

SYCAMORE TOWNSHIP TRUSTEES  
APPLICATION 2018-12P2  
CAPITAL INVESTMENT DEVELOPMENT GROUP, LLC

PUBLIC HEARING

*SEPTEMBER 17 AND 18, 2018*

JACK PFLUM, TOWNSHIP RESIDENT

HOSBROOK ROAD

# Ten General Standards for PUD Approval Sycamore Township Zoning Resolution (Chapter 18-7)

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## 18-7 GENERAL STANDARDS FOR PUD PLAN APPROVAL

In determining whether a PUD Plan filed pursuant to this Chapter shall be approved or recommended for approval, the Administrative Official, the Sycamore Township Zoning Commission, and the Board of Township Trustees **shall** apply the following general standards (emphasis added).

**NOTE:** *The 2002 Land Use Plan, the 2008 Land Use Map, and the Zoning Resolution are all interconnected.*

# 10 Standards for PUD Approval

1. Compliance with this Zoning Resolution and with the purposes of the Zone District in which the proposed use and development is to be located; **ALSO, SEE SECTION 1-1 OF THE ZONING RESOLUTION ( EIGHT PURPOSES). TO BE DETERMINED BY THE TRUSTEES**
2. Applicability of and consistency with adopted objectives and policies of the Township related to land use and township plans duly adopted by the Sycamore Township Zoning Commission; **NO – 2008 LU PLAN SHOWS MIXED (USE LOW DENSITY).**
3. Compatibility with surrounding land uses; **NO – FOR EXAMPLE, INCOMPATABLE WITH RESIDENTIAL DENSITY, HEIGHT, ISR.**
4. Whether the size and physical features of the project area enable adequate protection of surrounding property and orderly and coordinated improvement of property in the vicinity of the site; **NOT ADDRESSED BY CAPITAL**
5. Whether the proposed phasing of the development is appropriate, and the development can be substantially completed within the period of time specified in the schedule of development submitted by the applicant; **SINGLE PHASE OF CONSTRUCTION.**

# 10 Standards for PUD Approval (continued)



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6. Whether the proposed development is served adequately and efficiently by essential public facilities and services which are in existence or are planned; **MOST AGENCY APPROVALS (WITH CONDITIONS) HAVE BEEN RECEIVED; LOOK AT DETAIL; TRAFFIC STUDY COMMENTS NOT RECEIVED**
  7. Whether significant scenic or historic features, as identified in plans duly adopted by the Sycamore Township Zoning Commission, are adequately conserved; **NOT APPLICABLE**
  8. Whether modifications of the zoning or other regulations are warranted by the innovative design of the development plan; **NO – THERE ARE NO DISCERNABLE INNOVATIVE ELEMENTS IN THE PROJECT DESIGN. AN ABSENCE OF “GIVE BACK” TO THE TOWNSHIP BY THE APPLICANT**
  9. The adequacy of proposed pedestrian circulation system to insulate pedestrian circulation from vehicular movement; **NO - THERE REALLY IS NOT A SYSTEM, JUST TYPICAL SIDEWALKS AND CROSSWALKS.**
  10. The adequacy of the provisions for visual and acoustical privacy. **NO – VIEWSHEDS IMPACT THE RESIDENTS NEGATIVELY. ACOUSTICS HAVE NOT BEEN ADDRESSED ( E.G. ROOF TOP AC UNITS) AND CONSTRUCTION NOISE AND DUST.**

# Special Public Interest District (SPI)



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## 8-1.1 Statement of Intent

An overlay district is intended to provide supplemental regulations or standards pertaining to specific geographic features or land uses, wherever these are located, in addition to, but not necessarily more restrictive than the "base" or underlying zoning district regulations applicable within a designated area. Whenever there is a conflict between the regulations of a base zoning district and those of an overlay district, the overlay district regulations control.

