

PLANNING COMMISSION MEETING

January 8, 2013

7:00 P.M.

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: Carolyn Ghantous, David Okum, Richard Bauer, Tom Vanover, Robert Diehl and Don Darby

Members Absent: Marge Boice

Others Present: Anne McBride, City Planner; Don Shvegza, City Engineer; William McErlane, Building Official

III. NOMINATIONS FOR PLANNING COMMISSION

Chairman Darby: Even though it is not on the agenda, I think it is appropriate that we have nominations for Chair, Vice-Chair and Secretary for the upcoming year.

Mr. Okum: I believe that is correct, Mr. Chairman.

Chairman Darby: At this time, I will entertain nominations for the position for Chair.

Mr. Okum: Mr. Chairman, with pleasure I nominate Mr. Donald Darby to Chair. (Mr. Vanover seconded the nomination and with no additional nominations brought forward, Mrs. Boice being absent, Don Darby was approved for the position of Chairman for the Springdale Planning Commission.)

Chairman Darby: Thank you very much.
At this time, we will accept nominations for the position of Vice-Chair.

Mr. Vanover: Mr. Chairman, I would like to bring forth Dave Okum's name for Vice-Chair.
(Mr. Diehl seconded the nomination and with no other nominations brought forward, and with six "aye" votes, Mr. Okum was appointed for the Vice-Chair position to the Springdale Planning Commission.)

Chairman Darby: At this time, we will accept nominations for the position of Secretary.

Mr. Vanover: Mr. Chairman, I would like to bring forth Mr. Richard Bauer's name as Secretary if he is willing to continue.
(Mr. Okum seconded the nomination and with no other nominations brought forward, and with six "aye" votes, Mr. Bauer was appointed for the Secretary position to the Springdale Planning Commission.)

IV. MINUTES OF THE REGULAR MEETING OF DECEMBER 11, 2012

(Mr. Okum moved to adopt the minutes of the December 11, 2012 Planning Commission Meeting; Mr. Vanover seconded the motion and with six "aye" votes from the Planning Commission Members present, the minutes were approved as written.)

V. REPORT ON COUNCIL

(No report presented for Council.)

VI. CORRESPONDENCE

Chairman Darby: There is no correspondence, so we can move on to the meeting.

VII. OLD BUSINESS

- A. Chairman Darby: The first item is a Variance Request from the Tree Preservation Ordinance, The Vineyard Community Church at 11340 Century Circle East.

Mr. Garry Shirk: I am the Executive Pastor at the Vineyard Community Church. (Mr. Jim Cochran was unable to make it to the meeting due to a death in his family.) One of the things that was clear from our last meeting was that we were directed to work with your Staff to come to a reasonable solution to some of the different opinions that were surfacing. We have done that with Anne and Bill and some of our staff. We would be glad to replace our request with this agreed upon recommendation from Staff, if that is o.k. with you. If there was any exception it would be that the 12 month planting period could be 18 months to give us two Springs to plant.

(At this time Mr. McErlane read his Staff comments.)

Mr. Okum: I just have one question with regards to future potential expansion; if there was expansion to your existing facilities would it be where the chapel is or would it be for the accessory building areas?

Mr. Garry Shirk: The two areas of expansion are really beyond the Children's Area toward the pond between that building. There are two building pads, between the pond and the Children's area and between the very back of that main building and the driveway.

Mr. Okum: So there are no trees in that area now?

Mr. Gerry Shirk: There are no trees in that area; there are probably only a couple in the Children's area. What looks like from the aerial view, a flat hill, is a mound of dirt that we are slowly excavating away and eventually if that other expansion occurs, that would be for additional parking and there are no trees there. There is really no room for expansion around the chapel.

Mr. Okum: The 2" crabapples are those scraggly or will they ultimately be a fairly large tree at some time; or are they maxed out at 8"?

Ms. McBride: It is not a huge tree, it is an ornamental tree but I think if it is properly maintained it will not be a scraggly tree.

Mr. Okum: I would like to move that we approve the tree replanting plan as modified and agreed to by Staff to the adjusted sizes with Vineyard of Cincinnati as a replacement for their requirement that they are currently held to.

(Mr. Vanover seconded the motion and with six "aye" votes the request was approved.)

Mr. Garry Shirk: Is that at the twelve months?

Chairman Darby: Eighteen months, as adjusted by Staff.

- B. Chairman Darby: The next item under Old Business, Minor Revisions to the Approved PUD Transition District Development Plan, McDonald's,

11723 Princeton Pike.

Ms. Etta Reed: I am with Bayer Becker. I brought some other individuals with me tonight that can help with some of the items that came up at the last meeting. With me tonight is Jon Barnard from McDonald's, and Ray Riska, who is with the construction Department of McDonald's and then we have Cynthia Booth who will be the owner / operator of this location.

