

PLANNING COMMISSION MEETING

March 14, 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. A. MINUTES OF THE REGULAR MEETING OF FEBRUARY 14th, 2017

Chairman Darby: The Chair will accept a motion to adopt the Minutes of our previous meeting.

Mrs. Harlow motioned to adopt; Mr. Hawkins seconded the motion. With six "aye" votes and one abstention (Mr. Okum) from the Planning Commission members, the February 14, 2017 Minutes were adopted as submitted.

B. CORRECTION OF REGULAR MINUTES FROM MEETING OF DECEMBER 13, 2016

Chairman Darby: Mr. Taylor, would you talk us through that, please?

Mr. Taylor: There's actually two errors that were inadvertently approved by you all based on our review of the minutes. The first one is under item four. It says the minutes of the regular meeting of April 12th; it was of November 8th. More importantly, on the second page of the information that you have there, the minutes that we approved said Mr. Hawkins and Mrs. Harlow indicated this qualifies as a major modification. That's incorrect. It was actually a minor modification. So those are the two changes that we wish to make.

Chairman Darby: Anyone have any questions? We'll accept a motion.

Mr. Hall motioned to accept the changes; Mr. Okum seconded the motion. The changes to the minutes of the February 14th, 2017 meeting were accepted with a 7-0 vote.

V. REPORT ON COUNCIL

Mrs. Harlow: Council met on February 15th with all members in attendance. We did pass and have a Public Hearing and pass the Codified Ordinances of the City of Springdale Zoning Code. We accepted a bid to enter into a contract with Adleta for the 2017 Street Program; this is for the rehabilitation work. We also accepted a bid and entered into a contract with Strawser Construction for the 2017 Street Program maintenance work. We also purchased two fire trucks, well I should say we are leasing two fire trucks. We are financing those on a three-year lease with a buyout at the third year. One of them we are leasing is from Vogelpohl and then the other one is a lease finance agreement between US Bancorp and the City of Springdale.

We had another meeting on March 1st. All seven members of Council were in attendance. Here we had to establish two funds for our accounting system. One would be the Street Improvement Debt Fund and then the other one would be the Street Improvement Operations Fund. This is so we have a way of tracking that money, the \$8.3 million that we borrowed, and expending that money for just the Street Program fund. We also had an Ordinance to adjust appropriations for our current expenses and other expenditures and adjust the receipts for the fiscal year

ending December 31st, 2017. We then had a bid with JK Meurer and a contract, and this is for the walking path at our Community Center. I believe we talked about that at our last meeting. We're hoping to have that done by the end of spring. We have also a major modification to the Planned Unit Development and Preliminary Development Plan for Northwest Business Center, and that was a first reading. We had a Resolution extending the moratorium for another 180 days for medical marijuana dispensaries, cultivators, and processors. That would end my report; I'd be glad to answer any questions.

Chairman Darby: Are there questions from the members?

Mr. Hawkins: Just one addition to Mrs. Harlow's very detailed report. In terms of the fire engine, we had one but we had to go through some financing with US Bank on that.

Mrs. Harlow: We're getting a second one though.

Mr. Hawkins: We will be but hadn't made that move yet.

VI. CORRESPONDENCE - none

VII. OLD BUSINESS

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

Chairman Darby: Our Vice Chair is up here trying to give me his job, but it won't work. Yes sir. Please, go on.

Mr. Okum swore in those audience members wishing to speak regarding this issue.

Chairman Darby: Good evening, sir.

Mr. Broughton: Good evening. It's good to see everybody. I got some responses back. I think you guys got our latest and greatest drawings. I know there was a couple concerns on there. One was the inlet for the parking lot where the modular unit would sit. The question was, how are we going to deal with that. Where it sits at currently, it's right at the edge of the building. We're literally just going to move it back up the line into the parking lot more and regrade that so the water goes to that.

Chairman Darby: Excuse me, sir. Staff, I have a question here for clarification. It's my understanding there are some materials... that's another one. Okay, we'll move on. I'll ask that question next time.

Mr. Broughton: And then there was a question about the parking lot going in the front and the size of the parking lot. The parking spaces would be nine by eighteen, just standard parking spaces. We need fifteen spaces because that's what we're losing on the other side. There is a tree that's right there, but it's dead. It's got to come down anyhow. We showed a rain garden; we're trying to fulfill all the obligations that we need to fulfill. I'm really not sure what else you guys need from us. As far as the building's concerned, I know there's been a lot of questions of what it's going to look like. We're going to make it match the existing building. We're going to use the same brick, the same color paint, all that will match. We are going to have to move a small dumpster because it would be on the back side and wouldn't be accessible, so it will have to come in front of the building. If we need to do any kind of a picket fence or anything to surround that, we will. I just need to know from you guys what's expected.

Chairman Darby: Thank you. I'm sure we'll get to that.

Mrs. McBride provided Staff comments.

Mr. Shvezda provided Staff comments.

Mr. Taylor provided Staff comments.

Chairman Darby: We're ready for questions and comments. Is there anyone from the public at this time who would want to come forward?

Mr. Okum moved to close the Public Hearing. Mr. Hall seconded the motion. The Public Hearing was closed with a 7-0 vote.

Mr. Okum: I guess the applicant, are you still here? We still need to interact with you, sir. We just wanted to make sure that the public had an opportunity to comment if they wished to. You've had meetings with the residents, I would assume.

Mr. Broughton: Yes. We had an open house and invited whoever wanted to come to come over, so a few did.

Mr. Okum: Is that on this revised plan with the submission that we're reviewing this evening?

Mr. Broughton: Well this was, yeah that included what we were proposing to do this round. After our first meeting, Mrs. Harlow said that we should engage with the neighbors, so we did proactively before we had the next meeting. We invited whoever wanted to come over. We put fliers in their mailboxes and stuff, so a handful did that live right behind us.

Mr. Okum: Good. That was one of the questions that I wanted to make sure of. Obviously there's been some changes here that sort of falls into line with keeping it nice and neat. Setbacks seem to be pretty reasonable.

Mr. Broughton: The neighbors are extremely important to us. I mean if we can't have harmony with the neighbors, I mean think about it. We're taking care of kids there, so we definitely don't want any disgruntled neighbors whatsoever. Everything has been positive.

Mr. Okum: Thank you very much for your comments.

Mr. Bauer: Just a question about the parking. The required spaces for your whole facility, according to our code is thirty-six. You're tending to add additional spaces than what you have now. Three spaces. You look at that as a necessity that those additional spots you have to put in the front?

Mr. Broughton: Let me make myself very clear on this. We are not going to do anything that we don't have to do, because we don't have the money. We're not for profit, so we're scraping for everything we can. It is a necessity to have these extra parking spaces, because the way the parents bring the kids in, that backside will fill up and we've got to have an overflow because we don't want them out on the street. These kids could just bolt and take off running and stuff, so we need to try to keep that on the property as much as possible. It's as much of a safety factor as anything to have the extra parking.

Mr. Bauer: I guess one of the reports from Staff, Mr. Shvegza's, had a photo. I don't know when that photo was taken, but it was obvious that the parking lot was fairly full at that point in time. Just wanted to ask that question.

Mr. Hawkins: First off, I want to commend you on the effort to address the concerns that you've heard before the Commission, as well as Staff through this process as well as bringing in the residents and getting their input as well. I went to one of those meetings that you guys had early on. I know you guys are strapped financially, and that puts some constraints on the project that you guys have. I'm sure in a perfect world, you guys could relocate within Springdale to a bigger facility, more land and what have you, but I understand you guys have some financial issues right now. What I'm wrestling with is trying to maintain the same feel of the area and the neighborhood and still allow this expansion to go on. My concern with regard to that

is really trying to stay out of things going onto the north side of the property, at the same time minimizing the impact of what's on the back side of the property that the residents have to deal with. It seems like because of the location, the size of the building, the positioning, what have you, there's no way really to put on an addition without impacting that north side of the building, either by way of parking or by putting the addition up there. One way or another.

Mr. Broughton: That's a growing pain. I mean that's just, you're right.

Mr. Hawkins: That's just the nature of the situation you're in, in terms of that piece of property. So I'm just letting you know that's what I'm wrestling with. In my perfect world, if we couldn't move you to somewhere else in Springdale with more space, we would leave that north side of the property as green space as opposed to putting a parking lot, or as you guys had in the first submittal, having the addition up there. I'd rather not impact that green space if possible. So that's what I'm going through. I understand you guys are doing everything you can to try to make it work, but that's my concern as I'm going through this evaluation.

Mr. Broughton: I understand and I would like to say that right now, we have several school districts that we've got on hold, wanting to send more kids there, and we can't take them. So I just want to throw that out there. I mean this is our mission. This is why we're here and the founder's mission was that no child had to wait, and here we are. We're having to make them wait. So there's my struggle, so if I've got to take a little green space to help these kids, I'll fight for that all that I can because to me the kids are the most important.

Mr. Okum: What's our impervious surface ratio on that site? It's got to be low. Probably 20%? I mean it's a fairly green space site. I was going to try to find it here and I thought Staff would find it quicker. If you could help. It's on the second page...

Mrs. McBride: I believe total site impervious coverage is 37.7%.

Mr. Okum: What's the recommended for that zoning code?

Mrs. McBride: It's residential, so there is none.

Mr. Okum: If it were commercial, what would it be?

Mrs. McBride: It would depend on the district, but 25% would be typical.

Mr. Ramirez: Keeping in mind the residents, what are the normal operational hours Monday through Friday, and what are the hours where we could expect traffic in the parking lot?

Mr. Broughton: I do have my director here, and I'm going to just make sure I'm telling you correctly. Probably from seven to five?

Mrs. Wolfe: Seven thirty.

Mr. Ramirez: How many days a week?

Mr. Broughton: Five.

Mr. Ramirez: Monday through Friday?

Chairman Darby: Excuse me – her name please? Could you come forward?

Mrs. Wolfe: Susan Wolfe.

Mr. Ramirez: Finally, I have one other question. As it relates to the new proposed area where you're going to put the new trailers, will that impact that playing ground at all?

Mr. Broughton: It encroaches on the back side of the curb just a few feet, just off the edge of the blacktop.

Mr. Ramirez: But no intent in removing that area? That's kind of like a buffer.

Mr. Broughton: Right. I mean we need as much of the green space for the kids as we can keep. I mean they do really play out there quite a bit.

Mr. Ramirez: Okay, that's all I have.

Mr. Broughton: Our future plans is to upgrade the playground in the back.

Mrs. Harlow: On your submittal, you indicate that this addition will allow for ten more students to come into your program. How long do you believe, if this is granted and you get these building on site and up and running, how long do you believe that this is going to work for you until you're out of space again?

