

City of Springdale Council

June 17, 2020

Board of Health	Mrs. Emerson	-	No report
Capital Improvements	Mrs. Emerson	-	No report

O-K-I

Mr. Anderson: This one I will give without my mask on. It actually turns out a little harder to speak and talk with it at the same time so, I hope that's not a problem for people. I felt like I was a little labored there. OKI did meet this past month virtually. Two items of note from that for this group. One, the 2050 survey that we talked about in several meetings where there was a request from the public to give input on the 2050 OKI plan. This was an infrastructure plan that's used for determining long-term project goals. It's where we do long-term planning of transportation-related things for our region. That was approved, not unanimously, which is unique for OKI. It's the first time since I've been a part of that group or there was a contentious vote, which was noteworthy. It did pass about a 3-1 rate. One of the things in that plan that generated discussion is worth noting for this group, is we do planning ourselves both between planning and as we get away from the Coronavirus response mode we're in to longer term, we did have some passed, we were talking about comprehensive plan. It's worth noting I think if people have a minute, it's worth reading the 2050 OKI plan where it talks about what the vision is for our region. The reason it's important is there was a lot of public input to it. There's about just under 3,000 surveys that were collected. A majority of the top "vote-getting" things when I talked about priorities for the public for transportation and I think this is unique, was around public transportation, walkability, bike paths as opposed to the older model of hub and spoke and highway exit ramp. So, people, especially in the suburbs, who were looking for more of that type of thing in the long term plan. So, it's something we should think about as we're doing comprehensive plan work, is how we can accommodate that inside of Springdale. There are items inside of the OKI plan that do hit us and our immediate regions. There's things in Forest Park, there's things that we will continue to add there. But, it is worth noting that public use and shared and walkability was very highly rated. Which, led to some of those questions when it came for the plan, is there are people that weren't in favor of that and that was discussion specifically around streetcar. Because there was a streetcar expansion included in that 2050 plan. Again, this isn't funding, this is just vision and plan. There's 2,000 some projects and they're scored against these criteria and those types of things because the public said, "we want shared works and walkability and bike". Those types of projects "bubble up" and that's how that funding eventually will happen. So, it's worth noting if you have time, to go ahead and read that. The survey is at 2050.oki.org. You can see the survey results and you can still give feedback on it. But, that plan is in place and it was approved by the board. The other item worth noting from that OKI meeting; we had talked several meetings ago a request that we had, I think around Northland Blvd. that that was submitted. I don't have an update specifically on that, but I did want to mention that that next round of funding, was being submitted. So far submitted, is about two times the amount of funding that is available. So, it will be a competitive situation that we'll be in for that October round of funding. There's about two times the number of projects submitted that are qualified that will have to be scored against these criteria. That is all I have for tonight.

Mayor's Report

Mayor Webster: Several items. First off, wanted to talk about Beacon Hills subdivision. I don't know if any of you have had the opportunity to drive up there. I did over the weekend. I was tickled pink with what I saw. It was just marvelous; smooth as silk. It's even so good that I got a call from a resident thanking me for my support of that project. That's got to be almost a first. I get a lot of calls when we screwed it up the first time, but, anyway, the contractors did a marvelous job on it. I think there are still some punch list items outstanding, but, for the most part, it's done. Also, we're getting ready to come out with our summer edition of the newsletter. I think you'll be very pleased with the newsletter once it comes out the first week in July. The Police Chief (Wells) and Debbie Dunfee have done a marvelous job with honoring Kaia (Grant) in this edition. But, also, there's an interesting note in there about new businesses. This is very encouraging. This covers several months, but anyways, some of these businesses have opened; some have openings planned later on this summer, but there are ten new businesses in there; six restaurants, a bank, a car wash, a storage unit, and a pet spa. So; pretty diversified group of businesses. Now, the lady that sort of pulls this together for the City is one of our Administrative Assistants, Debbie Dunfee. This will be Debbie's last

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Mayor Webster (continued): edition, and she's going to go out with a bang, because this is really a keepsake. Debbie's been doing this, I think, since 1995 and we're really going to miss her, but I think we've got an able-bodied replacement, we think. Debbie will be retiring in August after 30 years with the City, so, we're really going to miss her. Before I ask Matt to stop up and give us an update on COVID-19, you can start making your way up if you want (addressing Matt Clayton), I'd just like to report that for another two week period here I've taken no actions under your emergency authority, so, if Council wants to consider revoking it this evening, go for it. Because, hopefully, we're out of the woods and we can always re-enact it if it comes to be. So, anyway, I've asked Matt (Clayton) to give us a brief update. I told him three to five minutes; he keeps insisting on five and I said three, so set your watch. Go for it Matt.

Mr. Clayton: Mayor, thank you. President Vanover, members of Council, thanks for having me in to talk about COVID-19 tonight. To make it very brief, we have a few clusters of cases; the Park at Springdale apartments, we have 20% of our cases there. The Colony apartments, we have 13% of cases there. The Heritage Hill neighborhood has 16% of the cases. Our outbreaks; four of our five outbreaks are contained. Those include Brookdale Senior Living Center, Graceworks Enhanced Living Center, Mi Tierra Grocery Store, and Pretzel Baron. Smithfield's outbreak is not yet contained, but it is slowing down. This past week, we had ten cases. And, of those ten cases, two were suspected cases because they were antibody tests. So, they were not new infections; they were, in fact, verifying these people had the antibody, but the infections occurred weeks ago. So, really, truly, last week, in terms of active cases, we had eight. Of those eight individuals, six of those people were in their twenties, one person in their thirties, one person who was a household contact of a twenty year old. The indication would be that our numbers are consistent with what is being seen in Hamilton County, City of Cincinnati, and Butler County and that is that we are seeing a surge in cases associated with the demonstrations. The demographics reflect it. As long as the demonstrations continue, I think we may continue to see some increased cases. Having said that, prior to the increase in cases associated with the demonstrations, case numbers were trending down. So, I think once we get back to fewer demonstrations, fewer public meetings, it will be a change in status. The case numbers this week, I'm sure everyone got the report, as of Monday, we had 112 cases in the City of Springdale, 5,009 cases in Southwest Ohio, 41,576 in Ohio, and across the nation, we had over two million; close to 2.2 million. And, I did bring information on testing that would be very relevant. As I mentioned in the last meeting, I am on the Multi-Agency Coalition along with the Leader of the University of Cincinnati and Health Collaborative, and the Congregant Care settings. We're working on a plan for southwest Ohio to increase testing. I've actually been working with our FQHC to set up testing. They have partnered with Tri-Health and they have drive-thru testing locations coming to the Lincoln Heights location of HealthCare Connection and to their Mt. Healthy location. Those are between June and August. And then there are COVID pop-up testing sites coming in the City of Cincinnati at CityLink (Center). Those are actually occurring now and will occur for the remainder of the month; more to come later and Middletown has pop-up testing at the Centerpoint Community Health Institute. The Ohio National Guard is active at a number of congregant care settings where nursing homes around our region, none in our community at this time, but they are very active in testing at those locations. That is my COVID report. Hopefully it was three minutes and I'll entertain questions at this time.

President Vanover: Not seeing any lights. You did a good job.

Mr. Clayton: Thank you sir.

President Vanover: Thank you sir.

Mayor Webster: Thanks Matt.

Mr. Clayton: Thank you sir.

Mayor Webster: That's all I have.

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Clerk of Council/Finance Director

Mrs. McNear: The General Fund Update through May 31. For receipts we had a net receipt budget of \$22.359 million dollars and we have received \$9.542 million dollars which is 43%. Those major general fund receipt sources are from Earnings Tax, Real Estate Taxes, Paramedic Services, Local Government Funds, and Mayor's Court for a total of \$8.797 million dollars which is 92% of the revenue. For expenditures, we had a net budget of \$20.179 million dollars and we have spent \$8.265 million dollars which is 39%. Our ending general fund summary balance is \$3.312 million dollars. That concludes my report.

Administrator's Report

Mr. Jones: When I'm finished, Mr. Uhl will have a few things too. First of all, the Parks and Rec Department is accepting applications; one of which you'll hear a little bit more from Mr. Uhl, but it's Mr. Karle. The Mayor mentioned Debbie Dunfee 30+ years, and Mr. Karle, 39 short years with the City. So, there is an opening there. Also, including openings would be the part-time parks maintenance worker, part-time custodian as well. Those can be looked at and you can make your application to the City website, or communicate with the Community Center and they'll help you with that. The pool, as everyone now knows is open and we're thinking about some safety things. So, registration for swim lessons is underway at the Community Center. Lessons are available ages three through adult for you non-swimmers. Contact the Community Center for details to register for that. Also, registration for fall youth soccer and volleyball is underway. Contact the Community Center; same thing. Although the Community Center itself will be closed on July 4th, the swimming pool will be open and that will open at noon and run through 8:00 p.m. The first of three free concerts in the park are being scheduled. The first one is going to be Thursday, July 9th at 7:30 p.m. That will run from 7:30 to 9:00 p.m. That will be at our amphitheater and it's The Remains; they'll play a mix of hit music and it runs all the way from the 1960's up and to present time. They're encouraging you to bring lawn chairs and a blanket. They will be encouraging social distancing and the youth boosters will be selling concessions. The other thing I'd like to ad is trying to give you the follow up with census updates. At the national level, responses are in at 61.4%, Ohio 66.1%, and Springdale 66.3%. That's all for me, and I'll turn things over to Mr. Uhl.

