

COLERAIN TOWNSHIP ZONING COMMISSION

Regular Meeting

4200 Springdale Road - Cincinnati, OH 45251

Tuesday, September 16, 2014 - 7:00 p.m.

Meeting called to order at 7:00 p.m. Pledge of Allegiance.

Roll Call. Present: Mrs. Smith, Mr. Temming, Mr. Trajkovski, Mr. Westfall. Mr. Taylor was absent and Mr. Grote was seated.

Approval of Minutes: Motion by Mr. Temming to approve minutes of August 19, 2014 meeting subject to changes noted by Mrs. Smith, 2nd by Mrs. Smith. Motion carried.

Public Address: None.

Final Development Plan:

A. ZA2014-03 – Snow’s Lake Tavern, 4344 Dry Ridge.

Staff: The following staff findings were provided.

Landscaping:

- Applicant proposes the use of trees that are sized at 2” DBH where 2.5” is required.
- Applicant proposes 113 parking spaces where 90 are required. Per the zoning resolution, the applicant may provide 10% more parking than the proscribed number as of right (9 additional). The applicant may provide more parking, in this instance, than the maximum 99 stalls permitted but they would be required to provide a minimum of 20% landscaping coverage within the parking area and comply with the landscape island requirements. The site plan does currently show landscaped islands in keeping with the resolution and increased landscaping, specifically along the northern edge of the parking lot. Staff showed where parking islands are needed in lot.

Lighting:

- Maximum illumination on the site is 3.0 foot-candles where 1.0 foot-candles is the maximum permitted. However, the portion of the site that has an illumination of over 1.0 is a very small area.
- Maximum illumination at the property lines is ___ where 0.10 foot-candles is the maximum permitted.
- Cut-off lights are proposed at a height of 20’ where 24’ is permitted.

Signage:

- Approval of the Preliminary Development Plan was conditioned on the signage complying with Article 15 of the Zoning Resolution. No zoning certificate will be issued for signage in excess of the requirements in Article 15.

Parking:

- See parking related finding under landscaping above.
- The dimensions and location of the parking stalls and drive aisles is in keeping with the requirements found in the zoning resolution.

- Sidewalks: Applicant proposes a 4' sidewalk running the entire length of the street frontage and connected to the existing sidewalk east of the site.
- Impervious Surface Ratio: The proposed site has an ISR of 13% where the maximum ISR is 75%.
- Dumpsters: The dumpsters are appropriately located and properly screened.
- Architectural Design Standards: The architecture of the building meets the design standards in the zoning resolution.

Staff recommended approval subject to the following conditions and variances:

Conditions:

1. Additional landscaping shall be required on the northeastern portion of the parking lot due to the higher than permitted number of parking stalls on the property.

Variances:

1. Lighting - Lighting shall be allowed per the proposed plan.

Zoning Commission: Mr. Temming asked if there is a sidewalk on the opposite side of the street and Mr. Milz said he doesn't think so. Mr. Temming asked if the condition for additional landscaping is because of excess parking and Mr. Milz said yes. Mrs. Smith asked how many parking spaces are there and Mr. Milz said 113. Mrs. Smith asked what is the building capacity and Mr. Fehring said 243. Mr. Temming asked is the applicant agreeable to installing additional landscaping and irrigating the landscaping around the building and Mr. Fehring said yes, adding that they want the site to look nice too. Mr. Temming said he wants to assure that the lighting in the parking lot isn't offensive to the residential properties located in the area. Mr. Milz said that 1 footcandle is very dim and the hatched area on the landscape plan marks the illumination of 1 footcandle. Mr. Temming said it's a good plan. Mr. Grote had no questions. Mr. Trajkovski asked what will the dumpster enclosure be made of and Mr. Fehring said a cedar type fence. Mr. Milz said there are no material requirements in the Zoning Code for dumpster enclosures, but the Township's Property Maintenance Code will require that the enclosure be maintained. Mr. Westfall said they've done a great job and it's going to be a great site.

Board action: Motion by Mr. Temming to approve the Final Development Plan for Case ZA2014-03 as proposed with the following conditions:

1. Additional landscaping shall be required to satisfy the zoning administrator.
2. Lighting shall be allowed per proposed plan.
3. Landscaping located next to the building shall be irrigated.

