

ANDERSON TOWNSHIP PLANNING AND ZONING - STAFF REPORT
ZONE CHANGE – CASE 3-2022 ANDERSON
1349 NAGEL ROAD

FOR CONSIDERATION BY THE BOARD OF TRUSTEES ON DECEMBER 15, 2022

APPLICANT: Craig Abercrombie, Abercrombie & Associates, Inc., on behalf of Zicka Development Company LLC, and Diane Marie Morgan, property owner.

LOCATION & ZONING: 1349 Nagel Road
 Book 500, Page 121, Parcel 60
 “B” Residence

REQUEST: The applicant is requesting a zone change from “B” Single Family Residence to “DD” Planned Multiple Family Residence for the property located at 1349 Nagel Road. The applicant is proposing to construct two duplex units, a total of four living units, with a net area of 0.43 acre, and a density of 9.23 units per acre, with a 0.0619 acre of Open Space. This application will be referred to as Phase 2 of Nagel Village.

SITE DESCRIPTION:

<i>Tract Size:</i>	0.5025 acres
<i>Frontage:</i>	Approximately 75’ on Nagel Road
<i>Topography:</i>	Relatively flat
<i>Existing Use:</i>	Single Family Residence

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
	<i>North:</i> “DD” Planned Multi Family Residence	Phase 1 of Nagel Village
	<i>South:</i> “B” Residence	Dentist Office Parking Lot
	<i>East:</i> “B” Residence	Single family homes
	<i>West:</i> “DD” Planned Multi Family Residence	Planned Multi Family Residence (Phase 1 of Nagel Village/ Stonegate)

SITE HISTORY: There is currently a single-family residence located on the property, with accessory structures.

Nagel Village is currently under construction for 6 duplex units and 1 single family, for a total of 13 units. The proposed Phase 2 would utilize the same private drive as Phase 1, Nagel Village Drive, with an entrance off of Nagel Road, aligned with Pineterrace Drive. This zone change was approved by the Trustees on February 18, 2021.

CASE HISTORY: Hamilton County Regional Planning Commission held a public hearing on November 3, 2022 in regards to Case 3-2022 Anderson. The Hamilton County Regional Planning Commission recommended approval with three conditions.

The Anderson Township Zoning Commission held a public hearing on November 21, 2022 and recommended approval with the following motion: *Ms. McBride moved, Mr. Lewis seconded to recommend approval Case 3-2022 for the property of 1349 Nagel Road, for Nagel Village Phase 2, as recommended by Hamilton County Regional Planning and Anderson Township*

Planning and Zoning staff, including the three conditions from Hamilton County Regional Planning and the three conditions recommended by Staff, as well as the additional condition that a landscape buffer between the site be provided to adequately provide a screen from the office and residential uses and that the landscaping plan submitted include information from an arborist regarding the three large trees on the property, their health and the proper measures that would need to be taken to preserve the trees.

AGENCY REPORTS:

Letters of correspondence from various agencies are attached for review. A summary of the issues raised by these agencies are as follows:

- **County Engineer** – Four comments, including the dedication of 40’ of right of way which is shown on the plans, and other right of way standards
- **Hamilton County Planning & Development, Storm Water** – Standard review comments
- **Metropolitan Sewer District** – Conditional availability of sewers
- **Hamilton County Soil & Water** – Standard review comments
- **Cincinnati Water Works** – No comments
- **Ohio Department of Transportation** – No comments
- **Anderson Township Fire and Rescue** – No parking on the private drive
- **Ohio Environmental Protection Agency** – No comments
- **The Hillside Trust** – No comments

FINDINGS:

Items for the Trustees to consider include, but are not limited to the following:

Anderson Plan

The Anderson Township Planning and Zoning Staff are in agreement with the findings of the Regional Planning Commission, when they reviewed this case on November 3, 2022. Those findings from HCRPC are listed below (* Staff would like to note that the future land use designation for this site is General Mixed-Use, not Transitional Mixed-Use. However, staff believes that the findings from HCRPC are still applicable):

- *The Comprehensive Plan Future Land Use Map designates the site as “Transitional Mixed Use,” which is defined as “Housing, low-intensity office uses...and related compatible uses...that provide a transition between residential uses and other types of development.” The proposed low density multi-family housing use, which would provide a transition between single-family uses to the north and higher density multi-family uses and church uses located to the south and west, would be consistent with this designation.*
- *Staff also reviewed the proposal for consistency with the text of the Comprehensive Plan. The Transitional Land Uses Guidelines Section of the Comprehensive Plan states, “Ensure the overall density of the development is compatible with adjacent developments in terms of lot sizes, density, character, and scale”. The adjacent Nagel Village Subdivision approved for the land adjacent and to the north and west was approved at a density of 4.66 units per acre. Adding these four units into the subdivision would slightly increase the density of the overall development to 5.27 units per acre. Staff finds that the proposed two duplex buildings function as an expansion of an existing development with the similar lot sizes and similar overall density in compliance with this guideline.*
- *Further, the proposal for attached residential units (duplexes), the inclusion of sidewalks and providing a higher density than traditional detached single-family residential uses are all in compliance with the Transitional Land Uses Guidelines.*

