

**ANDERSON TOWNSHIP ZONING COMMISSION
DECEMBER 15, 2025**

The Anderson Township Zoning Commission held a regular meeting, duly called, on December 15, 2025, at 5:30 P.M. Present were the following members:

Anne McBride, Chair, Susan Ward, Vice Chair and Jason Brewer, Alternate

Also, present when the meeting was called to order were Paul Drury, Director of Planning and Zoning, and Sarah Donovan, Assistant Director of Planning and Zoning. A list of citizens in attendance is attached.

Ms. McBride welcomed everyone and reminded all to sign in at the front of the doorway.

Approval of Agenda

Ms. Ward moved, Mr. Brewer seconded, to approve the agenda for tonight's meeting with no modifications.

A unanimous vote was taken

Approval of Minutes

Ms. McBride stated that quorum was not present to approve the minutes from the October 27, 2025 Zoning Commission meeting.

Ms. McBride swore in all those who wished to testify for the following quasi-judicial hearing.

CASE 1-2020 PUD MAJOR ADJUSTMENT

Mr. Drury stated that this is a quasi-judicial hearing for Case 1-2020 PUD Major Adjustment and read the staff report for an application filed by Joshua Blatt, Member of Hickory Woods Development Company, LLC, on behalf of Clous Anderson LLC, property owner, located at 1240 Nagel Road (Book 500, Page 121, Parcel 158), zoned "E-PUD" Retail Planned Unit Development.

Mr. Drury stated that the applicant is requesting a Major Adjustment to the approved Planned Unit Development in Case 1-2020 PUD in order to construct a 70-unit apartment complex. The applicant is proposing 38 one-bedroom units and 32 two-bedroom units for a total density of 28.76 units per acre. The applicant is proposing 127 parking spaces, and landscaping. The proposed impervious surface ratio is 83.3%.

Mr. Drury stated the tract is 2.475 acres, with approximately 240' of frontage on Nagel Road, the topography is relatively flat and the existing use is vacant land, used as overflow car dealership parking.

Mr. Drury stated that the applicant is proposing to construct an apartment building with 70 units, including 38 one bedroom units and 32 two bedroom units, for a total density of 28.76 units/acre. The footprint of the proposed building is 21,147 square feet. The building is proposed to be four stories, for a total of approximately 84,588 square feet. The applicant is providing 127 parking spaces, cross access to adjacent properties, landscaping, parking lot lighting, a dumpster enclosure and an overall impervious

surface ratio of 83.3%.

Mr. Drury stated that the five former office buildings were constructed in 1982.

Mr. Drury stated that an addition to the pole sign (located on Beechmont, adjacent to the driveway accessing Anderson Pub and Grill and retail center) was approved in 1989, size 8' x 17', 6". In 1990 the existing free-standing sign was approved for alterations, size 6' x 17', 6". From 1989-2000 various permits for face changes to the existing pole sign were approved. This pole sign, while advertising the office buildings, was not located on that parcel.

Mr. Drury stated that the five former office buildings were demolished in 2018. New addresses were assigned in 2020; from 8070 Beechmont Avenue to 1240 Nagel Road for Lot #1 and 1246 Nagel Road for Lot #2. (They have since been consolidated into one lot with the address of 1240 Nagel Road).

Mr. Drury stated that Case 1-2020 PUD was approved by the Zoning Commission on February 24, 2020, for the construction of a 10,000 SF Medical Office Building on Lot #1 and an 11,775 SF Day Care with an outdoor playground on Lot #2. The approval also included a 20' panhandle connecting to Nagel Road, 82 parking spaces, an ISR of 64% and a landscaping plan compliant with the Anderson Township Zoning Resolution. It was never constructed and has been used as overflow parking for adjacent businesses.

Mr. Drury stated that the Zoning Commission heard Case 1-2020 PUD Major Adjustment for Carriage Carwash on May 22, 2023. The Zoning Commission moved "to continue Case 1-2020 PUD Major Adjustment, for the property located at 1240 and 1246 Nagel Road with the public hearing in progress for additional information from the applicant and compliance with the Zoning Resolution."

