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 Shvegzda, City Engineer; Gregg Taylor, Building Official

III. PLEDGE OF ALLEGIANCE

IV. MINUTES OF THE REGULAR MEETING OF JUNE 12, 2018

Chairman Darby: At this time the chair will accept a motion for adoption of the minutes of our previous meeting held on June 12th.

Mr. Ramirez: I move to adopt.

Mr. Hawkins: Second.

Chairman Darby: it has been moved and seconded that the minutes of the meeting of June 12 be adopted. All of those in favor by voice vote.

(Voice vote, minutes were adopted with a vote of 7 – 0.)

V. REPORT ON COUNCIL

Chairman Darby: Now for our report on Council, Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. Council met on June 20 of this year. Six members were present. Before council we had Ordinance No. 33-2018, an ordinance amending the zoning code and zoning map of the City of Springdale Ohio to provide for the rezoning of property located at 11100 Springfield Pike from residential single household Low-Density to public facilities. This is a matter that we deal with dealing with the Maple Knoll Community. That passed with six affirmative votes. Council also had before it Ordinance No. 34-2018, an ordinance approving a major modification to the planned unit development and preliminary development plan to the Princeton Plaza Planned Unit Development (PUD). With regard to that matter that motion passed with six affirmative votes to table the matter until the July 11 meeting. We also had Ordinance No. 35-2018, an ordinance declaring to be a public purpose, certain public improvements which are necessary for the future development of certain parcels of real property within the city exempting such improvements from real property taxation authorizing such documents as may be necessary establishing the tax increment equivalent fund and declaring an emergency. This is in relation to the GEEAA Park and the TIF impacting the Princeton City schools and the Great Oaks Institute of Technology. That passed with six affirmative votes. Council also had before it Ordinance No. 36-2018 appointing special legal counsel for the Council Investigatory Committee and authorizing compensation, and that passed with a 5-1 vote. That concludes our legislation in my report unless there are any questions. Again, for clarity sake the one matter with regard to that was tabled was the situation that Mr. Gilhart came before this commission regarding the former Princeton Bowl. There were some things that Council felt that he needed to go over with staff regarding the uses and he had not done
that since he had left the Planning Commission so Council suggested that the matter be tabled and that he get with staff and come back before the July 11th meeting.

Chairman Darby: Thank you.

Mr. Hawkins: That concludes my report unless Mrs. Sullivan-Wisecup has anything to add or there are any questions.

Chairman Darby: Moving on.

VI. CORRESPONDENCE

NONE.

VII. OLD BUSINESS

None

VIII. NEW BUSINESS

A. Devin Nagar, Home 2 Suites, 325 Pictoria Drive, Springdale, Ohio, Final Development Plan (Application 33814).

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. This is an aerial of the existing site which of course is the Bahama Breeze, right here. You all recall that you’ve seen this a couple of times, most recently they had to modify the preliminary plan to locate the hotel kind of in this manner, which this is the current proposed site plan. This is the building outline of course right here. There are parking fields surrounding the building. This is a rendering of the proposed building so you can get an idea of what it looks like and this is a landscape plan. You all have this in your packet. This shows the layout of the building kind of superimposed over the existing site. Mrs. McBride has a number of comments regarding the landscaping plan. About the only thing that I would offer at this time is that, one of the things that you’ll see in my report is the requirement for tree survey. We have not received that as yet, but I am certain we will. That’s really all I have on this.

Chairman Darby: Thank you. Mrs. McBride.

Mrs. McBride: Thank you. The request that is before you this evening then is for the Final Development Plan for the Home 2 Suites Hilton Hotel. The original hotel that we were considering I think had 111 rooms, the Final Development Plan that is to the commission this evening has 108 rooms. It is a four-story hotel on the 3.51 acres. Council did approve the Major Modification to allow this to move forward February 21st of this year. There are references on the plans that were submitted to a lot 3A and a lot 3B, however we have not received a subdivision request to split lot so the commission is actually looking at one parcel this evening, the 3.5 acres. Parking for hotels in our code is required at one space per room and then one space per employee. There are 108 rooms as I indicated which would require 108 spaces but we did not receive the number of employees from the applicant so we don’t know how many parking spaces are required verses how many are provided. So, we will need to have that information to make sure that they comply with the zoning code. The code also requires in the PUD that the site have a minimum of 25% open space and the applicant indicates that the proposed hotel development will have 25% open space. As Mr. Taylor indicated, we had a number of comments on the landscape plan. The main one was that they have used a program where they have dropped plant material on to it so you can’t see what plant material goes underneath it so we can’t count the number of shrubs and so forth to make sure that it matches the plant schedule. I’m not going to
run through all of the comments, basically; it’s just additional shrubs and/or additional trees that need to be added to accommodate some of the required buffer yards. The proposed use is actually considered a medium activity level use with regards to lighting in our code and that would require a maximum, or allow, I’m sorry, a maximum light mounting height of 24 feet. The photometric plan that was submitted did not have the mounting height, so we would need to get that just to make sure that it complied with the code. Most of their light levels did comply with the code in terms of the average foot candles, the maximum foot candles and then the maximum minimum foot candle ratio; however, we also have a requirement that adjacent to non-residential uses a maximum foot candle at the property line of 2.5 foot candles and they exceed that on three different property lines so they will need to modify that photometric plan to meet the requirements of the code. We also did not get cut sheets for the fixtures or the poles so we would need to get those with the color delineated because our code obviously requires the bronze fixtures. They are indicating a waste enclosure with a dumpster but we did not receive any information regarding the enclosure structure itself or the landscaping that is required to go around that. We also, the code also requires provisions for bicycle parking or bike racks and that was not indicated on the plan nor was any type of freestanding signage for the site. So, obviously the commission is not acting on that. The building elevations that they submitted indicated wall signage on the south, north and west elevations that simply said Home 2 and on the south and west elevations it was indicated to be 85 square feet each side and then a 38 square foot Home 2 on the north elevation. We did not receive any details on that signage and our code requires channel cut letters, internally illuminated and so forth. There was no details provided so we would need to see those before that could be approved. We had a comment in here regarding the Pictoria Island PUD Covenants to make sure that hotels were a permitted use. Since we did this staff report the Law Director confirmed that they are a permitted use so if you could strike consideration number nine in any motion that you might make that would be appropriate. The building elevations indicate the beacon feature which is a large illuminated trans-illuminated kind of cube on the top of the building. It is a white light and so we have asked for additional information on that in terms of does it flash, does it change colors, what’s the story with the beacon, it is a feature on some of the Home 2. Not all of the Home 2’s have them. We have also asked for information on how the mechanical equipment is going to be screened from views and we have not received that. The building design does comply with the requirements, the design requirements of our PUD. It is a largely EIFS building with some brick or tile on the bottom and the applicant has been advised to bring material and color samples this evening for the commission to review. The only other comment that I would make would be that we have requested that they provide pedestrian pathways striping through parking lots or something so that folks can get safely from the Home 2 to some of our restaurants that we have over there. That is a common feature when you have a PUD like that, that includes both a hotel and restaurant and other uses where you are going to get some cross walking. So, those are my comments and I would be happy to answer any questions.

Chairman Darby: I’m going to deviate just a little bit from our typical protocol, I’m hearing so many things here, I’m going to ask. Would the applicant like to reply to any of these items prior to us going on to our other administrative staff reports?

Mr. Nagar: Good evening, my name is Devin Nagar. Can you repeat the question one more time?

Chairman Darby: Would you like to reply, you don’t have to.

Mr. Nagar: Oh yeah, absolutely.

Chairman Darby: Since there is such a large volume here, prior to going to other staff reports, I’d like to give you a chance.

Mr. Nagar: No, I completely understand. Again, I will go through all of these details.

Chairman Darby: We’d appreciate that.
Mr. Nagar: The way, when I was speaking to Gregg, the process we got all of the details that we could to turn in and they were asking for a little details and we needed a little more time to turn in. Most of these things I can comply with and get you details and according to this as long as you give the staff the permission to approve it if everything is in compliance with the code and everything most of it will be in compliance with what you guys are requiring. There are a couple of things that I do want to address and looking for a little bit of variance and your guys' opinion on some of the subject matters. Okay, so if you want me to I’m going to list them all out in kind of, pretty sure you guys have the packet with the bullet points. I’ll just read off those and kind of give you my opinion and what I’m,

Chairman Darby: However you choose to do so.

Mr. Nagar: Yeah. Perfect. The biggest one is point number 10, the building design must comply with sections 153.255. I’ve been here before you guys in the past and so if you remember this is a franchise hotel, this is a prototype hotel. This particular code pretty much says that you are not allowed to have a franchise design. Obviously with Hilton it has to be specific to their architect design so it is very hard to change anything. So, the issues it runs into this is a variance that we will probably have to ask from you guys to have a franchise design in this particular PUD. Do you want me to keep going or would you like.

Chairman Darby: Please keep going.

Mr. Nagar: Okay. The other two things, since the way I was explained the process will go since a lot of the details are missing, I’ll be more than happy to get you those details as long as if you guys give permission to City staff to approve it, one of the things I am asking is for point number eight, the free standing directional sign, it is not a part of the plan yet, and we have thought about it and our team has thought about it is that we probably will need one sooner or later but one of the, each section is pretty much labeled as long as the staff approves of it and it follows your guys’ code, I was hoping that for section eight, as long as if we do decide to put in a sign, that we don’t have to go through this process that they can approve it as long as we follow all of the rules of the signage code requires.

Chairman Darby: Okay, we rely heavily from input from our staff.

Mr. Nagar: Okay.

Chairman Darby: You just jumped from item two to item eight with no comment. Is that what you choose to do?

Mr. Nagar: No, I’m just going through the points that I have circled. Sorry, most of the items that are on this thing, we just need to provide more details to it.

Chairman Darby: And we will just rely on staff to comment on those things. Is that okay with you guys?

Mr. Nagar: If there is a different process correct me, if there is something that I’m doing wrong let me know.

Mrs. McBride: As the commission knows, typically we have this information that is why it is at final development plan.

Chairman Darby: Because we are at final plan and there is a lot here that’s why I bring it up this way.

Mr. Nagar: Okay.

