

**ANDERSON TOWNSHIP ZONING COMMISSION  
SEPTEMBER 26, 2016**

The Anderson Township Zoning Commission held a regular meeting, duly called, on September 26, 2016, at 5:30 P.M. at Anderson Center. Present were the following members:

**Jonathan Gothard, Anne McBride, Jay Lewis,  
Scott Boone and Catherine DiBiagio**

Also present when the meeting was called to order were Paul J. Drury, Director, Levi Koehl, Planner 1 and Betty Cowan, Secretary. A list of citizens in attendance is attached.

**Approval of Agenda**

**Mr. Lewis moved, Mr. Boone seconded to approve the agenda with the amendment to continue Case 6-2016 PUD, Newtown Road until next month's meeting, at the request of the applicant.  
Vote 5 Yeas.**

**Approval of Minutes**

**Mrs. DiBiagio moved, Mr. Lewis seconded, to approve minutes of July 25, 2016 as presented.  
Vote: 5 Yeas.**

**Mr. Boone moved, Mr. Lewis seconded, to approve the minutes of August 22, 2016 as presented.  
Vote: 4 Yeas and 1 Abstention by Ms. DiBiagio.**

**Case 2-2016 PUD  
1339 and 1357 Nagel Road**

**Mr. Drury** gave a brief overview of the case. He stated the case had been continued by the Board last month and they had asked for the following information: Presentation from your traffic engineer on impacts to general area; Cross sections based on a grading plan, not a rendering, to illustrate views from Nagel at Pineterrace from the McClellan residence (second floor) (8053 Pineterrace Drive), the Winters' residence (8015 Stonegate Drive), the VanSant's residence (8023 Stonegate Drive); Renderings of the proposed buildings; The heights of the buildings, where will the mechanicals be located,

what type of screening or buffering will be proposed?; A landscape plan shall be submitted that identifies mounding with a grading plan.

**Neal Mayerson** Ph.D., President, The Mayerson Company, on behalf of Anderson Township Board of Trustees and Three Gen LLC, property owners. 1339 and 1357 Nagel Road, and a portion of 7970 & 7954 Beechmont Avenue thanked the Township for allowing them to present the case. He introduced the development team that would be discussing the requested information.

**Shannon Duffy**, CRR Architects presented a slide show which addressed item by item what the Commission had asked for. A copy of the slide show is in the original file. She discussed the proposal in relation to the zoning plan and future land use plan. There was discussion on site sections and views. She stated there was a 20' drop in elevation which is shown in the different cross section views presented. She discussed the proposed entrance, landscaping, heights of the site cross section in detail.

**Mr. Lewis** asked if roof-mounted HVAC mechanicals would add to the overall height of the building. **Ms. Duffy** replied there would only be condensing units on the roof, similar to what most homes have in their back yards. She stated the condensing units would be just over two feet tall, be shielded by the two foot roof parapets, and be centered on the roof, making them virtually invisible from the ground.

**Mrs. DiBiagio** asked what the total height with the condensing units on top would be. **Ms. Duffy** replied 37' to 38'.

**Ms. McBride** stated her concern that the cross section from second floor of 8053 Pineterrace was not actually a view directly from the second floor of the home but from the neighborhood perspective. **Ms. Duffy** replied it is from Nagel at Pineterrace. We cannot create a view from the second floor.

**Ms. McBride** asked what the finished floor elevations were. **Ms. Duffy** replied she would have to refer to the surveyors.

**Ms. McBride** asked what the finished floor elevation of the larger unit is. **Ms. Duffy** replied 837.

**Ms. McBride** asked building number 3 you are raising up. **Ms. Duffy** replied it is also 837. She further noted that these are all preliminary drawings.

**Ms. McBride** the finish floor elevation for bldg. 2 is 833. **Ms. Duffy** replied that this was correct.

**Ms. McBride** stated she did not feel that the renderings provided matched exactly what was shown in the submitted landscape plan. **Ms. Duffy** replied she would refer to the Landscape Architect.

**Ms. McBride** stated they do not have a landscape plan and there is not a detailed description of the plantings including species or state of maturity.