Mr. Drury stated that on June 26, 2023, the Zoning Commission approved Case 1-2020 PUD Major Adjustment for Carriage Carwash, with four conditions including: 1. The property of 1240 and 1246 Nagel shall be limited to the proposed free standing signage on Nagel Road, with a maximum height of 10'. No additional freestanding signage shall be permitted for this property. 2. That a lighting plan in compliance with the Anderson Township Zoning Resolution shall be submitted for approval, and the lights shall dim 30 minutes after closing. 3. That the submitted plans be revised to provide an ISR calculation. 4. That the proposed CMU material shall be an integral color. The car wash was also never constructed.

Mr. Drury stated that 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. The existing ISR of the site is 58.2% and the applicant is proposing an increase in the ISR to 83.3%.

Zoning Resolution Compliance

The proposed development is non-compliant with the following articles of the Anderson Township Zoning Resolution:

Article 3.14, C, 1- Height Regulations: No building shall exceed three (3) stories or forty-five (45) feet in height.

The applicant is proposing a 4 story building, 52' from the average grade to the highest parapet.

Article 3.14, C, 2, d, ii- Intensity of Use: Every lot of tract of land on which there is erected a two-family dwelling or a multiple dwelling shall have a minimum width of fifty (50) feet at the building line and an area of not less than three thousand (3,000) square feet per family, except that the area regulation shall not apply to dormitories, fraternities, or sororities where no cooking is done in individual rooms or apartments. Every lot on which there is erected a building for any other use permitted in "D" Residence District shall have a minimum width of sixty (60) feet and a minimum area of ten thousand (10,000) square feet.

The applicant is proposing 70 units total, which is a density of 28.28 units per acre, whereas the underlying "E" Zoning District allows for 14.52 units per acre. With a site total of 2.475 acres, the applicant would be permitted 35 units by right.

Article 5.3, D, 8- Dumpsters & Trash Handling Areas for Non-Single Family Districts:

d: Height and Construction of screen: Any fence or wall required under the Article shall have a height no greater than eight feet and no less than five feet.

The applicant did not submit an elevation for the dumpster enclosure.

5.3, K: Lighting for Non-Single Family Uses

The applicant did not submit a lighting plan for the site.

Mr. Drury stated that 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.

Mr. Drury stated that 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 General Mixed Use, which is defined as "Community and regional oriented businesses, offices, and services that are located primarily along major thoroughfares. These uses may be located in individual-user buildings, multi-tenant buildings, or mixed-use buildings. Buildings are encouraged to be located close to the road with the majority of parking located to the side and rear of buildings. Residential uses may be located in mixed-use buildings but should only be located on the second floors or higher or behind nonresidential buildings." **While the proposed development does not contain a retail development, there are multiple businesses in front of the proposal that face Beechmont Avenue. In addition, the applicant is providing access into the shopping centers, creating connections between the residential and commercial aspects of the greater area.**

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

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. The proposal of apartment units located just off of Beechmont Avenue will allow for a connection between retail and residential uses. In addition, it creates a residential transition from the business district along Beechmont Avenue to lower intensity commercial and single family residential on Nagel Road.

Land Use and Development Initiatives:

7.2.1 Protect single family neighborhoods from higher intensity uses by implementing landscape buffers or the development of transitional uses. The applicant is proposing a substantial landscape buffer to the adjacent property to the north, which is not a single-family residence, however, is a lower intensity use than the proposed apartments. This will provide screening as uses transition between land uses along Nagel Road.

7.3.3 Incorporate residential uses within the Beechmont corridor, to help provide the critical mass of population needed to support local and regional businesses in the Township. This property is located right behind a restaurant and shopping center, as well as being adjacent to a shopping center.

Anderson Trails Plan

Beechmont Sidewalks: There are existing sidewalks along the frontage of the site on Nagel Road that connect to sidewalks on Beechmont Avenue. There are also interior sidewalks around the site.

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.

Landscaping: Incorporate appropriate plantings that are in scale with their surroundings.