Chairman Darby: But you present the way choose to.
Mr. Nagar: No, that’s perfectly fine. The only other, the other big issue that we have and we need to revisit this issue, because I just kind of got the details of it a day ago is a landscape design. They, their comments along with my landscape designer and the comments that he made, I think with, you will notice on some of the points it is asking for hey you need to add an additional 90 shrubs here, 120 shrubs here. There must be a miscalculation because you calculated in linear square footage and they want to see a certain amount of shrubs. The reason why I am saying that, it is physically impossible to put that many shrubs in some of these beds. There is already, the beds when you look at the landscape design, the beds are already full and the reason why, I think and this is directly from the landscape designer, the calculations might be incorrect is because you guys are taking in consideration the entire lot but, like I’ve said in the past, we are planning on dividing the lot so we are not using the entire thing. The way that I have been told that the process works for dividing the lot, it comes after this. So, I know Anne mentioned that we didn’t submit any form to divide the land but we didn’t know that.

Chairman Darby: We are considering just one parcel at this time and that is what we are considering, this has nothing to do with the divided lots.

Mr. Nagar: Well I’m still meeting, what I am trying to say is that I’m meeting all of your guy’s requirements but that it is physically impossible to add that many shrubs into those beds.

Chairman Darby: Mrs. McBride.

Mrs. McBride: With regards to the landscape plan, Mr. Chairman, you are correct we are looking at that entire 3.5 acres and I think that the discrepancy in how many are required comes from the fact that you are looking at that as two separate parcels which would require less shrubs are each parcel.

Mr. Nagar: Okay.

Mrs. McBride: With the regards to the existing plant material I don’t think that you’re landscape plan indicates the existing plant material so if you want to resubmit a landscape plan that shows the existing plant material that is in good condition and you identify that then we can incorporate that into and take that into account with material that would be required. Just a couple of other things. What we are saying with regard to the building design on 153.255 two and three is that you do comply with that, we are just saying that is one of the conditions. We believe that your building design as it is, although it has a lot of EIFS and that is certainly for the planning commission to discuss because we don’t have a percentage quota on that but that the design as you are proposing, it does meet those requirements okay. So, the only other item would be the, item of her talk about pylon are ground mounted sign, there is one pylon sign for that PUD. If there’s additional spaces or whenever that is obviously between you and the developer of the PUD.

Mr. Nagar: So, are you, as far as the, that’s very fine, we can come back, so am I supposed to consider this as one lot and then come back to view? Because this is our, the thing that doesn’t make sense to me is that I have said we’re going to divide this land, if I need to submit a form to say this needs to be divided, I was not unfortunately told that and then the amount of, the calculations that you have and all of the things I need to add in for the landscaping, it just won’t work so how do we, do we just go back to you and go from there are revisit this.

Mrs. McBride: I think when you have a user for the proposed other lot and you would need to bring that proposed user and the lot split to the planning commission and they can determine that. Now, whether or not you’re able to make that lot work with regard to the requirements of our zoning code and which of those requirements the planning commission may or may not be willing to very would have to be discussed at that time when you have got an actual site plan.
Mr. Nagar: Okay. The other statement that you made was regarding section 153.255. So, can you clarify a little bit I mean this is a franchise design so are you saying that we are not allowed to use this design?

Mrs. McBride: No, what I am saying is that the design have submitted, the building elevations that you have submitted, we believe meets the requirements of the code, the terms of the PUD.

Mr. Nagar: Got it, got it. Because I was told otherwise.

Mrs. McBride: With the understanding, I’m sure you did bring that building material samples and the color samples for the planning commission to look at because obviously they’ll be interested in that.

Mr. Nagar: I do not have actual samples for you guys. I brought the rendering and that is it. We don’t actually physically have the stones that go on, or the brick picked out or any of that, we just have the colors picked out on it. We have an idea of what it is going to look like and go from there.

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Get to the right button. There we go. Just to make sure that we’re all on the same page because you are thinking one thing and we are seeing two different things.

Mr. Nagar: Okay.

Mr. Okum: We are seeing an application with a lot split and potentially another development there of some use that we don’t know about, but staff can only look at this because it is an application for the entire 3.5 acres. So, not to let it go by, there is no consideration for anything that you’ve got on those drawings that have anything to do with that split.

Mr. Nagar: Okay.

Mr. Okum: So, there is no value to it, there is no application to that, it does not apply to our consideration. So, we are considering the entire parcel. Just so you understand and it’s clear that we’re not looking that as a potential or a footprint or crow’s foot or anything that happens to be on the drawing, so if I were to be making a motion I will be referencing that it is a single lot and it is not two lots and we are assuming that that line does not even exist.

Mr. Nagar: I completely understand that, okay.

Mr. Okum: Just so we are all on the same page.

Mr. Nagar: I get it. So, then I’m at a loss as far as the process that this should have taken because this was the plan from the beginning and the landscaping requirements, when I submitted everything, all of the landscaping requirements and the details came in afterwards and now try to work backwards to figure out, OK, based on my current site I now have to take into consideration the entire lot, how are we going to make this work because there is no, you guys taking, as far as how much needs to be planted and everything else, it is based on a calculation linier footage etc. but how would you like me to proceed in this situation where it’s impossible to add and

Chairman Darby: Mrs. McBride and her staff, landscaping folks are very very good to work with.

Mr. Nagar: Say that one more time?

Chairman Darby: Mrs. McBride and her staff are very good to work with in this area.
Mr. Nagar: I’m sorry say

Chairman Darby: As far as the landscaping is concerned. That is how we would like you to precede to work with her and her people.

Mr. Nagar: Okay that is very fine, just work with them and go from there. Okay.

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. We are still not going to have the color palette from the application, with the application, there is a lot of things that we don’t have. My feeling is that if you are definitely intending on that split and that being a potential Real estate opportunity, then you need to go with that process in that PUD application and make it a solid so that we all understand because the first thing I did what I did my review was, I saw the split and I said OK where’s the frontage on that site is in a panhandle and all of the things that go through my brain as a planner and on-going okay where’s the frontage. That is the reason that caught my eye is where’s the frontage for that and is that person going to have access is their common area roadway that is a shared access roadway and is that privately owned and who maintains it and where is the covenants that’s in and all of those things that time and so all that stuff starts going through my head and then lose focus on what you’re doing and I don’t have a major problem with what you’re doing. The tree survey does worry me because the tree survey could make a major impact on the cost of your project and that is something that this commission passed a deal with in regards to the number of trees that are going to be removed and by the essence of that construction and we want you to understand that clearly as well and that is why they have as you for the tree survey at believe, has staff asked the applicant for a tree survey? So that you knew what you were going to be removing and what hardwoods you’d have to replace and evergreens and so forth and all of that stuff. So, we want to help you work from point a to point b, but we want to make sure that we are all on the same page is my personal feeling.

Chairman Darby: Mr. Taylor, make up our minds.

Mr. Taylor: and thank you Mr. Chairman. Just a couple of things I would like to add some clarity to. 1. on this franchise architecture question. I told Devin that in fact the code says that you are not allowed to use franchise architecture unless permitted by the Planning Commission. So, that is where that, is coming from and clearly I think that we have all said that the building is in keeping with the overall PUD and therefore it is fine in terms of using that franchise architecture. Regarding the lot split, I mean this is been a topic of conversation since this thing first arrived. The very first we saw this was in the preliminary submission, I believe it was specifically stated at that point in time that it was for the whole site because at that time there was some question as to what was going to be the residual and then when you reconsidered the building which was basically rotated 90° because of the sewer issue, this lot split question was addressed again and we have said repeatedly as the staff and as the commission that we are only considering what we can see, and the reason that we are not considering a lot split just to make this as clear as I can, unless we know what is going on that lot there is no way that we are going to be able to approve splitting the lot and then it is essentially rendered an unbuildable lot because you cannot meet setback and frontage and all of the stuff that Mr. Okum was referring to. So, we really don’t have a choice but to review it as the entire site until such time as you can bring something that we can see. I think that is all that I wanted to say.

Mr. Nagar: I completely understand that. The guidance that I was given I assumed this is the way that the planning process worked so if you guys are reviewing this as one big lot I completely understand that and I will work with Anne and Gregg to figure out the landscaping issues that we’re coming across. As of right now, that is the only thing I can say that this point because there is nothing you guys can see for consideration.

Chairman Darby: And that is fine, we still have other reports to get to. So you may stay there can choose. Mr. Shvegzda.
Mr. Shvegzda: Thank you Mr. Chairman. In regards to the access points to the proposed development basically they’ll stay in place and those on Pictoria and also a common drive that runs north and south to the eastern border of the development. All of the drives access they align up with the drives for SmoQ’ and Pappadeaux. The farthest drive to the south will be curved and a line up with a driveway that runs to the south of Pappadeaux. It was mentioned about the pedestrian access to the adjacent and existing sidewalks. The plan indicates that there will be curb ramps that’ll cross essentially the eastern, driveway and connect up with the existing sidewalks there on both sides of that driveway. On the west side there is a perimeter sidewalk that runs along that western end of the development and there would be a curb ramp that will lead up to that existing sidewalk. The thing that needs to be added is basically the crosswalk as far as some pavement markings. As far as the storm water management, of course the existing detention is in place. The impervious area matches up with what was the design for the original detention basin. The major storm detention basin is designed for was the July 1, 1985 storm. The engineer for the development has submitted calculations that verify that the proposed storm sewers are sized for that particular storm event. There is some additional information that we’ll have to clarify on the inlets themselves to make sure that they have the capacity and the plans do note the hydrodynamic separator of post construction BMP water quality measure and we just need some additional information on that just to verify that can handle the amount of flow that will be a tributary to that. That concludes my comments.

Chairman Darby: Thank you. Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. I have nothing further.

Chairman Darby: Okay. Before we move on to questions is there anything else that you would like to add at this time based on the reports?

Mr. Nagar: No, I have my engineer here, his name is Mike Anderson so if there’s any civil questions.

Chairman Darby: Well we will say that there are other conditional questions from our commission members. Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. There is a loop walkway that goes around the pond that sort of terminates along I guess you would say the south side of the Pictoria, the old Bahama Breeze property and I don’t know if it, I guess it is constructed, is it still constructed over to north or to Pictoria? Yeah if you’d, is that walkway currently there and will it remain, the one that ties to the pond walk?

Mr. Shvegzda: It is currently in place and the plans do show it to remain.

Mr. Okum: Okay and who’s responsibility on maintenance will be? Is that on his property or is that on the common property area? I’m not sure. It looks like it is on the property but I can’t be sure.

Mr. Anderson: That is on the property. My name is Mike Anderson and I’m with Van Atta Engineering. I’m a Civil Engineer for this.

Mr. Okum: Okay, great.

Mr. Anderson: That walk is actually on the property.

