



HAMILTON COUNTY

Regional Planning Commission

REGULATORY COMPLIANCE REPORT

FOR CONSIDERATION BY THE REGIONAL PLANNING COMMISSION ON AUGUST 4, 2022

**SUBDIVISION
PRELIMINARY
PLAN:**

ANDERSON 22-04

WATERFRONT ESTATES AT COLDSTREAM

**APPLICANT/
ENGINEER:**

Richard Arnold, McGill Smith Punshon

DEVELOPER:

Joseph Farrugia, Coldstream Estates Development

OWNER:

Coldstream Estates Development LLC

LOCATION:

Anderson Township: 7801 Ayers Road on the south side of Ayers Road south of Coldstream Club Drive (Book 500, Page 183, Parcel 14 (part))

**SITE
DESCRIPTION:**

Tract Size:	Approximately 35.9 acres gross
Proposed Lots:	7
Topography:	A ridgetop with steep slopes surrounding
Existing Use:	Vacant and wooded

**PROPOSED
IMPROVEMENTS:**

R.O.W. Width:	50 ft.	Pavement Width:	28 ft.
Water District:	GCWW	Sanitary:	MSD

ZONING:

Jurisdiction:	Anderson	District:	“AA” Residence
Permitted Minimum Lot Size:	per plan	Permitted Density:	1 du/acre
Proposed min. lot:	1.62 acres	Proposed Density:	0.20 units/acre

DESCRIPTION:

In March of 2021, the applicant received Preliminary Plan approval to construct a 7-lot single-family subdivision on 34.5 net acres (0.20 units/acre). The construction drawings were approved in August of 2021. A record plat was submitted for the subdivision but was never approved. In April of 2022, the Regional Planning Commission approved a revised preliminary plan that identified the constructed street as a private street and identified a large open space tract. The applicant would now like to go back to the originally approved plan which identified the street as a public street and eliminates the open space tract. The subdivision name has been revised to Waterfront Estates at Coldstream. To go back to the original plan, the applicant went through the PUD removal process from Anderson Township. These

proposed changes also require the applicant to receive a new preliminary plan approval for the subdivision.

The newly submitted preliminary plan mirrors the approved 2021 plan which includes access to the development from a newly constructed public street that extends southwest from Ayers Road and ends in a cul-de-sac. This street is built to public street standards with 28 feet of pavement width within 50 feet of right-of-way. Sidewalks were approved on both sides of the new street and along the small section of Ayers Road.

FINDINGS:

- Staff finds that the Preliminary Subdivision Plan conforms to the applicable laws and rules as determined by concept review and reports requested from the offices and agencies having jurisdiction. All reviewing agencies have provided concept letters of approval. The findings contained herein mirror the findings from the March 2021, staff report.
- Staff finds that the Preliminary Subdivision Plan conforms to the Hamilton County Thoroughfare Plan.
- Access to the development is provided from a new public street that extends southwest from Ayers Road and ends in a cul-de-sac.
- The street is built to public street standards with 28 feet of pavement width within 50 feet of right-of-way.
- Sidewalks are proposed along both sides of the new road but not along the Ayers Road frontage which is required in the Hamilton County Subdivision Regulations.
- Section 12.3.10 (a) Residential Streets – Cul-de-Sacs; Stubs – Cul-de-Sacs Having Single Public Access - states that a cul-de-sac, series of cul-de-sacs or any other combination of permanent dead-end streets shall not provide access to more than 30 lots, provided, however, that the Planning Commission may approve a subdivision or the extension of a street which will result in frontage to more than 30 lots having only one access, upon making the findings and conclusions that justify the number of lots relative to the 15 factors listed in Section 12.3.10 (a) of the Subdivision Regulations. Staff reviewed these 15 factors in March 2021 and offers similar findings in Attachment A (see page 8).
- The site is located to the south of the Parke Place at Coldstream Subdivision and the Carriages at Coldstream Subdivision. Both subdivisions are accessed from Ayers Road and end in cul-de-sacs. The Parke Place at Coldstream Subdivision was approved for 32 lots. The Regional Planning Commission in August of 2015 approved this subdivision with a modification to permit a total of 75 lots to be accessed off a series of cul-de-sacs with no emergency access. This approval included a subdivision called Parkside at Riverview Estates which included 20 lots which were approved but never recorded. This preliminary plan has since expired. The 75 lots also included 20 existing homes along Ayers Road and 7 vacant lots.
- The additional 26 lots as part of the Carriages at Coldstream were also approved by the RPC but a modification to this subdivision was not necessary as Section 6.1.2 of the Subdivision Regulations allows the rules and regulations to be modified to the degree necessary to accomplish the objectives and standards set forth in applicable zoning resolutions for planned unit developments.

