

March 8, 2023

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

Item 1. – Special Meeting called to Order

Mr. Friedmann called the special meeting of the Zoning Commission to order at 6:00 p.m. on Wednesday, March 8, 2023.

Item 2. – Roll Call of the Board

Mr. Mees called the roll.

Members Present: Mr. Friedmann, Mr. Mees, Ms. Flanagan, Mr. Roos, and Mr. Swanson
Members Absent: Mr. Barrick
Staff Present: Jeff Uckotter and Kevin Clark

Item 3. – Approval of January 9, 2023 and February 13, 2023 Meeting Minutes

Mr. Swanson made a motion, seconded by Mr. Roos, to approve the January 9, 2023, Zoning Commission Meeting Minutes.

Mr. Friedmann called roll.

Mr. Swanson- Aye
Mr. Friedmann – Aye
Mr. Roos - Aye
Mr. Mees – Aye
Ms. Flanagan – Abstained

Mr. Swanson made a motion, seconded by Mr. Roos, to approve the February 13, 2023, Zoning Commission Meeting Minutes. Mr. Friedmann called roll. Vote: All Aye.

Item 4. – Old Business: Request for eventual motion for dismissal without prejudice

Case: 2022-18Z

Applicant: Capital Investment Group

Location: 11604 & 11680 Grooms Rd., 6529, 6711 & 6963 E. Kemper Rd.

Request: Zone Change

Mr. Uckotter requested a motion to occur at some point in the meeting for the dismissal of Case 2022-18Z without prejudice due to a notification error (the motion occurred at the end of the meeting).

Item 4. – New Business

Case: 2023-02Z

Applicant: Capital Investment Group

Location: 11604 & 11680 Grooms Rd., 6529, 6711 & 6963 E. Kemper Rd.

Request: Zone Change

Mr. Uckotter presented the case and case history via the staff report. Mr. Uckotter explained the request by Capital Investment Group is for a zone change from “F” – Light Industrial District to “DD” - Planned Multi-Family District with an S-PUD. As for the subject property, he explained there are various vacant parcels involved in the request and noted the parcel numbers. He reported on the history of the site and reviewed surrounding areas. Mr. Uckotter went on to describe the characteristics of the site. He stated the applicant is proposing a well-landscaped, high-density residential use with a total of nine detached multi-family housing facilities. He reported the buildings are three to four stories with a maximum height of 54 feet and there are a total of 392 units proposed. Mr. Uckotter reviewed the dwelling units per acre, unit size range, materials used proposed signs, and amenities.

Mr. Uckotter stated the Land Use Plan calls for office in this location but noted there is a threat of annexation due to the location of the subject property – the subject property is at the confluence of other municipal borders: Sharonville and Blue Ash. Therefore, he said it would be advantageous to consider the residential use.

He said the building materials are high quality and provided detail on other aspects of the construction. Mr. Uckotter reviewed staff-recommended conditions regarding connectivity and the width of the sidewalks. He also reviewed the parking plan, noting the plan is technically deficient but meets modern industry standards and therefore has been determined to be sufficient by staff. Mr. Uckotter then discussed accessory structures, the photometric plan, signs, landscaping, and comments on the project from outside agencies.

Mr. Uckotter read a summary of planning, zoning, and site arrangement considerations and stated staff recommends approval of Case 2023-02Z with the following conditions:

1. The Grooms Road concrete sidewalk and the sidewalk connecting phase 1 and phase 2 shall be five-feet-wide. A note shall be added that all other sidewalks in the development must be at least four-feet-wide.
2. Staff recommends a condition that all four clubhouse elevations are shown on Sheet A301.
3. Staff recommends a condition that no items other than untarped and operable vehicles (motorcycles, sedans, SUVs, Trucks) shall be stored under the carport; further, that items other than untarped and operable vehicles are not permitted to be stored outside unless properly stored in one of the nine designated garages.
4. Staff recommends a condition to require the developer to use a real brick base on the base of the monument signs instead of the proposed stucco.
5. Staff recommends a condition to require the implementation of applicable fire department comments.

Mr. Uckotter also reviewed possible conditions noted in Skylor Miller’s notes for the previous case which may be considered by the Board.

The Board asked questions of Mr. Uckotter. In response, Mr. Uckotter discussed the sidewalks, carports, and the sign plan including sign sizes and locations in more detail.

Ms. Flanagan asked if the Township had received any comments from the public on the case.

Mr. Uckotter reported there was a public open house for the project on Monday, March 6, 2023. He stated Mr. Fusaro was present and it is his understanding there was one resident concerned about impacts on wildlife.

Ms. Flanagan asked if there was any area on the site that could accommodate additional parking spaces. She noted if the density were reduced, perhaps the need for the 37 parking spaces would also be reduced.

Mr. Uckotter answered he does not think there is space for additional parking. He expressed doubt as to whether the parking required by the Zoning Resolution is necessary based on modern 2023 trends and deferred to the applicant to discuss modern industry standards for parking. He reported the code requires one and a half spaces per one-bedroom unit and two spaces per two-bedroom unit.

Mr. Swanson reviewed the list of variances that would be necessary to approve the plan including density, rear yard setback, parking, and building elevation. He asked if any of those had changed since the plan was first presented months ago.

Mr. Uckotter answered they had not changed. He noted an S-PUD allows for flexibility.

Mr. Friedmann asked if the building signs would be illuminated and if that would be any concerns from ODOT about them.

