



**COUNCIL MEETING AGENDA  
November 30, 2020 at 4:00 PM**

**ROLL CALL**

**1. Council Members**

Tom Muething, Mayor  
Natalie Wolf, Vice Mayor  
Rich Bardach  
Peg Conway  
Ed Hattenbach  
Elida Kamine

**Staff Liaisons**

Scot Lahrmer  
Wes Brown, Zoning and Project Administrator  
Tammy Reasoner, Clerk of Council  
Bryan Snyder, Hamilton County Planning + Development

**PLEDGE OF ALLEGIANCE**

**ORDINANCE 2020-16, ADDING CHAPTER 154.84 TO TITLE IV OF THE VILLAGE OF AMBERLEY CODIFIED ORDINANCES REGARDING AMBERLEY GREEN ZONING DISTRICT REGULATIONS**

**VILLAGE COMMUNICATIONS**

1. Public Outreach Overview

**PLANNING COMMISSION RECOMMENDATIONS**

1. Ordinance 2020-16, Adding Chapter 154.84 to Title IV of the Village of Amberley Codified Ordinances Regarding Amberley Green Zoning District Regulations

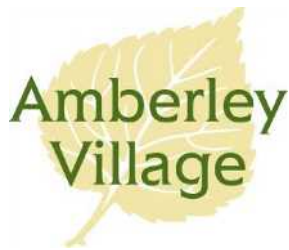
**RESIDENT FEEDBACK**

1. Public Hearing Testimony and Written Comments

**AMBERLEY GREEN CONSERVATION & DEVELOPMENT STUDY**

1. Conservation & Development Study Findings

**ADJOURNMENT**



## **Ordinance 2020-16: Amberley Green Zoning Code Text Communication to Residents**

### **Public Hearings**

- Public Meeting Notices distributed prior to each public hearing according to Village Code
- Sent out via e-mail, social media and via Village posting boards; also posted on the Village website calendar with links to both the meeting notice and login information

#### **Planning Commission**

July 8, 2020

August 3, 2020 (recommendations to Council)

#### **Format**

Chambers, Zoom & Streaming

Chambers, Zoom & Streaming

#### **Council**

September 14, 2020

October 12, 2020

November 9, 2020

November 16, 2020

Chambers, Zoom & Streaming

Chambers, Zoom & Streaming

Chambers, Zoom & Streaming

Zoom & Streaming

### **Postcard Mailing**

- Digitally posted video & hard copy of postcard with announcement it was mailing
- Mailed to every address in the Village
- Pre-announced via social media and E-News

### **Spring Print Newsletter**

- Front page story
- mailed to every address in the Village
- available at the Municipal Building
- posted online at the Village website
- distributed via social media

### **Fall Print Newsletter**

- Page 3 with photo and sidebar highlighting dedicated webpage for AG
- mailed to every address in the Village
- available at the Municipal Building
- posted online at the Village website
- distributed via social media

**Amberley Village E-News**

- Distributed monthly via e-mail and social media, as well as posted to the Amberley Village website
- Updates and announcements included each month since May 2020 (past 7 months)

**Website**

- Dedicated page for three videos, links to postcard, newsletters
- Public Hearings page with live feeds, links to prior hearings and information regarding upcoming hearings

**Videos**

- Series of three 5-minute videos providing background and details regarding the proposed zoning code text
- Shared via website, social media, and multiple inclusions in the regular E-News prior to all public hearings

**TO:** Village Council  
**FROM:** Scot F. Lahrmer, Village Manager  
**DATE:** November 25, 2020  
**RE:** Amberley Green Zoning Code Text

**ITEM:** Ordinance 2020-16, Adding Chapter 154.84 to Title IV of the Village of Amberley Codified Ordinances Regarding Amberley Green Zoning District Regulations

**ACTION REQUESTED:** By motion, adopt **Ordinance 2020-16**, adopting Chapter 154.84 to create the Amberley Green Zoning District (AGD).

**PURPOSE:** Adoption of the Amberley Green District (AGD) Zoning Code Text.

In order to effectively consider any type of development of the Village-owned Amberley Green (AG) property, the zoning must be changed from the current restrictive Residence A zoning (single-family, 1 acre lots). However, the Village does not have any other zoning district that would accomplish what residents and Council believe should be permitted on Amberley Green. Village Staff and Council have been working to create an environment to maintain green space for Amberley Green while enabling development to occur if the Village Council finds proposed uses acceptable for the 133-acre property. These efforts have culminated in a special zoning district being proposed for adoption by Village Council.

Creating the special zoning district would allow for mixed-uses, to preserve green space, create recreational, and residential areas while allowing limited opportunity for revenue-generating businesses to locate at the site, which will add to the tax base of the Village.

The Village entered into an agreement for professional services with the Hamilton County Regional Planning Commission (HCRPC) to assist in creating this special district. As part of this contract, Bryan Snyder, Development Services Administrator of HCRPC, met with Village staff to outline the objectives of the new zoning text. After a draft was secured, staff along with Mr. Snyder, worked extensively with Village Council, to further define new regulations. All of this discussion took place in Village Council work sessions.

The purpose of the new zoning regulations (attached) is to create and add Code Sections 154.84 through 154.84.8 specifically for the Amberley Green property.

Since Amberley Green is zoned for single-family residential (Residence A) and that is solely not what the Village would like to see on the property, zoning text is being created that would enable a variety of uses on the property. However, since the Village owns the property, the zoning becomes secondary but is still necessary to guide any development.

With a strong preference to maximize open space and walking trails with any development, Council set out to create a zoning code for Amberley Green for the simple purpose of protecting the health, safety and welfare of our residents. The benefits of establishing zoning on Amberley Green include:

- Protects existing property values by preventing incompatible uses

- Preserves recreational area and allows for more open spaces
- Enforces restrictions like height limitations, space requirements, building size and other development standards
- Keeps buildings from being built too close to each other
- Provides systematic lot arrangement
- Enhances the beauty of our community by requiring landscaping, buffers and parking lot improvements
- Protects residential properties from commercial development
- Facilitates attractive growth with community involvement

While the Village is safeguarded by ownership of the property and the Village has a strong preference for open space and walking trails, it was necessary to identify the principal uses that would be permitted on the property. Any use would require Village approval due to our ownership of the property and due to zoning.

The principal permitted uses discussed at the public meetings were incorporated into the proposed zoning text and include the following:

- Active and passive recreational uses including pools, splash parks, sports fields and courts, outdoor amphitheaters, public parks and walking trails, dog parks, and woodland preservation areas.
- Single-family dwellings.
- Community Gardens/Agriculture.
- Banquet/Event Center.
- Government/Public buildings and facilities.
- Other institutional uses including religious institutions, daycare centers, hospitals, schools, universities, and other educational related research facilities, and non-profit event centers, summer camps, and day camps.
- Nursing homes, assisted living facilities, and continuing care retirement facilities.
- Offices, including professional business offices, medical/dental offices, accounting services, banking/financial institutions, legal services, professional consulting/counseling services, real estate and securities brokering, hotels, and tax preparation services.
- Restaurants (without drive-thrus)
- Retail uses and/or facilities within a mixed-used building and not to exceed 20% of the total building square footage, including, but not limited to restaurants, baked goods, cheeses, fruits and vegetables, meats, ice cream, beer, wine, liquor, confectioneries, flowers and plants, pharmacies, cosmetics, photographic equipment, and supplies, pets and pet supplies, clothing, jewelry, sporting goods, bicycles, toys, music and musical instruments, luggage, books, glassware, medical and surgical equipment, office furniture equipment and supplies, appliances, business machines.
- Other similar uses determined to be compatible with the uses listed above and approved as part of the AGD district approval per the procedures outlined in this chapter.

The balance of the code spells out setbacks, site development regulations, landscaping, signage and architectural regulations as well as procedures for approval. Additionally, this zoning district would be tailored to the proximity of Ridge Road and Galbraith Road, therefore would not apply to other sites in the Village.

Text changes to the Zoning Code must first be considered by the Planning Commission following a public hearing. Village Council approved Resolution 2020-17 in May referring the zoning text to Planning Commission. The AGD zoning text was presented to the Planning Commission which held public hearings on July 8 and August 3. The July 8 hearing resulted in the Planning Commission requesting additional information from Village staff (attached), which was presented at the August 3 public hearing.

After the public hearing on August 3, the Planning Commission voted 3 to 1 to recommend Council amend the zoning code text to maintain the current land usage classifications as written, with the exception of the 20% mixed-use facilities. The Planning Commission also recommended removing all other requirements to be included as part of the concept plan submission, to allow a developer to be able to proceed without having to acquire additional variances.

While Planning Commission didn't have the opportunity to have the same discussions Council did with Mr. Snyder as the AGD was conceived, their recommendations to not include any regulations or stipulations would be different from other zoning districts in the Village. Although there is nothing that would require the Village to include anything other than use restrictions in a zoning plan for Amberley Green, it seems counterproductive to talk about the zoning on the property without any minimum requirements or restrictions. Without minimum requirements, it seems there could be a lack of consistency without such guiding principles. Granted, the Village has two "levels" of protection with respect to the development. The first being the Village owns the property and has a lot of discretion in how it is used/developed. The second are the restrictions imposed by the zoning code.

Planning Commission also expressed concerns about any developers having to seek variances, however, the concept of variances is baked into the approval process set forth in the zoning code. Specifically, Section 154.84.8(B), which states that:

"The Commission shall have categorical ability to recommend varying or relaxing the standards of this chapter and the Zoning Ordinance as a part of the recommendation provided that any such request is found to meet the intent of the AGD district."

Likewise, Section 154.84.8(D)(1) gives Village Council the same authority.

Beyond any initial development, if the Village does not adopt some minimum zoning requirements, it could create some issues. And while it may be viewed as taking away the ability for any developers to be creative, the Village needs to think beyond the initial development. If a developer were to lease/purchase and develop a piece of Amberley Green, the opportunity for restrictions on the second or third use could be limited. Having some basic restrictions in place would be helpful.

Staff does not believe having those basic restrictions/rules in place are likely to be a deterrent to any serious developer because the designation process gives the Planning Committee and Council the authority to grant exceptions as a part of the process. And any developer with any experience is going to understand that there may be some restrictions that need to be worked through. Granted the zoning code text may appear as cumbersome, and may need tweaked as time goes on, but getting zoning text in place at least enables discussions with interested parties.

Case in point, when the Scottish Rites was interested in redeveloping the former clubhouse, our single family zoning on the property prevented the Scottish Rites from investing several million dollars into the clubhouse.

In regards to the 20% limit on retail, Planning Commission preferred this to be lifted. As this topic was vetted during council work sessions, it was Council's belief that free-standing retail wasn't desired but if the retail co-located with another use, it would be more desirable.

In keeping with the spirit of Council's intentions to create a zoning code text, staff's recommendation is to consider Planning Commission's recommendations but adopt zoning code text that enables the Village to consider zoning on the property that fits within our objectives.

In anticipation of the public hearings for Planning Commission, staff met with the Public Outreach Committee of Council to formulate an outline of approaches to inform residents about what the AGD means. The result was a series of communication tools that were shared with residents including:

1. A series of short instructional videos regarding the proposed changes, why they are needed and what comes next

[#1: Why Do We Need Changes?](#)

[#2: What's Included in the Zoning Text?](#)

[#3: The Process: What Comes Next?](#)

2. A postcard mailer to direct residents to a dedicated “one-stop” webpage

3. The “one-stop” webpage itself, which includes links to the videos (and scripts), the postcard mailer, a spot for posting meeting dates, as well as links to background information and zoning language

4. Social media posts utilizing the instructional videos, animated memes and links back to the dedicated webpage

<https://www.amberleyvillage.org/2020/06/12/amberley-green-zoning-information/>

These resources have been available throughout the process, and were reactivated through print and digital newsletters and meeting notices in anticipation of Council holding a public hearing.

At the September 14 meeting, Council conducted a first reading of the ordinance and set the public hearing for October 12. Council conducted a third reading of the ordinance on November 9 and held a public hearing, and announced an additional public hearing for November 16 at a Special Meeting of Council, where a fourth reading was conducted. Following tonight's Council Work Session, action should be taken to create the zoning text for Amberley Green.

If you have any questions, please let me know.

PASSED:  
BY:

ORDINANCE NO. 2020-16

ORDINANCE ADOPTING CHAPTER 154.84 TO TITLE IV OF THE VILLAGE OF  
AMBERLEY CODIFIED ORDINANCES ADOPTING AMBERLEY GREEN  
ZONING DISTRICT REGULATIONS

**WHEREAS**, in order to promote the health, safety, and welfare of residents and the community as a whole, Amberley Village maintains a Zoning Code that applies to different zoning districts within the Village to protect and enhance the attractive appearance of the community and to assist in potential economic development as evaluated and determined by Village Council;

**WHEREAS**, in order to effectively consider any type of development of the Village-owned Amberley Green property, the zoning had to be changed from the previous, more restrictive Residence A zoning (single-family, 1 acre lots);

**WHEREAS**, the Village, with the assistance of the Hamilton County Regional Planning Commission (“HCRPC”), created a special zoning district for Amberley Green that would allow for potential mixed-uses, to preserve green space, create recreational and residential areas, while also allowing the potential opportunity for revenue-generating businesses to locate at the site, which would add to the tax base of the Village.

**WHEREAS**, Village Staff and Council have been working to create an environment to maintain green space for Amberley Green while enabling development to occur if the Village Council finds such a proposed use acceptable;

**WHEREAS**, in accordance with the Village Charter and Ordinances, Village Council referred proposed zoning text for the Amberley Green Zoning District to the Planning Commission for the purpose of reviewing and making recommendations to Village Council concerning changes and adoption of the zoning regulations proposed for Amberley Green;

**WHEREAS**, the proposed zoning text was presented to the Planning Commission, which held public hearings on July 8, 2020 and August 3, 2020. Bryan Snyder from the HCRPC attended and made a presentation at the July 8, 2020 Planning Commission hearing, at which the Planning Commission requested additional information from Village staff. The additional information was presented at the August 3, 2020 public hearing;

**WHEREAS**, at the public hearing on August 3, 2020, the Planning Commission voted 3 to 1 to recommend that Council amend the proposed zoning code text for Amberley Green to maintain the current land usage classifications as written, with the

exception of the 20% limitation on retail use in mixed-use facilities. The Planning Commission also recommended removing all other proposed zoning requirements, including those relating to set-backs, site development, landscaping, signage, and architectural design in the interest of allowing potential developers to proceed without having to acquire additional variances;

**WHEREAS**, the Amberley Green Zoning Regulations as reviewed and recommended by the Planning Commission are attached and incorporated into this Ordinance;

**WHEREAS**, Council finds that the Amberley Green Zoning Regulations as recommended by the Planning Commission serve to protect and enhance the appearance of use of the Amberley Green property, while also allowing for potential future economic development of the property;

**NOW, THEREFORE, BE IT ORDAINED BY THE** Council of Amberley Village, State of Ohio, seven (7) members elected thereto concurring:

**SECTION 1:** Title IV of the Village of Amberley Codified Ordinances is hereby amended to add Code Sections 154.84 and 154.84.1, as set forth in more detail in the attached Zoning Regulations

**SECTION 2:** This Ordinance shall take effect and be enforced from and after the earliest period allowed by law. Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor Thomas C. Muething

Attest:

\_\_\_\_\_  
Tammy Reasoner, Clerk of Council

Ordinance Vote:

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_

Muething \_\_\_\_\_  
Wolf \_\_\_\_\_  
Bardach \_\_\_\_\_  
Conway \_\_\_\_\_  
Hattenbach \_\_\_\_\_

Kamine \_\_\_\_\_  
Warren \_\_\_\_\_

I, Clerk of Council of Amberley Village, Ohio, certify that on the \_\_\_\_ day of \_\_\_\_\_, 2020, the foregoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

\_\_\_\_\_  
Tammy Reasoner, Clerk of Council

## AMBERLEY GREEN DISTRICT (AGD) REGULATIONS

### 154.84 PURPOSE.

In addition to the purposes listed in Section 154.05 (B), the purpose of the Amberley Green District is to encourage preservation of green space and walking trails for residents while allowing limited opportunity for new development. The area included in the district is characterized by steep slopes and unbuildable area to the west and flatter, more buildable areas to the east. The desire of the village for these potential development areas is to also include green areas beyond the unbuildable portions of the property and walking trail connections to ensure preservation of the unique and beautiful qualities of the property.

The Amberley Green District is applied to properties that have an AGD district designation. Properties in the Village that are eligible to request AGD district designation, in accordance with the regulations and procedures below, include all properties bounded by East Galbraith Road and the Village Corporate limit on the north, Ridge Road to the east, the Village Corporation Limit to the west, and the northern property lines of northernmost residential properties on Burning Tree Lane, Fernwood Drive, Willowbrook Lane, and Twigwood Lane to the south.

### 154.84.1 USE REGULATIONS.

- (A) *Principal Uses.* A building or lot or other land area in this district shall be used only for the following purposes.
1. Active and passive recreational uses including pools, splash parks, sports fields and courts, outdoor amphitheaters, public parks and walking trails, dog parks, and woodland preservation areas.
  2. Single-family dwellings.
  3. Community gardens/Agriculture
  4. Banquet/Event Center
  5. Government/Public buildings and facilities.
  6. Other institutional uses including religious institutions, day care centers, hospitals, schools, universities and other educational related research facilities, and non-profit event centers, summer camps, and day camps.
  7. Nursing homes, assisted living facilities, and continuing care retirement facilities.
  8. Offices, including professional business offices, medical/dental offices, accounting services, banking/financial institutions, legal services, professional consulting/counseling services, real estate and securities brokering, hotels, and tax preparation services.
  9. Restaurants (without drive throughs)
  10. Retail uses and/or facilities within a mixed-used building and not to exceed 20% of the total building square footage, including, but not

limited to restaurants, baked goods, cheeses, fruits and vegetables, meats, ice cream, beer, wine, liquor, confectioneries, flowers and plants, pharmacies, cosmetics, photographic equipment and supplies, pets and pet supplies, clothing, jewelry, sporting goods, bicycles, toys, music and musical instruments, luggage, books, glassware, medical and surgical equipment, office furniture equipment and supplies, appliances, business machines.

11. Other similar uses determined to be compatible with the uses listed above and approved as part of the AGD district approval per the procedures outlined in this chapter.

(B) *Accessory Uses.*

1. Home Occupation provided any such use shall comply with the requirements of Section 154.25(B)(1).
2. Accessory buildings and uses customarily incidental to a permitted use located on the same lot as the single-family use and subordinate in size to the single-family home and as further regulated by Section 154.12.

(C) *Temporary Uses.* Temporary uses, including but not limited to farm markets, festivals, food trucks, tree sales, community gatherings, and community commerce, may be permitted provided that such temporary use shall either be approved as part of the Concept or Final Development Plan for the principal use or shall be approved by the Zoning Board of Appeals in accordance with Section 154.66(A)(4).