Mr. Uhl: Just a couple of things by way of Civil Service since Mr. Coleman wasn't able to join us tonight. Civil Service Commission met twice this month. We had several positions and vacancies to discuss with them and a couple of timelines they needed to approve. They did so. We also requested an exemption for our technical services administrator position, which is currently held by Debbie Dunfee. It's a difficult position, I think, that we would try and test for because of the different duties that she has accumulated over the course of her tenure. So, they did grant an exemption so we would not have to test for that position. That position is posted out there today. It will hit the papers on Friday with a deadline the first week of July. Also, we had a firefighter timeline that they approved. That posting will go out on Saturday. The deadline to apply will be July 9th. The test is later in July. They also approved a timeline for promotional process for the position of Fire Captain. The written test actually begins this Friday. They also approved a promotional process for the position of Police Sargent and that timeline. One other thing of note that Mr. Jones alluded to was our Parks and Recreation Director position has been posted to replace Greg Karle. His retirement in August and that has been sent out and, as of today's date, we have already received 30 resumes. So, that's the end of my report. Thank you.

Mayor Webster: It seems like we're hiring a lot of people, but just bear in mind, these are all replacements for retirees or people that have resigned for whatever reason or season help. So, we're not adding a lot of people to the workforce. Thank you.

Mr. Ramirez: Just a note. I know we're replacing Greg Karle, and it's been quite a while, maybe 40 years since we actually had a Director that lived in Springdale, even before Greg, Mr. Burton, and before that. I think that's a very important position that somebody lives in Springdale because the activities at the Rec Center are not Monday through Friday, 8-5. Everything happens on the weekend of any substance. So, I'd like to take a harder look to make sure that we look at a Springdale resident or somebody willing to move into Springdale.

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Mayor Webster: Have we ever had a Director that lived in Springdale?

Mr. Ramirez: I don't know the earliest one. I don't think we have. Jim lived in Wilmington, Greg (Karle) I believe lives in Loveland. So, it's been at least 40 years I can go back, but that one.

Mayor Webster: You know, I share your concern. I think it's important in a job like that, I think it's also more important for a job like our City Administrator. We've had it both ways with and without, and I can tell you, it's a lot more efficient if we've got someone that lives in the City, but, I really think we're somewhat "ham strung" by the law. I don't think we can insist upon that. So, we can certainly give "brownie points" when we go through the interview process if we've got two candidates and everything is equal except one lives here and one doesn't, then yes, I would come down on the side of hiring the resident, but, it's going to be an uphill battle, but we'll certainly take that under consideration. Thank you.

Mr. Ramirez: Thank you.

Law Director's Report Mr. Braun - No report

Engineer's Report

Mr. Shvezda: On Landan Lane, the existing pavement and curb and gutters have been removed. New curb and gutters in place and the granular base has been placed. They should be beginning the asphalt base this week. The contract completion date is September 4th of this year, but we expect that to be completed well before that. As the Mayor mentioned, the Beacon Hills subdivision is complete and being reviewed at this time for any punch list items. East Crescentville Road; the ODOT review comments on the preliminary right of way have been received and those comments are being addressed as part of the final right of way plan preparation. Still on track for submitting Stage two plans late this July, ultimately, with the anticipation of having the start of construction in March of 2022. That concludes my report.

Mr. Ramirez: I'd like to echo what the Mayor said earlier. Living in Beacon Hills, I've had a couple of my neighbors very pleased with the work that they did with the pavement up there and it really does look excellent.

President Vanover: Well, while we're talking about pavement and we'll add traffic lights into the mix. In front of the Springdale Commerce Center, Crescentville Road is extremely smooth and the lights are functioning now at that intersection, so now we just bring the people in.

Mayor Webster: Do you think that's going to slow people down going further east on Crescentville or not?

President Vanover: I don't know. I know that the (Springdale) Police Department has their speed sign up down there. It "winked" at me the other day (laughter).

Mayor Webster: Well, that sort of breaks up the distance in between 747 and Tivoli, so, hopefully.

President Vanover: Yes. It's hard to say. It will break your momentum if you get caught there because it seems to be an activated signal so that somebody coming out of there, trips the signal. So, yes, let's hope and see what we end up with.

Communications - None

Communications from the Audience - None

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Ordinances and Resolutions

Public Hearing

Ordinance No. 19-2020

AN ORDINANCE APPROVING A MAJOR MODIFICATION TO THE TRI-COUNTY COMMONS PLANNED UNIT DEVELOPMENT AND APPROVING THE PRELIMINARY DEVELOPMENT PLAN AT 11750 COMMONS DRIVE FOR A U-HAUL FACILITY

President Vanover: With that, I will open a Public Hearing and anybody would like to make, I assume we'll get a presentation off the bat, and then people can make comments after that.

Mr. Case: My name is Drew Case I live in Franklin, Ohio. I am presenting on behalf of the U-Haul company of Southwest Ohio. I'm the Marketing Company President for U-Haul for Southwest Ohio. So, what U-Haul wishes to do is relocate our company offices of Southwest Ohio to Springdale. This includes approximately 50 jobs. We will hold corporate meetings, this is where our company offices will be for management of all Southwest Ohio. This will occur along with numerous management positions. In addition, we wish to relocate our U-Haul store. Our U-Haul store would also be located here to provide our service to the local community. That would include our actual retail showroom. We do have a self-storage component. We do offer trailer hitch installation, which, in accordance to your reading, that would all take place inside the building. This is going to be approximately about an \$8+ million dollar investment for the U-Haul company, so it's a substantial investment. At this point, we're not getting an amazing deal on the building. We're getting fair market value, so, it's a substantial investment for our company to come into this area. We are considered an essential service. So, we stay open year-round. We're open every day but Christmas. So, through any natural disaster, pandemic, whatever, we are open. At the time when numerous businesses do close down, we continue to provide the service to the community and if you've seen even recently with the Nashville tornados, the Dayton tornados, there was coverage on many news stations that we were open and helping the public with a variety of services. Just wanted to stress that we are a community-based program. We help the people in the community not just with retail and trying to profit, we provide numerous free months storage to help community members during times of need. Just wanted to stress that as a community aspect also. As far as a U-Haul store, we do bring people to an area. Just considering right now I know there's some vacancy in the mall and some surrounding locations in this area. I believe we can bring new people to the area so when they do come to move to the Springdale community and they return their vehicle with us, they're actually coming to this area for the first time. So, that's an opportunity to bring them into this community and help them find, if possible residential needs or actually commercial and retail needs as far as exposure to surrounding businesses in the community. In reference to Mr. Anderson's comment, we are bike path friendly if something does come across. We have actually have added bike service stations at some of our locations which includes a canopy air-filling station, water, and utility wrenches and things like that for people to service their bikes. If that's something that we could add that would help with the community, we would be sure to do that. We are friendly to public transit also. Some people do need and come to rent a vehicle, but to arrive there, sometimes they need transportation. So, that would assist in that as you consider that in the development of the community too. I think it's important to note tonight that our feasibility on this project ends June 19th. So, we've been at this project for over five+ months. When we started this thing, we had gone through some information and had some initial meetings and then COVID-19 unfortunately hit, which, obviously slows some processes with meetings and the seller can only wait so long and, unfortunately, we have only so much time to move on with the project, so, there is kind of an urgency. June 19th is just a couple of days. I would ask that City Council consider that as far as the whole consideration for this project, I regretfully say that it, unfortunately, is June 19th. As far as the landscape, which I believe, through Planning and Development, landscaping and display of our rental vehicles was the probably highest of concerns in this PUD. Through the landscaping, we have made strong efforts to comply with requests of planning and development and, of course, we are here today, and I think that was sort of an impasse and something that I hoped we could get resolution with today. In addition to the existing landscaping, which I believe, is fairly substantial, we have agreed to add 132 shrubs, 76 trees along Commons Drive, in addition, an additional 11 trees along (Interstate)

