



HAMILTON COUNTY

## Regional Planning Commission

### STAFF REPORT

FOR CONSIDERATION BY THE REGIONAL PLANNING COMMISSION ON APRIL 1, 2021  
FOR CONSIDERATION BY THE ANDERSON TWP. ZONING COMM. ON APRIL 26, 2021

**ZONE  
AMENDMENT  
CASE:**

**ANDERSON 2021-01**

## **BEECHMONT & KING LOUIS COURT**

<b>REQUEST:</b>	FROM: "E" Retail & "OO" Planned Office TO: "EE" Planned Retail	
<b>PURPOSE:</b>	To raze one existing commercial building and renovate another existing building into a new restaurant with outdoor dining and associated construction of new parking areas and access provided from Beechmont Avenue and King Louis Court	
<b>APPLICANT:</b>	Douglas Compton, DJC Partners LLC (applicant), Dennis M. Kurelis, 7877 Beechmont Avenue LLC, and Anderson Township Board of Trustees (owners)	
<b>LOCATION:</b>	Anderson Township: 7867, 7877, & 7887 Beechmont Avenue, on the southwest corner of the intersection of Beechmont Avenue and King Louis Court (Book 500, Page 203, Parcels 124, 125, 126, & 127)	
<b>SITE DESCRIPTION:</b>	Tract Size:	1.24 acres (gross), 1.16 acres (net)
	Frontage:	Approximately 136 feet on Beechmont Ave and 302 feet on King Louis Court
	Topography:	Flat
	Existing Dvlpmt:	Two existing commercial buildings and vacant land
<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u>	<u>LAND USE</u>
	North: "E" Retail	Commercial
	South: "DD" Multi-Family	Apartment complex
	East: "E" Retail	Commercial
	West: "E" Retail & "C" Residence	Commercial & single-family homes
<b>ZONING JURISDICTION:</b>	Anderson Township Trustees	
<b>SUMMARY OF RECOMMENDATIONS:</b>	<b>APPROVAL with Conditions</b>	

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**PROPOSED USE:**

The applicant is proposing to raze an existing commercial building on the west side of the site and renovate an existing auto service building on the east side of the site into a new restaurant use. Parking would be constructed where the razed building was located west of the proposed restaurant renovation and to the south of both properties on a parcel that would be acquired from Anderson Township. This southern property is zoned “OO” Planned office but was never developed according to the approved plan. The applicant is proposing to rezone all three properties to “EE” Planned Retail to have the entire development under one zoning district. The renovation would include the creation of a large outdoor dining area on the east side of the renovated building, elimination of a curb cut onto Beechmont Avenue, restriction of a second full curb cut on Beechmont Avenue to right-in/right-out only, and addition of a second curb cut onto King Louis Court. The proposed rear parking lot would also include an access easement to the western property line for future connectivity. Landscaping and lighting would be added to the site and one existing freestanding sign appears to be proposed to be refaced and remain in its current location.

**ZONING PETITION HISTORY:**

There is no known zoning petition history on the two properties fronting on Beechmont Avenue. The rear portion of the property currently owned by Anderson Township was rezoned to “OO” Planned Office as part of case 2010-01. The site was never constructed according to the approved plan and today appears to be a vacant gravel parking lot with some vegetation to the south and east.

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**ANALYSIS:****Land Use Plan Consistency**

Applicable Policies and Recommendations: The Regional Planning Commission has an adopted land use plan for this area of Anderson Township. The adoption and review history of the *Anderson Township Comprehensive Plan* and the *Beechmont Plan* is as follows:

- Comprehensive Plan Update approved: February 2, 2017
- Most recent Beechmont Plan update approved: June 21, 2018

***Findings:***

- *The Anderson Township Comprehensive Plan Future Land Use Map designates the entire site as “General Retail”, which encourages “Community and regional-oriented business uses that tend to locate along streets with relatively high traffic volumes. These areas may also include mixed-use developments that integrate retail commercial, service commercial uses, office space, and residential dwellings.”*
- *Staff finds that the proposed restaurant use would be consistent with this land use map designation.*
- *The Anderson Township Comprehensive Plan text also includes general land use recommendations that indicate support for sidewalks, reduction of curb cuts on Beechmont Avenue, and reuse of commercial buildings. The proposed*

