

PLANNING COMMISSION MEETING

December 13, 2016

7:00 P.M.

REVISED MINUTES

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, Dave Okum, Joe Ramirez

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

III. PLEDGE OF ALLEGIANCE

IV. MINUTES OF THE REGULAR MEETING OF NOVEMBER 8TH, 2016

Chairman Darby: At this time, the Chair will accept a motion to adopt the Minutes of our previous meeting of November 8th, 2016.

Mr. Okum moved to adopt. Mr. Hawkins seconded the motion. With seven "aye" votes from the Planning Commission members, the November 8th, 2016 Minutes were adopted as submitted.

V. REPORT ON COUNCIL

Mrs. Harlow: On our November 16th meeting, we had the introduction of our new Fire Captain. His name is Steven Sarver. We also had the introduction of our Assistant City Administrator, Amanda Zimmerlin. We also had an appointment to OKI; that will be Mr. Dan Shroyer. He'll serve there for the next year. Under our Ordinances and Resolutions, we had the second reading of the codification for the Ordinances of the City of Springdale Zoning Code, and that was passed with six affirmative votes and one abstention. We had adopting Section 155.037 of the Property Maintenance Code and declaring an emergency; that passed with a 5-2 vote. We also had an Ordinance for the issuance of \$2,640,000 for real estate acquisition bonds. This is a rolling of the note for the Sheraton, and that passed with seven affirmative votes. We also had Ordinances entering into a contract for Mayor's Court Magistrate, which is Donald White; Prosecuting Attorney, which is Seth Tieger; and also a Public Defender, which is Justin Bartlett. Also there are three members of Council who serve on the Spruce Up Springdale Committee, and this is a committee that we're looking to get our residents to buy in and to help us. We want to do a clean-up Springdale day on, I think it's April 29th, so if you know anyone in your area who would like to join us, we will be having a January meeting. They can contact me and we will get them involved in our program. Also, the City of Springdale down at the Community Center will be inducting into their Hall of Fame our sports leaders that have passed on, and this will be January 6th, on a Friday at 6:30 p.m.

On our December 7th meeting, we had the presentation of the 2017 Budget. We had the introduction of a new police officer, Garrett Wielander. And then we also entered into agreements for contracting services for CT Consultants; for Wood & Lamping; and we also entered into an agreement with ODOT, for the State Route 4 Urban Paving Project from Cameron Road to Interstate 275; and we entered into an agreement with Ascendum, and that's for job retention; and all of those were 7-0 affirmative votes. And then we had some Resolutions: confirming the reappointment of Kevin Ketring as a Mayor's representative on the Board of Health, as well as Ms. Rita Hart; appointing Dan Jacobs as a member of the Charter Revision Committee; appointing Ms. Cheryl Darby as a member of the Civil Service Commission; appointing Gregory Johnson as a member of the Tax Review Board; and appointing Dan Shroyer and Holly Emerson as members of the Volunteer Firefighters Dependent Fund Board. We also had an invitation to attend Macy's Open House and Ribbon Cutting Ceremony, and that was yesterday, and it was really a nice opportunity to go over and see their facility at 145

Progress Place. They've done a beautiful job. I couldn't say enough nice things about them. Their works areas are just spectacular. They've got plenty of conference rooms, meeting rooms, they do a lot of small team collaboration, all high-tech, just state-of-the-art everything. It was really a very nice tour that we had; I enjoyed that very much. We don't often get to see the things that we vote on here, and you know we worked on the parking lot, so you can see that as you drive by, but you don't get to see what's behind the closed door and the curtain, and it was really nice to go in and see how the smartboards and the state-of-the-art projection and sound systems and everything that they've linked together to make it a beautiful facility. They currently have 430 people there right now, and they're looking to add about 200 more in the very, very near future, so we were really glad to have them join the City of Springdale's workforce.

VI. CORRESPONDENCE - none

VII. OLD BUSINESS - none

VIII. NEW BUSINESS

- A. Enson Mart, 11360 Princeton Pike, Springdale, Ohio, Minor Revision to a PUD (Application 31508)

No representatives were present.

Mr. Taylor: We did not receive any response from our preliminary Staff comments. We haven't heard from them, so I don't know what your pleasure may be. I don't know if you want to table it, or wait. Maybe put them on the end of the agenda.

The Commission moved Enson Mart to the end of the agenda; no representative ever came. Mr. Okum moved to table; Mr. Hawkins seconded and the issue was tabled with a vote of 7-0.

- B. Tri-County Mall, 11700 Princeton Pike, Springdale, Ohio, Major Revision to Development Plan/ PUD (Application 31512)

Chairman Darby: Good evening, sirs. It's your show. Typically we'll ask that you make your presentation and then we'll go to our Staff comments.

Mr. Schupp: I'm John Schupp; I'm with the Tri-County Mall (inaudible, mic not on)

Chairman Darby: We're not sure if that mic is on.

(Instruction from various people regarding the microphone.)

Mr. Schupp: It's on now! I'm John Schupp; I am working with Tri-County Mall on the redevelopment of the center. In your packet you have seen a snippet of what we're doing at this point in time and what we're seeking approval on at this time. This is a development piece along Princeton Pike. It's our first component, and the reason why we're submitting this now as opposed to later is because we have a tenant that signed a lease recently, Dos Amigos, that wants in as soon as possible, so we need to accelerate our own schedule. In the upcoming months, we will be presenting to you all again the full-scale development along Princeton Pike. It will all be in the same design genre of what you're going to see right now, but this piece, this component is just the first segment right now of what we're proceeding with.

Mr. Rich: I'm Bob Rich, the architect for the project, and so I think you all have the images and you can see that the scope of the project is really changing the entrance, not the main entrance, but changing an entrance into the mall, and then opening

really the two storefronts that are flanking that entrance so that they have exterior exposure or they have exterior storefront so you'd be able to see into those tenant spaces. As John alluded to, that will be character of the lifestyle center as it develops to the south of that point, but we did feel like we needed to get in front of this with a tenant that has a lease, so we came to you with this first piece of it. Really there is no change to the parking for the mall. There is no change to the service areas for the mall. It's really just this new re-dressing that entrance with a taller piece of glass and redeveloping two glassed areas, two glassed storefront areas that are on either side of that entrance. I'm happy to answer any questions. There's a color material board here. We get to that and I might make one comment about the patio area, that the tenant just, I have hot off the press here a plan, they would like to expand that patio to be ten feet farther to the west, an additional ten feet to the west, that's toward Princeton Pike. I have a plan of it here if you want to see it.

Chairman Darby: You said hot off the press. Has Staff had an opportunity to review that?

Mr. Rich: No, Staff hasn't seen it. I mean it's the same patio, it just extends out ten feet farther.

Chairman Darby: We'll go to Staff comments with that.

Mrs. McBride provided Staff comments.

Mr. Hawkins and Mrs. Harlow indicated that this qualifies as a minor modification.

Chairman Darby: Are you prepared this evening to respond to any of the questions that...

Mr. Rich: Sure.

Mr. Schupp: Absolutely, yes.

Mr. Rich: With respect to the screen wall, it is our intention to have the screen wall, the finished material, careful here because the stone does fall off, the stone material that's identified on the architectural preliminary plans. With respect to the shade structure, though not definitively designed just yet, we talked to their architect and our design architect for the project, and the shade structure of the pergola will be very similar in look to that shade structure that's right there. With respect to the waste and maintenance process, the tenant space has been located here, and the reason why we have to, we want to put this tenant through quickly or sooner than we were ready to, is that their location is immediately adjacent to existing service court that exists on Princeton Pike. The kitchen service door immediately abuts and opens up to the service court, so the deliveries will go through the existing service court which is already currently screened with a screen wall, and we're adding a new screen wall along the side to provide further screening from their patio area and the service area, so deliveries will be from the service court and the waste materials will be handled out the same door, again to the existing service court.

Chairman Darby: I think it would be beneficial if Staff... Staff would you like to comment as we move through this?

Mrs. McBride: I guess. So how tall is the screen wall for the generator, because that was not indicated on the plans.

Mr. Rich: The height of the screen wall will be above the top of the generator.

Mrs. McBride: Okay. So is that six feet? Twenty-six feet?

Mr. Rich: It's approximately seven feet

Mr. Schupp: I was going to say between six and eight feet, because currently right now the generator sits on a pipe stand rack, and if we move the generator (inaudible, off mic)

Mr. Rich: We're going to try and mount that generator as low to the ground as possible.

Mrs. McBride: Okay. And then the exhibit, which I'll pass down to the Commission here in just a second, what is this? Is it vinyl? Is it metal? Is it...

Mr. Schupp: It's a metal structure.

Mrs. McBride: It's a metal structure. Okay. And the enclosure for the patio would be...

Mr. Schupp: There is no enclosure for the patio, strictly a shade structure. The patio is strictly a fair-weather type of seating area.

Mr. Rich: It will have an ornamental iron low fence.

Mrs. McBride: That's what I'm asking.

Mr. Schupp: Sorry.

Mr. Rich: Low fence around the enclosure.

Mrs. McBride: To match this, or...?

Mr. Rich: Well it won't exactly match that, and I guess there is some hesitancy on our part because that is being developed by the tenant, so both the design of that structure and the design of the enclosure are being designed by the tenant.