After the last meeting we did meet with Staff and we did hear all of your concerns and we did make some changes to the plan and we have resubmitted that to Staff for review. Some of the changes that we made is we had prepared a traffic control plan because I know circulation for this site and the whole safety issue was a concern. At Princeton Pike, Francis Lane and the access drive from Center, we added a number of signs to help direct the customer into the site, as well as some pavement arrows on the site to let the customer know where he can go and cannot go. We received the Staff comments and we didn't have any problems with modifying the signage and the striping. Regarding the south access point and the north access point; we did come in and looked at maneuverability for both our delivery trucks and our trash pick-up. We were able to extend this island some to help reduce the drive width. It is still at 24' but we were able to provide more green space here and more landscaping island. Another item that we addressed was the stacking of the drive-through. There was much discussion with regards to vehicles backing up and blocking these parking spaces. We have spoken with the delivery company and this store's deliveries will occur late evening to early morning hours, so it will not be during the peak hours. We did eliminate one parking space and we widened this additional parking space next to the handicap space; the purpose for that is so that the deliveries, when they do come, they have a place to maneuver and deliver and come up to the side double doors. It could serve as a parking space during non-delivery hours and then in the evening and early morning hours it would serve as a maneuver spot for the delivery vehicles. We are still working with the delivery company because they do have some concerns due to the distance from these doors. The delivery driver must unload from the semi-trucks and he has to push all the deliveries on a cart so we are trying to shorten his path. We originally wanted to have a large green space here dissected with a path but we are working with them now to see what we can do to work this out with the delivery company. With the holidays, we just ran out of time. Another item that we addressed was the buffer yards. Code requires 10' of buffer yards on the north, the south, and the east property lines. Previously we had 7' on the north, 8.65 on the south and 5' on the east. We felt that Jared's, to the south of us, that we wanted to buffer the north access point more because that is what most of the community is going to see and be able to appreciate the landscaping versus the back of Jared's. What we have done is taken 3' out of the buffer yard to make the south buffer yard 5.64', so the buffer yard on the north will be 10' to meet code. We also went through and beefed up the landscaping on all three sides to help meet code. If you are looking at the landscaping that we are adding elsewhere on the site, we clearly have more trees and shrubbery than is required total for this site. Furthermore, Cynthia has done a lot of landscaping at her other facilities and she has already agreed to beef up the landscaping around the building with flowers. She will also be adding irrigation throughout; it is just not shown on this plan. Another item we changed is the monument sign. In your packet you should have seen that we removed the electronic message board; it is now going to be a static message. We did not change the height but we did change the location. If you remember the last time we were here we had it more centralized in the parking lot; what we have done is moved it down to just north of our south access on the Princeton Pike and added landscaping around it and that will give us some spacing from the Princeton Bowl sign. It will be located 5' from the right of way.

Another change we made was to the dumpster enclosure. We had removed several feet off of the width of the dumpster enclosure. Previously there was a bump out here so the employee could push the trash out and walk in like a side door. Now we are going to have the employees open the gates to dump into the dumpster. That gave us an opportunity to provide more landscaping here. I know that Staff was concerned because some of the plants that we proposed would not grow tall enough to hide the structure. The structure would be constructed of brick that matches the building, so it is aesthetically pleasing. One of the reasons that McDonald's does

not like to have large plantings next to their dumpster enclosures is for the safety of their employees; it is very easy for someone to hide in large plantings. There are a number of Staff comments that we have not addressed. The north access point; we had a lot of discussion about narrowing that up. As we mentioned that we need that for delivery but also McDonald's is concerned about customers exiting. If we narrow it up it would be one lane exiting. Right now at 24' we would have individuals wanting to turn left and individuals wanting to turn right out of there, side by side. So when traffic from the center backed up on the service drive, if someone wants to waive you out so that you can go right or left, they can and then one person is not holding every one up in back of them. We are asking to keep that at 24' wide access point. Staff did mention the lighting; we have no problem keeping them bronze fixtures. The last item that came up at the last meeting was the building materials and the building elevations. I am going to ask Ray Riska to comment about the materials.

Mr. Ray Riska: There was a question about the brick and what color brick we are going to use, we are using both colored bricks (visual demonstration of samples were presented). If you look at the drive-through side, there are some dark inlays to break up the wall.

Chairman Darby: What is that color?

Ms. Etta Reed: It is Midland blend A and Rubigo Red Velour.

Chairman Darby: Is that the color that is on the new facility in Sharonville?

