

PLANNING COMMISSION MEETING
August 14, 2018
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: Dave Okum, Richard Bauer, Tom Hall, Meghan Sullivan-Wisecup,
Lawrence Hawkins III, Joe Ramirez, Don Darby

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

III. PLEDGE OF ALLEGIANCE

IV. MINUTES OF THE REGULAR MEETING OF JULY 10, 2018

Chairman Darby: The chair will now accept the motion for the adoption of the minutes of our previous meeting held on July 10th.

Mr. Ramirez: I move to adopt.

Mrs. Sullivan-Wisecup: Second.

Chairman Darby: It has been moved and seconded that the minutes from the July meeting be adopted.

(Voice vote, minutes were adopted with a vote of 7 – 0.)

V. REPORT ON COUNCIL

Chairman Darby: Now for our report on Council, Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. Council met on July 11, there were seven members present. We had Ordinance No. 34-2018, approving a major modification to the planned unit development and preliminary development plan to the Princeton Plaza plan unit development. This passed with a 6 to 1 vote. We had Resolution R9-2018, adopting the tax budget for the City of Springdale for the year January 1, 2019 through December 31, 2019, which passed with a 7 to 0 vote. We had Resolution R11-2018 the approving the report of the Assessment and Equalization Board for the Beacon Hills subdivision Kenn Road Rehabilitation Project, the which passed with a 7 to 0 vote. We also had Ordinance No. 37-2018 adopting estimated assessments as reported by the Assessment Equalization Board declaring a determination to proceed with certain public improvements for the Beacon Hills subdivision Kenn Road Rehabilitation project and declaring an emergency. That passed with a 7 to 0 vote as well. Council also met on July 18 and we had six members present. We had the introduction of several new employees including Joshua Cook, Andrew Korb, and Zachary Cogley who are all firefighter/EMT, well first Mr. Cook and Mr. Cogley are both firefighter/paramedics, Andrew is a firefighter/EMT. All of them are going to be fulltime employees. We also had patrol officer Meredith Hotchkiss, Police Sergeant Jeffrey Heard and office administrator for the Police Department Suzanne Perry, all introduced as new employees in the organization. We had Ordinance No. 38-2018 authorizing contributions to certain health accounts of employees for the City of Springdale related to the City's Health Insurance plan and declaring an emergency. That passed with a 6 to 0 vote. We also had Ordinance No. 39-2018 setting the compensation and benefit package for John J. Jones and authorizing the Mayor and Clerk of Council/Finance Director to executed contract agreement setting forth certain terms and conditions of

PLANNING COMMISSION MEETING
14 AUGUST 2018

PAGE 2

employment and declaring an emergency. This will be the individual who is going to be taking over for Mr. Parham. That passed with a 6 to 0 vote as well. That will conclude my report unless Mrs. Meghan Sullivan-Wisecup has anything to add or there any questions?

Mrs. Sullivan-Wisecup: We are good. Lawrence Charles Hawkins III.

Mr. Hawkins: Thank you.

Chairman Darby: Thank you very much. A housekeeping item, those of you who have your cell phone would you would you please turn them off. A significant amount of feedback is getting into our system and recorder is having difficulty with it. I would explain to you how that happens but I do not have the time, those technical things.

VI. CORRESPONDENCE

NONE.

VII. OLD BUSINESS

A. Thorntons, 12185 Princeton Pike, Springdale, Ohio, Revision to Development Plan (Application 33818)

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. The applicant, Thorntons, was unable to gather the information that you requested at the last meeting so they have asked for you all to continue their hearing in progress. Also, so that I can do this once similarly the Plumbers and Pipe Fitters that is Professional Design Associates, item C, under new business, they were not able to respond to a preliminary staff comments in a timely manner and may also ask to continue their case.

Chairman Darby: I will do them the same time but I will do them separately. The chair will now except the motion, that item A under Old Business be tabled until the next meeting.

The

Mr. Hall: Motion.

Mr. Hawkins: Second.

Chairman Darby: It has been moved and seconded that this item be tabled until our next meeting, voice vote.

(Voice vote, Motion to continue item A under Old Business (Thorntons) was approved with a vote of 7 – 0.)

Chairman Darby: Motion is passed. Similarly, the chair will accept the motion that item C under New Business, Professional Design Associates, to be tabled until our next meeting.

Mr. Okum: Move to table.

Mrs. Sullivan-Wisecup: Second.

Chairman Darby: It has been moved and seconded that item C, Professional Design Associates, be tabled until our next meeting, voice vote.

(Voice vote, Motion to continue item C under New Business, Professional Design Associates, was approved with a vote of 7 – 0.)

Chairman Darby: Both of those items of people.

VIII. NEW BUSINESS

- A. T.J. Ackermann, Springrose Subdivision, West Kemper Road Project, Springdale, Ohio, PUD Zone Map Amendment/Development Plan (Application 33946) Public Hearing.

Chairman Darby: Could I ask Mr. Ackermann to come forward please? Before you begin, Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. Just by way of introducing the project, and as 13.316 acre tract along West Kemper Road. This is an aerial view from CAGIS, the Cincinnati Area GIS indicating the property. You can also see on the slide there is, in addition, the property lines have been, the existing property lines have been overlaid on the aerial. The application is basically two-fold, one to rezone the property to planned unit development and the purpose of the rezoning would be to also approve a preliminary development plan that looks like this. This is oriented in the same direction as the aerial but you just saw. Smiley Avenue is to the north which is the top of the slide. Kemper Road on the south which is the bottom. Route 4 is on the far-right hand side and then Rose Lane coming out on the left of the property. In the lower right-hand corner is the existing CVS. You will note that there is an area where the stream goes through the property, that flows from south to north and that area is going to be undeveloped. There is going to be, basically two new cul-de-sacs constructed and some alleyways as well as lots along Smiley Avenue and then Smiley will be a cul-de-sac as well. I think kind of in a break from our normal routine, we are going to hear from the applicant first and then staff will conclude their reports.

Chairman Darby: Mr. Ackermann, the floor is yours.

Mr. Ackermann: good evening members of the planning commission the city staff and the city consultants thank you very much for having me here this evening. My name is Thomas J. Ackermann and on behalf of my partner Ralph Meierjohan and myself we would look forward very much to working with the city of Springdale and the community to develop this property into what we think will be a very nice residential single-family subdivision. We are requesting the rezoning of the five contiguous parcels that are located west of Kemper road from the single-family homes to a planned unit development to be more efficient with the land use plan and to place controls over the development in coordination with the city administration. Ralph and I have successfully developed residential communities throughout the greater Cincinnati region for the past thirty years. The majority of our work as focused on single family, market rate residential subdivisions. We typically self-develop the subdivisions and partner with local and regional builders who then build the homes and we create communities that many people find attractive and desirable. All of our recent developments have been done in partnership with the municipalities that we work with and with the Home Builders Association of Greater Cincinnati. We do this in a CiTiRAMA home show concept. My family has been in the Real-estate development business for three generations. My Grandfather Rudolph Ackermann began developing and selling homes and Real-estate back in the 1920s. My parents Marge and Tom Ackermann developed the following three communities in Springdale, Olde Gate condominiums, the Gables and carriage court apartments. I've recently learned that a letter was shared with the community that inaccurately stated that our development would contain HUD section eight government subsidized housing. This type of housing is comprised of rental units that are least two people who receive Federal government issued vouchers. These vouchers are form of payment issued by the government to specifically cover most or all of the rental cost for the property that meet certain criteria and standards. These types of properties are typically large multifamily apartment complexes consisting of usually 100 or more units. In close to 100 years of my family that has been developing Real-estate in the greater Cincinnati area and other cities, we have never developed the property that has involved any form of government subsidized rental programs. It has never been part of our business model and it is in no way shape or form compatible or even relevant to this type of development. In each of our three prior CiTiRAMA show