*development would be consistent with these overall guidelines.*

- *The text of the Comprehensive Plan also specifically mentions inclusion of the Beechmont Plan in review of any proposed developments on Beechmont Avenue.*
- *The Beechmont Plan has specific recommendations for Beechmont Avenue that are broken down into 6 neighborhoods. The subject site is located within neighborhood 4.*
- *The plan recommends consolidation of curb cuts and use of right-in/right-out restrictions to help reduce traffic issues on Beechmont Avenue, use of high-quality building materials to improve the appearance of the corridor, use of landscaping along street frontages with street amenities including benches, planters, and trash cans around bus stops, and construction of low walls to help separate commercial uses from pedestrians along the street and enhance the streetscape appearance.*
- *The submitted building elevations appear to provide a high-quality renovation that likely complies with the intent of the adopted plan for buildings in the corridor.*
- *However, the submitted landscape plan does not appear to provide for the intended improved appearance along the street. The plan does not indicate preserving existing landscaping around the base of the sign or planting new landscaping, the plan shows a total of only 1 tree and 5 shrubs along Beechmont Avenue, and no amenities have been provided in the area adjacent to the road. There is a bus stop at the intersection of Beechmont and King Louis and this seems to be a good location for the low walls and street furniture that have been added in other locations within the Beechmont Corridor, especially given the proposed building setback with all the parking located to the side and rear of the building.*
- *Staff finds that additional streetscape treatments should be proposed and reviewed by the township as part of the consideration of this request. Given the open nature of the streetscape area and the limited amount of streetscape treatment that would be necessary to bring the site into consistency with the intent of the plan, staff finds that the proposed development can be made to be consistent with the Beechmont Plan.*
- *Based on the above findings, staff finds that the proposed zone amendment would be consistent with the Anderson Township Comprehensive Plan and the adopted Beechmont Plan.*

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**RECOMMENDED  
MOTION:**

To accept staff findings that consistency with the adopted land use plan is required, and that the zone amendment can achieve consistency with the adopted land use plan.

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**ANALYSIS (CONT.)**

**Thoroughfare Plan Consistency**

Applicable Policies and Recommendations: The proposed development has frontage on Beechmont Avenue. The Hamilton County Thoroughfare Plan designates Beechmont Avenue as a Major Arterial with a required right-of-way of 120 feet (60 feet from centerline)

**Findings:**

- *The applicant has not identified the 60 feet from the centerline of Beechmont Avenue. It appears that there is sufficient space on the property to dedicate the required right-of-way without significant impacts on the proposed development plan. Therefore, staff finds that the applicant should revise the plan to identify the required right-of-way per the Hamilton County Thoroughfare Plan.*

**Zoning Compliance**

The site plan meets the minimum standards of the Anderson Township Zoning Resolution and the “EE” Planned Business district, with the following exceptions.

**Section 3.15(D)(2) – Height and Area Requirements**

This section states that building shall be setback a minimum of 30 feet from the right-of-way.

**Findings:** *Staff finds that the existing building is located more than 30 feet from both Beechmont Avenue and King Louis Court. It also appears that the building would still be setback 30 feet from Beechmont Avenue once additional right-of-way is provided. However, there appears to be a shade structure over the outdoor seating area that would be located 10 feet from the King Louis Court right-of-way. Staff supports a reduced setback in this location as it is located on a side street and would provide an amenity to the outdoor patio proposed for the site provided that the outdoor dining area remains open air and is not enclosed in the winter months. An enclosed structure this close to the right-of-way would be imposing and there are no other structures that close to the right-of-way on the other side of the street. Reducing the setback to 10 feet would still allow space for the required sidewalk to be constructed along this section of King Louis Court.*

**Section 5.3(D)(1)(f) – General Design Requirements – Parking Area Screening**

This section requires screening of parking lots with solid fencing or landscaping from adjacent residential districts.

**Findings:** *The proposed plan indicates the required parking space boundary landscaping but does not include any landscaping in the portion of the parking lot adjacent to the detention basin. This portion of the parking would not be screened from the residential apartments to the south and lights from vehicles parking in the area north of the detention basin would shine directly on the property to the south. Additionally, there is no screening adjacent to the parking lot to the west of the southernmost row of parking. A single-family home is located to the west of this portion of the lot and the lack of screening here would also allow lights from vehicles to shine directly on the adjacent property to the west. Staff finds that landscaping or fencing should be added to the entire southern property line and the portion of the western property line adjacent to the single-family property to the southwest to comply with this section of the Zoning Resolution.*

**Section 5.3(D)(2)(d) – Access – Parking Setback**

This section states that all parking spaces along entry drives shall be setback 30 feet from any street right-of-way line.

