

February 13, 2017

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, February 13, 2017.

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 January 9, 2017 meeting minutes.

Mr. Friedmann asked for any corrections to the January 9, 2017 minutes.

Mr. Friedmann entertained a motion to approve the January 9, 2017 meeting minutes.

Ms. Flanagan moved to approve the January 9, 2017 meeting minutes.

Mr. Mees seconded.

All Voted: Yes.

Mr. Friedmann asked for a show of hands how many people were present for each case. Since the vast majority were there for Case 2017-03Z, Mr. Friedmann changed the order of the agenda so that Case 2017-03Z would be heard first.

Item 4. – New Business

2017-03Z
Stonecrest Senior Living
8760, 8784, 8800, 8810 and 8812 Montgomery Road
Zone Change

Mr. Holbert presented the case and case history in a Power Point presentation. Mr. Holbert described the proposed development which would be for a 75,605 SF senior living facility. He pointed out the surrounding zoning districts and described the site as it exists today. Mr. Holbert reviewed the zoning case history of the site beginning in 2006 all the way through to the proposed development presented in Case 2017-03Z. He reviewed the sizes of the buildings, impervious surface ratios and uses proposed previously, pointing out which cases were withdrawn or approved.

Mr. Holbert then showed the zoning map and the surrounding properties around the development noting most of them are residential. Mr. Holbert pointed out the church and school to the north of the property in question are institutional uses and as such are permitted as conditional uses in a residential district.

Mr. Holbert showed the proposed site and landscape plans and pointed out the detention basin and the area surrounding it where the applicant proposes to remove the existing buffer and replace it per code. He also noted there may be a retaining wall in the front yard but it is not shown on the plans and stated the engineers should be able to clarify this. Mr. Holbert reviewed in detail the topography of the site. He noted how this could affect how the elevation of the building will be viewed from the adjacent residences.

Mr. Holbert said the applicant's letter of intent discussed the commercialization of Montgomery Road. However, he noted part of the land use plan is small residential homes that have been converted to office use. Mr. Holbert showed photos of the properties in question as they exist today and of some of the homes and businesses nearby along Montgomery Road.

In closing, Mr. Holbert reviewed again briefly the case history and which cases were withdrawn or approved. He pointed out that the latest case approved by the Board of Trustees had a "no cut zone" condition.

The Board asked questions of Mr. Holbert.

Mr. Barrick asked about the staff report where it was noted on quite a few occasions that not enough information was submitted.

Mr. Holbert said he listed the sections of the code he reviewed and in some instances he cannot verify whether or not the development would meet the requirement because there is not enough information.

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

Mr. C. Francis Barrett, attorney with Barrett & Weber, representing the applicant and the individual property owners, 105 East Fourth Street, Suite 1201, Cincinnati, OH 45202, addressed the Board.

Mr. Barrett introduced those present for the applicant and property owners. He said the staff report indicates the project is high density because of the number of dwelling units. He argued that the facilities' rooms do not qualify as dwelling units per the Township's definition because there is a common kitchen and dining area. Therefore, it is a low density development.

Mr. Barrett said 44 parking spaces are required for the development and the plan proposes 56. He noted the FAR is .33, which is less than the previous zoning cases that were approved, and the proposed ISR is .37 which is low intensity.

Mr. Barrett pointed out the staff report indicates insufficient information. He stated the applicant had numerous inquiries to the Township asking if anything else was needed for the submittal and the Township never indicated anything was lacking. Mr. Barrett said a lot of information was left out in Mr. Holbert's review of the history of the previous cases for the property in question, noting in some cases, the FAR and ISR were greater than what is approved today. He also noted in some of those cases the buffers proposed were forty feet while their proposal includes a 50 feet

buffer. He repeated that the proposal is low intensity, not only because of the LASR and ISR, but also by its very nature as a senior living facility.

