

## RECORD OF PROCEEDINGS

### Minutes of the Public Hearing of the Trustees of Sycamore Township Sycamore Township, Hamilton County, Ohio

June 6, 2019

The Public Hearing for Zoning Case 2019-05P2 was called to order at 6:00 p.m. by Mr. Weidman.

Mr. Holbert presented the case in a PowerPoint presentation. He stated the request is a PUDII approval for 8608 Blue Ash Road. He stated the applicant proposes retail use for the first floor and residential use for the second floor. Mr. Holbert said the existing non-conforming building would remain in the same location with the applicant proposing to add parking stalls and landscaping. He pointed out the owner would need an easement agreement with the adjacent property owner in order to access the proposed rear parking lot. Mr. Holbert then reviewed the landscape plan and comments the Hamilton County Engineer had regarding the project. He went on to review existing and proposed conditions on the property.

He stated Zoning Commission recommended approval of the project with conditions. He reviewed Zoning Commission's recommended conditions and went on to list 15 conditions that staff recommends should the Board decide to approve the PUDII:

1. The plan must comply with the three written comments from Hamilton County Engineer's Office dated 05/08/19.
2. An easement with the adjacent property owner must be obtained to use the existing eastern buffer or a buffer provided by the owner that conforms to the current Zoning Resolution.
3. An easement with the adjacent property owner to the south must be obtained in order to provide access to the rear parking lot.
4. A directional sign to be installed stating, "Parking in the rear".
5. A variance is granted for the proposed ISR and existing building setbacks.
6. Building exterior to be painted.
7. No cell towers or sub-station permitted.
8. Tenant use be limited to proposed parking. If proposed tenant requires additional parking, owner to submit application to the Board of Trustees for consideration of new tenant.
9. Landscaping requirements of 12-6.2, 12-6.3 and 12-6.3(a) to be met.
10. Boundary Buffer relief to be granted along North and South property lines.
11. Residential dumpsters use only. If new commercial tenant requires a dumpster size of 3 yards or more, a dumpster enclosure compliant with the Zoning Resolution to be installed.
12. All existing and proposed lighting to comply with the current Zoning Resolution.
13. A legal survey of property to be provided with zoning certificate application.
14. Front parking lot to be repaired and sealed or replaced.
15. Existing/illegal wood fence in front yard to be removed.

The Board members asked questions of Mr. Holbert.

Mr. Weidman asked the applicant to speak.

Ms. Tiffany Davis, the property owner, 4680 Cooper Road, Blue Ash, OH 45242 and Mr. Paul Shirley, the architect and applicant, Pelican Studio, 10449 Gateway Drive, Cincinnati, OH 45242, addressed the Board.

Mr. Shirley stated in regards to staff recommended condition number six, that the exterior of the building be painted, the owner would prefer to dress up the building with awnings. He noted the brick is in fairly clean condition and with new windows installed it will look better. Mr. Shirley went on to address the reasons for the proposed parking lot layout. He noted the fence is owned by the adjacent neighbor. Mr. Shirley stated they do not know the exact number of parking spaces that will be required, because it would depend on what kind of retail tenant occupies the first floor.

Mr. Weidman asked if the applicant or owner had spoken to the adjacent neighbor about an access easement to the rear parking area.

Ms. Davis said she has not yet spoken to the adjacent owner regarding an easement.

There was discussion regarding what kind of retail use may occupy the space and if it could be a bar.

Mr. LaBarbara asked questions about the residential unit and the property owner answered.

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

Mr. J. Janus, Jr., 4462 Daffodil Avenue, Sycamore Township, OH 45242, addressed the Board stating he is opposed to the use of the building as a bar. He then asked if that is permitted in the "E" Retail District and if alcohol could be consumed outside.

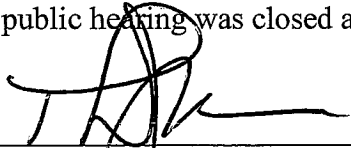
Mr. Weidman said a liquor license would be necessary.

Mr. Holbert explained how that is regulated.

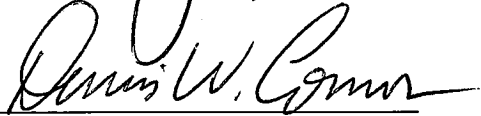
Mr. Janus asked if condition number six, that the building be painted, is a zoning requirement when a building changes ownership. He also asked about the location of handicapped parking.

