

PLANNING COMMISSION MEETING

June 14, 2016

7:00 P.M.

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: Rich Bauer, Don Darby, Tom Hall, Marjorie Harlow, Lawrence C. Hawkins III, Dave Okum, Joe Ramirez

Staff Present: Anne McBride, City Planner; Don Shvegza, City Engineer; Gregg Taylor, Building Official, Kevin McDonough, Wood & Lamping

III. MINUTES OF THE REGULAR MEETING OF MAY 10, 2016

Chairman Darby: At this time, the Chair will accept a motion to adopt the Minutes of our previous meeting of May 10th, 2016.

Mr. Okum: Move to adopt.

Mr. Hall seconded the motion. With seven "aye" votes from the Planning Commission, the May 10th, 2016 Minutes were adopted as submitted.

IV. REPORT ON COUNCIL

Mrs. Harlow: Council met on May 18th, and we had our normal committee and official reports, and then we also had quite a few ordinances that evening.

One was an ordinance to allow the City Administrator to dispose of surplus property. The surplus property, a list is made by each department, and the list is then circulated to all of the different departments to see if any of the departments can use or find a reason to keep any of the materials. If there is no use for the material at the City at all, then the City Administrator makes plans to try to sell it on an internet municipal selling site or on e-bay. They've been quite successful at that, so we passed that ordinance.

Then we had another ordinance, there are three ordinances here that would be of interest to this Board. One was to submit to the Board of Elections, so that the Electors of the City of Springdale could vote on at the next general election, and this was to request in writing if someone was planning on resigning from Council, to request it in writing. I felt, and I expressed at that meeting, that if someone who held the City Council position did not think enough of that position to do the right thing by resigning in front of the Board, and giving the reason, and doing it the proper way, they should never have been up here in the first place. That resolution failed 5-2.

The next resolution we had would be two year terms for Planning Commission and Board of Zoning Appeals for Council Members only. This gives Council a lot more flexibility in moving around Council Members, and hopefully we'll have some, when new people come on Council, there will be some openings that they might be able to go into BZA or Planning Commission without having to wait four years or five years before they can get there. That passed with 5-2.

And then the other one, it failed 4-3, and that was to the part where it had to be one district and one at large. They wanted to, if that resolution passed, it would have removed the at large and district could have been any of the Council Members being seated on any other board. So that one failed.

Then at our June 1st meeting, we had... I'm sorry, I'm not quite sure if I can recall, because it just lists that we directed the Hamilton County Board of Elections to submit to the electors for the City of Springdale, General Election revision to Article 2, Paragraph C, and that passed with a 7-0 vote. I would have to go back and look and see what that is, and I will do

that for the next meeting and have that for you. I don't know what it is in layman's terms. I don't recall.

And then we gave an approval for the city to work with the waterworks for improvement of fire hydrants and to do repairs to the tennis courts, the fence, and the walking path, and to start getting estimates on those issues, and try and get some improvements made, because those are areas that, well, the waterworks improvement and the fire hydrants we need for safety issues, but the repair to the tennis court and the fences down there and the walking path, we have a lot of our residents who use those facilities. So, improving those would benefit a lot of our residents, and that was, will be before Council very soon. And that would end my report.

Chairman Darby: And as a follow-up to your report last month, I noticed we have equipment in place at the hotel.

Mrs. Harlow: Yes, it is. Mr. Parham said that there had to some inside work done before they could start with the demolition, and I'm sure that as soon as they're ready to start removing the exterior of the building, we'll all be notified and we can go up and we can sit and watch, maybe go over by Showcase Cinemas and watch them take it down. I might sell tickets and popcorn! That might be a fundraiser!

Chairman Darby: You'll make a lot if you do an implosion! Thank you. Welcome, Mr. Hawkins

Mr. Hawkins: Thank you.

Mr. Okum: Mr. Chairman I just have one question in regards to the demolition.

Chairman Darby: Yes Mr. Okum your.....

Mr. Okum: I had my button lit but I did not get my mic. on yet. Thank you Mr. Chairman. Mrs. Harlow, in regards to the demolition of the building, I've had a couple residents out of The Crossings question will there be notification given to those residents of the hours of the hours of demolition and dust control measures and so forth that are necessary.

Mrs. Harlow: Letters will be sent so they will all be informed. I'm sure O'Rourke Wrecking will have specific hours that they will have to work within. Is that correct Mr. Parham? They will have specific hours, Mr. Parham, I'm assuming that O'Rourke Wrecking will have specific hours that they will be having to work within? A certain time in the morning to a certain time in the evening, and if there's any weekend times, that would all be spelled out? And letters will be sent to everyone that would be in that vicinity that would be impacted by that.

Mr. Parham: (speaks without mic.)

Mrs. Harlow: Okay.

Mr. Okum: So it's up to the development to give notice to their residents, which is fine.

Mr. Parham: (speaks without mic.)

Mr. Okum: Right, that's what I said. Yeah, as long as, because the people I spoke to are residents and they haven't received anything yet, so that was the reason I was asking. Thank you.

Chairman Darby: Thank you very much.

V. CORRESPONDENCE

Chairman Darby: As you note, there is no correspondence this evening, so we'll move on to Old Business.

VI. OLD BUSINESS

- A. Atrium Hotel & Conference Center, 30 Tri-County Parkway, Springdale, Ohio Planned Unit Development Zone Map Amendment & Preliminary Development Plan (Application #30190)

Chairman Darby: Item A- Atrium Hotel and Conference Center, 30 Tri-County Parkway, Springdale, Ohio. Planned Unit Development Zone Map Amendment and Preliminary Development Plan. Prior to going – if the applicants would please come forward. Prior to going into this topic, Mr. Bauer has something he wants to share with us.

Mr. Bauer: Thank you Mr. Chairman. I'm going to recuse myself from the proceedings. My cousin, Brian Bauer, is the lead architect for MKC on this project, so just letting everybody know that.

Chairman Darby: We're going to miss you, but thank you for letting us know. And may I also add, for all applicants, this evening that makes us have six commissioners for presentations this evening, and any vote will still require five affirmative votes. Any passage will still require five affirmative votes. Good evening.

Mr. Phillips: My name is John Phillips. I am attorney for The Atrium, and we've been working with your Staff, Gregg Taylor and Anne McBride, to try and bring you a presentation this evening and work within your building code as well as your future use land plan to have a facility that we think will complement City of Springdale. I put together a PowerPoint to try and address some of your specific questions, particularly what I'm going to refer to as "the elephant in the room", which of course is the zoning. We've gotten a lot of comments on such things as lighting, parking lot, greenspace. Those are all things that we will commit to working with you on. We can get those fixed, okay? I think one of the comments was that our light poles were twenty-five feet and they're only allowed to be twenty-two feet. We can fix that. That's not hard, but the zoning is the issue that we really want to focus on this evening. I'll see if I can make this work. Alright. So what's being proposed for The Atrium Hotel? This is the hotel on Tri-County Parkway. We're proposing to convert the existing hotel and banquet facility into a 139 person assisted living facility and adult daycare with support services. Rehab facilities as well as health and fitness facilities are to be included within the development. Now the first thing I want to pause and talk about is "assisted living facility". This is not a nursing home. This is not skilled nursing level facility. An assisted living facility is a facility for people that should not be living independently, but still want independent living, if you can think of it like that. People that need help with meals, or that perhaps are risk of falling, okay. They need to be with people to help them with their daily life, but they're not yet bed-ridden. That's not what this facility is. This is almost more like apartment dwelling than it is nursing home.

The first question is, "Is this a permitted use in Springdale?" The answer is yes. If it's approved as a PUD, the assisted living facility, adult daycare, rehab and health fitness facilities would be permitted uses pursuant to Section 153.431 of your zoning code. Now, we are under the old zoning code, because this application was submitted prior to your new zoning code coming into effect. So I want to make sure that as we're referring to the code, we're referring to the right code. This is a page right out of your plan – the future Land-Use Plan, and I was kinda hoping I would have a mouse. Maybe I do. Okay. It's working now. The exact location is this red parcel right here. This is Tri-County Parkway, this is I believe Jake Sweeney Boulevard is the name of it, or something like that.

Unknown Speaker : Boggs.

Mr. Phillips: I'm sorry?

Unknown Speaker: Boggs.

Mr. Patel: No, that's Jake Sweeney.

Mr. Phillips: Yeah, I thought, okay. This is Boggs. Now I lost my mouse. I believe Boggs is like right here. The parcel that we're working on is here. This entire red piece. Immediately to the east is retail. Automotive is to the north. Office Group is to the south and west. So it's just this one little piece right here. That strip is the entire Atrium facility. So the first question obviously is why should it be approved? Jumping right into it, the first thing it does

is it brings in 50 plus good-paying professional jobs to the City of Springdale. This is a one percent increase over the number set forth in your 2008 Plan for Revitalization. According to that data in your plan, you had 5,300 jobs average. Wages paid one hundred sixteen million. Even using those numbers, we're bringing in 50 more people with salaries of 1.16 million dollars. These employees are going to live, shop, and pay taxes to the City of Springdale. The facility will also add 139 persons as permanent residents of the assisted living facility. They are people who live at the facility; they pay taxes to the City of Springdale, because that will become their permanent address. They will be shoppers in the City of Springdale. You're adding 139 families. These are the people that will regularly visit the people living at the Atrium facility. They're going to be regularly visiting, shopping, spending money close to the Atrium. The Atrium itself will attract supporting businesses such as restaurants, gift shops, banks and retailers at the consumer level. It's also going to attract supporting businesses such as doctors, dentists, and health care providers at the professional level to take care of the 139 residents that are going to be at the facility. So the questions should be, is this good for Springdale? The answer, we believe, is absolutely yes. Restoring the facility to an attractive facility with significant curb appeal is vital to your long-term plan. One of the things that is throughout your long-term plan is curb appeal. You must have good curb appeal. The better your curb appeal, the better your shoppers feel about spending money here, the better your people feel about living here, the better your businesses feel about being here. To achieve the kind of curb appeal that we think you want, the investors and owners have committed nearly ten million dollars into the renovation and repurposing. Now it was originally 8.8 million. After the Staff's comments, we went back, we redid some of the landscaping. We improved the greenspace. We improved the lighting. The detail that you want to see, we have now included in that budget. The budget went up by about 800 thousand. This is the perfect location for this type of facility, an assisted living facility. Why do I say that? There's a book out there called *Senior Living* and it's written by a guy named Perkins Eastman, or maybe that's two names. I'm not sure, but that's the book that everyone goes to when they are looking to put in one of these facilities. And their belief is most of the experts in the field argue that the best place for an assisted living facility is the center of the community, convenient to public transit, shopping services, healthcare providers, and family. Okay, if you look where this facility is going to, where it's proposed, where we'd like to have it, at the location of the old Atrium Hotel, it is literally right on the boundary between retail to the north and east, and professional and office buildings to the south and west. It's literally right between them. It is in the perfect transition location. And when I say we are committed, we actually have the letter of commitment to finance this project in place. You are not the first step in this process, you are the last step. The money is there. As soon as you approve the zoning, construction can begin. That's our budget. There are three buildings at this location: Building A, Building B, and Building C. The total, I don't know if you can read that from where you're sitting, 9.6 million dollars is the estimated budget. So the question is the residential facility inconsistent with your Land-Use plan? And the Staff comment was, "the property is designated for office use on the Land-Use Plan." We don't disagree with that statement. The Land -Use Plan does recognize the potential for a residential component, but that is suggested to occur as part of a mixed-use development in the southeast quadrant, which is here. We are in the southwest quadrant, so we're not that far away from what the Land-Use Plan already says should contain a residential component. The southwest quadrant plan, they attached this copy in their report, calls for the site in question to be included in an office campus concept. Our response is the Atrium has a vested interest in the success of your Land-Use Plan. We're not trying to tell you to abandon your Land-Use Plan; we're saying we think this still consistent because we are literally on the fringe. Okay, we are on the edge between your southwest/southeast quadrants. All you gotta do is move the line a little bit. We're in there and we can become a residential use facility.