Mr. Barrett gave the Board materials from the Hamilton County Regional Planning Commission hearing in which that Board unanimously voted to recommend approval of the zone change. At that time Mr. Holbert spoke against the proposal, when previously he had indicated to the applicant that staff would remain neutral. Mr. Holbert indicated there were deficiencies in the buffer. Mr. Barrett noted in prior cases the Hamilton County Regional Planning Commission was unanimously against the developments.

Mr. Josh Shaw, the civil engineer for the project, of Kleingers, 6305 Centre Park Drive, West Chester, OH 45069 addressed the Board. Mr. Shaw said he had met with Mr. Holbert to review preliminary plans and Mr. Holbert did not say that he had any big concerns. Mr. Shaw said the building is 60-65 feet from the rear property line and the buffer they propose exceeds the amount of plantings required. He noted there is a second layer of buffer along the parking lot. Mr. Shaw talked about how they changed the plans in response to concerns expressed after the open house. He said he has a dumpster pad and enclosure detail he can give to the Board. He addressed concerns about mosquitos and explained what was changed about the detention plan to prevent that. He spoke about talking to surrounding property owners about the possibility of installing fences noting some wanted it and some do not. Mr. Shaw addressed concerns about the topography noting how the site drops off on the one side. He said he could do more grading if requested. He noted an error in the cross height in the revised set of plans noting 770 is the maximum height. Mr. Shaw also said he is working with the architect to try to get roof height down closer to something residents would be ok with.

Ms. Lynn Nischwitz, landscape architect, of Kleingers, 6305 Centre Park Drive, West Chester, OH 45069 addressed the Board in regards to the landscape plan. She noted what trees would remain and what new trees would be planted.

Mr. Shaw said minimal buffer would be removed noting there is an existing concrete pad near the proposed detention basin that will be removed allowing for more buffering than what is currently there. Mr. Shaw passed out information on the dumpster enclosure to the Board noting it is mason block with a stone veneer façade which would be very aesthetically pleasing and screened with plantings.

Mr. Bill Biermann, partner, Stonecrest Senior Living, said the generator would be run in the middle of the day. He said they want a peaceful environment for their residents and will negotiate trash pickup times with the adjacent neighbors on that. He spoke about how the plan has evolved in response to neighbor concerns.

Mr. Biermann said the kitchen would be in the center of the building and the kitchen hoods will be vented vertically.

Mr. Shaw explained the locations and height of the fences and retaining walls. He noted the developer is not opposed to going taller with the fence but have it at six feet now because that is the maximum height allowed per the zoning resolution.

Mr. Biermann said they are flexible on locations of the fence to appease neighbors.

Mr. Shaw noted the location of the large retaining wall which goes from about 15 feet to about zero because of the topography. He said it would be screened by landscaping. Mr. Shaw said there will not be a retaining wall in the front.

Mr. Shaw addressed the concerns raised in the staff report in regards to wheel stops in the parking lot. He also pointed out loading areas for deliveries.

Mr. Biermann said deliveries will be limited to certain approved hours so as not to cause a disturbance.

Ms. Nischwitz addressed the Board regarding landscape details. She pointed out she could add notes to the plans regarding the square feet of landscaping proposed to help staff with review. She also reviewed the proposed buffers along the property lines.

Mr. Shaw stated sheet L.10 shows the results of the tree survey noting there is more than the minimum required for zoning. Ms. Nischwitz said the landscape plan exceeds the requirements.

Mr. Shaw said one sign is shown on the plan and it will be moved to be ten feet from the right of way instead of ten feet from the edge of payment as shown. He said they may propose an additional sign but understand zoning approval from staff is required for signs.

Mr. Shaw pointed out the elevation renderings and what the rooflines would be compared to adjacent structures.

Mr. Shaw said storm water runoff will be less after detention than what exists currently.

Mr. Dan Theis, partner, Stonecrest Senior Living addressed the Board to tell them about his company. He said the company is headquartered in St. Louis, MO and the development will be a high end, luxury assisted living facility. He explained there are currently 700 beds available in the community with demand for 1,000.