Mr. Okum: And that will be maintained and maintenance on it will be taken care of?

Mr. Anderson: I believe that that would be maintenance for this lot because it looks like it only serves this lot.

Mr. Okum: Well it actually connects.
Mr. Anderson: It connects up there at the top but that portion of the sidewalk is out in the right-of-way.

Mr. Okum: Right, so is there any other sidewalk where the driveway comes in from the north, south. Can you identify if there is a sidewalk coming down the walk, the roadway as well.

Mr. Anderson: There is a sidewalk that comes down.

Mr. Okum: It is hard to see on these drawings, they are really small.

Mr. Anderson: Right. On the, there’s a shared private access drive in between the hotel side and SmoQ’ and the other restaurants on the east side.

Mr. Okum: Right.

Mr. Anderson: There is, on the western side of that, the sidewalk turns from Pictoria Drive and heads down that along.

Mr. Okum: I see the five foot walk.

Mr. Anderson: Along the eastern property line of our site and that is where Mr. Shvegzda indicated that we have a connection up there just south of our drive at the northeast corner that connects to that sidewalk and brings people over to the building.

Mr. Okum: Okay, I got ya. Now I see it.

Mr. Anderson: We do need to add, like Mr. Shvegzda indicated, some crosswalks across the drive aisles to just better delineate the pedestrian pathways but we do have the sidewalks there for that.

Mr. Okum: As the Civil Engineer on the project is there any of the existing pavement that is going to remain?

Mr. Anderson: Due to the grades on the building, I would say no.

Mr. Okum: So it will basically be all new asphalt up to the islands.

Mr. Anderson: Right.

Mr. Okum: Including those that, I guess to the east.

Mr. Anderson: I mean the idea is for us to keep the western perimeter sidewalk intact and match the grades along that perimeter but by the time we get done with our new handicapped parking and just the orientation of the building a lot of that is going to be gone. There will be basically new curb along the north side put in place, essentially right where the old curb was.

Mr. Okum: Okay. That is all I have for right now Mr. Chairman.

Chairman Darby: I don’t have any lights.

Mr. Okum: Mrs. McBride do we have an open space designation in our zoning code regarding, my thought is that if the .8782 acre space, where it states on it that this, it said on one of the drawings, that this is open space, do we have a standard that that would have to be mowed and maintained while it is undeveloped or if it were never developed it would stay green space.

Mrs. McBride: I think that would fall more under the property maintenance code but I understand that the grass would have to be mowed and so forth.
Mr. Okum: So that, if we were to specify that that 0.8782 acres shall be open space at this time, that would tie it down to what it is for right now.

Mrs. McBride: Correct.

Mr. Okum: I mean your calculations were based up on that were they not?

Mrs. McBride: No, the applicant offered 25% open space on, for the hotel.

Mr. Okum: So he has to, he just has to maintain it, sure.

Mrs. McBride: What we are saying is that they meet that 25% right now.

Mr. Okum: Right, I saw that and I was, so they meet the 25 whether that is there or not?

Mrs. McBride: Correct.

Mr. Okum: They have to make it.

Mrs. McBride: According to their calculations.

Mr. Okum: As Civil Engineer, if that were not part of your space, that 0.8782 acres was not part of your open space, do you meet our open space requirement?

Mr. Anderson: We do and that is what I wanted to indicate. As part of this process, looking at the potential lot split and we understand the details for that and why that can’t be considered tonight but we wanted to provide our client with a lot that would be buildable for some use. We don’t know what that use is but we took a look at a couple different things that would be typical and we said we need to provide 25% open space for our lot being lot 3A if it comes into fruition, that has 25% open space and there are potential uses for the lot 3B, future lot 3B that could also conform to that 25% open space.

Chairman Darby: Okay. Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. Just a couple of things in relation to Mr. Okum’s comments. I think at the last go round, I think there was a comment made regarding anything, well basically returning that the area that was not going to be used into, it to be turfed and then secondly the maintenance of any property is covered under our property maintenance code so if, let’s just say for sake of argument the tract of land that is identified as lot 3B was to be turfed, at the conclusion of this project, the owner of that property would be forced to mow it. That is all I have.

Chairman Darby: Thank you. Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. Point of clarity, on Mrs. McBride’s considerations, I guess what I heard you say is that you are in agreement and you will provide all of the information requested in those 13 items other than you had some concern about on 10 which was the design complies to those section numbers which we have agreed it does. Item eight which is a freestanding sign and item four which was the landscape plan which you are willing to work with staff on, is that true?

Mr. Nagar: Yeah that is correct.

Mr. Bauer: Okay. Typically, we have samples of building materials and like because renderings are misleading at best. How do we handle that situation with no samples? Are you working on getting those?

Mr. Nagar: Absolutely. I can get them to you guys and have the city staff look at it. I don’t know how the process would work but if they approve it, as long as it
Chairman Darby: There has to be a determination by this commission as to whether that is going to be sufficient or whether we want to look at it also.

Mr. Nagar: Okay.

Mr. Anderson: If I may, I wanted to go through these considerations real quick and check of a couple of them. I know we can do easily. Number 2, the number of parking spaces required, we show that and list that on sheet four actually in the building text. I’m not surprised if you guys did not see that because there is a lot of stuff on this plan but with 108 rooms we were told by our client that they have seven people working on their maximum shift so we have provided 115 parking spaces to take care of that requirement. The other item, the 25% open space I think we have talked about that and like I said our lot is in compliance with that. If the future lot comes through, there are certain uses that could comply to that. We feel that the size of that lot is adequate for them to do that. Bicycle parking, that was actually something that I intended to put on the plan but did not get on the plan. That was something that we were planning on putting on the north side next to their patio feature and stuff up there. I don’t know if the City of Springdale has a typical bike rack detail or any kind of thing like that that you guys want to see, we just note that there is bicycle parking in that area. Then the pedestrian circulation system, I think we can talk that one off, we talked about that with the perimeter walks and the fact that we just need to add some crosswalks to the plan.

Chairman Darby: Thank you. Mrs. McBride.

Mrs. McBride: Just a couple of things. Relative to this beacon feature, I don’t know if you all are familiar with that, I don’t know if the commission or direction from the commission. Again, I don’t know if it flashes, I don’t know if it changes color, I know Hilton does the Home 2’s without beacon feature so, I would really like some input from you all with regards to that.

Chairman Darby: You shall have it.

Mrs. McBride: Also, with regards to signage because we have really nothing with regards to the signage. We have very clear standards with regard to the waste enclosures and landscaping that is required. We did not receive anything on that but we have very clear standards on that so I feel comfortable with that. Same thing with the photometric plan, they either do or they don’t meet our criteria so that’s, I think a very easy thing for staff to review. The mechanical equipment screening, I would suggest that maybe the commission also wants to look at and to make sure that I know that is an issue that you have looked at on other developments as well as the building materials.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. For the applicant. What kind of time schedule is there, or is there any issue if the commission tabled the matter for a month for you to be able to present to the commission the building material sample to work with staff to address the issue with regard to the landscape plan, the waste enclosure, the beacon. Where are you in terms of time frame and all that?

Mr. Nagar: So, we are on a tight schedule, reason being is that Hilton gives us a guideline and says you have to be open by a specific time and usually our construction is fourteen months, so to be honest with you, it is, especially since we are following it and we have four seasons here, we can’t do much in the winter so if we don’t break ground and get things going, then we fall behind schedule and cause delays.

Mr. Hawkins: What does the beacon feature do?
Mr. Nagar: It is actually just that green portion, there is no light or anything like that. I verified with our architect and just to say, hey there is no light or anything, it is just they call the beacon the green column, the tower right next to obviously the Home 2 sign.

Mr. Hawkins: But there I no part of that tower that is illuminated?

Mr. Nagar: It might be illuminated where the green stipe is but I'm not, I'm 99% sure there is no lighting that flashes or anything like that.

Chairman Darby: I think we really need some definitive answers on this feature. Mrs. McBride, do you have any, because you are aware of other sites that have this.

Mrs. McBride: I have actually represented Hilton on other Home 2 hotels and the ones that I have, unless they have changed their design, the beacon element is illuminated.

Mr. Nagar: I will double check that because if that is the case, I was told it wasn’t.

Mrs. McBride: I have also, on one of the ones I did actually over in Florence, the City of Florence objected to that beacon element and so they did it without the beacon.

Mr. Hawkins: I’m assuming, based on what I am hearing from you, you don’t have strong feelings whether or not your beacon is illuminated or not.

Mr. Nagar: Well, this is coming directly from our architect and like she said if there’s sometimes where they held to it and the city does not want it, then we can’t have it so they will give you an exception on that.

Mr. Hawkins: So, you are okay if your beacon doesn’t light up?

Mr. Nagar: Correct.

Mr. Hawkins: Okay. Then, Mrs. McBride, you feel confident that there is plenty of space to meet the landscape requirements in terms of the planting of shrubs, tree, what have you?

Mrs. McBride: What I would like to see is the landscape plan incorporate existing plant material that may be, I don’t want to say salvaged but maintained from the Bahama Breeze development and them we would supplement and we would ask the applicant to supplement that to meet the requirements of the code.

Mr. Hawkins: Thank you Mr. Chairman.

Chairman Darby: Thank you. Mr. Okum.

Mr. Okum: Based up on what we have discussed, there is like, wrong button, I keep doing that tonight. Based upon what we have discussed, there is going to be three or four items that you are going to need to come back to Planning Commission for. Signage is one, the building materials, a resolution on the beacon feature whether it is lit or not lit or it blinks, whatever you want to present to this planning commission and there was one other one, mechanical screening. So, those four items, we can give you approval conditional upon those, and that is what my motion is crafted to do right now and that will get you moving and the next step is for those items. I do not see any major items that jump out at me that I would be objecting to. I think that you might want to pole this commission on how they feel about the beacon or you may want to bring illustrations, photos of the beacon at night on some existing Home 2’s so that this commission could identify it and understand what you are presenting.

Mr. Nagar: Completely fine.

Mr. Okum: If Florence doesn’t have it, Mrs. McBride, I’ve been over there a number of time recently but it has been daytime. So Florence does not?
Mrs. McBride: No, yeah the one we did at Florence does not have the beacon.

Chairman Darby: Presented but not approved, correct?

Mrs. McBride: I’m sorry.

Chairman Darby: It was presented but not approved?

Mrs. McBride: Right. Florence had some concerns.

Mr. Nagar: So, those four items. It is not really a bit laundry list.

