



ANDERSON TOWNSHIP PLANNING AND ZONING - STAFF REPORT

CASE 3-2024 PUD

UDF- 5275 BEECHMONT AVE

FOR CONSIDERATION BY THE ANDERSON TOWNSHIP ZONING COMMISSION ON NOVEMBER 18, 2024

APPLICANT: John Lucas, Project Manager for K4 Architecture, on behalf of United Dairy Farmers, Inc., property owner.

LOCATION & ZONING: 5275 Beechmont Avenue
Book 500, Page 430, Parcel 201
“E” Retail Business District and “H” Riverfront District

REQUEST: The applicant is requesting a Planned Unit Development (PUD) approval to demolish the existing building and construct a new UDF gas station, size 6,323 SF, with 43 parking spaces, dumpster enclosure, patio area, landscaping and lighting.

SITE DESCRIPTION:
Tract Size: 1.93 acres (new lot)
Frontage: Approx. 412’ on Beechmont Avenue
Approx. 306’ on Elstun Road
Topography: Relatively flat, starts to slope at the rear of the lot
Existing Use: UDF gas station and convenience store

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
<i>North:</i>	“EE” Planned Business District “E” Retail	Skytop (apartments and retail) Vacant
<i>South:</i>	“D” Multiple Residence	Vacant
<i>East:</i>	“H” Riverfront	Vacant
<i>West:</i>	“E-PUD” Retail Business District Planned Unit Development	Former BP (proposed Wawa location)

PROPOSED DEVELOPMENT: The applicant is proposing to demolish an existing convenience store and fuel canopy and construct a new UDF convenience store and gas station, size 6,323 SF with seven fuel pumps and canopy. The development will contain 43 parking spaces, dumpster enclosure, landscaping and lighting. Full access is proposed on Elstun Road, as well as a right in only on Elstun Road with a right-in / right-out on Beechmont Avenue. There is an existing sidewalk along Elstun Road, which was constructed by the Township and connects to the Little Miami Trail, as well as an existing crosswalk. A mixture of building materials is proposed (brick, aluminum vertical siding, cast stone, and metal). Retaining walls are proposed on the south and east property line. The applicant is proposing to increase the overall area of the parcel.

ZONING HISTORY: The existing UDF store and gas station was approved and constructed in 1989. A zoning certificate was issued in 2002 for a canopy expansion, two 24’ x 24’ expansions over the gas pump area with a maximum height to not exceed 18’ high and relocation of an existing freestanding sign and light poles.

FINDINGS:

The Zoning Commission is reviewing the application because the proposed development will have an impervious surface ratio greater than 60%, (73.07%) which triggers the PUD overlay and the standards found in Article 4.1 of the Zoning Resolution.

Zoning Resolution Compliance

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

Article 5.3, K, Lighting For Non-Single Family Uses: The lighting plan submitted does not show the varying zoning district lines and therefore compliance can't be determined. Staff would recommend a condition that a lighting plan with zoning lines be submitted.

Article 5.3, L, 5, b, i, A minimum of one (1) shade or evergreen tree per thirty (30) lineal feet of parking surface frontage and one (1) shrub per ten (10) lineal feet of parking surface frontage shall be planted along the perimeter of any parking area: On the east side of the property, the applicant is only showing 3 trees, where 4 are required. In addition, the landscaping area by the three spaces near the right in on Elstun Road are required to have additional bushes than what is shown.

General Plan Notes:

- Building and canopy setbacks shall be noted to the property lines R/W. The submitted plan does not show the rear setback.
- A surveyor stamped site plan will need to be submitted if approved for the Zoning Certificate.
- Staff would recommend that the sidewalk on Beechmont Avenue be removed and the landscaping area be expanded. There will not be a connection to the one on Beechmont due to the Township connection from the Little Miami Trail onto Elstun Road.
- A pedestrian connection from the sidewalk on Elstun to the building needs to be shown on the plan.
- The dumpster enclosure height is 7.5' and of a similar material to the building and therefore in compliance.
- Stacking spaces, size 9' x 20' need to be shown on the site plan for the gas pumps.
- A loading space needs to be identified on the site plan.
- Staff would recommend additional street trees along the Beechmont Avenue frontage.
- The applicant submitted a sign package, including 89 SF of wall signage and a monument style sign, 8'-10 ½" tall, which is compliant.

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, 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.

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.

Anderson Trails Plan

Beechmont Sidewalks: There is an existing sidewalk along Beechmont Avenue and a cross walk connection across Elstun. However, because this sidewalk will not be expanding toward the Beechmont Levee, staff suggests removing the sidewalk along Beechmont to promote use of the sidewalk installed along Elstun connecting to the Little Miami Trail.

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.

Landscaping: Incorporate appropriate plantings that are in scale with their surroundings. Separate roadways from commercial development by attractive landscape planter strips. Staff believes there could be an increase of landscaping, especially street trees, on the side along Beechmont Avenue.

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, as well as with the gas pump canopy and dumpster enclosure.

Service stations and convenience stores that sell gasoline should be designed with facade and roofline elements that reduce their scale and add architectural interest to the building.

Pedestrian Circulation: Connections to the public sidewalk should be included in the site plan to encourage pedestrian use. Access routes leading to or from service stations and convenience stores should minimize conflicts with pedestrian circulation.

RECOMMENDATION:

Staff recommends approval based on the Planned Unit Development evaluation criteria (*Article 4.1, G*):

1. The proposed fueling center development is consistent with the “E” Retail District. The PUD Plan is compliant with the Zoning Resolution except for the required additional landscaping and the request for a lighting plan with zoning district lines.
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:

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.

3. The use (convenience store and fueling center) is compatible with surrounding retail land 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. No proposed phasing was submitted.
6. The proposed development is serviced adequately and efficiently by essential public facilities and services, which are in existence on Beechmont Avenue.
7. There are no scenic or historical features on the site.
8. Certain modifications of the zoning regulations may be warranted such as the reduced streetscape buffer on Beechmont Avenue. The lighting plan and landscaping plan should come into compliance with the Anderson Township Zoning Resolution.
9. The applicant does not show a pedestrian connection from the sidewalk along Elstun Road into the site.
10. The site provides visual and acoustical privacy.
11. The development does not include dedicated open space, other than the required parking lot landscaping.
12. The development will not be detrimental to the present and potential surrounding uses.

13. The development is consistent with recommendations from Township, County, State and/or Federal agencies. A traffic study was not submitted and staff has not been made aware that one will be required.
14. The development is consistent with the Vision and Goals as adopted by the Anderson Township Board of Trustees.
15. The development does not have an intense slope.

Staff **DOES NOT** recommend variances from the following articles of the Zoning Resolution:

Article 5.3, K, Lighting For Non-Single Family Uses: The lighting plan submitted does not show the varying zoning district lines and therefore compliance can't be determined. Staff would recommend a condition that a lighting plan with zoning lines be submitted.

Article 5.3, L, 5, b, i, A minimum of one (1) shade or evergreen tree per thirty (30) lineal feet of parking surface frontage and one (1) shrub per ten (10) lineal feet of parking surface frontage shall be planted along the perimeter of any parking area: On the east side of the property, the applicant is only showing 3 trees, where required 4 due to the proposed retaining wall. In addition, the landscaping area by the three spaces near the right in on Elstun Road are required to have additional bushes than what is shown.

If approved, staff recommends the following conditions:

1. That the lighting plan be resubmitted to show the zoning districts.
2. That a landscaping plan which meets the requirements of the Zoning Resolution be submitted.

**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



Zoning Map