- Staff has since recalculated the existing homes and vacant parcels in the area and the conclusions are found in Appendix A of this report.
- In 2015, staff recognized that there were several additional large lots of record that existed on Ayers Road from the intersection of Ayers Road and Asbury Road extending east to the terminus of Ayers Road. Staff found that these lots could be further subdivided into additional building lots which could potentially increase the total number of lots accessed off a combination of cul-de-sacs. The subject site for the 7-lot proposed subdivision is located on one of the vacant lots and appears to be one of the largest remaining tracts with development potential. The Carriages at Coldstream is also located on one of these remaining large parcels.
- With the addition of 7 lots and the additional 26 lots from the Carriages of Coldstream, the applicant is again requesting a modification for a total of 114 lots (number modified per Appendix A) accessed off a series of cul-de-sacs with no emergency access.
- As mentioned in previous reports for subdivisions along Ayers Road, there appears to be no logical connections to Asbury Road to the west, Hopper Road to the north, US 52 to the south or Eight Mile Road to the east due to steep slopes, streams, and the desire to have permanent green space separating the subdivisions in the area.

RECOMMENDATION: APPROVAL

**STANDARD
MOTION:****1st Motion:**

I move to consider approval of the Preliminary Plan for the Waterfront Estates at Coldstream Subdivision based on the findings in the staff report:

(Add any authorized modifications or variations being considered and cite the applicable section number and findings)

(Add any conditions required to achieve regulatory compliance and cite the applicable section number and findings)

2nd motion: (if approved):

I move to consider approval of all Final Record Plats for the Waterfront Estates at Coldstream Subdivision subject to certification by the Subdivision Administrator that the Final Plan is in conformance with the Preliminary Plan approved by the Planning Commission and the Improvement Plan as approved by the Subdivision Administrator.

2nd motion (if disapproved):

I move that the refusal to approve the Preliminary Plan for the Waterfront Estates at Coldstream Subdivision be immediately endorsed on the Preliminary Subdivision Plan and a copy of the endorsed plan, and the following reasons for disapproval, be made a part of the record of the Planning Commission:

AGENCY REPORTS:	Dept. Storm Water & Infrac. (SWI):	Approved
	Zoning:	Approved
	Hamilton County Engineer (ENG):	Approved
	Metro. Sewer District (MSD):	Approved
	H. C. Soil & Water (HCSW):	Approved
	Ohio Department of Transportation:	N/A
	Cincinnati Water Works (GCWW):	Approved

Note: Recommendations and findings in this staff report reflect the opinions of the staff of the Hamilton County Planning Department, but may not necessarily reflect the recommendation of the Regional Planning Commission. This staff report is primarily a technical report on the level of compliance with the Rules and Regulations for Plats and Subdivisions as adopted by the Hamilton County Regional Planning Commission and the Board of County Commissioners. Additional information may be presented at public hearings that may result in findings and conclusions that differ from the staff report.

