PLANNING COMMISSION MEETING
April 10, 2018
7:00 P.M.

I. CALL MEETING TO ORDER

The meeting was called to order at 7:00 p.m. by Chairman Darby.

II. ROLL CALL

Members Present: Richard Bauer, Don Darby, Tom Hall, Lawrence Hawkins III, Dave Okum, Meghan Sullivan-Wisecup

Members Absent: Joe Ramirez

Staff Present: Anne McBride, City Planner, Don Shvegzda, City Engineer; Gregg Taylor, Building Official

III. PLEDGE OF ALLEGIANCE

IV. MINUTES OF THE REGULAR MEETING OF MARCH 13, 2018

Chairman Darby: The chair will now accept the motion that the minutes of our previous meeting be adopted.

Mr. Hawkins: I move to adopt.

Mr. Hall: I’ll second Mr. Chairman.

Chairman Darby: It has been moved and seconded that the minutes of the March 13 meeting be adopted, by voice vote all those in favor, 5 Aye, 0 Opposed, 1 abstention (Meghan Sullivan-Wisecup).

V. REPORT ON COUNCIL

Chairman Darby: Now we will have our report on Council.

Mr. Hawkins: Thank you Mr. Chairman. Council met on March 21 of this year, all seven members were present. We had recognition of the Springdale Dental Care honoring them for providing dental care to veterans at no cost. We also had the introduction of Lisa DellaTorre in the administrative, as an administrative secretary for the police department and Nathan Chaney and the maintenance worker for the public works department. With regard to ordinances and resolutions, we had Ordinance number 14-2018 authorizing the Mayor and Clerk of Council/Finance Director to execute an agreement with the City of Forest Park to provide prisoner confinement that passed with a 7 to 0 vote. We had Ordinance number 20-2018 authorizing the Mayor and Clerk of Council/Finance Director to enter into a contract with Barrett Paving Materials, Inc. for the Cloverdale area rehabilitation project and declaring an emergency. That passed with a 7 to 0 vote. We also had Ordinance number 21-2018 authorizing the Mayor and Clerk of Council/Finance Director to enter into a contract with Bud Herbert Motors Incorporated for the purchase of one John Deere 1570 terrain cut riding mower and declaring an emergency. That passed with a 7 to 0 vote. We had a Resolution R3-2018 declaring the necessity of improving the drive aprons in the public right of way as part of the Beacon Hills subdivision and Kenn Road rehabilitation project. Council also met on April 4th. All seven members were present. We had a presentation from Chief Mathis regarding new body worn cameras. They did a demonstration. We also had...
Ordinances and Resolutions. Ordinance number 22-2018 an ordinance authorizing a cooperative agreement relative to the East Crescentville Road improvement project between the City of Springdale, the Board of Butler County Commissioners and the City of Sharonville and declaring an emergency. That passed with a 7 to 0 vote. Of that, Springdale’s cost would be approximately $334,342 or 36.5% of the project. We also had Ordinance number 23-2018 amending the Codified Ordinances of the City of Springdale, Ohio to amend section 153.461 of the Springdale Zoning Code related to temporary signs. This was a first reading. This was the amendment that the Commission got to see with regard to the City being able to post temporary signs specifically on our portable electric sign. Ordinance number 24-2018 we had an Ordinance approving a Major Modification to the Planned Unit Development and Preliminary Development Plan to The Crossings at the Park Planned Unit Development (PUD). That was a first reading. We had ordinance number 25-2018 declaring certain City property as surplus property and authorizing the City Administrator to dispose of said surplus property and declaring an emergency. This is all of the stuff that we have either through the Administrative wing, Police Department, Fire Department. That passed with a 7 to 0 vote. We had Resolution R4-2018 declaring the necessity of improving the drive aprons in the public right of way as part of the Glensprings Drive rehabilitation project. That passed with a 7 to 0 vote. Resolution R5-2018 authorizing the City Administrator to file a funding application for surface transportation program funding through OKI for the East Crescentville Road improvement. That passed with a 7 to 0 vote. We also had Ordinance number 26-2018 authorizing the City Administrator to apply for a staffing grant for adequate fire and emergency response for three full-time firefighters and declaring an emergency. That also passed with a 7 to 0 vote. Beyond that, that concludes my report unless there are any questions or Mrs. Sullivan-Wisecup has anything to add.

Chairman Darby: No. Thank you very much.

VI. CORRESPONDENCE

None.

VII. OLD BUSINESS

A. The Calvary Church, 11965 Kenn Road, Springdale, Ohio, Application for Conditional Use Permit (Application 33229) Public Hearing continued in Progress.

Chairman Darby: The applicants informed us that they were not able to be here this evening but we did list on the Agenda as a necessity because we are going to have to continue the public hearing.

Mr. Okum: Mr. Chairman I move to open the public hearing, in so doing I’d also move to continue the Public Hearing in process.

Mr. Hall: I’ll second Mr. Chairman.

Chairman Darby: All those in favor?

(Voice vote 7 Aye, 0 Opposed, 0 Abstention)

Chairman Darby: Thank you we will look for it to seeing them next month.
VIII. NEW BUSINESS

A. Tri-County Mall LLC, 11700 Princeton Pike, Springdale, Ohio, Major Change to a Preliminary PUD/Development Plan (Application 33454) Public Hearing

Chairman Darby: Applicants please come forward. Good evening.

Mr. Reed: May I, and if it pleases the commission my name is Michael Reed council for the applicant Tri-County Mall. Thank you for the opportunity to appear in front of you tonight. We also appreciate the time and consideration given our request by Anne McBride City Planner, Gregg Taylor from the Building Department and the others who reviewed and commented on our request. We are respectfully asking for permission to add a new permitted use to our PUD so as to allow for storage of new unlicensed automobiles in the parking structures just to the east of the former Dillard’s store. As noted in the staff comments from the building department, the mall parking is currently significantly under used particularly in the parking structure. Ladies and gentlemen, that parking structure contains 2587 parking spaces. Please also understand that the unused part of the parking structure will remain available for general mall parking. Ladies and gentlemen, we believe that this is truly a win win situation for the City of Springdale and for Tri-County Mall. The city wins because of the availability of these additional parking spots in a parking structure and they will take new unlicensed cars away from other less desirable more visible locations and the property owner wins because it is able to make much better use of a vastly underutilized asset. I would also respectfully like the opportunity to address one more issue before you this evening.

The question of whether the request for this change is a minor modification or major modification. Code section 153.255, which addresses PUD’s, differentiates between requests for major and minor modifications. The key criteria being as to whether the requested changes a major departure from the approved status. Examples of major departures include a substantial change to the basic design, density, uses, circulation or open space requirements of the approved design. The requested change is not a change to the basic design, density, circulation or open space requirements of the approved plan. With regard to use, since the parking structure already exists and has been used for parking for many years now, the request to continue parking in the structure would appear to be a very minor change, the only difference between the prior use and the requested use is that instead of used cars of shoppers a portion of the parking spaces in the structure itself would be used by a new unlicensed cars too. Thank you very much for your consideration this evening.

Chairman Darby: Thank you for your presentation. We will move to staff reports Mrs. McBride.

Mrs. McBride: Thank you. As the applicant has indicated, they are here for the Tri-County Mall, which is zoned planned unit development. They have requested to have the following use as a permitted use within the PUD. The storage of new unlicensed automobiles inoperable condition shall be permitted in any parking garage structure such that the automobiles are not visible from any public right of way, all vehicles must be located in designated parking stalls, vehicles are not permitted to be stored in Drivee aisles are other areas. The intent as the applicant has indicated is to locate a number of the new cars that are currently scattered throughout the city which is not a permitted use, but a mobile storage lots and to take those automobiles and to locate them in what was the former Dillard’s garage which is obviously a good use of that facility. The two members of the commission that serve on Council will need to make the determination if this is a major or minor change. I would differ with the applicant in that they are asking for a new use to be added to the mall. We specifically defined automobile storage lot and what they’re proposing to do is different than a parking garage which was a permitted use there, and just as we have seen for example with the theater a year or so ago adding that use to the mall was deemed to be a major change and staff feels that adding the use of automobile storage lots is also a major change but it is up to the two members of Council on the commission.
Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. I agree with staff and disagree with the applicant. We have not had that as a use and our zoning code does define where we are allowed to have unlicensed new vehicles and the code is also very particular with regard to those types of vehicles and vehicles being sold and everything along that nature. It's very different than our neighbor to the north in Fairfield as you go down Route 4 and some of the things that you'll see down there are, not saying that that's the same thing that we're dealing with but I'm just saying that the city has been very particular with regard to what happens with vehicles being stored. So I do disagree with you I do agree with staff I do think is a major modification.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you. I also feel it is a modification as Mr. Hawkins has stated and as Mrs. McBride has stated, it is very very clear in our code what is considered a storage unit lot and this is a completely different use.

