

**COLERAIN TOWNSHIP ZONING COMMISSION**

Regular Meeting

4200 Springdale Road - Cincinnati, OH 45251

**Tuesday, March 17, 2015 - 7:00 p.m.**

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

Roll Call. Present: Mr. Trajkovski, Mr. Westfall, Mrs. Smith. Mr. Grote and Mr. Fehring were seated.

Approval of Minutes: Motion by Mrs. Smith to approve minutes of February 17, 2015 meeting, 2<sup>nd</sup> by Mr. Trajkovski. Motion carried. Mr. Grote abstained from the vote because he was not in attendance at the meeting.

Public Address:

Jim Acton, Township Resident. Mr. Acton asked where the Zoning Commission meeting minutes are located on the website and Mr. Milz provided the location and said if he wanted to contact him, he'd help him locate them. Mr. Acton inquired about the Kroger Final Development Plan and Mr. Milz advised him that it was approved by the Zoning Commission on February 17, 2015. Mr. Acton commended Mr. Temming for his service to the Zoning Commission. Mr. Acton asked if applications could be uploaded to the website sooner than 2 days prior to meetings in order to allow residents more time to review plans and Mr. Milz advised him that is the Township policy. Mr. Acton noted the issue requiring developers to install irrigation and Mr. Westfall advised him that since the Zoning Code doesn't require irrigation, it will not be required.

Final Development Plan:

A. ZA2001-04 – Forevergreen – Request extension of Final Development Plan.

Mr. Milz said the case was originally approved in 2001 and again in 2014.

Tony Stephenson said they're asking for an extension of the Final Development Plan because they're concentrating on completing the other development first.

Board Action: Motion by Mr. Grote to grant a one year extension as requested for parcel 510-440-343, case ZA2001-04 Forevergreen, 2<sup>nd</sup> by Mr. Fehring.

Roll Call: Mr. Trajkovski – aye, Mr. Grote – aye, Mr. Fehring – aye, Mrs. Smith – aye, Mr. Westfall – nay.

Mr. Westfall said the reason for his vote is because of his concern over completion of the project.

B. ZA2014-09 – Chick-fil-A

Staff: Case history was provided. The final action was approval of the Preliminary Development Plan by the Trustees on February 24, 2015. Aerial image of the existing site was provided. The property is zoned PD-B. Staff provided the following findings:

#### Landscaping Plan:

##### Streetscape

-Due to the shape of the Right-of-Way, the applicant proposes an irregular streetscape buffer area along Colerain Avenue that meets the intent of the streetscape buffer requirement. On Mall Rd., the Trustees are permitting the applicant to make improvements within the ROW consistent with the landscaping requirements of the streetscape buffer area.

-Applicant proposes 7 trees on Colerain where 7 are required.

-Applicant proposes 3 trees on Mall where 5 are required.

-Applicant proposes 75 SF of landscaped area on Colerain where 265 SF is required

-Applicant proposes no landscaped area on Mall where 205 SF is required.

##### Lot Buffer

-Applicant proposes to landscape approximately 11% of the parking area where 15% is required.

-Applicant proposes two parking islands which are required to have at a minimum 1 tree and 2 shrubs. The parking island on mall road has no trees or shrubs. The parking island on Colerain has 7 shrubs.

-Applicant proposes a parking island on Colerain that is approximately 7.5' in width where 9 feet are required

##### Lighting Plan:

-Average illumination on the parking area is 1.8 fc where less than 2.0 fc is required.

-Applicant proposes 22' lights where 24' or less is required.

##### Parking:

-Applicant proposes 39 parking spaces (37 regular spaces and 2 accessible spaces). The zoning resolution proscribes 15 spaces per 1,000 SF of gross floor area or 69 spaces in this case. The applicant proposes that 30 of the required number of spaces to be designated as shared spaces.

-No shared parking agreement was submitted.