Mrs. McBride: Typically Planning Commission would see those details.

Mr. Rich: We realize that, but because we're trying to accelerate this so we can get the tenant in as quick as possible, and it's their design, so the shade structure, we settled on what it will look similar to which is that photograph, and then for the enclosure, the discussion has been around an ornamental iron low fence similar to what's at the outparcel for Starbucks.

Mrs. McBride: I mean I guess one option for the Commission might be that, obviously they're not going to be using that outdoor patio tonight, maybe you want to get those details and typically the Commission would be reviewing those, or if you feel comfortable that's certainly up to you all.

Mr. Schupp: Okay, not a problem.

Chairman Darby: Before you go on, I think we need to take a couple questions.

Mr. Bauer: Just some more questions about the generator and the enclosure. You're relocating that, correct, from an existing spot? Was there any thought to make it still on that front entryway, thought about moving it somewhere else? I know we talked more cost depending on where you move it, but was there any thought, any evaluation of a different spot for that generator?

Mr. Schupp: It's the existing Macy's generator, and their disconnect service isn't all the devices there. The shunt device is literally on the other side of the wall.

Mr. Bauer: So it services Macy's, that's it.

Mr. Schupp: It's strictly Macy's. It's Macy's generator. Strictly Macy's.

Mr. Bauer: So I guess another concern of mine would be, with that outdoor patio, would be sound. That generator goes off...

Mr. Schupp: Only during emergency situations.

Mr. Bauer: I understand, but it's only serving Macy's.

Mr. Schupp: That's correct.

Mr. Bauer: If Macy's has an emergency situation, and Dos Amigos doesn't, that generator goes off; you've got people on that patio. What kind of protection do you have for sound? Generators are pretty loud.

Mr. Schupp: There would be no protection for the sound. Again, the generator frequency, hopefully it never goes off, but if there's a problem, if there's an emergency inside of Macy's, there would probably be a general, there would probably most likely be a general alarm inside the mall anyway as well too, in order for the Macy's generator to go off, because they would have to have a catastrophic event to cause electrical failure to require the generator to be on because the generator services Macy's emergency devices: their lighting, their fire alarm panel, and the like, so they would be having a catastrophic event for the generator to go off.

Mr. Bauer: So you're assuming that if Macy's generator goes off, that the rest of the mall is going to be under a similar situation.

Mr. Schupp: Yes. Yes, sir.

Mr. Hawkins: With regard to you guys were talking about an extension of the patio, and the pergola right now covers the entire patio. With the extension, would the pergola still cover the entire patio?

Mr. Schupp: The pergola has never been designed to cover the entire patio. The pergola will cover approximately two-thirds of the patio, so the ten foot addition would probably not be under the pergola structure.

Mr. Hawkins: And I understand you guys don't have the design of the tenant as of yet, but in terms of the ornamental fencing around the patio, would that go all the way around? Would there be any gates for egress?

Mr. Schupp: It will go all the way around the patio. There will be one gate for the egress point of view.

Mr. Hawkins: And do you have any idea when the tenant would have their own designs?

Mr. Schupp: We're working with the tenant right now. Hopefully we can get that design issue resolved very soon.

Mr. Ramirez: As it concerns the patio, how do you envision that being used? Is this going to be dining and drinking out at this patio, or is it a smoking area?

Mr. Schupp: Dining and drinking. I do not know about the aspects of smoking. Never asked that question yet.

Mr. Ramirez: Okay. Because the next thing I normally see is when people put an outside patio, next thing I see is putting propane heaters outside, and then before you know it, it's an extension of the restaurant without walls, so I was just wondering what the intent, if you saw the patio being used in that means.

Mr. Schupp: We would hope that they would use the patio as long into the season as possible, because we like the fact that they would be activating the space with dining activity out there. As you know, people talking, chatting, laughing, conversation going

on is a good thing to activate public spaces. So would they have propane heaters? At this point in time, don't know just yet.

Mr. Darby: Okay, we don't have any other questions at this time. Do you want to respond to any of the other issues? Not at this time?

Mr. Schupp: Let me know if I have more.

Mr. Okum: This is a tough site to deal with. I do, as a matter of fact I had lunch at Dos Amigos today, if it's the same organization, so just to give you an idea, I'm familiar with restaurant operation. I didn't know who the tenant was at the time, but that's good to know. That's a tough site to access for parking. I would assume because it's a restaurant use, you would need some handicap parking spaces allocated, should be allocated on the site plan so that patrons of that business can get to that entryway. Maybe you have those, but I didn't see them. This is so small I can't really tell if we've got handicap spaces near that entrance that's accessible. I know we've got them down by Macy's.

Mr. Rich: So the restaurant opens onto the mall, so it's accessed, the entrance to the restaurant is from inside the mall. It's not from...

Mr. Okum: Not if I was going there. If I were going there to go eat, I'd park outside and go to the restaurant.

Mr. Rich: But I'm just telling you...

Mr. Okum: You're saying I would enter the mall.

Mr. Rich: Correct.

Mr. Okum: To go into the restaurant.

Mr. Rich: Correct.

Mr. Okum: Okay, I understand that, but I would still need handicap in reasonable distance to that entry so that people that have disabilities have access to it. Has that been thought out? That's the question.

Mr. Rich: Well, because you have to enter the mall to get into the restaurant, I mean it's essentially it's the same as if it were a restaurant tenant in the mall. It just happens to have a patio that you can't leave from the patio. You have to go back into the restaurant to leave. The gate that's on the fence is strictly for exiting reasons, and it will probably be alarmed.

Mr. Okum: So it'll be alarmed?

Mr. Rich: Correct. So...

Mr. Okum: Those aren't always alarmed.

Mr. Rich: So all the egress is back through the mall, so we didn't change the distribution of handicap spaces because the handicap spaces serve the current entrance to the mall and those have not changed. And maybe it wasn't made clear enough, but in this, I mean it's really kind of an exterior, it's a façade change to the mall.

Mr. Okum: Except when you added the restaurant use at that end of the facility.

Mr. Rich: Right, but it's a façade change because the patrons of the restaurant and the patio will go back into the restaurant. I'm just saying in terms of ingress and egress, that it's all back through the mall.

Mr. Okum: So what is an upward acting door then?

Mr. Rich: You might call it a garage door.

Mr. Okum: Okay, then we should call it a garage door.

Mr. Rich: Well, its technical name is an upward acting door.

Mr. Okum: So that will be part of the façade?

Mr. Rich: Well, it's a door, it's a sectioned door that opens up, rolls up and over, and it's open then to the elements at that point. It's like a large window.

Mr. Okum: Or a garage door with glass in it.

Mr. Rich: You could describe it as that.

Mr. Okum: So it is a garage door with glass in it.

Mr. Rich: Well, except there is no garage.

Mr. Okum: But it's not a garage. I understand. But we all understand it as a garage door with glass in it. Okay. Just so I..

Mr. Rich: The people that sell those doors don't like to call them garage doors when they're not used on garages.

Mr. Okum: They call them overhead doors, don't they?

Mr. Schupp: They can charge more.

Mr. Okum: So based upon that, the owners of the business and the mall representatives feel that the parking area that is in this vicinity has all the right accommodations to deal with the number of people that would be using this restaurant and the other retail, and the rest of the mall in that area?

Mr. Rich: Yes.

Mr. Okum: So what you're saying is the increased load on the mall in that area would not impact the parking field.

Mr. Rich: I think the long range plan is that when the mall is refilled, that the parking distribution for the handicap spaces will be correct.

Mr. Okum: The item with, nope that's it. I had three items: parking, handicap, and upward acting door. So that answers my questions.

Chairman Darby: I don't want to be remiss; did any other Staff want to make comments?

Mrs. Harlow: On page A3, it shows one upward acting door, but on page A4, it looks like down in the bottom right-hand drawing it looks like there are two. Are there one or two? One. So the other is a bank of windows?

Mr. Schupp: Yeah, it's made to look like the upward acting door.

Chairman Darby: You have increased our vocabulary.

Mr. Okum: Just to make sure, your understanding of what the conditions are that the Planner has indicated, you'll be able to respond to all of those items?

Mr. Rich: Yeah, there were no comments, there were some editorial comments I think in the landscaping.

Mr. Okum: Well, yeah. There's considerations that will be part of the motion that we want to make sure you're...

Mr. Rich: And with respect to the landscaping, the landscaping will be similar to what's at Macy's, you know this is half on Macy's property and half on the mall property, and so the half that's on the Macy's is really a continuation of the landscaping that's around Macy's, which is why there's a large bed of grasses which the landscape architect commented on. She doesn't like grasses, but it's consistent with what we've done around Macy's, which was just planted. It's also consistent with that entrance. But all of the landscaping complies with all the zoning standards, with respect to trees and shrubs.

Mr. Okum: So the added five feet on the patio area that you alluded to earlier...

Mr. Rich: Ten feet.

Mr. Okum: Ten feet. That, based upon what Staff has said, and I'm seeing heads nodding, we're going to exclude that part of the approval process until such time that we have a presentation of what that's going to be.

Mr. Rich: Well I think the intent was that the materials that are in the patio would extend ten feet to the west, and that landscaping would move with it, so that that edge is the same. It's just extending into a landscape area, and you can see that there is perimeter landscaping at the edge of the patio, and what we're proposing is that would just move that area ten feet to the south, so there would be ten more feet of the feature paving that's in the patio area proper, and the fence would move with it and the landscaping would move with it.