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Mr. Case (continued): 275. I believe in the information you received, it shows some images that were kind of blown up and emailed and however they are presented to you. So, the rental vehicles would be, I would have to say, mildly visible. Normally at our locations they are 100% visible. It's a long time slogan that, "display is half of selling". Similar to a car dealership. Everybody knows that Ford sells Mustangs, and Chevrolet sells Corvettes. But, when you drive by there, you're going to see a Corvette, and, you're going to see a Mustang. So, they display their vehicles for a reason. It's just a reminder. In reference to that display, currently, there's 25 parking spots right along Interstate 275. In our landscape plan and site plan, we have reduced that down to 14 spots. So, I think it's a significant reduction in what is currently there, and a significant increase to the actual landscaping that exists right now to help comply with that code. So, I would hope that we could come to an agreement in consideration of the additional landscaping that we could have an available compromise that would continue our availability to operate. Display is half of selling; we've been doing this since 1945. It's sort of like when you go to the cash register at a grocery store and the candy bars are sitting right there. You just might want a candy bar right then. So, it's sort of a metaphor to that aspect. I would like to point out next door, I don't believe it's contained in this PUD, but next door is a Kroger facility. There is 20 semi-tractor trailers that are somewhat visible from Interstate 275. You can see them as you pass by. It's a chain link fence with no shielding. I understand it's not part of this PUD, but it is a neighbor and we're doing what we can. It's going to cost us thousands of dollars to add landscaping to a project of which we're already paying, what I would consider, fair market value versus a low price on a building, which is easy to make profits. I'm going to have to kick it in high gear and do some rentals in this community to make a profit here, but it's worth my investment, for my company offices, and also to have this service available in this area. Our trucks are rental vehicles. They are available 24/7. In that aspect of rental vehicles, it came up in Planning and Development involving our trucks as signage and of course the definition of commercial trucks. I would like to specify that U-Haul, in no way rents signs. We rent vehicles to neighborhood communities, local residents. There are businesses that certainly utilize our vehicles. But, our primary customers are the residential community members and our trucks are not dock height. They are designed for home moving. So, that tells you what our focus is as far as in a community. There is no CDL (commercial driver's license) required to operate our vehicles. We do rent a large number of pickup trucks, and cargo vans. That is a large percentage of our fleet. The smallest percentage of our fleet are actually our larger trucks. We run a high utilization on our small trucks. It is extremely safe to say that; I would say this on record, we never display our 26 foot trucks on the front line. We primarily display our smaller vehicles, which would be our vehicles facing Interstate 275. Our goal is never to put a 26 foot truck on the front line. We promote our \$19.95 vehicles. I just wanted to share this too. In reference to our imaging on our trucks. They're called "supergraphics". We have coloring books for kids and I do an annual school day. My wife is a school teacher and I try to go to different schools. So, the imaging on our trucks is called "supergraphics". This is an old version of it (the coloring book), and this is a newer coloring book. This sticker book, which is much older images, and we give these to the kids anyway, but, it's so that when you are moving across the country, your children in the vehicle can actually identify a U-Haul on the freeway, and then if they identify the state, they would put the sticker on that and that's what the imaging is really for. Our newer trucks actually have a miniature "Sammy U", which is the U-Haul logo that is embedded in the imaging. Children at these school days or events that we participate in, it's like a contest to see how fast you can find the little hidden "Sammy U". He's about this big in an image on the side of the truck. So, the "supergraphics" are intended to be fun for the family and kids. It's not there to make it a U-Haul truck; it's there simply as an idea of fun for the kids. So, I just wanted to stress that as far as why our imaging is the way it is. You do have the plan. I'm open for questions as far as clarification or anything that I can answer for anybody and I hope this is something we can certainly come to a resolution on tonight.

Mrs. Sullivan-Wisecup: You had mentioned that June 19th was your "end all be all date". You still would need to go before Planning for your final development plan, and that won't be until July, so, were you counting that in your timeline, or is that separate from the timeline?

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Mr. Case: As far as feasibility, if we gained City Council Approval, that is something that would be considered by the seller at that time. So, basically, if we gain approval tonight, that's considered acceptable by the seller and that we would present that information to him.

Mrs. Sullivan-Wisecup: Also, I have on here you were talking about your trucks because you brought up, I do want to talk about that for a second. You're saying that your trucks aren't ads, it's imagery for children. But, then, in the same sentence, you said you promote the \$19.95 on the vehicles. So, you have said it's not ads, and at the same time it is ads. I actually drove past a truck this weekend while I was out and about and it very visibly had ads for U-Haul all over it. It is an ad. Just to kind of clarify that from where I'm sitting and what I'm seeing is when I pass one by, I'm seeing an ad for U-Haul. And, when my daughter's getting ready to move and the very first thing that pops in your head is, "Do you need a U-Haul". Not, "Do you need a truck", "Do you need a U-Haul". It's a household name. Everybody knows who it is. So, I understand what you're saying and I know that you said that you had cut down the parking spaces, which is fine. On here, it said something about that you were to go back to the city and come to an agreement on some of these things. I know that we had said that there were things that you were supposed to go to the City about. So, as far as the new stuff that you had brought in. I know that you're saying that the 19th that was a big date for you and that's why you did the things that you did, but you had the opportunity to table this to the next meeting, which would have been last week and you said, "No, we don't want to come back with new plans, we want to just to vote on this." So, they voted on it, and then, literally the next week, you came back with new plans. So, I'm having a hard time with that. You saying, "Table it" and not go to Planning (Commission), but then literally the very next week you had plans the day of our City Council meeting. That was a little bit tricky for me personally. But, I did look over the new plans. I saw the old plans from the very beginning and, from what I understand, we are voting tonight on the original plans. So, that's where I am with it.

Mr. Case: I would like to follow up on the truck comment again. We actually do have what are called "Uhaulfamous" Trucks also. We actually put the City name of which the truck is assigned so we have trucks for Cincinnati, we have trucks for Dayton. Actually, families can upload their family photo or a fun picture to "Uhaulfamous" and we actually image the trucks with local residents on the vehicles, which is kind of just a fun thing. People actually come and take their picture with the truck quite often. My uncle lived in South Carolina in Columbia, and he was on a truck. He sent me a picture of it. We try to have some local community and fun with our trucks. It's not just about U-Haul only. We work the community into that.

President Vanover: Before I go to Mr. Anderson, he's next up, again, tonight, our focus is the plan that is in front of us. We have three possibilities. Responsibility is pass what Planning recommended, deny what Planning sent to us, and we have the option of doing some modification. So, I want to keep everybody in that circle.

Mr. Anderson: I did listen to the Planning meeting which, I think, gave a lot of background on where the concerns I had last meeting about how this came before us the way it did, because it is a unique situation where it seemed like the planned PUD, which does always come to City Council for approval when it's a major change wasn't what you would find workable based on your business plan. So, to Mr. Vanover's comment, we've got a PUD modification in front of us. It has a number of conditions included in it. I was hoping you could help us understand what of these, is this something that you could live with as written or do we need to talk more about potentially modifying these and get through those sticking points tonight so that you can get the answer you need so you can move forward. I want this to work for you, but we need to find a way that makes it acceptable to the City as well. We have other stakeholders that need to be represented. So, with that in mind, there is an alphabet of conditions. Although, by my count, and based on what I heard in the Planning meeting, the largest sticking point, the one that would be a "deal-breaker" from your perspective, is around the truck parking along Interstate 275. So, the first question I have is, is that the sticking point that we need to negotiate here and figure out or, are there additional items in this approval that we also need to deal with tonight?

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Mr. Case: During that meeting, I know that the garage door was discussed as far as visibility; that would be in the recordings and we did, in the latest revision, instead of that garage door located on what would be the western end of the south side, we moved that to the eastern end of the south side so that was something that would make it less visible from Commons Drive, and, in addition with the additional trees and landscaping. But, as far as the primary concern, I believe that the conditions that were set forth, I thought that everything was pretty much acceptable, except for operations to include a display at Interstate 275. During that meeting, I felt that that was an impasse that could not be overcome due to code and how it's written and I needed to be able to navigate that and, unfortunately, I did not believe that we could come to an agreement at that time. And, the other aspects we did respond to and we did make changes in this revision. We did respond to a number of Planning Development aspects prior to that too. We did provide responses to those questions. But still, the display to Interstate 275 was the key aspect that does make this be able to move forward or not and, I hate to say that, because we've invested a lot into this. But, that is an issue that I cannot forgo.

Mr. Anderson: So, we need to be clear on this. So, we can't talk in generalities or, in most cases. We're talking about tonight specific changes. So you've given some changes to the plan that, what we had was a preliminary plan. That was reviewed and came with these conditions. You've made some modifications to those that, in terms of the process, won't really show up and be evaluated until the final development plan goes back to Planning, assuming you get approval tonight. And, from what I'm hearing, the changes you've made is to accommodate the conditions that they've given, except for the truck parking on Interstate 275, and the other point you brought up about overhead doors, which is another condition. So, is the overhead doors, being out of right-of-way; do you feel you can accommodate that with the changes that you've proposed, or, is that something that we have to deal with tonight? Because I don't want to make a PUD change if it's not going to be used. So, is the overhead door something we need to talk about, or did the change your proposing for final address that?

Mr. Case: The change in the plan you have now is the plan that we are going to go with as our final plan. In that meeting, they had, and I hope I can answer your question properly, but their concern, and I know Mr. Ramirez, you were at that meeting that that door was on the Commons Drive side which made that more visible, so we moved that to the other side of the building so that would be not as visible to drive by traffic. So, I believe we resolved that.

Mr. Anderson: So, the condition I'm talking about is "overhead doors shall not be placed or seen from the public right-of-way;". So if we pass it as written, you wouldn't have a problem with that.

Mr. Case: Correct.

Mr. Anderson: So, we're back to just the question about the truck placement on Interstate 275. Is that the core issue of the conditions that you believe we need to address tonight?

Mr. Case: Yes. That is the core issue and that is the specific reason why we've substantially upgraded the landscaping to the best of our ability. There is minimal visibility, but we have increased it dramatically from what we normally do to try an accommodate Planning and development's requests.