There are some perceived obstacles that Staff brought to our attention. One is, "it is expected that most of the residents of the proposed facility will not have access to a car, therefore if they wanted to go anywhere outside of the facility, they would have to walk." The second comment they made is, "based on the adjacent land uses and streetscape conditions, residents of this facility will most likely need to rely on family or friends for transportation", however, your Land-Use Plan provides that you would like to see shuttles and a public mass-transit system in Springdale. We would like to be part of that. And in fact, you're going to see a map here in just a little bit. Both of those proposals from your Land-Use Plan touch upon this property in three locations. One to the north, one to the

south, and one to the west. All we would want to be is a stop on your public transportation routes, and suddenly we've got people with assisted living that have public transportation at the door. That's why I'm saying we are consistent with your Land -Use Plan. The Tri-County Plan for Revitalization envisions that this facility will open both the trolley route and the people-mover routes. That's what I'm talking about. This is directly out of your Land-Use Plan. The second thing that I'd like to point out is it's not necessarily bad for people in an assisted living facility from your perspective, to rely on friends and family for transportation. It brings people into Springdale. People that are gonna spend money, that are gonna take their family who live at the facility to a restaurant, to take them shopping. So it is not necessarily a bad thing. This is the map of your shuttle route, and mass-transit options out of your Land-Use Plan. This is the mass-transit route, in red. This is the shuttle route, in black. Our property, the Atrium property, is right here. You've got a touch on this side of the street. You've got a touch in this corner, and you've got mass-transit along the entire northern edge of the property. We would support your getting that mass-transit into Springdale. It does nothing but make this proposal, this project, that much better. We can sit and talk about whether it's a chicken or an egg, but the fact is you've gotta have one before you can get the other. This is a nice start. It provides you some tax base to help launch some of your other projects that we need to get on the table. There is a significant need for affordable senior housing. This was right out of the *San Francisco Chronicle*; it just happened to be the one I found. It's most recent. "There is a need for affordable senior housing. It is desperate and it is growing. A lack of decent affordable housing for seniors, reaching catastrophic proportions, roughly one in seven Americans is over the age of sixty-five. 10,000 people per day are added to that. There will be one in five over the age of sixty-five by 2030." Now, Staff comments were, "approximately twelve percent of the City's current housing stock is comprised of senior housing units." We don't disagree. It's not necessarily assisted living facilities, though. One of your facilities is run by CMHA which is a Section Eight housing project. That's not what this is. This is different. We understand it is senior housing, but it's different. "It's not clear at this point how much demand the City has for additional senior housing units." We understand it may not be readily apparent to Staff, however, we have sent a significant amount of data, doing a market feasibility study. We have copies of that study for you, if you would like. What it's showing is, the demand for assisted living facilities are in short supply. This is right out of the market feasibility study. That's not nationwide; that is for Springdale. That's where this study was done. There are only 232 units within four miles of Springdale. All of them are twenty years old or older. The market is growing and evolving as skilled nursing trends change. Assisted living beds in Hamilton County are ninety-six percent occupied, per the Council on Aging. I can tell you my own personal story. I have a mother-in-law who had to go into a nursing home. There were two facilities that had availability in all of Hamilton County that could take her. We were on the phone for days, looking for a place. These places just don't have enough beds. This is a rare opportunity for Springdale to start bringing in some of that business. This is the Market Penetration Study that was done by Langworthy, that's the, that is the consultant for assisted living facility market studies. They did the market study for Springdale. Now understand, when this was done, this was not done to prove the need. This was done to determine if there was a need. If the market study has said there's no need for this, the owners and investors would have simply backed away. What their data showed was that the market penetration rate is ten point eight percent. What that means is it's a very good market for this type of facility. The lower the number, the higher the demand. Here's, this is the quote right out of the market study. "There are no nationally accepted standards for achievable market penetration, but based on our experience and research, assisted living PMA which is at or below twenty-five percent total market penetration generally indicates excellent market potential. A market penetration rate of twenty-five percent or more may be an indication of a market that is gradually approaching saturation, though there are exceptions." We are less than half of what they consider a good market, which means it's an excellent market. Getting back to zoning, mixed use concepts are encouraged as a part of your revitalization strategy. This particular approach will hinge on leveraging five opportunities available to Tri-County. This is a quote right out of your Revitalization Plan. And the part I wanted to focus on is, "this is paired with the second thrust that focuses on attracting new development and redevelopment, an approach that includes mixed use concepts." And that's what we're proposing. We're putting this admittedly right between retail and right between professional and office, but the idea is you can put your assisted living facility there. You're in the heart of it all, which is where people who are in need of assisted living facility want to live. They want to be where it's easy to get to shopping, easy to get to their professional offices that they need to go to. Umm, part of your proposal out

of your Land-Use Plan is to provide an improved image. Physical redevelopment of opportunity sites, family-oriented, and housing. Once again, we think we're hitting all three of those. We're physically redeveloping this property, family-oriented, and we're providing housing. Again, hitting on the ideally-located, our mall sector's here. Your retail sector's here. Your retail village sector's here. We're right on the corner. This is what was referred to as your "Redevelopment Corridor". We are literally on the edge, right there, of the Redevelopment Corridor. But for the stroke of a pen, we could've been a part of it.

The Atrium is not viable as a hotel. This is right out of your Plan for Revitalization, and it says, "Existing lodging facilities within Springdale are not overly appealing, nor are they in general viable facilities for the business and traveling public. Notwithstanding this, new lodging facilities located in the heart of the Village Zone along Princeton Pike would be an excellent contribution to the area." We don't disagree. That's not where we are. "Development in conjunction with the redevelopment of the northwest corridor, a hotel facility or multiple facilities would serve the existing business population of Springdale and environs, as well as the traveling public." We don't disagree. That's not where we are. We are two quadrants away. The proposal out of your Land-Use Plan has the hotel district, if you want to call it that, actually north of the northwest quadrant. It's a little orange circle on your map. I've actually got it, if I can go back to it, right there. Can you see that orange circle? That is, you can't read it from here, I can't read it from here, maybe your eyes are better than mine, that says "hotel". That's where your Land-Use Plan wants to put the hotels. We're down here. Now I gotta get back to where I was. So the point is, taking it out of service as a hotel, is and of itself, consistent with your Land-Use Plan. Multi-family housing is recommended in your Land-Use Plan. Multi-family residential uses are suggested for the northwest and southeast quadrants. Northwest is here, southeast is here. We're just outside of that, right here. We're just below the retail village sector. I would think you'd rather have this housing between office and retail, rather than inside it, but the point of this slide is to show you that even your Land-Use Plan suggests you could use multi-family residential uses. Demands for new residential environments by both young professionals and empty-nesters, which is the market that we're looking at, that we're trying to help you attract, into Springdale, those markets, by your own Land-Use Plan, state they exist. They represent a significant contribution to the residential population of Springdale. The City should conduct market/feasibility studies to determine the actual demand for such residential uses. The point is we've done that. We've done that for you. Okay, but a ten point eight market rate, it is a desperately needed part of Springdale that doesn't currently exist, or it doesn't exist in numbers large enough to fulfill all the demand that you have.

"Will this facility help revitalize the area around it?" We believe the answer is absolutely yes. This is an aerial photo from November twenty-one of 2015. This is the most recent photo that I could get my hands on. This is The Atrium. This is that strip mall right next to it. This would be Tri-County Parkway, right here. There are 3,786,675 rentable square feet of office space with thirty-three point seven percent vacancy in Springdale. By contrast, Cincinnati has thirty-five point eight million square feet, twenty point six seven percent vacancy. All suburbs of Cincinnati, thirteen million, twenty-two point seven percent vacancy. What we believe will happen is you put 139 assisted living facilities in here, and you will start to see these empty office building out here backfill with support. Dentists, doctors, healthcare professionals, radiologists. People that support an aging population. They, they're going to have a ready-made clientele, cause they got 139 people living right here. Additionally, what you're going to find out, I can tell you this from my own personal experience, is when we would go to visit my mother-in-law, when she was in a facility, suddenly, all of our shopping became around here, around the facility, because you're already out, you're already in the car, and the shopping in the area becomes your new go-to shopping place. It's one of the reasons that the folks that are the experts in this area say, you want this kind of facility in this kind of location. Right between residential and professional, because it's the perfect place for those people to live. I think I've already covered this. It's going to support the retail development adjacent to the north and east, so this section here, and it's going to support professional and office to the south and west, which is this section here. Your major priority, according to your Tri-County Plan for Revitalization, is the maintenance and enhancement of jobs and wages. Retail sales revenues and tax receipts by area governmental bodies must be major priority. This facility also fills a need for the residents in the community struggling to find an assisted living facility in the community where they live. When we had to find a place for my mother-in-law, I live in Anderson Township. She lived in College Hill. We ended up at Cedar Village

because they had an open bed. It wasn't convenient for either, for anybody. The point is, the people living in Springdale, they don't want to put Mom or Dad or Grandma or Grandpa out in Mason, Ohio. They want to keep them home. Home is where their church is. Home is where their shopping is. Home is where their family is. They need a facility like this to keep folks home.

Then we get into what happens if we don't get our PUD. The first thing that happens is, if approved, well, let's look at it from the positive. This facility, you can't read it from there, owes, according to the Hamilton County Auditor's Office, \$822,000 in back taxes. This facility, as a hotel, is failing. It is in bankruptcy right now. Part of the plan for bringing it out of bankruptcy is getting approval to build this assisted living facility. That tax bill, I mean, it's subject to adjustment because there's some, umm, negotiations going on with the Auditor's Office on what the real value of the property is right now, but the point is, this gets paid. You guys receive that revenue. You take a facility that is currently a value at about \$2 million, we're gonna put \$10 million in it, so that instead of a \$40,000, forty-four thousand I think is what it says, semi-annual tax bill, it's going to be more like \$144,000. That's revenue that gets put into the taxpayers' coffers for supporting the City.

Finally, we say failure is not an option. Refusal to grant the PUD means back real estate taxes don't get paid, The Atrium Hotel gets abandoned. It eventually has to be demolished at taxpayers' expense unless it can be repurposed. Repurposing the hotel is problematic because of the back taxes and because of the mortgage that's currently on the facility. Developers are unwilling to take on the debt to redevelop it as a hotel. It simply is not viable in that location. You miss out on fifty plus professional-paying jobs. You miss out on an investment of nearly \$10 million into a blighted property, and the local retail and professional businesses around this facility suffer because you end up with a facility that is not supporting their business. The conclusion is that the assisted living facility and related uses are consistent with your plans, adopted by The City. We're not asking you to do something completely off in the ozone. It does require a PUD because it's not perfectly zoned, but it is not inconsistent. There have been changes in conditions affecting your Land-Use recommendations since the adoption of the plans. Repurposing The Atrium Hotel into The Atrium Assisted Living facility enhances the plan that you already have in place. We're not asking you to throw the bath water out with the baby, or vice versa I guess it really should have been. We're not asking you to throw the baby out with the bath water. We're asking you to say hey, you know what? This does fit within our plan. It can work. And that's why we're asking you, please give us our PUD or recommend it to the City Council so that we can get our construction started. Now there are a lot of other people here tonight to support this. Umm, who do you want next? Diane you wanna come up and say? Introduce yourself and tell us what you think.

Ms. Smith: Good evening.

Chairman Darby: Good evening.

Mr. Okum: Good evening.

Ms. Smith: First of all, I want to thank you for this opportunity. I'm a little nervous, okay? I'm used to speaking, but I always get nervous in front of...

Chairman Darby: Okay. Please introduce yourself for the record.

Ms. Smith: I'm Diane Smith.

Chairman Darby: And you don't have to be nervous around us.

Ms. Smith: Okay, okay. Thank you. I'm Diane Smith. I'm the pastor of Total Grace Covenant Fellowship. I'm the Executive Director for Timeout Ministries. I'm a consultant with Beech Acres Parenting Center and the Cincinnati Public School System. I have taught early childhood education in the Princeton School District. I have given the past eight years to the Cincinnati Public School System, preparing tenth, eleventh, and twelfth graders, uh, with life application skills through Cincinnati Jobs for Grads. But for the past six years, I have consistently utilized the Atrium Hotel for church ministry. I have used it for Total Grace Covenant Fellowship. I currently now use it for WOW, it's Women of Wisdom, where

women from all over the City of Cincinnati come to fellowship. It's for hurting women. Women from various cultures are there. We also use it for business conferences, uh not to mention community functions and concerts. I just wanted to take this opportunity to introduce you to this place that we think is so beautiful, that we would hate to see torn down or not in use, because of the movie theater that's in there, that we have utilized, the church facility that's in there, the rooms that are already there for the recreational and physical and occupation therapies that could take place, the rooms for the beauty salon and barber shop service, the swimming pools for water aerobics. And this property is really located with all the amenities that you would want for your people, your parents, your family, in an assisted living quarters. So in my heart, and for association and business encounters, I have used this place and gotten very, very good service and it has caused me to believe that the owners and the investors, is driven with a deep sense of great work ethics, where I feel that they not only serve us, but they are committed to serving God, where others can benefit. So in this transition I see that they would make from a hotel to assisted living; I believe the owners really care about people, all people. I believe they will seek to treat their employees and their neighbors with dignity, respect, and fairness. I believe local businesses will profit from the visitations of family and friends, I see this personally a retirement resort that can offer amenities as a feeder to other assisting living facilities in the surrounding communities. I hear tell there's quite a few, several, maybe three, in our community, I think Maple Knolls is one of the bigger ones, that I've had family and friends in there also, but I'm asking that this committee consider the fact that the owners of The Atrium Hotel are simply trying to recycle this property with any proposed modifications, that would accommodate this community and accommodate all of us. The building has the amenities, the owners have the vision, and you have the power to approve. Thank you.

Chairman Darby: Thank you.

Mr. Phillips: We've also got...

Chairman Darby: I have a quick question.

Mr. Phillips: Sure, go ahead.

Chairman Darby: Should your project be approved, would it include facilities for the various works she just described?

Mr. Phillips: Umm, I don't see why it wouldn't.

Chairman Darby: Because I'm kinda confused as to why that was a part of you presentation.

Ms. Smith: Umm, the hope is that a part of that facility would still be open to accommodate, yeah, events like ours, and it would be apart from the assisted living. It's quite a big property.

Chairman Darby: So what we're hearing is there would be square footage dedicated to those purposes.

Mr. Phillips: Yeah.

Ms. Smith: The room's already there.

Mr. Phillips: The answer is yes. I mean, there's...