Mr. Okum: Okay, so...

Mr. Rich: I think they wanted to put a few more tables in there than what the originally had.

Mr. Okum: How many more tables?

Mr. Rich: I think they maybe wanted to put three more tables in there than what they originally had envisioned.

Mr. Okum: You've got eight on the drawing, so you're thinking maybe eleven tables in the area. Is that what you're...

Mr. Rich: Mr. Taylor, how many tables are there?

Mrs. McBride: Ten and then the seating around the fireplace.

Mr. Rich: Ten tables. If you want to look at this.

Mr. Okum: Staff hasn't had a chance to review it, so I probably wouldn't address it, but my thought are, is that I don't have a problem making, and I have to phrase the motion, I don't mind making the motion to include a patio area, but it's going to be conditional upon an approval of fencing and the patio cover elements that are associated with that patio.

Mr. Rich: Sure.

Mr. Schupp: That's fine.

Mr. Rich: Can we just route that through Mr. Taylor?

Mrs. McBride: I was just going to say, if the Commission adopts the considerations that I put in my Staff report, the landscape plan will be coming back to us anyway, and so that will then show that ten foot additional patio area, and they could supply us with the details of the fencing and so forth at that time.

Mr. Okum: Yeah, but that would come to us for review.

Mrs. McBride: It could if that's the Commission's...

Mr. Okum: That would be my... if it's a canopy and part of a building element, I certainly think that that would be part of the approval. It would be appropriate as part of the building, so or an accent to the building.

Mr. Rich: Yeah, I don't think that extra ten feet would have any different kind of fencing. It would be the same enclosure and the landscaping would be the same. There would be additional tables.

Mr. Okum: So what is the size of the patio now, on what we've reviewed?

Mr. Rich: I don't know the exact dimensions currently. It's on your drawing. Forty-two by twenty-eight.

Mr. Okum: I'm sorry?

Mr. Rich: Forty-two by twenty-eight.

Mr. Okum: Forty-two by twenty-eight?

Mr. Rich: Yes.

Mr. Okum: And you're saying that the revised size will be forty-two by thirty-eight?

Mr. Rich: Correct.

Mr. Okum: It's up to the Commission I guess if the outdoor dining would be approved at that size without a canopy or some type of accent to the space, or if Planning Commission would just approve it without the outdoor dining area, or with an outdoor dining area period, and then the rest would be conditional upon Planning Commission's review. That didn't make a lot of sense.

Mr. Rich: We want to do something so we can get the tenant in.

Mr. Okum: Planning Commission would approve an outdoor dining area for this restaurant space that is going to be forty-two by thirty-eight, but any accents or any canopies or fencing would be reviewed by Planning Commission.

Mr. Schupp: In a separate hearing?

Mr. Okum: Separate meeting.

Mr. Rich: Yeah, as long as we can get enough approval to get a permit to begin. We can do that, can't we?

Mr. Okum: Well yeah, because the patio area is just concrete.

Mr. Rich: So you can't, but we can't build the fence or the canopy until you see it?

Mr. Okum: That's pretty much what it amounts to.

Mr. Taylor: You'll be coming back for signage anyway; you could bring the shade and the fencing at that time, if that's okay.

Mr. Rich: Yeah, it's okay. I don't know if we can wait that long for the signage, but as soon as we get it, we'll come back.

Mrs. Harlow: On your revised plan that I got just one glimpse of, there's an outdoor fireplace.

Mr. Rich: Surprise to me as well.

Mrs. Harlow: I think that needs to come back as part of the package.

Mr. Schupp: Absolutely. All exterior elements of the patio will come back to you. Definitely.

Mr. Okum motioned to approve the revision; Mrs. Harlow seconded the motion. The motion was approved with a vote of 7-0.

- C. 15 Acre Site, located on Northwest Boulevard, Springdale, Ohio, Major Change to Preliminary Development Plan/ PUD (Application 31513)

Chairman Darby: Good evening.

Mr. Warnement: Good evening. My name is Patrick Warnement. I'm with the Kleingers Group. We are doing the engineering work for the Pictoria Drive and Northwest Boulevard site. Just a note, Jim White from Ridgeline Property Group who is the developer, had a medical issue and was not able to make it from Indianapolis today, and he apologizes for not being able to be here. I do have Dave Meyer from Kleingers here also, who is our Traffic Engineer, and Burke Byer of Northking, who is the current property owner who would be selling the property to Ridgeline. If you recall, we were here for a concept review previously. Noticeable changes on the plans; you'll see more glass on the elevation per the comments that we received, and much a more robust landscape plan. I think a notable issue from some of the comments that we received was the access point for the truck area on Pictoria Drive. Ridgeline made the extra effort to basically pay us more money to look at similar buildings in the area to try to give everyone some more comfort to know that basically real-world situations of similar buildings in the area, to say how many trucks are we really talking about here, coming in and out on a daily basis? Three buildings: one on Muhlhauser and one in World Park Development in West Chester reported forty-five trucks in twenty-four hours, forty-three trucks in twenty-four hours, and twenty-three trucks in twenty-four hours, so you're looking at anywhere on an average from one to two trucks an hour, so this is not a big two hundred trucks a day type of facility. Not a third-party logistics, not Fed-Ex, UPS; this is very much a warehouse-type building with the architecture basically of an office building. I think you're getting the best of both worlds with fairly low truck volume and a very nice looking building. So as far as making PUD change I understand there's a nice office tower right there, so I mean the exterior elements between landscaping, glass, other architectural features, I think complement the area pretty well, and I hope that the lower truck counts at the existing buildings in the immediate area would help bring everyone some comfort that you're not going to have a really excessive number of trucks entering and exiting every day. One other side note; the offsite drainage from the east that cut through the northern part of the property, we leave that ditch totally intact. No parking, no pavement, nothing, so that offsite drainage is still able to pass through the site without any interruptions. So that was one thing that I wanted to bring up.

Mrs. McBride provided the Staff comments.

Mrs. Harlow and Mar. Hawkins indicated that this would qualify as a major modification; Mr. Warnement was in agreement.

Mr. Taylor and Mr. Shvezda provided Staff comments.

Chairman Darby: Before we go on, I just want to pose a general question. This is not the first time we've looked at this site, and I recall at every meeting previous to this one where we discussed this site, this board and Staff have raised a concern about the size of the building. And since the first concerns were raised about the building being too large, it's gotten larger. What is the rationale behind bringing us something that I think we've evidenced ourselves as not being in favor of?

Mr. Warnement: Understood. It's really driven by economics. I mean basically, for a little background, we do a ton of these types of buildings in Monroe, Northern Kentucky, Cincinnati, all over, and sites like this are very hard to come by that are this close in, that don't have any major issues with wetlands or flood plain or what be it, so this site's highly desirable.

Chairman Darby: But you have some major issues with zoning.

Mr. Warnement: So basically the land value is naturally higher, and to make the economics of the project work, they have to have a certain level of leasable square footage and I mean this building accomplishes that. For comparison's sake, really I'd say I'll put West Chester out as an example. Their open space requirements are only fifteen percent for an industrial property, as opposed to thirty percent here. Not sure if comparing makes any difference or not, but you could put a 325,000 square foot building ballpark on a site in West Chester that's the same size.

Chairman Darby: But is it the case that in West Chester that you're dealing with mostly pristine sites, whereas in this case, your desire is to build and be in harmony with some existing buildings.

Mr. Warnement: It's the same story in West Chester. I mean it's a pristine site in the middle of other buildings, generally. The size of the building really, if it gets hardly any smaller at all the economics bust. There's no other way to put it.

Mr. Okum: I guess this is one of those tough projects that you're trying to fit ten pounds in a five pound sack to make it work economically, and there are other uses surrounding it, that's why it's a PUD – it's a blended site, that are contradiction to this industrial warehouse use, but it could work. The problem is the size of the building, your setbacks are not mitigated, and you're putting a heavy volume of eight trucks per hour or two trucks per hour, whatever it is per hour, that could be tandem, not just single box but could be tandem, that are going to be using Pictoria which is probably the only Class A office space that we have in the City of Springdale, which is the primary driveway to that office space. So we're going to be having a mixed-use in the PUD. Unfortunately, in my opinion, that's just not good planning to force that traffic there. If it were up at the other entrance, you've got a problem with the issue of the driveway that's on the adjacent property, and your turning radius is a limitation. So again, we're at that ten pounds again scenario. I went through Mrs. McBride's conditions, and I can't agree with a number of them that I would want to approve. The eighty-five foot versus one hundred, because there's no mitigation for the eighty-five versus one hundred. It's interesting though; I looked at the site plan and it shows the contours at 710, 707, 705. The building's at 710, but then I go to the architectural rendering that was submitted to us, and we show a mounding element and trees on top the mounding element on the presentation.

Mr. Warnement: Yes, that may not be reflected in the grading. We have excess...

Mr. Okum: Reflecting the grading? You're representing that we're going to have a mounded area separating...

Mr. Warnement: We have excess dirt on this site. There will be mounds anywhere we can get them.

Mr. Okum: But it's not on the site plan that we've been presented.