The motion was 2nd by Mrs. Smith.

Roll call: Mrs. Smith – aye, Mr. Temming – aye, Mr. Trajkovski – aye, Mr. Grote – nay, Mr. Westfall – aye.

B. ZA2005-03 – TGI Friday's – Minor Amendment to FDP.

Staff: The request is for a restaurant on an undeveloped lot. The PDP and FDP were approved in 2005. There have been several site specific modifications to Stone Creek, most recently at the BWW/Shoppes of Stone Creek site. The proposed site is between Olive Garden and Logan's.

The following staff findings were provided.

Landscaping:

- Additional landscaped area is needed in the streetscape buffer area on the north side of the site similar to the landscaped area found to the north of the Quaker Steak and Lube site.
- Additional landscaped area is needed in the streetscape buffer area on the east side of the site.
- Two landscaped parking islands are needed on the parking row on the north side of the site. One promising location could be the area around the existing utility pole.
- An existing natural area/ stormwater detention area is being removed and put underground.

Lighting:

- Average illumination on the site is 1.7 footcandles where the maximum permitted is 2.0 footcandles.
- Cut-off lights are proposed at a height of 24' where 24' is permitted

Signage:

- Applicant proposes signage on all four elevations where only two elevations is permitted:
- North Elevation - 47 SF proposed where 65 SF would be permitted
- East Elevation - 47 SF proposed where 103 SF would be permitted
- West Elevation - 47 SF proposed where no signage would be permitted
- South Elevation - 33 SF proposed where no signage would be permitted
- No free-standing signage was proposed

Parking:

- Applicant proposes 108 parking spaces where 94 are required. Per the zoning resolution, the applicant may provide 10% more parking than the proscribed number as of right (9 additional). The applicant may provide more parking, in this instance, than the maximum 103 stalls permitted but they would be required to provide a minimum of 20% landscaping coverage within the parking area and comply with the landscape island requirements.
- It is unclear whether the application includes curbing on the eastern side of the site directly adjacent to the road going north of the roundabout. Curbing is required.
- Sidewalks/Trail: There is an existing 8' trail on the site that must be maintained.
- Impervious Surface Ratio: The proposed site has an ISR of 79% where the maximum ISR is 75%.
- Dumpsters: The dumpsters are appropriately located and properly screened.
- Architectural Design Standards: The architecture of the building meets the design standards in the zoning resolution.

Staff recommended approval subject to the following conditions and variances:

Conditions:

1. Additional landscaped area is needed in the streetscape buffer area on the north side of the site similar to the landscaped area found to the north of the Quaker Steak and Lube site.
2. Additional landscaped area is needed in the streetscape buffer area on the east side of the site.
3. Two landscaped parking islands are needed on the parking row on the north side of the site. One promising location could be the area around the existing utility pole.
4. The 8' walking trail must be shown on the FDP and maintained.
5. Continuous curbing is required around all landscape islands, roads and parking areas.

Variances:

1. Signage - Signage shall be permitted on the North, East and West elevations as proposed. No signage shall be permitted on the South elevation.
2. ISR - Impervious Surface Ratio shall be permitted to exceed the 75% requirement as shown on the approved Final Development Plan if the conditions listed above are met.
3. Parking - Parking shall be permitted to exceed the 103 stall maximum and 20% landscaping coverage if the conditions listed above are met.

Applicant: Mike Grever, Core Resources, General Contractor. Mr. Grever said with regards to providing additional landscaping on the north, the only restaurant that has it is Quaker Steak & Lube. He cited the steep slope in that area and said it would be very difficult to get any landscaping that is maintainable in that location, and he thinks that is why Olive Garden and Logan's didn't install any landscaping in that area. Regarding the landscape design on the east side, their plan is based on the approved FDP, but they'll work with staff to add additional landscaping. Craig Abercrombie, Civil Engineer. They recently completed the property survey and the walkway is south of their property. There is about 20 ft. from the parking lot to the right of way. Mr. Grever said regarding landscaping on the north side; they propose adding 1 island. They have 108 parking spaces now where corporate prefers over 130 and any space they give up for another island is one less parking space. Mr. Temming asked with 100 plus parking spaces is the loss of 1 space fatal and Mr. Grever said when you're under parking by 25 or so, 1 space can be an issue. He said Quaker Steak has the benefit of being next to an empty lot. Their goal is for their patrons to not have to park at the adjacent lots. Mr. Milz said there is an existing island that is not landscaped and Mr. Grever said they'll be happy to install landscaping in that island and create 1 new island. Mr. Grever said that continuous curbing is planned, but was not shown on the plan. They're asking that they be allowed to place signage on all 4 sides of the building; they're not maximizing the signage allowed. The wall signage is needed because of their location. Mr. Temming asked if they had to do without 1 of the signs, which would it be. Mr. Grever said ideally it would be the sign on the west side, but the franchise would make them eliminate the sign on the back because in most cases the back isn't useable, but because of the positioning of this building, that sign is needed. Mr. Milz said factors to support approving all of the signage requested is that there is no pylon sign and they are not maximizing what is permitted. Mr. Grever said that exterior elevations are set corporately.

