

**Meeting Minutes
Sycamore Township Zoning Commission
Township Administration Building
8540 Kenwood Road
Tuesday, October 10, 2023
6:00 p.m.**

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. – Meeting called to Order

Mr. Friedmann called the meeting of the Zoning Commission to order at 6:00 p.m. on Tuesday, October 10, 2023.

Item 2. – Roll Call of the Board

Mr. Mees called the roll.

Members Present: Ms. Flanagan, Mr. Friedmann, Mr. Roos, Mr. Mees

Members Absent: Mr. Barrick, Mr. Swanson

Staff Present: Jeff Uckotter, Kevin Clark, Jon Ragan

Item 3. – Approval of September 11, 2023, Meeting Minutes

Mr. Friedmann asked if there was a motion to approve the September 11, 2023, meeting minutes.

Mr. Mees made a motion to approve the September 11, 2023, minutes.

Ms. Flanagan seconded the motion.

All in favor, none opposed.

Item 4. – Old Business

None.

Item 5. -New Business

Case: 2023-12MA

Applicant: Robert Lucke Group, Inc.

Location: 11501 Northlake Drive

Request: Major adjustment to a PUD

Mr. Uckotter presented the case, noting that the proposal is a requested change of use with a proposed addition of a daycare-Lightbridge Academy, amending the original case 2022-15P2.

Mr. Uckotter mentions the main elements for consideration in this case.

- 1.) The proposed change in use.
- 2.) The parking count.
- 3.) The outdoor playground space.

Mr. Uckotter explained how a daycare use was not originally approved in case 2022-15P2. Lightbridge Academy proposes to have 23 employees and up to 180 children. In the original proposal 20 employees and 160 children were proposed. Mr. Uckotter mentions the proposed site arrangement changes such as a reduction in the number of parking spaces (seven spots). He noted that with the loss of the seven (7) spaces the parking count is still sufficient for the complex and daycare.

Mr. Uckotter mentioned the 3,800-square-foot outdoor play area and how a six (6) foot privacy fence is proposed to enclose the area. He mentions the neighboring March First Brewery, noting the operation of the business is much like a restaurant or banquet hall (family-friendly). Mr. Uckotter stated that the applicant proposed to amend the landscaping plan to screen the outdoor play area.

Mr. Uckotter stated that the Sycamore Township Zoning Resolution Chapter 10, section 8.1, requires a daycare receiving state certification to have 100 square feet of outdoor play space per child, exclusive of driveways, off-street parking, service areas, and required yards. It is noted that the Ohio Administrative Code Rule 5101:2-12-11 requires at least 60 square feet of outdoor play space per child. Mr. Uckotter stated that Lightbridge Academy proposes a maximum of fifty-six (56) children to use the outdoor play space at any given time. Mr. Uckotter noted that the fifty-six (56) student-to-3,800 square-feet ratio would be sufficient to meet the Ohio Administrative Code. However, this ratio would be insufficient to meet the Sycamore Township Zoning Resolution.

Mr. Uckotter reviewed the staff analysis. Mr. Uckotter stated that the proposed use of the daycare would be harmonious with Northlake Commons as well as the surrounding area. Mr. Uckotter stated that for the daycare to meet parking requirements, there would need to be a cap of 180 students, 23 staff members, and no daycare vehicles. Mr. Uckotter then spoke on the playground requirements. He stated that Lightbridge Academy's proposal of fifty-six (56) students requires 5,600 square feet of outdoor play space per the Sycamore Township Zoning Resolution. A number of fifty-six (56) students with 3,800 square feet of

playground would meet the Ohio Administrative Code, but not the Sycamore Township Resolution. Mr. Uckotter expressed that in the event the developer wanted to expand the outdoor playground, it is feasible. With an expansion, Mr. Uckotter noted a parking concern from the developer regarding one (1) parking spot right next to the fence line. The concern being that the spot would be difficult to get in and out of with a vehicle. He noted that the proposal has the removal of that one (1) parking spot as well as the removal of seven (7) parking spaces directly behind the building. Mr. Uckotter noted that a planting strip would be proposed by staff between the parking lot and playground. Mr. Uckotter stated that staff recommends the approval of the Major Adjustment to the PUD-2 with the following six (6) conditions (listed on page five (5)).

Ms. Flanagan asked about the provision by Sycamore Township that requires one hundred (100) square feet, questioning if this specifically mentions daycares and not schools.

Mr. Uckotter stated that was correct.

Ms. Flanagan asked what time the neighboring brewery March First opens.

Mr. Uckotter stated that they are open from 11:30 a.m. to various times of 10 p.m., 11 p.m., or midnight, depending on the day.

Mr. Mees asks why the Sycamore Township resolution is more stringent than the Ohio Administrative Code.

Mr. Uckotter explained that this regulation has been in the Sycamore Township Zoning Resolution from the beginning, and that is what was agreed upon at the time in the year 2000.

Mr. Mees asked about the proposed restaurant use from the original case 2022-15P2, asking if that was approved where it currently shows "future out parcel" on the site plan. Mr. Mees asked about parking for that restaurant.

