

January 14, 2013

Mr. Roger Friedman – Chairman
Mr. Rich Barrick – Vice-Chairman
Mr. Tom Kronenberger – Member
Ms. Anne Flanagan – Member
Mr. Bill Mees – Secretary
Mr. Steve Roos – Alternate

Item 1. – Meeting called to Order

Mr. Friedman called the regular meeting of the Zoning Commission to order at 7:02 p.m. on Monday, January 14, 2013.

Item 2. – Roll Call of the Board

Mr. Mees called the roll.

Members Present: Mr. Friedman, Mr. Barrick, Mr. Kronenberger, Ms. Flanagan and Mr. Mees

Staff Present: Greg Bickford and Beth Gunderson

Item 3. – Approval of Minutes

Mr. Friedman stated the first order of business was to approve the December 10, 2012 meeting minutes.

Mr. Friedman asked for any corrections to the December 10, 2012 meeting minutes.

Mr. Friedman entertained a motion to approve the December 10, 2012 meeting minutes.

Ms. Flanagan moved to approve the December 10, 2012 meeting minutes.

Mr. Mees seconded.

All voted – yes.

Item 4. – New Business

2012-11MA
JRE Real Estate LLC
4757 E. Galbraith Road
Major Adjustment to a PUD

2012-12Z
JRE Real Estate LLC
4757 E. Galbraith Road
Zone Change

Mr. Kronenberger stated that he had been advised by Sycamore Township legal council that he should recuse himself from the Board for the two cases involving Jewish Hospital's proposed addition. He stated as a neighbor to the project, he would sit in the audience as a member of the public.

Mr. Bickford explained to the board they cannot be influenced by any comments made by Mr. Kronenberger during the course of the evening as a board member, rather, they must consider his comments as they would any resident comment.

Mr. Bickford presented the cases and the case histories together for Case 2012-11MA and 2012-12Z in a power point presentation. Mr. Bickford stated the existing access points to the hospital would not change with the proposed expansion. He explained the Zone Change request involves the southwest area of the site by Frolic Drive where two former single family homes had been demolished. This location would be the site of a proposed energy building for the hospital. Mr. Bickford noted the applicant had altered the plans for this energy building from what the board received in the original submittal. The setback from the existing single family home to the energy building had been increased from 35' to 70'.

Mr. Friedman asked if the applicant was present to speak.

Steve Holman, Market Leader and President Mercy Health, of 123 Bares Creek Ct., Loveland, OH 45140, addressed the board. Mr. Holman thanked the board and explained that the proposed project would touch many people in a life giving way by meeting the community's immense health care needs and improving the level of care.

Mr. Mic Johnson, architect with AECOM design in Minneapolis working on the project along with local representative Champlin Architecture, of 800 LaSalle, Minneapolis, MN addressed the board. Mr. Johnson presented their proposal in his own power point. Mr. Johnson stated the proposed site plan shows concern for both patients and neighbors. It brings the dining and education areas to the front of the hospital. He explained the plan condensed the size of the proposed energy building as much as possible and moved the cooling towers to the interior to reduce sound. The building in the current plan was moved an additional 20' back from Frolic Dr. to allow for additional landscaping and an additional 35' from the existing single family home. He said the height of the proposed building is the same as the existing home. He stated the additional layer of landscaping proposed would shield the building from public view. The addition to the hospital planned would be brick and blend the existing palette with a glaze blue tile for a sense of new identity. He showed a color rendering of the proposed façade of the addition and added that landscaping would be a big part of the addition as well.

The board asked questions of Mr. Johnson and then Mr. Friedman asked if there was anyone present from the public who wished to speak.

Bill Phelan, of 7934 Frolic Dr., Cincinnati, OH 45236, addressed the board. Mr. Phelan inquired about funding for the project.

Rita Lambers, of 7933 Frolic Dr., Cincinnati, OH, 45236, addressed the board. Ms. Lambers asked for a picture of the proposed addition showing the view from Frolic.

Mr. Bickford pulled up that slide.

Ursula Hilbert, of 7954 Merrymaker Ln., Cincinnati, Oh 45236 addressed the board. Ms. Hilbert asked what would be housed in the energy building and if the noise would infringe on the neighborhood.

Tom Kronenberger, of 8029 Frolic Dr., Cincinnati, OH, 45236 addressed the board. Mr. Kronenberger said he was concerned that the applicant submitted plans and then

changed them making it difficult for the board to vote tonight. He stated that he believed the township had done a good job in the past balancing the viability of both the hospital and the neighborhood. Mr. Kronenberger explained he is concerned with the energy building in the proposed location and said it could be relocated so that it would not front the residential properties. In his opinion the energy building crosses the line of balance between the hospital and the residential properties as it is more of an industrial building. He proposed that the energy building be moved elsewhere on the site. Mr. Kronenberger also said the proposed plans do not do a good job of blending the architecture with the residential character of the neighborhood. He noted that the energy building as proposed has a nine foot high piece of aluminum on the top and is poorly designed to fit in with the neighborhood. Mr. Kronenberger said the plan has a rendering of the landscaping but no specific plan. He asked that the board deny the applicants' requests and have them move the energy building to a location less intrusive to the neighborhood, or that the applicants request a continuance so that they could provide a landscaping plan and revamp the design to be more compatible with the residential character of the neighborhood.