Chairman Darby: Okay, that's all.

Mr. Phillips: Okay. Thank you. Any other questions?

Chairman Darby: We'll have questions, but our protocol is we wanna hear our Staff reports and then we'll have our discussion.

Mr. Phillips: Because we do have Paul Mullins. He is a consultant out of Columbus, or Donna, where's it at? Near Columbus.

Chairman Darby: Did he have anything he wants to present to us at this time?

Mr. Phillips: Well, we have boards. We, I mean we'll answer questions. I came loaded for bear.

Mr. Okum: Go through it.

Chairman Darby: We would like to see your full presentation.

Mr. Phillips: Paul, you wanna do the board?

Chairman Darby: Do we have, do we have an easel? Well he'll get an easel for us.

Mr. Okum: You can use both, the chair and the easel.

Mr. Mullin: Okay, my name is Paul Mullin. I'm an architect with MKC Associates out of Powell, Ohio. We've been working with, actually with the Commission through Brian Bauer for some time in bringing this project to the point that it is today. I think really you have probably seen most of the information that is on the boards, but it depicts the conversion of the building from a hotel operation into the assisted living operation, and identifies the various types of rooms and, that are being provided to adjust the utilization of the space. We've also, yeah let's put those up. That one's fine. We've also provided color renditions of the proposed exterior elevations of the proposed elevations indicating the general color scheme of the facility. It's, I think, somewhat different than what you see out there today, and I think it would be very compatible with the site and the surrounding areas. Fairly neutral in nature, but yet it provides a freshening look for the facility, if you will. Again, going back to the street scape theme of improving the overall view of the community. We've provided renderings, perspectives of the main entrance and other points of the building to illustrate how the exterior might appear with the stone, the synthetic stucco, new windows, and in essence, new exterior materials all the way around the exterior. The site is being redeveloped. Some of the high points that have been discussed previously: reduction of the total surface parking area, going from 300 plus spaces down to 170 or thereabouts which will provide additional greenspace surrounding the building and providing transition zones from the building to the adjacent property; we are proposing significant landscaping, particularly on the, I guess it would be on the northeast side of the building to offset the fact that the setback on that side of the property is less than seventy-five feet. Heavy landscaping there to screen the facility to adjacent properties. There was a comment concerning the dumpster enclosure design, I believe at the last meeting, or as part of the Staff comments. We have rectified that, redesigned that particular part of the site development so that, I believe it now meets the City requirements in every respect. Do you have any specific questions that I can answer at this point?

Ms. McBride: Mr. Chair, might I ask Mr. Mullins just one question for clarification, and that is, how many of the 139 units will have full kitchens?

Mr. Mullin: All of them will have kitchenettes.

Ms. McBride: And that would be...? Can you describe a kitchenette for me and for the Commission?

Mr. Mullin: Microwave, sink, refrigerator, cupboard space.

Ms. McBride: But they won't have a stove.

Mr. Mullin: No. No stove.

Ms. McBride: Okay, thank you.

Mr. Phillips: It is community dining, so the kitchen facility at the banquet center would still be used as a kitchen facility and a banquet center, essentially. Just for the residents.

Mr. Okum: Wanted to, I had an inquiry regarding MKC Architects so that we, before we go any further. How many assisted living facilities has your firm, is this sort of your bread and butter, your key element of your business portfolio? Can you give us an idea, a little bit about your experience in this type of facility?

Mr. Mullin: We base, MKC basically specializes in four areas: senior housing being one of them; healthcare another; student housing; and educational facilities, primarily K-12. That is the spectrum of service within the organization. MKC's been doing this type of service for in excess of eighty years, so we do have a rather extensive portfolio of all types. Education was one of the primary ones when the firm was established by Charles Marr, that's the M in MKC, and he did many, many school buildings around the State of Ohio during his career. As the firm grew, we transitioned into other areas of design effort and today we have the four primary areas that I just mentioned to you.

Mr. Okum: One of the things that's very common with hotel spaces, redevelopment, and complying with current ADA standards for accessibility. Have you addressed that, and are you going to be totally ADA compliant...

Mr. Mullin: All of the individual rooms have been totally redesigned. The existing rooms in the hotel were not compliant with accessibility standards. The redesign does make the space compliant with accessibility standards for the assisted living facility.

Mr. Okum: So that would be like a sixty inch shower, three-quarter inch lip, full turning radius on the...

Mr. Mullin: That is correct.

Mr. Okum: Thank you.

Mr. Mullin: As well as countertop heights and other issues that go along for compliance.

Mr. Okum: Thank you.

Chairman Darby: Before I call on Staff, I just have one more question. Okay, your presentation so far, you have an attorney, an architect, a person who works with senior groups through the church. Is there anyone with your team who has experience in running this type of facility? And I just, I'd like, I'd like to know, do you want to make some comments before we go, so that we can put everything on the tape?

Mr. Casey: I'm actually happy to. I was actually jotting down some notes.

Chairman Darby: Okay, we'd like to see what you jotted down.

Mr. Casey: Just to...

Mr. Okum: Your name, sir.

Mr. Casey: My name is Bryan Casey. I actually own and operate a number of senior facilities, assisted livings as well as nursing homes, in the state of Ohio. I have about twenty-eight years' experience doing this type of work, and really the only thing I've ever done. The, several things that as the presentation and then also some of the questions have caused me to want to clarify a couple of points. One of the facts mentioned in the presentation was the overall occupancy rate in Hamilton County. This week, the State of Ohio actually published updated occupancy rates for assisted living facilities. Throughout the State of Ohio, the average occupancy in assisted living facilities is about ninety-one point eight percent. Hamilton County's occupancy rating is actually higher than that, indicating that the need in Hamilton County is actually a little bit greater than the need in the overall state, as far as residential care or assisted living facilities. I think, I think that's noteworthy because as you look at the redevelopment of the property, I've been over the property a number of times, and I've experienced probably several hundred other assisted living facilities. The amount of common or free space, community space I would call it, within this development is phenomenal to me. I don't know how many of you have actually been to The Atrium, but the, within the ground floor there is a common space that used to be, as I

understand it, a pool area. That space will lend to the occupant or the residents that live there having an unheard of amount of common space to visit with loved ones, to dine in, to just mingle with other folks, whether it's family or other folks, other residents that live in the property. The norm for that type of common space is typically the area of about twenty square foot per client. In that Atrium itself, there is about five times that space. That's not including the lobby area. That's not including the movie theater. That's not including any of the banquet facilities. That's truly just in that center of The Atrium, and so that, as an operator of this type of facility, that's what brings all of folks out of their rooms. That's what brings them out of their apartments and gets them to mingle and interact as a society within this town. The other thing that, I heard your question on ADA, and one of the things that I think it very important is the, the knowledge or understanding that residential care facilities, the space requirements and the care is really governed by both the State of Ohio as well as on a federal level. There are regulations being passed every single day that talk about the use of space, and specifically right now, one of the hot topics is the conversion of hotel space into assisted living space. It's called, it's covered by what's called The Home Base Community Waiver Service. This particular waiver deals directly with that common space issue and it's one of the reasons that the State of Ohio published the information that they did. So it's one of the, one of the things that I think that you guys have to have a little bit of an understanding of the fact that this building not only meet's today's standard, but it will meet the standard that's coming forward, as far as that common space, and I think that should put you at ease that you're considering the development of something that not only meets today's standard, but it does kinda meet the upcoming standard. The other thing I wanted to just spend a few seconds on is the daycare service. One of the, within the Department of Aging, one of the most anticipated needs that our senior population as it continues to grow every single day is going to require is the use of an adult daycare service. This area doesn't have, as it is, it doesn't have enough slots in the adult daycare to meet the population's needs. These are folks that typically come, some of them come every single day of the week. Some of them come one day a week so that a spouse who's in the community can go to the grocery store. Some of them come a couple of days a week for socialization, but one of the things that it is, that it does, is it provides a constant feeder into the assisted living itself. It's a way to get people into the idea of a care model that provides the care when they need it. By offering first the day service, the daycare service, and then the assisted living service, you really kinda give people a chance to get used to the facility environment without having to go right into an assisted living. For a lot of our seniors, that's comforting thing. I get to come over and have lunch two or three days a week, before all of a sudden I have to change my residence location. And so it's something that was certainly not a major part of the presentation, but it is something that in my experience in this industry, it is a natural way, a much less invasive way, for people to get introduced into the concept of assisted living. I think you'll find that people come from outside the community just for that day service as well. And so, together, those two things, the space and then the daycare, this project to me is a head-scratcher as to, I understand the zoning issues. I'm from a little tiny town where I know the zoning committee, and I've talked to them about it, about this particular issue, and some of them have enlightened me. You know, you guys have to think about the future of zoning and those type things, but as I look at this particular project, it is something that I, hands down, I believe The Atrium can be an extremely successful assisted living and I think the day service only complements that. Certainly from my standpoint as an operator for twenty-eight years, I would encourage you to give it great consideration.

Chairman Darby: Before I call on Ms. McBride, I have one question, because I don't want to it get lost, and this is kinda based on some research I was involved in because of an elder relative. Based on your experience, do you find, because folks that move into these facilities, they still like to maintain a great degree of individuality, okay. Do you find, in your experience that the existence of only a kitchenette with a microwave versus a stove tends to turn potential clients off, and could affect numbers?

Mr. Casey: I would answer that in two ways. Your first question, does it affect the individual? Yes, it certainly does. Does it affect the overall occupancy number? No, it does not. The reality is that very, very, very few assisted living units, I can't tell you a complex in the State of Ohio where everybody has a kitchen, but I can tell you...

Chairman Darby: I can.

Mr. Casey: Can you?

Chairman Darby: In this area, it's quite prevalent.

Mr. Casey: It really is something that in my experience, we, I operate six assisted livings today, and I don't have full kitchens in any of those, any of those properties, and I, it has not been a barrier to, for us, as to occupancy.

Chairman Darby: Thank you very much. Ms. McBride.

Ms. McBride: Thank you. As the commission has heard, the applicant owns the six point eight six acres that's located at the northeast corner of Tri-County Parkway and Jake Sweeney. The property right is zoned GB, or general business district, and it's been developed in 1979 as a 149 room hotel with banquet facilities. The request that's before the Commission for consideration this evening is to rezone that property to a planned unit development, PUD district, with the intent of reconstructing, rehabilitating the hotel, existing hotel into a 139 person assisted living facility that would also include adult daycare and rehabilitation facilities as well as support facilities for the assisted living. When this application was submitted, we did, as we do with all zone map amendments, we looked at the consistency relative to adopted plans that the City has, specifically we looked at the Springdale Comprehensive Plan, and this site is actually located within the Springdale commerce area, which recommends this site and surrounding sites for regional shopping and employment areas, which are designated to encourage quality projects that complement adjacent properties and provide service, services that are not currently in the City. It envisions national and regional retail and service users of 10,000 square feet and up, and more auto-oriented type uses in this area. Because of those recommendations, Staff does not believe that the use that they are proposing is consistent with our plan, nor is it really compatible with the area. As you've heard, most of these residents don't drive. There are no sidewalks in this portion of the city, so these folks are gonna be dependent on some other type of transportation to other parts of the City. Even if there were sidewalks, for example, on this property and maybe some adjacent properties, I don't know that we would want assisted living residents walking on Princeton Pike or Kemper, given the volume of traffic, and also in the immediate area of the subject property, there aren't a lot of retail type, you know, there's not little coffee shops and little lunch places. We have wonderful Sweeney Automotive uses, and so forth. I don't know that a lot of these folks are going to be buying cars. So, at any rate, in terms of uses that are immediately adjacent to the site, they're not particularly compatible with an assisted living facility. This is not a new service to the City, as you've seen in my Staff report, and the applicant has commented, by our calculations, about twelve percent of the City's housing is, housing units are already designated for senior residents. So this development really would be an island of residential in a sea of office and auto-oriented uses in my opinion. We also looked at the Tri-County Retail Revitalization Plan. In that plan, this area is designated and included in the office, I'm sorry is designated for office use, and is included in the office campus portion, recognizing, the plan does recognize that residential could be a component of this area, but specifically designates it as the southeast quadrant, not the southwest quadrant. And the reason for that was to allow for it to take advantage of the adjacent greenspace and so forth or the golf area and the cemetery, which quite frankly, is green open space, and allow it to interact with more of the more vibrant retail and service areas that are at the intersection of Kemper and 747. But the important distinction and the reason that I asked the project architect the question that I did, is that we talked about multi-family in that quadrant and the proposed use is not a multi-family use, because these are not residential units. They do not contain full kitchens, so they are not to be considered multi-family. This is an assisted living facility, which is totally a separate land use category from multi-family. The existing GB zoning that we have on the property right now does obviously allow the hotel, but it also allows a number of uses that would be consistent with the plan, specifically things like retail uses, office uses, restaurants, commercial recreation, other types of recreation, theater, theaters, personal service uses, and so forth would be permitted under the existing GB zoning. We did review the site plan information that the applicant submitted, and I'd just like to go through briefly my comments on that. Relative to parking, the site currently 387 parking spaces. They are proposing to remove 203 of those spaces, which are largely in the north of the existing building to the rear of that building, and then along Jake Sweeney and also Tri-County Parkway. They would be removing those parking spaces. That would leave approximately 184 spaces. By Staff's calculation, and again, the applicant is correct, we are using the old code here because that is when they submitted this application. They would