Mr. Broughton: At least ten years. And there's a lot of reasons for that. One is the way the programming is set up and having the right teachers there. It's just, right now they're meeting with the Staff that will put them at their comfort level to be able to handle that many kids with what we have. The expansion right now, beyond that as far as teachers and everything is concerned, it works just because it takes so long to raise that kind of money to even move forward. This has been in the works for thirteen years. So I'm going to say, we had a meeting in February about our vision for the future, of course we have our five-year plan to try to get this paid off, and our main goal is to get this paid off and then start upgrading the programming and everything inside the building and making things better as far as with the kids. Try to improve that part of what we do, so a minimum of ten years.

Mrs. Harlow: Okay. I'm kind of wrestling with this also, the same as Mr. Hawkins is. I know the work you do is really needed, but I also know that you're sitting in a residential area. So I wrestle with that too.

Mr. Okum: This is a question for Staff. Should we not, since I'm phrasing the motion, I think because this is a modification or an update of an existing Conditional Use, I think my motion should reference the original Conditional Use conditions that were set on the site so that there is no misunderstanding that those are being waived, those same restrictive conditions are still applying except for this modification. You understand the reason, because there were some conditions when we gave the original approval. That way we don't have anything loose. No loose ends. Is that okay? Staff's shaking their heads. I'm going with that.

Mr. Okum motioned to approve the request; Mr. Ramirez seconded the motion. With 6 affirmative votes and one opposed (Mr. Hawkins), the request was approved.

VIII. NEW BUSINESS

- A. Domino's, 11424 Springfield Pike, Springdale, Ohio, Minor Improvement Requiring Planning Commission Approval (Application 31824)

Chairman Darby: Applicant, please come forward. Good evening.

Mr. Carpenter: I'm Bob Carpenter, the applicant, filing for a motion here on behalf of Domino's. The letter that they all sent me referred to the front building wall. It was allowed to have 140-square feet of signage for which we're only really asking for 32.4, so we're just about a fourth of what we're allowed to have there. The problem was that they wanted a lot of earth tones, but basically Domino's corporate has very rigid rules on what colors I'm allowed to make Domino's signs in. So we kind of felt that since we're only using a fourth of what we're allowed to have in their colors, that's leaving three-quarters of the allowable signage to be in the earth tones that the building is painted. So even though it's not a graphic, the earth tones are there in the percentage that you all want. The same is pretty much true for the wall that faces Northland. That's just a 10-square foot thing where they were allowed 35-square feet,

so we're using a third of that. Actually, we're only using a fourth of what they're allowed on the front of the building. I read my notes wrong here. We're basically way under the allowable signage in the colors that are not earth tones, so I was hopeful that they could consider the rest of that background your earth tones that are desired. The monument sign, I brought it into total compliance with what the City does allow. There was a note that we hadn't given the dimensions, so I resubmitted those by email, but basically there it follows the Domino's face on the monument sign is 18-square feet. The pick-up window I twelve, and the little logo at the top is two, coming up with a total of 32-square feet and it's 7 feet tall, which is what the City restrictions are. Basically, that one's in compliance because the whole rest of the sign is stone and brick, and it has your earth tones. I believe the overall area of that monument, including the background and the faces, is around 65-square feet so we're at 50% with our 32 there. Now as far as the directional signs that are just 2 square feet each, Domino's only cares about what color the face is so we can make all the little directional signs in a bronze earth tone and put bronze retainers on to hold the faces on so that they are in keeping with what you're looking for. I think that pretty much covers the parameters that I was told to address. Any other questions?

Chairman Darby: Thank you. What we'll do is we'll go to our Staff reports and then we'll ask questions if they're there.

Mrs. McBride provided Staff comments.

Chairman Darby: Did you want to comment on that?

Mr. Carpenter: I have the landscaping with me.

Mrs. McBride: The gentleman has a landscaping plan, so anyway Staff can review that and work with them to make sure that that's compliant with the code.

Mr. Carpenter: They just sent that to me this evening.

Chairman Darby: Sir, our procedure is until submittals have been reviewed to they are positioned to advise us, we really don't consider them. So the Staff will do that as expeditiously as possible and the Commission will have a chance to respond to it. So, Staff, are you okay with that, or is it...? Okay, thank you. Did you have anything else, Mrs. McBride?

Mrs. McBride: No.

Mr. Okum: My mic is on. In regards to the ground-mount sign, you're going to use the existing cabinet, is that correct?

Mr. Carpenter: Everything that's existing, we will do an LED upgrade to the internal lighting.

Mr. Okum: But the unit will be the same size as currently exists.

Mr. Carpenter: It'll be the same metal, the same cabinet. Yes, sir.

Mr. Okum: I just wanted to make sure. In regards to the, what was the other item I had on my list here? As far as a motion is concerned, Staff, I think that the motion, if it's okay, I'm going to reference the size of the unit as the existing unit so that, because they are allowed a larger, but this is what we're approving and I think that that should be part of it. I did have that when we got into that percentage, if we went to the percentage of the allowable signage and the amount of color that would be on the allowable amount of signage, it doesn't work that way?

Mrs. McBride: No. It does not. Nice try.

Mr. Okum: I thought I'd ask that question.

Mrs. McBride: Nice try. You should be on the other side.

Mr. Okum: It was a good shot, wasn't it?

Mrs. McBride: Yeah, no.

Mr. Okum: Can't do that.

Mrs. McBride: But I would also ask when you're talking about referencing the existing ground-mount, don't forget that they are adding that Domino's logo on top which is an additional 2 plus square feet.

Mr. Okum: Okay.

Mr. Carpenter: Yes, that's not existing. That's now. The little 2-foot logo at the top of the...

Mrs. McBride: And just to clarify, that's not going to spin or anything, is it?

Mr. Carpenter: No, no motion. No flashing.

Mrs. McBride: Don't like spinning.

Chairman Darby: Don't like spinnies.

Mr. Bauer: Yeah, just a quick question. Can I ask you why you're moving from the present location to that location?

Mr. Carpenter: I don't know. I think it's probably due to their new concept where they have a lot of different menu and it's a whole different approach. I make their sign; I don't make their decisions.

Mr. Ramirez: As I see, aren't we limited to a 7-foot maximum sign height?

Mrs. McBride: Yes, that's what's permitted in the Sub-Area D Corridor Review District.

Mr. Ramirez: So, with the 6-foot current structure and adding a 2-foot Domino's on top of that?

Mrs. McBride: I don't believe that, I think the gentleman said that the total sign would be 7 feet.

Mr. Ramirez: Is that correct?

Mrs. McBride: We requested a dimension on the height of the sign and we didn't get one, so you're heard what we've heard tonight on the height of the sign.

Mr. Carpenter: I thought I submitted all those. This was the drawing I sent in, and the logo is placed on the face of the monument and only extends above it about six inches.

Mr. Ramirez: This diagram here shows six feet plus two for the logo.

Mr. Carpenter: I'm sorry, see I sent these in...

Mr. Okum: There's a revision that they sent. We're not reviewing.

Mr. Carpenter: This is what it's going to be, so it's not a...

Mr. Ramirez: Okay.

Mr. Carpenter: It's not a 2-foot extension.

Mr. Ramirez: It's not 2 foot above that.

Mr. Carpenter: About six inches.

Mr. Ramirez: Okay.

Mr. Okum: I'll get that in the motion too.

Mr. Hawkins: Just making a comment with regard to the color scheme in consideration to the rest of the Corridor. I just note that the signage is, there's a lot more signage that they could have had and also noting that there are significant corporate restraints based on the business and the type of signage that they have.

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

Chairman Darby: Thank you for coming.

Mr. Carpenter: Thank you all for your consideration.

Mrs. McBride: Mr. Carpenter, if you could resend that information, we didn't get it. If you could resend it we would appreciate it.

Mr. Carpenter: I will resend it. How soon can I get my permits? They're waiting to open.

(Inaudible off mic)

B. Tri-County Mall, 11700 Princeton Pike, Springdale, Ohio, Major Change to a Preliminary PUD (Application 31822)

Chairman Darby: Before we get started, let's clear this up. The document we just received, Staff, what's your take on this?

Mrs. McBride: I believe that it is our process that the applicants make a submittal to us and the three members of Staff review the submittal. We then offer comments to the applicant so that they can make revisions should they choose to prior to a final Staff report being written for Planning Commission. So they received initial comments. They responded back to us. We reviewed those and prepared our Planning Commission Staff reports which are before the Commission this evening, and I believe that this document is a response to those comments.

Chairman Darby: But you have not had a chance to review?

Mrs. McBride: No.

Chairman Darby: No. So you can't advise us on them.

Mrs. McBride: No.

Chairman Darby: Will they be built into your presentation?

Mr. Rich: Our intent was to cover them, since there were Staff comments. This is just a summation then of the material that we can discuss, since I assume we're going to discuss the Staff comments.

Chairman Darby: Correct. And you know in the past, those Staff comments would have been predicated on what had been submitted to them, so if they are not able to advise us as to what you have here then we would have a problem. Let's proceed and see how we work out.

Mr. Schupp: Good evening. No swearing in?

Mr. Okum: No. Not that kind of hearing.

Mr. Taylor: If this is a major modification, so this is a Public Hearing.

Chairman Darby: Oops.

Mrs. McBride: But they don't have to be sworn in.

Mr. Okum: But we don't swear in on a Public Hearing. We've never done a swearing in on...

Chairman Darby: It's a Conditional Use.

Mr. Okum: Only on Conditional Uses do we swear in.

Mrs. McBride: It's a Public Hearing for notification purposes, so the Chair will obviously want to make it available for the public to comment, but it's not a Conditional Use hearing, which does require swearing in of the witnesses.

Mr. Okum: We're good.

Chairman Darby: Thank you. We're good.

Mr. Schupp: Good evening. Thank you for your time. I'm John Schupp, representing Tri-County Mall. I'm with Davidson and Young.

Mr. Rich: And I'm Robert Rich with the architectural firm A359.

