

ANDERSON TOWNSHIP PLANNING AND ZONING - STAFF REPORT  
**CASE 2-2018 ANDERSON MAJOR MODIFICATION**  
**BIG ASH BREWING – 5230 BEECHMONT AVENUE - SKYTOP**

FOR CONSIDERATION BY THE ANDERSON TOWNSHIP ZONING COMMISSION ON DECEMBER 15, 2025.

<b>APPLICANT:</b>	Brian Doyle, Property Manager of NF Properties, on behalf of NF Skytop Properties LLC, property owner.		
<b>LOCATION &amp; ZONING:</b>	5230 Beechmont Avenue (Book 500, Page 430, Parcel 205) "EE" – Planned Retail Business		
<b>REQUEST:</b>	A major modification to the Final Development Plan for Case 2-2018 Anderson to add a pick-up window with a drive lane to an existing building, removing 7 parking spaces, and adding an exterior walk-in cooler.		
<b>SITE DESCRIPTION:</b>	<i>Tract Size:</i> 1.98 acres (Big Ash Property) <i>Frontage:</i> Approximately 219' on Beechmont Avenue <i>Topography:</i> Very steep slope in southernmost portion, the remainder is relatively flat <i>Existing Use:</i> Micro-brewery		
<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u> <i>North:</i> "A" – Single-family residence "EE" Planned Retail Business <i>South:</i> "E" – Retail Business <i>East:</i> "C" – Single-family residence <i>West:</i> "H" – Riverfront and "E" Retail	<u>LAND USE</u> Single-family Skytop Apartments UDF (undergoing construction) Single-family Shopping Center	
<b>PROPOSED DEVELOPMENT:</b>	The applicant is proposing a 9' x 30' addition incorporating a walk-in cooler and a pick-up window, along with a new drive lane, which will eliminate seven (7) existing parking spaces on the west side of the building. The walk-in cooler will be finished with siding and paint consistent with the existing building. The pick-up window is intended for order pick-up; no order-window box is proposed. Instead, a call button and/or sensor loop will be installed to alert staff when customers arrive at the window. The applicant has also removed the shed previously located adjacent to the deck on the west side and will install a concrete pad to connect an existing concrete pad to the existing sidewalk.		
<b>ZONING HISTORY:</b>	The previous shopping center was issued a zoning certificate in 1999 for a 56,200 SF shopping center with two stand-alone commercial buildings. A variance was granted in 1999 for a 30'-3" tall, 187.5 SF free-standing sign. Various permits were issued throughout the years for wall signage, temporary signage, and temporary tents for garden sales. Prior to the construction of the Skytop Pavilion, the property was used as the former El Rancho Rankin motel.		
	On 06/21/2018, the Anderson Township Trustees approved a zone change for 5220, 5222, and 5230 Beechmont Avenue, containing 17.894 acres, from "A" Residence, "E" Retail, and "H" Riverfront to "EE" Planned Retail District, to raze an existing 125,000		

square foot shopping center to construct nine, 3-story apartment buildings towards the northern portion of the site and one 1-story outlet commercial building at 10,640 square feet near the eastern-most entrance of the development.

On 12/19/2018, a Zoning Certificate was issued for a change of use from a restaurant to a micro-brewery (Big Ash) that included a new deck, size 61'-6" x 20', however the deck was never constructed.

On 10/28/2019, the Zoning Commission approved Case 2-2018 Anderson FDP, Phase I for the commercial outlots on the property. The Final Development Plan (Phase I) included two existing commercial buildings and the construction of a new 1 story commercial building, size 10,640 SF, 117 parking spaces, lighting and landscaping modifications. The Final Development Plan also contains the previously approved change of use for Big Ash.

On 10/26/2020, the Zoning Commission approved a Major Modification to the Final Development Plan for Case 2-2018 Anderson to increase the size of an approved deck by approximately 935 SF (35' x 62'), a roof over the deck, an 8' x 8' grill enclosure and patio addition, and a cigar hut (accessory structure). The deck expansion, roof, grill enclosure, and cigar hut were never constructed.

On 04/26/2021, Zoning Commission approved Case 2-2018 FDP Skytop Phase II to demolish the existing 124,760 SF structure and construct a one four-story structure, approximately 363,292 SF, with 361 residential units.

Between 2024 and 2025, Big Ash installed a (23' x 91') patio on the eastern side of their building without a zoning certificate, removing 11 parking spaces.