Architecture: Building design should be developed to a human scale through careful consideration of architectural forms, massing, detailing, number and use of materials, and color. The proposed building contains a mixture of building materials, on all sides. The building is proposed to have parapets at varying heights to add visual detail.

Pedestrian Circulation: Connections to the public sidewalk are included in the redevelopment of this site.

Mr. Drury stated that Staff recommends approval based on the Planned Unit Development evaluation criteria (Article 4.1, G):

1. The proposed apartment building is consistent with underlying zoning district of "E" Retail Business.
2. The application is consistent with the Vision and Goals of the Board of Trustees as outlined in the adopted Anderson Plan. The application is consistent with the following Goals of the Anderson Plan as outlined above.
3. The use of an apartment building is compatible with surrounding retail uses.
4. 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. A timeline of construction was not submitted with the application.
6. The applicant is currently in conversations with MSD regarding sewer capacity.

7. There are no scenic or historical features, as identified or contained in plans duly adopted by the Anderson Township Board of Township Trustees and Hamilton County Regional Planning Commission, which would not be conserved.
8. Certain modifications of the zoning regulations may be warranted, such as the height of the building and density, given the proximity to Beechmont Avenue.
9. The adequacy of the proposed pedestrian circulation system insulates pedestrian circulation from vehicular movement.
10. The adequacy of the provisions for visual and acoustical privacy. The applicant is proposing a landscaping buffer to the north, and is adjacent to commercial and office to the east and south.
11. The development does not include dedicated open space.
12. The development will not be detrimental to the present and potential surrounding uses.
13. The applicant is communicating with the Hamilton County Engineer's Office to determine what will be required. In addition, a stormwater detention will be provided underground. The applicant is also working with MSD on sewer availability.
14. The development is consistent with the Vision and Goals as adopted by the Anderson Township Board of Trustees.
15. The site does not contain land over 20% slope and is not located in the floodplain.

Variance Standards

1. The property in question may not yield a reasonable return and there may not be any beneficial use of the property without the variance. **The property has been vacant since 2018 and the two previously approved PUD plans have not moved forward.**
2. The variance is substantial. **Staff is of the opinion that the variance for density and height could be substantial if the applicant was not providing the landscaping screening or the potential for the parapets to screen roof utilities, as well as making the building look visually appealing to the surrounding neighborhood. While the applicant is requesting a 4 story structure, Stonegate apartments off of Nagel Road are three and a half stories, which sit farther away from Beechmont Avenue. In addition, the Comprehensive Plan calls for a mixture of housing opportunities and with the proposed height and density variances, the applicant is proposing a housing type which is needed in the Township.**
3. The essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance. **Adjoining properties will not suffer a substantial detriment since the applicant is proposing a substantial landscaping buffer. This property is also a transition from commercial uses on Beechmont to single-family uses north on Nagel. Permitted heights in the "E" retail district are 45', and the applicant is requesting 52' from the average grade to the highest parapet.**
4. The variance would not adversely affect the delivery of governmental services (i.e. water, sewer, garbage). **The applicant is working with MSD on sewer capacity.**
5. The property owner purchased the property with knowledge of the zoning restrictions. **The applicant is under contract to purchase the property and is aware of the Zoning restrictions and requirements.**
6. The property owner's predicament can be feasibly obviated through some method other than a

variance. **The applicant has stated that the variance for density is the only way to make an apartment building work on a limited amount of acreage. This property has had two previous PUDs that have not moved forward.**

7. The spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. **A variance for the height and density could uphold the zoning requirement if the additional height for the upper parapet is used to shield utilities on the roof.**

Mr. Drury stated that if approved, staff recommends the following condition:

1. Bike racks should be added in a strategic location to serve residents and visitors to the site.
2. Approval from the Hamilton County Engineers Office on any roadway / access improvements shall be received prior to issuance of a zoning certificate.

Ms. Ward asked if staff knew where Subaru was going to go. **Mr. Drury** replied that the Zoning Commission has already approved a parking lot expansion for Subaru in anticipation that this parcel will be developed.

Mr. Brewer asked if there was a traffic study done yet. **Mr. Drury** replied that the applicant can answer that question.