Ms. Mary Hensel, owner of 8800 Montgomery Road, Sycamore Township, OH 45236, addressed Board. Ms. Hensel said she lived at that address for ten years and has rented out the house after her lifestyle changed and she had to move out. She noted the proposed development will only have two curb cuts on Montgomery Road which is less than what exists. Ms. Hensel spoke in favor of the development saying it would be nice and quiet.

Mr. Dennis Nemenz, one of the owners of 8760 Montgomery Road, Sycamore Township, OH 45236, addressed the Board. He said his property is the farthest to the south noting his family has owned it since 1941 and he grew up there. He said he and his brother inherited it from their parents and have been renting it out. He said the south side of the property is retail strip center and across the street is the Mercedes dealership. He noted withdrawals of the earlier zoning cases were because the projects were not economically feasible. He said if office doesn't work, and condos don't work, it doesn't make sense for the lot to remain single family residential, and if this project doesn't work, he doesn't know what will. His understanding is the key objectives are to develop all these lots together and to reduce curb cuts on Montgomery.

Mr. Friedmann asked about comments from ODOT that a variance request had to be submitted.

Mr. Shaw said he has not submitted a variance application to ODOT as yet because he is waiting on approvals from zoning. He said there is no current plan to widen Montgomery Road. He said they did do a turn lane analysis. He stated there are no roadway improvements necessary, the variance is required to have two curb cuts for one facility as suggested by Sycamore Township Fire Department. He noted they may make the northern entrance a right in/right out only access.

Mr. Friedmann asked if there was anyone present from the public who wished to comment on the case.

Ms. Joan Rebeck 8914 Appleknoll Lane, Sycamore Township, OH, 45236, addressed the Board saying she has been a resident since 1961. She asked if the residents of the senior facility will be able to come in and out or if it is more like a nursing home. She noted it is difficult to turn left onto Montgomery Road. She asked if there would be another traffic light.

Mr. Theis said less than 2% of the residents of the facility will have a car and most will not be driving even if they have a car.

Mr. Paul Wordeman, of 8801 Lyncris Dr., Sycamore Township, OH 45242, addressed the Board. He said he appreciates the applicants talking to neighbors. Mr. Wordeman said he has lived there 31 years. He spoke of concerns about topography and how that will make it hard to put up a barrier that will help screen the development.

Ms. Judy Wordeman of 8801 Lyncris Dr., Sycamore Township, OH 45242, addressed the Board saying she is concerned about buffering, noise etc. She said the building is too big and will be a detriment to her property value.

Mr. John Misali, of 8829 Lyncris Dr., Sycamore Township, OH 45242, addressed the Board expressing concerns about the size of the building, exhaust from the kitchen, noise from deliveries, the generator, 24 hour operation, lighting etc. He noted the previously approved PUD had a significant amount of conditions to protect adjacent residences.

Ms. Carol Rentschler, of 8899 Lyncris Dr., Sycamore Township, OH 45242, addressed the Board. She expressed concerns about employees parking in neighborhoods. She said she is also concerned about EMS runs saying there is not enough personnel to make runs to all the senior living facilities in the Township.

Ms. Judy Keller, of 8888 Sandymar Dr., Sycamore Township, OH 45242, addressed the Board. She agreed with Ms. Rentschler and asked who pays for additional EMS runs.

Mr. John Shoeny, of 8594 Concord Hills Circle, Sycamore Township, OH 45243, addressed the Board. He said he is worried about seeing light from windows in the building.

Mr. Steve Rentschler, of 8899 Lyncris Dr., Sycamore Township, OH 45242, addressed the Board. He reiterated concerns about EMS runs. He also said he is concerned about cars having difficulty turning left onto Montgomery, then turning right instead and cutting through All Saints Church parking lot to turn around. He noted it is a safety concern and is not what is needed in the neighborhood.