Mr. Holbert answered condition number six is a staff recommendation not a requirement and pointed out the location of the handicapped parking and ramp.

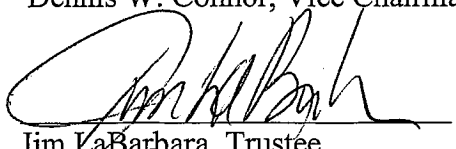
The public hearing was closed at 6:30 p.m.



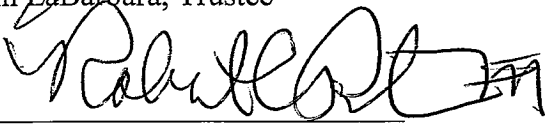
Thomas J. Weidman, Chairman



Dennis W. Connor, Vice Chairman



Jim LaBarbara, Trustee



Robert C. Porter III, Fiscal Officer

RECORD OF PROCEEDINGS

Minutes of the Public Hearing of the Trustees of Sycamore Township  
Sycamore Township, Hamilton County, Ohio

June 6, 2019

The Public Hearing for Zoning Case 2019-07MA was called to order at 6:30 p.m. by Mr. Weidman.

Mr. Holbert presented the case in a PowerPoint presentation. He stated the request is for a major adjustment to a PUD at 7800 Montgomery Road to allow for a façade renovation and building signage on the former Toys R Us space for a potential new tenant. Mr. Holbert reviewed the existing conditions on the site. He also showed the existing and proposed elevations. Mr. Holbert noted some of the conditions for the previous zone change for the property noting the applicant is asking for relief from condition number eight which states the tenant space is permitted signage in accordance with Chapter 13 of the Zoning Resolution. He noted the Zoning Commission recommended approval of the request as submitted.

Mr. Connor asked for confirmation that the applicant's request is for 300 square feet of building signage. Mr. Holbert answered that is correct.

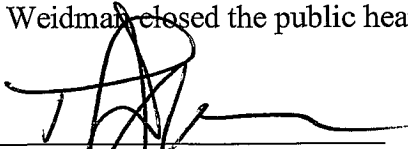
Mr. Weidman asked if the applicant would like to speak.

The applicant, Monica Lowry of Nelson Architecture, 311 Elm Street, Suite 600, Cincinnati, OH 45202, Mr. John Blackiston, representing Site Centers, the property owner, of 3300 Enterprise Parkway, Beachwood, OH 44122, addressed the Board. Ms. Lowry added that the tenant space in question is far back from the site and has no visibility from Montgomery or Kenwood Roads.

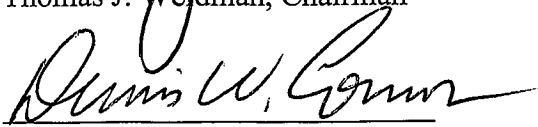
Mr. Weidman asked what the square footage of the space is. Ms. Lowry answered 46,000 square feet.

Mr. Weidman asked if there was anyone present from the public who wished to comment on the case. No response.

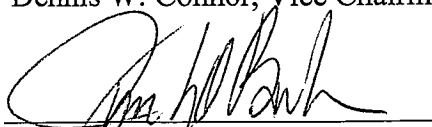
Mr. Weidman closed the public hearing at 6:40 p.m.



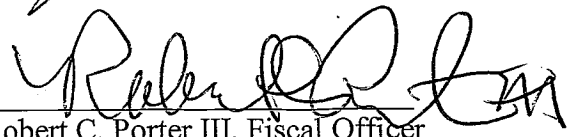
Thomas J. Weidman, Chairman



Dennis W. Connor, Vice Chairman



Jim LaBarbara, Trustee



Robert C. Porter III, Fiscal Officer

## RECORD OF PROCEEDINGS

### Minutes of the Public Hearing of the Trustees of Sycamore Township Sycamore Township, Hamilton County, Ohio

June 6, 2019

The regular meeting was called to order at 7:00 pm.

The invocation from Rossmoyne Free Pentecostal Church of God was then read by Mr. Connor.

Pledge to the Flag.

Mr. LaBarbara noted today is the 75<sup>th</sup> anniversary of the D-Day invasion and gave remarks about that day's impact on those present and our country. He spoke about the young men who gave their lives and called on those present to observe a moment of silence to remember them.

