

March 14, 2016

Mr. Roger Friedmann – Chairman  
Mr. Rich Barrick – Vice-Chairman  
Mr. Tom Kronenberger – Member  
Ms. Anne Flanagan – Member  
Mr. Bill Mees – Secretary  
Mr. Steve Roos – Alternate

**Item 1. – Meeting called to Order**

Mr. Friedmann called the regular meeting of the Zoning Commission to order at 7:00 p.m. on Monday, March 14, 2016

**Item 2. – Roll Call of the Board**

Mr. Mees called the roll.

Members Present: Ms. Flanagan, Mr. Barrick, Mr. Friedmann, Mr. Kronenberger, Mr. Mees and Mr. Roos

Staff Present: Harry Holbert and Beth Gunderson

**Item 3. – Approval of Minutes**

Mr. Friedmann stated the first order of business was to approve the December 14, 2015 meeting minutes.

Mr. Friedmann asked for any corrections to the December 14, 2015 minutes.

Mr. Friedmann entertained a motion to approve the December 14, 2015 meeting minutes.

Ms. Flanagan moved to approve the December 14, 2015 meeting minutes.

Mr. Mees seconded.

All voted – yes.

**Item 4. – New Business**

2016-02P2  
Richard Tranter  
7906 Montgomery Road  
PUD II

Mr. Holbert presented the case and case history in a power point presentation. He noted the existing site is a vacant lot adjacent to McDonald's and the I-71 ramp. Mr. Holbert said the proposal involves installing new underground utilities, paving the lot, and constructing a 4,600 square feet retail building with parking spaces. Mr. Holbert showed the proposed elevations of the retail building stating that the building complies with the materials requirements for the Kenwood SPI Overlay District. He pointed out some discrepancies between the architectural plans and the sign plans.

Mr. Holbert then reviewed a list of conditions the Board should consider if they choose to approve the request. He stated the property would be permitted two signs as of right with a total area of 94 square feet. Mr. Holbert informed the Board that the property is adjacent to a gateway to the Township and

therefore additional buffering is recommended. He also said the applicant would have to follow the direction of ODOT for the installation of a fence along Montgomery Road and the I-71 south ramp.

The Board asked questions of Mr. Holbert.

Ms. Flanagan inquired about the staff report's mention of a clear sight triangle for the proposed free standing sign.

Mr. Holbert answered the sign is ten feet back from the right of way but must also allow a 20 feet sight triangle for drivers to see to pull out onto Montgomery Road.

Mr. Mees stated it looked like there was no proposed access to this property from Texas Roadhouse.

Mr. Holbert said that is correct.

Ms. Flanagan asked if the additional buffering would affect the ISR.

Mr. Holbert answered the ISR would only be affected if the applicant added landscape islands in the parking lot.

Mr. Barrick asked for clarification on the discrepancies between the conditions on the staff report versus the conditions in the power point presentation.

Mr. Holbert clarified the conditions.

Mr. Barrick commented it appeared the roof ladder was on the opposite side in the sign drawings than it was on the architectural plans.

Mr. Friedmann asked if the applicant was present and wished to speak.

Mr. Richard Tranter, applicant and attorney for the owner, of 255 E. Fifth Street, Cincinnati, OH 45202, and J.R. Anderson, of 3825 Edwards Road, Cincinnati, OH 45209, addressed the Board.

Mr. Tranter noted the applicant had worked hard to create an attractive site that works well with the McDonald's site and meets the building materials requirements. Mr. Anderson pointed out that the sign plans were submitted for reference and the architectural plans are correct.

Mr. Friedmann asked about the location of the dumpster and if it would interfere with access to the adjacent parking stalls.

Mr. Anderson said the lot was designed to allow for access to the stalls around the dumpster.

Mr. Holbert noted if the parking stalls adjacent to the dumpster were eliminated, the parking requirements would not be met. There was discussion about moving the building northward to accommodate the dumpster.