**Findings:** *The proposed plan includes 5 spaces along the 2 entry drives from King*



*Louis Court that are less than 30 feet from the right-of-way. Additionally, if the required right-of-way dedication is provided on the Beechmont Avenue frontage, there would be 3 more parking spaces that would not meet this requirement. Staff finds that the plan should be revised to meet the required setback to limit the risk of cars backing out onto Beechmont Avenue or King Louis Court.*

#### **Table 5-13 – Illumination Permitted**

This section states that maximum illumination levels shall be 0.10 footcandles or less at the property line of residential districts.

**Findings:** *The submitted lighting plans shows an area exceeding 0.10 footcandles on the adjacent single-family property to the southwest. Staff finds that the plan should be revised to comply with this section of the Zoning Resolution.*

### **Other Issues**

#### Signage

The applicant has not submitted a sign plan. The submitted site plan indicates a “restaurant sign” that would be a freestanding sign at the intersection of Beechmont Avenue and King Louis Court. This is the general location of the existing sign for the automotive use that would be replaced by the restaurant. It is unclear if the applicant intends that the existing sign be maintained and refaced for the restaurant or if this would be a new sign. Either way, the sign is currently located in the vision clearance area of this intersection required by Section 5.5(C)(5) and would be well within the right-of-way of Beechmont Avenue after dedication per the Thoroughfare Plan. Staff finds that this sign should be removed and replaced with a new sign that complies with the requirements of the Zoning Resolution.

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#### **CONCLUSION:**

Based on the above findings there is sufficient reason for staff to support the request. Generally, the proposed development is consistent with the Anderson Township Comprehensive Plan and Beechmont Plan. With the dedication of the required additional right-of-way, additional streetscape elements along Beechmont Avenue, enhanced buffering along the southern and southwestern property lines, and signage and lighting that meet the requirements of the Zoning Resolution, staff finds that the proposed development could be an improvement to the area. Therefore, staff finds that the requested zone amendment is appropriate in this location.

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#### **RECOMMENDED MOTION:**

To find consistency with the adopted land use plan and to recommend approval of case Anderson 2021-01, a request for a Zone Amendment from “E” Retail & “OO” Planned Office to “EE” Planned Retail, subject to standard covenants for planned districts and the following conditions:

#### Conditions:

1. That the plan shall be revised to comply with the requirements of the Hamilton County Thoroughfare Plan.
2. That a landscape plan in accordance with the Zoning Resolution, and with

- Condition #3 below, shall be submitted as part of the Final Development Plan.
3. That additional streetscape elements, including but not limited to trees, shrubs, low walls, benches, and trash cans, shall be provided along the Beechmont Avenue frontage of the property and shall be submitted as part of the Final Development Plan.
  4. That a lighting plan that meets the minimum standards of the Zoning Resolution shall be submitted as part of the Final Development Plan.
  5. That the parking lot shall be redesigned to provide a minimum 30-foot setback for all parking spaces from the right-of-way of Beechmont Avenue and King Louis Court in accordance with the Zoning Resolution.
  6. That the existing freestanding sign on the property shall be removed and that any proposed building mounted or freestanding signage plans shall be submitted as part of the Final Development Plan.

Variance:


1. Section 3.15(D)(2) – That the outdoor patio canopy shall be permitted to provide a 10-foot front yard setback from King Louis Court where a 30-foot front yard setback is required.

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NOTE: Recommendations and findings in this staff report reflect the opinions of the staff of the Hamilton County Planning and Zoning Department but may not necessarily reflect the recommendation of any Commission. This staff report is primarily a technical report on the level of compliance with adopted land use regulations and plans. The report is prepared in advance of public hearings and often in advance of other agency reviews. Additional information from other agency reviews and public review is considered by appointed commissions and elected boards. Therefore, the advisory and final decisions of such commissions and boards may result in findings and conclusions that differ from the staff report.