Mr. Ray Riska: No; that is a Chocolate. This color is probably closer to what is over at the Kings Island restaurant. (Mr. Riska used visual displays to point out where stone siding would be placed.) There was some discussion, at the last meeting, to include the stone on the drive-through side. Architecturally it doesn't work; our corporate architect is very concerned about the way the arcade looks because this is a new look for McDonald's. The stone is called Ledger Stone Southwest Blend, and he said he doesn't see anyway to make it work. The trim on top is of this material (Mr. Riska demonstrated by sample a specific material) grey metal-era; it doesn't peel. That basically goes around the building at the top.

Ms. Etta Reed: At this time I think Cynthia Booth, owner / operator would like to say a few words.

Ms. Cynthia Booth: I would just like to thank you for the opportunity to present our plan to you tonight and we look forward to being part of the Springdale Community. We are very much community partners, so in addition to operating a business in Springdale, you will also find that we will be looking for ways to partner with this community to continue to build economically this community and hire people that live here. We work very closely with schools, we are a big advocate of hiring young people but also we are a big advocate of hiring adults, as well. We look forward to being your partner and we look forward to bringing this beautiful building to your community and we look forward to working with you over the next few months as we hopefully break ground. We are here to be your partner and we are here to serve your community and to be a good corporate citizen.

Chairman Darby: I am familiar with some of the works you do with some of the other stores. I will tell Princeton that you are here.

Ms. Cynthia Booth: Thank you very much.

(At this time Mr. McErlane, Ms. McBride and Mr. Shvegzda read their Staff reports.)

Mr. Okum: Mr. Shvegzda, the one thing I find difficult with drive-lane markings is when it is raining or dark, even with a lit parking lot, you still have a tendency to not see those drive markings. Would it be better if they are going to use that

method that they go to reflective tape; I am not talking parking lanes or parking isles?

Mr. Ray Riska: Our experience is that they haven't held up, with the turning of the cars, we have experimented with different markings on the pavement but the problem is that everybody drives between the lanes and in McDonald land they don't. We doubled the state's specifications, special materials; it either got pushed off or peeled off.

Mr. Shvegza: The two options that are utilized on the roadway are essentially when you paint you add glass beads to the paint that reflect it up. In the normal course of having to repaint, then you would redo the glass beads. The other option that is utilized is the thermoplastic pavement markings that are melted into the pavement. Those are options.

Mr. Okum: I am particularly concerned about the Northwest drive exit. I personally have a problem with two cars turning at the same time; one left and one right because one guy is blind to the other guys left. Having the opportunity for two cars exiting simultaneously there without it being a signalized exit, I find it a safety issue. You are saying 24' and Staff is saying 17' works; we said 26' in our motion, so what will really work? People learn by practice, but there are people that will probably see a sign on the expressway that there is a McDonald's at this exit. My navigation shows that there is a McDonald's at this exit and that is less than 1/8th of a mile from the interstate exchange; so people getting off will not be familiar with that. I am looking for you to make a suggestion of what would work and Staff to come back with something that would work. Twenty four feet I don't particularly like but I think we can hit a happy medium, maybe 20', that would make it more of a narrow opening and then if we do go to an arrow marking that is more durable than painted on lines that do wear off. In regards to the stacking lanes, I went online and McDonald's is probably the easiest company to look at and see what they are doing elsewhere. I did find that there are a number of developments that do only have the two handicap spots and a big area for handicap people to get out and get into. I like the idea of having the handicap person, or a senior person with disabilities having the access right next to the building; I don't want them walking across the parking lot to get in. Those two handicap spots, I think, are necessary. I can walk but there are other people who can't. I did notice on one of the drawings it did show an exposed foundation on the back right side of the building, is there going to be an exposed foundation on this or does the brick carry all the way down to the curb?

Mr. Ray Riska: It carries all the way down to the curb. There is a curb against the building, it is not an exposed foundation, we call it 6 X 18 curb.

Mr. Okum: So, that is the only foundation is the 6 X 18?

Mr. Ray Riska: You can see the curb that goes right along, it gets extended all the way through.

Mr. Okum: And the brick sets on that or basically ledgers back behind the curb?

Mr. Ray Riska: Yes.

Mr. Okum: On the landscape plan, I had to check with Ms. McBride; the landscape plan has dots but I couldn't find the legend to say that the dots were grass, so she assured me that all of your dots are grass.

Ms. Etta Reed: Correct. If it is not a hard surface, it will be landscaped.

Mr. Okum: I just want to make it clear because this is a little hard to read and there is probably something on that small print that says that the dots are grass.

Ms. Etta Reed: There is not a legend; no, but that will be grass.

