

April 13, 2015

Mr. Roger Friedmann – 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. Friedmann called the regular meeting of the Zoning Commission to order at 7:00 p.m. on Monday, April 13, 2015

Item 2. – Roll Call of the Board

Mr. Mees called the roll.

Members Present: Mr. Barrick, Mr. Friedmann, Mr. Kronenberger, Mr. Mees and Mr. Roos

Members Absent: Ms. Flanagan

Staff Present: Greg Bickford, Harry Holbert and Beth Gunderson

Item 3. – Approval of Minutes

Mr. Friedmann stated the first order of business was to approve the March 9, 2015 meeting minutes.

Mr. Friedmann asked for any corrections to the March 9, 2015 minutes.

Mr. Friedmann entertained a motion to approve the March 9, 2015 meeting minutes.

Mr. Kronenberger moved to approve the March 9, 2015 meeting minutes.

Mr. Mees seconded.

All voted – yes.

Item 4. – Old Business

2015-08Z
Richard B. Tranter, Esq.
7800 Montgomery Road
Zone Change

Mr. Barrick recused himself from hearing the case due to a possible conflict of interest.

Mr. Bickford presented the case which had been continued from the March 9, 2015 meeting date. Mr. Bickford presented revised documents from the applicant. The request is to make Sycamore Plaza a planned district subject to supplemental regulations with the intent to make redevelopment of Sycamore Plaza more streamlined. This would effectively make the development have its own zoning code. Mr. Bickford presented the supplemental regulations submitted by the applicant. The proposed supplemental regulations address such issues as permissible uses for the plaza, building eight, building materials, parking, lighting and screening of dumpsters, loading docks and mechanicals. The supplemental regulations include an allowance for staff approval of any addition/interior finish less than 2000 square feet.

Mr. Bickford explained the second part of request, in addition to supplemental regulations, is to create an 80,000 square foot two story anchor retail space in the current Staples space after Staples moves to the other side of the plaza. Mr. Bickford presented renderings of the proposed new elevations for the plaza and presented in detail the signage requests for the plaza, showing existing and proposed signage for potential new tenants. The signage proposed is an increase to the number and square footage of signage previously approved LASR for the plaza. The applicant proposes three additional signs along the I-71 frontage as well as new awning signs and changes to the façade facing the main parking lot.

Mr. Mees asked for clarification about the lighting and parking asking at what point it would have to meet the current code.

Mr. Bickford clarified explaining they would not be penalized for improvements to the parking lot.

Mr. Mees asked about the request for 50 feet building height.

Mr. Bickford said the proposed height would be comparable to Nordstrom, Kenwood Collection etc.

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

Mr. Richard Tranter of Dinsmore & Shohl, 255 E. 5th Street, Cincinnati, OH 45202, applicant and attorney for the property owner, addressed the Board. Mr. Tranter said there is a tenant interested in the proposed 80,000 square foot anchor space who requires three signs. He noted the request does not ask for anything greater than what can currently be seen at Nordstrom noting the signage is needed to have good visibility especially from I-71. Mr. Tranter pointed out the request includes a change to the definition of an interior junior anchor. The current LASR defines an interior junior anchor as a 25,000 square foot tenant space, the proposal before the board reduces that to 20,000 square feet.

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

Mr. Mees asked exactly what the Board is being asked to consider.

Mr. Bickford said the Board will vote on allowing the supplemental regulations to govern the development, the signage proposal and the addition of the 80,000 square foot anchor. This would effectively cancel the existing LASR.

Friedmann asked about approving as a double letter district and if that covers all different uses previously approved.

Mr. Tranter noted the request is about streamlining and making a more coherent pattern for review.

Mr. Kronenberger asked why the applicant proposed changes to preferred materials.

Monica Lowry of FRCH Design, 311 Elm St., Cincinnati, OH 45202, addressed the board explaining the reasoning behind the materials proposed.

Mr. Kronenberger asked for clarification on the number of signs proposed, including the awnings.

Mr. Tranter said the request is for three signs for the anchor space and the new awning signs. Mr. Tranter noted the interior tenants really need signage.

