



# **Review of the Second Draft of the Land Development Code**

January 30, 2015

Hyde Park Neighborhood Council  
Cincinnati OH 452008

## Summary

This report documents the findings and recommendations of the Hyde Park Neighborhood Council (HPNC) Zoning Committee review of the Second Draft of the proposed Land Development Code (LDC) issued October 17, 2014 and the associated maps.

## Process

The Second Draft of the LDC was compared to the current Zoning Code and the existing development. The most significant differences were identified. The impact of these differences and our recommendations to improve LDC are defined in this report.

## Issues, Discussion and Recommendations

The LDC Second Draft Hyde Park map, development and use regulation issues were identified and reviewed by the HPNC Zoning Committee and approved for submittal by Officers of the Hyde Park Neighborhood Council with the authority of the Board of Trustees.

The identification, description of the issues and recommendations are included in the following sections.

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Due to the time constraints of a completely volunteer organization, the HPNC Zoning Committee did not have the time to adequately review the Site Development, Administration and Definitions chapters of the LDC.

The absence of comments should not be interpreted as HPNC acceptance of the remaining portions of the LDC. The HPNC will continue review of the LDC and will submit recommendations on this and subsequent LDC drafts.

## **A. Requested Hyde Park Zoning Map Changes**

### **Issue:**

The remapping the Residential Multifamily (RM) districts using the new LDC standards increased the maximum height, density and other elements permitted by the new RM districts that are not present in the existing environment.

### **Discussion:**

The rezoning in the Second draft of most of the RM-H to RM-M is an improvement but RM-M is incompatible with the existing development.

The overwhelming majority of Hyde Park is zoned single family with a 35' height limit. All of Hyde Park Multi-family zoning was surveyed to identify the existing multi-family structure height and front setback. It was found that most of the existing Multi-Family zoned properties in Hyde Park consist of only two story or two and a half stories tall with very few three-story or more buildings.

The RM-M zone permits 50 feet height structures with 5 to 12 feet front setbacks. RM-L permits 35 ft height structures with 15' minimum or front yard averaged setbacks. There are a number of locations in Hyde Park where the proposed RM-M 50 feet height will abut SF-6, SF-10 and SF-20 properties of 35 feet height and thus not be compatible with the existing environment.

The survey also found several locations with multifamily zoning that appear to be anomalies carried over from previous zoning maps which should be corrected.

For environmental compatibility reasons, we request the following changes to bring the zoning in our community into line with the existing uses and development.

### **Location - Description & Requested change**

1. The entire Chestnut Station development - on Ashworth & other streets east off Erie Avenue opposite the country club - This development consists of 100+/- two story buildings except for one 4 story multi-unit near the entrance off Erie. – Change from RM-M to RM-L.
2. Tarpis north dead end off Erie– the existing are 2½ story multi-unit buildings. – Change from RM-M to RM-L.
3. Delta west side – Springer to Griest – This block has only 3 multi-family unit buildings, all the others are 2½ story single family buildings – Change from RM-M to SF-6.
4. a. Paxton west side from Victoria to Portsmouth – these are mostly 2½ story single family homes. Change from RM-M to SF-6.  
b. Paxton east side from Victoria to Portsmouth – Consists of 2½ story low density multi-unit buildings. Change from RM-M to RM-L.
5. Linwood from west of Cryer to Paxton – the existing buildings are 2 ½ story low density multi-unit dwellings. Change from RM-M to RM-L.
6. Kleybolte is a dead end street west off Delta - Not in Hyde Park.
7. Linshaw east side from Observatory to and including Erie – The buildings are all 2 ½ story multi-unit dwellings except for one. Change from RM-M to RM-L.
8. Madison Road from the Erie triangle park at Erie to north east of Stettinius – the area is dominated by 2½ story buildings single and multi-family homes. Change from RM-M to SF-6 and RM-L.
9. Madison Road opposite Withrow H S to Observatory – with the exception of two properties the area is 2 ½ story buildings mostly single family homes. Change from RM-M to RM-L for the two exceptions and SF-6 for everything else.
10. Madison Road at Dana/Observatory to Vista – There are two 3 story buildings, all the others are 2 story multi-unit buildings. Change from RM-M to RM-L.
11. a. Madison Road at East Hill to Bedford Terrace – The east side is all 2½ story buildings mostly single family homes. Change from RM-M to SF-6.