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Prepared By:

  
Bryan D. Snyder, AICP

Development Services Administrator

Approved By:

  
Steve Johns, AICP

Executive Director

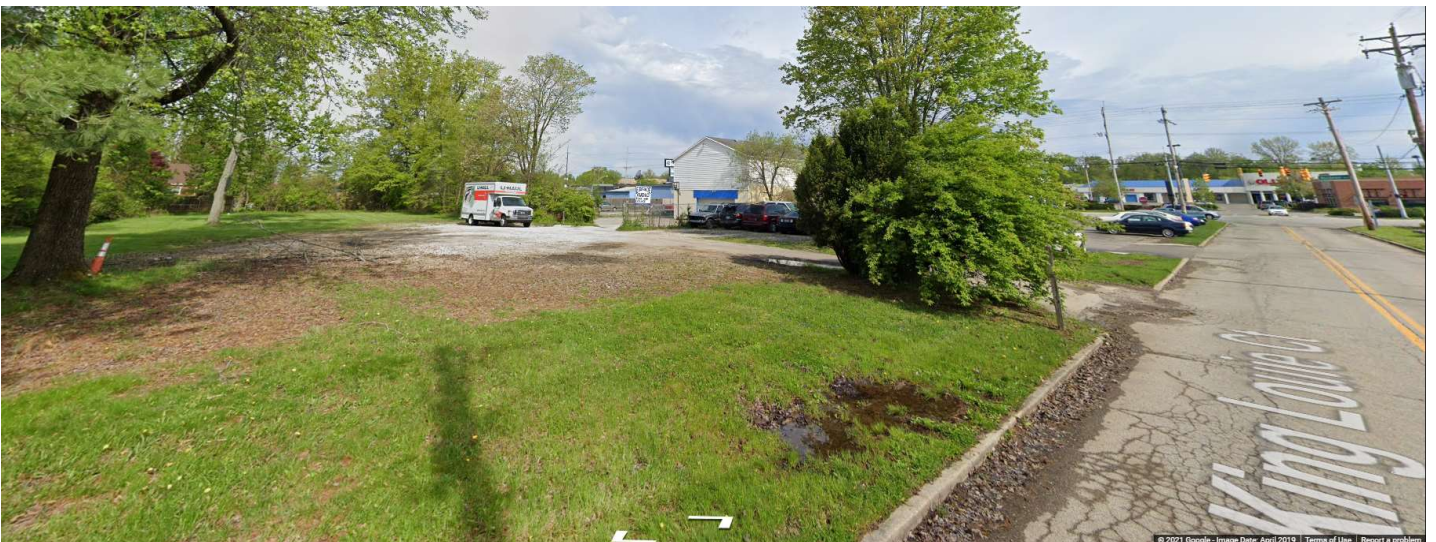
## SITE PHOTOS



View of site looking southwest from Beechmont Road and King Louis Court intersection (google streetview)



View of site looking southeast from Beechmont Road (google streetview)



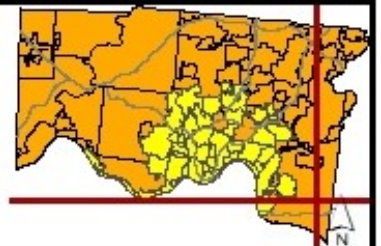
View of the site looking north from King Louis Court (google streetview)





