

January 9, 2017

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, January 9, 2017.

Item 2. – Roll Call of the Board

Mr. Mees called the roll.

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

Staff Present: Harry Holbert and Beth Gunderson

Item 3. – Approval of Minutes

Mr. Friedmann stated the first order of business was to approve the December 12, 2016 meeting minutes.

Mr. Friedmann asked for any corrections to the December 12, 2016 minutes.

Mr. Barrick pointed out a word that had been omitted.

Mr. Friedmann entertained a motion to approve the December 12, 2016 meeting minutes with the change noted by Mr. Barrick.

Mr. Barrick moved to approve the December 12, 2016 meeting minutes with the correction.

Mr. Mees seconded.

All Voted: Yes.

Item 4. – New Business

2017-01MA

Chad Koehneke, Sign-a-Rama
7679 Montgomery Road
Major Adjustment to a PUD

Mr. Holbert presented the case and case history in a Power Point presentation. Mr. Holbert stated the applicant requests an additional building sign for the Wild Eggs tenant space at the Montgomery Road Center. Because the property is located in "EE" Planned retail with SPI Overlay, a recommendation from Zoning Commission and approval from the Board of Trustees is required. As of right, the tenant space would be permitted one sign with an approximate area of 75 square feet.

Mr. Holbert noted the tenant space is 55 feet X 74 feet and the tenant has already submitted plans and been approved for one 55.22 square feet building sign above the entrance to the tenant space. Mr. Holbert noted the sign was measured with a rectangle around the whole thing, however, if measured differently, with the blank space at the bottom removed, one could argue that it is smaller than that.

The Board asked questions of Mr. Holbert.

Mr. Mees asked if the zoning code allows a sign to be measured that way.

Mr. Friedmann commented the proposal is about 17 square feet off the permitted square footage allowed for the building.

Mr. Holbert said that was correct.

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

Mr. Paul Koehneke, of Sign-a-Rama, 2519 E. Crescentville Road, Cincinnati, OH 45241, addressed the Board. Mr. Koehneke said it was difficult to design a sign for this location because of the views from Montgomery Road. He pointed out his company picked this project up from another sign company who asked them to obtain the permit for the first sign over the entrance. He said because of the angle, that sign will be difficult to see for those travelling from east to west on Montgomery Road. Mr. Koehneke said his client is looking for as much signage as they can get, noting the 20 square feet recommended in the staff report would be a struggle. He requested as gracious an allowance as the Board will approve to give exposure to Wild Eggs from all angles.

Mr. Friedmann asked if Mr. Koehneke had recalculated the sign measurement as Mr. Holbert had suggested.

Mr. Koehneke answered he had not but he could do that.

Mr. Friedmann asked what would be the minimum size sign that would work for his client in that location.

Mr. Koehneke said they would like a 50 square feet sign but he told them that would not be possible. He said considering the sign that has already been approved above the entrance and the signs LaRosa's has on other end of center, he would like to have a 37 square feet sign approved.

Mr. Kronenberger asked how the sign that is there now was approved, noting he wonders how people come in piecemeal and ask for one sign then come back and ask for more.

Mr. Koehneke explained another sign company was making the signs for Wild Eggs and they had asked ABC signs to obtain the permits for the first sign. They then came back to ABC signs and said the client now wants another sign. Mr. Koehneke explained to them that would require a variance, they then asked him to take care of pursuing the variance.

Mr. Mees asked if the first sign had already been installed.

Mr. Koehneke answered it had not.

Ms. Flanagan asked if LaRosa's had two wall signs.

Mr. Koehneke answered yes.

Mr. Mees asked if LaRosa's also had one sign on an angle and one facing Montgomery Road.

Mr. Koehneke answered yes, noting he does not expect Wild Eggs to be permitted more signage than LaRosa's has.