developments, each of the lots have sold for less than the proposed lot prices in this development and no section-8 housing has been developed in any of those developments. All of the builders have expressed interest in buying lots and building homes in this development do not build section-8 housing. So, our development has been approved by the HBA Board of Directors as the 2019 CiTiRAMA Home Show site. This home show is a showcase of urban infill living that features current trends and today's active upscale home buyers' products and all of the appropriate finishes that go along with it. These trends include first floor suites, open floor plans, and highly efficient building and operational systems. Price ranges for these homes in our last three CiTiRAMAs have sold for between \$220,000 and \$380,000. Each of these past developments have sold out within 12 months of having the lots recorded and made available for sale. So, moving forward, I would like to address some of the things that we tried to do with this development that are little bit different than what the standards have shown that some of the variances that will be requesting through the PUD process. Probably the most technical and important one that Mr. Shvegza will be able to speak to or answer any questions about is a change in the infrastructure style that we are asking and that is for the pavement with and the sidewalk setbacks. We follow the standards that Hamilton County has used and they have a standard section which specifies that a public street can have a width of 28 feet and a 4-foot-wide sidewalk. By doing this inside the right of way it allows us to have a wider tree line area between the roadway and the sidewalk. That gives us a larger space for trees, landscaping and also vary importantly it allows us to comply with Greater Cincinnati Water Works requirement for the public water main to be 6 ½ feet behind the back of the curb. That allows us to put the water main in a place that it is not underneath the sidewalk which is great for future maintenance or any repair concerns. In following up with the City Administration, we have a few items that they asked me to clarify. The first of these is regarding the parking plan for the development, the street size and in compliance with what we use with Hamilton County allows us to have parking on the south side of the main street that will be coming in from the west that we have named Dorothy Lane. So, we would have parking on one side of that street. The second would be on the west side of Maxey Lane that runs north and south closest to the CVS, there would be parking on one side of that street. Each of the homes will have a minimum of two car garage and a 25-foot-deep driveway which will allow for two or more parking spaces. In addition, we have planned for private parking spaces that the Homeowners Association would have to maintain off of the alleyway on the western side the development. We have incorporated 10 private parking spaces there. Staff has also asked us to identify where the mailboxes are going to be located for the development. Is this the current rule for the U.S. postal service that no individual mailboxes are allowed to be installed for mail service so that gang mailboxes are the only option for any development going in today. So, we have indicated that I do not believe it is on this plan but there will be three mailbox locations. The first will be in the cul-de-sac in the open space at the end of Dorothy Lane, the second will be in the open space at the end of the new cul-de-sac that we would be installing on Smiley, and the third would be located on Maxey Lane, it's lot 39. It is the first lot behind the lots fronting on Kemper Road. So, if you travel north on Maxey Lane it would number 39 on your left-hand side. The staff has asked us to clarify what design standards we would be incorporating in the development and in our past three developments we have successfully used a Homeowners Association with the declarantion of covenants conditions and restrictions and we would repeat that here. As a developer we would retain sole authority to approve each house plan and exterior finish prior to submission for the building department and that authority would stay in place until all of the homes were built. At that point, the responsibility would transfer over to the HOA and their board of directors to maintain the standards as they see fit. We do not allow any modern or contemporary style homes and we limit the exterior finishes, those though would be easy to maintain and lasting in endurance to all of the weather elements. We don't allow any concrete block or any exteriors unless they are covered in brick or stone and simple things such as HVAC equipment must be located in the side yards or rear yards, not in the front. There are many other restrictions that go along with it in our building standards and our HOA documents that we, I believe have shared with staff but will be happy to include further discussions about those. There are minimum landscaping requirements and controls that regard fencing and accessory structures. In addition, the staff has asked us to clarify what the final name of the development would be and we are proposing the name be Springrose

Meadows. At this point we have seven builders who are interested in participating in the CiTtiRAMA show and purchasing lots from us. They include Drees Home, Brookstone Homes, Potter Hill Homes, Maronda Homes, Titan Real Estate Group, Chris Gorman Homes, and Cristo Homes. We believe these homes would rival the most recently built ones at the Woodlawn Meadows subdivisions and would set a new standard with such a diversity of a lot of sizes that all sizes that it would be a complement to the community and something to be very proud of. Thank you very much for your attention I'm happy to take any questions from you.

Chairman Darby: We are aware that there is a lot of interest in this project and those of you signed in please be patient we're going to give an opportunity to speak but we're going to follow our procedure now and go to our staff reports. Mrs. McBride.

Mrs. McBride: Thank you. As the applicant indicated there are five parcels that are before the planning commission this evening that constitute 13.28 acres and that is the gross acreage of the site. Currently, the site is vacant except for two single family homes that it is classified under our RSH-L, Residential Single Household Low-Density District. The three parcels that are that the easternmost fronting on Kemper Road are also contained within sub area B of our corridor review district. The applicant has requested a zone map amendment to rezone the property to a PUD, planned unit development district which does have a provision in our code for residential development. He is proposing 52 single family lots that would have three different varying lot widths. There would be 19 lots that would be 40 foot in width, 16 lots that would be 50 foot in width, and then 17 lots that would have 60 foot in width and those all have different characteristics in terms of an average lot area and setback and I put those into my staff report. After reviewing the residential component of our planned unit development district, staff believes that the proposed development is consistent with the purpose of the PUD district and that it creates a unique residential development which preserves open space and natural features of the site as both Mr. Taylor and the applicant have indicated. It is also compatible with adjacent single-family homes that it offers a transitional use between the more intensive use on Springfield Pike and on Kemper Road moving back into our residential districts. They are also creating a pedestrian network within and adjacent to the site for the construction of a series of sidewalks that will connect the neighborhood with city amenities and city services. Our comprehensive plan designates that three parcels that I mentioned that face Kemper Road the easternmost parcels as neighborhood business. Those are the three that are contained within our CRD district. The balance of the property is designated for transitional residential development which under our comprehensive plan can allow for single family, attached single family or multifamily residential housing. The density is to be based on that of surrounding land uses surrounding residential communities and they weigh heavily on things like design standards and so forth. So that is the recommendation from the comprehensive plan which is largely consistent with what the commission is considering this evening. The residential component of the planned unit development requires at least a minimum 20% of the gross acreage of the site be maintained in common open space and the applicant is proposing 3.13 acres which is actually 23% of the gross acreage of the site as open space. We will, with the final development plan, need to see covenants as to how that is going to be preserved and maintained and if that area is to be used for anything and what the appearance of that open space this to be like. In terms of parking, our section 153.302P requires two parking spaces per dwelling unit. The applicant is proposing to have each unit would have a two-car garage and then space for two additional spaces on a driveway. As they indicated they are also proposing 10 additional spaces for guests for overflow parking as well as there is limited parking on some of the public streets. They are also proposing entry signage at Dorothy Lane and Rose Lane and then at Maxey Lane with intersection with West Kemper Road so we would need to see details of what that ground mounted signage was going to look like what the final development plan. Similarly we would also want to see a landscape plan with the final development plan and that would indicate, they are indicating that there will be street trees on all of the lots but we will need to see the type and size and so forth of those trees with a final development plan as well as a typical lot of landscaping so that we have a feel for how that individual single family homes are going to be landscaped. They are proposing to illuminate the site using a series of LED coach style fixtures for the development and with that final development

plan we will need to see the mounting heights and the locations and so forth of those fixtures. We have also suggested that a series of design guidelines be developed for this development and that they would indicate building designs, building materials, screening the mechanical equipment, those types of details and that those should be submitted also as a part of the final development plan. Lastly, with the postal service not providing door to door delivery in more, we had asked for the locations of where the mailboxes were going to be located and the applicant provided that for us this evening. Those will need to also be included on the final development plan. So those are all my comments Mr. Chairman.

Chairman Darby: Thank you very much. Mr. Shvegzda.

