



# PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON JANUARY 26, 2021

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## MIAMI TOWNSHIP ZONING CASE 576

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- APPLICANT:** Jon Sines  
Clover Communities Miami, LLC  
348 Harris Hill Road  
Williamsville, NY 14221
- OWNER:** David H. Todd Trustee Et al.  
201 East 5<sup>th</sup> Street, Suite 900  
Cincinnati, OH 45202
- REQUEST:** Request to rezone parcels 182518C231 (47.21 acres) and 182518C104 (1.89 acres) consisting of 49.1 acres from an expired R-3 Residence District with R-PUD Overlay to a new R-3 Residence District with R-PUD Overlay.
- LOCATION:** The subject properties are located on the south side of Wards Corner Road about 3,200 feet south east of I-275. The properties are between Todd Farm Lane and Loveland Miamiville Road, with one parcel having an address of 426 Loveland Miamiville Road, Miami Township, OH 45140.  
*See the attached location map for further clarification.*
- ZONING:** Current Zoning: R-3 Residence District with R-PUD Planned Unit Development Overlay (47.21 ac.) & R-1 – Residence District (1.89 ac.)
- North:** I – Planned Industrial Park District &  
B-1 – Neighborhood Business District &  
R-1 – Residence District
- East:** I – Planned Industrial Park District &  
R-1 – Residence District
- South:** R-1 – Residence District &  
H – Resort District (*Camp Freeland*)
- West:** I – Planned Industrial Park District &  
R-1 – Residence District

**LAND USE:** The existing land is vacant and mostly wooded. The majority of surrounding properties to the northeast are commercial with single-family residential properties to the southwest. There is a county water treatment plant located on the adjacent property and Camp Freeland located just south across Loveland-Miamiville Road.

**HISTORY:** On December 27, 2005, the Clermont County Planning Commission recommended approval of Miami Township Case 510 for R-3 Residence District with R-PUD Overlay.

On November 25, 2014, the Clermont County Planning Commission recommended approval of Miami Township Case 536 for a Revised R-3 Residence District with R-PUD Overlay.

**RELATIONSHIP TO TOWNSHIP ZONING & FUTURE LAND USE:**

It appears this request for a Map Amendment is compatible with the purpose of the R-PUD – Residential Planned Unit Development Overlay District in the Township’s Zoning Resolution (Chapter 15).

- A. *General – It is the purpose of the Residential Planned Unit Development Overlay District (“R-PUD”) to provide a flexible alternative to strict application of certain dwelling unit type, lot area, density and other requirements in Residential and Agricultural Zoning Districts, in order to encourage coherent planned residential development that are in keeping with modern site planning standards, so as to promote the general public health, safety, and welfare, and other general purposes of the Miami Township Zoning Resolution.*
  
- B. *Objectives – The “R-PUD” is specifically designed to:*
  - 1. *Encourage residential land development in consideration of topography, vegetation, community character, and compatibility with surrounding land uses;*
  - 2. *Encourage creative design in the arrangement of buildings, open space circulation, and all related factors by permitting maximum flexibility in design;*
  - 3. *Achieve the most efficient land use by utilizing the special advantages of planned development and coordinated planning and design, and facilitating the economic arrangement of buildings, circulation systems and utilities; and*
  - 4. *Create high quality living environments that balance certain permitted density increases with preservation of green space and/or provision of recreational amenities.*

In Miami Township's Vision 2025 Plan, it specifies this area of the Township as "New Development Mixed Use" (see Figure 16 – Preferred Land Use).

***New Development:***

*New Development areas are those remaining portions of the Township that are largely undeveloped. Although some of these areas have few development constraints, others may be characterized by relatively steep slopes, minimal existing roadway systems and other limitations that have prevented development to this point. However, these constraints are likely to become less of a barrier to development over the course of the 20 year period, as the remaining undeveloped parcels in the Township become more valuable due to their scarcity and the local market's increasing potential.*

*New Development areas will generally develop in a more intensive manner than the Maintain Present Character areas, both because of the prices they will demand and because they will be designed to differentiate themselves from their surroundings. Many New Development areas will provide opportunities for types of land uses that are new to the Miami Township market, such as mixed use developments that combine housing with office or commercial space. Evaluating and accounting for potential traffic impacts will be particularly vital to the success of many of the New Development locations, as they may generate a higher number of vehicle trips than many types of conventional development.*

The proposed zoning request meets the goals of Miami Township's Vision 2025 Plan by providing new development opportunities for the surrounding region.

**SITE ACCESS:**

The site will have a proposed senior living facility consisting of 13.57 acres and would have access from Todd Farm Lane. There is also a proposed single-family residential development and public roadway extension for Todd Farm Lane to provide access and legal frontage (min 25') for a portion of the single-family development. All public streets shall be designed with the minimum right-of-way for residential local streets per the recommendation of the Clermont County Engineer's Office, and further shall conform to the requirements of the *Subdivision Street Design and Construction Standards for Clermont County*.

Proposed Lots 1, 2, 14 and 15 would have direct access to Loveland-Miamiville Road.