be required to have 107 parking spaces, plus those, one parking space for each of the daycare employees. We didn't receive the number of that employee. So, they would be compliant with parking. In terms of setback, the parking areas meet the required setback from right of way, but the building in our PUD regulations section 153.434 requires that the building be setback seventy-five feet from all perimeter boundaries, and the existing building is not seventy-five feet from either the east property line or portions of the north and west lines. So, should this Commission shoes to recommend approval of the PUD, you will also need to recommend a modification to that seventy-five foot required setback. We did have a number of comments on the landscaping plan. I think we entitled them A through M of the alphabet, but most of these can be addressed. They're relatively minor in nature. They are proposing two ground-mounted signs. One would be at the western access point on Tri-County, and the other at the access point on Jake Sweeney. They are located sixteen feet off the right of way. They would be seven feet tall, which would include a two foot stone base, and each sign would be forty eight point three square feet in area, which complies with the code. They do need to be included in landscape beds, which they were not shown, and we would also ultimately need to have the sign materials, as well as any information if they are to be illuminated. The waste enclosures, I think the applicant touched on that. Right now, they are either just sitting in the middle of the parking area, or they are up near Tri-County Parkway in the front yard. They are proposing to relocate those; one to the northeast corner of the building, and one still in the location semi-adjacent to Tri-County Parkway in the front yard, which is not permitted by our code. In addition, that needs to be at least five feet off of any side yard. There was some, I think miscommunication maybe on some of their sheets. One of their sheets indicated that the enclosures would be vinyl fence, and another included, indicated that they would be masonry enclosures. What you've heard from the applicant this evening is that they would comply with the requirements of that section of our zoning code, which is 153.489(A), relative to the waste enclosures. Lighting, they are proposing to relamp the site, relight the site using LED fixtures, and they are proposing a mounting height of twenty-five feet. Our code recommends a mounting height of ten to eighteen feet for this type of use, which is considered a medium-intensity use. The fixtures and poles are to be dark bronze in color, and they do comply with the light levels that are recommended and required by our code, with one exception in parking area C, which is the northern portion where it exceeds the average illumination level, which they can probably fix that. Open space that's required in our PUD district is twenty percent. The existing site has thirty percent, and then the proposed open space is forty-three percent, and whereas that sounds like a good number to have an increase in open space and to have forty-three percent of the site being open space, I think you could turn that, in this particular location, and maybe that's not the most appropriate use for property in the center core of our city, is to have forty-three percent of that site as open space as opposed to it being viable building and uses. In terms of the building modifications on the exterior, they are proposing a translucent canopy with stone columns over the entrance, cultured stone on the south and west elevations. They are proposing to repaint the building with earth tone colors, to replace the windows, to replace the mansard roof with standing seam roof, and then to replace the atrium roof over where the swimming pool was, also with translucent panels. On the interior, they would be converting the 149 hotel rooms into 139 resident rooms, and also creating services for the restaurants, or residents, I'm sorry, that would include things like a post office a drug store, beauty shop, etc., and as you have heard they are also proposing the adult daycare and the rehab facility. If this does go forward, we would need to have building material and color samples of their improvements. So that concludes my report. If you have questions, I'd be happy to answer those.

Chairman Darby: We'll wait until they're all in. Mr. Taylor.

Mr. Taylor: Thank you, Mr. Chairman. Really, I think about the only thing that I would care to add to Ms. McBride's report has to do with the additional work that was proposed in the most recent submittal which you all got, and there was significant amount of work added from the previous submittal that we got a couple of months ago. The cost estimate that was provided at the time was not updated. Now it has been updated, and the \$9.6 millions that was referred to in the applicant's presentation appears to account for all the additional improvements that were, that are shown on the packet that you have now. So my only comment would be that if you chose to go forward, you know, that you, we verify that the budget exists to do everything that you've been shown. That's all.

Chairman Darby: Thank you. Mr. Shvezgda.

Mr. Shvezgda: Thank you, Mr. Chairman. Just a couple of items, one relates to traffic. Initially on, the question came up as to what effect this new use would have on the traffic at the site. The applicant had submitted basic information supporting their opinion that this would not negatively affect the traffic in the area. That information was reviewed by the City Traffic Engineer, and they came to the same conclusion that this would not negatively impact the traffic in the area. The other items are, involve the condition of the site infrastructure. One is relative to the detention basin that exists on the most northern portion of the property. Probably a month or two ago, the detention basin was not functioning properly. There was quite a bit of trash and debris in the basin. Since that time, it has been cleaned up and is substantially in compliance in with the, what its requirements would have to be. The other item would relate to the parking lot surface, the driveway aprons, those types of things. They are in very poor condition as they exist currently. As part of the applicant's transmittal letter, they did specifically note that the parking surface that would remain would be resurfaced, was there was no mention of repair to the driveway aprons, and that concludes my comments.

Chairman Darby: Thank you very much. At this time, I'm going to invite our members to raise questions or make comments. Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. Mr. Shvezgda, with regard to the parking lot and the resurfacing, just so I'm clear, they're going to resurface the entire parking lot, or just some areas where there's a need based on some repairs?

Mr. Shvezgda: My understanding, in the transmittal letter, course they're removing some of the parking lot that is, or they're proposing to remove some of the parking lot that currently exists, and turn that into open space, but everything else would be resurfaced. Is that correct?

Mr. Phillips: That's correct. Everything is proposed for resurfacing.

Mr. Hawkins: To the applicant, obviously you discussed some about wanting to be a part if there's public transport, public transportation around there and being on that, that route. As you heard from Ms. McBride, with regard to where you are, and I know you guys have tried to highlight being the middle of everything as being a plus, you're not directly in a position, or the residents wouldn't necessarily be in a position to walk necessarily to much of anything beyond maybe that strip mall that's sort of around the corner there. Would it be your intention as a selling point that you would expect these residents to be walking around on their own to get to different places around Tri-County?

Mr. Phillips: I can only speak from my own personal experience and there's probably other people here that have more experience answering your question than I do. My own personal experience has been that most of the residents of a facility like this rely on other people for transporting them. They don't necessarily want to walk too far from the facility. I know one of the comments was, well, gee, you're going from like I think it was thirty percent to forty-three percent, is that right, Ms. McBride? Yes. One of the nice things about open space for a facility like this is it does give the residents a place to walk without having to deal with offsite traffic. I can tell you that like Cedar Village, they have a walking path where you can walk, and again, I'm only talking about my own personal experience, and people utilize that. The open space is important for the people at the facility. The more open space, the better the facility, is the perception for the people that actually live there. I think, which is what you said. The more open space, but you're not going to get a lot of residents that want to walk from here to Tri-County Mall. It's not, they're in an assisted living facility for a reason. Okay, it's because they need assistance with their living. So, I really don't know that the sidewalks and the walking off of the immediate six point eight acres is all that urgent. I would love to see the public transportation, you know, come into Springdale, because I think that would be a real plus for a facility like this, and we really love the fact that that's part of your Future Use Plan, if that ever comes to be. If it doesn't, you know, talking to the owners, their intent is to provide their own shuttle service, where they would be taking people to various places and providing that service.

Mr. Casey: That's exactly what I was going to say. We have a similar situation in Wooster, where at the onset of our project, that particular project was not on a public transportation route. We provided a shuttle service multiple times a week to various stops within the community that the clientele wanted to go to, whether it was Wal-Mart, whether it was to the mall, to adjacent businesses. Subsequently, about a year later, that particularly property, Wooster expanded the public transportation. That particular property became part of that route. We didn't stop the shuttle service; we still offered shuttle service, because quite frankly, some of our clients still need somebody to go with them, somebody that can help manage that extra bag that they're carrying, or those items that they purchased. But some of our residents were able to take advantage of that public transport, and then begin going to shopping, but it really is kind of an augmentation. If anything, having that shuttle service is certainly a part of what The Atrium intends to do, and that will be an initial step, but if indeed it does develop to the point that The Atrium can become part of the public transportation route, that will only augment the service that we're providing in house.

Mr. Hawkins: And last question. I'm not trying to filibuster, Mr. Chairman. With regard to the, you talk about the fifty employees. Does that include just the individuals that would be there for the purpose of care, or is that including individuals that would be there working the pharmacy, working in the salon, working in...

Mr. Casey: This particular facility, in order to provide the care that we would need to, to the daycare and to, for the round the clock service that we would need to provide, as well as the meal service and housekeeping services, we'll have fifty, we'll have fifty employees in that particular number. Those augmentative services, if you will, will be in addition to that. We did not factor that into our number.

Mr. Hawkins: Okay. And that's fifty total, or that's fifty on-site at any given point in time, in order to make it work?

Mr. Casey: That's fifty total.

Mr. Hawkins: Okay. Thank you, Mr. Chairman.

Chairman Darby: Thank you. Mr. Okum.

Mr. Okum: Thank you, Mr. Chairman. I guess I got a couple questions for Staff. Staff did not include in their considerations consideration for sidewalks to be constructed on Tri-County Parkway and on, and on Jake Sweeney Way. Is that not part of our subdivision regulations, whether they go to a point to point, I think it is. Maybe I'm wrong.

Ms. McBride: Well, I'm, we can look at that in a final development plan level, if and when this moves forward, but the fact is, I don't believe they will connect to anything, and

Mr. Okum: I understand.

Ms. McBride: We were looking at it more from the standpoint of the pedestrian viability of this site, but again that's a final development plan level...

Mr. Okum: I mean, there are employees that walk as well, and you know you've got fifty plus employees that might want to go to Jersey Mike's, well they can do that through the parking lot, but they may want to go up and go to TGI Friday's or go to Mitchell's Salon or to Kinko FedEx, just walk up to the corner, and you know you've only got one parcel, which is the bank, that separates the two, so if there were sidewalks constructed on Tri-County Parkway, across the front of their development, pursuant to our subdivision regulations, I would certainly think that there could be an offset of cost, the applicant can contribute to that, the program, and encourage and curb, shift the cost from Jake Sweeney Way which potentially would never go to Kemper Road because of the landscaping that we approved on the Enhanced Landscaping Plan that we approved for Jake Sweeney, unless we're going to have the sidewalk meander around all the landscaping islands, but at least we could get some sidewalk, should it be approved. My reason saying that is, I would encourage us to at least to include that in our consideration, that sidewalks be provided and that there be an offset if so determined under final review, planning review. We could offset some of that

cost to take care of the sidewalk section in front of the bank, because if you go from the bank, there's a sidewalk that goes all the way down in front of Graeter's all the way down, so at least we'd have some connection, connectivity for walking should a person be able to do it. An employee or a person that is of good health, that wants to, that happens to be there for a week or ten days.

Ms. McBride: And I wouldn't disagree with that, but again that's a final development plans level item that we would be commenting on at that point in time.

Mr. Okum: So, so we really didn't get into mechanical units, we really didn't get in, we did cover lighting and based upon your recommendation, Ms. McBride, it's uh, the lighting should be at, I believe ten to eighteen feet?

Ms. McBride: Correct.

Mr. Okum: And the applicants' request is twenty-five. Difficulty on the consideration is, if we move to approve the considerations, we're improving, approving the twenty-five feet, but you do say be submitted for Staff and final approval, so I think that's be okay to leave it that way, but certainly we would expect that they bring the lighting levels down. Their lighting levels will change when they lower the fixtures, so they'll need to increase the number of fixtures in order to accommodate the lighting levels and certainly we'd want to see a low fall at property lines typical to what we typically do.

Mr. Phillips: I think we did, we did submit a revised lighting plan. I mean it just got submitted within the last day or so...

Mr. Okum: We, we want to, yeah, but we want to consider it saving, because we based it upon what we've had a chance to review, and Staff just had time...

Mr. Phillips: Right, but I just wanted to let you know we're not ignoring...

Mr. Okum: No, I understand, you commented about it earlier. I was totally aware of that. Ms. McBride, there was a comment in regards to the Tri-County Plan for Revitalization as it pertains to multi-family, and I think you clearly spoke to that, and I understand exactly what you're saying. Looking at the plan, we have 139 units that are going to be semi-supportive to cooking, if you're going to cook in a microwave. I've got a ninety-year-old uncle, god love him, he doesn't cook on a stove anymore either, but you know, the stove is still there. So, and the oven is still there.

Ms. McBride: There's a, let's be clear, there's 139 rooms. There's not 139 units, because they're not living units, because they don't have full kitchens.

Mr. Okum: Okay, so there's 139 rooms.

Ms. McBride: There's 139 rooms.

