



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON DECEMBER 15, 2020

BATAVIA TOWNSHIP ZONING CASE B-03-20ZPD

- APPLICANT:** Ridge Stone Builders & Developers, LLC
7015 Lighthouse Way, Suite 500
Perrysburg, OH 43552
- OWNER:** Billingsley Glen Howard Trustee
19 Donna Drive
Amelia OH, 45102
- REQUEST:** Batavia Township Zoning Map Amendment Case B-03-20ZPD
Requesting to rezone one parcel 012008C006 consisting of 73.21 acres (+/-) from I – Industrial District to PD – Planned Development District.
- LOCATION:** The subject property is located on the east side of Amelia Olive Branch Road 750 feet north of Billingsley Drive and 800 feet south of Barton Road in Batavia Township. *See the attached location map for further clarification.*
- ZONING:** The subject properties are currently zoned I – Industrial District.

North: R-1 – Single-Family District & I – Industrial District
East: I – Industrial District
South: R-1 – Single-Family District & I – Industrial District
West: R-1 – Single-Family District & PD – Planned Development District.
See the attached location map for further clarification.
- LAND USE:** The subject property is currently vacant agricultural farmland. The surrounding properties north and south along Amelia Olive Branch Road are single-family residential with larger parcels still having an agricultural presences. Properties to the northeast fronting Taylor Road are primarily industrial in use that could be developed further as much of the land is currently still under developed. *See the attached aerial map for further clarification.*
- HISTORY:** On April 10, 1968, the Clermont County Planning Commission adopted a recommendation in Report No. 4-68, which consists of a review of two (2) zoning district amendments from A – Agricultural & R-2 Suburban Residence District to I – Industrial.

RELATIONSHIP TO TOWNSHIP ZONING & FUTURE LAND USE:

As designed it appears this request is compatible with the Planned Development regulations within the Township's Zoning Resolution (Article 36).

A. Objectives for Planned Developments

The Planned Development (PD) District and the associated planning and development regulations as set forth and referred to herein are designed to achieve the following objectives:

- 1. Provide flexibility in the regulation of residential, commercial and office land development;*
- 2. Encourage a variety of housing and building types, a compatible mix of commercial and residential development and creative site design;*
- 3. Encourage provision of useful open space, and preservation of valuable and unique natural resources;*
- 4. Provide a development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, prevents the disruption of natural drainage patterns, and contributes to the ecological well-being of the community;*
- 5. Promote efficiency through a more effective use of land than is generally achieved through conventional residential and/or commercial development resulting in substantial savings through shorter utilities, streets and other public services, and*
- 6. Provide a residential and/or commercial development pattern in harmony with land use density, transportation facilities, community facilities, and objectives of the Batavia Township Growth Management Plan.*

The subject properties are located in an area of the township designated Commerce Development Area in Batavia Township's 2018 Growth Policy Plan. ***See attached Future Land Use Plan***

Commerce Development Area:

Commerce Development Areas are location within Batavia Township where job producing development is encouraged. These are locations where light industrial, office and general commercial establishments are currently located, and where new establishments should be encouraged in "industrial park" type settings. The Commerce Development Areas are predominantly zoned for industrial uses. There are also locations that are zoned for business use, which are appropriate to provide a business climate that responds to the needs of the industrial users. There is a need to encourage the development of additional office and light industrial parks in order to attract jobs and maintain a balanced tax base. Major land uses in these areas include the Clermont County Airport, the Batavia East Industrial Park, and American Modern Insurance Group to name a few.

The proposed PD Plan does **not** conform to the vision set forth by Batavia Township's 2018 Growth Policy Plan. By changing the existing industrial zoning the surrounding industrial sites may be negatively impacted as they may lose usable land to buffering requirements for industrial abutting residential. However, due to the existing residential character along Amelia Olive Branch Road this proposed residential use may be a positive as it would keep Amelia Olive Branch Road primarily residential.

Future Development Policies

- Confer with the County Engineer's Office relative to requiring traffic impact studies for proposed industrial development.
- Encourage construction of an access road system in the north east Commerce/Industrial Development Area parallel to SR 32 to serve the industrial land north of SR 32, similar to Front Wheel Drive.
- Encourage construction of an extension of Batavia Road north of SR 32 to provide access to property in this area.
- Encourage construction of a roadway connection between Old SR 74 and Clough Pike to improve circulation in that area, an increase accessibility to the Clermont College Campus of the University of Cincinnati.