Mr. Okum: That’s perfectly fine, yeah.

Mr. Okum: Whether you decide, we are going to consider it, for my motion that that open space area of 0.8782 acres shall be considered open space designated area shall meet our open space area requirements and be turfed and shall be maintained at all times. Very simple. That is what it will be for right now.

Mr. Nagar: Yeah, that make perfect scene. Then obviously I will review the process and that way I can figure out a better way to do this and go from there. So, can you repeat the four items one more them that you said were conditional?

Mr. Okum: Mechanical unit screening,

Chairman Darby: It will be in the motion.

Mr. Okum: It will be in the motion.

Mr. Nagar: Okay.

Mr. Okum: And you will get a copy from staff, of the motion. If we are good Mr. Chairman.

Chairman Darby: No lights, we are ready for a motion.

Mr. Okum: Planning Commission, I move to approve the following project, Home 2 Suites, 325 Pictoria Drive, case number 33814 for specifications and designs provided in our meeting packet as exhibits which were submitted by the applicant and reviewed by staff prior to the meeting. This review and request for a motion is based upon one lot, not two per submission as a total of 3.5 acres. This motion, included in this motion are including and staff, excluding in staff’s considerations number 9 from our Planner and it does not include any reference to a lot split and its attributes. The motion also includes staff and City Engineers recommendations and considerations contained in their report. This PUD shall include a staff and Law Director’s review of the Covenants as they are modified to reflect the project. The mechanical units shall be screened from view of adjoining properties or the public right-of-way. Mechanical units shall be reviewed by staff and Planning Commission, approved enclosure and screening prior to moving forward. Sorry. The tree preservation replacement conditions to include a tree survey and reviewed by staff with a recommendation and consideration to Planning Commission. All four building elevations, there shall be a color palette submitted to us, to Planning Commission for review and consideration. Signage conditions to be submitted to Planning Commission for review and consideration. In regards to the open space, the 0.8782 acre area shall be considered open space. Designated area shall meet our open space area requirements and be turfed and shall be maintained at all times. Beacon feature identified on the drawings shall be submitted to Planning Commission for consideration. That concludes my motion Mr. Chairman.

Mr. Hall: Mr. Chairman I’d like to second that motion.
Chairman Darby: It has been moved and seconded that this motion, this submittal be approved as identified by the motion with the considerations contained therein. Secretary please call the roll.

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

Chairman Darby: It is hereby approved. Mr. Nagar, this commission and everyone who is aware of this project is really excited that you guys are coming to Springdale, but you sat through enough of our meeting to know that this commission likes to measure twice and cut once and I am aware that there have been some timeliness issues on things requested that haven’t gotten back and I hope in the future that is going to be cleaned up because we really want to see you get going and get on a good time schedule and get this so Springdale will have another jewel.

Mr. Nagar: Absolutely. I completely understand that. Just to add my two cents to that, you have to understand, I'll get everything obviously on time but there are so many details that go into these projects, and I’m not saying I’m the only one, there’s people out here that have a lot of project, but for me to turn something in and then a week later get notes and then get something back to you within four or five days and say hey this is it, it’s a little bit difficult because I have partners that are in, architects that are in Dallas, architects that, civil engineers that are in Albany and Dayton, so it is kind of hard. It is not an excuse but I’m just saying it is a little bit difficult to put pieces together within a couple of days after being given notes. Maybe, my fault is not being consistently in communication with City staff department or staff group. Usually this is a cut and dry building it is just the matter of the site and making sure that whatever requirements the city has.

Chairman Darby: Okay, I think we are on a good track now. Let’s keep it going.

Mr. Nagar: Okay. I appreciate it.

B. Thorntons, 12185 Princeton Pike, Springdale, Ohio, Revision to Development Plan (Application 33818).

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. Wow, that’s interesting. (laughter) Okay, yes adventures with Gregg. This is the existing Thornton’s site at the corner of 747 and Crescentville. The north is to your right here and the reason that I included this slide in this direction it will correspond with the plans that you are going to see here in a moment. This is the site plan. Their request is to build a fuel island, let me see if I can make my arrow work, no. I swear one more time. To the rear of the building up on this drawing and it would basically be three fuel bays with a canopy and as you can see the semi-trucks are depicted that indicates the required storage and so forth for those. I’ve got a couple of other slides here which we are going to probably sort of flip through. All of this stuff, of course, is in your packet but this drawing indicates the location and type of some directional signage and so forth that they are proposing and I’m sure that Mrs. McBride and Mr. Shevzga probably have some comments regarding that and then finally the last slide that I have included here just shows the diagram of the auto turn movement for trucks that actually fuel fill the tanks that will be utilized for the truck fueling. That is really all I have, and I can just turn this over to Mrs. McBride.

Chairman Darby: Mrs. McBride.

Mrs. McBride: Thank you. So, Thorntons is proposing to add fuel service for semi-trucks to their existing store as you have heard. The expansion would be to the rear or the west of the existing store and they would be adding four diesel pump islands which would allow for three, actually three filling lanes so to speak. Truck traffic would enter the site from Crescentville Road and then customer trucks would exit using the 84 Lumber drive which is there and they tanker truck that would fuel, that would refill the proposed new diesel tank would enter on Crescentville but would exit with the
customer vehicles out onto 747, it would not be able to use that 84 Lumber access because of its orientation. The proposed pavement and canopy that would be added to the rear of the store would be only 10 feet off of that west property line and we require a 30 foot rear yard building setback there so they will need to go to the Board of Zoning Appeals on a 20 foot building setback there to be able to add the canopies and the pavement in the location that they are proposing it. In this zoning district we require 25% open space and I believe that they have that. One plan she showed 32.1% and one showed 25.8% so we would just ask for clarification as to which one of those was correct. They have right now to have 32 parking spaces and right now they have 34 parking spaces on site including the ones at the pump which the code does allow you to count. We also require two stacking spaces per fuel pump and they are showing six stacking spaces from the truck fuel pumps. They are not all full sized semis, some of them are shown as box trucks but that could be a typical mix based on their business model. There is no, however; bypass lane for that truck fueling so if somebody pulls in a semi and they go Oh man there is already three trucks waiting and I’ve got a time table to keep, they are then going to have to exit, I would assume through the customer vehicular area where that canopy and so forth is through there and mix with the folks that are walking into the “C” store and cars that are juggling to get fuel under the regular canopy. So, staff is a little bit concerned about that. We did have some comments on their landscape plan. They supplied it only for that west property line where they are going into, they are, as Mr. Shvegza will talk about, making changes to the detention basis on the south side of the site so we need to see a modified landscape plan for the entire site and we have given them some suggestions on what it is that we need to see. They did submit a photometric lighting plan. We would consider this a high activity level use because obviously it is at an interstate basically, interstate interchange and it is a fueling situation. With that they are allowed to have an average of 3 foot candles and a maximum of 15. They have an average of 34.25 and a maximum of 45 so they are significantly over the foot candles of the light levels that we permit. Also, we have the 2.5 foot candles permitted at a property line adjacent to a non-residential use and they significantly exceed that as well. So, those will require variances from the Board of Zoning Appeals along with the setback. They, Thorntons, as some of you may recall received a variance from the Board of Zoning Appeals in February of 2015 to increase the amount of sign area that was permitted on the site. They right now have a freestanding sign on the property that is 47, I'm sorry, the sign itself does not include right now the truck diesel lanes that they would like to add which is another 17.4 square feet of sign area and that would take that freestanding sign to a total of 47.8 square feet, bringing the total sign area for this site to 239 square feet and that is under, remember if you recall on the old code, that is how we calculated it because this has already been to the BZA, it was the Law Director’s opinion that would be the path that this would take. So that is another variance that would need to be granted from our Board of Zoning Appeals. They are, right now proposing to relocate their waste enclosure which right now is at the southwest corner of the site to an area south of the existing store. The enclosure itself meets our requirements, however; they do not meet the landscape requirements that we require around the dumpster enclosure so they would need to go to the Board of Zoning Appeals to get relief from that. They did provide us with a new fuel delivery route plan which we asked for. Fuel tanker trucks can only unload fuel from the passenger side so they are coming in and they will be lined up, the dark rectangle that is to the left of the store is the tanker that would be coming in and then unloading on the passenger side to the new diesel tanks that would be located. That’s it right there, you are exactly right. Thornton’s indicates that those tanks are filled twice a day and it takes 20-30 minutes per refill, per peak capacity of the site. When those are in, when that tanker is there then there are some concerns that staff has and we will talk about in just a minutes in terms of deliveries and so forth to the store. Right now the area where they are showing the area being reduced and the area where the waste enclosure is to be relocated they, right now have their gas tank cages, they have ice machines, they have other merchandise racked for sales and display so if that merchandise is going to be relocated, we need to know where it is going to be relocated to make sure it is in conformance with the display and storage of merchandise that is required by our code. Lastly, as I mentioned, staff has some concern about deliveries. Right now I happened to go out to the site on a morning. Pass those down please. Right now they are loading the store from the servicing the deliveries for the store from the west side where the truck fueling trucks
are going to be. There is a service door back there. On the morning I happened to be there, Pepsi was loading there and then as I came around the store, right now you can do that in an automobile, there was beer distributor that was off loading there. The concern is, where’s the loading going to occur once these truck fuel lanes go in? There is parking on the east side of the store and on the north side of the store so they can’t pull up on either of those sides. They are not going to be able to pull in on the west side because of the truck fueling pumps and obviously the south side is going to be where the tanker would be and it is going to be a narrow window. I should also point out that they will only be able to bring the tanker in to refill the tank provided that there are, no one in the truck fueling lanes because we had them do a route on that and that is the only way that they can make that swing into that narrow aisle. So, those the comments.

Chairman Darby: Let me ask you one quick question about an item that you mentioned relative to stacking. The code requires two stacking spaces. When this was written did this envision semi fueling?

Mrs. McBride: No, it was actually written, it is for fuel pumps and we don’t distinguish between diesel fuel pumps or the vehicular fuel pumps so we don’t make that distinction.

Chairman Darby: Because currently we don’t have that in the city correct?

Mrs. McBride: I’m sorry?

Chairman Darby: Currently we don’t have that in the city?

Mrs. McBride: That is correct.

Chairman Darby: Thank you. Mr. Shvegzda.

