

PLANNING COMMISSION MEETING

January 10, 2017

7:00 P.M.

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: Richard Bauer, Don Darby, Tom Hall, Marjorie Harlow,
Lawrence Hawkins, Dave Okum, Joe Ramirez

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

III. PLEDGE OF ALLEGIANCE

IV. MINUTES OF THE REGULAR MEETING OF DECEMBER 13TH, 2016

Chairman Darby: At this time, the Chair will accept a motion to adopt the Minutes of our previous meeting of December 13th, 2016.

Mr. Okum: Move to adopt.

Mr. Hall seconded the motion. With seven "aye" votes from the Planning Commission members, the December 13th, 2016 Minutes were adopted as submitted.

V. REPORT ON COUNCIL

Mrs. Harlow: I have two reports to give you. Our December 21st meeting, we had six members in attendance. Under Ordinances, we had an Ordinance to provide for wage increases for our Staff. We also had our end-of-year appropriation and estimated receipts Ordinances as we closed out our fiscal year ending 12/31, and we also had an Ordinance authorizing the acceptance of forfeited property, pursuant to Section 5723.01 of the Ohio Revised Code, and this is for a small piece of property at 325 Glensprings Drive.

At our January 4th meeting, we had an Ordinance adopting the annual appropriations and getting us started into our budgeting for 2017. We also had an Ordinance authorizing the City to engage in services for the issuance and sales of approximately \$8.2 million in road improvement bonds for projects throughout the City, and to go along with that we had an Ordinance to engage the service of Bond Counsel. We had two resolutions, one requesting advance payment from the Hamilton County Auditor and another one authorizing the investment of municipal funds.

VI. CORRESPONDENCE

Chairman Darby: There's nothing sent to us from Staff, however, I just want to mention. I am in receipt of a letter to Mr. Randy Campion from Mr. Gilhart. All of the Planning Commission members were copied. Did any of you receive this letter regarding the sign? The reason I bring this up is because it would be improper for us to be copied on such letters. As a Council person, that would be okay. I bring it to you because if any of you at any time receive something like this, it shouldn't be going to us, so we're all getting the same information. You didn't receive it? It is a response to Mr. Campion from Mr. Gilhart regarding him having been informed that the sign at the bowling alley should be removed, and the response is that the property in question has not been vacated and the sign still applies to the current business. Staff, would you like to comment on this?

Mrs. McBride: The zoning code has a provision that if a business is out of business, it's dark for six months or longer, then any signage that is affiliated with that business needs to be taken down. The Princeton Bowl has been out of commission, so to speak, for significantly longer than six months, so the City sent the two property

owners in question, there are two signs, one on Kemper and one Princeton, they sent both property owners letters advising them of the Section of the zoning code that required the sign to be removed since the business had been out of existence for over six months. So I believe that was the letter that was responded to.

Chairman Darby: And that's being worked through the process, correct?

Mrs. McBride: That's correct.

VII. ELECTION OF OFFICERS

Chairman Darby: We move now to Election of Officers.

Mr. Okum nominated Chairman Darby for reappointment as Chair; Mr. Hawkins seconded the nomination. Mr. Okum motioned to close nominations. Chairman Darby was reappointed with a vote of 7-0.

Mr. Hawkins nominated Mr. Okum for reappointment as Vice Chair; Mrs. Harlow seconded the nomination. Mr. Hall moved that nominations be closed. Mr. Okum was reappointed with a vote of 7-0.

Mr. Okum nominated Mr. Bauer for reappointment as Secretary; Mr. Hawkins seconded the nomination. Mr. Hall moved to close nominations. Mr. Bauer was reappointed with a vote of 7-0.

Mr. Hawkins nominated Mr. Ramirez for reappointment as Planning Appointment Liaison to Board of Zoning Appeals; Mr. Okum seconded the nomination. Mr. Hall moved to close nominations. Mr. Ramirez was reappointed with a vote of 7-0.

VIII. OLD BUSINESS

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

Chairman Darby: Good evening.

Mr. Lin: Hi, how are you?

Chairman Darby: It is our procedure that you will be allowed to make a brief presentation, or a presentation, if you choose to, and then we will go on to Staff comments.

Mr. Lin: Yes. I am here regarding why we have three dock doors in the back.

Chairman Darby: That's one of the issues we're dealing with, correct. Also, could we get your name please, for the record? Both of you, please.

Mr. Plikerd: Randall Plikerd, I'm an architect.

Mr. Lin: Ty Lin.

Chairman Darby: Sir, would you have comments for us, Mr. Plikerd?

Mr. Plikerd: I don't know what your – do you have questions?

Chairman Darby: What we'll do is we'll move to Staff comments, and then we'll get into our questions.

Mrs. McBride provided Staff comments.

Chairman Darby: Why the additional door?

Mr. Lin: We think we will bring a lot of trucks coming in and out, so we need the extra doors for more trucks to come in and more products to come in, and then we also have delivery products going out so we're using a back door to support our things to go out.

Chairman Darby: Are you folks anticipating a change in the business model that you presented to us earlier?

Mr. Plikerd: No, they always knew they were going to have more than one dock door. I don't know why they didn't ask for it up front. Two would be full height, four foot high docks with levelers, and the other one, there's about eighteen inches, two of them are going to be regular for semis, and the other one is just for small vehicles like vans, small deliveries. They have the big warehouse here in Lockland, so things will be coming back and forth all the time. Not all three of them are for semis, and most of their fleet of trucks, they're not fifty-five foot truck beds, they're twenty two. They're not the semis. They will get some semis coming in, but that's not the majority of their use.

Mr. Okum: How many trucks do you have, sir? How many trucks do you have?

Mr. Lin: Right now, we've got like forty.

Mr. Okum: Forty?

Mr. Lin: Yeah.

Mr. Okum: And your trucks are doing distribution of product?

Mr. Lin: Yeah, to mostly Asian restaurants.

Mr. Okum: I'm sorry?

Mr. Lin: To Asian restaurants.

Mr. Okum: To Asian restaurants. Those forty trucks, where are those housed at?

Mr. Plikerd: In Lockland.

Mr. Okum: In Lockland, at your Lockland facility?

Mr. Lin: Yes.

Mr. Okum: Are they like box trucks then?

Mr. Lin: Yeah, reefer-box trucks.

Mr. Okum: Refrig box trucks?

Mr. Lin: Mmhmm.

Mr. Okum: Do you anticipate utilizing the site here for any of those refrigerated trucks?

Mr. Lin: No, I don't. No.

Mr. Okum: So basically this is going to be like a bulk warehouse, or retail?

Mr. Lin: Retail.

Mr. Okum: This store will be the retail?

Mr. Lin: Yeah, this store will be retail, and we are just going to transfer some products from my warehouse to this retail store that we are going to open up.

Mr. Okum: I see. So on the drawings, section 2 of 3, you show a new eight foot by eight foot overhead door, and then if I noticed on the 3 of 3, you referenced a ten foot door.

Mr. Plikerd: I thought they were all supposed to be, I might have made a mistake, so they're all eight by eight doors.

Mr. Okum: They are eight by eight? Okay. With an eight foot wide, is it an eight foot wide opening as well?

Mr. Plikerd: Eight foot wide. Yeah, that's all we can really fit in there because of the existing man door with a stair, and then the existing overhead doors so we're trying to get them all, you know they're not all going to, we don't anticipate them all to be loading at the same time, but they're different height trucks.

Mr. Okum: Is there ability for those trucks to drive inside the building?

Mr. Plikerd: No.

Mr. Okum: Okay, or vans to drive inside the building?

Mr. Plikerd: No, no, no.

Mr. Okum: There's no at-grade?

Mr. Plikerd: No, there's no at-grade.

Mr. Okum: So these are like twenty-four foot, I would think, trucks that would be utilized? The trucks that would be utilizing these two doors, would be what?

Mr. Plikerd: Well, they're, did you say thirty-foot?

Mr. Okum: They're thirty foot refrigerator?

Mr. Plikerd: What size?

Mr. Lin: No, it's a twenty-two.

Mr. Plikerd: And the vans or smaller...

Mr. Okum: Twenty-two foot box trucks would be utilizing it? So they would basically pull up like they do to a restaurant, load their materials in or drop their materials off, and be...

Mr. Plikerd: And sometimes one truck will be sitting while another one's coming, and it'll be there half a day while, the needs of the business.

Mr. Okum: When are you anticipating the rest of the project happening? You knew that question was going to come up, right?

Mr. Plikerd: there have been some delays.

Mr. Lin: Yeah, we've been trying to do it as soon as possible right now, because of it took more time than we think we need to do it, to get it going.

Mr. Plikerd: They've been in a bidding, you know, trying to bid the project. They had three contractors and they haven't really been satisfied...

Mr. Okum: And they haven't been able to get a number that they can work with to build it? I mean there's a pretty significant commitment to the exterior façade as well, and certainly that's something that, you know, when people drive by they see the paper on the windows and that negative impact of how that looks to... Quite frankly we get, as residents of the community, we get a lot of questions. "What happened to that grocery store that's opening in Springdale?" simply put. Whether it be Asian-based, or whatever product it is, it's just that I think there were a lot of people expecting that a year ago.