Mr. Okum: The dotted area is grass. In regards to the stone; I was the one that brought the stone comment up regarding the left elevation or the south elevation because you do see probably back to that stone monument or the transition and I wanted to get some break in that. I don't disagree with your architect, I am not an architect but there are other McDonald's that have a stone 3' skirt wall on the whole building and I wouldn't want to encourage that either. You are right, in the drive-through areas you are not going to see that because Jared's is going to block that. Basically, what you are looking at through that glass is the entryway and I guess that is drywall and wallpaper. I was just asking for something on there to give it more character and I felt that stone on that side would certainly help.

Mr. Ray Riska: I will ask again. And I am serious; he may come back and say "No, kill the site". I am very serious.

Mr. Okum: But on Cornell they did put the stone skirt.

Mr. Ray Riska: No, at Cornell Road it was there existing. If you look at the new restaurants, none that I know of have stone skirts.

Mr. Okum: I got this off of the internet (demonstrating a copy of another McDonald's location) and it shows a stone application 3' up; and that is a lot for that and I wouldn't want to encourage that for the whole site. This location is called 2051, whatever that means.

Mr. Jon Barnard: Do you know what state it is in? Possibly, Wisconsin?

Mr. Okum: Wisconsin.

Mr. Ray Riska: That is called a major remodel; where they take an existing building and they change the façade. As far as I know they have never done that with a new building.

Mr. Okum: I just saw that and I don't believe that was a redo, I think it was relocation. I am open to suggestions on it. I am not hard on it. I just think that side is an exposure and it needs to be given that softness that you were giving your other side on the north side. I am just one opinion. You have clear view of everything back to the drive-through window going northbound. Because of the setback of the building and the placement it will be visible. It is not really a blind side. Jared's does block a lot and it is going to block where the cars are, at back there. I have one other question; Mr. Shvegza, in regards to the switching position, I went to the Fairfield location and negotiated that left, that double merging exit, and do you have another solution to that?

Ms. Etta Reed: That is pretty standard in a lot of McDonald's restaurants. If you think about it you have the drive-through lane and cars coming around; these two cars have to be aware of the other person no matter what you do, a stripe or not.

Mr. Okum: When they have an order and have to get people out of the drive-through lane, where are those two spots?

(Mr. Ray Riska demonstrated on the drawing where those areas would be.)

Mr. Bauer: I wanted to give my thoughts on some of the things that you have proposed tonight. The drive lane exiting out; I echo Mr. Okum's comments about trying to narrow that down from the 24'; anytime that you have two people trying to exit at the same spot there always seems to be an SUV and you are unable to see anything until they leave. I would like to see that narrowed, whether Staff's number is the correct number, I would defer to them because they have more knowledge of that than I do. In regards to the handicap spots, I would like to see them stay. I agree with Ms. McBride's comment on that other space; I would like to see that eliminated but still have a way to access the deliveries and to be able to add some landscaping in that area. We talked about the deliveries being late evening, is that between 10:00 p.m. and 6:00 a.m.?

Mr. Jon Barnard: We spoke with them on the phone and they said it would be during the night.

Mr. Bauer: I like the changes you made to the taller sign out in front; to move it down away from the Princeton Bowl sign. I am still not a fan of the high 13'; I would still prefer to see that static message board not there and lower the sign. I know it only lowers it 2' but it does bring it down. That is not a "stop" for me but just my opinion.

Mr. Vanover: The "penthouse" walls, are those rigid wall or is that a slatted screening?

Mr. Ray Riska: It is rigid.

Mr. Vanover: What is the treatment on it, the materials?

Mr. Ray Riska: The treatment on it is a material like this (Mr. Riska demonstrates with a sample). This is at the top.

Mr. Vanover: The cap. It looks like it is slatted, like a hardy board or a plank.

Mr. Ray Riska: No, that is actually a metal piece.

Mr. Vanover: The solid, I think long term in my mind, is a better issue than the slatted because of usability and cost. I sympathize in dealing with architects because I have dealt with them. Switches should be available in any color that they so deem desirable. On the elevations that we have here for the drive-through elevation the darker brick stops on the backside of the parapet, how difficult would it be where it looks like there are three lateral sections to maybe continue that to give it a color break?

Mr. Ray Riska: Yeah, I will ask them. My hands are tied on a lot of items.

Mr. Vanover: I understand.

Chairman Darby: Does the Staff have any comments based on the conversations?

Mr. Shvegza: Just a quick question on the Commission's concern for the width of the north drive. I heard a concern was allowing a side by side traffic to come up to turn left and right; is that true?

Mr. Okum: That is my concern.

Chairman Darby: What is your experience with that at the other shops?

Mr. Ray Riska: We haven't had a problem. Most restaurants around here have that type of situation of two lanes coming out.

