

ANDERSON TOWNSHIP PLANNING AND ZONING - STAFF REPORT
CASE ANDERSON 1-2023 PUD MAJOR ADJUSTMENT
CLOUGH COMMONS – 6666, 6694 AND 6700 CLOUGH PIKE

FOR CONSIDERATION BY THE ANDERSON TOWNSHIP ZONING COMMISSION ON OCTOBER 26, 2026

APPLICANT:	Martin Feltman, on behalf of Anderson Land Holding's, LLC, property owner	
LOCATION & ZONING:	6666, 6694 and 6700 Clough Pike Book 500, Page 360, Parcels 34, 94 and 33 "E" Retail Business and "E-PUD" Retail Business Planned Unit Development	
REQUEST:	The applicant is requesting approval of a coordinated site plan including the three properties above, known as the Clough Commons. The application includes a parking plan, with a shared parking agreement and cross access agreement, a landscaping plan, a new outdoor permanent pergola to replace existing tents on the property, lighting and a dumpster. The proposed impervious surface ratio (ISR for the three properties is as follows: 6666 Clough Pike (Family Pet Center) – 65.1%; 6694 Clough Pike (ATP) – 85.9%; and 6700 Clough Pike (Annex) – 87.1%.	
SITE DESCRIPTION:	<i>Tract Size:</i>	1.418 acres (6666 Clough), 0.436 acres (6694 Clough) and 0.650 acres (6700 Clough)
	<i>Frontage:</i>	approx. 151' (6666 Clough), 49.9' (6694 Clough), and 82.61' (6700 Clough) on Clough Pike
	<i>Topography:</i>	Mostly flat, sharp increase in grade toward the rear of the site (east)
	<i>Existing Use:</i>	Family Pet Center, Anderson Township Pub, Vacant commercial structure
SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
	<i>North:</i>	"E-PUD" Retail PUD Patriot Center
	<i>South:</i>	"E" Retail The Quencher
	<i>East:</i>	"A-2" Residence Vacant lot / Single family home
	<i>West:</i>	"B-CUP" Residence- Township Greenspace Community Unit Plan
PROPOSED DEVELOPMENT:	The applicant is proposing a coordinated site plan including the three properties above, known as the Clough Commons. The applicant is proposing a permanent 26'x30' pergola for outside seating. The optimum parking for the ATP (2,383 SF) and Annex (3,197 SF) is 56 spaces (based on restaurant requirements of 10 spaces per 1,000SF), with a permissible range of 50-62 spaces. The optimum parking for the Family Pet Center (9,370SF) (based on retail requirements of 4 per 1000SF) is 37 spaces with a permissible range of 33-41. The applicant is proposing 98 spaces total (20 for Pet Center and 78 for ATP / Annex), where 93 is required (permissible range is 84-102). A shared parking agreement has been submitted with the application for all three properties and cross access to the south is identified on the site plan.	
ZONING HISTORY:	The ATP building was constructed in 1957 and 6700 Clough was constructed in 1968. Both parking lots were nonconforming to the current parking regulations. The ATP was established in 1982. The current owners purchased ATP on March 10, 2020 and 6700	

Clough on June 15, 2020. The former use of 6700 Clough Pike was SDH Controls. The Family Pet Center building was constructed in 1953, and the current owners purchased the property in 2024.

Below is the history of communication with owners following a complaint received:

- August, 2020 – received email from Hamilton County Planning + Development / Stormwater that a complaint was filed for paving / expanding the rear parking area
- August, 2020 – Township contacted owner requesting an application for zoning to be made for work completed on the property
- September, 2020 – ATP submitted plan for review, however additional information was needed in order to determine zoning processes necessary
- June, 2022 – staff met onsite with owner to discuss future plans and request an application for zoning to bring property into compliance
- March, 2023 – Fire & Rescue responded to small fire and noticed an unpermitted tent behind building
- March, 2023 – Hamilton County Planning + Development posted the tent as “Unsafe Structure”
- March, 2023 – Planning and Zoning denied zoning certificate for tent with outstanding zoning violations on property
- April, 5, 2023 – Zoning certificate was issued for two temporary tents, to be removed May 23, 2023, pending outcome of Zoning Commission hearing
- April 5, 2023 – Building permit issued for two tents, occupancy approved April 18, 2023
- May 1, 2023 – PUD application submitted, however continued due to incomplete application.
- May 23, 2023 – Date listed on Zoning Certificate for the two temporary tents to be removed.
- June 9, 2023 – Revised PUD application submitted.
- June 26, 2023 – Case 1-2023 PUD was continued due to an incomplete application.
- October 23, 2023 – Case 1-2023 PUD was approved by the Zoning Commission with the following variances approved:
 - o Article 5.3, D, 1, e General Design Requirements for Parking and Loading Areas: Granting a setback of 0’ to a residence zoning district to the east for parking spaces on 6700 Clough Pike, where 10’ is required.
 - o Article 5.3, D, 1, f General Design Requirements for Parking and Loading Areas: Granting no buffer or screening area for the parking lot of 6700 Clough, due to the heavily wooded, steep hillside, where screening is required.
 - o Article 5.3, D, 3, a General Design Requirement for Parking and Loading Areas: Granting a reduction in parking space size to 9’ x 18’, versus the required 9’ x 19’ space, in order to optimize parking on the side.
 - o The following conditions were approved with the resolution:
 1. The size of the freestanding sign shall be brought into compliance with the Zoning Resolution, and the height shall be reduced to 10’, consistent with the Design Guidelines that recommend a monument style sign, by April 17, 2024.

2. A future cross access shall be identified on the site plan to properties to the north and south, and a reciprocal easement for cross access shall be recorded prior to final occupancy.
 3. Any change of use for 6700 Clough Pike shall be reviewed as a major adjustment to the PUD Plan by the Zoning Commission.
 4. Recommendations regarding acoustical privacy from Sprectra Tech Ltd. (dated 10/2/2023) shall be implemented.
 5. That the label on the site plan for the tents “to remain” be removed from the site plan.
 6. That the tents shall be removed when the permit expires on April 17, 2024.
- April 1, 2025 – A notice of violation was sent to the owner regarding a temporary tent being installed in violation of Case 1-2023 PUD.
 - June 5, 2025 – An appeal of the violation letter was heard by the Board of Zoning Appeals. The BZA continued the case, requesting the applicant return to the Zoning Commission for a major adjustment to the PUD plan.

FINDINGS:

The Zoning Commission is reviewing the application because the proposed development will have an impervious surface ratio greater than 60%, which triggers the PUD overlay and the standards found in Article 4.1 of the Zoning Resolution. In addition to compliance with the Township’s Zoning Resolution, the development is also being reviewed in light of adopted plans for this area, such as the Anderson Plan, the Anderson Trails and Walkways Plan, and the Anderson Township Design Guidelines.

Zoning Resolution Compliance

The lighting plan is not compliant with Article 5.3, K (maximum illumination at the residential property line)

Case 1-2023 PUD approved the following variances for the parking lot:

- Article 5.3, D, 1, e General Design Requirements for Parking and Loading Areas: Granting a setback of 0’ to a residence zoning district to the east for parking spaces on 6700 Clough Pike, where 10’ is required.
- Article 5.3, D, 1, f General Design Requirements for Parking and Loading Areas: Granting no buffer or screening area for the parking lot of 6700 Clough, due to the heavily wooded, steep hillside, where screening is required.
- Article 5.3, D, 3, a General Design Requirement for Parking and Loading Areas: Granting a reduction in parking space size to 9’ x 18’, versus the required 9’ x 19’ space, in order to optimize parking on the side.

Applicable Plans

In addition to compliance with the Township’s Zoning Resolution, the development is also being reviewed in light of adopted plans for this area, such as the Anderson Plan, the Anderson Trails and Walkways Plan, the Beechmont Plan and the Anderson Township Design Guidelines.

Anderson Plan

The proposal is consistent with the goals and objectives of the Anderson Plan and its recommendations for enhancing economic activities. The Future Land Use classification identifies the site for Neighborhood Retail, which is defined as “Low-intensity retail and services uses, that provide a transition between residential uses and other types of development, or that are compatible in terms of use and scale to adjacent residential neighborhoods. The proposed use meets this description.