Mr. Schupp: As you all have known for about a year and a half now, we've been assembling a development strategy for Tri-County Mall. It took us that long to get pieces in place, parts in place, and we have a number of proposed leases out to a number of tenants that will allow us to execute this strategy. The strategy has been multi-phased and approached in multiple different ways. We've been before you all at least on five different occasions to approve parts and pieces. Now we're finalized the development strategy and that's what we're presenting now, hence the major submission. We've already done the pad development along what we call the first tier of retail along Princeton. Those stores, those retailers, represent what we call the street appeal of the retail, because as you know, a mall was always intended to be designed as an inward-focused fortress type of structure. As a result, the tenants in the mall never felt like, over recent time, that they had the appeal that's available to them if they're on the street side, so hence they believed that they were losing their competitive advantage. We're not advocating all of the tenants in the mall to be outward-facing; we couldn't do that. It's 1.3 million square feet. But what we've tried to establish with the help of our architects is to set up this tier of retailing and we have the strategy in place. The first strategy is completed and done with Outback, with Starbucks, Chipotle, and Men's Wearhouse. Stores that you can approach, stores that you can easily see, and stores that you can easily access from Princeton Pike. In order to aid that in terms of circulation, the north entry drive was modified to allow more direct access to the front of the mall. The second tier of retail is what we're presenting tonight. That is the tier of retail that will face outward. It's mall tenants, traditional mall tenants that are now facing outward so that from the street you can see the tenants. You can see their storefronts. You can see the design. You can see the goods and services they have to offer. In addition to that, it puts a new design aesthetic on Tri-County Mall which hasn't seen a renovation, exterior or interior, for over thirty years. I shouldn't say thirty. Twenty-five years, but we are addressing that with part of our program. The tenants that you will see on the outside we can't reveal any of the names because their leases aren't signed, so I'm sorry we can't tell you the names, but hopefully leases will get executed soon. Correct, Eric? And then we can start making the announcements for the tenants coming into the center. These tenants will have exterior storefronts. Two of the larger boxes will have, well they all will have exterior storefronts. The two larger boxes will be accessed from the mall, so we are still trying and requiring tenants to come into the mall before they come into the stores. Ironically, both of those tenants preferred to have mall entrances, but wanted the exterior visibility and exposure. We've provided them with both opportunities, and thank you for the requirement for the interior elevation, because

that fits in perfectly with what we're trying to do for the tenants. So with the tenant mix, the new design. Then we can address the third tier of retail with the momentum gained from the Princeton Pike retailing, with the momentum gained from the what we call the lifestyle addition onto Tri-County Mall, we then will have a new core critical mass of tenants for Tri-County Mall which will then allow us to address tenant leasing vacancy issues inside the mall, creating a better mix of tenants and retailers in a market that is continuing to shrink every day as retailers announce bankruptcies, closings, and store shrinkage, so to speak.

The first sheet illustrated the existing mall as it presently is. This second page illustrates the mall and highlights the zones of what we're addressing and as you can see from your package, we have the zone, what we call the lifestyle zone, around the front of the mall. We have the theater zone, which is replacing the Dillard's vacant box, and then we have the Kemper zone, which includes a consolidation of a lot of the small shop retailers into large-format retailers, allowing us the opportunity to lease to large box tenants that want greater square footages in the store, but we don't have that ability unless we aggregate a number of small shop tenant space. It's all about, again, like I said, Tri-County Mall 1.3 is million square feet. They're realistically about 400,000 square feet larger than it needs to be in terms of a sustainable mall or retail note at this point in time.

As you can see here, this is the first sheet that was required relative to showing what the architecture looks like on the development. The top elevation which is in the middle of the sheet shows the elevation, what you would expect to see along Princeton Pike. Though it is small in scale here, we have larger renderings and hopefully you can see from your packages what the details involve. It includes a design architecture that fits the scale of pedestrian walking along the storefront. We have the sidewalk there. We're encouraging pedestrian activity, wanting pedestrian activity. We want them to shop the exterior. This shows you a little bit larger scale of what we're talking about. The storefront facades are all about breaking down the scale of Tri-County Mall to a more pedestrian-focused scale. We encourage pedestrian activity along the sidewalk which will be landscaped. We will have benches and other site amenities to accommodate a more pedestrian-focused environment. We're not discouraging them and also we want to encourage them to enter the mall, and that is why the entrance feature will be the tallest structure along the storefront, again pointing to the front door of access to the center. And if you notice that the front door is in a slightly different location than what it is right now, it's shifted to the south about 30 feet, and the reason for that is based solely upon the leasing requirements of the two major tenants that are at the entrance right now. They required certain space with certain dimensions, certain size, so the entrance slides down. It fits our architecture, fits our design very fine and very well.

You start to see the materials that are called out for the storefronts. You see the storefronts are literally attached to the front of the center, keeping the mall structure there as a background, as a backdrop so to speak. You have received the finish materials. They include obviously some stone materials. They include some tile materials. They include EIFS and most importantly they include a lot of color. We're breaking up the monolithic or monochromatic look of Tri-County Mall into something that's a little bit more detailed, a little bit more broken down. Again, it's all about establishing a pedestrian scale here. Again, this just shows you the architecture as you go from the north end of the center down by Macy's all the way through to the south end, which I call the south end. It's the south loading dock which ends just short of the BJ's restaurant and the corner blocks down there. The middle elevation again just shows you more detail of the stores and the storefront and the size and the scale and the choice of materials that we're using there. The bottom elevation is from the entry point to the furthest most southern point, which stops just short of the loading facility, excuse me, stops just short of the loading facility for BJ's right now. BJ's stays as is, in place at the corner. As we turn the corner on Kemper, the top elevation shows you the far-left hand view there is what we call the glass cube. That is the current atrium entrance at the corner of Princeton and Kemper. BJ's is accessible from there and it has the escalator going up to the second floor. Currently right now where it says tenant, that currently is the Ethan Allen space. We are reformulating all the retailers along Kemper in order to accommodate future large

format retailers. We can accommodate three retailers of that size varying in size from about 20,000 square feet to just under 30,000 square feet, so we can aggregate a lot of small retail shops that are under-utilized into large-format retailers, allowing our customers more shopping variety.

This is more of an architectural rendering, something that you're more apt to look at rather than flat elevations of what this elevation, what this presentation along in the parking lot looking for the new storefront would look like here. Again, same elevation, just from a different point of view. Notice all the happy shoppers and cars and people. They're all carrying bags and spending money. Again, just another elevation showing the different materials and the different choices. We're trying to break down the scale of the front to reflect tenant sizes that we are proposing for the stores, trying to create a vignette of lots of different stores and lots of different store types. Again, this is all about creating a pedestrian scale. On the Kemper side, same type of perspective. Aggregating small shop space into large-format retailers and again a little further down, stopping just short of the Sears building which would be off the screen to the right.

You had requested the interior elevation. This would be standing in the new mall location, looking out towards the exterior. On the right-hand side would be one tenant. It's very hard to see their store because of the oblique angle, but on the left-hand side you start to see the show windows and the access point into the store. We've encouraged these two tenants to have entrances in the mall to get people coming into the mall to do their shopping and not just stop at the street and leave. As I noted earlier, both of these tenants actually wanted their entrances in the center and not on the storefront, so we were very pleased of their retailing strategy.

The landscaping sheet and details I'm sure you'll address in terms of your comments. I don't need to dwell on it here. Bob's got all of his answers for you. Again, the elevation and the plans are so large it takes up two sheets to show the landscaping plan.

Again, as you turn down Kemper, the landscaping plan along Kemper, and then we have the theater program. This is the first time that anybody has seen the former McAlpin's building, former Dillard's building actually removed and replaced with a theater. Right now we're dealing with two theaters trying to bring both of them through the lease process and let the best terms win for us. That's what we're looking at. As you can imagine, a theater footprint of 40 to 45,000 square feet is a lot smaller than the Dillard's footprint of 75,000 square feet, so we have the ability to offer parking at the front door of the theater, exterior, and again they will be connected to the mall. You come into the mall, you go to the theater. You can park in the parking decks, descend down to the parking decks, and go into the theater. The lobby and the circulation point will be designed and positioned such that access will be provided both interior and exterior, and in the event that, well we all know that theaters; late show is 11 o'clock or midnight. The mall is closed by that time. We provide the optimal way for the patrons to leave which is through their lobby, through the exterior, through the on-grade access. Note that a theater height, because of the screen height, the auditorium and the stadium seating and all the accessories, a theater building is approximately 45 feet tall, which is just a shade shorter than what the Dillard's building is right now. So though we are a fraction of the volume, excuse me, fraction of the square footage of the Dillard's building, height-wise it will almost be as large as the Dillard's building, and that resolves the tenant's issue of visibility. How will they know where my theater is when I'm hidden behind the mall and buried amongst the parking decks? Their own height and their own mass takes care of that, and as you noticed, their signage will be at the same location as well too.

This is the theater's prototypical layout. If you line up this plan relative to the site plan you saw on the previous sheet, you will say these plans don't align themselves. That's correct. Bob took architectural license at our direction and rearranged the site plan to the direction that we want. Both theater tenants know that we're going to want an arrangement like this with access into the lobby from the exterior. It helps their customers because their customer will want to park in the parking deck more so than the front of the mall. Their customer is used to being there two hours, so a

parking deck location is more appropriate for them, especially for the late shows. And this is one question that we will admit we have not submitted. These are the prototypical elevations for what this theater is. We do not yet have the specific theater elevations for this location, but we felt it was fair and appropriate to show you what the prototypical design is heading for. Again, if you notice their theme of elevations matches up to what we're trying to do, which is a broken-down façade (I shouldn't say broken-down façade), articulated facades, lots of materials, and no long singular plain surfaces. Again, to break down what amassing a theater building is. When you think of a theater building, 45,000 square feet, 45 feet tall, it can be a very overpowering box.

This might be a little out of sequence here. With respect to impervious/ pervious areas, the calculations that were submitted have been corrected, pursuant to your comments. We will have, when we're done with the development, when you take into consideration the previous PUDs that have been done for the center over the years that were never built or never enacted upon, we currently have more pervious space than impervious space. Even though we're building these buildings and taking up that grass space next to the entrance right now for the redevelopment here, those were originally planned to be covered anyway in terms of a previous PUD, so our net result is still less impervious pavements. We have the detail and numbers in our summation.

Mr. Rich: I wanted to make a comment about the landscape. There are landscape comments about the diversity of plant material, and it is our intention with the trees that align the ring road to create a street tree. So in the new planting, we do have a predominant tree type and it was our opinion that when you consider the new planting in combination with the existing planting, that we do have a variety of plants on the site and a variety of trees on the site. For aesthetic appeal and a creative signature look, we have decided on one tree for the street tree, rather than four trees for the street trees. We're had this discussion with previous submissions also about mass plantings around the north entry area, and in order to create a stronger aesthetic statement with the landscape, we have some areas that are not nearly as significant as what we've previously submitted, of a predominant plant material to create a mass effect. So I mean we can, you'll hear some Staff comments in respect to that, but I thought I would address that just as part of the design presentation.

Mrs. McBride: The first item that we will need to address with regards to the application is, because they are adding a theater use, an entertainment use, that was not a component originally anticipated as a part of the mall, the current approval, then we will need the two members of Planning Commission that serve on Council to determine if it is a major or a minor modification. I think the applicants and Staff are in agreement that it is a major change, but we will need those two members of Council to affirm that.

