

PLANNING COMMISSION MEETING
May 8, 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: Dave Okum, Richard Bauer, Tom Hall, Meghan Sullivan-Wisecup,
Lawrence Hawkins III, Joe Ramirez, Don Darby

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

III. PLEDGE OF ALLEGIANCE

IV. MINUTES OF THE REGULAR MEETING OF APRIL 10, 2018

Chairman Darby: The chair will now accept the motion to adopt the minutes of our previous meeting held on April 10th.

Mr. Hall: Mr. Chairman I'd like to make a motion to do that.

Mr. Hawkins: Second.

Chairman Darby: Moved and seconded that the minutes of the April 10th meeting be adopted. (voice vote taken with a vote of 6 in favor, 0 opposed, and 1 abstention, Mr. Ramirez)

V. REPORT ON COUNCIL

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

Mr. Hawkins: Thank you Mr. Chairman. Council met on April 18th of this year. All seven members were present. Council went through committees and official reports and we had the opportunity, piggybacking on Mrs. Sullivan-Wisecup's Planning Commission report, and Mr. Okum also addressed Council at that meeting with regard to the value importance of a comprehensive plan. As a result of that council had moved to add to the agenda a resolution requesting an application for a mini grant from the Hamilton County Planning Department which ended up passing that the 7 to 0 vote. We also had the Ordinance 23-2018, an ordinance amending the Codified Ordinances of the City of Springdale Ohio to amend section 153.461 of the Springdale Zoning Code related to temporary signs. That is the ordinance that allows the city to use temporary electronic signs that would be moved around, that this commission got to hear about earlier. That passed with a 7 to 0 vote. We had a public hearing and Ordinance 24-2018, approving a major modification to the plan the development and preliminary development plan to The Crossings at the Park planned unit development. That passed with a 7 to 0 vote. We had Ordinance 27-2018, authorizing the Mayor and Clerk of Council/Finance Director to enter into a contract with Barrett Paving Materials incorporated for the West Kemper Road paving project and declaring an emergency. That is going to have a cost of about \$366,000. That passed with a 7 to 0 vote. We had Ordinance 28-2018, an ordinance authorizing the Mayor and Clerk of Council/Finance Director to accept the necessary easements from the property located at 12175 Brookston Drive and declare an emergency as well as Ordinance 29-2018 authorizing the Mayor

and Clerk of Council/Finance Director to accept the necessary easements from the located property at 12175 Brookston Drive and declaring an emergency. Both of those passed with 7 to 0 votes to allow the City to help alleviate some issues that those residents are facing. We had Resolution R6-2018 the previously was referenced as the resolution that authorized the request for the Hamilton County Planning Commission Grant which passed with a 7 to 0 vote. Council also met on May 2nd. All seven members were present. We had proclamation for Peace Officers Memorial Day; Mr. Monzel came forward from the Hamilton County Commissioners with the presentation. Again, sort of piggybacking on the 911 modification plan where you could program into your cell phone and put in data in history and when you call 911 that will pop up. We had a first reading of Ordinance 30-2018, approving a major modification to the planned unit development and preliminary development plan to the Tri-County Mall planned unit development with regard to, as we addressed, the automobile storage that came before Planning Commission and that Planning Commission had approved. We also had a significant amount of discussion with regard to and Executive Session and some comments that had been made at the April 18 meeting from a resident and as a result of those things. Council had moved to appoint an investigative team to look into seeing if there was any kind of executive session breach. Beyond that, that would conclude my report unless Mrs. Sullivan-Wisecup has anything to add or are there any questions?

Chairman Darby: Are there any questions? Thank you very much.

VI. CORRESPONDENCE

Chairman Darby: Each of us received a copy of the letter that was written by our Assistant City Administrator Mrs. Zimmerlin. I am going to ask her to come up since we don't get a chance to put her on the spot very often, and just make these words come to life for us. It is a very good letter. And then we may have some questions.

Mrs. Zimmerlin: First, I would like to give credit where credit is due, Christine wrote the letter. The gist of the letter is, once Planning Commission provided us information about the planning mini grant we took that to council with Resolution R6-2018 and asked for permission to seek this grant. So. after the meeting, after the Council meeting and after the Council approval, I met with Gregg and Christine (not audible off mic.) and kind of had a little brainstorming session on what we could do that would be feasible that we thought we could actually get the grant for. The plan was to do a lot of front end leg work with the money if we were to receive it. So, it would be the advertising of the visioning process (off mic.). And then once that process is done (off mic.) to go in to the larger comprehensive plan. We will know by June 1st.

Chairman Darby: June 1st, that's pretty quick. Anyone have any questions, this isn't a thing that we discussed pretty much in depth. I think it is key that you inform us about June 1st. Now, here is the real question, what are our odds?

Mrs. Zimmerlin: There are five other communities that have applied, but ours, I think we have a high probability.

Chairman Darby: Great. Wonderful, thank you very much.

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: We will be continuing a public hearing in progress. Mr. Okum will handle the swearing in.

Mr. Okum: Is there anyone here that is planning to speak? If you're planning to speak I just so request that you please stand and raise your right hand.

Chairman Darby: Stand and raise your hands.

Mr. Okum: Raise your right hand and repeat after me.

(Members of the audience that wished to speak were sworn in at this time.)

Mr. Okum: Let the record show that those that were standing are sworn in Mr. Chairman.

Chairman Darby: Thank you. Just a refresh our memory we had discussed this in the past but we will be changing our progression this evening. In the past or historically this commission has gone in moved and such it up a manner that the applicants had presented first and after some discussion, I knew I was informed that we were somewhat of a dinosaur as far as most Planning Commissions operate in that a vast majority of these bodies have the staff reports first. So beginning this evening, we will start out with our staff reports. Mrs. McBride.

Mr. Taylor: Actually, Mr. Chairman, I think that we're going to take us off here in yet another change of pace. Which is to say, the hope is that this goes somewhat smoothly. We are having, obviously some kind of technical difficulties with our equipment, but, the idea being then I'm going to try to introduce each case. We have a brief presentation for each one and then we will give our considerations and we can press on as always. Let's try this thing one more time and if it doesn't work I'm going to give up on it and go get another device out of the cabinet. Alrighty, we are off to a flying start.

Mr. Okum: It's moving along very well.

Chairman Darby: Do we have any 13 year olds in the house to fix the thing.

Mr. Taylor: There we go. Okay. So, this is the case that was just announced by Chairman Darby. The property is currently zoned Public Facilities, which you folks heard that case some months ago and as you know it has been before us a couple of times. I have no idea what is going on here, but, were having some sort of issue. In any event, this is a continuation of a discussion that we had. The applicant wishes to locate a daycare facility in the former Temple Baptist Church property that Calvary purchased a few months ago. This is the existing site. The existing zoning again is PF and it is currently a vacant property. You can see the houses to the north and I-275 to the south. This is a view from Kenn Road looking into the driveway to the property in you can see the wooded, somewhat wooded hillside that goes up to the residential property to the north. This is a view looking from the other direction. Again, I apologize for the projector going haywire, I don't know why it's doing what it's doing. It is what it is. This is another view of the hillside leading up to the residential properties. This is the plan that you all have seen before that shows what was the library building at Temple Baptist is what is going to be used for the day care and there is a playground for the daycare proposed on the east side of the property toward Kenn Road. This is a rendering of the daycare facility and the proposed play area. It would have a landscaped hedge and a decorative fence around it. This is a rendering showing some additional tree planting that the applicant proposes to do along the north property line. That really concludes our introduction to the property and the proposal and Mrs. McBride has her considerations to share with you.

Mrs. McBride: Thank you. As Mr. Taylor indicated the property is as you will recall zoned PF and they are proposing a daycare which is a conditional use in our code. The daycare itself would contain 4500 square feet it would operate from 7:00 AM to 6:00 PM. It would serve children from infant to 5 years of age. They anticipate having about 77 children in the facility and having 10 to 12 employees that would also be working there. Our zoning code, whenever we are considering a conditional use, Planning

Commission has standards in section 153.204(B) that they need to consider when looking at that request. The applicant has addressed those standards and I believe that those are included in your application. They have addressed each of those specific standards. Just to refresh their memories, any changes are there going to make to lighting or landscaping or how waste is handled would need to come to staff for review and approval and consistency with our zoning code. With regards to parking they have ample parking. The proposed daycare would only require 12 spaces and right now there's 153 spaces on site so that is certainly not an issue. Any signage that they would be proposing for the daycare would either need to meet code or they would need to go to the Board of Zoning Appeals receive the approval for the additional signage that is not permitted. The playground itself, again just to refresh the commission's memory, would be on the east side of the building and it would be 40' x 60' or 2,400 square feet. It is located approximately 86 feet from the north property line. 50 feet of which you can see from the edge of the driveway going north and you can see that there is existing vegetation there. There is also about a 15 foot of topographic change from where the drive is going up to the top of that elevation. The applicant is proposing, as you can see in this rendering which is now a flashing in going crazy, and now it's gone, they are proposing a series of evergreen trees along the north side two further provide buffering and screening for the daycare center from the three residential uses to the north. We would be working with them and staff to identify the type of trees and location and size and so forth. The actual playground itself would be surrounded by a four foot decorative aluminum fence and then around that on the north and east side would be planted 25 Juniper shrubs that would be planted at 42 inches both as a mentioned on the north in the east sides to provide even more buffering and screening and so forth for play area. That is all that I have. I think the applicant is here. I don't think that either of my colleagues have any additional questions but I think that the applicant is here and it think that they have met with some of the residents and so forth and hopefully can share that with the commission.

Chairman Darby: Applicants please come forward.

(talking off mic not audible)

Chairman Darby: Is that on?

Mr. Ellis: Can you hear me now?

Chairman Darby: Yes we can.

