



**ANDERSON TOWNSHIP PLANNING AND ZONING - STAFF REPORT**  
**CASE 1-2024 FDP ANDERSON**  
**1303, 1291, 1279, & 1267 EIGHT MILE RD**

FOR CONSIDERATION BY THE TOWNSHIP ZONING COMMISSION ON APRIL 22, 2024

**APPLICANT:** Josh Blatt, of John Henry Homes, on behalf of Eight Mile Development Company, LLC, property owner.

**LOCATION & ZONING:** 1303, 1291, 1279 & 1267 Eight Mile Road  
 Book 500, Page 41, Parcels 210, 1478, 212, 213, 1481  
 "DD" Planned Multiple Family Residence

**REQUEST:** The applicant is requesting a Final Development Plan approval to construct a housing development located at 1302, 1291, 1279, and 1267 Eight Mile Road. The applicant is proposing to construct six two story townhome buildings, with a total of 36 units, 15 off street parking spaces, and landscaping. The overall proposed density is 7.09 units per acre, less than the allowed 7.26 units per acre.

The applicant is also requesting a variance for a 27' front yard setback when previously approved for 31'. This distance did not change from the previous plan; however, it was not clearly marked on the plan.

**SITE DESCRIPTION:**

<i>Tract Size:</i>	5.0754 acres
<i>Frontage:</i>	Approximately 334' on Eight Mile Road
<i>Topography:</i>	Relatively flat, with a decrease in grade towards the east (Parcel 1481)
<i>Existing Use:</i>	Vacant Land

**SURROUNDING CONDITIONS:**

<u>ZONE</u>	<u>LAND USE</u>
<i>North: "C" Residence</i>	Single Family Homes
<i>South: "C" Residence</i>	Single Family Homes
<i>East: "C" Residence</i>	Single Family Homes
<i>West: "C" Residence</i>	Single Family Homes

**SITE HISTORY:** There were previously four single family residences on the properties, however, they have since been torn down and the land is vacant.

Three of the parcels (500-41-212, 500-41-213, 500-41-1481) were approved for a Future Land Use Map amendment in 2019 for a change from "Single Family Residence" to "Transitional Residence." The Future Land Use Map amendment was approved, under a previous property owner, with the intent of constructing 24 condo units in one three story building, with parking below, as well as 13 single family lots, known as Dacey's Landing.

The previous owner decided in 2021 to move forward with 16 single family lots on this site. Known as Hummingbird Court, the subdivision was approved through Hamilton County, but never constructed.

An open house was held in September of 2023 to discuss the Future Land Use Map amendment, as well as a potential Zone Change request. Notices were sent to property owners within 200' of all parcels under consideration. Six neighbors were present and expressed concerns of traffic along Eight Mile Road, density, buffering to adjacent single-family lots, and water with the creek running through the rear of the eastern most parcel. The current property owner applied and was approved for a Future Land Use Map amendment for two adjacent parcels (500-41-210, 500-41-1478) for a change from "Single Family Residence" to "Transitional Residence" in December of 2023. Next, the current owner applied and was approved for a Zone Change request for the same two adjacent parcels (500-41-210, 500-41-1478) for a change of "C" Single Family Residence to "DD" Planned Multiple Residence District for the six townhome buildings with 36 units in total.

#### **CASE HISTORY:**

Hamilton County Regional Planning Commission held a public hearing on January 4, 2024, in regards to Case 1-2024 Anderson. Hamilton County Regional Planning Commission staff recommended approval of submitted plans with conditions. The Hamilton County Regional Planning Commission vote resulted in 3 yeas, 1 no, which is considered a recommendation of denial.

On January 22, 2024, the Anderson Township Zoning Commission held a public hearing for Case 1-2024 Anderson. After hearing public testimony, the Zoning Commission made a motion to recommend approval of the Zone Change with conditions.

The Board of Township Trustees held a public hearing on February 15, 2024, regarding Case 1-2024 Anderson and approved the Zone Change from "C" Single Family Residence to "DD" Planned Multiple Family Residence District with conditions.

#### **FINDINGS:**

Items for the Zoning Commission to consider include, but are not limited to the following:

##### **Anderson Plan**

Township staff believe that the application in Case 1-2024 Anderson is consistent with the following sections of the 2022 Comprehensive Plan Update:

**Land Use and Development:** *Anderson Township will be a well-planned community with a mixture of agricultural uses, residential neighborhoods, commercial centers, and an industrial base balanced with public uses, parks and other recreational uses.*

All parcels in question have been approved for a Future Land Use designation of "Transitional Residence". "Transitional Residence" is defined as: *Moderate density, detached or attached housing that provides a transition between single-family residential and other types of development, where such uses will effectively terminate the spread of higher intensity uses and conserve the adjacent residential neighborhoods. Related compatible uses include neighborhood serving schools, parks, churches and public facilities and does not include office, commercial, and industrial uses.*

The proposed application has a slightly lower density, 7.09 units per acre, than what is allowed within the "C" Single Family Residence zoning designation of 7.26 units per acre.