Mrs. McBride: The only additional comments that I would have is that the storage of these automobiles would not include any repairing, equipping or preparation of these vehicles so that it is consistent with the definition of automobile storage lot which is found in section 153.600 and that only employees of the dealership are to have access to the stored vehicles. That no public or customers would be permitted in that area. So, for example if you wanted to see this car in red and they said gee we have this car in red over at the mall, someone would bring the car over as opposed to customers wandering, and basically using it as a car sales lot, which is a different then a storage lot again by our definitions. That concludes my comments.

Chairman Darby: Thank you. Mr. Shvegzda.

Mr. Shvegzda: Thank you Mr. Chairman. I just had a couple clarifications to what the applicant had made. I think they were highlighted here tonight but I would just go through them again. One is that it is the parking garage and that is in the area of Dillard's not the Macy's garage. Regarding the storage areas for the cars in the garage it would be as noted by the applicant inside the garage so we're assuming that is not the top deck so that they would be out of sight. Regarding the availability of the subject parking garage and general public that they will be open to the general public and all entrances and exits will remain open. That concludes my comments.

Mr. Reed: None of those matters are objectionable to the applicant. None of those requirements or stipulations, we would fully expect to honor all obligations as imposed by the applicable code sections.

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. And it was mentioned, and the only thing that I have to add is just an account here. There are 2587 spaces per the plan for the garage. The only, I would say significant thing, is the roof level contains 474 spaces which under the terms of the proposal here would not be used for storage because it is not within the garage. Just by way of information, there are 6118 total parking spaces at the mall. That is all that I have, thank you.

Chairman Darby: We have a lot of car dealers in the city, are you prepared for more?

Mr. Reed: No sir, we would not anticipate and more.

Chairman Darby: All right. Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. The few questions, and for the applicant. As far, and you say this is a win win for the city.
Mr. Reed: Yes sir.

Mr. Bauer: Short term, long-term objective for parking cars from dealers in that parking garage for the mall?

Mr. Reed: Right now, we are under utilizing our parking spaces and as that situation, it is not a long-term goal to maintain that as a car storage facility. As we are able to fill the mall with the tenants that would typically be associated with the mall, we would envision that use being reduced or eliminated.

Mr. Bauer: So you see this as a short-term lease with auto dealers in the city?

Mr. Reed: Yes sir, it is not our long-term goal to maintain it as such. We’ll do it as long as we need to, depending on what happens with the economy.

Mr. Bauer: Okay. Mrs. McBride mentioned the theater, and that was before us a while ago, that’s no longer a viable option, or is not going forward I guess, because I thought there was some modifications to the garage in relation to that theater going in. Am I remembering that wrong?

Mrs. McBride: The area where the theater was going to go was in that general area so; the two would not have necessarily compatible.

Mr. Taylor: If I recall, the Dillard’s store was to be demolished and I believe the pedestrian walkways were going to be eliminated as well. The parking garage was going to remain but it was, like I said the walkways were going to be eliminated and you would enter the theater at grade was my recollection of the proposal.

Mr. Bauer: So, this wouldn’t interfere with that proceeding if it ever...

Mr. Taylor: Only to the extent of the required parking. So, obviously if they needed “X” many spaces for the theater, they would have to adjust the amount that they were allowed to park these vehicles.

Mr. Bauer: Okay. I guess you can take from my questions, I’m not a big fan as to what this says, in my mind anyway the viability of the mall that we are now parking cars from dealerships in that garage. I know that they’re not supposedly visible but to me they would be visible for patrons at the mall. They might not be visible from the right-of-way and I don’t believe that sends a good message to the city or to tenants to viable tenants but that is my opinion. I do have some other questions about enforceability of some of these things you talked about. Not allowing other folks to be where these cars are going to be. How is that going to happen?

Mr. Taylor: I think, just to clarify what the idea is, as Mrs. McBride stated, we don’t want this to, I think the intention is that it is not turned into a sales facility. But as Don mentioned in his report the garage would be open to the public so we don’t have any intention of trying to enforce this by fencing it all for anything like that. It is just the intention that it is not for the user to encourage their potential customers to go over there and browse.

Mr. Bauer: Okay.

Mr. Reed: I would confirm that Mr. Bauer.

Mr. Bauer: Okay.

Mr. Reed: The cars that we’re anticipating parking there would be in the lowest level of the garage so it would be relatively hidden even from customers.
Mr. Bauer: Okay, that was it for now, thank you.

Mr. Reed: Thank you sir.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. So, it goes to my question, the location in the garage area you are saying the lowest level?

Mr. Reed: Yes sir.

Mr. Hawkins: Are we talking northern part of the garage, the eastern part of a garage, do you have an idea of what the area you are thinking?

Mr. Reed: I personally do not your honor.

Mr. Hawkins: I appreciate that, I’m not there yet, about 10 years, get done trying cases, I’ll put on a black robe. I guess another way of saying it is have you guys thought about how many of the spaces you’d be willing to dedicate for that purpose?

Mr. Reed: I have not and my client, Renee’ Bell is the General Manager of the mall, she’s sitting here in the audience, she might be able to answer that better?

(talking off mic from audience)

Mrs. Bell (off mic from audience): 500-600 cars.

Mr. Reed: Okay.

Mrs. Bell (off mic from audience): It would be the lowest level (not audible)

Chairman Darby: If you would come forward please or he can repeat what you said, either way but we need it for the record.

Mr. Reed: For the record, the Tri County Mall’s considering leasing 4-5 hundred spaces; it would be in the lowest level of the mall.

Mr. Hawkins: Okay. My feelings on it, just so you know, I don’t have a problem with the garage housing these types of vehicles under the understanding that they are not going to be used for no repairs, we are not going to have people coming through perusing, doing any type of sales type thing in that area as long as it’s, I think the idea is to keep it as far away from the part of the garage that is being accessed and utilized the most. The only other thing I would say is this, I’ll go through and I will usually use the park a stop and go in sort of near the food court, along the lines of what has been indicated by Mr. Bauer, it is somewhat troubling and that we are facing the reality that we have with regard to the mall is not as busy as anybody would like to be. So, the hope is that this is something that is not going to last forever and that ultimately the mall is going to be getting more stores, more businesses in there that are going to attract folks and the mall itself is going to be filling up all of those parking spaces because of all the patrons that are going in there. But, in terms of some of our folks that are selling vehicles and if I had the choice of them being tucked away in a garage that is being underutilized vs. seeing them visibly in parking fields right there in our main intersections and thoroughfares in the city I would rather have them tucked away in a garage.

Mr. Reed: Thank you sir. As one client noted, the lowest level is now being used to store equipment so we are not taking away any real parking for customers. As you also noted the mall has a very very significant investment made when they purchased the property. They purchased the property that perhaps the peak in recent years of the business cycle after which it suffered the same kinds of problems as many malls across the country. Many retail developments across the country have suffered. Their
ownership is hard at work striving to rebuild that mall so that it is both something that the city can be proud of and that the owners can be as well.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. So, the area that you’re talking about is down underneath where like the snow plow and all, okay that is where a lot of employees park. When I used to work at the mall, a lot of us parked in there so that our cars would not get hit on the busier areas. So, you are taking away spots from people who are employed by the mall. I understand that that is not really the main part of a picture must be worried about is that consumers and I get it, but there are people who work at the mall as well and that is where a lot of them do park. The other thing is that I agree with Mr. Hawkins that there are cars parked all over in parking lots in the open it is better to talk them away but if we agree to this PUD what we’re saying is it is okay to park or over to lease out to park cars there. It opens up a whole different can of worms for other people who want to do this as well. And I don’t know if we do, my question was if we do this, are we allowed to confine into that one spot or we do this is it for the parking garages in general because I want to make sure if it is, it is only in one spot it is only a certain amount of spots and because if not it can get out of hand.

Mrs. McBride: You can require it in a certain location on that lower level only, you could specify, I think they’ve said 5 to 600 you could say to a maximum 600 or 700 or whatever the commission choses spaces would be utilized for car storage.