Mr. Ellis: Thank you for the opportunity to come again today and for the opportunity to postpone our original scheduled meeting. Our senior pastor did pass away on March 24th so we were not able to come to the last meeting and we appreciate the extension that you gave us. I want to just address those considerations that were referenced in section 153.204(B) and I will just walk through these individually and then maybe answer any questions that you have. The planning commission will need to consider the following, A. The conditional use is consistent with the spirit purpose and intent of the comprehensive plan will not negate, will not negatively affect or harm the appropriate use of neighboring property. The property being formally a church and educational space will continue to be used in a way that is consistent with however as use prior to our churches involvement, it will continue to be used for religious and educational use either of which could have an outdoor play space. Letter B, the proposed conditional use is to be located in a district where in such use may be permitted subject to the requirements of the section. The property is zoned Public Facility, which allows a daycare facilities as a conditional use her section 153.253(c). The proposed use shall be adequately served by essential public facilities and services such as but not limited to roads storm water facilities water sanitary sewer refuse pickup and schools and that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services and this property is currently connected to and served by city services. Letter D, the proposed use will comply with all of the applicable development standards except as specifically altered by the planning commission in the approved conditional use. The proposed use will comply with all of the regulations of the Springdale Zoning Code. Letter E, the

proposed use will be harmonious with the existing or intended character of the area will not be hazardous or have a negative impact on adjacent properties and will not be detrimental to property values or the economic welfare of the general vicinity. The property, we feel like, will improve and will be upgraded as its current condition is deteriorating this will positively affect the adjacent properties we feel. The proposal will allow the property to provide additional resources to the neighborhood and community, some the childcare, additional child care, educational opportunities, recreational opportunities all we believe that positively affect the neighborhood. The proposed use will not involve uses activities, processes materials and conditions of operations including but not limited to hours of operation that will be detrimental to any person's property or the general welfare by reason of excessive reduction of traffic noise, smoke, fumes, glare, odor or other characteristics not compatible to the uses permitted in the base zoning district. As a noise concern was a major concern for the planning commission we tried to do a little bit of research to figure out what those noise concerns and what would be affected and how it would impact the area. What we found, a study that was done that noise produced by 24 or less children at 100 feet away and I put in parentheses there and no obstruction, because the document does not say no obstruction but I am assuming that it probably means 100 feet of unobstructed is between 55 to 60 decibels. Noise produced, you can see some other noise produced by other elements and I went to the property 11981 Kenn Road, which has the least amount so it is the house closest to Kenn Road, has the least amount of trees and no fill protecting it, I stood in that driveway on two different occasions and a decibel reading was between 55 and 65. There is no barrier to the highway so the noise created by the highway is between 55 and 65 decibels. So, 24 kids or less at 100 feet, no obstruction, is 55 to 60 decibels. This property is 86' I think to the property line and so we've realized that we think that with the trees and the additional greenery that we would provide that we would be able to reduce and really mitigate any additional sound issues that would be caused that would be greater than what is already on the properties that are adjacent to it. Also, just as a point of clarity the daycare playground schedule, there are five classrooms proposed in the current building. One of those classrooms will be an infant to one-year-old class, and they will not be coming outside. The other four classes will be between the ages of one to five years old. Each classroom all have an average of between 14 to 18 at a maximum in the classroom however only one classroom will be allowed outside at any given time according to our business plan. They will be out on the playground for 15 to 30 minutes depending on their schedule and that will be twice a day so it will be between 30 and 60 minutes per day the children will be out there on the playground and was for classrooms that will represent two to four hours of total play time per day Monday through Friday and it would begin at 9:00 AM even though the day care will be open earlier than that the children would not be outside during that time. The times a day would be out there would be between 9:00 AM and 6:00 PM and of course weather permitting. The proposed use will not impede the normal and orderly development and improvement of the surrounding properties for the use is permitted in the district and so the proposal will not impede any future development in the area. Some other considerations that came up and I'd think to adjust to address those is the location of the playground. We feel like the playground location is the best location because of the proximity to the daycare building for the safety and security of the children. It provides a safer environment to have the children to exit the building directly onto the playground that is secured rather than going to another location on the property. When considering the west side which would be the green space out in the field there would be safety concerns should weather arise crossing a parking lot and vulnerability from violent threat. The west parking lot, if we were to build that inside the parking lot it would be a less safe environment for children to be playing in the same area for cars would be driving in for pickup and drop off and then the south parking lot some of the similar concerns there would be safety due to the distance from the building and again there would be cars more prominent in the area. I did seek to speak to residents who would be most affected by this. The three adjacent properties that have immediate connection to where the playground is proposed. I met with the owner the resident at 11981 met with them on March 20 and his name is Joseph Told to I spoke with then showed him the drawings, showed him the proposal and he had no objections. And that was on March 18 with Ten Donaldson at 759 Cedarhill Drive and he too had no objections they did not say there was her that he had any concerns with a daycare and the location of the playground or anything else.

767 Cedarhill drive is a vacant property and so I was not able to connect with anybody related to that property. So, that is our proposal and again we, as was shown we propose some additional trees along where those three adjacent properties are two provide some additional barrier both visually and from a sound standpoint. Thank you again for your consideration.

Chairman Darby: Thank you for your conscientious report. Now we did have some residents who wanted to speak that would you please come forward and identify yourself for the record.

Mr. Anderson: Good evening, my name is Jeffrey Anderson, 12085 Greencastle Drive. I live in Oxford Hills, I am also the City Council representative for the District of Oxford and Beacon Hills. After the last couple of planning meetings and there were a number of questions raised about this development I felt like I needed to talk to some of the residents just to get their feel since this could've been a major change for the area and I wanted to share those feelings with the group just for your consideration. This is both from myself and from the people I spoke with. I had the opportunity at least on three different occasions to speak with residents in the neighborhood and overwhelmingly and without exception they were in favor of the work that is being done by the church. There was glowing recommendations by every resident that I spoke with about the manner that the church had approached with this development and maintaining the current property. We consider them very good neighbors. This particular piece of property was becoming a concern for the neighborhood but I wanted to make sure that everyone understands where it was at before the church stepped in and offered to do some of this development. It was rapidly approaching a blighted situation in my opinion. Inside there, there is a great deal of damage there were more and more people traveling to their as it is becoming run down before the church took possession of it. The feeling of the neighborhood is that something needs to happen here and I think that's why when I spoke with neighbors about the plans they were very interested in what was happening. They wanted to know more and in every situation, that pastor was willing to step in and answer this question. I wanted to share that with you. The other thing I wanted to share is that I did have the opportunity to accompany the pastor when he was speaking with residents to hear the feedback and make sure that we're getting a good read on it because it is a big change especially with the kids in the front there was some concerns about that. For people that don't come down his area a lot they should know that is not an unwelcome change. Having kids being visible from Kenn Road is not a concern for the neighbors in that area. We welcome that it is part of the fabric that we expected to be there. There's already kids in the school across the street and we see them. Their bus stops on that corner and I both sides and we're comfortable with that so both myself and the neighbors I spoke with we would encourage you to accept the change certainly it and consider those things that you feel are necessary but from my perspective and the neighbors I spoke with the support this move.

Chairman Darby: Thank you for your input. There's someone else? Or was there anyone else? Okay. Based on those presentations to we have questions? Comments? Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. I just wanted to confirm that the trees that we are talking about being put on the north side of the property, those are going to be mature as what is in the rendering or with those the little saplings?

Mrs. McBride: Arbor Day. We'll be working with the applicant to make sure that the trees that are going in there are the appropriate species that they are planted at the appropriate locations in terms of spacing and that the height at installation is also appropriate.

Mr. Hawkins: Thank you.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. Question for staff. Does not the fence in front of the property not violate the code has a residential is not allowed to have a fence in the front yard?

Mrs. McBride: The property is no longer zoned residential it is zoned public facilities.

Mr. Ramirez: So, fences appropriate?

Mrs. McBride: That is correct it is not within the setback.

Mr. Ramirez: Okay. I have one other question, the playground gate will that has access other than through the building?

Mrs. McBride: You will have to ask the applicant that.

Mr. Ellis: I believe so. I think that there would be beside probably side gate. I do not know what the requirements

Mr. Ramirez: I do have a little safety concern with kids opening in running out into the street that's all.

Chairman Darby: I think that you'll discover that when you work with the state they will require an exit out there.

Mr. Ellis: Yes, and that is what I am not familiar with.

Mr. Ramirez: Thank you.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. Just a comment. I appreciate your hard work and effort I'm reaching out to the neighbors in the vicinity that is a big add from the last presentation. I feel that if addressed at least my concerns and a lot of the concerns that I think the commission had and I appreciate that work.

Chairman Darby: Mr. Okum.

Mr. Okum: I too, would like to recognize your efforts to contact the residents it is really critical. Just for record, staff did give notice the adjoining properties and residence I just would like to have the comment in regards the records for those that may want to speak to commission in this regard and since there's no one else that came forward if the someone again on the record the notification process.

Mr. Taylor: Yes sir Mr. Okum. In addition to the advertising process residents within 300 feet also received a written postcard advising them of the public hearing.

Mr. Okum: See no one else coming forward Mr. Chairman I would like to close the public portion of the conditional use hearing and move into consideration.

Chairman Darby: All those in favor, voice vote close the public hearing.

(public hearing was closed with a vote of 7 to 0)

Chairman Darby: The public hearing is hereby closed. Mr. Okum.

Mr. Okum: Seeing no other lights Mr. Chairman, I would like to move for approval of the following project, Calvary Church, 11965 Kenn Road case number 33229 per 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 includes the letter of April 12, 2018 from the applicant to include staff are city engineers and city planners recommendations and considerations contained in their report and I think that's it. Did I miss anything Mrs. McBride? Got it.

Mrs. Sullivan-Wisecup: I second.

Chairman Darby: Moved and seconded that this application be approved as indicated in the reading of the motion, secretary please call roll.

(secretary called the roll and the motion was passed with a vote of 7 to 0)

Chairman Darby: Congratulations. We look forward to seeing you progress as it comes about.

VIII. NEW BUSINESS

- A. John Gilhart, 11711 Princeton Pike (former Princeton Bowl), Springdale, Ohio, Major Change to a Preliminary PUD/Development Plan (Application 33558) Public Hearing.

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. As you stated this is a request for a modification of the PUD development plan. The plan involves basically converting the existing bowling alley to 10 flex spaces which basically consist of a warehouse and small office in the front. It is a new use so typically, as the code sets out that is deemed as a major modification, however; it would need to be determined by the two members of council as to whether it is a major or minor change.

Mr. Hawkins: For the record I find it to be a major modification.

Mrs. Sullivan-Wisecup: As do I.