Mr. Shvegzda: Thank you Mr. Chairman. Getting into the aspect of the requirements for the roadway, the city standard to note that local residential streets should be 30 feet back to back and 25 feet the edge of pavement to the edge of pavement and within 50-foot right of way areas. The standard also includes a five-foot sidewalk on both sides of the road. The applicant is proposing, basically, for the two public roadways Dorothy Lane and Maxey Lane, that width, back of curb to back of curb would be 28 feet with 23-foot edge of pavement to edge of pavement width. Volker Alley, which is the east and west leg of that, would be 25 feet wide back to back with a 20-foot edge of pavement to edge of pavement. As far as comparing to some of the streets in the area, many of the streets in Cloverdale area are 25 foot back of curb to back of curb with 20-foot-wide edge of pavement to edge of pavement, so it is consistent with that area. In regard to the Volker Alley, no parking will be permitted on either side of that particular alley. In general, as far as alleys in the City Regulations, it notes except where justified by special conditions alleys will not be approved in residential districts. Dead end alleys are prohibited. The particular purpose for alleys in this location are the fact that they serve the street or the lots that are fronting on to Kemper Road as to their vehicular access so there are no driveways off of any of the lots that are fronting on Kemper Road to Kemper Road. As far as the dead-end alley prohibition issue, the Volker Alley will actually have an access point on to Rose and then back onto Dorothy Lane so it will have a contiguous flow and access at both locations. All of the streets noted and the alleys including Viox Alley, will be private streets via ingress, egress, and utility easement so they will not be maintained by the City. As far as other improvements to the public infrastructure, the existing end of Smiley currently terminates in the east end at a small T section which is not conducive to particular Public Works facility type activities. The applicant proposes to construct the normal residential type cul-de-sac ball at the end of it to allow better turning around of that particular location. In regards to sidewalks, in addition to sidewalks being constructed along the proposed streets of Maxey Lane and Dorothy Lane, the following sidewalks will be constructed: South side of Smiley Avenue between Rose Lane and the east terminus, the east side of Rose Lane and Smiley Avenue to the West Kemper Road, and the north side of West Kemper Road between Rose Lane and the east limits of the proposed development. Part of the access of the sidewalk construction along Kemper Road will utilize the existing culvert that is currently there that carries the stream to the north. Details will have to be submitted to know to implement that in regards to hand rails, separation from the current West Kemper edge of pavement, those types of things. In regards to traffic, the applicant did prepare a trip generation summary and the maximum pm peak is 54 trips, total trips. This falls short of the threshold of 100 or more added peak hour trips that would necessitate a detailed traffic impact study. One of the other aspects of what the development will do as far as dedicating an additional right of way along Kemper Road to be in compliance with the City of Springdale Thoroughfare Program which notes an 80-foot total width for this section of West Kemper Road. It is just the right of way to allow different public aspects of the improvements to take place in regards to the sidewalk and those kinds of things. The applicant is providing the 40-foot half width of that so that will be in compliance with the Springdale Thoroughfare Plan. Another aspect of what we will have to look for in the detailed plan preparation is the alignment of Maxey Lane at its intersection with Kemper Road just to ensure that it is in a location that will allow the utilization of the pavement width there so we will have a left turn east bound into the proposed cul-de-sac. As far as storm water management, there are two detention basins indicated on the preliminary plans, one on the east side of the stream and one on the west side. The detention basin on the west side, they have

calculated that 22,000 cubic feet of volume would be required for water quantity, basically the detention and an additional 12,500 cubic feet of water quality volume. Preliminary grading plan shows approximately 34,500 cubic feet so it does appear to provide the required detention volume. The detention basin on the east side of the existing stream, as the preliminary analysis shows 11,370 cubic feet will be required for detention volume and also 6,500 cubic feet for water quality. Again, the grading plans note 20,000 cubic feet of detention to be provided on this site. Additional items that will be provided for post construction, water quality best management practices and construction erosion and sediment control during the construction to ensure that the disturbed soil does not leave the site. As far as utility, sanitary sewer, sanitary sewers are existing on Smiley, Rose and West Kemper. Assume that lots fronting on West Kemper will tie into the proposed sanitary sewer at the north end of these lots and not into West Kemper. Also, regarding the lots fronting on Smiley, it is assumed that they will tie into the existing sewer along Smiley Avenue and all other lots will be tied into proposed sanitary sewers. In regards to water, the plan notes that 19 lots along West Kemper Road will have water service via water main within West Kemper Road pavement, we will have to work with the applicant to try to minimize the disturbance to the pavement at West Kemper and it is assume that the lots fronting on Smiley will be served via the water main within Smiley and then the lots on Maxey Land and Dorothy Lane will be served with the new water main that will be constructed with each of those public roadways. As far as electric, there is overhead distribution line that runs along the creek within the area that is going to be public, open space public area. That will be something that the contractor before the construction will have to watch during the time that they are out there to make sure that they don't come too close in proximity to the electric lines. FEMA flood plain area runs along the existing creek and the applicant is showing that general area to be open space so there should not be any encroachment into the flood plain area. That concludes my comments.

Chairman Darby: Thank you. Mr. Shvezgda, on your report you're reflecting that it is a 12.31-acre development that should be 13?

Mr. Shvezgda: That is less right of way.

Chairman Darby: The right of way. Because the other report reported that it is 13.

Mr. Shvezgda: That would be the gross.

Chairman Darby: Ok, thank you. We have had our reports. We have a number of people who have signed in to speak and we are going to give you and opportunity, however; since this isn't something that most of you do all of the time, if you neglected to sign in we will take care of that also. When you come to the Dais, please identify yourself by name and address. So, since I don't have the sheet, those of you who have signed up please come forward.

Mrs. McBride: Mr. Chairman, could we just let folks know, I think that there is about seven or eight open seats down here so maybe you don't have to stand. They are maybe a little hard to find but there are some open seats here so you might not have to stand.

Mr. Cassidy: Good evening.

Chairman Darby: Good evening.

Mr. Cassedy: My name is William Cassidy, I'm from 507 Dimmick Avenue here in Springdale. I've got a number of points. As you probably have figured out, there is quite a bit of interest in this decision that you are about to make and while this is, as the gentleman said, this is not to be section-8 housing, it is high density and I wonder if any of you are aware of a high density modification to an area where low density such at the ones that we live in has not adversely affected the property values of the established home owners? Now if you are I would love to see that documentation and I would ask that this decision be moved to a later date for that documentation to be presented but I don't know that it has ever happened, and I believe that there are a

number of people here who will verify that they have had first-hand experience where high density housing and in some cases section-8 housing has dropped the valuation of their property significantly by double digit percentages. I don't think that's what is this Planning Commission's intent. I would hope not. The current owners of the property are going to sell their property if you make the decision that is before you to night, they will walk away, their bottom line is enhanced greatly. 52 lots selling for what they anticipate is going to make a pretty penny of money but it does not take into account the people that are left behind here and how it is going to affect them. Now, Mrs. McBride and Mr., I'm sorry I cannot pronounce your name. The City Engineer, have presented facts, figures, indications to adherence to protocols and limitations but it does not take into account what it is going to do the existing property owners. Now this board, the Planning Commission, and some of you are elected officials but you represent Springdale. In those instances where a decision on your part affects the City in general such as a repurposing of the Mall on 747, that affects the whole City but, in this case, it affects a small area of this City and it is those property owners that have shown up here tonight that I would say deserve the priority to your decision. Now you sent out cards and people are here and I'm not going to say that they are all nay sayers but they are here to voice their opinion both pro and con and I would hope you would give credence to those people and the significant weight that they present. Thank you.

Chairman Darby: Thank you sir. Mr. Taylor.

Mr. Taylor: I'm sorry your honor. That was an errant button push.

Chairman Darby: I like that, your honor.

(Laughter)

Chairman Darby: I'll keep that in mind. Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. I know that you said that you felt that people were here because of the card that came out by the city. I believe that there are more people here because of another thing that was distributed that actually said that the city had planned on having section-8 housing in that area with no factual basis to it. That is actually why we had this the way we had it. There is not section-8 housing going in there. These are \$250,000 homes to \$400,000 homes if I'm correct. The plans are here. In order to get anything approved, it has to come here, they have to get the approval for the materials that they use, for the lot sizes that they use, for the setbacks that they have, I have not seen anything here that says that this will affect you guys adversely at all. If anything, it will improve the amount that your house is worth. If you have a house right now that is not worth \$150,000 to \$160,000 dollars and then you have these bigger homes are come in they bring in more worth to your neighborhoods. I absolutely hear your concern, but I'm sorry what you were saying isn't really factually based in what we're looking at today. What we're looking at today are plans for new neighborhood development that has high end homes. I am not at all downplaying what you are saying we absolutely hear what you say but that is not exactly what is happening here. We're not looking at low income housing we're looking at upper income housing to be honest. So that is all that I wanted to add I just wanted to clear that up so that everybody understood that section-8 and low-income housing is not what is happening here by any stretch of imagination what so ever. Thank you.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. I was going to ask if staff would explain to everybody here the process if Planning Commission were to approve this? What those steps would look like as Mrs. Sullivan-Wisecup indicated there is a lot of information that has gone out there, some of it is accurate and some of it is not accurate and there is a lot of question I think or lack of knowledge in terms of what the process looks like with regard to what this board is going to do, what City Council would have to do and going forward.

