHULER AVE
HAMILTON OH 45011 4565

JOHN & LISA INGRAM
128 BECKETT ST
HAMILTON OH 45011 3102

JOHN INGRAM
1337 CAMPBELL AVE
HAMILTON OH 45011 4305

MT OLIVE SEVENTH DAY ADVENTIST CHURCH
134 WALNUT ST
HAMILTON OH 45011 3116

PATRICIA A HURD
1340 CARVER PL
HAMILTON OH 45011 3304

MICHAEL ISREAL
1428 FAIR AVE
COLUMBUS OH 43207

R & R ENTERPRISES LLC
19 HUGHES CT
HAMILTON OH 45013 1217

DRAG BUNNY PROPERTIES LLC
19750 US HWY 287
LIVERMORE CO 80536

CARL L BROWN
2024 SUNSET DR
HAMILTON OH 45013 2241

SECOND WARD DEVELOPMENT LLC
211 E LOMBARD ST Suite 113
BALTIMORE MD 21202 6102

VANESSA JARRETT
226 WALNUT ST
HAMILTON OH 45011 3261

EMILY AND LEONARD BLAINE
229 CHESTNUT ST
HAMILTON OH 45011 3257

C/O COMMUNITY FIRST SOLUTIONS
230 LUDLOW ST
HAMILTON OH 45011 2982

ROSIE M JACKSON
THERESA G TROUTMAN
235 WALNUT ST
HAMILTON OH 45011 3231

CANDICE M WHITE
236 CHESTNUT ST
HAMILTON OH 45011 3258

ANTHONY M PRINTUP
237 WALNUT ST
HAMILTON OH 45011 3231

CURTIS HALSELL
240 WASHINGTON ST
HAMILTON OH 45011 3263

TERRY & JANICE MCKINZIE
242 WALNUT ST
HAMILTON OH 45011 3261

LULA JANE COLLINS
245 CHESTNUT ST
HAMILTON OH 45011 3257

CORNELIA R BROWN
246 CHESTNUT ST
HAMILTON OH 45011 3258

CARLO GILBERT
246 WASHINGTON ST
HAMILTON OH 45011 3281

EULALIO QUEZADA
250 WALNUT ST
HAMILTON OH 45011 3261

ANGEL MARTINEZ
252 WASHINGTON ST
HAMILTON OH 45011 3281

DENISE K RUMPH
256 WASHINGTON ST
HAMILTON OH 45011 3281

JACQUELINE LYNN CARDWELL
257 WALNUT ST
HAMILTON OH 45011 3277

MARIA ANGELES PADILLA
257 WASHINGTON ST
HAMILTON OH 45011 3262

TRACIE A HUDSON
258 WALNUT ST
HAMILTON OH 45011 3261

DARNISE COOK
261 WALNUT ST
HAMILTON OH 45011 3277

MARIE RUPERT
262 WALNUT ST
HAMILTON OH 45011 3261

CHANCEY MCKENZIE
263 WASHINGTON ST
HAMILTON OH 45011 3262

JACQUELINE ALEJO GONZALEZ
265 WALNUT ST
HAMILTON OH 45011 3277

LOVEN & CAMIERO NEAL
267 WASHINGTON ST
HAMILTON OH 45011 3262

GENERATE INVESTMENTS GROUP LLC
2729 STRUBLE RD
CINCINNATI OH 45231

ROSEMARY BAILEY
2757 RESOR RD
FAIRFIELD OH 45014 5053

ROGER DENNIS
2786 OVERDALE DR
CINCINNATI OH 45251

KATHY L DAVIS
309 WASHINGTON ST
HAMILTON OH 45011 3264

MARTHA P REYES
310 WASHINGTON ST
HAMILTON OH 45011 3265

MIGUEL ANGEL RAMIREZ ETAL
311 WASHINGTON ST
HAMILTON OH 45011 3264

MAYE GIPSON & EDDIE HILL
314 KNIGHTSBRIDGE DR Unit 7
HAMILTON OH 45011 3120

TRENTON PROPERTY MANAGEMENT LLC
