

PLANNING COMMISSION MEETING

August 9th, 2016

7:00 P.M.

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: Richard Bauer, Don Darby, Tom Hall, Marjorie Harlow,  
Lawrence Hawkins, Joe Ramirez (Mr. Okum arrived late)

Staff Present: Jonathan Wocher, sub for City Planner; Don Shvegza, City Engineer;  
Gregg Taylor, Building Official

III. MINUTES OF THE REGULAR MEETING OF JULY 12<sup>th</sup>, 2016

Chairman Darby: The Chair will now accept a motion to adopt the Minutes of our previous meeting of July 12<sup>th</sup>, 2016.

Mrs. Harlow: Move to adopt.

Mr. Hawkins seconded the motion. With six "aye" votes from the Planning Commission members, the July 12<sup>th</sup>, 2016 Minutes were adopted as submitted. Mr. Okum was not yet present, and thus his vote was not counted.

IV. REPORT ON COUNCIL

Mrs. Harlow provided a summary report of the July 20<sup>th</sup> City Council meeting to include a summary of Committee and Official Reports and several Ordinances and Resolutions. An Ordinance was read for a proposal for consulting, design, and engineering services for Beacon Hill Subdivision and Kenn Road street improvement, as well as engineering and design services for the 2017 Annual Street Improvement Program. Both Ordinances were approved with a 7-0 vote. The first readings of the Preliminary Development Plan for the Atrium Hotel and the Zoning Code and Zoning Map Amendment for that same property were held. There was to be a Public Hearing regarding these two Ordinances at the August 17<sup>th</sup>, 2016 Council Meeting. A vote would be held at that time. An Ordinance allowing contributions to certain healthcare accounts for full-time employees of the City was passed with a 7-0 vote. An Ordinance showing an agreement with the Board of Hamilton County Commissioners, relative to the improvement of Springfield Pike and declaring an emergency, was passed with a 7-0 vote. An Ordinance accepting a proposal from Moore Air Conditioning for purchase and installation of HVAC equipment for the Community Center was approved with a 7-0 vote. An Ordinance regarding a cost-sharing agreement with the Greater Cincinnati Water Works for the Cloverdale area rehabilitation was tabled.

Mrs. Harlow also discussed several events in the Community. The Springdale Community Yard Sale was held on August 13<sup>th</sup> from 9am -2pm. On August 20<sup>th</sup>, the City offered a free shredding program to dispose of important documents. The event was to be held at the Community Center and began at 10am.

Mrs. Harlow also read a letter from Mayor Webster to all City Officials and Administration. Mayor Webster informed all parties about the resignation of Mrs. Jane Huber due to Obamacare regulations that took effect July 1<sup>st</sup>, 2016. The program adversely affected her healthcare coverage, so she resigned and Mayor Webster appointed Meghan Wisecup to replace Mrs. Huber on the board of Zoning Appeals. He filled Mrs. Wisecup's spot on Parks and Recreation with Ms. Sharon Castleman. Another change of note was that Mrs. Carmen Daniels was appointed to BZA in December and Mr. Darryl Denny was appointed to Parks and Recreation on February 1<sup>st</sup>.

IV. CORRESPONDENCE - None

VI. OLD BUSINESS

A. The former Princeton Bowl, 11711 Princeton Pike Unit 910, Springdale, Ohio, Concept Plan Review (Application #30722)

Chairman Darby: Representative, please come forward.

Mr. Bishop: Good evening.

Chairman Darby: Good evening!

Mr. Bishop: My name's John Bishop with Circle Storage and Circle Development. We're a business company here in Cincinnati. We currently operate seven storage facilities in the Greater Cincinnati Area. We have been looking at the site that is the old Princeton Bowl, and we've looked at the Concept Staff Report that was generated at I believe one of your previous meetings and through the Building Department, and at this time, we're trying to put together a plan with our Civil and Architectural Group, and we had a few questions. I would like to just see if I could get those addressed with the council here tonight to let me know, give us some direction so I can give them some guidance on how to proceed to put together a full plan for your all's review.