Chairman Darby: Mrs. McBride.

Mrs. McBride: Thank you. So, this is the first public hearing on this request this evening. It is being held by your Planning Commission. They will look forward to hearing from all of you or whoever would like to speak. They will take into account the staff reports, the information that the applicant has submitted, they will take into consideration the comprehensive plan for the city and they may make a decision this evening they may choose to table in asking for additional information. Ultimately, they will make a recommendation on to your City Council. City Council will have several readings on the ordinance, one of which will also be a public hearing that if you received notice of the hearing tonight you will receive notice of the hearing before City Council and you're welcome to come again to that meeting and to address council and ask questions and so forth. City Council would then make a motion to either approve or to deny the request that would be before them. Should they approve the request then it would come back to this body the Planning Commission with the final development plan. You heard me reference before, a number of times, a final development plan and that is when the actual details of the development are worked out because it is a planned unit development. So, as opposed to just saying you can do 52 lots on this property the planned unit development locks them and so to speak as to where the streets are going to be, how big the lots are going to be, ultimately with the trees are going to be where the sidewalks are going to be and so forth. Then that has to come as I said before this Planning Commission for review and approval before the development can move forward.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mrs. McBride, thank you Mr. Chairman. So, it is important that everybody understands this is not something that if Planning Commission approves a recommendation, it goes to Council, Council approves it and it comes back to Planning Commission for final approval that nowhere in there is there a situation where one of those bodies says hey, were approving this and then the developer can turn around and do something else in terms of going in and we're going to put in a 12 story low income housing with HUD. You can't go through and do that, you have to go through a process. So, there are several steps along that way where you go through checks and balances. Last thing I will say and I'll stop talking, which is hard to do as an attorney, but it is important that everybody understand that everybody on this commission is interested in what everybody in this room has to say and what they think and all of your elected officials are interested in what you have to say and what you think. The proof in that is, you have six of your seven elected officials for City Council present here tonight because all of us are aware of the letters going around, the e-mails, the Facebook posts, and what have you and those concerns. So, you are going to be heard, you are going to be listened to and I want to make sure that you guys all understand that. People are here beyond even people that are on this commission, your elected officials are here to hear what you have to say and they are interested in that and it is going to be considered. Okay. Thank you, Mr. Chairman.

Chairman Darby: Yes sir.

Ms. Roschke: Hi, Susan Roschke and I'm at 500 West Kemper, so right down the street. I just, I was very curious to see what was going to be presented tonight. I did try to get some information ahead of time and was not able to come into the office but did get a copy of the plan to look at. So, I have just a few questions. I am in one of the West Kemper lots that has the creek in the back which regularly flows very high and the neighbor on Rose Lane put his in a culvert somehow and since then it has gotten worse so, I don't see anything really addressing that on this plan so I am curious whether this will help or hinder. I also want to question the traffic study saying that does not need to be done considering, particularly the evening rush hour on West Kemper is not any fun and it took me several minutes to get out of my driveway to get here tonight and that is a very regular occurrence. As you come off of Route 4 in the evening, I'd like to see more attention to that if it is at all possible to do something within this plan that makes that a little better that would be awesome. The last thing that, well since I bought my house and I have lived here for about 14 years, water pressure is not great

so I am curious again whether this will help or hinder the water pressure that comes into my property? The last think that I wanted to bring up on a light-hearted note perhaps is, there is a lot of deer, I think, that live on this property currently which regularly travel through all of our yards in the evening and forage throughout our gardens and I'm just curious sort of what is going to happen with that? Like I said the traffic and the drainage and the water really are serious concerns for me. Thank you.

Chairman Darby: Thank you.

Ms. Adams: Good evening, I'm Rebecca Adams and I'm at 545 West Kemper. I was actually going to end with the deer but I will pick up on, I think it's Susan, your note. Those deer end up in my neighbor's yard where she hand feeds them and they bring their babies every season. She names them and she actually has neighbors care for them when they are on vacation. So, that was my ending point for my neighbor who is not here. Couple thinks I wanted ask that you consider is 52 homes, 2 car garage that is 104 cars, that is a heck of a lot of congested traffic trying to get out at Rose and Kemper. There is a lot of accidents down Kemper and they usually happen in front of my house. That is just adding more traffic morning and evening commuting time is very difficult to get out and especially when there is an accident on 275 because people will exit at Winton Road and it is bumper to bumper down Kemper and I live on Kemper and at times it is very difficult to get out because there is so much traffic so adding a minimum of 104 cars. Now, if they have teenagers then you could probably quadruple that. That is a lot of traffic that needs to be considered. Also, I just wanted to mention Meghan's comment about the house price rising with this construction going on. That was not the case for me when I lived in Massachusetts. I had a home and it was devalued at the time we were trying to move here because there was new construction going on. So that is not always a factual case. Thank you.

Chairman Darby: Thank you for coming.

Mr. Garfias: Good evening everyone. Luis Garfias, I am actually a resident of Springdale for 3 ½ years now and I am right at 549 Smiley Avenue. So, being a new resident of Springdale I was concerned when the signs came on, especially cause that corner lot provides a ton of beauty for the community that is right behind it, especially Smiley Avenue. It also provides a barrier of privacy between the actual city and the actual neighborhood in the background to make it really private and really cozy. That was a huge selling point for us. When I first moved to Springdale, I actually took a ton of interest in the city for several reasons, number one, the actual interest of the city to maintain the home value. A couple of things that pointed to that, the Home Improvement program that you guys have in place today, things like the free mulch, or even the high ordinances on the maintenance to upkeep the grounds. As I looked at those things those are some of the selling features that allowed me to move into Springdale in a very comfortable way. Now, as I look at this new development I'm worried that the home value might actually be hindered by this development and as a result of that I am worried that, I've only been here for 3 ½ years and I might be already forced to sell. I love my home. I've spent a lot of money, invested a lot of money into my house and I really don't want any sort of motivation to move. I believe that I provide a good amount of revenue for the city and I view myself as the next generation of young families moving into the city which is, medium to high earners and as I see that, this new development I'm just seeing that those will be attractive to families like myself. When I looked at the city, there were houses for about \$100,000 to \$150,000 and that is what made it really appealing for me. When I look at this development I heard price ranges between \$200,000 and \$400,000. Who's really going to buy that? That's an insane amount of money when I look, especially at my neighbors, no one can afford that kind of home. So, I'm just concerned with the value, the price range for those homes and I just don't believe that the value proposition that is being put forward here tonight. Also, this is the first time I am hearing about this so I have a lot of questions. I'm going to address a couple of those now. So, I am actually curious, what is the actual need for housing in Springdale? No one mention that tonight, we heard we are going to build 52 units but what is the actual need? Is it just building to build and sell or is there actually a need in Springdale for housing? What would be the average sold price? Again, I heard a big range \$200,000 to \$400,000 that is a huge range right, so I want to

know what the actual range is for that, the average sold price for all of those properties? Also, I wanted to know what the impact is for the school system? 52 properties, 52 homes that is a ton of children especially if I heard it was going to be 2 car garage, multi-room homes, that is going to be a lot of children. That is going to be families that are going to move into those homes. I have small children myself and I wanted to make sure that the schools are upkept as far as the capacity and the quality of education as well. How do we also know that this will not eventually turn into section-8 housing? That was a big concern of mine as well. I've personally lived around section-8 housing and it is terrible. There is nothing glorious about it. I understand that everyone needs a place to live but section-8 homes, I don't think it is the way to go so I want to know, for sure, some sort of guarantee by you guys that is not going to be the case in the future. I know in the first stages that might not be the case but going forward I want to make sure that does not happen. Okay. Also, the traffic on Kemper Road is pretty bad. I drive in through 275 and get off on Kemper and drive right through the Springdale Elementary and it takes about 20 to 25 minutes just to get from where that Burlington store is all the way to my house and I am only less than a mile from there. It is really bad so, adding 52 homes to that is only going to make it even worse. There is only a one lane street and not only that it is also really busy. So, I am just really concerned about the actual impact to the streets and the traffic of course as well. So, those are my concerns. Thank you.