## VICINITY MAP

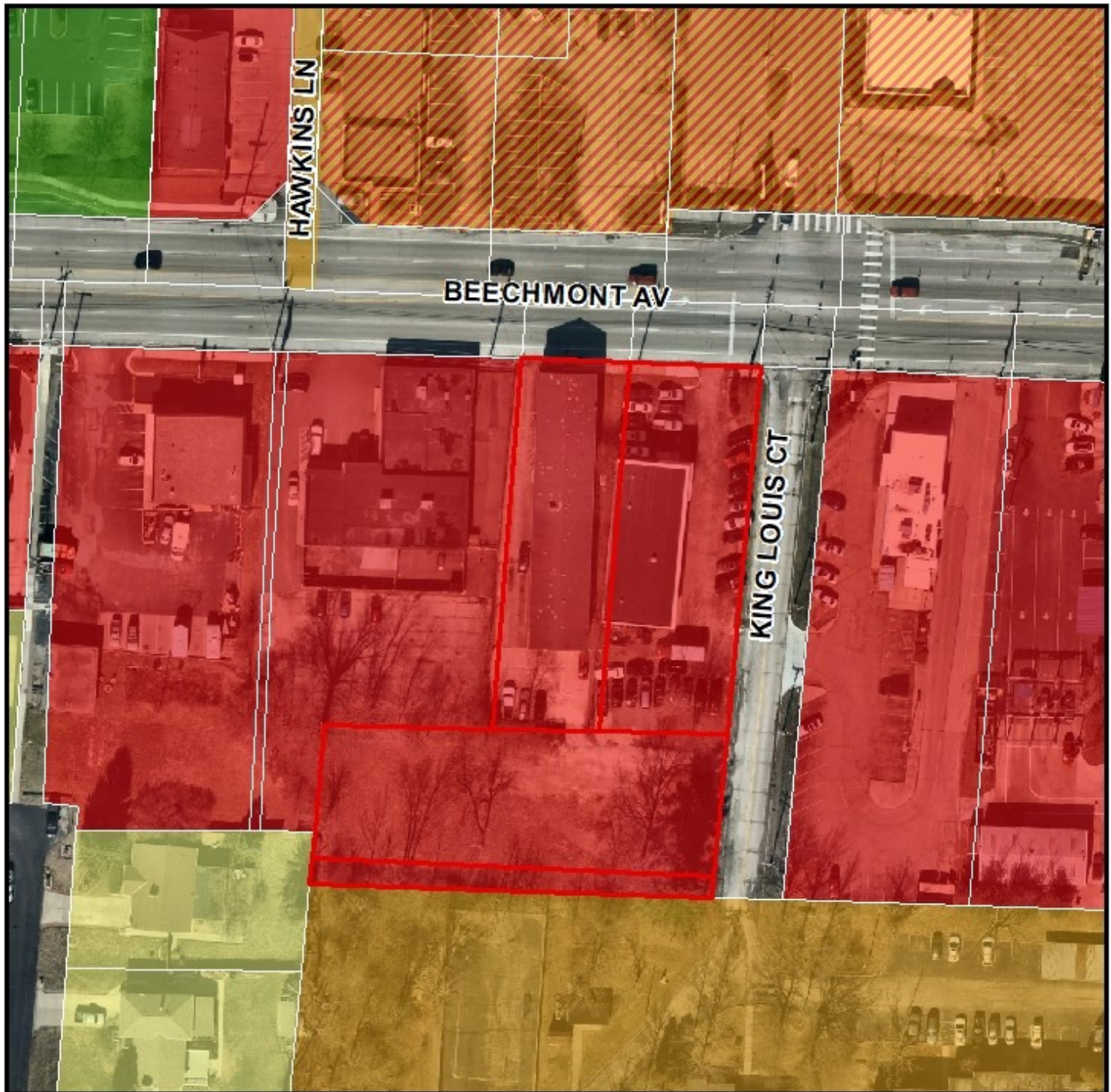
Case: Anderson 2021-01  
Beechmont & King Louis Court  
Request: Zone Change



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## FUTURE LAND USE MAP

	Rural Residence Agriculture		Scenic River Commercial
	Single Family Residence		Entertainment Commercial
	Single Family Cluster Residence		General Office
	Transitional Residence		Light Industry
	Multi-Family Residence		Heavy Industry Excavation
	Transitional Mixed Use		Township Greenspace
	Neighborhood Retail		Parks, Recreation & Open Space
	General Retail		Public, Semi-Public, Institutional, Utility
	General Mixed Use		

	River Conservation
	Ohio River

### ANCOR AREA PLAN LAND USES

	Core Industrial Area
	Hillside Conservation Overlay
	Light Industry/Transitional Residence
	TOD/Transitional Mixed Use