Mr. Okum: Yeah, they do look more like a hospital room or my mother-in-law, years ago, was at Cottingham and she was the assisted living section there for some time, and basically a bed and a bathroom and, more like an oversize hospital room, but that's pretty much what it is. These will have certain other amenities that, I noticed on the plans, I'm in the building trade, so you understand I do read set plans fairly well, that there are some closet, there is some closet space for a limited amount of stuff to be hung up, but it's not a livable unit. It's not one that you would consider a housing unit. There would be no space for, unless there's storage lockers, and god forbid if there is because everything just stays in the storage locker and never comes out, but I would like to see that, not see that but in regards to the walking path, a facility of this nature does need that feature, whether it's got indoor or outdoor, and The Atrium area is very nice for walking internally, because elderly people don't walk as much as the young do, but there should be a walking path amenity incorporated into this site in final planning. I have a couple problems in regards to one, the consistency with the Tri-County Plan for Revitalization, which is really the only plan I'm going to go hang my hat on for consistency. The other plan, in my opinion, has consistency, has value to it, our comprehensive plan, but it's, it is dated and I don't find that to be strong in essence. It's sixteen, fourteen years old. But I will say that the Tri-County Plan for

Revitalization is a current plan and is active in our city, and the item regarding the use of the word multi-family was intentional because of the use, and the purpose of that, I was involved in that discussion, involved in passing that legislation, involved in the community outreach that that process brought about, and very familiar with the purpose of that. And indeed, there was an isolated area that was identified due to the, and it was specifically due to the greenspace of the cemetery and the golf course, that would be an ideal location for multi-family housing adjacent to that because of the view of the green, and tying that together. I do want to state that being in the center of the district doesn't make it a transition. I find that transition districts, and for your understanding, and I guess you've done your homework, I serve on the Hamilton County Regional Planning Commission as a Planner, and in that capacity I represent all of the municipalities in Hamilton County and I represent the, and I service all the townships that submit plans to the Regional Planning Commission, so when you're talking transition, transition usually applies to the soft borders between uses where you're transitioning down from a more intense use to a lesser use. This is, doesn't really apply in this application in my opinion. It, and I'm only one person, but that's in my opinion. I do not believe that it's in the City's position at this time, or in SORTA's position at this time. I do serve on OKI as part of the Transportation Council for this region, and I don't think that there's anything that I've seen coming through SORTA or Transportation showing a transportation hub or a internal connectivity process for the City of Springdale. I haven't heard anything. Mr. Parham is back there. He's our Administrator. Do we have any plans on... I'm not seeing a, yes, we do. Thank you. So, based upon that, I'm going to be making a motion in regards to the request by the applicant. There are going to be certain considerations in it that will tie to the final plan, but I feel that they need to be referenced at this point, so they'll be part of the motion. So, based on that, I don't see any other lights...

Chairman Darby: No, there's plenty more to come.

Mr. Okum: Okay, then I'm gone. I'm done. Thank you.

Chairman Darby: Mrs. Harlow.

Mrs. Harlow: Thank you, Mr. Chairman. We have often talked about having some type of a circular bus route in Springdale, like a small shuttle or something, and it's unfortunately we've never been able to, to finance that or to have the funding for it. When you mentioned the support for it, what was your, what are you speaking of there?

Chairman Darby: Chicken or the egg.

Mr. Phillips: Ummm...

Mrs. Harlow: Ridership?

Mr. Phillips: I guess I wasn't intending to imply that we would pay for it, but certainly we would not oppose it, is what I guess what I, where I was headed. Obviously, the kind of mass transit that you have in your Future Land Use Plan is going to be significantly expensive. I mean, well beyond the budget of what we're talking about here, even though we're putting \$10 million into a renovation. Certainly we would not oppose it. And a project of that magnitude is going to take a lot more than just our support. It's going to take the support of the community. It's going to take the support of City Council. It's going to take a lot of support. So...

Mrs. Harlow: I know. That's...

Mr. Phillips: When I said we would support it, I hope I didn't mislead anybody into believing that we were somehow going to pay for it.

Mrs. Harlow: No, you didn't.

Mr. Phillips: Okay.

Mrs. Harlow: No, you didn't. I just wanted to know what you're area of support was going to be.

Mr. Phillips: Yeah, I mean that...

Mrs. Harlow: And then my second question for you sir, is that you gave some data from the *San Francisco Chronicle*, I believe it was?

Mr. Phillips: Yeah.

Mrs. Harlow: Um, about the need for senior housing, but it didn't really, you identified where the article was from, but you didn't really identify where the data was from. Where, I can't really use that if I don't know where the data is from. It does not tell us that.

Mr. Phillips: I agree. The better data in here is this data here. This is Springdale specific data.

Mrs. Harlow: And then the, another question I had was will these assisted living spaces be private pay, are they...

Mr. Phillips: They would be both. They would be both. They would be Medicare, Medicaid, private pay plus insurance, plus government assisted. Yes.

Mrs. Harlow: And...

Mr. Phillips: Every facility has to do that.

Mrs. Harlow: Okay, and is there like a percentage of government assistance to the private pay?

Mr. Phillips: Yeah. Bryan's probably better; he's up more on the regulations than I am.

Mr. Casey: I can only speak to state averages. State averages on the assisted living side, between the assisted living waiver and private pay, the assisted living waiver makes up about somewhere between fourteen and sixteen percent of the total funds that assisted livings in the State of Ohio receive. And then the rest is private pay and/or a private insurance. So the public sector, if you will, is somewhere around fifteen percent of that funding.

Mrs. Harlow: Okay, thank you for answering that.

Mr. Casey: Yes sir.

Mrs. Harlow: And then, my next question, and I'm asking this so that I can, because you're asking us to make a huge decision here in changing our zoning. So I'm trying to make sure that I understand all of the ins and outs of your business. The Atrium as a hotel you said is not viable, and I understand the tax, back taxes, but if the back taxes were not a major issue, why could that not be a viable hotel? Could you explain that to me, when we desperately need a quality hotel in Springdale?

Mr. Phillips: Location, location, location.

Mrs. Harlow: Well the location is all of those office buildings.

Mr. Phillips: The problem is, you have a thirty-four percent vacancy rating in those office buildings. There's just not enough... Number one it's a dated facility, okay. It's not consistent with modern hotel requirements. You can't get a flag on it, like Marriot or Hyatt or Hampton.

Mrs. Harlow: Even with major upgrades, it could not happen?

Mr. Phillips: I mean, how much money do you want to spend on it? The answer is the other thing is you don't have the support structure, looking at your aerial photo, if I can get to it here. The one thing you notice about this photo, well, is notice the number of cars in the surrounding district. Notice how vacant your parking lots are in these office buildings.

Mrs. Harlow: Well, we don't know when that was taken.

Mr. Phillips: It was taken on November twenty-first, 2015.

Mrs. Harlow: Well, we don't know what date that was, so...

Mr. Phillips: Well the point is, you've got a thirty-four percent vacancy, and I'm not trying to, it would be nice if it were viable. If it were viable, I mean that would be what the owner would want to do. Let me let, let me turn this over to him because he's got more information and data...

Mr. Patel: Yeah, hi. My name is Amit Patel.

Mrs. Harlow: And do you currently own the hotel?

Mr. Patel: Yes, I'm one of the owners with the...

Mrs. Harlow: And you've owned it as it's been a hotel?

Mr. Patel: Yes I have. We've owned it for the last almost ten years.

Chairman Darby: And your name, please.

Mr. Patel: My name is Amit Patel.

Chairman Darby: Thank you.

Mrs. Harlow: Okay.

Mr. Patel: We have been in the hotel business for over forty years. We have started with small hotels, independent hotels. We have two franchise Hilton properties. We have the Hampton Inn in Kings Island. We have Hilton Garden Inn in Sharonville, so we know that market very well. This is just not a viable business any more to be easy to say, hey put a flag on it, and people will come. It's not gonna happen. There's just, we've tried to run this as a hotel for many years, and it's just not turning around as we thought it would and... The local offices are great, but they don't have enough customers that come support us, because it's all local that guys that come to work, and they go home. We don't have a lot of guys coming in from outside, like GE Aviation did.

Mrs. Harlow: At one time, yeah.

Mr. Patel: We were getting a lot of guys from them, but now they're no longer available. They're available, I mean they're not, they're available but they're not sending people in anymore to do the training and stay two weeks at our facility. You know, they loved it because they could walk back and forth and it was great, but that's why we're not able to put a flag on it. And plus, there's just way too much inventory in the Cincinnati area in general for hotel rooms. We've got two new properties, or one's going to remodel again. It's going to be a Ramada Plus on Chester Road. Another Hyatt Place coming there on the corner of Chester and I forgot the, by 75 exit there, on Sharonville, and it just...

Mrs. Harlow: Okay.

Mr. Patel: It just doesn't work.

Mrs. Harlow: Okay.

Mr. Patel: We would not be asking for this if it was working.

Chairman Darby: Sir, let me ask you a question because I wonder, because I go way back when you were thriving. Why is your facility now in such disrepair?

Mr. Patel: It just takes a lot of money to, that property has been neglected for years. It's been neglected for probably the last twenty years, I think. The last owner, prior to us, bankrupted the hotel, totally disregarded it, did not do any maintenance or anything on it. I mean, when we first got it, we spent a good six months just cleaning it before we could even open the door. It's just a huge, it's really big. It's really old. It needs to be updated, and unfortunately, if I went to the bank or investors and said hey, I wanna redo my hotel, they'd look at the, they'd do a market study and they'd say no way. It's not gonna happen. There is funding available for this, to do these kind of medical properties, but just, it's just too big and unwieldy. There's not enough money coming in to, you know we tried to run a \$100 place, but right now we're charging fifty dollars. And that just brings a whole set of clientele that chases away other clientele.

Mrs. Harlow: November fifteenth, by the way, was a Saturday. I'm sorry; November twenty-first was a Saturday.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Yeah, that's what I was going to indicate that, I mean the relevance of the photo we're talking about how many cars at the office doesn't hold much water for this, because it was on Saturday.

Mr. Phillips: Okay.

Mr. Hawkins: But that was, that was it.

Mr. Phillips: Point taken, but this is the number that really is what we worry about, and that's the vacancy rating. We compare it even to the surrounding area, and I'm not trying to beat up on your office park. I'm really not. I just want to say if, if, if it would support a hotel I think you would still have a hotel.

Mr. Patel: Yeah, for sure.

Mr. Phillips: I mean we're not trying to...

Mr. Patel: If it worked, I would not be asking you to do this, honestly.

Mr. Phillips: Right. So, it was taken on a Saturday. Maybe that explains why some of the parking lots are empty. I understand now what you were saying. That's understood.

Mr. Allen: If I might add something too.

Chairman Darby: Please identify yourself.

Mr. Allen: Yeah, Mitch Allen. I'm the bankruptcy attorney, so we've been through this quite some time. I mean, I initially represented Mr. Patel when he purchased this hotel to begin with. This was a situation where the previous owner has gone through not only bankruptcy, but they had gone through receivership in Hamilton County. You can certainly look up the paperwork on this. This hotel was in receivership for probably two years. Leonard Appel was the receiver, or working for the receiver. Mark Greenberger was the receiver in that particular case, from downtown. They tried to sell this hotel. They tried to market this hotel. They weren't able to do it. Finally, the brother of the fellow who owned the hotel got another investor to come in and try to buy this and do something with it. He wasn't able to manage it. He got Mr. Jitu Patel to come in. Jitu had been an hotelier in this area for many years. Very experienced man. Knows how to run the hotels as Amit said. They understand the hotel business. If they could run an effective hotel, they would be running an effective hotel right now. That's what they do. They have many hotels in this area. Their other partners own other hotels in this area, so between all of them, twenty, thirty hotels? Forty-five? Yeah, forty-five years of experience in the hotel business. So that problem is, and they did start out with a flag, and then they lost the flag. They lost some of their clientele, because Yellow Freight went out. Some of the other clients that were paying them on a regular basis went out. And the problem that you have is as, you know, as they've indicated, this office park may have tenants in it, but if those tenants aren't coming from out of town, they have no use of a hotel. And a hotel is smack dab in the middle of the office

park. So you would think that if, that it would be a great location, right? It does seem like a great location for a hotel, but if people are not coming from out of town to these offices, then they have no use for that hotel, and that's exactly what these guys have experienced. So it's a very difficult situation. Taxes were not being paid precisely because they can't make the money. The other problem they've got is they got a huge building. The building needs a lot of updates. So their utility expenses are enormous. Sometimes \$20,000 a month. They may not be making \$20,000 a month. Two years ago during the winter, they had their pipes freeze. A bunch of, a bunch of rooms were ruined, had to be redone. The insurance paid for it, but again they were down for a period of time with that. And I know that they spent probably what, \$2.7 million? Yeah, on this facility, and without being able to make money at it, they just can't keep pouring money into the facility trying to bring it up to the level where it can work. So you've got, at that point you've gotta look at repurposing the property to something that makes sense for the community, and certainly Mr. Patel, I've known him for twenty-five years. He doesn't like to not succeed at something. He doesn't want to walk away from something and say okay, I'm going to leave this headache to the City, because that's where our bankruptcy plan would put us. At a certain point, there's going to be a walk away. We don't want to do that. We don't want to leave that to the City. He wants to succeed and he wants to do something good for the City. So that's really what we're talking about here, and they're trying to come up with the best idea that they can, and this seems to be something that fits with the facility that they've got. So, again, you know they can't really look at turning it into a car lot or something. That's not a use for the building that they're got. But an extended, you know, an assisted living facility does work with the type of building that they have, the assets that they have in place.

Chairman Darby: Thank you. Mr. Ramirez.

Mr. Ramirez: Thank you, Mr. Chairman. First of all, I'd like to thank you for even looking at Springdale to invest more money into Springdale. We appreciate that. Couple of comments that I have, you know, looking at the current conditions, and not being, I understand that you're not making enough money to put money back into it for the upkeep. I'm envisioning, if in the future, you weren't able to make money, then we'd have these older folks living in these facilities that aren't going to walk away, unlike a weekly renter or somebody day-to-day that could. I'm concerned about their upkeep, you know, and how they're taken care of, because they're not going to leave you. They're going to be there and I just want to assurance that if these older folks are there, that they're going to be taken care of. Just an observation on my part. Thank you.

