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**MINUTES OF SYMMES TOWNSHIP ZONING COMMISSION**  
**REGULAR MEETING**  
**SEPTEMBER 20, 2017**  
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The meeting was called to order at 7:00 p.m. Members of the Commission present were: Mrs. Bucco, Mr. Etter, Mr. Flynn, Mr. Kessler and Mr. Mullowney.

Also present: Bryan Snyder - Hamilton County Rural Zoning and Jana Grant - Zoning Secretary

MR. GEORGE FLYNN made a motion to approve the Agenda. MR. KESSLER seconded the motion and the roll call vote was as follows: Mrs. Bucco - 'aye'; Mr. Etter – "aye"; Mr. Flynn - 'aye'; Mr. Kessler - 'aye'; and Mr. Mullowney - 'aye'.

MR. KESSLER made a motion to approve the August 16, 2017 minutes. MRS. BUCCO seconded the motion and the roll call vote was as follows: Mrs. Bucco - 'aye'; Mr. Etter - 'aye'; Mr. Flynn- 'aye'; Mr. Kessler - 'aye'; and Mr. Mullowney - 'aye'.

**FINAL DEVELOPMENT PLAN MODIFICATION:**

CYNTHIA BUCCO called to order the public hearing for **SYMMES #99-2 HARPERS STATION III - SECOND STORY SIGNS** to consider approval of a modification to the Final Development Plan to allow placement of new building signs over the entrance to the second story of the existing two (2) story commercial building on the northern end of the site.

BRYAN SNYDER stated that the rezoning petition for Harpers Station was originally processed and denied by the Hamilton County Board of County Commissioners (BBC) in 1989 as part of case Symmes 3-89. Following this denial, the applicant appealed the decision of the BBC to court and reached a settlement agreement. The BBC reconsidered the denial and approved the zone amendment with conditions pursuant to the agreement in 1993. Following this approval, concerned citizens appealed the approval of the zone amendment to court. An additional settlement agreement was approved that included a number of additional conditions governing development of the site. Construction of the Harpers Station shopping center proceeded in accordance with this agreement.

Mr. Snyder stated that one (1) of the requirements of the settlement agreement stated that no building shall be constructed along E. Kemper Road unless approved as part of a Zone Amendment. In 1996, a zone amendment was approved by the BBC pursuant to this requirement for the construction of the twenty-five thousand (25,000) square-foot two (2) story building now located on E. Kemper Road as part of case Symmes #96-5. The Final Development Plan for this case was approved by the Symmes Township Zoning Commission in 1997. Because this zone amendment was approved pursuant to the requirements of the settlement agreement, Case #3-89 continued to govern the development of the surrounding shopping center.

Mr. Snyder advised that one (1) of the conditions of both the BBC Resolution of Approval for Case #3-89 and the settlement agreement limited the overall development of the site to one hundred eighty-five thousand (185,00) square-feet of interior retail space. Following the tornado that hit the center in 1999, the owner applied for a Major Revision to the "EE" district to allow construction of an additional four-teen thousand (14,000) square-feet of retail area as part of the reconstruction of the southern portion of the center. This Major Revision, Case Symmes #99-2, approved by the Symmes Township Trustees applied to the entire center and changed the conditions of approval for the entire development. Therefore, this case now governs the Harpers Station shopping center.

Mr. Snyder stated that the original approval of the FDP for the two (2) story building allowed for building signage only on the southern façade facing the main parking area and only above the first story tenant spaces. And eighteen (18) square-foot "Harper's Station" general identification sign for the second story tenants was approved over the main entrance to the second story

stairwell, with a glass area at the second story level. The applicant is proposing to fill in the glass area with siding material to match the rest of the building and replace the Harper's Station sign with a series of four (4) new building signs for the second story tenants that would include a total of sixty-five (65) square-feet. The signs would extend from the current first floor area up onto the new second story siding that would replace the existing glass in this area of the building. The applicant states that the owner of the building has experienced difficulty in maintaining tenants in the second story and the lack of specific identification signage has contributed to this problem.

Mr. Snyder advised that The Symmes Township Trustees placed four (4) conditions on the zone amendment and the proposed sign modification would comply with the four (4) conditions.

Mr. Snyder stated that the existing building includes a total of eight (8) building signs, including the "Harper's Station" sign that is proposed to be removed. Each first story tenant has been permitted to include one point five (1.5) square-feet of building signage per foot of tenant space frontage on the southern façade. Permanent building mounted signage is not permitted on any portion of the northern, eastern or western facades. The façade of the building is approximately two hundred seventy-three (273) feet in length, which would allow the first floor tenants a total of four hundred nine point five (409.5) square-feet of building signage. It is unclear how much total signage is currently on the building as the size of the existing signs has not been provided.

Mr. Snyder stated that however, it would be difficult to retroactively enforce removal of any existing signage or to reduce the future amount of signage available to the first floor tenants. Since the first floor stairwell area leading to the second story is permitted a total of eighteen (18) square-feet of signage, and the applicant is proposing to increase that by forty-seven (47) square-feet, the total amount of building signage permitted on the southern façade of the building would be four hundred fifty-six point five (456.5) square-feet if the request were approved as submitted.