Prepared by: JOHN HUTH Principal Planner
John S. Huth, CNU-A

Approved by: Steve Johns Executive Director
Steve Johns, AICP

PARK PLACE
COLDSTREAM PHASE
PLAT 100
SEP 01 2015

AA PUD

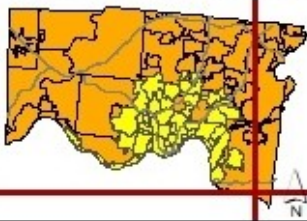
AA

RIVER VIEW ESTS
AT COLDSTREAM
PLAT 103
FEB 18 2017

RIVER VIEW ESTS
AT COLDSTREAM R.L.
PLAT 104
FEB 18 2017

VICINITY MAP

Case: Anderson 2022-05 Waterfront Estates at Coldstream
Request: Subdivision Approval



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SITE PHOTOS

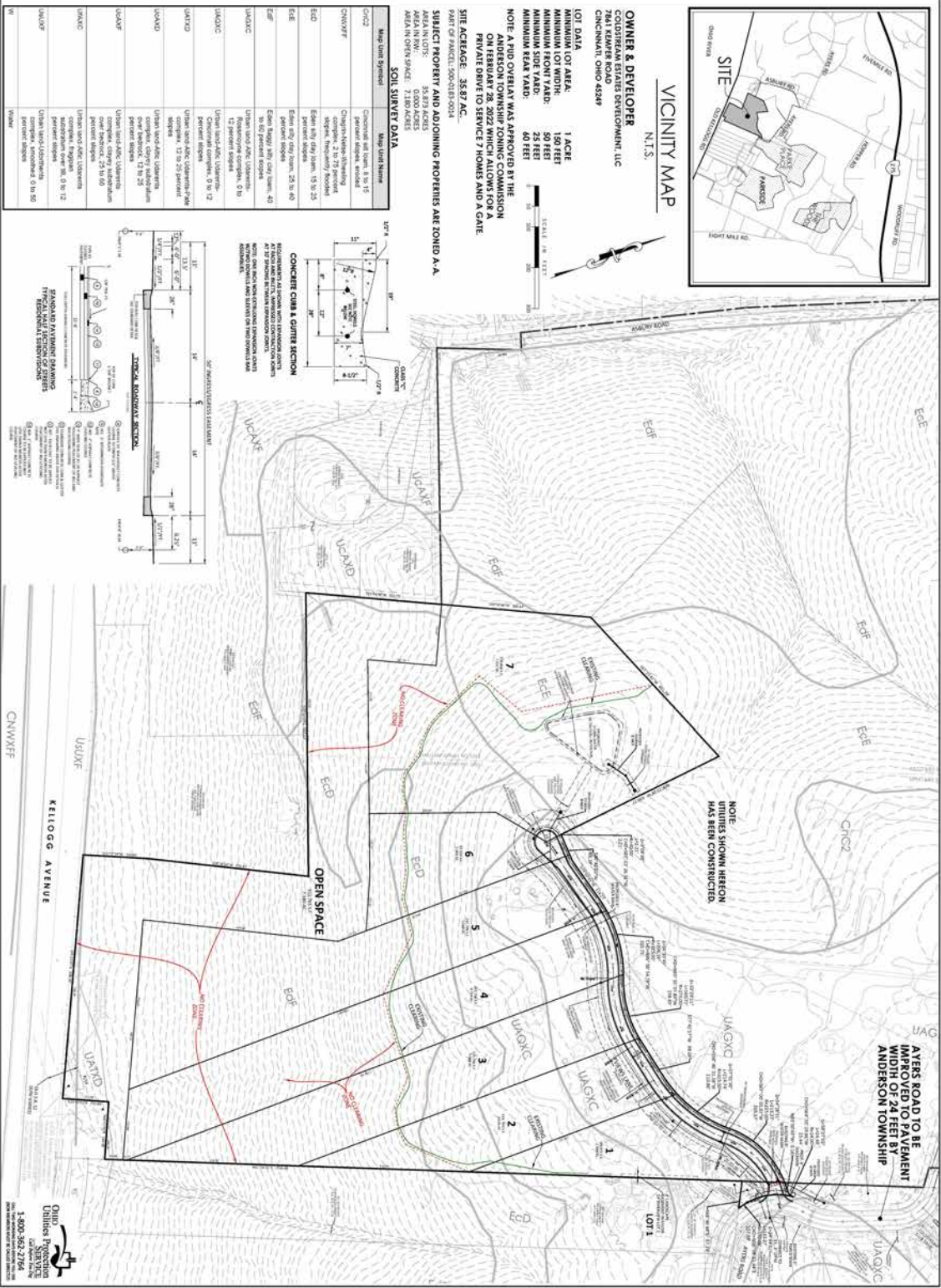


View (south) of from Ayers Road (Courtesy of Anderson Township)