3189 PRINCETON RD # 363
HAMILTON OH 45011 5338

RODOLFO MANCEBO
322 CHARLES ST
HAMILTON OH 45011 3246

RICHARD & MARGO GARRETT
324 CHESTNUT ST
HAMILTON OH 45011 3228

GERARDO ACOSTA
325 WASHINGTON ST
HAMILTON OH 45011 3264

FAHED AND MARIAM SALEM
3259 HOMEWARD WAY
FAIRFIELD OH 45014 4237

LAWRENCE EDWARD RICE
330 CHESTNUT ST
HAMILTON OH 45011 3228

FLICK PROPERTIES LLC
330 PERSHING AVE
HAMILTON OH 45011 3252

PEDRO FRANCO RIVERA
335 SOUTH FOURTH ST
HAMILTON OH 45011

VICTOR M CABRERA
336 WASHINGTON ST
HAMILTON OH 45011 3265

2507 LTD
337 LUDLOW ST
HAMILTON OH 45011 2923

REDHAWK GROUP LLC
337 LUDLOW ST Suite 3
HAMILTON OH 45011 2923

SINGLETARY EUGENE & FANNIE
3454 CHERRY HILL DR
FAIRFIELD OH 45014 5204

LORENZO JONES
351 KNIGHTSBRIDGE DR
HAMILTON OH 45011 3119

CLIFFORD N AND JACLYN K HUFF
3909 LANES MILL RD
OXFORD OH 45056 9377

KEVIN L MONEACE
415 PERSHING AVE
HAMILTON OH 45011 3253

BONNIE J KNIGHT
418 WALNUT ST
HAMILTON OH 45011 3235

ARTHUR SINGLETARY
4212 WATERFRONT CT
FAIRFIELD OH 45014 3584

MAXIMO REYES & LIDIA PEREZ
422 CHESTNUT ST
HAMILTON OH 45011 3230

BRIAN CLARK
4226 RYAN CT
HAMILTON OH 45011 8193

ANDREW G & FREDRICKA CRAWFORD
4250 STILLWELL BECKETT RD
HAMILTON OH 45013 9144

BURDELL KAISER
426 CHESTNUT ST
HAMILTON OH 45011 3230

DENNIS N BROSHEAR
4260 WALNUT ST
OXFORD OH 45056 9305

ROBERT L HARRIS TR
MICHELL L WILSON TR
429 S SECOND ST
HAMILTON OH 45011 2935

FRANK JACKSON
430 CHESTNUT ST
HAMILTON OH 45011 3230

BENJAMIN CERNA
433 CHESTNUT ST
HAMILTON OH 45011 3229

LAVERNE W COLLIGAN
451 SOUTH 3RD ST
HAMILTON OH 45011

VICTOR L DAVIS
453 HEDGINGTON CT
HAMILTON OH 45013 3234

FU RUI PAN
4548 STONEHAVEN DR
HAMILTON OH 45011

JOYCE A BEMBRY ETAL
507 S 11TH ST
HAMILTON OH 45011 3724

MARVIN HENDRIX
519 S MONUMENT AVE
HAMILTON OH 45011 2909

HAZEL L PRESLEY
527 KNIGHTSBRIDGE DR
HAMILTON OH 45011 3123

VBOH ANNEX LLC
5550 HUBER RD
HUBER HEIGHTS OH 45424

DARELL HERSHNER
5673 KRYSTAL CT
CINCINNATI OH 45252

FIRST AND LAST LLC
5820 SARANAC AVE
CINCINNATI OH 45224 3035

PAUL KREMER
5925 FURLONG WAY
HAMILTON OH 45011

QBP PROPERTIES LLC
5925 FURLONG WAY
HAMILTON OH 45011 7317

ISAIAH AND LUCY MAE COLEMAN
602 S 4TH ST
HAMILTON OH 45011 3204

BELINDA JOYCE WARREN
6111 STONEHILL DR
FAIRFIELD OH 45014 5327

HENRY ROBERT LUNBLAD III
622 S FOURTH ST
HAMILTON OH 45011 3641