## **FINDINGS:**

### **Approving Zone Change Resolution:**

The following are the conditions set in RESOLUTION #18-0621-02 on 06/21/2018:

1. That a landscaping plan that meets the minimum standards of the Zoning Resolution shall be submitted as part of the Final Development Plan.
2. That a lighting plan that meets the minimum standards of the Zoning Resolution shall be submitted as part of the Final Development Plan.
3. That a pedestrian connection separated from vehicular traffic in raised-curb areas or landscaped areas shall be identified through the site connecting to the existing sidewalk along Beechmont Avenue adjacent and east of the site and that a connection shall be made from each multi-family and commercial building entrance to this sidewalk.
4. That all requirements of the Ohio Department of Transportation shall be met.
5. That all buildings do not exceed a maximum building height of 37.5' (variance).
6. That bicycle parking spaces shall be provided as required in Section 5.3 (D) (17) (A) of the Anderson Township Zoning Resolution.
7. That all signage shall comply with Section 5.5 of the Anderson Township Zoning Resolution.

### **Final Development Plan Phase I**

The following are the conditions set in RESOLUTION #2019-1028-02 on 10/28/2019:

1. That the dumpster encloser be constructed with brick to match the exterior of the building.
2. A photometric plan compliant with Article 5.3, K, of the Anderson Township Zoning Resolution shall be re-submitted.
3. That bicycle parking spaces shall be provided complaint to Article 5.3, D, 9 of the Anderson Township Zoning Resolution.
4. That all signage complies with Article 5.5 of the Anderson Township Zoning Resolution.

### **Major Modification to Final Development Plan (Big Ash)**

The following are the conditions set in RESOLUTION #2020-1026-01 on 10/26/2020:

1. All previous conditions of approval from Case 2-2018 Anderson FDP, as well as the underlying requirements of the Zoning resolution, shall still apply to the site.
2. Future expansions will be subject to Article 5.1, C of the Zoning Resolution, General Development Plan Provisions.
3. The maximum height of the new deck structure is to be limited to 26'.
4. The firewood that is to be located on the new patio adjacent to the grilling area is to be screened from view from the street and parking area.

### **Zoning Resolution Compliance**

The proposed development plan is compliant with the Anderson Township Zoning Resolution except for the following:

**Article 5.3, E, 2 (Table 5.7):** Parking for the three commercial outlets was calculated as a “Shopping Center” which requires 4 spaces per 1,000 square feet. The original Final Development Plan was approved with 117 parking spaces where 81 was required. The additional 270 square feet requires 1 parking space which is still below the total provided. A shared parking agreement is in place for all three commercial outlots. However, the applicant’s submittal does not show the approved strip center for Lot 3 (C), making the parking count inaccurate.

**Article 5.3, H, 1 (Table 5.10):** The minimum stacking space requirement is (8) spaces from the pick-up window measured under Restaurant. The proposed (4) stacking spaces meets this requirement as they are not proposing an Order Window box, only a Pick-up Window. Cited in *Illustration 5.11: Vehicle Stacking Spaces*

**Article 5.3, D, 9:** Bicycle Parking: All non-residential uses shall contain two bicycle parking spaces, with locking accommodations and placed within reasonable access to the main entrance, for each 50 parking spaces. In 2019, for the Final Development Plan, the Zoning

Commission conditioned that bike racks be placed on all three of the parcels. Big Ash has not met this condition.

**Article 5.3, D, 4:** Parking Requirements for Persons with Disabilities: Applicants must provide parking spaces for individuals with physical disabilities in accordance with the Ohio Basic Building Code, including all required markings, striping, and signage.

### **Applicable Plans**

#### *Anderson Plan*

The application is consistent with the goals and objectives of the Anderson Plan and its vision area, goals, and recommendations. Specifically, the application is consistent with the following Goals of the Anderson Plan:

Economic Health: Attract and promote local, non-chain businesses and restaurants, and encourage local entrepreneurial efforts (3.2). Support the expansion of nonresidential uses provided they are compatible with adjacent land uses and are designed to respect the environment (3.5).

#### *Design Guidelines*

The application is consistent with the following objectives in the Design Plan:

Drive-Throughs: Drive-throughs should be located at the side or rear of the building and avoid facing public or private roadways.

**RECOMMENDATION:** Staff recommends approval of the Major Modification to add a pick-up window with a drive lane to an existing building and adding an exterior walk-in cooler.

1. The proposal is consistent with the conditions of the approving resolution for the development and the underlying “EE” Planned Retail Business District Zoning.
2. The proposed modifications are compatible with the site and surrounding uses.
3. The development is served adequately and efficiently by essential public facilities and services, which are already in existence.
4. The modifications allow for the applicant to realize a reasonable profit from the property.