Chairman Darby: Mr. Shvezgda, based on this development, do you see any impact on traffic patterns as previously presented for that site?

Mr. Shvezgda: Of course, we haven't seen any specific numbers, but based on their discussion of the number of trucks, there shouldn't be an issue. We have access to Tri-County Parkway through that common way to the rear of the Cassinelli store, so based on what we know, there shouldn't be an issue. Maybe more of how they access loading dock more than anything else.

Chairman Darby: You're comfortable with that?

Mr. Shvezgda: Well, we haven't seen, up until now we haven't seen what kind of truck are intended to access that, so we really didn't know what to look at as far as their accessing the loading dock areas.

Chairman Darby: So any motion that comes forward is going to be conditioned on some additional information being presented.

Mr. Shvezgda: Based on the truck size, now that can be looked at, yes.

Mr. Hawkins: Is there any need for additional lighting back there? I don't know if you guys are going to be doing, having trucks come in in the evening, or early morning hours before the sun is up.

Mr. Plikerd: No, it's already lit.

Mr. Hawkins: So I'm saying, if any need for additional lighting with the two...

Mr. Plikerd: We don't see any...

Mr. Hawkins: ...the two new doors.

Mr. Plikerd: ...right now, but once they start operations, they may need some. We don't know. We don't anticipate it.

Mr. Hawkins: And then just piggy-backing on Mr. Okum's questions about the operational side of it, it sounds like you're still trying to make a decision with regard to contractors, but do you have an idea of how long the process will be for getting the building ready as you would like it to be? Not saying when it would start or when it would open, but how long it would take to...

Mr. Lin: To get everything done?

Mr. Hawkins: ... to get things ready once it starts going?

Mr. Plikerd: It's probably about an eight month process, start to finish.

Mr. Lin: Yeah, about eight months. Eight to twelve.

Mr. Hawkins: So eight months once the contractors get going?

Mr. Plikerd: Yeah.

Mrs. Harlow: I had a question about, I heard that you would have trucks there may be parked at the back for one half a day sometimes?

Mr. Plikerd: Just from looking at what they have now, some trucks come in and they are getting...

Mrs. Harlow: My question is, will any of the other stores there be hindered by the trucks being parked there for half a day?

Mr. Plikerd: No.

Mr. Bauer: Can you expound a little bit more about frequency of trucks, number. You said there's forty trucks total.

Mr. Plikerd: That's the fleet they have now that operates the warehouse.

Mr. Bauer: Right. So what I'm trying to understand is...

Mr. Plikerd: Hundreds of thousands of square feet.

Mr. Bauer: Well how many trucks per day, per hour?

Mr. Lin: In and out at this new place? Currently, at the beginning we think about maybe two trucks every hour.

Mr. Bauer: And basically those same trucks that you described before, correct?

Mr. Lin: Yeah.

Mr. Plikerd: Not to say that there wouldn't be a semi show up sometimes.

Mr. Lin: Yeah, semi will be there.

Mr. Bauer: Right. I'm just trying to understand roughly what the use would be.

Mr. Plikerd: Once they're stocked it would be lighter. I haven't really paid attention. I never see trucks unloading at Kroger or something during the day.

Mr. Okum: So, Mr. Chairman, just to make sure that the loading and parking area, the dynamics of that and its utilization shall be reviewed by Staff?

Chairman Darby: That's correct.

Mr. Okum: Is that okay, Mr. Shvegza? Can you deal with that?

Mr. Shvegza: That may entail them having to modify the island that's there. I guess I just want to, we don't know at this point, but that may be one of the things that results from our reviewing that.

Mrs. Harlow: Just a question about, you're asking for the two additional dock doors, but you don't have a, you haven't selected a contractor for the interior of the building yet?

Mr. Plikerd: No.

Mr. Lin: Not yet.

Mrs. Harlow: So I guess I'm a little confused over that.

Chairman Darby: Chicken or the egg.

Mr. Okum: You have a split up of the site that gave you ownership rights to a certain portion of the parking area, is that correct?

Mr. Plikerd: Yes.

Mr. Okum: And that was in front of the business operation and a certain area behind the business?

Mr. Plikerd: Yeah, they own both. They own the building supply store next door as well. They own the whole half of that building.

Mr. Okum: Okay, and that split set lines for where your area of the parking lot was, right? For the back and the front?

Mr. Plikerd: (To Mr. Lin) Have you- I haven't seen that.

Mr. Lin: I haven't seen that.

Mr. Okum: I recall the split, but I can't remember if it went into the, maybe Mr. Taylor can help me with it.

Mr. Taylor: Well, the property split, it's fairly straightforward where the property lines are, and I believe that we got an executed covenant, cross-parking and so forth.

Mr. Okum: The reason I ask the question, and I don't want, I want to help the business but I don't want to see it be a distribution center with forty trucks occupying the space.

Mr. Plikerd: That's not what's going to happen.

Mr. Okum: Well, I understand, but we need to make sure that we dot our t's and cross our, or dot our l's and cross our t's to make sure that that's understood, as part of this PUD doesn't identify that use for that site. So you as the owner, you need to understand that if you were to change your model from an operation of a retail store and grocery to a distribution center and have your trucks housed on site, just in case it did occur, then that that would change and you'd have to come back and I don't know how this commission would react.

Mr. Plikerd: Well you could specify how many trucks could be there overnight or something. You could tell them that.

Mr. Okum: We could do that, yes.

Mr. Lin: We're not going to park any trucks overnight at this location because we have enough parking spaces down in Lockland for our trucks. There's no need for us to come all the way here to park.

Mr. Okum motioned to approve the application; Mr. Hawkins seconded the motion and the application was approved with a vote of 7-0.

IX. NEW BUSINESS

- A. Former Princeton Bowl, 11711 Princeton Pike, Unit 910, Springdale, Ohio Concept Plan for redevelopment (Application 31613)

Chairman Darby: Before you get started, would you introduce your son to everyone?

Mr. Gilhart: My son, is that what you said?

Chairman Darby: Yes. We want to know the whole family.

Mr. Gilhart: I'm John Gilhart. We're just going to refer to him as number two. You can see why, right? That's John Gilhart II, that's my son.

Chairman Darby: Hi John. Welcome, welcome.

Mr. Gilhart: He graduated from law school and passed the bar the first time, a couple months ago.

Chairman Darby: Congratulations.

Mr. Gilhart: That's why he's dressed that way.

Mr. Okum: He looks much like his grandfather.

Mr. Gilhart: What's that?

Mr. Okum: He looks like his grandfather.

Mr. Gilhart: Yes, he does. Anyway, I'm John Gilhart, as you know. That's my son. In the audience we have Clark Gilhart, many of you know; my brother Rick Gilhart; and Matthew Viola. Matt's with Forrest Lytle Landscape Supply, and of course you know the rest of them are members of the family, directly or indirectly. But anyway, I'm here this evening. I wrote that letter, I actually forgot I wrote it, but the point was to kind of say not really technically what was going on with the Bowl. It was kind of a stop-gap saying, hey...

Chairman Darby: We really don't want to get into that.

Mr. Gilhart: Okay.

Chairman Darby: Just the submittal.

Mr. Gilhart: Okay.

Chairman Darby: That's being taken care of in another channel.

Mr. Gilhart: Okay. No problem. Anyway, you may have a packet here that looks like this. Does everybody have that? Okay. Let me put my glasses on so I can see it too. So if you look at the first page here, the Bowl property is outlined in yellow. There's the road going out to Kemper Road and also Princeton Pike, you'll see a blue phase one and a red. Currently, those two together, the blue and the red, are the current bowling center and I'm going to say it's approximately forty-six, forty-seven square feet. (To Clark Gilhart: You want to pull these out? Clark, you want to do the honors?) I'm going to bring Clark out of retirement because he knows how to work this. (To Clark Gilhart: Can you stay there and point it up and down, because I'm not very good at this.) Okay, but anyway, you'll see the first page is on the screen here. There's obviously Tri-County Mall, excuse me, Tri-County Town Center, Tri-County Marketplace, and you can see the Princeton Bowl Property. Anyway, the Bowl has been sitting there awhile and we thought, my son and I, and my daughter, thought we could take on a project to do something with it, and it make it rather than the eyesore that I think it is right now, bring it back as an active participant in the market out there.

One key thing though here to the whole project, and we'll get into that probably more detail with Staff comments, is I think actually it was said here in our previous presentations when we were working on redeveloping the Princeton Plaza, Tri-County Town Center, it was I think mentioned when we were talking about signage, someone said something to the effect, I don't know if it was a Staff member or someone from Planning Commission, that when we were talking about signs, they mentioned that if any property at all or any business that we had over there needed signage, this would be the spot, in their opinion, because obviously it has no visibility. To go back to 1962 for just a moment, my understanding is my mother and father built this and had the

signs put out on the road. They also had a large sign, as some of you may recall that said Princeton Bowl, but they had the foresight to understand that there would probably be something built in front of it. Many of you remember when Swallen's was built, so they knew when Swallen's would be built, their only form of signage would be on the road signs. So anyway, we feel real strongly about that. We hope tonight if you like what we're going to do, that we can work with you, but it's real important that one way or another we get some visibility from the road, and this project is not going to be a high-visibility retail, obviously, it's behind the shopping center.