Mr. Uckotter said we could check with ODOT but noted the signs would be static, so he was not concerned about any issue.

Mr. Roos asked Mr. Uckotter to review the dumpster locations.

Mr. Friedmann invited the applicant to address the Board.

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

Mr. Gregg Fusaro, the applicant of CIG Communities, 6745 Kenwood Road, addressed the Board. Mr. Fusaro responded to the parking plan questions noting most of the units are studio or one-bedroom, so the actual parking requirements are a lot less than most zoning codes still require. He said they plan for 1.5 spaces per unit in most of their developments today without issue.

Mr. Fusaro stated the majority of the buildings are three stories. He said the residents that came to the open house said they would like to see phase two be a brewery. He said lighting on the signs would be minimal so as not to disturb residents. Mr. Fusaro reviewed the trash compactors and dumpsters proposed.

The Board asked questions of Mr. Fusaro.

Ms. Flanagan asked if there was any room for additional parking spots.

Mr. Friedmann asked about the size of the parking stalls and if he had investigated increasing them to 19 feet stalls. He also asked about the number of parking spaces, stating he believes the number proposed currently is different than it was previously.

Mr. Fusaro answered the questions about parking stating adjustments could be made later if parking is a problem which he does not anticipate. He reviewed the size of the stalls and discussed enhancements to the plan, which resulted in the difference in the number of parking stalls proposed.

Mr. Friedmann asked Mr. Uckotter if a unit count had been done.

Mr. Uckotter answered yes, stating the proposal includes 200 one-bedroom units, 74 two-bedroom units, and 26 three-bedroom units in phase one. He said in phase two; there is an overcount of parking by one space and includes 23 one-bedroom units, 43 two-bedroom units, and 14 three-bedroom units.

Mr. Friedmann asked Mr. Fusaro about the letter from MSD, which states that pumped building sewers will likely be required.

Mr. Fusaro answered that is not accurate and that new information was now available. Mr. Fusaro noted that they met with MSD, and it has been determined that 75 units are going into the existing lift station, and the rest of the project can use gravity sewers. He said he has a letter from MSD to that effect.

Mr. Friedmann requested a copy of the updated MSD letter. He also asked about the five feet width of the sidewalk along Grooms Road.

Mr. Fusaro said he did not have a problem with that.

Mr. Friedmann asked if anyone else wished to comment on the case. No response.

Ms. Flanagan suggested a condition stating the signs may not have any moving lights or messages.

Mr. Friedmann entertained a motion for dismissal of Case 2022-18Z without prejudice.

Mr. Mees made a motion, seconded by Ms. Flanagan to dismiss Case 2022-18Z without prejudice. Mr. Friedman called roll. Vote: All Aye.

Ms. Flanagan made a motion, seconded by Mr. Mees, to recommend approval of the zone change request in Case 2023-02Z subject to the following ten conditions:

1. A condition that the Grooms Road concrete sidewalk and the sidewalk connecting phase 1 and phase 2 shall be five-feet-wide. A note shall be added that all other sidewalks in the development must be at least four feet wide.
2. A condition that all four clubhouse elevations are shown on Sheet A301.
3. A condition that no items other than untarped and operable vehicles (motorcycles, sedans, SUVs, Trucks) shall be stored under the carport; further, that items other than untarped and operable vehicles are not permitted to be stored outside unless properly stored in one of the nine designated garages.
4. A condition to require the developer to use a real brick base (e.g., the type of brick material used on the clubhouse) on the base of the monument signs instead of the proposed stucco.
5. A condition to require the implementation of applicable fire department comments.

6. The site shall not be utilized for further telecommunication towers in the future. In addition, if the current tower on site is voluntarily removed, it does not constitute an entitlement to a legal non-conformance.
7. The Site shall not be used for off-site advertising signs (billboards) in the future.
8. The pool gate latching height shall conform to the standard specified in the Sycamore Township Property Maintenance Code.
9. A condition requiring the furnishing of MSD correspondence noting that a lift-station is NOT required.
10. A condition requiring that all proposed signage on site shall not have any flashing or moving light components; the illumination shall be static.

Ms. Flanagan stated she is concerned about the density and the parking space shortage and said she would like to see closer compliance with the parking.

Mr. Mees called roll.

Ms. Flanagan – Aye
Mr. Swanson - Aye
Mr. Friedmann – Aye
Mr. Roos - Aye
Mr. Mees – Aye

Mr. Friedmann noted the case would be heard by the Trustees. Mr. Uckotter stated that the hearing would be on March 21st at 5:30 p.m.

Item 6. – Township Report

Mr. Uckotter reported the dentist case the Zoning Commission heard in February was approved by the Board of Trustees. He reported the Board of Zoning Appeals would hear Conditional Use requests from Moeller High School for a building addition and from CHCA for proposed changes in their sports fields and construction of a stadium. Mr. Uckotter stated the Planning & Zoning Department has been busy and noted a discount furniture store has applied to occupy the former Toys R Us space at Kenwood Square.

Mr. Friedmann stated the next meeting is Monday, April 10, 2023.

Item 6. – Adjournment

Mr. Mees moved to adjourn. Mr. Roos seconded. Mr. Friedmann called for a vote. All voted yes.

The special meeting adjourned at 6:46 p.m.
03/08/2023 Special meeting minutes recorded by Beth Gunderson