Mr. Scott Huber of Abercrombie & Associates, 3377 Compton Road, Suite 120, Cincinnati, OH 45251, the civil engineer for the project, addressed the Board. Mr. Huber said the building is setback 42 feet where a 40 feet setback is required. It could be shifted to the north to accommodate the dumpster and parking stalls but then would not meet the front yard setback.

Mr. Anderson noted they would comply with the building sign requirements set forth in the zoning resolution, the mechanicals would be screened and they would work with staff on the landscape plan.

Mr. Friedmann asked about the clear sight triangle.

Mr. Huber answered it would not be an issue and that he could add the dimensions to the drawings.

Mr. Friedmann asked if the loss of the parking stalls on the existing vacant parking lot on the site would impact McDonald's.

Mr. Tranter answered that it would not.

Mr. Friedmann asked if anyone from the public wished to comment. No response.

Mr. Friedmann closed the floor to comments from the public and the Board discussed the issues brought before them.

Mr. Mees moved to consider case 2016-02P2 with the 14 conditions listed in the power point presentation by staff:

1. Any lighting facing a residential district is to be shielded and approved by staff before final occupancy is awarded
2. An easement agreement between each property owner regarding ingress/egress to development parcel be provided to staff prior to the issuance of a Zoning Certificate
3. All mechanicals equipment to be screened from view
4. Unless otherwise noted, all aspects of the Sycamore Township Zoning Resolution be adhered to
5. If container type dumpster is used, no garbage removal before 7:00 a.m. or after 10:00 p.m.
6. Additional buffering (trees) required along I-71 property line per staff determination
7. Applicant to redesign parking lot to allow for proper access to dumpster enclosure and proper parking (shift bldg.)
8. Two (2) building sign be permitted with a square footage not to exceed a total of 94 square feet combined
9. The applicant at O.D.O.T. direction to install a new fence along Montgomery Road and I-71 South on ramp to meet Township Gateway fence selection guidelines
10. Proposed "Green Giant Arborvitae" facing I-71 on-ramp to be installed on a landscape mound
11. Install a minimum of six (6) additional trees to the boundary buffer between McDonald's and development
12. Boundary buffer between Texas Roadhouse and development be placed on development parcel verses Texas Roadhouse parcel or provide an easement agreement between owners regarding buffer to staff
13. A minimum of four (4) additional trees be added to the boundary buffer between Texas Roadhouse and development
14. No cell phone or other communication towers permitted on site

Mr. Barrick seconded.

Ms. Flanagan suggested the Board include a condition related to the front yard setback and moving the building to better accommodate the dumpster.

Mr. Friedmann agreed and moved to modify the original motion to include a 15<sup>th</sup> condition giving the applicant the option to move the building to the north a distance not to exceed seven feet to

accommodate the movement of the dumpster from the south property line to immediately adjacent to the building.

Mr. Barrick seconded.

Mr. Mees called roll.

Ms. Flanagan – AYE

Mr. Barrick – AYE

Mr. Friedmann – AYE

Mr. Kronenberger - AYE

Mr. Mees – AYE

2016-03P2

Curtis Bonekemper

7711 Montgomery Road

PUDII

Mr. Holbert presented the case and case history in a power point presentation. He noted the applicant proposes to open a gourmet hamburger restaurant in the existing 1,652 square feet building with no change to the building footprint. Mr. Holbert showed the existing conditions on the property and pointed out two areas of concern regarding parking stalls adjacent to Montgomery Road and on the corner of the site near Chetbert Drive. Mr. Holbert pointed out six conditions staff would recommend the Board consider should they decide to approve the proposal. He noted the location of the dumpster and that the mechanicals are screened on the submitted plans.

The Board asked questions of Mr. Holbert.

Ms. Flanagan asked if the additional landscaping would increase the ISR.

Mr. Holbert answered no.