***NOTE: The applicant recently stated that a large scale office complex (within the SPI District) could be constructed without the need for zoning approvals from the Township Administration. This may be incorrect.***

***The SPI provides great flexibility and advantages to Capital. Very little is given back to the Township in return. Capital should address each of the following seven standards.***

# Special Public Interest District (continued)

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## **SPI regulations are required to protect the public and property owners in the district:**

Capital should address each of the following:

- (a) From blighting influences that might be incrementally caused, extended or worsened by the application of conventional land use regulations to properties and areas of sensitive and special public interest;
- (b) From significant damage to neighborhoods that contain large institutional and other nonresidential uses or support services;
- (c) From significant damage or destruction of prominent wetlands, floodplains, hillsides and/or valleys or other natural resources caused by improper development thereof;

# Special Public Interest District (continued)

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- (d) From significant damage to the economic value and efficiency of operation of existing properties and/or new developments due to the interdependence of their visual and functional relationships;
- (e) From soil erosion, stream situation and development on unstable land;
- (f) From the loss or destruction of mature and/or valuable trees and other natural resources;

# Special Public Interest District (continued)

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(g) From the detrimental cumulative effects of incremental development decisions in suburban centers, corridors, neighborhoods and villages on:

- (1) conservation and correction of the character, integrity, safety, access and circulation.
- (2) preservation and enhancement of pedestrian safety and views from the public right-of-way.
- (3) balance of convenience and compatibility between residential and nonresidential areas.
- (4) coordination of useful and attractive signage and streetscape elements.
- (5) minimization of traffic congestion and coordination of land use intensity with local capacities and goals.



# Township Land Use Plan 2002 Update



## SYCAMORE TOWNSHIP LAND USE PLAN UPDATE

21 November 2002



Prepared by:  
Sycamore Township  
and

**Edwards  
Kelcey**

**Pflum,  
Klausmeyer & Gehrmann**  
Consultants, Inc.



# Kenwood Progress Plan (September, 2002)

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## **The Kenwood Progress Plan**

### Township Trustees

Dick Kent  
Cletus McDaniel  
Cliff Bishop

### Committee Members

Rex Horan – Manager, sycamore Plaza  
Gregg Pancero – Owner, Trio's Restaurant  
Robert Schuler – Resident  
Lori Thompson – Resident, LPW Consultants  
Wanda Wagner – General Manager, Kenwood Towne Center  
Mark Wellinghoff – Resident

Michael Berens – Township Administrator, Sycamore Township  
Greg Bickford – Zoning Administrator, Sycamore Township  
Dick Kent – Township Trustee, Sycamore Township

Paul Culter, AICP – Edwards and Kelcey, Inc.  
Jack Pflum, P.E., Edwards and Kelcey, Inc.

# Sycamore Township Land Use Plan

(November, 2002)

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**The following individuals have given their time in the development of  
the 2002 Sycamore Township Land Use Plan Update:**

**Township Trustees**

Richard Kent  
Cletus McDaniel  
Cliff Bishop

**Committee Members**

Claire Holthause  
Donna Johnson  
Ed Wendel  
Ray Seitz  
Greg Pancero

**Zoning Commission**

Tom Willingham  
Rich Barrick  
Roger Friedman  
George Ten Eyk  
Jerry Thamann

**Township Staff**

Mike Berens, Township Administrator  
Greg Bickford, Township Zoning  
Administrator  
Paul Culter, AICP - Edwards and Kelcey

**Board of Zoning Appeals**

Tom Weidman  
Skip Merten  
Pat Stern  
Tom Kronenberger  
Jim Donnelly

# Guiding Principles Land Use Plan - 2002

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1. Support and protect the residential neighborhoods.
2. Encourage private enterprise and job growth within clearly defined areas.
3. Provide the necessary infrastructure improvements, land use controls, and funding for implementation

(Source: Township Website – Planning and Zoning)

# Sycamore Township Land Use Plan - 2002

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## INTRODUCTION (page 1-2)

*The need to recognize the Sycamore Center area as a consolidated special district and to carefully guide its development and redevelopment activities reflects the strong concern of the Township Trustees and the Township Planning and Zoning Commission with preserving and maintaining the established single-family residential uses through traffic improvements and effective control of nonresidential development (emphasis added).*