Ms. Haley: Hi, my name is Mary Haley and I live at 11558 Rose Lane. I worry about the traffic. I worry about the stress on an already stressed out storm water and sanitation. I can't imagine that this kind of density is going to do anything but make existing problems already worse. The number that I heard were 54 planned trips a day. Trying to get out onto Kemper is impossible. That corner there at Route 4 and Kemper is impossible on a good day, trying to add this level of homes is catastrophic for the neighborhood. So, I actually oppose this rezoning.

Ms. Bloom: I am Tracy Bloom. I live at 661 Smiley Avenue. I have a lot of questions because I have kids in the district. I have one at Springdale now. 52 homes with children moving in is a lot. My son's classroom size last year was 26 kids so if you add more kids, I don't think the school can hold that, as well as they talk about traffic on Kemper Road being horrible, traffic on Smiley is just as bad. They use Smiley as a cut through to bypass Kemper Road. I grew up on Smiley. The house I live in, I grew up in and as a kid I was not allowed to play in the front yard because, I'm sure you knew where Scotty's was on Rose Lane years ago and the traffic from the cars flying up and down the street all of the time was horrible. I can't tell you how many basketballs, soccer balls, four square balls, any kind of balls rolled out into the street and they got popped because of people just flying up and down and with this development potentially going in there I can see that would be happening again and continuing because they are going to try to bypass Kemper Road.

Chairman Darby: Thank you.

Ms. Patrick: My name is Denise Patrick and I live at 667 Smiley. I guess one of the questions that I have is that I heard something about a setback. I was at Council just a little over a year ago because I needed six inches to add a stair on it so I don't know what the setback was. None of the other area has sidewalks. I know that they are putting it in. It is just going to be a sore thumb in that area. Others have mentioned the fact that you are putting these monstrous homes on these little quarter acre lots, if you put 52 divided by, 13 divided by the 52 gives you like a quarter acre, sorry. The HOA, he kept mentioning an HOA, does that mean that the HOA follows your codes or does the Springdale codes not, you know you guys drive around the neighborhoods and say move your garbage cans, paint your garage door, is all of that going way or are they going to be their own little special unique monstrous development in a place it really has no place being? I don't know how you can say it is going to increase the property value of the house on the other side of the street on Smiley on the dead end that is only 900 square feet that you paid \$65,000 for ten years ago. I absolutely do not agree with that what so ever. Thank you.

Ms. Mason: I'm Anna Mason and I live on the corner of Lafayette and Rose Lane and I want to say that I am not opposed to houses going in there but I am greatly opposed to that many houses going in there. I don't care how much they cost, it still, this part of Springdale, which I grew up in Springdale, I've lived here most of my 75 years. It has always been considered the old part of Springdale and it is going to lose that small-town feeling, if these many houses come in one place. One thing that has been brought up is the traffic and it is horrible. Sometimes I go through Forest Park up to Kenn Road to get out at a light because I can't get out at Rose Lane and Kemper and I just think that Council really needs to consider what they are doing to Springdale. Thank you.

Chairman Darby: Thank you ma'am.

Ms. Kleinaechter-Morley: Hi, my name is Mary Kleinaechter-Morley, Joe Ramirez, I know you. David Okum used to play volley ball with you guys. This community, I don't live in here anymore but I do have a part of it. I still own my mom's home that has been here since 1953. I grew up here and I just want to see, 52 homes that is a lot of homes going into one little section of Springdale. I like the old feeling. I walked around this are just recently and I thought, all these people keep their homes nice on Smiley and Cloverdale there. It's really improved and they are keeping their homes but you are tearing up. I had water flooded in our home back in the 90's. Now these builders are going to come and go and if our homes, if we get water and stuff where are they be? We have to do it ourselves and take care of it so I hope that you don't have 52 homes come. That lot has always been talked about selling when Thriftway was there. Thriftway was going to move in there and the older lady, I think has always she kept from selling that property which was really nice. Now, probably family wants to sell and get out of Springdale and stuff like that but you are taking away a piece of Springdale to me and I hate to see it go like that and destroy it.

Chairman Darby: Thanks for sharing. Sir.

Mr. Shroyer: I'm Dan Shroyer, 249 Ruskin Drive. I'm just wondering as a point of comparison, if Mrs. McBride would be able to give us some insight as to what could happen there under the current zoning? Without this request to change the zoning the way it is currently zoned if the property were sold and developed what would be there, what could potentially be there as opposed to this potential development?

Chairman Darby: Mrs. McBride.

Mrs. McBride: Yes, as I mentioned the property right now is zoned RSH-L district which is our residential single household low-density. Permitted as of right would be single household dwelling units. Permitted with standards as accessory use is to that are things like air conditioners heat pumps and so forth. Child's play houses, fences, walls, and hedges. Garages, carports, landscape features, parking, private gardens, real estate sales, model homes, solar panels, statuary trellises, flag poles, those kinds of things. Storage structures, accessory buildings, swimming pools, tennis court and hot tubs and those kinds of uses. Permitted as conditional uses which would require an application to this planning commission then they would have to consider that request under the standards for conditional uses and are zoning code would be things like community social service facilities, educational institutions, group homes and adult group homes, parks, playgrounds and open space play fields and so forth. Also permitted with standards are religious places of worship.

Mr. Shroyer: But if I am correct low density requires a minimum of 10,000 square foot lot which is basically a quarter acre.

Mrs. McBride: Yes, you are correct 10,000 square foot which is, yeah just a little bit under a quarter acre.

Mr. Shroyer: So, it could be developed with single family residents on quarter acre lots with no request for any changes to zoning as it is zoned now.

Mrs. McBride: Correct, as of right.

Mr. Shroyer: Apply for a permit and build?

Mrs. McBride: Correct.

Mr. Shroyer: So, 54 houses or whatever we are looking at here is not that far off of what a developer could just go in there and build anyway?

Mrs. McBride: That's correct. If you did the math.

Mr. Shroyer: So, I guess the issue becomes, and I as well as anybody would like to see it stay vacant property but I am also a believer that people own a piece of property they have the right to do with it what they choose with the property and the comment was made that the property owner will sell the property and take their money and leave and we will have a development but if I choose to sell my home in Springdale I would like to be able to sell it for as much as I can get for it and whether I move out of Springdale or I don't, I mean it is still my piece of property. I think that's the rock and the hard place that we are caught between is the property owner is going to sell the property, the question is what is going to be there and if the question is, we prefer \$150,000 or \$200,000 houses on quarter acre lots or \$300,000 on quarter acre lots we are going to get one or the other. One we could get right now by no involvement by this board or Council or anybody else or we get the other with the oversight by this board and the City. Correct?

Mrs. McBride: Basically, yes.

Mr. Shroyer: Alright, thank you.

Ms. Holt: Kathy Holt, 511 Cloverdale Avenue. I'm just concerned about, I guess I was thinking about the amount of homes that were going in. It is going to change our whole livelihood living in that neighborhood. We don't have sidewalks, so I walk my dog and there is going to be so much more traffic cutting back through and Rose Lane goes from Kenn, Cloverdale goes from Kenn all the way to Route 4 and people are going to be cutting through there and I've got nowhere to walk but in the street. Also, the children ride their bicycles. The kids walk to the Rec center. I see them with their towels going to the pool. What happens, I mean are we going to let so many people drive through here until something happens and someone gets hurt or injured? I mean I know we can't stop progress, but I'm just concerned about the amount of homes that are coming in and going to be cutting through. That is my only concern. Thank you.

Chairman Darby: Thank you.