So anyway, we're going to call it phase one in the blue. What we would do is demolish in the red, about 11,200 square feet and you would end up with about 36,740. (To Clark Gilhart: You want to scroll back down?) Yeah, you'll see in the blue there, (To Clark Gilhart: point to that) and then there is a phase two also, which is that small section in the back. So basically, you would take off 11,000 and put back 10,000. It would be total square footage of what it would have been in the first place, just reconfigured. (To Clark Gilhart: Switch the page. The Second page.) By the way, John, my son John did these on McDraft, I think it was. Something like that, because we were under a timeline. I think he did a pretty good job.

Again, these are just general concept plans. (To Clark Gilhart: Can you zoom in on that a little bit?) Okay, so this would be on the first page, the blue area, this is what this represents, what would be remaining, and basically it's ten suites. Eight of them are about 2,880. There's one about 6,000 and another one about 4,800. What this would be is a retail with office and warehouse. For example, Forrest Lytle Landscape Supply, an electrical company, a plumber, window tinter, you know, some type of small business operation. That's what this is designed for. It would have a good destination, good access to the highway, but actually have signage out front to let people know they're back there. The details, as far as the landscape planter, islands, so on and so forth, if you approve of the general concept of us moving forward, in the answers to the comments that were sent to me, basically I say in the answers that we would provide that information. Parking, you know. I would talk about turning radius for trucks, landscape beds, so on and so forth, materials used.

That would be the concept, to tear down part of that. What's remaining is 120'x290' clear span building. There's not a single column in there. They're set at twenty-four feet on center, the main columns, and that's where we would put a tenant partition wall. So they would be a variety of businesses, and to give you an idea, we'll switch to the next slide here. This would be suite number one; it's actually a large space on the end. This would be approximately 6,700 square feet, but it would give you an idea. You'd have an entry door, a window for the office, behind that would be a handicap restroom, and then you'd have bays. Now we're not sure, they'd be ten foot wide, we're not sure if they're going to be twelve or fourteen foot high. We haven't determined that yet. I'm sure you're going to ask as far as what types of trucks are going to be coming in here. I would imagine box trucks, the type of truck that would be, a bucket truck maybe for an electrician, utility truck, so on and so forth. That's the type of use. (To Clark Gilhart: go on to the next one.) I'll go through these quickly from here because they're just kind of duplications, different sizes. So suite one would be about fifty-six feet wide by one-twenty deep. As you can see, the lower left corner, there's an office, small office with a bathroom, and everything is open in the back. (To Clark Gilhart: Go on to the next one.) There's about eight suites on the next page here that are similar to this. Again, doors, entry door, something for the trucks, an office window, landscape area and parking. We'll go through these quickly because it's just different sizes to show you. (To Clark Gilhart: You can go through the next one. We'll go on to phase two here.)

We'll quickly move to phase two. That's page nine of twelve. If that is successful, we would hope to do a phase two, which is a fifty foot building by two hundred which would house eight spaces at I think about 1,000 or 1,200 square feet each. Let's see what else I have here. (To Clark Gilhart: Can you flip through the slides there?) It basically just shows you floor plans of the sizes. They're all the same. They all have a small office, a restroom, and a warehouse area.

I'm just going to quickly go to the last page. This is not necessarily a good representation of what's out there. It is an accurate representation of the sizes. The one to the left is the Kemper Road sign, and the one to the right is the Princeton Pike sign. The one on the left is 11' x 7'6". The one on the right is 12' x 7'6", and what we'd like to do is reface these and if possible try to get an LED message board on the one on Princeton Pike.

So that's pretty much the project. It would be converting the current bowling center to retail with office, we call it flex space, retail with office and restroom. As far as parking, I would imagine the parking is overkill. I think there were 350 spots down there for the bowling center. As far as traffic obviously, the traffic is going to be minimal I would think compared to, you know, we used to have a shift of 250 people and then possibly 50 people on the concourse and employees, so we used to have 300 people at a time there. I would imagine that this would be less of an impact on it. Anyway, I'll turn it over to Staff for comments.

Chairman Darby: (To Clark Gilhart) We hope you billed him handsomely for your work.

Mrs. McBride provided Staff comments.

Mr. Taylor provided Staff comments.

Mr. Shvezda provided Staff comments.

Mr. Bauer: Just a couple things that pop into my head that concern me, I guess. Mr. Taylor's comments about the flood plain, and it seems like from reading the comments and your responses to the comments that we're trying to stay within the letter of the law, if that's the law, of the 50% requirements, but it looks like we've got an eight foot issue as far as flood plain. I don't know what the frequency of flooding is in that area, or has been. We've had some fairly heavy storms over the past year. Can you expound on that?

Mr. Taylor: Well the flood plain is based on a one percent chance, which is commonly referred to as a 100 year recurrence. I believe that the 1985 storm I know inundated the bowling alley to an extent. Not to the extent I believe that is illustrated on the flood maps, but substantially. Several feet. I would say that it's somewhat likely that there may be a situation where there could be water within the building, which is one of the reasons that we suggested at such time that this goes forward that there be a covenant with the applicant and the City that would make sure that the potential tenants were aware that the building was located within a flood plain, so that everybody goes into this thing with their eyes open. I don't know if that's a satisfactory answer.

Mr. Bauer: Yes, that answers that question. I guess is that how you would look to protect your tenants in the future?

Mr. Gilhart: Yeah. Just to give you a little background, you're correct. It was 1985. I think it was July. I think there might have been a couple feet of water in the Bowl. There was. I'm sure. I don't know the exact amount. I can tell you this. Our plans – what had happened at the time, I don't know if anybody knows this, but there were four to six feet, one wall concrete filled with rebar and, concrete block filled with rebar and concrete, so a second wall shorter. I don't know if anybody knows this; it's in the perimeter of the bowling alley. If you go down there, there's flood gates on that. So that's how they were trying to mitigate any future flooding. Now my plan would be, first of all, to repair the pipes. There's a couple sections that need to be taken out. Also to clean the creek and the creek banks as best we could. We did that every year twenty years ago when I was around. We had cleaned that every year, the banks and the creeks. That would be our plan. The other thing is, if this goes through, we would use materials that would be I'm going to say waterproof, if that's possible, on the first four feet, so any tenant separation walls, any exterior walls. They would either be concrete, stucco, or if it's interior, I don't know what the answer is yet. Some type of durock with waterproof the first four feet. The outlets and electrical,

and of course the lease agreements would contain a clause in there, a section in there that would basically say this is the deal. You're in the flood plain. Here's the elevations. You understand that, and you would run your business accordingly, which could be putting materials up higher. I don't know. Will we ever have another flood inside the Bowl? I don't know. That was the 100 year flood was '85, but that could come tomorrow. We don't know that. I feel pretty confident though, if we take some of these measures, that we can mitigate the problem with the thing. Again, it's office/warehouse, so it's not like retail, a furniture store, things like that. I think we can mitigate the flood issue if possible.

Mr. Bauer: I guess I would advise as you go forward to expound on what your plans are, in regards to floods and the like there, and how you're going to address that so that we know what you've done, what background, what research you've done to try to mitigate that situation.

Mr. Gilhart: And again, this is a preliminary concept.

Mr. Bauer: Right.

Mr. Gilhart: We're just looking for hey, we think this, we're on board with you if you can make all these things work. That's all we're looking for tonight.

Mr. Bauer: That's why I'm trying to tell you my comments.

Mr. Gilhart: We have all those comments and specifications, so on and so forth.

Mr. Bauer: That's a big thing in my mind. I look forward to you, as you go forward, to address that.

Mr. Gilhart: It's not going to work for us anyway if we don't do that.

Mr. Hawkins: Mr. Taylor, with regard to the 50% rule and phase two, I'm assuming since phase two would be a separate structure, regardless of when that comes up whether it's in the five years or not, that would not count against the 50% value?

Mr. Taylor: That's correct. The way I read the statute is that would be considered new construction regardless, and so I don't think you have an opportunity to utilize that substantial improvement, the 50% and all that sort of thing. It's new construction. It has to comply.

Mr. Hawkins: And then, I know we don't have necessarily hard locations in terms of exactly where phase two would be. I'm assuming phase one is not an issue with regard to resident setbacks of one hundred feet. Is phase two an issue in terms of hitting the back of that court, that cul-du-sac?

Mrs. McBride: It's not possible to tell by the information submitted. Again, it's a concept plan, so we did want to make the applicant aware of the one hundred foot setback. The existing structure though is surrounded by business zoning, so it's not applicable to that.