Mr. Uckotter stated that was correct and that there are at least thirty-five (35) parking spaces. Mr. Uckotter noted that the restaurant out parcel is under planning by the developer for a later date and mutually exclusive to this present case.

Mr. Uckotter noted that he is not concerned about parking for the site considering the proposed office use for the other buildings.

Mr. Mees asked if the applicant has made a proposal regarding the playground size vs. parking situation.

Mr. Uckotter noted that he has been working with the applicant and would like to present a proposal to solidify the playground size to the Township Trustees after Zoning Commission review.

Ms. Flanagan asked if another alternative would be to decrease the number of students outside in the play area at any given time.

Mr. Uckotter noted theoretically, yes. However, long term, this proposal sets a precedence for a future manager or new tenant.

Mr. Friedmann asked if anyone was present on behalf of the applicant, asking that they step up to the podium and state their name and affiliation.

Scott Lucke, the owner of Robert Lucke Group, Inc. (8825 Chappel Square Dr. Cincinnati OH) introduced himself from the podium. Mr. Lucke noted that the original plan (ZC case 2022-15P2) proposed office, medical, and potentially light retail. However, Lightbridge Academy proposed a daycare facility, and he has been working with them in hopes of avail. Mr. Lucke noted that Robert Lucke Group, Inc. prefers to over park their developments, which in return helps sell developments. Mr. Lucke stated that his concern with expanding outdoor space is the assurance that it is properly buffered via landscaping. He noted that working with Mr. Uckotter is essential regarding landscaping for the site.

Mr. Friedmann asked Mr. Lucke what his position was on the proposed expansion of the outdoor space.

Mr. Lucke noted that he is open to the outdoor expansion and would like the flexibility to work with Lightbridge Academy based on what is allowed by code and what the applicant would like to do.

Jon Vincent, the franchisee for Lightbridge Academy (113 Walnut Glen Dr, Wilmington OH) introduced himself from the podium. Mr. Vincent noted that Lightbridge does not anticipate fifty-six (56) students being outside at one time, however Lightbridge does want to ensure all bases are covered in the event that something changes in the future.

Ms. Flanagan asked Mr. Vincent if the fifty-six (56) number could be decreased.

Mr. Vincent noted that thirty-eight (38) students are listed on the proposed playground schedule as shown.

Mr. Uckotter noted that from a staff perspective, the goal is to provide the Trustees with a Zoning Commission recommendation of whether 60 square feet per student is sufficient, or whether the Zoning Commission would seek a number closer to the 100 square feet standard.

Ms. Flanagan moved that the Board consider case 2023-12MA with the six (6) conditions listed on the staff report.

Mr. Roos seconded the motion.

Mr. Friedmann asked if there was any discussion.

Ms. Flanagan noted that she feels the Board should stick closer to one hundred (100) sf per student, rather than sixty (60) sf per student. Noting the fact that the Township indicated the one hundred (100) sf criteria, and there is no hardship present in this case.

Mr. Mees notes that the Board should settle on (X) amount of square footage per child as a recommendation to the Township Trustees.

Mr. Friedmann stated that his recommendation in reference to recommendation number three (3) is that the outdoor play area shall be capped at fifty-six (56) students, provided that the outdoor area is expanded by 1,836 sf.

Mr. Mees noted that the Boards recommendation could be that one hundred (100) sf per child is required.

Mr. Uckotter notes that capping the number of children, then the minimum amount of space per kid would be beneficial for any future case.

The correlation between recommendations three (3) and (5) was discussed.

Ms. Flanagan moves to amend her prior motion to consider case 2023-12MA with the six (6) conditions, with conditions three (3) and five (5) amended as described.

Approved conditions as follows:

- 1) All conditions of the 2022-15P2 case shall remain in full force and effect unless amended in this case.
- 2) Influenced by parking minimum requirements, the daycare facility that operates via this plan shall be capped at 180 children and 23 staff members. Daycare transportation is NOT permitted to house daycare transportation vehicles (e.g., vans, vehicles or busses) at the subject property.
- 3) The outdoor play area shall be capped at 56 children/students outside at the outdoor play area at any given time, provided the outdoor play area is expanded to at least 5,600 square feet.
- 4) If it is decided to require an expansion of the outdoor play area further (which would remove parking spaces in the direction of building 3), the landscape plan shall be amended to show the planting strip (on the inside of the curb), running along the outdoor play area fence lines, prior to the approval of the Zoning Compliance Plan.
- 5) If it is decided not to expand the outdoor play area and maintain the size of the play area as is, staff recommends the removal of the parking space next to the outdoor play area privacy fencing (see page 2). Staff also recommends that the landscape plan be amended to show, in the area of the deleted parking space, a planting strip of at least five feet wide, running along the fence line on the inside of the curb, prior to the approval of the Zoning Compliance Plan. In this event, the outdoor play area shall be capped at 38 children/students outside at the outdoor play area at any given time, provided the outdoor play area is at least 3,800 square feet.
- 6) All subject property landscaping shall be maintained in healthy condition per the approved landscape plan.