Ms. McBride asked if they will be required to dedicate right of way. **Mr. Drury** replied that they are waiting to hear from the County.

Ms. McBride asked if stormwater will be underground. **Mr. Drury** responded yes, but that the applicant can elaborate.

Ms. McBride asked where the closest four-story building is in the area. **Mr. Drury** replied that Stonegate is three stories, and Vantage is higher than both.

Josh Blatt, of John Henry Homes, 11025 Reed Hartman Highway, provided an overview of his company, John Henry Homes which he co-owns with his brother. He stated that they are currently under construction on 36-unit townhomes on Eight Mile Road, which are currently framed out. He stated that they are long term owners, meaning they hold on to their projects and community manage them. Mr. Blatt introduced MSP Design and TRA design who is working on this project with them. He stated that the sellers of this property have had it listed for over five years and have not been able to find anyone who is able to put a viable plan together. He stated that their attraction to this site was the proximity to Beechmont and the ability to use public transportation. He stated that their plan is 70 upscale units, and described the design of the apartments. He stated that they have started the conversation with the Hamilton County Engineer and hired Caroline Duffy to conduct a traffic study. He stated that he is aware that people worry about tenants, but that they have very strict credit checks for applicants and criminal background checks.

Ms. McBride stated that she needed to disclose that about 25 years ago she represented John Henry Homes, but feels that she can remain unbiased. **Mr. Brewer and Ms. Ward** stated that they are fine to proceed.

Mr. Brewer asked if they know what price point they are considering for rent. **Mr. Blatt** replied \$1,600 for a one-bedroom unit and \$1,800 for a two-bedroom unit.

Mr. Brewer asked how public transportation applies to this site and that the nearest to pick up is at Kroger. **Mr. Blatt** replied that from his understanding, there are pick-up stops on Nagel.

Mr. Brewer asked how this product differs from the townhomes on Eight Mile. **Mr. Blatt** replied that the townhomes are three bedrooms, two and a half baths, and garages and are targeted to someone who really wants a house but doesn't want the responsibility of maintenance. Whereas this is a different tenant profile.

Mr. Brewer stated that he is concerned about residents of this four-story building overlooking the playground at Goddard and how can those concerns be eased. **Mr. Blatt** replied that a three-story would have the same result, but that they are going to landscape buffer in the best way that they can, however, trees won't grow fast enough. He said probably the biggest reassurance is trusting the history of their company and that they do the most thorough background checks that they can.

Mr. Brewer asked if three stories was considered or is a possibility. **Mr. Blatt** replied, honestly no, with the underground detention, even a four-story building makes it economically challenging.

Ms. Ward asked why townhomes weren't viable on this site. **Mr. Blatt** replied that with the easements for cross access on this site, it just wouldn't work. Townhomes are typically dead-end streets, whereas this has multiple entry points and is braced by two pubs.

Ms. Ward is concerned about additional traffic on the street between the post office and Goddard. **Mr. Blatt** stated that multi-family does not tend to have a lot of traffic, sometimes morning traffic, but it will probably be less than a carwash which was previously approved.

Ms. Ward asked how they would compete with Vantage Apartments. **Mr. Blatt** stated that there is a certain group of people that the large apartment complex is not attractive to. He stated that they are going for someone who wants to live somewhere long term and anchored. He stated that their rent is also far less than Vantage.

Ms. Ward asked if the materials would hold up. **Mr. Blatt** replied, yes, that Riverwalk in Milford is 11 years old and that they as a company spend a lot of money to maintain their properties to make them attractive.

Ms. McBride asked to confirm that there are no outdoor amenities. **Mr. Blatt** replied that there are

sidewalks on Beechmont and Nagel, where there are parks and restaurants. They feel like the attraction is Beechmont and proximity to the highway.

Ms. McBride stated that some of the landscaping materials are not actually screening materials and should be switched to arborvitae or non-deciduous trees and stated that she is concerned that there is no landscaping proposed along the streetscape. **Ms. McBride** also asked for clarification on the right-of-way dedication.