Mr. Shvegzda: Thank you Mr. Chairman. Of course now with the frequency of trucks entering this site to refuel the concern was how they would access, how they would circulate through the site. As you heard they will enter via Crescentville Road and exit via the 84 Lumber driveway on 747 so we were concerned about how those trucks would access those particular driveways. As a matter of fact we did have a kind of report from Public Works Department that they observed that a truck entering from Crescentville Road had a difficult time making it through. As you can see on the next page, their concern to was that the proximity of some of the Duke utility poles in the area. On our report we noted where one of them was you could see the wheel path, don’t know what kind of vehicle it was but it comes very close to where the pole is at. The wheel path analysis that was submitted for the trucks entering at Crescentville Road notes that in order to make it in the most direct way without much width utilized in the driveway it has to swing a couple of lanes on Crescentville Road to be able to make that right turn into the driveway so that is a kind of concern to especially with the fact that now we are looking at the fuel truck is twice a day but we talked to the City Traffic Engineer and they had some experience with some truck areas that they actually figured that it would be five trips per pump per hour as far as trucks refueling. So then you have 15 trucks that would be exiting and entering the site and again they will be leaving the site via State Route 747. There is signage that is noted on the drawing to direct the traffic to where the truck traffic can exit and enter. There was a discussion how to prohibit left turns on 747 but there is no real good way to physically prohibit left turns at that location. The police department looked back at accident records through this year, from the beginning of the year, they have reported seven accidents where actually in this case where north bound cars turning left into this site have hit south bound vehicles and that is the direction of left turn with the least conflict, you are only crossing over three lanes there as opposed to all of the south bound and most of the north bound lanes. So that is a concern that we have there. In so far as the traffic itself is concerned one of the criteria that we look at in so far as whether a detailed traffic study is necessary, part of it is the trips generated and part of it is based on if it is anticipated to significantly impact the adjacent roadway or intersections and we feel that it would be the case in this location so if something would be approved on it, we
would request that it have a detailed traffic study performed on it as well. As far as storm water management the existing detention basin would be impacted by the proposed work so that they will have to modify it in both expand it because of the additional impervious area that would be added to the site and of course now since it is a relatively new requirement to put, we require that some post construction best management practice clean water device would be added to the site. That concludes my comments.

Chairman Darby: Thank you.

Mr. Taylor: Nothing further Mr. Chairman.

Chairman Darby: Would the applicants care to come forward at this time?

Mr. Smoots: Mr. Chairman, commissioners, good evening.

Chairman Darby: Please identify yourself for the record.

Mr. Smoots: My name is Todd Smoots, I’m the Development Project Manager with Thorntons. Mr. Darby, I agree with your approach, I used to be an Army officer and I’d inspect my soldiers with a checklist, so let’s just run right down the list. So, looking at Mrs. McBride’s staff report, comment number one, I agree with the assessment with how the site circulates there. As Mr. Shvegzda described. We would request a setback on comment two for the setback on the west property line, keeping in mind that our neighbor to the west is 84 Lumber and that is their laydown lumber yard so there is no residential in that area. Looking at this from a site planning perspective we thought that was acceptable considering our neighbor. Number three, I’d have my Civil Engineer, Mr. Lee Starr here clarify that with the percentage of open space that we are showing on the plan.

Mr. Starr: We went through iterations before submitting with Mrs. McBride. We are just in the process

Chairman Darby: Could you please lean closer to the mic she is having trouble hearing you.

Mr. Starr: No problem. We went through a few iterations of this design prior to making a submission for this project. In the process of doing that we have made some changes to the impervious area and what we show now is the 25.8 is correct but I will again double check it and make sure and coordinate with Anne for any discrepancies but I think we have that all under control now.

Mr. Smoots: We comply on point three. Point four is the required parking and we comply. Point five is the stacking requirements for the truck fuel dispensers. Mr. Taylor, would you kindly scroll back to that slide please? I would tell you that this site will never look like that in real life. I think the projections by Mr. Shvegzda are very generous and since I am pretty sure that there are no Speedway spies here, I’ll divulge our numbers to you. We project that we will do 150,000 gallons of volume with these three lanes per month. So, that ends up being about two truck per hour, 5,000 gallons of fuel a day. That is all of the volume that we are planning on bringing through this site. I’ll address the bypass lane comment here. Since we are only going to be fueling two trucks per hour through this site there will be a third lane open typically except for maybe during peak hours in the morning and the evening when there might be three trucks simultaneously.

Chairman Darby: Now, let me ask a question there.

Mr. Smoots: Yes sir.

Chairman Darby: And I don’t know what you base that on, I probably would not understand it anyway but does that take into consideration the development that is going to be right across the street from you?
Mr. Smoots: That takes into consideration the local traffic and the interstate traffic so there is some traffic captured from the industrial area here.

Chairman Darby: Because there is going to be a new industrial area. That is what I am saying.

Mr. Smoots: Okay. I’ll have to check with the Business Intelligence team to see if they took that into account.

Chairman Darby: That would be good information.

Mr. Smoots: We are looking at 25 trucks a day total here. Comment seven, landscape plan was only submitted for the north property line. Mr. Starr here has been working diligently on the landscape plans and we will comply to all of the comments from Mrs. McBride here, except for there is one point, if you would kindly show the board, Lee. The color board. In order to facilitate the fuel truck traffic through here and with 5,000 gallons per day, the tanker trucks that we employ hold 7,500 gallons so it would be one fuel drop per day for 20 to 30 minutes sitting here. So, we have incorporated as much landscaping around the sides and believe that we meet the spirit of the landscaping code but would ask for a variance with landscaping missing on the side of the screening due to the pull through for the fueling right here. Point B we will comply with the amount of trees and shrubs that are required. Point C, similar for the buffer yard, landscaping requirements we will comply with the trees and shrubs that are required. We will meet the requirements of point D for diversity and adjust the labeling for the sod and turf areas and we will note that the three inch of hardwood mulch needs to be installed in point F. In regard to the point A, the photometric plan, typically in auto fueling areas and truck fueling areas back in the day before there were canopies and you had lighting over fuel dispensers there was the risk of mugging and robbery while you were standing outside of your car so the higher light levels are meant to deter any kind of crime while you are standing outside of your vehicle. I would tell you that 35 to 45 foot candles is very typical. It is not an extraordinary amount of light and I think the Zoning Board of Appeals previously approved the variance for 35 to 45 foot candles for the auto canopy in the front of the store that is currently there now. Point 9 we request adding 17.4 square foot cabinet indicating truck diesel lanes and along with working with staff and Mr. Taylor brought up this valid comment to make sure that we orient people into the site properly going through Crescentville Road and to exit out onto Princeton Pike so we are going to incorporate some auto entry and truck entry signs and exit signs to help people navigate through that. Point 10 we discussed the landscaping variance that we’ve requested for the dumpster enclosure. Point 11 we have touched on that with the truck, fuel truck delivery plan and that will be filled once a day with a 5,000 gallons. Point 12, I checked on that and the outdoor merchandising area on the south end of the building, it is not going to conflict with anything that we are proposing to do with this project so that would stay where it currently is. Point 13 that is going to be an operational issue with coordinated deliveries. Like I said, we are anticipating two trucks an hour so the idea being that the delivery truck would park at the curve there back at the rear of the store and still be enough space for trucks to pull around it to get into the other fueling positions when they are making that delivery. The considerations, we discussed the side yard variance that we are requesting and then the open space we comply with. We are going to comply with all of the landscaping requirements, point three. Then we will have to reduce the landscaping requirements through a variance for the dumpster enclosure. I think that is everything on the report here. Did I miss on there?

Mr. Starr: It is not in here and we had previously discussed it.

Mr. Smoots: Okay, go ahead.

Mr. Starr: We will need a variance for the canopy height and I did not see that. No?

Mrs. McBride: (Talking off mic.)
Mr. Starr: Oh, okay, never mind then.

Mrs. McBride: (Talking off mic.)

Chairman Darby: You are nice tonight.

(laughter)

Mr. Smoots: Going to Mr. Shvegzda’s report, with the traffic flow issues here the Duke utility poles and existing condition, while not ideal, what we are doing is not going to effect it. With the low truck volume that we are anticipating, if a truck needed to pull through the diesel lane they could do that in the last lane and then exit out of the side so they would not be cutting through the auto fueling area. I don’t see that the site would ever be that backed up with that amount of volume. With five trucks per lane per hour that ends up being 360 trucks a day which is vastly more than what we are anticipating for our site. So, we are not going to be exacerbating the condition here. Working with staff, originally we met and showed a site plan where we had the whole layout flipped around and it can’t be behind the building and the trucks exited onto Crescentville Road, however; the problem there is if a truck were exiting, turning right onto Crescentville Road and they wanted to left to go north, they would be blocking all of the right lanes of traffic and the through traffic there. So, looking at that it is not ideal and plus it would block any cars trying to come into the side of the site on Crescentville Road, so we flipped the whole layout around and we are working with 84 Lumber to establish an access easement and to rebuild that drive so it is suitable for truck traffic. We really think that is the best way for the site to circulate. In respect to the turning concerns, I think with the small volume of trucks that we are bringing through the site and probably 40 to 50% that’s just passerby traffic from the industrial area we are not exasperating any traffic situations in the area. Many truck drivers are not going to try to drive to turn left across four lanes of traffic that would be ill-advised for them to try that anyway. We are going to comply with the storm water management requirements to adjust the volume of the pond due to the increased impermeable area. We will put in treatment structures as required to treat the quality of the drainage water going off site there. I think that covers everything in the staff reports. I will be available for any questions you might have. Thank you ladies and gentleman.

Chairman Darby: I would like to, before I give you any lights up here, I’d really like to revisit the issue, however we may do so, as to whether or not the new industrial park and the potential trucks coming and going out of there were figured into the calculations.

Mr. Smoots: Well Sir

Chairman Darby: Let me add to that also because I could question if this would even have been a consideration if that were not going up?

Mr. Smoots: Well, I would tell you that we were unaware of that development. Is that an approved development?

Chairman Darby: Yes it is.

Mr. Smoots: Okay. Was there a traffic study that was done on that development that is available that I might be able to get from someone?

Chairman Darby: Mr. Shvegzda.

Mr. Shvegzda: Yes.

Mr. Smoots: Okay, we will take a look at that and we will adjust our numbers accordingly if that impacts.

Chairman Darby: My only other comment/question. It’s not a question but, in reviewing and listening to staff in our meeting and just reviewing the reports and even
listening to your response the flow on this parcel seems awfully tight. Awfully tight. Perhaps as you get additional questions you could kind of address that. Mr. Okum. You didn’t have.