Mr. Taylor: Thank you. This is the sight, this is off of CAGIS. The bowling alley is at the upper portion of the screen. You can see that the property has access out on Kemper Road, which runs on this particular slide and it is on the left-hand side and then down below on route 747 runs left to right and there is access to that as well. Of course you can't see it because the projector is acting stupid but again

Chairman Darby: Is that a planning term?

Mr. Taylor: Yes.

Mrs. McBride: It is a building term.

Mr. Taylor: The property is currently vacant. The idea would be to demolish what is on this slide on sort of the bottom portion it is kind of the, I guess you would describe it is a lean-to area in the existing bowling alley that is going to be removed and then the remainder will be divided into ten spaces. To this is an overall that indicates the way that the property we'll look upon completion. You can see where the area has been removed where again I refer to it as a lean-to portion that the existing structure. One thing to a fairly dramatically different from the event seen in the past is the portion that is on what looks like the left side of the site there, there was the failure in the culvert pipes and is somewhat separate from this. The applicant had to undertake some kind of emergency repair measures or remediation measures to rectify the collapse in the culvert. That work is under review, there is a separate permit submittal for that remediation work and comments have been made and we are waiting for a response to those comments to determine exactly what is going to look like but a significant part of this is going to alter the entrance to the property. This is a detailed view of the building as it is going to be configured, fortunately guys of all the stuff in your packet that it shows the 10 new spaces, the entrance to be on the bottom side in this case and then parking and then on the left hand side you see the waste enclosures. This is the culvert work which I was talking about and it is oriented in a different direction but the symbols that you see there won is what is called rock channel protection which is at the outfall of the remainder of the culvert excuse me and the kind of dotted lining symbol

there is turf that is going to be placed on the bank when this is complete. On the far left hand side of the slide is the configuration of the access to the property that is the subject of this application. This slide indicates the turning movement of a truck entering that property and this would be coming off of the 747 area and then they can make that turn and fit through the drive that is left. This would be once on the site the truck movement. I guess things that I think are extremely important to recognize, as I'm sure you all will recall when we have seen this in the past the fact that the building is in the flood plain of course it is the most significant issue that challenges this whole thing. There was some discussion as to substantial improvement and just by way of review you need to make a determination of the value of the structure itself not the site but just the structure prior to any improvement and if an improvement exceeds 50% of the value of the structure it is deemed substantial and if it is deemed substantial it has to comply fully with the flood control ordinance which in this case would have meant either building some sort of dike around the building or raising it above the flood plain or some rather elaborate work. So, the best way to determine the value of the structure we have looked at what the auditor's website valued it at and it was around \$500,000. The applicant had a professional appraisal done which came out to a little north of \$2,000,000 I think \$2,125,000. We questioned that appraisal because it was so dramatically different from the auditor's website and is detailed in the FEMA publication we had the right to request another appraisal. The applicant had another one prepared by a certified appraiser and it was \$1,975,000 I believe so I think that we have to agree that the value of the structure is about two million dollars. The cost estimate that was provided, which detailed to an extent the improvements that are envisioned as part of this to the building only not the site but just the building is in the realm of \$550,000 so it is about ¼ value of the structure therefore in terms of the FEMA publication we have to go by it is not going to be deemed a substantial improvement. So, that is the explanation of that whole situation. Since it is in a flood prone area, we feel certain that a covenant needs to be established such that any future tenant of that building, if this thing were to go forward, would be advised that they were located within a flood plain. We may want to look at phasing. The applicant has indicated that this is going to be divided into phases. As far as removing that portion of the structure and we would anticipate that the new work would have to follow immediately otherwise you would have a huge opening in the building and I am not sure how you would go ahead and secure that. Another consideration I think that needs to be addressed is the requirement for open space. By virtue of the culvert remediation, which is going to leave it as a substantial area in an open channel instead of a culvert, there will be some open space. The applicant indicates that is going to be about 15% of the site. We would be looking maybe for a little bit more than that is possible. Finally, the culvert remediation itself is going to alter the appearance at least of the PUD because a portion of the stream is now going to be an open channel rather than a culvert and there is some guardrail and some fencing proposed in the culvert remediation and you folks really should weigh in on that as well. That concludes my portion of the report.

Chairman Darby: Thank you. Mrs. McBride.

Mrs. McBride: Thank you. To the overall site is about 4.8 acres and we're looking at tonight at the 1.478 acres that they are proposing to redevelop. As Mr. Taylor indicated, they are proposing to demolish 11,200 square feet of the building and retain 36,530 square feet which will be used then as flex space as we've discussed previously. They are looking at creating 10 different units within that space. They would have an office that would range anywhere from 216 to 292 square feet and then the balance would be warehouse ranging anywhere from 2622 square feet to 6707 square feet. In addition, on the side of the building there would be a 1500 square foot garage facility. Each of the units would have the pedestrian access door into the office and then an overhead door that would serve as the warehouse. The development is proposed to occur in two different phases as Mr. Taylor indicated. There currently saying that the demolition of the 11,000 plus square feet of the building would occur this fall and that the construction of the additional renovation of the existing space to remain would not occur until spring. Staff has asked how that was going to be secured and they indicated with a chain link fence so I think we would want that obviously better defined if the project were to go forward when we get to a final development stage. The site had 243

parking space on any number which were in very poor condition that they have lost a number of spaces with the culvert collapse. The proposed use itself is required to have 40 parking spaces they are now showing 40 parking spaces not on all of the sheets that will need to be addressed but they are meeting the car parking requirements per code. They did submit a preliminary landscape plan which addresses our comments on a preliminary level relative to landscape and interior landscape area for the development. They are showing two dumpster locations and those would need to meet the requirements of the code. This particular use to be considered a low activity use our zoning code relative to lighting and they will need to submit a photometric lighting plan with pole and fixture cut sheets as part of any final development plan approval. Previously the applicant had indicated there was to be no outdoor storage on the site, and they are now indicating that there may be. If there is to be outdoor storage the area of which is going to be used for outdoor storage needs to be identified and how it is going to be screened and that all needs to be done in conformance with section 153.253(e)(9) of our code. At final development plan submittal we would be looking at the building design and it would need to comply with section 153.255(e) of our zoning code. Our code requires that there would be 19,209 square feet of open space and they are currently proposing 5024 square feet of open space so they are significantly under the amount of open space that is required by our code for the proposed development. Any freestanding signage and any building signage would need to meet the requirements of the zoning code and that would obviously also need to be shown on the final development plan. The applicant did submit draft covenants conditions and restrictions for the Springdale business center however in the list of uses that they are proposing there basically proposing any use that is permitted in our GB, GI, SS, PF, or OB districts. The commission knows that although a PUD district allows you to request any of those uses, the idea is that you refine those uses and you identify the use that you are proposing for example previously when this property was rezoned to PUD they identify the bowling alley as the proposed use and we have identified changing from the bowling alley to flex space is obviously a major departure over the existing use. So, they will need to identify the specific uses that they are currently proposing for the property. They have offered up some type of uses. They've suggested retail, auto truck body work repair, sales and detailing of automobiles, pet care, landscape supplies sales, Et cetera. Obviously that is going to need to be more defined in the covenants and reviewed by staff and this commission and ultimately by Council. Additionally, Mr. Taylor talked about the culvert failure and that that is relocated access to the site and to make it a lot less accessible. Currently there is a chain link fence on the property and as Mr. Taylor also indicated a portion of that is now going to be open. That is within the planned unit development. So, those improvements then it needed come back to this commission as to how that is going to be treated. If it needs to be secured with fencing what type of fencing and is it permanently gonna be secured with, the open part how are the banks gonna be treated for the going to be landscaped etc. all of that needs to be reviewed and approved by this commission as a revision to the final development plan. So those are my comments.

Chairman Darby: Thank you. Mr. Shvezgda.

Mr. Shvezgda: Thank you Mr. Chairman. Just a kind of recap the modifications that are going to be taking place at the site obviously we of a new parking area that is going to be to the east of the building. That has always been a part of it. To the south we'd have a modification due to the failure of the culvert and reconfiguration of the existing channel there. The plan sheets that show the turning movement on it actually has a note that says south lot 166 parking spaces, no modifications planned for this section of parking lot. Actually, that is probably an error because counting the spaces there's only 59 spaces after the channel is opened up to the area. So, we just need to clarify that. As far as the north parking lot area, there is no modifications plan for that particular site that particular area shown on the plans. The applicant did submit the turning movement diagrams that show that the 40 foot single unit box trucks can access basically pull in and then back up into the parking parts of the dock areas so that's been included. One of the things that was part of the initial submittal was the traffic analysis basically noted that it think as a compared to the traffic generated by the bowling alley vs. what would be generated by the proposed use was less or equal to that but remember the 2017 traffic generation analysis was based on general office building

categories so we deviate to for them that it may be an issue as far as traffic development. As Mr. Taylor did mention the area is in a FEMA flood zone. That has a detailed study that has determined flood elevation the approximate 660 feet. The information from CAGIS indicates that the existing Princeton bowl building has a finished floor elevation of about 652 so there is a height differential on that flood elevation through there. In looking at the impervious area those change on the site as submitted plans indicate that of the 3349 square feet less, I could get out to be more like 13%. The bottom line is as far as detention since there's no increase in impervious area the detention will not be applicable for this particular location however as far as the BMPs phase two requirements as far as to either dealing with water quality post construction or reduction in the impervious area of the site the 20% reduction in the impervious area is the target goal. So, we would like to see that that at least reached. The mentioned the culvert failure mitigation plans. We did receive plans from the applicant for dealing with the failure of the culvert and we've sent comments to the applicant on April 11 of this year. We recommend that the approval of the Princeton Bowl redevelopment preliminary plans shall be made contingent on the final acceptance of the twin 84-inch culvert failure mitigation plans. Also one key item, I won't go through all the details of the comments that we had on the culvert, but one key element of that is the remaining 65 feet or so of existing culvert that is being proposed entrance to the site and to be reviewed by structural engineers to verify that the condition of the pipe is suitable for continued use. That concludes my comments.

Chairman Darby: Thank you very much. Mr. Gilhart. So, you waited till the weather changed to come back from Florida.

