

April 14, 2014

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 7:00 p.m. on Monday, April 14, 2014.

Item 2. – Roll Call of the Board

Mr. Mees called the roll.

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

Members Absent: Mr. Kronenberger

Staff Present: Greg Bickford, Harry Holbert and Beth Gunderson

Item 3. – Approval of Minutes

Mr. Friedman stated the first order of business was to approve the March 10, 2014 meeting minutes.

Mr. Friedman asked for any corrections to the March 10, 2014 minutes.

Mr. Friedman entertained a motion to approve the March 10, 2014 meeting minutes.

Mr. Mees moved to approve the March 10, 2014 meeting minutes.

Ms. Flanagan seconded.

All voted – yes.

Item 4. – New Business

2014-04MA
Phillips Edison Co.
5901 Montgomery Road
Major Adjustment to a PUD

Mr. Bickford presented the case and case history in a power point presentation. Mr. Bickford stated that this case involves the office building only, and is a revision to the plans approved in Case 2005-19P2. Mr. Bickford noted that the proposal includes an additional story, changing the building from an eight story to a nine story, and therefore 20 feet taller than the original plan. He said there are also modifications to the landscaping including enhanced landscaping along Galbraith Road where there will eventually be a traffic light.

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

Mr. David Birdsall, representing the owner and applicant, Phillips Edison Co., stated they are pleased that the project is ready to move forward.

Mr. Barrick asked Mr. Bickford to highlight the differences in the revised staff report.

Mr. Bickford said parking space and square footage calculations were corrected.

Mr. Barrick inquired if the additional ninth floor would be office or mechanical.

Mr. Birdsall stated it would be office space.

Mr. Friedman asked if they had tenants lined up.

Mr. Birdsall said Neace Lukens had already been announced and they were in negotiations with three additional tenants with hopes of announcing those in the next 15 days.

Mr. Friedman asked when construction would begin.

A representative of the contractor, Messer Construction, said the crane would be erected within next two weeks with hopes to open fall of 2015.

Kris Flaska, 5840 Charteroak, Cincinnati, OH 45236, stated he strongly objects to another floor being added to the building and requests that the building not be lit at night.

Joe Smith, 6751 Kugler Mill Road, Cincinnati, OH 45236, agreed that the building does not need to be taller and also expressed concerns about increased traffic on Galbraith road.

Mr. Friedman asked if the additional floor would extend across the entire building.

Mr. Bickford answered yes and noted it would be a 20 feet increase in height from the 2005 approval.

Ms. Flanagan moved to consider Case 2014-04MA as submitted.

Mr. Mees seconded.

Ms. Flanagan stated the proposal is for an attractive building and it will be a blessing to the community to complete the project.

Mr. Friedman agreed stating he understands the objections from the public but the proposal is a vast improvement over the incomplete project that exists today.

Mr. Mees called Roll.

Ms. Flanagan – AYE

Mr. Barrick – AYE

Mr. Friedman – AYE

Mr. Mees – AYE

Mr. Roos – AYE

Mr. Bickford noted the case would be heard by the Board of Trustees on May 1, 2014.

2014-05MA
Scott Street Partners - II
8260 Northcreek Drive
Major Adjustment to a PUD

Mr. Bickford presented the case and case history in a power point presentation. Mr. Bickford noted the proposal included razing the western and southern buildings on the site and replacing them with one four story medical office building with a two level parking garage. The applicant also proposes a ten and a half foot monument sign at the entrance and a 17 foot highway sign along I-71.

Mr. Barrick asked about existing versus proposed square footage and parking spaces.

Mr. Bickford said the proposed parking would be five spaces per 1,000 square feet and that he would defer to the applicant in regards to the square footage.

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

David Kubicki, of Kubicki Real Estate, 8784 Montgomery Road, and Randal Merrill, Architect, McGill Smith Punshon, 3700 Park 42 Drive, Cincinnati, OH 45241, addressed the Board. Mr. Merrill said 50,000 square feet of office building is to be razed and replaced by one 112,000 square foot building. Mr. Merrill said they have worked with TriHealth on the design which will be a landmark easily visible from I-71.

Mr. Friedman asked if they had considered removing the third existing building, the Hauser Building, as well.

Mr. Merrill answered that tenants from the buildings to be razed had been moved to the Hauser Building.

Mr. Barrick asked for clarification on the northern buffer.

Mr. Merrill said the adjacent lot was owned by one of the developers who would grant an easement for landscaping.

Mr. Barrick inquired about the western boundary.

Mr. Merrill said the western side borders I-71 and would remain the same so as to be visible from highway.

Mr. Barrick inquired about interior landscaping.

Mr. Doug Smith, of McGill Smith Punshon, clarified that there were 462 existing parking spaces and 623 proposed. He said the proposed interior landscaped area is greater than the code requires and asked the board to strike condition one from the staff report requiring twelve tree island because that space would be needed for parking.

Mr. Mees inquired about materials used and the look of the building in the rendering.

Mr. Merrill elaborated on materials.

Mr. Friedman asked if the landscape easement had already been granted.

Mr. Merrill replied no.

Mr. Friedman noted that should be a condition of any possible approval.