Mr. Mees seconded the motion.

Mr. Friedmann asked if there was any further discussion.

Mr. Mees called roll.

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

Mr. Friedmann asked when this case would go to the Trustees.

Mr. Uckotter stated November 01, 2023, at a TBD time.

Case: 2023-13MA
Applicant: Lemons & Limes Boutique, LLC
Location: 7292 Kenwood Road
Request: Major adjustment to a PUD

Mr. Uckotter presented the case noting that the request is a major adjustment to the PUD-2, most recently updated in case 2013-04MA. Mr. Uckotter explained how Lemons & Limes Boutique, LLC seeks a major adjustment to change the use of the PUD from a salon to the primary use of a retail boutique. Mr. Uckotter reviewed the history of the site (located in the SPI District). He then reviewed the staff analysis from the staff report, noting that the applicant does seek to reserve the right to acquire a liquor license.

Mr. Uckotter noted that staff recommends approval of the Major Adjustment to the PUD-2 with the following conditions:

- 1) If applicable, all conditions of the 2013-04MA case shall remain in full force and effect unless amended in this case.
- 2) The landscape plan of this case shall supersede the landscape plan shown in the 2013-04MA case. The proposed landscaping plan shall be installed within 60 days of the decision date of this case.
- 3) All private social events shall be limited to 12 guests/patrons.
- 4) All parking related to this use shall be contained to the subject property.
- 5) Unless modified in this case, all signage must conform to the Sycamore Township Zoning Resolution Chapter 13 E – Retail standard.
- 6) No signage is permitted on the rear or side of the building. All wall signage must be on the Kenwood Road elevation of the building.
- 7) Related to use in the context of this PUD-2, if in the future Lemons & Limes were to vacate this space, and a new user was to propose a new use, if the use were not a similar business – a boutique that generally sells products such as textile fabric products, glassware, jewelry, household décor, children's accessory products, and kitchenware (See attachment A), a

separate major adjustment case would be required. For example, if disparate uses such as, but not limited to: a gym, a salon, a small grocery store, a pet store, a convenience store, or a vape shop were to be proposed, a major adjustment case would be required.

8) No telecommunication towers are permitted on this site.

Mr. Uckotter reviewed the proposed landscape plan for the site.

Mr. Friedmann asked if there were any questions for Mr. Uckotter. There were none.

Mr. Friedmann asked if the applicant could please step up to the podium and introduce themselves.

Ms. Sophia Holley (1 E Fourth St. Suite 1400, Cincinnati OH 45202) legal counsel for the applicant Lemons & Limes Boutique, LLC introduced herself from the podium. Ms. Holley stated that she was joined by the owner Ms. Wendy Knight, Ms. Wendys husband Doug, her daughter Lauren, and the director of operations Ms. Tricia Libby.

Ms. Holley noted that she echoes Mr. Uckotter's comments regarding the modification of the PUD-2. Ms. Holley stated that she feels Lemons & Limes Boutique, LLC would be positive for the community. Ms. Holly explained that the applicant is agreeable to the restriction on the number of patrons (12 guests/people).

Ms. Knight thanked the staff and the Board for their time and attention stating that she grew up near Kenwood Road and appreciates the opportunity to have a business located in the Kenwood area. Ms. Knight noted that they employ all local staff and have a record of being good community members at their other locations.

Mr. Friedmann asked Ms. Knight if she had any issues with the recommendations listed in the staff report. Ms. Knight stated that she did not have any issues with the recommendations.

Mr. Friedmann asked if anyone would like to make a motion.

Mr. Roos moved to consider case 2023-13MA, along with the eight (8) staff recommendations.

Mr. Mees seconded the motion.

Mr. Mees called roll:

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

Mr. Friedmann noted that case 2023-13MA also goes to the Sycamore Township Board of Trustees on November 01, 2023, at a TBD time.

Item 6. – Township Report

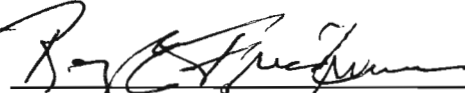
Mr. Friedmann asked Mr. Uckotter if there was anything to report from the Trustees. Mr. Uckotter reported some of the updated conditions for the prior case 2023-06MA. Mr. Friedmann noted that the next meeting scheduled is Monday, November 13, 2023. Mr. Uckotter noted that there are no current submittals.

Item 7. – Adjournment

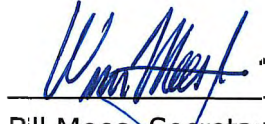
Mr. Mees moved to adjourn. Ms. Flanagan seconded. Mr. Friedmann called for a vote. All voted yes.

The meeting adjourned at 6:55 p.m.

10/10/2023 Meeting minutes recorded by Jon Ragan

 12/11/23

Roger Friedmann, Chairman Date

 12/11/23

Bill Mees, Secretary Date