Mr. Michael Daun, of 8596 Concord Hills Circle, Cincinnati, OH 45243, addressed the Board. He expressed concern about the size of the building and view when trees are bare.

Mr. Biermann clarified the residents of Stonecrest Senior Living facilities do not drive and said that assisted living facilities have very light traffic use. He noted a huge proportion of the residents already live in this community. He said the facilities average 8 EMS calls per month. He also stated there would be zero spillage at property line.

Mr. Friedmann asked if the applicant had considered moving the generator.

Mr. Biermann said his understanding is it would be very hard to move.

Mr. Friedmann asked if that was an engineering problem or expense problem.

Mr. Shaw said it is a voltage problem but he can look at options.

Mr. Biermann said he is amenable to moving it and will if they can.

Mr. Friedmann asked how many employees the facility would have.

Mr. Biermann said at peak shift there would be 25 employees, noting there will be three shifts with overlap.

Ms. Flanagan asked if the facility would have transport vehicles for field trips.

Mr. Biermann answered yes saying they will have one 12 person van and a Lincoln Towne car.

Ms. Flanagan asked if other developments they have are similar.

Mr. Biermann said this would be the shortest, most are 3-4 stories.

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

Mr. Barrick commented that, although the applicants had verbally described remedies for issues addressed in the staff report, without anything on paper it is difficult for the Board to vote on it.

Mr. Friedmann agreed, stating the Board has to go on what was submitted.

Mr. Barrick made a motion to consider Case 2017-03Z.

Mr. Mees seconded.

Mr. Mees said he has a number of concerns noting the topography makes the site challenging and the proposed project is so large it will have a huge impact on the neighborhood.

Ms. Flanagan said when looking at the zoning case history of the site, it seems instead of going in a better direction, this massive structure would not be a good transition from residential to commercial.

Mr. Kronenberger said when he looks at the code and first general standard when considering a PUD, he knows the applicant spent a lot of time clarifying how close it is to zoning requirements. He said it is the other standards that concern him: Consistency with the land use plan - some previously approved proposals show what township objectives are; Compatibility - when this many residents come out clearly the residents are telling the Board that this is not compatible with the neighborhood. Mr. Kronenberger said the rendering is deceiving when it comes to how the size will be perceived by surrounding properties.

Mr. Barrick echoed Mr. Kronenberger's comments and agreed the mass of the building is an impact on adjacent properties. He said he doesn't necessarily have an issue with the use.

Mr. Friedmann agreed saying the Board needs more detail to make an informed decision. He said the Township has struggled for years to find something that works on this property. He stated the proposal is a well-developed plan but he is concerned about height and closeness to the residential properties to the east. Mr. Friedmann said he would be interested to know what ODOT really thinks about the traffic impact and if a traffic control device would be needed. He said it is a safety concern when it comes to people pulling in and out. He said he would prefer to have more time to review the information. He noted obviously it is a well thought out development and the applicant has spent a lot of time on the plan.

Mr. Barrett requested a continuance to allow time to respond to comments from the hearing.

Mr. Kronenberger said he would prefer not to continue the case and take the residents through all of this again because the major part of the plan is not under discussion to be changed.

Mr. Rob Butler, attorney for Sycamore Township, said it is up to the Board whether to accept a continuance request.

Mr. Barrick withdrew his motion to consider as approved.

Mr. Friedmann made a motion to continue the case.

Mr. Mees seconded.

Mr. Mees called roll:

Ms. Flanagan – No
Mr. Barrick – No
Mr. Friedmann - Yes
Mr. Kronenberger – No
Mr. Mees - No

Mr. Barrick made a motion to consider Case 2017-03Z.

Mr. Kronenberger seconded.

Ms. Flanagan – Nea
Mr. Barrick – Nea
Mr. Friedmann - Abstain
Mr. Kronenberger – Nea
Mr. Mees - Nea

Mr. Friedmann said the case will be heard by the Board of Trustees March 2, 2017 at a time to be determined.