**Ms. McBride** asked they are looking for more residential feel for these buildings and these building proposed do not create that but more appropriate for an urban area.

**Ms. Duffy** – we will explain building character later in the presentation.

### **Landscaping**

**Dan Frank** Landscape Architect with McGill Smith Punshon stated they will buffer the north and east and preserve some trees in that area. There will be evergreens on both sides of the entry drive from Nagel Road. Down the center of aisle will be deciduous trees and low evergreen shrubs to fill in below. The larger plan shows more shade trees and evergreens and a bending driveway to soften the visual impact to the entrance by providing further offset screening rather than a straight unobstructed view into the property. They plan on meeting any zoning requirements and there will be mounding along the northern perimeter of the property. There will be screening behind the church. They are open to suggestions with landscaping.

**Mr. Lewis** asked if the height of the existing berm was being increased. **Mr. Frank** replied the height would not be increased in elevation but extended horizontally.

**Ms. McBride** stated she was disappointed with the landscape plan and that the renderings did not match landscape plan. She asked if specific species were included in the submittal.

**Mr. Frank** replied not at this time but the next set of plans will.

**Ms. McBride** asked is the new berm behind the other berm. **Mr. Frank** replied there is an addition to the berm.

**Ms. McBride** asked if berms along the eastern property line could be considered. **Mr. Frank** replied that was something they could look at.

**Ms. McBride** stated there is not a true landscape plan and she would like to know what trees would be staying as well as being removed.

**Ms. McBride** asked what the height of proposed evergreens would be and for specification of the deciduous and ornamental trees.

**Mr. Frank** replied specific species had not yet been determined but evergreens would be 10'-12' and deciduous trees would be at least 3" caliper.

**Mr. Gothard** confirmed that the Morgan property is not shown as part of the development. **Mr. Frank** replied in the affirmative.

### **Traffic**

**Jack Pflum**, Traffic Engineer, stated standards for traffic analyses are established through the Hamilton County Engineer. He stated they are required if a project produces 100 or more additional trips per hour. This project would generate 55 trips in the morning peak hour and 70 -71 trips in the afternoon peak hour. Per the standards of Hamilton County a study was not warranted; but a study for the site was conducted regardless as good practice. There are two proposed access points: one on Nagel Road and a second on Beechmont Avenue. While some cars would likely utilize both access options, the study was conducted under the assumption that all trips would be completed using the Nagel Road access; this did not change the result of the traffic study. **Mr. Pflum** stated that the study examined if the additional service on Nagel Road warranted the addition of turn lanes. They found that the turn lanes were not warranted. The Hamilton County Engineer affirmed this finding, however the Mayerson group decided to put the turn lanes in to make it safer and allow better access to flow on Nagel Road. The road would be widened on the west side and a north bound left turn lane would be added into Pineterrace. This turn lane was found to be warranted under existing conditions the proposed improvements correct an existing deficiency in the roadway on Nagel Road. They will make sure trees and signs will not obstruct safe site distance triangles.

**Ms. McBride** asked if there is a recorded cross easement that allow for the cross access. **Mr. Pflum** replied he cannot answer that but he believes there was.

**Ms. McBride** asked what the existing levels of service of Beechmont Avenue and Nagel Road are. **Mr. Pflum** replied he does not know the exact levels which are tracked by the Ohio Department of Transportation for Beechmont Avenue and Hamilton County for Nagel Road.

**Mr. Lewis** asked is the single lane for Sem Manor Apartments staying in place. **Mr. Mayerson** replied yes, that was staying in place.

**Ms. DiBiagio** asked existing right of way is available for the widening. **Mr. Drury** replied additional right was required as part of the zone change by the Hamilton County Engineers Office.

**Mr. Lewis** asked how Mr. Pflum arrived at the figure of 340 trips. **Mr. Pflum** replied they are based on well-established standards from the Institute of Transportation Engineers which is updated every 2-3 years and published in a substantial volume. The report shows all of that information and how it is made. It is a source that is very well respected which is the ITE Manual.