## **154.84.2 HEIGHT REGULATIONS.**

No building shall exceed two and one-half stories or 35 feet in height, whichever is the lesser height.

## **154.84.3 REQUIRED MINIMUM LOT AREA, WIDTH, AND SETBACK REGULATIONS.**

All uses shall be setback a minimum of 50 feet from the boundaries of the Amberley Green area as described in Section 154.84 and shall also comply with the following minimum requirements.

- (A) *Lot area.* The minimum lot area for single-family detached uses shall be 8,000 square feet, and the minimum lot area for all other uses shall be 21,780 square feet.
- (B) *Ground area.* There is no maximum ground area coverage for single-family detached uses. For all other uses, the total ground area to be occupied by structures shall not exceed 50% of the lot area.
- (C) *Single-family detached residence lot width and setbacks.* Single family detached lots shall have a minimum width of 50 feet. All single-family structures shall comply with the following minimum yard requirements:

1. Front yard: 25 feet
  2. Side yard: 5 feet
  3. Rear yard: 35 feet
- (D) *Other permitted uses lot width and setbacks.* All other lots shall have a minimum lot width of 100 feet and shall comply with the following minimum yard requirements:
1. Front yard: 50 feet
  2. Side Yard: 20 feet
  3. Rear Yard: 20 feet

#### **154.84.4 SITE DEVELOPMENT REGULATIONS.**

- (A) *Off street parking.* Facilities for parking residents, employees, visitors, and business vehicles must be provided on the premises in accordance with the following uses and calculations unless modified as part of the Concept or Final Development Plan approval following submission of evidence indicating that the sufficient parking will be provided through shared parking agreements, a mix of uses with expected hours of high demand that do not overlap, or other such evidence as may be submitted to support a reduction of the spaces required in this Section. Such facilities other than those related to single-family residences, shall be setback a minimum of 50 feet from the boundaries of the Amberley Green area as described in Section 154.84 and 20 feet from all other public streets, private access easements, and interior lot lines. Parking spaces for the handicapped shall be provided in accordance with the provisions of the Ohio Basic Building Code.
1. Detached single-family residential: Two spaces for each dwelling unit
  2. Government/Public buildings and facilities: One space per 250 sq. ft. of floor area.
  3. Religious Institutions: One space per eight seats or bench seating in the main assembly area.
  4. Daycare centers: One space per employee + one space for each facility vehicle stored on the lot + one parking space for each six children.
  5. Hospitals: One space per bed.
  6. Schools, K-6: One space for each three seats in any auditorium, or one space for each classroom, whichever is greater.
  7. School, Junior High/Middle School: One space for each three seats in any auditorium, or one space for each classroom, whichever is greater.
  8. School, Senior High: One space per employee + twelve visitor spaces, plus one space per six students.
  9. School, University, Vocational/Professional, or Educational Research Facility: One space per employee + one space per two registered student capacity.

10. Amphitheater and event center: One space for each three seats or one space per 50 square feet of net floor area where fixed seating is not available.
11. Summer camp and day camp: One space per employee + one space per each camp vehicle + one space per five users at maximum capacity.
12. Swimming pools and splash parks: One space for each 50 square feet of pool or wet park surface area + one space per employee.
13. Athletic/Play field: Ten spaces per acre.
14. Tennis/Basketball/Racquet clubs and similar recreation facilities: Eight spaces for each indoor tennis/basketball court, five spaces for each outdoor tennis/basketball court, five spaces for all other indoor and outdoor courts.
15. Parks and playgrounds: Four spaces per acre.
16. Nursing homes, assisted living facilities, and continuing care retirement facilities: One space per six residents + one space per employee.
17. Offices, excluding Medical: Three spaces for the first 1,000 sq. ft. or fraction thereof, + one space per 400 sq. ft. of floor area in excess of 1,000 sq. ft.
18. Offices, Medical: Six spaces + one space per 200 sq. ft. of floor space in excess of 1000 sq. ft.
19. Retail: One space per 200 sq. ft. of floor area.
20. Restaurant: One space per 100 sq. ft. of floor area.

(B) *Pedestrian Facilities.*

1. Sidewalks shall be a minimum of four feet wide and are required along both sides of all streets.
2. A connection shall be established from abutting streets with sidewalks to the entrance of primary structures through the use of sidewalks and special demarcation.
3. Pedestrian areas in parking lots or across interior drives shall be demarcated with special paving, color or height change, and/or striping for increased safety.

(C) *Lighting.*

1. All outdoor lighting for non-residential uses shall be designed, located, and mounted at heights no greater than 18 feet from grade, must have cutoff fixtures, and shall not shine directly onto adjacent residences.
2. All outdoor lighting for non-residential uses shall be designed and located to permit maximum light levels of 0.0 foot-candles at any residential property or lease line and 1.0 foot-candles at all other property or lease lines.

(D) *Dumpster and trash handling areas.* The following requirements shall apply to all dumpsters, trash handling areas, and related serviced entrances.

1. Dumpsters, trash handling areas and related screening, shall be located in compliance with the same minimum setbacks as a main building.

2. Any such structure shall be screened on three sides by a fence or wall from the view from public streets and any abutting properties.
  3. Any fence or wall required under this Section shall have a height no greater than seven feet and no less than five feet. Any wall shall be constructed in a durable fashion of brick, stone, or other masonry materials with no greater than 25% of the wall surface left open. Any fence shall be constructed in a durable fashion of wood posts and/or planks with minimum diameter or width of three inches and with no greater than 25% of the fence surface left open between posts and/or planks.
- (E) *Outdoor Storage.* Outdoor sales, display and storage shall be prohibited unless it is specifically permitted as part of an approved Concept or Final Development Plan or it is part of a temporary use permitted by Section 154.84.1.

#### **154.84.5 LANDSCAPING REGULATIONS.**

- (A) *Streetscape Buffer.* A Streetscape Buffer shall be installed along the property line of all non-single-family residential uses abutting all public street right-of-way and private access drives consisting of a minimum of 10 feet in depth and including a minimum of four understory or canopy trees and three shrubs per 100 linear feet of frontage.
- (B) *Boundary Buffer.* A Boundary Buffer shall be installed between any residential use and any non-residential use, including mixed use buildings consisting of a minimum of 10 feet in width and including a minimum of four canopy or evergreen trees and three shrubs per 100 linear feet of boundary length.
- (C) *Interior parking lot landscaping.* Interior parking lot landscaping shall be required for all new and expanded parking areas greater than 10 spaces in accordance with the following standards.
1. The total landscape area required in parking lot areas is 22 sq. ft. per parking space.
  2. Landscape areas shall consist of parking islands or peninsulas and all required landscape materials shall be planted within these island or peninsula areas. Best Management Practices (BMP's), such as rain gardens or bio swales are permitted.
  3. The minimum number of canopy trees is one canopy tree for each 10 parking spaces. Any fractional number of trees should be calculated to the next highest whole number.
  4. To determine the total number of required shrubs, multiply the total number of required canopy trees by three. One canopy tree may

substitute for 3 shrubs. Trees and shrubs do not have to be equally spaced and may be grouped.

(D) *General Landscaping Standards.* All required Streetscape, Boundary Buffer, and Interior parking lot landscaping shall comply with the following standards.

1. Canopy trees shall be deciduous trees with a minimum of 12 feet in overall height or a minimum caliper of 2 ½ inches when installed, and have an expected height of at least 35 feet at maturity.
2. Understory trees (flowering/ornamental trees) shall be a minimum of 5 feet in height in clump form or a minimum caliper of 1 ½ inches when installed.
3. Evergreen trees shall be a minimum of 5 feet in height when installed.
4. Shrubs shall be at least 18 inches in height or 24 inches in spread when installed.
5. Existing mature trees and shrubs that are preserved may be used to fulfill landscape requirements on a one to one basis except that any mature trees with a caliper greater than 6 inches may substitute for two required trees.

#### **154.84.6 ARCHITECTURAL REGULATIONS.**

The purpose of this section is to require architectural features for all nonresidential uses which increase visual interest, reduce undifferentiated masses and relate to the pedestrian scale, in accordance with the following standards.

- (A) Facades shall have a defined base or foundation, a middle or modulated wall, and a top formed by a pitched roof or articulated cornice, in each instance appropriate to the building style.
- (B) Buildings with continuous facades that are 90 feet or greater in width shall be designed with offsets (projecting or recessed) not less than two feet deep, and over intervals between offsets of not greater than 60 feet.
- (C) Building facades may be constructed from stone, masonry, cement fiber board, wood siding, split-face, textured concrete, heavy gauge vinyl, glass or other materials which provide the same desired quality.
  1. Concrete masonry units (CMU or block) shall be textured or split-face and otherwise not smooth.
  2. Office uses may use architectural metal panels, glass (up to 75% of the façade area) and ornamental metal.
  3. Stucco, EIFS, or other similar material shall be used for trim or architectural features only.

- (D) Buildings constructed of metal shall be prohibited, except as provided in Section 154.84.6(C)(2).
- (E) Roofs may be pitched, use stepped parapet walls, three dimensional cornices, dimensioned or integrally-textured materials, or be sloped with overhangs and brackets. Parapets shall not exceed more than one-third (1/3) the height of the supporting wall.
- (F) Entryway features are required at the primary entrance to the structure and shall include elements such as: covered entries, integral planters, awnings, raised corniced parapets over the door, arches, or architectural details such as tile work and moldings that are integrated into the building structure and design.
- (G) The architectural style, materials, color and design on the front elevation shall be applied to all elevations of the structure adjacent to any public street, primary internal drive or residential use.

#### **154.84.7 SIGNAGE REGULATIONS.**

No sign may be posted on public property or within the public right-of-way along public roads, except village corporation signs, highway directional or regulatory signs and traffic safety signs erected and maintained by public agencies. All signs shall be placed in such manner that they will not obstruct the vision of drivers with regard to oncoming or intersecting traffic on any public or private roads or driveways. Only the following types of signs are permitted.

- (A) *Building Signs.* Any business or other permitted nonresidential use shall be permitted one-half (0.5) square foot of Building Sign surface area for each foot of building frontage that fronts a public right-of-way or the façade that contains the main entrance to the building and such building signage shall be located on the façade from which the measurement is taken. Building signage of a commercial or advertising nature shall not be permitted for residential uses.
- (B) *Freestanding Signs.* Businesses and/or centers containing multiple businesses shall be permitted a maximum of one monument sign for the business or center for the joint use of all tenants for which the facility is designed, including any outlots, subject to the following criteria.
  - 1. Signs shall be allowed only for parcels with at least one hundred fifty (150) feet of frontage adjoining a public street.
  - 2. All freestanding signs shall be monument style ground mounted signs.
  - 3. Freestanding signs shall not exceed 8 feet in height.

4. The sign shall be setback a minimum of 5 feet from all public rights-of way and private access easements and a minimum of 20 feet from a lot line of any residentially zoned or used property.
5. Signs shall have a message area of not more than 50 square feet for nonresidential uses or 32 square feet for attached residential developments.
6. Electronic message centers/Electronic signs and internally illuminated signs shall be prohibited.

(C) *Other Permitted Signs.*

1. Church or public building bulletin boards not exceeding 10 square feet in area.
2. Temporary signs on over 40 inches from the ground and not exceeding 6 square feet in area, the purpose of which is to communicate information about the lease or sale of a building or lot, which signs shall be removed as soon as the property is leased or sold.
3. Small announcements or professional signs not over one square foot in area.
4. Highway or directional and traffic safety signs erected and maintained by public agencies.
5. Outdoor election signs, provided that they may not be erected prior to four weeks before the day of the election and that the owner of the property on which the sign is located must cause the sign to be removed within 72 hours after the election; a sign permitted under this section shall not exceed 12 square feet in area and the aggregate of all signs placed on any parcel of real property in one ownership shall not exceed 60 square feet, nor shall they be posted such that the bottom edge of each sign is more than 40 inches from the ground. All such signs shall be placed in such manner that they will not obstruct the vision of drivers with regard to oncoming or intersecting traffic on any public or private roads or driveways.
6. Temporary signs associated with an approved temporary use not exceeding 10 square feet in area.

#### **154.84.8 AMBERLEY GREEN DISTRICT (AGD) DESIGNATION PROCESS.**

Establishment of an Amberley Green District (AGD) designation and all subsequent development and redevelopment within an established AG district shall be conducted in accordance with the following processes.

- (A) *Concept Plan Submission.* The submission of a Concept Plan is required as the initial process for establishment of the AGD district. The applicant is encouraged to engage in informal consultations with the Village Building Commissioner prior to preparing the Concept Plan, it being understood that no statement or representation by the Building Commissioner shall be binding upon the Village. The applicant shall prepare a Concept Plan and

shall submit the number of copies of this Concept Plan as specified by the Building Commissioner along with the completed application to the Planning Commission for consideration. This Concept Plan submission shall contain the following:

1. A written text setting forth in detail the criteria and conditions which the developer will follow in determining final elevations, locations of improvements, maximum slope, size, density, character and management of the development for the purposes of a Final Development Plan.
2. An existing conditions map showing existing topography, including the location of natural features such as creeks, ponds, significant stands of trees and other nature features of note requiring special consideration, as well as man-made features including easements, roads, sewer lines, adjacent property lines and all existing structures located on the property.
3. A preliminary development plan map of the property showing land use, general topography and physical features and the following information:
  - a. Property boundaries;
  - b. Proposed street plan indicating all surrounding streets and access points as well any private streets or walking trails;
  - c. Proposed pedestrian circulation system including sidewalks and hike/bike trails;
  - d. General location and size of different land use areas;
  - e. Density levels or maximum building size proposed for each area;
  - f. General location of schools, parks or other community facility sites, if any
  - g. Setback and height requirements for each area;
  - h. Proposed drainage plan;
  - i. General utility layout;
  - j. Parking layout for non-residential uses;
  - k. Preliminary geotechnical data indicating soil types for any area containing slopes in excess of 20%;
  - l. Any other information specifically requested by the Village to adequately review the proposed AGD district.
4. A written description of the management of any open spaces or common areas describing the form of organization to be followed in the establishment of a property owners' association in the event that the care and maintenance of such common areas is to be the responsibility of the property owners. This description shall also include any proposed covenants and restrictions designed to govern open spaces or other common areas.
5. Time schedule of projected development if construction is to extend beyond a two (2) year time period.

- (B) *Village Planning Commission Review and Recommendation.* The Village Planning Commission shall study the application and Concept Plan and shall hold a public hearing within thirty-five (35) days of the time of application. Following this public hearing, the Commission shall make a report to the Village Council recommending approval, approval with modification, or disapproval and the reasons therefore. The Commission may explicitly impose special conditions relating to any pertinent development characteristics as needed in making a recommendation. The Commission shall also have categorical ability to recommend varying or relaxing the standards of this chapter and the Zoning Ordinance as part of the recommendation provided that any such request is found to meet the intent of the AGD district.
- (C) *Conditions of Approval.* Upon receipt of the recommendation of the Village Planning Commission, the Village Council shall study and review the proposed Concept Plan and shall approve, modify, or disapprove the application on the basis of (1) all application requirements have been satisfied, and (2) finding that the following specific conditions are met:
1. That each individual section of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained;
  2. That the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts in these regulations;
  3. That the internal streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic and that a traffic study has been completed to ensure adequate capacity for traffic in the vicinity of the development if requested by the Building Commissioner, Planning Commission, or Village Council;
  4. That any part of a development not used for structures, parking and loading areas or streets shall be landscaped or otherwise improved;
  5. The development will not impose an undue burden on public services and facilities such as fire and police protection.
  6. That the density of each individual phase of the development, as well as the density of the entire project shall not exceed the maximum allowable density as permitted in the AGD district.
- (D) *Village Council Action.* Council shall have thirty-five (35) days from the date of the report and recommendation of the Planning Commission to hold a public hearing for consideration of the Concept Plan. Action by the Village Council shall be as follows:
1. If from the facts presented, the Council is unable to make the necessary findings specified in Section 154.84.8(C), Conditions of Approval, the application shall be denied or returned to the applicant for clarification. In taking action, the Council may deny the Concept Plan or may approve said plan subject to specified amendments.

Council shall also have categorical ability to vary or relax the standards of this chapter and the Zoning Ordinance as part of the approval provided that any such request is found to meet the intent of the AGD district. If the application is approved by Council, the approval of the Concept Plan shall be limited to the general acceptability of the land uses proposed, density levels and their interrelationship, and shall not be construed to endorse precise location of uses, configuration of parcels, or engineering feasibility which are to be determined in subsequent preparation of detailed site development plans. Approval of the Concept Plan shall constitute the creation of a separate "AGD" Zoning District. The new zoning designation shall replace any existing zoning classification.

2. At the time of adopting any Ordinance establishing an "AGD" District, the Council shall make appropriate arrangements with the applicant, which will ensure the accomplishment of the public improvements and reservation of common open space of the public improvements shown on the approved Concept Plan.

(E) *Final Development Plan Approval Process.* Once the Concept Plan has been approved by the Council, a Final Development Plan for each section of the overall development must be reviewed and approved by the Building Commissioner prior to the issuance of any Zoning Certificate. The Final Development Plan shall be in accordance with the original Concept Plan; shall be prepared for the applicant by a professionally competent engineer, architect and/or landscape architect; and shall include the following:

1. Site plan indicating lot lines, building outlines, off-street parking and loading spaces, pedestrian walkways and vehicular circulation.
2. Preliminary building plans, including floor plans and exterior elevations.
3. Landscaping and buffering plans.
4. Evidence that the development will not impose an undue burden on public services and facilities such as fire and police protection.
5. Specific engineering plans, including site grading, street improvements, drainage and utility improvements and extensions as necessary.

Approval of each Final Development Plan for each unit of an AGD district shall be valid for one (1) year. No Zoning Certificate or Building Permit shall be issued for any structure within the AGD district until the final Subdivision Plat has been recorded with the County Recorder, if applicable.

(F) *Amendments to Approved Concept and Final Development Plans.* An approved Concept Plan or Final Development Plan within the AGD district may be amended by the following the procedures:

1. Minor Adjustments. Minor adjustments to an approved Concept Plan or Final Development Plan which become necessary because of field conditions, detailed engineering data, topography, or critical design criteria may be authorized by the Building Commissioner. These minor adjustments may be permitted, provided that they do not increase density, do not including any variances to the Zoning Code, decrease

the number of parking spaces, or allow buildings closer to abutting residential property lines.

2. Major Adjustments. Changes to an approved Concept Plan or Final Development Plan determined to be major adjustments not authorized above and not including any modification of written conditions of approval contained in a Village Council Ordinance shall require review and approval by the Village Planning Commission.