Mr. Kronenberger asked Mr. Bickford for clarification on how an approval of this proposal would come in to play with future tenants' signage.

Mr. Mees asked Mr. Bickford to show proposed sign locations for the anchor space.

Mr. Bickford reviewed again the proposed signage and elevations and compared the existing facades to the proposed.

Mr. Roos asked for clarification on the proposed size of signs.

Ms. Lowry explained noting the intent was to have some symmetry.

Mr. Friedmann asked if the proposed anchor was a current plaza tenant and if so wouldn't they be aware of sign regulations.

Mr. Tranter answered the primary audience for the signs on the anchor is I-71. The goal is to give the plaza effective signage.

Mr. Friedmann stated he was troubled that allowing a special set of zoning regulations for the plaza would set a precedent. He noted he is not sure what the applicant is trying to achieve.

Mr. Tranter pointed out that in a large shopping center like Sycamore Plaza traditional zoning does not work and the zone change will encourage consistency for development.

Mr. Friedmann asked why Staples case was presented separately.

Mr. Tranter said would have liked to do it all together but it did not work expeditiously.

Discussion ensued about the supplemental regulations.

Mr. Kronenberger moved to consider case 2015-08Z.

Mr. Mees seconded.

The Board discussed the issues brought before them.

Mr. Kronenberger said he is ok with the supplemental regulations and is more concerned with the number of signs proposed.

Mr. Roos agreed it is a positive thing to streamline the process but agrees the number of signs is too great.

Mr. Friedmann agreed with Mr. Kronenberger and Mr. Roos regarding the signage proposed. He noted he does not have much of a problem with the supplemental regulations although he is not sure why the applicant felt the need to change the preferred building materials.

Mr. Bickford noted the LASR that was approved for the plaza allows for more signage than is currently on the building.

Alex Antolino of DDR, the property owner, 3300 Enterprise Pkwy, Beachwood, OH 44122, noted there is one available interior tenant space and would be an additional space with the proposed addition.

Mr. Bickford explained what would be permitted under the current LASR.

Mr. Tranter noted the proposed anchor currently has 300 square feet of signage and requested that the Board does not decrease what that tenant is permitted.

Mr. Kronenberger noted his intent is not to decrease the signage permitted.

Mr. Tranter reiterated his request that tenant C have at least 300 square feet.

Mr. Antolino addressed the board noting they tried to stay within the existing LASR with the exception of requesting sufficient signage for the additional two story 80,000 square feet anchor.

Mr. Kronenberger amended his motion to consider case 2015-08Z so that the total square footage of signs and total number of signs existing be permitted and arranged as the applicant sees fit.

Mr. Mees seconded.

Mr. Mees called roll.

Mr. Barrick – Abstained

Mr. Roos – AYE

Mr. Friedmann – AYE

Mr. Kronenberger – AYE

Mr. Mees - AYE

Mr. Bickford noted the case would be heard by the Board of Trustees on May 7, 2015 at a time to be determined.

Mr. Barrick rejoined the Board.

Item 5. – New Business

2015-09MA

Bob Carpenter, Carpenter Signs, Inc.

6475 E. Galbraith Road

Major Adjustment to a PUD

Mr. Holbert presented the case and case history in a power point presentation. Mr. Holbert pointed out the existing signage on the building for Dodd Camera. He noted the method the zoning resolution uses for measuring shows the proposed sign is actually a little smaller than what the applicant notes in the proposal.

Mr. Mees asked for clarification on total signage allowed on the building and the exact square footage for each of the two existing Dodd Camera signs.

Mr. Holbert answered one sign is 13 square feet, the second is 34 square feet, for a total of 47 square feet of signage for Dodd Camera. That leaves 24 square feet for the new tenant and they propose 34.11 square feet.

Mr. Kronenberger asked for clarification on the history of the signage allowed after Willie's closed.

Mr. Barrick asked if the landlord signed off on the request for an additional sign for Dodd Camera.

Mr. Holbert answered yes; the owner must sign the zoning certificate application.