**Mr. Pflum** stated he would provide a copy of the pertinent materials from the Manual to Staff and the Commission. The County Engineer has inspected and improved their work that was done on this project

**Mr. Boone** asked for an estimation as to what percentage of the vehicle trips would utilize the secondary access to Beechmont Avenue. **Mr. Pflum** replied based on his calculations it would amount to around 24 trips per hour during the peak hour.

**Mr. Gothard** asked why the stack dimensions for left-turn lanes shown in the diagram are different. **Mr. Pflum** replied that the stack lanes vary in length because the expected left turns per hour calculated in the traffic study varied for each turn lane. Only 9 vehicles per hour making a left turn onto Pineterrace Drive so the stacking lane was shorter. On Stonegate the length was longer because more left turns are expected. There are minimum distance requirements for the turn lanes and a balance had to be struck to make those turn lane works.

### **Storm Water Management**

**Richard Arnold** with McGill Smith Punshon stated he wanted to clarify the grading plan. The finished floor elevations were 8053, 8052, 8023 Stonegate, 8050 and 8015 Stonegate 840 and building and 3 was 837 and building 2 was

833. This was based on the grading plan with 2' contour intervals and 25' drop in elevation from Nagel Road. They wanted to get the building lower to match the area. The storm water management plans have been put together through Hamilton County. Most of drainage is draining from east to west. The drainage will not affect surrounding properties. They will be provide quality for first 48 hours and the best management practice will be applied.

**Ms. McBride** asked if the existing drainage basin will be increased downward. **Mr. Arnold** replied it will go down and out. It will be more out than down.

**Ms. McBride** asked how this area was planned for landscaping. **Mr. Arnold** replied it would some type of native grass in order to minimize the sloping.

**Ms. McBride** confirmed that according to the Series A drawings trees would need to be removed to accommodate the expanded basin. **Mr. Arnold** replied that is correct.

**Ms. McBride** asked if the basin would be fenced. **Mr. Arnold** replied that has not yet been determined.

**Ms. McBride** asked how high the retaining walls would be. **Mr. Arnold** replied that there is a small 4' retaining wall on the east side of the property. He stated that Building 1 will act as a retaining wall itself and a larger retaining wall on the northwest of the property is included which will require structural engineering.

**Ms. Duffy** stated that the berm will be increase in the one area. It is a little more urban look but will sit lower and feature a flat roof to reduce the height. The proposal will also feature materials and colors familiar to the neighborhood consisting of brick and hardie plank lap-siding. The development and amenities are not geared toward families. There will be a pool and bike racks but no playground area. She also reminded the Commission that these drawings are generic conceptual imagery. They are open for suggestions on a Final Development Plan.

**Mr. Lewis** asked for more information on the type and size of balconies. **Ms. Duffy** stated that there would be small recessed balconies with minimal lighting. They are not party decks or rooftop decks.

**Ms. McBride** stated that the renderings provided are massive and are more urban in character, similar to recent developments in Clifton.

**Ms. Duffy** stated 3 stories seems like a lot but the flat roof reduces the height and is in fact shorter than some two-story buildings with pitched roofs. The impact is also softened by sitting this down as is proposed and it can be graded down lower to soften the impact. The building is setback 300 feet from Nagel Road.

**Mr. Gothard** confirmed 837 is the occupied finished floor of the building with underground parking. **Ms. Duffy** replied that was correct. The entrance the first floor of this building is at grade and the parking is below level.

**Mr. Gothard** asked what the intent on lighting on the balconies was. **Ms. Duffy** replied it would be cutoff fixtures with very low lighting.

**Mr. Gothard** asked what type of lighting was in the parking lot. **Ms. Duffy** replied they have not yet determined specifics but they intend to have a full cutoff and they would comply with any zoning requirements.

**Mr. Mayerson** clarified that they will be in compliance with all the recommendations that were presented by Hamilton County Regional Planning which are listed on the slide show.

**Mr. Gothard** asked if there were plans to purchase the additional property [1349 Nagel Road] and would that be brought back through zoning commission. **Mr. Mayerson** replied if they purchased that they would come back to the zoning.