DAN & JUANITA HOWARD
629 S 4TH ST
HAMILTON OH 45011 3203

RETHA BROW
CANDELARIO CRAWFORD
701 MARTIN LUTHER KING BLVD
HAMILTON OH 45011

DNL PROPERTY MANAGEMENT LLC
7015 RED ASH CT
HAMILTON OH 45011 5673

CLARA HENRY
707 S MARTIN LUTHER KING JR BLVD
HAMILTON OH 45011 3213

PILGRIM BAPTIST CHURCH
OF HAMILTON INC
710 S 4TH ST
HAMILTON OH 45011 3206

PILGRIM BAPTIST CHURCH
711 S FOURTH ST
HAMILTON OH 45011

EBONY CURRY
714 CENTRAL AVE
HAMILTON OH 45011 3224

JUAN & DEBRA THOMPSON
716 S 4TH ST
HAMILTON OH 45011 3206

STEPHEN T GAY
717 MARTIN LUTHER KING JR BLVD
HAMILTON OH 45011 3213

MARIA GUADALUPE
PADILLA GONZALEZ
719 S FOURTH ST
HAMILTON OH 45011 3746

DONALD A & REBECCA L MILLER
7232 PARK AVE
CINCINNATI OH 45231

CLEMIE PALMER ETAL
726 S FOURTH ST
HAMILTON OH 45011

GUANGYUN SUN
HONG CHENG
7952 MISTY SHORE DR
WEST CHESTER OH 45069

SYLVIA ANN JACKSON
804 S 4TH ST
HAMILTON OH 45011 3208

MARTHA GALLARDO
809 S MARTIN LUTHER KING JR BLVD
HAMILTON OH 45011 3215

FRANCISCO PATINO
MARINA BENJUMEA
810 FRANCIS AVE
HAMILTON OH 45011 3282

PHYLLIS ANN DANIELS
821 CENTRAL AVE
HAMILTON OH 45011 3225

DELDRA THOMAS
823 CENTRAL AVE
HAMILTON OH 45011 3225

MARINO PEREZ DOTEI
825 CENTRAL AVE
HAMILTON OH 45011 3225

CLEVELAND D BAILEY
827 MARTIN LUTHER KING JR BLVD
HAMILTON OH 45011 3215

CURTIS & EMMA BRADBURY
845 CENTRAL AVE
HAMILTON OH 45011 3275

BESSIE S HARVEY
900 CREEKSIDE ST
DAYTON OH 45427 2728

BANK OF AMERICA
9000 SOUTHSIDE BLVD Building 700
JACKSONVILLE FL 32256

MARTHA M WILSON
901 ALLEN AVE
HAMILTON OH 45015 2012

RICHARD A & TINA L HARRIS
902 LUDLOW ST
HAMILTON OH 45011 3654

LARRY COMBS
942 S 12TH ST
HAMILTON OH 45011 3913

ELMER G ASHER
988 GARVER RD
MIDDLETOWN OH 45044 8929

ESSEX J AND VALERIE SHEPHERD
PO BOX 1109
HAMILTON OH 45012 3235

S T F Y PROPERTIES
PO BOX 1128
HAMILTON OH 45012 1128

NICHOLAS J DIGONNO
PO BOX 1128
HAMILTON OH 45012 1128

MARVIN SUTTON
C/O JOHN FAIRFAX
PO BOX 1251
HAMILTON OH 45012 1251

ARISTOCRAT REAL ESTATE LLC
PO BOX 13010
HAMILTON OH 45013 0128

BRUCE GODDARD
PO BOX 284
AURORA IN 47001 1119

GARTLAND PROPERTIES LLC
PO BOX 498303
CINCINNATI OH 45249 7303

TIER ONE PROPERTIES LLC
PO BOX 53466
CINCINNATI OH 45253 0466

**WRITTEN SUMMARY
PLANNING COMMISSION
MEETING MINUTES
Monday, December 19, 2016
1:30 p.m.**

The meeting was called to order at 1:35 by Mr. McAllister.