Mr. Okum: Yeah I did. Of course I did. I understand the reasoning for doing it. I’ve got some concerns about how you are doing it and just because your neighbor today is 84 Lumber doesn’t mean your neighbor tomorrow will be 84 Lumber and what happens with the 84 parcel also is going to be impacted by where that canopy and that setback applies against that property. So, when I look at it I don’t look at it as these are a good neighbor and we have this cross access easement set up, that ultimately could redevelop into office warehouse or offices. It could convert into anything and we really need, in my opinion, to think about what is the big picture not just where it is at.

Mr. Smoots: I understand what you are saying sir and I think that, that access easement would carry with the property if it were sold to someone.

Mr. Okum: It sure would and I think it is valuable. I find that I use Thorntons all the time and I go in and go out on Crescentville Road and I get confused as heck getting out on Crescentville Road every time that I go out because of the way that the lanes are configured right that in that section. For going out and turning left. It is just very confusing. It could just be me. But anyway I have usually got an ice cream cone in one hand and a drink in the other

Mrs. McBride: And you are taking pictures at the same time.

Mr. Okum: and I am taking pictures at the same time. Very good Mrs. McBride. So, that being said there are a lot of variances being occurring here because it is not a PUD and it is putting a lot of burden on the Board of Zoning Appeals, Joe and their team to deal with variances that are numerous in number that basically doesn’t tie to good planning, and I am not knocking what Board of Zoning Appeals does but when you do a plan you look at how that plan is going to impact all of the other properties and so forth and BZA has a set of rules. I am very familiar with those rules, the Duncan Rules and there is a lot of things that would not qualify under Duncan’s Rules for them to give you variances on. So, the problem becomes if they are denied the variance at Board of Zoning Appeals, you have a dead plan that has gone through Planning Commission that was approved that needs to be re-tinkered. I would much rather see it go to Board of Zoning Appeals with maybe one or two casual adjustments. Based upon what you are saying your number of trucks per hour, and we have not had a traffic study yet and I think that is really critical for this commission to see and it to go through staff and their recommendation for us to understand the impact of the GEEAA development and how that is going to develop because it is an ideal situation for all of those trucks coming out onto Crescentville Road, come straight down, go through the intersection, turn left into your development, get their gas and go. I mean it is unbelievably opportunistic and being a business person I’m saying “man this is money” but also I’m saying ten pounds in a five pound sack so my feeling is that you may be underestimating your potential and we may be looking at a potential that could be very very profitable, good for you but it could be very difficult for our residences and other businesses that use your Thorntons, me included. I think that all needs to be looked at. Based upon that, I’ll say, with all of these variances being requested and this being referred to Board of Zoning Appeals, I’ll be voting against your request. Hopefully you will take this back, get your traffic study done, re-evaluate your site plan. If you are working out some deals with 84, maybe a land swap or buy some land from them on frontage there to get a little more depth, get yourself a little more space, I don’t want to see you go under your 25% and I wouldn’t approve under 25% but you know changing your water control device to, what’s those things Don, that they are putting in now? The rotating circulating.

Mr. Shvegzda: That is the

Chairman Darby: Aquifer

Mr. Shvegzda: The post construction, BMP.
Mr. Okum: No the machine.

Mrs. McBride: Aqua Swirl.

Mr. Okum: The Aqua Swirl.

Mr. Shvegzda: What brand name, yeah.

Mr. Okum: Yeah Aqua Swirl, one of them things. That is my feeling at this point. That’s all I can say.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. Echo some of Mr. Okum’s comments, I guess first time I looked at these plans, that’s the thoughts that came to my mind is that we are trying to put too much in this space that we have or you have for the truck, providing diesel to trucks. The numbers that you indicate you are targeting sound better to me than what was in staff reports but again there, I guess I would echo the need for that detailed traffic study so we can look at and have that kind of information plus looking at the development that you were unaware of going in across the street. I have a difficult time in the morning when I turn into that station with a Ford Ranger making a right hand turn and if there is somebody parked there coming out the other way I don’t know how I would make that turn so, I am a little concerned about that even though you show it being able to make that turn. With a diesel, or a semi I question that turn into that lot. I’m a rule follower so variances bother me that we’ve got the number of variances that we are trying go through so why we can’t make those variance the 10 foot setback, I kind of understand that one a little bit but to me there’s got to be good reasons for why we are not following, we have to submit for a variance so that type of thing bothers me also. Just my comments at this point. I would have a hard time supporting going forward.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. My concerns are also with regard to size of the site and the development that is on the site so I also want to know from the applicant as far as Thorntons, are there any other similar size sites with a development such as this that has been planned that is actually out functioning right now?

Mr. Smoots: There is one that comes to mind in Lombard, IL, or west Chicago, they have a four diesel lanes and pretty low traffic. I was up there a few weeks ago and it is just two or three trucks, the lanes are never full and it is not stacked. So, that is the kind of volume that we are anticipating here.

Mr. Hawkins: With regard to most situations where you have the semi fueling, are those lots tend to be bigger? Do you tend to have more land to deal with?

Mr. Smoots: It depends on the format of the facility. Like this facility would be labeled a pump and go and this would be adequately sized for a couple of diesel lanes. A large, like travel center format with a convenient with a quick service restaurant and a 100 parking stalls and nine truck lanes, that would be something more like ten or twelve acres. C store sized site you can fit everything on a couple of acres. Pump and go three to four acres, large travel center ten to twelve acres.

Mr. Hawkins: Thank you Mr. Chairman.

Chairman Darby: Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. I’d like to echo the other board member’s comments so far on this. My main concern is the traffic. You have got six lanes here northbound and southbound on 747 and at 6:45 in the morning you got a semi-tractor trailer when the light turns green to Crescentville Road and releases the traffic and he wants to go northbound and he is blocking all of the traffic going southbound until
somebody will let him in because the light was red at Crescentville Road going northbound. That would be very problematic and it could, it is not only going to cause accidents but it is going to make the business look bad because you’ve got 53’ semi-tractor trailers blocking the southbound lane of all three lanes and the people can’t go anywhere. So, that is one of my main concerns and briefly just on that I won’t be able to support you. Thank you.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. I pretty much agree with the other comments and as a member of the BZA, as Mr. Okum stated, I do have concerns with so many needs for variance on a property and the major one would be only having ten feet of setback in the back. A suggestion would be, I think Mr. Okum mentioned it, trying to buy some of that property from the 84 Lumber because as he stated and we always bring this up at BZA because 84 Lumber is there today that does not mean that they are going to be there next year or forever. Sooner or later that will encroaching on somebody else’s setback. There are a few other ones with the lighting. I just can’t see a bright structure like that in the area of town that it is in. So, for those reasons and a few others that have been stated along with the traffic I would not approve it as well. Thank you.

Chairman Darby: I don’t have any additional lights at this time so I just want to comment. In order to approve the submittal it requires five positive votes. You have heard the comments as I have and I think we know where we are headed if this comes to a motion but it will go there if you choose. We do have options. I think I have heard at least two of the members offered a suggestion that perhaps this whole project could be improved if there were additional land available. That is not my determination or our determination. If that were the case then you could perhaps enhance this submittal and what is to be going on on that site. So at this time we can take this to a vote or you can request that we table and do whatever you would choose to do and bring us something different but as I say, you have heard the comments and you can determine where you think the vote would go.

Mr. Smoots: Well, having heard your comments I would respectfully submit that the variances that we are asking for are not numerous. We are asking for the side yard setback variance, a lighting variance that was previously approved for the auto canopy, landscape variance for the side of the dumpster enclosure so I wouldn’t call them numerous but I understand your sentiments and so we will withdraw the application for this evening and we will go back. I’ll tell you we have been trying to contact 84 Lumber on the common access drive and they are going through some kind of bankruptcy restructuring right now so it has been very difficult to get anyone to respond to our request to meet but we will pursue that further in person.

Chairman Darby: Okay. Mrs. McBride.

Mrs. McBride: I would just suggest that maybe you, instead of withdrawing it, that perhaps you might want to postpone it for a month to give you some time to see if you could reach 84 Lumber. I’d hate to see you start all over again.

Mr. Smoots: Well, we will postpone it then. I think that is the best course of action at this point so we can address these comments further and explore some options with 84 Lumber on getting some more land.

Chairman Darby: Okay. Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. I’d be in support of you tabling it and you can also get some updated information with regard to the traffic study in relation to the GEEAA former park across the street that is going to be more industrial. Then in terms of staff are there any other ideas that staff has in terms of helping the applicant out besides getting more land for the site.
Mrs. McBride: You know I think a lot of the things like the landscaping and so forth we can work through and the applicant is right, under fuel canopies you do want it brighter, I don’t know that it needs to be quite as bright as they are suggesting but I guess, one of my personal main concerns is, is that whole delivery and refueling for the diesel tank and just how in general the operations work on the site let alone coming off of the site but just the connection between folks with vehicles and little kids running in to get slurpees and you know that, we just can’t have that kind of cross traffic there so that is my, one of my main concerns.

Chairman Darby: Mr. Okum.

Mr. Okum: And ice cream cones.

Chairman Darby: Big guys with ice cream cones.

Mr. Okum: I’m good on ice cream cones. The other think that, it’s not just the setback at the canopy at ten, it’s the lighting of the canopy at ten and how that lighting is going to impact the 84 Lumber or future development that would fall on that property. So, there’s always a cause and effect.

Mr. Smoots: I think the light levels over the property line are minimal, I think it is three or four foot candles, is it?

Mr. Okum: I don’t see how you could get three to four foot candles when you have a canopy at 45.

Mr. Smoots: We have a photometric plan that was submitted with the packet.

Mr. Okum: We can’t, we, to be honest the photometric when they are reduced down we can’t even read the numbers. They have to use magnifying glasses to read them.

Chairman Darby: That discussion at this time

Mr. Okum: I just wanted to mention how that impacts adjacent properties.

Chairman Darby: That discussion at this point is not going to help us so at this time the Chair will accept the motion that we continue this item until our next meeting.

Mr. Okum: I move to continue Mr. Chairman.

Mr. Hall: Mr. Chairman I’d like to second that please.

Chairman Darby: It has been moved and seconded that this item be continued till our next meeting.

(Voice vote taken and motion to continue was approved with a vote of 7-0)

Chairman Darby: Thank you for coming we will see you next month.

Mr. Smoots: Thank you Mr. Chairman and commissioners.

Chairman Darby: If that is not convenient please work with Mr. Taylor as to when it should be scheduled.

Mr. Smoots: Okay, will do.