Mr. Hawkins: I believe it is a major modification.

Mrs. Harlow: Well, I believe it's a minor modification. It's an entertainment venue. The mall has always been there for shopping and entertainment, gathering of people. I see it as minor. So I don't know how we resolve...

Chairman Darby: There is no resolution. It just requires one vote, but I just want to ask. Staff, is it not the case that your conception of this being a major modification is because of the entertainment element?

Mrs. McBride: That's correct, because it contained a cinema and a cinema has a different traffic pattern and has different hours of operation. It's a destination. Those are the types of things that kicked it over in our opinion, and I believe the applicants' as well, into a major change.

Chairman Darby: Take me back. The history of this mall. Has there been an entertainment component?

Mrs. McBride: There was a kids' amusement park at one point in time.

Chairman Darby: Was it comparable?

Mr. Rich: Was it comparable to a cinema?

Chairman Darby: Right.

Mrs. McBride: No.

Mr. Rich: I can't speak, probably only from the significance of traffic patterns, which Mrs. McBride mentioned. Is there a difference, you know, between the functions? I would say in particular that that previous entertainment venue may have had similar traffic. I mean it was kind of an after-hours function that didn't necessarily align with when retail stores were open, but I don't know that... we were prepared, I guess we were told that the Staff thought it was a major, so we submitted it as a major. So we were prepared for it to be a major.

Chairman Darby: Just for the record, the procedure here is that we have two Councilpersons vote, but it only requires one affirmative to determine that it is major. So, we'll proceed along those lines.

Mrs. McBride provided Staff comments.

Mr. Shvezda provided Staff comments.

Mr. Okum: Microphone on? Good. Couple questions. One is that this is a Preliminary Redevelopment plan, so everyone should understand that what we see here could vary. Is that correct? Just want to make sure for the record.

Mr. Schupp: Yes, it could vary.

Mr. Okum: Things could be a little left, things could be a little right, but the building, we're not in a final plan review.

Mr. Schupp: That's correct.

Mr. Okum: That being said, the three entryways: the entryway by Macy's, the entryway that is being moved 30 feet south, and the entryway on Kemper are all going to be symmetric in style and size, or not?

Mr. Schupp: They're going to be similar in terms of design aesthetic. The entryway that we're moving approximately 30 feet south, that will be the biggest and the most robust, because that still will remain the main mall entry. The other ones are less prominent, and therefore they will have similar design features and will be scaled accordingly.

Mr. Okum: The one that stands out to be the most is the one down by Sears. It seems to be sort of corridor restrictive, very closed-in, not welcoming as an entry into the mall. If there could be something done with that entryway, I think it would enhance that location.

Mr. Schupp: Okay.

Mr. Okum: So, just a comment. The parking garage access points to the theater. There will not be a second level entrance into the theater, is that correct?

Mr. Schupp: That's correct because the theater is main level.

Mr. Okum: Is the main entry, one floor. The primary entry to the theater will be two ways. One from the parking field and one from the parking garage, is that correct? Or from the mall.

Mr. Schupp: From the mall. That's correct.

Mr. Okum: Okay, so those would be the two points of entry.

Mr. Schupp: Yes.

Mr. Okum: Okay, one of the big things that the theater's probably going to be needing is signage. Are you planning on, I'm sure you're going to incorporate them on the street signs along Princeton Pike and ...

Mr. Schupp: Absolutely. We have room on those pylons, as they're installed, to incorporate a sign panel for the theater. Yes.

Mr. Okum: One of the things that's occurred recently is those were all supposed to be channel-cut letter signs on those pylon signs. That was what was approved at this Commission. We now have vinyl stickers on them, I believe.

Mr. Taylor: That issue has been raised.

Mr. Okum: Okay, so they're resolving that?

Mr. Taylor: Yes.

Mr. Okum: Okay, good. So basically the signs that are on the street that will promote these businesses will be done the way that they were originally designed.

Mr. Schupp: Yes, sir.

Mr. Okum: One of the things that was annoying to the development there at the mall for a good period of time was once we approved the two restaurants on those two out main entry corners, we had basically a barren fence there for a year, two years maybe, a significant period of time before the current structure grassed it in and made it a grassy space. We had basically a chain link fence with mesh on it to conceal the area. Since new ownership, you have grassed that area in and done that. One of the things that concerns me with this major of a change and with the amount of demolition that's going to go on is, we've been struck with projects that go well at first and then sometimes stall due to things happening in the economy or other reasons, or problems with leases and so forth. I think with the areas that you're going to be demolishing, there should be some timeline given that you got an opportunity to do that, get that redevelopment started and in place. But should it not get started and in place, I think we need to have a requirement that those areas be grassed in and maintained should a failure to be able to accommodate these new developments over the redevelopment period, because some things aren't going to happen right away and we all know that. There's going to be things that stall, and this is a major, major and very positive thing. I'm very encouraged and very happy about what's happening. I feel sorry for Showcase Cinemas, but too bad. They haven't done anything; that's their problem. But on the other hand, I think that we need to look at that because the worst thing that I would like to see happen is these chain link fences go up around these construction areas where the demolition occurred, and it just sits there for three years or two years, and we have basically the same situation we had with the prior owners. I think it was the prior owners. I don't think it was the current owners.

Mr. Schupp: It was the prior owners. It wasn't the current ownership.

Mr. Okum: Right. So I think that I came up with some wording. Do you think six months is a good enough time from demolition to transition?

Mr. Schupp: We have an 18, we have a preliminary 18-month schedule to start work and then to finish the work, so six months is going to be too short of a window because it's going to take us about 18 months to execute the entire program.

Mr. Okum: I'm just talking like, if you took a site, one site, take that site right there where you do the demolition.

Mr. Schupp: Right.

Mr. Okum: Once that old section is torn down, what's your turn around to beginning redevelopment of that section, that plot?

Mr. Schupp: We would not start tearing things down without a plan to continue with work, so in that situation, your six-month clause to return it to a grassed area or somewhat landscaped area would be appropriate.

Mr. Okum: So that would work.

Mr. Schupp: Yes, that could work because last thing current ownership would want to do would be to authorize spending money and then all of a sudden stop.

Mr. Okum: Well we understand that sometimes...

Mr. Schupp: Yeah, I know.

Mr. Okum: ...ownerships have issues.

Mr. Schupp: Yes.

Mr. Okum: So we've, obviously they've got a lot of financing going on here that's going to finance this project. Is there an estimated budget for this project?

Mr. Schupp: Estimated budget of approximately \$45 million, so it is a major...

Mr. Okum: That's a significant number.

Mr. Schupp: Significant investment, significant dollars. Yes.

Mr. Okum: So my thought was if this reads okay, "areas of demolition identified shall replace grass and maintain if not under redevelopment within six months of demolition. Fencing around those areas will not be used after that six-month period."

Mr. Schupp: That would be acceptable.

Mr. Okum: I just want to be fair and give you an opportunity for it to happen. If something happens, we want to cover it. The area next to this, I had a hard time because BJ's wasn't on here and I was really having a hard time where we stopped and where we started, because I kept wanting to go to the corner and I kept identifying and pointing my elevations to my site plan and I wasn't getting it to work. So I appreciate you saying BJ's from that corridor, the dock corridor at BJ's is not included.

Mr. Schupp: That's correct.

Mr. Okum: That's very helpful. On the Kemper Road side, you've allowed or designed in a gate assembly. It was labeled "telescoping gate to be constructed in this area" over that dock area.

Mr. Schupp: It's an existing loading dock that we have to expand by one bay to accommodate an additional tractor trailer for the large-format...

Mr. Okum: Right, it makes good sense.

Mr. Schupp: We know your requirements last time with respect to your comments, last time with respect to gating service areas.

Mr. Okum: So you know that my next comment is going to be that on the final plan, I would expect that the court, the dock area between BJ's and the new building also be gated with the same type of gating system that is ultimately approved in the plan. Does that make reasonable sense?

Mr. Schupp: It makes reasonable sense, but we understand.

Mr. Okum: Okay. It's just being fair. If they have a gate on one side, we have a gate on both sides, and I think that that would be appropriate. That's all of the items I had.

Mr. Ramirez: Recently we had Dos Amigos before us and we approved that restaurant move over to the mall. Will that be held up by this?

Mr. Schupp: No, Dos Amigos was a separate PUD approval, and we have a building permit for that work and that work has been commenced.

Mr. Ramirez: So the proposal here is to move the main entrance to the south 30 feet.

Mr. Schupp: Approximately 30 feet, and that was done to accommodate the tenants dimensioning for the two large tenants that we want to put at the front door.

Mr. Ramirez: But wasn't Dos Amigos going to...

Mr. Schupp: Dos Amigos is down by the Macy's end, unaffected.

Mr. Ramirez: Okay.

Mr. Schupp: We're closing in onto where it should have been years ago at the center, but we can't because of utilities that are in place now.

Mr. Rich: Can I make a comment?

Chairman Darby: Sure, please.

Mr. Rich: BJ's dock, the depth of BJ's dock probably precludes that there can be a telescoping gate that's similar to the one that's proposed on the south side, only because you couldn't have a truck, you could have a truck in there but you can't close the gate when the truck is there. For your information.

Mr. Okum: But rarely are trucks left there for any period of time.

Mr. Rich: Umm, I can't respond.

Mr. Okum: I go to the mall frequently.

Mr. Rich: I can't respond.

Mr. Okum: Rarely, there's rarely...

Mr. Rich: I can't respond to that. I've seen trucks there and I've seen trucks not there.

Mr. Okum: ...a truck there for any period of time.

Mr. Rich: But if there were a gate, the gate would have to be open when a truck was there for service.

Mr. Okum: Oh, absolutely. Certainly.

Mr. Rich: I'm saying it has to stay open while the truck is there.

Mr. Okum: Sure. Absolutely.

Mr. Rich: You couldn't screen a truck.

Mr. Okum: We had that discussion. I don't have a problem with that. The point is that when a truck's there, fine. The gate would be open. When the truck goes away, the gate shuts and gives us a façade. I think it works.

Mr. Bauer: A few comments and question, I guess. I'm excited about what you're showing us tonight in this Preliminary plan. What I couldn't tell on the Kemper Road side, those tenants, are they planning to take both floors in those locations where you've got that shown?

Mr. Schupp: No, we have sufficient height in the building from the first-floor level to the underside of the structure above to accommodate large-format retailers, standard floor to structure heights. It's just the way the mall was built. The second floor will remain, and will remain in place and will remain open. The storefronts that we are applying to that façade will be more appropriate to those large-format retailers, which is approximately a 30-foot high storefront.