We've noticed that there are some deficiencies on the site currently. One is the, I think there is an existing storm water situation where it's causing the existing parking lot to fail in several locations and one of the questions we had is we're trying to talk to the owner's representative. Is this something that would be handled strictly through the Building Department?

Chairman Darby: Before you get to your questions

Mr. Bishop: Yes, sorry.

Chairman Darby: I think we'll get, I need to get in line with our procedure, our protocol. Typically the Applicant's questions, which result from the submission go through our Staff.

Mr. Bishop: Okay.

Chairman Darby: Okay? And once there's an agreement between you two, the presentation can go on, and that's when we really get involved, but personally I would not like to subject this group at this time to reviewing, to responding to technical questions.

Mr. Bishop: Okay.

Chairman Darby: Some of which may not even be a part of this packet of information.

Mr. Bishop: Okay. Totally understandable.

Chairman Darby: But now, if you, if you're prepared, if you want to make your presentation based on what's available, we can do that, but otherwise...

Mr. Bishop: We just had some

Chairman Darby: It puts us in a bad position.

Mr. Bishop: concerns based on the Staff Reports, and so that's why we were trying to get clarification from them, but I'd be more than happy to table that for you all

tonight and get in more detail with your Staff about that before a future meeting, so we can give you

Chairman Darby: Mr. Taylor...

Mr. Bishop: proper presentation.

Chairman Darby: Mr. Taylor, would you, would you please comment on this?

Mr. Taylor: Thank you, Mr. Chairman. You know, we're happy to meet with you folks whenever it's convenient. You know, one thing I think might be of benefit to both you all and the Commission is to at least discuss the use, because I think that's kind of the central issue, if that's...

Mr. Bishop: Right.

Mr. Taylor: Most of these other things I think that were pointed out in Staff's reports, you know, are pretty detailed in nature, and those are things that we can kind of work through as we go down the road. But at this point, we didn't have a lot to look at

Mr. Bishop: Sure.

Mr. Taylor: And think it would be beneficial for you to discuss what it is you guys want to do, and I think possibly Commission could

Chairman Darby: Yeah, this is concept

Mr. Taylor: listen to that

Chairman Darby: This is concept

Mr. Taylor: because it's just conceptual.

Chairman Darby: discussion, so feel free to

Mr. Bishop: Okay.

Chairman Darby: Just share your dream.

Mr. Bishop: We would like to look at the property and take a look and see how we can modify the existing parcel, whether or not we can incorporate keeping or demolishing the existing building that's there that housed the old bowling lanes and bowling alley and convert the whole property into a storage facility. So it would be a self-storage facility, so there would be you know, multiple buildings. We would obviously have to deal with the flood zone issue, as part of our due diligence, but we see it's also in a PUD district, so obviously to make modifications to that, some of our questions revolve around the ability to be able to modify the PUD to handle something that it's not currently zoned for. And we believe that storage isn't currently, that it's not zoned for storage-type buildings or facilities on that property. So, that's what our, the gist of what we need to understand is. Is that something you all can even, you know, once we bring this to you in a full plan and submission, is that something you all can change the zoning on in a PUD, or is that something we have to get all the local businesses to agree to, or is that a City issue? That was kind of what our...

Mr. Taylor: It's, any use that's permitted within any district in the City can be permitted in a PUD district, and so what you would, the Commission does have the authority if they so choose, if they support the use, to modify the PUD to allow that use.

Mr. Bishop: Okay.

Mr. Taylor: Does that...?

Mr. Bishop: So that would be our biggest concern is being able to, you know be able to change that use because it's in a PUD, so it's not currently zoned for that, so that would be something we'd have to get changed in order to move forward with purchasing the property. In order to do that, obviously they had a whole list of items that needed to be met. Is there any leniency, leeway on those, or are those very rigid standards that need to be met that were all outlined in the Staff's write-up?