Ms. Cynthia Booth: I would also say that our customers, years ago, were only used to a single lane drive-through. The reason that we have double lane drive-through is to allow our customers to get into our restaurants and out more quickly. It allows us to increase our capacity. You would be amazed at how our customers adapt and learn the process. When they continue to move around the country, Wisconsin, Ohio or wherever they are, these double-lane drive-throughs are more prevalent than not. They understand how it flows and I have double-lane drive-through and I have not had one problem with the customers understanding it. The signage is really pretty good; it helps them understand how to move through that double lane drive-through and then turn appropriately.

Mr. Ray Riska: Even the one-way traffic for everyone that goes into a McDonald's; I don't know if you have seen two-way traffic, I know I haven't.

Mr. Vanover: In Fairfield on Boymel, you come in and there is a curb cut at the back corner.

Mr. Okum: You don't even want to talk about that area back there, it is awful.

Mr. Vanover: Exactly. On the back corner, it is an access drive coming off of Boymel.

Mr. Okum: It shares access.

Chairman Darby: So, where are we now?

Mr. Ray Riska: One of the things on the list is the deliveries. I have brought photographs of a truck and how they maneuver the cart. (At this time Mr. Riska distributed copies of a photos demonstrating a delivery truck.) So, as you can see that is one of our trucks and there is a lift on the side and you have a lift in the rear; most everything comes out of the side entrance. They basically take everything out of the side; now that is why we have this space, it is a staging area for the truck. If you want to stripe that and put "No Parking", we are fine with that. I get concerned that it is too small. You could stripe that out and put "No parking". You will still have to figure out how to get the carts up the curb and over. It seems like you could do more and nicer things with a wider landscape area.

Mr. Okum: What if those handicap spots were van accessible spaces instead of standard spaces. Just overly sized parking spaces, like 12' or 14' wide, then you could do a partial striped side and still expand the landscaping a little bit and get rid of that one spot as a parking spot. I don't want to see it all striped out as a striped area. You can have stripes on both sides of the handicap accessible location and then that way they would have a little bit more space. They are delivering at off hours anyway; it is going to be late at night until early in the morning. They can utilize that handicap spot just as easily in those off hours as they can use a parking space so why create a parking space designated. The site that I gave you the other drawing on, did not have that, it had two handicap spaces already.

Mr. Ray Riska: But they don't have a curb.

Mr. Okum: No, I am talking about the site plan that I gave you that had two handicap spaces next to the building and no single use access and they seem to make it work. I am saying that you could use a handicap space for your staging and offloading for those off hours. I am talking about the plan that shows two large handicap spaces.

Mr. Ray Riska: But there is no curbing or landscaping here. I think all of that is striped.

Mr. Okum: I don't believe so.

Mr. Ray Riska: I think that is striped out. I don't think there is any parking there at all but I don't think it is landscaping and curbs.

Mr. Okum: So, if you had a sloped area off of the handicapped spot because obviously that rack has to roll up it, and you had a walkway from there that went up against the building and went to the doorway; you could not make that work?

Mr. Ray Riska: I am not sure what you are talking about.

Mr. Okum: I don't want to design it for you. If you widened up these two 9' spaces and eliminate this space here, as Staff has recommended, can't they roll their racks on that sidewalk?

Mr. Ray Riska: The way that this is laid out, you can't get the truck close enough to have that side ramp drop on there.

Mr. Okum: He is going to unload into a parking space; he is not going to do that onto a sidewalk. So, why not unload into a handicap spot; it will be 10:00 p.m. until 6:00 a.m. and then he has a complete 6' sidewalk? Certainly you can roll that back on that sidewalk.

Mr. Ray Riska: From the rear of that truck, you have to be a certain distance from here to unload. I can probably have that next time we come back here for this.

Mr. Okum: We don't want you to have to. We just want it to work out. If you can eliminate that parking space like Staff has recommended, then widen the handicap spaces out a little bit to 10' or 11', if you have to, and then still increase the landscaped area. You still have a huge sidewalk to stage and roll your material in; you have 10:00 p.m. in the evening until 6:00 a.m. in the morning and it works.

Chairman Darby: I would like to add before I call on Mr. Bauer, with the assurance of delivery times this issue has really lessened, as far as being an issue, in my opinion.

Mr. Bauer: I think Mr. Okum answered my question; the vision for the delivery truck is to pull into the drive-through lane? Initially I was thinking it was going to be out in that drive lane a little further, so I agree with Mr. Okum.

Mr. Ray Riska: Well, gentlemen I can see what I can work out. If he can't get food into the restaurant, then he can't get food into the restaurant. I am serious about this.

Mr. Okum: And I understand. Let's ask the operator, Mr. Chairman, if she can get food into the restaurant if they are unloading into a handicap space.