Present for the meeting were Chairman Weidman, Vice Chairman Connor, Trustee LaBarbara, Fiscal Officer Porter, Law Director Miller, Administrator Bickford, Superintendent / Assistant Administrator Kellums, Zoning Administrator Holbert, Fire Chief Penny and Lt. Smith from the Hamilton County Sheriff's Office. Recreation Director McKeown was excused.

The resolution "Amending the Rates of Pay for Newly Promoted Township Employees" was read by Mr. Weidman. A motion was made by Mr. Connor, seconded by Mr. LaBarbara, dispensing with the second reading. Mr. Porter called the roll. Vote: All Aye. Resolution No. 2019-67 passed this 6<sup>th</sup> day of June, 2019.

Mr. Weidman swore in Ben Haag as Captain, Kelby Thoreson as Lieutenant and Chris Ramsey as Lieutenant for the Sycamore Township Fire Department.

The approval of the minutes of the Board of Trustees meeting held May 2, 2019 were presented for approval. Mr. LaBarbara made a motion, seconded by Mr. Connor, to approve them. Mr. Porter called roll. Vote: All Aye.

Mr. Tom James, of 5784 Whitechapel Drive, Sycamore Township, OH 45236 addressed the Board. Mr. James about the microphone not working at the May 13<sup>th</sup> Zoning Commission meeting. He also requested signs be placed on properties that are to be the subject of a public hearing.

Mr. Bickford stated the Township has ordered metal signs with changeable copy for this purpose.

Mr. James discussed the Northcreek case heard at the May 13<sup>th</sup> Zoning Commission meeting noting there was no mention by Township staff of a condition in Resolution 2014-53 which required a permanent easement be established.

Mr. James discussed a proposed change to ORC Section 505.262 in House Bill 166 which would allow urban Townships to approve the issuance of securities with a simple majority vote as opposed to unanimously. He said in his view a solid community consensus should be required before the Township commits to this and he is against this change. Mr. James asked Mr. Connor and Mr. Weidman their opinions on the matter.

Mr. Connor answered he tends to support what legislators have brought before the state. Mr. Weidman stated that Mr. James was misinformed and HB166 does not mention TIF financing, but that he does support the bill. He noted counties, cities and villages have the ability to do this by majority and there is no reason townships should not also.

Mr. LaBarbara stated he had conversations with State Representatives who said the bill has to do with TIF financing.

There was continued discussion about HB166.

Mr. LaBarbara stated he is against the change to ORC Section 505.262 in House Bill 166.

Mr. James went on to discuss the Festival in Sycamore including Festival sponsorships, spending and the Festival committee. He went on to complain about the budget and the Township losing money on the Festival. He also noted that there may not have been proper notification for the festival committee meeting.

Mr. Weidman stated Festival expenditures are not a loss, it is a budgeted expense.

Mr. LaBarbara stated Law Director Miller should look into the legality of the Festival Committee.

Mr. Bickford stated he will look into it. Mr. Connor stated he has seen the Festival Committee rules.

Mr. James asked what the budget is for the Festival in Sycamore and if the expenditure will be over \$100,000.

Mr. Connor stated entertainment spending has come down about \$40,000.

Mr. Standish Fortin, of 12137 McCauly Road, Sycamore Township, OH 45241 addressed the Board.

Mr. Fortin complained about the portable speed sign in the rear parking lot of the Township Administration Building and asked when it would be disposed of.

Chief Penny stated the Fire Department could use the trailer to transport pumps when they have to pump water out of basements.

Mr. Fortin requested additional speed signs. Mr. Kellums stated one additional has been ordered.

Mr. Fortin discussed the Parks Supervisor position and requested that employee attend the Parks and Recreation meetings.

Mr. Fortin then inquired about how much money the Township has in investments, savings and checking and asked Mr. Porter to help him better understand the finances.

Mr. Fortin then asked questions about bonds, the Parks and Recreation budget and the contract with Jacobs for the Zoning resolution and Land Use Plan updates.

Mr. LaBarbara asked about the Land Use Plan committee.

Mr. Bickford stated there are only three applicants so far, hopefully, the newsletter will generate more interest.

Mr. J. Janus, Jr., of 4462 Daffodil Avenue, Sycamore Township, OH 45242 addressed the Board.

Mr. Janus asked what month and year Best Buy would open if approved. The applicant gave an estimate for opening.