Mr. Bauer: Okay.

Mr. Schupp: So we'll be covering up some of the existing wall in order to create the prototypical storefronts that the large-format retailers are used to having.

Mr. Bauer: A question about the theater. The study you did, as far as what makes you think a theater will do well in that location?

Mr. Schupp: It's not just a normal theater. It's an enhanced food and beverage-type theater with reserved seating; the larger type chairs, recliners, so-to-speak; and it's just a more creature-comfort theater that does not exist on this side of town.

Mr. Bauer: And finally, we're talking about the Princeton Pike-side stores and opening that up for pedestrians and making it very pedestrian-friendly. I guess as you design the access from the parking field, please keep that in mind that that access becomes easy, it's not a safety-hazard crossing there. You moved the entryway, the main entryway to the south. Right now that doesn't look like that aligns with the current path of travel across there.

Mr. Schupp: No.

Mr. Bauer: Just keep that type of thing in mind as you go through the next step.

Mr. Schupp: Yes sir.

Mr. Okum made a motion to accept the request; Mr. Ramirez seconded and the motion was approved with a 7-0 vote.

- C. Gilhart Enterprises, Inc. (former Princeton Bowl property) 11711 Princeton Pike, Springdale, Ohio, Revision to an Approved PUD (Application 31839)

Chairman Darby: Did you son quit you already?

Mr. Gilhart: As a matter of fact, he did. He said say hello to everyone.

Chairman Darby: I won't go there then. I'll leave it alone.

Mr. Gilhart: He accepted a job. Are we ready to go?

Chairman Darby: Ready. Yes, sir.

Mr. Gilhart: Good evening everyone. I'm John Gilhart, representing Gilhart Enterprises. With me, I have Clark Gilhart, Rick Gilhart, and Mr. Matt Viola with Forrest Lytle & Sons. You may recall back in January, we did a presentation. It was a Concept Plan Review application. This is the follow-up to that. We received some input at that meeting, and we wanted to present an update to that, and what we propose is the old bowling center, demoing about 10,000 square feet of the structure and converting that to flex space. I have given you an updated packet. I believe this is the same as what I submitted, with the exception of the second packet you have is updated drawings based on Staff comments. Unfortunately, the engineer was behind

and we did not get Staff comments until almost midnight last night. I provided that. What I'd like to do, I think is, if we could have Staff make their comments and if it's appropriate, read the responses to those comments, and then we can go from there.

Chairman Darby: When was this submitted?

Mrs. McBride: The information, the loose information that's in front of you was what came in today, or midnight last night to the City by email, and then hard copies were provided for the Planning Commission tonight.

Chairman Darby: So it's my assumption you don't have comments.

Mrs. McBride: No, we haven't looked at it.

Chairman Darby: That's a problem. They don't have comments for us.

Mr. Gilhart: Well I believe there are three letters of comments from Staff.

Chairman Darby: I'm just going on what Staff just informed me.

Mrs. McBride: We have comments, but it's not on this submittal.

Chairman Darby: I know about the previous submittals. I'm talking about this that was turned in last evening.

Mrs. McBride: Yeah, we do not have comments on the information that came in last night or this morning, today.

Mr. Gilhart: The first packet is unchanged. The second packet is just the engineer's drawings, landscape plans, turning radius, dumpster enclosure, that type of thing.

Chairman Darby: I'm aware of that. It's the third packet that's problematic. And if Staff can't advise, I think I said this to the previous presenter. If there's information that's germane to this presentation and Staff can't advise the Commission on it, then how are we to consider it?

Mr. Gilhart: I don't know what to tell you.

Mrs. McBride: I think that Planning Commission can choose to consider the application that Staff reviewed and this is going to be up to the two members of Council to determine, but Staff feels that this is a major change because this is a use that wasn't included ever as a part of this PUD. So this would only be considered as a Preliminary Development Plan, and so a lot of the comments that I think you'll find in the three Staff reports can be address later at Final Development Plan. If the applicants address them here this evening, we don't know that. We haven't looked at that, but...

Mr. Gilhart: My feeling is there will be a third time, or a second review. I don't think that we can resolve everything. There's a lot of issues with signage, so on and so forth, and my thought was to try to go through as much as we can and probably have a follow up next month. I mean that's...

Mrs. McBride: Or Planning Commission may choose to handle those issues on a Final Development Plan.

Mr. Gilhart: Clarify something for me. I'm a bit confused. The minor change, we've done those several times with the shopping center. I was under the impression that in the PUD, retail office, type uses were within the PUD, but that's not correct? Or am I missing something?

Mrs. McBride: The uses that were originally approved with that PUD, I wasn't obviously here at that time and I don't know exactly what was, but it was predominately retail-type uses, restaurants, with some office-type uses. What you're

proposing is office and warehouse, predominately warehouse space. Warehouse space was never foreseen as anything other than an accessory use within a retail building or something on this site. SO that would in my opinion, Staff's opinion, make it a major amendment. Obviously again, as I said...

Mr. Gilhart: And I don't...

Mrs. McBride: ...it's up to the two members of Council.

Mr. Gilhart: ... want to argue the point either way. It was just my impression that the warehouse space was...

Chairman Darby: Excuse me.

Mr. Gilhart: ... an accessory use to it.

Chairman Darby: There's nothing to argue until the Councilpersons make their feelings known. Okay?

Mr. Gilhart: Yeah, I just looked at this. We tore down a Kentucky Fried Chicken and a Pro-Care and completed a whole site. We added a GNC and put back in a restaurant, and that was a minor. That was my only confusion.

Chairman Darby: And you already had restaurants there., but no warehouses. Councilpersons, are you ready to render your opinions.

Mrs. Harlow: Yes.

Mr. Hawkins: I find it to be a major modification.

Mrs. Harlow: I do agree with Mr. Hawkins as well, a major.

Chairman Darby: Okay, thank you. Then we'll proceed along those lines.

Mrs. McBride: Do you want Staff to go forward, or do you want the applicant...

Chairman Darby: As usual. Mr. Gilhart can make his presentation.

Mr. Gilhart: We're not going to read Staff comments based on my submittal?

Chairman Darby: Right, we always do that. But we allow the applicant to present to us first.

Mr. Gilhart: Oh, okay.

Chairman Darby: That's what we're doing.

Mr. Gilhart: That's fine. You'll see there's a couple packets here in front of you. Basically it's the same thing that we proposed back in January as far as the Concept Plan. The first page is just a brief description for anyone is not familiar with flex space, so that's the first page. Yeah so back in January the Concept Plan was the blue area, the red area was demoed, all the blue area was going to be the renovated space. As you may recall, phase two was a new building in the rear. That has changed. That's been scrapped because we can't do that because of the flood plain. It would have to be seven or eight feet, I believe Mr. Taylor said, and it's also adjacent to the residential property. So we propose to do this in two phases, basically half of the building.

Then on page two, this is again the same configuration we presented back in January. You have it in front of you. It shows the floor plan of the building, phase one and phase two. You can see the blue and the green, and that would be the finished building. So here you can see the floor plan and part of the site. Phase one is the blue, and phase two is the green. So you see the southern portion would be done and

then the northern portion. Then we'll go to the next page which just basically shows you a sample elevation. There's a sample elevation.

And then the next item shows you suite number one is larger, it's around 6,700 square feet. The next slide shows you the floor plan. It simply has a small office, a handicap restroom and a warehouse area. These are designed for plumbing contractors, electrical contractors, subcontractors, GCs, if you had a window tint company, detailing, any kind of small business, tee shirt makers. I think it lends itself because the space can be offered at a substantially lower cost per square foot.

We'll briefly go through these. These are just different configurations. Here's suites two, four, eight, and ten. Three, five, seven and nine are all 2,880 square feet. I think we have one more. There's the front of those two. I'm sorry, those eight.

Then the next page shows suites six and seven. And then that's it. We've got eight 2,880 square foot suites, one 6,700 approximately and one 4,800 square feet.

Then we go on to the signs. Here is a proposed renovation on the existing sign with the stone on Kemper. That is the proposed sign on Princeton, and I believe that's all I have.

Mrs. McBride provided Staff comments.

Mr. Gilhart: Excuse me, where would I find those?

Mrs. McBride: You should have a copy of them. They should be recorded with Hamilton County.

Mr. Gilhart: So they're, okay. I gotcha.

Mrs. McBride continued Staff comments.

Mr. Taylor provided Staff comments.

Mr. Gilhart: We're flexible on that if there's a problem with it.

Mr. Shvezda provided Staff comments.

Mr. Gilhart: If I could make one comment.

Chairman Darby: Sure. The floor is yours.

Mr. Gilhart: The parking lot repairs will be under way here shortly. The one real bad sinkhole is scheduled for this week, sometime this week, so we're working on that. They literally have to be dug down and repaired. All the joints, there's quite a bit of work to it. So that will be addressed. And most of the comments, probably 90%, that were made tonight, we have addressed. Hopefully it's satisfactory. There are a couple other things that will be coming, so hopefully on our Final Plan, I guess you want to call it, everything should be addressed by then.

Chairman Darby: At least it's out on the table.

Mr. Okum: Microphone on? Good. I'm here. A couple things. I was reviewing Staff's comments, the FEMA regulations, building demolition, building construction costs and so forth, and one of the items that sort of jumped out at me was your budget numbers for building improvements and construction budget. You had for offices, ceilings, lighting, and flooring for ten units, right? There's ten units going to be in there?

Mr. Gilhart: Mmhmm.

Mr. Okum: Approximately 2,380 square feet of offices. You're going to do all of that for \$28,000.

Mr. Gilhart: I don't believe it's going to cost that much.

Mr. Okum: You think it's going to be less than \$28,000.

Mr. Gilhart: We've been back over the numbers again. We do all of this in house. I'm a general contractor.

Mr. Okum: I know you are.

Mr. Gilhart: I actually have the equipment here through a relationship I have with Forrest Lytle, but I can tell you in reviewing this, our cost should be actually lower. Even on the...

Mr. Okum: The reason is is that it's really critical that there's an audit. There's a FEMA regulation that if you spend a certain amount of money in this redevelopment over and above project cost...

Mr. Gilhart: Fifty percent or greater, is that what it is?