The application is consistent with the following Goals of the Anderson Plan:

Economic Vitality: The Township should attract a variety of businesses to meet changing demographics and market demands. With a focus on an expanded tax base with an increasing amount of land developed for a mixture of non-residential uses, this will attract new businesses and promote and retain existing businesses.

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

Land Use and Development Initiatives: The Township will undertake economic development activities to help fill any vacant storefronts and businesses.

Anderson Trails Plan

An existing sidewalk is located along the frontage of Clough Pike that was constructed with the Township’s Clough Streetscape project in 2014. Pedestrian connections are provided from the building to the sidewalk along the street.

Design Guidelines

The proposal is consistent with the following elements of the Anderson Design Guidelines:

Site Planning: Upgrading visual character and sense of human scale in spaces through particular attention to architecture, site planning, signage, landscaping, and lighting.

Relationships to Surrounding Properties. Developments should be linked with the adjacent properties in the corridor and surrounding areas, in order to provide direct, safe, and convenient pedestrian, automobile, and bicycle access. The proposed development is sharing parking between three properties, and a potential cross access connection to the south is identified on the site plan. A cross-access connection to the property to the north (6660 and 6662 Clough) should also be considered. The cross-access easements for shared parking were submitted with the application.

Architecture – Freestanding Structures

Freestanding non-habitable structures should meet the same design standards as the principal building.

The applicant is proposing a permanent pergola for an outdoor seating area that will replace a temporary tent. The pergola has an industrial look that will complement the main building.

The proposal is inconsistent with the following elements of the Anderson Design Guidelines:

Site Planning:

Relationships to Surrounding Properties. Developments should be linked with the adjacent properties in the corridor and surrounding areas, in order to provide direct, safe, and convenient pedestrian, automobile, and bicycle access.

Circulation:

Connections with Adjacent Properties. Pedestrian and vehicular connections between parking lots and driveways on adjacent parcels should be provided wherever feasible to minimize turning movements onto major roadways. Internal connections should provide safe, direct access while discouraging vehicular shortcuts. Cross easements should be provided as required to facilitate circulation, and anticipate future connections.

The proposed development is sharing parking between three properties, and a potential cross access connection to the south is identified on the site plan, however, the future cross access should also be considered to properties to the north (6660 and 6620 Clough).

RECOMMENDATION:

Staff is of the opinion that the revised application for improvements to ATP and parking area, as well as incorporating the Family Pet center property, has many elements that are consistent with adopted Township plans. The revised plans have also addressed conditions in the previous PUD resolution. Staff recommends approval based on the Planned Unit Development evaluation criteria (Article 4.1, G):

1. Compliance with this Zoning Resolution and with the purposes of the Zone District in which the proposed use and development is to be located. **The PUD Plan is compliant with the Zoning Resolution and variances approved with Case 1-2023 PUD for parking stall depths, parking lot landscaping, and parking setbacks to a residential property line (see below). The lighting plan is not compliant with Article 5.3, K.**
2. Applicability of and consistency with adopted objectives and policies of the Township and County related to land use, as well as Township plans duly adopted by the Board of Anderson Township Board of Trustees and Hamilton County Regional Planning Commission, including, but not limited to the Anderson Township Comprehensive Plan. **The proposed use is consistent with Township adopted plans, including the following initiatives from the Comprehensive Plan:**
Economic Vitality: The Township should attract a variety of businesses to meet changing demographics and market demands. With a focus on an expanded tax base with an increasing amount of land developed for a mixture of non-residential uses, this will attract new businesses and promote and retain existing businesses.

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

Land Use and Development Initiatives: The Township will undertake economic development activities to help fill any vacant storefronts and businesses.