Mr. Reed: Ma’am, I believe that we are and somewhat of a unique position because we have an actual parking structure as compared to a lot of other situations and that might be sufficient to differentiate the mall situation with something else that you would be faced with. I have explained what our current intentions are but personally, I would hate to be constrained. We are asking for this change and while the plan right now is to a rebuild the mall and be to limit it to those 600 spots and quite possibly less, it would be tragic for us to have to come back before this board to spend the additional time and money again additional permission for another floor for example in that or part of a floor if we wanted two are needed to do on a short term basis or even a longer term basis. This is not a particularly lucrative item, they would much rather have tenants in them all the please recognize but with many many millions of dollars that are there and the many many tenants that have left in the intervening years since the mall was purchased these dollars are very important to them all in the short term to keeping it open and to being able to maintain it in a responsible fashion. So for that reason I would respectfully ask that you not impose such a restriction at this time.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. Mrs. Sullivan-Wisecup brings up an excellent point in terms of making sure that things don’t get out of hand. I would be in favor of putting some type of constraints on it. Here is the thing, you can always come back in, this matter can always be revisited by the commission as by you the applicant in terms of this usage. The idea of giving a blank check could just say to that the mall and store new unlicensed vehicles without any constraints could cause and lot of alarm in terms of what that can look like. So, we understand that there is an understanding as to what it is that you are asking for and quite frankly I’d be in favor of giving you what it is you are asking for, I am fine was 600 spaces I’m fine with a lower level and I would prefer that it’s in that northeastern portion further away from them mall itself. I’m fine with that so you would be getting, from my perspective that the rest of the commission would agree with it, you would be getting what you are asking for. To be clear we are talking about trying to keep this away from the site before being too close or too congested with the rest of the mall. We are talking about the lower level and 600 spaces that grade level only has 729 so I don’t know how much more space we are talking about if we are going to keep it on the lower level unless we’re going to start going up to the second and third. So, if there was a situation and all of a sudden there was some greater need or greater opportunity, you always can come back and make that application but, to just give a blank check to say hey you can store whatever you want as much as you want even though you are saying this is what I’m asking for, is a little bit
much I think for the city. So, you’re getting what you’re asking for from my standpoint. I’m okay with which are asking for, but I would say let’s put that in there as a limit.

Mr. Reed: Sir, I appreciate your support very much, and as well, your well considered concerns but, I would also suggest that our application did not ask for up to 600 spots, we asked for permission to park those cars in that parking structure and that it cost us $5000 if, for a major modification to come before this body tonight and so the flexibility is something that it isn’t an inexpensive proposition to come back. What we’ve asked you for tonight is what we in good faith, reasonably believe it needs to be but I’d hate to be foreclosed from that.

Mr. Hawkins: I appreciate the fact that it does take time and money to come through that process but, there’s also the concern that this commission passed to make sure that it’s maintaining a certain impression and maintaining the zoning that is set up with regard to the city and the integrity of the planning that has been set up for the city. So, there is some give and take through the course of that and I know that’s why you come through, we have these hearings, and we ask these questions so that we can get a better understanding otherwise we just look at the paper and make those decisions but it helps when you guys can sit there and say these are our intentions, this is what we’re looking at right now 500 to 600. I am not looking necessarily to hamstring the vision; I’m not sitting here going you’re talking about 500 and 600 or 450 or 500. We are talking about up to 600. I’m okay personally with 600. Now I don’t know what the rest of the commission feels but I think it is appropriate for there to be some cap on it and some confinement on it at the time being. Let’s see how it works out. And one other question, is there the thought that there is going to be anything else in terms of increased security where these vehicles are either via the mall or buy those dealerships that are going to be leaving vehicles over there or just be status quo?

Mr. Reed: We are going to leave it, as is sir.

Mr. Hawkins: Okay. Thank you Mr. Chairman.

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. Just as a point of clarification regarding the application fee.

Mr. Reed: Yes sir.

Mr. Taylor: The deposit is to be used against, well primarily review fees. So I would certainly anticipate in particular in this case, once the case is concluded, the mall can request a refund for any non-expanded funds and I would gather that to be way under $5000 and this is not like... I understand from a cash flow standpoint you’re writing a check however if it would happen to be approved, it would be a major modification one time and if you had to come back and ask for more then it would be a minor modification so the deposit would not be as great to begin with. Again just so that everybody is aware whatever funds we do not expend can be returned to your client.

Mr. Reed: Thank you for pointing that out. If the council, if the commission rather decides that a maximum number is required, perhaps you would consider knowing us to use that entire first floor. That would give us some flexibility in are the entire lower level rather. As you said, I believe that there was 700 and some spots there.

Mr. Hawkins: 729 is what we have.

Mr. Reed: 729 and we’re talking 5 to 600. That might be a compromise that would allow for potential growth even though we don’t anticipate any right now, but also be something substantially less than what was requested in the application.
Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. I’d other question this might be for staff. Do we have an estimate of numbers of cars that are part of at Cassinelli Square and wherever else we’ve got them part within the city and it do we rarely envisioned that those cars would no longer be parked in those lots.

Mrs. McBride: You must have been eavesdropping and on what I just ask Mr. Taylor thank you. I don’t believe that we have a firm count on those I mean that they are in a number of locations. At the former hotel they’re in one of the office buildings there and another office building they are in Cassinelli, so I think that you know considering the ground floor as the applicant has requested maybe is a good idea because when he started talking and started talking about 5 to 600 I was little nervous as to whether not that was going to accommodate all of the cars that are currently stored.

Mr. Bauer: That is the intent though that those cars from those lots would go into that parking garage?

Mr. Taylor: That is my understanding.

Mrs. McBride: Maybe I can clarify just one more thing that if in fact commission chooses to recommend is on to planning I’m sorry to City Council; this would be the only place in the city where cars could legally be stored.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: So, for clarification right now they are being illegally stored in all of the spaces?

Mrs. McBride: The zoning where the cars are currently being stored us not allow for automobile storage per the definition of our code. Let me just clarify when I said that I meant that the current lot storage is not the dealership’s obviously the dealerships are permitted to store their vehicles so I didn’t mean to imply that.

Mrs. Sullivan-Wisecup: Then why are they currently there and allowed to be there?

Mr. Taylor: I would say, the best I can give you is that this has been going on for some time. I believe that at a point in time the idea, I think that the distinction between a parking lot and automobile storage lot was not, let say fully understood and so as frequently happens and this is one of the things that I think has value in your previous comments, things have a way of growing and it has grown to the point where it is.

Mr. Reed: That is part of why I believe this is a win win the solution for both parties. The mall will benefit at least on a short-term basis from having this and the city will get the benefit of having these automobiles moved from a location that is less than desirable and much more visible. So I think we all come out ahead are working together on this.

Mr. Chairman: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. This is for staff for anybody that might be in the audience that may store vehicles and know. Do we have even a ballpark of how many vehicles are stored in other locations right now?

Mr. Taylor: I’m sorry I can’t answer that.

Chairman Darby: When I reviewed this submission. I was very impressed and happy when the applicant first started out with a comment about a win win I was in total agreement with that. I continue to be in total agreement with that. The mall has made a conscious business decision to store new vehicles. If the existence of those new vehicles in that parking facility detracts from the attractiveness of the mall for potential tenants, that is a part of their business decision, okay. They made that decision
themselves. The win for us, and there is no need for maybe... being that and we've talked about it several times it does clean up the problem, although partially perhaps that we have here in the city regarding storage of new vehicles in some bad places. The other point that was made about limiting the number of vehicles, this is really and new usage, it is really somewhat of an experiment and I don’t see a need to set a motion in place where they're going to have to come back to us. That first floor is fine with me, but I think it is a good deal for the city, it is a good deal for the mall and it is a good deal for the mall’s perspective tenants so when the vote comes up I will be supporting.

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Just as follow up on some of that. I think it is a reasonable use of space. I am somewhat concerned about the long-term impact on the mall if the mall were to, and I’m sure you’ve addressed that in your lease agreement sir with the potential tenant, is this a year to year lease is this a five-year lease what terms are we talking about that we can anticipate this?

Mr. Reed: Sir, I have not been given the terms of the potential lease yet. I have no idea whether it is a month-to-month lease or whether it is a longer lease but as we have discussed before it is in the malls best interest to fill it up and fill itself up with first class tenants rather than nontraditional uses. I would anticipate that I will be instructed to make sure that the lease has the flexibility to allow us, at the point where in their business judgment and makes more sense to not have that there or to reduce the size of it to be able to move forward on that basis.

Mr. Okum: Okay. What if a carrier or vehicle manufacturer and say I'd like to warehouse, let’s say outdoor storage of other things would you come back to us with that say it is a viable use for the space to have something else in that other empty space of the garage.

Mr. Reed: Sir, if I understand correctly and I may not and I apologize in advance but are you asking me to speculate as to the outdoor parking areas and whether we might come to you and ask for permission

Mr. Okum: And for outdoor storage because that, basically is what we are talking about is outdoor storage.

Mr. Reed: Okay. That is not something that my client has ever discussed. So it would be really speculative on my part to guess as to what their reaction might be but my off hand reaction would be no, it’s extremely unlikely that as long as the mall continues to be developed and redeveloped as a mall for the 21st century that that is something that they would ever dream of asking you for consent for.

Mr. Okum: Would there be separation of those aisles because we all enter that garage on that lower level.

Mr. Reed: Yes sir.

Mr. Okum: What type of separation would there be so that cars would not drive down those aisles where those stored cars are at?

Mr. Reed: Right now, the limitations that Mr. Taylor and Mrs. McBride have suggested are that the cars only be parked in regularly marked parking spots and not in any aisles. Beyond that, I do not believe that there is any anticipation or plan that they would be segregated in any other fashion. There won’t be

Mr. Okum: There would be no segregation of those vehicles?

Mr. Reed: That is correct, your honor. I mean Sir.
Mr. Okum: I’m not a judge either.