**Ms. McBride** asked if there would be additional units if that property was purchased. **Mr. Mayerson** replied they do not own the property currently.

**Ms. McBride** stated if the driveway was shifted it would create an offset intersection with Pineterrace Drive. **Mr. Mayerson** replied no they are not moving the driveway.

**Mr. Arnold** clarified if the property were to be purchased they would not relocate the drive entrance but would move the west end of the drive on the interior of the lot to the south to increase the bend of the entry drive and increase screening.

**Mr. Boone** asked could the entrance come in off of Stonegate Drive. **Mr. Mayerson** replied that is not part of their application.

**Mr. Mayerson** stated they are agreeing to comply with Anderson Township recommendations. In summary they have responded to traffic, building heights and view, building character and materials they have an urban suburban feel from our point of view. They are doing everything they can on landscaping, screening and buffering. In turns of storm water management we are following all best practices on this site and will not create a negative impact.

**Mr. Gothard** asked Mr. Drury to explain the process. **Mr. Drury** stated the zone change starts with Hamilton County Regional Planning Commission. Once they give a recommendation it then goes to Zoning Commission. After their recommendation it goes to the Board of Trustees who have the final decision. If approved then they will come back for a Final Development Plan and that is heard and decided by Zoning Commission.

**Judy Doyle** of 6937 Salem Avenue stated she was concerned with the secondary access. There are already a lot of problems there getting out on to Beechmont Avenue when Immaculate Heart of Mary and other areas lets out for events.

**Scott Winters** of 8015 Stonegate Drive stated he was opposed to the current proposal. He stated he has a problems with drainage on his property and recently his basement flooded. He stated they cannot handle any more water on their property coming from the proposed site.

**Ted Knight** of 8560 Linder Wood Lane was concerned with the secondary access to Beechmont by Applebee's. He felt the Commission needed to be aware of the Dance Studio there. There are a lot of parents dropping off and picking up their children. There are a lot of children in the parking lot. Traffic and safety is a concern in this area.

**Sue Wood** of 8109 Pineterrace Drive stated she did not know how the mature oaks would be saved with the entrance they are speaking of and the turn lanes. She asked what demographic was targeted for this property? She has lived here a long time and wanted to know the terms of the sale agreement. She stated you can lower cost of the land and have the ingress and egress go through the township property. The township should not sell to just one person they need to put a bid out to everyone. She stated Mr. Mayerson does not live in this area and he would not want these building by his home.

**Caroline Wright** of 8012 Stonegate stated she was concerned with school children crossing the road. She felt children would not be noticed and would be unsafe with the widening of the road to include turn lanes.

**Gina Bhate** of 8052 Pineterrace Drive stated she has drainage issues. She stated there are two current storm drains and wanted to know what would happen to them when the turn lanes go in. Will emergency vehicles be able to get through? She read comments from seniors regarding what are they looking for in a home. They want single story homes, lower taxes, not a lot of yard to maintain, etc. The Township should not just allow one business to have this property the township should allow others to purchase the land.

**Luke Perry** of 8133 Pineterrace stated he lived in Anderson because of the great schools and the greenspace. There are concerns with safety, traffic which were all discussed at the last meeting. He stated that Anderson's lack of multi-family housing is what made it unique from other municipalities and should be encouraged.

They are opposed to the height of the development. They feel it should be a more residential. Single family ownership is still very high.

**Pat Ackerman** of 8064 Sacred Heart asked what the process was if the Trustees were to approve the zone change. **Mr. Drury** replied if the Trustees were to approve this. The residents can appeal and it would be subject to a referendum. It is all outlined in the Ohio Revised Code.

**Don Lanyi** of 8060 Pineterrace asked what the process was after this meeting and what options there were for a vote tonight. **Mr. Gothard** stated the Commission can either vote on the issue tonight or table the decision to another meeting.

**Michael McSwegin** of 1388 Nagel Road asked with all the additional cars on Nagel Road will the light sequence be changed. The light at Applebee's does not allow a lot of cars out now on a single cycle. He is concerned with additional traffic.