Ms. Cynthia Booth: It is 10:00 p.m. until 6:00 a.m.; the number of customers on that lot at that time will be minimal. We will be a 24 hour restaurant, 7 days a week. We specifically asked for that delivery time so that we would not have any issues. When that truck pulls on the lot we will have a maintenance person standing there with a manager to help that truck driver get that product off. Whether we are blocking a handicap space or some other space they only have a certain amount of time to get it off the truck and into the restaurant. All they are doing is pushing it in; once it gets in, it is our job to unload it and put it in its proper space. I can get it into the restaurant based on what you have just described. But I do believe quite frankly, and no disrespect, that it is a non-issue because we will have that truck on that lot when there are minimal customers. The likelihood is that truck may roll on that lot at 2:00 a.m. and there are not many people, even though we are a 24 hour restaurant. We won't be busy at 2:00 a.m. in the morning and it takes about 30 minutes to get a truck unloaded depending on the size of the truck. We get three deliveries a week. We do that so that the amount of product that we have to bring in. We won't have a truck driver sitting on our lot for an hour and a half trying to get all this product. Three times a week it is going to roll on our lot and we are monitoring how much product we have to have in that restaurant in order to serve the needs of our customers. They are on and they are off, and they have a window of how much time they can be on that lot. Quite frankly, by 5:00 a.m. they should not be on the lot because our restaurants begin to open up the lobby and no truck should be on the lot at that time.

Mr. Vanover: The lift gate on the side, does that have a "snorkel" that it can project out.

(Applicant indicated a negative head shake).

Mr. Vanover: No; so it is just up and down. If you are going to be unloading into a handicap space or close by, obviously then we have an ADA curbing in place, a depression that you can roll on. I spent five or six years in a grocery store business and goods come out of the back of a truck and they were all on big carts. They come in usually near closing but then we were there all night stocking because it is easier to stock it without customers running through and that way when your

business starts cranking up you have it placed. To me, this really is a non-issue because I think if we have a depression of the curb for the ADA ramp, then we widen it out a little bit to facilitate.

Mr. Ray Riska: We can look at it; either we can do it or we can't. And the reason I say that is because of the location of the ramp. If you look at where the ramp is, and that is great, it works with this entrance. Like Cynthia says, the truck has got to be there and out and also the length from the tank to the truck has got to be 75'.

Ms. Cynthia Booth: The product that is on these carts is shrink-wrapped and that is to allow the truck driver to get the product in and move on. It used to be that every box came down; that is old and gone. It is now on these carts, shrink-wrapped; it comes down the carts, comes in and we take the shrink-wrap off and then off they go. They are on a time and their dispatcher is watching them to make sure they are on and off because they have to get to the next restaurant. The goal is not to cause any hazard for the customer to block the handicap stall. If we have a handicap person that is blocking that stall at that time the truck will adjust. There is always a management person in that restaurant and a maintenance person in that restaurant.

Mr. McErlane: It looks to me like, based on the grading plan, you really don't have a handicap ramp. Your curb is at pavement level across that entire width.

Ms. Etta Reed: Slight revisions are going to be made because of the discussion prior to this meeting about that; yes. McDonald's would like a ramp, rather than a flush curb against the parking.

Mr. McErlane: Do you have enough depth to do that; to get the ramp and the landing?

Ms. Etta Reed: We will have to shift the ramp up and down the building to make it work.

Mr. Okum: So that cars can't drive into the building; a curb stop.

Mr. Vanover: You are open 24 hours. Is the interior restaurant accessible to customer clientele or is it strictly drive-through?

Ms. Cynthia Booth: That is an owner / operator decision as to whether or not their lobby will be open. I will tell you at my other restaurants right now, the drive-through is the only thing that is open. We close the lobby at midnight, and then from midnight until 5:00 a.m. or 5:30 a.m. it is drive-through only. We have to determine based on what we think the flow of the traffic is, in terms of customers, to decide whether or not the lobby will be open. We will have to consider it and determine whether or not we open the lobby or not. I can open the lobby. McDonald's does allow that to happen.

Mr. Vanover: If that lobby is closed that is a moot point.

Ms. Cynthia Booth: I am 90% sure that it will be closed but I am going to leave myself that 10% just in case there is a demand for that lobby to be open. Our goal is to meet the customers where there needs are. Right now, where I operate my restaurants, we don't have that need; we can accommodate that customer coming through the drive-through just as adequately.

Mr. Vanover: We want you to succeed. Another thing is the safety issue, it is a different world and that weighs huge.

Mr. Ray Riska: If the lobby decision was made to be open 24 hours, would we have to come back before you?