Mr. Gilhart: I would like to introduce myself, most of you know me, my name is John Gilhart and I am here representing Gilhart Enterprises which owns the property, 11711 Princeton Pike, a former Princeton Bowl site. I also have the Kleingers Group, my engineer Adam Berner, he will be here to answer technical questions and did you have a few potential tenants in the audience tonight, I thought they might have an interest in the process of what we go through that if we get this ready for them. I have been here at least once before this is probably, since we first started the first submittal was December 2016 and I believe we got to appoint last April and may where there were three or four major hot buttons I think that really needed to be addressed into quite a bit of time. The one was covenants, you wanted a set of covenants. We had no idea what the covenants would be so we were provided by Mr. Taylor a sample of covenants of what they did for Cassinelli Square years ago. So we have that and I know there's a couple of items to address such as the notifying tenants of the flood plain and also additional uses to be defined in the covenants as well. The building value that you heard from Mr. Taylor, that was addressed. We have two independent certified licensed commercial appraisals so that is no longer an issue as far as that. I have provided testaments of the improvement cost. We went ahead and got an independent contractor so we did get independent costs what they would be retail out in the market from an independent contractor. We have added some open space; I know it is not necessarily, I think it is the 30%. There is a 20% as far as Mr. Shvegzda talked about and then there is a 30% open space. It is as you know a 50 plus year old site so we are trying to do the best we can to meet current codes and we just hope that you will be flexible with us as we work through this to try to improve this property. At this point there is several items to go over. I submitted a UBS drive, you know like you normally do, do you have that? Or is Planning Commission members familiar, it is the identical site, identical plan that we have seen over and over again. Do you have it in your packet? Okay. If you look at your packet basically it is a front elevation of what we propose. It just goes through the overall plan of putting in approximately ten tenants. As far as phasing we don't have a problem with the demolition and going right to the new construction. We are just concerned that if the permit approval process if this does go forward it might get caught to where we might get to a point where we get to a demo and then get some bad weather and have to wait till the spring but we have no problem working with staff from the Building Department to try to do this and go right through from the day we start demolition. Also, you've seen on there we have the dumpster enclosure, the signage they would all need codes. As far as the lighting plan we would submit a lighting plan per code. I think these are all just items that would be required in the code and would be required for the final development plan. To what I would like

to do is if I can, I think you have a lot of questions and I think that the best thing to do is to answer your questions so I will answer all the questions that you have and if I can't answer them Adam here will answer the engineering questions.

Chairman Darby: That being said members?

Mr. Gilhart: Excuse me, I do have just, this is nothing new it just says what is flex space just as a reminder again. (talking off mic.)

Chairman Darby: We will share.

Mr. Gilhart: Just a reminder of what we are talking about. I've got two more.

(talking off mic)

Chairman Darby: We have been through this before but why don't you take a minute or so could talk to us about flex space and why you think this is a good project for this area.

Mr. Gilhart: Well as you know this property is surrounded by commercial. It's got residential in the back. There is a hillside and tree line with the residential in the back. There is also a hillside to the, up would be west. There's about an 8-10 foot hill on the west side on the back of the building. The front of the building is a creek in the back of PetSmart which would be the east side so the west, east and north really are surrounded by buffers of mounds and the trees and the only visibility if any is if you happen to be at the end of Francis Lane there by Kemper and stand there and look back you can see the building. So the reason I bring that up is, it's got no visibility and now at this point we only have signage permitted I believe up to 100 square feet for a monument sign on Kemper Road. The access to the highway is really good. I think it would be great for independent contractors, subcontractors, plumbers, HVAC, auto detail. All kinds of small businesses that need an office, restroom, some warehouse space, an overhead door and good access to the highway. Centrally located and affordable. This would be affordable, we are talking five to six dollars a square foot plus paying taxes and insurance. So, it would also create hopefully ten new businesses for the community. It would help with, I think Springdale has a payroll tax I believe. It is definitely going to improve the property. I just think it's, you know, I think Mr. Taylor went to the City Manager and I don't know if I told you this on at least three separate occasions I offered to donate it to the City. I will do that now if we don't want to do that now if we don't want to do this that's find if you'd like to have it this will be my fourth time I've offered to donate it for zero. Anyway, Mr. Taylor went to the City Manager, advised him of that, correctly me if I'm wrong per their discussion the City Manager felt that this was probably the best use for this piece of property or a good use, would that be fair to say.

Mr. Taylor: I think the City is not in a position to take the property. I don't know that, I think were it not in the flood plain, I think everybody would agree that this is a tremendous use for the property. The fly in the ointment, if you will, is that it is in fact in the flood plain and you know certainly there are reservations about whether it is you spending money or somebody else putting a substantial investment into a building that is located within the flood plain. However, you know as we discussed you've done what you need to do to prove that you can do it. I think it is up to these folks and Council to determine if it is the best use of the property.

Mr. Gilhart: The donation offer was a side note but what I am getting at is I think the City Manager looked at it, and I could be wrong, I feel the same way that if you are going to do something with it, this would probably be the best use for it. As far as an office, warehouse, contractors that type of use a flex space.

Chairman Darby: We'll move on to our questioning. Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. I just wanted you to say for the record there is not going to be a bowling alley use through any of these correct?

Mr. Gilhart: Yes.

Mr. Hawkins: Good. With regard to the property there is fencing that is being taken down?

Mr. Gilhart: It is temporary construction fence that is out there now is actually to keep people off the property and also to keep people out of the temporary creek bypass I guess you would call it.

Mr. Hawkins: Okay. So, if and when this goes through and this property is up and running is there going to be any fencing along the northern and western part of the property?

Mr. Gilhart: There isn't any proposed. Certainly, I think it might be wise to secure the property. The fencing they were talking about as far as the drainage ditch it is a guardrail around the curve and actually rather than have the guardrail on the other side we felt that it was and is necessary to us to put a fence there to kind of keep people from going there and possibly accessing the site.

Mr. Hawkins: Okay. Around that curve the through would be to put a fence there?

Mr. Gilhart: If you look down towards the bottom that goes the curve around the back of the shopping center. That shows guardrail and it goes the drive it curves around the drive and at that point it reverts back to fencing.

Mr. Hawkins: So, I just want to be clear so I understand, the idea is to remove the guardrail or not remove the guardrail.

Mr. Gilhart: There is a temporary fence there now that will come down.

Mr. Hawkins: Right.

Mr. Gilhart: Add guardrail around there because it is going to be required I would imagine. It is a safety issue there. Because that is the curve there and there would be a proposed 3 to 1 grade down there you would have to protect it just like Value City does on the other side. It depends on what is required to we may end up having to put guardrail on the other side as well but there is going to have to be something that goes around that swale.

Mr. Hawkins: With regard to the quotes, you had to get for the property and making sure it is taking care of all of the requirements for FEMA, do those appraisals go to the county as part of that process or no?

Mr. Gilhart: They would go to the county if necessary I guess. I don't know why they would.

Mr. Hawkins: I just did not know during that, going through that process with that evaluation if those are things

Mr. Gilhart: Those evaluations were done for Mr. Taylor for the Building Department.

Mr. Hawkins: Mr. Taylor, with regard to that process that has to be gone through do those appraisals go to the county or is that just something that goes into consideration of the process that we are going through.

Mr. Taylor: It's our process with regard to the flood plain development permitting process. So, we have to make a determination that it either is or is not a substantial improvement. It will not go to the county. It does not go to the county auditor's office or anything like that.

Mr. Gilhart: It's two separate issues, likely what will happen is if this is approved and it goes forward when they go to assess it and look at it they will look at, hey this building you tore 13,000 square foot down, you did this to it, it is on record and they will base their valuation on that it that is what you are asking.

Mr. Hawkins: Thank you Mr. Chairman.

Chairman Darby: Thank you. Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Just want to make sure that, if we are considering this, what we are considering to make sure that if we were to bring a motion to the floor and refer this to Council the exhibits are appropriate. We have the responses from the applicant in regards to our staff comments, it is in red, and staff's not responded to the responses so I would certainly not think that those should be part of the exhibits, am I correct.

Mrs. McBride: I think it is part of the public record and they could be included for Council.

Mr. Okum: I understand but I don't want to go through these without staff's comment on each of these items and say that I am accepting these responses as acceptable.

Mrs. McBride: Well I don't think by referencing them in a motion that you are indicating that you agree with them.

Mr. Okum: That I am accepting them.

Mrs. McBride: Correct.

Mr. Okum: So, I don't need to exclude the applicant's responses?

Mrs. McBride: I don't believe so.

Mr. Okum: Okay. Staff has indicated the response regarding outdoor storage, it seems to be gray. It seems like a lot of parking area, open area of asphalt for that use. I've looked at flex space on a number occasions and I'm involved currently in a lease in flex space and I've never seen one with that much parking area for flex space. I'm not quite sure if that area is going to be used for storage, outdoor storage or what that area

Mr. Gilhart: There has not ever been any indication as far as, I've always said that there won't be any outdoor storage, however; if you want to put that in the Covenants and Conditions, basically you are just repeating what the codes says, which the code says if you do that then you've got to meet the requirements of whatever the section is.

Mr. Okum: This is a PUD and we can either approve or not approve outdoor storage, you are not requesting outdoor storage.

Mr. Gilhart: I'm not requesting outdoor storage. What that is, I think that, does that refer, I think it is more of a material storage.

Mrs. McBride: It is any type of outdoor storage. So, if you had a landscaper, for example, that was renting one of the flex units and they wanted to store bags of mulch or equipment outside, that would be considered outdoor storage.

Mr. Gilhart: I am a little confused with that because I thought it was material, more like mulch, bags of salt, rock.

Mr. Okum: Outdoor storage could be automobile parts sitting on a pallet or it could be any kind of thing.

Mr. Gilhart: Yeah, well I get that but I did not know if it was, the way I read it as I understand it, parts sitting on a pallet so on and so forth, but as far as a vehicle being parked I

Mrs. McBride: When you consider it a vehicle but for example if you had a backhoe or that type of equipment.

Mr. Gilhart: Probably need clarification on that. The intention is not to store materials.

Mr. Okum: So, at this time if we were to bring a motion forward I either include specific outdoor storage items or I do not include any outdoor storage and we would have to address it later if you decide to modify or amend. Is that correct Mrs. McBride? Yeah.