Jim Watson, MSP, 3700 Park 42 Drive, stated that the property to the north and south have forty feet of right of way, and they are currently showing thirty feet, which will make them twenty feet from the right of way. **Ms. McBride** asked Mr. Drury to confirm that if they do have to make it twenty feet, they will have to come back before the Zoning Commission, **Mr. Drury** replied yes.

Luke Perry, 8133 Pineterrace Drive, stated that his concern is that Vantage is not fully occupied and he is concerned about this one not being fully occupied and becoming a blight to the community. He stated that he is happy to hear that John Henry Homes maintains ownership of their buildings. He stated in his opinion he is glad its multifamily and not retail. He asked how many properties John Henry Homes owns and how many they have sold in the last ten years.

Max Harmon, 7878 Eglinton, stated that he works in commercial development and stated that his focus is on retail development and was surprised to see that this development is consistent with this area. He stated that multifamily developments have a purpose in Anderson Township, however, not in this location. He stated that it will be too dense for this site with no amenities. He stated that ultimately, his main concern is access and proximity to the traffic light. He stated that they have access to the signal further east, which would alleviate some of the concerns on Nagel. He stated that he believes site line will be impeded by the proximity of the building to Nagel Road.

Steve Wood, 8109 Pineterrace Drive, stated that he appreciates the developer considering Anderson but doesn't agree with this site. He stated that the traffic at Nagel and Beechmont is already terrible. He stated that they are going to need to look at that intersection. He stated that when Stonegate was evaluated, they considered expanding to three lanes, but that didn't happen. He stated that the height of the building will take away from neighborhood feel of the community. He stated that the current zoning lends itself better to a dental office or something medical and he doesn't understand why that type of development hasn't worked.

Sean Anderson, 8067 Pineterrace Drive, stated that they are the third house in on Pineterrace and he would have a direct view from the back of his house. He added that he is not opposed to multi-family development, but asked if it really needs to be a four-story building in this location. He stated his concerns over traffic and the intersection of Nagel and Beechmont Avenue.

Eddy McCarthy, 8114 Pineterrace Drive, stated that he likes that this is being considered for the Township. He stated that it looks like the access to the north from bank is being closed off. He asked if

the location of the building has been reconsidered. He stated that he would like additional information about traffic and sees this plan is still a little half baked. He stated that this site should be reconsidered closer to the zoning requirement. He asked if fire and EMS have looked at this plan. He stated that he thinks everyone would feel more comfortable if there is additional information from the county.

Mark Reinhart, 1280 Nagel Road, Owner of the Goddard School, stated that their outdoor classroom touches the northern border of this site. He stated that they serve students starting at 6 weeks old. He stated that he isn't in favor or opposed but that he does have a safety concern in terms of inappropriately viewing children. He stated that it would be interesting to see the perspective from the back of their lot to this four-story building and that maybe it's not as big of a deal as he is thinking. He stated that the other concern is people approaching the children from the parking lot. He stated that they have a double access gate at the north end of the property where parking spaces are currently located on the site plan and that they really need to maintain access to that gate. He stated that he is glad that it isn't proposed to be another preschool.

Mr. Blatt stated that his father has been doing this for 65 years and the only thing his father sold was transition properties into something more upscale. He stated that he has never sold anything and own over 2,000 units. He stated that they are aware Vantage's rentals have been slow, but they feel like they are going after a different type of tenant and are not planning to be in the high rent field Vantage is in. He stated that Stonegate has done historically well and they are planning on being along the same line as them. He added that regarding the privacy and concern for Goddard, he would like to work with Mr. Reinhart to meet the concerns and safety for the children. He stated that one of his apartments, which has over 400 units, has a daycare which was built after the apartment was finished.

Mr. Brewer asked if moving the building to the right was ever considered. **Mr. Watson** replied that they did look at sliding it to the east would make the curb cut almost on top of the building. He stated that they would likely lose the parking spaces if they run into right-of-way issues.

Ms. McBride asked if there is an easement to Goddard. **Mr. Watson** replied that they are aware of one easement for the telephone tower, however, they aren't aware of one for the maintenance shed, but they will look into it and figure it out.

The public hearing was closed at 6:45 PM.