**Meg Collier** of 2216 Heather Hills Boulevard stated she wanted to thank Mr. Mayerson for the additional information. She stated there is a need for lifestyle homes for senior residents. There is really no one that wants to rent an apartment or condominium. She feels approval would open Pandora's Box. She also stated the purchase agreement should be revealed.

**Moira Elpers** of 8085 Pineterrace stated she does not want this type of project in this area.

**Pamela VanSant** of 8023 Stonegate stated this was their third home in Anderson Township. They moved here for a one story home with a nice view from their back yard. There was not a lot of choice of these type of homes in Anderson Township. She presented different pictures of their views from their back yard and discussed in detail. She asked if most of the mature trees in the southwest cluster area will be removed. She stated with the additional greenery and berm going in this area would the larger trees currently remain in this area. She would like a lot of tree coverage in this area to preserve their privacy.

**Steve Wood** of 8109 Pineterrace stated he does not feel Mr. Mayerson is in this to improve Anderson Township but to make money. He stated he wanted the area to stay residential zoning and have lower density. Why do they need an additional curb cut on Nagel Road when they have Stonegate Drive? He asked the Commission to deny the current zoning change.

**Mr. Mayerson** stated in terms of population are targeting a category called renters by choice. Some are young and some are older.

**Mr. Pflum** the impetus of managing event traffic should be on the party generating the event. There should be education by the church and dance studio to direct patrons to proper traffic channels. He stated that closing the B drive would not be a good idea as most developments have multiple access points as a best practice. He felt this was a good solution for emergency access and gives them multiple options for entry and exit in case of obstructions. Traffic signals today are operated by the Ohio Department of Transportation. They vary from day to day and season to season. As to the connection to Stonegate, that was something that was not examined as part of the site plan. He stated they had a meeting with the County traffic engineer and they were comfortable with the entrance being across from Pineterrace. He stated with the turn lane he felt they were safe for children to cross. He stated drivers and pedestrians need to work together and be aware of their surroundings. Mr. Pflum reiterated the number of trips coming in and out from Nagel & Beechmont.

**Mr. Mayerson** stated they can go back with Hamilton County on the signals on Beechmont and Nagel Road to see if any changes can be changed with the timings. He stated that the clump of trees referred to by Ms. VanSant would not be removed.

**The public hearing was closed at 8:07pm**

**Mr. Gothard** opened discussion of the case amongst the Commission.

**Mr. Boone** stated that he was prepared to vote on the matter and that the concerned citizens in attendance deserved to hear a decision. He stated he believed the number of outstanding questions made it difficult for him to approve the proposal as submitted.

**Mr. Gothard** asked if a conditional vote of approval could be made contingent upon the submission and approval of missing elements of the proposal.

**Mrs. DiBiagio** stated there was too much missing for them to be comfortable granting approval with so many things undetermined.

**Ms. McBride** stated she was really struggling with this case. In 20 years of serving in her capacity she had not grappled with a decision as much as this one.

**Mr. Boone moved, Mr. Lewis seconded to deny Case 2-2016 Anderson, for the following reasons:**

1. The multi-family residential proposal does not provide an appropriate transition from the commercial uses on Beechmont Avenue to the multi-family and single-family residential uses of the surrounding neighborhood. The development is out of character with the surrounding residential character of Nagel Road. Furthermore, the proposed three story buildings do not provide an appropriate transition to the surrounding two- and one-story residences
2. Lack of information provided by the developer regarding the landscaping plan and buffering to surrounding properties.
3. More information is needed on the new parcel that has been brought into the conversation and the potential intent of use with the parcel; and
4. More information is needed regarding access points into the proposed development, specifically, access to the south through the Township Operations Center and shopping center.

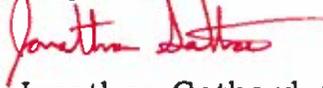
**Vote: 4 Yeas and 1 Nay from Mr. Gothard**

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**The meeting was adjourned at 8:15 p.m.**

The next regular meeting will be held on Monday, October 24, 2016, at 5:30 p.m. at the Anderson Center, 7850 Five Mile Road, Anderson Township, Ohio.