Chairman Darby: When we talk about mulch and stone and what have you we need to make it very clear that there will be no retail.

Mrs. McBride: Well that would part of what staff has suggested as modifications to the Covenants in that the applicant needs to be very clearly defined in those Covenants what the uses for that flex space are going to be. For example, retail isn't in the Planner's opinion, an appropriate use of that flex space nor was it accounted for, I don't believe in the traffic study or it is not certainly accounted for in the parking analysis and so forth. So, we would need to have a better definition in the Covenants of uses.

Mr. Okum: If I may continue then, without those items being tied down or at least expressed in the consideration what are, how are we approving it. I'm having trouble, if I can't identify the uses for the development, I'm trying to work through that.

Mr. Gilhart: I understand what you are saying and I actually have some confusion myself because, here is my confusion. Retail, I'm not talking about clothing sales, automobile showroom and things like that, but is it retail, I don't know. An HVAC contractor? An electrician, electrical contractor?

Mrs. McBride: No, those are not retail uses.

Mr. Gilhart: A general contractor.

Mrs. McBride: No.

Mr. Okum: No those aren't.

Mr. Gilhart: So, if we are not, I am trying to encompass everything I can that makes sense for the flex space. I don't want to put in there things that would be on out lots, I don't want restaurants, things like that so I think it is a question of maybe defining those uses a little more. I'd be more than happy to work with staff on that.

Mr. Okum: So, Mrs. McBride, if the applicant has indicated no outdoor storage and Planning Commission approve the modification to the PUD for no outdoor storage and that would become part of the Covenants? Is that correct?

Mrs. McBride: That is correct.

Mr. Okum: So, if there is a compliancy issue of covenants variance how is that administered. Is there a cost to the City to administer compliancy?

Mrs. McBride: Well I believe Mr. Taylor's department would go out and indicate that they are in violation of the PUD requirements.

Mr. Okum: So, if there is cost to the City to enforce that compliance, is that the City's cost of the property owner?

Mr. Gilhart: The remedy is in the Covenants. Yes, it is the city's cost but they can recoup it, is that correct?

Mr. Taylor: I honestly believe that is a question for the legal department. To an extent the enforcement portion of it, part of our normal operation would be to go out and write violation order or something like that. If that resulted in some sort of legal action where we are starting to spend a significant amount of money, in these kind of cases, sometimes the settlement involves the opposition's legal fees and so forth. So I really don't feel qualified to answer that question.

Mr. Okum: Sure.

Mr. Gilhart: I believe that is actually in the Covenants which you should have a copy of.

Mr. Okum: I am leaving that to the legal people to review and I am not going to get involved there. I just want to make sure. Additionally, talking in regards to the lighting plan. I guess this is the lighting plan that we received.

Mrs. McBride: We did not review that because staff could not read it. So, what we said is that this is a low activity use and it needs to comply with the standard in the code relative to a low activity use.

Mr. Okum: I'm seeing fall at property lines onto residential properties.

Mrs. McBride: That is going to be an issue and that is going to be something that we are going to look at with the final development plan.

Mr. Gilhart: It would be in compliance with the terminology with low activity.

Mr. Okum: Well I understand but I don't think .5 foot candles next to residents for a commercial use is acceptable for this PUD, so my position would be that we are at 0 fall with no glare to any of those residents. Additionally, I just want to make sure we are all on the same page, the property to the west, that is undeveloped is zoned residential and our zoning code and it's undeveloped. Is that correct?

Mr. Gilhart: I don't know.

Mr. Okum: Your property is really, your setbacks, you are not compliant with the setbacks but it is an existing setback that you are not altering where the roadway goes along the back of the building and that hill runs up and we asked you about a fence. That property is undeveloped residential.

Mr. Gilhart: To answer your two questions, photometric plan would be submitted in accordance and compliance with the section, the appropriate section. It is medium, low density.

Mrs. McBride: Low activity.

Mr. Gilhart: Low activity, so there's a chart and set of guidelines.

Mr. Okum: I understand that but we are talking next to residents.

Mr. Gilhart: No, I agree.

Mr. Okum: I know low activity, at least in this position I'm in, I would recommend to council that they maintain the 0 fall at the lot line, not .5 foot-candles. You know I saw cut sheets for your lights and that type of light, I don't know where they are placed on the site because I can't read the photometric lighting plan.

Mr. Gilhart: Well that depends on where we end up with the parking layout. But I would tell you this I would be more than happy

Mr. Okum: Is there a reason that all of that parking is left on that north side?

Mr. Gilhart: Well what happens is we need parking in the front and we would like to parking on the south end and we would like to have parking and access on the north end. We also have a six-car garage on the north end. No, I show a turning radius in the event that there be a 40-foot box truck or a semi are something. As we discussed the access to this site has been quite narrowed sort to speak and we would like to have that for maneuverability for any trucks potentially to turn around and we would also like to have it for access to the six car garage and we would also like to have it for whoever the tenant or tenants would be on that and then we felt that it was, we would rather give back so to speak or open space or filtration of the water coming off of the site would rather do that in the south parking lot and fortunately or unfortunately we had to do that because of the pipe failure so we have ended up with quite a bit of open space that we wouldn't normally have had any way.

Mr. Okum: Just, and I wanted, I see a couple more lights going on so I'm going to defer to the of the members, I do have a concern about the garage on the north in regards to how it will impact the residents is. Can you imagine a pneumatic wrench taking lug nuts off of cars, trucks on that north side that could be an issue. There is no protection for those residents at all except for distance.

Mr. Gilhart: I have no problem with that being for automobile or enclosed equipment storage.

Mr. Okum: Well those are things that you would have to identify for us because right now it is a garage. And I believe automotive was one more issues or items that you missed it on your request is that right? Okay.

Mr. Gilhart: Yes.

Mr. Okum: As long as you're good with that but we just need to be specific.

Mr. Gilhart: Can I mention the enforcement here. This is in covenants and am just read a couple of sentences. Developer grants to Springdale the right of enforcement of any and all provisions contained here and of the compliance with the development plan. It goes on to say if there is for it shall become necessary to enforce any of these covenants and the City of Springdale prevails, developer will pay for legal fees they go on.

Mr. Okum: Okay.

Mr. Gilhart: That is I guess your remedy their

Mr. Okum: Stoppag. In regards to the notification and then I'm going to stop. Notification of the flood zone. I realize that you have indicated that you're going to have it in the leases for all leases it does not address the public that goes on to the property. I would certainly encouraged that some type of signage be applied at the entrance and exit of the site so that it is clear invisible people can see a as they go on to the site that they are aware that they are in a flood zone just because of the use that is going to be going on there and the period of time that those businesses maybe there. We don't want somebody getting trapped in their life they were when the bowling alley flooded.

Mr. Gilhart: For the record there were two people rescued.

Mr. Okum: That's good.

Mr. Gilhart: Let me tell you what that was, it had nothing to do with the flooding of the bowling alley for sale or the building in the aftermath the waters receded. My father preempted, I guess the entry to the property he drove his station wagon with myself in it into the water and the engine died. So the two people that were rescued so to speak were myself out of one side of the window and my father at the other side.

Mr. Okum: Appropriately so.

Mr. Gilhart: Pretty dumb thing to do.

Mr. Okum: The culvert basin, the sidewalls of that flood basin since you brought it up, is that going to be gravel and rock aggregate?

Mr. Gilhart: I'd like to let Adam answer that.

Mr. Okum: I've seen a couple of recently, one specifically on 42 going up in the Pisgah area where it is all sprayed on gunite concrete.

Mr. Gilhart: Yeah I have a photo of that one. I know which one you're talking about.

Mr. Okum: That is nice and ugly.

Mr. Gilhart: This is Adam Berner that the Kleingers Group.

Mr. Berner: The preliminary plans there were submitted in for the permit showed it being grass on the side through their and we will work with Mr. Shvezda and make sure that because that is one of the comments that he responded back to make sure that is addressed adequately there.

Chairman Darby: Mrs. Sullivan-Wisecup. Oh Mr. Shvezda.

Mr. Shvezda: Just clarification on that. The concern that we had was the velocity whether the stream banks would have sufficient protection for the velocity that was in the channel so that is what we're working through now.

Mr. Gilhart: I have and um.. and 9:30 AM to review those types or replacement or a slick planning process that you're probably familiar with.

Chairman Darby: Okay. Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Never mind that kind of answered my question because I was going to ask if you were going to have the gravel or the grass or how that was going to work so we're good.

Chairman Darby: We don't have any more lights. We do, Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. Is it my understanding that you're going to have a total of 37,000 square feet of space, I thought I saw that in one of the documents is that correct?

Mr. Gilhart: Plus or minus that is accurate.

Mr. Hall: I guess the question that I have is if you have the piece of property that has, according to you zero value, that you would spend \$5.5 million to upgrade the space to lease so that 37,000 square feet out of that \$5.00 a square foot

Mr. Gilhart: No, the 550,000.

Mr. Hall: \$550,000 I stand corrected.

Mr. Gilhart: It is zero value of a key to making that it would have the value of I'm able to do the flex space project that I have proposed.

Mr. Hall: Okay thank you.

Chairman Darby: Mrs. McBride.

Mr. Gilhart: Does that make sense are not? Okay.

Mrs. McBride: I guess just to point that I would like to bring to the commission's attention based on the discussion that we've had here this evening and that is the big I mention that my comments but I wanted to make sure that it is addressed and that is that these proposed culvert improvements, with that is going to look like how that is going to be secured is it going to be planted what is going to happen. That needs to be a minor modification to this PUD that needs to come to this planning commission.

Mr. Okum: Separately?

Mrs. McBride: It can come in conjunction, we don't have any I mean I don't have anything that shows me how they are going to plant it, are they going to put up decorative fence up or whatever so I mean that is something that is a part of the PUD today they are modifying that PUD and this commission has to approve those improvements. Okay and the second thing that I would ask the commission to add on or to give consideration to add on rather would be that, we're looking at the 1.47 acres which is they're put before us which is the bowling alley and immediately surrounding it does not include that area north of the 1.47 acres to that north property line where the residences are. So I would ask the commission to include in their recommendation that area north of this, so we have no ability to enforce the berming, the landscaping and so forth that would be required between this type of for intensive use and our adjacent single-family residences to the north.