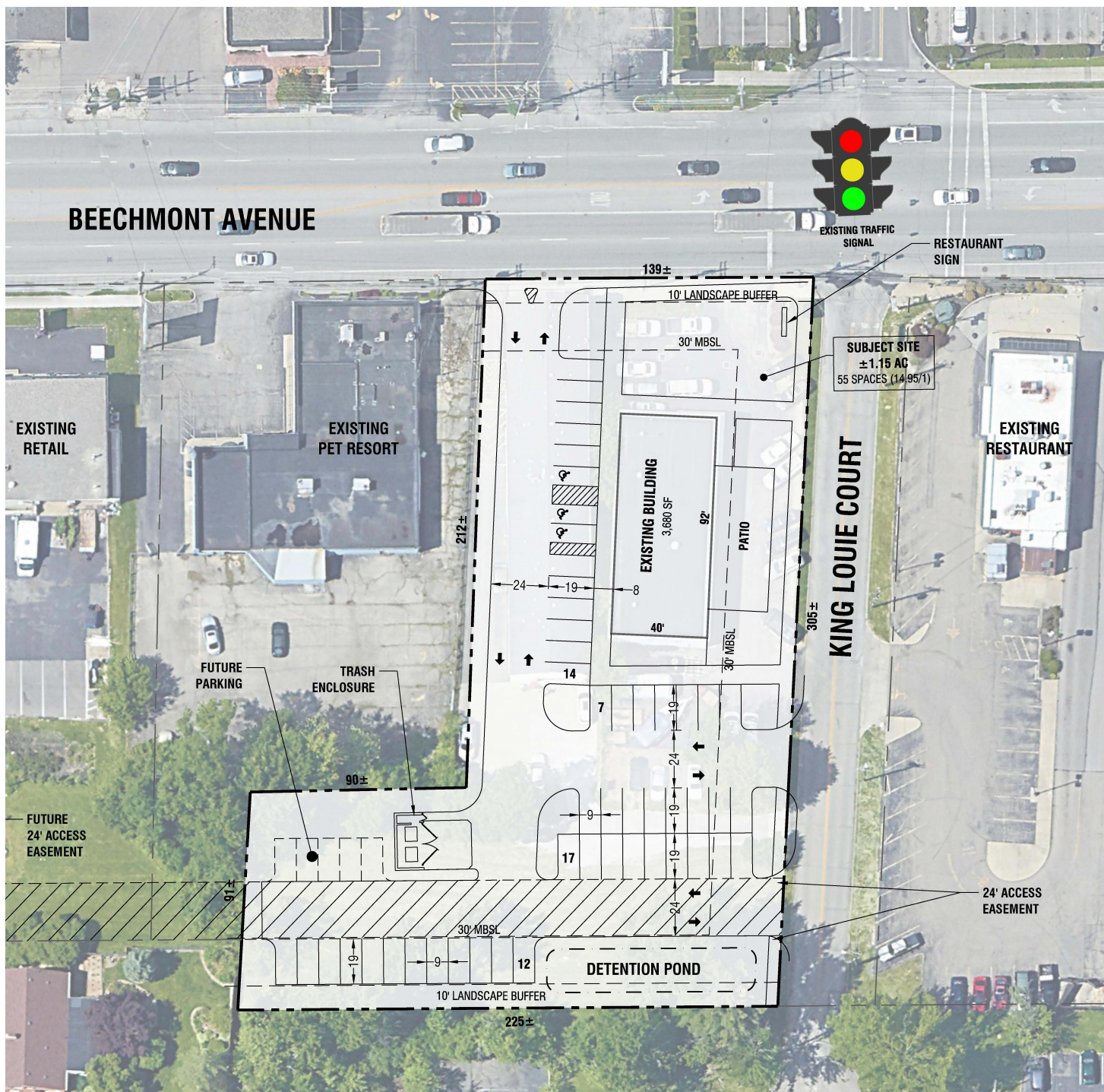


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# SITE PLAN



EDWARDS ROAD  
 390  
 NNATI, OH 45209  
 757-1409

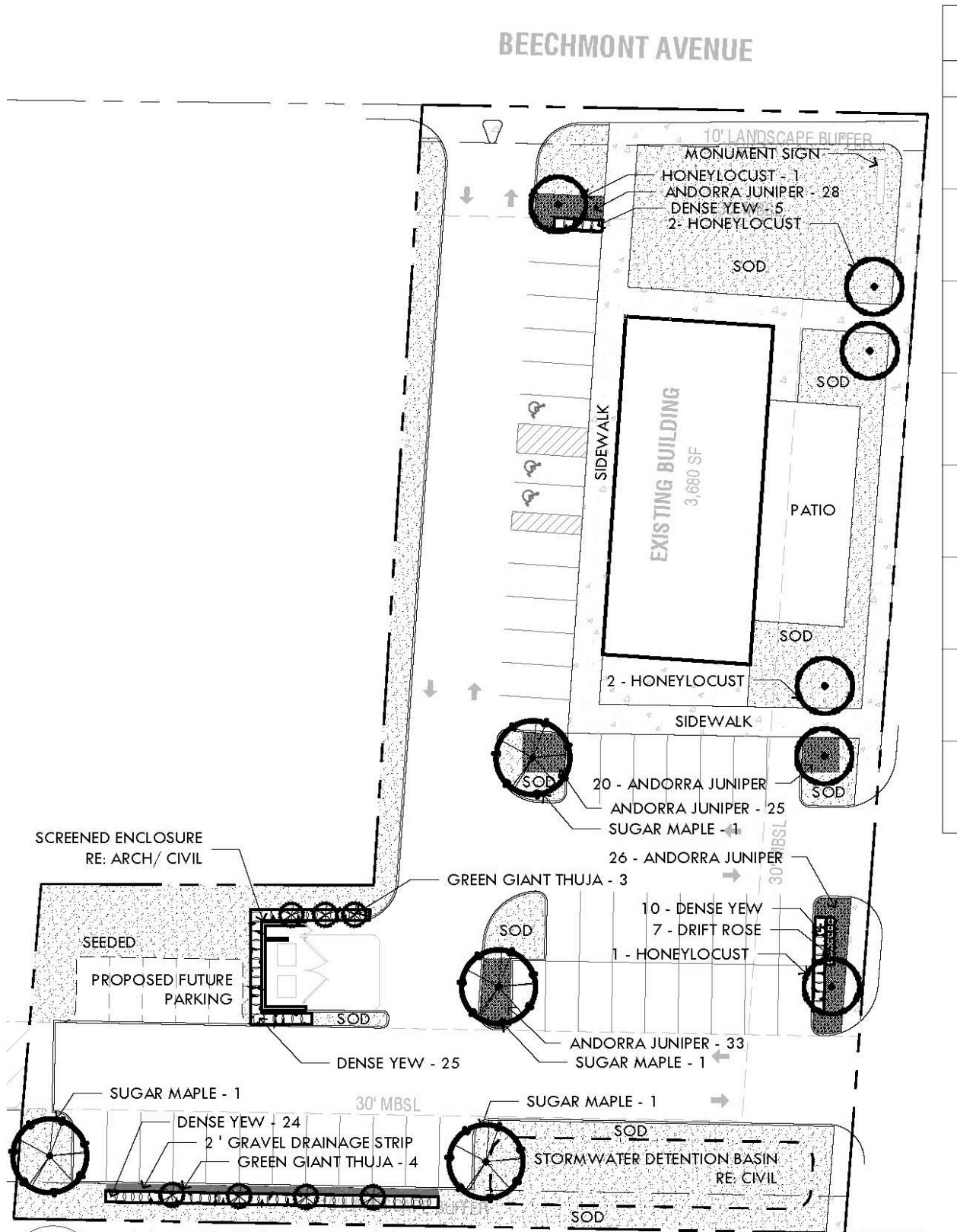
**PROPOSED RESTAURANT**  
 7887 BEECHMONT AVENUE  
 ANDERSON TOWNSHIP, HAMILTON COUNTY, OHIO