3. **Compatibility with surrounding land uses. ATP opened in 1982 and has been compatible with the surrounding land uses which are retail in the Clough Pike Business corridor. There are nonconforming aspects of the property, specifically with parking, and the proposed plan will bring the property into compliance. Noise complaints have been received in the past regarding outside music, and this was addressed in Case 1-2023 PUD.**
 4. **Whether the size and physical features of the project area enable adequate protection of surrounding property and orderly and coordinated improvement of property in the vicinity of the site. The parking improvements should enable adequate protection from surrounding property as the minimum number of spaces is provided. Variances were granted in 2023 for the parking improvements. The applicant has also stated that cross access will be provided for future development to the south, consistent with Township plans. Staff also recommends cross access be planned for a connection to the north.**
 5. **Whether the proposed phasing of the development is appropriate and the development can be substantially completed within the period of time specified in the schedule of development submitted by the applicant. The applicant has not provided a timeline for the improvements.**
 6. **Whether the proposed development is served adequately and efficiently by essential public facilities and services which are in existence or are planned.**
- Compliant**
7. **Whether significant scenic or historic features, as identified or contained in plans duly adopted by the Board of Anderson Township Board of Trustees and Hamilton County Regional Planning Commission, are adequately conserved. Not applicable**
 8. **Whether modification of the zoning or other regulations are warranted by the innovative design of the development plan. The variances approved in 2023 allow the opportunity to bring a nonconforming parking lot closer to compliance while maximizing the number of spaces. Other natural features such as the wooded hillside to the east provide a natural buffer to residential properties that will minimize any negative impacts from the required parking setback.**
 9. **The adequacy of proposed pedestrian circulation system to insulate pedestrian circulation from vehicular movement. The Township has previously provided a sidewalk along Clough Pike, and the applicant is providing striping to the front door of the building.**
 10. **The adequacy of the provisions for visual and acoustical privacy. A condition from the 2023 PUD resolution addresses noise from outside music, and staff recommends this condition continue with this request.**
 11. **Whether the development includes an appropriate amount of, and appropriate access to, dedicated open space. Not applicable**

12. Whether the development will be detrimental to present and potential surrounding uses. **The use has been in operation since 1982 and has not been a detriment to surrounding uses.**
13. The consistency of the development with recommendations from Township, County, State and/or Federal agencies. **Compliant**
14. Whether the development is consistent with the Vision and Goals as adopted by the Anderson Township Board of Trustees. **Consistent with the Comprehensive Plan and Design Guidelines except as noted previously.**
15. Whether the development provides adequate protection of natural features on the property, including but not limited to, land over 20% slope, flood-plain and wetland areas, areas permanently inundated by water, and areas protected by the Ohio Department of Natural Resources. **Not applicable**

Variances granted from the following articles of the Zoning Resolution with Case 1-2023 PUD:

Article 5.3, D, 1, e General Design Requirements for Parking and Loading Areas: The parking spaces on 6700 Clough are at a 0' setback to a residence zoning district to the east vs the required 10' setback.

Article 5.3, D, 1, f General Design Requirements for Parking and Loading Areas: No area is identified for screening at 6700 Clough, however, the adjacent property is a heavily wooded, steep hillside.

Article 5.3, D, 3, a General Design Requirements for Parking and Loading Areas: The parking spaces have been reduced to size 9' x 18' vs the required 9' x 19' to optimize parking for the site. Drive aisles are compliant at 24' for two-way traffic.

Staff recommends the following conditions:

1. The lighting plan shall be revised to be in compliance with Article 5.3, K of the Zoning Resolution.
2. A future cross access shall be identified on the site plan to property to the north and south, and a reciprocal easement for cross access shall be recorded prior to final occupancy.
3. Any change of use for 6700 Clough Pike shall be reviewed as a major adjustment to the PUD Plan by the Zoning Commission.
4. Recommendations regarding acoustical privacy from Spectra Tech Ltd. (dated 10/2/2023) shall be implemented.

