



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY THE PLANNING COMMISSION ON FEBRUARY 28, 2023

BATAVIA TOWNSHIP CASE B-01-23Z

- APPLICANT:** Mark Kofalt
Storage Plus
2239 SR 125
Amelia, OH, 45102
- OWNERS:** Mark Kofalt
4484 Mt. Carmel Tobasco Road
Cincinnati, OH 45244
- REQUEST:** Batavia Township Zoning Map Amendment Case B-01-23Z
Requesting to rezone a portion of parcel 032018A101 consisting of +/- 3.00 acres from R-3 – Residence District to B-2 – General Business District
- LOCATION:** The subject parcel 032018A101 is located at the northwest corner of SR 125 and Yelton Lane in Batavia Township.
- ZONING:** Existing Zoning: B-2 – General Business District & R-3 Multi-Family District
Proposed Zoning: B-2 – General Business District
- North: R-3 Multi-Family District
- East: R-3 Multi-Family District
- South: A-1 Agricultural District & B-2 General Business District
(*Monroe Township*)
- West: R-3 Multi-Family District & B-2 – General Business District
- LAND USE:** Existing Land Use: Self-storage facility on (+/-) 4.25 acres with existing ingress/egress from Yelton Lane.
- Proposed Land Use: Propose to build 18 units (23 total units) of indoor self-storage buildings. The applicant has not provided the county with a proposed use for the back (+/-) 3.15 acres to be rezoned to B-2 General Business District.

HISTORY: No history regarding previous zoning requests for the subject parcel could be established.

However, County staff has determined via our Clermont County GIS-provided aerial imagery that the property has seen continued site development between 2019-2023.

RELATIONSHIP TO TOWNSHIP ZONING & FUTURE LAND USE:

Batavia Township's 2018 Growth Policy Plan specifies this area of the "SR 125 Corridor".

SR 125 Corridor

The SR 125 Corridor is a unique portion of Batavia Township. This corridor has predominantly developed as commercial and retail business uses, although residential development is located in several areas along the corridor. The development patterns in adjoining Pierce Township, Monroe Township, and the Village of Amelia reflect similar commercial and retail business development patterns. In general, the appearance of existing development along the corridor can be categorized as haphazard and uncoordinated. It is anticipated that pressure to develop this corridor for more intensive retail, and more regional oriented retail uses, will continue to increase.

The SR 125 Corridor concept area as designated on the Future Land Use Map should be viewed as an "overlay", representing the general boundaries of the corridor. In general, commercial uses (i.e. office, business, retail, service uses) are recommended for the area. Specific zoning decisions should be used to control the intensity of future development of a particular property given the site characteristics and the surrounding environment. The actual "depth" (i.e. distance from SR 125 of commercial development) of business development will also require individual analysis on a case by case basis. It does not seem appropriate for the Growth Policy Plan to define a specific uniform depth given the irregularities of the existing parcel configurations and land uses.

The Future Land Use Map designates two areas along the SR 125 Corridor as Commercial Development Focus Areas – from the boundary with Union Township to the western boundary with the Village of Amelia, and from the eastern boundary with the Village of Amelia to the intersection with SR 132. Increased efforts for commercial development and coordinated retail and office land uses are recommended to accomplish the goals of the Priority Issue to identify and pursue economic development opportunities and to encourage a balanced tax base and job growth.

There are existing residential developments that "front" on SR 125, such as Tall Trees and Whispering Trees. Control of business development in proximity to residential uses are of significant concern, and emphasis should be given to mitigating impacts of future development on existing residential areas along or adjacent to the corridor.

Future Development Policies

- *Confer with the County Engineer's Office and ODOT relative to requiring traffic impact studies for proposed developments.*
- *Encourage use of planned development districts to allow creative site design and while providing a public review process.*
- *Consider the creation of an Overlay Zoning District that will provide unique and unified development control for the area, addressing signs, landscaping, building materials, etc., without altering the uses allowed in the underlying, existing zoning districts.*
- *Encourage the creation of a thoroughfare access management plan that incorporates the input of the various jurisdictions along SR 125 and promote shared access points to improve upon traffic safety.*
- *Research existing property ownership, vacancy rates and available properties, and promote redevelopment opportunities that exist within the Commercial Development Focus Areas.*

The request for the proposed zoning map amendment falls within the overall development policies stated in *Batavia Township's 2018 Growth Policy Plan: 125 Corridor* and its vision for continued commercial uses recommended for the area.

As designed, it appears this request is compatible with the Planned Development regulations within the Township's Zoning Resolution (Article 26).

ARTICLE 26 B-2 GENERAL BUSINESS DISTRICT

26.01 PURPOSE

This district is designed to provide for a variety of retail, service and administrative establishments required to satisfy the needs of the overall Township.