(G) *Appeals.*

1. Any party aggrieved by the administrative decision of the Building Official concerning a Final Development Plan or Minor Adjustment to a Final Development Plan may appeal within 30 days of the date of the decision to the Village Planning Commission.
2. Any other appeal of the legislative action of Village Council concerning a Concept Plan or the administrative action of the Planning Commission concerning a Major Adjustment may be appealed following the procedures for such appeal as outlined in the Ohio Revised Code.

## Planning Commission Comments regarding Amberley Green Development District Text

1. Comments about potential allowable principal uses on the property like hospital, nursing homes, assisted living facilities and hotel.

The inclusion of these uses does not mean Amberley Village plans to allow all the listed usages, but these are concepts the Village would consider. The purpose of the proposed zoning text is to anticipate possible usages in the future and allow for flexibility/creativity. Village Council and staff carefully considered the list to keep as many options open for the future as possible. This was done with the premise the Village controls the property and ensures the Village can act should an opportunity presents itself that would meet Village objectives. Principal uses are subject to Village approval, as owners of the property, but can only be considered if included in the zoning text. By exclusion from the list, a principal use cannot be considered at all without completing a full zoning text amendment involving Village Council and Planning Commission.

Planning Commission recommendation options:

- a. Leave the principal permitted uses intact.
  - b. Further define any principal permitted uses to be included.
  - c. Eliminate specific principal permitted uses.
2. Comments about event center being listed as both profit and non-profit.

154.84.1 (A) 4 refers to “Banquet/Event Center” and 154.84.1 (A) 6 refers to non-profit event centers.

There is no reason for profit vs. non-profit. The non-profit was included from the beginning and then it was suggested that banquet center be listed as a principle use. The reference to non-profit can be removed.

Planning Commission recommendation options:

- a. Leave both profit and non-profit intact.
- b. Eliminate non-profit.

3. Comments regarding height restrictions.

154.84.2 places a restriction at two and one-half stories or 35 feet in height.

The height was originally greater, but the consensus of Council was to keep it at 35' and if a higher office building was proposed, a variance could be sought. Staff did include a provision originally to allow greater height with additional setback but that was removed.

2.5 stories is consistent with other sections of our code. 35 feet would allow 2.5 stories with a pitched roof but adding height without adding additional stories isn't recommended.

The key is to determine what style architecture to encourage and what you would allow. The "typical" floor to floor of an office building is 13'6". For a traditional "flat roof" office building, that would translate into 27' plus the roof parapet of +/- 3' for a total of 30'. Then if there is rooftop HVAC equipment, you would want that screened and that would also add to the total height. Where you run into trouble with the 35' limitation is when there are higher finished ceiling height requirements due to the use or higher first floors for aesthetic reasons.

If you allow higher total building heights, this will allow higher floor-to-floor heights and different roof types.

If you want to allow for a 3-story building, zoning text should read up to 45' in height and 75' for a 5-story office building.

Another option is to set a maximum height and stipulate for every one foot of height above the maximum, each of the required front, side, and rear yard setbacks are increased by two feet.

Planning Commission recommendation options:

- a. Leave the height restriction intact.
  - b. Consider a two and one-half story limitation but allow for a much higher total height to accommodate pitched roofs.
  - c. Increase the height restriction to 45', 60' or 75'.
4. Some concern about lot size for residential development at 8,000 square feet will not generate the type of housing for residents that want to downsize but will generate a small house on a small lot equaling a low-price house.

Originally, the Village had a 5,000 square-foot lot size at one time and we also included attached single-family as a use in a previous draft. Attaching homes would require attached single-family to be listed as a permitted use. Other than that, the minimum lot size, and therefore the permitted density, is a number that needs to be decided through the process. Village Council will make that determination when there is a proposal for the residential piece of the property and could establish covenants for the property as well. More density is generally supported by the planning profession but may not be right for the village.

Minimum lot sizes are typical in zoning and minimum lot sizes determine how small a developer can subdivide a lot. However, these criteria do not guarantee a particular price point for residential. What Council was attempting to accomplish is a different single-family option in the Village. Smaller lots do not necessary translate to lower price points and from a planning standpoint, what seems to be trending right now is a large house on a small lot.

To control it further, material requirements (like no vinyl siding), minimum square footage of houses, minimum setbacks, etc. could be incorporated into the regulations or part of the covenants.

Planning Commission recommendation options:

- a. Leave the minimum lot size intact.
- b. Modify the minimum lot size with the intent to get a higher priced single-family residential house.
- c. Recommend covenants to address the concern.

5. Some concern that landscaping standards are too light.

3 shrubs per 100 feet is noticeably light. 4 trees per 100 feet is appropriate allowing 25 feet between trees and that standard is included in the Hamilton County zoning code and was prepared by a landscape architect in 1996 as the minimum space necessary to allow canopy trees to grow properly. The Hamilton County code includes between 10 and 20 shrubs per 100 feet for streetscape and boundary buffers; raising the 3 shrubs to 10 or 20 shrubs per 100 feet would be a good suggestion to beef up landscaping.

Reference was made to Mason's landscaping. Their landscape code has been attached and is applicable as it is considered heavy.

Planning Commission recommendation options:

- a. Leave the landscaping minimums intact.
- b. Modify the landscaping standards to mimic another community.

6. Some concern about unnecessary architectural restrictions in 154.84.6 that are too restrictive.

Architectural standards are subjective. The ones that were included are a minimum set of standards to require buildings with undulating facades and variable roof lines. If a more modern character is desired, they can be modified to allow flat facades and roofs lines and more glass. It is up to the Village as far as what character is desirable.

Here are some standards related to exterior buildings from the City of Mason Code:

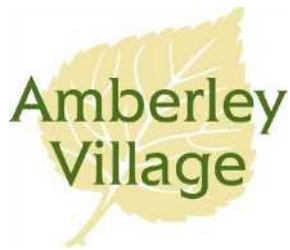
D) Exterior Building Material.

- 1) Unfinished or unpainted non-decorative concrete block shall not be used on any exterior wall.
- 2) Metal siding shall not be used on any wall facing a public street or a residential district. If metal siding is utilized on any remaining wall, it shall be subject to the approval of Planning Commission.
- 3) A combination of brick, masonry, glass, architectural metal wall panels, or other suitable building materials shall be used on the front facade of the building, subject to the approval by Planning Commission.

E) Mechanical Screening. All roof mounted mechanical equipment shall be screened from view from adjacent property and zoning districts and from roads right-of-way in all zoning districts using durable, compatible, opaque materials.

Planning Commission recommendation options:

- a. Leave the architectural restrictions intact.
- b. Modify the architectural standards to mimic another community.



## **Ordinance 2020-16: Amberley Green Zoning Code Text Public Hearing Testimony**

### **Planning Commission of July 8, 2020 Public Hearing Minutes (Approved)**

Mr. Louis Katz of 6785 East Beechlands Drive thanked the Planning Commission for the opportunity to speak. He stated he was a lifelong resident, and had served as a public servant to Amberley Village. He stated he was opposed to the development of Amberley Green, and felt it was the wrong time to make a decision on the property in light of the COVID-19 pandemic. He requested the discussion of zoning text be tabled until after the passing of the pandemic.

Mr. Lauer stated he was confused about what the process would look like. He asked for a description of how the concept stage would appear.

Mr. Lahrmer stated that, as the Village does not have Planned Unit Development Zoning, it sought to create zoning text specific to the property at Amberley Green. He said the application process would involve the submission of a Concept Plan to staff to be vetted. Once acceptable to staff, it would be referred to the Planning Commission for consideration. After going through the process with the Planning Commission, it would then be passed to Council.

The Village wanted to ensure this would be a multistep process, making it necessary for public meetings throughout the process as a way of giving ample opportunity for resident input.

Mr. Lauer said he understood that as owners of the property, we don't have to do anything we don't want to, but expressed concern that if someone submits a concept plan that meets all other objective criteria laid out in the text language, it could create a situation that leaves the Village unprotected if it rejects a proposal. He said he felt the property needed to be developed in a wholistic manner.

Mr. Lahrmer asked Mr. Snyder to respond, to which Mr. Snyder stated the difference with the Amberley Green Zoning Text is that there would not be a map amendment with it. He said the zoning would remain Residential A, forcing a developer to adhere to the full zoning change process, including public hearings. This process protects the Village in that it requires a full zone change vs. a conditional use.

Mr. Snyder said the text wasn't meant to create the vision; instead, it is meant to set up a district and a process for a potential development to submit a vision.

Mr. Rubenstein asked if there were other examples of this type of structure in Hamilton County, to which Mr. Snyder replied this was fairly unique. He stated the district was set up to be strict in terms of Hamilton County standards.

Mr. Lauer asked Mr. Bardach and Mr. Wolf if they had any questions. Mr. Wolf asked if there would be a way for the Village to say "no" to a concept that met the criteria. Mr. Snyder explained there is no concept criteria in this text; concept criteria would only be able to be approved by Council first.

Mr. Bardach stated his concern from the beginning was the potential for litigation, however, he said he was satisfied the language both addressed his concerns and would prevent such litigation from being an issue moving forward.

Mr. Lauer outlined some additional concerns regarding usage for the record, including the following:

- The inclusion of hospitals
- The distinction between non-profit and for-profit event centers
- Nursing homes, assisted living, retirement facilities
- Hotels
- Retail/mixed use space not addressed adequately
- Required minimum lot seems excessive
- Height regulations too short
- Lot area for residential significantly smaller than elsewhere in the Village; consider combined residential structures
- Other uses 1/2 acre; try to be as flexible as possible to encourage creativity and best possible use of space
- Parking regulations confusing and seem excessive; would like to see more flexibility
- Allowance of 5 – 7 foot fences or walls, which is different than everywhere else
- Landscaping standards insufficient
- Lighting of signage needs more work; balance of visibility both day and night without polluting surrounding properties
- Generally concerned about the process, which gives zoning authority to council vs. planning commission; wants to strengthen the voice of the planning commission

Mr. Lauer said he has been involved in the site since 2003, and hopes to see a longlasting benefit to the Village. He said while he thinks things have changed since then, he ultimately hopes we do this the right way. He said he agrees with Mr. Katz and feels we haven't done enough to retain a developer who shares our vision for this site.

Ms. Rissover said she agreed with much of what Mr. Lauer and Mr. Katz had said. She said she shares Mr. Lauer's concerns that 2 1/2 stories is still too restrictive, and that architectural styling is too restrictive.

Mr. Steve Cushard of 3205 North White Tree Circle stated he had submitted comments for inclusion in the public record. He stated he had concerns with including concept plans in the zoning text. (See attached transcript).

Mr. Bardach stated he assumed we would see all comments included in the record.

Mr. Lahrmer confirmed comments would be included. He then stated he wished to address some of the concerns expressed by the Planning Commission. He clarified that anything not included in the principal use section of the language could not be considered for the property, and explained this was why some of the uses mentioned by Mr. Lauer were included, such as the hospital, hotel, nursing home and for-profit vs. non-profit event center usages.

Mr. Snyder explained that the 20% retail clause was included as a way to include a gift shop in another primary use rather than strictly a retail location.

Mr. Lauer suggested we would want to consider mixed-use buildings with retail on the first floor with offices/residential on the upper floors. Ms. Rissover agreed.

Mr. Lahrmer also stated the reduced housing size was included at the request of council, which did not want housing to share walls, but wanted to be able to offer housing that differed from what was currently available in the Village. This is why there is nothing about combined structures.

Mr. Lauer stated if this came from Village Council, his concern is that a small house on a small lot is not going to attract retirees so much as those looking for lower-priced homes. Ms. Rissover felt it may have been modeled after larger homes on smaller lots like those located in Blue Ash. Mr. Lauer suggested this should be given more thought.

Mr. Lauer stated he had issues with the height restrictions as well, and that to encourage office buildings, standards would require at least three if not 4 – 5 stories. Mr. Lauer asked if our fire service could accommodate such height structures, to which Mr. Lahrmer stated it could.

Mr. Snyder was asked why parking standards were set how they were, as they seemed to be somewhat excessive. He replied that standard parking guidelines were set by the planning association, and have been in practice since the 50s. He said these are the same standards used throughout Hamilton County. He added that parking plans must be approved as part of any concept plan, and that shared parking is highly encouraged. He stated numbers included in the language are simply there as a standard.

Mr. Lahrmer said there are standards he expected PC to recommend removing in the concept plan process to allow more flexibility for developers. He said fencing was allowed at 7 feet so as to allow it to surround a dumpster.

Mr. Lauer raised discussion of lighting for signage as a final concern, and wanted to be sure path lighting and exterior lighting are considered as well. Mr. Snyder stated it was left out since it would be considered as part of a concept plan.

Mr. Katz said the plan would exclude any new idea that isn't a part of the plan. He felt the discussion was unnecessarily restrictive. He further stated he felt we didn't need this at all, and that it was foolhardy.

Mr. Rubenstein asked if it was unusual to put something like this out before a plan is in place. Mr. Snyder said it was not unusual at all when there is a portion of the community that is different than others where a municipality wants to maintain some control.

Mr. Wolf stated he felt any housing built at Amberley Green would need to be upscale. Mr. Bardach stated housing wasn't a money-maker for the Village, so his position was to look toward alternative development.

Mr. Lauer asked if the Planning Commission needed to make recommendations. Mr. Lahrmer said it did, and that the recommendation should be approval or provide recommendations with an explanation of those recommendations.

Mr. Lauer asked if the proposal could be tabled to allow staff to gather additional information in the areas of concern stated by the Planning Commission. Ms. Rissover asked if there would be permitted variances, to which Mr. Lahrmer said no.

Mr. Snyder stated the Planning Commission would have the power to approve similar uses, but use variances were extremely frowned upon.

Mr. Lauer said the concern was that we were shutting off ideas that haven't been conceived yet, and that he wouldn't want to discourage creative thinking because we've made it too difficult to work around.

Mr. Snyder stated the same concerns had been raised with Council. Ms. Rissover said it seemed so broad and so restrictive all at once, almost as though there was something in mind that they didn't know about.

Mr. Snyder stated the philosophical discussion regarding "too much" or "too little" are certainly part of the process and can be changed to reflect the wishes of council and the Planning Commission.

Mr. Lauer moved to table the discussion to allow administration time to revise proposed text, which was seconded by Mr. Rubenstein. Mr. Bardach asked Mr. Lahrmer when the language would be ready to revisit. Mr. Lahrmer stated August or September. Mr. Bardach requested the draft be expedited to August if possible.

A roll call vote to table the proposed text was recorded as follows:

AYE: Bardach, Lauer, Rissover, Rubenstein, Wolf (5)  
NAY: (0)

It was also agreed the public hearing would be extended to the next meeting to allow residents an additional opportunity to address the proposed changes.

## **August 3, 2020 Public Hearing Minutes (Approved)**

**Mr. Colin Driscoll of 6600 Ridge Road** took the podium to say he had listened to the audio of last meeting multiple times and read through the minutes. He read through a list of responses from Planning Commission members from the previous meeting that he said resonated with him. He also read testimony from Mr. Louis Katz from the previous meeting, and stated he wholeheartedly agreed with his opposition to the zoning code text.

Mr. Lauer stated he supports the effort to send the message that Amberley Village is open for business, but wanted to remove all language regarding height, landscape, lighting and similar aspects of development. He said as the Village will control the use of the property, he would encourage site plans to include all the details with the intention of marketing to people with fresh ideas.

Mr. Wolf asked Mr. Kaake what disadvantages there might be in following Mr. Lauer's recommendation. Mr. Kaake stated the practical problem might be with consistency.

Ms. Rissover stated she agreed with Mr. Lauer, and felt that an overall plan would be preferable, and asked Mr. Bardach for council's perspective.

Mr. Bardach said there were only a few developable areas on the property, and that building infrastructure was not affordable for the Village, so would have to be done by a developer. He said the structure needed to be in place for developers to follow.

Mr. Lauer said the problem with the plan was that it is too restrictive, and would disallow submission of a plan. He said the Village would not encourage people by limiting them.

Mr. Wolf said there had not been much interest in the property, and the Village doesn't have enough money to afford not to develop it.

Mr. Lauer asked why, given the challenges of economics, topography, traffic and utilities, the Village would want to make it even more difficult to develop. He said he would feel differently about it if the Village didn't own the property.

Ms. Rissover stated Blue Ash should be the model for Amberley Green. She said the Village cannot restrict developers, and must be more open. Both she and Mr. Wolf suggested reviewing allowed uses.

Mr. Lauer asked why language describing single family units did not allow them to be attached. Mr. Lahrmer stated council did not want shared walls.

Ms. Rissover said the 20% retail usage language was too restrictive. Mr. Lahrmer stated the language was written to outline specifications, but that variances could be requested. Mr. Lauer expressed concern regarding the practicality of requiring variances, and said the process was too cumbersome and would scare off developers.

Mr. Lahrmer indicated the Planning Commission could recommend that Council consider a greater capacity for retail.

Mr. Lauer moved to recommend that council amend the zoning code text to maintain the current land usage classifications as written, with the exception of the 20% mixed use facilities, and remove all other requirements to be included as part of the concept plan submission. Mr. Lauer stated developers should be able to proceed without having to acquire additional variances. He envisioned a preliminary plan with a more detailed plan to follow.

Mr. Wolf stated he including only principal uses in the document.

Mr. Brown walked through the process as proposed to clarify the steps. Mr. Lauer said he still felt the Village needs a developer, and the process as written is too cumbersome.

Mr. Lahrmer said he was hearing Mr. Lauer state he would prefer to have the process be more specific with a preliminary and a final plan vs. the concept plan as written. Mr. Lauer confirmed this was his intent. Mr. Lauer then moved to recommend Council amend the zoning text to maintain the principal uses as written, with the exception of the 20% mixed use space, and to remove all other language.

Mr. Wolf seconded the motion, and a 3-1 roll call vote was recorded as follows:

|      |                       |     |
|------|-----------------------|-----|
| AYE: | Lauer, Rissover, Wolf | (3) |
| NAY: | Bardach               | (1) |

The public hearing was closed at 8:41 p.m.

**Mr. Driscoll of 6600 Ridge Road** asked for an additional opportunity to speak. Mr. Bardach stated the public hearing was closed, but allowed him to speak as a courtesy if he kept it brief. Mr. Driscoll read quotes from previous Village leadership, recapped

some of the history of the property and offered opinions on various aspects of Amberley Green. Mr. Bardach thanked him for his input.

## **Council Meeting of September 14, 2020 Public Hearing Minutes (Approved)**

**Mr. Steve Cushard of 3205 N. Whitetree Circle** joined the meeting by phone, and said he had attended the last two Board of Zoning Appeals meetings and still had questions and concerns regarding why the Village wished to adopt new zoning code text. He felt the issue should be tabled as there was no set plan for the property. He said he felt we should hire an outside expert to manage the property and we should not rush to adopt new zoning code language. He suggested instead of zoning code text, the Village should issue a statement of understanding that we are open to development proposals.