Mr. Hawkins: Okay. And then for the applicant, when you're talking about having signs up for the tenants, are you talking about signs that would be on the site of the property versus signage that would be out by the roadway for the tenant specifically?

Mr. Gilhart: The intent would be to give each one of them an individual sign. If you look at one of the elevations (To Clark Gilhart: Clark, you want to pull one of these up real quick?) to give them individual signage, and then use in common like we've done in the past, reader boards. This week it's the electrician up there. He's got a sale on light fixtures. Next week it's the plumber, or whatever it is. (To Clark Gilhart: Just any elevation.)

Mr. Hawkins: But then you'd also have all the tenants back on site? Would that also be the thought?

Mr. Gilhart: This is basically just a...

Mr. Hawkins: Just that size that would be outside of their suite?

Mr. Gilhart: Yeah.

Mr. Hawkins: Okay.

Mr. Okum: I'm sure, Mr. Gilhart, you've exercised this a little bit, but I own one of those types of businesses that would potentially lease this space, and I was thinking right as soon as we started talking about it. The concern regarding re-use, redevelopment of the site is positive, but as a business owner that also does insurance restoration and mitigation and renovation work, I'd be concerned whether my business insurance would be able to give me the kind of protection I would need to be in that flood plain, for my business to be located there, which is something that I would be concerned about, because obviously if I want my business to succeed, I don't want to have a 1985. I was there, and I saw the boats out in the water, going between the building and the driveway.

Mr. Gilhart: Those were cars; they just looked like boats floating by.

Mr. Okum: I was there. Come on, John. I was there. I know very well what was going on. They did have to, you all did, the family, the business, put a significant amount of money into restoring that. I remember seeing the bowling alley basically looking like twisted candy with water damage, and they put pumps in the back end to handle pumping the enormous amount of water out. I don't know how many pumps were back there. Your dad took me back there and showed them to me one time, but you had some pretty significant, it sort of looked like the water attractions at Kings Island, pump assemblies.

Mr. Gilhart: It was about a million in damage, and we got \$100,000 in flood insurance. I think, roughly.

Mr. Okum: So as a business owner, I would be thinking that that'd not be a bad place to be for a business, but the other hand is hey if I go there, am I going to be able to get insurance for my business? Am I going to be able to protect it in case, god forbid, we had another 1985 flood. Those are concerns. I have more concerns about the phase two building and how that impacts by bringing that building up eight feet, how that impacts those residences that are there. We do have a 100 foot setback; I don't know if you knew that before that, but that would be a concern, something that I would certainly want you to be addressing when you make your presentation if you do move forward. The other item I would be concerned about is the types of business, this is a PUD, and the types of businesses that would be appropriate to work in that area. Would automotive service be a viable opportunity? Would auto body repair be a viable type of business? Those, would there be businesses that could locate in there that discharge air, have air units that discharge air when they release air, if they were like a cabinet shop that uses compression units, high-pressure units, or high-pressure air units? Because those are things we'd want to know, and we'd probably want to have some type of list of uses that apply to that development, should they go there. Would there be outside handling of materials? Forrest Lytle, I'm very familiar with your company. You have outdoor storage and you have indoor storage. Would there be a need for outdoor storage for a business like Forrest Lytle to locate in there for mulch and materials handling? And would there be equipment to move those materials and equipment from point to point within the site? This is flex, and it could end up that you may have a business that wants to take, you know, thirty percent of it for a larger bay for Forrest Lytle or a business like that, that wants to have a larger presence. There are uses that could survive very well in a flood plain and not be impacted by it. Would I want to have electronics in there that could potentially be damaged? Would I want to have my office in there that could potentially be

damaged? I'd be a little bit concerned about that, but again you've got a huge facility there. You've got a roof on it. You've got a foundation. You've got a concrete floor; I guess there's a concrete floor underneath all those bowling alleys, and I would think, is it all level, or do you have to infill that and level it?

Mr. Gilhart: No, there's a question whether we need to bring it up or if we don't need to bring it up. We're, it's catch twenty-two. We've got to watch how much money we spend.

Mr. Okum: Big time.

Mr. Gilhart: But we've got some flexibility on that. Definitely.

Mr. Okum: Okay. So those are my initial thoughts.

Mr. Gilhart: To address, we have the same concern. AS a building owner, we want to make sure that we don't put anybody in there that's going to be a problem for the flood plain. I think initially we would spend a lot of time, effort, and money on trying to mitigate that with retention, clean up, have the pipes replaced, clean up the creeks, and possible even if we had the overall approved, for example phase one, it doesn't mean we have to go in and out all the partition walls and everything else. That's why it's flex space. So maybe go in and finish the building outside and possibly, as needed, put the businesses in. That's another alternative.

Mr. Okum: Based upon what I'm hearing, that dollar sign has a five year window.

Mr. Gilhart: It's fixed.

Mr. Okum: It's fixed, so that prevents you sharing, off-setting some of those costs to three years or four years.

Mr. Gilhart: And that's not the intention.

Mr. Okum: I understand, but you've still got, I'm in the building business so I know, you know, you've got a base cost of facilities that you've got to go there. Probably have plenty of electric there. Obviously you have sewers that can handle, you know, the amount of waste that would be typically coming off of that property, and you know, there's natural gas back there because you had all the heating units that heated that entire space. So obviously there's a natural gas line back there. So you've got a lot of good things going for it' it's just whether the rest works.

Mr. Gilhart: It's the one main building that was manufactured by Strand Steel out of Detroit, so that's the building. 120' x 290'. That's the thing to save.

Mr. Okum: Sure.

Mr. Gilhart: That's the good part. Everything else is... I do have a quick question. Is there any credit given for removing and putting something back?

Mr. Taylor: Not that I'm really aware of. I mean, I don't know that the...

Mr. Gilhart: Removing 10,000 square foot and assigning an amount to that and putting it back. I'm just curious.

Mr. Taylor: The only thing that, one thing I can tell you is that the way that the statute is written, you know, it says what it says. The 50% yada, yada, yada. There's no, I don't know if anybody anticipated that sort of a situation when the thing was written.

Mr. Gilhart: It's just going to be challenge, of course, like I said, to...

Mr. Taylor: I understand.

Mr. Gilhart: The more money we spend on it, the nicer we make it look, the more improvements, it counts against us. So there needs to be a balance there, and I think we can do that. I think we've got an amount of \$282,000 and I think we can work with that.

Chairman Darby: To parrot what some other folks have said, this is an interesting concept that, as Mrs. McBride tells us, is very popular right now. It's a good use for not the best spot in the City, but as Mr. Bauer and Mr. Okum have alluded, the water issue is an issue, and I think it's incumbent upon us to do what is necessary to see that whomever you get to move in there would be happy with the space. But that's your concern also.

Mr. Gilhart: Right. They're going to know it.

Chairman Darby: Right. Did you have any other questions of this group or the staff?

Mr. Gilhart: No. There was the flood, so when you say, let's say it's a new building you have to bring up to current regulations. So you would literally have to build it up seven or eight feet? That's the only question. I'm sorry, did we have someone else to make comments?

Chairman Darby: We're fine. We're okay.

Mr. Gilhart: I do want to address the signs again though, because the 13th is the date that they gave us in the letters to take down the signs, so we need to make sure we address that. Regarding the signage, that's an integral, critical part of this project, at least in our opinion. How do we, I know that's a separate issue, so to speak. How do we move forward and still basically keep that in tact? Because if it goes down, we're done. The project is dead.

Chairman Darby: You're speaking of the current sign?

Mr. Gilhart: The road sign. Yeah. We just don't think it's a viable project with all the other...

Chairman Darby: Well, I drove by there today and I noticed it's being used.

Mr. Gilhart: It's in use, yeah. Except the 'f' fell off.

Mrs. McBride: As I said before, the two signs are non-conforming signs now that the business has been out for over six months, so the City has sent a letter and they have the ability to appeal that decision and they can certainly do that, make that appeal to the Board of Zoning Appeals, citing that Mr. Taylor's opinion is wrong. So that is one avenue. A second avenue obviously is when, if you choose to move forward with the project, that you would have a sign plan and it would incorporate, you know, new signage, this signage, whatever signage you feel is appropriate, and then this Commission and ultimately Council can review and approve that.

Mr. Gilhart: I guess what I'm asking is for a stay of execution, so to speak.

Chairman Darby: Well, the reason I mentioned earlier that we didn't choose to deal with that, is because it's out of our lane. It's out of our lane, and it's being considered and it's going to be taken care of, but it would only come to us if it's a part of a submittal.

Mr. Gilhart: Well that's why we brought it to you as part of the submittal, the signage.

Chairman Darby: No, I'm talking about, you're referring to the letter that I mentioned earlier?

Mr. Gilhart: No, I was referring to the last page. That's part of our preliminary concept plan.