Mr. Warnement: Understood. We can get it on there in thirty minutes.

Mr. Okum: We don't have mitigation for that distance separation. The parking garage is not a hundred feet off the right-of-way. The parking garage, there was design implemented that went into that parking garage before it became part of the Port Authority, but before it was built to allow that garage to go there. We haven't done that here. So how do we get from point A to point B? One – we're putting commercial industrial traffic, which could be more trucks, depending on what the use is. I mean, let's say it's a distribution facility for Amazon, a distribution facility for Wayfarer, or a distribution facility for eBay, or ...

Mr. Warnement: You don't find buildings this size.

Mr. Okum: I understand. Or Heidelberg, or one of those type of uses for this type of building. You're truck numbers could vary based upon what goes there. So my personal feeling is, why put that truck burden on Pictoria where your primary entrance to your number one Class A office space tenant is in your City, and where we have another site that's for another potentially Class A office building off of that same roadway again. So I don't know how we can get from point A. But getting back, and I read all of your replies, and I appreciate that. It's nice to get replies. It doesn't help because I like those things to be worked out, then a resubmission, then we have not thirty items of eleven items with conditions. But the reduction in open space. The parking layout I don't have a problem with. The landscape plan, I don't have a problem with; Staff can deal with that. Lighting's not a problem. Signage doesn't seem to be a problem. Building material and break of the building, that's an issue.

Mr. Warnement: That's stuff that can be fixed. The break up and all that is easy fixes.

Mr. Okum: But it's a change in material to what's approved in the PUD, so we would have to, as this Commission goes, we would have to make a decision whether a change in material, and I personally don't have a problem with changing material because materials can vary if it's treated right. I guess because this is a PUD, we would need a color palette.

Mr. Warnement: Yeah, that's final PUD type stuff. This is PUD change.

Mr. Okum: So that setback issue is a pretty big item. I think that driveway issue is a major item. Personally I'd like to see the traffic coming in off of Northwest and going out onto Northwest. I wouldn't want them coming in on (Pictoria). I think your office space area going into that office area off of Pictoria would be appropriate, but when you take those trucks and put them on it, I've got a problem with it. So, at this point, I'm not in a position where I'll be voting in favor of this request, but I think it's possible that it will work, but like you said, if every inch of square foot is critical to this development being a go or no go, then that might be a problem.

Mr. Warnement: Understood. Could I respond to one thing?

Mr. Okum: Sure.

Mr. Warnement: The truck traffic from Pictoria, Is it fair to assume that the owner of Pictoria Tower was notified about tonight's meeting? I mean I think their absence says something about that, that if they're not here to make their own case about that, I think it's fair to assume that maybe they aren't concerned with it. The other five acre site for the future tower or office-type development, the owner is here, Mr. Byer, and he doesn't share that same concern, so I think that should enter into the decision.

Mr. Okum: So because somebody doesn't show up, we should abandon planning principles and approve a plan because somebody didn't come and make a comment?

Mr. Warnement: I think they've got the opportunity to, and they aren't here...

Mr. Okum: They do indeed, and that's the rule, but you don't...

Mr. Warnement: ...which means they may not share that same concern, or at least not at the same level.

Mr. Okum: ...but that doesn't mean that you abandon planning principles, does it?

Chairman Darby: Okay, that's pretty much a dead issue.

Mrs. McBride: I just want to clarify for the Commission, because this was not a Zone Map Amendment, this property is already zoned PUD, surrounding property owners were not notified.

Mrs. Harlow: I have a question about the east elevation. You're showing twelve garage doors with a potential for an additional twenty-six.

Mr. Warnement: Correct, based on tenant makeup and that kind of thing.

Mrs. Harlow: Mrs. McBride, does the applicant need to come back into Planning if they decide to institute or use those additional twenty-six garage doors in the future?

Mrs. McBride: That could be a condition that that the Commission could put on there, that they would be approving twelve loading bays, and any addition to that would need to come back to Planning Commission.

Mrs. Harlow: Okay. The traffic studies that you've done with the trucks coming in and out, is that based on the twelve garage doors that you have here, or is that based on the potential of thirty-eight garage doors that you might be using in the future?

Mr. Warnement: I'd have to ask our Traffic Engineer, Dave Meyer.

Mr. Meyer: (Off mic) I don't know that we got a specific...

Chairman Darby: Could you come forward and speak into the mic please?

Mr. Meyer: Good evening. Dave Meyer with the Kleingers Group, Traffic Engineer. We did not count the number of truck bays at the specific sites that we counted. We certainly can do that. We know the sites that we counted, but we did not count them.

Mrs. Harlow: Well the more bays that you have there open and ready to receive or ship materials is going to dictate that there's a lot more trucks coming and going.

Mr. Meyer: Absolutely, yes.

Mrs. Harlow: And I guess that's my concern. I don't really know that I'm satisfied with what we are getting here as what we're going to be getting over there once it's built. I need to know how many garage doors we're going to have, and I need to know that there's not going to be twenty-six more added at a later date.

Mr. Meyer: Just to elaborate a little bit, when we chose the sites to count, we chose sites that were of similar overall building footprint, square footage, and similar depth, because the depth of the building affects operations on what you can do in and out of truck bays and that sort of thing, so that's what we were focused on. We didn't count the number of truck bays.

Mr. Hawkins: I do think this can work. I do have some concerns with regard to obviously the other neighboring offices and what have you. You talked about some mounding, and obviously we have one rendering that shows a significant amount of mounding. Did you have any other discussions with Staff, or did you have any other ideas that haven't been shared with Staff regarding a means in trying to mitigate the size of the building with additional mounding? I notice that you've got a lot of dirt that's going to be over there. Did you guys have any other ideas with regard to how you may mitigate the size of the building?

Mr. Warnement: Really, I mean the mounding on the southeast portion down by where the emergency access to the Avon property is, there's more mounding opportunity there. We have enough dirt to mound to the roof, so we will be doing as much mounding as humanly possible. In the final PUD, you'll see landscape, beautiful looking mounds.

Mr. Hawkins: With the shortfall on the caliper inches, there's an additional opportunity there with possibly planting some more trees, which also can mitigate some of the size of the building. So I think there may be some opportunities there. With regard to the traffic study and the trucks, I know it's not an easy thing moving semis in and out of there. Was there any, is it possible to get them in and out using the entryway on Northwest Boulevard?

Mr. Warnement: We would like to do that. The big issue is these industrial buildings, to be able to lease the building, they want the drivers to be able to look over their right shoulder when they're backing up, which means you have to do this counter-clockwise movement that would come in from Pictoria Drive. If that wasn't pretty much a requirement in order to lease the building, we'd certainly want to look at that, but if they do it in that configuration, the building is going to sit empty, in all reality.

Mr. Byer: Thank you, Mr. Hawkins for your questions, because I don't know how many people here are in manufacturing or transportation, but my family has been in the manufacturing side for one hundred fifteen years, and this particular site I've got a lot of history with because we've owned it since the mid-nineties and developed the rest of the sites where the Tower is and everything else. This one is, I think you said it very well earlier, ten pounds in a five pound sack. It is an interesting analogy. I have some other analogies for it. It sits in an interesting place, and this is where I'm appealing for you to take a look at this from a couple angles. Gregg here and others have seen my face many times. This site finds itself in a very peculiar spot, and we spent a great deal of time and money over the last, let's see - I took over twelve years ago, so about twelve years doing market research, and we went after the highest value use markets, so that's hotels, that's offices, that's medical. All of those specific markets, albeit interesting and potentially very valuable for us, are not at all interested in this site, because this site specifically from its vantage point is looking at the garage on one side, the other warehouse to the north of it, Avon to the east of it, and the other warehouse to the west of it. So they kind of find themselves going, they want the front five on the highway, and everyone agrees that the entire development, and I've even talked to the Papacita Group, says they need some more traffic. They need more traffic. They need more bodies on the site to be interested in developing the last restaurant site. So after all that and market analysis, we decided do we try and really cram something into the five acres, or the fifteen? And after talking to the office group along with many of the other potential buyers in those other markets, they said the fifteen was the valuable acreage to try to and sell. As you mentioned, there's been other people come to the site, and to me, in my business, the market dictates a lot. I've sat with six potential buyers at this point in time, two of which we actually went under contract with, and basically fell victim to issues where they were trying to get something for free. The current potential buyers, Ridgeline here, in my opinion because I work very closely with Springdale here to make sure I understand what is it that fits in the parameters as close as possible, ideally in the current PUD, but not to push the elements too far. After twelve years, I truly come to you and say I've got nothing better. There is, I cannot say I've got anything else coming. If the light industrial warehouse and office, because I'm in the construction space, and also manufacturing. We have a steel mill in Carthage and we have rebar fabrication company and we have metals recycling, and I own two other property companies, and so I move a lot of freight. I move tens of thousands of tons a month, and I'm building warehouses like this all over the Midwest right now, from Michigan to PA. The points of the truck traffic is an interesting point or challenge to the prevailing thought of being on Pictoria Drive. Completely understand. Completely do. The oddity is truly, to his point, everybody wants the driver to look over the left shoulder. It's safer. The drivers backing up to their left, they're totally in the blind to most of the directions, so that's why a very critical safety point for driver to be able to come in off of Northwest and go out at the same location, you find yourself with a challenging little do-si-do