**Mr. Louis Katz of 6875 East Beechlands Drive** also opposed the adoption of new zoning code text. He referenced past efforts to identify fresh ideas for Amberley Green, and the Village's inability to find the right fit. He stated the Village has historically been unwilling to settle. He said he had learned that the ordinance had already cost the Village \$5,000 to draft and said he and many others were still unable to understand what was in it. He felt it disingenuous to pursue the issue during a pandemic, and felt doing nothing was better than doing something wrong.

**Mr. Colin Driscoll of 6600 Ridge Road** commended council for consideration of Resolution 2020-26. He read from the Village Code and the Ohio Revised Code regarding the purpose and duties of a Planning Commission. He asked Council to strongly consider the recommendations of the Planning Commission to only include possible land usage options.

## **Council Meeting of October 12, 2020 Public Hearing Minutes (Approved)**

**Steve Cushard of 3205 North Whitetree Circle** said he felt there was no need to make a decision regarding Amberley Green right now. He said decision-makers still seemed unsure, and urged Council to develop a comprehensive land use plan before moving forward. He said a master land use plan would move through more seamlessly, and referenced local projects that utilized master land use plans. He said he didn't feel there was enough feedback from residents to move forward.

**Bob Roth of 8068 Sagamore Drive** joined the meeting by phone to say he had a strong appreciation for the greenspace in Amberley Village, and he approved of most of the uses outlined in the proposed zoning code text. He said the variety of uses

permitted shows the Village's willingness to compromise. He said there was one important usage left out, and stated multi-unit residential development should be included in the language. Mr. Roth said a modest number of condos would be effective in attracting young professionals and retirees. He then asked if the zoning code text might allow for the JCC to expand.

Mayor Muething responded that the JCC is no longer in discussion with the Village regarding the property. Mr. Roth stated he was opposed to the JCC expanding to Amberley Green for the small cost that had been suggested in previous public meetings.

**Colin Driscoll of 6600 Ridge Road** said he and Steve Cushard were confused about some of what had been said at the previous meetings, and didn't understand how zoning code text would have made a difference with the Scottish Rite. He said it wouldn't be any different than development done by the JCC in the past.

Mr. Lahrmer stated the entire zoning ordinance as proposed would affect the zoning for Amberley Green, not just what the Planning Commission recommended.

Ms. Kamine clarified that she thought Mr. Driscoll's question was more with regard to the Planning Commission's recommendations to Council.

Mayor Muething stated Council referred the ordinance to the Planning Council for comment, but that Council was not bound to accept the recommendations. He stated this is part of the process, and the original ordinance was under consideration.

**Joyce Devoge and Jack Castro of 7925 Sagamore Drive** joined the meeting by phone and stated they were new residents, and were impressed with the unusual number and variety of specimens of mature trees on the Amberley Green property and throughout the Village. Ms. Devoge said the benefits of these trees included huge amounts of oxygen which could not be replaced, and excellent mental health benefits. Ms. Devoge urged Council to look into studies regarding the benefits of mature trees before making any decisions regarding Amberley Green.

## **Special Council Meeting of November 19, 2020 Public Hearing Minutes (Draft)**

**Steve Cushard of 3205 North Whitetree Circle** thanked council for the additional public hearing. He stated approval of Ordinance 2020-16 was not preferred, and questioned the legality of the public hearings, which have encountered technical difficulties. He then read written testimony previously submitted (see attached).

Mr. Cushard emphasized the importance of receiving input from the community.

**Colin Driscoll of 6600 Ridge Road** suggested council should rediscover its roots, and read a written timeline of events (see attached).

Vice Mayor Wolf responded to resident testimony by stating the Special Meeting of Council represented the fourth reading of Ordinance 2020-16, and said the Village had held an abundance of meetings, with focus on accommodating resident feedback. She said the meetings have resulted in the same residents providing the same feedback.

Ms. Wolf said council had otherwise gotten no indication that residents wish them not to move forward, and cited the recent Village Council elections, where voters retained the current council members over candidates who expressed a desire to slow the process. She said she felt despite the extraordinary amount of opportunity to provide feedback, the demand for additional feedback was only attractive to those who wished to stop the progress. Ms. Wolf stated her concern was that nothing would happen at Amberley Green when many residents wished to see the property bring in revenue.

Mayor Muething addressed Mr. Cushard to clarify that the private meeting held between Mr. Lahrmer and a developer mentioned in his comments was no different than past meetings, which were to gain knowledge and not to satisfy a hidden agenda. The Mayor said he was disappointed to have heard that taken out of context.

Ms. Conway referenced the timeline Mr. Driscoll recited, and said it was not her recollection that the Request For Proposals (RFPs) had been based solely on feedback from the Long Range Planning Commission. She said mixed-use development had also been identified as desirable, which was taken into consideration when developing the Amberley Green District Zoning Code text. She asked for confirmation of her recollection.

Mayor Muething responded to Ms. Conway's statement, and confirmed the Long Range Planning Committee was not the sole basis for the RFPs.

Ms. Conway said that there had been a four-year lapse between adoption of the RFP and bringing Amberley Green to market. She said during that time, there was a severe financial crisis and a leadership transition. Ms. Conway credited the transition in leadership for resumed activity at Amberley Green, and stated council had done an excellent job of following the process in a methodical and appropriate manner. She said the process has included feedback from a variety of sources and a lot of communication to residents along the way.

She said she had personally been involved in extensive public outreach efforts in the fall of 2019, as it was a central issue. She reminded residents that zoning is only one piece of the process, and asserted her view that the process had been extremely inclusive.

Mayor Muething said Village communications to residents regarding the process at Amberley Green had included multiple mailings, newsletters, videos and a consistent

widespread request for feedback. He said it was not right to say the Village had not sought comment.

Mr. Warren asked the Mayor to clarify the process moving forward.

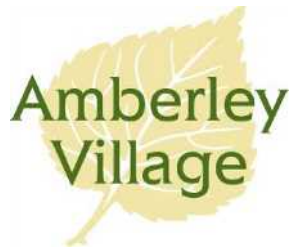
Mayor Muething said there was a scheduled Work Session for council to work through all of the feedback from residents, the Planning Commission and prior public hearings, and to give council an opportunity weigh in on any changes and develop a timeline. He said the meeting would be similar to past Council Work Sessions, and that ultimately, the goal of the Work Session would be to develop a clear path forward.

Mr. Warren stated he felt the process had been methodical, measured and open, and that it had started long before the onset of COVID-19. He said that while the process had continued through the pandemic with some challenges, he felt the Village had been accommodating to residents. Mr. Warren added that there had been quite a number of opportunities for resident feedback for a long time.

Mr. Warren said he appreciated the passion and comments from Mr. Cushard and Mr. Driscoll, and thanked them for being with council throughout the process to remind them of aspects for consideration.

Ms. Kamine said she wished for the record to show her continued commitment to greenspace and park components at Amberley Green. She also wished to publicly acknowledge that the Village Council election was not determined by a single issue. She said in the spirit of openness and transparency, residents would want to know if the MKSK slope study would be a part of the information under consideration at the upcoming Council Work Session.

Mr. Lahrmer said at the Public Buildings and Parks Committee, MKSK would share its study, which will identify undevelopable areas at Amberley Green that would add to the greenspace.



## **Ordinance 2020-16: Amberley Green Zoning Code Text**

### **Resident Written Comments**

**11/4/2020**

**Via Email**

Hi Tammy

Please deliver this email to the Amberley Village Council members and Amberley Village staff.

I support what Louis Katz, Steve Cushard and Colin Driscoll have to say about the zoning for Amberley Green. I stand behind them 100%.

Susan Glazer

9055 Rolling Ridge Court  
45236

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**11/13/2020**

**Via Email**

I would appreciate my thoughts on the Green being conveyed to the zoning committee and council. They include:

- The Village needs tax revenue so part of the entire site should be zoned to allow for light commercial enterprise. I think the site may lend itself to offices for medical and professional services. Light manufacturing would be better suited for the site of the old Gibson Greeting Card Co.
- Because the Green has been used as a park and by quite a large number of people, I recommend a section of the site be left for people to enjoy gardening, walking, playing, and walking their dogs. I DO NOT recommend a separate fenced dog area which is not good for the animal or owners. If you need to do some research, consider the fenced dog areas near Lunken Airport or Washington Park. I recommend that no dog leash ordinance be brought forward and certainly not approved. People and dogs have co-existed at the Green for years with only a few complaints.
- If some on council want to push for a leash law, please let them know I would like to meet with them.

We can generate revenue for the Village and still provide a wonderful area for people and their dogs to exercise, meet with their neighbors, and have a good healthy time. Life is too short to restrict dogs unless the people are walking them on public

streets. People and dog issues if they arise can be mitigated with some common sense.

Jim E. Hull, CFM  
513-519-9127  
[jhull.fabs@gmail.com](mailto:jhull.fabs@gmail.com)

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**11/16/2020**

**Via email**

**Attachments:**

**Colin Driscoll 11-16-2020.pdf**

**RFI.pdf**

**LRPC Report 2015.pdf**

Please find attached my Public Hearing comments to be entered into the record.

Can you also get the following to Council (as I don't know how to get it to all of them outside of having some of their personal emails).

I am referencing Peg's comment questioning the following segment of my address: "

The process moves forward as our Village Manager seeks proposals from qualified developers in 2015, specifically incorporating the Long Rang Plan."

I think she said the RFI only alluded to the LRP by reference to an attachment, or something similar.

(To be fair to Peg, it seemed that there were others who also agreed with her statement, which is why I'd like you to copy them as well)

The RFI does incorporate to the LRP by way of attachment, though page 11 of the attached RFI (red highlighted area).

Development Concept/Desired Use states:

"This concept should be consistent with the recommendations of the Long Range Planning Committee or an explanation as to how the viability of the proposed plan meets Village objectives. (listed on page 12).

So LRPC recommendations highlighted first & if a proposal doesn't fit LRPC then ...

Prior to that, on page 7 & 8 of the RFI (in green highlights) is taken verbatim from page 11 & 12 of the attached April 11, 2011 LRPC Report and Recommendations to Council.

Outside of the; history of the Village, history and characteristics of the property, the bulk of what the Village is asking of a developer, is either verbatim from LRPC Report, or likely alluded to in the various LRPC minutes & formal report to Council.

This is why I said that the RFI 'specifically incorporated the Long Range Plan & if its outdated, not market tested & not realistic, we should reconvene the LRPC and task them to update the Plan and make new recommendations to Council.

What have we to lose & why the hesitation to not follow the prescedent utilized by prior administrations?

Keep Looking UP!

Colin

513-792-2126 (w)

513-631-7233 (h)

513-410-5366 (c)

937-733-9504 (farm)

---

**11/16/2020**

**Via email**

Please find my comments with regards to the proposed rezoning of Amberley Green District (AGD):

*I encourage the Amberley Village Council to hold off on making any zoning changes for Amberley Green. Lacking a comprehensive plan from an independent developer, my concern is that the zoning changes will be overly restrictive and discourage potential developers. As a result, development maybe spotty and driven by individual projects. As these initial projects are developed, it may be increasing difficult to develop the remaining land. I believe the best use of the land can only be through a master plan, which has a unified vision and accounts for using all the land. Given the time, effort, and money expended by the Village to purchase and investigate the development of Amberley Green, it makes the most sense to hold off on rezoning, maintain the zoning as is, and actively pursue a developer to draw up a master plan. Rezoning can be addressed once a Master Plan has developed a unified vision for the whole property.*

Thanks,

Mark Bauke

3285 Southwoods Lane

# Work Order Form

## General Suggestion

Tracking Number: 14018041227  
Date Time Received: 10/05/2020 12:27PM  
Created By: James Tuohy (Citizen)

## Contact Information

James Tuohy  
jim2e@hotmail.com  
(330) 635-4450  
7775 Sagamore Dr  
Cincinnati/OH/45236

## Issue Location

7775 Sagamore Drive  
Amberley/OH/45237  
7775 Sagamore Dr

## Request Details

Describe your question or comment below.

In reviewing the proposed zoning text changes for Amberley Green, I suggest consideration of minimum or maximum percentage uses of the property. For examples, green space would be maintained at a minimum of 25% of the property, or retail space might have a maximum usage of 20% of the property.

## Request Activity

10/05/2020 12:27PM -- No activity Reported.  
10/05/2020 12:27PM -- James Tuohy (Citizen) - SUBMITTED

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature

July 8, 2020

Amberley Village Board of Zoning Appeals and Planning Commission  
Amberley Village Council and Village Manager

Thanks to all for the effort involved in developing the Amberley Green Zoning Ordinance. We must make certain this document is as complete as possible to avoid any further delays in moving forward with mindful development of the Amberley Green and prevent any legal issues which could arise.

I will reiterate what I have previously communicated to Council and to the Zoning Board. We should not move forward with any development without a Land Use Master Plan. Our previous activities have not been focused on clearly defined goals and objectives and up-to-date resident input. A Master Plan is the basis for avoiding "arbitrary and capricious" decisions.

Again, the Master Land Use Plan is the basis for the Zoning Ordinance as the book of laws, regulations, and standards that must be met to obtain approvals. As I understand, Ohio has slightly different understanding of the zoning power and basis for its integrity by leaving the power for applying zoning with the legislative body. Nevertheless, it is still advisable to have a roadmap when you don't know exactly where you're going and what to expect when you get there.

Once an opportunity comes up, and a plan is submitted that is well thought out and is supported by the Master Plan then the Village would have a clear understanding as to what is being proposed. Well thought out would include roads, tree loss, land balancing, design, materials used, parking, water, and sewer of sufficient capacity to support other uses that may not be part of the initial one, learning from our experience with the Mercy North Site development. It would be best if stormwater detention would be done as one facility so that all users contribute to its maintenance.

A Master Plan would help to answer the key question that seems to be missing and will help us to move forward with the Amberley Green property under current uncertain financial times. Who on the Planning Commission or Village Council is qualified to recognize a good development when they see it? That is what a Master Plan determines and delivers. If you work together to develop a Master Plan, everyone has buy-in, contributes, and every Village resident benefits.

I have reached out to some trusted advisors and land use experts for additional input and review of the Amberley Green zoning. I respectfully submit them for your review and consideration.

Regards,

Steve Cushard  
3205 N Whitetree Circle

## Comments on proposed Amberley Green Zoning Ordinance

### 154.84.1. Use Regulations

(A)

1. Nighttime uses and lighting of any ballfields and swimming areas could create light pollution nuisance to neighbors

6. Do you really want to permit hospitals since they are a noisy 24/7 operation with sirens and traffic? Most the other uses are typically 8 to 5 and Monday thru Friday with some weekend work.

This section also reads as though event centers, summer camps, and day camps are limited to Non-Profit. There is no difference between the operational aspects of these uses whether they be Non-profit or For Profit. Are event centers intended to be something other than what can happen at a banquet hall?

8. Hotels. All the other uses are your basic 8-5 Monday thru Friday but a hotel is a 24/7 operation. Is the hotel permitted secondary uses such as a convention facility, meeting rooms, restaurants? Highly unlikely that such an activity would happen given the limited road capacity and distance from a highway... but unless it is clear in the ordinance it could happen.

(C)

It is presumed sales are holiday trees. Good that it is noted that Sec. 154.84.8 supports all uses being treated as "Conditional Uses" unless Sec. 154.66(A)(4) bypasses the requirement as to Temporary Uses not being scrutinized like the others. Hours of operation and the loud playing of Holiday carols can be a real nuisance to neighbors.

### 154.84.3 Setbacks

Generally, suggest that this ordinance permit cluster housing when done to preserve the rolling hills and grandstands of trees. Enabling homes to share a common wall and be staggered in depth to ensure there is no "straight wall of house fronts" along any street. The units would still be in the larger square foot or more minimum. This alternative housing would serve the Village well for empty nesters and save the large trees in certain areas rather than have a site clear cut, land balanced by flattening the hills, and "real" trees replaced with 2 and 1/2 caliper "whips".

### 154.84.4 Parking

(A)

3. Religious Institutions. What about the Muslim faith and the fact their practice is to kneel on a rug for their prayers? Be more secular by stating something like "one space per eight places intended for services"

Also, in general terms it is suggested that you make strong provisions for "shared parking". No bigger insult to the environment than to take green fields and pave them over to sit empty on weekends for office users and have playfields in close proximity. Vacant and underutilized parking lots make for unnecessary stormwater retention/detention utilities.

13. Believe the 10 spaces for an athletic playfield is on the too few side unless you have some shared provisions.

18. Medical offices. No one size fits all. An example is of a medical complex with individual office buildings on individual parcels. The MRI Imaging Center had on the average 6 visitors a day and 30 spaces. A few buildings down was a team of 5 cardiologists that had follow up visits from their patients and processed about 50 patients per hour. They too had 30 spaces. About 3-5 minute visits. It spilled over onto the streets and it was a huge problem for the community. Another case for shared parking if possible.

(B)

Are pedestrian sidewalks only to be along streets? Public and private streets? Are you putting them along Ridge and Galbraith? Who pays for that?

#### 154.84.5 Landscaping

There does not seem to be anything about clear line of sight triangles at the intersection of streets with streets and streets with driveways.

3 shrubs per 100 feet seems underwhelming. Canopy trees are best when planted 25 feet apart to avoid the trees growing into one another... but that is a problem in 25 years. Could require trees with a 15-foot spacing to have more immediate impact with the full intent to selectively thin when the trees grow. Same for coniferous trees... plant closer together and plan on thinning them out. Or you end up with trees that have a "dead" side where it brushes up against another.

#### 164.84.7 Architectural

Suggest that a pitched roof be promoted to be respective of the predominantly residential character of Amberley Village. Might help make any development that occurs part of the Village instead of something that does not seem to fit.

#### 154.84.7 Signage

(B)

6. The "J" currently has one of these at their site now. Suggest these signs are effective when used for messaging and not promoting some sale with quick flashing fireworks style or anything that quickly changes and flutters. One that works more as an attention getting device would not be permitted. One could write this to permit these signs provided the text did not change but every 15 seconds and had no more than 2 or 3 colors employed at any one time.

The "J's" sign was highly effective for community interest with the Covid-19 pandemic. If the operation permitted the Village to post occasional community interest messages it might be a value to the residents. Being informed about water main breaks or traffic jams, or emergency runs by the Police, Fire and EMS services would be great to know.

Make them to be required to be turned off at 10:00 or 11:00 PM so as not to create visual pollution.

#### 154.84.8 Process

(B)

Planning Commission Review and Recommendation. It is a particularly good thing that the Commission can "explicitly impose special conditions" on any development characteristic in its recommendation to the Village Council. This is a strong message when it gets sent to the Village Council.