Mr. Allen: Certainly I think they can address this, but just to clarify my point, so that you understand what I was talking about, about the walk away. What we're talking about is the fact that the bankruptcy, when we create a bankruptcy restructuring plan, we have to say how we're going to get things paid and what we're going to do, and we have secured creditors who are saying well look, you have to do something, and if you don't make a go of this, then we want the property back and we're going to do something with it. Well, that would be in a best case scenario. In the case that we've got, our biggest secured creditor is an outfit from California. They're not going to come out here to manage this. That's exactly the reason they had Mr. Patel come in initially, and then he purchased it. And then of course, we've got Hamilton County which is the second biggest secured creditor, and they're in first position, and they're going to say liquidate this thing, because that's really all that Hamilton County can do. So, when we're looking at doing something like this and these guys will speak to that issue, we're looking at bringing the money in so that this can work, so that it can become a thriving business, and so that it works as a business, so that it works for your community, so that it is an asset for the residents who live in this community. And I think it that is achieved, and these guys are certainly experienced businessmen with this type of facility, then I don't see that as being as much of a problem, but I'll let them address you know, what happens.

Mr. Casey: Certainly to address your concern that, in twenty-eight years of doing this, I haven't had a business that failed. It is, if it's done properly and we take good care of people, it will thrive. To, from a, from a regulatory standpoint, to put your mind at ease about just walking away, there is a closure process that's defined, defined in the ORC that doesn't permit the operator to just walk away. The closure process is pretty involved, the notifications that have to go to the Department of Health. The facility would be licensed by the Department of Health, and as such is bound by those regulations to operate, and so if it,

I don't envision any scenario where it does, but if it did cease to operate, there is a very specific process for closure that takes months to close down a facility. So, just to put your mind at ease as far as, there's no way for them to just walk away.

Chairman Darby: I, I want to compliment you guys for a really, really good and through presentation, but for the reasons I'm gonna give you, I will not support this request. And in summary, just to put it in vernacular, it's a great game, but it's the wrong ballpark. Okay. What you're doing, is you're asking us to change our zoning to put this good-looking facility in. If you put that facility in without a change of zoning, it would be spot zoning. So we change the zoning, and you can do it, but conceptually, it's still spot zoning, okay? I really believe in the processes in the City of Springdale, because they're very thorough, and when our zoning was put together, although I was not a part of this particular process, it involved paid Staff, it involved consultants, it involved communities, and it was determined that this particular space should not be residential. Your presentation addresses many of the things that are in our plans, but I think you kind of spin some of them. You talk about quadrants. You say, well it wasn't designed for this quadrant, but it was designed for this quadrant that's over here. Not the same area. It's not the same area. So that's another reason I can't support it. Also, again, this is just based on my own personal research, very similar to yours, Mr. Phillips. When we looked for places for our loved ones, based on a lot of places that I looked at, my wife and I looked at, in this area, seniors requiring assisted living, as I said, they're still relatively independent and they like a lot of things. I saw a presentation not too long ago which showed that, and I'm sorry, I can't give you the data on this, but I did hear it, and it makes sense. The one-room concept is not something that's really a big sell. I mean, these folks are moving in. They want two bedrooms, they want a study, they want an area where they can put their stuff because they like to hold onto their stuff. So, I'm thinking that if what your proposal were to be put in place, you would be very, very limited as to the clientele you would attract. Very, very limited. You've presented us some very attractive figures as to number of jobs, anticipated income, tax, tax revenue that would be submitted, would be generated for the City of Springdale, and that's all good, but see, there are other uses. Doesn't have to be a hotel. I think Ms. McBride alluded to this. There are other uses that could be in place here, and generate similar or even greater numbers in those categories. Ah, but there's a problem that you can't do another use unless you tear it down. You can't tear it down because the current state of the back taxes and the bankruptcy and that. Well see, it's not for this panel to deal with those issues, and we feel very bad about it. So, because of these things I've mentioned, and I've got some notes here and I've jumbled them all together. Can't even probably come up with all of it, but getting back to my main point, we have gone through some very, very carefully planned procedures and processes to come up with the plan we have, and I'm sorry but your plan just doesn't fit, so I will not be supporting the motion. Mr. Hall.

Mr. Hall: Good evening and I'd like to thank you also for the wonderful presentation that you made this evening. I, one have a deep concern with Mr. Patel with him being an operator of several hotels, which you indicated, and this one is, he hasn't been successful with this one, at all. So the concern would be, if he's let this property get in such disrepair, lowered it down to standards below what the market is, even in the area here, and if he's going into uncharted waters, now with this development, and the same thing would happen, would Mr. Patel not be able to make that successful also? And also...

Mr. Allen: Oh no, I'll let you finish here your questions and then I can address one of them then I'll...

Mr. Hall: Okay. And also, I concur with Staff's report completely. I don't think it's in the best interest of the City and I wouldn't be able to support it. Thank you.

Mr. Allen: Just as far as the hotel, just to correct a misconception, the hotel was in very bad shape to begin with. Mr. Patel has actually brought it up. Now, the problem was, they bought this in 2007 out of a receiver purchase and when it was in the receiver purchase, it wasn't operating at all and I think as Amit advised, they had to come in and spend six months trying to clean the hotel up. They started spending the money. They've tried to, one the flags were lost, once they were not able to continue operating it very well as a hotel, I mean it is partially operated as a hotel, but they then tried to turn it into a banqueting facility so that weddings could be handled there and things like this. They have huge areas for this. Again, it costs a tremendous amount of money to operate this older

building because the utility costs, the maintenance costs, things of that nature. So they have poured a lot of money into the building, but if they building from its own operations, isn't sustaining itself, then that becomes a complete drain on the shareholders. And they have come in and they've spent as much money as they can, but at a certain point, anybody becomes tapped out. They have to start thinking about doing something else. They tried the banqueting facilities for about a year and a half, two years. Now they're looking at this project so that they can do something else that may actually revitalize this piece of property. So, I mean, you've got people who've been dedicated to this since 2007 attempting to make it work. So it's not like that came in, they bought a hotel. Eh, we're not making money, we're outta here. They didn't do that. They've tried since 2007 to make this work, and they've poured a lot of money into it. They're willing to pour another \$10 million into it to make it work, but then in that case, they're going to need some assistance from the Council to do that, because they otherwise don't have any ideas. They're out of ideas, I think at this point.

Mr. Phillips: And one comment I wanted to address that Mr. Hall made, is that we're now in unchartered waters or unchartered activities, and I don't think that's quite accurate and if I conveyed that message, that's not accurate. Do you wanna tell them about your experience with assisted living facilities? I mean, he's got a significant amount of experience in that area as well as the hotels.

Mr. Patel: Yeah. I've been running facilities for five years. I have some down in Florida I have partnerships with, and I mean you know Bryan over here has been my point man, helping out so much. Twenty-eight years in the business. We know what we're doing and we know how to run stuff. We run it well. Go check out any of our other properties; you'd be impressed.

Chairman Darby: I may have opened a can of worms that should not have been opened, but I don't think it's our purpose here to discuss the current cond- because I raised the question- the current condition of the hotel and how it got there. That's irrelevant, I would think to the discussion we're having. I know we brought it up, but I just wanted to clear that up. Thank you. Mr. Okum.

Mr. Okum: Thank you, Mr. Chairman. This is purely a zoning use issue, and although the icing on the cake is, is we've got a hotel that's failed, we're not, I would never cast any dispersions at Mr. Patel or their organization. It's, it someone said earlier this evening, it's "location, location" and it makes sense. It's lost a feed source, a food source that it has which was GE that was feeding it residents or people staying there for two week periods while they're in training, and that's not the operator's fault. He took an opportunity, or looked at it and invested a lot of his own hard-work, hard money that had earned to try to make a thriving business out of it, and I'm not going to criticize you for that. I compliment you for make, trying to make it work, and on the other hand, on the zoning issue. I came into the meeting tonight with a different opinion, but I never make up my mind completely until after I've heard all the facts, and I've been doing this a long time. People say I've been doing it forever, but I've been doing it a long time.

Chairman Darby: But you were a cadet when you started.

Mr. Okum: I was, I was, and I learned a lot. I've got a lot of bruises. But, this is strictly a zoning issue and unfortunately it's the location, and the use that you're trying to apply to it doesn't apply to that zoning, and I can't support it. And as much as I want you to succeed, I, there's a reason for what I'm saying, and based upon that, I'll be making, like I said, it would be making a motion in the positive to bring it to the floor. I do see another light lit, so Mr. Hawkins has another comment to make, but I do want to compliment you for trying to come up with a solution. I'm a business owner. I know what that's like. You've got a business and you're trying to keep it alive, and you're trying to do everything you can to make those bills and pay all those expenses, and make sure that you continue to provide a service to your clients. And sometimes that food source isn't there to feed it, and you just don't have it. So, I'm sorry for that, but on the other hand, I've got to look at zoning based upon the application and what the use is. Thank you.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you, Mr. Chairman. Ms. McBride, I just want to be, make sure that everybody is clear on the process and that I'm clear on the process. If the Commission hypothetically votes to recommend the zoning change to a PUD, this matter's going to go before Council after that, and Council's going to vote on, we'd have another discussion and then Council would then vote on whether or not to actually make the change officially.

Ms. McBride: Yes, that's correct. This, this Commission is a recommending body to City Council, and after holding a public hearing, then City Council would make the final determination. If the Council chose to approve it, then a final development plan would come back to this Commission for review and approval.

Mr. Hawkins: And, in the hypothetical, if it was recommended to approve this to Council, would Council have a full overview such as what was put on today?

Ms. McBride: On behalf of the applicant, or on behalf of the Staff?

Mr. Hawkins: On behalf of the applicant.

Ms. McBride: They would, they would have that opportunity, yes.

Mr. Hawkins: Thank you.

Chairman Darby: Mr. Okum, I think we're ready for a motion.

Mr. Okum: Are we ready? Okay, Mr. Chairman. I thought we were going to take a break before we did this.

Chairman Darby: Okay, before the motion, I want to reiterate what I said earlier, in the absence of one member, we're down to six, but it will still require five affirmative votes for the motion to pass. Thank you.

Mr. Okum: I'd like to make a motion to approve the Atrium Hotel and Conference Center's plan PCAPP 30190, Planned Unit Development Zone Map Amendment and preliminary development plan. To include in this motion the following conditions: to include all Staff City Engineer/ City Planner recommendations and considerations. As this is a PUD, I may include covenants that should, that may apply to the site. And that would be needed to get reviewed by the Law Director. The plan shall include all the standards provisions as set forth in our zoning code, which includes mechanical units being screened from public and adjoining properties, the lighting and relamping of light fixtures are conformed with our, with the existing zoning code requirements as they apply to the site, which includes lower mast light fixtures as indicated in Staff's report. The landscaping conditions shall include Staff list of considerations. Special buffer yards as required and stipulated by Staff and approved by Planning Commission, and as shall be approved by Planning Commission. Pre-preservation replacement conditions shall be approved and shall include those stipulated those indicated by Staff and by code. Dumpster and refuse containers shall be in approved enclosures as stipulated by Staff and per code. Parking areas and drive aisles planned condition shall be approved and reviews by Staff. The exterior color palette shall be submitted by the applicant and shall be approved by this Planning Commission. Signage conditions shall include a review and consideration at a later date. Sidewalks: sidewalks shall be constructed on Jake Sweeney Way and Tri-County Parkway adjacent to property. Should Planning Commission determine that Jake Sweeney Way sidewalk not be feasible for future connection to Kemper, allowances for sidewalk cost shall be used to fund extension of the sidewalks on Tri-County Parkway to Princeton Pike. Final development plan and all other typical items that apply to the final development plan shall be review by this Commission at a later time, once submitted to Council and approved, and then brought back to this Commission for review and approval. Thank you.

Mrs. Harlow: Second.

Chairman Darby: Moved and seconded that the, that the request, the motion be approved as read. Secretary, please call the roll.

With a vote of 1-5, the motion failed. (1 in favor, 5 opposed)

Chairman Darby: The motion has failed. We thank you for coming. We thank you for your effort, and I assure you that we will be more than willing to work with you with any future attempts to redevelop the property.

Mr. Phillips. One question before we leave. I understood that if it passed tonight, we had to go to City Council. Do we still have that opportunity, even though it failed?

Chairman Darby: Yes you do. Yes you do.

Mr. Phillips: So although you're recommending that it not be approved, we still have the opportunity to talk to City Council and see what their ruling is.

Chairman Darby: Yes you do.

Mr. Phillips: Okay. Then I need my thumb drive.

Chairman Darby: We keep them.

Mr. Phillips: Sorry. I'll give you a copy of what's, some of what's on it.

Chairman Darby: Before our next presentation, we've been at it now for two hours. Anybody need a break, including our next presenters? Okay, let's take a five minute break, which in Springdale time is ten minutes.

Break from 9:08pm to 9:18pm

VII.