Item 5. – Old Business

2016-14MA – Continued from 12/12/2016
The Camden Group, LLC
Parcel ID 600-0210-0870-00
Major Adjustment to a PUD

Mr. Holbert presented the case and case history in a Power Point presentation. Mr. Holbert stated the applicant had submitted revised plans since the last hearing in December, 2016. He

noted the applicant submitted more detailed drawings. He said the proposal is for a mixed use building including residential, retail and office uses. Mr. Holbert showed some surrounding properties noting the size of the buildings and parking information. He noted which ones were approved by the Township and what was approved by Hamilton County.

Mr. Holbert showed a photo of the building constructed after the approval for phase one of this development. He noted the previous approval was for two 17,900 square feet office buildings but only phase one was constructed. This proposal is a modification request for phase two.

Mr. Holbert pointed out the development would have 87 parking stalls, a 52,880 square feet, three story building and an underground garage. He noted since the property is on a corner, it has two front yards and must have the front yard setback on both sides. He noted the parking stalls do not meet the requirements of the zoning resolution in the parking garage.

Mr. Holbert showed the proposed floor plans for the office and retail on the first floor and the residential second and third floors. He said the roof plan indicates that the mechanicals will all be hidden from view. He noted the building has three stories and is approximately 40 feet in height at the peak. Because the topography slopes away, the south elevation looks like three to four stories and a peak height of 40 to 52 feet. He said the east elevation viewed from Frolic Dr. would appear to be four stories with a 52 feet peak height and the west elevation would be three story and a 40 feet peak height.

Mr. Holbert pointed out a photo of adjacent properties as viewed from the site in question.

The Board asked questions of Mr. Holbert.

Mr. Mees asked what the length of the proposed building would be versus what was previously approved.

Mr. Holbert deferred to applicant.

Mr. Mees asked about a traffic report and if Frolic Drive would be included in the report.

Mr. Holbert answered Frolic Drive could be included.

Mr. Kronenberger asked what the building would look like from the residential properties to the rear.

Mr. Holbert said there would be landscaping in the back that would mirror what was put in next door in phase one.

Mr. Kronenberger said in the original proposal there was no residential use. He said this building has balconies that could have people on them looking down into existing houses.

Mr. Holbert showed a photo to the Board of the rear of the phase one building.

Ms. Flanagan asked if there was anything else submitted in response to the staff report comments regarding lighting.

Mr. Holbert said the applicant did not have a lot of time to resubmit anything in response to the staff report noting lighting issues could be rectified with shielding.

Ms. Flanagan asked if the wheel stop issue was the only problem with the parking stalls in the garage.

Mr. Holbert answered the stalls do not have enough depth.

Mr. Kronenberger asked if all the parking spots in the garage were too small.

Mr. Holbert said none meet the requirements.

Mr. Barrick asked if there is a retail use proposed.

Mr. Holbert deferred to the applicant, but said he thinks the applicant wants to be open to any tenant, retail or office.

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

Mr. Richard Paolo, attorney for Camden Group, of 425 Walnut St., Suite 2200, Cincinnati, OH 45202, addressed the Board. Mr. Paolo introduced those present who were involved in the project. He then showed renderings on display on tripods for the Board noting the proposal is for a three story building. He said this is a major modification to a previously approved plan. The plan is first floor office, second and third floor residential condominiums. The first floor would be small office condos. Mr. Paolo said it would be a benefit to the community to bring a residential use along Galbraith Road with small office uses. He said it would bring a nice sense of community and walkability.

Mr. Paolo said the building has a mansard roof noting they calculated the roof height per the zoning resolution which is 35 feet and in compliance with the underlying "O" Office District zoning except along Frolic Drive where it measures 47 feet. He said the entire building average is 37.5 feet. Mr. Paolo said they could try to lower the height on the Frolic side to be in compliance, noting the applicant wants to make the development right and is willing to give and take to make it so.