A traffic impact analysis was completed for this site in June 2012 and according to the application the proposed development still falls within the parameters of the previous study.

## **DEVELOPMENT CHARACTER:**

The rezoning request, with roughly 13.57+/- acres of the 49.1 acre site will be a 128,342 square foot 3 story senior living facility ( 35' building height ) that offer 122 apartments, age restricted to 55 years and older. Included in the development is off-street parking, 122 parking spaces, including 40 garages for residents along with 6 American Disabilities Act (ADA) spaces. The site plan appears to preserve some of the wooded areas of the site and meets the required minimum of 30% as identified in Section 15.04.C of the R-PUD Zoning District regulations for Miami Township.

### *Development Characteristics: Senior Living Facility (Ages 55 and Up)*

*Project Area: 13.57 acres*

*Typical Lot Area: N/A – Senior Living Facility (132,735 Sq. Ft.) – 3 Stories*

*Typical Lot Width: N/A*

*Number of Lots: N/A*

*Number of Units: 122 units*

*Overall Gross Density: 9 units/acres*

*Open Space/Common Area: approximately 6.3 acres or 46.4%*

The remaining 35.53+/- acres will be a 15 lot single-family “Hybrid Subdivision” lots range in size from 1.01 acers. – 8.23 acres, for a total R-PUD density of .42 units per acre. This portion of the site is not being developed by the applicant Clover Communities Miami, LLC.

### ***Hybrid Subdivision:***

*The term “Hybrid Subdivision” is utilized to classify any subdivision submitted to the Planning Commission that contains a mixture of Five Acre Plus Lots and lots that are less than five acres in size.*

## **STAFF ANALYSIS:**

The proposed developments request consist of rezoning roughly 49.1 acres of property along Todd Farm Lane from the expired R-3 Residence District R-PUD to a revised R-3 Residence District with R-PUD Overlay. The rezoning is effort to provide a mix of residential uses, in compliance with the recommendations of the Vision 2025 Land Use Plan for this area of the Township. It should be noted that the overall density of the single-family residential portion is .42 units/acre – which is well below more traditional residential developments.

Additionally, the proposed site design generally respects steep slopes found on the project site. The street layout is fairly efficient in accomplishing internal circulation while not extending into sensitive terrain. Geotechnical studies are needed for the project site as some building locations appear to substantially impact both wooded areas and steep slopes/soils that are prone to slip (soil types: EbG2, EaF2, etc.) Also, the detention/retention location may need to be shifted to avoid impacting additional slopes in excess of the 30% found on

the site which can easily be accomplished by shifting the location closer to the top of the ridge. Overall, the development plan appears to substantially conform to the R-PUD regulations contained in the Miami Township Zoning Resolution, with regards to density, open space requirements, and resource protection standards.

Pedestrian access should be provided through the use of sidewalks, throughout both the senior living facility and proposed hybrid subdivision. Sidewalks would provide future connectivity between the commercial and residential areas and the existing commercial areas situated to the east along Wards Corner Road. Unfortunately, there are no existing sidewalks along Wards Corner Road at this time. Additional detail shall be provided regarding the proposed landscape buffering along the boundaries as the adjoining properties do not share the same density and zoning.

**Miami Township Comments:**

- No additional comments have been received.

**The Clermont County Engineer's Office Comments:**

- A traffic impact analysis was completed for this site in June 2012 and according to the application the proposed development still falls within the parameters of the previous study. No further comments or objections to offer at this time.

**The Clermont County Water Resources Department Comments:**

- The proposed development is located within the Clermont County Water Resource Department's jurisdiction for water and sewer service. There is capacity in the water and sewer systems to support this development. No further comments or objections to offer at this time.

**Clermont County Community & Economic Development Comments:**

- All lots proposed as a Hybrid Subdivision must abide by all standards and regulations listed in Article VII, Section 705 of the *Clermont County Subdivision Regulations*.
- All public streets must be designed with the minimum right of way for residential local streets per the recommendation of the Clermont County Engineer's Office, and further shall conform to the requirements of the *Subdivision Street Design and Construction Standards for Clermont County*.
- Pedestrian access shall be provided through the use of sidewalks throughout both the senior living facility and proposed hybrid subdivision.
- The detention/retention location may need to be shifted to avoid impacting additional slopes in excess of the 30% found on the site.

**STAFF RECOMMENDATION:**

Based on Staff Analysis, move to **RECOMMEND APPROVAL** of Miami Township Case 576 request to rezone parcels 182518C231 (47.21 acres) and 182518C104 (1.89 acres) consisting of 49.1 acres, from R-3 Residence District with R-PUD Overlay to a revised R-3 Residence District with R-PUD Overlay with the following conditions.

1. All lots proposed via a Hybrid Subdivision must abide by all standards and regulations listed in Article VII, Section 705 of the *Clermont County Subdivision Regulations*.
2. All public streets must be designed with the minimum right of way for residential local streets per the recommendation of the Clermont County Engineer's Office, and further shall conform to the requirements of the *Subdivision Street Design and Construction Standards for Clermont County*.