Chairman Darby: Thank you very much. Everybody okay to continue?
Mr. Okum: Thank you Mr. Chairman. Considering that there would be no discussion and the Chairman’s report, I hope you don’t have a lot the next item on the agenda is a business that I have an affiliation and do business with these folks and I will be recusing myself from that part of the discussion. So, based upon that Mr. Chairman, if I may, may I be excused to go ahead and go home?

Mr. Okum: Oh darn.

Chairman Darby: Alright, thank you.

Mr. Okum: Alright, thank you. See you guys.

Mr. Hall: Okay take care.

Chairman Darby: Thank you Mr. Chairman.

Mr. Taylor: Thank you Mr. Taylor.

Chairman Darby: I think with this one we probably need the applicant to come up and engage with us at this point.

Mr. Taylor: Surely. A little background here. Mike and his associates have come to us with this idea and frankly we suggested that they come to see you all for this concept review. This site, it is a very unique site in that it is actually one parcel that is split by Glensprings Drive. The western portion is actually zoned OB and the eastern portion where they are proposing to build is zoned GB. The entire parcel is within the corridor review district sub area B. In addition there is a substantial portion of the western portion that lies within the flood plain. So, the applicant’s idea is basically to build about a 24,000 square foot building that would be subdivided into a number of tenant spaces and this would be the kind of flex space concept where there is a small office and then the balance of the space would be a warehouse. This is kind of how, this is in your packet of course, this is how the site would layout and these are some ideas of what this building might potentially look like. So, basically he is here to get your feedback on how you feel about this use on this site and Mrs. McBride and Mr. Shvegzda have some further comments. The only thing that I would add by way of comment is ultimately they would need to comply with our tree preservation ordinance and also the flood plain ordinance. That is all I have.

Mrs. McBride: Thank you. The only things I would add to Mr. Taylor’s comments is that the property, the north which is currently used as single family residence it is zoned GB, it is also within the corridor review B area and our comprehensive plan specifies highway service commercial ultimately for that property. To the east it is zoned PUD and it has been divided, developed as single family neighborhood and the comprehensive plan calls for that as low density residential and transitional. To the south is the Glensprings Plaza commercial center that is zoned OB-T and also in B and the comp plan specifies neighborhood business for that and across Glensprings, as Mr. Taylor indicated is the balance of this parcel which we have already talked about. The only other thing I would point out is that staff would be concerned about particularly that rear yard setback where it backs up to the established residential community which is going to remain as a residential community so we would want to make sure that any development on this parcel would be sensitive and buffer that area.

Chairman Darby: Thank you. Mr. Shvegzda.
Mr. Shvegzda: Thank you Mr. Chairman. When we first looked at the drawing it was difficult to tell what was taking place along the frontage of Glensprings. For all intents and purposes it looked like the entire frontage was going to be drive opening. The applicant has noted that the concept plan doesn’t show it very well and they intend on having a 20 foot wide grass strip between the Glensprings right of way and the front parking area. There would be no more than eight parking spaces in front. I assume that there will also be two driveways, one on either end of the site.

Mr. Terrell: That is correct. The driveways we’d build will go all the way around the building basically. Looking at the front of the building, its more likely that it will, because it is Glensprings Road and more importantly Route 4 right there it is going have, we decided early on that the one elevation of it where it showed the front more like retail verses the one at the top verses the building running along the side like that because then you have that basically blank wall facing Route 4 there which is prettier now but not really what we want to do for now and in the future. As far as elevations go the front will look more like that. The front two spaces we are going to occupy ourselves and then two of the other spaces will be occupied by a separate company of ours. As far as rental purposes there is really only, and I’m ahead of myself. For the question there will be entry bay doors down, four down each side of it the way it is laid out in the little, the sketch that we turned out that was done on our computer and you can see there is a reason we are not architects.

Mr. Shvegzda: The only other comments that I had, of course detention will be required for the site as well as the post construction BMP water quality measures. That concludes my comments.

Chairman Darby: Thank you. Since this is a concept discussion and we really welcome this from our applicants, you have our full attention to share with us your vision and get our input as to how we thing we can make it fit because this is an irregular property here and the way it is situated in the rear and what have you. So, it is your floor. Just talk to us about what you want to do and then we will ask us the kind of questions that will enable us to clarify our thoughts.

Mr. Terrell: Well for us it is a simple flex space with, it is going to end up with four renters. The picture of it, we did not put in a lot of landscaping and I got the comments from Anne about the landscaping but there will, our biggest problem with it is with what we are trying to do with that design is that 50 feet of grass or I’m assuming is that what you are calling open space or green space in the front and in the back leaves very little to build on let along parking space. There’s no way if we eliminate 50 at the property, that part of the property is roughly 226 feet long and with our vision of this building going on there, even if we reduced the size by 30% we still can’t get it in there and if I reduce it by 30% then it becomes not function able for us for what we are trying to do. So, I would just like, I guess what our goal here was with the meeting is to get an idea if we can find enough of what we believe is common ground, for us to put money into finding out before we spend $10,000 to find out we can’t make it work is if you guys are willing to work with us on some of this stuff then even as just a verbal “let’s take a look at it”, an upbeat conversation that we try to put something on that site, we’ll try to work with you guys with all of the details. The space you see and the elevations you see is what we are looking at doing. I don’t know what all you would like me to get into, I know what the problems are, I don’t necessarily know what the solutions are.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. This is my neighborhood, I kind of live right back there on the other side of Princewood. I live on the other side the creek sir. So, my question is very flood related. Now, you were saying that you were going, that your business was going to be occupying one side of it and then the other on the other side of the street or whatever you are going to have rented out. Is that kind of correct what you are thinking?

Mr. Terrell: The whole development is on the east side.

Mrs. Sullivan-Wisecup: Okay. The creek side.
Mr. Terrell: The creek side, yes.

Mrs. Sullivan-Wisecup: I, first of all, we are very versed on flex space up here. We have been flex spaced from another company so I understand flex space pretty well. My concern and it is the same concern that I have with the other flex space that we were looking at was the flood zone, the flood plain because, will you have any storage? Were you thinking of having storage area in the back and office kind of stuff in the front or like what were you thinking, is something going to be stored there because if there is a flood you are in the flood zone, it's kind of one of those.

Mr. Terrell: As far as storage for the units in the back they will all have storage, doubt about it, I mean it's, but when you look at, flooding is my specialty.

Mrs. Sullivan-Wisecup: Okay, cool.

Mr. Terrell: I own Ohio Valley Restoration, we have the city contract for the City of Cincinnati for all of the floods that you see. We do 100% of the clean ups for them and we also travel across the country, that is one of the two companies that will be coming into this space. The second one is OVR Equipment sales and rental. All that is related to floods throughout our country. If I'm going to get flooded I would much rather it be warehouse space than office space.

Mrs. Sullivan-Wisecup: Yeah. That's what I was asking, which side are you going to have what on?

Mr. Terrell: Well the little drawings, if you see the little squares it is basically drawn as eight units, okay. Two by twos down through there. The offices are on each side and you will see that the garage door opens next to the man door where the office is drawn up on there now. Now some people may choose, again this is very basic and we have no clue because as we start building and we start trying to lease space, people are going to come in and say can we have, if each of those units is 3,000 square they may want 1,000 square feet of office and only X number of warehouse. The visual concept of it now is each one of them on each side is going to have office so there will be offices on each side of the building.

Mrs. Sullivan-Wisecup: Okay.

Mr. Terrell: One of the things that we did do in this early design was not put any doors in the back. No doors opening back where the residential is for people to pull their truck in and out.

Mrs. Sullivan-Wisecup: Okay.

Mr. Terrell: Homeowners don’t have to look out their windows and look into somebody's warehouse and what is going on there.

Mrs. Sullivan-Wisecup: Sure.

Mr. Terrell: The other thing about the design is the back is really driveway and overflow parking it is not, should not be, and we are all predicting into the future here, the gallons per day, I was doing some math back there, I don’t know how that works. So I don’t want to sit here and tell you there is only going to be two cars a day parked back there when we all know if there is 20 spaces back there at some point in time, I didn’t put the spaces there, for there not to be anything there but I don’t see it being, someone pulls in at 7:30 in the morning, parks their car and goes to their office. Other parking for anybody bringing in and out is what you see on the sides trying to keep it away from the back residential area. We have to have the ability to drive around the property just because we have some bigger trucks that come in like 26 foot truck. My company has a couple of those. They will park back there. The thing about those are, they may move once a month, disaster restoration businesses. So, when you see something on TV flooding, you pretty much can count that we are on our way there and those trucks are going at that time. So, there is not a lot of semi traffic that we talked about. The supply part of the company, and this is one of the
things we are working on that we may end up with no parking in the front of it is, semi has to stop somewhere twice a week. We polled our average for the last year. We get two semi deliveries per week and that is what we get and there is plenty of space down there to turn around and come back out, so we are working on that part of it so there shouldn’t be a lot where we have to worry about big semis and it is always Monday through Friday 9-5. There is no after hour semis pulling in there to park or unload stuff or anything like that. From our perspective, the first four occupants. As far as the other occupants, I don’t see them being businesses that are, it is typical businesses. Some of them do work nights, but I don’t see putting somebody in there for my benefit that is going to work 24 hours a day. I can see us doing that with a lease clause or something like that. Were pretty good neighbors. I have three businesses in Fairfield, two of them will be exiting Fairfield. Fairfield is looking for land for me. It is more of a joke than anything but I, this is a fantastic spot for us and that is why we came up with this concept. There is flexibility on our part as well. Aim high so if it ends up in the 20,000 square foot if we have to knock off five foot here for grass or there. I know because it is one single property I believe that the west side of the property would count as far as storm water. I know nothing about storm water.

Chairman Darby: You’ll learn.

Mr. Terrell: I knew everything about storms and what storm water does which is where I was going to before I got off on all of this, I’m very sorry to answer your question.

Mrs. Sullivan-Wisecup: No, you’re good.

Mr. Terrell: I don’t know any, the question was sent to us, Anne sent us the question. I looked at it and said okay, that’s an Engineers question to me or a building process.

Chairman Darby: I assure you if you go with this project you will learn a lot about storm water.

Mr. Terrell: I have learned a tremendous amount sitting here this evening. I’m glad I was not first.

Chairman Darby: Mrs. McBride.

Mrs. McBride: He called on me not you.

Mr. Taylor: Go right ahead.