Mr. Janus went on to ask about timelines for Sycamore Road and Kugler Mill Road projects. Mr. Kellums stated 2020 for Sycamore Road and 2021 or 2022 for Kugler Mill Road

Mr. Janus then asked about the sign prohibiting weapons that used to be posted at the Administration Building.

Mr. Janus then asked about the ad hoc Land Use Committee saying there were discrepancies in public records request for the same records. He went on to ask about why it was taking so long to choose committee members and asked Mr. LaBarbara if he would make a motion to appoint any of those who have already applied.

Mr. LaBarbara stated the current applicants are well qualified but it is important to get a few more applications.

Mr. Holbert addressed the reasons for there being requirements for the Land Use Committee and requests he had made to applicants for additional information.

Mr. LaBarbara asked about the resumes received from certain people for the Land Use Committee and Zoning Commission and went on to stress the importance of getting back to all of the applicants in a timely manner.

Mr. Holbert answered he had received other documents from those individuals but not resumes. He stated he did receive a resume from one of them just the other day. He stated he has emailed applicants back requesting more information.

Mr. LaBarbara then asked what the timeline is for an inspector to inspect a fence after a zoning certificate is issued to make sure the fence is ok. He asked what a reasonable timeframe for a final inspection is.

Mr. Holbert answered it depends on the workload.

Mr. LaBarbara asked if nine and a half years a reasonable timeframe.

Mr. Holbert answered nine and a half years seemed a little long.

Mr. LaBarbara went on to say that Mr. Holbert did that to a resident recently that he came knocking on their door to do a final inspection for a fence. Mr. LaBarbara said it was a resident who had attended one of the public hearings regarding a proposed development. He stated he just wants Mr. Bickford to be aware of that and to look into it.

Mr. Janus also complained about the microphone and not being able to hear at meetings. He also expressed disappointment that the Township didn't prepare a declaration or resolution honoring the 75<sup>th</sup> anniversary of D-Day.

Mr. Doug McGrew, of 4212 Myrtle Avenue, Sycamore Township, OH 45236 addressed the Board stating the Trustee bashing at the public hearings for political purposes must stop. Mr. McGrew also spoke in support of the Festival in Sycamore saying it is an investment in the community and brings income to the Township in the form of out of town patrons who spend money staying at hotels, eating at restaurants etc.

Lt. Smith reported on increase in pedestrians now that children are out of school, complaints have been received about issues with teenage drivers, speeding and failing to stop at stop signs. He encouraged parents to discuss these issues with their teenage drivers.

Chief Penny reported the new ambulance went in service midday Tuesday and has been on 32 runs so far. He also reported three of the Township's firefighters responded with the task force to provide aid after the Dayton tornadoes.

Chief Penny stated he was invited to a memorial service at the FBI building in which the four FBI agents who were killed in a plane crash in Montgomery were remembered.

Chief Penny stated the monthly report was emailed to the Trustees before the meeting and will be on the Fire Department website tomorrow.

Mr. Weidman added he had received a call from a staff member at Cincinnati Hills Christian Academy regarding a graduating exchange student from Guatemala whose aunt, a firefighter from Guatemala, was visiting for graduation. He thanked Chief Penny for setting up a tour of the Township Firehouse with Ivan Kuehn which really impressed her.

Mr. Kellums reported he attended a preconstruction meeting for the Kennedy Lane Sidewalk Project in cooperation with the City of Montgomery. He said construction will commence June 10<sup>th</sup> and be completed by July 31<sup>st</sup>.

Mr. Kellums also reported he met with residents of New England Court to review changes to the plans for the proposed maintenance facility. He stated the residents were very receptive to the plans and will report back to Mr. Kellums after they share the information with other residents.

Mr. Kellums stated maintenance crews are working on the old ambulance to convert it into sidewalk and concrete truck.

Mr. Kellums informed the Board the Maintenance Department sent a crew member and truck up to Dayton to assist with cleanup efforts there after the recent tornadoes.

Mr. Kellums reported a Township trailer was hit by a school bus in Highpoint and totaled. They do have insurance which will cover the cost for a new trailer.

Mr. Kellums presented a proposal from D.J. Stone Company for replacement of the 267 lineal feet of stone wall at Kenwood and Galbraith Roads at a cost of \$47,000. He stated this may be paid with TIF dollars.