Mr. Eley: Good evening. My name is Bryan Eley, 611 West Kemper Road. First of all, I would like thank Mr. Ackermann for taking the time and trouble to brave the slings and arrows of the Springdale residents here. I have a couple of questions. I have been a long-time resident here over 20 years and I work in the construction industry for Messer Construction so I have a little bit first hand familiarity with some of the consequences of construction. I am curious about the duration of this development. What affect this will have, concrete trucks, heavy equipment being moved along our roads which we just got paved. The effects as other people have mentioned on traffic and also my wife is on the Princeton City Schools Superintendent's Advisory Commission and we understand that the High School is getting close to capacity as it stands now in terms of students so that if we have a high-density development like this, it would bring in, potentially more children, then it is going to put a strain on our current educational infrastructure. So, I was curious what effect this might have.

Chairman Darby: May I interrupt you just for a moment.

Mr. Eley: Certainly.

Chairman Darby: Because that issue has been raised three times. Folks with a background in education, I can assure you, and these scales are out there, 52 high end

homes will not generate a tremendous number of students for the Princeton City School District.

Mr. Eley: The reason that I bring that up is that in a recent meeting that I had with Tom Burton, the Superintendent of the Princeton City Schools.

Chairman Darby: Yes, I know Tom, the acting Superintendent.

Mr. Eley: That was a concern of his. Yes, that was something that he, that is how I actually heard about this development was that was something that was of concern to him. I offered to, since I was a resident of this area, to do some fact finding for him. So those are my questions. Thank you.

Chairman Darby: Thank you.

Mr. Galster: Good evening.

Chairman Darby: Hi stranger.

Mr. Galster: My name is Steve Galster, I live at 11821 Glenfalls Court. I do not live in the direct area that these people are all coming from but I used to and it used to be a concern of mine when I lived there what would ever happen to this particular development or this particular piece of land as far as development goes. But, first of all I wanted to just clear up a couple of things on section-8 housing. We don't get to say this is section-8 housing we are going to build section-8 housing. Section-8 housing can go anywhere it wants to go. All it takes is somebody who owns a home and wants to rent it out and have a tenant that wants to come in with section-8 housing. You don't get to control that, there could be section-8 housing in Indian Hill. So, section-8 housing is not something that the City of Springdale can say well this won't be or this will be. So just for clarification. Presently this land is designated residential single-family low density, which give you what about a 50-foot wide, it's been six years since I have looked at the zoning code. But 50-foot wide is usually the minimum lot width?

Mrs. McBride: Actually, it is 75.

Mr. Galster: 75 in low density. So, if we go to a high density, even if we went to a higher density single family residential zoning, I think the smallest lot size that we permit in the City of Springdale is 50 foot.

Mrs. McBride: 60 actually.

Mr. Galster: 60? Okay. How many of these meet the 60-foot setback, or the 60-foot lot width? Percentage wise or the actual number.

Mrs. McBride: Roughly a third of them, 17 lots.

Mr. Galster: A third of them. So, I've seen the PUD, the Planned Unit Development zoning code be used, usually it is to consolidate property, put together a bigger block, help control the development or the redevelopment of land within the City of Springdale, I've never seen it used for residential. The only thing that I see happening with the change over to the PUD in a residential area is the cutback of the requirements that need to be met by the developer that they don't presently or wouldn't presently meet under the regular single-family zoning code. Such as the setbacks. This alleyway that is going to become the main access point to all of these houses on Kemper Road, that would not be permitted in a regular single-family residential zoning anywhere else in the city. The street sizes today, it would not be permitted to have what they are proposing either. They match what is there and I can understand that being a consideration to change but the PUD is supposed to be, in my opinion anyway or I always thought it as a way to enhance and control and to add things into the development and unfortunately, I see this as being something that allows them to take away from the development. It allows us to go to more homes, less, smaller lot sizes. Less quality of street construction where we have an alley way that is used as a main

access point for, I didn't get to count them when the map was up there but probably 10 homes, 10 properties along Kemper Road that are going to have access off of an alley. So, those are the type of things that I don't understand. Getting back to the comment about the right to develop the property, there is a right to develop that property the same way that everyone in this hall right now is presently zoned as a single-family low-density unit. They can go in there and develop it just the way it is zoned right now. There is nothing that says that we have to give a property owner everything that they possibly want so that they maximize the profits that they can get on their piece of property. We have to make sure that we don't hinder their ability to sell their property but there is nothing that says that we have to make the zoning code changes in order for them to maximize their profits at the expense of other people because, you know I have looked at a lot of pieces of property and I have a hard time visualizing a \$400,000 house on a 40 foot wide piece of land. I mean, I am going to be, if I put those side by side I'm going to be real close to my neighbor. I mean it is going to be a personal relationship. To think that you can, you know, no doubt that you can build a house that will go on the market for \$400,000 but I don't know that you could sell a house for \$400,000 under those conditions. So, I questioned that a little bit to. Really what I would like to see happen so that maybe the majority of the people in the audience can get an understanding can we look at what the differences are and explain what the differences are between our highest density single family residents as to what, if it was zoned to that as opposed to this PUD plan. Can we look at what they are able to not meet in order to get that zoning? Those are the things that concern me.

Chairman Darby: Steve, what would you envision that looking like?

Mr. Galster: I mean, as a low-density zoning right now I would expect it to look just like the neighborhood looks. With what we are doing here, we are going to be packing them in.

(Someone talking off mic.)

Mr. Galster: I'm trying to think of the address and I can't think of the address off of the top of my head on Cloverdale, it is across from the old Police Chief's home where we built a two-story house on a 45-foot-wide piece of property and

Mr. Okum: He was compliant.

Mr. Galster: I'm sorry.

Mr. Okum: He was compliant with the code.

Mr. Galster: He was compliant with the code at 45 feet and the code has since changed since then. Because 45 feet is not a compliant property now, it is 50 foot at least. Right? I look at that and then I envision that over 52 homes and that is scary to me. I'm not saying that it should stay open forever, I mean the people that live on Smiley and look out their front door and see a nice green pasture, that's great but you know I don't think there was ever an expectation that that would go on forever but we also expect that the city will take care to make sure that the development that happens there is within the scale of which the existing homeowners live within and I think that is all that everybody is asking for is just keep us in mind when you are talking about scale and if that is the case, I don't think that this PUD is the right answer to get to the scale that fits that particular area.

Chairman Darby: For those of you who are not aware, this man has a lot of history sitting with this board.

Mr. Galster: Seventeen years on the Planning Commission.

Chairman Darby: Okay, and as he could tell you this is the beginning point of a process as Mrs. McBride addressed earlier and we are listening to you.

Mr. Galster: Absolutely there is a beginning point but there is also another thing to consider, if in fact that this board does approve the PUD rezoning and it goes to City Council, now once it is in front of City Council, because it has a positive recommendation from the Planning Commission it would take 2/3 of City Council vote in order to override that positive recommendation. So, it becomes 5 out of 7 votes to get in order to override the decision of this board. So, while I agree with you it is a long process.

Chairman Darby: It takes five positive votes here also.

Mr. Galster: It's a long process but this is the time, if you have concerns, to be involved because if you want to make changes this is where you need to start making them. Thank you.

Chairman Darby: Agreed. Thank you, Steve.

Ms. Patrick: My name is Kristina. I live at 468 Smiley which is directly across from the lot.

Chairman Darby: Thank you.

Ms. Patrick: My concern is, I feel like this 200,000 of \$400,000 housing is really going to affect when I go to sell. That actually wants me to sell now because I do not feel like the amount of people that will be coming in would be affecting how I feel safe in the community. I purchased the house because of the open space, because there was less traffic and I would not have as much to worry about living on my own. Secondly, they hope that you do not make a decision based on 52 families coming in that are buying 2 to \$400,000 homes and what kind of tax revenue that could create for the city because I do not think that that is a fair basis in a decision. With that being said, I have to decide to postpone and not do anything until we have actual information to where we can make better decisions about this.

Chairman Darby: Thank you.