Chairman Darby: You really missed it on this one.

(laughter)

Mr. Okum: Okay. The first thing I thought about was chain link fence section and rolling gates and that kind of thing and certainly, we would not want that appearance.

Mr. Reed: No sir we would not either.

Mr. Okum: The City could just tell the people that are parking in these open fields, no longer that is permitted, this is not part of the code they could enforce it and it would be eliminated. I would venture to say, it is sort of ironic and I ended up calling dealership out of state and a guy told me he was in the garage because that is the only place that they can store their cars that they are selling so that was there because they go vertical in this particular location and Chicago, L.A., places like that a lot of retail sales are done car lots are done in garages because of that reason. The advantage to the applicants or yourself and the dealership that seems to be sitting back there quietly tonight, is that it eliminates some of the UV conditions, the overall wear and tear on the vehicles. They’d have to deal with the pigeons and birds in the garage as well but not to the extent that they are in the parking lots. Soft paint, we know about that we got taught about soft paint. I guess if there is not going to be any separation, the only thing that concerns me about making the entire garage a situation of that parking is something that Mrs. Sullivan brought up is that some of the employees do park on that lower level for work and go into the building. Macy’s, from what I understand is going to be changing the lower level of the Macy’s store into an outlet center and that would mean that the northern portion of that first level, I think that is the northern part of the first level, would indeed be some customer base. So, if you take 729 spaces out of the first level then the customer opportunities to park inconvenience, and I do shop the mall, would be limited. On the other hand, if you take part of the second floor and part of the lower level and hold it away from the building then you would give the customers of Tri-County Mall the opportunity to go in and shop the stores including Macy’s with their new outlet center even though they have the Macy’s garage and we are not talking about that but you can still go that rear door at Macy’s. I typically come off the mall. So, you would, I see a head shaking so, I would certainly like to see that more than we hold them to the first floor. In regards to chain link fencing or separation I don’t think that would be part of our consideration, but I think the owners of the cars have the car sitting out in the open field right now that anybody could drive over and take a look at the new, whatever car that is sitting there if they want.

Mr. Reed: I believe that Mrs. Bell would be in a better position than me to answer with regard to the access of the parking and the impact on the employees.

Mrs. Bell: I mean there’s multiple levels of the garage that the employees can park. So, they will just have to move a level up or go up to the top and walk over the bridge. As far as for Macy’s, we have discussed with the dealership that is involved that there is a section that we are not going to touch with their cars because of Macy’s. So, they are well aware of the stipulations that we have put in place and it’s going to start, the back door is here and it is going to start further to the south of that so we are going to allow enough parking there for Macy’s.

Mr. Okum: Okay, so if we are talking 729 for the lower level, 736 on the second level and then third level 648, are you talking like possibly 50% of each of those floors with your parking? 50% of the second and lower level.

Mr. Reed: We would be, Tri-County would be able to work with either the first floor or the second floor or a division between those two floors. By first floor, I mean the lowest level.
Mr. Okum: Okay, I would like to hear comments from the commission in regards to that.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. I think the idea of breaking it up between the lower level and the second floor make sense, whether it is split 50/50 or some variation therein. I’m okay with expanding the number. I know the Chairman had indicated that he was okay with that full lower grade number of spaces at 729. I’m okay with that or even I’d probably be okay with even if you went up to 800 if you said 400 on the bottom and 400 on the second in terms of accessibility. I think the key is to go north and east as best you can away from the mall so that the folks that work at the mall are going to have easy access to the mall as well as patrons will have easy access and those parking spaces that are closest to the building.

Mr. Reed: Yes sir.

Mr. Hawkins: I would personally be okay with that, whatever the commission thinks.

Mr. Okum: I don’t see any other lights. I to, Mr. Hawkins, agree that a blend of like 400 on the first and 400 on the second would be a maximum that I would want to see there. We want to encourage your mall. But, I do want to comment in regards to the cost, I know you.

Chairman Darby: Let me add something. I would like, we keep talking about a number and I think we’d like to have a number so, I am just going to throw it out, is there anyone in this chamber who could tell us approximately how many storage vehicles we are talking about?

Mr. Okum: We are going to wait until they decide to talk to use.

Chairman Darby: Anyone?

Mr. Okum: Because we know who they are and they have been here many times. While we are waiting for them to come up, I do have one comment to make. We need you to come up, yes please. While we are waiting, in regards to Tri-County Mall there’s never been an instance that Tri-County Mall hasn’t come to this commission and worked through issues on changes and redevelopment to the mall. A lot of them are disappointing to be honest. You know, we went through a hearing process, Council went through a hearing process for the cinemas and unfortunately it did not come about and you know we had our hopes up we were all on this commission hopeful for Tri-County Mall. I mean it is the heart and blood the center of our business district and we certainly did not want to see that fail. So, we’ve never been resistant to opening up our doors and opening up these chambers to Tri-County Mall with a concept to redevelopment and change.

Mr. Reed: Thank you for your support.

Mr. Okum: Just so you understand, we are not here to keep Tri-County Mall from being successful. Our hope is that what changes are done makes Tri-County Mall, like Outback turned out to be an enormous success and could use a little more parking, we knew that going in. I call it the Kenwood effect, but anyway I just wanted to make that comment before Sweeney’s representatives speak and you represent.

Mrs. Bell: Just to add to that Mr. Okum

Chairman Darby: To the mic. please.

Mrs. Bell: The theater deal is not off of the table we are still working with two other groups. We have lots of meetings set up in Vegas next month and we are still very hopeful. We had to get a brand new leasing team out of California so stick with us it is just taking a little bit longer than we originally anticipated.
Mr. Okum: We are hopeful for you.

Mr. Reed: Thank you for shopping there and thank you for your support we really do appreciate it, as I said they have a huge investment there and they want to do the best they possibly can with it.

Mr. Okum: We understand.

Mr. Reed: Thank you.

Mr. Okum: Since you seem to be the center of.

Mr. Mangold: I guess what’s the question?

(laughter)

Chairman Darby: Do we have a ballpark figure on how many vehicles we are anticipating would be using the facility for storage?

Mr. Mangold: Yeah obviously, our situation is seasonal to a certain degree so there’s ups and downs on the number of vehicles, but I would be comfortable with the 800 number. I think 800 or less would be able to take care of the needs that we would be looking at to eliminate the, all of the different places that we are currently renting form which what I think the city wants and what we want obviously it would be good for us to have everything in one place.

Chairman Darby: Yeah but you’ll go up.

Mr. Mangold: And yeah, right now we are kind of low so we might only have 350 or 400 but then there’s times when we’ll need maybe as many as 800.

Chairman Darby: That’s good to know. Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Okay, I just want to make sure again, so once if this goes through and you are parking your cars there, there will be no cars anywhere else other than in that parking garage and in your lots obviously but like there’s no outside parking.

Mr. Mangold: That’s the whole idea behind this.

Mrs. Sullivan-Wisecup: Okay, that’s why I wanted to make sure that there wasn’t going to be any spares hanging out someplace.

Mr. Mangold: No no.

Chairman Darby: Please give your name for the record.

Mr. Mangold: It’s Fred Mangold.

Chairman Darby: Thank you. Mr. Hall.

Mr. Mangold: The other thing I can comment on to, the question that somebody brought up earlier, there would be no sales taking place, that’s not permissible in the State of Ohio.

Chairman Darby: Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. Just a question for Mr. Reed. Since there isn’t going to be segregated parking, how are you going to prevent the shoppers that are shopping for a new vehicle on after hours, during hours, or and I’ve seen several times sales people not necessarily from your dealership but from dealerships with potential clients on a golf cart, how are you going to prevent that if none of the vehicles are segregated?
Mr. Reed: Well the dealership will have to prohibit it’s sales people from going over there under any circumstances, the only people that will be allowed in and out from the dealership would be either people who sneak in or people who are there to pick up and deliver cars and drop them off and drive them back and forth to the appropriate dealership. Just as in any parking garage if somebody sees an extraordinary car there’s really no practical way to have them walk by it. I park in the Columbia Plaza building downtown where one of the local car dealership families have ownership interest and there’s a new car parked in a special place every day down there and people drive by it but I have never seen anybody walk by, I don’t care if it is the most exotic car or the plainest car. I think that this is something, we will continue to have our normal security there. If security sees people wondering around in there, they are going to chase them off like they would anybody else who would be a trespasser. Again cosmetically, expense wise, convenience for access all would dictate that there not be any special fencing to block off those areas.

Mr. Hall: So there would be no protection for the new vehicles that are owned by the dealership then?

Mr. Reed: No protection other than our normal security. Neither the dealership is not going to be providing security there and we are only going to provide our normal drive through security or walk through security that ordinarily occur in that parking garage.

Mr. Hall: Thank you Mr. Reed.

Mr. Reed: Thank you sir.

Chairman Darby: Mr. Okum.