Respectfully submitted,



Jonathan Gothard, Chair

**ANDERSON TOWNSHIP ZONING COMMISSION MEETING  
ATTENDANCE SHEET**

**DATE: MONDAY, SEPTEMBER 26, 2016**

**PLEASE PRINT - THANK YOU!**

**NAME:**

**ADDRESS:**

Mike UHL	8017 Stonegate Dr.
Barb UHL	"
Ramona Winters	8015 Stonegate Dr.
Richard Arnold	MSP 3700 Park 42 DR 45241
Shannon Duff	600 Vine St.
Adam Stadler	" " "
DAN FRANK	3700 PARK 42 DRIVE - MSP
Zugelker	6110 Sacred Heart
Amy McSwegin	1388 Nagel
Bob Lubig	312 Walnut
Jack Pflum	7541 Horbuck
Adam Myerson	312 Walnut St
Scott Winters	8015 Stonegate Dr.
Cindy Atkins	6318 Myers Pointe Dr
Teal Knight	7560 Linden wood lane
Tanit Running	7851 Eglinton Ct
Pamela Van Sant	8023 Stonegate
Suzanne Moody	1445 Hillcrest
JAMES McCLELLAN	8053 PINETERRACE DRIVE
Nancy + Dick Gardner	8053 Sacred Heart
Rocky Angela Murphy	8025 Sacred Heart
KEVIN LARRISON	8105 Sacred Heart Lane
Susan Gesting	8139 Pineterrace Drive

**ANDERSON TOWNSHIP ZONING COMMISSION MEETING  
ATTENDANCE SHEET**

**DATE: MONDAY, SEPTEMBER 26, 2016**

**PLEASE PRINT - THANK YOU!**

NAME:	ADDRESS:
Joan Anderson	8067 Pineterrace Dr.
Karen Leupen	8079 Pineterrace Dr.
BOB BOLUBASZ	8114 PINETERRACE
Dick Lange	1406 HEART CT
Becky Lange	1406 HEART CT.
Kim Sonnenberg	8019 STONEGATE LN.
Steve Wolf	8109 Pineterrace
MARY Conroyton	8397 Greenbark DR.
Carolyn Wright	8012 Stonegate Dr.
Kristin Salmon	1684 Nagel Rd
Dawn Sweeney Langhi	8060 PINETERRACE DR.
Judith Dodge	6937 Salem
CAL TAYLOR	8061 PINETERRACE DR.
Reagan Ziegler	8110 Sacred Heart Ln
Maira Elpers	8085 Pineterrace Dr
MICHAEL McSweeney	1388 MAGEE ROAD
Jenny Ackerman	80104 Sacred Heart LN.
M. Bunn	2453 Covey rd.
GREG ELPERS	8085 PINETERRACE DR.

**ANDERSON TOWNSHIP ZONING COMMISSION MEETING  
ATTENDANCE SHEET**

**DATE: MONDAY, SEPTEMBER 26, 2016**

**PLEASE PRINT - THANK YOU!**

NAME:	ADDRESS:
LUKE PERKY	8133 PINETERACE AVE
Sue Wood	8109 Pineterrace Dr
STEVE MISMAN	8108 PINETERRACE
Meg Collier	2216 Heather Hill Blvd
BOB STONE	8021 STONEGATE
Kater Stone	8021 Stonegate
Jan Bolubasz	8114 Pineterrace
Chris Misman	8108 Pineterrace
Matt Wagner	8023 Stonegate
Nadine Heltzer	613 Ashbury (SS)
James Johnson	6937 Saker
Gina Goodsey	8052 Pineterrace
Pam Nobles	8127 Pineterrace Dr.
Matt Nobles	"
Peter Alaman	8064 Second Street
Mason Cobb	SS34 Whisper Ln
Brian Cobb	↓
Matthew Wheeler	7833 Stoneleigh Lane
Caitlin Howe	8138 Pineterrace Dr.