DECISION

Ms. McBride moved, Ms. Ward seconded to continue Case 1-2020 PUD Major Adjustment for the property of 1240 Nagel Road, known as Nagel Road apartments for additional information including:

- **A recommendation from the Hamilton County Engineer including details on what will need to be included in the traffic study.**
- **An updated landscaping plan to provide additional screening to adjacent properties.**
- **Consideration of a different building placement on the site, outdoor amenities and a reduction in height.**

A unanimous vote was taken. (3 Yeas)

CASE 2-2018 ANDERSON MAJOR MODIFICATION

Mr. Drury stated that this is a public hearing for 2-2018 Anderson Major Modification and read the staff report for an application filed by Brian Doyle, Property Manager of NF Properties, on behalf of NF Skytop Properties LLC property owner, located at 5230 Beechmont Avenue (Book 500, Page 430, Parcel 205), zoned "EE" Planned Retail Business.

Mr. Drury stated that the applicant is requesting 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.

Mr. Drury stated the tract is 1.98 acres (Big Ash Property), with approximately 219' of frontage on Beechmont Avenue, the topography is a very steep slope in the southernmost portion and the remainder is relatively flat and the existing use is a Micro-brewery (Big Ash).

Mr. Drury stated that 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.

Mr. Drury stated that 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.

Mr. Drury stated that 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 outlot commercial building at 10,640 square feet near the eastern-most entrance of the development.

Mr. Drury stated that 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.

Mr. Drury stated that 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.

Mr. Drury stated that 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.

Mr. Drury stated that 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.

Mr. Drury stated that 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.

Mr. Drury stated that 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.

Mr. Drury stated that the following are the conditions set in RESOLUTION #2019-1028-02 (Final Development Plan Phase I) on 10/28/2019:

1. That the dumpster enclosure 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 compliant 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.

Mr. Drury stated that the following are the conditions set in RESOLUTION #2020-1026-01 (Major Modification to the Final Development Plan) 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.

Mr. Drury stated that 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

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

Mr. Drury stated that 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.

Mr. Drury stated that 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.

Mr. Brewer asked about the status of the patio and if it should have a permit. **Mr. Drury** replied that there is no structure on the patio, so a building permit would not be required, however, a Zoning Certificate would be.

Ms. McBride asked if the cooler enclosure material was submitted. **Mr. Drury** replied that the applicant can speak to that.

Ms. McBride stated that she worked for LaRosa's a number of years ago but feels like she can be unbiased. **Mr. Brewer and Ms. Ward** confirmed that they are fine with proceeding.

Ben Novosel, Insomnia, Architect for the applicant, 1415 North Ft. Thomas Avenue, stated that the owner of the building is separate than the owner of Big Ash and what was submitted is what exists today. He added that no one that worked on the patio is present today. He stated that LaRosa's is moving into the kitchen area and are expanding it to be full service. He stated that they are removing

part of the stage in order to make room. He stated that it's not two tenants but more so two uses occupying one space. He stated that operationally, the exterior cooler is a necessity. He stated that the exterior will match the building to the greatest extent possible. He stated that they have no issue adding the parking islands, but that only about two and a half of them are on their property. He stated that this isn't a traditional drive thru window, there is no menu board and that the point is that the customer has already ordered, paid and is just picking up.

Mr. Brewer restated that he is not concerned about the covered patio as long as it has been properly permitted.

Ms. McBride stated that the pick up window is a common concept now and asked if the patio that it is in the parking spaces is proposed to stay. **Mr. Nobels** replied that they would prefer to keep and that they would be willing to go through another process in order to keep it.

Ms. McBride asked if the same process of Big Ash self service is staying. **Mr. Nobels** replied that as far as he knows that the bar side is remaining the same.

Ms. McBride asked if there is an updated signage plan. **Mr. Nobels** replied that it has not yet been determined how they are going to co-brand them.

Ms. McBride asked if the landscaping islands were part of the previously approved plans. **Mr. Drury** replied, yes, and that staff has just been going off of when individual parcels redevelop, then they are required to bring everything into compliance.