STAFF ANALYSIS:

Per the application, the applicant is requesting to rezone one parcel 012008C006 consisting of 73.21 acres (+/-) from I – Industrial District to PD – Planned Development District. The proposed preliminary plan consists of the following proposed unit types:

- 56 Single-Family Lots to be platted along Street A, Street B, and Street C.
- 9 Assisted Living Single-Family Lots to be platted along Street A.
- 2 Assisted Living Single-Family Units for rent.
- 43 Assisted Living Two-Family Units for rent. (86 individual units total)
- 4 Assisted Living Eight-Family Units for rent. (32 individual units total)

Site access would be from Amelia Olive Branch Road via five proposed 50' public rights-of-way allowing for all lots to have sufficient legal road frontage. The proposed street names will need to be reviewed by the Clermont County Engineer's Office for duplicates or near duplicates of existing streets.

The net density of the proposed project is 2.67 units per acre which falls **below** the net maximum residential density of 3 units per acre. Most of the proposed single-family lots within the PD plan appear to meet the townships recommended minimums under Article 36. The proposed plan appears to request a typical minimum lot size of 10,000 sq. ft. (0.229 acres) and a minimum lot width of 75 feet. Variable setbacks may be granted by the Township if considered appropriate.

As proposed, approximately 31.86 acres (44%) of the property would be dedicated open space, a large majority of the proposed open space abuts residential structures. The PD plan shows residential units proposed on land dedicated as open space which would **not** be in compliance with *Article V, Section 520* of the *Clermont County Subdivision Regulations*. Whereby an applicant may designate lands as open space for the provisions of parks, play grounds, squares, nature areas, other recreational facilities, storm water retention/detention, or other appropriate uses. To solve this non-compliance the applicant along with guidance from the township, will need to determine the proposed location of all open space lots prior to obtaining Planning Commission approval. The proposed open space and land within lots would be maintained by the creation of a Homeowners Association, as this development is proposed for minimal household maintenance

The subject property also falls within the Clermont County Airport's Retention Restriction Area, where the proposed stormwater control features will need to be provided by other means than stormwater retention.

In regards to the soil types listed on the design plan, no proposed lots or structures fall under the Steep Slopes & Erosion Hazards listed in the *Clermont County Subdivision Regulations* as Sensitive Development Areas and are not required to perform individual geotechnical reports at this time.

The proposed project is within Batavia Local School District's jurisdiction and does not cause any overlapping issues with surrounding school districts. The proposed project would connect to the existing Clermont County water & sewer system with electric being supplied by Duke Energy.

Clermont County Community & Economic Development Comments:

- Residential use is **not** allowed on land to be dedicated as open space. As a result all residential structures will need to be situated on platted lots outside of the land to be dedicated as open space. The applicant along with the township shall determine the proposed location of all open space lots in regard to the location of the proposed residential units. This may require more in-depth review of proposed setbacks and building site location.
- Update the acreage breakdown table consisting of the following: total acreage of entire tract, total acreage of the lands in lots, total acreage of land contained in streets, total acreage of open space, park land, etc.
- The proposed project name "Billingsley Subdivision" is already in use and will require a new project name.

The Clermont County Engineer's Office Comment:

- The Clermont County Engineer's Office has reviewed the proposed zoning map amendment which indicates that a traffic impact study will be required to be submitted for review. This proposed development is expected to generate more than 100 trips in the peak hour.

The Clermont County Water Resources Department Comments:

- The Clermont County Water Resources Department has reviewed the proposed zoning map amendment and indicated that the property is within Clermont County's jurisdiction for water and sewer service. The sanitary sewer will need to be extended to the property. Water is available along Amelia Olive Branch Road.
- The proposed development is within the Clermont County Airport's Retention Restriction Area. Stormwater control will need to be provided by other means than stormwater retention.

STAFF RECOMMENDATION:

Based on the Staff Analysis, move to **RECOMMEND APPROVAL** of Batavia Township Zoning Map Amendment Case B-03-20ZPD requesting to rezone one parcel 012008C006 consisting of 73.21 acres (+/-) from I – Industrial District to PD – Planned Development District. with the following conditions:

1. All residential structures need to be situated on platted lots outside of the land to be dedicated as open space.
2. Determine the proposed location of all open space lots in regards to the location of the proposed residential units.
3. The acreage breakdown table needs to reference the proposed alterations to the proposed open space acreage and percentage totals.
4. The project name “Billingsley Subdivision” is already in use and will require a new project name.
5. A traffic impact study will be required to be submitted at the time of the Design Plan to the Clermont County Engineer’s Office.
6. Stormwater control needs to be provided by other means than stormwater retention.