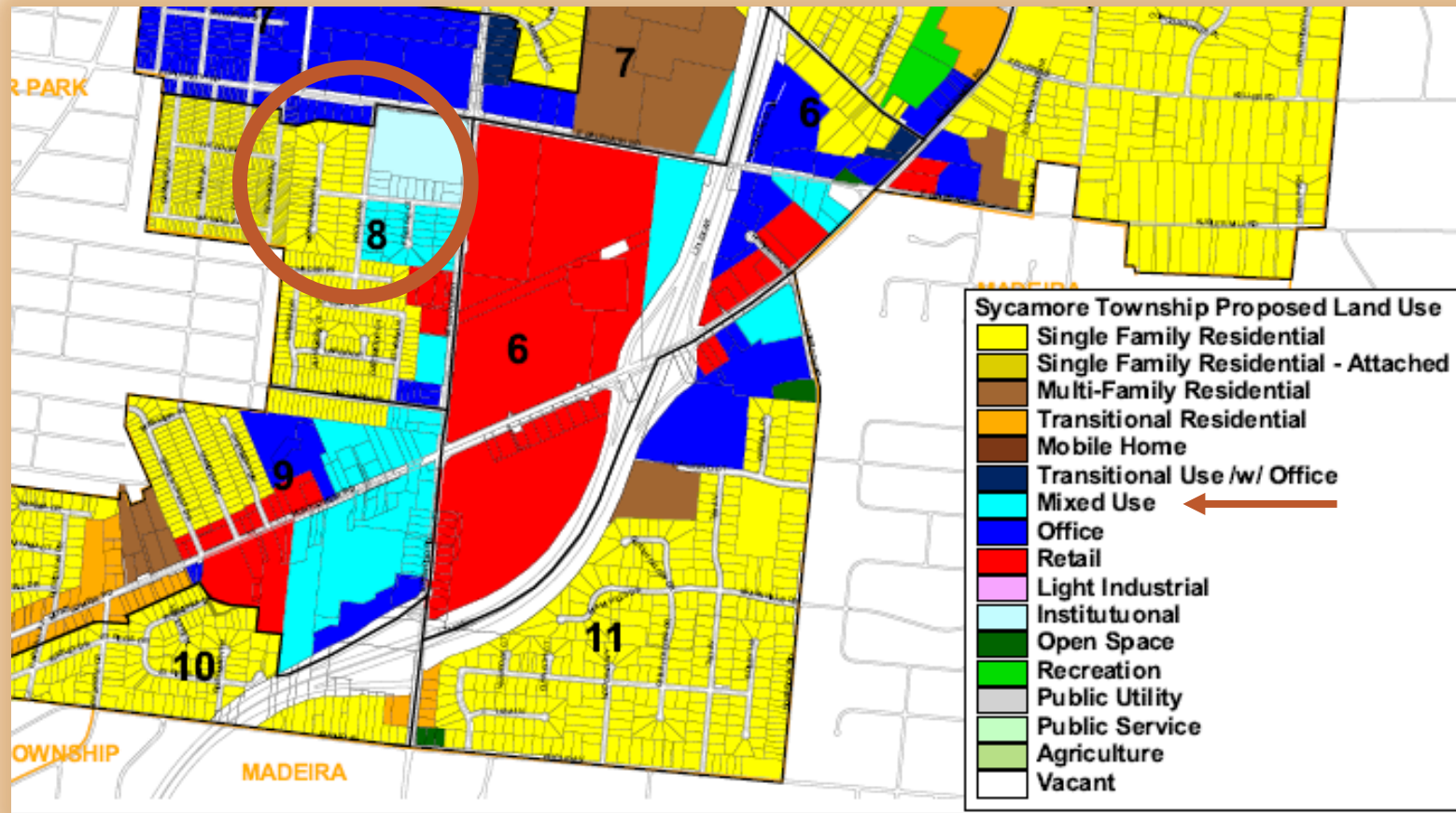
*Furthermore, the Trustees and the Commission recognize that the Sycamore Center area needs to maintain a healthy environment for business retention and expansion and to acquire an attractive and visually coordinated character, one which is able to offer a certain level of identity and sense of place currently and in the future (emphasis added).*

