

**COLERAIN TOWNSHIP ZONING COMMISSION**

Regular Meeting

**Tuesday, September 20, 2016 - 6:00 p.m.**

Colerain Township Government Complex  
4200 Springdale Road - Cincinnati, OH 45251

Meeting called to order at 6:00 p.m.

Pledge of Allegiance.

Roll Call: Present: Mr. Fehring - aye, Mr. Westfall - aye, Mrs. Smith - aye, and Mr. Grote - aye. Mr. Taylor was absent.

Mr. Westfall tabled July 19, 2016 Meeting Minutes to the October 18, 2016 Meeting.

Public Address: None.

Final Development Plan:

A. ZA2014-09 - Chick-fil-A, 9470 Colerain Ave - Minor Modification to FDP.

Staff: This is a Minor Modification to the Chick-fil-A Final Development Plan that was approved on March 17, 2015. A Minor Modification was approved with three conditions on May 17, 2016, which was to address the circulation and parking concerns that were found on the site once the store opened in April of 2016. The proposal of this Minor Modification is to change the parking layout which changes the drive-thru layout and reduces the number of parking spaces, modification of location of lighting and landscaping due to the drive-thru change and three requests for signage modifications. This property is zoned Planned District-Business as are the surrounding properties. The applicant is proposing to remove the landscape island in order to accommodate a third drive-thru lane. This lane will eliminate all of the parking that is directly in front of the building to accommodate better circulation. Chick-fil-A has currently modified the drive-thru so that you enter the property on the south side rather than the north side due to the challenges they are still having with parking. The updated landscape plan shows no significant change to Colerain Township's required shade and ornamental trees but did see a loss in the perennial and annual color plantings. Staff has added a condition that those be added somewhere on the site.

Another part of this Modification request is for signage. The applicant is requesting a new monument sign to be added to the site, an existing logo sign to be replaced with a new sign, and an additional sign to be added on the south side of the building. At the time this development plan was approved the sign on the south side would not have been allowed according to Colerain Township's Zoning Resolution but since then a text amendment was passed that would now allow that additional sign since it faces and access drive. There was a condition on the approval of the Final Development Plan in March of 2015 that stated "that no additional freestanding signage be added to the site". There is a large non-conforming pole sign next to this site and at the time of the approval of this development plan it was assumed that Chick-fil-A would be allowed to add a tenant panel on this sign. The landlord of the property owns the sign and has denied the request of a tenant panel sign for Chick-fil-A to be added to the sign. Currently



Chick-fil-A has minimal signage and Staff would like to recommend approval with the condition that the monument sign not exceed 10 feet.

In regards to the parking arrangement, there has been an updated parking agreement from the landlord's agent that states that they are able to absorb as many parking spaces in order to accommodate Chick-fil-A since Chick-fil-A is requesting to reduce the amount of parking from 30 spaces to 20 spaces.

Staff would like to recommend **Approval** of the Minor Modification to an FDP with the following Conditions and Variances:

1. That the ground/monument sign be no more than ten feet in total height above grade, including the base of the structure.
2. That an updated landscape plan includes the replacement of 46 perennial/annual color plantings.
3. Variance from Section 8.3 Site Development Standards to accommodate for the increased Impervious Surface Ratio from 80.0 % to 81.9%.
4. Variance from Section 13.3 and Section 13.4.7 to provide for 20 total parking spaces on the site. The removal of 10 spaces is to be covered in the applicants shared parking agreement with the shopping center owner.

The Board asked Staff if the monument sign was something that staff could approve if this wasn't a Planned Development and Staff answered that Staff could have approved the monument sign but could not due to the condition placed on the Final Development Plan that was approved in March of 2015. The Board expressed concern regarding the existing pole sign and feels that there should have been an agreement in place that allowed Chick-fil-A to add a tenant panel to the sign. Staff told the Board that the ownership had changed and it was done quietly and some of the assumed agreements have gone away and since those agreements have gone away has left Chick-fil-A with hardly any signage.

Applicant: Marc Osborne, is the local franchise owner of this property. Mr. Osborne states that Chick-fil-A was responsible for all of the decisions that were made before he was handed the keys to the building. When Chick-fil-A presented the package to him he thought he was getting a monument sign and a tenant panel sign and is frustrated because he didn't get either of the signs that were presented to him. Mr. Osborne explained that he gets calls on a daily basis asking where his business is located due to the lack of signage. Mr. Osborne has reached out to the landlord about adding a tenant panel sign to the existing pole sign and the landlord did inform Mr. Osborne that he will never be allowed to add signage to that sign. Mr. Osborne is requesting signage and these modifications so that guests will know exactly where they are located and to stop the traffic incidents, which average 1-2 per day.

Board: The Board asked staff if they presented this proposal to the police department since they are the ones that end up responding to these incidents. Staff answered that plans do not usually go to the police department for review but after talking with Chief Denny in May of 2016 he was in support of any change that will help eliminate any traffic problems at this site.

The Board asked Mr. Osborne if he owned the property and/or the building. Mr. Osborne answered that he does not own the property and is the franchise owner that leases the property and that Chick-fil-A owns the building.

The Board stated that there are two light poles that need to be relocated and Mr. Osborne agreed that he would relocate both lights. The Board asked Staff if the letter for the shared parking agreement actually states that they would absorb the extra spaces and Staff agreed that it did. The Board also indicated that they feel wall signage will be more beneficial and more visible than a monument sign because of the other landscaping and signs in the area. The Board feels that applicant should add the maximum allowable signage. The applicant stated that the most requested sign by customers is the monument sign and feels that it is necessary to his business. The Board asked if the sign is an electronic message board and Mr. Osborne answered that it is not an electronic message board.

A Motion was made to Approve Case ZA2014-09 Minor Modification to a Final Development Plan with all the recommendations made by Staff with the exception of allowing a monument sign to be constructed by Mr. Grote, 2<sup>nd</sup> by Mr. Fehring.

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

Public Hearings: None.

Informal Concept Review: None.

Old Business: None.

New Business: None.

Administration: None.

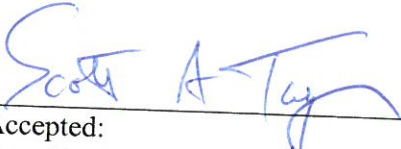
Announcements: None.

Next Meeting: October 18, 2016.

A Motion was made to adjourn the meeting at 6:50 p.m. by Mr. Fehring, 2<sup>nd</sup> by Mrs. Smith. Motion Carried.

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Respectfully submitted:  
Christina Hamilton  
Planning Administrative Specialist

  
Accepted:  
Scott Taylor, Chairman

