



# PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON JULY 28, 2020

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## MIAMI TOWNSHIP ZONING CASE #572

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**APPLICANT/  
OWNER:** Lorven Milford, LLC. Dave Metz  
7106 Corporate Way 4695 Lake Forest Drive, Suite 100  
Dayton, OH 45459 Cincinnati, OH 45242

**REQUEST:** Requesting a Major Modification to the existing B-1 Neighborhood Business District with a PUD Planned Unit Development Overlay ( Miami Township Case 555 ) on a 4.2 acre portion of parcels 182402B042 & 184024A042A consisting of total 21.88 acres.

**LOCATION:** The subject properties are located along SR 28 across from Easley Drive with physical address of 1153 SR 28 Milford, OH 45150. *See the attached location map for further clarification.*

**ZONING:** Current Zoning: B-1 Neighborhood Business District with a PUD Planned Unit Development Overlay (*Front +/- 4.22*) & R-2 - Residence District (*Back +/-21.48 ac.*)

North: B-2 - General Business District & R-PUD - Residential Planned Unit Development.  
East: B-2 - General Business & R-2 - Residence District  
South: R-2 - Residence District  
West: R-2 - Residence District

**LAND USE:** The existing land use is vacant and mostly wooded. The majority of the surrounding properties are residential in use with a shopping center and multiple local businesses located just north of SR 28.

**HISTORY:** On September 26, 2017, the Clermont County Planning Commission voted to recommended approval of Miami Township Case 555. On November 9, 2017, Miami Township Board of Trustees approved Miami Township Case 555.

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

It appears this request for a Major Modification is compatible with the purpose of the B-PUD – Business Planned Unit Development Overlay District in the Township’s Zoning Resolution (Chapter 19).

*A. General*

*This Chapter establishes requirements and procedures for approval of business developments within corridors along major transportation arterials which are planned and designed in a manner which maintain effective traffic flow and accessibility so as to reduce potential traffic hazards, encourage compatible land uses, and promote the general public health and safety, and other purposes of the Miami Township Zoning Resolution.*

*Business corridors along major transportation arterials are recognized as principal geographic areas of commercial activity in Miami Township. It is the purpose of the Planned Business Development Overlay District to provide a flexible alternative to the strict application of the requirements of the underlying zoning, in order to encourage effectively planned and designed business developments, to prevent the deterioration of property and protect private investments, and to promote public health, safety and welfare.*

*B. Objectives*

*This District is specifically designed to:*

- 1. Encourage business development in consideration of existing and projected traffic, traffic improvements, accessibility, and compatibility with surrounding land uses;*
- 2. Protect adjacent residential uses and the general quality of life of the residents wishing to continue to use their property in a residential use;*
- 3. Encourage creative planning and design in the arrangement of buildings, circulation, access, shared ingress/egress arrangements, elimination of curb cuts, setbacks and buffers;*
- 4. Ensure that h existing and anticipated land uses and traffic improvements will be developed in a manner that protect the general health and safety;*
- 5. Protect property and private investments;*
- 6. Maintain and effective and safe level of traffic flow and accessibility so as to reduce potential traffic hazards; and*
- 7. Encourage business development in accordance with Miami Township goals and policies.*

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

***Redevelopment:***

*Redevelopment location are those where substantial land use change is likely to occur and where land use change may be appropriate because existing development is being rendered obsolete by changes in the regional economy, traffic patterns, real estate market or other factors. Regardless of the condition of existing land uses, Redevelopment areas have significant advantages, such as regional access, visibility relatively large parcels, or other factors.*

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

**STAFF ANALYSIS:**

Per the application, the attached revised plan addresses previous issues with on-site traffic circulation and Fire/EMS access by providing two (2) points of access to a public right-of-way. The plan proposes a 20,422 sq. ft. grocery store with off-street parking and landscape buffering along with supporting infrastructure. The proposed site improvements include the dedication and construction of a public right-of-way along the east property line. The proposed dedication and construction would provide adequate vehicular and pedestrian access to the proposed development along with access to the adjacent medical office building to the east.

The proposed roadway intersection with SR 28 will be a signalized intersection with some minor improvements being required to the existing traffic signal and pavement marking to SR 28 and the existing Kohl's driveway (as outlined in the traffic impact study dated October 23, 2019). This proposed right-of-way will align with the existing Kohl's intersection.

**The Ohio Department of Transportation Comment:**

1. No comments have been received to date.

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

1. The applicant must secure necessary right-of-way and access permit(s) from ODOT for any access to SR 28.

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

1. There are no objections to this zoning request. 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. It appears a portion of the existing sewer main will need to be relocated.

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

1. In addition to parcel 182402B042, parcel 184024A042A is to be added to the application;
2. A dedication plat for the proposed right-of-way will need to be submitted to the Department of Community & Economic Development;
3. A lot-split will be required for the 4.22 acre portion and shall be reviewed concurrently with the dedication plat in condition #1;
4. Permanent dead-end streets shall not be permitted in any commercial or industrial subdivision. Temporary dead-end streets shall be permitted only as part of a continuing street plan. All temporary dead-end streets shall conform to requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*; and
5. Existing zoning boundary lines shall be addressed by Miami Township Zoning Department to assure the location of the B-1 Neighborhood Business District with a PUD Planned Unit Development Overlay boundary line.

**STAFF RECOMMENDATION:**

Based on the Staff Analysis, move to **RECOMMEND APPROVAL** of Miami Township Zoning Case 572 requesting a Major Modification to the existing B-1 Neighborhood Business District with a PUD Planned Unit Development Overlay on a 4.22 acre portion of parcels 182402B042 & 184024A042A with the following conditions.

1. Parcel 184024A042A is to be added to the application.
2. Secure necessary right-of-way and access permit(s) from ODOT for any access to SR 28.
3. Submit a dedication plat for the proposed right-of-way to the Department of Community & Economic Development.
4. Submit a lot-split application and survey for the proposed 4.22 acres portion to Permit Central to be reviewed concurrently with the proposed dedication plat.
5. All temporary dead-end streets shall conform to requirements established in the *Subdivision Street Design and Construction Standards for Clermont County*.