**GENERAL STANDARDS FOR
PUD PLAN APPROVAL:**

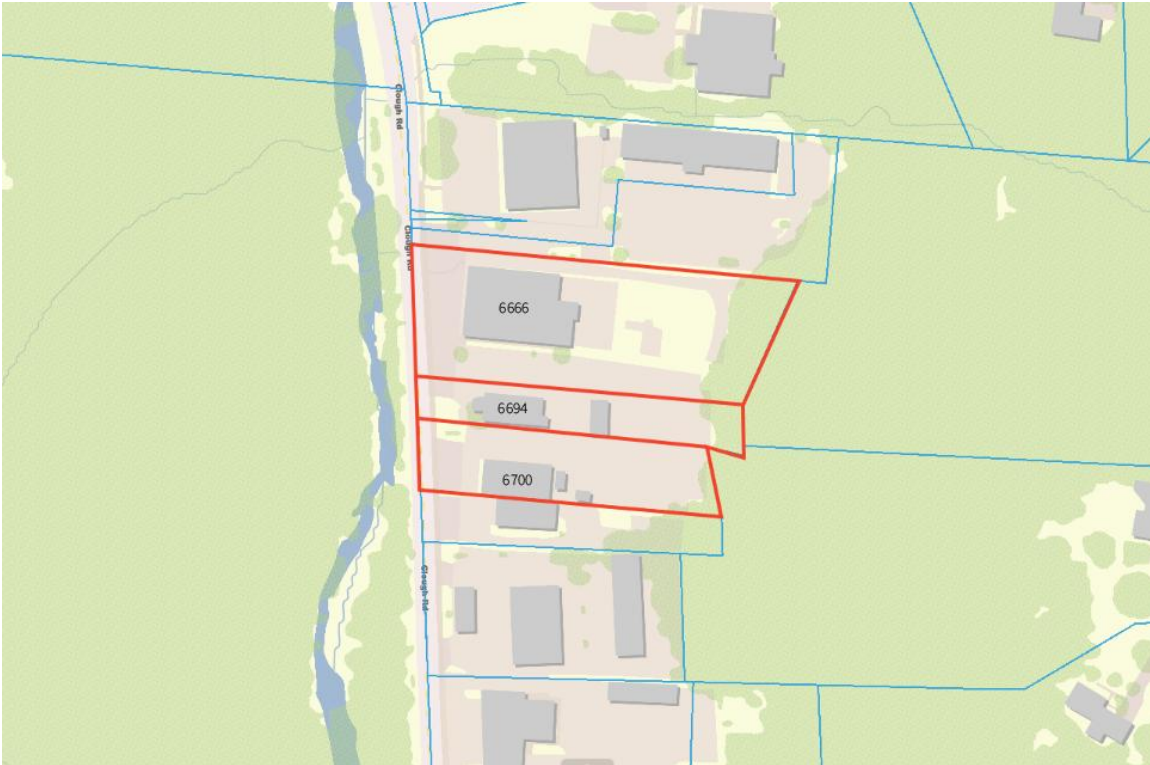
In determining whether a PUD Plan filed pursuant to this Article shall be approved or recommended for approval, the Director of Planning and Zoning, the Anderson Township Zoning Commission, and the Anderson Township Board of Trustees shall apply the following general standards.

1. Compliance with this Zoning Resolution and with the purposes of the Zone District in which the proposed use and development is to be located;
2. Applicability of and consistency with adopted objectives and policies of the Township and County related to land use, as well as Township plans duly adopted by the Board of Anderson Township Board of Trustees and Hamilton

County Regional Planning Commission, including, but not limited to the Anderson Township Comprehensive Plan;

3. Compatibility with surrounding land uses;
4. Whether the size and physical features of the project area enable adequate protection of surrounding property and orderly and coordinated improvement of property in the vicinity of the site;
5. Whether the proposed phasing of the development is appropriate and the development can be substantially completed within the period of time specified in the schedule of development submitted by the applicant;
6. Whether the proposed development is served adequately and efficiently by essential public facilities and services which are in existence or are planned;
7. Whether significant scenic or historic features, as identified or contained in plans duly adopted by the Board of Anderson Township Board of Trustees and Hamilton County Regional Planning Commission, are adequately conserved;
8. Whether modification of the zoning or other regulations are warranted by the innovative design of the development plan;
9. The adequacy of proposed pedestrian circulation system to insulate pedestrian circulation from vehicular movement;
10. The adequacy of the provisions for visual and acoustical privacy;
11. Whether the development includes an appropriate amount of, and appropriate access to, dedicated open space;
12. Whether the development will be detrimental to present and potential surrounding uses;
13. The consistency of the development with recommendations from Township, County, State and/or Federal agencies;
14. Whether the development is consistent with the Vision and Goals as adopted by the Anderson Township Board of Trustees.
15. Whether the development provides adequate protection of natural features on the property, including but not limited to, land over 20% slope, flood-plain and wetland areas, areas permanently inundated by water, and areas protected by the Ohio Department of Natural Resources.