Mr. Taylor: I think, in general, you have to comply with the storm water ordinance, you have to comply with the flood protection ordinance, and you have to comply with the zoning ordinance. Now, in terms of how that's accomplished, that's really why we have a PUD District, because that enables the Commission to look at, you know, what you want to do and determine how we can best accomplish that, because it is inherent in the PUD, some flexibility in terms of how it's done, but you know, there are some standards that, you know, they're not able to waive off on, such as storm water, flood protection...

Mr. Bishop: Things like landscaping, signage, parking requirements, all things that might be more in a retail or business commercial setting, that might not be totally predicated for the storage industry because there isn't a lot of need for a lot of parking for...

Mr. Taylor: Correct. And you...

Mr. Bishop: ...the types of variances are able to be granted

Mr. Taylor: You would make

Mr. Bishop: take a look at it and

Mr. Taylor: You would make your case before the Commission and again, that's the advantage of a PUD. For the sake, or for illustration purposes, if you know, a retail establishment takes two hundred parking spaces and you fellows believe that your use takes ten, then you can present that and you can present your evidence to both Staff initially, and we'll look at it, and we'll produce another report, and then the Commission ultimately has the authority to agree with you or not

Mr. Bishop: Sure.

Mr. Taylor: Or to modify it.

Mr. Bishop: Okay.

Chairman Darby: Also, sir, once you have submitted to Staff a more detailed plan, and you guys go back and forth, it positions us much better

Mr. Bishop: Okay,

Chairman Darby: to respond to you, especially if there are different kinds of variances that might be requested.

Mr. Bishop: Understood.

Chairman Darby: Mr. Okum has a question.

Mr. Okum: Do you have a design professional working with you on this project?

Mr. Bishop: We have a design professional that's worked on with us other projects currently, and we'd like to engage his services to start working with us and looking into this in more detail, but I wanted to make sure I had my bases covered so I can convey to him if there are certain rigid standards that we can or cannot change. You know, that's my big concern with this property because it's behind other buildings. It's not easy to see or get to. There's two access points to get to it, which are through

other commercial spaces, so things like signage, landscaping, you know there's a lot of standard requirements that go in a PUD that I wanted to see if I could get clarification on to see, you know, because I don't want to come and do a lot of work and present a plan that just totally doesn't fit the, you know, Springdale's plans on what the envision and like to see there. So I was hoping to try to, because there are some concerns we have with you know, the Staff report, so that's why I wanted to just come tonight and see if there's that ability because I've been places before where it's very rigid and PUDs really don't get modified or can't get modified based on what they are without doing a major modification. That's not something that's easy, depending on the municipality sometimes to be able to amend, so but it sounds like what I need to do is, do some more homework and get with the Building Department first and talk to Staff so that I can present to you all properly.

Mr. Okum: The PUD is designed to allow the Applicant some flexibility, allow the City some flexibility to reach an agreement on use and how it's treated. Certain restrictions can be put on a PUD regarding how it impacts the adjoining properties, and certain reliefs can be given, as Mr. Taylor indicated. Frequently, and Applicant will receive Staff's report from the Engineer or City Planner and our Staff, and they'll give responses to those questions, those items that are listed, so that we as Planning Commission can look at them and say, "okay, this is how the Applicant's responding to these items that are on the list." This is really early, but concept is, and I think the Chairman said it properly. It's your dream. We don't want to quash your dream. We want to hear your input and hear your points, and try to make a decision whether that's in the best interest as a blended situation that it can apply for this particular spot on this particular PUD. I see the Gilhart representatives are here, who are the, I guess the selling agents of the property, if it were to be sold or leased, and they've been through the process. They pretty well understand what the City, I see heads shaking, so, they pretty well understand

Chairman Darby: Have we seen them before?

Mr. Okum: I think we have. Couple times.