Mr. Vanover: No. I don't see that. It is your operation. With the hours that the truck is going to come in, then with the customers; it only has to happen once

especially if it is a true handicap situation that either the restaurant operator or the customer will make adjustments.

Ms. Cynthia Booth: There is something that you will find about me is that I am a very visible operator, my customers know me and I know them. If it ever became an issue of any type my number is usually plastered all over that restaurant. I want my customers to let me know.

Ms. McBride: The one question that I have, if you decide not to open the lobby during evening hours and all the traffic is going through the drive-through and a delivery truck comes and it is blocking the handicap spaces so it is blocking the access to the drive-through, is the restaurant closed then or not operating or not serving while the delivery is made?

Ms. Cynthia Booth: No. We would continue to serve through the drive-through.

Ms. McBride: How?

Ms. Cynthia Booth: We talk to the customer and direct the customer around that truck to be able to get in. Even though we have two drive-throughs you can shut one of those drive-throughs down temporarily for 30 minutes and just let them use the outer lane.

Mr. Okum: I think the delivery issue is a very small window three times a week between 10:00 p.m. and 5:00 a.m. as requested by this operator. The fact is we have a stacking issue that really drives the whole thing. So elimination of that one standard parking space eliminates the stacking issue that Staff has in the report. We accomplish two things by eliminating that space and we get the stacking space that we need. You have a very small window that deliveries are occurring. For functionality, you can drop it in a handicap space that the truck is blocking anyway because if the truck is sitting there nobody is going to be able to get into those two handicap spaces anyway. So, if it is at that point and you are the operator and there is a handicap person parked there that truck is not going to block that in because that is not the way your business operates. My feeling is that we should make the motion that the stacking lanes be designed to accommodate the five required parking spaces by eliminating one standard parking space to the building and that area shall be expanded in width for handicap accessibility and a larger landscaped area. You still have your walkway and everything is there; this gentleman can go back to corporate and massage it with them. If there is a problem then come back to us next month. If you don't and you can work it out, we have the motion on the floor and we get it through and you get your project started which is what I think you want to do and we want to help you with that.

Mr. Ray Riska: We have two items; the building elevations.

Mr. Okum: The building elevations; I will back off on that left elevation. The operator is the one that has to make that decision, it is her business. We are seven people here that live in this community and see this building; we are commenting to you, as an owner, you know what our feelings are. I know as an owner you make decisions on the interior package that you put in your restaurant and I know there is certain control that you have over how the outside looks, as well. We are saying to you, in our opinion that side needs attention and we will leave it to you as the operator. I am not going to put anything in the motion that holds you to the gridiron on it. You are the operator; you need to make your business work. In regards to your irrigation; the indication that it will be part of the motion that it will be irrigated and maintained; you are certainly intending to do it and that will be part of the package because it wasn't in the drawings. In regards to the colors, I think you did a great job on the colors and I don't have a problem at all with the stone you chose. I am going to be putting a motion on the floor because I don't see lights lit; we are ready to go. Staff can deal with you on the landscaping; you have heard Staff's comments. The only item that I do not have is width of that rear exit, that northwest exit and I need a number from somebody.

Ms. Etta Reed: Our plan shows 24'; City Engineer shows 17'.

Mr. Jon Barnard: Would it be 21'? When we show the way the truck is going to go, that doesn't mean every truck driver that comes there three times a week is not going to need as much width as possible to get out of there.

Mr. Shvegzda: The 21' width provides, obviously, lesser than what is proposed. Planning Commission is going to have to feel comfortable with the fact that that will allow the two vehicles to approach that intersection side by side; the people are going to do that if it is 21' wide. I utilize the store at Cornell, it has one drive out at Cornell which accommodates an inbound and a left and right on one side. If everybody does everything right, as far as turning correctly and getting in their lanes, it works. I guess this situation is kind of like that; if everybody does everything correct and they are courteous then it will work; but you know that sometimes doesn't occur.

Mr. Okum: I am going to pull out right in the middle; so nobody is going to come in on my left and nobody is going to come in on my right.

Mr. Jon Barnard: I think that is normally what would happen.

Mr. Shvegzda: So, 21', with that understanding.

Mr. Okum: I understand it but I do not want to see a left and a right arrow there. I certainly think the drive-lane markings need to be of a reflective material instead of a standard painted material in those areas.

Mr. Ray Riska: Just that exit?

Mr. Okum: I think that you should do it on both the "in" and the "out". Internally, I don't really care but at those connection points it needs something that is more dynamic that will reflect and deal with the weather. I see a lot of heads shaking, so I think pretty much everybody is on the same page.

Chairman Darby: Ms. Booth, how many billions have we sold now?

Ms. Cynthia Booth: Billions and billions.