Mr. Connor made a motion, seconded by Mr. LaBarbara, to direct Law Director Miller to prepare a resolution for the replacement of the wall by D.J. Stone Company for \$47,000. Mr. Porter called roll. Vote: All Aye.

Mr. Miller reported the reply briefs on the Duke Energy pipeline case are due on Monday, June 10<sup>th</sup> so those will be filed and the Trustees will be copied.

Mr. Miller also reported there are a number of motions pending for the Moeller High School parking lot appeal in Common Pleas Court that legal counsel has been responding to which will be argued on Tuesday morning June 11<sup>th</sup>. Mr. Miller said he does not know when they will get an answer on that. He said, in the meantime, Moeller has filed a second application to the Board of Zoning Appeals for conditional use approval for the parking lot expansion under different parameters. Mr. Miller has asked the court to make a determination if Moeller can go ahead with another conditional use application given the fact that the first application is under appeal. He said that is set for the June 17<sup>th</sup> Board of Zoning Appeals agenda for now.

Mr. Miller stated a motion for contempt had been filed in regards to the property maintenance issue at 6066 Bayberry Drive.



Mr. Bickford reported the Township will never solicit door to door for aggregation programs. He also reported the fiber project is moving forward and hopefully this fall public Wi-Fi will be available in the parks.

The following purchase orders were presented for approval:

|                              |                          |             |
|------------------------------|--------------------------|-------------|
| Robert A. Goering, Treasurer | Property Taxes           | \$11,861.94 |
| Blanket                      | Fire Travel and Training | \$7,000.00  |

Mr. Connor made a motion, seconded by Mr. LaBarbara, to approve this request. Vote: All Aye.

Mr. Connor made a motion, seconded by Mr. LaBarbara, to direct Law Director Miller to prepare a resolution approving Zoning Case 2019-05P2 with the 15 conditions listed in Mr. Holbert's presentation with the exception of condition number six which is building exterior to be painted.

Mr. Porter called roll. All voted: Aye.

Mr. Connor made a motion, seconded by Mr. LaBarbara, to direct Law Director Miller to prepare a resolution approving Zoning Case 2019-07MA as submitted.

Mr. Porter called roll. All voted: Aye.

Mr. LaBarbara said he is not against the Festival in Sycamore, he wanted the budget cut for the entertainment acts.

Mr. LaBarbara said he spoke on the phone with Jay Phillips of Deer Park High School who said they were able to secure funds for air conditioning.

Mr. Weidman stated he had asked Mr. Bickford to prepare a presentation with information about Township TIF projects which will demonstrate the significance of TIFs to the Township.

Mr. Bickford presented information on Tax Increment Financing noting that the total revenue since 1994 is \$200.5 million of which \$81 million has gone to schools. He concluded that TIF money generated averages to about \$8 million per year or the equivalent of a 13.3 mill levy which would cost the owner of a \$200,000 house roughly \$933 per year.

The Receipts and Disbursements of June 6, 2019 were available in the Fiscal Officer's Office and are hereby made a part of these minutes.

I hereby certify that the money for payment of these bills is in the fund provided and duly and properly appropriated.

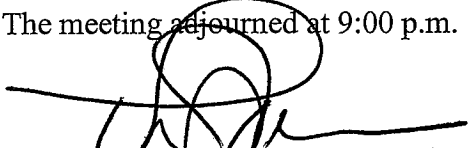
Signed: \_\_\_\_\_

Robert C. Porter III, Fiscal Officer

A motion was made by Mr. Connor, seconded by Mr. LaBarbara, to accept them.  
Vote: All Aye.


A motion was made by Mr. Connor, seconded by Mr. LaBarbara, to adjourn the meeting.  
Vote: All Aye.

The meeting adjourned at 9:00 p.m.



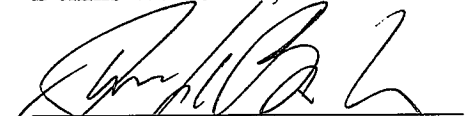
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Thomas J. Weidman, Chairman



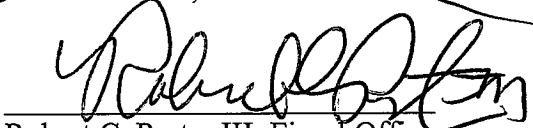
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Dennis W. Connor, Vice Chairman



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Jim LaBarbara, Trustee



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Robert C. Porter III, Fiscal Officer

06/06/2019