
MINUTES OF SYMMES TOWNSHIP SPECIAL MEETING

September 22, 2021

The meeting was called to order at 6:00 p.m. Elected officials present were: Mr. Ken Bryant, Mr. Phil Beck, Ms. Jodie Leis and Mr. Joe Grossi.

Also present: Kim Lapensee – Administrator and Jeff Forbes – Law Director.

PLEDGE OF ALLEGIANCE, INVOCATION AND ROLL CALL

APPROVAL OF AGENDA

Mr. Bryant made a motion to approve the agenda. Ms. Leis seconded the motion. The roll call vote was as follows: Ms. Leis - ‘aye’, Mr. Beck – ‘aye’, and Mr. Bryant - ‘aye’. Motion passes.

PUBLIC HEARINGS

Mr. Bryant stated that we are here tonight to hear a zone change request from “OO” Planned Residence with Subservient Office/Major Revision to “EE” Planned Residence District located at 9365 Fields Ertel Road. He opened the public hearing at 6:02 p.m.

Bryan Snyder, Hamilton County Planning and Development, stated that they have worked with the applicant through this whole process. He stated that they are requesting two things: part of the property is already zoned “EE” and they would need a major revision from the previous plan approved and the other part is zoned “OO” and would be changed to “EE” as well. He stated that this request was approved back in 1988 where the property was zoned “EE” and “OO” and there was a resolution from the County Commissioners that was approved with certain conditions and pertained to the whole property and allowed for the construction of what is there currently. He stated that the entire effect of this request would be to place the entire property under one “EE” district with conditions under one resolution that would replace all previous resolutions and conditions. He stated that is complicated but in the end is simple and what they are considering tonight is one resolution for the entire parcel that would replace all condition previously adopted and will go into the future.

Mr. Snyder stated that all zone changes are required to go through a certain process in Symmes Township which includes a meeting with the Hamilton County Regional Planning Commission which took place in June. He stated that the Regional Planning Commission recommended approval with conditions. He stated that there was also a public hearing with the Symmes Township Zoning Commission which first occurred in June and was continued to July and August. He stated that the Zoning Commission ultimately recommended approval of the change with 5 variances and 5 conditions. He stated that there was a staff report presented to the Planning Commission and Zoning Commission at the initial hearing. He stated following the initial hearings, there was revised set of plans submitted by the applicant and staff did prepare an addendum to the initial staff report which addressed all the changes proposed by the applicant. He stated that the revised plan is the plan that was approved with the 5 conditions and 5 variances. He asked if there were any questions.

Mr. Bryant asked if they were to approve a resolution tonight, do they need to say anywhere in the resolution that it supersedes all previous resolutions? Mr. Snyder stated no that it goes without saying. He stated that there are maps, reports, etc. that represent the case file for this request and this resolution will become part of the case file.

Mr. Beck stated that he understands that there are 5 conditions and 5 variances and that they involve sidewalks, parking setbacks, light pole heights, signage, and the flagpole. He asked if all

these issues are included in the resolution. Mr. Snyder stated that all the conditions and variances were discussed and recommended by the Zoning Commission and are included in the resolution before them tonight. He stated that he could not say if they were addressed to his satisfaction or not, but they were discussed. He asked where they landed on the heights of the light poles. Mr. Snyder stated that they are recommending a variance for the 24 feet tall poles that the applicant is requesting. Ms. Leis asked about the flagpole. Mr. Snyder stated that the Zoning Commission recommended a condition to limit the height to 200 feet. She asked how tall did the applicant want the pole to be? Mr. Snyder stated that he was not sure, but they asked for 200 feet. He stated that the zoning resolution does not limit the height of flagpoles if they are safe, but the Zoning Commission wanted to limit the height.