back in that parking lot to get trucks turned around. The other thing I would add is the thought process of how much truck traffic there could be, there are some good examples here or either Amazon or Heidelberg. There's thirty-six docks, and I would implore you to look at the site from the economics of a potential tenant. Those tenants that move high-volume are inter-market businesses. Heidelberg, for example. I'm personal friends with the owners of Heidelberg. I know everything about their real estate and all the different locations. I had them take a look at this site themselves. Not interested at all. The further you are into the urban core, the more expensive it is. The high-traffic stuff, for example, we own four hundred acres up in Warren County. Fed-Ex goes up there. The Amazons go up there. We built DHL/ Fed-Ex in Northern Kentucky. I've built a DHL in Wilmington. All these high-traffic places, they have to be outside of the urban core. You can't be in the urban core and afford to move. It's all about the less you touch, the more you make. Two-hundred fifty thousand square foot albeit not a small structure, is too expensive for anyone that wants to move a lot of widgets. You just don't. You wouldn't economically justify it. You'd rather go an extra fifteen miles up the corridor and do that. The other part is, one of the very dynamic differences in transportation these days is, I can't get a truck driver to go from Florida to Canada. I can barely get a truck driver to go from Florida to Tennessee. Most drivers these days want to be at home in their beds every night, or at least be in their beds upward of three times a week. So one of the very dynamic differences of transportation these days is live-loading is not that possible. It's very expensive when you call a freight broker. You say I'm going to live-load them. The drivers don't want that because that takes up time. They want to pull in, they want to drop a trailer, and they want to grab an empty and leave. So most of the sites these days, they need space because of leaving trailers, and companies need that flexibility because they're loading skus for whatever customers. So the opportunity in the concern is absolutely valid. The ability for high traffic, sure, it could always be there. The market will change. I would just implore you to think about it, because if it's not Ridgeline, I can't say I see a shovel going into that dirt in the near future, and I also ask the Council if you have any advice.

Chairman Darby: I personally really appreciate your comments, and as you were speaking, it caused me to reflect on a few things. One of the things you said was, would you cram something onto five acres? No, but you're cramming something onto the fifteen acres. We operate with our code, because it enables us to make decisions that hopefully aren't going to be shaded by the very real things you just presented to us. We can't be responsible for your business plan. We have to be responsible for the City of Springdale and what has been given to us. Mr. Okum's comments about the bag of sugar has been around here for a long time. We've used it a lot, because that concept is so strong. I hope that this deal can work, but with the current submittal, basically the size of this building and a few other things, I cannot support it.

Mr. Byer: Could you propose what would be the ideal size?

Chairman Darby: As far as the actual square footage? No, I'm not in a position to give that to you, but once that size gets to a point where it eliminates some of these issues, then it would look a lot better.

Mr. Bauer: Again, I echo Dave and Mr. Darby's comments. The big question before us in my mind is traffic and truck, and I'm not in transportation. I'm in construction. I don't get a good feel – I rely on Staff, and I heard every one of them have concerns about the truck traffic and what's it going to do to that area. You guys have not allayed that fear or worry. It's not a fear. It's a worry, concern, of the traffic concerns to the neighboring properties, and that's what concerned me also is the amount of truck traffic. We haven't agreed what that's going to be, but it's going to be an increase from what it is now, and I guess I don't hear you trying to address it or change it from what you had because of the business model that you have or your development. It doesn't sound like economically it can work any other way, so again we're sort of at an impasse. I don't know how to get past it in my view. Again, I'm going to rely on Staff; they're concerned so I'm concerned.

Mrs. Harlow: I think in addition to what you've heard from Mr. Okum and Mr. Bauer, I think my major concern is coming in with a set number of garage doors so that we know what we're approving and we don't have to worry about what might be put onto the building in the future.

Mr. Warnement: I understand. With a speculative building, that's difficult. But I very much understand your perspective.

Mr. Okum: You know, I did Google search before I came to the meeting because I wanted to get a good bird's eye look at it, and what's the property up on Crescentville? GN?

Mr. Warnement: Magic.

Mr. Okum: Magic, or whatever it's called.

Mr. Warnement: And then GE is next to that.

Mr. Okum: And it's been a long time since that building was there, but it appears that their driveway was built for expanding back towards Avon. Have you... I've got it here on my phone, and if you look at it, bring it up on Google Maps, it appears that that roadway, that driveway was designed for expanded use originally.

Mrs. Harlow: Is that the one that's at the very top of the hill?

Mr. Okum: Right. Magic.

Mrs. Harlow: (inaudible, off mic)

Mr. Okum: This is the back side of Magic.

Mr. Byer: That was designed for turn arounds.

Mr. Warnement: That's a turn-around area.

Mr. Okum: That's a turn-around area. Okay. Had you contacted them about possibly doing a common drive access point between properties that would give you the width, would address Mr. Shvegza's turning radius issue at that driveway, and I know you still want the cars going in on Pictoria, but I don't think this Commission is very happy, very comfortable with that issue. I think limiting your garage doors to twelve is a brilliant idea, the only problem is it really takes the value out of your development, and unfortunately you've got to have one of the other, and my feeling is that Northwest Boulevard can accommodate the trucks. It currently has a commercial building on Northwest Boulevard, but you need to get your primary business access for your trucks in off of that street and keep it away from Pictoria. So based upon that, I think that there is still work to be done. I've sat here and I've tried to put together a motion to bring it to the floor, but you've heard the comments from the Commission. Do you want to continue? Do you want to vote this evening, is the first question I'm going to ask you. And if you do, that's fine. I'll make the motion and it will stand on its own, and this Commission will make their determination. Or do you want to go with the comments that you've heard, address those items. I'll be happy to express my feelings. The concrete panels are acceptable, which is in Section 153.255(e)(1), but the rest of 155.255(e) should be adhered to.

Chairman Darby: Mr. Okum, let me interject something here. I think we need to keep in mind that none of the comments made here this evening have not been made by Staff in the past. So I don't think we've come with anything new that's going to cause a bell to go off.

Mr. Okum: No, the reason I'm saying that, Mr. Chairman is if the applicant wants to hear from this Commission items that I can express the feeling of, the issue of the eighty-five versus one hundred foot. If mounding and intense landscaping were done,

that could be mitigated and dealt with . I could visually deal with that. Your architect obviously did. It just wasn't on the site plan. Which is a contradiction obviously if you're reviewing it, because you're seeing one and you're getting the opposite. What do you build by? You can't build by a picture, but you've got to build by what the sight lines are. The other items, the thirty percent versus twenty-six, if you reduce the building down to get that driveway off of Northwest, or you share developed a common access point with Magic or whatever the name is, that might be an answer. That would eliminate the issue that Mr. Shvegza brought up with the one hundred foot on the turn. So that would eliminate that because it would be a shared driveway access.

Mr. Warnement: What if they aren't interested in that?

Mr. Okum: I can't answer that, but I don't think, from what I'm hearing...

Mr. Warnement: That's not been entertained.

Mr. Okum: It's not been entertained. Those things, most of the other things, the landscape plan to reflect Staff comments, I mean everything else is fine except Pictoria Island issue and the access point. And sir, I totally understand that you do a lot of buildings, but the reason for PUD is, PUD is a shared adjustment. It is shared. It's not just one way. It's for both the applicant and the City to be able to give waivers to the setback issues by adjusting mounding and landscaping and so forth. To allow a concrete panel building where our code doesn't approve it for the PUD, but you can still do it with conditions, and those kind of things. So I think we can get there. Sure, the square footage is tough. You know, if the situation were to share driveway access, and I'm not saying it will work, but if it were, they may get a driveway improvement for their business, an enhancement to their property. It may be a win-win for both of you, but I can't tell you that. But right now we're at a quandary where I'm ready to make a motion. I don't see a lot of yesses going that way, so it's up to you if you want...

Mr. Warnement: If we want to table it, I'd like to ask the question as far as the square footage of the building, since it's not really a code thing and it's a perception thing, we've got seven perceptions...

Chairman Darby: In case you're going to ask us what the square footage should be, that can't happen. What you need to do is take the comments that you've received and design something with a square footage that would, I think Dave used the word mitigate, or even eliminate some of those problems that are expressed in the comments that have come from this panel and from the Staff.

Mr. Warnement: Understood. I get that. I just, if we come back and everyone still looks at it and goes, that's too big, then it's another month of delay.

Chairman Darby: But we have a process in place. It's your choice as to...

Mr. Warnement: Understood. I think tabling it's probably the reasonable thing to do.

Mr. Okum moved to table the issue; Mr. Hall seconded the motion. The revision was tabled with a vote of 7-0.

Chairman Darby: We look forward to seeing you next time, guys.

Mr. Ramirez: Is there anything to prevent the applicants from providing more than one concept next time they come in, so like they've stated, coming back multiple times? What if you would come in with option A and option B?

Chairman Darby: Sure, that would be fine if they choose to do so.

Mr. Warnement: Sure. We'll take that into consideration.