Mr. Anderson: So I, and this is my final comment on this area for now, is, so, when I mentioned earlier about what we've been doing with BZA, as I reviewed the planning, I was trying to think, "What are the other things in Springdale that we've done to accommodate this type of change". The U-Haul trucks that you've described and what went back and forth in Planning is a unique situation because it's not really how I understand the intent of the commercial vehicle code when it was written, right? We talked before about history with like Champion window putting their box trucks out there or Gilkey, whoever it is. These are commercial vehicles by our Code that are designed to be rented or leased. Looking back at

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Mr. Anderson (continued): other businesses in Springdale and what we've done to accommodate those, like if you look at what's done in a PUD for Enterprise Rent-a-Car on Tri-County Parkway, there are rental cars that are parked on the street with no screening that are in the same situation where the cars are placed there and there for rent by consumers. If you look at what we did for Jake Sweeney and their inventory which is how it was described in Planning. The inventory of their cars; in the PUD, we adjusted the screening that was required and there was a lot of debate about "Is that a good look for Springdale?" Because, now there's rows of cars and the Code required screening to hide it, right? But, Jake Sweeney has the same concern. That's part of our advertisement, that's part of our business model. How can we accommodate that? So, in the PUD we adjusted down the screening that was required so it would still look nice, but still allow some of that. Likewise, the BZA application we just approved for Sweeney was outside the PUD, but it's another car dealership and storage area. We downed the amount of screening required for that inventory so it is visible for that reason. So, I guess my question, and maybe this is more for Administration or for our City Planner, is this, to me, feels a lot more like what we would do for a rental car or a car dealership as opposed to a factory where we do want the box trucks hidden. I think it's a different request to have things visible from the highway where, if you go a half mile north or a half mile south, you see the same thing. It's consistent with what you're seeing. You see trucks just to the south at the Kroger plant, if you go north, you see Junk King and you see Fyda Freightliner on 275. So, why is this, if we change this to require screening from the public right-of-way for the other retail areas, so that Century Boulevard is screened, why is it a problem that Interstate 275 has rental trucks available? I don't understand why that's an issue. We've done that for other businesses.

Ms. Fields: I understand where you're coming from. This is a tricky situation and it is not quite Sweeney car sales, and it's not quite the Champion windows situation. Our Code is written for commercial vehicles and they are defined by their size and the advertisement on them. So, their trucks do fall into that category as commercial vehicles in our Code and, so by that route, they are subject to the commercial vehicle requirements of the Code. This being a PUD, you do have that ability to vary those standards and make specific requirements for this use. In particular, because it is a PUD. But, for the letter of the Code by interpreting it, I would consider these commercial vehicles. They are "for rent" commercial vehicles, but they are commercial vehicles.

Mr. Anderson: Are the pickup trucks also commercial vehicles? They don't meet the size requirement, but because they say U-Haul?

Ms. Fields: Because they have the advertisement.

Mr. Anderson: So, I know this is something that Rules and Laws talked about changing for our residential part of the Code because any person in the gig economy that works in Springdale is going to have the same problem. Any who drives for Uber or Lyft that has the sign in the front of their window can't park in their own driveway based on the reading that you're describing right now.

Ms. Fields: And we did write specific regulations for the residential district that says that somebody can have a commercial vehicle parked in their driveway as long as they are within, I forget the exact measurements, but basically, the size of a normal pickup truck or smaller, and not a box truck or an excavator; things like that because we do understand. We've had countless discussions on that topic because, you know, if our company wanted to put McBride, Dale Clarion on the side of our cars and I drive that car home at night, I shouldn't be penalized for that. So the same thing. I would say the same thing for a pickup truck. The intent of that Code is to not have the box trucks and everything like that. So, we do make that distinction in the residential section. We don't have that specific distinction in the commercial section. We kind of just deal with commercial vehicles as a whole in the commercial side of things.

Mr. Anderson: So, my final comment on that is I'm certainly open to adjusting the conditions that were put forward for this because, to me, this feels closer to what a rental car or car dealership does in terms of visibility requirements, but not to the retail side that it would require screening and limit the visibility to the highway. That feels consistent and the fact that

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Mr. Anderson (continued): it's in a PUD lets us do that to accommodate a business coming in to Springdale which is something we want to do. I feel like it is consistent. So, my personal view is I would be willing to give those amendments to Section "e", "g", "i", and "n" in this after hearing more discussion and other people's thought to allow for that type of visibility just to the highway with the enhanced screening to the rest of retail because of the unique situation. Thank you.

Mr. Hawkins: My first question now is for Mr. Anderson. So, are you saying that because these vehicles are being rented versus being used for storage or bringing products that are going to go to and from a warehouse or a retail area?

Mr. Anderson: Yes. I feel it is much more similar to the use case of Enterprise Rent-A-Car just because the sign or the size is different. I feel like the use case is the same which is why I can get my head around exposing that to the highway where it's consistent from a look and feel which I think is the spirit of the Code; to not litter our site lines in the residential areas or other retail districts with big advertisements and box trucks. But, still accommodate a unique use case. So, it would be restricted in this case to screening so that it's only visible from the highway. But, because it's varied so much of that use case of a rental, it feels more consistent and in the spirit of the code.

Mr. Hawkins: I have a question for Mr. Case. Sir. And, I just want to say for the sake of the record, you had the opportunity, I'm sure to review the City's definition under Section 153.600 for what a commercial vehicle is defined as. I'll give you the opportunity to look at that, I'm sure and talk about that through Planning Commission.

Mr. Case: Yes, that was discussed in Planning and development.

Mr. Hawkins: And for the record, a vehicle which displays any commercial activity in which use is primarily for commercial purposes is part of the definition for a commercial vehicle. I want to be clear with regard to the vehicles that are on adjacent to Interstate 275, you indicated there are 14 vehicles.

Mr. Case: Yes. On the site plan that is included with you today, it is allocated at 14 spots to position those vehicles.

Mr. Hawkins: And those 14 vehicles are box trucks?

Mr. Case: That will be a mix. So, we will have pickups and vans included in that. So, the smaller vehicles will be included in that. And, as I said, we have 12 locations here in the region. We don't display 26 foot trucks on the front line.

Mr. Hawkins: Okay. But all the vehicles that would be in those 14 spots would display the business' name. They all have "U-Haul" on them. Is that fair?

Mr. Case: Yes. Their imaging, we would call it, would be basically what you see driving around today.

Mr. Hawkins: And you have also indicated that at least some would be visible from the right-of-way.

Mr. Case: That is correct. We are not able to fully screen as what we discussed in Planning and development and of course, again, we tried to upgrade and included additional trees and shrubbery to, I guess you could say, "beautify" and help comply with that Code as much as we are able to. Again, I kind of reference a car dealership. I do see they'll have a vehicle; we don't have ramps that we put them on, but you see a vehicle sometimes at a car dealership on a turntable, ramps with lights on it, or they have additional shrubbery there. We just have a front line display which would be partially visible to Interstate 275. It is not our intention to fully screen that.

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Mr. Hawkins: And you would have more vehicles on that side besides the 14 parked in those spaces?

Mr. Case: That would be where our staff parking would be for our approximately 50 employees. All our company offices, they would park on that side.

Mr. Hawkins: But, would you have other vehicles for rental purposes or use besides just those 14?

Mr. Case: Yes. So, that would be the south side of the building. That would be our shunting area. Shunting is basically in a "row" position where a vehicle is placed until it is dispatched. So, we have shunting rows and our return area would be on the south side of the building. Of course, that would be the entrance for customers going to our showroom, and, of course, vehicle return which is the same as how we operate all our stores.

Mr. Hawkins: So, in total, how many other vehicles do you think you'd have on that side besides the 14 that would be adjacent to Interstate 275?

Mr. Case: So we rent trucks and trailers. And, inventory is dynamic. So, we have assigned vehicles and then we have one-way vehicles so you can move across country or move in from across county to this destination. So, it really depends on utilization. If I had to provide an estimation, you could be dealing with 20 trailers, 30 trucks, sometimes, it may be more; sometimes it may be less. You could go by a U-Haul location and see the lot completely empty because everything has been rented and that happens quite often during our busy time of the year.

Mr. Hawkins: But it's fair to say that there's going to be maybe 20 to 30 other vehicles besides the 14 adjacent to Interstate 275 on the property?

Mr. Case: I would say that's safe to say.

Mr. Hawkins: With regard to the northern side of the property adjacent to Interstate 275, there's going to be signage there, right?

Mr. Case: I'm sorry?

Mr. Hawkins: There's going to be signage there on the building?

Mr. Case: So, the signage, although we presented what would be the old submittal for planning and development, we had some imaging and we did take that back and I believe your new presentation, we had fake doors imaged on the front side of that. And in this new packet, we removed those. So, again, significantly reduced. Although it's not part of this approval process technically, I don't mind touching base on it, but we significantly reduced that too. That still would go through the approval process through the City regardless, but this is a proposed plan of what we feel would indicate our building as far as advertising as far as actual signage.

Mr. Hawkins: But, to be clear, in terms of what went through Planning Commission, was their signage facing the north side of the building, facing Interstate 275?

Mr. Case: Yes.

Mr. Hawkins: Okay. And, with regard to those 14 vehicles adjacent to Interstate 275, in all candor, what's the likelihood that those vehicles would move from that spot and be rented versus the other 20 to 30 that would be on the site that would be coming and going?