Mr. Okum: Mr. Reed just so we are on the same page, of the existing lots that are being utilized don’t really have any security either so you would be basically in the same thing and the mall garage is a little bit more secluded. Question for mall management. Is your security 24/7 now?

Mrs. Bell: It is.

Mr. Okum: So your driver’s are driving around with their green lights flashing all the time?

Mrs. Bell: Yes.

Mr. Okum: Okay good. The other question I had, and this is my final question so we can get through this. On loading the cars would need to be off of trucks. Have you worked out a location that that would be done? Definitely, the road aisle would not be permissible area for them to do unloading. I would think that down in the flat area in the bottom where the utility trucks are parked would be a reasonable area but I think that needs to be in the lease so that Sweeney has a specific location to unload and I think Sweeney wouldn’t have a problem the just need to drive the cars into the garage from that area. I don’t think we should impede traffic from any of that. Do you all agree?

Mrs. Bell: Yes.

Mr. Okum: Okay. Just one other comment in regards to that drive aisle for management’s purposes. We had a discussion when they came through on Outback that you get you are still getting stuck going the loop and going out. The arrow, the creative way of taking the straight, the I75/I275 access arrow by scraping off the paint on the sign helped but they put the directional sign to get access to the mall on the left side away from the stop sign so when you come up to the stop sign heading, that would be west, you have the decorative sign that they scraped off the paint so you wouldn’t know where you are going and then they put a black and white sign at the triangle, if I didn’t have my phone in the car I’d show it to you. I took a picture, sorry.
Mrs. Bell: You could e-mail it to me.

Mr. Okum: Yeah, but there needs to be a sign right there because what happens is that, I did it the other day just to try it to see if I still got forced to go north and I did because the signage was to that at that triangle. If I turn left there and go across in front of Macy’s it gets me right up into Outback and to the front of the mall which is where I wanted to go but the ordinary path’s driver does not know that that’s going to force them out and you really need to work on that if you would please. That is all I had.

Mr. Reed: Thank you.

Mr. Okum: Just so we understand, it will be on the lowest and second floor of the Dillard’s area of the Dillard’s garage and that the number of spaces will be up to 400 on the lower and 400 on the second and that the location shall, of the cars parked shall be to the east side away from the stores. Does that make sense to everybody? Okay. Mr. Chairman at this time I would like to make a motion to approve the following project: Tri-County Mall, 11700 Princeton Pike, 33454. This motion is per the specifications and designs provided in our meeting packet as exhibits, which were submitted by the applicant and reviewed by staff prior to this meeting. This motion also includes parking area shall be the lowest level of the Dillard’s area garage and that second floor of that garage. The number of spaces shall be up to 400 and up to 400 on the second level. The location of the cars parked shall be held to the east side away from the stores. Away from the mall. Did I miss anything? Oh, this motion includes staff comments. I forgot to check that box. This motion includes the following conditions that staff’s, City Engineer’s, City Planner’s recommendations and considerations contained in their report are included. Thank you. Are we good?

Chairman Darby: Here’s a clue.

Mr. Okum: I need a second.

Mr. Hawkins: Second.

Chairman Darby: It has been moved and seconded that this motion, this submittal be approved as identified in the motion. Secretary please call the roll.

(Secretary called the roll and the motion was passed with a vote of 6 to 0).

Chairman Darby: Congratulations Tri-County. It’s always fun. One side note if you happen to need any other representatives for the meetings in Vegas we can talk.

Mr. Okum: The property guy is going to be out there so you should do well.

Mr. Reed: Thank you all again for your thoughtful discussion and your support of the mall.

B. Jubilee-Springdale LLC, 485 East Kemper Road, Springdale, Ohio (former Bed Bath and Beyond) Revision to PUD/Development Plan (Application 33455)

Chairman Darby: Good evening.

Mr. Solon: Good evening and thank you for reviewing our project. My name is Chad Solon, I am with Hershman Architects, and I will be speaking on behalf of the landlord. We are looking to modify the existing Bed Bath and Beyond, or should I say the former Bed Bath and Beyond at 458 East Kemper Road. It will be for a as yet undisclosed tenant. I wish I could tell you, I know you all want to know but unfortunately it has not all been signed yet so I cannot. We are proposing what we believe to be very minor changed to the existing building. The front facade has an entrance portal, the central portion. The central portal we are proposing to raise by a foot. Basically, that would just be adding the cornice height on there. The two side wings of the portal will remain
the same height. We are going to be lowering the canopy under the portal, redoing the glass storefront entrance and the portal will have some steps in it with recessed lighting. The entire front façade will be painted in basically a beiges and creams. Really, the only feature, the only color that will stand out will be the blue bands on the entrance columns. The signage will be a similar shade of blue. The front will have a large illuminated sign and there will be some small plaques on either side. On the rear, there will be a sign. We are proposing to have the background painted to match the front. We would like to add a door to the rear elevation for a stock room. It will have a canopy over the door that will be painted blue. Also, not shown there is an existing canopy over a door on the side that we would also like to paint blue. That is really the extent of the changes to the store that we are proposing.

Chairman Darby: Thank you. Mrs. McBride.

Mrs. McBride: Thank you. Right now, the space that we are talking about is 45,740 square feet so would represents obviously a good portion of the Springdale Plaza. The applicant went on through; I think the different changes that they are proposing to the facade, just one point of note. They are going to be raising the height of that center portion of the facade to 35 feet the maximum height and that district is 48 feet so they are substantially under that and the other two sides on it would remain at 32 feet. Other than that with regards to signage, on the front on the west elevation of the building they would be entitled to 265 square feet of wall signage on the north elevation and then 150 square feet of wall signage on the south elevation. They did not give us any dimensions for any of the signage so as long as they fall within those parameters and as long as they’re channel cut letters or the main sign there and the sign on the rear on the south side then they would fit within the sign code. The only other item is that the two members of Council again who serve on Planning Commission, because this is a PUD would need to make a determination as to if it is a major or minor modification. Staff would strongly suggest obviously that is a minor modification. That is all that I have.

Mr. Hawkins: Mr. Chairman, I find it to be a minor modification.

Mrs. Sullivan-Wisecup: Mr. Chairman, I find it to be a minor modification.

Chairman Darby: Thank you very much. I believe that is the extent of our staff reports this evening. Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. Just one comment, it looks very nice.

Mr. Solon: Thank you.

Mr. Bauer: Only one question. You talked about; I’m reading staffs comments again about colors. I see blue bands a blue band of color on the columns, is that proposed because Mrs. McBride comments only talk about tan.

Mr. Solon: It is proposed, yes.

Mr. Bauer: Okay. Thank you.

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Just a couple of questions. Number of customers anticipated on a daily term?

Mr. Solon: I’m afraid I do not have that information.

Mr. Okum: National company?
Mr. Solon: Yes.

Mr. Okum: You’ve heard staff comments, any issues regarding considerations or comments from staff?

Mr. Solon: I don’t believe so.

Mr. Okum: I agree that the distance from the main road and from Tri-County parkway it is so far back that the accents are reasonable and I think appropriate for this property so I will be supporting it.

Mr. Solon: Thank you. To one item I neglected to add is that we did simplified some of the architectural elements. There is currently a number of horizontal recesses is on the pilasters and on the main portal that we are filling in. We think it gives it a cleaner and a more modern look.

Mr. Okum: Are you going to be approving a new Stow finish on it then?

Mr. Solon: Yes, we will be filling those and then it will be getting a new coat on top of that so there should not be any shadowing.

Mr. Okum: Okay. Thank you.

Chairman Darby: No lights.

Mr. Okum: Mr. Chairman, seeing that there are no other comments I move to approve the following project for Jubilee-Springdale LLC, 485 East Kemper Road, case number 33455, did I get the number right? Good. Per the specifications and designs provided in our meeting packet as exhibits, which were submitted by the applicant in, revise or reviewed by staff prior to the meeting. This motion includes the following conditions, Staff, City Planner’s recommendations and considerations contained in their report.

Mr. Hawkins: Second.

Chairman Darby: It has been moved and seconded that this submission be approved as identified in the motion. Secretary please call roll

(Secretary called the roll and the motion was passed with a vote of 6 to 0).

Chairman Darby: Congratulations.

Mr. Solon: Thank you very much.

Chairman Darby: We look forward to finding out who it is.

Mr. Solon: We look forward to telling you.

Chairman Darby: Everybody okay?

C. Speedy Signs, Homefront Nursing, 12124 Sheraton Lane, Cincinnati, Ohio, Minor Improvement Requiring Planning Commission Approval (Application 33458)

Chairman Darby: Good evening

Mr. Yarrell: Good evening to everyone tonight. Some of you may remember I was here a couple of months ago. My customer, Homefront Nursing, is in desperate need of an upgrade to his sign. Our first request was for a cabinet sign, which was rejected so we are back with a revised proposal to install channel letters and we hope that the committee will be in our favor tonight.
Chairman Darby: Mrs. McBride.