View of site from above (Courtesy of Anderson Township)

APPROVED SUBDIVISION PRELIMINARY PLAN – APRIL 2022



OWNER & DEVELOPER
 CINCINNATI DEVELOPMENT, LLC
 7941 KEARNEY ROAD
 CINCINNATI, OHIO 45249

LOT DATA
 MINIMUM LOT AREA: 1 ACRE
 MINIMUM LOT WIDTH: 150 FEET
 MINIMUM FRONT YARD: 50 FEET
 MINIMUM SIDE YARD: 40 FEET
 MINIMUM REAR YARD: 40 FEET

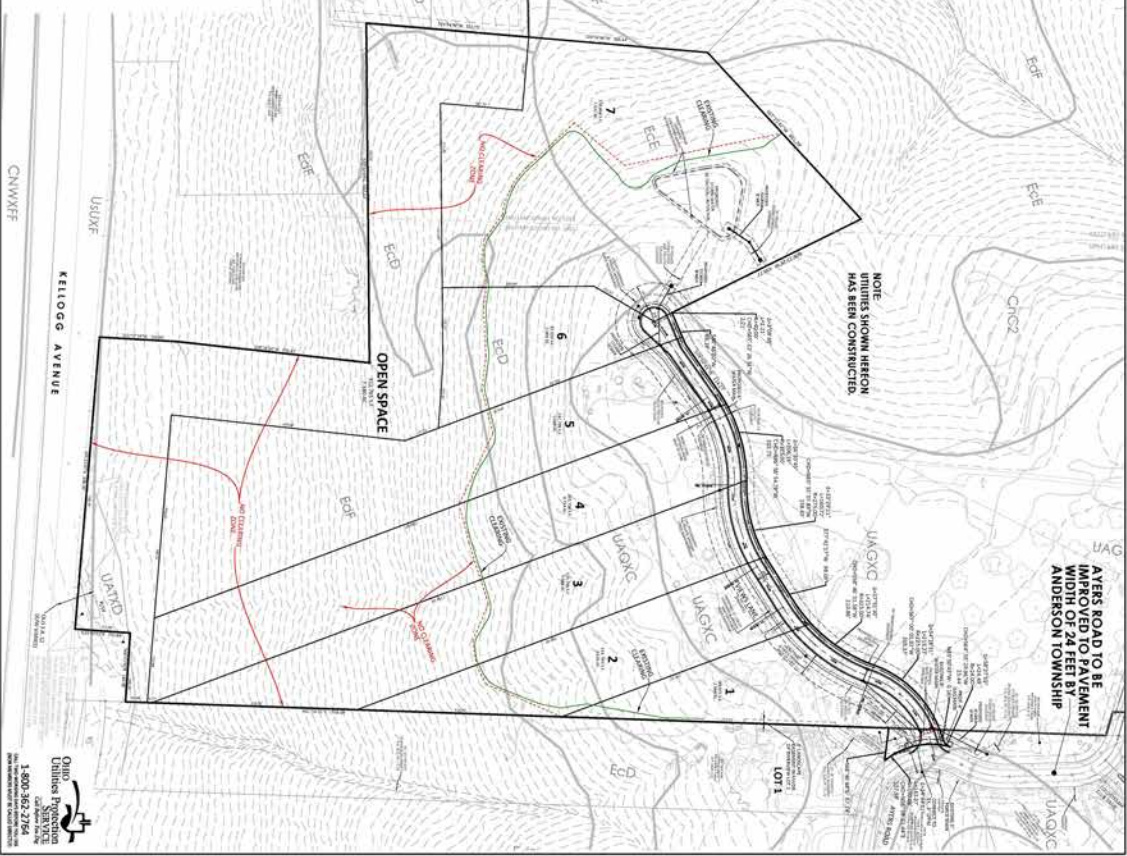
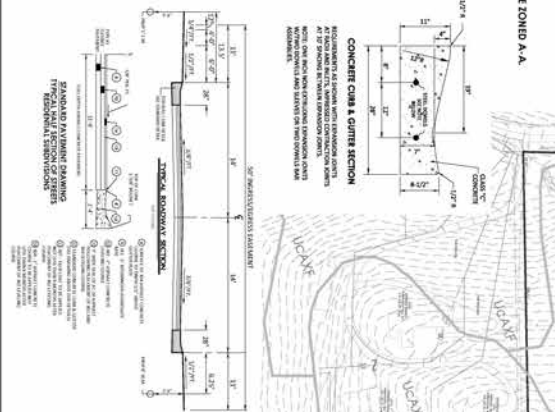
NOTE: A PUD OVERLAY WAS APPROVED BY THE ANDERSON TOWNSHIP ZONING COMMISSION ON FEBRUARY 28, 2022 WHICH ALLOWS FOR A PRIVATE DRIVE TO SERVICE 7 HOMES AND A GATE. SITE ACRES: 35.87 AC.