Mr. Case: All our vehicles are rented.

Mr. Hawkins: Okay.

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Mr. Case: So, they could be gone at any time or they could be there. As I said, I can tell you next weekend most of our lots will be completely empty and the trucks will return, and we will get some other vehicles in, but there will be times where there will be no trucks on the lot.

Mayor Webster: I have a question; I guess this is for Joe (Braun). What happens if Council approves this ordinance tonight, say with the exceptions of item "g" which Mr. Anderson mentioned. So what if Council agrees to amend that or eliminate "g" and they approve it, with the elimination of "g". What's that do to the Planning Commission when this gentleman comes back to Planning Commission with his final development plan? Is Planning Commission then obligated to not put "g" in their final plan? I understand this will not come back to Council again since this is the only bite of the apple that Council gets on this.

Mr. Braun: Do you want to speak to that (addressing Carl Lamping). I would point out something first. And this is why I had rang in earlier. I just want to remind Council that any change you make to what Planning Commission did of any kind to take something out; put something in, is going to require five votes. So, the only way that it can pass with four votes is to approve it as it is. I think that's the first part of your question that you didn't ask me, but you asked about what happens if there is a change and it goes back to Planning Commission. So, I think it's important because we heard Mr. Anderson talking about, "I'd like to approve it without 'g', or I want to change". It would take five votes to make any modification of any kind to the proposal. Carl, I can look it up, or do you know what the Code says on when it goes back to Planning Commission.

Mr. Lamping: They'd have to submit for a final development plan.

Mr. Braun: I can tell you this; if they don't like what you approve tonight, they can't appeal that; they cannot. But, you said it has to go. I do know that the instruction from Planning Commission said that it goes back for final approval. I think the Mayor's question is what happens if Planning Commission doesn't like the final plan. Is that your question? (addressing Mayor Webster)

Mayor Webster: If Council modifies this and takes one of these items out or changes it, now is Planning Commission obligated to honor that?

Mr. Lamping: Yes sir. This is the final decision on this subject.

Mayor Webster: Okay. Getting back to the four votes/five votes. So, for Council to approve it; as is, four votes. If they deny it, it takes five votes? And, if they modify it, it takes five votes. Is that right?

Mr. Braun: Yes.

Mrs. Emerson: I appreciate the extra screening and stuff that you have put in the modifications. How is it going to look in the wintertime and in the fall when the leaves fall off the trees that you're using for screening?

Mr. Case: So, the shrubbery should not lose its foliage. The trees selected, to my account, the trees would lose their leaves during the winter. That's my understanding; just like the trees that are there currently.

Mrs. Emerson: Which is going to make the trucks more visible at that time.

Mr. Case: That would.

Mrs. Emerson: Thank you.

Mrs. Sullivan-Wisecup: I have a question for our Planner. Technically do their trucks, since they have advertising on them, does that count as signage?

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Ms. Fields: We have a specific section in the Code that talks about prohibited signs. It talks about tractor trailers and box trucks that display the names of advertisement thought to be in off street loading areas, so we do address stuff that has been going on.

Mrs. Sullivan-Wisecup: So, what you're saying is, just for the record, is that technically because these do have that specific logo, the signage on them, they would be considered part of signage for that company. Okay. Because I know, like you said, that the trucks are going to come and go so it would be hard to assign additional signage for the building and for other things like that if, or are we just to assume that all the trucks will be there and count that as signage?

Ms. Fields: I don't think that those vehicles with signage are not parked out front because we do consider signage so, if the Council wants to allow those trucks out front; that would need to be a specific thing here. I would not count that as building signage.

Mrs. Sullivan-Wisecup: Okay. That's what I was asking. That's what I wanted to know; if it was considered separate or the same. Okay. Thank you.

Mr. Anderson: I just wanted to add that section that was just referenced for prohibited signage for tractor trailers and box trucks is actually already included in the conditions. That's 153.453 (f) is where that occurs. So, when I had mentioned to accommodate this, we would have to make that amendment if we were so inclined and that was part of what we would have to amend because that's called out in Planning Commission right now in Section (e) of the ordinance where the called out to make sure that they have to conform with that prohibition in order to accommodate the request of the applicant, we would have to specifically allow, I believe, as part of the ordinance that they could do that in a specific part of their plan. So, I would anticipate if we wanted to do that, the amendment would have to say that Section (f) is not required in that east side of the building allowing up to 17 parking spaces per the plan. I think that would have to be part of the amendment that we were proposed if we were inclined to make that change. Thank you.

Mr. Hawkins: This question is for staff. Just for the sake of the record and clarity. Do we consider the vehicles at Enterprise as commercial vehicles?

Ms. Fields: They don't have advertisement on the side (inaudible).

Mr. Hawkins: So, despite maybe a de minimis sign on the back of the vehicle that says "Enterprise" that wouldn't constitute a rise to the level of being commercial vehicles?

Ms. Fields: Yes. We do have specific markets in the Code that addresses for sale (inaudible).

Mayor Webster: Would you use the mic back there please.

Ms. Fields: So we have a section

President Vanover: Push the bottom. The button on the bottom.

Ms. Fields: The button on the bottom?

President Vanover: The back of the mic.

Ms. Fields: Sorry about that. So we do have a section in the Code; I don't have my full Code that addresses how we screen and how we address for sale and for rental cars. And so, we address that differently than we address this issue of cars or trucks that are used as more advertisement purposes with signage on them. So, we kind of have two completely different regulations for how we deal with these.

Mr. Hawkins: Thank you. And, I appreciate what Mr. Anderson has said. At the same time, I do think the placement of these vehicles is for commercial purpose. I think that,

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Mr. Anderson (continued): despite the ebb and flow I know that takes place at U-Haul trucks and trucks coming and going, I'd be willing to bet if I was in Vegas that there's probably going to be 14 vehicles there on the north side of that property facing Interstate 275 if there are 14 vehicles on that property. So, I do think that the purpose of that, and as the applicant has even indicated, is for some value of folks driving by and seeing those vehicles there that say "U-Haul" that may call someone to want to use your services. The issue I have is that you can get into a slippery slope of where we're doing that. So, I understand Interstate 275 isn't necessarily a business that's a front on Kemper Road, or Route 4, or Springfield Pike, but, at the same time, there's an idea of what the City was trying to do with the Code to limit putting commercial vehicles on the public right-of-way. So, I do have a concern with regard to what you're indicating. Now, at the same time, I appreciate the fact that you've taken steps to try to screen those to an extent. But, through your own admission, they are going to be visible somewhat and that is something that I have an issue with. So, I just wanted to state that for the record.

Mr. Braun: For Council's information, I do have an answer to the Mayor's question. So, what will happen is if you do make some modification to the plan, it will go back for staff review as part of the Planning Commission's review and the Code Section 2.153.255 states "if the Planning Commission disapproves the Final Development Plan, the developer has the right to appeal that decision back to City Council within 20 days of the disapproval. City Council's decision is final". That should answer your question.

Mrs. Emerson: One other question. Do you have the ability to park these vehicles to the back of the building?

Mr. Case: To the south side?

Mrs. Emerson: Yes. Those 14 that are exposed to the interstate; can you move them around to the back of the building so they're not visible?

Mr. Case: As far as our minimum operating standards, drive-by display is part of our minimum operating standards. So, although they're drivable as I stated and, of course, the impasse with Planning and development and several comments today, display is half the selling and display is part of our business operation as a minimum standard. So, we would need to display to Interstate 275.

Mrs. Emerson: So, you can, but you don't want to.

Mr. Case: It's just not part of our operating standard.

Mrs. Emerson: Okay.

Mr. Case: So, we're not able to just reposition them all to the south side. Then, we would eliminate the attempt to provide a minimal display.

Mrs. Emerson: Okay. Thank you.

Mr. Ramirez: You know, as we stated, we really would like this to work out for you. I was at the Planning Commission when we had a long discussion on this and we couldn't come to any resolution and the big stumbling block was the trucks parked along Interstate 275. I appreciate that you did come up with a landscape plan, but not knowing really what that's going to look like, as Mrs. Emerson said, in some months, those trees might not be as lush as other months and if it really was an issue you wanted to be visible from Interstate 275 and you were kind of blocking the view, but not really blocking the view, I don't know what that landscape plan will look like with that amount of trees and really blocking the view of the trucks. We're still stumbling on the parking of the trucks on Interstate 275. And, again, for the final time, I would like to see you move into that space. I would like to see it work for you. But, we have certain conditions we're trying to make. Thank you.

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President Vanover: Well, I too, have issues and by the applicant's own choice of words, it is a drive-by display. To me, that says it all; it's marketing, advertising. In my mind, where this property sets, you're by it before, well, if you're heading from West to East, you're pretty much by it before you're there. Coming from East to West, you get a longer shot at it. And, if somebody's not familiar with the property, they're in a quandary because if they don't know the area, how are they going to get there? It's kind of hard to punch in Google Maps at 70 miles an hour to get turned around because you're either going to end up jumping off Interstate 75 south and come in from Sharonville; your best first hope, or you're going to either Interstate 75 north, or you're going further out Interstate 275 to turn around and come back. Mr. Hawkins mentioned it and, to me, that's my big sticking point with staying on this requirement is once you open that floodgate, there is no shutting it. Well, I won't say there's not shutting it, but, it becomes very hard to. Because, just like kids, "well, he got to do it, why can't I?" So, that's my input at this point.