(laughter)

Mr. Okum: So those are the things, but you know, I think to have Staff read off all twenty, you know, items

Mr. Bishop: Oh, no. I didn't

Mr. Okum: Ms. McBride's, or fifteen, I'm sorry of Ms. McBride's... Jonathan's here to fill in for her tonight. We could do that, but you've got a copy of it. But there purpose is, is sort of to feel what your thought s are, and how you're going to address those items that Staff has indicated in the report to you, saying okay these are the things we see. As an Applicant, what is your response to those items, and then we can look at it and make a decision whether, you know, if it's a blendable or a useable transition for this property from bowling alley, I think it's pretty well considered a GB or in that particular category GB use.

Mr. Bishop: Excellent.

Chairman Darby: Mr. Wocher.

Mr. Wocher: Yes, Mr. Okum kind of finished, or hit on what I was going to say, and that is that Ms. McBride's Staff report is intended to identify the key elements that we would expect to come forward from a zoning standpoint, so landscaping, screening, building materials, parking standards and so on, and as Mr. Taylor mentioned, once you submit plans, we'll be able to analyze with you where you are looking for deviations if those exist. So we're trying to put forward the key standards that we feel will be important for Planning Commission to evaluate. I would point out item number one. There is a technical standard that the Planning Commission also has to weight, and that is a determination of whether this would be minor change or a major

change, and according to the zoning ordinance, the two members of Council that are on Planning Commission would consider that and determine whether it's minor or major, which kind of steers the direction of the scope of change that you're talking about.

Mr. Bishop: Would that be done at meeting, or ahead of time?

Mr. Wocher: Well, I would suggest that you could probably do that at this point, but Planning Commission can determine if they feel comfortable with that. Staff's recommendation would be that it would be a major change, a major modification to the PUD, because of the change in use, and the alternative would be a determination that it's minor, which would require less stringent review. That is a determination that is ultimately made by the Planning Commission based on the Council members' input.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you, Mr. Chairman. Just one question for the applicant. As far as the use is concerned, was there an evaluation study that got you to this point that said that property is viable for a self-storage facility? Can you expound on that at all?

Mr. Bishop: We've been looking internally, and trying to look at growing not only the company footprint, but around and taking a look around the City for viable options, and so we've done some preliminary review work to see, you know, if we meet the density for the locale within the three and five mile windows that we typically look for in our storage facilities, and we feel like this is a favorable location for us to pursue, and so we were trying to make some in-roads here, but at the same time, you know, my apologies for trying to jump the gun possibly here tonight. I'm new at doing this, so I want to make sure I'm presenting you with what you all need to make a proper decision on this property. But at the same time, I've seen at a couple of other places where I've gone to, some areas are so rigid, they don't have flexibility on, it's either an all or nothing type of situation with what they're looking for in a particular location or particular district, so in storage, even though it's a business, it doesn't typically fit a business commercial mode. It's more an industrial classification in some municipalities, and so that's why when I came out here tonight, I was looking for some clarification, some guidance from you all to help me steer my designers through what we need to make sure that we can approach you all with the right set of drawings that you all need to see to make sure that I've got all my bases covered so you guys can evaluate it and make your decision.

Chairman Darby:

Mrs. Harlow: Thank you, Mr. Chairman. As a member of the City Council, one member of the City Council, my belief that it is a major modification because it's totally changing the use of the property. And of course Mr. Hawkins needs to weigh in on this.

Chairman Darby: Mr. Hawkins.

Mrs. Harlow: But I believe that, in my opinion, City Council would need to look at something that changes the landscape of our City so drastically.

Mr. Hawkins: Thank you, Mr. Chairman. Yeah, I would agree. I do find it to be a major modification as well. I was curious also, I know you said you were going to bring a designer in on this. Have there been any consideration or work done to this point in depth regarding the issue of the storm water and the flood zone?

Mr. Bishop: We had a couple of broad stroke discussions but nothing that's getting into specifics.

Mr. Hawkins: Is that designer equipped to deal with that, or are they more equipped to deal with the building itself

Mr. Bishop: They're absolutely

Mr. Hawkins: and sort of its (unintelligible)

Mr. Bishop: They can, equipped to do with that. What they're asking us is whether or not our intent was to try to keep the existing building or demolish it

Mr. Hawkins: Gotcha.