Roll Call:

Members Present:

Mr. Dave Belew, Ms. Teri Horsley, Mr. Dale McAllister, Mayor Pat Moeller, and Mr. Mike Samoviski

Members Absent:

Mr. Tom Alf and Mr. Joshua Smith.

City Staff Present:

Mr. Eugene (Bud) Scharf, Mr. John Creech, Ms. Kim Kirsch, Ms. Meredith Snyder, Ms. Heather Hodges, and Ms. Kathy Dudley (Assistant Law Director).

Swearing in of Those Providing Testimony to the Commission:

Ms. Dudley swore in Ms. Rumph.

Approval of Meeting Minutes- Written summary and audio recording for the following dates:

1. **December 5, 2016** - Motion to approve by Mr. Belew, 2nd by Mr. Samoviski. With a roll call vote of 4-0-1 (Ms. Horsley abstained), the motion passed and the minutes were approved.

Old Business: None

New Business:

Agenda Item #1- Public Hearing

Staff: John Creech

Request by Katherine Rumph for a Conditional Use to allow the establishment of a Residential Use on property zoned B-2 Community Business District located at 545 Central Avenue, City Lot No. 28540 (Katherine Rumph, Owner).

Introduction:

Mr. Creech stated that this is a request submitted by Katherine Rumph, for a Conditional Use to allow the establishment of a Residential Use on property zoned B-2 Community Business District located at 545 Central Avenue, City Lot No. 28540 (Exhibit A). The property is zoned B-2 Community Business zoning district (Exhibit B) and is a 4,500 square foot property comprised of a single parcel (City Lot No. 28540), located on the northwest corner of Central Avenue and Pershing Avenue. Residential Uses are Conditional Uses in the B-2 Community Zoning District and require review by the Planning Commission (Section 1121.39) and approval by City Council.

Proposed Project:

The proposed project involves the renovation of an existing vacant building space to create a residential dwelling unit. The existing building is comprised of two separate spaces: an existing beauty shop and the subject vacant space. There are seven (7) existing surface parking spaces on the property. One (1) parking space is designed for the proposed residential dwelling unit. Vehicular access to the property is existing from two separate driveways one from Central Avenue and another from Pershing Avenue. The proposed dwelling unit, the designed parking space and the existing site layout and access is shown on the attached site plan submitted by the applicant. No additional changes are proposed.

Mr. Creech showed the Public Hearing Notification Map, the Zoning Map, the Google street view, and gave information about those.

Mr. Creech stated that Section 1155.10.2 confirms that the Planning Commission has no obligation to approve a Conditional Use. The Hamilton Zoning Ordinance assumes that the uses listed as conditional are not outright appropriate unless an applicant demonstrates to the Planning Commission that the use will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which the Conditional Use is proposed. He also gave some history of the type of applications that the Community Development has received this year.

He stated that the Applicant addressed the nine criteria, and those were supplied for the Board, as well as the Application.

Mr. Creech pointed out that Public Hearing Notices were mailed to the owners of 82 properties within 500' of the property in question. One (1) phone call was received requesting clarification of the application, but there were no objections expressed to the proposed conditional use for 545 Central Avenue.

Review and Findings:

Mr. Creech stated that a review of the nine Conditional Use Review Criteria found in Section 1155.30 (Exhibit C) provides the Planning Commission with the basic facts and circumstances of the proposed Conditional Use. After consideration of the Comprehensive Land Use Plan Designation, Conditional Use Review Criteria and the

information provided by the applicant there is sufficient reason in the findings below to consider **approval** of the Conditional Use.