SCALE:	1"=50'
DATE:	03-13-20
REV:	02-24-21
DMG Project No:	20124

PRELIMINARY

**SP**

# LANDSCAPE PLAN

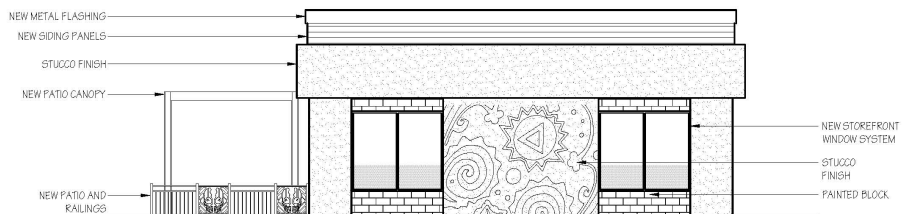


## ELEVATIONS



EAST ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION

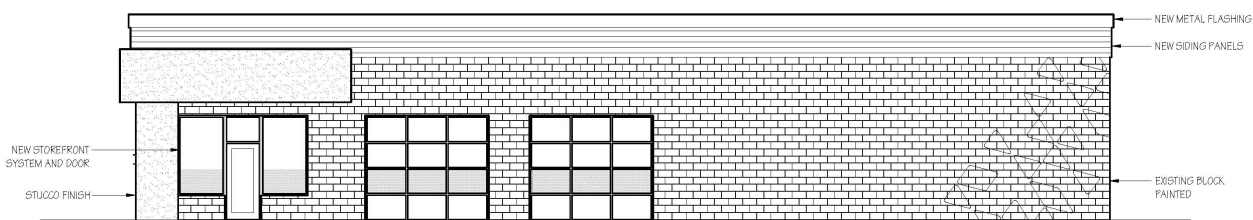
SCALE: 1/8" = 1'-0"