However, on the reverse side of this section is that the Village can "vary and/or relax" the standards of this Chapter. Appreciate the text regarding "such request is found to meet the intent of the AGO district". Suggest that this text be strengthened to require the basis for the relaxation and provide it in writing: The reasons for; the manner that the intent is met; and if any alternative means were considered that avoided the need to relax the standards.

This is the "common sense" provision that is often cited in Appeals to ZBAs but clear documentation will help avoid the Planning Commissions or the Village Council of that slippery slope of "you gave it to them why not me?"

(C)

#### Conditions

Might include considerations of conditions, if applicable, that limit hours of operation, noise, and odors (restaurants do sometimes have an offensive odor)

September 14, 2020

Steve Cushard  
3205 N Whitetree Circle

After attending the last (2) BZA/Planning Committee public hearings virtually and by viewing the YouTube videos, it appears that we should table and pause the Amberley Green Zoning Text change. Several committee members had questions and concerns regarding the zoning text and why we were even doing it. One comment was (quote) "I almost feel like there is a plan that we don't know. Zoning to a plan that we are not privy to, as it seems that random to me".

Even the Village Manager has said regarding the Zoning Text (quote) "Village does not have a specific plan for this property in terms of uses. Currently nothing in the works for the property".

Bryan Snyder (from Hamilton County) at a zoning text hearing said (quote) "this was not to create the Village Vision, but he assumed the Village would find a developer with a Vision shared by the Village."

We have no explicitly stated Vision for the property. We have no current market-based goals and objectives defined for the property. Why are we zoning and what are we zoning to?

What we need to do is plan for the zoning and not zone for a yet-to-be-determined plan. This makes no sense.

This current zoning text is restrictive. We need as much flexibility as possible and encourage creative thinking regarding development.

I do not believe some of the uses listed will ever come to fruition. That's why we need an outside expert to determine what is possible based on Village goals, objectives, and strategies. Hire an expert and let them objectively manage this development project. We do not have the skillset or expertise in-house.

For more than 12 years we have little to show by trying to manage the project ourselves.

This zoning text will allow piece-meal development, cater to special interests, and could open us up to future lawsuits.

This is an ill-conceived plan and there is no reason we need to make this decision right now. There is no rush.

We have spent thousands of \$\$ and countless hours to get to this point.

Here is a commonsense approach to this:

Forget for now any zoning standards, master plan and development standards and simply put forward a statement of understanding that the Village is interested in supporting any development that is deemed appropriate and complimentary for a residential community, that being Amberley Village.

This statement of understanding should be simple and not overly cumbersome. We own this property. Nothing can happen unless we allow it. As the Village is proceeding now, developers would be scared off with the standards and zoning that have been proposed.

Right now, the Village needs to generate interest in the site... through a solid, well-developed, comprehensive marketing plan, not through development standards that will be seen as obstacles.

Thank you.

Amberley Village  
Council Meeting / Planning Commission

October 12, 2020

This letter is the summation of living over 25 years across from Amberley Green/  
Golf Course.

I highly Implore the Planning Commission to insert the Professional  
Recommendations of CT Consultants for Access/Exits of Amberley Green, Project  
#18070 into the AG District Regulations document.

Any other location will pose Significant Financial, Physical and Safety Liabilities  
and Issues to Amberley Village and the Galbraith residents.

Thank You,  
Michael Ruzga  
2970 E. Galbraith Rd  
Amberley Village, OH



**Intro**

Thanks for letting me speak. Christine and I have lived at 8068 Sagamore Drive for 20 years. We've spent a lot of time at both French Park and Amberley Green, running, walking, and XC skiing. We have a strong appreciation of nature and green space. We're also past JCC members and have opinions about how the zoning regulations pertain to the proposed JCC expansion to Amberley Green.

**Developing Amberley Green**

I'm all in favor of most of the proposed uses implied in the proposed code for Amberley Green. When the battle over the future of Crest Hills started about 15 years ago, at the time both sides were so entrenched that I thought the best course was a compromise that preserved some of the green space, and allowed development of the rest. The proposed zoning change seems like that compromise so I'm generally for it. But I think it leaves out one important potential use, namely multi-unit dwellings, and I also have some issues with the proposed JCC expansion there. My interpretation of the proposed regulation is that it doesn't allow multi-unit buildings like condo's; is that correct? (if incorrect my statement will be much shorter!)

Starting at the time of the Crest Hills controversy it appeared that there's an faction that's thinks that almost any development in principle will damage Amberley's aesthetics and property values and I think that's wrong.

**Condos**

I've observed appealing developments in desirable upscale communities like Madiera, Blue Ash, Mariemont, Montgomery, and Villa Hills, KY to name a few. Aesthetics and property values can not only be maintained but enhanced with favorable modern changes – things like mixed use development, condos, walkability, bike & hike trails, and even roundabouts. I see an upside to including development of a modest amount of condos.

They attract residents of all ages, including young professionals, and retirees who want to live somewhere without time & effort of home & yard upkeep. The higher population density with this kind of resident can help sustain desirable businesses like restaurants and coffee shops, it enhances walkability, and it can reduce per capita maintenance requirements.

It's an old argument in our village by now but upscale condos would give older residents a chance to remain in Amberley after they feel like a home is too large or difficult to maintain. While I'd oppose anything as large as the Approach complex at Summit Park, what a great model for people being able to walk to restaurants and park space adjacent to their residence? I think banning condos ends up being unintentional age discrimination – against both younger folks not in the position of buying a house due to careers or finances, and elders unable to maintain one.

### **Prospect Point**

Some friends of ours have a condo at Prospect Point in Villa Hills, Ky. Every time we go there I'm impressed with the rolling scenic and rural environment. I urge anyone who's on the fence on this to take a trip down there. There's no reason a small multi-unit development can't fit in the future of Amberley Green and be anything but a plus.

### **Blue Ash & the JCC**

I've been opposed to the JCC expansion to Amberley Green as a giveaway to a special interest and I gave this feedback during the information meeting held last year. I believe the new zoning regulations is awritten allow this -- am I right or wrong on that?

Looking at Blue Ash, which I know has a large tax base, we see a community which uses its collective acreage and funds to provide nearly free fitness club and park access to all residents of Blue Ash and also access to Summit Park to anyone.

We were also members of the JCC for over ten years and while we enjoyed the convenience having a fitness center so close when the company I worked for moved to Blue Ash we were able to join the Rec Center there at a rate much lower than the JCC fee. We've since become eligible for Silver Sneakers and moved on to the Blue Ash YMCA; the JCC has no Silver Sneakers option and no breaks for over age 65. There have been some vague statements about limited public access to the proposed JCC expansion, but I'm skeptical. I understood this is supposed to be a day camp, and by necessity I expect it to have substantial security needs and controlled access just like the main JCC.

Now I know the J is scrupulously open to people of any race, religion, etc, but you don't get in on an everyday basis if you're not a member. Right now as a tax-paying resident of Amberley Village I don't want the gateway to any Amberley Green public development ceded to the JCC having the right to keep me out. If the JCC wants to expand their presence to Amberley Green I suggest:

- 1) The total acreage is not excessive
- 2) They pay a fair price for the land
- 3) They provide lower membership fees to enhance access for all Amberley residents
- 4) They're not allowed to set themselves up as a gateway owning the Ridge Road frontage

Thanks for letting me speak.

Bob Roth

8068 Sagamore Drive

513-478-0740

Colin Driscoll  
6600 Ridge Road  
Cincinnati, Ohio 45213  
513-631-7223 (h) 513-410-5366 (c)

Re: Amberley Green & Long Range Plan

Amberley Green cannot be addressed in isolation.

We have a deferred road maintenance deficit of some 10 million dollars, over the next 10 years.

The County Auditor's website shows property taxes for each of its 38 municipalities since 2000. Six communities we like to compare ourselves with, had an AVERAGE increase of just 8.5%, whereas ours are up over 100% during that same time period.

Within a year of acquiring AG, a 16 member Citizens Advisory Committee was formed. Not long after, The Long Range Planning Committee, convened.

Six months of meetings ensued, substantial resident input was received, and the final Report was delivered to, and approved by Council in early 2011.

This Report provided the basis for the RFI prepared by the Village Manager, seeking a development partner for The Green.

When it came time to select a developer to lead the vision, planning and implementation of the project, all applicants were eventually voted down.

Chapter 33 of the Village Code

Boards and Commissions.

Each of the five listed meet regularly, with the exception of ONE – The Long Range Planning Committee, which last met almost 10 years ago.

“The Committee is charged with considering and, where determined to be appropriate, making recommendations to Council for action to be taken in the areas of land development, intergovernmental issues, financial management, ordinances review, communications, personnel, schooling, recreation, and any other areas of long-range planning the Committee wishes to consider, and to make recommendations to Council.”

Who is on the committee?

“...the Mayor shall appoint as members the Vice Mayor as Chairperson and, subject to approval by Council, six additional members consisting of the immediate past Mayor of Council, one current member of Council, and at least four residents of the village.”

Comments by Council in early 2016, about the Long Range Plan currently in effect:

**‘the long range plan is outdated, I don’t know why we are using it’**

**‘it’s not realistic, not market tested’**

I feel that this process has been deeply flawed, without clearly stated, shared goals and objectives.

Council Members, our Village Fiduciaries, need to re-convene the Long Range Planning Committee, and update the Long Range Plan for Amberley Green.

If not for our ‘crown Jewel’, then for what?

If not now, when?

Respectfully submitted,

Colin Driscoll

November 9, 2020

Steve Cushard  
3205 N Whitetree Circle

I believe that to approve this zoning ordinance, at this time, is not what the Village should do.

Zoning Ordinances are intended to be a guide to promote diverse and complementary uses, and land activities in an orderly fashion. How many times do you go shopping for a gift and buy the gift box first? Then search for a gift that will fit in the box? That is what this Zoning Ordinance does because of the detail it has gotten into. And that's the worst situation to be in. Let the "gift" come to the Village first and then start to design the box with whatever zoning and development standards that suits the desired and acceptable development.

More transparency is needed in how we have been managing this project and process for the last 12 years. Council and the Village has invested a lot of time, and money to get to this point. A newly funded Slope Study of the property was mentioned at the last council meeting. I believe you would want this type of information before you would start any discussions on a complex zoning ordinance. And as noted in the public records, the Village is still having private meetings with potential developers.

There are no firm goals and objectives for the land. What is the Village telling developers and interested parties in these private discussions? Certainly, current resident input has not been addressed. Less than 3% of registered voters have commented on the Amberley Green during the June 2019 Open Houses. The Village Manager has indicated this input is what has driven the content of the ordinance. There is no other resident input that has been gathered from what I can determine.

Years ago, residents fought against a housing development on the Amberley Green. Do you know if residents still want limited (if any) development? Do you know if taxpayers might be willing to approve a small millage tax increase to help keep the Green green? Do you know if residents want income from the Green to help bridge the gap in our projected \$10 million dollar street maintenance requirements? What is the expected income the Village wants in return for developing the property? All this and much more public input is critical to determining how to invest and protect in our most valued asset, the Amberley Green.

In ALL planning approaches the Goals & Objectives come AFTER public outreach and input. After all, who is the Village Council responsible to please with the outcome... Amberley citizens or yourselves? Any planning process can use more public input.

Don't move forward with this zoning ordinance until you get resident input. Then determine our Village goals and objectives for the property. Land use and appropriate zoning will become much clearer by taking this path forward. We have the time to do this.

Thank you.

Colin Driscoll  
6600 Ridge Road  
Cincinnati, Ohio 45213  
513-631-7223 (h) 513-410-5366 (c)

Re: Amberley Green Proposed Zoning

Council needs to rediscover 'its roots', regarding the Amberley Green development process. Various meeting highlights .....

Feb - 2009 – Council adopts the Vision Statement of the Long Range Planning Committee (PC), chaired by Merrie Stillpass

March 09 – Council establishes a 16 member Citizens Advisory Committee to investigate AG redevelopment, chaired by Scott Wolf

September 2010 – the PC, now chaired by vice-mayor, Jon Chaiken, convenes for the purpose of making recommendations relating to the potential development of the NS & AG. Peg Conway and Scott Wolf serve on this committee.

October 10 – UC Site Planning Studio assessment will include analyses of topography, soils, visual and hydrology, and be completed in December. In attendance were: Peg Conway & Ed Hattenback.

November 10 – Amberley hosts Hamilton County World Town Planning Day, where more than 90 professional planners, students, local officials & residents, focused on the North Site & Amberley Green. The

Charrette participants were encouraged to think “outside the box’ while balancing their suggestions with sound planning principles.

March 2011 - Prior meetings and resource materials, formed the basis for a slide presentation to residents at Adath Israel. More than 150 people attended. Many prominent residents gave comments, including Ray Warren & Bill Doering.

April 11 – PC presents their Report and Recommendations to Council.

May 9, 2011 – Report adopted by Council

The process moves forward as our Village Manager seeks proposals from qualified developers in 2015, specifically incorporating the Long Range Plan.

April 2016 - The process aborts when multiple council members state the Long Range Plan, is ‘outdated’, ‘not realistic’, and ‘not market tested.’ No developer is chosen.

### THREE AND ONE HALF YEARS HAVE NOW PASSED

The Long Range Planning Committee is a committee specifically created by Village Ordinance, and tasked specifically in the area of land development.

Will nobody on Council seek wisdom and guidance from this committee?

I find your ‘silence,’ to be ‘deafening’!

Respectfully submitted,

Colin Driscoll



## **Request for Letters of Interest Amberley Green, a 133-acre tract**

Amberley Village is the owner of the former Crest Hills Country Club located at the southwest corner of Galbraith and Ridge Roads. The site consists of four parcels, totaling 133 acres with an address of 7801 Ridge Road. This unique property, referred to as Amberley Green, is a key parcel in the Greater Cincinnati area because of its size, beauty, potential and location.

The Village is seeking letters of interest from qualified development teams to design, develop and work with the Village to develop the site. The Village is seeking a private development company to partner with the Village by providing professional assistance in the design, marketing and development of this property.

Scot F. Lahrmer, Village Manager  
7149 Ridge Road, Cincinnati, OH 45237  
Phone: 513.531.8675 Fax: 513.531.8154  
[www.amberleyvillage.org](http://www.amberleyvillage.org)



July 15, 2015

I

## About Amberley Village

Amberley was incorporated as a Village on April 5, 1940. Residents took this action to ensure their local autonomy in guaranteeing the rural nature of their community. Shortly after incorporation, the Village created a combined Police and Fire Department. The Department, one of only 30 consolidated departments known in the United States, has enjoyed combined fire and police services and excellent response times.



Amberley Village is a first ring suburb of Cincinnati, with a population of 3,585 within 3.5 square miles. The beauty and serenity of mature trees, primarily one-acre lots, and open green spaces belie Amberley's location at the center of the I-275 circle, with easy access to all major highways and the entire metropolitan Cincinnati area. Ronald Reagan Highway (State Route 126) borders the Village to the north providing access within 5 minutes to I-71 to the east and I-75 to the west. Amberley is located within 15 minutes of downtown Cincinnati and 5 minutes to Kenwood Town Center, Cincinnati's premier shopping experience. The Greater Cincinnati Airport is located 27 miles from the Village in Northern Kentucky.



The Village is approximately 10% industrial and 90% single family residential properties ranging in acreage. Varied architectural styles, including mid-century modern, contemporary and traditional, add to the unique ambience. Though fairly small in size with 1,466 households, Amberley Village provides a high level of service to residents.

The Village is home to 7 industrial businesses located in the southern and western edge of the community. Procter and Gamble and Pepsi Bottling call Amberley home as do the following small businesses: Topicz, EZ Pack, Ohio Pulp, Saturday Knight Ltd. and National Liftgate Parts.

Recreationally, there's something for everyone in Amberley. The Mayerson Jewish Community Center, which opened in 2008, serves as a major gathering spot for residents. In addition to a fitness center, indoor and outdoor pools, indoor waterpark, spa and café, there are programs for all, from infant day care to preschool to speakers

to films and performances to senior activities and support services. Other amenities within the Village's 3.5 square miles are French Park, with 275 acres of trails, creeks, and picnic areas; as well as a walking track, ball fields and tennis courts on the Municipal Building grounds. Since the Village acquired Amberley Green, the former cart paths are available to enjoy walking or running amidst beautiful views of rolling hills, ponds and trees. In addition, there are tennis courts on-site, a community garden and meadowlands.

Amberley prides itself on diversity. The annual Ice Cream Social and other events are occasions to appreciate the mix of ages, races, nationalities and lifestyles in the Village, while the presence of six synagogues attest to the continued vibrancy of the Village's Jewish history. This year, the Village celebrates its 75<sup>th</sup> anniversary as a community known as a relatively prosperous bedroom community. It has a median family income of \$122,426, the second highest per capita income in Hamilton County. Amberley's median home sale price in 2011 was \$228,000 and ranks 6th out of 50 communities in Hamilton County for total property tax valuation per capita. Its large lots, heavily wooded area and wildlife offer a lifestyle in an urban area without the commuting hassles faced by suburbanites.

### **Amberley Village Government**

Amberley Village operates under the Council/Manager form of government. This system of local government combines the strong political leadership of elected officials (Village



Council) with the strong managerial experience of an appointed local government manager (Village Manager). The plan establishes a representative system where all power is concentrated in the elected council as a whole, and where the council hires a

professionally trained manager to oversee the delivery of public services. Amberley is a full service community with 31 full time employees and a \$4.2 million General Fund Budget and \$8.7 million all funds budget. Village Council provides policy and sets direction for the Village Manager.

### **Village Council**

The Amberley Village Charter was approved by voters on November 2, 1954. The Charter creates and defines powers, rights and privileges for the Village. The Charter specifically outlines all legislative powers of the municipality, except the powers of initiative and referendum which are reserved to the electors, shall be vested in Village

Council. The Amberley Village Council consists of seven members who are elected to a two-year term. All are voted on at large although five reside in and run for seats



reserved for specific geographic districts. The remaining two seats are not designated for any geographic area. Per the charter, Village Council chooses one of its members, as Mayor. Mayor Tom Muething is the presiding officer of Council and presides at public functions and represents the Village and Village government in ceremonial and other functions.

The Departments of the Village are Administration, Maintenance, and Police/Fire that provide services either to residents and businesses as well as to the Village in support of its efforts to serve its citizens. From its founding in 1940, the Village has emphasized public safety with a combined police/fire department. This model of efficiency and effectiveness was further reinforced by the Village Maintenance Department, which also serves the dual role of firefighting. Leaf and brush collection and the most efficient snow removal in the area also are especially valued by residents.

