

COLERAIN TOWNSHIP ZONING COMMISSION

Regular Meeting Minutes

Tuesday, September 19, 2017 - 6:00 p.m.

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

Meeting called to order.

The Pledge of Allegiance was led by Mr. Westfall.

Roll Call: Mr. Fehring – Aye, Mr. Grote - Aye, and Mr. Westfall – aye.

Alternate Garret Pace was seated to take the place of Ms. Smith.

Also Present: Staff Jenna LeCount, Geoff Milz and Marty Kohler.

Minutes: A Motion was made by Mr. Grote and seconded by Mr. Fehring to approve the July 18, 2017 meeting as submitted. All were in favor. Motion Carried.

Public Address:

Bernie Fiedeldey said that the Final Development Plan for Kroger was issued two and a half years ago and has expired. The request from Kroger is for a one-year extension. He thinks that it is a conflict of interest for Ms. McBride to represent Kroger since she prepared the Zoning Resolution. He thinks that Zoning Commission does not have the authority to grant a time extension.

Stephanie Wright said that she objects to the time extension for Kroger. She obtained a copy of the zoning certificate that expired on 8-1-2017 and she would like to know what is going on. Why is the project delayed?

Greg Insko thanked the Zoning Commission for their service to the community and offered his services to the Commission.

Mr. Westfall commented that Kroger has made a significant investment in the real estate for the new store and is concerned that Kroger could close the current store and not locate a new store in Colerain.

Case ZA2011-04 – Cheddar's, 3633 Springdale Rd. – Signage

Ms. LeCount said that this is a minor modification to the Final Development Plan and is a part of Northgate Mall. The original plan was approved in 2011 with several out-lots. This is a 1.5 acre site with a previous approval of a sign package for the entire Northgate Mall property and the Cheddar's site. She showed other out-lot signs with dimensions. There are two freestanding signs on the Cheddar's site. The monument sign facing Springdale Road was granted a height of nine feet to compensate for grade issues. Ms. LeCount noted that the Colerain Avenue facing sign is not 10 feet from the right-of-way but could be replaced in its current location. The proposal is for the replacement of both freestanding signs with new signs that would be taller and larger than the existing. The wall signs are also proposed to be replaced.

Staff recommendation is as follows:

1. Denial of the Amended Final Development Plan as presented; and
2. Approval of the replacement of the sign cabinets for the monument signs not to exceed the existing sizes and retaining the existing stone structures and landscaping; and
3. Approval of the wall sign package for the replacement of the signs on the east and west sides of the building as submitted.

Mr. Fehring asked if the location of the sign facing Colerain was originally supposed to be 10 feet. Mr. Kohler said that a reduced setback was approved on the Final Development Plan for the current location of the sign and is about 3 feet. Ms. LeCount noted that a 10 foot setback would place the sign in the drive isle.

Tommy Reed with Atlantic Sign Company said that the Colerain frontage sign does not block traffic views. The sign package is being submitted at the request of the Cheddar's Corporation and he realized that Colerain Township would like to place limits on signs. He cannot give a good reason for the larger and taller signs except that this is what Cheddar's wants. As a sign contractor he is fine with replacing the cabinets and keeping the stone sign bases.

Mr. Grote noted that a letter has been received from Dick Semple objecting to the replacement of the monument signs. A copy of the letter was given to Mr. Reed.

A motion was made by Mr. Grote and seconded by Mr. Fehring to approve the sign replacements according to staff recommendations.

Roll Call: Mr. Fehring – Aye, Mr. Grote – Aye, Mr. Pace, Mr. Westfall – Aye. Motion passed.

Case ZA2014-07 – Kroger, 3618 Springdale Road, extension of Final Development Plan

Ms. LeCount said that this is a housekeeping item regarding the Kroger development which was originally approved as a Preliminary Plan in 2014 with a Final Development Plan approved in 2016. The Zoning Certificate and Final Development Plan expired in August of 2017 since the applicant has not obtained a Building Permit. The applicant is very close to receiving the

Building Permit so it is likely that demolition of the remaining buildings and construction of the new building could start yet this fall. Ms. LeCount briefly reviewed the approved Final Development Plan for the Zoning Commission. Staff recommendation is for a one year extension of the approval of the Final Development Plan.