Mr. Okum: I would like to make a motion for the approval of McDonald's at 11723 Princeton Pike, to include the specifications and designs contained in the exhibits as submitted, to include all Staff's, City Engineer's and City Planner's recommendations with the exception of one item in regards to Ms. McBride's considerations: that the delivery shall be now 10:00 p.m. to 5:00 a.m., as requested by the operator. The landscaping and the landscaping areas shall be expanded slightly by the increase of the drive parking area on the north side of the building. The standard parking space shall be eliminated and the landscaped areas shall be expanded along with the larger handicap parking area. The drive-lane markings shall be of reflective laminated material instead of the standard paint to be more reflective in incimate weather in the two key access points on the west side of the building. The northwest exit shall be narrowed down to 21'. The building elevation shall be as presented and the color palette shall be as presented and as indicated in our Staff's report. That is it.

(Mr. Vanover seconded the motion and with six "aye" votes, the Minor Revisions to the Approved PUD Transition District Development Plan were approved.)

Chairman Darby: Congratulations.

Ms. Cynthia Booth: Thank you very much.

Mr. Okum: What interior are you planning on using, is it more contemporary?

Ms. Cynthia Booth: It will have a contemporary look to it.

Mr. Okum: I was hoping for more of the Starbucks feel.

Ms. Cynthia Booth: It will have some Starbucks feature but it will definitely be “McDonaldized”.

VIII. NEW BUSINESS

(No New Business presented at this meeting.)

IX. DISCUSSION

Chairman Darby: Any items for discussion?

- A. Ms. McBride: There seems to have been a failure of communication but our Planning and Zoning workshop is going to occur on Friday, February 1st. It will be held at the Anderson Center in Anderson Township on Five Mile Road. I will extend the early registration but you will need to let Mr. McErlane know by tomorrow. It will be three concurrent sessions and there are credits available.
- B. Mr. Okum: The Frank F. Farris Community Planning Award nominations are coming up and I don't think we have anything, but I thought that I would at least mention it. We have a Frank F. Farris award from a couple years ago for Planning. The other item that I had; at Regional Planning Commission Thursday, Crosby Township asked us to approve adoption of changes to their Zoning Code which was to address solar energy devices and wind energy conservation systems; just so everybody is thinking about that. It is not going to go away so I think it is probably something we need to look at and I think we are going to let the Regional Planning Commission help Crosby Township draft legislation; maybe we will need to think about that for Springdale. That is windmills and another thing that did come up is solar panels. Amberly Village prohibits solar panels from being on the front elevation which is sort of an interesting approach. They don't prohibit them, they just won't let you put them on the front of the house.
- C. Chairman Darby: Mr. Okum and I were talking just before the meeting about the seven of us that sit here and often we don't see things the same way. Last week we had a vote and we didn't all see things the same way. Sometimes I sit in this chair up high and I get a little bit too bureaucratic but I took a position last week; after I listened to a couple other Members speak, I knew I was wrong. Mr. Diehl kind of crystallized my thoughts when he said, in essence, that the Church can do more with this money than the City. I said that to point out that it pays, for me, to listen to other folks. We usually get it right when we do that.
- D. Mr. McErlane: We seem to do this every year; the temporary banner time limits will be adjusted again next month in order to get them through Council.

Mr. Okum: If we could only control what they say. I am so tired of seeing Rib City Barbecue's “Now Open”. I know we can't control that but at least if we expect them to take it down and change it once in awhile.

Mr. McErlane: If you think this should be a permanent situation then we should consider that. If not, then we can consider modifying the dates again, like we have done the last three or four years.

Mr. Okum: I don't have a problem with it but I do have a problem with it looking like the same thing for ever; that is coming close to the point of permanency when the same message is indicated forever. I am not saying to control content but the same message.

- E. Chairman Darby: Bill, what is the definitive rule or statement on those pole-banner signs?

Mr. McErlane: Those flag-type signs. If we catch them, they take them down.

Chairman Darby: They have been up about two weeks.

Mr. McErlane: I will talk to Randy.

Mr. Okum: They are up on Northland, as well.

Mr. McErlane: If they are up consistently, we can take care of them. If they go up at 5:15 p.m. and they come down at 10:00 p.m. or on the weekends, that is pretty common practice.

Chairman Darby: But if they have been warned and they do it again, then what is the deal?

Mr. McErlane: They can get cited to court.

X. CHAIRMAN'S REPORT

(No report from the Chairman presented at this meeting.)

XI. ADJOURNMENT

Mr. Vanover moved to adjourn; Mr. Okum seconded the motion and the meeting adjourned at 8:39 p.m.

Respectfully submitted,

_____, 2013 _____
Don Darby, Chairman

_____, 2013 _____
Richard Bauer, Secretary