#### Administration

The Village Manager's office (also referred to as Administration) performs a variety of jobs. The Village administrative staff assists residents with questions or concerns regarding such items as road repairs, drainage problems, general customer service, trash collection, recyclables, weather-related issues and zoning issues, and serves as an information source for numerous other parties such as real estate agents checking on zoning matters or contractors inquiring as to Amberley's restrictions on construction projects. In addition to their primary job functions, the administrative staff handles:



- The preparation and filing of zoning approval files and letters, including the storage and maintenance of zoning and construction plans.

- Receipting and depositing all revenue which comes into the Village including checks from the State and County Auditors for the Village's share of various revenues and income tax receipts.
- Property Maintenance Code related complaints and violations involving collaborative work with the Police Department and Service Department to: verify the specific complaint, processing letters to property owners, and monitoring the property to assure that the violation has been corrected.

### Maintenance Department

The Maintenance Department is responsible for the maintenance of all Village properties and public right-of-ways.



The Maintenance Department's duties include the maintenance, repair, and cleaning of streets, curbs and gutters, ditches, storm sewers, inlets and catch basins, weed and grass cutting, trimming and removal of hazardous trees, brush and leaf collection, traffic signs and pavement markings, road line striping, snow and ice control, ball field maintenance, public buildings and grounds maintenance, jogging track and playground maintenance/inspection, inspection of public improvements, vehicle and equipment maintenance and repairs, fire apparatus maintenance and smaller scale road repair programs.

### Police/Fire Department

The Amberley Village Police and Fire Department was established in 1941 as a consolidated Police and Fire Department. The Department, at that time, consisted of 5 officers and a part-time Chief. The Department has grown in size since this humble beginning, and the personnel complement for 2015 was 16 sworn officers, which includes the Chief and 4 civilian dispatcher/clerks.



Amberley Village is unique in that there are currently only about 30 consolidated public safety departments in the country, with 2 existing in the State of Ohio. All life squad and paramedic services are contracted through outside agencies.



All patrol officers are state certified in law enforcement and firefighting and are classified as first responders for life squad purposes. All officers are CPR certified and each cruiser is equipped with an AED (automatic external defibrillator), and every officer is trained in its use. Every police officer/firefighter is also a trained 911 dispatcher. This mixture minimizes Village expenditures and maximizes response to the citizens of Amberley Village.

Officers also have specialized duties. Selected personnel are classified as, but not limited to, investigators, evidence technicians, fire inspectors, intoxilyzer officers, crime prevention officers, firearms training officers, Police training officers, Fire training officers and auto accident experts. However, the underlying strength of the department remains

premised upon the philosophy that the Amberley Village Police and Fire Department mandates cross training in the basics of all services.

## **History of Amberley Green Site**



Crest Hills Country Club operated at this site when it opened in 1967 but the course closed for business in 2004. The property was the subject of litigation between Village leaders who wished to maintain the Village's rural-like atmosphere and developers. Amberley Village acquired the 133-acre Amberley Green property late in 2008 from the Ridge Club after litigation over zoning.

## **Long Range Planning Committee Recommendation**

A committee of residents was appointed in 2010 and presented their findings in 2011 to Village Council. This report was adopted by Council on May 9, 2011. The report from the Long Range Planning Committee (LRPC) is listed as an available document in the Appendix. The report included the following specific recommendations for Amberley Green:

The LRPC recommends a mixed-use development at the Amberley Green encompassing four concept categories that will maximize economic benefit to the Village while also providing value to residents. Only a leading-edge, well-integrated development is worthy of this unique site.

## RECOMMENDATIONS - Amberley Green

### 4 concept categories



Institutional / corporate



Community / civic / green space



Agricultural



Residential

The varied concepts of the Committee's recommendations stem from a single, holistic vision of health – fiscal, personal, communal, and environmental. It is assumed that the Village would retain ownership control of the property as it is developed. The Committee recommends that Council and the Village Manager pursue development options incorporating the following four concept categories:

**Institutional/corporate** – Envisioned as a high-revenue-generating entity such as a health care/research/educational facility or a corporate office, this aspect of the recommended development plan is foundational to the other concept categories. Amberley Green's beauty, location and size represent a unique opportunity for the right user. A national search should be undertaken to identify potential tenants. Evaluation of proposals should include a traffic study to gauge impact on nearby residents.

**Agricultural** – The movement toward regional food economies is gaining momentum nationwide, and Amberley Green offers tremendous potential to capitalize on this trend to the benefit of the Village. This concept category could begin with vegetable gardens/farmer's market but also offers the possibility of expansion to include partnerships with food service businesses, as well as

educational and other entities, to create a multi-faceted operation, depending on how the institutional concept category is developed. Basic agriculture is a flexible use relative to other uses and therefore can be pursued immediately. This concept also supports the civic/community category. The soil condition is an area of concern, given its prior use as a golf course. Appendix E contains the results of a soil study conducted on the property in 2011.

**Community/civic/green space** - Areas and/or facilities in which the community may gather should be included in any development plans. Since they may be stand-alone or integrated with the other categories and may be publicly or privately owned, this concept category is the most flexible of the four. Cultural or educational programs could be part of this category, and it should be incorporated with the emphasis on connectivity.

**Residential** - Compact housing styles that would appeal to mixed-demographic groups are envisioned. Application of the sustainability principle in regards to building materials and other environmental considerations, as well as connectivity, should be emphasized. This concept category needs to follow after the institutional/corporate category is fulfilled.

## Development Opportunity

### Site Description/Current Conditions

The Village-owned land consists of 4 parcels totaling 133 acres:

|                         |                                                   |
|-------------------------|---------------------------------------------------|
| <b>526-0050-0009-00</b> | 101.20 acres                                      |
| <b>526-0050-0001-00</b> | 20.00 acres                                       |
| <b>526-0050-0004-00</b> | 10.92 acres                                       |
| <b>671-0018-0012-00</b> | <u>1.182</u> acres (parcel is in City of Reading) |
|                         | <b>133.302 acres</b>                              |

The surface of the property consists of undulating and well-wooded plains, intersected by numerous valleys. The topography with this property adds to its beauty and creates opportunities for a creative development team. For details of slopes, a topographic survey from The Kleingers Group is listed in the appendix. The following describes some of the features on the site:

1. **Tennis Courts.** The eastern portion of the site closest to Ridge Road houses the tennis courts. The Village has an agreement with Mount Notre Dame High School (MND) which refurbished and leased the tennis courts. The lease is in

year 6 of a 10 year agreement, which has been included in the Appendix. MND has priority use of the courts for their tennis team. Amberley residents are able to use the courts other than when MND is practicing or hosting a match.

2. **Clubhouse.** The clubhouse is located off of Ridge Road and is a 2 story building in poor condition. Asbestos has been identified within the building. Accessing the interior of the building is discouraged however, anyone wanting to tour the building will be required to sign a waiver and release from liability, which is listed in the Appendix. More information about the clubhouse can be found in one of the documents listed in the Appendix.

3. **Community Garden.** The community garden is located west of the clubhouse on the southern boundary of the property. The Amberley Green Community Garden was established in 2012 with a grant from WeTHRIVE!, a community wellness initiative of the Hamilton County Department of Public Health and the Center for Disease Control. There was no commitment when the garden was installed that it would continue on the site or in its current location but it has been popular with residents.



4. **Dam.** The Village recently completed modifications to the on-site dam located parallel to Galbraith Road. This project removed the dam from the Ohio Department of Natural Resources (ODNR) jurisdiction. Prior to the Village



purchasing the Amberley Green property, ODNR found deficiencies in the dam structure and ordered “required remedial measures” to be completed by the property owners, the Crest Hills Country Club. These orders had been noted in the 2000 Dam Safety Report issued after the safety inspection however, were not implemented. The Village assumed those responsibilities when it purchased the property in 2008 and had until January 2015 to bring the dam into compliance

with the current standards. The Village opted to modify the dam to gain exemption from the current ODNR jurisdiction. The Village awarded a contract to Ford Development in the amount of \$338,670 and the project was completed in October 2014. The dam modification included lowering the height of the dam, replacement of the primary spillway and control structure, plunge pool, and emergency spillway.

5. **Other features.** Adjacent to the clubhouse is an outdoor pool which is in poor condition. There is an additional pond on the property west of the Community Garden. A potential third pond exists west of the pond parallel to Galbraith. It currently drains to the west toward Lake Shore Apartments. The water features on the property serve as storm water measures as the storm water travels primarily to the west and some area drains to the south. The property has 3.5 miles of former golf cart/walking paths that traverse the property. There is also an area of meadowlands on the property that is mowed typically once per year. Aerial photos are listed in the Appendix which shows most of these features.

### Zoning

The property is located within the Amberley Village corporation limits however, 1.1 acres are located in the City of Reading. The property is zoned Residence A District which is one-acre residential zoning. During the course of legal proceedings, the current zoning was approved. Further information about the zoning can be found in Chapter 154.25 in the Amberley Village Code, which is included in the Appendix. The Village does not have a Planned Unit Development (PUD) overlay but may be interested in the creation of one for Amberley Village in order to guide the development and/or achieve what the Village and developer is seeking. The Village is not seeking development of this site per the current zoning. In order to achieve the Village's objectives, Council will consider rezoning the property to the benefit of the Village overall.

The property is bordered by single-family residential on the south, east and north. On the western side of the property, it abuts multi-family residential within the City of Reading.

### Utilities

The property is served by Greater Cincinnati Area Water Works for water. Water lines abut the property along parts of Ridge and Galbraith Roads. Sanitary sewer for this site is managed by Metropolitan Sewer District. Sanitary sewer lines are located on Ridge and Galbraith Roads. Utility locations, referenced in the Appendix, have been identified by The Kleingers Group. Capacity in either utility should be verified with the respective utility operator.

## Traffic

No comprehensive traffic analysis has been conducted for the site however, in a brief review of traffic as it was studied for a potential use in June 2013, the Village is making available a report from The Kleingers Group labeled Preliminary Traffic Assessment. This assessment is limited in its scope but provides some insight into the necessity of traffic analysis related to any development on the site. In addition, the Appendix references a document labeled Turning Counts for Ridge/Galbraith and Ridge/Section Roads. The counts were taken during the am and pm peak hours (7:00 am to 9:45am and 4:00 pm to 5:45 pm) on September 16, 2014. In general, traffic volumes on Ridge and Galbraith peak during morning and afternoon commutes. Traffic, its effect on adjacent roadways and how to address any increased traffic will require a significant traffic study.



## Development Concept/Desired Use

The Village is looking to partner with a developer(s) interested in working with the Village on furthering a concept that meets Village objectives and delivers a high-quality



product. Any facet proposed should contribute to a vibrant community with an emphasis on first-rate development in all aspects. This concept should be consistent with the recommendations of the Long Range Planning Committee or an explanation as to how the viability of the proposed plan meets Village objectives. The Village desires to see the

property developed in a well-planned and designed fashion which will further the welfare and economic wellbeing of the Village and its residents.

The economics of the development for Amberley Green will be a critical factor in determining the way forward. It is necessary for whatever is developed on the site to maximize economic benefit to the Village while also providing value to residents per the Long Range Planning Report. The expectation is any development on Amberley Green will generate dollars for the Village in order to minimize reliance on residents' taxes. It is

also expected that a developer will be willing to not only work with the Village on the concept design and implementation but be willing to work with residential input.

### **Village Objectives**

- Maximize economic benefit to the Village.
- Land use consistent with needs of the Village.
- Incorporation of green space, buffer areas, and open space to accommodate some community use.
- Create unique opportunities to integrate the beauty, location and size of the property.
- Be sensitive to adjacent single-family residential use.
- Improve economic health and sustainability for the Village.
- Development ideas will be pursued as a partnership between Amberley Village and developer and there will be good alignment of objectives between Amberley and developer.
- Minimize Village financial contribution.
- Amberley will retain ownership of the land at least until the nature of the development is clear.
- Be aesthetically pleasing.

### **Process**

This document outlines the Amberley Green property and relevant information. Additional documents in the Village's possession are listed in the Appendix and can be requested for analysis. Letters of interest will be reviewed by the Village Manager and the Land Development Committee of Council. Interviews will be scheduled with those proposals that are of interest to the Village after careful review. Some of the criteria in which to evaluate letters of interest include:

1. Quality of the team.
2. Ideas for development.
3. Alignment with Amberley.
4. Pace of development.

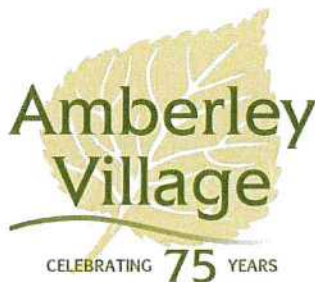
This is an informal process and any meetings with the Land Development Committee will be conducted at the Committee level but in public. Questions and meetings are welcome if developers want clarification or more information; contact should be made with Village Manager Scot Lahrmer.

## Submission Information

Amberley Village is seeking letters of interest from qualified and responsible developers, builders, firms or individuals. If this project is one that intrigues you, your firm or you would like to learn more about and potentially get involved with, please email a letter of interest with a qualifications statement on your firm or team. Submissions to the Village should include a statement of why this project is appealing and how your potential concept could meet Village objectives. Other items of interest to the Village that you may want to include in your submittal:

1. Name of development company or team(s).
2. Principal players on your development team and their roles.
3. How are you connected with each other and whether agreements exist between each that define roles.
4. Professional experience of those on your team and their project involvement.
5. Track record for your development team either individually or as a group.
6. Contact information for your development team.
7. Describe what interest/purpose you have in Amberley Green or the Village (development opportunity, resident in Village, challenging development, interested in building, etc.?)

Send letters to [slahrmer@amberleyvillage.org](mailto:slahrmer@amberleyvillage.org) by August 31, 2015. Please contact me with any questions.



Scot Lahrmer, Village Manager  
Amberley Village  
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Cincinnati, OH 45237  
(513) 531-8675  
[slahrmer@amberleyvillage.org](mailto:slahrmer@amberleyvillage.org)



**Amberley Village**  
**Long-Range Planning Committee**  
**2010-11**

**Report and Recommendations to Council**

**April 11, 2011**

## **Executive Summary**

Drawing on and elaborating the work of several previous committees, the Long-Range Planning Committee that met in 2010-11 focused exclusively on economic development, specifically at the North Site and Amberley Green, both of which are owned by the Village. Undertaking this study in a spirit of optimism about the Village and its potential, the Committee brought awareness of emerging trends in the areas of urban planning to the project. Together, the North Site and Amberley Green represent tremendous opportunity for Amberley to generate needed revenue while also raising its profile and enhancing residents' quality of life.

Committee members were:

Jon Chaiken (Chair)

Peg Conway

Chuck Kamine

Bill Lennard

Andy Radin

Scott Wolf

Andy Young

Jim Rulli, resident and volunteer facilitator

Meetings were conducted from September 2010 to March 2011 and included substantial input from community planning resources. A number of residents also participated in Committee meetings. Before finalizing this report to Council, the Committee held a public meeting to present recommendations to the public and to solicit comment which has been incorporated.

This report provides background on both properties and the previous work of planning that has been conducted, describes the LRPC/2010-11's process and outlines its recommendations for both the North Site and the Amberley Green.

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- I. Background and Site Descriptions
- II. Process
- III. Recommendations

## **Appendices**

- A – Vision Pillars
- B – Recommendations of Citizen Advisory Committee on Amberley Green
- C – Public Meeting Slide Presentation, March 2, 2011
- D – Notes from Public Meeting, March 2, 2011
- E – Soil study on Amberley Green

## **I. Background and Site Descriptions**

A Long-Range Planning Committee was established in 1997 by Amberley Village Ordinance 33.04. With the Vice Mayor serving as Chairperson and subject to approval by Council, the Committee is made up of six additional members consisting of the immediate past Mayor of Council, one current member of Council, and at least four residents of the Village.

The Committee's general purpose is make recommendations to Council for action in the areas of land development, inter-governmental issues, financial management, ordinances review, communications, personnel, schooling, recreation, and any other areas pertaining to long-range planning for the Village.

In 2008-09, under the LRPC chaired by then-Vice-Mayor Merrie Stillpass, a Vision Plan was adopted that established a framework of sustainable goals, objectives and strategies based on three primary pillars: Environment, Economy, and Community. The three Pillars were intended to work in concert with one another as guides for decision making that would add value to Amberley as a whole. (See Appendix A.)

Since that time, financial issues facing the Village, especially deficit budgets, have grown in significance as the larger economic downturn progressed around the country. Additionally, the Amberley Green is financed through short-term notes; to secure long-term financing requires a clearer vision for the property's future. Recognition of these realities provided important context for the work of the present LRPC when it was convened by Vice Mayor Jon Chaiken in the fall of 2010. Focusing on the Vision Plan's Economy pillar in light of the Plan overall, the Committee developed its recommendations for the North Site and Amberley Green.

### ***North Site***

Formerly the Amberley Swim Club, the North Site is a Village-owned 27-acre parcel just north of the Ronald Reagan Highway on the west side of Ridge Road. It is considered to be a prime economic development opportunity because of its central location in the region and highway visibility. Current zoning is Residence B (half-acre lots). Access may be an issue for some users. The Village's maintenance facility is on a portion of the site and could be relocated if necessary, which is a consideration for evaluating development options. Economic conditions slowed efforts to develop this property. The most recent LRPC's work has reinvigorated the Village's approach to this piece of land.

### ***Amberley Green***

Amberley acquired the former Crest Hills Country Club, located at the southwest corner of Ridge and Galbraith Roads, in the fall of 2008, settling a disagreement between the previous owner and the Village as to the best and most appropriate use for the 133-acre site. This unique property is a key parcel in the Midwest because of its size, beauty and location.

In the course of legal proceedings, it was re-zoned Residence A (one-acre lots). Soon after purchase, it was renamed "Amberley Green," and attention was turned to determining its future use. To that end, a 16-member Citizen Advisory Committee (CAC) was established in March 2009, to be chaired by Scott Wolf, a resident and member of the Village Planning Commission/Board of Zoning Appeals. Despite the economic climate, over the next nine months the group reviewed a litany of options, ideas, financing constraints and proposals. At the conclusion of their process, they submitted 10 recommendations to Council. (See Appendix B.)

## **II. Process**

On September 1, 2010, the Long Range Planning Committee convened to continue the discussion and refinement of possible options for Amberley Green property and the North Site. The CAC report, the 2009-10 LRPC Vision Plan, and reports previously commissioned by the Village were distributed to Committee members. They provided a baseline of information to facilitate the work of the current LRPC as well as to spur new ideas yet to be considered by this group.

Several meetings were held throughout the fall and winter of 2010-11. The work of the Committee was supplemented by a fall-quarter University of Cincinnati Site Planning Studio and Seminar and a World Town Planning Day Charrette held on November 10, 2010. The research and ideas generated by these outside groups were presented to the LRPC for their use and consideration. Resident Jim Rulli donated his professional services to assist with meeting preparation and facilitation.