Mr. Okum: Of the appraised value, then your cost becomes an out of the ground issue and you've got to be compliant with FEMA regulations. I expressed my concerns about the parking area and this building being in the flood plain. You know, clearly, it's five feet under that flood line. The north area is probably one of my biggest concerns. A large parking field, very bad disrepair. I think both of you were over at the building the other day when I drove in. You were probably wondering who it was driving around the back, and that area there realistically should be turned into greenspace and get rid of that big parking field. One of my concerns is that people will be using that for an outside storage area, which is right up against those homes on the north properties. That would be a big concern of mine, which I don't think you plan on doing, but of course it's a PUD and things happen, so we certainly want to be understanding of what those types of outdoor storage were. I also feel that if you eliminated that, you could cut down your, get more, in our terms, open space, according to our Code. That area could go green. You would lower your cost of your outdoor lighting requirements, and you could also hold less lighting closer to those, keep the lighting away from those residences, because as long as it's paved, Staff is going to be telling you you have to hit those foot candles on that paved area. If it becomes grass and open space, then it ends at the parking lot, so those would be benefits to you. I mean why pay for pavement that's ultimately never going to be used? Why pay for the maintenance on it and the upkeep and the clearing and all of that? Besides, we're going to probably put a moratorium on outdoor storage in that area anyway. The other items are that that area does need to be a turn-around area because nobody in their right mind should be going around the backside of that building and driving around it.

Mr. Gilhart: That will be eliminated.

Mr. Okum: Well, yeah, I know there's a fence on the other side, but those cars...

Mr. Gilhart: Well I mean the back alley is going to be eliminated.

Mr. Okum: ... the people are going to be currently, right now, because of the angle of parking, they need to go into that parking field, make a turn, and come out of the parking field to get out of the site. They're also going to be going contradictory to your parking field. Now Staff says that you need 25 parking spaces for the site. You've got how many spaces for this site? 300?

Mr. Gilhart: 264, I think. Something like that.

Mr. Okum: 264? Almost 300 parking spaces. So, a lot of room for green space, but on the other hand it's your property and you've got to do with it what you need to. We need, according to our Code, the 25 parking spaces. The green spaces that you've identified on your drawings in front of these bays, I've seen that done in a lot of

business developments. I've looked at a lot of properties. Obviously, you know I'm a builder. I've been in this business a long time. I've been in a lot of properties. Those typically turn into dirt bins. They don't stay green. They don't stay maintained. They either become mulch areas or gravel areas. They don't stay green. It looks green on paper but it doesn't stay green. It just isn't, for the type of use that's going to be there, you're not going to be able to keep that type of level of greenspace there. It's nice to see it, but it's probably not going to happen. I would probably rather see some of that parking field up there where you have the decay and the erosion and everything else occurring, turned into greenspace on that space. Of course, you have a leasing agreement I guess with Sweeney, but they have a leasing agreement with Cassinelli...

Mr. Gilhart: Those cars will be gone the end of the month.

Mr. Okum: Okay, there's leasing agreements with Sweeney everywhere in Springdale, so, anyway.

Mr. Gilhart: Just so you know, for what it's worth, they'll be gone.

Mr. Okum: So those are my comments in regards to it. I'm still, like I said, very very concerned about putting businesses in this condition, in this situation. I'm also very concerned about the uses that will be allowed for this space, and of course the storage outside is a big concern. I'm not taking any particular business in mind, but I know where my office is there is a moratorium on outdoor storage for my, and I'm in flex space. My son's property is also over on Crescentville Road at Tri-Center and there is a moratorium on outdoor storage at that facility, which is flex space. Pretty much all the properties except for a few in the area are pretty restrictive on what their outdoor storage is.

Mr. Gilhart: If I could just make a couple comments.

Mr. Okum: Sure. I'm open to that.

Mr. Gilhart: We have addressed some of the issues regarding the open space. I think there is a 10-foot strip we've added along the whole eastern portion in front of the building there, reducing it from 44-41 foot down to 31 feet. The double aisle which the requirement is 24. 24 is typical. And with the 31 we still get the 40-foot box truck, which I don't think we're even going to have anything like that, or do we want anything like that. We are looking at possible taking a portion of that, not the whole thing, I think it would be a problem for us, turn-around issues, just the function of the garages on the end, but we are looking at eliminating a portion of that, trying to get the greenspace up.

Mr. Okum: Just for your knowledge, businesses like mine do have tractor trailers come to us and drop materials, and if they can't get around and make a rotation or a turn, there's going to be an issue for them.

Mr. Gilhart: That's what I'm saying. We'd have to maintain that back parking lot.

Mr. Okum: Some of it. I don't see a need for, it looks like there's about, probably about from the garage to the end of the parking lot you've probably got about 200 feet. Is that...

Mr. Gilhart: What I'll do is have Kleingers do a turning on a semi.

Mr. Okum: And on the north, I would say on the northwest area, that's the least needed because that's where you closed off the driveway anyway on that side so you could basically absorb some of that space. And again, you won't be putting lighting there. You won't have to do that maintenance and the repair of the pavement. Just for your knowledge, if you bring up Google maps or Google earth, you'll see the wash area from the back upper parcel that's coming down onto the property. Your back parking area tends to get washed. It appears that if you look at the terrain coming off

of the higher parcel, there's a wash that's occurring onto that back parking field that's coming from your neighbor, of course.

Mr. Gilhart: Yeah, we've been looking at those. Just so you know too, we're going to, the creek needs to be cleaned out. The pipes need to be repaired. The one leading into it from the newest project needs to be a section repaired and addressed. There is a problem at the west end of the culvert. Everything that's come through there has built up, so we've got...

Mr. Okum: Where's that?

Mr. Gilhart: Right there, we've got a big build up, so...

Mr. Okum: That's where the collapse is? The collapse is right there.

Mr. Gilhart: Well the collapse is kind of on the corner, but where the pipes discharge there, if you go to the other end, you'll see this much water. And what did we find at the other end? Two and a half, three feet, so we've got an issue with the silt in there also and...

Mr. Okum: Those are your pipes, right?

Mr. Gilhart: Yes and no. Believe it or not, most of it I think is ACF's pipes.

Mr. Okum: Whose pipes?

Mr. Gilhart: ACF, the people that purchased the shopping center.

Mr. Okum: It's still part of the PUD.

Mr. Gilhart: Yeah.

Mr. Okum: We look at it as a whole PUD.

Mr. Gilhart: The reality is, we will have to address it. Are they going to pay for any of that? No.

Mr. Okum: That's my comments for now.

Mr. Bauer: Couple comments. Demolition wise, I guess I would echo Staff's comments about structurally, and Dave said the same, structurally you can physically do that safely and leave half the building, I would think cost wise it would be better for you to tear the whole thing down at the same time. So that's just one comment. Then my favorite subject, signs. As we go forward, I guess I would like, do we have anything that tells us what we've approved for that PUD to date? I would surely like to have that as we go forward. I think we've approved in different steps different signage for the PUD, and I don't know if you're taking advantage of all of that at this point in time. It seems like we had a couple LED boards approved for that site, in my memory.

Mr. Gilhart: Could I give you just a quick summary?

Mr. Bauer: Sure.

Mr. Gilhart: 30 seconds. It's my understanding, and obviously you can check the record, the main sign out there had the LED. And then we put the other sign over by Harbor Freight, the large sign, and I believe that it was proposed that the Princeton Bowl sign would be combined with the shopping center sign, whatever, to put another one over there. If we did that, we would take the existing LED and put it over at Harbor Freight and also add one on Princeton Pike. Does that sound about right?

Mr. Bauer: I don't know.

Mrs. McBride: I don't think so.

Mr. Bauer: That's possible to do, to get the record of what we've approved? Okay. And then I guess...

Mr. Gilhart: I'm not saying that's what we're doing.

Mr. Bauer: Right, I know. I just feel like we've piece-mailed stuff together. I don't remember what it is, and I just want to make sure that one, you're taking advantage of what we've already approved, and two, we take that into account with this signage. I obviously believe that signage is needed for that to recognize that there is something different back there. Is it your intent that the signage, it appears that way, that you utilize the same space, the same structure of the existing sign?

Mr. Gilhart: The intent was just to use the identical, if we could, use the identical sign, change the face, paint the cabinet, put new LED in behind the one that's illuminated, recover or paint, and add the stone to it to make it match the rest of the shopping center. That was the intent.

Mr. Bauer: Okay. No thought about is the existing spot the best spot for a sign for this venue?

Mr. Gilhart: Well, that's at the end of our road. I think that's right at the end of the setback. The setback's pretty far back. If you look at that as you come across in line with First Watch, I think that's it. That's as close to the road as we can get. We have two entrances. The other one is not in the setback. That's as close as we can get too, so I don't know.

Mr. Bauer: When I drove out of that area this weekend and looked at that existing sign. I guess I wasn't looking at the proximity to the road. It just looks like it's stuck there. I don't know, it just...

Mr. Gilhart: Yeah, it's kind of in line with Burlington if you look at that.

Mr. Bauer: Yeah, kind of in there between those...

Mr. Gilhart: I mean that's the setback. The setback's pretty...

Mr. Bauer: ...bollards and the guard rail and I don't know, just looked out of sorts there and I guess I like the idea of a ground-mounted sign. I guess you're going to have to convince me as we go forward about those signs. I'm not a big proponent of that, so that's my comments.

Mrs. Harlow: I guess this is on signs as well. When we approved the shopping center electronic sign, the bowling alley property and the shopping enter property were all owned by the same corporation, correct?

Mr. Gilhart: No.

Mrs. Harlow: No, not at that time?

Mr. Gilhart: Gilhart Enterprises owns the Princeton Bowl and actually the new Noodles and the First Watch and whatever store's next to it, and the other company is Charles C. Gilhart, Jr. Inc., which was my father, of course.

Mrs. Harlow: Okay.

Mr. Gilhart: And there are two other owners.

Mrs. Harlow: It's all one PUD.

Mr. Gilhart: Correct.

Mrs. Harlow: But was it the intent when that signage was approved, and again you probably might need to go back and look at all that, was it the intent that no matter who owned the bowling alley, or the shopping center, that people all could use the same sign?

Mrs. McBride: That was my understanding. I mean you will see...

Mrs. Harlow: What happens if it's different people that own it?

Mr. Gilhart: I do know that the Bowl sign, Princeton Bowl sign, and the shopping center sign, they were going to be combined into one. So, that was going to be the case on that. How that was going to work out, that was a 45-foot sign, I believe, similar to what you have out there now, and I just, it's for discussion. We're going to reduce this from a 45-foot by 12, 14-foot down to just the existing sign renovated.

Mrs. Harlow: Okay, so Mrs. McBride, how does that work if there's different...

Mrs. McBride: The way that the code reads, particularly relative to the LED boards, electronic, is that they are allowed one per development, or one per parcel. This is one development. It's one PUD. Now they already have two that are up. They've got a third one that's approved, and they're asking for a fourth one.

Mr. Gilhart: Three are up. McDonald's and...

Mrs. McBride: McDonald's is up, the one on the corner is up.