NEW BUSINESS

A. The Meadows at Maple Knoll, 11050 Springfield Pike, Springdale, Ohio, Minor Improvement application (Application #30190)

Mr. Bodkin: Go ahead?

Chairman Darby: Sure. Please identify yourself.

Mr. Bodkin: Hi, I'm Joe Bodkin. I'm with Newbar Design Group, the architect for The Meadows at Maple Knoll.

Mr. Okum: We want to hear you and she wants to record you.

Mr. Bodkin: Is that better? Okay, so The Meadows is a low-income senior housing project, 149 units, and we're going to a moderate rehab to that. Part of the project, which sort of brings us here today, is the parking, which is under what it should be right now. I think we have seventy-one parking spots. We want to add fifteen. We should have 224 on that, so we're trying to make an effort to give some more to the residents. Some of the other renovations on the inside, I'll speak very briefly on that, is it's basically a full renovation of the entire building. New windows, new roofs, and the exterior of the building is in really good condition, especially looking at the grounds, so we're not going to do a whole lot of that out there, besides probably adding the parking. Part of our funding requirements, is we're doing green communities, which has sort of a LEED aspect to it, so we're doing a lot of LED lighting on the outside, very efficient units on the inside. And I think that gives you a pretty, it's a really cut and dry renovation. The client is the Episcopal Retirement Home for services with Maple Knoll, and it'll team up on the services that they'll provide for the tenant throughout the day, and throughout the time that they're there.

Chairman Darby: Thank you.

Mr. Bodkin. Yep.

Mr. Koern: I'm Jeff Koern, I'm a civil engineer with IBI Group, and to be clear we are here for four requests. The first request is, as Joe mentioned, is to only add fifteen parking spaces to the site. We don't intend to park it out. We know that our residents don't use that many

parking spaces, so we're requesting to not meet the entirety, entire permits and parking code. The second request is to relamp our exterior lighting fixtures to LED. Some of those poles are currently taller than what's allowed. We're asking to allow them to remain in place. The third variance that we're, the third request that we have is to allow us to construct a dumpster enclosure in the front yard, which we know is an uphill battle. And then the last is, we're requesting a waiver from storm water management, which is allowed in the Springdale Code, and the request is based on this. We're adding about 6,000 square feet of parking surface, which is about point one four acres. The campus, of hard surface. The campus currently is about twenty-five acres of hard surface, so the difference of that is about a half a percent, and in actuality the hydraulic calculations that we can do as civil engineers don't have that level of accuracy at that size, so we're requesting the grace of the Board to grant us an exclusion from having to spend money on storm water management, in the consideration that Episcopal Retirement Services is a non-profit provider of affordable senior housing, and I'll let Doug Chambers wrap it up from here.

Mr. Chambers: Thank you. My name is Doug Chambers, and I am the Director of Facilities and Real Estate for Episcopal Retirements Services. We've been in the business of serving seniors for, since the 1950s. We are the owner of two large CCRCs, Critical Care Retirement Communities, in Hyde Park, both Marjorie P. Lee and Dupree House. We also have over twenty-four sites throughout Indiana, and Kentucky and Ohio, where we are serving seniors. They are low-income, tax-credit projects. This is what, why we were brought into the project. Well, Maple Knoll invited us, actually, and we are a small partner, the general partner, and we are experts in development of low-income housing tax credits. It's very competitive. It's difficult to achieve those tax credits. And they invited us in to help them achieve that, and then also we are the manager for this property for fifteen years, until the tax credit is basically retired. And so, our role was to come in and hire these fine gentlemen behind me and figure out how to put this project together. The thing that I would, you know, add to the finances of such a project, it's very, very complex, and when it's approved, these proformas are typically capped. In other words, even if we wish to put more money into them, typically it's, we're not able to do so. The, they look at it very carefully. It's very heavily scrutinized by how Ohio Housing Finance Agency, and all of the agencies that we work with, and so we're just asking again, to do our best in adding these fifteen parking spaces, which we believe would help out for services for people that typically attend the building, coming to the residents, and so that's really primarily what they are for, or for another resident or two. It looks like the fifteen would really hold us over, basically, compared to what they're currently using now. And we're just asking for these issues that the gentlemen identified before. Thank you.

Chairman Darby: Thank you, gentlemen. We'll move on now to Staff reports. Ms. McBride.

Ms. McBride: Thank you. As the applicants have indicated, they are looking to do some substantial upgrades to the Meadows portion of Maple Knoll, that is zoned Public Facilities in our PF district and it's also within sub-area D of our corridor review district. Right now they've got 149 apartments there on the site, and those would be maintained. Per our new, zoning code, they would require approximately 224 parking spaces, but this is valid non-conforming use in terms of the number of parking spaces that exist on the site, so the Commission doesn't really need to approve any modification to parking. Staff was only pointing out what would be "required" if they were to build the facility today. So they're actually adding fifteen spaces, two of which would be ADA accessible, and that really brings them more toward compliance than where they are today, giving them a total of ninety-one spaces. They do also offer transportation to their residents, for appointments and so forth. At the end of the new fifteen parking spaces at the south end, they are proposing to locate the dumpster enclosure, and you know, the corridor review district and the code is very clear about such facilities being adjacent to a public right of way, let alone Springfield Pike. If the Commission does choose to modify that requirement, they would need to, we would need to be sure that they are going to be compliant with all other aspects of the waste enclosure provisions of section 153.254(E) which deals with the enclosure itself, and the requirements for the landscaping and the setbacks and so forth. But Staff does have some concerns to that relative to the precedents that that sets on Springfield Pike. They did submit a landscape plan for us which was great. We just had a couple of very minor comments on that. They are also, as you've heard, proposing to relamp the site using LED lighting, and they did provide us with cut sheets of the fixtures and the poles. The sub-area D of the corridor review district has a specific provision that limits the maximum mounting

height of fixtures to eighteen feet, and it also, and the proposal as you've heard by the applicant is to mount the fixtures at twenty-six feet. The photometric plan that they're provided also shows that some portions of the parking area have only zero point two foot candles, and our code requires zero point five foot candles minimum in a parking lot, and I think given the clientele that would be using this parking lot, obviously it's important that it be well-lit, so Staff would suggest that they do maintain a minimum of at least zero point five foot candles. With regards to the mounting height of the fixtures, this, the parking area is actually below the grade of Springfield Pike, so Staff doesn't have quote a big, this portion of Staff, doesn't have quote as big of a headache with the mounting at twenty-six feet as opposed to the eighteen feet is the Planning Commission is comfortable with that modification that allow them to refuse poles that they have. Again, given the elevation change. So, that concludes my report, if you have comments, I see Mr. Okum looking, I'd be happy to answer those.

Chairman Darby: Mr. Okum.

Mr. Okum: Just, the new light fixtures are truly cut-off LED, right? So there's no glare issues that would impede, or affect Route Four, or Springfield Pike?

Mr. Bodkin: That is correct. And I think that was a typo. I don't think they're twenty-six foot poles. I think they're only about twenty foot poles.

Ms. McBride: Okay, so on a two and a half foot base, so...

Mr. Okum: Were they the exact, were they the same poles that you're currently using?

Mr. Bodkin: We only bringing one new pole.

Mr. Okum: But you're matching up to the other poles:

Mr. Bodkin: Yes, and there's no base. They go right down to the concrete.

Ms. McBride: So it's even less than the twenty-six feet that the plans said. So, again, given the fact that they do sit down below, Staff doesn't really have a problem with that, to allow them to reuse their existing poles and to match what's there.

Chairman Darby: Okay. Thank you. Mr. Taylor.

Mr. Taylor: Thank you, Mr. Chairman. Just a couple of things. One, they are removing several trees, and they are planning on replacing them in accordance with our Tree-Replacement Ordinance. Specifically, they are taking out ten, and they're putting back in forty. All the trees, but the ten trees are substantial in size. Basically it's 119 caliper inches of trees, and they're proposing providing 120, so. And of the appropriate types and so forth. The only other comment that I would make is kind of in regards to the dumpster enclosure. As Ms. McBride stated, you know, the parking area is substantially below grade, by comparison to Route Four, and even if properly screened, it's unlikely that they're going to go away, if you know what I'm saying. I believe you'd still be able to see the, over top of the dumpster enclosure because Route Four is about six feet higher than the parking lot grade. That's all I have.

Chairman Darby: Thank you. And Mr. Shvegza.

Mr. Koern: Can I make one additional comment? I'd be more than willing to move the dumpster enclosure out front on Springfield out back, After I heard this alter, as this plan was developing, I think that we could continue dealing with the waste on the property as it always has been, and agree that Springfield Pike is not the place to locate it. I was not aware until a few days ago that this was the plan.

Chairman Darby: Staff, you're okay with that then? Okay. Thank you.

Mr. Shvegza: As far as the one item I had is in regards to, as the applicant had mentioned the storm water detention was approximately 5,500 square feet of new pervious area added, and I think that the plans note that's about 621 cubic feet of volume, basically.

Normally, in instances where we waive the volume requirements, we ask for some kind of post-development clean water best management practice method to be added here. Just to kinda follow up too, we kinda looked at this just to make sure that there wasn't any existing detention basin that was there that might be easily modified. We looked at the records; we couldn't find anything. There may be, in fact, something there, we just don't have the information as to how it was designed, the volume and those kind of things, and that's that depressed area that you see in some of the photos there on the east side of the building. We don't know what kind of volume it provides, whether it could be easily modified to accommodate the 600 cubic feet, so I guess you know, in so far, the other thing that aerial shows there is kinda the routing of the storm sewer. You can see it kinda heads from the front parking lot, along State Route Four, actually underneath the building, to the back area, to that depression which is shown in green, and it goes to the north, and eventually discharges into Washington Street there in Glendale. Not often, but there have been some issues with storm water problems there in that section of Glendale. So that concludes my comments.

Chairman Darby: Mr. Okum.

Mr. Okum: Okay, so Mr. Shvegza, do we waive the storm water requirement?

Mr. Shvegza: As I indicated...

Mr. Okum: As long as they...

Mr. Shvegza: If we do, we usually ask for the inclusion of a post-construction water quality type BMP. I don't know what that would be in this particular instance, but...

Mr. Koern: If I may, our firm does a lot of post-construction water quality. We did the seventeen acre rain water harvesting project at the Zoo. We did all the pervious pavers at the Zoo. We're big advocates of it, but because of the limited amount of parking we're adding, we're basically draining out water to the middle of the lot. We're not draining it to a parking space where it would, might out pervious pavers or something like that, and in light of the fact that it's such a larger drainage system, I don't think that you could even measure the impact of our storm. I definitely, I mean I worked quite a bit with Don. I completely respect everything he has to say. He's completely correct on everything he has said, but I just don't think that it would even be noticed. And I'm also one of those people of those people that doesn't say; just do a little bit here, a little bit here. I think at the macro level, it's insignificant.

Mr. Okum: I don't disagree with you. The problem is that I need to get a motion on the floor that people can understand.

Mr. Koern: Right, and I'm, we're still asking for the waiver. The hydraulic calculations that we do have an accuracy of plus or minus twenty-five percent when it comes to flow generation.

Chairman Darby: Well, my question is, do you two agree in the minimal impact that has been described?

Mr. Shvegza: Just looking at very cursively, we looked at it, and yes, we agree that that 600 cubic feet is about the volume of that that would be required for this particular development.

Mr. Koern: And we could dig that catch, that tension basin out back there out by another four truckloads of dirt. We could certainly do it...

Mr. Okum: It probably needs some cleaning out, but it's all grass and it's sort of nice-looking, so I'm sort of...

Mr. Koern: Well, and that's, you know, our concern goes to budget. Typically, on a lot of projects, not all projects. In Hamilton County, if you're less than a quarter of an acre of new pervious, there's no detention. That's not everywhere and that's not, that is not how it is in your regulations.

Mr. Okum: Maybe we should have looked at that.

Mr. Koern: I'm not asking you to change your regulations. Just such a small job. Plus you don't want to pay Anne a lot of money to do that.

Mrs. Harlow: So the

Mr. Okum: I'm done.

Mrs. Harlow: Sorry.

Chairman Darby: Mrs. Harlow.

Mrs. Harlow: So, am I understanding correctly that the dumpster is no longer an issue and it's, we are not going to be considering that at all? Okay. Thank you.

Chairman Darby: The only issue, as I'm understanding it, has to do with drainage, that we're discussed. Mr. Shvezda wants to help us out.

Mr. Shvezda: Well, I'll just throw this out there. I mean we do have that depressed area that we think it a detention basin back there. That flow comes in there. It fills it up and then it discharges it back out to the other, other out-letting conduit there. Would it be appropriate to provide a modified rain garden in that area? I know we don't have the depth for like an underdrain, but in some limited fashion, would that we, I mean that would be providing some sort of clean water device there.

Mr. Koern: Can I use some of my shrub count to deal with the plantings? In the back.

Mr. Okum: Water by trees is a very valid application.

Mr. Koern: Well, I looked into making that argument. Our trees as planted on day one are about, like 1,000 square feet, and we have 6,000 feet of paving. I did check to see, you know, because we're planting three inch caliper trees, forty of them.

Mr. Okum: Were you calculating your water...

Mr. Koern: I didn't mess with the evapotranspiration on that one, but I could.

Mr. Okum: I mean if you're putting in that many trees, you certainly could...