*7.2.1 Protect single family neighborhoods from higher intensity uses by implementing landscape buffers or the development of transitional uses.*

**Housing:**

4.1.2 *Encourage the development of a variety of housing options, at varying price points, to attract and retain a diverse population and that include open spaces, sidewalks, trails and other neighborhood scale amenities.*

4.1.3 *Encourage the development and redevelopment of a variety of housing styles and densities in appropriate areas of the Township.*

*The Township should provide a variety of businesses and housing options to meet changing demographics and market demands.*

**Anderson Township Design Guidelines**

**Site Planning**

Site planning goals include (but are not limited to), “Developments should be integrated into the commercial areas and the immediate context through street connections, sidewalks, connecting outdoor spaces, land use transition and compatibility, and building scale and character, which respects the uniqueness of each property and reinforces the Township’s sense of place and character and seeks a balance between serving both automobile and pedestrian movement.”

*Findings: The applicant has submitted a landscaping plan which adequately buffers the site as a transitional residence development to the adjacent single family residence districts. In addition, the site provides sidewalks within the development, as well as along Eight Mile Road to create pedestrian access both to the site, as well as to Beechmont Avenue. While considered multi-family, the development is proposed to maintain a single-family residential scale by limiting the height of each building to two and a half stories, which is what is permitted in the adjacent residence districts. In addition, the applicant has designed building 1 to have a street facing appearance, with garages in the back to eliminate additional driveways along Eight Mile Road.*

**Architecture**

Building designs that thoughtfully consider scale, form, orientation, height, setback, massing, materials, color and architectural features.

*Findings: The applicant submitted elevations for the buildings, which show a variety of materials, including stone and siding. The applicant is proposing to have the height at a maximum of two and a half stories, which is what is permitted in the adjacent single family residence districts. In addition, the applicant has stated that Building 3, which side faces Eight Mile Road will have a stone façade in order to provide a residential character to the side of the building.*

**Lighting**

Exterior lighting should be designed to provide the minimum level of illumination necessary for security, safety and visual appeal for both pedestrians and vehicles. *The applicant submitted a lighting plan which is in compliance with the Anderson Township Zoning Resolution.*

**Anderson Trails Plan**

The proposed development identifies an interior sidewalk for the whole length of the south side of the private drive, as well as a portion of the north side of the private drive, as well as a 5’ wide sidewalk along Eight Mile Road.

The zone change approval required a future cross access easement be provided to the northern most property line for emergency and pedestrian access. If the property to the north were ever to develop, this could give the future residents of both developments a pedestrian connection.

#### **Tree Committee**

The Committee provided a letter that states in part: *After reviewing the site plan, the Tree Committee was satisfied with the variety of trees and the species being proposed. The introduction of new species to the site will lead to a more diverse tree canopy as the committee attempts to minimize the risk from future tree pests and diseases.*

*We also ask that the applicant follow ANSI A300 Standards for tree planting and future care of the proposed trees. The committee encourages the applicant to avoid volcano mulching when planting, avoid planting invasive species, and to select trees that grow well in small spaces. Proper maintenance includes pruning as recommended by ANSI A300 Tree Care Standards.*

#### **COMPLIANCE WITH APPROVING ZONING RESOLUTION:**

Resolution 2024-0215-01 provides a basis to evaluate this proposal. Below please find staff's notes on the site plan's compliance with these requirements:

Board of Township Trustees conditions:

(Note: the numbering below corresponds with conditions in Resolution)

1. That the parcels be consolidated into one parcel. **The applicant has stated the parcels shall be consolidated into a single tax parcel. Will need to be recorded.**
2. That a future cross access easement to the northern property line for emergency and pedestrian access be shown on the Final Development Plan. **Compliant**

The approval of Case 1-2024 Anderson shall include the following variance:

Variance: Article 3.9, D, 2 – Front Yard Setback – No building shall be closer than forty (40) feet to any front or rear lot line. Building 1 is shown to be 27' from the front property line along Eight Mile.

1. The variance is not substantial. The applicant has modified the plans for Building 1 to have rear facing garages which come in off the private drive, rather than Eight Mile Road. If the building faced Eight Mile, there would be six additional driveways. The 9' variance allowed the driveways to go behind the buildings, as well as still providing ample room for a sidewalk and landscaping along the Eight Mile frontage.
2. The essential character of the neighborhood will not be altered, the houses that were previously on the site sat less than 30' from Eight Mile Road.
3. The variance will not adversely affect the delivery of governmental services.









**View looking west from Eight Mile Road.**





**View looking north from Cherry Lane.**



**View of interior of site, looking west.**





**View of site looking south toward Cherry Lane.**



**View of site looking south from existing paved area.**