26.02 PRINCIPALLY PERMITTED USES

Principally permitted uses are as follows:

- A. Agriculture; as per ORC 519.21 and as regulated in Section 7.31. (Under 5 Acres of land shall be limited to two head of livestock, excluding poultry).*
- B. Agricultural Services.*
- C. Veterinary Hospitals or Clinics.*
- D. Educational Institutions.*
- E. Religious Places of Worship.*
- F. Government Buildings.*
- G. Clubs.*
- H. Medical and Dental Offices/Clinics.*
- I. Professional Services.*
- J. Personal Services.*
- K. Offices.*
- L. Financial Institutions.*
- M. Retail Business.*
- N. Restaurants.*
- O. Internet Café.*
- P. Fast Food Restaurants.*
- Q. Automotive Filling Stations.*
- R. Commercial Entertainment.*
- S. Hotels and Motels.*
- T. Automotive Service and Repairs.*
- U. Automobile, Motorcycle, Recreational Vehicle, Truck, Trailer and Farm Implement Sales; New or Used.*
- V. Automotive Washing Facility.*
- W. Wholesale Business.*
- X. Shopping Center.*
- Y. Day Care Center.*
- Z. Plant Nursery.*
- AA. Wireless Telecommunications Towers.*

26.03 PERMITTED ACCESSORY USES

Permitted accessory uses are as follows, and in accordance with Article 7:

- A. Signs, as regulated in Article 40.*
- B. Roadside Stands.*
- C. Drive-through Facilities.*
- D. Warehouse; provided that such facility does not exceed 40% of the total floor area of the Structure.*
- E. Any use or structure customarily accessory and incidental to any of the permitted uses.*

26.04 CONDITIONALLY PERMITTED USES

Conditionally permitted uses are as follows:

- A. Golf Courses.
- B. Non-Commercial Recreation.
- C. Hospitals.
- D. Single-family Dwellings.
- E. Rest Homes/Convalescent Care/Assisted Living Facilities.
- F. Taverns.
- G. Medical and Dental Laboratories.
- H. Restaurants with outdoor dining and/or entertainment, as regulated in Section 7.33.
- I. Veterinary Hospitals or Clinics; as regulated in Section 7.34.
- J. Recreational Vehicle Storage Facility.
- K. Self-Service Storage Facility.
- L. Commercial Recreation.
- M. Small Wind Energy Conservation Systems on lots three (3) acres or less; as regulated in Section 7.29.
- N. Uses similar to those indicated in this District.

26.05 MINIMUM LOT AREA AND WIDTH

The minimum lot area for properties in the B-2 General Business District shall be one (1) acre with no minimum width.

26.06 MINIMUM FRONT YARD SETBACK

The minimum front yard setback for properties in the B-2 General Business District shall be 50 feet.

26.07 MINIMUM SIDE YARD SETBACK

The minimum side yard setback for properties in the B-2 General Business District shall be 20 feet.

26.08 MINIMUM REAR YARD SETBACK

The minimum rear yard setback for properties in the B-2 General Business District shall be 40 feet.

26.09 MAXIMUM HEIGHT REGULATIONS

The maximum height regulations for properties in the B-2 General Business District shall be as follows: A. No principal structure shall exceed 45 feet in height. B. No accessory structure shall exceed 20 feet in height.

26.10 OFF-STREET PARKING AND LOADING

Off-street parking and loading shall be required as is specified in Article 8, Off-Street Parking and Loading.

26.12 ADDITIONAL REQUIREMENTS

- A. All new development and redevelopment shall be subject to the site plan review process as outlined in Article 38.
- B. All business activities within the B-2 General Business District shall be conducted within a fully enclosed building, with the exception of permitted fuel dispensers, parking, loading and unloading, those uses devoted to outdoor display or storage or uses conditionally approved by the Board of Zoning Appeals.
- C. Outdoor storage and dumpsters shall conform to the regulations of Article 7.
- D. Sidewalks and pedestrian connections shall be provided in accordance with Article 8.
- E. Mechanical equipment, transformers, and other utility hardware shall be screened from public view.

SITE ACCESS:

There is existing site access from Yelton Lane with no proposed change.

DEVELOPMENT PROPOSAL:

Per the application, the applicant requests to rezone a portion of parcel 032018A101 consisting of +/- 3.00 acres from R-3 – Residence District to B-2 – General Business District. No further information was provided regarding the proposed use for the 3.00 acres. Through communication with Denise Kelley, Batavia Township Zoning Administrator, it is perceived that the proposal is to expand the storage facility.

STAFF ANALYSIS:

A favorable recommendation is based solely on the positive relationship to Batavia Township's 2018 Growth Policy Plan and the adherence to the Batavia Township Zoning Resolution.

During the review of the submitted documents in the Batavia Township zoning map amendment case B-01-23Z, staff concluded the limited information provided that does adequately allow us to provide further comments.

Clermont County Community & Economic Development Comments:

- Provide the Township with a site plan for the new development and redevelopment of the property in conformance with the standards in Batavia Township's Zoning Resolution Article 7 and Article 38.
- Confer with the County Engineer's Office and ODOT relative to requiring traffic impact studies or any roadway improvements to SR 125 and Yelton Lane for the proposed developments.

Clermont County Engineer's Office Comments:

- No objections or comments to offer at this time.

Clermont County Water Resources Department Comments:

- No objections or comments to offer at this time.

STAFF RECOMMENDATION:

Based on Staff Analysis, move to **RECOMMEND APPROVAL** of Batavia Township Zoning Map Amendment Case B-01-23Z requesting to rezone a portion of parcel 032018A101 consisting of +/- 3.00 acres from R-3 – Residence District to B-2 – General Business District with the following conditions:

1. Adhere to Article 7 and Article 38 of Batavia Township's Zoning Resolution.
2. Confer with the County Engineer's Office and ODOT relative to requiring traffic impact studies or any roadway improvements to SR 125 and Yelton Lane for the proposed developments.