

**COLERAIN TOWNSHIP ZONING COMMISSION**

Regular Meeting

4200 Springdale Road - Cincinnati, OH 45251

**Tuesday, April 16, 2013 - 7:00 p.m.**

MEETING CALLED TO ORDER. PLEDGE OF ALLEGIANCE.

ROLL CALL: Present – Mr. Trajkovski, Mr. Westfall, Mr. Lawson, Mr. Temming, Mr. Taylor.

APPROVAL OF MINUTES: Motion by Mr. Taylor to approve minutes of March 19, 2013 meeting, 2<sup>nd</sup> by Mr. Westfall. Motion carried.

PUBLIC ADDRESS: None.

FINAL DEVELOPMENT PLAN: None.

PUBLIC HEARING: None.

INFORMAL CONCEPT REVIEW: None.

OLD BUSINESS:

- A. ZA2011-04 – Northgate Mall - Formalize minor amendment to revised preliminary development plan.

Mr. Birkenhauer stated that a vote is needed on last month's preliminary review. He said the vote would be to say that the Commission agrees to allow a box on the site and when the Final Development Plan (FDP) with detailed information comes before the Commission they can vote whether or not to approve it. Mr. Birkenhauer said when the 5 out lots came in, the Commission voted on it even though specifics and detailed information were not provided at that time. This is a similar situation where the Commission will be saying that they agree to allow a box on the site. He said if they don't vote tonight, it will push the development back another month and reiterated that the Commission will have an opportunity to address the specifics when the FDP is submitted. Mr. Lawson said last month they weren't even able to tell the Commission if the building will be attached or not, so he has a problem with formalizing it. Mr. Taylor said he's okay with approving the concept of a building being there, but the Commission did have concerns if the building is going to be detached. Mr. Temming asked what is the push and do they have a time line. Mr. Birkenhauer said he cannot share the lease agreement, but there are concerns about timing. He said years ago on the preliminary map of the mall there was a box where hhgregg will be located. Mr. Westfall said it was to be attached to the building. Mr. Temming asked if the Commission doesn't vote on it, what is it going to trigger. Mr. Birkenhauer said it will prevent them from having to wait another month for the FDP which will add another month or 2 to the process. Mr. Temming asked since they're coming back with an FDP, why is it crucial that they vote tonight; are they not going to sign the lease without the vote. Mr. Birkenhauer said he's unable to discuss the lease and reiterated that it puts another 30 days on the process and the Commission can say no to the hhgregg FDP when it comes before them. Mr. Westfall said if they approve that hhgregg put a box there, another user could come in. Mr. Birkenhauer said the Commission can't make the decision for the end user. He said the question is would you like another junior box tenant on the end. Mr. Temming said he'd like to grant Mr. Birkenhauer's request, but since he wasn't at the last meeting, he's not comfortable voting for anything tonight. Mr. Temming said he shares Mr. Westfall's

concerns and there is a process to follow, and if needed, the Commission can hold a special meeting for hhgregg. Mr. Lawson said they don't want to set the precedent that anyone can bring in a concept plan and the Commission agrees to it; there has to be something more transparent for the Commission and the public. Mr. Westfall asked do they have lease problems in their current building and Mr. Birkenhauer said he's unable to speak about their lease. Mr. Birkenhauer said the preliminary plan submitted with the Northgate Mall revitalization said there would be 3 junior box tenants going into Dillard's and 5 outlots. The plan said there would be 3 fast food restaurants, a sit down restaurant and a bank. There was nothing said about setbacks or landscaping. Mr. Temming said this is different. Mr. Trajkovski said if this box was approved years ago, why can't they vote that a box is still going to be there. Mr. Westfall said that approval was for the expansion of Dillard's. Mr. Lawson said it was for extension of the building and they haven't even told the Commission if it's going to be attached or not which affects traffic flow and loading and unloading, trash.

Board Action: Mr. Temming made a motion for case no. ZA2011-04 to be continued to the next scheduled meeting and if Mr. Birkenhauer wants a special meeting to be held ahead of the May meeting, the Commission is happy to do so. The motion was 2<sup>nd</sup> by Mr. Westfall.

Roll Call: Mr. Trajkovski – aye, Mr. Westfall – aye, Mr. Lawson – aye, Mr. Temming – aye, Mr. Taylor – aye.

#### NEW BUSINESS:

A. Motion to initiate a zone map amendment – Jonrose. Mr. Birkenhauer said the proposal is to change 23 parcels from R-7 Multi-Family to B-3 Commerce to provide for employment centers in the Township that could be a mixture of retail, office and light industrial uses. This area has suffered greatly from crime and absentee landlords. Mr. Birkenhauer cited the buildings scheduled for demolition in this location.

Mr. Trajkovski had no questions. Mr. Westfall said he understands the reasoning, but questioned why are they changing it to B-3 instead of PD-B. Mr. Westfall read the uses permitted in the B-3 district and Mr. Birkenhauer said from a business perspective, the Township would like to attract some of those uses in this area and he doesn't know if retail would be a viable use. Mr. Westfall inquired about the site on the bend and Mr. Birkenhauer said it's scheduled to be torn down. Mr. Temming asked which buildings are scheduled for demolition and Mr. Birkenhauer said they're located on the northeast side of Jonrose. Mr. Temming asked what is the goal to be achieved by this change. He said he doesn't think the area lends itself to residential, but concurs with Mr. Westfall in that he'd like to have some control over what goes there as opposed to a blanket B-3. Mr. Birkenhauer said he would defer to the Zoning Administrator's judgment. Mr. Taylor asked does the Commission have the authority to change the request from B-3 to PD-B. Mr. Birkenhauer said adjacent businesses may wish to expand and B-3 would make it consistent. Mr. Temming asked is there an urgency and Mr. Birkenhauer said yes. Mr. Temming said he doesn't think the Commission can say they don't want B-3, but prefer a PD-B and prefers that Mr. Milz to be present for discussion. Mr. Temming said they can deny this request and Mr. Milz can put it back on the docket at the next meeting and at that time let them know why he favors B-3. Mr. Taylor said if timeliness is a matter, this could be on the agenda if a special meeting is held for hhgregg.

Board Action: Mr. Temming made a motion to approve the changes to the zone map, 2<sup>nd</sup> by Mr. Westfall.

Roll Call: Mr. Trajkovski – aye, Mr. Westfall – nay, Mr. Lawson – nay, Mr. Temming – nay, Mr. Taylor – nay.

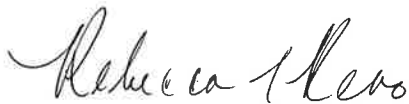
ADMINISTRATION: Mr. Westfall questioned the location of the dumpster on the south side of the building at Northgate Mall and Mr. Birkenhauer said this is where the Commission approved the dumpster to be located with the condition that the wall be constructed around it.

Mr. Taylor inquired about the status of the demolitions and Mr. Birkenhauer provided an update. Mr. Taylor inquired about the people who are supporting the demolitions and Mr. Birkenhauer said they are the surrounding businesses.

ANNOUNCEMENTS: Mr. Taylor inquired about the opening date for Cheddars and if the Veterans Memorial will be completed by that time. Mr. Birkenhauer said mid-July.

NEXT MEETING: May 21, 2013.

ADJOURNMENT: Motion to adjourn by Mr. Temming at 7:50 PM, 2<sup>nd</sup> by Mr. Westfall. Motion carried.



Respectfully submitted:  
Rebecca J. Reno, Staff Secretary



Accepted:  
Christopher R. Lawson, Chairman