Mr. Paolo said the building is residential in character. The parking for the office portion will all be off Galbraith Road, and the parking for the residential floors will be underneath in the garage. He said Camden has met with the neighbors who have expressed concerns and that Camden has offered to put in additional landscaping in response to those concerns. Mr. Paolo showed on the 3D rendering how the building blends in with its surroundings and transitions from office to the high intensity hospital.

Mr. Paolo spoke about the residential style and materials used. He said there will be small balconies off the residential floors. Mr. Paolo noted the FAR on the staff report included the garage which is not a living area so he would argue the FAR is significantly less. He said lighting will be the same as what was previously approved. He noted some points where the lighting exceeds foot candles permitted but said the applicant will be able to bring that into compliance.

Mr. Doug Smith, engineer McGill Smith Punshon, 3700 Park 42 Drive, Suite 190B, Cincinnati, OH 45241, addressed the Board about the setback on the dumpster. He distributed revised plans with the setback to the dumpster noted to the Board and staff. He said sheet C100 notes 56.5 feet from the right of way on Galbraith Road therefore the setback is compliant. Mr. Smith said there is also an updated dumpster detail that matches what was approved in phase one but will match the building materials used in the new building.

Mr. Smith said the garage is below grade so the proposal includes a wall extending about 15 feet into the setback on Frolic Drive to accommodate the grading. He asked the Board to consider allowing the wall within the setback but also submitted an option to change that to be in compliance with the zoning resolution. He noted that option would be a less attractive view from Frolic Drive.

Mr. Paolo said there is no modification to the fencing from what was previously approved.

Mr. Smith spoke about the landscape plan, noting it will include the exact same buffering on the south side that was approved the first time. He said the landscape plans are virtually identical.

Mr. Smith talked about the parking lot noting the code says the stalls may be reduced to 16.5 feet if there is a continuous curb and wheel stops would not be required. He said the previous case approved a five feet setback from Galbraith Road and five feet is the proposed setback in this plan as well. Mr. Smith noted they really tried to take what was approved before in regards to ISR, landscape, parking etc. and keep it the same.

Mr. Andrew Schaub, of Architects Plus, 1100 Sycamore St., Cincinnati, OH 45202, addressed the Board in regards to the parking garage. He said he does think the parking stalls meet the code and there will be wheel stops, noting only the two stalls on the end would be for compact cars.

Mr. Mees asked what the width of the building would be.

Mr. Schaub answered the width of the building is 62 feet outside to outside and the length will be 216 feet while the old plan was 145 feet.

Mr. Smith talked about the interior landscaping noting there would only be two interior landscape islands which exceed the requirement of 10 feet X 10 feet.

Mr. Paolo said the lights will be shielded.

Mr. Smith said the west boundary did not have landscaping in the original plan between phase one and two therefore this plan does not show that. The streetscape buffer along Galbraith Road and Frolic Drive has a requirement of 11 trees, with 13 proposed, and 93 shrubs with 113 proposed. He pointed out again this exceeds the requirement and that there would be more landscape material in phase two than in phase one of the development.

Mr. Dutch Cambuzzi, the applicant, of The Camden Group, 4565 E. Galbraith Road, Cincinnati, OH 45236, addressed the Board. Mr. Cambuzzi said his team has tried to advance what was originally approved for phase two and modify it because of changes in the marketplace. He said the look of the project is residential. The offices will be boutique, small, neighborhood type services. He said he thinks there is a need for the residential option where people can walk to places like the hospital and mall.

Mr. Kronenberger asked the access to the building.

Mr. Paolo said there will be a dedicated elevator from the garage to the residences.

Mr. Schaub said there is a residential entrance on the first floor for guests to come into the building too. He pointed out this would be accessed from the surface parking on the north elevation.

Mr. Kronenberger asked if anyone from the office floor could access the residential floors.