Mr. Gregg Pancero, building owner, of 8450 Keller Road, Cincinnati, OH 45243, addressed the Board. He said the Wild Egg tenant space and LaRosa's tenant space are the same size. Mr. Pancero said Wild Eggs has been building a lot of restaurants this year and it is possible things are getting missed. He said this is not an excuse but probably why they missed that the angled sign would not be visible for those travelling on Montgomery Road towards Silverton. Mr. Pancero said as restaurateur he knows firsthand that it is vital to have a sign visible from Montgomery Road.

Mr. Barrick suggested dropping the egg icon and just using letters/text as an option.

Mr. Holbert said when he measured the first sign dropping the corners that reduces the sign area by about nine square feet.

Mr. Kronenberger asked for clarification.

Mr. Holbert explained how a sign is measured noting if the text in the second row is 11 inches or closer it is viewed as one sign. He said he measured the sign cutting out the empty space on either side of the second row of text, which takes out about nine square feet.

Ms. Flanagan asked if Mr. Holbert had images of the LaRosa's signs.

Mr. Kronenberger asked if the LaRosa's signs were compliant with the zoning resolution or if they had a variance or special approval of some kind.

Mr. Pancero said LaRosa's re-installed existing signs after their recent façade renovation.

Mr. Holbert brought up the street view of the existing LaRosa's signs for the Board to view.

Mr. Friedmann closed the floor to comments and the Board discussed the issues brought before them.

Discussion ensued about how the signs are measured and how much signage the space should be permitted to have.

Mr. Kronenberger made a motion to approve Case 2017-01MA with the following conditions:

1. The existing sign measurement must be calculated as shown by Mr. Holbert with the blank space on either side of the text in the second row omitted.
2. A second sign is permitted with the combined area of both building signs measuring a maximum of 75 square feet.

Mr. Barrick seconded.

Mr. Friedmann said with the suggested conditions it works out for the applicant to have 30 square feet for the second sign facing Montgomery Road.

Mr. Mees called roll.

Ms. Flanagan – AYE

Mr. Barrick – AYE

Mr. Friedmann - AYE

Mr. Kronenberger – AYE

Mr. Mees - AYE

Mr. Friedmann said the case will be heard by the Board of Trustees February 2, 2017 at a time to be determined.

2017-02P2

Jeffrey Sackenheim – SHP

7763 Montgomery Road

PUDII

Mr. Holbert presented the case and case history in a Power Point presentation. Mr. Holbert noted the façade renovation proposed is required as an administrative PUD because the property is located in the Kenwood SPI Overlay District. Mr. Holbert showed the property was approved for additional angled parking and landscaping earlier.

Mr. Holbert showed the existing elevations of the building. He pointed out the existing landscaping noting there is not much room on the site for additional buffering.

Mr. Holbert then showed the proposed façade renovation noting the proposal does meet the materials requirement for the overlay district.

The Board asked questions of Mr. Holbert.

Mr. Barrick asked if the changes to the parking lot were approved by staff.

Mr. Holbert answered yes. The parking was compliant with the zoning resolution and approved by staff with a zoning certificate.

Mr. Holbert noted there is an easement agreement to use the drive aisle on the adjacent property.

Mr. Kronenberger asked about the note in the staff report about the future tenant build out.

Mr. Holbert said tenant uses have differing parking requirements and because staff does not know what the new tenant will be, he cannot be sure there is enough parking. Mr. Holbert also noted the lack of buffering.

Mr. Kronenberger asked about the parking analysis submitted by the applicant.

Mr. Holbert said the parking analysis submitted mentioned a second floor tenant space with less than 1,000 square feet of space.

Ms. Flanagan asked if comment in the staff report that the site is non-conforming as a whole was due to the lack of buffering.

Mr. Holbert answered yes.

Ms. Flanagan added the last line in the staff comments refers to it as a non-conforming use. She then asked Mr. Holbert if medical office was not a conforming use.

Mr. Holbert answered it is for the front parcel zoned office.