SUBJECT PROPERTY AND ADJOINING PROPERTIES ARE ZONED A-A.

AREA IN LOTS: 35.873 ACRES
AREA IN OPEN SPACE: 7.189 ACRES

SOIL SURVEY DATA

Map Unit Symbol	Map Unit Name	Map Unit Description
CN2C	Concreted Area, 1 to 15	Percent slopes, excluded
CN2WF	Chicago-Melro-Whiting	Percent slopes, included
E2D	Eden clay silt loam, 15 to 25	Percent slopes
E2E	Eden clay silt loam, 25 to 40	Percent slopes
E2F	Eden clay silt loam, 40 to 50	Percent slopes
U2A2C	Urban wood lot, U2A2C	Percent slopes
U2A2D	Urban wood lot, U2A2D	Percent slopes
U2A2E	Urban wood lot, U2A2E	Percent slopes
U2A2F	Urban wood lot, U2A2F	Percent slopes
U2A2G	Urban wood lot, U2A2G	Percent slopes
U2A2H	Urban wood lot, U2A2H	Percent slopes
U2A2I	Urban wood lot, U2A2I	Percent slopes
U2A2J	Urban wood lot, U2A2J	Percent slopes
U2A2K	Urban wood lot, U2A2K	Percent slopes
U2A2L	Urban wood lot, U2A2L	Percent slopes
U2A2M	Urban wood lot, U2A2M	Percent slopes
U2A2N	Urban wood lot, U2A2N	Percent slopes
U2A2O	Urban wood lot, U2A2O	Percent slopes
U2A2P	Urban wood lot, U2A2P	Percent slopes
U2A2Q	Urban wood lot, U2A2Q	Percent slopes
U2A2R	Urban wood lot, U2A2R	Percent slopes
U2A2S	Urban wood lot, U2A2S	Percent slopes
U2A2T	Urban wood lot, U2A2T	Percent slopes
U2A2U	Urban wood lot, U2A2U	Percent slopes
U2A2V	Urban wood lot, U2A2V	Percent slopes
U2A2W	Urban wood lot, U2A2W	Percent slopes
U2A2X	Urban wood lot, U2A2X	Percent slopes
U2A2Y	Urban wood lot, U2A2Y	Percent slopes
U2A2Z	Urban wood lot, U2A2Z	Percent slopes