Mr. Barrick asked about the location of the existing signs and how the frontage is calculated.

Mr. Bickford clarified.

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

Mr. Bob Carpenter, of Carpenter Signs, 9437 Harrison Pike, Cleves, OH 45002, addressed the Board noting the tenant would be occupying about half of the building and allowed only about 1/3 of the signage. Mr. Carpenter said he was only requesting about ten square feet over what is permitted by the zoning department's measurement of the channel letters. Mr. Carpenter submitted a rendering of the proposed outdoor patio seating to the Board for reference. Mr. Carpenter noted the tenant space had approximately 80 lineal feet of frontage facing main parking lot.

Mr. Friedmann asked for the calculation of the proposed sign.

Mr. Holbert answered 34 square feet.

Mr. Friedmann asked if Mr. Holbert had measured the frontage facing the parking lot that Mr. Carpenter said is 80 lineal feet.

Mr. Holbert said he had not.

Mr. Friedmann asked if anyone from the public wished to comment.

Mr. Michael Elkus, one of the owner's of the building, of 6475 E. Galbraith Road, Cincinnati, OH 45236, addressed the board noting that the Township had asked him to give up some land to widen the road which required them to lose nine parking spaces. Mr. Elkus said the tenant is putting a large investment into the restaurant and, because it is removed from Montgomery Road, it will really need the signage to have a chance at being successful.

Mr. Rodriguez, owner of El Rancho Grande, said the restaurant used to be at Sycamore Plaza and that he had been looking for a new space in the Township. He said at the time he was not aware of the signage limitations. He said most of his restaurants have 84 square feet building signs.

Mr. Friedmann closed the floor to comments from the public.

Mr. Barrick moved to consider Case 2015-09MA.

Mr. Kronenberger seconded.

Mr. Mees said he does not think the proposed signage is too big for the façade.

Mr. Kronenberger noted in the past the Board had used some leeway in choosing which side to allow as the principal side from which to measure the frontage. He suggested at least considering the side which the principle access is located.

Mr. Barrick noted the problem was caused by the existing tenant having two signs and suggested a condition that if the existing tenant leaves a future tenant must be in compliance with code.

Mr. Friedmann agreed with Mr. Kronenberger in terms of allowing the 80 feet side for the frontage measurement.

Mr. Mees called roll.

Mr. Roos- AYE
Mr. Barrick – AYE
Mr. Friedmann – AYE
Mr. Kronenberger - AYE
Mr. Mees – AYE

Mr. Bickford noted the case would be heard by the Board of Trustees on May 7, 2015 at a time to be determined.

2015-10MA
Teri Cantor, ABC Signs
7890 E. Kemper Road
Major Adjustment to a PUD

Mr. Bickford presented the case and case history in a power point presentation. Mr. Bickford noted the approval was originally in 1997 by Hamilton County which did not allow free standing signs for office buildings. In 2003 that changed to allow free standing signs for office buildings but reduced the amount permitted for building signs. The building would be allowed two signs up to a maximum of 55 square feet. The applicant requests 37.5 square feet sign in addition to the existing Emery Credit union sign already on the building. He noted the proposed free standing sign is compliant with the exception of the location; it would not meet the ten feet setback from the right of way, and the base materials.

The Board asked questions of Mr. Bickford.

Mr. Barrick asked about the Emery sign and if it would remain.

Mr. Bickford said it would remain.

Mr. Friedmann asked about the proposed location of the free standing sign.

Mr. Bickford referred the Board to the site plan submitted by the applicant showing a 14 feet setback from the curb noting that approximately 12 feet of that is right of way.

Ms. Teri Cantor with ABC Signs, of 38 W. McMicken, Cincinnati, OH 45202, addressed the Board. Ms. Cantor gave the board some materials for review. Ms. Cantor said Simply Money has a hardship because they do not have signage noting their location. The addition of the wall sign and the monument sign, which they are willing to landscape, will ease this hardship.

Mr. Kronenberger asked about the discrepancy Mr. Bickford noted about the site plan.