Zoning Commission: Mrs. Smith asked if the trail will replace sidewalks and Mr. Grever said the walkway is already in place and not part of their plan. Mr. Milz said they will not be required to donate to the sidewalk fund because in lieu of each developer creating sidewalks, the original developer of the Stone Creek created the trail. Mr. Temming asked staff if this application should have come to them as a PDP. Mr. Milz said that each lot has gone through a minor modification application. Mr. Temming asked when are they planning to break ground and Mr. Grever said they were supposed to apply for permits tomorrow and added that they prefer not to have to come back with a revised plan. Mr. Grever said they will work with staff to satisfy all of the requirements. Mr. Milz said the Commission can approve the application with conditions and he will make sure that the conditions are all met and included in the FDP that will be recorded. Mr. Grote asked is irrigation a consideration in this proposal and said he doesn't think they should force it on the people, and that's why he didn't vote to approve the previous case. Mr. Trajkovski said the landscaping on the other restaurants at Stone Creek isn't irrigated. Mr. Grote asked what will happen to the existing restaurant and Mr. Grever said their lease is up and what happens to the site is up to the landlord. Mr. Abercrombie said the walking path is about 1 ft. from their property line. Mr. Trajkovski asked since Logan's and Olive Garden do not have landscaping on the slope, how can we enforce it for Fridays. Mr. Milz said

this site has an unfinished edge which is next to the roundabout. Mr. Trajkovski asked if, instead of landscaping, would they be permitted to plant 5 trees surrounded with allen-type blocks along the north parking area. Mr. Trajkovski asked if they are proposing to put any signage on the existing pylon sign and Mr. Grever said no because they don't have any rights to that sign. Mr. Trajkovski asked how many restaurants have signs on the south side and Mr Milz said all three. Mr. Trajkovski asked how do we say no to this applicant when the other restaurants have signs. Mr. Trajkovski asked if there will be a full curb on the unfinished site of the site. Mr. Grever said yes and with the curbing in place, there will all be turf which will give it a finished look. Mr. Westfall said the slope is very steep and he understands their dilemma, but would like to see it landscaped in some way.

Commission action: Mr. Temming made a motion to approve the minor amendment to the Final Development Plan for case ZA2005-03 as proposed with the following conditions:

1. Additional landscaping in the streetscape buffer on the east side shall be installed to the satisfaction of the zoning administrator.
2. One additional landscape parking island shall be installed on the north end of the parking lot to compensate for excess parking spaces.
3. The 8 ft. walking trail shall be shown on the FDP and not be encroached on and shall be maintained.
4. Continuous curbing is required around all landscape islands, roads and parking areas.
5. Additional landscaping shall be installed on the north side of the lot abutting I-275 to the satisfaction of the zoning administrator.
6. Signage shall be permitted on all 4 sides of the building as proposed.
7. The number of parking spaces shall be 107.
8. The Impervious Surface Ratio shall be permitted to exceed the 75% requirement as shown on the approved Final Development Plan if the conditions listed above are met.

The motion was 2nd by Mr. Grote.

Roll call: Mrs. Smith – aye, Mr. Grote – aye, Mr. Temming – aye, Mr. Trajkovski – aye, Mr. Westfall - aye.

Public Hearing: None.

Informal Concept Review:

- A. 6260 Colerain – Request zone change from R-6 Residential to Business.