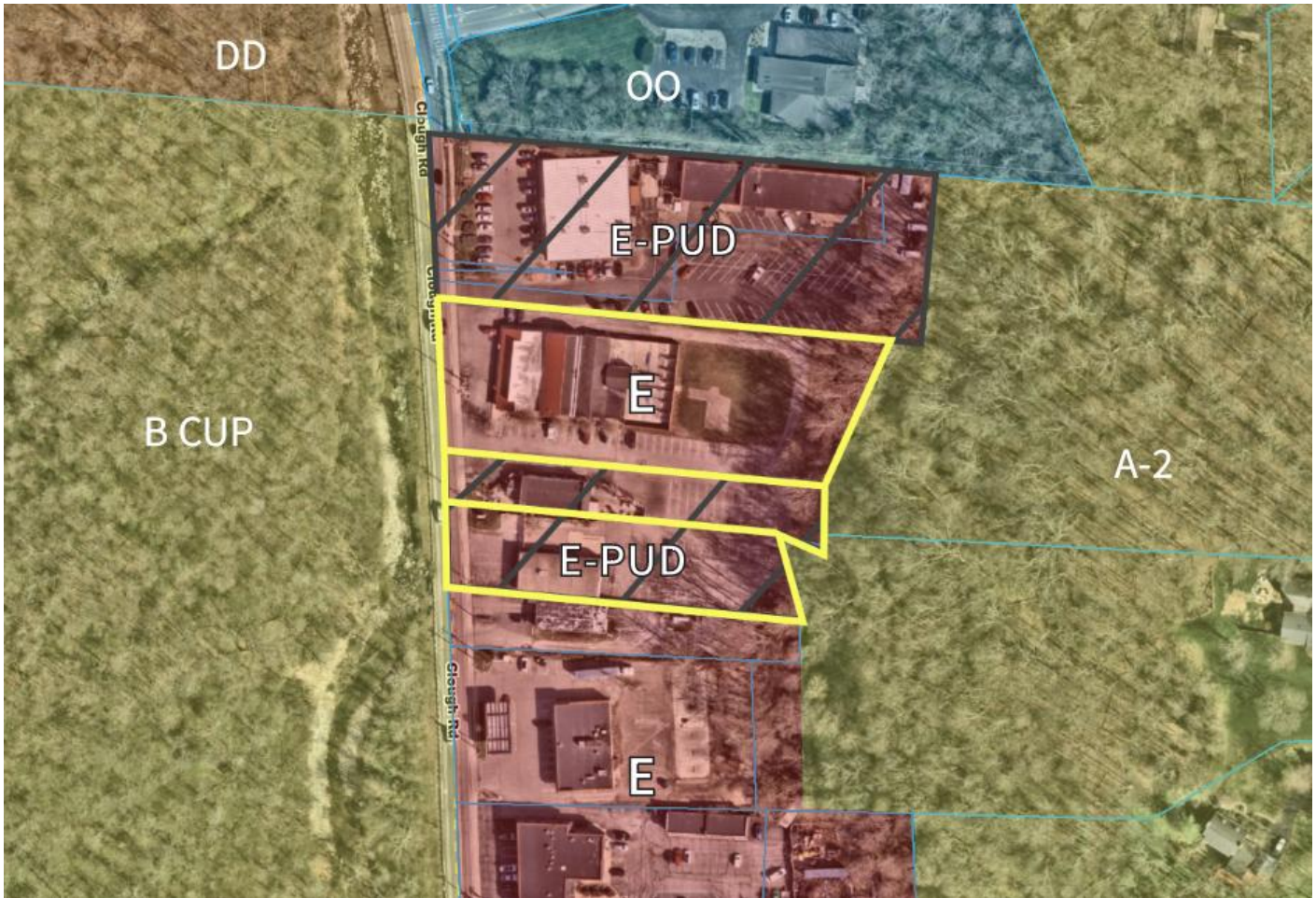
Property Map



Aerial Map



Zoning Map



Image