Matt Feigelson, NAI Bergman, 4695 Lake Forest Dr, property manager for Woodstone Holdings since 2016, owner of Parcels 1 and 3 of the Skytop Development. He stated that when Woodstone Holdings previously owned parcel 2, the tenant, Big Ash, removed parking spaces without permission. He quoted the cross easement that runs with the land for parking agreements and how they oppose that Big Ash is now desiring to remove additional spaces. He stated that it is unfair that Big Ash continuing to remove parking spaces will negatively impact parcels 1, 3, and 4.

The public hearing was closed at 7:23 PM.

DECISION

Ms. McBride moved, Ms. Ward seconded to approve Case 2-2018 Anderson Major Modification, for the property of 5230 Beechmont Avenue, also known as Big Ash Brewery, as recommended by staff, and approving the outdoor patio on the east side of the building with the following conditions: 1-6 of the staff report.

A unanimous vote was taken. (3 Yeas)

CASE 1-2025 PUD MAJOR ADJUSTMENT

Mr. Drury stated that this is a quasi-judicial hearing for 1-2025 PUD Major Adjustment and read the staff report for an application filed by Chad Mayes, P.E. of Kimley Horn, on behalf of U-Haul, on behalf of AREC 6 LLC, property owner, located at 8210 Beechmont Avenue (Book 500, Page 041, Parcel 199), zoned "E-PUD" Retail Business Planned Unit Development.

Mr. Drury stated that the applicant is requesting a Major Adjustment to a Planned Unit Development (PUD) approval. The applicant is requesting to remove the condition that the 20' x 40' canopy be constructed of a standing seam metal, not fabric placed in Resolution 2025-0623-01.

Mr. Drury stated the tract is 2.155 acres, with approximately 200' of frontage on Beechmont Avenue, the topography is relatively flat, and the existing use is U-Haul.

Mr. Drury stated that the applicant is requesting to remove condition #6 which states "That the canopy be constructed of a standing seam metal, not fabric" placed in Resolution 2025-0623-01. The applicant is requesting to install a fabric canopy, size 20' x 40', to be located in the front yard area, detached from the main building. The applicant has also submitted revised plans incorporating the other conditions.

Mr. Drury stated that the building on the property was constructed in 1970 and according to the Hamilton County Auditor website was purchased by U-Haul in 1984, and the current owner in 2006.

Mr. Drury stated that the applicant expanded the parking area by approximately 18'-28' to the east and 8' to the north in September 2024. The expansion occurred in conjunction with a parking lot repair. This increased the ISR of the property from 80% to 84%. Pavement was also added into the 10' required setback adjacent to the residential properties to the north, however, has since been removed back to within the required 10' setback.

Mr. Drury stated that an application for the parking expansion was submitted for the March 2025 Zoning Commission meeting, however, it was continued at the applicant's request to include a 20'x40' steel canopy with a fabric top, to be attached to the front of the building. The canopy was proposed over an existing drop-off area for trucks and equipment.

Mr. Drury stated that the Zoning Commission approved the PUD on 6/23/2025, with the following conditions:

1. Additional landscaping shall be installed to fill in the gaps along the new parking area to the north to provide a visual screening to the residential properties with 6'-8' arborvitae, while leaving a gap for the neighbor's gate to the north.
2. That an easement/right of entry be provided to the Township for the construction of a future sidewalk along Beechmont Avenue, per the recommendations of the Anderson Trails Plan adopted September 7, 2023.
3. That a revised site plan be submitted to include the parking expansion and canopy on the same

plan.

4. That the existing two dumpsters be enclosed and meet the Zoning Resolution requirements.
5. That no equipment, including trailers, be located within the 10' rear yard setback requirement.
6. That the canopy be constructed of a standing seam metal, not fabric.

Mr. Drury stated that the Zoning Commission is reviewing the application because the ISR on the site was increased and the previous impervious surface ratio was greater than 60%, which triggers the PUD overlay and the standards found in Article 4.1 of the Zoning Resolution. Any adjustment to the PUD Plan within the criteria of Article 4.1 but not authorized by Article 4.1, shall be considered a major adjustment.