Mr. Bishop: and start from scratch.

Mr. Hawkins: So that's gonna impact

Mr. Bishop: That's gonna definitely impact

Mr. Hawkins: how things are situated on that plot of land. Thank you, Mr. Chairman.

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you, Mr. Chairman. Just as a point of clarification, by indicating that this is a major change, the way this works is you would come before this body with a request for a major modification. They would act on that, and either way it would go then it would go to City Council for their action, and typically they can either approve, essentially back the recommendation of Planning; or they can modify it; or they can deny it. In any event, if it goes forward, so if Planning Commission recommends approval, Council approves the major modification and it would come back to Planning for the detail work. That's how it works.

Chairman Darby: Mrs. Harlow.

Mrs. Harlow: Thank you, Mr. Chairman. I drove down to the site about a week or so ago, maybe even way before that, because wasn't this on the agenda last month and was tabled? Yeah, it was last month then I was there, and I noticed that there is some locked fencing that doesn't allow you to have access to the other side of the building, and I recall that there is a parking lot on the other side of the building. My question was are you planning on any outdoor storage, like boats or RVs or things like that?

Mr. Bishop: Our concept right now would be to have no outside parking. It would be just the storage buildings, but we were trying to do it either in concert with the existing building, and if the existing building's not feasible then it would be an all new building. Probably would be a combination of what they would consider climate-controlled and not climate-controlled.

Mrs. Harlow: Okay. The reason that I had asked that was that during our last zoning change, we allowed people who currently have RVs or boats or campers to continue storing those in their driveway, but going forward, in the future you either have to be grandfathered in, or you have to

Mr. Bishop: Find a locale.

Mrs. Harlow: find a location, and we don't have any locations close by here in Springdale, so I was wondering if that was part of your future plan.

Mr. Bishop: It can be. It's a big square footage.

Mrs. Harlow: It is.

Mr. Bishop: And this site, some of our sites are large enough that we can handle what they would consider outside parking, but with this site it's really limited in terms of the footprint, so it's probably not going to be as feasible to have parking, especially for RVs. If you need a forty-five foot minimum space by a good ten, eleven, twelve feet for each space.

Mrs. Harlow: Okay, thank you.

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you, Mr. Chairman. Just a blush look, because concept. Couple of the items that strike me that is a concern, that shall be a, could be a challenge is the residences that abut this property, and how that would be identified and dealt with. Tying that together to, let's say the building won't work because right now it's got barricades and so forth and pumps to keep the water out of the building. I guess they're still functional. Probably, maybe not. They've been there a long time, but I don't know if they're still working, but there's literally a dam around the building that was built, constructed fully after it flooded. I don't know what year. I was here when it was, was it in the eighties, a long time ago. If the property was not able to be used as the existing building, you'd probably be forced to build it on an elevated plane. Well, that puts you right in line, pretty much directly in line with the topography of the adjoining residential properties, so those are really, one if where in the world would you get enough material to fill that basin, because that's a lot of soil. And there's not mountains around here, and dirt's not cheap. You wouldn't believe it, but it isn't cheap. So that would be one of the biggest hurdles I think to deal with to get it out of the flood plain. And the other thing is how you're going to deal with those residences that are directly adjoining that development. So those are my two primary concerns. Being a business use, you know, next to a business use, I think we could work through those dynamics, but those are, in my opinion, two big hurdles. Maybe other members of the Commission see the same thing, or see different things, but those are two of mine at this point.

Mr. Bishop: Okay.

Chairman Darby: Mrs. Harlow:

Mrs. Harlow: Thank you. I'm looking at an aerial photograph. This green space behind the bowling alley, is that all part of

Mr. Okum: I think that's owned by Hamilton County.

Chairman Darby: Hamilton County.

Mrs. Harlow: That's owned by Hamilton County. Okay. Thank you.

Chairman Darby: Any other questions... Mr. Hawkins?

Mr. Hawkins: thank you, Mr. Chairman. Just quickly, in terms of your vision of the business and its hours of operation, would it be something where people would have access twenty-four hours a day, or would it be something where folks would typically have access up until nine o'clock or something like that?