Mr. Hawkins: I just wanted to suggest you guys make sure, you're asking a lot of the Commission in terms of a lot of different things, and I think trying to maximize what you can and addressing those issues, you may not be able to address all of them, but putting forth every option you can to try to deal with some of those things will make it more palatable for the Commission in getting this done. I do think it's something that can work, but it's one of those things where you really have to show that you've done everything you can in terms of trying to mitigate the size of the building, what have you. You might not be able to change the square footage, but maybe showing some other places where you can mound, add some caliper inches, I think all that stuff is going to go a long way for you guys.

- D. Pretzel Baron Properties, LLC, 311 Northland Boulevard, Springdale, Ohio, Concept Plan Review (Application 31596)

Chairman Darby: Good evening.

Mr. Gottenbusch: I think you're assuming that I can operate a computer. My name is Gary Gottenbusch. My family owns Servatii Pastry Shop here in Cincinnati. We've been baking since the 1800's. I am a third-generation German-trained master-certified baker, and you all were good enough to allow me to open a bakery in Springdale, and I've enjoyed it. It's been two years. Thank you for that.

Chairman Darby: You're welcome, but I have a few pounds I can blame on you.

Mr. Gottenbusch: Well, we can work it off. We'll have some snow to shovel maybe this winter; we'll be able to take care of that. But thank you for having me here, and I appreciate you having me this late into the evening and including us on the docket, because it really takes a long time. And I understand that we're only reviewing my plans, and I want to see obviously, I need to expedite knowing if this is possible so I don't bother you any further with it. I have full plans and I will... This is Pretzel Baron Properties currently, the building in front of you. So currently the building on the left hand side is existing. This is Northland Boulevard in front, and the new expansion, I'm showing you then entire plan for the expanded property. I was offered actually from a potential competitor, and this is the eleventh hour for them, they have an opportunity to have a building given to them in another state, and they communicated with me and I traveled back and forth to see them, and they match up with what we're doing instead of being a competitor. We could potentially have a national brand launched here from Springdale under the name Pretzel Baron, including retail locations. Over the last two years we've acquired two national contracts with US Foods and Sysco. We're now selling pretzels throughout the entire United States, also supplying Servatii Pastry Shop here in Cincinnati, and this would allow us to go from currently ten employees to one hundred ten employees. The yellow is simply bump-ups on top as far as elevation. It's within current code. And this would be a freezer extension on the back in yellow, to allow trucks to actually back up to a freezer to take fresh-baked flash-frozen pretzels directly to market. However, the entire plan is contingent upon flour silos, here in the front, and I realize that this is not an industrial part of Springdale. The problem is that I can't place the flour silos anywhere in the entire building, because the flow of production is from the front to the back, where the product goes out, and the flour silos, whereas they can be adjusted in height, they cannot be positioned anywhere else. I realize that might be a sticking point, and beyond this I'm not going to propose any of the rest of the construction if I can't get beyond that point. I won't see you over and over again, whereas I hope to, if we can move forward with this. How do I move forward in the progression here? Do I exit out and go back? (talking about slideshow) So this is a front view of the building. So what we were proposing doing was actually putting two flour silos, and by having the silos here, we would actually reduce truck traffic to the facility. We would have less trucks coming in having to deliver flour, obviously. We won't have the flour sacks and the garbage, and some customers won't even accept us using flour sacks. Currently we're using bagged flour, and this will allow us to take the flour and actually pump it directly into the bowls from the silos, and that will give me a more precise mixing method. It's the only way I can actually expand this facility to do the production we need to do out

of here. We were trying to obviously make it look more friendly by putting a sign, which we have no signage currently on the front of the building, by putting a Pretzel Baron sign on the top, and essentially making them look more like posts. The bottom would be fully encased in brick. There will be a brick wall around the exterior, so there will be no exposed piping whatsoever. There will be just round cylinders, and we can paint them whatever color. We can match the color of the building. Obviously we have plenty of trees in front to block, and the top would be, as far as any kind of landscaping that had to be done, but I believe the sign itself would actually break up the lines and make it not look like a silo. That's only my perception, but I just can't move forward without, the deal will not go through without the silos. That's my problem right now, and that's why I come hat in hand and especially after the last people that were in here, I'm not going to beat this to death. It's either yes or no, and I won't bother you again with it. So if you have any questions, or if there are any comments or if there is anything I can add...

Chairman Darby: Before we go there, Mr. Taylor, as much as possible, give us the backstory about this whole thing to help us understand why we're here now with the concept discussion.

Mr. Taylor: Okay. And correct me if I say anything that's incorrect here, Gary.

Mr. Gottenbusch: Correct. We were just trying to not discuss too many names because it's a European company, a German company that's actually trying to purchase, and the major competitor might get very upset about it. A national competitor. It's public record. It's fine.

Chairman Darby: Sure.

Mr. Taylor: So here's how this whole thing kind of came about. Pretty much in the eleventh hour of this company's search for a facility, Gary kind of came upon, well I think they came upon him somewhat by happenstance. He visited their facility in Germany. They came here. They're very excited about what he's doing, and basically he is using...

Mr. Gottenbusch: We're using the same equipment. It's all German equipment I have, as far as manufacturing. And again, you're very welcome all to come visit my facility at any point in time, please. Gregg has come in and seen what we were doing, and there is no bakery like this in the United States. This is state-of-the-art technology, but the beauty of it is, it's like a hand-twisted pretzel, and when I learned in 1983 my master flipped it up in the air, a pretzel, and it landed, and it's the exact same pretzel. It's magic, this machine, and so I borrowed way beyond what I should have to get the facility and to put this equipment in, and this company wants to take the equipment and the people we have, and add a hundred jobs and more equipment and make this the base of their US operations. This will be the headquarters of national operations for the US.

Mr. Taylor: And the reason, you know, well, the reason this came about again, so late in the process, to where other Staff members didn't have an opportunity to do any kind of review on this, is because the acquisition is very time-sensitive, and so they're really kind of up against the wall. They understand that we don't have enough information to actually give them a vote. This isn't a preliminary plan approval. It's a concept, and they understand that if, as the process goes forward, and if Planning Commission approves the plan ultimately, that there's going to be a couple of variances that are going to have to, that BZA is actually going to have to grant as a part of this. So the issue is, there are several of them, and I tried to highlight them in this little report here. The site already doesn't have thirty percent greenspace. It's slightly under. It's going to be reduced a little bit more. It would go down to 27.68%, so that would be a variance that BZA would have to approve if you all believed that it was a good plan. It's currently underparked. It's going to continue to be underparked in terms of our requirement based on the size of the building, however, it is functional based on the actual shift size that they are projecting.

Mr. Gottenbusch: We would never have more than forty employees in the building at the same time.

Mr. Taylor: And then the real issue here is what you all think of the silos facing Northland Boulevard, and the question is, at least in my mind, what can we do to mitigate the appearance of the silos? And it's been suggested that maybe that the footprint of the building be enlarged in such a way that they're enclosed in the building. Obviously that's not what they really want to do. I mean you can see what their proposal is. There would be a building enclosure on the lower portion of the silos. The upper portions would be exposed, and potentially there is some signage or something at the top. The maximum height of the building is thirty-six feet; they are proposed currently at forty-five feet. Again, if you all ultimately approve their plan, it would have to go to BZA to get a waiver on the height of the building. So the real, I think the challenging issue, and it's a make-it or break-it for them, is a) can they have the silos, and then for you all, if you accept that they can have the silos, what do they have to do in order to make that palatable from your opinion?

Mr. Gottenbusch: But I was also trying to show the entirety of the plans so that you knew the extent. It will be a \$20 million investment in the property.

Mr. Okum: Yes, sir. I didn't get your last name.

Mr. Gottenbusch: Gottenbusch.

Mr. Okum: Gottenbusch? Mr. Gottenbusch, I mean the difference between thirty-six feet and forty-five is not a lot. Two questions, I guess I have. I just did, at Regional Planning Commission we approved a concrete block and paver corporation by the name of Unistone in Harrison, and they internalized their silos for their cement mix. Is that not, is it a combustible issue for you?

Mr. Gottenbusch: Part of the problem with the flour silos are for the location, yes. If we put the silos in a different location, they're very small particulates, and we're sending them through a tube, and they do get electric charged. That gives the potential for an explosion, a flour explosion, and that's where the problem, it becomes combustible at that point. You wouldn't think flour could explode, but it does; I've seen it.

Mr. Okum: Yes sir. I'm very familiar with that, yes.

Mr. Gottenbusch: But the, yes the height can be reduced of the silos to the height of the building, however, that would be more flour deliveries. But to speak of putting it inside of the building, they're trying to put four lines inside of the building. The ultimate goal was 100,000 square foot building, and the entirety of this building currently is 75,000 square feet. So, if they were to add on to the front, they would take off more greenspace as well, so the building currently would fit without increasing the footprint outside of the freezer space except for the silos.

Mr. Okum: Do you currently own the building, sir?

Mr. Gottenbusch: Yes.

Mr. Okum: Could you do it with three silos, instead of two?

Mr. Gottenbusch: Three shorter silos? It would increase the cost, but certainly it could be done.

Mr. Okum: So there's a possibility you could deal with the silo...

Mr. Gottenbusch: We are very flexible. As I said, I'm very much hat in hand because I realize you...

Mr. Okum: And the real question I had is, first thing I saw was, how are you going to get your material to it? And I know that it's pushed by air, if it works like the cement powder is, so it's pushed by air from the truck?

Mr. Gottenbusch: Pneumatic. Yes.