# Why is the Land Use Plan Important?

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- Residents and businesses rely on the credibility of the Plan and as a roadmap to the future for themselves.
- Residents and businesses make long range economic and quality of life decisions based on the merits of the Plan
- The Zoning Commission relies on the Plan as a benchmark for it's decisions
- The Township Trustees rely on the Plan as criterion for policy decisions
- The Plan was the result of a comprehensive collaborative and transparent process to achieve mutual benefits

# 2008 LU Plan - Location of Proposed Development



# Compliance with 2008 Land Use Plan

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The applicant's letter dated September 6, 2018 states that:

*The proposed development is “..... a fulfillment of the vision for this site put forward by the Sycamore Township – 2008 Southern Sycamore Land Use Plan.” (section A).*

*And*

*“.....our development is perfectly aligned with Sycamore Township's objective to reposition this site as a well-planned Mixed-Use Site.” (section F).*

**The two statements by the applicant above are wrong.**



# Compliance with 2002/2008 Land Use Plan



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The Subject Site is “Mixed Use” in the 2008 LU Plan (critical area #8).  
(See page iv of 2002 Plan).

## LU Plan Definition of Mixed Use With Retail

*Detached or attached housing, low intensity office (such as conversion of a single family residence), low intensity neighborhood type retail and related compatible uses (excluding industrial) that provide a transition between residential uses and other types of development.*

***Typically 1 and 2 story structures with scale, massing, intensity, layout and specifications compatible with site constraints and character of surrounding residential development.***

# Does the Capital Investment Development Comply with the 2002/2008 Land Use Plan?

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## NO

- ✓ The proposed development is not in conformance with the 2002 Land Use Plan and/or the 2008 Updated Land Use Plan Map.
- ✓ Clearly, the applicants development plan significantly exceeds the character, intensity of use, and density envisioned in the Sycamore Land Use Plan and the Zoning Resolution.
- ✓ There is no evidence that Capital's high density departure from the adopted Land Use Plan has been fully vetted, or that a thoughtful process, with citizen input, has been accomplished by the Township leadership to justify such a dramatic departure from Kenwood suburban norms.

# Traffic Impact Study

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A Traffic Impact Study (May 25, 2018) was prepared by the applicant and reviewed by the Hamilton County Engineer's Office, ODOT, and the Township. Over 40 comments were provided to the applicant for consideration.

A second revised Traffic Study (August 20, 2018) was submitted to the County. No public Agency comments have yet been received.

A third Traffic Study (September 14, 2018) was submitted to the County. No public Agency comments have yet been received.

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# Traffic Impact Study (continued)

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The following can be reasonably considered to be self evident:

The Study will recommend certain roadway improvements directly related to the project. The applicant will comply with all of the County Engineer required improvements. The applicant will fund the cost of those improvements.

AND

The Study will provide an analysis of long range (year 4040) future traffic conditions in the Kenwood Corridor. This analysis will show the need for substantial and disruptive roadway widening on Kenwood. The applicant is not responsible for these improvements.

# Traffic Issues – Happiness Way

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Happiness Way is proposed as a cul-de-sac.

- ✓ **This will surely keep the project traffic away from the neighborhood. Of course, the residents will then have the burden of increased travel paths. If approved, the applicant has agreed to pay for a traffic calming study. This study should be collaborative, transparent, and immediate.**

Pedestrian traffic between the development site and the Hospital requires an at-grade crossing at mid-block.

- ✓ **Why not an overhead pedestrian bridge connecting directly to the Hospital?**

The single signalized access at Kenwood is a fatal flaw in the site design.