### ***Brainstorming and Visioning***

The LRPC reviewed the recommendations made in the CAC's Final Report, and the group participated in a "red-light/yellow-light/green-light" exercise that sorted out ideas that were no longer to be considered from ones that would remain under consideration for Amberley Green.

Ideas rated as "red-light" were the Amberley Green as park, an 18-hole golf course or 90 one-acre lots for residences. They were determined to be fiscally impractical which was corroborated by the CAC's recommendations. Further discussion included reusing the former clubhouse and maintaining it at a minimum level for now to prevent potential water and mold problems.

The "green-light" was given to the concept of mixed land uses on the site. A corporate campus with an institutional, corporate or research facility/office user would help generate revenue, keep open space and park land, and could possibly have residential, agricultural and culinary uses.

The types of possible land uses that could work with one another as "mixed-use" components of the Amberley Green property were generated by Committee members in a brainstorming session and are listed below:

- Agriculture
- Restaurant
- Educational
- Conference/Event Center
- Lifestyle
- Bakery/Coffee Shop
- Small Commercial Campus
- Park as a percentage of the property
- Energy Generation

- Arboretum
- Sculpture Park
- City Center

To further develop their ideas, Committee members researched and brought visual images from magazines, the internet, or other sources to illustrate concepts, which helped to further refine the list of land uses. The list of potential land uses was consolidated into four major development components:

- Agricultural – e.g., organic local food/community based
- Institutional campus - ideally a health related research or office facility employing high-salaried professionals
- Residential
- Town Square/Civic Space – including restaurant/coffee shop meeting area, perhaps an amphitheater and the current building as an event center

Along with these specific land use components, the importance of preserving and protecting environmental features at Amberley Green was discussed. These might include views from particular locations on the site, stands of trees, topography, etc. Additionally, the desire to create connectivity within the site and to existing neighborhoods was emphasized.

In regards to the North Site, previous studies, including documents outlining site accessibility issues, market research and discussions with developers, were reviewed. Residential and high traffic volume commercial developments were given the “red-light” and not recommended.

It was suggested further that discussion occur to work with Reading to create a Joint Economic Development District (JEDD) and marketing strategy. The “green-light” was given to post a For Lease or Sale sign (by owner) or hire a commercial broker to market the site to a high-end office developer.

#### ***Consultation with Outside Resources***

##### ***UC***

Juliana Sarmiento, adjunct professor at the University of Cincinnati’s College of Design Architecture Art and Planning, used Amberley Green for her fall-quarter Site Planning Seminar and Studio analysis. Through a series of assessments and working with the four land use concepts, plus considering green space and connectivity, the students prepared maps, graphics, text, and examples of their findings along with a suitability analysis and master plan document for review. The UC Studio and Seminar presentation was held on campus December 10, 2010. The data analysis and materials were given to the LRPC and Amberley Village for their use.

##### ***WTPD***

Amberley Village hosted American Planning Association’s Ohio-Cincinnati Section World Town Planning Day 2010 on November 10. Coordinated by Todd Kinsley and

his staff at Hamilton County Regional Planning, more than 90 professional planners, students, local officials and residents looked at sites around Amberley that included Amberley Green, North Site, and the vacant Losantiville School property. The concept of connectivity also was explored.

Charrette participants were assigned to working groups based on professional skill, knowledge and area of interest with the goal of having multi-disciplinary teams. The event is intended to encourage creativity and thinking “outside the box” while balancing suggestions with sound planning principles. The UC student analysis work was instrumental in providing base information for WTPD groups about Amberley Village and especially the groups working on Amberley Green.

The all-day event concluded with a presentation by each team of their ideas to community leaders in Council chambers. The documents and final report are posted on the website:  
<http://www.hamiltoncountyohio.gov/hcrpc/wtpd/Amberley%202010/WTPD%20Final%20Document.pdf>

Two separate groups at WTPD worked independently on the Amberley Green site, applying the same land use concepts and underlying themes as the UC students. Both groups focused on sustainable plans and aligned their recommendations for Access, Agriculture and Institutions to the Community, Environment and Economy Pillars of the Vision Plan. They envisioned Amberley Village as a leader of sustainable policies and environmental conservation in the region with a research institute exploring the possibilities of cutting edge environmental technologies, building practices, partnering with academic institutions, creating new revenue streams and increasing connectivity.

The WTPD group assigned to the North Site created a phased plan intended to achieve income for Amberley Village. They recommended developing the North Site so that it will showcase the Village as a sustainability-driven community. The previously inaccessible area should be made reachable to the community members. The developments built on the site should give both residents and commuters a reason to visit the site and invest in their local economy. Through the use of phasing, these results can be achieved even in a slow economy. Potential funding sources were also discussed.

The WTPD group examining connectivity throughout the built environment looked for opportunities to create Village-wide connections to recreational amenities and Village centers to enhance social opportunities, interaction with nature, health and safety and environmental stewardship. Connectivity increases the quality of life by creating safe transportation choices other than the automobile which are attractive to young families, active seniors, and anyone concerned about healthy living and enjoying their community through physical activity. Connectivity also advances competitive status relative to other communities.

***Refinement***

The work of the UC students and the WTPD groups affirmed the Committee's overall vision for both sites and identified particular attributes and limitations useful to further planning. The Committee met several more times to discuss the reports and formulate its recommendations.

A public meeting was held on March 2, 2011, at Adath Israel, at which the Committee presented its recommendations in a slide presentation and engaged in discussion with residents. More than 150 people attended the public meeting. Varied concerns were expressed, along with general support of the plan. The Committee met another time to review the March 2 notes and to fine-tune the recommendations on the basis of resident comments.

### **III. Recommendations**

The Committee's recommendations consist of general items that apply to the development of both properties, and these are described first. They are followed by specific recommendations for each site reflecting the intent of enhancing the Village's economic base as indicated in the LRPC 2008-09 Objectives and Strategies matrix for the Economy pillar, in concert with maintaining the Environment and Community pillars.

#### ***General Recommendations Applicable to Both Sites***

##### **1. Zoning**

It was noted that both the North Site and Amberley Green locations likely will require a change in zoning, which will involve the Planning Commission and require public education. Other discussion included the timing of zoning changes for both properties, ideas about what "development ready" might mean or include, and the possibility of a Planned Unit Development overlay that would provide a loose framework. The LRPC recommends that professional assistance be engaged to explore rezoning options.

##### **2. Organizational Infrastructure**

Additionally, the awareness emerged that new organizational infrastructure would be needed to support moving forward with economic development on these two sites, and creation of a non-profit development corporation was discussed. The LRPC recommends that professional assistance be engaged to investigate the creation of a non-profit development corporation.

##### **3. Ecological Principles**

The Committee's specific recommendations stem from strong commitment to the Vision Plan created by the previous LRPC. On the basis of Amberley's Vision Plan, two key principles that reflect the Environment and Community pillars should form the basis of any proposal to development of both the Amberley Green and the North Site:

- *Sustainability* refers to the use of strategies, practices and design elements in the areas of hydrology, vegetation, materials and health and well-being that contribute to or maintain ecological balance.
- *Connectivity* provides environmentally friendly options for circulation on the site and where possible, connects to existing neighborhood destinations. The ability to travel safely on foot or by bicycle within a park-like environment is desired.

##### **4. Financial Parameters**

Current estimates indicate that annual revenue of at least \$450,000 total needs to be generated from development at the Amberley Green and North Site. The LRPC recommends that detailed financial projections be conducted as part of the evaluation of any proposals for development at these sites.

##### **5. Public Input**

The public meeting on March 2 indicated strong resident interest in plans for these two properties. The LRPC recommends regular communication and engagement with residents on these matters.

### ***North Site – Specific Recommendations***

The LRPC recommends that Council direct the Land Development Committee and the Village Manager to engage the assistance of outside professionals and pursue the leasing/sale of the North Site for development of light industry/office use. Specific steps should include:

- Interviewing several brokers to understand what is needed to make the property most competitive for leasing to a developer (e.g. traffic, electrical upgrades).
- Preparing descriptive materials to promote the property.

### ***Amberley Green – Specific Recommendations***

The LRPC recommends a mixed-use development at the Amberley Green encompassing four concept categories that will maximize economic benefit to the Village while also providing value to residents. Only a leading-edge, well-integrated development is worthy of this unique site.

The varied concepts of the Committee's recommendations stem from a single, holistic vision of health – fiscal, personal, communal, and environmental. It is assumed that the Village would retain ownership control of the property as it is developed.

The Committee recommends that Council and the Village Manager pursue development options incorporating the following four concept categories.

***Institutional/corporate*** – Envisioned as a high-revenue-generating entity such as a health care/research/educational facility or a corporate office, this aspect of the recommended development plan is foundational to the other concept categories. Amberley Green's beauty, location and size represent a unique opportunity for the right user. A national search should be undertaken to identify potential tenants. Evaluation of proposals should include a traffic study to gauge impact on nearby residents.

***Agricultural*** – The movement toward regional food economies is gaining momentum nationwide, and Amberley Green offers tremendous potential to capitalize on this trend to the benefit of the Village. This concept category could begin with vegetable gardens/farmer's market but also offers the possibility of expansion to include partnerships with food service businesses, as well as educational and other entities, to create a multi-faceted operation, depending on how the institutional concept category is developed. Basic agriculture is a flexible use relative to other uses and therefore can be pursued immediately. This concept also supports the civic/community category. The soil condition is an area of concern, given its prior use as a golf course. Appendix E contains the results of a soil study conducted on the property in 2011.

***Community/civic/green space*** -- Areas and/or facilities in which the community may gather should be included in any development plans. Since they may be stand-alone or integrated with the other categories and may be publicly or privately owned, this concept category is the most flexible of the four. Cultural or educational programs could be part of this category, and it should be incorporated with the emphasis on connectivity.

*Residential* – Compact housing styles that would appeal to mixed-demographic groups are envisioned. Application of the sustainability principle in regards to building materials and other environmental considerations, as well as connectivity, should be emphasized. This concept category needs to follow after the institutional/corporate category is fulfilled.

Long Range Planning Committee  
March 2, 2011  
Public Input

|     | Resident          | Comment                                                                                                                                                                                                               |
|-----|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.  | Ron Levin         | Part of original group that didn't want development<br>What is to keep AV from getting into legal problems like before is a concern<br>Encourages connectivity                                                        |
| 2.  | Willard Vaughn    | Resident 4 years.<br>Told there'd never be sidewalks. Avid walker<br>What is change in attitude—likes direction                                                                                                       |
| 3.  | Brenda Schonfield | Feasibility of windfarm? Interested in topic                                                                                                                                                                          |
| 4.  | Charles Fixler    | Ridge Rd. between 4 & 6 traffic problem<br>No mention of traffic @ AG site already problem                                                                                                                            |
| 5.  | Ray Warren        | AG interest 150,000/yr. Long term loan \$400,000/yr.<br>Would proposals cover carrying costs?<br>Ground analysis for chemicals?<br>Why is there a need to rezone now, wait for developer                              |
| 6.  | Diane Levine      | N. Site more valuable-should do this 1 <sup>st</sup> (applause)                                                                                                                                                       |
| 7.  | Tracy McMullen    | Infrastructure and services on AG costly<br>Level of surety that development will cover expenses                                                                                                                      |
| 8.  | Don Hordes        | Missing small tasteful commerce area in AV. Maybe wine & cheese type shops; pro connectivity                                                                                                                          |
| 9.  | Louis Wolf        | Albert Lane's letter—what did he suggest?                                                                                                                                                                             |
| 10. | Dave Phillips     | Neighbors leaving AV—downsizing; include senior housing in plan                                                                                                                                                       |
| 11. | Tom Brown         | Access at N. Site<br>RFP/RFQ—package to select developers.<br>Let market dictate what should go there                                                                                                                 |
| 12. | Kathy Wise        | Commendation to all who worked on this –dreaming big!<br>Keep most sustainable & long-term well being<br>Residents willing to pay increased taxes to keep green<br>Nature learning center idea<br>Include riding barn |
| 13. | Robert Maltz      | Idea of world class research facility—why not at edge of Village?                                                                                                                                                     |
| 14. | Miriam Bernstein  | Count the number of people who are not living here because they moved to Blue Ash.<br>Would like to have seen AG developed for residential                                                                            |
| 15. | Nancy Goldstein   | Has had water problems from AG<br>Pay special attention to water flow<br>Meisner had a good plan<br>Pro golf course                                                                                                   |
| 16. | Karry Lipps       | Concern about traffic<br>House close to street                                                                                                                                                                        |
| 17. | Bonnie Burke      | Fought hard for property<br>Long term solution: look how many buildings are vacant<br>Retain control over land?<br>Do it at N. Site<br>Would like sidewalks on main roads                                             |

|    |                   |                                                                                                                                                                                                 |
|----|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                   | Keep AG green<br>Why did you move to AG<br>Pro sidewalks; pro senior housing                                                                                                                    |
| 18 | Tom Neuman        | Attended many meetings—impressed by concern for control. AV would control each phase<br>Did good job with concepts, needs tweaking                                                              |
| 19 | Jack Rubenstein   | Concurs with Tom<br>AV 1 acre zoning AV controls what someone would build<br>Conceptually presentation good, optimistic<br>Has anyone talked with real estate expert?<br>When would this occur? |
| 20 | Mike Prager       | Financial projections, including tax abatements, would be helpful<br>"tool box" ?<br>Timing?                                                                                                    |
| 21 | Wendy Saunders    | So impressed with thought out, well balanced presentation<br>Did a lot of research                                                                                                              |
| 22 | Ronna Willis      | Heard a lot of concerns about common space.<br>Will residents be able to have input with plans?                                                                                                 |
| 23 | Brenda Schonfield | Been to all "these" meetings<br>Committed to saving green space<br>Previous cost of housing in plan—\$500K/new house; sell old house for \$200K                                                 |
| 24 | Karen Friedman    | Looked at number of homes for sale in AV—39 listed with agents<br>Moved here for green space                                                                                                    |
| 25 | Tracy McMullen    | Has idea—how do I submit it?                                                                                                                                                                    |
| 26 | Bill Doering      | Wanted info on UC studies                                                                                                                                                                       |
| 27 | Mike Thompson     | Huge turnout, great job<br>LRPC coming to an end<br>Framework—concrete proposals<br>Public input—time horizons?<br>Advertise zoning meetings (include case detail)                              |
| 28 | Ronna Willis      | Better job at re-stating residents want to be involved and part of the process                                                                                                                  |
| 29 | Scott Lipps       | House between the 2 development sites close to street                                                                                                                                           |
| 30 | Albert Lane       | SEE SEPARATE NOTES                                                                                                                                                                              |

**PAGE 1 OF 5 PAGES- Notes and comments: By resident Albert E. Lane, retired Ohio Industrial and Commercial Real Estate Broker, dial 513-631-6601**

**Wed. March 2, 2011- 7 PM Adath Israel(LRPC) Long Range Planning Committee Mtg. of Amberley Village, Ohio. John Chaiken, Cmn. Mary Stillpass, Mayor**

**The Amberley Village Long Range Planning Committee (LRPC) will hold a public meeting to present its recommendations for development of the North Site and the Amberley Green. It will be held at Adath Israel synagogue, located on the southeast corner of Ridge and Galbraith Roads, at 7:00 pm. Park in back and enter the building from there. All are welcome. The meeting will consist of a presentation by members of the Committee and opportunity for questions and answers.**

**Amberley Village has a problem living within its budget. At the same time retaining our Village as a viable Community in which people will be able to afford and want to purchase homes and sell them when that time arrives. There must be no Real Estate or Income tax increase. Amberley must retain its rural green central Hamilton County setting with recreation. First Amberley Green 133 acres.**

### **FIRST, AMBERLEY GREEN**

**The 133 acre Amberley Green along with its Clubhouse and topography must be kept intact and zoned Res A as required by the court. We must not be selfish in our private desires for development of this**

**PAGE 2 OF 5 PAGES**

**acreage, It must be kept it in its present green state for future generations.**

**Amberley Village paid about 8.76 million for this acreage, with only 5.86 million of Amberley money.**

**Our insurance Company paid the other 2.9 million. I believe this acreage is now worth 12 mil. So we have a five to six million dollar equity.**

**We should carve out about 20 acres and create and record in the condominium book at the Hamilton County Records office two horizontal rental spaces in the reinforced concrete Clubhouse. That way our future private tenants of these spaces would be paying Real Estate taxes. The parking lot would be shared by the two condominium occupants and their visitors and the remaining Amberley Green walkers.**

**One Condominium for the lower level and the other the main level and 2<sup>nd</sup> floor.**

**We should pursue SW Ohio Syrian Shrine via their agent to rent the existing main level & 2<sup>nd</sup> floor with a 20 year lease. In the lease the Shrine would agree to have a sub-renter caterer and restaurant open 6 days per week  
(Mondays would be closed) serving lunch and dinner.**

### **Page 3 OF 5 PAGES**

**This space would be similar to the Drees Pavilion in Devoe Park in Covington, Ky with availability for parties and weddings in the center of Hamilton County with its western exposure promintory.**

**The existing lower Level would be used for Golf/Golf driving range-tennis, swimming office etc.**

**The on-going Amberley Green Fund initiated by Council-person Louis Katz will do the following. Provide two new separate heating and air conditioning systems for each Condominium. In addition two new separate Electric systems will be provided. Amberley will be responsible for the roof and parking lot maintenance and snow removal.**

**The Shriners or any other prospect will be responsible for every other week labor & maintenance (cutting/trimming) of the grass & shrubs of the 133 acres as delineated by Amberley Village except for the Galbraith and Ridge Road rights-of-way. Amberley Village to provide and maintain the grass cutting equipment which shall be stored at Amberley Service building.**

**The cutting of the grass by the lessee as described herein will be a savings to the Village of approx. \$80,000.00 per year. Amberley share of he combined tax millage & guaranteed income tax based on one million in salaries would be about \$25,000.00 per year.**

**Page 4 OF 5 PAGES**

**Amberley Village could have a new City Manager at half the salary and benefits as now in effect, Amberley Village would save about \$62,500.00 per year.**

**Thus \$80,000.00 + \$25,000.00 + \$62,500.00 + \$93,000.00 yearly interest only on the 5.86 million = \$260,500.00 present costs per year and the 5.86 mil principle is not being paid down.**

**If Amberley Village took out a \$4,000,000.00 first mortgage for 30 years at 3% on the 20 acres, the yearly payment would be \$202,369.92. In this instance with a potential Shrine lease, Amberley Village would be \$58,531.00 ahead each year besides amortizing the first mortgage having a caterer and place to dine and drive golf balls, swim & play tennis. Thus attracting home buyers for existing homes. The 1.86 million loan pay-down would come from existing former rainy day money now in the Amberley Village treasury. Note: Long term Bond rates should now be checked out too for their interest rate.**