Mr. Okum: So will you have lines where the truck hooks up? Because the drawing that we got doesn't really show a place for a truck to pull up to that silo.

Mr. Gottenbusch: It's just a hose. The truck would actually take a hose and stick it into the silo, and then it's pumped, it's vacuumed in.

Mr. Okum: But you don't have a place for that hose.

Mr. Gottenbusch: It would only be a hook up. It would be a small, just like a water outlet. So like a fire hose.

Mr. Okum: How far away does that hook up need to be to the silo?

Mr. Gottenbusch: That's a very good question. I'm not exactly sure about that. Typically very, very close to the silo. You don't want to extend the distance, as I said, because of the electrical charge.

Mr. Okum: And the reason is, is that the only proximity to that silo is the City's Maintenance Garage driveway.

Mr. Gottenbusch: Oh no, no, no, no. We have parking in front of the building.

Mr. Okum: Well, that's for cars, not trucks, so we sort of have to figure this out.

Mr. Gottenbusch: Well it wouldn't be a parking situation; it's unloading. It would be hooking up.

Mr. Okum: Still with the situation that we'd want to... because those parking spaces would probably... because a tractor trailer would have to pull in, and he'd have to back up to that point, and that makes it a little more complex, how it works.

Mr. Gottenbusch: We don't use those parking spaces, and I couldn't foresee those parking spaces. They would be maintained as parking spaces, however, we wouldn't ever use more than forty parking spaces at a time. So we have close to seventy or something there.

Mr. Okum: So if you don't really need all those parking spaces, could they be basically not put in place? I mean we've got latitude on parking to a certain degree, and I would rather see if functionally proper. I'd sort of like to see some sort of façade around the silos so it doesn't look like General Mills. By the way, I saw that on Great Engineering Feats, where they made the first silos, form-fit. Yours are steel, right? These are steel?

Mr. Gottenbusch: I believe they are, yes.

Mr. Okum: And you're showing some type of enclosure around them; is that masonry?

Mr. Gottenbusch: Underneath it was brick actually. We're trying to match the building, and that's where there would be external piping...

Mr. Okum: Inside that?

Mr. Gottenbusch: Above that, the silo is smooth.

Mr. Okum: And I understand the economy of scale, two versus four, but the code, our code does allow for thirty-six versus forty-five. That's not a lot. There are some healthy trees in that vicinity. I would like to see you go to the three and get your quantity, but I'm also concerned about you getting your material to your silos via the truck. Which I don't see it functioning the way it's laid out here.

Mr. Gottenbusch: There are no parking spaces directly on the building, in the front is actually a loading dock. Currently it's a loading dock.

Mr. Okum: Now on this drawing that you gave us...

Mr. Gottenbusch: We would close the loading dock that's currently on the front of the building. We'd seal it. It currently is a loading dock; there was no parking facing the building. The parking is opposite, and there is no access. The entry point is the farthest point from the front door.

Mr. Okum: Yeah, I was just going by this right here, where you've got these parking spaces across the front.

Mr. Gottenbusch: Yeah, but they're on the other side of the parking. I believe they're on the street side and Northland Boulevard side.

Mr. Okum: Right, it's on the Northland Boulevard side.

Mr. Gottenbusch: Correct. But the front door to the building is actually facing the bindery.

Mr. Okum: My thought is if we don't need those parking spaces, then if you gave those up and have a lane to get your tractor trailer in, you're going to increase your open space so that you'll have less impact on open space on the site.

Mr. Gottenbusch: Oh. Perfect.

Mr. Okum: If we don't need all those parking spaces.

Mr. Gottenbusch: We don't need those parking spaces, no.

Mr. Okum: I mean even if you went to forty employees and you look at the parking lot configuration, you could possibly get your forty spaces.

Mr. Gottenbusch: I concur. It had more to do with impending on the current code, that we didn't want to cut down on...

Mr. Okum: I'm just throwing it out. I saw, Mrs. McBride says Mr. Okum, you're taking away my parking spaces! I'm not, I'm just trying to make it work.

Mr. Gottenbusch: I appreciate that very much. I mean, anything, we're happy to work with.

Mrs. McBride: I was just going to suggest, I think that what the applicant is really looking for this evening, and don't let me put words in your mouth, but is a consensus from the Commission, particularly with regards to the silo issue on Northland. And I think that we can sit down with the applicant, and I think that we can make a lot of these things work in terms of loading, and parking, and landscaping, and screening, and all of these different kinds of things, and we'd be happy to do that with them, but I think what they're looking for from the Commission tonight is kind of an up or a down on whole silo issue.

Mr. Okum: So let me finish. So could the silos not be wrapped all the way to the top?

Mr. Gottenbusch: Meaning with a façade?

Mr. Okum: Yes.

Mr. Gottenbusch: Potentially. It could be a tower, potentially we could do that, yes.

Mr. Okum: I mean...

Mr. Gottenbusch: You want to encase the towers.

Mr. Okum: I don't think it all has to be masonry, but I think there's other physical elements that you could use that...

Mr. Gottenbusch: We are completely flexible.

Mr. Okum: And that might hide the round tube part. I don't have a problem with the sign.

Mr. Gottenbusch: Sometimes I try to take something that looks natural and make it just blend, and again, the round tubes look very similar to a post for a sign, so putting a sign on top of it, to me, makes it look like it belongs. It's part of what it's supposed to be. It's more natural.

Mr. Okum: I'll leave that up to the designers.

Mr. Gottenbusch: Exactly. So I'm really not trying to push anyone. The main thing for me is it going to be possible to get it done, and as far as how it's done, yes. We're happy to be very flexible. Smaller, more, I can't lay them sideways. That won't work because (unintelligible).

Chairman Darby: But that sign, the way it is, also makes it look like a billboard.

Mr. Bauer: On the silos, the height would be a concern to me. If you increased the diameter of the tank, can you still stay with two?

Mr. Gottenbusch: Reducing the height would only mean we'd have more frequent truck deliveries.

Mr. Bauer: But I'm saying if you decrease the height but increase the diameter, you still get the same volume.

Mr. Gottenbusch: I'll have to check to see. That would be a custom fit, and I have to see if the cost would be higher. I'm not aware of that. I'm currently not suing flour silos.

Mr. Bauer: Standard type of silo is what you're saying.

Mr. Gottenbusch: I'm sorry?

Mr. Bauer: The silo is a standard size, that's what you're saying?

Mr. Gottenbusch: This is what the industry makes, and anything beyond that would be, again a truckload will not fit, and we'd have to make alterations and have, it would be complicated, but we'd be happy to comply in any way.

Mr. Bauer: I'm not a big proponent of that sign up there either. I thought of a billboard as soon as I saw it. There's many people that could hide those silos, and that's what I'd like to see so as I'm traveling down Northland Boulevard, or anybody's traveling down Northland Boulevard, they don't really notice that there is a silo there. That to me doesn't, I don't mind them being there but I think they ought to be hidden, architecturally if that can be done. Mr. Okum was stating that also.

Mr. Hall: I have a concern about this also, with the height of the sign, and that's the reason that you're here, on a fact-finding mission with this. I took the time out the

last couple of days to go within a mile and a half of our area here to a heavy industrial area where there are silos in front of the buildings. It just absolutely destroys the curb appeal of the building. So you knowing that coming in here, that the silos were going to be ten feet over the building, coming in here, what is your contingency plan to deal with that?

Mr. Gottenbusch: Well, again, we can make the silos shorter. That's certainly a possibility to make them below, so we won't need a variance as far as height. We can make a shorter silo and have less capacity in the silo, and we can look into actually making them wider as well. I guess my main reason in coming in is that I have to come back with some sort of a yes or a no, can we put silos contingent upon further review or better landscaping, or better concealment? Are we allowed to have the silos at that location in order to continue with the rest of the plans, or actually to finish the contract or the other opportunity will be taken.

Mr. Hall: Thanks for your response on that. Like I said, the area where I went to and saw the silos was a heavy industrial area. You're on Northland Boulevard.

Mr. Gottenbusch: I understand and I appreciate that very much.

Mr. Hall: When you first came up and explained that to us, I thought certainly you were going to some type of contingency plan to get it below the building height, something that you were going to have a contingency plan on it that you could introduce to us.

Mr. Gottenbusch: We do have a contingency plan, to bring the silos down to below the restricted height, or to the height of the building. Yes, we can absolutely do that. I'm sorry, Mr. Taylor, I did present those to you at one point. We didn't put this in the proposal here. I apologize about that.

Mr. Hall: And will you be able to maintain the same capacity then?

Mr. Gottenbusch: No.

Mr. Hall: And how will that have an impact on your business?

Mr. Gottenbusch: We would have to have more frequent flour delivery.

Mr. Hall: Okay.

Mr. Hawkins: First off, I'm in support of the concept of having the silos out front. I think we can find a way to make that work, with regard to screening and what have you. In terms of the silos, the size they are right now and that volume, do you have any expectation in terms of the number of deliveries or frequency of deliveries with regard to the flour?

Mr. Gottenbusch: We certainly wouldn't receive, well, as we expand the plant, in full capacity, we would never than one delivery a day. It could be three times a week.

Mr. Hawkins: And if the silos were reduced down to the height of the building and you just kept two opposed to three or four what have you, with that decrease in volume, do you have an idea of how that would increase?