Mr. Jack Pflum, of 7541 Hosbrook Rd., Cincinnati, OH 45243, addressed the board. Mr. Pflum stated he is not a neighbor but is a township resident and a friend of Mrs. Cataline, owner of the single family home adjacent to the hospital. Mr. Pflum stated he agreed with Mr. Kronenberger that the cases should be denied or continued because of lack of information including a sound analysis, lighting plan and traffic study. He said he also agreed with Mr. Kronenberger that the design does not fit in with the residential area.

Ms. Lambers asked about the materials used on the façade of the proposed addition.

Mr. Friedman asked if the board had any questions.

Ms. Flanagan asked that the applicant address the concerns of the residents including the reasoning for the proposed location of the energy building and the design of the building.

Mr. Johnson answered that the energy building' location was determined by the location of utilities coming into the site. He said if they move it farther away from the source of power the costs increase. He explained that the building would house emergency generators to be used only when the power goes out and tested periodically. There would be no boilers and no steam coming from the building.

Mr. Mees asked if the electricity currently comes into the side from the residential side.

Mr. Johnson answered yes from a transformer.

Mr. Friedman asked if the cooling towers would be for emergency use.

Mr. Johnson said the cooling towers would be necessary for the new addition and would not be for emergency use. He said they had a report from a specialist regarding the energy building that was just received.

Ms. Flanagan asked about efforts to make the design more compatible with the residential neighborhood.

Mr. Johnson said that was their intent with the design as proposed. Their goals were to keep it brick, as low as possible and to keep the shape consistent with the rest of the hospital.

Mr. Holman added that attempts to make it look more like a house made it appear massive.

Mr. Barrick asked if the applicant could react to the comments on the staff report for 2012-11MA.

Mr. Johnson responded stating the landscape buffers proposed would add serenity for patients and be beneficial to the neighbors.

David Wright, Kleingers & Associates, Civil Engineers for the project, of 6305 Centre Park Dr., West Chester, OH 45069, addressed the board. Mr. Wright said they have had discussions with the Stormwater Division of Hamilton County regarding the project and can fulfill their requirements. He said the sound study had been completed and would be shared with staff and that they could accommodate the request that no lighting from energy building facing Frolic Dr.

Mr. Barrick asked if the energy building could be below grade to minimize impact on the residential neighborhood.

Mr. Johnson said they were not considering putting it below grade for fear of water issues causing the generators to fail in an emergency situation.

Mr. Mees asked if there was a floor plan for the energy building.

Mr. Johnson pointed out the general floor plan on a slide from the power point showing proposed locations of the cooling towers and generators within the building.

Mr. Mees asked if there was a reason for the metal on top of the building and if brick could be used instead.

Mr. Johnson said the intent was to make it look more like a roof but it did not have to be metal.

Ms. Hilbert asked about water and drainage.

Mr. Johnson said their plan is to be able to get water off site and toward Galbraith without having to pump it.

Mr. Holman added that if the generators were to fail due to water issues patients lives would be at risk.

Mr. Mees asked if it was important to have the cooling towers in that location.

Mr. Johnson said they could be on the roof but the goal was to have all the mechanicals centralized and as unobtrusive as possible.

Mr. Mees asked if there would be berms between the energy building and the existing house.

Mr. Johnson showed the elevation rendering on the power point and pointed out how that land would be graded.

Mr. Mees inquired about the "flue assembly" noted on the slide.

Mr. Johnson explained that was the exhaust for the generator.

Mr. Friedman stated that he was not comfortable with the fact that the plans were changed after the initial submittal and that some things such as the sound study, which is of great concern for the neighbors, were not made available for review prior to the meeting.

Mr. Johnson and Mr. Holman apologized and said the changes were made in response to staff comments.

Mr. Holman requested a continuance for both case 2012-11Ma and 2012-12Z.

The cases will be continued until the February 11, 2013 Zoning Commission meeting.

Mr. Kronenberger took his place with the rest of the board to hear the next case.

2013-01MA

Rolling Hills Hospitality (agent)
Kenwood Towers, LLC (owner)
8010 Montgomery Road/2000 Ronald Reagan Drive
Major Adjustment to a PUD

Mr. Bickford presented the case and case history in a power point presentation. Mr. Bickford noted that a conceptual plan for the site was previously approved for a hotel, parking garage and office in case 2009-04MA. This request focuses on the hotel and a temporary surface parking lot. The previous concept was for a seven story 160 room hotel, this submittal proposes a five story 118 room hotel and surface parking lot, with the intent to build the office building and parking structure sometime in the future.