Mr. Okum: How do I separate that out in the motion?

Mrs. McBride: How do you separated out, I would, I believe that consideration number 10 talks about the fencing details after the final approval of the area where the culvert failure occurred that those would be submitted. We don't have a minor amendment application in for those. So, that could come the planning commission next month for example if the timing was right but that is something that needs to come to this commission regardless because they need to do those improvements and are less of what happens to this those improvements need to come to this commission. It is really a separate action and does not necessarily tie to which are looking at tonight it just wanna make sure that you're aware and the applicant is aware that those improvements need to come here. With regards to the additional area between 1.47 acres and the north property line I think that you would add that in is a condition that that be reviewed and considered as part of any final development plan relative to buffering and screening sufficiently for the residences to the north.

Mr. Okum: Can you identify and that on the so I know are a specifically where it's at.

Mrs. McBride: So, if you are looking at that site plan so the – line and the applicant can correct me if I'm wrong is a little over 1.47 acres. The 1.47 acres is everything save the five parking spaces that you see jutting out there to the left on the bottom. So, the shaded area to the right about 1.47 which is actually going in a northerly direction that is the area that you want to be able to review and consideration rights on relative to screening and protection for the single-family residences.

Mr. Okum: So that would be the north old parking area.

Mrs. McBride: Correct.

Mr. Okum: So, the culvert improvements are not approved as of this time in the north old parking area shall be reviewed and considered as a separate item to be in the final development plan. Is that area, because we had an issue with the density and the impervious surface ratio and open space and primarily that is because you're evaluating the PUD request on just that boxed area?

Mrs. McBride: That is correct. That is what they turned in.

Mr. Okum: So, they are non-compliant with our open space as a result of the way they have isolated just that area. Is there reason why that was isolated?

Mrs. McBride: You would have to ask the applicant.

Mr. Okum: Because it's on the photometric lighting plan that was submitted. I'm a little confused. Sorry my MIC wasn't on. Is the rest of the commission? Can the applicant explain why these two areas because you density is extremely high because you're trying to get us to look at through a periscope by that little area right in the middle...

Mr. Gilhart: Are you referring to the 30% open space requirement?

Mr. Okum: That is correct.

Mr. Gilhart: We'll be provided is on the overall site and the 4.8 acres.

Mr. Okum: We're not reviewing the overall site.

Mr. Gilhart: No but it is a calculation.

Mr. Okum: Not part of ours because it is not part of this submittal.

Mr. Gilhart: We could exclude that and then I think that will actually improve the percentage.

Mr. Okum: Certainly, it could.

Chairman Darby: I think Mrs. McBride is saying the regardless it needs to be addressed.

Mrs. McBride: My concern again is how we're using that area to the right the north, old north parking area as Mr. Okum referred to it as and how that is almost all paved right now it is almost all impervious surface. Part of that needs to become or will become as required by code a buffer yard between an industrial type use and a residential type use and so I wanna make sure that the Planning Commission has the ability to provide that because there is none on that 1.47 acres to provide that kind of buffer.

Mr. Gilhart: What is the buffer yard requirement?

Mrs. McBride: If you located as an industrial it is 50 feet and then landscaping, different landscaping options that is the minimum required but again this is a PUD the so Planning Commission can obviously increase that.

Mr. Gilhart: This is as you know an interesting thing to say the least. Even if I were to grass and was the whole thing there the whole parking like a problem you have is the neighborhood is actually probably 10 to 12 feet elevated and then it does have a buffer on that hillside and the trees are mature and you block it. If you go down there right now and you step on the parking lot side you can't see a house. That is on the other side you can see the building. I don't know that having something 12 feet lower than what is there now is to have any effect of all.

Mr. Okum: Adding? I am talking open space.

Mr. Gilhart: Yeah that's what I'm saying getting any open space

Mr. Okum: Open space is required, I mean otherwise you could develop the whole site as buildings or whatever.

Mr. Gilhart: So if we could get close to the 30% I think it is going to be tough to do that, again it is a half century old site. I know that's my problem

Mr. Okum: I can only speak Mr. Gilhart in regards to accomplishing your 30%. And I don't feel comfortable referring you to council knowing that you are clearly segmenting this into a small pocket and then leaving the other space not part of the calculation. It

puts us at, it puts the city at a handicap and it does not make it, I can't imagine any development coming into the city saying, except possibly that is to be considered for other development at another time, or some other use or something of that nature then I really would have some concern. So, I'm not quite sure, what is interesting is that the dotted line on the west side there is actually a contiguous connection between that back portion that we are not considering and the front, which to me means that we have connectivity to the front in that back parcel or whatever. Are we subdividing the site, are you intending on subdividing the site?

Mr. Gilhart: No, the idea was on the dotted lines was to show the area that is going to be impacted. The reason that there is at one time, it should have been taken off, the dotted line through the center of the building is we were going to try to do those in a couple of different phases to kind of minimize the financial impact of the redevelopment. If you look at, just pay attention to the dotted line around the whole thing that was the area that was initially going to be impacted. I think that is how that started a year or so or 14 months ago.

Mr. Okum: Okay.

Chairman Darby: Staff do you have any comments on this? The big solution.

Mrs. McBride: Again, I think that we want to reserve the right as to what is going to happen to that north end of the parcel.

Chairman Darby: We are getting there.

Mr. Okum: Maybe we can hear from the audience if there is anybody here.

Chairman Darby: This is a public hearing, is there anyone here that wishes to make comments at this time. There being none.

Mr. Okum: Now I will go back to Mr. Gilhart. Part of the conditions that are identified by Mrs. McBride, the considerations calls for 30% of the redevelopment site is to be open space. That is a condition of this motion do you understand that?

Mr. Gilhart: If I can meet that?

Mr. Okum: That is required.

Mr. Gilhart: Okay.

Mr. Okum: It will be required as a motion of this body referring it to council for council's consideration and that will be a consideration as a requirement of the site. Right now, what you have outlined their it staff review does not accomplish that.

Mr. Gilhart: What I need is 30% of the 4.8 acres correct?

Mrs. McBride: That is what we're just discussing, I mean is it

Mr. Gilhart: We were confused to on what, to identify the site we are working on or if it the whole thing or

Mrs. McBride: What you want us to consider I mean you have asked and identify the 1.47 acres the one is to look at the entire acreage of it?

Mr. Gilhart: Well I submitted, my proposal was to do it as it is I mean to submit that portion

Mrs. McBride: The 1.47 acres?

Mr. Gilhart: Yes, because that was what we were altering we weren't going to touch anything else.

Mrs. McBride: But you can understand also, how redeveloping the 1.47 acres could impact adjacent properties that then would require using some of that land that is not included in that 1.47 acres as buffering and so forth.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. So, along the lines of what Mrs. McBride just asked, you are you fine amending your application to have this commission and staff consider the entire site? Where is this an issue that you have with regard to being able to do something different on the property the part of the property to the north in particular?

Mr. Gilhart: My submittal was to submit for the area that we were redeveloping.

Mr. Hawkins: Sure.

Mr. Gilhart: Period.

Mr. Hawkins: And I understand that and you came through and you were clear with that and that is what you were focused on and I get it.

Mr. Gilhart: Then the thing that did change we had a failure of those culverts so the reason it is a separate that part of the same submittal so to speak is because we receive a letter saying stopped work on the emergency remediation and submit a permit by a certain deadline was and we met that and that's why they're separated it just happened there was a freak thing. But this is always been what our proposal is to redevelop this portion of it.

Mr. Hawkins: Right now I understand that the 1.47 is which are focused on redeveloping the issue comes back to the 30% open space and the ability to be able to dictate what is going on with that part of the property to the north so if you expand on the area that is not shaded and you take away the shade you have the whole thing, obviously we still understand your focus on the redevelopment is that 1.47 acres we get that but if you take away the shading allow the commission to comment on the entire part of that property it helps take care of the issue with regard to the 30% and it helps take care of the issue being able to address potential things that may come in the future. I mean the question is you have some reason why there is an objection to that.

Mr. Gilhart: I just don't wanna delay the process and if this is complicated I have tried to simplify it.

Mr. Hawkins: I know you have.

Mr. Gilhart: It is hard to do. To if planning commission says hey I we'd like to have a buffer there, and there is a reasonable amount of buffer I think 50 feet is a little excessive considering that we already have that where down below. I don't have any problem with that and.

Mr. Hawkins: Is there something else that you want to do with the northern part of that property?

Mr. Gilhart: Nothing.

Mr. Hawkins: Okay.

Mr. Gilhart: No structure is going to be put there period, because that would have to be at the new elevation. It is just for accessibility, parking, turnaround.

Mr. Hawkins: So, you're only concern as I am hearing you, correct me if I'm wrong, with regard to getting rid of the shaded area is with regard to any other additional time it may take to address that change, is that fair?

Mr. Gilhart: Yes, that would be fair to say.

Mr. Hawkins: But you don't have any issue with regard to if that is opened up with regard to this commission or the city being able to dictate things for that northern part of the property?

Mr. Gilhart: Excuse me, I'm sorry.

Mr. Hawkins: You don't have any issue with regard to the city or this commission dictating what is going on with the northern part of the property? That's not a problem for you?

Mr. Gilhart: The only problem I would have is if they said, hey we want the whole thing in grass or something like that or if they would minimize the use of it not what goes on it as far as the structure.

Mr. Hawkins: Okay.

Mr. Gilhart: Does that make sense or no?

Mr. Hawkins: No that makes sense to me. Mrs. McBride and Mr. Taylor, if the applicant asked to have the shaded area considered with regard to the rest of the property, what kind of impact does that have on staff's comments or the application going forward?

Mrs. McBride: What I was going to suggest was that perhaps the commission might want to consider making the, should Council approve the major modification to the property for the flex space uses, that one of the conditions would be that the final development plan address the entire 4.83 acres which would allow us to look at lighting closer to that residential property line, buffering closer to that residential property line and would also pick up the finished appearance of the culvert repair. So everything would get rolled into one and the commission could see it as one piece and it would not delay the applicant at all.

Mr. Hawkins: Side note – Question, the properties to the west that is zoned residential?

Mrs. McBride: I don't believe that they are zoned residential just looking at our zoning map. I believe that those are zoned GB.