Mr. Bishop: Typically ten to fifteen percent of our customer base is business-oriented, and a limited number of them prefer twenty-four hour, but by no means do we need to supply that. Our typical facilities are seven in the morning until eleven in the evening. And once we get through the rent up of the storage units, people are in there sometimes either between once a week, once a month, once a year, so it's not a common high-traffic volume facility. Any of our facilities are very low traffic volume once people move their stuff in.

Mr. Hawkins: Thank you, Mr. Chairman.

Chairman Darby: Thank you. Before we move on, I need to ask you another question. Having heard what you've heard tonight, especially from Staff, are you confident that once you bring other people to the table as part of this design, you will be timely in submission for our next month's meeting? The reason I say that is we have tables this one time. We'll be tabling it again tomorrow. We've had a lot of discussions about

the number of times we table an item, so I don't want to put you in a position where you don't have ample time.

Mr. Bishop: Totally understand. What I would probably prefer at this point is to go back to my ownership group and report to them, see, get, make sure that their interest level is there to want to engage the architect and designers, and so I would probably want to hold off putting it on the next month's agenda so that we could get a formal presentation because I can't produce drawings in a couple of days or a week.

Chairman Darby: What... Mr. Wocher.

Mr. Wocher: Yeah, Mr. Chairman, our expectation would be that the next step would be a formal application so that the concept review would be completed tonight with the input you've given, and then when you're ready you would file the PUD amendment and so whenever that comes forward.

Chairman Darby: So with that in mind, I think at this point the Chair would like to accept a motion to withdraw the application at this time for resubmittal.

Mr. Wocher: I believe, again I'm the newbie on the board so you'll have to bear with me, but my understanding is that the feedback that you've given is the intent of this process, so that the concept has been presented; you've received the Staff reports, you've received feedback, and other than maybe confirmation of the decision by the two Council members on major/minor, I think the action is completed and they get to go away and come back with their application when they're ready.

Mr. Bishop: We don't need to take action, just close...

Chairman Darby: It's just concept discussion.

Mr. Wocher: I think that's correct. That's my understanding.

Mr. Bishop: That's fine with us.

Chairman Darby: That means go forth and work hard. Thank you.

Mr. Bishop: Thank you very much for your alls time.

Chairman Darby: Okay, thank you.

## VII. NEW BUSINESS

- A. Tri-County Towne Center, 11711 Princeton Pike, Springdale, Ohio, Revision to an approved PUD. Brought by Klusty Sign Associates, Inc. for Nesco Callos Resources' Sign (Application #30811)

Ms. Preston: Hello.

Chairman Darby: Good evening.

Ms. Preston: Good evening. My name is Cassie Preston, and I am with Nesco Resource. We recently, well in 2014 we acquired Callos Resource, and we recently decided to do the integration at the beginning of this year, so because of that, we knew that we needed to, you know, get a new sign up there that included Nesco. We had Vince from Klusty design our sign according to the old code. I guess that changed April 1<sup>st</sup>, so really I'm here just to see if you would increase our sign space so we can get Nesco and Callos up there.

Chairman Darby: Okay. We're going to go to Staff. Mr. Wocher.

Mr. Wocher: Yes sir. As was mentioned, this is a request to increase the permitted wall sign area over what is currently permitted. Nesco Callos is a staffing service located on the north building of Tri-County Towne Center, adjacent to UPS and Blue Agave. They currently have a wall sign that contains 25.37 square feet which reads Callos Resource. Callos occupies 16 ½ feet of frontage with front elevation that contains 365.1 square feet. Per the zoning code, they would be allowed to have a 14.3 square foot wall sign. The Applicant is proposing to add Nesco to the top of the wall sign with channel-cut letters which would create a sign area containing 42.9 square feet. Staff would note that the proposed Text Amendments to the zoning code would allow the Applicant to have a 44.75 square foot sign area. Based on the proposed Text Amendment, the sign would comply with the amendments and otherwise complies with the zoning code so Staff believes the sign is appropriate for the tenant space. Ms. McBride notes at the bottom as well of the Staff report that the two members of Planning Commission serve on City Council will need to determine if it's a minor change.