- ✓ **A single full movement access for traffic is very unusual, and perhaps, without precedent for a development of this size.**

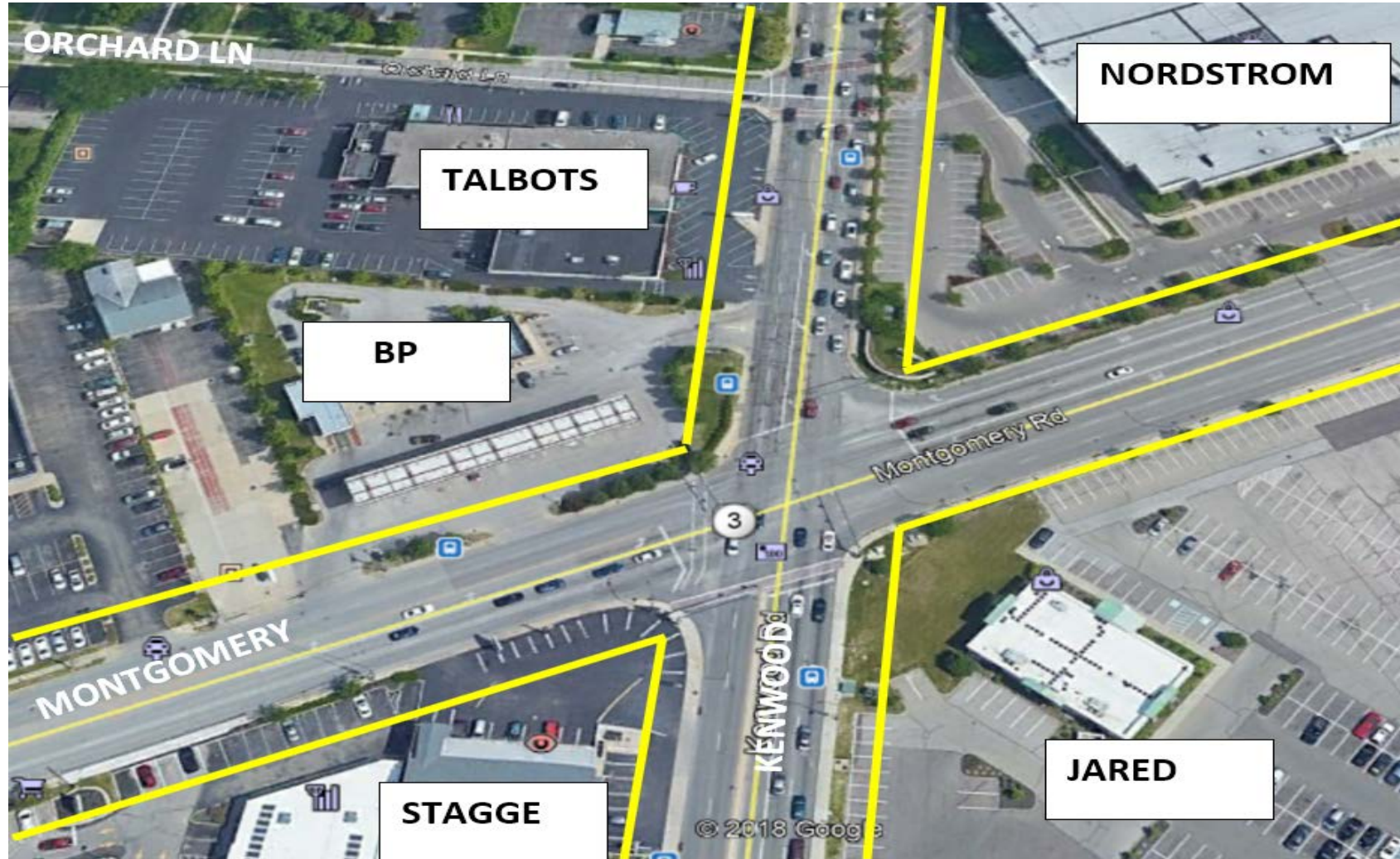
# Traffic Issues – Kenwood & Montgomery

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- All three Traffic Impact Studies recognize the importance of preparing for the future traffic needs (4040) of the Kenwood Corridor improvements.
- These improvements are required in anticipation of regional growth and not as a result of Capital's site. Generally, these improvements are:
  - Kenwood Road north leg – Widen from existing 5 lanes to 9 lanes
  - Kenwood Road south leg – Widen from existing 5 lanes to 9 lanes
  - Montgomery Road west leg – Widen from existing 5 lanes to 7 lanes
  - Montgomery Road east leg – Widen from existing 7 lanes to 8 lanes
- ✓ It is imperative that future planning for these improvements should be considered and evaluated by the Township leadership