Mr. Bickford said the way it is shown it looks like a two feet setback from the right of way but moving it could be problematic because of the existing tree and detention pond.

Mr. Mees asked if the location could be moved away from the tree.

Ms. Cantor noted there was also a utility pole.

Mr. Mees asked how much benefit the ground sign would give in addition to building sign.

Ms. Cantor noted the ground sign would be visible from both directions.

Mr. Kronenberger asked if the tenant panels on the Kids First monument sign would remain.

Mr. Friedmann asked if the applicant would be allowed tenant panels if the ground sign had been there already.

Mr. Bickford explained yes.

Mr. Kronenberger asked what the reasoning would be to have tenant panel on the Kids First monument sign and a ground sign.

Dan Littman, of Simply Money, 7890 E. Kemper, suite 200, Cincinnati, OH 45249, said they would rather not be on Kids First sign and that should the new ground sign be approved, he intends to remove the tenant panel from the Kids First sign in favor of a more professional look.

Discussion ensued about making the removal of the tenant panel a condition of the approval and if Kids First could put another tenant panel there if Simply Money removed theirs.

Mr. Friedmann expressed concern about the location of the monument sign so close to the right of way.

Ms. Cantor said she could obtain a more accurate site plan and try to comply with the code as long as they don't remove the tree or go into the location of the detention basin. Ms. Cantor requested a five feet setback and said could try to move it back a little.

The Board discussed the location of the sign.

Mr. Barrick asked how far the existing Kids First sign was setback from the right of way.

Mr. Bickford estimated five feet.

Ms. Cantor asked about removing the tree.

Mr. Bickford answered the tree could be removed but more trees would have to be added to the streetscape.

Mr. Kronenberger asked about the base material.

Mr. Bickford said the code requires brick or stone.

Mr. Friedmann asked if anyone from the public wished to comment.

Mr. John Schumard, of 11673 Solzman Rd., Cincinnati, OH 45249, expressed concern about lighting from the Kids First property shining into his house. He said he is not against a sign but is concerned about any lighting that may be added to the property.

Ms. Cantor said the building sign would not be illuminated.

Mr. Friedmann closed the floor to comments from the public.

Mr. Barrick moved to consider case 2015-10MA with the building sign approved as submitted and the monument sign permitted with the following conditions:

1. The freestanding sign must comply with Chapter 13 of the Zoning Resolution as noted in the staff report.
2. The freestanding sign must be no closer to the right of way than the existing Kids First sign.

Mr. Bickford said he had just done a measurement on CAGIS and it appeared the Kids First sign is about eleven feet back from the right of way. Mr. Bickford said the utility pole could create a problem. He noted it may be better for the applicant to remove the tree and move the sign back and add some landscaping behind the sign.

Mr. Barrick amended his motion to consider case 2015-10MA with the building sign approved as submitted and the monument sign permitted with the following conditions:

1. The freestanding sign must comply with Chapter 13 of the Zoning Resolution as noted in the staff report.
2. Any landscape changes effected by the freestanding sign installation must be approved by staff.

Mr. Mees seconded.

Mr. Mees called roll.

Mr. Roos - AYE
Mr. Barrick – AYE
Mr. Friedmann – AYE
Mr. Kronenberger - AYE
Mr. Mees – AYE

Mr. Bickford noted the case would be heard by the Board of Trustees on May 7, 2015, time to be determined.

Item 6. – Trustees Report

Mr. Bickford reported the Staples case was approved by the Trustees. He said case regarding the fryer for the Kenwood Theatre was also approved with the condition that the used cooking oil is stored inside. The Trustees also approved the parking lot expansion pending compliance with storm water detention recommendations from Hamilton County Public Works and the addition of some buffering. Mr. Bickford said the Planning and Zoning Department had requested RFQ's for revisions to the Zoning Resolution and Land Use Plan which are due Friday, April 17th.

Item 7. – Adjournment

Mr. Mees moved to adjourn.

Mr. Barrick seconded.

All voted yes.

Meeting adjourned at 9:13 p.m.

Minutes Recorded by: Beth Gunderson
Planning & Zoning Assistant