Staff: The applicant has an existing daycare on Colerain Ave. and is purchasing the adjacent property and wants to use it as a daycare facility. All properties adjacent to the property are commercial, so this request makes sense.

Applicant: Rodney Allen. His wife wants to turn the property into a small daycare center. Mr. Temming said he thinks it's a good idea as there aren't a lot of preschool facilities on Colerain Ave., but doesn't think that a straight business zone would be approved because of the different types of businesses that could go in there if they decided not to have the preschool. Mr. Temming said a planned district business would probably work. Mr. Milz advised the applicant that he'll meet with him and his wife to discuss the application.

- B. 8647 Colerain – Minor Amendment to FDP (Parking Lot Expansion) Case 3-68.

Staff: Applicant is interested in locating their business at this location and since it's a planned district, they will need the Commission's approval to expand the parking lot. Before they proceed with the application, they'd like to get a sense for how the Commission feels.

Applicant: Craig Abercrombie, representing Right Away Automotive Credit. They're looking to purchase the property and they want to remove the canopy in front and extend the parking lot to the west. The area is grass and the proposed edge of pavement will be close to the existing tree line. Because of the small amount of pavement to be added, Hamilton County Storm Water Division has no issue with it. Since the property is zoned PD-B they have to receive approval from the Zoning Commission. The existing buffer will be preserved. Mr. Temming asked what is the business located south of the property and Mr. Abercrombie said Skyline. Mr. Temming asked how far is the closest house and it was pointed out. Mr. Temming questioned lighting and cited the parking lot that Joseph did on Poole Rd. and also JDByrider. He said in both cases, the lighting was only permitted to be 12 ft. in height, a shadowbox fence was required and there was no egress/ingress permitted. Mr. Westfall said there is a sizeable dense buffer between the site and the residences. Mrs. Smith asked if they have talked to any of the nearby property owners and he said they went to the neighbors and Steve Simon from Skyline and he has no objection if the lot is expanded. Mr. Grote asked will it be paved and he said yes. Mr. Trajkovski asked what are they doing with the building outside of removing the canopy and expressed concern about the development creeping into the residential district. The applicant said it is currently a car lot and they have no intention of tearing the building down and added that they are just leasing the building. Mr. Trajkovski asked why is the business called a credit business and the applicant said they specialize in helping people. Question was raised about the existing pylon sign and how long has it been empty. The owner of the property said since the end of June. Mr. Milz stated that if a non-conforming sign sits empty for 6 months, it becomes an abandoned sign and has to conform. Mr. Westfall said the Commission agrees that it's a good thing. Mr. Milz said the next step will be an application for a minor modification to a Final Development Plan.

Old Business: None.

New Business:

A. Motion for Taking Root Campaign.

Mr. Milz said this is an for an organization to plant trees. If the Commission agrees to support the campaign, he will make a recommendation to the Trustees. Mrs. Smith asked if there is a specific location and cited the issue with boar ash trees. Mr. Milz said boar ashes will not be planted. He said streets with mature trees adds value to the homes, and he'd like to start in neighborhoods where there are none. Mr. Trajkovski questioned the concrete islands on Colerain and asked if there's any way to keep the islands, but have them planted with streets. Mr. Milz said that he and Mr. Birkenhauer went to ODOT to discuss this and they laughed at the idea. Montgomery Road was cited since it's a state route and Mr. Milz said that Montgomery is a city. Mr. Milz said that the Township removed the bench signs in the Township, but they had to be put back. However, the bench signs are illegal and will be cited.

Mr. Temming made a motion for the Zoning Commission to support participation in the Taking Root Campaign, 2nd by Mrs. Smith.


Roll call: Mrs. Smith – aye, Mr. Grote – aye, Mr. Temming – aye, Mr. Trajkovski – aye, Mr. Westfall - aye.

Administration: Mr. Milz said the November Zoning Commission meeting has been rescheduled to Thursday, November 20, 2014.

Announcements: Mr. Milz said we're very happy to have Brian Spitzig back for his second co-op and he's doing an exceptional job.

Next Meeting: October 21, 2014.

Adjournment: Motion by Mrs. Smith to adjourn at 8:37 p.m., 2nd by Mr. Temming. Motion carried.



Respectfully submitted:

Rebecca J. Reno, Staff Secretary



Accepted:

J. Thomas Westfall, Chairman