Mr. Joe Smith, 6751 Kugler Mill Road, stated that the existing buildings are below the tree line. The proposed new building would be above the tree line and would be offensive to residents and have a negative impact on neighboring properties.

Ms. Mary Ann Williams, 6661 Kugler Mill Road, Cincinnati, OH 45236, said she is concerned that building would be an eye sore for neighbors. She said she can hear I-71 and see the existing Hauser Building from her yard.

Harry Gilligan, 8225 Montgomery Road, Cincinnati, OH, 45236, addressed the Board. He asked about the runoff from the creek behind the Hauser building.

Doug Smith answered that the buildings were originally built in the 1970's and at the time did not have to have a storm water management plan. Today, storm water management is required by Hamilton County. The new requirements will reduce run off by 30%. Mr. Smith noted that there are water quality requirements in place now as well.

Paul C. Duplace, on behalf of his father who lives at 6551 Kugler Mill Road, Cincinnati, OH 45236, asked if the parking area would be larger and if there were any variances requested.

Mr. Bickford said the variances requested were as follows: building height, western, southern and eastern boundaries, signage, and interior landscaping for number of trees. Mr. Bickford noted that this is a PUD and whatever site plan is approved becomes the zoning for the property.

Kris Flaska, 5840 Charteroak, said he objects to taking down trees and putting up buildings above the tree line. He said he is against a bigger and taller building and any development should be below the tree line.

Mr. Friedman asked how much taller the proposed building would be than the Hauser Building which is to remain.

Mr. Merrill said he hasn't measured the Hauser Building but that it is probably 37 to 40 feet tall. The proposed building would be 57 feet from grade but starts at a lower grade than the Hauser Building.

Mr. Bickford noted elevations of some surrounding properties.

Ms. Flanagan asked why the Hauser Building looks so much more residential.

Mr. Bickford said there are no detailed notes from the county that exist about these older developments.

Mr. Mees asked about the Land Use Plan.

Mr. Bickford said an office use for the property in question is per the Land Use Plan but the intensity is for the Board to decide.

Ms. Williams asked if there were plans to change the use of the other properties the developer owns in the area.

Mr. Bickford said the plan talks about residential uses such as cluster developments.

Ms. Williams asked if there were plans for an access road from Kugler Mill.

Mr. Kubicki answered no.

Mr. Mees moved to consider Case 2014-05MA.

Mr. Roos seconded and noted the easement should be a condition.

Mr. Mees revised his motion to include all the conditions noted in the staff report and a condition that a landscape easement be recorded.

The Board discussed the issues brought before them.

Mr. Friedman stated he did not see the need for a free standing sign visible from I-71 when the building sign would be visible.

Mr. Friedman moved to amend the previous motion to include the following:

1. All the conditions in the staff report
2. The deletion of the variance for the 17 foot monument sign
3. The addition of a condition that a landscape easement on the northern boundary be recorded
4. The addition of a condition that the landscape plan for the development be approved by staff

Mr. Roos seconded.

Mr. Mees called roll.

Ms. Flanagan – NEA

Mr. Barrick – NEA

Mr. Friedman – AYE

Mr. Mees – AYE

Mr. Roos – AYE

Mr. Bickford noted the case would be heard by the Board of Trustees on May 1, 2014.

2014-06MA

Lev Orlov – Viking Partners, LLC

4704 E. Galbraith Road

Major Adjustment to a PUD

Mr. Bickford presented the case and case history in a power point presentation. Mr. Bickford noted the proposed increase in parking to bring the development into compliance for parking requirements for medical office includes revised landscaping and only a minimal increase to the Impervious surface ratio.

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

Jerry Royce, leasing agent for the building, of 3951 Hammersmith Lane, Loveland, OH 45140, addressed the board on behalf of the applicant. Mr. Royce said the landscape design proposed goes above and beyond what is required by zoning to make it aesthetically pleasing.

Mr. David Wright, The Kleingers Group, 6305 Centre Park Drive, West Chester, OH 45069, said he assisted with the conceptual design and layout. He stated there would be 16 trees and a line of new shrubs and that the detention basin will be reconstructed to comply with the storm water regulations currently in effect.

Mr. Friedman asked if anyone from the public wished to comment. No response.

The board asked questions of Mr. Wright. Mr. Barrick asked for clarification on the number of trees proposed.

Mr. Wright confirmed there would be 16 trees as in their revised submittal.

Ms. Flanagan moved to consider Case 2014-06MA as submitted on April 14, 2014 with the two conditions listed on the staff report.

Mr. Barrick seconded.

Mr. Mees called roll.

Ms. Flanagan – AYE

Mr. Barrick – AYE

Mr. Friedman – AYE

Mr. Mees – AYE

Mr. Roos – AYE

Mr. Bickford noted the case would be heard by the Board of Trustees on May 1, 2014.

Item 5. – Trustees Report

Mr. Bickford reported that the Trustees had approved one 49 square foot sign for The North Face in Case 2014-03P2. He stated that Jewish Hospital has begun construction and the new patient tower addition will take shape this summer.

Item 6. – Adjournment

Mr. Mees moved to adjourn.

Mr. Barrick seconded.

All voted yes.

Meeting adjourned at 8:22 p.m.

Minutes Recorded by: Beth Gunderson
Planning & Zoning Assistant