Mr. Hawkins: Okay. Thank you.

Mr. Okum: That is on the west.

Mrs. McBride: Yeah.

Mr. Okum: I looked for my map and I didn't have it. Ok just so I make sure I'm right Mrs. McBride. Should Council approve the modification to the PUD, the applicant shall include all of the gray in areas as part of the final development plan submission.

Mrs. McBride: I would change it to include the entire 4.83 acres.

Mr. Okum: To include

Mrs. McBride: As a part of the final development plan review.

Mr. Okum: To include the entire 4.3 acres

Mrs. McBride: 4.83

Mr. Okum: 4.83 acres. As part of the final development plan

Mrs. McBride: And the basis for that, understand commission is that you are recommending a major modification to this PUD and that is for the 1.43 acres to allow them to use that as flex space. They are not proposing any use for either the south shaded or the north shaded properties other than what is there today. Okay. But when we come in and do the final development plan there going to implications caused by that 1.43 flex space change should Council approve it, you recommend it to Council and Council approves it that are going to impact the final development plan for the overall acreage as well as those culvert repairs. Again, that won't slow the applicant down at all with regards to development.

Mr. Okum: So in my motion, if I say no outdoor storage at this time, Council is only considering no outdoor storage for that white area that is inside those little checked boxes and not the gray areas.

Mrs. McBride: That is correct because that is what the major modification pertains to is the 1.43 acres.

Mr. Okum: Okay. The applicant understand that as far as this person is concerned those gray areas are as integral and as important to the development as what you are requesting we review at this time?

Mr. Gilhart: Yes.

Mr. Okum: My consideration would be based up on the outdoor storage, specifically into those areas. That would be a consideration, mulch, backhoe, whatever.

Mrs. McBride: But, understand they could not do that in those areas unless they came in and got a modification to the PUD. Right now, those areas are approved for parking.

Mr. Okum: Okay.

Mrs. McBride: Period.

Mr. Okum: Okay. I can take that out, don't need that, okay. The item about automotive repair in the garage which the applicant has indicated that they will exclude should that, could that be part of the motion.

Mrs. McBride: No, I think that leaving the motion to address the uses within the Covenants is more appropriate.

Mr. Okum: Okay. Hopefully I will get this close. Mr. Chairman. How many acres of 1.

Mrs. McBride: 1.47 is what is under consideration.

Mr. Okum: Ready Mr. Chairman.

Chairman Darby: ready sir.

Mr. Okum: Mr. Chairman I'd like

Chairman Darby: Mr. Hawkins, did you have

Mr. Hawkins: I just had a quick question before Mr. Okum's motion. You indicated they were a few folks that are potential tenants. Can you briefly describe what type of business is those individuals that are present here today we're looking to engage in.

Mr. Gilhart: Well this one gentleman is Forest Lytle, landscape and when I see landscape I'm not talking about the exterior mulch supplies so on and so forth he is more of a contractor and he would be using in a manner where whenever he did in his business would be a front office, the bathroom and he would use the inside warehouse. There's many different things they do but it would be all enclosed. This gentleman here actually is a good friend of the family here, his grandmother used to live down the

street, coincidentally I saw he was on the agenda tonight he is with, it was Muenchen Furniture and now it is, what is the name of the business, Furniture To Go is the new business they have and he at one time we had communicated for the shopping center he may be a user for potential excess storage. We talked about that this evening. So types of uses like that pretty much what I have given you a sheet on. Small businesses, t-shirt printing, distribution, Man cave it could be just about anything. Those are the type of uses.

Mr. Hawkins: Thank you.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Mrs. McBride is Man cave an allowable usage under any kind of stretch of the imagination.

Mrs. McBride: No but a She shed.

(Laughter)

Mr. Okum: I'd like to move Mr. Chairman to approve the following project at 11711 Princeton Pike, the former Princeton Bowl for 1.47 acre area, case number 33558 per the 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 following conditions, staff's, the City Engineer, City Planner's recommendations and considerations contained in their report. As this is a PUD, it shall also include the staff and law director's approval of the covenants, it shall be referred to city council for consideration and approval with the following special considerations: 1) should council approved PUD, the applicant shall include all of the gray areas, shall include the whole 4.83 acres

Mr. Gilhart: 5.83

Mr. Okum: 5.83 and that thank you.

Chairman Darby: No, wait, wait.

Mr. Okum: 4.83 acres. And what we got 4.8

Mr. Gilhart: What that I, it is 4.83 I apologize.

Mr. Okum: Oh lordy.

Mr. Gilhart: Sorry.

Mr. Okum: That is not part of the motion.

Mr. Gilhart: Alright

Mr. Okum: Which are also represented in the gray areas as part of the final development plan review. There shall be notification of the FEMA flood plain for the entire site. Signs shall be posted on the site entry and exit that shall be visible and readable to the public. There shall be clear and legible notice of the FEMA flood plain on all leases, subleases and agreements. The outdoor storage. In regards to outdoor storage, there shall be no outdoor storage at this time. Regarding culvert improvements. The culvert improvement area which are on the south side of the property are not approved at this time and shall be required to be submitted and reviewed in the final development review. The north area, the old parking area shall be reviewed and considered as a separate item and be part of the final development plan review. They are not going to develop it so it does not matter. And I think any changes to the above conditions referenced shall constitute a change of the approval plan, approved plan such changes shall require approval of the Planning Commission

and the City of Springdale. Did I get everything? That concludes my motion Mr. Chairman.

Mr. Ramirez: Second

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

(Secretary call the roll and the motion was approved with a vote of 7-0)

Chairman Darby: We want to thank Mr. Okum for being so conscientious in preparing and always does in preparing this motion. I think during this change Mrs. Sullivan-Wisecup was requesting that she be your backup.

Mr. Okum: You got it.

Mrs. Sullivan-Wisecup: No.

(laughter)

Mr. Gilhart: Thank you.

Chairman Darby: See you next time. Let's take a five-minute break.

Chairman Darby: Everyone being present we will reconvene at this time.

B. Maple Knoll Village, 11100 Springfield Pike, Zoning Map Amendment (Application 33559) Public Hearing.

Mr. Taylor: Thank you Mr. Chairman. What is before the commission at this time is, I think probably the last remaining area of Maple Knoll Village that is not currently zoned PF or Public Facility. There is a small parcel in this particular slide you can see it in the lower right hand corner in an area that is comprised of a parking lot that was a subject of a Conditional Use hearing some years back that you folks heard and then some open space. The idea here is to change the zoning from RSH-L, Residential Single Household Low-Density to Public Facilities which is the zoning of the balance of the Maple Knoll piece. The purpose for the rezone is to allow some construction of some more senior housing units in the future. We have a schematic plan; the plan is not really before your consideration tonight it is just here for information purposes. The focus here is just the rezone and that is the look of the plan that shows a few more senior housing units being built in that area. That concludes my remarks. Thank you.

Chairman Darby: I am correct in saying that you did mention that this current area is a parking lot?

Mr. Taylor: A portion of it, yes.

Mrs. McBride: I have not been recognized yet. I will wait till I am recognized by the chair.

Mr. Okum: Mrs. McBride wants you to recognize her.

Chairman Darby: Mrs. McBride.

Mrs. McBride: Why thank you Mr. Chairman.

Chairman Darby: It's a new procedure we are just self-actuating.

Mrs. McBride: Are we flowing now, are we just flowing and I should just hop right in.

Chairman Darby: Right, that's right.

Mrs. McBride: Okay, we will flow. Got that flow. So the property that is under consideration by the commission this evening, as Mr. Taylor indicated, is 1.4196 acres and right now it is zoned RSH-L district, which is our Residential Single Household Low-Density district. It is also in Sub-Area D of our Corridor Review District and that is important to remember because we will come back to that. Our 2002 Springdale Comprehensive Plan designated this property and the whole Maple Knoll community as Public Institutional Land Use. Specifically, the definition of that relative to land use categories specifically identifies senior adult housing and community centers as a permitted use within that land use category so it is the request that is before the commission is consistent with the recommendation for land use and uses within our 2002 Comprehensive Plan. As Mr. Taylor indicated they did submit a conceptual site plan that is not for the commissions comment or discussion this evening and that when, should the zone map amendment be approved by Council they will then be coming back to this Planning Commission for the review and approval of a development plan which will need to be consistent not only with the requirements of the PF district but also those of the Sub-Area D of the Corridor Review District. At that time, we will be looking at things like number of units, the landscaping, lighting, parking and any signage that they might have, those kinds of things. So those are all of my comments.

Chairman Darby: Mr. Shvegzda.

Mr. Shvegzda: Just one quick comment. The applicant did submit some trip generation numbers for the concept plan and they were well under 100 and 100 is the cutoff point for needing a detailed traffic study.

Chairman Darby: Thank you very much. Are there representatives here? Representatives please come forward.

Mr. Dooley: My name is Mike Dooley with Bayer Becker, 1404 Race Street, Cincinnati, Ohio 45202. I am here speaking tonight on behalf of Maple Knoll. I appreciate your consideration. Mostly just here to answer questions that may come up. One thing that I just wanted to mention is that the parking lot that we are demolishing, as you can see from the aerial, is kind of an under-utilized parking lot within the area, so we think this is a definite upgrade verses what was there. Listed in the comments from the Village there was also talk about storm water detention. We will provide storm water detention to meet the regulations OEPA in Hamilton County. There is an existing basin on site that we'll have to address as well. Outside of that I'm available to answer any questions that you might have.

Chairman Darby: Thank you. Did you have something to day.

Mr. Hahn: Yes, my name is Jerimiah Hahn with Luminant, previously Architects Plus. We've conceptually put together this plan and we fell that this is an under utilized parcel right now and there truly is going to the redevelopment plan we are going to incorporate a park, a small park for the community as well just to reinforce that. The architectural features are going to be representative within the context of the community. The look, the feel, everything should be integrated well within the Maple Knoll Community.

Chairman Darby: Thank you. So, Commission members do we have questions or comments at this time keeping in mind that they are here just for the zoning change.
Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Where find that this is truly consistent with our 2002 Comprehensive Land Use Plan (laughter), based upon those facts along I think I will be making a motion, if I don't see any other lights. Mr. Chairman, I would like to make a motion to approve the Maple Knoll, you got a question? To approve the following project, Maple Knoll Village at 11100 Springfield Pike, case number 33559 that it shall include our city staff's comments and to refer this to City Council for approval to rezone 1.419 +/- acres to PF, Public Facilities District.