Mr. Hawkins: Again, you heard the Chairman. Without going into some deep discussion about the process that you're going through right now with the City and the signs that are there, I think, even in your worst case scenario with the signs that are there, let's say they say those signs have to go. You've heard Mrs. McBride indicate that you would with your submittal send in a signed package. I think it's safe to say, again just being one member of this Commission and one member of Council, that if the Planning Commission and Staff find everything else with regard to your submittal to be workable and viable and it's going to get approved, the Commission and Council are not going to want to put you in a position where you're not going to be able to be successful, which you would not be able to be successful with no signage out by the roadway. So you have to go through the process that you're going through right now, but in terms of, as we talk about this concept plan and your concerns going forward, even in your worst case scenario if there's no signs based on the process right now, and you resubmit that package, I'd be shocked if...

Mr. Gilhart: But if take them down we're going to have a problem.

Mr. Hawkins: ... we put you in a position where you're going to be unsuccessful.

Mr. Gilhart: If we take them down, then that's going to create another problem with the substantial improvement.

Mr. Hawkins: Well again though, you gotta go through the process that's going on right now, but in terms of...

Mr. Okum: It's part of the building.

Mr. Gilhart: What's that?

Mr. Okum: The sign is part of the building.

Mr. Gilhart: You wouldn't count that as part of the improvement?

Mr. Hawkins: It's all about that structure, I think.

Mr. Gilhart: It would probably be wise, I understand what you're saying and I appreciate that, but it would probably be wise then if that's going to proceed that way, we probably should file an appeal and kind of hold that and keep that process going so we can get back here and show you what we have. Would that make sense?

Mr. Hawkins: I wouldn't sit here, and I don't think anybody would sit here and advise you as to what to do with regard to that.

Mr. Gilhart: Okay.

Mr. Hawkins: But I'm just saying conceptually, no one is going to set you up to fail. See what I'm saying?

Mrs. Harlow: That was kind of where I was going to go as well when I had my light on, is that we want you to be successful and we want to work with you, and we don't want to put road blocks up, but we do have to adhere to maybe the appeals process. And I know that we had another gentleman come in and do a presentation for a storage facility for this site, and I think he was a little bit overwhelmed when we gave him back feedback, and all of this was submitted with the flood plain, and all of that information was given to him at that time. We did not hear anymore from that applicant. Again, we want you to be successful.

Mr. Gilhart: Okay. We'll work it out then with Staff and we'll keep those separate.

Chairman Darby: Good seeing you again.

Mr. Gilhart: Thank you.

- B. Cincinnati Center for Autism, 305 Cameron Road, Springdale, Ohio, Conditional Use Permit (Application 31616)

Chairman Darby: Good evening.

Mr. Broughton: Good evening. My name is Mark Broughton. I'm on the Board of Directors for the Cincinnati Autism Center. Actually I took the position of President of the Board this time last year. The founder stepped down and decided it was time for him to move on so the Center can move forward. I'd kind of like to give you a little history before I get in here too far, because some of this history has a lot to do with some of the questions and some of the things that were added with your guys' comments. The Center, just in this past year, since its existence, has been able to make its own payroll. It's a not-for-profit organization for autistic kids, and up until this past year, the founder, Matt Brennan, would literally have to make payroll for the Center until they could get money in and pay him back. Not to mention some of the other Board members who were able to make payroll and stuff. So for the Center, obviously money doesn't come easy, and when you're a not-for-profit and you're just getting off the ground, they've been existing for about ten years now, have just gotten into this place. The vision of the Center has always been that no child had to wait, and the schools districts are really starting to use the Center for kids that they can't do anything with. There are some of the kids that come there, they might be six, seven, eight, nine years old and have never communicated with their parents ever. Not one time. Now when I was asked to get on the Board, I don't have no family members that are autistic. I don't even know anybody personally that had autistic kids. So when I was asked to get on the Board, I got online and I started doing research so I understood what I was getting into. Since I've been there and seen what goes on in the place, I do have a deep compassion for all the kids that need the kind of help that they're giving. And after a year of being there, a lot of these kids that have never communicated with their parents, not one time in no way, there's no emotions with these kids. It's just like staring into a blank wall. After a year of being there, they're able to communicate in some fashion with their parents, and that means so much to them. So just a little history there.

Getting on to this addition that we're wanting to do. Obviously with it being not-for-profit and not having a lot of money, we started looking for ways because we're having to turn kids away, we're having to tell them that we can't take them. So we started trying to figure out ways that we can, we try to use the existing structure itself, try to decide if there's ways that we could renovate the inside to get us the kind of space we need, and there's just no way to do it. We're as far out as we can go. A lot of these kids are one to one. That means one teacher for one child, because they're so severe, and they have a three-step program, and it's a safety issue because you have some kids that are very severe that can be violent and then you have some kids that their learning ability is a lot less, and then you have the ones that are advanced. Actually some of these kids going back to the school districts because they're able to get them that far to where they can go back to the school districts.

So just to move forward and go through some of the comments that you had, I'm on this first page with comments number one. "Information needs to be provided regarding proposed colors to be used." We plan on matching the building. We plan on using brick to match the existing building, and anything that got painted would match the trim on the existing building. When we first looked at using this modular unit, the first thing that comes to mind are your neighbors. You always want to be conscious of your neighbors and what they think and that affects them. So as far as the aesthetics are concerned, we would try to blend this back into the building the best that we could to look like it was part of it from the very beginning. I mean that's one challenge that we knew from the very start. Number two: "No information provided regarding the location and screening of mechanical equipment." The way we turned the building is all the mechanical equipment faces the existing building so you'd never see it from the road. You would have to be inside the building or in that

courtyard to see the equipment, so I wouldn't think there would be any screening needed for that because it would never be visible from the road. Number three: "No information has been provided regarding modifications to site lighting." I'm not sure what kind of site lighting you would need in the front of that building. There's no parking lots. There's not really even a sidewalk there because it's going to be an enclosed connector. So I'm not sure what you're looking for there and even our architect, he said, "Mark, I'm not sure what they're wanting there."

Chairman Darby: Let me jump in here, because I was remiss and we got away from our usual procedure. So as you continue to go through your comments to your responses to Staff's comments, I'm going to ask Staff if they would kind of turn this into a conversation. For instance, the point you just made there, and Mrs. McBride, we'll get it.

Mr. Broughton: I apologize. I've never done this before.

Chairman Darby: It's my fault. It's my fault.

Mr. Bauer: Just as matter of disclosure, Mr. Broughton and I work for Turner Construction. I don't deal with Mark in his capacity as the Board President, but I just wanted to make that known to the rest of Commission and I feel like I can be straightforward and rule on this matter.

Mr. Okum: Would that impact your decision tonight?

Mr. Bauer: No.

Chairman Darby: You're fine. It's your decision.

Mr. Broughton: And I wouldn't expect that to impact his decision.

Mr. Okum: We need to do something procedurally for just a second because this is a public meeting and we do see some residents here, so we need to make sure that they're recognized.

Chairman Darby: Is this a...

Mr. Okum: Yeah, it is, because it's a conditional use hearing.

Chairman Darby: Okay.

Mr. Okum: So we need to back up and open... Should we not?

Mrs. McBride: Well actually it's not a conditional use hearing because it's not a new use; it's an expansion of an existing conditional use, so we did not Notice it.

Mr. Okum: So it's an expansion of an existing...

Mrs. McBride: And existing conditional use. It's an education facility. They want to add the modular units for use of classrooms, which was a use that was approved by Planning Commission in 2011.

Mr. Okum: So there wasn't a necessary notice, but we should still, we will plan on opening it up to comment from the public.

Mrs. McBride: Correct.

Mr. Okum: Okay, thank you. Got it. Sorry.

Mr. Broughton: Thank you.

Mr. Okum: Wanted to make sure we're on track.

Chairman Darby: I was going to agree with you.

Mr. Okum: Well, that's why I went down there, to make sure. And we weren't really sure, so we made sure.

Chairman Darby: Please go on.

Mr. Broughton: You want me to continue?

Chairman Darby: Yes, please.

Mr. Broughton: Okay. "A landscape plan needs to be submitted indicating what type of landscaping will be added to the site." Again, if you see the front of the building, there's really no landscaping. If you guys need landscaping, I mean we will do that. As you know, when we first, when I got involved with the Board, there were some issues, and you guys know very well the trees, the lighting, and once I got involved and I found out some of these, we ended up going to court. And once I got involved with this, I made that happen. We got the trees in; we got the lighting in. This just goes back to what I was telling you in the very beginning; I don't care to do whatever you guys want me to do. I'm very limited on funds with the Board. We are, the budget that we came up with to do this building, literally getting the building done is all we're going to be able to do at the moment. And if we don't move on the building, we're going to lose it. But I don't care to do anything that you have asked, it's just going to take time. I can't, if you want this done, as soon as I get the building done I've got to have landscaping done, I can't promise you that will happen. I gotta depend on donors to donate money to get that kind of stuff done, and if we don't get it, it might be two years before I get it. So if that's a showstopper, then that's where we're at. I'm just standing here and I'm giving you straight up, this is what I can do and can't do as far as the President of the Board, and where we know we're at on budget. So I just want to make sure that I'm clear on that.

Mrs. McBride: Yeah, I think particularly with regards to landscape plan, you had indicated that one of the big trees out front was going to come down and I think...