Mr. Snyder stated that the variances to the total permitted square-footage of building signs are rare in Symmes Township because the amount of signage permitted is high and the total is rarely exceeded. Other signage variances to allow signs on multiple facades where they are not permitted and transferring permitted square-footage from one (1) façade to allow a bigger sign on another façade are more typically requested for commercial buildings in the Township. However, all of the signage would be on the southern façade, which is not visible from any surrounding public street frontage and would be internal to the development.

Mr. Snyder advised that the additional forty-seven (47) square-feet of signage would not likely be noticeably larger than what is permitted and would be consistent with a multi-tenant building in a commercially zoned shopping center development. Therefore, the signage would not likely change the character of the area or be a detriment to the public or surrounding properties.

ANN McBRIDE McBride Dale Clarion, 5721 Dragan Way, Suite 300 Cincinnati Ohio 45227, representing Brixmor owner of Harpers Station. The building on the northern portion of the site, a two (2) story building, contains twenty-five thousand five hundred (25,500) square-feet of space and almost ten thousand (10,000) of that is located on that second floor. The owners have had a lot of trouble over the years leasing that space and keeping tenants. A large part of that is because there is no identification for the tenants that are on the second floor.

Mrs. McBride stated that they are here tonight to ask the Board for an additional forty-seven (47) square-feet of sign area. There is an eighteen (18) square-feet sign there now that says Harper Station. We would like to have the ability to construct four (4) signs to represent the four (4) tenants that are up on the second floor. The signs would be channel cut letters on the raceway and they would be internally illuminated. The approximate break down of the signs would be seventeen (17) square-feet, nineteen (19) square-feet, eleven and a half (11 ½) square-feet and seventeen (17) square-feet.

Mrs. McBride stated that the signs are not going to be visible from the public right-of-way; they are more geared to someone coming into Harpers Station and to provide directions once someone is in the parking area.

DAN MATHIS 11385 Montgomery Rd., Suite 220 Cincinnati Ohio 45249 owner of Huntington Learning Center stated that they have had a number of occurrences where people are not sure where they are located and some think that they are closed. This is something that is very important to his business and he hopes the Board will see their way to approve this.

TONY AUTULLO 11385 Montgomery Rd., Suite 210 Cincinnati Ohio 45249 Annie Mac Home Mortgage stated that he has a customer geared type business with clients that are in and out every day. They are buying homes or Real Estate Agents are coming in for closings. Constantly having to directed people to the office for the last one and a half (1 ½) years has been difficult. We had a State Auditor in this week and he had to call me because he could not find them.

TODD ETTER asked why did he choose this location.

Mr. Autullo stated he was located in Sharonville before. It was a nice space, convenient to the highway, just liked this space better, it was close to home and it is a nicer area.

Mr. Etter asked Mrs. McBride if these four (4) tenants would complete the build out of the second floor.

Mrs. McBride stated yes.

Ms. Bucco asked if there are any vacancies on the second floor now.

RANDY WILLBORN 6427 Evelyn Drive Property Manager for Brixmor stated that yes they have one (1) coming up. An Insurance Agency will be leaving because his partner is retiring.

Mr. Willborn stated that they have struggled for five (5) years trying to lease out the second floor. Not just our own leasing agents but three (3) different Real Estate Agencies tried to lease them out. A lot of the issues were they wanted to get signage on the front of the building.

JOHN MULLOWNEY asked Mrs. McBride if there are four (4) people with signs in there now and you have a vacancies which could be a potential fifth (5) tenant, have you made a provision of using the same space to put in another sign.

Mrs. McBride advised that the sixty-five (65) square feet would do for the second floor whether there is three (3) tenants or six (6) tenants, they can cut that up as small as they want to. Sixty-five (65) square feet will do for the second floor.

GEORGE FLYNN stated that he is not opposed to office tenants requesting signage.

Mr. Mullowney stated that this is somewhat unique simply because of all of the restrictions that go with this particular property.

MR. GEORGE FLYNN moved to approve modification to the Final Development Plan for case Symmes #99-2; Harpers Station III – Second Story Signs, to approve placement of new building signs over the entrance to the second story of the existing two (2) story commercial building on the northern end of the Harpers Station shopping center with the following conditions.

1. That the total signage area is limited to sixty-five (65) square-feet.
2. That any individual sign is limited to a size of twenty-five (25) square-feet.
3. That the signage be placed on the southern facade over the entrance to the second story of the building as proposed.

MR. MULLOWNEY seconded the motion and the roll call was as follows: Mrs. Bucco - 'yes'; Mr. Etter - 'no'; Mr. Flynn - 'yes'; Mr. Kessler - 'yes' and Mr. Mullowney - 'yes'.

OLD BUSINESS

None

NEW BUSINESS

There will be two (2) cases for October meeting.

ADJOURNMENT

MR. MULLOWNEY made motion to adjourn at 7:30 p.m. Mr. Kessler seconded the motion and the roll call vote was as follows: Mrs. Bucco - 'yes'; Mr. Etter - 'yes'; Mr. Flynn - 'yes'; Mr. Kessler - 'yes'; and Mr. Mallowney - 'yes'.

Approved:

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Chairperson

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Zoning Secretary