-The applicant proposes parking stalls with dimensions ranging from 9' by 16.5' and 9' by 18.5' where a minimum of 9' by 19' is required.

-The applicant proposes one 26' two-way drive aisle on the east side of the building and one 28.7' drive aisle on the north side of the building where a minimum of 24' is required.

-The applicant does not show the number of stacking spaces for the two drive-thru aisles. A minimum of 8 stacking spaces per lane are required.

Since the staff report was written, revised parking plans have been submitted.

##### Signage:

-The applicant proposes four wall signs where only two are permitted

-The applicant proposes that two of the wall signs be 7'1" in height where 4' is the maximum permitted.

-The site has an existing non-conforming freestanding sign which greatly exceeds the maximum signage for the site. Staff recommends making use of the existing sign and not permitting any new free standing signage.

- The applicant proposes one new 80 SF monument sign at a height of 15' on the site along Colerain Avenue where the maximum area permitted is 88.5 SF and the maximum height permitted is 15'.

##### Additional Considerations:

Impervious Surface Ratio - The site currently has an ISR of approximately 98%. The proposed site has an ISR of 82.4% where the maximum ISR is 75%.

Dumpsters - The dumpsters are appropriately located on the south-eastern corner of the site and are properly screened.

Architectural Design Standards:

- The zoning resolution requires that the building have 3-dimensional cornice treatments that extend at least 8" from the parapet facade plain.
- The zoning resolution requires that all roof-based mechanical equipment be screened from view with a parapet wall with cornice. It is not clear from the drawings that the mechanicals are appropriately screened.
- The applicant proposes 16.67% open space on the property which exceeds the required 15%
- The applicant provided a parking analysis of the larger site.

Staff recommended approval of the Final Development Plan subject to the following:

Conditions:

1. Applicant shall shorten the width of the drive aisle to not less than 24' to allow parking stalls to meet the minimum length of 19' per §13.4.3 (A) of the zoning resolution.
2. Applicant shall illustrate the required number of stacking spaces in the drive-thru aisles per §13.5.1 of the zoning resolution.
3. Any roof-based mechanical equipment that may be visible shall be screened from view per §12.11 of the zoning resolution
4. Wall signage on the north and west elevation shall not exceed 4' in height per §15.8.2 (D) (2) of the zoning resolution. Additional wall signage shall not be permitted.
5. Applicant shall obtain a revokable license from the Township to make landscaping improvements within the right-of-way per condition #4 of the PDP
6. Applicant shall update the landscaping plan to show 5 trees and 205 SF of Landscaped Area in the landscaped portion of Mall Rd.
7. Applicant shall update the landscaping plan to show 265 SF of landscaped area in the Streetscape Buffer Yard on Colerain Ave.
8. Applicant shall update the landscaping plan to show a minimum of 1 tree and 2 shrubs in each parking island
9. Applicant shall update the site plan to show parking islands with a minimum width of 9'
10. Applicant shall comply with the rules found in §13.4.7 (B) of the zoning resolution related to shared parking.
11. No additional freestanding signage shall be added to the site.

Variances:

1. Table 8-2 Business Site Development Standards - The applicant shall be permitted to have an Impervious Surface Ratio of 82.4%.
2. §14.6.1 - Minimum Landscaping Requirement for Parking Area - Applicant shall be permitted to install landscaping that covers 11% of the parking area.
3. §12.11.1 - Architectural Standards - Building shall be permitted as shown, so long as rooftop mechanicals are screened from view.