Mr. Broughton: And we agreed that we think...

Mrs. McBride: I think maybe it might be more than the one tree that's going to come down.

Mr. Broughton: And we tried to configure this, because I didn't want to get rid of no trees at all, but because we had to be so far away from the building, that got into those trees. And I understand, I mean, this is my business, is building things. I understand that once you get into the canopy of the tree, you've damaged the roots. I know that. So no, I didn't want to get rid of no trees. Now I can probably come up with a few trees, because we do have people that will donate enough money to get a few hardwoods put out there. I can probably come up with something like that, but if you want a full-fledged, when I envision landscaping, I envision bushes and trees and flowers and flower beds and stuff like that, and that's the kind of stuff that we would not have the money initially to do. It would take time.

Mrs. McBride: And that could be up to the Commission, and it could be implemented over a period of time. The Commission has done that before working with other applicants.

Mr. Broughton: If we could do that, then it would happen.

Chairman Darby: Let me back up and give you, because you came on board after this was there. Let those of us who were here give you a little bit of history about this project. When we first got the proposal, we had a number of citizens attend the meeting, and there was a tremendous amount of support. Now being a former educator, having worked with special needs youngsters, I'm quite familiar with the autistic population. I was able to share some information with some of the other

Commission members, and I can tell you, I'll speak for the City of Springdale. We're very supportive of your program. These are kids, as you alluded to earlier, many of them the public schools can't handle them.

Mr. Broughton: Correct.

Chairman Darby: But you're able to bring them to a point where their parents are pleased, and some of them are even returning to the schools. So I can assure you, as one vote, I am willing to work with you as you work with Staff, and come up with a plan that's going to get this done to that extent that we can do it.

Mr. Broughton: I agree.

Chairman Darby: Did anyone else want to comment on this? I just have an emotional connection to this. If you would proceed please.

Mrs. Harlow: Since this is in such a heavily residential area, was notification sent out to the residents nearby? (Mr. Taylor shook his head no.) Do we plan on doing that?

Mr. Taylor: The short answer is no. Since it is currently a conditional use and the use is not being changed, we didn't believe that there was a requirement to notice the adjoining property owners.

Mrs. Harlow: But this is sitting out in the, where there is...

Mr. Taylor: It's going to be very visible. It's right in the front yard.

Mrs. Harlow: It's sitting right out there. I'm very much in favor of supporting this conditional use as much as we can, but I also want to make sure that our residents are aware of what they're asking, what this applicant is asking for and that our residents have some input on it.

Chairman Darby: My question would be, what would be the motivation for doing that if it's not in the code?

Mrs. Harlow: Well, you know, we're putting a pretty good size building out into their neighborhood. Making a pretty good size addition. And I would want to know if that was going to be coming on my street. I'm not saying I have a problem with it, and I know it was a church before, and my kids utilized that church for scouts and everything else, and again, I'm in favor of what they're doing. I just want to make sure our residents know as well, because their property values are there.

Mr. Taylor: Are you guys in a position to kinda be on hold for a short period of time? I mean, we can possibly, we're having, excuse me, but we're having a special meeting the end of this month anyway. We would certainly have time to at least send notices to people that are around. I'm not positive that we can get it in the newspaper in fifteen days, but it could certainly be, we would advertise, we could put something on our Facebook page. We could put something on our website, and we could send notices to the property owners who are immediately around. That's kind of a modified noticing, if you will. The requirements for public notice generally are fifteen days and it needs to be in the newspaper, and the issue with the newspaper is, in order to get the thing physically into the paper and then still have our fifteen days prior to the meeting. We can't just turn it in today and have them out in the paper tomorrow. Unfortunately the paper doesn't work that way.

Chairman Darby: But since we can't...

Mrs. Harlow: Maybe the others don't feel that way. I don't know. Let's, I'd like to hear from others.

Chairman Darby: I just to understand. This is not a public notice, correct? What would you call it?

Mr. Taylor: I would think that it's kind of a, I thought I heard the word courtesy, and I think that's probably...

Chairman Darby: Okay, because if we call it a public notice and we don't meet the requirements, we've got a problem.

Mr. Taylor: Correct.

Chairman Darby: Okay.

Mr. Okum: Two things. One, I dealt with families that have children that have autism, so I'm very sensitive to it as well. I am involved with Fishing Has NO Boundaries, which is a two-day event that we do for special needs families and their people that are of special needs, so it's warmed my heart. On the other hand, I have to look at how the use and buildings impact the adjoining properties and the neighborhood. I understand where the school is at, and it needs more classroom space. On the other hand, I don't know if I want that classroom space at my front door, especially when it's of modular temporary housing buildings.

Mr. Broughton: Well, can I explain that a little bit? It will be put on a foundation. Once it's done, it will be permanent structure.

Mr. Okum: So they're modular, it's a modular building then.

Mr. Broughton: It is.

Mr. Okum: Then the modular building approach, we would need, I think I would need a lot more information on what that would visually look like, because we're really taking out a cluster of really beautiful hardwoods right there on that corner to put that unit there. Did you look at the other, and I know I'm impacting neighbors, did you look at other laces on the site?

Mr. Broughton: Well, we looked at the backside, on the side that the parking lot's on, but that's just it. It takes up the parking lot. So we felt that that would become an issue because I didn't think that we would have, right now we have enough parking, even with doing the addition, we still have enough parking, but if I take up that much space in the back, then I would have to try to come up with something else on the parking. Honestly, I would prefer it be on the back. The parking was the issue that stopped us from going there.

Mr. Okum: Is it a physical need, or a zoning requirement need for parking that is driving that?

Mr. Broughton: I think it's zoning. I think we can get the cars in there.

Mr. Okum: We have the ability to waive requirements on parking at this level.

Mr. Broughton: And I am more than glad to have the architect go back and put it on the back and resubmit.

Mr. Okum: Well, we want to make sure that we're protecting the residents as well and how that impact of those buildings... I mean, structurally, you're allowed to build on your site.

Mr. Broughton: I understand. And I understand about the neighbors, so...

Mr. Okum: There's in that zoning district, there's distances from property lines, and there's distances of use, and those are set up in our code. There are zoning regulations that drive that.

Mr. Broughton: And which we did meet all that.

Mr. Okum: Yeah. In the front. But we don't know how it falls on the back.

Mr. Broughton: No, I don't. That is correct. I don't until we physically put it on there. We didn't even go back there just because of the parking.

Mr. Okum: And I think that frankly if I'm thinking of how the neighbors feel when they drive down Cameron Road, which gives that residential feel, and I see a couple residents back there and they're going, I hope they want to comment, but When they drive down the street they see the building and they see the trees and the landscape...

Mr. Broughton: I don't disagree with that. If we could put it in the back, that would absolutely be my preference.

Mr. Okum: So at this point, because we're considering, and at least I'm in favor of a courtesy notice to the residents even though it's not required by our code. It's a courtesy notice to the residents. I think it would be important to do...

Mr. Broughton: And I'm fine with that.

Mr. Okum: ... to get that input.

Mr. Broughton: We want the least impact on the neighbors. That was one of the first comments I made. I'm very conscious of the neighbors. And it does matter what they think. We need to do something with the school. I mean we have kids right now we're turning away because we don't have nowhere else.

Mr. Okum: It's a wonderful thing, and there's pride in Springdale that you're here and you're committed to the community, and don't take any comments that I say that I am adverse to your success. Believe me, I'm very encouraged by your success and what you do.

Mr. Broughton: I understand.

Mr. Okum: But we want to make sure it's right, too.

Mr. Broughton: I agree.

Mr. Okum: On a land-use basis. That's my only concern.

Mr. Ramirez: First off, I'm not in any way against the expansion, but I do believe it would be the right thing as a courtesy to the adjoining properties to have a notice. I know we usually only give notices when it's a zoning appeals of some sort, or a variance has to be given, but I think in this case it would be just a nice courtesy to our residents to let them know. But again, I am not against it.

Mr. Hawkins: I also agree that it would be appropriate to send out a courtesy notice, and I'd be in favor of having the applicant's application tabled if, I don't know how long it would take for your architect to go back and look at things in terms of where they would switch it. If it's something that you think could be done by the time we come back for our special meeting at the end of this month, great. If it's something that would need to be in February...

Mr. Broughton: It would have to be done, and here's where we stand. Where we're purchasing it from, they're kind of pressuring us now because we have put them on hold to get all these proceedings done, and I'll get a phone call or an email about once a week. Hey, have you heard anything? Have you heard anything? So all they have is a verbal commitment from us, but I put a stipulation on it that it all depended on how things went here. So they do know that. And I don't know how long they'll hold on. You know, if they decide to sell it, I don't have no way of stopping them. So, it's just something that's out of my control. I have no issues whatsoever with dealing with the neighbors. I think it's more than fair that they should know and weigh in on it. And I would like to, even if it ended up going in the front, I have no problem in doing

whatever it takes to make it as appealing and blending in with the existing building as much as possible. The worst thing about going in the front is those trees. That's the worst thing about going in the front.