Mr. Anderson: I do agree and I've never questioned that this is part of marketing. What I, to the comment you just made about slippery slope and Mr. Hawkins, I think it's well taken. My primary point is we're already on that slope and I think we need to acknowledge that we've started to make those accommodations in PUD's for businesses to do this type of marketing. This one feels more visible because it's a bigger truck. But, we got on that slippery slope the moment that we removed some of those landscaping standards for the auto dealerships and for rental car agencies. We're already talking about Enterprise has a sticker on the back of their car for rental, but it's not big enough. Lowe's has trucks that they rent from their lot; a pickup truck that you can rent from Lowe's in Springdale with big signs that say, "Rent me here". That's on their lot; it's in a PUD, and it's permitted. So, I think we need to acknowledge that we're already on that slope and what makes this different than those other businesses. And, for me, I think the interstate use feels a lot, very analogous to the arguments the car dealerships and rental agencies would do for Kemper and displaying their cars. Right? Trucks are longer haul; longer distance, seeing the rentals does have that affect. That's why it's part of their business. So, I guess, my comment, my concern is we're already on that slope; we don't avoid it by saying, "No" to this and I think that we can maintain the integrity of the retail area by not just striking the requirement for commercial vehicles because it is a commercial vehicle for that purpose, but stating that it has to be screened from that right-of-way area and exclude the Interstate 275 visibility from it. We don't have to debate a landscaping plan tonight. The requirement is if they want to continue, if that works for them; it would have to be screened year round. So, they can figure out how to do that. We don't have to be landscapers. But, we're on that slippery slope. We've already done these types of accommodations and I think if we accommodate that right-of-way blockage for the retail area, that we can make this work. Again, that's my view, which is one of five that would be needed. But, if I'm isolated; that's fine. But, I felt like I needed to share that we're already on that slope and we've accommodated other businesses. Thank you.

Mrs. Sullivan-Wisecup: As far as advertising and stuff, I know that you've said this is the reason why you have those 14 up there. You have one of the largest advertisement signs in all of Springdale right there on that property that I'm sure you could have access to. I believe the Chamber of Commerce has space you could use. We have a chamber person here and they do monthly things like that. That's a way to advertise without having to have 14 or however many trucks visible and have to worry about shielding. I understand that this is your standard. This is what everybody does and it is a unique situation, but you're talking about having it visible from the highway. That's a lot of visibility and as Mrs. Emerson said, it's not that you can't move them, it's that you don't want to. You want to leave them there for advertising. There's other ways to advertise without having to have those trucks there. That's all I have to say.

Mr. Case: Can I comment for a second? In reference to, I know Enterprise keeps coming up, and I know you references Lowe's, I know Home Depot is in the box truck business. They also have a pickup truck for rent. Lowe's does have that. Even Menards has rental trucks. Enterprise actually has a car club and they also rent vans and they also are in the truck business. Not all locations do that, but they do have a car club which is imaged with car club imaging and their vans are definitely imaged with Enterprise imaging. That's standard in the rental business. As far as the screening again, our goal, of course, is not to fully screen,

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Mr. Case (continued): but, we again try to “amp up” our screening again just to help negotiate that as much as possible and I believe we have complied with the other requests which is a number of requests through Planning and development and we have accommodated those, then this being the one impasse again that we seem to be stuck on and that’s of course why we are here tonight and hopefully, again, I hope that can be resolved.

Mr. Hawkins: What’s the length of the vehicles that you’d have parked on the north side of the property?

Mr. Case: I’m sorry.

Mr. Hawkins: What’s the length of the vehicles you’d have parked on the north side of the property?

Mr. Case: We have pickup trucks and vans, we have ten foot, we have fifteen, we have twenty foot and we have twenty six foot. Again, my intention is not to park a 26 foot truck there ever. We don’t do that on our front lines, especially with limited display with 14 spots. It depends on the store what we have. Of course, this is far more limited. If you would go by our Sharonville location, it’s a bowling strip parallel to the road. That’s our only parking we have, so we kind of adjust to the parking available to the location as best as possible. So, our largest truck, the 26 foot, would definitely not be parked there. But, the majority of the equipment, as everyone rents pickup trucks, vans, ten foot, fifteen, that would make up the majority of that display.

Mr. Hawkins: My only point is, is this along the lines that of what Mr. Anderson said. They can park vehicles that aren’t going to be wider than nine feet or longer than 18 feet as long as they’re screened. It’s not “and” in there; it’s “or”. So, according to 153.453, “box trucks displaying the business name or an advertisement” are prohibited signage “unless they are parked in an established off-street loading area or in an area not visible from the public right-of-way.” So, if the applicant complies with the size of the vehicles and the applicant is already indicating you want to park your biggest ones there and you screened it, then you could be in compliance with what Planning Commission sent over to us and recommended. So, some of this is a matter of choice; how far do you want to go. I understand, and, as you’ve said, part of that is you want the visibility. But, the other side of that is with what Planning Commission has sent to Council as it is, you’re pretty close to being able to comply with that if you chose to go through and do that and do the business as it is. So, I just wanted to make sure it’s clear from where we’re at. This doesn’t require a whole bunch more besides some additional screening there and you monitoring the size of the vehicles that you’d park there on that north side by Interstate 275.

Mr. Case: I agree; we are really close. But, their approval does include full screening; no visibility. And, unfortunately, I just can’t go with that. My hands are tied in that aspect for our company. We’ve been around since 1945. That is part of our operations and that’s something I; the CEO called me last week on this particularly and I explained exactly what we’re discussing. I said, “I believe that we have worked to comply with everything that Planning development have gone through. I’m going to City Council the 17th”, which is tonight. I said the only issue we have is the visibility to Interstate 275 I believe. He had the site up on his Google images and he’s in Arizona, but he flies around. He’s toured the site twice and the first thing he noticed was next door. There’s a whole parking lot full of semi-trailers and he says, “That’s right there”. His expression too was I just hope that with the amount of landscaping that we put into this that there can be a compromise to be able to do this. I wholeheartedly hope that we can make this work. I think it’s a tragedy if we can’t. That’s really what we’re talking about is that we have a number of equipment; this is a very small percentage of our fleet and it would be the smaller of the vehicles on display and I know what the Code is. I know what the PUD is and that’s why we’re here because it’s why Planning and development; we went there and, again, that’s why we’re here. We’re doing everything we can to try and screen that without a full screen and I know that doesn’t exactly fit with what the Code states, but I also have my company guidelines and I’ve worked with

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Mr. Case (continued): them for 26 years and I know that there's certain things that have to be a give and take and we try. We took the fake doors off the front the building for signage. We normally want fake doors to show storage. Believe it or not, people walk in our stores that have 700 storage units and ask if we have self-storage. They seriously walk around our boxes sometimes. I'm not one to call our customers dumbfounded or anything. They'll walk around boxes and they'll say, "Do you guys sell boxes?" It sounds bizarre; it happens. And so, anybody who deals with this for a long time, and I'm the only one probably in this room with that aspect, but that does happen, so, drive-by visibility is huge. And, again it's the same as; Enterprise has their rental cars all around the front. The car dealerships, their hottest car is on the front line. That's just how it goes for those types of businesses and unfortunately I don't have another way to, I don't want to say, argue or dispute, I'm trying to compromise as best I can with landscaping improvements without full screening and this is the best I have for that. I hope that there's something.

Mayor Webster: Just so that everybody understands, so what you're asking us to do tonight is to approve this with some modifications. Taking out some of these exceptions, but you do want an affirmative vote. You want us to approve what Planning Commission has sent us; minus some of these conditions.

Mr. Case: Well, I'm asking for a modification to the existing approval by PUD to allow for; we submitted a landscaping plan and that, I guess, modification in your approval would be to allow for the landscaping which we presented and which, yes, would include some visibility. However, we are making substantial upgrades so that's the compromise that we're seeking is really the front-line display is really what this is coming down to unfortunately.

Mayor Webster: I'm sure you made this proposal to our Planning Commission and they rejected it; right?

Mr. Case: Right. At that time, of course, they approved the plan, but they approved it with full screening to Interstate 275 and of course, the mention of the garage door which is repositioned. And of course, I think we left there at 10:00 at night and so there was a lot of discussion. I got home at 11:00 and so, yes, it was discussed heavily and I know there was a brief recess and how they came to their approval and it was with full screening. I know I communicated that a display of minimal at least is part of our operations and that again is still the impasse of which I tried to accommodate as best as our company can.

Mayor Webster: But you're saying you could live with all the exceptions and all the conditions they placed on you except the ones that prohibit visibility from Interstate 275.

Mr. Case: I could review them one by one if necessary. I would do that, but, from my understanding, yes, the display is the key.

Mayor Webster: Mr. Anderson, which one was it "g" you said?