Mr. Bryant asked what are the differences in what this applicant wants and what the Zoning Commission recommended? Mr. Snyder stated that the difference is the amount of time that the images are allowed to be displayed on the variable message board. Ms. Leis asked what the Zoning Commission recommended. Mr. Snyder stated that they recommended 30 second intervals and the Zoning Resolution allows a minimum of 8 seconds which is also the ODOT standard. Mr. Bryant asked what the argument is for each side. Mr. Snyder stated that the Zoning Commission felt that the sign would flash a couple of times while people were stopped at the light (Fields Ertel and Union Cemetery) with a 30 second minimum. Mr. Bryant stated that he felt that 8 seconds could be distracting on that roadway especially with a large sign and people could potentially have an accident while reading the board and driving. Mr. Snyder stated that he believed that was like what the Zoning Commission was saying in their meetings. Mr. Beck wanted to know what the intervals are for the sign on Montgomery Road for the Sycamore Presbyterian Church? Mr. Snyder stated that it should be 8 seconds and is required to be per the Zoning Resolution. He stated in that case, the church is a conditional use in a residential district, and they had to ask the BZA for approval to install that sign. Mr. Bryant stated that he is concerned about a big sign. Mr. Snyder stated that the signs for both churches on Montgomery Road are 32 sf in size. Ms. Leis asked if there would be images displayed or just words. Mr. McCluskey stated that there would be mainly images displayed. Mr. McCluskey stated that they have a video to show them what 8 seconds looks like.

Mr. Snyder stated that the packet that was handed out tonight has not been reviewed by the staff and viewed as information only and not be part of the final development plan.

Keith McCluskey, owner of McCluskey Chevrolet, stated they have a video tonight showing the development of the site and how it will look when finished. He stated that they are also in negotiations with the properties directly to the east of them to purchase them and they would become part of the new development. He stated that that this will be good for Symmes Township because they would eliminate a curb cut onto Montgomery Road and Fields Ertel Road. He went over the site plan with the board and said that if they acquire both of those properties to the east, they can expand their parking lot and add a car wash. He said that they will also expand their landscaping up along Montgomery Road and widen the sidewalks to 6'-0" as a walking path. He stated that they are going to install a sidewalk around the entire property and the path will be about 1 kilometer long. He stated that they will also install statuary stations (4) and have charging stations for their electric cars. Mr. Bryant asked about sidewalks at PNC Bank. Mr. Randy Merrell, MSP, stated that there are sidewalks on Montgomery Road at PNC, but not along the Union Cemetery side. He stated that there is a steep incline in that section. Mr. Bryant stated that they installed sidewalks from one end of Montgomery Road to the other. He stated that they want to make sure there are connections. Mr. McCluskey went over each of the statues. He also stated that they are going to all electric at this site with solar panels on their roof.

Mr. Snyder stated that the electric charging station has never been shown on any of the plans and it has a slim chance of being approved hanging over the ROW and not meeting the setbacks. He stated that none of the site plans shown here tonight have been approved or reviewed by staff. Mr. McCluskey stated that they are not married to that location and can move it around if need be. Ms. Leis stated that we have an electric charging station over at Harpers Station. She wondered what the difference is. Mr. Snyder stated that they are proposing a structure. Mr. McCluskey stated that the Harpers one uses electric to charge those vehicles, and his station is solar panels and would use electric made from the sun. Mr. Snyder stated that all structures have setback requirements. Mr. McCluskey wants the public to see that GM and he are committed to an all-electric future. He

stated that they will also create a 3rd floor landing area where their customers can look out over the rooftops to see the solar panels.

Mr. Snyder stated that to clarify the portion in the code that requires 8 seconds is 5 seconds.

Mr. McCluskey showed the video of the site plan to the board. Randy Merrell stated that they understand that they would have to go through a major modification thru the Zoning Commission for the additional two properties to the east. Mr. McCluskey stated that they just wanted to show the board what it could look like cleaned up and use for additional parking.

Ms. Leis asked how many people will be employed here? Mr. McCluskey stated that they will have the ability to have 500 employees at this site. He stated that we will be the largest dealer in the country. He stated that they are talking to 5 different contractors to get prices for this site and building. He stated that they would like to build out the sidewalks at the very beginning and put up a fence and hang the finished project on the outside of the fence. Ms. Leis asked about the sign proposed at the corner. Mr. McCluskey stated that the existing sign is 30 feet tall, and they are asking for 21 feet, which is 9 feet shorter. He said that they would be okay with this height of 21 feet if the township was willing to give them an 8 second interval for their variable message board. Mr. McCluskey pointed out the clock that will also be on the building in 4 different places that will be lighted at night (where the bow tie is on the side of the building at 15-degree angles). He stated that there will be 6 delivery bays near the front of the building that will be just for the delivery of the vehicles purchased and can be used for picture moments and will have the customers names on the bays.