Mrs. Harlow: If you were to be able to move this structure to the back by the parking lot, you'd be saving your trees and you'd probably lose a substantial amount of parking there but...

Mr. Okum: No, they'd be in the open area.

Mrs. Harlow: They'd be in the open area there? Okay. So that would get you out of the tree situation.

Mr. Broughton: Where I would see us putting it would be on the side next to the funeral home.

Mrs. Harlow: On the side next to the funeral home.

Mr. Okum: Is that in that open area?

Mrs. Harlow: Would you have enough space there?

Mr. Broughton: (Inaudible, off mic)

Mr. Okum: So you'd have to switch your parking over to that open area.

Mr. Broughton: Right.

Mr. Okum: That makes sense. That's reasonable.

Mrs. Harlow: Now where are you looking at?

Mr. Okum: Take the parking lot and move it over.

Mr. Broughton: At the end of the building, straight on out from the building, in that parking lot.

Mrs. Harlow: Okay.

Mr. Broughton: Because we need a tie-in to the building so that when the kids transfer back and forth from their classes, they're not out in the weather. It's a safety thing.

Chairman Darby: So what we're looking at is a table as you work with your architect and also work with Staff to get back in here as soon as possible. If it's a possibility to make the special meeting, then we'll be...

Mr. Broughton: I'm confident I can get drawings to you probably next week. I mean all he's going to do is take it from one side and put it on the other. Shouldn't be too hard.

Chairman Darby: Just keep in touch with Staff on that. Okay.

Mr. Broughton: Can I go ahead and address the rest of the issues while I'm here, so I can get that part over with?

Chairman Darby: If we're looking at a potential change, I don't know if that's going to...

Mr. Broughton: Well one of the things that you guys had on there was you want us to consolidate the lots...

Chairman Darby: Okay.

Mr. Broughton: ...and I called a surveyor, and that's going to be around \$3,500 to do that, and again I don't care, we will do that, but right now, all we'll have the money to do is just to get the building in. So that's something that, if we can spread over time and get that done, we'll get it done, but for what I have proposed on this building currently, if we go above and beyond any of that, we can't do it. Not at this time. Unless we get a donor that will step up to the plate and donate the money.

Mrs. McBride: The problem with having the separate parcels is then there's a whole lot of different setbacks and off-premise, and buildings crossing property lines, and this Commission does not have the authority to grant the reductions and setbacks and buildings to cross property lines, and parking to be off-site and so-forth.

Mr. Broughton: Okay.

Mrs. McBride: It wasn't tripped before because it was the existing building. Now that we're adding on to it, that's where that comes in and it's just going to be a big can of worms, I think.

Mrs. Harlow: Again, I want you to know that I'm all in favor of your project and your school, but as one of the Council people that sits on the Board, my duty is also to our residents. I just would like to have the residents in the area know that you are looking to do this change and how it might impact them or how it might not impact them. They might not care, but at least if they're given information ahead of time and they want to come to the meeting, they can come to the meeting and learn about the project and they would have an opportunity, I'm assuming Mr. Darby, to speak at the meeting.

Chairman Darby: Sure. We'll use the GE Park model.

Mrs. Harlow: And allow them to have any input, then that way, I think everybody walks away a winner when a final plan is formalized.

Mr. Broughton: Okay. And then the one other comment was the blacktop drive that was left on the backside of the property. I haven't talked to the neighbors so I don't know, but when I talked to the founder who did all that space, he said, "Mark, I was asked to leave that there for the property owner that lives next to us." He said that they like to use that to access the backside of their property. He goes, "otherwise I'd have covered it up." He said, "I was trying to be a good neighbor." Again, it doesn't matter to me, but again that's going to be another four or six thousand dollar cost to get rid of that little drive that was left for the neighbor that's behind us.

Chairman Darby: We have some residents in attendance who have been sitting here very patiently. Do you want to come forward?

Mr. Shroyer: I'm Dan Shroyer. I spoke on behalf of the school and their organization to this board several years ago when they were looking at moving down there. My mother lives on Naylor Court. Her backyard backs up to this property, probably the most visible residential lot to the back of this property. There really are three to five residences that see the back of the property, hers obviously the most visible. From what I've been able to gather, their proposed project is on the Cameron Road side of the building which I would doubt there would be much reaction or opposition from the residents in the area that I'm presuming that they're looking at building. There are possibly two residences on Cameron Road after you make the bend that would even see that building or can even see the front side of the existing building. The property faces the bend of Cameron Road. It faces a cemetery. It faces a large open field that I believe is actually in Forest Park and owned by the City of Forest Park. So there's probably going to be very, very little residential impact on the front side of the building.

On the other hand, there would be I'm sure considerable objection to any development behind the building that brings the building or structures closer to the

residential area. That's the residential face of the building is those houses along Naylor Court that look at the back of the building. As it is now, there's a buffer zone. There was, yes there was an agreement for that driveway.

Mr. Broughton: That's what I was told.

Mr. Shroyer: That's how we access the swimming pool and the facilities for the back of my mother's house. Originally, the neighbors were led to believe that there wasn't going to be substantial change to their vision of the building. As I say, all of the neighbors obviously are in support of the school and its activities. That's one of my mother's few enjoyments is to sit on the deck in the summertime and watch the kids and what they have developed as a playground behind the building. That's what she sees is open space, playground, the building in the distance. For the building to come any closer to those residences I think would be a detriment. Yes, we may lose some trees on the Cameron Road side, but nobody sees that side of the building except transients driving down Cameron Road. I grew up over there. I've driven that street since forever. Whether the building is two hundred feet from the street or a hundred feet from the street, it to me is, I guess as far as the optics, it doesn't change much. Yes, there may be a couple trees missing, but a building is a building, whether it's a hundred feet away from you or two hundred feet away from you. But if it's coming into your backyard, into your sightline, then it becomes a little different issue. So just before, and obviously their funds are tight, before they spend an amount of money on redrawing their project, I for one am fairly certain that they are in a position now that there wouldn't be that much objection. They're going to move into an objection if they move behind the building. Thanks.

Chairman Darby: Thank you for your input.

Mr. Okum: Of course that's something that we have to give the residents an opportunity to express. I got two questions. One for Mr. Taylor. Is there a requirement for the twenty-foot distance of the unit from the existing building?

Mr. Taylor: The idea there is that if there's a separation between the two buildings, we don't have to worry about construction type and all that sort of thing, and then it can actually be, again this is from a building code analysis standpoint. It could be two separate buildings and that connector is called basically a pedestrian connector, and that way they don't get into a situation where the building is basically too large, and having to build some sort of fire separation wall and so forth. So that's...

Mr. Okum: And because the existing building is a wood roof system, it's not, separation between the other building would be difficult.

Mr. Taylor: They'd actually both be 5B buildings, but the problem is, that's construction type 5B for not you, everybody else, which is combustible construction, but there's a limitation as to how big of a footprint you can have for each construction type, and type 5B which is the, it's combustible non-protected; it has the highest degree of limitation in terms of size. And so these would actually be, we'd have an ability to consider them two separate buildings which would enable them to be able to do this without sprinkling it and a bunch of other fire prevention stuff.

Mr. Okum: Because the 4,500 square foot puts them right at, if they put that building and blow the side off and make a permanent connection, then they go over the 6,000 and they have to be sprinkled.

Mr. Taylor: Right.

Mr. Okum: Okay. I understand that, but twenty feet is not necessary to create that separation?

Mr. Taylor: Well, it kinda is.

Mr. Okum: Is it?

Mr. Taylor: Yeah, there's a, otherwise one of the exterior walls would have to be rated.

Mr. Okum: They do have a rated wall. It's masonry.

Mr. Taylor: but it may not be, I'm sure it's brick, but I suspect the soffit and all that stuff would have to be cut off in some way.

Mr. Okum: From that part of the building.

Mr. Taylor: Right.

Mr. Okum: To get it closer.

Mr. Taylor: I mean it's a, let's just put it this way. It's the simplest, least expensive way was to keep it twenty feet apart. There's certainly ways. I mean it could be done, they could be adjacent but one, then they would actually probably have to have a true firewall in between them, structurally independent and all that other stuff.

Mr. Okum: Okay. So based upon what we've seen, there's two things that I, as a Planning Commission member would like to see from the applicant. One is a better representation of the building, and a sketch on the drawing and some, I think we need some true representation of what this building looks like, which you clearly know what I would like to see.

Mr. Broughton: Yes, I got it.

Mr. Okum: Additionally, I did think about your putting it in the parking lot field. You know, zoning-wise, you could build pretty close, a lot closer to the properties, if you had all the money in the world you could build a building on that dead space, but don't want you to do that. Holding it in that parking lot field would be a preference off of the impact on Cameron Road, which has a residential feel to it. This is going to change that feel because when you go to this structure, it's going to have more of commercial look to it than it does. So I would like to see it both places. We're going to have an opening opportunity for the neighbors to make comment and give their input. Typically I like to see on the site plan the proximity of the residences that are adjoining that connection, so these properties that are adjoining. Outline of the houses and distance from it so that we have a better representation of how that is going to be seen from those homes.