Mr. Drury stated that the request to remove condition #5 should be evaluated in light of adopted plans for this area, such as the Anderson Plan, 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 General Mixed Use, which is defined as "Community and regional oriented businesses, offices, and services that are located primarily along major thoroughfares. These uses may be located in individual-user buildings, multi-tenant buildings, or mixed-use buildings. Buildings are encouraged to be located close to the road with the majority of parking located to the side and rear of buildings. Residential uses may be located in mixed-use buildings but should only be located on the second floors or higher or behind nonresidential buildings." **The proposed use meets this description.**

Mr. Drury stated that 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.

Beechmont Plan

U-Haul is located in Neighborhood Five which recommends the following (p. 60):

- Facades that identify individual tenant spaces
- Substantial, quality building materials

Design Guidelines

The following elements of the Anderson Design Guidelines are recommended (p. 33):

AWNINGS & CANOPIES

OBJECTIVES: When properly installed and maintained, awnings and canopies can enhance the appearance and function of a building by providing shade, shelter, shadow patterns, and visual interest. Where awnings are used, they should complement the design, materials, and color of the building.

DESIGN GUIDELINES

- Location. Where awnings are used, both fixed or retractable, they should be an integral element of the architecture. Awnings should be located directly over windows or doors to provide protection from the elements, and maintained in working condition.
- Materials. Awnings and canopies should not be made of highly reflective materials. Their colors should complement the facade of the building.
- Design Elements. Graphics used on awnings for identification or advertising should be designed as an integral part of the signage for the property, and be coordinated with other sign elements in terms of typeface, color, and spacing.

Mr. Drury stated that if approved, staff recommends the following conditions from the previous resolution remain:

1. Additional landscaping shall be installed to fill in the gaps along the new parking area to the north to provide a visual screening to the residential properties with 6'-8' arborvitae, while leaving a gap for the neighbor's gate to the north.
2. That an easement/right of entry be provided to the Township for the construction of a future sidewalk along Beechmont Avenue, per the recommendations of the Anderson Trails Plan adopted September 7, 2023.
3. That a revised site plan be submitted to include the parking expansion and canopy on the same plan.
4. That the existing two dumpsters be enclosed and meet the Zoning Resolution requirements.
5. That no equipment, including trailers, be located within the 10' rear yard setback requirement.

Ms. Ward asked what problem U-Haul is trying to solve. **Ms. McBride** replied that they are trying to modify a condition placed by the Commission at the last meeting.

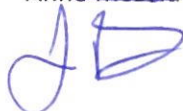
Ms. McBride stated that her firm works with Kimley Horn, but on the public side, she has not worked directly with them. **Ms. Ward and Mr. Brewer** replied that they are ok to proceed.

Mark Quinn, 3628 Oxford U-Haul, stated that he would like to request a continuation until January in order to have a full board.

The next regular meeting would be held on January 26, 2026, at 5:30 p.m. at Anderson Center.
The meeting was adjourned at 7:28PM

Respectfully submitted,

~~Anne McBride~~, Acting Chair



**ANDERSON TOWNSHIP ZONING COMMISSION
SIGN-IN SHEET
MONDAY, DECEMBER 15, 2025 AT 5:30 P.M.
ANDERSON CENTER, 7850 FIVE MILE ROAD**

PLEASE PRINT - THANK YOU

NAME:	ADDRESS:
Matthew Feigelson	4695 Lake Forest Dr.
Edward Zalar	4625 Lake Forest Dr.
TONY RAVAGNANI	1641 PINEBLUFF LN
Josh Bly	11025 Red Hook Hwy
MICHAEL FROEHLER / ^{COMPANY} MISSIONARIES	1318 NAGEL RD
MARK REINHART / ^{GODDARD} SCHOOL	1280 NAGEL RD
LUKE PERRY	8133 PINETERRACE DR.
Ben Novosel	1415 N Fort Thomas Ave
Steve West	2109 Pretoria way
Shawn Anderson	2067 Pineterrace
Brian Lake	
Max Harmon	2878 Eglinton
Eddie Hines	Pretoria
Jim Watson	MSP Inc
Tom Gunn	VHAC