Applicant: Blair Carmosino, Woolpert, 4454 Idea Center Blvd., Dayton, Ohio. Regarding condition 1, they're asking the Commission to consider the drive aisles as proposed as the restaurant will be situated in an integrated site and the wider drive aisle will better accommodate patrons walking over the drive aisle and will leave space in the outdoor patio eating area. Condition 2 has been satisfied and a revised parking plan has been submitted. They are in compliance with condition 3 and have no problem with condition 5. Regarding condition 6, because of existing utilities, they're requesting that the number of trees be reduced. Doug Liening, said that because of information they received just today, the number of trees may have to be reduced to two. Mr. Carmosino said they'd like to have the ability to work with

staff as to the final number of trees required. Mr. Milz said he's comfortable with working with the applicant to maximize the landscaping in the streetscape as much as the existing utilities will allow. Mr. Carmosino said they can probably commit to five if they can move the streetscape to the east and Mr. Milz said that would be okay. Regarding condition 8, because of the overhead utilities, they'd like to eliminate 1 tree and landscape with shrubs. Their revised site meets the parking island width of 9 ft. per condition 9 and they have a shared parking agreement per condition 10. Regarding signage, they proposed 4 wall signs and 1 monument sign, however, they understand the Township's concern with eye litter and are willing to remove the monument sign completely. They ask that the Commission allow them to have wall signs on the north, west and south elevations, with the height of their logo as proposed in order to provide visibility. They will eliminate the proposed wall sign on the east elevation. Mrs. Smith inquired about lighting and if signs will be flashing. Mr. Carmosino said there will be no flashing signs and the streetscape lighting will be consistent with the rest of the Colerain Avenue corridor and on site lighting will be in compliance with the Code. Mr. Trajkovski said he agrees with the staff recommendations for the drive aisles. Mr. Trajkovski said they have a prominence on the corner, so he doesn't think they need 7 ft. signs and he'd like to see only 2 signs. Mr. Milz noted Aldi's 12 ft. sign which went before the BZA and said they took the setback into consideration when it was approved. Mr. Trajkovski asked if the louvers are screening the mechanicals and Mr. Carmosino yes. Mr. Grote asked about the notched area on the site plan and Mr. Carmosino said it is right of way. Mr. Milz said the right of way on Colerain Avenue is very irregular. Mr. Trajkovski asked that they not have any flags or other temporary signage not permitted and Mr. Carmosino said he will deliver that message to Chick-fil-A. Mr. Carmosino asked if they could mount the Chick-fil-A logo on the north and south sides of the building if they could reduce it to a 4 ft. sign and Mr. Trajkovski said he would not support that request.

Staff summarized the Commission's revisions to the conditions/variances as follows:

1. Shorten width of drive aisle by 2 ft and 18 ft. on east and 19 ft. on west.
6. The applicant shall update the streetscape on Mall Road to show five trees to be planted to the east of the site in as much as the existing utilities will allow.
8. Eliminate 1 tree and grant variance for that because the landscape island will site underneath a utility pole.

The signage will remain as listed in the staff report.

Mr. Trajkovski asked the owner of the site to about the trailer that is being parked on the lot. The owner said they've made many attempts, but haven't been able to locate the owner, however, the development of Chick-fil-A will solve that problem. Mr. Milz said the police are doing code enforcement and would be happy to get the truck out of the way. The owner of the site advised the Commission that Mall Road is full of utilities and they've lost Ash trees at the east end of the property.

Board Action: Motion by Mr. Trajkovski, to approve the Final Development Plan for Chick-fil-A subject to the revised conditions and variances, 2<sup>nd</sup> by Mr. Grote.

Roll Call: Mr. Trajkovski – aye, Mr. Grote – aye, Mr. Fehring – aye, Mrs. Smith – aye, Mr. Westfall – aye.

Public Hearing: None.

Informal Concept Review: None.

Old Business: None.

New Business: None.

Administration: Mr. Milz advised the Commission that the meeting next month is not on the normal schedule and will be held on April 28, 2015.

Announcements: None.

Next Meeting: Tuesday, April 28, 2015.

Adjournment: Motion by Mr. Grote to adjourn at 8:06 p.m., 2<sup>nd</sup> by Mrs. Smith. Motion carried.

---

Respectfully submitted:  
Rebecca J. Reno, Staff Secretary

---

Accepted:  
J. Thomas Westfall, Chairman