Mrs. McBride: Just sitting here, one thought that I had is, the potential for putting some of the parking on the west side of Glensprings because from a zoning code perspective that is all one parcel and we don’t have that much traffic on Glensprings. You don’t have, you’re not a Kroger store, you’re not 50 million people crossing back and forth so that might allow then that building and pavement and so forth to come up off of that residential area. That is just a thought.

Mr. Terrell: Oh, that’s a great thought. I actually, because of the property and it being closer to Route 4, I’m thinking and their objecting to parking in front of the building, my thought process was that works way better for us having parking on that side of the street. From an expense point of view, we do need to be able to go around the building but I would think we would easily be able to get around the building and push more grass in the back of it.

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. I just wanted to speak to the flood issue a little bit. This, you know the western portion of this is almost entirely in the flood plain. This part of the property where they are talking about working is not in the flood plain. The flood plain is basically further north here. It is off of their property so, you know we don’t have the consideration that we had on the other situation.

Mrs. Sullivan-Wisecup: Okay because that is what I was asking. Perfect.
Chairman Darby: Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. This is a question for the applicant. Since this is going to be flex space, my question is how are you going to protect the residents in the back sir? You've indicated that there is going to be two semi-trucks per week serving your business that are going to have to go around the back. You have also indicated that you own street trucks that are going to be parked back there that could go out at any hours of the night and how are these residents going to be protected from that noise pollution?

Mr. Terrell: There is a tree line there now and we, as far as, the only other thing I can think of is landscape buffering. I don't know exactly. It is what Anne brought this up in the initial meeting. That is the touchy space right there and we want to be good neighbors. So, how do you protect them from that, the only thing that I can think of is some kind of buffer zone put in there other than if we can extend the footage out and get further away from it because we no longer are going to put parking back there. That will push it further away from the residential property itself. But, I think something will have to be done and there are some nice big trees back there, put some landscaping back there with larger bushes that will even grow over time and put a bigger buffer between us and them I think would be a good idea because the last thing we want is Springdale Police at our building because somebody is out there running semi-trucks. There is not enough space for you to think that semi-trucks are going back there. The only thing going back there as far as larger trucks are trucks that start and go places at that hour of the night. Going back two years ago between 14 and 16 they sat for a year and a half, the only time that we started them, they are full of equipment that gets shipped to disaster areas. If there is no disaster they get started during the day time twice a month and get driven around so that your engine does not sit there and go bad but outside of that the amount of parking that is going to be, especially if we move more parking up front, it is not going to be a lot. I don't see anybody being able to use it, renters of those other flex spaces if all there is, is a drive around there where they can’t park or do anything. That was the reason for putting the doors to the side and not to the back to begin with.

Mr. Hall: So are you proposing then that just your two semi-truck loads a week the drivers then will back back out onto Glensprings drive and not going around the circle.

Mr. Terrell: They are not going around that building. Semi-trucks will not go around that building. We get, this is a very minimal, first of all a lot, I can see them not having to even, one of the things we were looking at is, we don’t know the City Ordinances and where we are at in Fairfield they actually park in the road in front of us and our fork lifts come out and get them and go back in. We have a dock, it is more work for them to back into the dock then it is for us to go out and get the four skids that we get or six skids. You are talking less than a 15 minute time zone.

Chairman Darby: Mrs. McBride do you want to comment on that?

Mrs. McBride: Fairfield may think that is okay but we don’t do that in Springdale. So we would need to figure out some way for the semis to safely access the site, unload and then safely leave the site.

Mr. Terrell: Then the first think that I think of at that point in time, if we can put some of that parking, because part of that is not in the flood plain on the west side there. If we can put parking on that side, they should be able to pull into that side and back up because we will be the first two doors and depending on how we go with this if we are the first two doors it is going to be perfect for them to just back in and then pull out and go away. Or pull out, turn around and come back out depending on the size of the semi. A lot of times, and sometimes these deliveries come in on not 53 foot semis. Mostly we are not a terminal like what you were discussing earlier and it doesn’t seem like a big difference but 36 or 48 is a huge difference in a semi what they can do in a small area. The 53’s it takes the guy six times to get into our dock if it is something going to our dock where if it is a 48 footer they just whip right in there and the first time out and the 36 is not much bigger than a, something like our box trucks for instance. No parking on the road huh.
Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. Obviously the major concern that you are hearing about is the residents right there. Increasing that buffer as much as possible is the key so if you are getting rid of the parking that is there on the east side if you need to have a lane or two to drive around there, that helps. In terms of the space back there, depending on what the dimensions are you may even consider putting, you are going to have more green space if you are not going to have the parking, putting up a mound, putting some evergreen trees up on top of the mound to help with sound and sight, what have you. I think it is key to limit what is going on on the east side or the back side of that property if you can utilize the parking, the potential parking across the street I think that helps.

Mr. Terrell: I think it does too. Like I said for us, it’s always, we have been in commercial areas before, we also are in some residential areas, we work in residential areas with these big trucks, you have to consider the residential people and looking at that picture that is pretty close. I understood, that was my biggest concern coming into this so if a landscaping design will help us, and I have no clue what putting in mounds cost or anything like this, obviously there is a balancing act here. The smaller the building gets or them more aesthetically pleasing it gets, flex space only goes for X number of dollars a square foot no matter how pretty it is and at some point in time we price ourselves out of being able to do it. We are all for making it, being as good a neighbors as we can. I know it is easy to say that now but it will work out long term for us. I think we’ve always been good neighbors and we will continue to be. If that will work and that is something that is cost feasible, that is a great idea, and I love great ideas. None of my people are here today because one of them is at the Jimmy Buffet concert.

Mrs. Sullivan-Wisecup: UUUGGGHHHHHH

Chairman Darby: Margaritaville.

Mrs. Sullivan-Wisecup: I had tickets, and I won’t talk about that anymore.

Mr. Terrell: Yes, I know I heard. We could have got the votes I think to move this thing back one day. But, the two other people that normally would be here with me, Heather, who you have met has a new addition to her family and tonight was the only night that they could meet him, I guess they are leaving. I’m here by myself and I’m doing the best I can with it.

Chairman Darby: You’re doing good.

Mr. Terrell: This is what our goals are.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. You’ve hear it from three or four of us already, the big concerns are the neighbors in the back and having your building address that, if it’s not the 50 foot that is required that you try to come up with some buffering to allow the residents to be at peace behind you. Then the flood plain and Mr. Taylor kind of explained where that is so that doesn’t seem as big of a deal as it did when I first read it so just to addressing that for yourself and your lessees if it comes into play with the building which it doesn’t sound like it will. You said this was the perfect space, perfect plot of land for your business, can you expound and why?

Mr. Terrell: Well the access to 75 and 275. Right now we are located, we have a fairly major national competitor that is in town, they were in northern Kentucky and a few years back we started taking too much of their business so they moved into somewhere south on 75, exit 13 I think it is and so we are now, they are almost closer to every one of our customer, local customers no matter where they are coming from by where they are at. At best it is a tie to get to us by where we are at in Springdale. So, I’m sorry in Fairfield. So, this here puts us closer to almost the whole customer base unless they are coming from south on 75 coming north which means they have to drive past exit 13. Any other way that they are
Mr. Ramirez: Thank you Mr. Chairman. You know I’ll throw my comments out as well. Mine are with the residents also and it sounds like you are going to be a good neighbor for those folks living around your property but taking into consideration that you may not own that property forever and the next person coming in may have different views, maybe limiting the type of businesses that go in there. I can just imagine somebody working on a diesel engine or firing up lawn tractors, lawn mowers, weed eaters, things like that, that make a lot of noise that are going to be in somebody else’s back yard, so maybe take into consideration who you lease these properties to. Just my comment. Thank you.

Mr. Terrell: So, if you are familiar with the equipment rental business on Route 4 next to Olive Garden, it fairly new, so you are saying no to that kind of business which is mine as well which is why I bring it up. So, we won’t be moving that one down there. I understand the noise and stuff. I’m sure there is a way in the leases to, leases can be very controlling and I don’t know how you guys enforce what we do after we get the building built but in all honesty we want to make sure that we are not in here for other reasons. I felt a little bit like I was in court sitting out here as I was walking in here a little bit. Okay, get them up in the air, daunting figures, everybody in a suit. I haven’t been in a suit in 20 years. But yes we will, I see where we are heading. The residents are going to be the most obvious thing and we will see what we can do to address this. The think that I want to say is that so far, I feel much better about spending money to figure out what this building is going to cost us and getting you guys something more to see. If we worry about these residents and we will work with Anne and the staff over the next few week.

Mr. Hall: Thank you Mr. Chairman. One final questions and it is short. What is your experience with flex space and how do you deal with it in your endeavors now?

Mr. Terrell: We have never owned flex space. I own rental properties but never commercial flex space. I own all of the properties where all of my businesses are located in. We obviously rented flex space over the years and yes we have had that neighbor put next to us in the flex space that is driving everybody up the wall. Again, this is short-term because we don’t know how long we will occupy the space, anything can change. For us, currently, obviously with us occupying four of the spaces, I don’t want to issue tenants or tenants that cause issues with Springdale or anybody else so my experience with renting flex space is not I don’t have a lot of it but my experience with commercial properties and leases, I have a lawyer who is really good at writing leases that work in my favor. That is really the only way I know how to control what people do. The bylaws, the rules that you put in place before you allow them to move in. After the fact there is not a lot that you can do.

Mr. Hall: Thank you so much for your comments, we appreciate you coming in this evening.

Chairman Darby: I hope this has been valuable to you. I think it has been good for us to have an idea as to what you want to do. The dominant thing, as you know has been protecting our residential areas and we have had, one of the most difficult things to occur in a city is putting businesses in proximity to residential areas but we have had great success with some pretty difficult projects working with the applicants and we have come up with some good plans. I would encourage you, and I think you hear encouragement from my colleagues here about pursuing this and we will work through the process as it goes.

Mr. Terrell: Absolutely. Thank you very much.

Chairman Darby: Thank you for coming. You couldn’t get a ticket to the concert?

Mr. Terrell: No, I had tickets to the concert.
IX. DISCUSSION - None.

X. CHAIRMAN’S REPORT - None.

XI. ADJOURNMENT

Chairman Darby: The chair will accept the motion to adjournment.

Mr. Hawkins: Move to adjourn.

Mr. Hall: Second.

Chairman Darby: Moved and seconded, all those in favor and we are out of here. Thank you.

Respectfully submitted,

________________________, 2018 __________________________
Don Darby, Chairman

________________________, 2018 __________________________
Richard Bauer, Secretary