- *Based on the above findings staff finds that the proposal would be consistent with the Anderson Township Comprehensive Plan map and text.*

In addition, the Zoning Commission and Township staff believe that the application is consistent with the following goals of the Anderson Plan:

People and Housing: *The Township will be comprised of high-quality neighborhoods with diverse, well-maintained housing.*

The Township should provide a variety of businesses and housing options to meet changing demographics and market demands.

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

Zoning Resolution Compliance

Article 5.3, D, 1, f – Off Street Parking

All off-street parking areas for five (5) vehicles or more shall be screened on any side that adjoins or faces a property in any Residence District.

Findings: Phase 2 is not proposing any additional off-street parking areas for five or more vehicles. However, there will be two vacated curb cuts to Nagel Road. Staff would recommend that a condition be added to remove both curb cuts.

Article 5.3, D, 2, c, I – Sidewalk

Any use or building established after the adoption of this Article shall be required to provide a four (4) foot wide sidewalk along all public streets for the full length of street frontage.

Findings: A 5' wide sidewalk shall be provided along the Nagel Road frontage, connecting to the sidewalk to the north (previously approved with Phase 1), and extending to the property line to the south to connect to the existing Sea of Smiles Dentistry sidewalk.

Article 5.3, K -- Lighting For Non-Single Family Uses

Findings: A lighting plan was not submitted.

Article 5.3, L: Landscaping and Buffering: Parking and loading areas shall be designed to minimize the visual impact of parked cars as viewed from public right-of-ways and adjacent properties through the use of plantings and earth berms.

Findings: No landscaping plan has been submitted. Staff is of the opinion that there needs to be buffering between this development and the Sea of Smiles Dentistry property to the south. In addition, there are no separate parking areas proposed for Phase 2.

There are a couple of mature existing trees on the single-family property that staff believes would be viable if proper construction practices are put in place.

Article 5.5: Signage:

Findings: A sign was submitted as part of the Final Development Plan for Phase 1, however, staff has not issued a permit for this sign and it is currently under construction. In addition, the applicant has installed a temporary sign without a permit as well.

Anderson Township Design Guidelines

Site Planning

Site planning goals include (but are not limited to), “Developments should be integrated into the commercial areas and the immediate context through street connections, sidewalks, connecting outdoor spaces, land use transition and compatibility, and building scale and character, which respects the uniqueness of each property and reinforces the Township’s sense of place and character and seeks a balance between serving both automobile and pedestrian movement.”

Findings: No landscaping plan was submitted; however, the site plan does illustrate that site will be integrated into Phase 1, and will connect to existing sidewalk connections.

Architecture

Building designs that thoughtfully consider scale, form, orientation, height, setback, massing, materials, color and architectural features.

Findings: The applicant has not submitted rear or side elevations for the duplex units. However, on the front elevations submitted, the applicant is including a mixture of materials, including: stone veneer, brick, and concrete. A condition from Phase I included “That brick and stone features be added to all elevations of all units and submitted with the Final Development Plan.”

Lighting

Exterior lighting should be designed to provide the minimum level of illumination necessary for security, safety and visual appeal for both pedestrians and vehicles.

Findings: No lighting plan was submitted.

Anderson Trails Plan

The proposed development identifies an interior sidewalk on one side of the street, as well as a proper connection to the sidewalk to the north and south.

Economic Development Committee

The Economic Development Committee has reviewed the plans and submitted a letter recommending approval of the project to the Zoning Commission.