Mr. Gilhart: Yeah, you said two. It's three.

Mrs. McBride: Three are up and then...

Mr. Gilhart: It's the little one at Noodles.

Mrs. McBride: Oh, I forgot about that one.

Mr. Gilhart: And the little one at McDonald's, that's two. And then you've got the main one.

Mrs. McBride: And then there's the other one that's approved, and then you're asking for another one.

Mr. Gilhart: No, I don't think so. We're talking about LEDs?

Mrs. McBride: Yeah. Wasn't there an LED that was approved as a part of the other big sign?

Mr. Gilhart: Yeah, there were two big, as I recall, two big ones....

Mrs. McBride: Two big signs that were approved, both with LEDs.

Mr. Gilhart: ...and those two little ones.

Mrs. McBride: Right, so there's four that's approved...

Mr. Gilhart: Right, but I'm not asking...

Mrs. McBride... three that are up. Four that are approved, and we're asking for a fifth one.

Mr. Gilhart: No. We're asking to put up a fourth one.

Mrs. Harlow: So what if the people who own the bowling alley can't use the LED signage that is connected to the shopping center?

Mrs. McBride: That was part of the approval of that sign was that all of the tenants of the PUD would be able to use that sign.

Mrs. Harlow: So then...

Mrs. McBride: And again, I'm working from memory here tonight, but that's my recollection of that. So just like First Watch, which is not, there's a number of parcels in that PUD, so just like First Watch or Noodles and Company or whatever, can be on there and have been on there, that these tenants could also be on there.

Mr. Gilhart: On a side note, to give you an idea, there was one, two, three, four, six total double reader boards. We are down to the two Bowl and the main shopping center. For what it's worth, we've gone from six down to three.

Mrs. Harlow: So I guess if the property inside the PUD is sold, then there has to be some kind of a covenant that would address the signage.

Mrs. McBride: Yeah, I mean that's an internal document for them just like they have cross-parking agreements, cross-access agreements, cross-signage agreements...

Mrs. Harlow: Okay. I just needed to have some clarification.

Mr. Gilhart: There's four separate owners of that PUD.

Mrs. Harlow: Okay.

Mr. Ramirez: Mr. Taylor, at the BZA we voted down the current signage that they have and where do we stand with the two signs that are still up?

Mr. Taylor: Well you voted down the one sign, and you're correct, and they have, since there's a 30 day, well, they basically have five months to take it down, according to the way our sign Ordinance reads in the Zoning Code. They've been advised of that. They also have a right to appeal.

Mr. Gilhart: From January, correct?

Mr. Taylor: Yeah. Yes, correct. And then the other sign is coming before you next week. The other Princeton Bowl sign will be coming before you next week. And you know, depending on how that goes, you know, they'll, if the appeal is not granted, then they'll have the same time period to remove that sign.

Mr. Ramirez: Mr. Gilhart, is that the intent to take those signs down, at least the one that still has Princeton Bowl on it?

Mr. Gilhart: The intent is to change them out with new signs associated with this development.

Mr. Ramirez: It pretty much looks like the same sign with brick around the bottom.

Mr. Gilhart: Yes. That would be the easiest thing for us to do, that's what we were trying to delay so maybe we could get to the Planning Commission and work out what we're going to do because it wouldn't make sense to tear them down then put them back up. That was the intent.

Chairman Darby: So that we all have the same information, Mr. Taylor or Mr. Ramirez, what was the essence of the appeal to BZA?

Mr. Ramirez: The intent was, Mr. Gilhart stated that the bowling alley was still in operation, and I think the code requires the signs to come down six months after a business is no longer in operation. So we had to determine whether or not that sign still was being used for the Princeton Bowl location, which we determined it was not, although they still have some bowling supplies in there, the bowling alley was no longer in operation so the sign should be taken down.

Chairman Darby: Okay. Everybody got that, right?

Mr. Okum: Just so everybody is clear on this, a PUD is entitled to, this is one development, no matter if it's got twenty owners or two owners. Everybody shares in that PUD, and they have a set of agreements that goes beyond property lines, beyond ownership and it refers to giving all the businesses in that PUD an opportunity to get exposure whether it be a street sign, whether it be signs on the building. No matter what it is, that's part of their PUD approval. We gave approval for this development for them to have digital signs on two locations (big signs), and then two small signs, the McDonald's and the Noodles sign. That is for this entire development. Now the two smaller signs, the Noodles and the McDonald's, were basically specifically to those business' interest. Both of those businesses had frontage directly on Princeton Pike. This is a business that really doesn't have street frontage on a public street, but that's the reason for your PUD, and that's the reason why you cluster. There's advantages to PUD. One of the advantages is it gives everybody in that PUD an opportunity to get some type of services from that PUD, that being signage as one of those. So this business, being Princeton bowling alley, which is going to be now these storage, these warehouse office facilities, are part of that PUD, whether there's a discussion or, and by the way Clark, I miss you working on the signs. The sign is terrible. It's just awful.

Mr. Gilhart: Excuse me, side note. That is in violation, what they're doing, of the Code.

Mr. Okum: I understand that. I just noticed that it was just ugly.

Mr. Gilhart: Just so you know.

Mr. Okum: But if the agreement that a property owner sells their property and they're part of a PUD, the conditions of those agreements are not the City's responsibility to maintain. It falls on that development, so if somebody got a bad deal, and I'm not saying you did, but if somebody got a bad deal and is not being represented evenly or equally by the PUD, then that's their argument with that owner and that partnership in that PUD, and we're not party to that. We set conditions on the PUD that are fair and reasonable, and we try to be, like I said, this is Princeton bowling alley. It's in the back end of what used to be Swallen's and now everything else, but it's still a business part of that PUD and we approved this PUD with that. So, in our heart we say, well those businesses really need to get advertising. Well, so do the businesses inside Tri-County Mall. Okay, are we going to allow a sign on every part of the face of Tri-County Mall for every business that's in Tri-County Mall? No. Because it's a PUD and it's part of that development, and they're given sign rights that they get positions out on those outside signs on the street, that gives them an opportunity to get some part of that signage. This Princeton package was significant. I mean we got, if you look at the amount of signage that's allowed by our Code, this is well over-signed, but it gave them an opportunity for businesses to succeed. Obviously they have. And it gave an owner an opportunity to sell them all at the right time, when it was the right time for the owner to sell it, but it still doesn't, we're still not responsible to make sure that everybody has a sign on the street. It's not our responsibility. It's part of the PUD's responsibility and the conditions that the owners agreed to as part of that PUD. So, I'm inclined to support Staff's recommendations for the signage that's approved or recommended by Staff for this site. If they want to complement that signage with additional signage with the two digital signs, whether the new developer or the PUD decides to put the second one on the second billboard on Kemper Road or not, that's not our responsibility. We gave them the right to do it and that permission. Now it would be unfair for us to give an applicant another digital sign and take away the sign that we already approved for the PUD. That's a joint agreement that's between the PUD owners, so we would be, by doing that, we would be approving a fifth digital sign for that PUD, whether they're represented by all the owners of the PUD or by one of the owners of the PUD, and you're one of the owners of the PUD. So to be right, I think what Staff has recommended is fair.

Mrs. Harlow: I have a question about the sign at Noodles. When that is no longer needed for Noodles, what happens to that signage?

Mr. Okum: They can use it for that development.

Mrs. Harlow: But they own that development.

Mr. Gilhart: I'm confused by the approval for a fifth sign.

Chairman Darby: Folks, this is all really educational, but it's not the topic on the agenda.

Mr. Okum: Okay, let me explain. We approved a digital sign for the large sign on Kemper Road. We approved a digital sign on the big sign on Princeton Pike. We approved a digital sign for McDonald's. We approved a digital sign for the development with Noodles in it. You're asking for a fifth digital sign for the PUD.

Mr. Gilhart: No, I don't think so.

Mr. Okum: Well, I do and I think Staff does too.

Chairman Darby: Wait, wait. That's not an agenda item tonight, right? You're not here asking for that tonight, right?

Mr. Gilhart: I'm trying to get direction on, I'm trying to get to the point where we can just go back and say this is good. We want to go with it as long as Staff is good with meeting the landscape requirements, the water retention and that type of thing.

Chairman Darby: Well, Staff, I would feel a lot more comfortable if all of the ramifications of that were included in your notes to us, where you can give us the accurate history and we don't have to sit here and piece it together, and I'm not denying anything that has been said here. But it's, I don't think we're working smartly right now. So you understand? I don't want to just shut it off, but we're not doing it in an orderly fashion, I don't think. And if we're all looking at the same thing, I think we can be a lot more rational with it.

Mr. Gilhart: Sure. I guess what I'm looking for tonight is a general direction on it, if this is something that Planning Commission is interested in doing with the site, rather than have it sit there, you know, as a vacant bowling alley.

Chairman Darby: You're talking about the site and not signage?

Mr. Gilhart: I'm talking about basically the plan here.

Chairman Darby: I speak for myself and I think I'm hearing this, it would be a really good development for the City of Springdale to have. I'm sure it would be good for you also, and if we can work through the issues that have been raised, I mean, it would be a good thing. Now I'm speaking as one person here.

Mrs. McBride: I just want to make sure that the applicant and the Commission are on the same page here, so what we have here is a major amendment to the PUD, so you need to make this evening, if you don't choose to table it, you need to make a recommendation on to Council on this major amendment and this Preliminary Development Plan modification. That can leave a whole lot of the details to the Final Development Plan, things like minor changes to the landscaping or final approval on the free-standing signage, ground-mounted signage, whatever. But you do need, unlike the Concept Plan discussions that we've had with Mr. Gilhart previously, you will need to make some recommendation on to Council.

Mr. Hawkins: I guess the only question, and you just sort of touched on it, is how many loose ends, so to speak, can there be in coming back that's going to get cleaned up later on for the Final Plan? And you know, to the applicant, I like the idea of this type of business there, but there are certain things, and I think as you were hearing

the Chairman, when there is information that doesn't go to Staff and then you're looking for direction from the Commission, when the Commission is going to want to get Staff's input on it, it puts you in a tough situation because the Commission's in a tough situation. So you're not going to get all the data back and feedback back that you would otherwise have if Staff had all the data to begin with. I guess it come back to again, how much of this can still be addressed later?

Mr. Gilhart: Would it be fair to say that everything on that USB was submitted as part of the submittal.

Mr. Taylor: Correct.

Mr. Gilhart: Correct, and that was reviewed.

Mr. Okum: And that includes the sign package that you submitted.

Mr. Gilhart: Yes. So everything, that has all been submitted as is on the USB and what you have basically in front of you. Correct me if I'm wrong, the only thing I see that's left is the landscape, the drainage, the repair of the parking lot, the open space, etc., etc. Is that fair to say?