Mr. Koern: Yes, I have the ability to do that actually, but we're planting forty trees and sixty shrubs, and ironically, like we could barely get them across the front edge of that parking lot. We tried to spread them out a little bit, but we just couldn't.

Mr. Okum: I think you could certainly come up with some form of...

Mr. Koern: I think we could, too.

Chairman Darby: Ms. McBride.

Ms. McBride: Yeah, the only thing I was going to add as, Mr. Chair, I think you were saying that the only issue was the storm water. I just wanted to remind the Commission that they would need to approve the modification on the height of the lighting.

Chairman Darby: He's okay with that in a motion, I believe.

Mr. Okum: I got that. I just don't have the storm water. Right now, I've got for storm water, I've got lights lit, but I just want to say "include post-construction water management practices with absorption applied to the site".

Chairman Darby: Mr. Shvezda, you okay with that?

Mr. Shveg zda: And I guess we're talking back in that detention basin area for some type of planting.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you, Mr. Chairman.

Chairman Darby: It's about time you say something.

Mr. Bauer: Yeah. Go back the pervious pavement. That's not a viable solution, is that what I heard you say?

Mr. Koern: So normally, what we could do, let me just pull that drawing out, is, so we did the first three major pervious concrete installations in Cincinnati, using the highest quality equipment that you can possibly buy, and they've all failed, so we stopped specifying pervious concrete. We could put a little bit of pervious pavers around the catch basins that are in the middle of the parking lot. Can I approach you?

Mr. Bauer: Sure.

Mr. Koern: What we're saying is we just have these two catch basins in the middle of our parking lot. They just kind of drain to the middle. Typically, on a new site, we would drain it to this edge, using those two pervious pavers. I got great pervious pavers, they're three inches thick, that last and they're good. It's good technology. It's not, the site doesn't drain that way.

Mr. Bauer: Okay.

Mr. Okum: It doesn't drain into those landscape beds either? You couldn't go into these landscape beds?

Chairman Darby: Typically, we don't have responses, but...

Mr. Koern: I'm not trying to design.

Chairman Darby: No, no but I'm talking about I would prefer if everyone could hear his response.

Mr. Okum: Sorry, Mr. Chairman.

Chairman Darby: If you could move back to the mic so it can be recorded, please.

Mr. Koern: We could put pervious pavers around that with a bed of gravel. I think that that's catch basin's about two and a half feet deep, so there's not a lot of room for opportunity there.

Chairman Darby: Okay. Mr. Ramirez.

Mr. Ramirez: Thank you, Mr. Chairman. Just to be clear, the ten trees that you're taking out, those currently reside where the parking lot will be?

Mr. Koern: That's correct. There's a, we're taking out a total of 119 caliper inches of trees. We're putting back 120, but because of that quantity of tree, we're spreading them throughout the campus. Not the whole campus, but this property. I just can't get them in.

Mr. Ramirez: Thank you.

Chairman Darby: Mrs. Harlow.

Mrs. Harlow: Thank you. Sir, this area, this photo right here.

Mr. Koern: Yes.

Mrs. Harlow: That is, the detention basin. That is what is believed to be the detention basin. Is that what you guys were talking about putting planting in there?

Mr. Koern: That is an option. There's an approach to storm water quality called a rain garden.

Mrs. Harlow: Right, I've seen those, and I've seen them as a matter of fact, I had to call the City to ask them to take care of the one over on Walnut Street not too long ago, because it was kind of out of control. So, I would prefer to see this as a mown lawn, like it is right here, as opposed to, I know there's a concrete barrier around it, as opposed to having plantings in there that kinda get out of control. Just a thought.

Chairman Darby: Mr. Okum.

Mr. Okum: I was just going to make the motion to say "a water plan reviewed and approved by Staff."

Mr. Shvegza: We can work that out. Yeah.

Mr. Okum: It works.

Chairman Darby: I think we're ready for a motion.

Mr. Okum: I can say a "reasonable". I'll make it say a "reasonable".

Chairman Darby: Are you saying they're unreasonable sometimes?

Mr. Okum: Are you ready?

Chairman Darby: Yes.

Mr. Okum: Mr. Chairman, I would like to make a motion to approve the Meadows at Maple Knoll, Case Number Project 30505, to include specifications and designs contained in the exhibits as submitted and reviewed by Staff prior to this meeting, to include all City Engineers, City Planners recommendations and considerations. Landscaping additions, or lighting conditions to include matching the existing light poles and relamp existing per code. The dumpster and refuse containers shall be eliminated, and shall not be placed on the front, on Springfield Pike, as indicated on the plan, and that the storm water shall be addressed by a reasonable water plan reviewed and approved by Staff. That's it.

Mr. Hawkins: Second.

Chairman Darby: It has been moved and seconded that the motion be approved as read. Secretary, please call the roll.

With a vote of 7-0, the motion was approved.

VIII.

DISCUSSION

Chairman Darby: Moving on, are there any items to be brought forth for discussion this evening? Mr. Hawkins.

Mr. Hawkins: Thank you, Mr. Chairman. It would be...

Mr. Okum: Thanks, guys.

Mr. Hawkins: I think, helpful, if we were able to have the 2008 development plan that we went over. I know it's been, you know years and years ago, but I'm imaging probably half the people that are on Council, Planning Commission, and BZA, were not around when we went though and we had that big meeting and presentation. And I'm not saying that we necessarily have to take the time to have a joint meeting and have the presentation, but at least, if we, if it's possible to have maybe the handout of the presentation that was put up

on the big screen back when we had that joint meeting, probably in 2008. Yeah, I think it was 2008 or seven.

Mr. Okum: It was done by the Planner, right? You?

Mr. Hawkins: I think so.

Mr. Okum: No.

Ms. McBride: The Tri-County Plan?

Mr. Okum: Tri-County Plan was done...

Ms. McBride: By KKG.

Mr. Hawkins: Do we still have like the handouts from that, or the, I just think it would be

Ms. McBride: I think I've got something on a thumb drive.

Mr. Hawkins: I think it would be...

Mr. Okum: Well, we handed out thumb drives. I may have it on an old thumb drive at home.

Mr. Hawkins: Okay, I didn't get a thumb drive back then, but it would be helpful I think if folks on Planning Commission, Board of Zoning Appeals, City Council, because it's probably about half of all of those, got to at least see what those, what those plans were. Going forward, I know when we did that sort of projecting out ten, fifteen, twenty years even. So if it's possible to get that and to get those out to folks, I think that would be helpful.

Chairman Darby: Well let me raise a question for newbies and others who would like to be refreshed, would that warrant, or be worthy of a Saturday morning session? Joint Saturday morning session?

Mr. Okum: We could go through it in an hour. We could do it on a short night.

Chairman Darby: Well, I'm thinking about all three, three groups.

Mr. Okum: Oh.

Chairman Darby: Think so? Okay, so we would just request that we have our needs taken care of.

Mr. Okum: It really doesn't affect Board of Zoning Appeals, I don't think, that much.

Mr. Hawkins: Well, it may not, but I think it's helpful. I mean we had, all those three entities come together when we did that before. I think it's helpful, even if it's just a matter of, if it's just a presentation for us, or if it's just handouts for everybody else. I think it's beneficial if they all got their hands on it, to see what that looked like. I'm not asking everybody to have to come in on Saturday, I'm just saying I think it's beneficial for them to have the information.

Mrs. Harlow: You're going to being breakfast right? Isn't that what I heard?

Mr. Hawkins: See, that's what I'm talking about.

Mr. Okum: If I could, Mr. Chairman, if the City is moving to an update of its comprehensive plan, all the existing plans we've got in house will need to be looked at together anyway. So how, are we on our comprehensive plan? Have we RFPed it? Have we requested it? Are we moving forward with it?

Mr. Hawkins: I don't think it's been RFPed, but I know we discussed it at Council.

Ms. McBride: We have provided the City with a, we've talked to them about a process and we have provided the Administration with a ballpark idea based on where we are with that.

Mr. Okum: Seriously, that all sort of all blends together because when you're building your comprehensive plan, you look at your arsenal of what you've got, as well as where you're going. Not to knock that idea down but it would be good, because that's one of the things that, you know, tonight we had an interesting discussion. I do have my mic off. Tonight we had an interesting discussion. I talk pretty loud anyway, I'm told. We had an interesting discussion and we do have a comprehensive plan, but it's a little outdated, so we need to get it in gear. And there's that money that's available through the mini grants that are coming through Hamilton County, that could pay for part of it, if we make application. We did make application?

Mrs. Harlow: We did?

Mr. Okum: Have we?

Mrs. Harlow: Mr. Taylor, have we?

Mr. Okum: Thank you for coming up and answering my question.

Mrs. Harlow: That was my question.

Mr. Okum: Because according to the charter, the planning end comes from Planning Commission. So, we need to be pushing for this to happen out of this body because that's what the charter says we're supposed to do.

Ms. Russell: Christine Russell, related to your question on the mini-grant, I did investigate that option, talk to Steve Johns at Planning and Development. He said that they don't typically like to award those grants being a small portion of a large project. They want those grants to pay for the entire project. Now, what we discussed is if we do go ahead with some comprehensive plan and there are some actual items that come out of that, the mini-grant could maybe be used to apply to one of those smaller items, but obviously we can always go ahead and apply, but he advised me that...

Mr. Okum: He's discouraging you.

Ms. Russell: That's not the type of project that they typically like to fund, so we did look into that though.

Mr. Okum: Okay, I will talk to them.

Chairman Darby: Ms. McBride.

Ms. McBride: I have a totally unrelated item to bring up, so.

Chairman Darby: Well, what are we going to do with this, folks?

Mr. Okum: That's gonna be on my agenda.

Chairman Darby: What is your pleasure on Mr. Hawkins' suggestion?

Mr. Okum: Well it sounds like we; about six month away from getting a comp plan started, or months away, so Mr. Hawkins may be valid at getting some information.

Ms. McBride: I would sug-

Chairman Darby: I think he mentioned something about some handouts.

Mr. Hawkins: At a minimum, it doesn't have to be a three body meeting like we did, and presentation. I just think at a minimum, folks that are n this Commission, folks that are on Council, and folks that are on BZA should at least know the information that we had when we went over that plan with regard to Tri-County and that area. I think it's, and so it can

just be a handout, that's fine. I'd like to r-see it and I think other folks should have that information.

Ms. McBride: I could ask the, the partner that was in charge of that project was Craig Gossman, and he's a friend of mine, he's also a client. He's no longer with KKG, which is a totally different entity now, but long story. At any rate, I could ask Craig to come one evening and you know, buy him dinner beforehand or whatever, but, and ask him because he's, they really have the data. I mean I'd be happy to present it, but I'm just presenting what I read. They were the ones that actually did the plan and so I could ask Craig to come and give us forty-five minutes or so of his time and present that if he would, if that's what the Commission is interested in.

Chairman Darby: I'm hearing I'm good with that.

Mr. Okum: That would be a yes.

Chairman Darby: Would you follow through, Ms. McBride, please?

Ms. McBride: Yeah, I will do that, but we would probably want to maybe make him first on the agenda or something so he's not sitting here all night.

Chairman Darby: You had another issue, you said?

Ms. McBride: I did. I just wanted to let the Commission know that as I told you when we were writing the zoning code, I said about six month in, we will come back to you all and ultimately Council with a list of oops we forgot, or gee this is going to work better this way, or you know whatever, so Mr. Taylor and I are putting that list together, and so it would likely be in the form of a series of, again these are not substantial things, but al it of some text amendments for the new zoning code probably at the July meeting. I just wanted to give you a heads up on that.

Mr. Okum: That item that came up tonight on the minimal amount of impact on storm water, that I think we should look at for that.

Ms. McBride: That's not in the zoning code.

Mr. Okum: Not in that zoning code. It's in our water management program. Yeah. Well can we look at that, because I've run into that same exact, I ran into an exact situation in the City of Oxford, and it's ugly and I can't go any further than that, but their code doesn't offer appeal or relief, so that was a little bit confusing. So, I think that if it's a minimal amount of impact, that there needs to be latitude for this body or Staff to give alternate or adjustments to that amount.

Chairman Darby: Mr. Shvegza.

Mr. Shvegza: There is. He came before here to ask if that could be waived.

Mr. Okum: Well, that's an appeal, but I think that, I think that if it's a standard that, what was it he said about point, what did he say? He made a comment about Hamilton County has a certain number, that if it's under that number, it's an Administrative, yeah, it's a zero, right, it goes just goes right through. It doesn't need our decision making our creative wording.

Mr. Shvegza: Can I, what I'd suggest is that I get a summation of the current regulations and we can kinda see that, see where we would like to maybe...

Mr. Okum: Sure.

Mr. Shvegza: Maybe make those modifications.

Chairman Darby: Okay. Anything else from the room? Before the motion to adjourn, our next Planning Commission Meeting is on July 12th. Hope to see everyone there. Now well accept the motion to adjourn.

X.

ADJOURNMENT

Mrs. Harlow: Motion to adjourn.

Mr. Hall: Second.

Chairman Darby: So moved. We're out of here. Thank you all very much. It's been a long meeting.

Meeting adjourned at approximately 10pm.

Respectfully submitted,

_____, 2016 _____
Don Darby, Chairman

_____, 2016 _____
Richard Bauer, Secretary