Anne McBride representing Kroger said that there has been a delay in obtaining the Building Permit for the project due to the need of a water line extension which is being coordinated with Cincinnati Water Works. This is expected to be resolved within a week so that the building permit can be issued to allow for the demolition of the remaining buildings this fall.

Mr. Grote asked about the timing on the approvals for the project. Ms. LeCount said that the applicant submitted the request for the extension prior to the expiration of the previous approval.

A motion was made by Mr. Grote and seconded by Mr. Pace to approve a time extension for the Kroger Final Development Plan to expire September 19, 2018 in accordance with staff recommendation.

Roll Call: Mr. Fehring – Aye, Mr. Grote – Aye, Mr. Pace, Mr. Westfall – Aye. Motion passed.

ZA2017-03, 2499 and 2553 Banning Road Zoning Map Amendment

Ms. LeCount said that this amendment originated with the parcel at the corner of Banning Road and Pippin Road and was expanded at the encouragement of staff to include the funeral home in order to eliminate the non-conforming use. The proposal is to re-zone from R-6 to B-2. The property is about 4 ½ acres in size. She showed maps and aerial photos of the property noting surrounding zoning and land uses. The property borders North College Hill. The land use map shows this as mixed use transitional with attached or detached residential and low intensity offices. The applicant has submitted a site plan for a proposed office building for an upholstery business. The work for the business occurs off-site. This is not a Planned Development District so development plans are not a requirement. The proposed development should not require variances. There are some environmental considerations with the property which makes it financially prohibitive for development as single family residential.

Tom Abercrombie representing the property owner and developer of the 2499 Banning property said that the inclusion of the funeral home helps to eliminate the non-conformity and keeps this from being a “spot zone”. The developer purchased the property after it was on the market for a long time. There are possible environmental problems that prevents the property from being developed for residential purposes. The property in North College Hill to the east is zoned commercial and the property to the south is owned by Mercy Health with unknown future use. This proposed use is a good transition from commercial to residential.

Ms. LeCount noted that the Hamilton County Regional Planning Commission voted to recommend approval of this rezoning even though they usually prefer planned development districts.

Jeff Brockhaus said that he has been looking for a location for his business and found this property in a good location at a very good price. The property was listed as commercial but later found out that it was residential and had a former gas station on the property. He noted the plans for the office building and that he does not have customers at the location. The garage doors are to the back of the building with a residential look to the front. The property has been vacant for over forty years.

With no further people to speak in favor or against the re-zoning, a motion was made by Mr. Grote and seconded by Mr. Fehring to close the public hearing.

Roll Call: Mr. Fehring – Aye, Mr. Grote – Aye, Mr. Pace, Mr. Westfall – Aye. Motion passed.

A motion was made by Mr. Fehring and seconded by Mr. Pace to approve the rezoning from R-6 to B-2 as requested.

Roll Call: Mr. Fehring – Aye, Mr. Grote – Aye, Mr. Pace, Mr. Westfall – Aye. Motion passed.

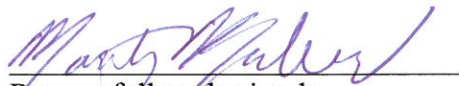
There were no representatives present to speak to the two informal concept reviews listed on the agenda.

Ms. LeCount announced that there are no applications for review at the October meeting so it will be cancelled.

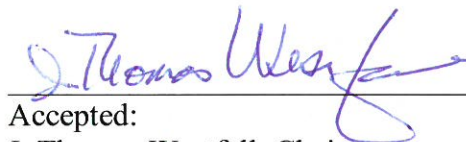
Mr. Grote said that Mr. Smith will be undergoing surgery tomorrow and that the family be kept in our thoughts and prayers.

The next meeting will be November 21, 2017.

A motion was made by Mr. Pace and seconded by Mr. Fehring to adjourn the meeting at 6:51. The motion passed unanimously.



Respectfully submitted:
Marty Kohler, Senior Planner



Accepted:
J. Thomas Westfall, Chairman