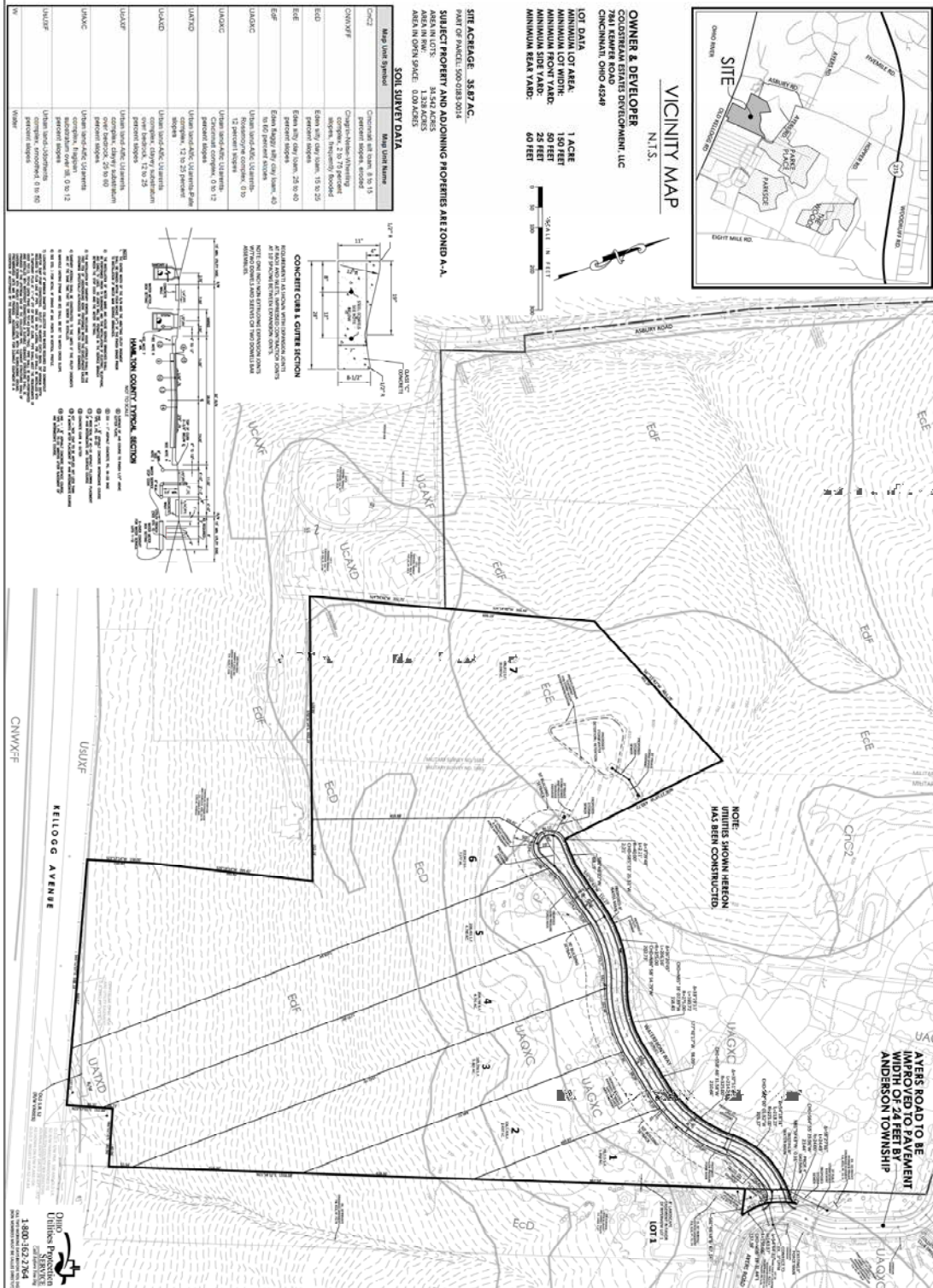
PRELIMINARY PLAN
THE VIEWS AT COLDSTREAM

MILITARY SURVEY #1681 & #1682
 VIRGINIA MILITARY DISTRICT
 ANDERSON TOWNSHIP
 HAMILTON COUNTY, OHIO

MSP DESIGN
 McCall Smith Punson
 10000 W. 12th Street, Suite 100
 Cincinnati, OH 45241
 Phone: 513.763.1234
 Fax: 513.763.1235
 Email: info@mcsdesign.com

PRELIMINARY PLAN
 Project Number: 044602
 Sheet Number: 1-1/2
 Date: 04/19/22

PROPOSED SUBDIVISION PRELIMINARY PLAN



PRELIMINARY PLAN
WATERFRONT ESTATES AT COLDSTREAM
AKA VIEWS AT COLDSTREAM

MILITARY SURVEY #1681 & #1682
 VIRGINIA MILITARY DISTRICT
 ANDERSON TOWNSHIP
 HAMILTON COUNTY, OHIO

MSP
 DESIGN
 McMill Smith Punnett

Project Manager: [Name]
 Designer: [Name]
 Date: 08/04/2022
 Scale: 1"=100'

Ohio Professional Engineer
 License No. 1800-1622764

ATTACHMENT A - Cul-de-Sacs Having Single Public Access Justification

Development Name: Waterfront Estates at Coldstream

A cul-de-sac, series of cul-de-sacs, or any other combination of permanent dead-end streets shall not provide access to more than thirty (30) lots, provided, however, that the Planning Commission may approve (apart from the standards for variations set forth in Section 6) a subdivision or the extension of a street, which will result in frontage to more than thirty (30) lots having only one access, upon making findings and conclusions that justify such length relative to consideration of the following factors:

1. Total numbers of lots that access on the cul-de-sac or dead-end street design: **20 approved (3 platted and 17 not platted) within the Parkside at Riverview Estates Subdivision; 26 approved but not platted within the Carriages at Coldstream Subdivision; 31 platted within the Parke Place at Coldstream Subdivision, 9 vacant lots along Ayers Road, 21 lots with existing homes and 7 in current subdivision proposal for a total of 114 lots.**