Mr. Friedman asked if the applicant was present.

Mr. Bimal Patel, of Rolling Hills Hospitality, 250 Grandview Dr., Ft. Mitchell, KY 41017, the applicant, and Mr. Jeff Chamot, of Kenwood Towers, LLC, 2135 Dana Ave. Suite 200, Cincinnati, OH 45207, representing the property owner addressed the board.

Mr. Patel said the current submittal show a scaled down hotel from the original conceptual plan in 2009.

Mr. Chamot the temporary surface parking lot next to the hotel will be used until tenants are secured for the office development and that project and parking garage are completed.

Mr. Barrick inquired if he had a plan to ensure the required parking is available during construction.

Mr. Chamot detailed his plan to keep 100 parking spaces, in addition to the 18 spaces at the hotel, available during construction.

Mr. Friedman asked if the property was owned by two parties.

Mr. Chamot said the entire site now has one owner, Kenwood Towers, LLC, but that Rolling Hills Hospitality is under contract to purchase the hotel site. There would be share parking and easements agreed upon by both parties.

Mr. Friedman asked if anyone from the public was present who wished to speak.

Mr. Jack Pflum again addressed the board. Mr. Pflum asked why this request was a Major Adjustment.

Mr. Bickford explained the changes from the original plan were too great to be approved by staff.

Mr. Pflum asked about a signage plan.

Mr. Bickford stated that the signage would have to meet the requirements of the zoning resolution unless the applicant comes back before the board for approval of a signage plan.

Mr. Pflum stated that he also represents Kenwood Meadows Civic Association and that they support this smaller, less extensive proposal as long as there is an opportunity to review any requested variances to the zoning resolution. He also requested the members of the Zoning Commission let the Trustees know that it is important to move forward with the plans to widen Hosbrook Road because of this and other planned development in the area.

Mr. Bickford stated that there is a meeting with the Hamilton County Engineer planned for January 16, 2013 in regards to that project and that the township hopes to have it out for bid by late summer/early fall.

Mr. Barrick asked Mr. Bickford if the areas noted as non-compliant with the zoning resolution in the staff report were previously approved as variances in the previous case for the site.

Mr. Bickford said yes, but the board would have to grant them as part of the new request if they so desire and to keep in mind that the buffering will change in different phases of construction.

Mr. Barrick asked Mr. Bickford to clarify locations on the rendering for the buffering mentioned in the staff report.

Mr. Friedman entertained a motion.

Ms. Flanagan moved to consider case 2013-01MA.

Mr. Mees seconded.

The board discussed the issues brought before them.

Mr. Mees suggested adding the suggested conditions from the staff report and the variances identified in the staff report.

The other board members agreed.

Mr. Friedman said there should be a condition that the two parties enter into not only a shared parking agreement as noted in the staff report recommendations, but also a reciprocal easement agreement.

Mr. Mees revised the original motion to include the following conditions:

1. Variances will be granted for the issues in the "Recommended variances section" of the staff report.
2. An executed shared parking agreement shall be instituted and recorded between adjoining parcel owners.
3. An executed reciprocal easement agreement shall be instituted and recorded between adjoining parcel owners.
4. The final architectural style and materials is to be approved by the Board of Trustees and is to follow the guidelines established in Section 8-4.3.1, Kenwood SPI Overlay District.
5. Prior to the issuance of a zoning certificate, the applicant is to demonstrate compliance and/or approval of the following items by their respective agencies either by letter or approval certificate; Storm water management per the Stormwater and Infrastructure Division of the Hamilton County Planning and Development Department; Evidence of compliance with erosion control via necessary NPDES permitting per the Soil and Water Conservation District of Hamilton County; and Traffic management and impact as required by the Hamilton County Engineers Office. Any requirement the Sycamore Township Fire Department has pertaining to life safety is to be adhered to. Including, fire hydrant quantity and locations; standpipe / FDC connections and locations.
6. Any requirement the Sycamore Township Fire Department has pertaining to life safety is to be adhered to, including, fire hydrant quantity and locations; standpipe / FDC connections and locations.
7. No external telecommunication facilities or towers are permitted on the site.
8. A site plan showing compliant boundary and streetscape buffers must be approved prior to issuance of a zoning certificate.

Ms. Flanagan seconded.

Mr. Mees called roll.

Ms. Flanagan – AYE

Mr. Barrick – AYE

Mr. Friedman – AYE

MR. Kronenberger – AYE

Mr. Mees – AYE

Mr. Bickford noted the case would be heard by the Trustees on February 7, 2013.

Item 5. – Date of Next Meeting

Mr. Friedman noted the date of the next meeting – February 11, 2013.

Item 6. – Adjournment

Mr. Mees moved to adjourn.

Ms. Flanagan seconded.

All voted yes.

Meeting adjourned at 8:38 p.m.

Minutes Recorded by: Beth Gunderson
Planning & Zoning Assistant