Mr. Hall: Mr. Chairman I would like to second that please.

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

(Secretary called the roll and the motion was passed with a vote of 7-0.)

Chairman Darby: How will you stay sharp with such easy motions?

- C. Devin Nagar, 325 Pictoria Drive, (former Bahama Breeze), Minor Revision to PUD Development Plan (Application 33566)

Mr. Taylor: Thank you Mr. Chairman. This is a plan that you all approved a couple of months ago on the former Bahama Breeze site. This was a major modification to the Pictoria or actually Northwest Business Center PUD to allow the construction of the Home 2 Suites hotel. As you may recall it was oriented such that the long direction of the building went north to south. This is the current proposal. The building now is oriented east to west. The reason for that being, if you can see on your packet or on the screen there, there are several dashed lines that go essentially around the old Bahama Breeze building and those are sanitary sewer lines. Those were not identified on the applicant's previous proposal and to relocate those lines involves substantial cost and time delays because they are active sewer lines. So, the applicant is asking to reorient the building basically east west. The first thing, I think that needs to be determined by the two members of Council is if this is in fact a minor change?

Mr. Hawkins: A minor change from what had been previously approved?

Mr. Taylor: Correct.

Mr. Hawkins: I do find it to be a minor change from what has been previously been approved.

Mrs. Sullivan-Wisecup: I absolutely find it to be a minor change as to what was previously approved.

Mr. Taylor: Thank you Mr. Chairman that is all that I have.

Chairman Darby: Mrs. McBride.

Mrs. McBride: Thank you. The only additional comments I guess I have to that is that the applicant is showing that 0.8782 acre lot and showing that on this plan, I just want to make it very clear to the commission that the applicant does not create that lot obviously he would have through the platting process to do that but that he will have to provide us with evidence that that lot can in fact be developed consistent with the zoning code that we are not creating an undeveloped lot. Undevelopable lot, sorry. The only other thing that I would remind the commission is that he will have to come back, they will have to come back to us with a final development plan for that Home 2 Suites which will include things like landscaping, lighting, building materials, signage and so forth.

Chairman Darby: Thank you. Mr. Shvezda.

Mr. Shvezda: Only additional comment that I have is that the concept plan does note the north south drive there to the east of the proposed building that will have connections to the existing parking lot there by Smoq' as well as the middle parking lot by Pappadeaux and the southern parking lot to Pappadeaux. Obviously, that will be finalized or details will be included in the final plan development.

Chairman Darby: Would the applicant care to address us?

Mr. Nagar: Good evening everyone.

Chairman Darby: Good evening.

Mr. Nagar: Just to reiterate do you want me to address the question or reiterate everything that is going on.

Chairman Darby: Well if you want to make a statement that is find or

Mr. Nagar: Gregg explained it very well. Just simple.

Chairman Darby: That was what it was intended to do.

Mr. Nagar: We did not realize it was a there was sanitary line after doing the outdoor survey and obviously it is very costly so we moved the orientation of the building to east to west.

Chairman Darby: For the record introduce yourself.

Mr. Nagar: Sorry, Devin Nagar.

Chairman Darby: Mr. Okum.

Mr. Okum: Just a question. In that change did you reduce the size of the parcel that Mrs. McBride referenced?

Mr. Nagar: We had to reduce the size of the building. Originally it was 111 rooms and now it is 108. So we definitely did have to reduce the size of the building but what do you mean by the size of the parcel?

Mr. Okum: The other lot that is not being part of your plan. Did you reduce that size of that lot down in your change?

Mr. Nagar: The original did not have that.

Mr. Okum: The leftover lot?

Mr. Nagar: No, we included it

Mrs. McBride: It's never been identified as a lot previously.

Mr. Okum: Right, we did not have that.

Mrs. McBride: Correct. We are not recognizing that as a lot this evening.

Mr. Okum: So, it's all one.

Mrs. McBride: That's correct.

Mr. Okum: Ok, so then my question would be, is the acreage that is on your report Mrs. McBride? It's the full site right.

Mrs. McBride: That's correct the only acreage that I referenced is that 0.8782 acres and that is relative to the fact that we are not creating that lot. You need to demonstrate that as developable.

Mr. Okum: Okay. Thank you.

Mr. Nagar: Great. I think last time you had the open space requirement, its very tiny writing but in the legend, it shows everything. The 25% that you are looking for and it is highlighted the way you wanted.

Chairman Darby: No other lights.

Mr. Okum: I guess I got it. Mr. Chairman I would like to move to approve the following project: 325 Pictoria Drive, case number 33566, revision to the PUD development plan previously approved, per the specifications and design provided in our meeting packet as exhibits which were submitted by the applicant and reviewed by staff prior to this meeting. This includes staff, City Planner and City Engineer's recommendations, considerations, and comments. That concludes my motion Mr. Chairman.

Mrs. Sullivan-Wisecup: I second the Motion.

Chairman Darby: It has been moved and seconded that this application be approved as indicated in the reading of the Motion. Secretary please call the roll.

(Secretary called the roll and the motion was passed with a vote of 7-0.)

Chairman Darby: Thank you for coming.

D. Stephen M. Muenchen (Furniture To Go), 650 Kemper Commons Circle, Minor Revision to PUD (Application 33637)

Mr. Taylor: Thank you Mr. Chairman. Once again this is located in a PUD. The proposal here is to alter the façade of the former HH Gregg site. This is the way it looked after the sign was removed after HH Gregg moved out. This is the modification that is before you today. First determination is, is this a major or minor modification. Staff of course believes it is a minor modification.

Mr. Hawkins: I believe it is a minor modification.

Mrs. Sullivan-Wisecup: I believe it is a minor modification.

Mr. Taylor: The story, if you will behind this, is there was some confusion as to getting the cart a little bit before the horse here. So, Mr. Muenchen is here to seek your approval for work that has actually been done. I think Mr. Okum is aware of this, as I believe he pointed it out to us last Friday or two Fridays ago. Anyway, that is the extent of the case. They have just painted the façade. They have a temporary Certificate of Occupancy for the inside of the space. They are waiting on you all. Thank you.

Chairman Darby: Mrs. McBride.

Mrs. McBride: I don't have anything to say on that.

Chairman Darby: Mr. Shvezda nothing. Mr. Okum.

Mr. Okum: Yes, I admit I did see them standing on a step ladder painting. The fellow was up on a ladder painting it and I did observe it. For the size of the site there is within the PUD some adjustment for accent colors. If this is the only thing that ends up blue on that site and it is so far back from the main right of way then I don't have a major objection to it at this point. I won't be objecting to it, I'll be still approving it.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. I was going down to Sam's and had you not had the blue around there I probably would not have even looked up. It was something that kind of caught my eye. I didn't think it was like, bad it did just catch my eye and I think that is the purpose behind it, am I correct in saying that? So it served its purpose in catching my eye and that is when I first noticed it was there.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Just one comment to you. I'm glad you picked some winning colors.

(laughter)

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. The blue and the orange and the white are consistent with the corporation's color scheme?

Mr. Muenchen: Yes.

Mr. Hawkins: I'll echo what Mr. Okum said for the record that the distance from the right of way is significant and as such the size and color of the sign seems to be appropriate.

Chairman Darby: Mr. Okum.

Mr. Okum: Yes, we don't know how long tenants, these folks will be there. The big company Muenchen Furniture is very very large, very successful in the region. Should they vacate the property, space, I think that it would be appropriate for it to be returned to its neutral color. Does the applicant have any issues with that?

Mr. Muenchen: No, Robert Shasha actually has that in the license agreement that we would repaint back to a neutral color.

Mr. Okum: So, we will make it part of the motion and we got it covered. We ready to go? Any other lights? Mr. Chairman I would like to move to approve the following project: 650 Kemper Commons Circle, formerly the HH Gregg, case number 33637, per specification and designs provided in our meeting packet as exhibits which were submitted by the applicant and reviewed by staff prior to the meeting. That this motion is conditional and shall require that the should the applicant vacate the site it shall be repainted to its neutral color.

Mr. Hawkins: Second.

Chairman Darby: It has been moved and seconded that this application be approved as indicated in the reading. Secretary please call the roll.

(Secretary called the roll and the motion was approved with a vote of 7-0.)

Chairman Darby: Congratulations.

Mr. Muenchen: Thank you. My I ask one more question. I did stop the painting process. The rectangle at the top where it says Furniture To Go, that's all blue, but underneath where the two pillars are blue and to the bottom left is currently painted red. If I were to do anything underneath would I need to seek approval for that as well since it is underneath. Sorry about that.

Chairman Darby: What would you

Mr. Muenchen: I'm totally fine leaving it the way it is now I just know that down below HH Gregg had it red on the left and red far right which is in that image but, honestly we don't have to modify anything, I was just curious.

Chairman Darby: Is red one of your colors.

Mr. Muenchen: No, orange, blue and then the white.

Chairman Darby: So we shouldn't expect to see red there right.

Mr. Muenchen: It's already there.

Chairman Darby: You said below you were thinking about.

Mrs. McBride: Do you want to change, are you talking about changing that red panel to orange, is that what you

Mr. Muenchen: That or painting it neutral. Just any kind of modification down underneath, I did not know if I needed to seek approval?

Mr. Okum: Neutral is fine.

Chairman Darby: I think just this is a neutral group.

Mr. Muenchen: Okay. Alright. Thank you.

Chairman Darby: Thanks a lot, and welcome to Springdale.

Mr. Muenchen: Thank you, appreciate it.

IX. DISCUSSION

Chairman Darby: Congratulations to all involved in bringing the grant application. Good job.

X. CHAIRMAN'S REPORT - None.

XI. ADJOURNMENT

Chairman Darby: At this time.

Mr. Hawkins: Move to adjourn

Mr. Hall: Second.

Chairman Darby: Moved and seconded that we adjourn and we shall do so.

Respectfully submitted,

_____, 2018 _____
Don Darby, Chairman

_____, 2018 _____
Richard Bauer, Secretary