Mrs. McBride: Thank you. The applicant, the property is zoned GB or General Business district but it is as the commission has heard before located within sub area A of the corridor review district which requires channel cut letters, has always required channel cut letters whereas now with the current code requires channel cut letters throughout the city. The sign that is up there obviously is non-conforming in terms of compliance with that provision. What they are proposing tonight is channel cut letters that would say Homefront Nursing and that would be 12 feet by 15 inches and then an additional box sign below that that would be 9 feet by a 1 foot and that would contain information, that in staff’s opinion probably would not be able to convey in channel cut letters in that space with that volume of information, so we do have provisions in the CRD Planning Commission would need to approve a modification from those standards to allow for that box sign to move forward. They are entitled to a total of 134 square feet of signage on the front of the building. What they have represented, and that is based on 76 feet of frontage, they are with what they have represented this evening is a total of 36 square feet of sign area so they are obviously substantially under the sign area that is permitted. They have indicated that that they will be using an earth tone color for the background there current sign that is out there is white which is not considered as an earth tone color in the corridor review district so the proposal brings the sign much more into conformance in terms of the use of the channel cut letters and the colors that are going to be utilized but does still, if the smaller box sign is approval, allow them to convey the additional information they wouldn’t be able to utilize with channel cut letters.

Chairman Darby: Thank you. Mr. Okum.

Mr. Okum: thank you Mr. Chairman. Just a couple of questions. One is, I am really not sure this is the front of the building. Their address is Sheraton Lane, which the front of the building is really; they don’t even face the front of building because they’re in the ground. So, I guess this would be their front, the doctor’s offices front would be Sheraton Lane even though they carry a Sheraton Lane address. Am I right at interpreting it that way?

Mrs. McBride: I would consider this the front of their building because that is their main entrance.

Mr. Okum: Even though that is their main entrance. I totally agree. The signage that is on the drawing is actually on the doctor’s office elevation so, just so we are all in understanding that if the doctors, let’s say the doctors decide they want to do signage, it would be their rear just for interpretation so we are all on the same page, that would be the rear of the doctors building.

Mrs. McBride: The doctors building actually would have two frontages because they have the one on Springfield Pike as well as the one on Sheraton Lane.

Mr. Okum: That would be two frontages?

Mrs. McBride: They have two frontages. If you were to build that building today, you would have to have two front yards.

Mr. Okum: Oh, okay. So, when we had the discussions on Princeton Plaza and they had signs on the building that is out next two Princeton Pike, we always had a difficulty with the signage on that because that was facing Princeton Pike but the address, so the front of their businesses, that was the rear of those entrances and we restricted the amount of signage that they were allowed to put on that rear elevation, am I recalling correctly?

Mrs. McBride: If you use the case that we just looked that, the signage if they were permitted to have on the rear of that building with less because although it faced a public right of way and as a secondary frontage vs. the frontage, the front frontage where the main entrance was they’re allowed to have additional sign area because that was truly the front. Does that make sense?
Mr. Okum: So, the doctor’s office, that would be the sub front?

Mrs. McBride: The doctor’s office, if you look at it in that viewpoint as the case we just looked at.

Mr. Okum: Right.

Mrs. McBride: They would have their main frontage facing Sheraton so they would be allowed, entitled to have more sign area on the Sheraton Lane frontage than they would on the Springfield Pike frontage, in my opinion.

Mr. Okum: Because, you know this brings about the possibility. Did you consider about, I mean, this fits very nicely have you talked to the doctors, are they going to want to put signage on the building as well?

Mr. Yarrell: They indicated that they are considering it.

Mr. Okum: Okay, if they were where do you think that they would put it? You are in the sign business so.

Mr. Yarrell: From our conversations, they would want these two signs to be side by side. So, what I wanted to propose tonight is that this sign be centered above the door because that is who I am representing and if later on they want to propose moving this sign over and putting the other sign next to it then that would be a separate discussion.

Mr. Okum: When I look at the building, for the doctor’s office, there is a flat field to the right and to the left of the window areas that would be most appropriate for the doctors in my opinion because it would identify them. So that would be vs. you moving your sign because this is your primary entry and typically you want to have signage directly over your primary entry and if this commission does not have a problem with you being on the other building, the other tenants space elevation, I don’t have a problem with it.

Mr. Yarrell: Just a side not, the doctors, from my understanding they own the building, they have approved this.

Chairman Darby: Please could you repeat that please.

Mr. Yarrell: From my understanding, the doctors own this building and they have approved the Homefront sign going there.

Chairman Darby: Let me get some clarification here. You say that there is a possibility, and you have hand discussion with, and the doctors could request a similar sign at that same elevation.

Mr. Yarrell: Yes.

Chairman Darby: But if your sign is over the door then it would be a balance issue right?

Mr. Yarrell: That is correct but I did not want to bring that into play with my customer’s proposal because if they decide to do that later on then that would be a separate proposal and they would have to go through this process.

Mr. Okum: That’s reasonable.

Chairman Darby: Okay. That is all I had. Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. Just one question. The sign looks much better.

Mr. Yarrell: Thank you.
Mr. Bauer: You are the sign person, the lower part of that, is that going to be visible from the road, from this photo it looks kind of small, not that I am wanting to make it bigger but.

Mr. Yarrell: We were cautious to keep it as small as we could to make it easier to get it approved but I think his main intention is that when people are in the parking lot, the other factor with signage is when you are on a major street like that then traffic is moving faster so the visibility is even less. So, I think that this will help him get more exposure but I don’t think that it was his main objective.

Mr. Bauer: I did notice the other day that they do have similar signage on the pylon sign, ground mounted sign at the corner.

Mr. Yarrell: That’s a good point, yes.

Mr. Bauer: When you are stopped there, you can readily see all that same information. That’s it, Thank you.

Chairman Darby: No lights.

Mr. Okum: Just a comment. I read the sign every day.

Chairman Darby: I read it many times.

Mr. Okum: Every time I sit at that red light because I get that red light every time and so do you don’t you.

Chairman Darby: Several times a day.

Mr. Okum: Yeah, he gets it three times a day, see. So anyway Mr. Chairman based upon the comments from the committee I move to approve the following project, Homefront Nursing, 12124 Sheraton Lane, case number 33458 per specifications and designs provided in our meeting packets as exhibits which were submitted by the applicant and reviewed by staff prior to this meeting. This motion includes the recommendations and considerations by our City Planner.

Mrs. Sullivan-Wisecup: I second the motion.

Chairman Darby: It has been moved and seconded that this submission be approved as identified in the motion. Secretary please call the roll.

(Secretary called the roll and the motion was passed with a vote of 6 to 0).

Chairman Darby: What a difference a couple of months can make. Congratulations.

Mr. Yarrell: Thank you very much.

IX. DISCUSSION

Chairman Darby: Moving right along this first item under discussion I requested that, that be there and I don’t think it is going to require a lot of discussion because I am going to make a recommendation to you guys. At the training session last week, it was brought to my attention that we are perhaps one of a very very few planning commissions whose procedures are ordered as ours are. In other words, we ask that the applicant come first, present his or her case and then we go to staff reports and then we open up to the commission. I learned that is much more prevalent that staff reports would come first and when that happens many many times the applicant says okay. So I think we should strongly consider changing our procedure effective the next meeting so that our staff reports would be first and I would like first of all for staff to comment on that and then because of his participation with the regional group I want Dave comment on it.
Mrs. McBride: I think it was my part of raising the issue last week when we were doing the training session and it is very unusual for the applicant to go first. Probably as the commission knows 99% of my work is on that side and so I’m trying to think I know somewhere in 36 years I did go first but it’s very very unusual. Typically the staff goes first to kind of set the stage where as the property, what is it a zoned, what is the applicant’s request, here are some things that you might want to consider, here are some of our concerns if there are any and so forth and I think particularly when you have applicants that are not necessarily developers or attorneys or planners or engineers but more business owners or that kind of thing that are not used to this forum they are very surprised when they’re called up and all of a sudden the spotlight is on them and so forth. So, I think it is maybe a little bit more user friendly or customer friendly so to speak to let the staff go first but certainly, obviously it is up to the commission’s decision.

Chairman Darby: Gregg or Don, do you have any comments?

Mr. Taylor: Just an observation if you will. In my past life, I too was on the other side of the dais and frequently about the only thing that I would say is that I am here to answer any questions and so it really kind of moved things along. If it was super controversial obviously, you had to say something but in general, the issues are raised by staff, the applicant is there to respond to your questions. So I would also say it is the norm.

Mr. Shvegzda: I did ask those in the office, those who do presentations at Planning Commissions and they did express that in their experience most of the staff comments are presented first.

Mr. Okum: At Regional Planning always makes staff comments and considerations for the commission prior to comments from the audience and the applicant, applicant first and the audience. One thing that we do do at Regional Planning Commission is that we have a ticket, a little piece of paper, people if they wish to speak they are told at the beginning of the meeting to please put your name and information on it and what case it is in regards to and those tickets are brought up to the table and that way we have a written paper with those persons names of who may be speaking. We are a small community here and it doesn’t really matter but we may want to do that. BZA has a sign in sheet at the back to we have a sign in sheet? Do we have a sign in sheet?