Anderson Township | 7887 Beechmont Ave. Cincinnati, OH

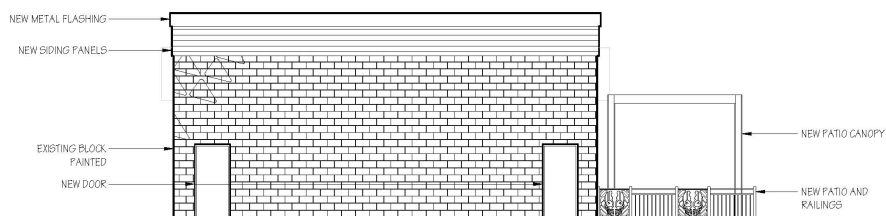
March 4, 2021

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WEST ELEVATION

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



Anderson Township | 7887 Beechmont Ave. Cincinnati, OH

March 4, 2021

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## RENDERINGS



EXTERIOR - IMAGE 2

SCALE: N.T.S.



Anderson Township | 7887 Beechmont Ave. Cincinnati, OH  
March 4, 2021

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EXTERIOR - IMAGE 4

SCALE: N.T.S.



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March 4, 2021

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## APPLICANT LETTER

### **DJC Partners, LLC**

3805 Edwards Road  
Suite 390  
Cincinnati, Ohio 45209

March 5, 2021

Anderson Township Zoning Commission  
7850 Five Mile Road  
Anderson Township, Ohio 45230  
Attn: Paul Drury

Re: Letter of Support of rezoning of 7867, 7877 and 7887 Beechmont Avenue to EE  
Planed Business District

Dear Anderson Township Zoning Commission:

DJC Partners, LLC ("DJC") is seeking to rezone the three contiguous parcels located at 7867, 7877 and 7887 Beechmont Avenue (collectively the "Property"). DJC owns the parcel at 7867 Beechmont Avenue, and is under contract to purchase the remaining two parcels. The rear parcel, 7887 Beechmont Avenue, is owned by Anderson Township and currently zoned O Office. The two parcels fronting Beechmont Avenue are currently zoned E Retail Business District. The three parcels will be consolidated into one 1.164 acre parcel and operated as one property. The existing auto store building at 7877 Beechmont Avenue will be extensively renovated and operated as a restaurant with ample outdoor dining space. The renderings included show the extensive renovations planned for this building. The Eastside Audio building at 7867 Beechmont will be razed.

The statements below correspond with the information requested in the rezoning application.

Size of the Property: The Property, in total, contains 1.164 acres.

Description of Proposed Use: The Property will be used for a restaurant with indoor and patio dining. The Property will contain off-street parking in compliance with zoning regulations. The existing auto building at 7877 Beechmont Avenue will be extensively renovated for the new restaurant use. The existing Eastside Audio building at 7867 Beechmont Avenue will be razed. The site will be professionally landscaped in compliance with zoning regulations.

Character of the Development. The 7877 Beechmont Avenue building will be renovated into a modern, open design. The exterior wall facing the patio will contain garage doors which can be opened to create an open-air concept. This will be a dramatic improvement, aesthetically, from the existing structures located on the Property. Please see the renderings included with this application for a more detailed understanding of the planned renovation.

The overall site will be designed to provide vehicular access to the two parcels immediately to the Property's west. The future connection point and access drive is depicted on the site plan.

Character and Conditions of the Area: Beechmont Avenue is a retail corridor, and the proposed restaurant use is an appropriate use. The use is permitted under the E district.

Neighborhood Benefits: The development will allow for the removal of an outdated and unsightly building, and the renovation of an older auto service building. The development of the Property will also allow for cross-access to the properties to the west, which will help the Township's goal of lessening traffic off of Beechmont Avenue. The development will also remove one full access curb cut and replace it with a right in, right out curb cut. This will, again, help mitigate traffic concerns on Beechmont Avenue. Sidewalks will also be constructed increasing the walkability of the surrounding properties.

Other Information. The planned project is a positive development for Anderson Township. It removes an older and unsightly building, and converts an auto service building to a modern, open-air concept restaurant with patio dining. It allows for cross connectivity between adjoining lots in furtherance of Anderson Township's desire to connect properties without having to drive on Beechmont Avenue. It will bring new employment to Anderson Township, and will increase the assessed value of the Property from a real estate taxation perspective.

Thank you for your attention to this project.

Sincerely,

DJC Partners, LLC,  
an Ohio limited liability company



Name: Douglas Compton

Title: Authorized Manager