Chairman Darby: Can we do that now, folks?

Mrs. Harlow: I believe it's a minor change. Mr. Hawkins?

Mr. Hawkins: I agree. I think it's a minor change.

Chairman Darby: Thank you. Mr. Taylor.

Mr. Taylor: Nothing further, thank you.

Chairman Darby: Mr. Okum.

Mr. Okum: I'm seeing no other comments. Mr. Chairman, I'd like to move to approve Application 30811 for the change in the signage at the Tri-County Towne Center for allowance of the increase sign space as requested by the Applicant and reviewed by Staff.

Mr. Hawkins seconded the motion. The motion was approved with a vote of 7-0.

Chairman Darby: Before we go to the next item, I wanted to make a couple of comments. As indicated on the agenda, for item, I'm sorry, I'm jumping the gun. We're going to

Mr. Okum: I knew you would.

Chairman Darby: I was just looking forward to it so much. Okay, Item B.

- B. Cassinelli Square, 11374 Princeton Pike, Springdale, Ohio, Revision to an approved PUD/ Lot Split (Application #30887)

Mr. Haglage: Good evening, everyone.

Chairman Darby: Good evening.

Mr. Haglage: My name is Dick Haglage. I am one of the managers of CF Partners, LLC, which is the ownership of Cassinelli Square. I think our request in front of you is rather straightforward. We're just looking to take one of our larger lots and create the outlot along the Princeton Pike frontage, so I'm here certainly to answer any questions you have, but we are in agreement with Staff's report in as much as applying some kind of a permanent easement access to the Steak N' Shake parcel, which I think was pretty much the only comment that Staff had.

Chairman Darby: Thank you. Please stay. Mr. Wocher.

Mr. Wocher: No report.

Chairman Darby: Mr. Taylor.

Mr. Taylor: No report. It's all up to Mr. Shvezgda.

Chairman Darby: Mr. Shvezgda.

Mr. Shvezgda: Thank you, Mr. Chairman. AS you can see, the particular replat takes original lot six and divides it up into lots seven and eight. The lot seven kind of is in the vicinity of mostly where the former Longhorn Steakhouse was at. In regards to other issues, agreements need to be resolved in regards to cross-parking, cross-access, storm water management, and recorded they take care of the rights for the properties to utilize that. As was noted by the Applicant, there was the issue of the easement that Steak N' Shake currently has across the Applicant's property in regards to access to 747. Apparently they had some kind of sunset provision on that and just, part of this would be a good opportunity to clean that up and provide that as a permanent situation. That concludes my comments.

Chairman Darby: Mr. Okum.

Mr. Okum: Just one question. This is still a PUD, right? The site's still PUD? Somewhere, some place, there's a set of covenants that are bound to this development, so we're going to make sure the covenants as well as the recorded documents all work happily together.

Mr. Haglage: Yes sir.

Mr. Okum: That's good. So it stays consistent. Thank you. Then based upon that, I move, no lights. Mr. Chairman, I move to approve CF Partners' request for replat, Case #30887, to include the specifications to the design submitted and reviewed by Staff prior to the meeting and to include our Staff City Engineer's recommendations and considerations that the Applicant has agreed to.

Mr. Hawkins seconded and the motion was passed with a vote of 7-0.

Mr. Haglage: Thank you very much,

Chairman Darby: Thank you for coming. As I stated earlier, just a couple of comments about the next item. The proposed discussion of the Zoning Code Amendments. During Staff meeting, it was determined that there were some additional things that should be presented as part of this, so what we're going to do, is we're going to open, because it's on the agenda, we're going to open up the Public Hearing, but we're going to continue it. The overriding sentiment of those at the meeting was that we should have this presentation at one time with the additional things that are being researched included in it. (To Mr. Okum) Now would you do your job please?