Mr. Gottenbusch: We would certainly have a daily delivery of flour.

Mr. Hawkins: When you say daily, are we talking seven days a week, or five?

Mr. Gottenbusch: Five or six days a week.

Mr. Hawkins: Last, out of curiosity, I remember when we went over the addition of that freezer, was that two years ago?

Mr. Gottenbusch: Yes, it was two years, yeah.

Mrs. Harlow: Being a farm girl, I don't have a problem with your silos, and I thought I would. I would love to be able to see you be able to expand your business. I don't like the sign on the top of the silos. I'd rather see the sign on the building.

Mr. Gottenbusch: We're happy to put the sign on the building. It was, for me, I was just trying to break up the lines and make it more appealing and give another option. But we have currently no sign on the building, I think the sign would look much better on the building.

Mrs. Harlow: I do too.

Mr. Gottenbusch: We have no sign currently, so.

Mrs. Harlow: This is not a residential area, it's not an area where our residents are going to be impacted by having to look at it. Screen it the best we can with some trees. How tall is the bottom screening on that? Like ten feet?

Mr. Gottenbusch: Yes, approximately.

Mrs. Harlow: I think it can be made to look kinda neat, actually.

Mr. Gottenbusch: I think they're beautiful, but again, I appreciate Mr. Hall taking the time to go look at an industrial area. Again, the silos are smooth at the top. They're not, I've been to Procter and Gamble. I've made deliveries in the old facility, and some pipes are freezing in the middle of summer time and it makes me kind of nervous, and gases coming out of some. This is flour, so it's absolutely smooth on top and the bottom part conceals every bit of piping.

Mrs. Harlow: I believe that what you want to do here, in my opinion, and I'm only the one vote, but in my opinion, I believe that this can all be worked out for you, working with Staff and our City Planner.

Mr. Gottenbusch: I appreciate it. It is a very clean industry. Mr. Taylor came in and he was actually surprised how quiet the manufacturing was inside. I've had people come by, friends of mine, and say "I was going to stop in, but I didn't think you were working" because we only had five cars in the parking lot. This will involve hiring also sales people and full office staff. Currently my office in Fairfax is running it. So there will be manufacturing jobs, but I also need engineers. I need maintenance. I need besides line workers, a full office. So this is every level of employment that we're talking about bringing in here. The problem is that I do need something committing, not a commitment, how can I say this? I have to somehow convince these people that we're going to be able to get the silos, and Mr. Taylor may be able to help me. They've given some sort of indication of what they would like to see.

Mr. Taylor: Yes, we received the comfort letter, and I've shown it to Mr. Parham, our City Administrator. He's not 100% on board with exactly what it said, but he has reworked it.

Mr. Gottenbusch: Well, they're German, so.

Mr. Taylor: And I would say, and believe me, I don't want to speak for the Commission, but it would seem that the idea of the silos, per se, is not a problem. I still think there, if Planning Commission could come to somewhat of a consensus as to what we actually see, I think that would be very helpful going forward, whether, as Mr. Bauer suggests, possibly they're enclosed in something or as Mrs. Harlow said, she likes the silos. I mean I there a way to kind of home in on what you all would prefer to see in terms of the consistency with Northland Boulevard?

Mr. Ramirez: Just so you know, I know you're trying to get a feel for what everybody thinks and how they would perceive or vote going forward, I would be in favor of the

silos as long as we could keep it at that thirty-six foot range. And I would not even be opposed if you had to add a third, and I also believe there are some decorative ways that those could be painted to minimize them sticking out like a sore thumb. Not too fond of that sign though. I think that would draw attention to the silos. Just my opinions.

Mr. Okum: Yes, I think you've heard pretty much positive comments. I just did Google, and silos come in a variety of widths, diameter, so you can get a bunch of different sizes. This is dry corn, ground corn, right?

Mr. Gottenbusch: This is wheat. But the diameter of the silo the volume of the silo, the height is not an issue. We certainly can reduce the height.

Mr. Okum: They had a whole bunch of diameters for silos. The red brick is going to be almost an impossibility to match; it's going to be really hard. You're going to have those extensions out of the roof that are going to be exposed to the street, and you're probably going to wrap those with an EIFS or a synthetic plaster. Possibly just do the wrap on the silo section with the same material, so you get continuity of a break in your façade. Might be an option to do instead of, there's a lot of reasons for that, design and engineering wise. Macy's just did a facelift on their building using EIFS and metal framing, and it's much more efficient. Doesn't require the structure that you need to do a masonry element. You've got fire safety and all that stuff. Because there are residences behind your property, if you had come to use and said I want to put the silos on the back, I'd probably be less comfortable with the silos on the back because, God forbid it ever happen, I work in the restoration industry, I would hate for a silo fire to occur, but you know in all the precautions and everything you do the front is probably the best place. If it could be internalized to the parking area, fine, but I think you can wrap them and eliminate it. I agree with all of the comments in regards to signage. You need signage on the building; don't have a problem with it, but like I said, I deal with masonry all the time on mach. It's almost an impossibility to match, and usually when you come close, it's not good enough. You're better off not matching, so you've got those protrusions that you're showing on your roof anyway. You're going to wrap those with something, so carrying your finish, giving it some dynamics that ties to that.

Mr. Gottenbusch: And we're happy to do anything. Those are to me minor details that we can absolutely do. I'm just trying to get the entire plan out there so that you see that I'm not going to pick away, pick away, and say now I need another 10,000 square feet.

Chairman Darby: Lower the height, get rid of the billboard, put it on the building, and some kind of creative covering, and you've got me.

Mr. Gottenbusch: Okay. Thank you very much. Thanks for your time, and I really appreciate it. It's way past my bedtime.

Mr. Okum: We've had meeting here until three and four in the morning, so you're early.

Mr. Gottenbusch: I'll come by on my way to work. I'll bring donuts.

IX. DISCUSSION

Mr. Ramirez: How are we doing on the Sheraton?

Mrs. Harlow: I'm sorry, on the Sheraton? Mr. Parham gave us an update on that in one of our meetings, and they are working through the attorneys to get O'Rourke back to the table so that we can get a date when they'll be bringing their equipment out to the site again.

Chairman Darby: For the asbestos, or...?

Mrs. Harlow: No, the asbestos is all done.

Chairman Darby: Oh, okay.

Mrs. Harlow: The asbestos is done. We're ready to go with a wrecking ball as soon as O'Rourke can get their equipment back out here. They're going to take it down with a wrecking ball, so we can all go over to Showcase Cinemas and park and watch it.

Mrs. McBride: Actually I just want to let the Commission know, so you're not surprised next month, that there probably will be a few more Text Amendments for the zoning code, specifically some of you may have heard about the small cell towers and we are putting some legislation in for your consideration next month on how to regulate those. Also when the new code was adopted, we used the existing code as a base in terms of permitted uses and so forth. A number of years ago, Commission and the Council adopted a recommendation to add food processing to the SS service district, specifically for Servatii's when they went in. American Publishing did not add that to the zoning code, so it was not included in the new zoning code because it wasn't in the old zoning code. We repealed the old code and adopted the new code, so we're going to be adding that back in, which was the intent initially. And then also, a text amendment that's going to better define the fact that razor barb wire is not permitted anywhere in the City, not as part of fencing, not as a part of a building, not permitted. So those are three amendments that will be coming to you.

Mr. Okum: Is that the result of the one that hasn't been removed yet?

Mrs. McBride: Yeah, my understanding is that we were successful in the court case, however, the judge did indicate that the code specifically says that you can't have razor bar wire fencing. The fact that this isn't a fence into the ground, they suggested that we might want to clean that up in our code.

Mrs. Harlow: How long do they have to do that?

Mrs. McBride: Obviously have the ability to appeal that.

Mr. Taylor: They have sixty days to remove, and they also have appeal rights, which would, if they do in fact appeal it would delay the sixty days. The sixty days would be like on a hiatus while they go through the appeal process.

Mrs. Harlow: I remembered at the time the reason they put that up there, but I don't remember what it was.

Mr. Taylor: The HVAC units were vandalized, and copper was stolen.

Chairman Darby: Beef O'Brady's the sign is down. What's...

Mrs. Russell: We don't know much about it, but we know that it has been taken back by the bank, and that they relieved the broker who was marketing it of his contract. We do not yet know whether they are going to be listing it with another broker, already have a user that they're working with, so we're going to be contacting them to learn more.

Mr. Hawkins: Do we need to add overhead operating door to our garage definition so we don't have a situation like BZA had a couple years ago?

Mrs. McBride: We can certainly look at doing that.

Mr. Hawkins: I appreciate it.

Mr. Okum: Considering we had it as a building element tonight.

Mrs. Harlow: What did he call that? Upward acting door.

Mr. Okum: Any word on BJ's out lot? Any word on Kohl's?

X. CHAIRMAN'S REPORT - None.

XI. ADJOURNMENT

Chairman Darby: We will accept a motion to adjourn.

Mrs. Harlow moved to adjourn. Mr. Hall seconded the motion and the City of Springdale Planning Commission meeting concluded at 9:14 p.m.

Respectfully submitted,

_____, 2017 _____
Don Darby, Chairman

_____, 2017 _____
Richard Bauer, Secretary