# Impact of Future Widening on Kenwood



# Density of Capital's Development

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The site plan simply crowds too much building area (about 1,000,000 sq. ft, including the garage) into too little space. Almost every Township planning and zoning element and guideline related to building area, height, and use is maxed out. Excessive density exacerbates the external impact of the site plan and leads to traffic congestion, delay, and safety concerns.

It has been said the excessive purchase price of the land is pushing the higher density and the need to maximize the economic return.

**The “Elephant in the Room” is density.**



# High Density Potential Development Kenwood Road Corridor



- There are at least 10 potential sites that may develop in the next 10 – 15 years. The following map illustrates those areas that have a high potential for development
- It is likely that if the Capital project is approved, others will certainly get in line to take advantage of the almost total loss of zoning, land use, and density oversight by the Township – a dangerous precedent
- The following table is a first cut” personal estimate, based on my experience and knowledge, of potentially new traffic that would be generated at the elevated density of the Capital project.
- The 10 areas represent about 2,500,000 sq.ft. of new buildings (not including garages) and about 47,000 new vehicles on the roadways for an average weekday.

# Long Range Potential Development Areas



# Long Range High Density Potential Development Sites – Trip Generation

Focus Area	Land Acres*	Existing condition Land Use	Description of potential Development	ADT Vehicles Primary trip Generation**
1	3.0	Vacant, formerly residential	Related to Medical Office, Access to Galbraith Rd.	8000
2	1.5	Office, vacant, partially developed	General Office	1100
3	3.0	Parking and service related to Hospital	New buildings related to Hospital	2500
4	2.0	Parking/green space related to Towne Center	General Office or Commercial	1500
5	7.2	Residential Apartments 96 units	Apartments, Office, Hotel, Restaurants, Retail	6100
6	2.0	Small office/commercial, parking	Commercial	5800
7	8.0	Vacant, formerly mixed commercial/Apartment	Apartments, Office, Retail, General Commercial	6700
8	***	Sycamore Shopping Center	Expansion and redevelopment of existing Center	3800
9	***	Mixed retail and commercial	Redevelopment, mixed retail and commercial	3800
10	***	Kenwood Towne Center Shopping Center	Regional retail and commercial	7700
			TOTAL	47,000 Vehicles

\* Approximate area based on Google Map

\*\* Institute of Transportation Engineers Trip Generation Manual, Primary Trips, Not Adjusted, Average 24-Hour Weekday, Not Based On Detailed Site Plan.

\*\*\* Equivalent Building Area.



# CIG ARCHITECTURAL RENDERING

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# Summary

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- ✓ **Taken in total, the Capital Investment plan should be denied as submitted. Fundamental and major revisions are in order.**
- ✓ **The Trustees have the authority to require fundamental changes in the site plan as a condition of approval**
- ✓ **We urge the Capital Investment Group to downsize and decrease density of the site plan.**
- ✓ **The new Capital development plan should conform with the 2002/2008 Land Use Plan and contain harmonious low density mixed uses.**

# Summary (continued)

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- ✓ **A transparent and open process should have been implemented early in the planning process. One-on-one meetings between Capital and stakeholders breed distrust and mis-information.**
- ✓ **The Capital Traffic Study recommends widening for Kenwood Road (nine lanes). The overall widening at the Montgomery intersection will have an overpowering negative impact on existing businesses. Serious thought and alternate evaluation needs to be accomplished.**
- ✓ **The prosperous future of Sycamore Township is at risk. The Trustees should be pro-active and plan for the future; not let others set the course for us.**
- ✓ **The root cause of all the negative impacts is density,**



Thank you for you attention and consideration.