Mr. Okum: You're opening the hearing.

Chairman Darby: That's you. You do that.

#### C. Public Hearing – Proposed Zoning Code Text Amendments

Mr. Okum: Well, I'll just call the meeting. We'll open this hearing in regards to the Proposed Zoning Text Amendments.

Chairman Darby: That's great.

Mr. Okum: Any discussion on that, on the issue? Seeing none, I'll move to continue this hearing in progress to the next meeting.

Mr. Bauer seconded the motion, and it passed with a vote of 7-0.

VIII. DISCUSSION

Chairman Darby: Any items for discussion for the group?

Mr. Okum: Just wanted to get maybe an update. Thank you, Mr. Chairman. Can we get an update on projects we've approved that are sort of, obviously Outback is being built. We haven't seen anything with that other outlot at Tri-County or Kohl's, or no, the other, Store on the Corner.

Mr. Taylor: Officially, the Macy's façade is under way. We have not received anything further from regarding the outlot that you all approved, nor the junior anchor tenant. Our Economic Development Director is here and I know has had some discussions with the mall manager. I don't know if you want to make any comment? No comment. So, that's it.

Mr. Okum: What about the redevelopment of the Glensprings Wimbledon shopping center?

Mr. Taylor: They have, they actually got their plans approved, the detail plans and they have submitted their sign, which you all said they needed to come back for that, so advised them that they needed to apply for September's meeting. Actually the deadline is this coming Monday, so they're aware of that. I'm expecting that you all will see that sign, the revised sign and I think you'll find that it's essentially in conformance with what you guys suggested, but I don't know what their construction schedule is. Like I said, the actual building plans have been approved. You know, paint and the roof and whatnot, but I don't know what their schedule is.

Mr. Okum: And just one other item, if I may. The old Perkins, I guess they've repainted the canopy on it. That doesn't seem to be a big deal to me, but I thought we turned them down, but... we approved the canopy only.

Mr. Taylor: Well, the interesting thing is, at least to me, you approved it to be blue, and it's brown. The brown is obviously an earth tone color, so I don't think it's really an issue, but they, you know, the sequel or whatever they were calling it, went away, and that property is for sale. That's really the extent of all I know. Sorry.

Chairman Darby: Anyone else? Our meeting next month is – we have a light here. Mr. Ramirez.

Mr. Ramirez: Thank you, Mr. Chairman. I might have brought this subject up previous, but being the Chairman of the BZA as well, I notice that we don't have a Pledge of Allegiance, no do we swear anybody in. Is that typical, or normal, or the way it should be?

Chairman Darby: Well, we do swear folks in when it's, as we will do next, our next meeting as part of the Public Hearing. You have a requirement to swear folks in because the legal nature of what you do, but we only do that when it's a public hearing.

Mr. Ramirez: Okay, and the National Anthem, or Pledge of Allegiance?

Chairman Darby: Anyone have better history than I do?

Mr. Okum: No, I can't recall it being done here ever. I don't find a thing wrong with it. I think we should, but Regional Planning Commission does say the Pledge. OKI does say the Pledge.

Chairman Darby: Is there a motion?

Mr. Okum: Sure. I move that we start saying the, no I'll let Mr. Ramirez make the motion.

Mr. Ramirez: (Off mic, motions that Planning Commission meeting shall now include the Pledge of Allegiance)

Mr. Hall seconded the motion, and it passed with a vote of 7-0.

Mrs. Harlow noted that she will not be present at the September meeting.

IX. CHAIRMAN'S REPORT - None.

X. ADJOURNMENT

Chairman Darby: We will accept a motion to adjourn.

Mr. Hawkins moved to adjourn. Mr. Okum seconded the motion and the City of Springdale Planning Commission meeting concluded at 7:45 p.m.

Respectfully submitted,

\_\_\_\_\_, 2016 \_\_\_\_\_  
Don Darby, Chairman

\_\_\_\_\_, 2016 \_\_\_\_\_  
Richard Bauer, Secretary