(talking off mic)

Mr. Okum: Did you sign in. Good man. Okay. So anyway I think, Don, it is a great idea. I really do.

Chairman Darby: Comments.

Mr. Okum: Everybody is going yeah. Let’s get out of here.

Chairman Darby: Okay now so our agenda next week should reflect the change or do we have to go through a three-month waiting period or anything like that?

(laughter)

Chairman Darby: No that’s another group. All right, we’ll change it now. Dave has some updated information for us.

Mr. Okum: I asked for about ten minutes so I am going to try to make it quick. We had training, everybody got one except staff? What is interesting is that we had training last week, and thank you Greg, Anne, and Jeff Forbes for being there. One thing that we didn’t discuss and I thought about it afterwards, we haven’t done this probably ever, we are a home rule charter city government, and we have rules. Not only our adopted rules but we have under commissions and boards Planning Commission is listed in our charter and if you would notice page 17 under Planning Commission there’s specific details about our responsibilities under our commission. Part of it the things that are
critical, our functions, our adoption of a zoning and land use plan, approval of subdivisions and drafting subdivision regulations, the adoption of plan for thoroughfares which we do have a paper of thoroughfare plan but we do not have a written thoroughfare plan. Do we? We do?

(talking off mic)

Mr. Okum: We just updated Hamilton County so we probably might want to look at that but to get that updated. We have adoption of the storm and sanitary sewer master plans, the adoption of utility plans, Parks and playground master plans, adoption of urban and redevelopment plans, the adoption of flood control structures and systems plan, the adoption of a annexation plan, believe it or not, and the other functions as described by council. We have two of the council members on our commission that is designed and laid out by the charter but we have responsibilities that are in the charter. One of the things that we have not done is our Comprehensive Land Use Plan which I brought to the Commission last year, has not been updated for probably 15 years. Budget wise we do not have a lot of money, it’s clear it is pretty easy.

Chairman Darby: $50,000.

Mr. Okum: It’s probably more.

Chairman Darby: Really?

Mr. Okum: Yeah. But, there are mini grants available through the Regional Planning Commission again this year and there administrative funds, there applications are being taken. The mini grants are being taken up until April 27th. There is $100,000 in these grants for Planning. That is paid by the Regional Planning Commission and they’re looking for a potential of three plans and a Comprehensive Land Use Plan would fall into those qualifications. There typically break down to about $40,000, $40,000 and $20,000. So, now we can’t get a Comprehensive Land Use Plan done for that but we’ve also got planning services from Mrs. McBride’s company, McBride, Dale and Clarion. We also have available to us the Hamilton County Regional Planning Commission and OKI’s Land Use Commission which have all been involved in Comprehensive Land Use Plans that have worked collaboratively with planning services like Anne’s company and provided a comp plan update. Certain things that OKI could bring to the table is Survey Monkey. Some of you guys know what Survey Monkey is. Survey Monkey is an internet based contact program where you bring, you get a qualification of interests and questions regarding your community for your Comprehensive Land Use Plan. Years ago, comp plans were typically done by people coming to a meeting and sitting and that is done a lot but the other thing is that you want to get as much information in as you can and that is something that OKI could provide. Those kind of things are not costly at all. So, it saves the burden and the cost, and I’m sorry from Anne’s company from trying to recreate some of the things but there is services available through the Regional Planning Commission, OKI’s Land Use Commission and Anne’s company that I think we can get a Comprehensive Land Use Plan done for the community and get us up to date. Now why is that important? Well about, how many years ago was it that we did Tri-County Mall’s plan? The Tri-County Mall plan?

Mr. Hawkins: I think, I remember doing the whole thing with 747 and Kemper that whole area.

Mr. Okum: That was the Tri-County Mall.

Mr. Hawkins: It was 2003 I believe.

Mr. Okum: 2003 and look what happened in 2008. The complete plan basically went to heck because things changed. People started buying differently. People started shopping differently.

Chairman Darby: Is it prescribed anywhere how often these things should occur?
Mr. Okum: Every five years.

Chairman Darby: Five years.

Mrs. McBride: It’s not mandated by Ohio law. In Kentucky, for example it is mandated that if you have Zoning you have to update your Comprehensive Plan every five years, that’s the law in the Commonwealth. But it is not the law in Ohio. That is kind of the accepted standard.

Mr. Okum: So we are a little bit off.

Chairman Darby: As related, we do have two Councilpersons here but as related to our relationship with Council, for this to get going, how would you suggest that it occur?

Mr. Okum: I think we establish a committee along with the Administration and we sit down and think out the process. How do we get a Comprehensive Plan started? It wouldn’t get done in a year. It would not get done in this fiscal year. So, financially it could be carried out, it is going to take about a year to get the plan done.

Chairman Darby: But my question was more pointedly because we are talking about an expenditure. Where do we, sometime very very early we would need to get Council’s buy in?

Mr. Okum: Council does their budget approval in what June?

Mr. Hawkins: It will be, we will have our official meetings; it is more like end of October/November. It is more like November and then it get presented to Council in December. Administration will be working on it hard, September/October getting

Mr. Okum: Where are they at now on the budget for this year, for next year? For 19.

(talking off mic.)

Mr. Okum: Ok the tax budget is in July.

(talking off mic.)

Mr. Okum: Yeah, I thought it was late summer, mid-summer. It’s just something, obviously the mini grants, hopefully Regional Planning and Community Development where the money is coming from can continue these mini grants. I do not want to see the City of Springdale leave money on the table if it is available to use it. You know I am a voting member obviously on the Regional Planning Commission; I would obviously have to set myself aside in that particular case.

Chairman Darby: I was thinking about a bribe.

(laughter)

Mr. Okum: He was thinking about getting the money now. I understand. But we really, I mean if you look at the Charter and I hate to say it this way but the guys that drafted our Charter really had an in-site to the way the city should be done and it put specifically in the Charter what the Planning Commission’s responsibilities were. It wasn’t just an adoption by City Council that we would have a Planning Commission and it wasn’t a state law it was in our Charter that is what a Home Rule Charter is. So, if you read this it is very very clear that we have a lot more responsibilities than to just sit here and approve a plan that is presented to us. That’s what I wanted to share.

Chairman Darby: Let’s get away from the technical side of it. If I go home and I discuss this with my wife and she questions me, which she always does. She’d say okay so you guys are going to spend this kind of money on that thing how is that going to make Springdale better, what would be your answer?
Mr. Okum: It give anybody that decides to locate or develop within our community a basis of how we blend with their neighboring communities and with how our community works. So, if a development comes in, let’s say Tri-County Mall decides to flatten it and put something totally different there, residential housing. If it is in the master plan, the Comprehensive Plan it also takes to heart the input of our residents, your wife, my wife, your wife, your wife. Yeah, it brings the community together.

Chairman Darby: It’s 2018.

Mr. Okum: So they are stakeholders in it. Businesses are stakeholders in a Comprehensive Land Use Plan. Everybody in the community are part of that comprehensive plan so we are all on the same page.

Mr. Hawkins: It’s a great thing. It also becomes, and part of the Planning Commission is about planning and deciding where we are going to have things put things, how things are going to be setup. It also becomes a self-fulfilling prophecy to some extent in terms of what the goals are. So the plan that we had in 2003 there were all kinds of things that were set up there. There were going to be apartments over there where Friday’s used to be. But, what you do is you sort of set up a plan and goal for, this is in an ideal circumstance this is how we see our city being laid out and a way that would be beneficial for the residents. So, seeing that back then was a very cool experience to have that set up. Now, as Mr. Okum said things change and so it evolves and you have to come back and look at it, but that is part of it too. To go back and say okay where we thought we were going to have those apartments, maybe that is going to be different or maybe that is still going to be something that we sit there and say, yeah we envisioned this being something that is going to happen in the future. But, having an idea of what and how the city is going to be laid out is important going forward. The other thing is, it’s a really good time to do it based on the fact that we just went and rehabbed the Zoning Code, I think that helps. There was some discussion, and I can’t recall, I don’t know if anybody does from Administration, if we talked about this on Council’s floor, I recall asking the question. I don’t know if it was during Council meeting or if it was something that was discussed here. It may have been when we were going through with the Zoning. I think I had asked the question about doing another Comprehensive Plan. It is something that I am in support of. I have been in support of for a bit. I don’t know that it has to happen every five years based on how much it costs but definitely, every ten years we should be doing it at the least bit. The other part of it to particularly with, there are a lot of folks that were not here when the last one was done so I think when you come on to Planning Commission or you are on BZA or on Council to know what that master plan looks like it is helpful. That is something that you should know and have the opportunity to see. So, it’s evolved a lot. We have a lot of different folks that were not a part of the process back then when it was Planning Commission, BZA and Council met in these chambers and went over it. So, it is important to see.