- b. Madison Road at East Hill to Bedford Terrace – West side is 4 story multi-unit buildings Change from RM-M to RM-L.
- 12. Madison Road and Paul Street. Multi-unit apartment buildings. Change from RM-M to RM-L.
- 13. a. Torrence Ct & Herrick to dead end. Northwest side is all 1 story homes plus 2 two story single family homes. Change from RM-M to SF-4.  
  - b. Torrence Ct & Herrick to dead end. Southeast side is three 2 ½ story multi units. Change from RM-M to RM-L.
- 14. Torrence Ct and Whitman off Torrence Parkway – The area is all single family homes except for one multi-unit building. Change from RM-M to SF-6.
- 15. O'Bryon &, Lavinia north of Madison Rd and Pogue. Are mostly one & two story buildings single family homes. Change from RM-M to SF-6.

## **B. Recommended Use District Text Changes**

### Single Family Districts

SF-6 Page 3-11 1703-1.5 - Should have front yard setback averaging

SF-4 Page 3-13 1703-1.6 - Should have front yard setback averaging

SF-2 Page 3-15 1703-1.7 - Should have front yard setback averaging

SF-6 Page 3-11 1703-1.5 - Should have minimum front yard setback the same as current 25'

SF-4 Page 3-13 1703-1.6 – Should have minimum front yard setback the same as current 20'

SF-20 thru SF-4 - All 5 zones, multiple pages effected – \*\*On a double frontage lot. The Director or his/her designee shall determine "which is" the front and rear yard.

### Multi-Family Districts

All RM zones ( L, M, & H) Placement - should require front yard setback averaging.

All RM zones Lot Dimensions - Row House has been deleted and is now known as Attached Single Family and should be listed as permitted.

RM-M 1703-2.4 Page 3-21 - Building Height allows multi-family (more than 4) of 50' which should be require a conditional use

### RX Residential Mixed Use (previously OL)

RX Page 3-27 1701-3.3 Placement - Should require front yard setback averaging.

Location of Parking - Side yard parking should not exceed building setback.

PX Pedestrian Mixed (Hyde Park Square previously CN-P)

PX Page 3-29 1701-3.4 Lot Dimensions are shown as zero – Does not appear adequate

Placement - Should require front yard averaging or minimum 5'

NX Neighborhood Mixed (East Hyde Park previously CN-M)

NX Page 3-31 1703-3.4 Lot Dimensions are zero – Does not appear to be adequate

Placement - Should require front yard averaging or minimum 5'

Building height max should be 35' and require Conditional for up to 50'

(Note: East Hyde Park has only 2 buildings greater than 35')

CG Commercial General (Found on Madison Road near Edwards and on Wasson Road east of Edwards)

CG Page 3-33 1703-3.6 Height and Mass - Permits building Height of 85' should be 50' due to its immediate proximity to residential zoning  
(Note there are no buildings greater than 50' in the area)

PD Planned Development

PD Page 3-29 1703-8.3; Should limit the reduction of the 2 acre requirement to no greater than a 25% reduction of the 2 acre requirement. As written there is no lower limitation which could result in PD development applications of very small areas such as ¼ acre size.

Parks and Recreation

PR Page 3-55 1703-6.3 Lacks any limitations except height. Does not appear adequate.

## **C. Recommended Other Text Changes**

Page 11-9 1711-1.3 Location of Remote Parking - Allows remote parking 600 feet from Principal Use and there is no requirement that parking spaces are actually available. This allows the same public parking spaces to be repetitively used an infinite number of times to reduce the need for on-site parking.

Request that a requirement be established that prohibits double counting spaces already committed to other uses.

The distance should be reduced to 400 feet the same as student parking that has 400 distance limit. The distance should be calculated using public right-of-ways.

Page 3-93 1703-9.4 lists Pawnbrokers as Alternative Financial Service. Pawnbrokers sell merchandise and should be considered Retail, general.

## **D. Conclusion**

The Hyde Park Neighborhood Council is pleased to offer these comments on the Second Draft of the Land Development Code and respectfully requests that the City Planning Department revise the Second Draft and adopt our requests and recommendations.

The HPNC Zoning Committee is prepared to meet, discuss and work with the Planning Department in reviewing and implementing our recommended changes.

Please contact:

Gary Wollenweber, HPNC Zoning Committee Chairman (513) 243-8719 or  
Carl Uebelacker, HPNC Communications Secretary (513) 321-3320 to discuss.