Mr. Anderson: Yes. I believe in order that in order to accommodate the request you just described, we would have to amend "e", "i", and "n" to exclude visibility from Interstate 275 and then strike "g". So, "e", "i", and "n" we would have to amend to exclude sight from Interstate 275 right away from those sections. And, we would also have to strike "g" completely. Which it doesn't need to be referenced at that point. I believe that would allow, so, all the other requirements like the change in the door placement, he mentioned the other landscaping, everything else about the PUD that Planning Commission reviewed would remain intact and it would be up the applicant's plan to accommodate that. So, it would be amending "e", "i", and "n" to exclude site lines from Interstate 275 and it would strike "g" completely because you couldn't park it even if it was seen with "g". That's my understanding.

Mr. Case: I would like to make one comment. Our trucks are not more than nine feet wide. They're all less than nine foot wide, as far as tying it in a little bit better with that.

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Mr. Anderson: And, that's a good point, if I may add to that. The amendment for "i", right now would also have to, we could set that limit. Right now it says "18 feet in length". I know U-Haul has what, up to 26 feet?

Mr. Case: We have 26 foot. Twenty would be the next size down.

Mr. Anderson: So, if we were only going to allow 20 footers and below, we'd also have to amend the 18 to 20.

Mr. Case: I would be perfectly acceptable with that. As I said, I have no desire to park a 26 foot truck on our display on the front.

Mr. Hawkins: One last question. You indicated that your operating standards require some type of visibility from the roadway.

Mr. Case: To specify, I would rephrase it or call it "equipment display".

Mr. Hawkins: So, to what degree is that? Obviously, you're indicating you tried to screen some of that. You've heard from Planning Commission that, and their recommendation to Council is screening all of that. You're indicating you have to have some type of visibility; it's a little vague for me. Is there any operational definition as to what that looks like?

Mr. Case: So, in the landscaping plans submitted, there is existing landscaping. There are trees along the front. Along the fence line, the fence line is full of what I would guess you would call dogwoods and miscellaneous weed-style trees. So those don't need to be there. Those are actually, I guess, would be invasive growth. However, on that hillside would be shrubbery. On that hillside would be additional trees in addition to what is already there. So, particularly on Interstate 275, we're adding 11 trees on Interstate 275. I think they've currently operated, they had that whole parking lot and they had 25 spots there originally for Front Room, which they could have parked cars there and, I know, mine aren't cars, but my pickup truck, van, and ten foot and even the 15 foot fit the parking spots. And, on the site plan, they're angled a little bit. But, it's 11 trees on Interstate 275 that would be added to that along with shrubbery as low-level landscaping, which we normally do shrubbery to about bumper-height of the vehicle.

Mr. Hawkins: I understand that, but my question is you're saying some type of visibility, so my question is there an operational definition of what "some type of visibility" is within your standing operating procedure. Are you saying, "I've got to be able to see one truck, I have to see 15% of whatever vehicles are parked there". You're obviously saying that you can't have them all screened 100%. I'm just asking. And, there may not be a definition, but I'm asking so I have an idea. Because, if there was a modification and you then have a "green light" to do whatever, I'm trying to see what it is that you're saying is the minimum that you need to be able to meet your standard operating procedure.

Mr. Case: I would say I don't have a percentage. But, I think 11 trees is substantial. I think there's four or five trees right there right now. I think two of them are actually dead, so, those would be replaced. And, then we would add an additional 11 trees. I don't have the, the site plan might have the length of that. It's still shorter than what we usually deal with, but putting 11 trees in that spacing; the tree would grow and fill in to an extent and I know it was made earlier about the foliage. But, as far as spacing for a tree for natural growth, I think that as the trees grow and fill in, as they mature, is substantial fill beyond far beyond what we would ever do. I mean, personally, we would never plant trees there. But, due to the Code, we're going to plant 11 additional trees along with the existing to that area, along with shrubbery. So, there was a picture submitted, I know about the submittal the day of. There was a picture which is basically a rendering. I drove by that building about 15 times in an evening taking night pictures, day pictures, and so the renderings provided of similar to what it would look like from one angle is presented in your packet of what that would sort of look like, so, depending on where you're driving and how

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Mr. Case (continued): you see it; based on growth, it's not a full image of the vehicle at times, however, you would see in between trees as you pass by.

Mr. Hawkins: Thank you Mr. President.

President Vanover: Talking trees, you say 11. What size are these trees? Are they one inch caliber, are they three inch caliber? I mean, you can go to Lowe's and get a one inch caliber dogwood that's about five foot tall and it's going to be awhile.

Mr. Case: The trees that I see that we plant will grow to approximately 15 feet.

President Vanover: Fifteen feet tall?

Mr. Case: Approximately that, yes. It's not an oak tree or anything like that. It's sort of like what you see I guess in housing developments putting in these modern style trees that are not overwhelming, however, and our trucks are only so tall, so I think that would be about level or just above our truck line.

President Vanover: Liz, a fifteen foot tree. Experience kind of tells me is what; about a three inch caliber?

Ms. Fields: It would depend on the species obviously. A standard 2.5 inch caliber is usually a minimum requirement in the landscape code. Two to two and a half inch. But, this could be something that's debated at Planning Commission in the final development plan, so, I think that needs to be taken into consideration.

Mayor Webster: We're having this public hearing tonight and the decisions you guys make are going to be finals as far as Planning Commission is concerned. And, when Planning Commission had their public hearing, I know for a fact, that there was a letter submitted that I don't see in the packet here from Mr. Larry Bergmann, representing the Beltway Center and, as you know, we've got several tenants over there; 15, 20 tenants I guess and some of them who made some substantial investments in their property just recently. They were opposed to this rezoning and Joe, you might be able to speak to that. I don't have the letter with me. Carl, you probably don't have it do you?

Mr. Ramirez: That's actually why I called in on behalf of Morris Furniture. They made a substantial redo of their storefronts and Mr. Bergman showed up to voice his opinion that they were against that type of business opening across from them.

Mayor Webster: I think it's somewhat unfair for Council to have to make a decision. They're not hearing the opposition which Planning Commission heard the opposition and that's why they came up with these recommendations.

Mr. Anderson: Referencing the letter, I did listen to Planning Commission and heard the testimony. They were concerned. There was a concern raised about what that would do from their site and from their visibility which is why I'm very conscientious in what I'm proposing also is that we should maintain the screening from Century Boulevard in order to accommodate their investment in their use case. There was a furniture store there before this changing. This is a change which is why I think the limit to the frontage that they would have visibility should to be Interstate 275 where it's consistent with what's north and south on that. I agree. I think if you just opened up and just had no landscaping, and it's just an industrial park looking field, that would be a problem for those businesses, but I think maintaining screening to that other right-of-way would be important and satisfy the request that they made. Thank you.

Mr. Case: I can speak on that letter from Mr. Bergman also. I have a copy of that. As far as he did include some photos in that which included some ground "up-builds" that are multi-levels from competitors where this is a conversion project. So, it's extremely different. I am building a ground up in Milford, Ohio which is multi-levels and, of course, you purchase vacant land and that's a different proposal at the time. But, all our conversions definitely go through city processes and meetings and come to an agreement. So, under my leadership,

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Mr. Case (continued): we've acquired about nine properties that we've worked with local communities to agree with any kinds of codes, landscaping and all that that may be required and we have done business at a number of communities that we have not done in the last ten years that we've been able to grow with. So, as a comment on that letter, as far as Morris Furniture and these other businesses, I would like to say that a furniture store is a direct relation to the services we provide. You have people moving in and out of homes. As far as feelings on the matter, this will bring more people to his business. We have a vacant building today; we're offering 50 jobs coming into this area. We will be hiring. I know that's a side conversation as opposed to this display, so we're going to bring people to these businesses in an area that is, I see vacancy. If self-storage comes in to this property alone, it will be operated by three employees. So, I think we bring a lot and I hope that's considered in our discussion to come to an agreement of this display versus the many other aspects we can bring and also bring to other businesses. So, I can't speak on his exact feelings, but I think we can help his business.

President Vanover: Alright, this is still a public hearing. Is there anybody else that would like to address the issue?

Mr. Thompson: Hi there. I'm John Thompson and I'm actually the listing agent with Newmark Real Estate for the property. All I do is retail in Cincinnati. It's all I've ever done for the last 25 years and my only point that I want to make is that I recognize that the intention of this law, or at least this rule is to prevent, or at least I think it was intended to prevent stores that operate throughout your retail district from buying a van of some sort, putting their advertising on it, and putting it out at the end of the parking lot, which is really additional advertising and it's unsightly. I own retail strips in Cincinnati and I don't allow that. But, this is really a product they are marketing and for people to rent and use and that's really what the intention is and they need that out there so people can see it and Interstate 275 gets a lot of traffic. That's the main difference I see. I certainly understand that I think you all have the right intention that you should not allow vehicles to be purchased and put out in front of properties to advertise tenants that are in there because that's generally unfair to the other tenants who don't do that and it just gets to be an eyesore. So, that's really the only point I wanted to make and I appreciate your time.

President Vanover: Okay. Second call. Third and final call. Alright, we'll close the public hearing. Council, you've heard the reading of Ordinance No. 19-2020, and this is a second reading closing the public hearing. I'll entertain a motion. What is your pleasure?

Mrs. Sullivan-Wisecup made a motion to adopt as is with stipulations "a" through "o" as advised by Planning Commission; Mrs. Ghantous seconded.