2. Size of lots: **1.6 –10 acres**
3. Type of street section: **Public**
4. Right-of-way width: **50 Feet**
5. Street gradients: **Sloping and flat**
6. Size of turn-around: **Standard Cul-de-sac**
7. Availability of intermediate turn-around: **Three existing cul-de-sacs and 1 proposed cul-de-sac provide adequate turnarounds.**
8. Availability of water lines and fire hydrants at proper capacity levels: **Public**
9. Availability of sanitary sewers: **Public**
10. Topography (on-site and off-site) and environmental impact of any future extension of a stub street: **New proposed street will terminate with a cul-de-sac. Extension and stubbing of this street for a future connection to Asbury Road to the west or US 52 to the south is not feasible due to steep slopes and potential stream crossings.**
11. Potential and feasibility of any future connection of a stub street to an existing or planned street: **Although there is a considerable amount of vacant land located to the south and west of this proposed development, the proposed new cul-de-sac could be terminated as proposed with no need for a stub. The land to the south and west could not be developed due to severe steep slopes (identified on the submitted preliminary plan as Eden flaggy silty clay loam 40-60% slopes).**
12. Availability of alternate emergency access: **It does not appear that an emergency access point is feasible due to severe steep slopes.**
13. Traffic as measured by average daily trip (ADT) rate: **N/A**

14. Length of **(NEW)** cul-de-sac: **1,100 feet (Riverview Lane)**

15. Recommendation of adopted township plan: N/A