Mr. Schaub said there will be a keypad for entry.

Mr. Kronenberger asked about the concrete walkway in the back.

Mr. Schaub said the walkway would allow for limited access to the back of the building for businesses.

Mr. Daley said the dumpster has moved so maybe better to connect the walkway on the other side closer to the adjacent office building.

Mr. Kronenberger said the walkway is a concern because it drives foot traffic towards Frolic Dr.

Mr. Cambuzzi said that sidewalk can be eliminated.

Mr. Kronenberger asked about the landscaping along the back and asked for clarification on the location of the fence.

Mr. Cambuzzi said the fence is six feet privacy plus two feet of lattice with landscaping on the south side of the fence which would be the neighbors' side of the fence.

Mr. Kronenberger asked if the fence would be in line with other fence on the phase one.

Mr. Holbert answered no.

Mr. Kronenberger asked if the fences will be connected.

Mr. Holbert answered yes there will be a jog to connect them.

Mr. Kronenberger asked how the height of this building compares to the original approval.

Mr. Smith answered the building that was approved previously was 35 feet. This building is 37.5 average height.

Mr. Cambuzzi added they could make it closer to the approved height if they raise the grade using retaining walls.

Mr. Barrick asked the height difference if one stood at the front door.

Mr. Holbert said there is a three feet higher mean roof height. Mr. Holbert said he gave the peak height in his presentation so the Board could see what the residents will see.

Mr. Kronenberger said he is more concerned with the perception of the residents as far as height of the building. He asked how the height of the proposed building could be so close to that of the previously approved building when one was two stories and the other is three stories.

Mr. Schaub answered the height of residential areas is not a high as office.

Mr. Cambuzzi said the mansard roof could be eliminated to meet code but is more attractive than a flat roof, noting that it looks more residential and hides mechanicals.

Mr. Barrick asked if the parking stalls are 18 feet.

Mr. Holbert said the code doesn't differentiate between a compact stall and a regular stall. He commented if the Board is ok with it they can approve it as a variance.

Mr. Barrick asked about the five feet landscape berm with no wheel stop at the front of the property.

Mr. Holbert answered because there is no wheel stop, the car bumper would be in the landscaping.

Mr. Cambuzzi said he has flexibility about parking and could possibly move parking back towards the building and still allow for plantings by the building.

Mr. Smith said there are ways to work with staff that would allow for plantings and adequate overhang for cars on the north side as well.

Mr. Friedmann asked if there was anyone present from the public who wished to comment on the case.

Ms. Jean Bresnen, of 4687 Happiness Way, Sycamore Township, OH 45236, addressed the Board. She said the proposal is a pretty nice looking building but too big. She said she is worried there are not enough parking spaces for residents and visitors. She said she is against an egress on Frolic because there is already enough traffic on Frolic Drive. She said cars should all come out on Galbraith Road.

Ms. Carol Martini, of 8098 Merrymaker Ln., Sycamore Township, OH 45236, addressed the Board saying she lives directly behind the proposed development. She is opposed to the size of the building saying it is beautiful but too big for the area. Ms. Martini said she is not fond of balconies and people looking down into their family room and bedroom. She said she is against having any retail. She stated the curb cut on Frolic Drive is questionable. She said she doesn't understand why all property in Kenwood is going commercial and wondered if the Township benefits financially if a property is commercial instead of residential. She said she has lived there 55 years.

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

Mr. Barrick said he did not see retail on the application form perhaps just in the letter.

Mr. Holbert said all part of the application.

Mr. Kronenberger said the revised submittal was a much better proposal than the original presented in December noting there is much better execution of a transitional use. He said the issue is the building is too tall and too many square feet. He would like to see it scaled back to be more in line with the size of the building previously approved.

Mr. Friedmann commented he agrees with Mr. Kronenberger the building is too large and too far off from the size that was originally approved. He said he finds it troubling that the applicant