Ms. Noonan: My name is Alice Noonan, I live at 526 west Kemper road and my parents bought the house in June of 1947 and I have stayed there my entire life. In October I will be 71. I have owned the house to myself since 1995 and the biggest concern for me is getting in and out of my driveway and the safety. We had a break in in our back shed and all along Kemper road. The first time in my life since living there and this happened just a couple of months ago somebody went up and down Kemper road and they actually caught them. They said somebody back on Cloverdale tackled him. Kemper Lafayette all over a lot of us and somebody tackled this person to keep him from stealing from their neighbor. We're very close knit. There a lot of those older folks that live along there. The couple across the street 90 and 94 years old they have lived there 30 some years. Next to them they have lived there for 50 years. We have all raised families and seeing the properties grow. I have just spent over \$20,000 to be compliant and to make my property value more and to be more compliant with the city. I would like to see it, it doesn't have to stay and like it is now no houses but the houses on c'mon guys that are reasonable that go along with what the old section of Springdale is supposed to be. We are not up here like by the lakes or over here off of Sharon road, this is the old section of Springdale we watched Tri-County be built we watched the Turkey farms change and the dairy farms change and I personally would like to see it stay that way. My house is in my estate and it goes to my family, they'll have to do whatever they want to do with it. I plan to stay there till I die hopefully. Unless I have to move and I do not have to fight the traffic that is already bad. You have to add an extra 10 to 20 minutes into your schedule to get out onto Kemper road and like the one person mentioned if there is traffic or an accident on 275 they get them off at Winton Road or they get them off down the street at Route 4. It just depends on where the accident is and then you cannot get out. I'm sorry I love our police department but they don't take care of the traffic on Kemper road and you cannot get out. They fly up and down there. Is it going to require a traffic light

down there in the middle of that section on Kemper for these people to get out? Are we going to end up having more traffic lights? More people walking up and down we all have sidewalks either a walk in our yards. Sewers, water, electric, right now I don't have a problem with my lights that going out every 5 minutes is this going to affect that? My biggest concern is the traffic in keeping the old section of Springdale has the old section of Springdale.

Chairman Darby: Thank you. Is there anyone else in the rear, Mr. Parham has the mic or do you want to come to the dais? I want to thank you for your input, thank you for coming out as I explained earlier this is the beginning of a process you made some very very valid points this evening and all of those things will be taken into consideration as we continue our deliberations about this project. Thank you for coming.

Mr. Cassedy: Mr. Darby?

Chairman Darby: Yes sir.

Mr. Cassedy: I would ask if this is the beginning of the process a lot of people showed up here tonight taking time off from whatever they had planned on doing. Is the next step in the process or steps beyond that to (talking off mic not audible)?

Chairman Darby: How many of you all are familiar with the process that was involved with the GE Park development? Well for those of you who are not familiar with that the residents were in here every time we had that on the agenda and you are very welcome to do that and we have made the MIC available for your input. But the next step and this process right now will be for my colleagues and me to go into deliberation on what has been presented to us before perhaps have other questions for staff and the developer. This is not the end it is just the beginning. Yes ma'am.

(Talking off mic. not audible)

Chairman Darby: Mr. Parham is bringing you the MIC. He's not as fast as he used to be.

(Laughter)

Mrs. Cassedy: I guess my one question is, why, Oh, I'm sorry. Sharon Rae Cassedy, and I live at 507 Dimmick. I guess my one question is for all of that land that is over there, has there been any thought of making a part of its some type of park? You see stuff like this and all of the different communities and different cities around us where they will take a little parcel of land that they will make it into a really nice park. Is that something since I guess it is zoned where it could be made into that?

Chairman Darby: I'm going to ask Mr. Parham to answer that.

Mr. Parham: I do not really think it would be in the best interest of the community. Over the last nine years we have tremendously reduced the staff of the city. Our Parks Dept already has about six Parks that they have to maintain with three fulltime employees that are in the Parks Dept. We try to hire some kids during the summer. The Parks Dept was a little lucky the street maintenance was not.

So turning it into another park simply adds more stress on to that staff.

(Talking off mic. not audible)

Mr. Parham: I don't think you want to rely on community volunteers.

Mr. Cassedy: You don't give us a chance

Chairman Darby: Okay, folks let me, we can't be here all evening so if you have something to present please come forward and do that but we're not going to go back and forth. Back and forth that is just not productive. Yes ma'am

Ms. Kleinwaechter-Obert: My name is Terry Kleinwaechter-Obert and I live at 506 Smiley Avenue and I came here about a year ago from Colerain and the one thing that I like about and I have seen old Springdale, my parents actually bought the house in 1959 now 55 I'm sorry 1955 I was two years old and I have seen Springdale grow from then until now. The one thing I enjoy about being back in Springdale, in old Springdale is that the people are friendly they care about each other they actually walk in their neighborhoods and they aren't not afraid to walk in their neighborhoods they're not afraid to stop and say hi. I just want you to remember that. The traffic is going to deter that and there is going to be more accidents and maybe even a fatality and that would be on your hands.

Chairman Darby: Mr. Okum.

Mr. Okum: Mr. Parham just a moment while everyone is here because people tend to leave quickly and I don't think that that would be the right time for that. How many of years have you been with the City?

Mr. Parham: 25.

Mr. Okum: And what is happening on the 30th of August?

Mr. Parham: I am retiring.

Mr. Okum: Just for the benefit of all of these people here, this man has given 25 years of his life to the City of Springdale. I want to personally thank you and I think we all want to thank you for those 25 years but what better time than when we have people from the community here with you to express their gratitude to your dedication to the City of Springdale. Thank you very much.

(Major applause from the audience and standing ovation.)

Mr. Parham: Thank you.

Chairman Darby: Thank you. At this time, we will move on to our questions and comments.

Mr. Jetter: I just have one very short question. My name is Dave Jetter, I live at 501 Smiley Avenue. When will you take the vote on this initial step?

Mr. Okum: we don't know.

Mr. Jetter: Will we be informed?

Mr. Okum: You're going to be here tonight if we take a vote tonight you'll know.

Mr. Okum: It may be continued.

Mr. Jetter: Alright thank you.

Chairman Darby: Okay. Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. I guess there is a lot of comments that came from the audience I'd appreciate Mr. Ackermann if you could take a couple of moments and maybe respond to some of those comments. If members of the community are interested, the parade of homes or whatever is called in Woodlawn is right down by the Woodlawn municipal building. I drove that site personally this past week because I wanted to know what was on the agenda and what type of homes we're being presented. I would encourage everyone here to do that. When they say that they are building nice homes on small lots they really are. I serve on the Hamilton County Regional planning commission. Communities like Anderson Township, Green Township are very very progressive communities in Hamilton County have brought and allowed these types of developments to occur. I'm not saying it's positive or bad, I'm just saying that they are occurring in multiple areas in our region. Not just in the city of Springdale, Woodlawn is just one of them. Anderson Township as Mr. Abercrombie's back there he is the civil engineer and has presented on many cases before Hamilton County for projects very similar to this where there are infill developments. Anderson Township welcomes them. Green Township welcomes them to the communities. Yeah, they are infilling, they are filling space within space that has never been developed. I personally feel that I would prefer that the city address this property as a PUD than allow the land use that it is currently zoned on it to occur. Mr. Galster mentioned the house on, what is that, on Coverdale across from Mike Legge's home and I served on Board of Zoning Appeals for that hearing and we had a development plan, where the applicant was willing to do everything he could to have a house on that site with a variance being granted by the Board of Zoning Appeals. Board of Zoning Appeals denied the request, the gentleman built a box on the site. Now, if we were taking the opportunity to have something of quality built in our community vs. a box and if you're here I'm sorry but it is. It is a vinyl sided box sitting on Cloverdale and people were furious about it but he was legally compliant with the code based upon what was allowed to be built there. So, I'd like to have Mr. Ackermann to come up and give him an opportunity to at least express some comments in regards to what has been brought forward. There are things that we need to discuss. The alleys with the access points those type of things are not typical to us and that is something that we have not entering into before. So, there is going to be some thinking here. This is a journey. This may not be 52 this may be something else but we have got to give the applicant the opportunity because he is the holder of the property, the opportunity to make a presentation to us and give them an opportunity to provide to us the information so we can make a good decision for you. Then what we recommend like Mrs. McBride said, it goes to City Council and they have to make a decision based upon what is good for you, it is not just a slam dunk they've got it Planning Commission approved it they are going, it doesn't work that way. Mr. Ackermann.

