



City of Loveland City Council Memorandum

DATE: January 12, 2021

TO: Mayor and Council

FROM: Tom Smith
Assistant City Manager

SUBJECT: Request for Public Hearing: Zoning Map Amendment Special Planning
District (SPD) 18: Chimney Ridge

Background

An application has been submitted on behalf of CB Butterworth, LLC for a zoning map amendment from Residential – Low Density (R-LD) to Special Planning District (SPD) for the land identified by the Warren County Auditor as parcel ID's: 16-07-400-0240 (16.149 acres) and 16-07-200-0550 (9.8389 acres) as seen in the Location Map (Figure #1) below. The application for zoning map amendment is one of a two-part SPD process.



Figure 1: Location Map

Throughout the months of November and December 2020, two public hearings were held by the Planning and Zoning Commission and City Council, inclusively. On December 15, 2020, the City Council adopted a resolution establishing the aforementioned parcels as Special Planning District 18. Comprised within the approved resolution is the adoption of a Findings of Fact, Conceptual Plan, and Development Guidelines in accordance with the requirements of Chapter 1151: Special Planning District of the Loveland Code of Ordinances.

On January 5, 2021, The Planning and Zoning Commission held a public hearing for a zoning map amendment. The Commission determined that the application for zoning map amendment to be consistent with the City's adopted plans, goals, and policies; and in accordance with Section 1115.6 (A)(1) and (2); and subsection (b). In a vote of 4-0 (with one member recusing himself), the Planning and Zoning Commission recommended approval of the requested zoning map amendment.

Policy Options

Section 1115.07 the following action steps are that:

- (a) Recommendation by Planning and Zoning Commission; Transmittal to Council. After the close of the public hearing provided in Section 1115.05(b), the Planning and Zoning Commission shall recommend to Council, in a time period no longer than 35 days, that the amendment be granted, as requested, or it may recommend a modification of the amendment requested or it may recommend the amendment not be granted. The Planning and Zoning Commission shall transmit its recommendation to Council.
- (b) Public Hearing. Upon receipt of the recommendation from the Planning and Zoning Commission, Council shall schedule a public hearing.
- (e) Action by Council. Council may approve or disapprove the recommendation of Planning and Zoning Commission by a simple majority. Council may modify the recommendation of Planning and Zoning Commission by a vote of not less than three-fourths (3/4) majority of the full membership of Council. Final action on the amendment must be taken within 35

days, of the close of Council's public hearing; failure to take action within such 35-day period shall constitute disapproval.

Analysis

As was referenced in the previous public hearings, at one time, to accommodate a development of 56 residential units, both properties were zoned as SPD #14. Because the development was never initiated, the SPD has since expired, and the zoning reverted back to Residential-Low Density (R-LD), as the two parcels were zoned upon their annexation into the city's corporation limits.

Given the timing of annexation, the City's current Comprehensive Master Plan does not incorporate a specific land use for the subject properties. Nonetheless, the SPD concept plan, as approved, is consistent with surrounding land uses and neighboring subdivisions, which were also approved through the SPD process.

The proposed development includes 30 single family dwelling units with a maximum density that shall not exceed 1.15 units per acre, and a minimum lot size of 16,000 square feet. The chart below articulates the similarities in zoning requirements with respect to neighboring subdivisions, which were also approved through the SPD process, in relation to what is being proposed by the applicant.

Standards	Proposed SPD	Brandywine Subdivision (SPD 9)	Butterworth Glen Subdivision (SPD 13)
Minimum Lot Area (sq. ft)	16,000	16,000	12,000
Minimum Front Yard Setback	25-30 ¹	35	30
Side yard Setback	5' min, 15' total	10' one side, 25' both	5' one side, 10' both
Minimum Rear Yard Setback	5-30 ²	50'	30'
Structure Height (Principal)	2 Story	2 Story	2 Story
Maximum Lot Coverage	50%	40%	40%
Minimum House Size (sq. ft.)	2,600	1,800	2,200

The SPD will incorporate sidewalks to minimize conflicts between pedestrian and automobile traffic, and to have a sewer main constructed along Butterworth Road to accommodate for residential expansion. The subdivision will be developed to respect the natural terrain features, and to enjoy the views and vistas. The streets, homes sites, and open space are designed to preserve wooded areas and existing streams including the Polk Run Tributary located below the precipice adjacent to the intersection of Butterworth Road and State Route 48. The changing landscape, walking trails, streams, wooded and preserve land offer an opportunity to relate to a variety of architectural designs. The variety of lot sizes will allow versatility to the builder in siting homes to take full advantage of the property. The proposed application materializes a as a beneficial and appropriate use of the land.

Attached is a concept plan that illustrates the general scope of the proposed project (Exhibit A).

Recommendation

¹ The front yard setback on lots 9, 17, 23, 25, & 26 are 25'. All other front yard setback are 30'.

² The rear yard setback on lot 30 is 5'. This will be to accommodate a custom home the builder is designing for that lot.

That the City Council conduct a first reading of the ordinance on February 9, 2021 and schedule a public hearing and conduct a second reading of the ordinance on February 23, 2021 in accordance with Chapter 1115.07 for a proposal to amend City of Loveland Zoning Map from the current zoning of Residential – Low Density (R-LD) to Special Planning District (SPD) 18.

Attachments:

Exhibit A Concept Plan

**LOVELAND SUBDIVISION
CONCEPT PLAN EXHIBIT A**
CITY OF LOVELAND WARREN COUNTY, OHIO

Site location: BUTTERWORTH RD
Total acreage of Site: 15.88 Acres
Dedicated Right-of-Way for SR-48 & Butterworth Rd: 1.58 Acres
Total Project Acreage of Site: 24.30 Acres

Current Use: VACANT
Proposed Use: RESIDENTIAL SUBDIVISION
Parcel ID: 16074000240 (STEPHEN & GEORGE CRANE)
16072000550 (CTRY OF LOVELAND)

Current Zone: LUR
Proposed Zone: SPD
Minimum Lot Size = 15,000 sf
Minimum Lot Width at Building Line = 90 Ft
Density = 30 units / 2.4-30 acres = 1.3 units per acre
Minimum Front Yard Setback = 30 Ft
Minimum Rear Yard Setback = 30 Ft
Minimum Side Yard Setback = 5 Ft min with total of 15 Ft
*15 ft minimum between houses
Street Right-of-Way = 60 Ft



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