Mrs. McBride: Yeah, I mean I think that probably the largest issue still up for discussion is the signage or one of the largest. But you know, the revisions to the landscape plan, to the lighting plan, to the dumpsters, I don't want to certainly speak for my two colleagues here, but certainly my comments are those could all be addressed at a Final Development Plan level. There is nothing there that's such a deal-breaker that it couldn't be handled at that point in time. The signage is, that's a pretty big issue, but if you want to defer that decision until Final Development Plan when you can have the history of the signage, what's on the site, when was it approved, what was it approved for, and so forth, which certainly I think makes sense because you're being asked to act on the PUD as a whole, or the other option is you could table it this evening until you have that information if you wanted to make a specific sign recommendation as a part of your recommendation onto Council this evening, or in total.

Chairman Darby: I want to raise a question, and I want to put our two Councilpersons on the spot. How comfortable do you feel, because you're the Council people and that's where we're going.

Mr. Hawkins: I personally would, if Council is sitting there taking something that's been a recommendation from Planning Commission, I don't think they're going to take lightly that this has been recommended by Planning Commission, so I think it's this body's job to make sure that as many of the loose ends are tied up, I think before it's going on to Council. To have Council sit there and go through some of that process or have some questions or wondering, isn't ideal. Council can deal with it, but if it was up to me, I'd rather table it and have the history and the data with regard to the signage to make sure that that's cleared up before going forward. It's not the end of the world if this Commission wants to go forward and deal with the signage later, but that's my opinion.

Mr. Gilhart: Would it fair to say that the items remaining, for example, the lighting plan, it is what it is. We have to comply with it, correct?

Mrs. McBride: Correct.

Mr. Gilhart: What are the other things? But items like that are left, we either comply with them or we don't move forward, correct? As far as the demolition, as far as the cost, it's not really a, nobody really has a choice. I either do it or I don't... would that be fair to say? That's pretty much, everything in this package you've seen has submitted and commented on by Staff. The only other items are the ones we discussed.

Mrs. Harlow: As a Councilperson who had never sat on Planning before, I really relied on our Planning Commission members to give us the details from Planning Commission so that we could make informed decisions, and I think the only thing that I have any concerns on with this is the signage. If you are on a tight time frame where you're looking that you've got to respond to a developer or what have you within a certain time period, I think most of us up here are willing to look at an additional emergency meeting if we need to. But I would prefer to take a concise package to Council and have all of the questions answered before going to Council with it.

Mr. Gilhart: Is the signage pretty much the outstanding issue?

Mr. Hawkins: That's the issue.

Mr. Okum: The biggest. I think those residences need to be protected and that open space area, and outside storage needs to be addressed. I mean there's a whole list of items...

Mr. Gilhart: Well the outside storage...

Mr. Okum: Wait a second now. And we also have the defined uses that are allowed to be in that development, which have not been identified.

Mr. Gilhart: Can I get some direction on that? Where would that fall under? Is it?

Mr. Okum: Those are all items that...

Mr. Gilhart: That I don't know. Where would those uses fall under in the Code? Is it...?

Mrs. McBride: Well what you have asked for office warehousing space, so things like, I think you mentioned tinting car windows. That would not work for me in terms of uses, because that's an automobile service use. That's not an office warehouse use.

Mr. Gilhart: See that's where it gets tough, because that's one of the type uses that would make sense.

Mr. Okum: So you identify them, John, and then work with Staff on that.

Mr. Gilhart: Here's my question. I could do that, but the problem is the word flex means that it's flexible and you can change to something else. Somebody that does, prints tee shirts, or someone that does Valpack, and puts mailers together. Where do you, how do I know, if someone comes to me, what's permissible and what's not?

Mrs. McBride: I think it might be easier to say what isn't going to be done. You're not going to manufacture. You're not going to do automobile services. You're not going to, you know.

Mr. Okum: That's simpler.

Chairman Darby: I think one of the issues Mr. Okum raised, if a determination is made about it, and that's the existing parking lot on the north end, I think that's what raised a question about outside storage, Mrs. McBride. If it weren't; there, that wouldn't be an issue.

Mrs. McBride: Correct, and if the applicant isn't proposing any, then we can make that a condition of any approval. And to be fair to Mr. Gilhart, he's never said that's he's going to do that.

Chairman Darby: No, no, I know he did not.

Mrs. McBride: I have always said if there is going to be outdoor storage then it needed to be in compliance.

Chairman Darby: Then it becomes...

Mr. Gilhart: What is outdoor storage? Is it chemicals? Is it mulch? Is it equipment?

Mrs. McBride: Vehicles, equipment, supplies.

Mr. Okum: Mulch.

Mr. Gilhart: In outdoor storage, there is a code that says you do this if you have it. Just humor me a little bit. What would that be, in general? Would it be screening?

Mrs. McBride: It involves screening, what can go in there, how high the screening has to be, etc. So a section of the Code that we provided in the Staff report for that.

Mr. Okum: So what I was saying is, it's not just the signage, and I think Council deserves a better job from us coming forward, and I'm sorry that it's not there, but you know, it's not. And it needs to be fair. As part of the PUD, and remember, this is a PUD, so this is part of that PUD, this is another use that's going to be integrated into that PUD. It's not just this one building. It's part of that PUD. We need to get it right.

Mrs. Harlow: We only have one time to get it right.

Chairman Darby: I think you can kind of hear the sentiment.

Mr. Gilhart: What is the process then for me to move forward?

Mrs. McBride: If the Commission chooses to table it this evening, it would either go to their April or meeting, or if there was a special meeting scheduled. At that point then they would make a recommendation on to City Council. It would go to City Council for two readings.

Mr. Gilhart: Here's what I'm looking for. I'm looking to try to establish if this is going to, and it sounds like it's pretty positive, in order to move forward, I have to kind of get an okay this is going to work, then I can start my drawings, my construction drawings. They obviously have to be submitted. I'm trying to do this so I can get going in the next, what are we in, March? May 1st-ish, type thing. I don't know if that's possible, but that was my intention, late spring, early summer.

Mrs. McBride: If Planning Commission heard it at the second Tuesday in April, then it would go to Council I believe in the month of May for two readings there, the second of which would be a Public Hearing, and then you would need to file a Final Development Plan for review and approval by this body, which takes a month, as you know.

Mr. Gilhart: Okay, so that's three of four months.

Mrs. McBride: Yeah, June. Three and a half months. Unless, you know, there's a special meeting.

Mr. Gilhart: Is there any way to still have the control and review and speed that up to some degree? I'm saying is there any way to speed up the process? I still have control over the review while it's in the Final Development Plan, but is there any way to speed that process up?

Chairman Darby: The only way I can think of would be a special meeting.

Mrs. Harlow: Council is going to require two readings.

Chairman Darby: If we table from this meeting, in essence you would add a month to the process. Or, if there's a special meeting, you would add maybe perhaps two weeks to the process, depending on when it was scheduled.

Mr. Gilhart: So maybe regroup, get some comments back from this last submittal. Would that make sense? And then kind of stay in contact with Mr. Taylor here? Maybe a special meeting or something like that? Is that possible?

Chairman Darby: I know at least two of us have expressed a willingness for a special meeting.

Mr. Okum: I have no problem at all with a special meeting for this. We do it all the time. We don't mind doing it to help a business. I just have one very important thing. I think all of us identified that the sign's a big issue. If this is a make or break deal that that digital sign and that Princeton Bowl sign stay there, just the way it is with the reface and new cabinet, if that's a make or break deal for you, I can honestly say that I may not support that.

Mr. Gilhart: Well I'm flexible if you want to change it to some degree.

Mr. Okum: Just so you understand where this Planning Commission member is coming from. If that is a make or break deal for you, Mr. Gilhart, and your organization, then you just need to be aware that I think there are some people sitting here on this Commission that are very concerned about increasing the amount of signage on that PUD.

Chairman Darby: And that's why I would really like those records. If we could have it just for sure laid out. That's what we could accomplish if we come together again.

Mr. Gilhart: But I think it would be fair to say Planning Commission is favorable to the signage for the project.

Mr. Okum: Since I still have the floor, I am favorable to what Staff has recommended in their recommendations and considerations, and you have a copy of that.

Mr. Gilhart: I think it's monument signs, isn't it? It doesn't specify any particular size or...

Mr. Okum: I think that you can work with Staff for something that is reasonable.

Mr. Gilhart: It's my feeling about the meeting tonight...

Mr. Okum: We're talking a 20,000-square foot, what's your square footage?

Mrs. McBride: 36.

Mr. Okum: 36,000-square foot element on the site, so you know, not frontage issue, but it's still an element on the site.

Chairman Darby: I think what I'm hearing is the Chair will accept a motion...

Mr. Okum: Are we going to do a special meeting?

Chairman Darby: I'll put that in. The Chair will accept a motion to table this presentation until we can convene a special meeting.

Mrs. McBride: And to continue the Public Hearing in process, please.

Chairman Darby: And continue the Public Hearing.

Mr. Okum moved to table; Mrs. Harlow seconded and the request was tabled with a 7-0 vote.

IX. DISCUSSION

Mr. Okum: Any word on the building coming down?

Chairman Darby: I get that question so often.

Mrs. Harlow: No, they're shaking their head no (Christine Russell and Amanda Zimmerlin from audience).

Chairman Darby: One guy came to my house with a sledgehammer. He was ready.

Mrs. Harlow: I believe that there was a boom that has to be repaired.

Mr. Okum: They can't tear down buildings because they have a broken boom.

Mrs. Harlow: The boom has to have some maintenance or some repair, and so until that can happen, the crane could not be brought out.

Mrs. McBride: I just want to remind everybody that the Allor Planning and Zoning Workshop is coming up on March 31st. Who's registered? Mr. Okum. Is that all? That's very sad. That's all of my Planning Commissioners? Aww man! Well, I believe that the City will cover the cost, right Mr. Taylor? So yes, the City is covering the cost, so if you can let Mr. Taylor or somebody in the Building Department, because registration is coming up and the last three years we have closed that event out. We can't have more than two-hundred. Last week we had 86 registered, so if you want to go, you really need to get registered sooner rather than later. You get credits, you get breakfast, you get lunch, you get happy hour. What more could you want?

X. CHAIRMAN'S REPORT - None.

XI. ADJOURNMENT

Chairman Darby: We will accept a motion to adjourn.

Mr. Okum moved to adjourn. The motion was seconded and the City of Springdale Planning Commission meeting concluded at 9:41 p.m.

Respectfully submitted,

_____, 2017 _____
Don Darby, Chairman

_____, 2017 _____
Richard Bauer, Secretary