**SECOND, 16 FREE STANDING WILLIAMSBURG COLONIAL LANDMINIUMS TO BE BUILT ON EAST SIDE OF RIDGE ROAD FROM 3095 LONG-MEADOW LANE TO AND INCLUDING 8230 RIDGE RD. All Real Estate to be purchased by negotiation and not by eminent domain.**

**Page 5 OF 5 PAGES**

**THESE 8 HOMES NOW COMPRISE APROX. 1290 FEET OF FRONTAGE WITH AN AVERAGE DEPTH OF 335.' (ABOUT 10 ACRES). THIS WOULD BE AN AMBERLEY VILLAGE REDVELOPMENT AREA AND LET OUT FOR BIDS WITH STRICT CONSTRUCTION AND SETBACK REQUIREMENTS. AT THE TIME OF CONSTRUCTION THE 30 FOOT RIGHT OF WAY ON THE EAST SIDE OF RIDGE RD ONLY WOULD BE MADE WIDER AND ALL OF THE OVERHEAD UTILITY LINES FROM THE WEST AND EAST SIDE OF RIDGE ROAD WOULD BE AGGREGATED UNDERGROUND ON THE EAST SIDE BY THE DEVELOPER. AMBERLEY VILLAGE WOULD HAVE AN ATTRACTIVE ENTRANCE RIDGE ROAD TO GALBRAITH.**

**THIRD: THE NORTH SITE 27 ACRES**

**AMBERLEY VILLAGE HAS TWO GEMS(POTENTIAL LESSEES) ONE BLOCK AWAY ON EITHER SIDE OF THIS 27 ACRES. MT. NOTRE DAME HIGH SCHOOL AND THE JEWISH CENTER SUMMER CAMP. THE 2 MILLION DOLLAR AMBERLEY SERVICE BUILDING AND RED BRICK RANCH HOME WOULD REMAIN. THE SERVICE STREET WEST OF THE SERVICE BLDG WOULD BE CLOSED. SOCCER, BASEBALL, BASKETBALL COURTS ETC SHOULD BE CONSTRUCTED BY THE ABOVE TWO TWENTY YEAR LESSEES. MOUNT NOTRE DAME WOULD USE THE SPORTS ACTIVITIES DURING THE SCHOOL YEAR AND THE MAYERSON JEWISH CENTER WOULD USE THE FACILITIES FOR THEIR CAMP ACTIVITIES IN THE SUMMER VACATION TIME. THIS SCHOOLING & RECREATION WOULD CREATE AN EXPANDED DEMAND FOR FAMILIES TO PURCHASE HOMES IN AMBERLEY VILLAGE\**

**/S/ Albert E. Lane-3/3/2011**



November 16, 2020

Steve Cushard  
3205 N Whitetree Circle

Before I comment I'd like to thank the Mayor & Council for holding this additional public hearing. There have been many challenges trying to adhere to village protocol during the COVID-19 crisis. Many residents have expressed frustration and discouragement in trying to participate. As Ms. Kamine indicated at the last council meeting, the Village welcomes resident input. So with that said...

Approving this, or any, zoning changes to the Amberley Green at this time is not in the best interest of the Village. We've heard concerns from the BZA and Planning Committee about why we are doing this, and the specifics of the zoning text itself. We've had public hearings and readings of the ordinance when the public couldn't hear, or even comment. I question whether this would be considered legal if someone were to challenge it.

You've invested a lot of time, and money to get to this point. A recent, newly funded Slope Study was commissioned. Why would we not want this type of information before starting any discussions on a complex zoning ordinance?

Zoning Ordinances are intended to be a guide to promote diverse and complementary uses, and land activities in an orderly fashion. How many times do you go shopping for a gift and buy the gift box first?

Then search for a gift that will fit in the box?

That is what this Zoning Ordinance does because of the detail it has gotten into. And that's the worst situation to be in.

Let the "gift" come to the Village first and then start to design the box with whatever zoning and development standards that suits the desired and acceptable development.

The Village is having private meetings with potential developers. There are no firm goals and objectives for the property. What is the Village telling developers in these private discussions?

It certainly, doesn't include current resident input. Less than 3% of registered voters have commented after the June 2019 Open Houses. The Village Manager has indicated numerous times that this input is what has driven the content of the ordinance. From what I can determine, there is no other resident input that has been documented.

Most of you remember that years ago, residents fought against a housing development on the Amberley Green. Do you know if residents still want limited (if any) development?

Do you know if taxpayers might be willing to approve a small millage tax increase to help keep the Green green?

Do you know if residents might want the next reduction in the Police Levy to go towards maintenance, improvements, and preservation of the Green? An effort like that wouldn't even increase our taxes.

Do you know if residents want revenue from the Green to help bridge the gap in our projected \$10 million dollar street maintenance requirements?

What expected revenue do residents expect in return for this multi-million-dollar investment?

Much more public input is needed to determine how to proceed.

In ALL planning approaches, the Goals & Objectives come AFTER public outreach and input. After all, who is Council responsible to please with the outcome... Amberley citizens or yourselves? Any planning process can always use more public input.

Here is an appropriate statement I discovered from some of my research that applies to our current situation.

*No planning department worth its salt creates or significantly alters a master plan, design guidelines, or zoning without input from the community.*

Don't move forward with this zoning ordinance until you get current resident input. Then create a Vision with well-defined goals and objectives tied into a plan to meet this input. If we follow this path, land use and appropriate zoning will become much clearer.

We have the time to do this.

Thank you.





# AMBERLEY GREEN

## CONSERVATION & DEVELOPMENT STUDY

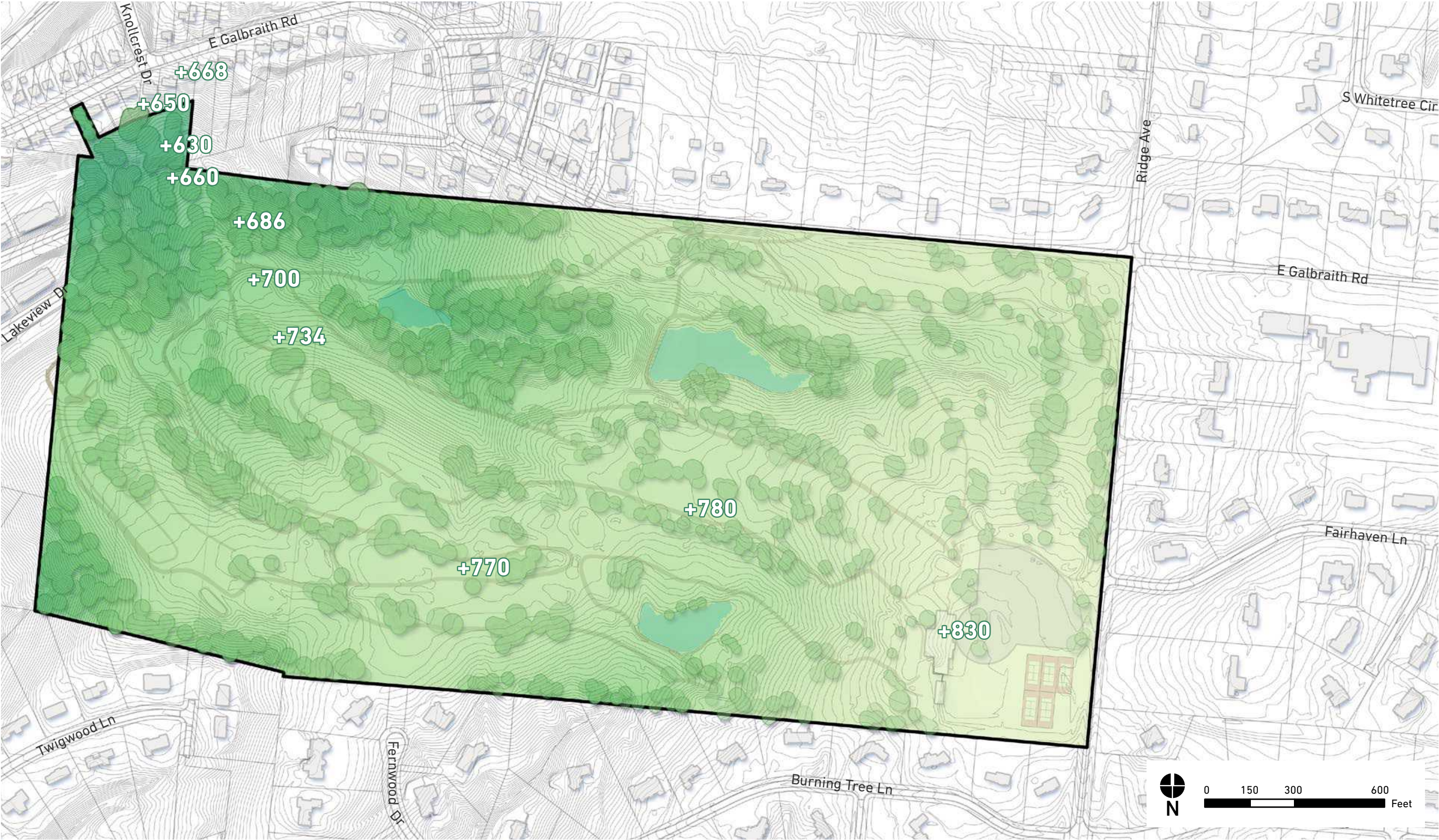
*FALL 2020*



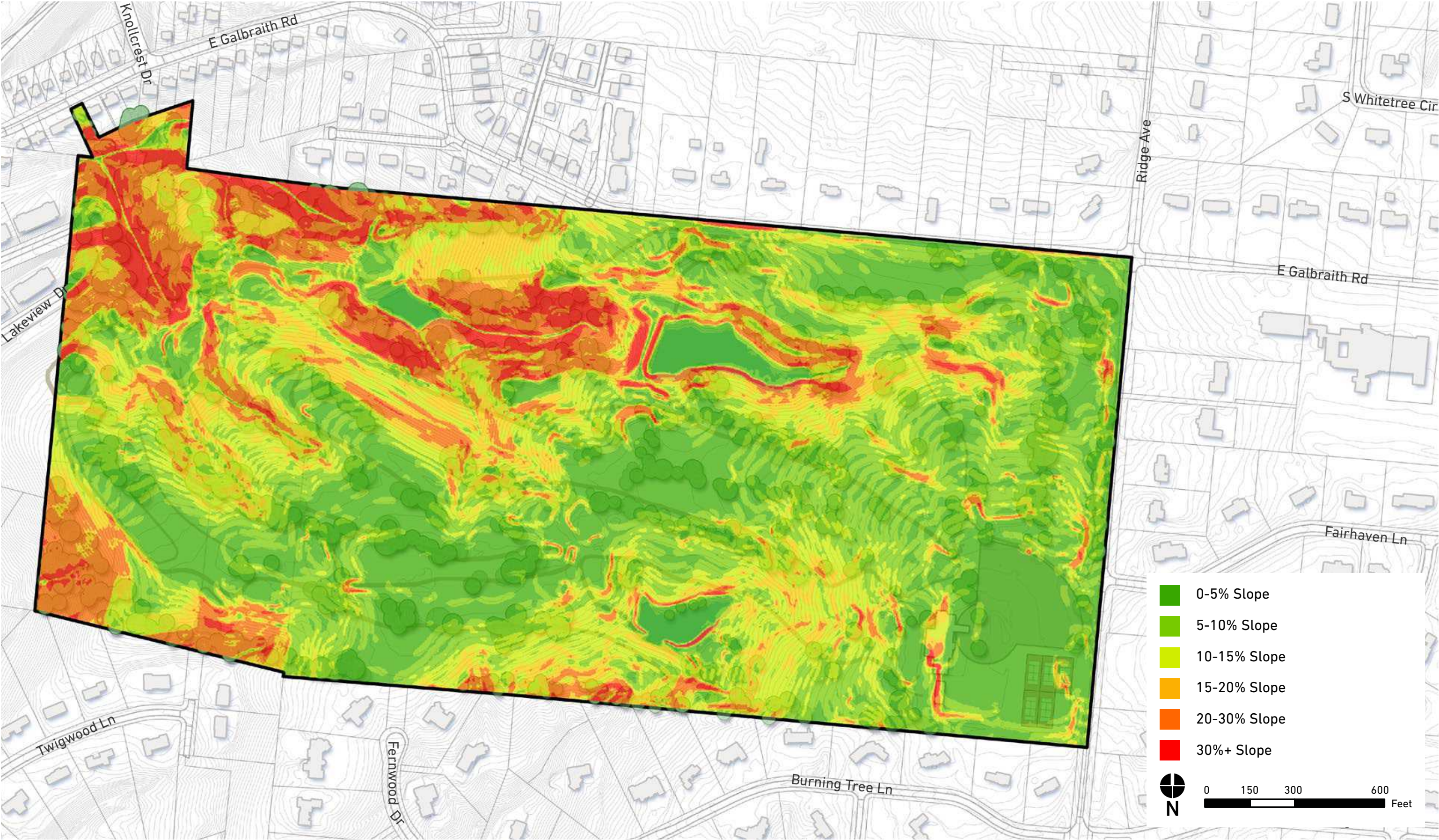
# EXISTING CONDITIONS



# ELEVATION



# SLOPE ANALYSIS



# INITIAL DEVELOPMENT SUITABILITY FROM 2018



# FRAMEWORK | SIGNIFICANT SLOPES



# FRAMEWORK | ENVIRONMENTALLY SENSITIVE AREAS



# FRAMEWORK | NOTABLE VIEWSHEDS



- Prominent views throughout the site should be identified and preserved.
- The gray area represents the combined extreme slope areas and environmentally sensitive areas

# FRAMEWORK | PRIMARY PATH NETWORK



# FRAMEWORK | NEIGHBORHOOD BUFFERS

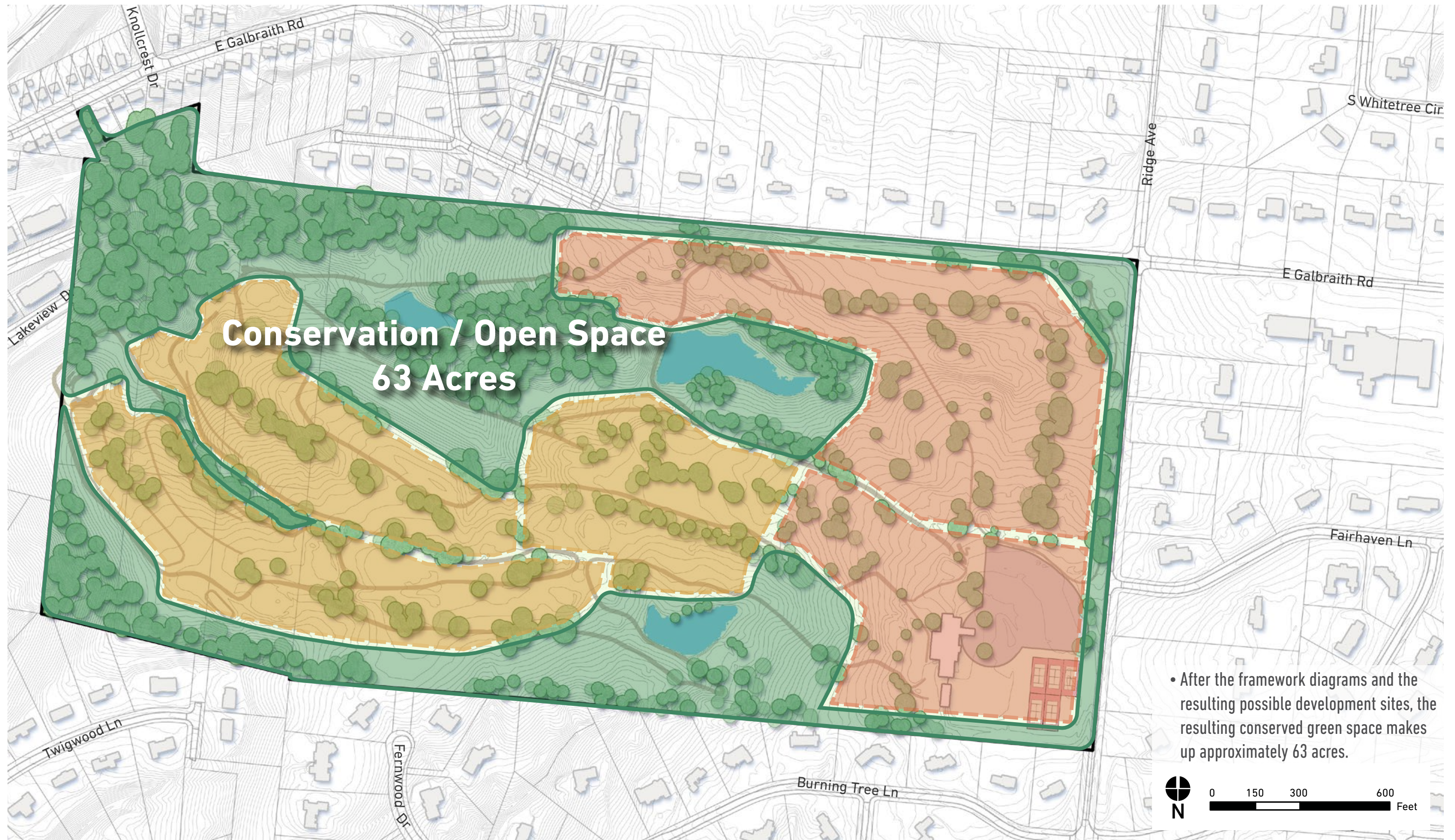


• A perimeter buffer of 50' helps to preserve the Green's natural aesthetic and recognizes the sensitivity that potential future development could have with surrounding residential properties.

# FRAMEWORK | DEVELOPMENT SITES



# OUTPUT | CONSERVATION GREEN SPACE



# CONSERVATION & OPEN SPACE

## USES & PROGRAMMING





- The path network will continue to support the bulk of user activity on the site.
- The Path network should include preserving a perimeter loop path as well as other paths to promote interconnectivity.
- Any development that disturbs the existing paths should realign the paths to keep the connections open.

# PROGRAMMING & USES | PLANTINGS



# PROGRAMMING & USES | SIGNAGE & EDUCATION



**Educational Signage**



**Seating Area**

- The pink icons denote possible locations for educational opportunities.
- Possible focuses:
  - Plant identification and education
  - Site and Community History
  - Explaining prominent views
- Creating signage could be a partnership opportunity



# PROGRAMMING & USES | PLAYGROUND



# OTHER POSSIBLE ELEMENTS

- Other Possible Elements for Discussion:

- Fishing Pier/Designation
- Dog Run
- Pavilions
- Seating
- Art Installations/Sculptures

