

**TO: City Council**

**FROM: Scot F. Lahrmer, City Manager**

**RE: Approval of a Concept PUD and Rezoning of Property**

**DATE: November 17, 2003**

**ACTION REQUESTED:** On November 24, have a first reading and set a public hearing for December 8. On December 8, have a public hearing and consider **Ordinance 2003 - 139** approving the rezoning of 18.66 acres and concept PUD plan for the Tylersville Crossing.

**PURPOSE:** To review and take action on the rezoning and concept PUD plan as reviewed at the November 4 Planning Commission meeting.

**SITE/PROJECT DESCRIPTION:** Cincinnati United Contractors is requesting approval of a rezoning and concept PUD plan for 18.66 acres located at the northwest corner of US-42 and Tylersville Road. The property is proposed to be rezoned from B-2 Shopping Center District and B-1 Central Business District to an Office/Commercial Planned Unit Development (PUD). The proposed PUD is shown to have six parcels ranging in size from 1.25 acres to 5.95 acres. Proposed uses include two retail lots and a restaurant along the frontage and two office complexes to the rear of the site. The development is also proposed to have a 5.95 acre parcel of open space. Access to the site will be from two points off Tylersville Road; a full access with a new traffic signal and a right-in and right-out towards the center of the property. A public street is proposed to be looped through the site to provide internal access for the parcels. Tylersville Road improvements are proposed by the developer including deceleration lanes, left turn lanes and the installation of a center landscaped median.

**STAFF REVIEW COMMENTS:**

The current plan meets most of the requirements for approval of a concept PUD and rezoning. Planning Commission and staff recommend approval of the rezoning and concept PUD contingent on the applicant addressing the following items:

1. Please label the parking lot setbacks along the access road from the back of curb to the curb around the perimeter of the parking lot.
2. Please move the deceleration lane from the main access point to the right-in/right-out access point. Only a small deceleration lane is needed at the main access point.
3. Please submit the Tylersville Crossing subdivision name to Bill Barnett, Building and Zoning Inspector for review; there are several subdivisions in the area that have a similar name. Tylersville Crossing may need to be changed to avoid confusion with emergency personnel and dispatch.
4. The developer will address landscaping, lighting, dumpster location, screening from trucks at loading dock, saving of existing trees and security issues with the residents along Thornberry Court.
5. Please provide streetlights along the public street as required.

Planning Commission also granted the following requested variances as part of the PUD:

- a. Reduction of the setbacks along the internal public road from 25 feet to 20 feet; measured from the back of curb to the back of curb along the parking lot.
- b. Installation of a 5-foot sidewalk on only one side of the public road as opposed to both sides.
- c. Reduction of the distances between intersections and access points to the distances shown on the approved plan.
- d. Reduction of the distances between signaled intersections to the distance shown on the approved plan.

Please contact me if you have any questions.

c: Richard J. Fair, City Engineer