Mr. McCluskey also went over the other video which shows still shots at 8 second intervals (which is what they are requesting the variable message sign be). Ms. Leis asked what is the marketing reason that they need the 8 seconds. Mr. McCluskey stated that they want everyone to see more of their vehicles at 8 seconds (which would allow 8 images at a minute each) instead of just showing 1 to 2 images. He stated that they want to show mostly car images with very little words. He stated that the State of Ohio allows 8 seconds, and it has been that way for many years.

Mr. Randy Merrell stated that he knows this is not part of the zone change, but he wanted to go over the sign package that is being presented. He asked about the variable message sign that would be on the building and when he should bring up that sign. Mr. Snyder stated that he just got the information tonight and feels that if the board wants to consider it, he recommends that they continue the hearing. He stated that he does not know if any of the signs meet the requirements because he has not had an opportunity to measure them. Mr. Merrell stated that right now it would just be a conversation. Mr. Forbes stated that we are only looking at the zone change tonight. Mr. Bryant pointed out that one of the conditions for approval is that a detailed signage plan be submitted as part of the final development plan. He asked if the signage could be worked out with the Final Development Plan. Mr. Snyder stated that the Zoning Commission can decide that detail for signage.

Mr. Bryant asked if anyone else wanted to speak for or against the change.

Fred Hyatt, 12010 Carrington Lane, stated that the change in intervals does not seem that long and you will be able to see 7 to 8 images. He stated that he feels that technology has changed, and the rules may be old and need to be rewritten. He stated that what this new development will bring will be much nicer than what is there now. He stated that he is sure he will bring a first-class product and it will be good for the township.

Mr. Bryant closed the public hearing at 6:55 p.m.

Mrs. Lapensee asked if the board had any questions for Bryan or the applicant.

Mr. Bryant stated that he appreciates all the work that the zoning board has done and disagrees with the Zoning Commission because he feels that the images should be allowed to be displayed every 8 seconds instead of 30 seconds which exceeds what our code allows today.

Ms. Leis stated welcome to the Community, and she is excited for all the environmental elements that they are including and that they chose Symmes Township as their new location.

Mr. Beck stated that he wanted to thank Mr. Snyder and the Zoning Commission with all the time and energy that has been put into this project. He wanted to thank the application for this project and the investment in the community. He asked what the timing would be on this project. Mr. Snyder stated that if they were to adopt this resolution today, it would not go into effect for 30 days and they would not be able to review the final plan until November. He stated that they could submit their building plans after that and have them reviewed and issued in 3 to 4 weeks. Mr. McCluskey asked when the 30 days would be up. Mr. Forbes stated that if passed tonight, the resolution would go into effect on 10/22 and they could submit their drawings for the November meeting. Mrs. Lapensee stated that the November meeting is on November 17th, and they would have to submit their drawings by October 15th. Mr. McCluskey what would happen to the timeline if someone submitted a referendum. Mrs. Lapensee stated that it would halt the timeline until the vote on the issue by the community was resolved.

OLD BUSINESS

None

NEW BUSINESS

Mr. Bryant made a motion to approve Resolution G2021-81 with the amendment that the 30 second intervals for the variable message board that was recommended by the Zoning Commission be reduced to 8 second intervals. Ms. Leis seconded the motion. Discussion continued.

The roll call vote was as follows: Ms. Leis - 'aye', Mr. Beck - 'aye', and Mr. Bryant - 'aye'. Motion passes.

Mr. Bryant made a motion to adjourn the meeting. Mr. Beck seconded the motion, and the roll call vote was as follows: Ms. Leis - 'aye', Mr. Bryant - 'aye', Mr. Beck - 'aye'.

Meeting adjourned at 7:05 p.m.

Approved:

Ken Bryant, Board President

Jodie Leis, Vice-President

Philip J. Beck, Trustee