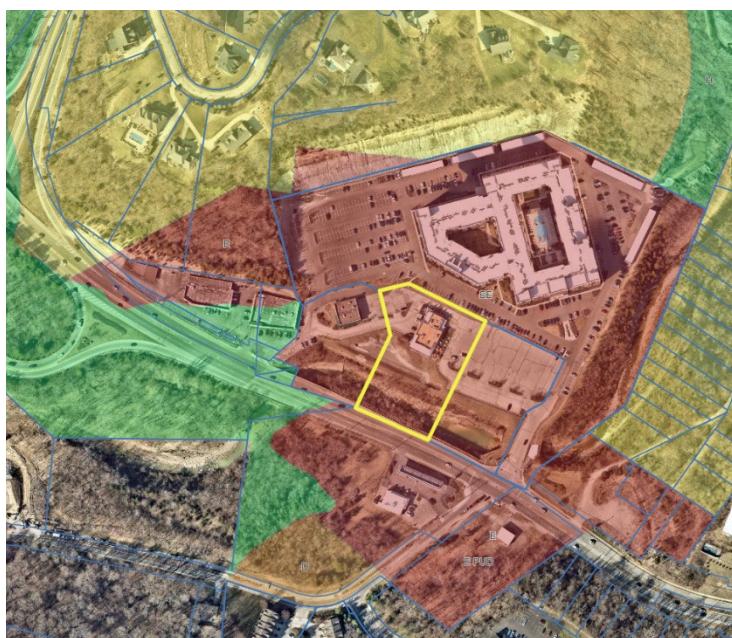
This approval shall be based on the following conditions:

1. All previous conditions of approval from Case 2-2018 Anderson FDP, as well as the underlying requirements of the Zoning resolution, shall still apply to the site.
2. Future expansions will be subject to Article 5.1, C of the Zoning Resolution, General Development Plan Provisions.
3. The applicant install bicycle racks as stated in RESOLUTION #2019-1028-02.

4. The applicant shall comply with Article 5.3, D, 4 (Parking Requirements for Physically Disabled).
5. The applicant shall submit new site plans that include the proposed shopping center from Case 2-2018 Final Development Plan to line up the parking spaces that were submitted and approved as well as show the proposed landscape islands in Parcel's 1 (A) and 2 (B) as shown in Case 2-2018 Final Development Plan.
6. The applicant shall submit revised plans clarifying an accurate parking count.



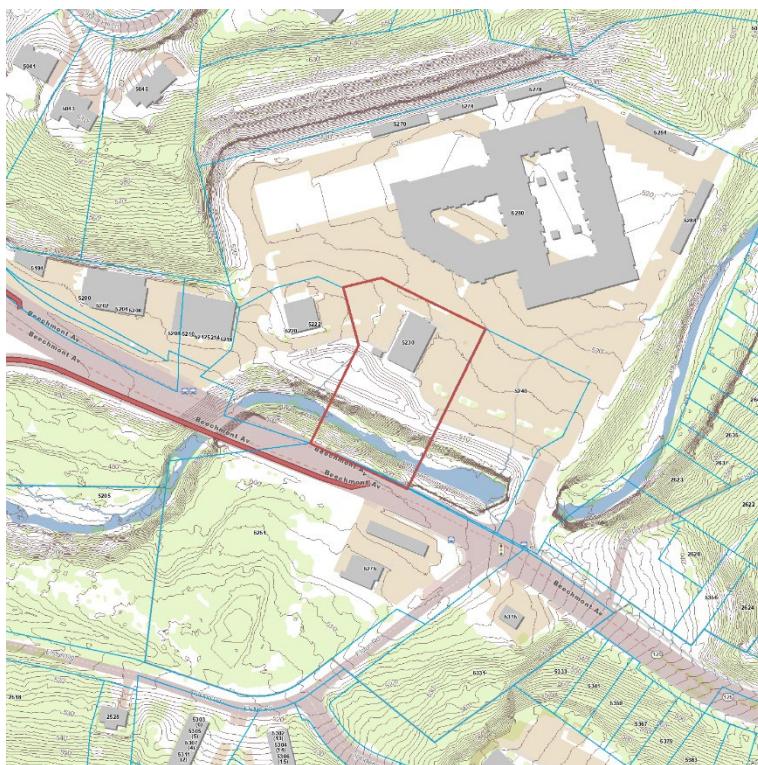
## Property line Map (CAGIS)



## Zoning Map (CAGIS)



2024 Aerial (CAGIS)



Topographic Map (CAGIS)



