



**UNION TOWNSHIP BOARD OF TRUSTEES
SEPTEMBER 12TH, 2023 MEETING**

OVERLAY DISTRICT PLAN

**KETAN PATEL, Applicant
983 STATE ROUTE 125 / Parcel ID #414132A026**



Staff Report: CASE # 5-23-O

NATURE OF REQUEST

The Applicant is requesting Overlay District Plan Approval from the Union Township Board of Trustees for Parcel# 414132A026. Specifically, the Applicant is seeking the potential modernization and expansion of a vehicle fueling station with a convenience retail component—on a 2.414-acre site that is located within the Ohio Pike Focus Area Overlay – Commercial Corridor (FA-CC). **Please refer to the Applicant's statements, plans, and other application enclosures.*

LOCATION

The subject property is located at 983 State Route 125, on the southeastern corner of the State Route 125 and Bennett Road intersection. State Route 125 is a Principal Arterial 5-lane roadway (including 1 left-turn lane in the center), with a traffic volume of approximately 29,200 average daily trips (ADT) in the area of the Bennett Road intersection. Bennett Road is a Local 2-lane roadway is a Township-maintained local road with no known traffic counts.

ZONING

The subject property is zoned Business (B-1), with the adjoining property to the northeast, east and west also zoned Business (B-1) for the underlying zoning. The property to the south is zoned Single-Family Detached Structure Residential (R-1) and the property to the northwest is zoned Planned Multi-Family Residential (R-3).

RELATIONSHIP TO THE HORIZON 2030: UNION TOWNSHIP COMPREHENSIVE LAND USE PLAN

The Horizon 2030: Union Township Comprehensive Land Use Plan indicates that the subject property is located within the Ohio Pike (SR 125) Corridor.

Among other things, the Plan calls for access control, and for site development to be conducted in a manner that focuses on maximizing land use efficiency with infill development, reinvestment, and / or redevelopment initiatives. For commercial redevelopment, the use of traditional building materials, adequate vegetative buffering, landscaping strategies along shared property lines, and landscaping enhancements along the corridor frontage are also required, in accordance with the Plan.

RELATIONSHIP TO THE FOCUS OVERLAY DISTRICT REGULATIONS

As noted in the previous section of the staff report, the affected property is located within the Ohio Pike Commercial Corridor. Article 13 of the Union Township Zoning Resolution identifies this corridor as a “Commercial Corridor,” and makes these statements with respect to these Districts:

1307. Focus Area Overlay-Commercial Corridor Districts...

1. Findings and Specific Purpose.

Business districts and corridors are recognized as principal focal points of community activity providing an economic resource and a center for community identity. It is in the interest of the Township to protect and enhance the features of public interest in such business districts by:

- a. Preventing the deterioration of property and the extension of blighting conditions;
- b. Encouraging and protecting private investment which improves and stimulates the economic vitality and social character of the area;
- c. Preventing the creation of influences adverse to the physical character of the area.

2. Characteristics.

FA-CC districts shall be limited to geographic areas included in a FA-Commercial Corridor which contain or are planned to contain one (1) or more of the following characteristics:

- a. A concentration of retail and service oriented commercial establishments serving as a principal business activity center for a socio-geographic neighborhood, community, or region;
- b. An area that has received or been approved for substantial public investment;
- c. An area that is planned for unusual intensity or density of development.

BACKGROUND

As referenced in the Applicant's statements and enclosures, the Applicant is planning a 3,928 square-foot expansion to the existing primary structure on the property—which was previously used as a vehicle fueling station with a convenience retail component. *The proposed, new building area of the primary structure would be 6,628 square feet.*

STAFF REVIEW & ANALYSIS

A review of this particular Overlay District application indicates that the proposal appears to be consistent with both the recommendations of the adopted Land Use Plan, as well as the Findings and Specific Purpose(s) of the Overlay District zoning regulations. The Applicant has proposed a building consistent of traditional building materials, with signage that will ultimately be more compliant with the Zoning Resolution than the previous signage on the property. The parking and driveway areas on the current plans appear to be sufficient for the proposed use(s). The Applicant will be adding a sidewalk along State Route 125 for pedestrian connectivity from the Bennett Road intersection to the eastern portion of the site (approaching Crescent Drive). The landscaping / buffer plans would ultimately need to be enhanced / adjusted along the western property line (adjacent to the existing residential area) as well as around the dumpster to meet the standards set forth in the Union Township Comprehensive Land Use Plan and the Zoning Resolution. Finally, the proposed exterior lighting has been designed so that the light leaving the site is very minimal (equal to or less than a residential use)—with all lighting to be downward directed, as required.

ACTION REQUIRED

In accordance with Section 1310 of the Zoning Resolution, the Board of Trustees' role in this process is to either enter a motion to approve, modify, or deny the Focus Area Overlay District application—which, *in this case consists of the potential modernization and expansion of a vehicle fueling station with a convenience retail component*—as submitted, along with any further modifications deemed appropriate by the Board.

RECOMMENDED MODIFICATIONS

If the Board should choose to grant favorable consideration to this Overlay District application, staff recommends that these additional items be modified and / or otherwise be adequately addressed prior to final Township action:

- 1) The Applicant would need to address any concerns of the Ohio Dept. of Transportation (ODOT), the County Engineer, Clermont County Water & Sewer District, Clermont County Building Department (including Water Management and Sediment Control), the Union Township Fire Department, and / or other regulatory agencies having jurisdiction over the proposed development prior to any final Township action.

- 2) The Applicant would need to provide more details regarding the proposed landscaping plan, including the heights / sizes recommended along the western edge of the property as well as the perimeter of the proposed dumpster enclosure and drive-thru. Additionally, all *existing* landscaping to remain and proposed landscaping should be marked as preservation area(s), and any vegetation disturbed should be repaired, supplemented, or replaced. *This is an item that can be addressed administratively by staff.*
- 3) A more-detailed signage plan would ultimately need to be submitted. All free-standing signage should be limited to monument signage, capped at a height of not more than 12' from finished grade, *subject to administrative review and approval.*
- 4) The proposed building materials visible from the western elevations (also) need to be brick or stone or an acceptable veneer on any revised plans, to match the rest of that side of the building and to demonstrate consistency with the Focus Overlay District Area and the Comprehensive Plan. *This is an item that could be addressed administratively by staff.*
- 5) As of **September 6th, 2023**, the other items that would need to be added to the current plans and associated materials prior to any final administrative actions included:
 - a. A better, more legible / distinguishable vicinity map should be provided on any revised plans;
 - b. A commercial zoning permit would also ultimately need to be submitted.

>These are all items that can be addressed administratively by staff.