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

Mr. Joe Trauth, of 1 E. 4th Street, Cincinnati, OH 45202, an attorney representing Dr. Donath and Cincinnati facial Plastic Surgery, addressed the Board. Mr. Trauth said the proposal shows total conformity to the SPI district which improves and stimulates the character of the area. He noted Dr. Donath would be putting about a half million dollars into the exterior renovation. Mr. Trauth stated the entire building will be Dr. Donath's practice, there will be no other tenants. The parking analysis was for medical office and the parking does comply with zoning requirements. He pointed out at this time they do not have the details of the future first floor interior renovation. The first floor is currently vacant but will be part of Dr. Donath's practice. He noted the interior finish will be more of an administrative function.

Mr. Jeffrey Sackenheim, of SHP, 4805 Montgomery Road, Suite 400, Cincinnati, OH 45236, addressed the Board. Mr. Sackenheim said he is the architect who designed the second floor renovation a couple years ago for Dr. Donath. Mr. Sackenheim said he met with Mr. Holbert regarding the site and façade renovation prior to submittal and noted they are asking for approval to façade only with no other exterior changes proposed. He noted the materials and design they propose are in compliance with Section 8.4 of the Zoning Resolution, which details materials requirements for the overlay district. Mr. Sackenheim showed examples of the materials to be used. He said currently the building lacks windows and is mostly metal with no change in the roof parapet height. Mr. Sackenheim said the proposal rectifies all three of those issues and brings more in character with rest of developments which have taken place along Montgomery Road.

Mr. Sackenheim passed out photos of interior improvements completed on the second floor.

Mr. Mees asked about the exterior columns.

Mr. Sackenheim said the columns will be painted but that he could look into adding material to them if requested.

Mr. Mees asked if the glass on the rendering is all new.

Mr. Sackenheim pointed out what glass will remain noting there will be new glass and glazing on the front. He said masonry will be 79% of exterior envelop with the remaining being glass.

Mr. Mees asked if the existing sign will remain.

Mr. Sackenheim answered yes.

Mr. Mees asked if the HVAC was located on the roof.

Mr. Sackenheim answered yes noting it will remain fully screened from ground level.

Mr. Friedmann asked about the zoning designation of the rear parking area.

Mr. Holbert answered the correct zoning for the rear parking is "OO" Planned Office, noting he mistakenly referred to it as "D" multi-family earlier because it is listed incorrectly on the CAGIS map.

Mr. Friedmann entertained a motion.

Mr. Mees moved to consider case 2017-02P2.

Ms. Flanagan seconded.

Mr. Barrick said the earlier comment regarding the columns is relevant, however, if the columns were to be wrapped in another material they could be susceptible to damage in such a tight space.

Mr. Mees agreed that may not work with the plan.

Mr. Friedmann asked if there would be any changes in exterior lighting.

Mr. Sackenheim said the large lights will be changed out with something smaller.

Mr. Barrick suggested the Board may want to address lighting as a condition.

Mr. Mees asked about the soffit.

Ms. Sackenheim answered there is not a lot of room up there.

Mr. Barrick said he is hesitant to suggest the lighting be totally compliant because he is not sure it would be possible.

Mr. Friedmann suggested a condition stating the lighting may not be any brighter than what is currently on site. He noted he is happy to see the proposal to update what is currently not a very attractive building. Mr. Friedmann stated any concerns he had about the proposal had been cleared up during the hearing. He pointed out the exterior building signage should be compliant with the Zoning Resolution.

Mr. Mees amended his original motion to consider Case 2017-02P2 with the following conditions:

1. The entire building is approved to be a medical office use only.
2. The parking count must be compliant with the Zoning Resolution for the proposed medical office use.
3. The exterior lighting foot candles shall be no greater than the existing lighting.
4. No change to the existing monument sign is permitted.
5. The wall sign must be consistent with the submitted rendering and compliant with the Zoning Resolution.

Ms. Flanagan seconded.

Mr. Mees called roll.