Recommendation:

If the Planning Commission approves the proposed Conditional Use the Department of Community Development recommends that the Planning Commission utilize the following motion:

The Planning Commission recommends that City Council approve the proposed conditional use after consideration of the site plan, written information provided by the applicant, findings, and review of the Conditional Use Review Criteria – General Standards, subject to the following conditions below:

- 1) The parking space identified on the site plan submitted by the applicant be identified by signage not to exceed four (4 square feet) for the exclusive use of the residential dwelling unit.
- 2) The construction drawings for the proposed improvements and work be revised subject to any future review requirements of the City of Hamilton Departmental Review.
- 3) All improvements and work indicated on construction plans approved by the City of Hamilton Departmental Review be installed and maintained in good repair and replaced as necessary to remain in compliance with the approved Conditional Use.

Mr. Creech concluded his presentation by stating that this item was advertised as a Public Hearing. Mr. McAllister asked for anyone in the audience wishing to speak on behalf of the item.

Ms. Dudley swore in Mr. Eugene Wiggins, who wished to speak. He stated that he owns the duplex next to the subject property. He stated that he advises his tenants of the parking rules, and that some of his tenants have had some parking issues with the Beauty shop.

Next to speak was Ms. Rumph. She spoke about the issue that she is having with Mr. Wiggins' tenants. Mr. McAllister asked her a question about the Beauty Shop, and she answered that.

With no one else in the audience wishing to speak, Mr. Samoviski made a Motion to close the Public Hearing. With a 2nd by Ms. Horsley and all "ayes", the Motion was passed and the Public Hearing was closed.

Ms. Horsley made a Motion to approve the request for Conditional Use with recommendations subject to the conditions given by the Community Development

Department. With a 2nd by Mr. Belew and all “ayes” to a roll call vote, the Motion was passed and the request was approved.

Mr. Creech advised that the item will go to City Council for the first reading on January 25, 2017 and the 2nd Reading on February 8, 2017. He also advised that anyone may address City Council during Audience of Citizens.

Mr. Wiggins had an additional comment for the Board regarding the issue that he has with Ms. Rumph.

Miscellaneous:

Appointment of Jody Gunderson from the Planning Commission Representative to OKI Board of Directors for Calendar Year 2017.

Mayor Moeller said that he thinks that the appointment is appropriate. Mr. Samoviski made a Motion to approve the Appointment of Mr. Gunderson. With a 2nd by Ms. Horsley and all “ayes” to a roll call vote, the Motion was passed and the request was approved.

Reports:

Staff: John Creech

Mr. Creech provided verbal reports regarding the following:

1. Status of progress for property located at 259 S Edgewood Ave (Conditional Use).
2. Architectural Design Review Board Meeting of December 6, 2016
 - 244 Main Street – Connector Building – Approved
 - 302 Main Street – New Door and transom – Approved
 - 350 N. Third Street – Signage - Approved
3. Upcoming Board of Zoning Appeals Meeting of January 5, 2017
 - 407 N. Third Street – Appeal of ADRB Decision regarding color of door and front porch floor
 - 517 Williams Ave – Variance to side yard setback
4. Verbal Report on previous Planning Commission cases in progress
 - 302 East Avenue – City Council 2nd Reading 12/21/2016.
 - 690 Devanshae Court – City Council 1st Reading 12/21/2016, 2nd Reading 1/11/17.
 - Lodging & Boarding Houses – City Council 1st Reading 12/21/2016, 2nd Reading 1/11/17.
 - 2021 S. Erie Boulevard – City Council Caucus 12/21/2016, 1st Reading 1/11/17, 2nd Reading 1/25/17.
 - 3550 Symmes Road – Tabled; pending signed lease agreement (now looking at 47 possible jobs).

Mr. Creech then gave a bit of information about upcoming items for the next tentative meeting, which is set for 1/3/17. Mr. Scharf verified with Mr. Creech that there will be elections at the first meeting in January for chairperson. Mr. Creech added that the

school board usually sends a letter in the middle of the month with their recommendation for the School Board representative for the Board.

Adjournment:

With nothing further, Mr. Samoviski made a Motion to Adjourn. With a 2nd by Mr. Belew and all “ayes”, the Motion passes and the meeting was adjourned.

Respectfully submitted,

Ms. Kim Kirsch
Administrative Assistant

Mr. Eugene Scharf
Secretary

Mr. Dale McAllister
Chairman

DRAFT