Mr. Broughton: Well let me ask you this question. I mean Google Earth gives you all that. Can we do that?

Mr. Okum: And that's fine. A photo from Google Earth is fine. I've been sitting here looking at it, so just so that everybody on the Commission has an opportunity to see it that way. But I think the most important part is that we see how it's going to impact the neighbors. We definitely need to understand what we're losing in trees on Cameron Road, because caliper inches are going to need to be calculated. Because it's a building, you're waived, but there's still going to be an impact on the loss of trees to the area. So those are my feelings. I would be more prone to give up parking area. I don't necessarily agree with Mr. Shroyer, but everybody can have different opinions. But I think it depends on how it represents itself, too. I mean if the building is twelve foot high and you park cars in the parking lot and they're six foot high, and the parking lot is full of cars, you're talking six foot of difference because the cars would have typically been there. You'd be eliminating that shed that's in the back back there.

Mr. Broughton: Yeah, it would have to go.

Mr. Okum: yeah, the shed would have to go, which is an eyesore in some people's minds. So that would make some differences as well to what the residents are looking at. The building, where the end of the building would be, and I think Staff was

alluding to this, when you look at the end of the building, there would need to be some type of materials like arbor vitae or something of that nature that could break that elevation up and give it softer look, than looking at the brick and the siding exposure. Now does that mean you have to do it all at one time? I don't think so. I think you can do it over some time. We've given people opportunities to do progressive, as long as it did.

Mr. Broughton: And that would help us.

Mr. Okum: I am also aware of the commitment from the developer to, at least I know I remember, the developer making the commitment for Mr. Shroyer's access on that drive back when the hearing was heard back whatever years ago we did that. I don't know where I heard it, but I do remember it. So anyway, was it part of the plan, no. But I think the site consolidation is really important. You might even reach out to your neighbors or even some friends over at Turner and see if you can get somebody to donate that to get those consolidations lines done. There might be some engineering firm...

Mr. Broughton: Oh I'm working on that. All of these things, I'm working on.

Mr. Okum: there might be some engineering firms that out there that would be glad...

Mr. Broughton: It's just until I get commitments, I don't want to come in here and make a commitment that I can't keep.

Mr. Okum: Sure. Sure. But I think it's a...

Mr. Broughton: I am working on every comment that was on here.

Mr. Okum: But those are really, I agree with Staff, those are really, it does need consolidation on the site. It just needs to be done.

Mr. Broughton: And I understand that.

Mr. Okum: And that's something you really need to do because it sets your distances, your setbacks, and just all those. It keeps it in this body for the changes and doesn't require variances on side yard setback and rear yard setback and all the things that you would have to go to BZA for, sorry Joe, but it would be just better to do it that way.

Mr. Broughton: Again, for all the comments that were on here, I can say that I wasn't surprised and have no issues on trying to get them all done. It's just a matter of funds and how quick I can get them. And then I guess that probably what I would ask from you guys is if I can get some lenience on some of this to do it over time, to prioritize that, and I would work on the priority. Like if it was landscaping was the priority, that would be the first thing that we would push to get done, and so on and so forth.

Chairman Darby: Well I've heard Mr. Okum speak in favor of that, and it's a question, Mrs. McBride, you made a comment earlier. Where does our leniency exist?

Mrs. McBride: You mean in terms of timing and so forth?

Chairman Darby: Yes.

Mrs. McBride: We have worked with other applicants that have come before the Commission, if you'll recall. I think the first one I was involved with was the Vineyard Church, and they had a huge number of trees that needed to be replanted, and we worked out I believe it was a five year plan for them to plant those trees, because again it was a similar situation. They had to raise the funds...

Chairman Darby: We gave some waivers also.

Mrs. McBride: ...to buy the trees, to plant the trees, and so it was implemented over I believe it was a five year period to plant all those trees. It was a huge number of trees.

Mr. Broughton: Can I... sorry. Just want to make it clear. Any of you can donate if you want. We will take money from anybody. Just so I'm clear on that.

Chairman Darby: Mrs. McBride may be able to help you with trees. So what we're looking at at this point folks is a motion for a table.

Mrs. Harlow motioned to table; Mr. Hall seconded the motion and the application was tabled with a 7-0 vote.

C. Zoning Text Amendments

Chairman Darby: the next item on the agenda, as you will recall, some time ago, on several occasions, Mrs. McBride informed us that it's pretty much standard procedure that from time to time we would be presented with text amendments for the adopted code book, and this evening we're going to look at some additional text amendments.

Mrs. McBride: These are ones that popped up kind of as a surprise, so to speak, so in March of 2014 the Springdale City Council adopted a series of text amendments which allowed for food processing in both the SS and the GI districts, but unfortunately the service that we use to update our code did not update the code, so when we came in to rewrite the code, it wasn't in the old code. Obviously we didn't go back through every single Ordinance that Council had adopted, so it was not included in that. Of particular concern with that is the Pretzel Baron, which is in an SS district, so we needed to move forward with this text amendment. So basically what we've done is, we have added, basically done what Council has already done in 2014 which is to add that as a permitted use in both the SS and GI districts in table 253-1. And then we also are suggesting adoption of the definition of the food processing as well, and both of those are contained within my memo.

The second item has to do with razor barbed wire. As you know, the City won their court case against one of the property owners that had installed razor wire along the top of their building, but during that court case Mr. Forbes advised that the court had suggested that the City needed to have a more concrete definition of razor wire and that it was specifically prohibited in the City. So what we have done is, we have added an amendment to Section 153.255H, which does prohibit razor wire, and we have created a definition for razor wire that would go into Section 153.600.

The other item has to do with temporary signs. When the code was redrafted, each parcel was allowed temporary signage up to sixty-four square feet, a maximum of thirty-two square feet per sign. That was non-residential and residential districts as well. In looking at that, we felt that perhaps although appropriate for our non-residential districts, things like Now Hiring Banners or Coming Soon, those types of signs, that was appropriate for the non-residential districts but not for the residential districts, so we are suggesting then that we limit those to six square feet for temporary signs with a total of twelve square feet per parcel for the residential signs. So those would be the, it's not the garage sale signs, it's not the real estate signs, it would be, you know sometimes unfortunately you see the signs for somebody needs a kidney, or there's a festival coming, or those types of unidentified political, political signs would fall into that category as well. Mr. Forbes, as you'll recall, suggested that the regulations for political signs be removed with the rewrite of the code, so that would fall into this parameter as well. So those are the three areas that we are amending currently at this time.

Mr. Okum moved to refer the amendments to Council for approval; Mr. Hall seconded the motion and the motion passed with a vote of 7-0.

X. DISCUSSION

Mrs. McBride: I beat him to it, both of them. I just wanted to let the Commission know that the Planning and Zoning Workshop that the Cincinnati section of the Ohio American Planning Association does every year is going to be held on Friday May 31st in Anderson again, because of course that's convenient for me. So at any rate, you will be getting registration information out, but in case you do want to go, mark your calendars.

Mr. Okum: Just a comment. I've had a lot of, I've had a number of comments in regards to the project at Wimbledon which is now called... It looks like it's unfinished and my comment was, and I'm saying this publicly, that it's not up to this Commission always to deal with what's pretty, and I think that there were some comments at the meeting about it looking strange and odd and there was gaps.

Chairman Darby: Yeah the gaps in the...

Mr. Okum: And the gaps that looks really strange.

Chairman Darby: Were those gaps there when it was presented to us?

Mr. Okum: Yeah, they were. Is the material stainless steel? Or is it galvanized? Because someone told me they think it's rusting already. So anyway, that was one of the comments. And also at Tortilleria Garcia's corner, and I'm OCD this way, the corners don't match and it's out of alignment, so it's a little...

Mrs. Harlow: I noticed that too.

Mr. Okum: You notice that too, so two people with OCD issues. It's just looking really strange. And some of the signs have, still have the temporary signs up and they have the permanent signs that are going u in the mesh. I'm sorry that it happened. I don't think it's going to make an improvement on that site. If anything, I think it's hurt it, but that's the negative comments I've heard from multiple people. I'm seeing a lot of heads shaking, so I'm thinking maybe other people have heard the same thing. I'm not the owner of the mall. I hope they succeed, but it's not good.

Mr. Taylor: I just wanted to get into the record officially that you all are going to have a meeting on the 31st.

Chairman Darby: Correct. Anything else for the betterment of the group?

Mr. Okum: I am gone the first meeting of February.

Chairman Darby: Okay. Mr. Okum will not be here for our regularly scheduled February meeting.

XI. CHAIRMAN'S REPORT - None.

XII. ADJOURNMENT

Mr. Hawkins moved to adjourn. Mrs. Harlow seconded the motion and the City of Springdale Planning Commission meeting concluded at 9:00 p.m.

Respectfully submitted,

_____, 2017 _____
Don Darby, Chairman

_____, 2017 _____
Richard Bauer, Secretary