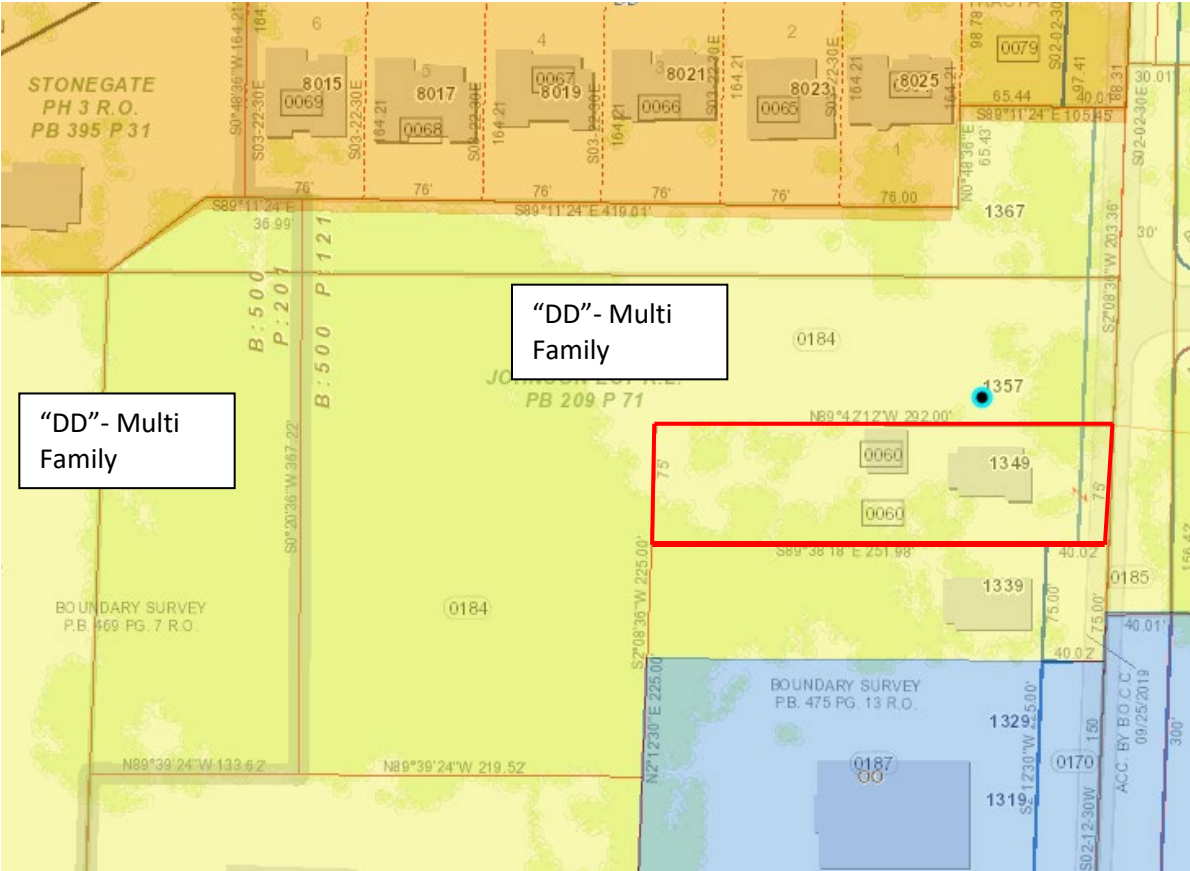
- RECOMMENDATION:** The Zoning Commission recommends approval of the request for a zone change from “B” Residence to “DD” Planned Multiple Family Residence District as:
1. The proposed zone change to “DD” is consistent with the Land Use text from the 2022 Anderson Township Comprehensive Plan Update and goals from the People and Housing and Land Use and Development chapters.
 2. The proposed use is compatible with the surrounding neighborhood and continues to stabilize the neighborhood by promoting transitional sizing in development, as an extension of Nagel Village Phase 1, from a large multifamily development to the single family north on Nagel Road and east on Pineterrace Drive, and office / institutional uses located south on Nagel.

3. The health and safety of the neighborhood and the Township are maintained.
4. The proposed use of the site provides an opportunity for the applicant to realize a reasonable profit (not necessarily a maximum profit) from the applicant's use of the subject land.

This approval shall be based on the following conditions:

As recommended by the Hamilton County Regional Planning Commission and Anderson Township Zoning Commission:

1. That a lighting plan that meets the minimum standards of the Zoning Resolution shall be submitted as part of the Final Development Plan.
2. That no new signage shall be permitted in the Zone Change area.
3. That sidewalks shall be provided along the entire frontage of Nagel Road and connected to sidewalks within the development in accordance with the Anderson Township Zoning Resolution.
4. That the applicant submits for a Major Modification of Case 3-2020 FDP, Nagel Village Phase 1 with the Final Development Plan submittal for this Case, Case 3-2022 Anderson, so the Zoning Commission will be able to review the site as one.
5. That the two curb cuts on Nagel Road for the existing single-family residence be removed.
6. That brick and stone features be added to all elevations of all units and submitted with the Final Development Plan.
7. That a landscape buffer between the site be provided to adequately provide a screen from the office and residential uses and that the landscaping plan submitted include information for an arborist regarding the three large trees on the property, their health and the proper measures that would need to be taken to preserve the trees.



CAGIS Zoning Map (Stonegate Phase 3 and Nagel Village Phase 1, should be DD- CAGIS has not updated)



CAGIS 2022 Aerial



2022
ANDERSON TOWNSHIP

Future Land Use Map