Mr. Anderson: I would like to propose an amendment to the ordinance to amend Section (1), (Item) "e", "i", and "n" to exclude requirements from the line of sight visibility from the right of way from Interstate 275 to the section stated in those. Likewise, strike Section (1), (Item) "g" completely and amend the current Section (1) (Item) "i" where it reads, "18 feet" to replace that with "20 feet".

President Vanover: I have a motion to amend, is there a second?

Mr. Hawkins: Seconded to bring it to the floor.

President Vanover: Motion and second made. Any discussion on the motion to amend?

Mr. Anderson: Thank you. Just one final comment on it. I appreciate the second to bring it to the floor just so we can have a full hearing of it. I appreciate that. I feel like it needs to be stated a PUD, the intent of a PUD is so that we can make accommodations like this, in my understanding so that we can accommodate business and do it in a way that's appropriate for Springdale and for the businesses to maintain it as business-friendly and bring in these types of things. I feel, making these accommodations to our Code are minor and in the spirit of the rest of that district, while maintaining the integrity of the other

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Mr. Anderson (continued): businesses in the area. So, as a PUD, this is the only mechanism a business has to do this. If it wasn't through a PUD, this request of this change would have come to BZA and been accommodated through a variance process. So, I just want to remind people this is a PUD and the intent of it is so that we can make these accommodations, from my perspective. So, I support the changes, and I may be in the minority there; and that's fine, but I just want to be on the record for that. Thank you.

Mrs. Sullivan-Wisecup: I absolutely hear what you're saying and I would be in favor if there were more stipulations as to the percentage of, thank you Mr. Hawkins for bringing that up. I would need to know what the percentage of visibility would be exactly, the exact placement of the trees; things like this. I don't feel comfortable kind of giving "carte blanche". I know that they have to come before Planning (Commission) again with the final plans, but I just feel like that would be going backwards, and they could appeal. It would just be a back and forth kind of situation. Whereas, if this is accepted as is, then that discussion is off the books. Thank you.

Mr. Ramirez: One final comment on that. I agree with Mrs. Sullivan-Wisecup. If the applicant would just go with the screening, I think everybody is happy. So, partial screening with the unknown of what the partial screening really looks like, problematic. Thank you.

Motion to amend Section (1), (Item) "e", "i", and "n" to exclude requirements from the line of sight visibility from the right of way from Interstate 275 to the section stated in those. Likewise, strike Section (1), (Item) "g" completely and amend the current Section (1) (Item) "i" where it reads, "18 feet" to replace that with "20 feet" fails with a 1-6 vote.

Mr. Anderson: I just want to be clear based on that motion being denied. It is the, as I understood it, the applicant would no longer desire the PUD change in its current state. So, from my perspective, making a change that isn't going to be used isn't in the best interest of Springdale in my opinion, so I just wanted to share that. Thank you.

Mayor Webster: Mr. Anderson, I've had that discussion with our chief Building Official and that would not preclude the existing usage. This would just be an addition. If this is approved, with all these conditions, this will just be another use that could be made of that building, but it wouldn't preclude anything that's legal that's in there presently. Like strictly just retail.

Motion to adopt Ordinance No. 19-2020 passes with six affirmative votes, and one nay vote (Anderson).

Ordinance No. 20-2020

AN ORDINANCE CONFIRMING THE DESIGNATION OF DEPOSITORIES BY THE FINANCE COMMITTEE OF COUNCIL FOR THE ACTIVE AND/OR INTERIM DEPOSITS OF THE CITY OF SPRINGDALE OHIO; ALSO DECLARING ALL PUBLIC MONIES COLLECTED OR TO BE COLLECTED DURING THE PERIOD OF DESIGNATION TO BE ACTIVE OR INTERIM DEPOSITS; AND ESTIMATING THE PROBABLE MAXIMUM AMOUNT OF MONIES SUBJECT TO DEPOSIT THEREIN AT ANY TIME DURING SAID PERIOD AND DECLARING AN EMERGENCY

Mr. Hawkins made a motion to adopt Ordinance No. 20-2020; Mrs. Sullivan-Wisecup seconded.

Ordinance No. 20-2020 passes with seven affirmative votes.

Ordinance No. 21-2020

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE LEO BRIELMAIER COMPANY FOR THE POLICE DEPARTMENT LOCKER ROOM RENOVATIONS PROJECT AND DECLARING AN EMERGENCY

Mrs. Emerson made a motion to adopt Ordinance No. 21-2020; Mrs. Sullivan-Wisecup seconded.

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Ordinance No. 21-2020 passes with seven affirmative votes.

Ordinance No. 22-2020

AN ORDINANCE (PRELIMINARY) AUTHORIZING PARTICIPATION IN A PROJECT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION FOR THE TRAFFIC SIGNAL SYSTEM UPGRADE PROJECT AND DECLARING AN EMERGENCY

Mrs. Sullivan-Wisecup made a motion to adopt Ordinance No. 22-2020; Mrs. Ghantous seconded.

Ordinance No. 22-2020 passes with seven affirmative votes.

Public Hearing

Resolution No. R17-2020

A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF SPRINGDALE FOR THE FISCAL YEAR JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

President Vanover: With that reading, I will open up the public hearing. Is there anybody in the audience that would like to speak either for or against the tax budget? Second call. Third and final call. We'll close the public hearing.

Mr. Hawkins made a motion to adopt Resolution No. R17-2020; Mrs. Emerson seconded.

Mr. Anderson: One question, and this might be best for Mr. Williams. I noticed in the worksheets we do list out local government funds and there's also a section for intergovernmental revenues. In the past week, the Hamilton County has announced the distribution of the \$25 million dollars that it's holding from the CARES Act, and Springdale's share was announced to be somewhere in the order of \$230,000. Should that show up in this budget, or is that just a separate line item when that comes in for different uses?

Mr. Williams: As I told the Mayor, this was all prepared before that email came out. I think that came out about a week ago, so, that will just be an added bonus.

Mr. Anderson: It ordinarily would be in this tax budget.

Mr. Williams: It would be if we had the notice.

Mr. Anderson: So, when we do actuals next year, we should expect a higher number than what's in here and that will show up in intergovernmental.

Mr. Williams: Correct.

Mr. Anderson: Thank you.

Resolution No. R17-2020 passes with seven affirmative votes.

Old Business

Ongoing discussion of State of Emergency resolution

Mr. Hawkins made a motion to revoke the previously instituted State of Emergency Resolution (Resolution No. R06-2020); Mr. Anderson seconded.

Mr. Anderson: I just wanted to thank the Mayor for his diligence in communicating the actions that he took during this time. I thought they were all appropriate and I appreciated both getting the emails, the detailed explanation as well as the update in the Administrator's report. I thought that was great. So, thank you for that.

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Mayor Webster: Thank you very much. You can't imagine what an awesome responsibility this was (laughter), but I enjoyed doing it.

President Vanover: Just don't let it go to your head.

Mayor Webster: Thank you for your trust.

Motion to revoke the previously instituted State of Emergency Resolution (Resolution No. R06-2020) passes with seven affirmative votes, thereby officially rescinding Resolution No. R06-2020.

New Business - None

Meetings and Announcements

Mrs. McNear: This is a reminder to all elected officials that you need to file with the Ohio Ethics Commission. Please be on time as they will fine you. Thank you.

Mrs. Sullivan-Wisecup: Planning Commission will meet in these chambers at 7:00 p.m. on July 14th.

Mrs. Ghantous: Board of Zoning Appeals will meet Tuesday, June 23rd at 7:00 p.m. in the chambers here.

Communications from the Audience - None

Update on legislation still in development

Mr. Hawkins: As you review your Internal Memorandum, we addressed Item Number I with Ordinance No. 21-2020; which passed with seven affirmative votes; An Ordinance Authorizing the Execution of an Agreement with the Leo Brielmaier Company for the Police Department Locker Room Renovations Project and Declaring an Emergency. We had Item Number II before you which was addressed with Ordinance No. 19-2020; An Ordinance Approving a Major Modification to the Tri-County Commons Planned Unit Development (PUD) and Approving the Preliminary Development Plan at 11750 Commons Drive (U-Haul Development) which passed with a 6-1 vote. Item Number III was addressed with Ordinance No. 20-2020; An Ordinance Confirming the Designation of Depositories for the City of Springdale and Declaring an Emergency and that passed with seven affirmative votes. Item Number IV was addressed with Ordinance No. 22-2020; An Ordinance (Preliminary) Authorizing Participation in a Project with the State of Ohio Department of Transportation for the Traffic Signal System Upgrade Project and Declaring an Emergency; that passed with a 7-0 vote. We also had Item Number V, Resolution No. R17-2020; A Resolution Adopting the 2021 Tax Budget of the City of Springdale for the Year January 1, 2021 through December 31, 2021 which passed with seven affirmative votes. We also had the revocation of the resolution for the state of emergency (Resolution No. R06-2020) which passed 7-0.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: I have no items unless there's anything from Council or the Administration.

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Adjournment

Mr. Hawkins made a motion to adjourn; Mrs. Sullivan-Wisecup seconded the motion and Council adjourned at 9:08 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

_____, 2020