Mr. Okum: We did, I mean a Comprehensive Plan goes into not only land uses it goes into environment and social justice and environmental justice and it goes into availability. Like everybody says, we need a grocery store in Springdale right? It goes into those simple things of what people need and what the people of our community needs. It is sort of funny if you look at this, they talk about thoroughfare, roadways. They talk about parks and recreation. I mean that type of input is what is tied into the Comprehensive Plan. So, Anne’s done how many of them have you done?

Mrs. McBride: The firm has probably done 45 or 50 in 20 years.

Mr. Okum: So it’s not, we’re not the only one. Deer Park just did theirs I think. All of the communities, even the poorest of communities, I hate to say it that way but even the poorest of communities still think that planning is important. You know it gives you, when an applicant comes in, it gives you, and things have changed a lot. Soft borders, it used to be comp plans were set this is a line. Now they are designing that there’re soft edges around these plans because how we as a community work with our neighboring communities. How those interact together. Those are all important factors. You know I am not going to be around here forever but I’d sure like to get at
least our Comprehensive Land Use Plan where the city, the community, the businesses, the stakeholders, and the residents all have an input into that. It is not just this commission it is not City Council it is a community plan and that is the reason that it is done.

Mr. Hawkins: What is the estimated cost again?

Mr. Okum: Anne would give you a better idea. It depends on how it is broken down.

Mr. Hawkins: How much was the last one?

Chairman Darby: The last time we talked about it, we said 50.

Mr. Okum: I think the cost is probably 50 but you could probably outsource some of those costs.

Chairman Darby: She’s got that look in her eyes.

Mr. Okum: Are we talking 100.

Mrs. McBride: I mean it just depends on what you want and how much public input you want. If you are thinking maybe, OKI could help with things. I’m thinking GIS that is a huge time on a comp plan.

Mr. Okum: GIS is Hamilton County.

Mrs. McBride: To get Hamilton County or OKI to help with that.

Mr. Okum: I have talked to both Hamilton County and I have talked with OKI’s people and they are willing to work with a planning agency or planning company and help those things along. Those costs are bringing it down. Those bring the costs down significantly. They can do what they do best is planning. Christine is up here. Hi.

Mrs. Russell: If I could just add one thing from my perspective and the discussions that I have. A Comprehensive Plan certainly helps the city, it helps you guys do your job; it also helps the development community. Developers don’t want to push a rock up a hill or bang their head against a wall that they are not ever going to be able to break through. They want to see, this is the vision of the city and if this fits in with what we do best, we are going to take it and we are going to run with it. I have developers ask me all the time ask me about, where in the city do you guys envision something that is not there yet. Where can we fill a gap or what is the cities desire for a certain piece of property and when we have a clear and updated plan that I can articulate to them, it’s much more likely that we are going to get what we want to see when they are here presenting. Just from that other side perspective, I wanted to share that.

Mr. Okum: Thanks Christine.

Chairman Darby: As an old Social Studies teacher, I have to echo that failure to plan is a plan for failure and I totally endorse whatever we could do. As a matter of fact, I would really like to see the old one.

(talking off mic.)

Mr. Taylor: Stop by my office, I’d be glad to share. I hate to just glom on but from an ex-developers perspective and a budding public servant if you will, I think this is maybe the most important thing that the city needs to do is identify what do we want to be when we grow up. There has been quantum changes in the landscape from 2007 and 2008 until now. Everything is different and trying to evaluate little parts and pieces as they come in without the big vision I think is really challenging not only for you guys but for the city as a whole to understand what are we trying to do. Why are we doing this here, why are we doing that there. I know we don’t have money growing on trees. I
know that you guys face these challenges all the time but from my little seat here, I think you couldn’t do anything that would be better for the city.

Chairman Darby: I am going to ask this question. I have asked this question two times, now I am going to be more pointed with it. This initiative should come from us or from Council?

Mr. Okum: It is our responsibility according to the Charter to recommend it to the city. That is where I came from. It’s not just a zoning map of this is residential, this is office, it is a comprehensive plan for our community. I would be honored to serve as liaison for the commission to work with the administration and bring the parties together. That would be whoever it would be, whether it be Hamilton County. Lay it out, say okay we know we can’t afford the whole thing on our own at this time by golly if we could bring these partners to the table that will provide additional services to us and make it work for the city, what could we do better? I mean it’s an obligation as an honor for us to bring the people of our community, the stakeholders, to be part of that planning process. Then when they complain, then you can say, we hand an open opportunity for you to become part of that process and that is why we wanted you involved. Thank you.

Chairman Darby: Mr. Shvegzda.

Mr. Shvegzda: Just one other point of information to. When we prepare funding applications to OKI for federal funding, the STP application, there is a category in there that awards points based on how that project is complying to your comprehensive plan and how old is your comprehensive plan. We are getting very little points.

Mr. Okum: We get zero because we are not current. I know that I am on the commission. I serve on OKI. That money is not coming to Springdale if we don’t have our plan updated. Because there are three, land use is a critical part of the transportation plan money. It’s required. So, we are leaving money on the table all the time. I mean we wanted to have sidewalks and bike paths and those kind of things. We make and application through OKI, and let’s say Woodlawn who is doing their comp plan right now right? One of the smaller villages

(talking off mic)

Mr. Okum: Harrison just did theirs. Harrison makes an application and Springdale makes and application. Okay. Same thing, bike paths. So, let’s say bike paths or walkways. Who’s going to get it? Harrison is going to get it because the point spread, the points go to them. Don is right the points to go them. And all I do at OKI is say, they had more points than the other one and I get to vote with everybody else that says yes it goes that way.

Chairman Darby: I’d like to make a suggestion so that we can get out of here. I’m listening to the enthusiasm and I am also recognizing the knowledge base. So I would suggest that prior to our next meeting, Mr. Okum, Mr. Hawkins would prepare a discussion guideline for our next meeting and the goal of your presentation would be that we would be on the way toward what it takes to formulate a recommendation to the Council. Since we have another Councilperson, I would be happy to amend that to include her in the group also. Would you guys do that?

Mr. Hawkins: Sure. The question is, what would be the process moving forward?

Chairman Darby: It’s up to you.

Mr. Hawkins: I mean, that’s the

Chairman Darby: That is it.

Mrs. Sullivan-Wisecup: That is the question.
Mr. Hawkins: Sure.

Mr. Okum: In the meantime, I can speak to the people at Hamilton County, OKI and speak with Anne’s people in her office and see what needs to be done to bring that type of cohesive process to try to get Springdale up to 2016, 2017, 2018.

Chairman Darby: We will revisit at the next meeting.

Mr. Okum: Okay. Thank you. With that said just one other thing. We talked about at the training session about notification to the public. This is just simple. Is our web site fairly, can we put agendas and stuff on our web site, does anybody know.

Mr. Taylor: The agendas are on the web site. They go up on Friday when we deliver your packets the agenda goes on the web site.

Mr. Okum: Can a resident then just click on it and get it. Can we put the meeting packet on it as well?

Mr. Taylor: We have, I’ve talked with Debbie Dunfee, who is kind of our in house I.T. person about how we would do that because I think Greg Dale mentioned staff reports and what not, try to figure out a way to get those on there. The short answer is I don’t know how to do it just yet.

Mr. Okum: Hamilton County does it so we can connect her with people down there.

Mr. Taylor: It is not so much; it is the limitations that our system has.

Chairman Darby: Like this thing up here?

Mr. Taylor: That’s kind of the issue. The goal is to try to make this as open as possible obviously. The other thing is as soon as you guys approve the minutes, like now then the minutes that you just approved they will go up on the web site tomorrow. The other thing is and I don’t know if you guys are aware when we have a requirement for a public hearing we actually notify property owners within a 300 ft. radius of the property and then of course there is a statutory requirement to advertise in the paper of general circulation again as Mr. Dale mentioned and we put the signs up in the property and so forth. We can put something on our web site easy enough, I’m just not sure how good, I mean, we had talked about possibly figuring out some, something that we could put on the Facebook page. We are open to doing about anything once we have the information. If it is as easy as a click, it doesn’t really burden staff. Right now, we don’t know exactly what we are doing.

Chairman Darby: Anything else for the betterment of the group.

Mr. Okum: That is all I have Mr. Chairman. Thank you.

Mr. Hall: If anyone needs one, I have a PDF copy of the Zoning Code completely scanned in so if you need it just send me an e-mail.

Mr. Taylor: It is on the website too.

Mr. Hall: Oh is it.

(talking off mic.)

Mr. Okum: Our Charter is on the internet and actually what I did was, I took the PDF and just separated out the pages out of it for us particularly.
X. CHAIRMAN'S REPORT - None.

XI. ADJOURNMENT

Chairman Darby: With that said, we are adjourned.

Respectfully submitted,

________________________, 2018 ___________________________________
Don Darby, Chairman

________________________, 2018 ___________________________________
Richard Bauer, Secretary