Mr. Mees asked for clarification on the parking lot concerns noting it appeared a vehicle in the stall adjacent to Montgomery Road would have to pull out onto Montgomery to exit and a vehicle in the stall adjacent to Chetbert would have to back out onto Chetbert.

Mr. Holbert said that is correct.

The Board discussed with Mr. Holbert the conditions on the staff report versus the conditions listed in the power point presentation.

Mr. Friedmann asked if there was any issue with the number of parking stalls.

Mr. Holbert answered no.

Ms. Flanagan asked about the landscape plan and how it compared to the landscaping proposed for case 2015-25P2.

Mr. Holbert said the applicant was using the same drawings so the landscaping is the same as it was proposed in 2015-25P2.

Mr. Friedmann asked if the applicant was present and wished to speak.

Mr. Curtis Bonekemper, applicant, of 9391 McKinney Rd., Cincinnati, OH 45140, addressed the Board. Mr. Bonekemper said he has operated his business as a food truck using locally sourced and organic food. He said after five years in business it is time to take it to the next level. Mr. Bonekemper noted he is in agreement with the conditions on the staff report.

Mr. Friedmann asked how many employees would be on site.

Mr. Bonekemper answered at the peak time, there would be six employees. He stated that Skyline had agreed to allow them the use of four parking stalls for employee parking.

Mr. Friedmann asked if the food truck would still be in operation after the restaurant opens.

Mr. Bonekemper said he would still operate the food truck for private parties. He noted the truck is stored at his residence and would only be at the property in question for the purpose of loading and unloading.

Ms. Flanagan asked for the hours of operation for the proposed restaurant.

Mr. Bonekemper answered the restaurant would close at 9:00 or 10:00 p.m. weekdays and 11:00 p.m. on weekends.

Ms. Flanagan asked about delivery times and if the applicant would comply with the noise ordinance hours.

Mr. Bonekemper said deliveries would be in the mornings after 7:00 a.m.

Mr. Jason Williams, architect, of 6267 Glen Hollow, Hamilton, OH 45011, addressed the Board. Mr. Williams said the drawings submitted are the same as the drawings submitted for the last case for the property heard by the Board last year.

Mr. Friedmann asked if anyone from the public wished to comment. No response.

Mr. Friedmann closed the floor to comments from the public.

The Board discussed the issues brought before them.

Mr. Mees moved to consider case 2016-03P2 with the six conditions listed in the power point presentation by staff:

1. Landscaping as approved by staff.
2. Spot repair, seal and re-stripe parking lot.
3. Proposed first parking stall off Chetbert to be removed.
4. Proposed first parking stall off Montgomery Road to be used by staff only.
5. Any lighting facing residential district is to be shielded and approved by staff before final occupancy is awarded.
6. If container type dumpster is used, no garbage removal before 7:00 a.m. or after 10:00 p.m.

Mr. Mees added a seventh condition that the applicant's food truck may not be parked on the property overnight and may only be there for loading and unloading.

Mr. Kronenberger seconded.

Mr. Friedmann suggested adding an additional condition regarding the troublesome parking areas.

The Board discussed the parking stall issues and Mr. Friedmann decided to withdraw his suggestion.

Mr. Mees called roll.

Ms. Flanagan – AYE

Mr. Barrick – AYE

Mr. Friedmann – AYE

Mr. Kronenberger - AYE

Mr. Mees – AYE

**Item 5. – Trustees Report**

Mr. Holbert reported the Township is in the process of updating the land use plan and zoning resolution.

**Item 6. – Date of Next Meeting**

Mr. Friedmann noted the date of the next meeting is Monday, April 11, 2016.

**Item 7. – Adjournment**

Mr. Mees moved to adjourn.

Ms. Flanagan seconded.

All voted yes.

Meeting adjourned at 8:24 p.m.

Minutes Recorded by: Beth Gunderson  
Planning & Zoning Assistant