Chairman Darby: While Mr. Ackermann is coming forward I would like to make a couple of comments. Springdale has some tremendous traditions and a lot of areas a specific housing and a specific within neighborhoods. What is conceived here is a new neighborhood to add to the mosaic that is Springdale. I hesitate using the word upscale when I talked about these houses, nobody's house is more of scale than mine and it doesn't cost \$400,000. So, they are little bit more on the expensive side. The plan at this time means that they would be kind of tight but that type of neighborhood is becoming more and more prevalent in this region and across the country. I hear what you are saying, everyone up here

hears what you're saying. You're talking about density, you're talking about traffic comments about the schools and what have you. So, as we go through this process it is our job to make sure that we recognize those concerns as we move forward and as Mr. Okum had said, it may be 52 it may wind up being something different, but I do want to assure you that this meeting and any subsequent meetings your voices will be heard and to a very large extent your ideas will be incorporated into what we're doing. But keep in mind that Springdale has a lot of different neighborhoods and what is being proposed here is a new neighborhood and your concern is that it doesn't negatively impact on the existing neighborhoods and that is for us to work out. Mr. Ackermann.

Mr. Ackermann: Thank you Mr. Chairman. Mr. Okum, your point is well taken because we're developing in multiple neighborhoods with similar style developments throughout Hamilton County and the entire region.

Chairman Darby: Could you pull the MIC a little are maybe you could use a hand-held MIC.

Mr. Ackermann: Is that better for you?

Mr. Okum: It works but I want to make sure that they can hear you.

Chairman Darby: Can you hear back there?

Mr. Okum: Okay.

Mr. Ackermann: If it's not let me know and I will change. So, we recently developed multiple developments in the City of Cincinnati with similar product. We developed over in the Village of Woodlawn with similar development. We developed out in Anderson Township and we're finishing up a development there. Actually, we are being invited to come develop in the municipalities of Forest Park, in the township of Colerain, in the township of Springfield, in the City of Reading and I could go on and on. These communities want these developments. The developments that we do, sell out quickly and bring new families they bring family's that used to live in the community that had moved away because they could not find the features and attributes that a new home could provide, an attached two car garage, and a step entry, a first-floor bedroom, closet space, a basement. Multiple things and I can go on and on. These products are the things that not only sustain a community but revitalize it and bring people back. They bring existing people that have left they bring new people in and they provided a resurgence and excitement and a commitment to the community and the communities that embrace these types of developments are the ones that succeed and go on to thrive and survive. That's why we were invited into Woodlawn. Woodlawn saw what we did in the community of College Hill twice. They saw what we did throughout the rest of the city with other CiTiRAMA developments in partnership with the Home Builders Association. Communities that want to prosper want to do well embrace development and they work with the developers to provide excellent communities, excellent developments, and excellent products. They don't look at it as something to be stopped something to be thwarted, that is stopping progress that is stopping life that is the end of the life of the community when you shut things like this down. If we go in and we use of the existing low-density development, we get over 54 homes, we clear every tree, we plow everything under and we make it look all the same and guess what, the same doesn't work. New, you've got to embrace the new and move forward with progress. That's why we are asking for a PUD we want to do fewer homes we want to preserve the land we want to enhance it, we want to enhance the community of

Springdale. I want to stand here at the completion of this and say I am proud of what I did. I put my name on it and say I am proud of what I have done and I am proud to bring my children back and show them that. So, to use a PUD is a very effective development tool to produce a much better development than what exists out there today. That gives us constraints, it gives us controls it gives you controls it allows us to tell the builders what they are allowed to do what they're not allowed to do. It makes things better in the end. A great example. Kemper Road, we are no longer allowed to put driveways out onto Kemper Road because of the thoroughfare because of the traffic accidents thus, the alleyways that we designed. Those are a PUD product that has to be inside of that because they don't comply with your existing regulations. We've got to work with you, with your staff, with your consultants to come up with the right way to do these things. So that is how this process starts. Those are the advantages within it and that is how we all mutually benefit when we're done. So, I'm very pleased with the concept that we worked with staff on. I think it enhances the community and enhances the area. I have met with the school board, the school board has endorsed and supported our prior project in Woodlawn and they have invited me to come back and do more with them. I am getting invited by other school districts to come and work with them and redevelop properties where they had schools and had torn them down and they want me to put houses back in there. So, schools understand that they are losing population base that when people do move out of a community they need to find new ways to bring homes that have children that will actually be in them to support their school district because they need the revenue that comes from the homes and more importantly they need the revenue that comes from the state for every student that enrolls in their school district. So, there are mutually beneficial tolls and mutually beneficial process here that we are proposing and that we look forward to working with you all on.

Chairman Darby: Thank you.

Mr. Ackermann: Thank you very much.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Yes, thank you Mr. Chairman. I have a question for you Mr. Ackermann. A lot of the residents had brought up the traffic and I didn't hear that really. He didn't hear me. Mr. Ackermann. We had several people who brought up the traffic and I understand what you are saying about the driveways will be off of Kemper that they will be in that back alley but realistically what are your thoughts about the traffic because I also live in this neighborhood right behind here, I drive down Kemper road all the time. Kemper has never been an easy drive no matter what direction you're going. I will never ever argue that fact. So, my question is, I know that it was stated that there was no need for a traffic study, I didn't understand what that was based on and also what do you think the impact is going to be on the traffic flow as it is already a congested area?

Chairman Darby: Mr. Shvegza, would you comment on the traffic study please?

Mr. Shvegza: Really quick, the requirements of a traffic study are really triggered when you have 100 or more trips generated in the AM or PM peak and we are at 54 trips in the PM peak.

Mrs. Sullivan-Wisecup: Where did you come up with that number if there are 52 to 54 homes there you're assuming that only one person lives in each home driving?

Mr. Shvegza: There is the institute of traffic engineers has a basically a standard where they determine how many trips are generated per lot and that is where that is derived from.

Mrs. Sullivan-Wisecup: Okay.

Chairman Darby: Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. Mr. Ackermann I was wondering if you could address the issue for clarity reasons, the streets that you are proposing to put in, will those be city streets are well those be private drives?

Mr. Ackermann: The streets would be public streets with the exception of portions of the alleyways that would remain private and those would be under the obligation of the Home Owners Association to maintain both snow plowing and repaving as well.

Mr. Hall: Thank you sir. Will those private drives then will they be built to the same city standards or will they be lesser standards?

Mr. Ackermann: They would be lesser because they would not be full public spec and they would be slightly, they would be built to a different, in a different style with a different drainage system. Mr. Shvegza and I have discussed that and actually proposed that for review.

Mr. Shvegza: Obviously at this point we haven't seen the details of that but you wouldn't necessarily need to be in compliance with the strict standards but we would have to review those as part of the final plan development.

Chairman Darby: While you are, are you finished? Go on.

Mr. Hall: Well what brought this question up Mr. Ackermann was your development at Olde Gate and your apartments at Olde Gate. You have attached hear a sample HOA. I've investigated that and find out that the people there have to pay at least \$30,000 a year and maintenance because a lack of a way that the street is constructed by your company. Will this be the same way is that?

Mr. Ackermann: That is a private development and private drives at that time so it is up to that association to maintain them to the standards. If they have not maintained them then that is not per say my responsibility nor is the condition my fault that is the responsibility of the HOA to maintain that.

Mr. Hall: Please understand, I wasn't trying to assess fault. The question was if the alleyways are going to be constructed to a lesser standard then the city and they fall apart like Olde Gate drive has, that was my question if they will be constructed to the same standards that you've indicated.

Mr. Ackermann: We actually would request that they be constructed to the same standard and made public but we have been instructed by staff that they do not desire to have those the public streets. So, we have asked to have the alleyways be made public and we would construct those two public standards but that was not accepted so we have the elected to do them as private. We would be receptive to have them be made public and built to public specs but that would be our preference so we have requested that and that is been our position from day one.

Chairman Darby: Mr. Shvegza.

Mr. Shvegza: Just real quick on that. The primary reason that they weren't looked at to be public streets is the dead-end issue. The regulations expressly prohibit dead end alleys.

Mr. Hall: Thank you Mr. Chairman.

Chairman Darby: Mr. Ackermann, while you are there I see this as a teachable moment. One of the residents earlier raised a question about an HOA and I saw a lot of heads turning, would you explain to the audience exactly what the HOA is because many, I knew what it is because my community has one but many folks who've moved in the communities of Springdale are not familiar with that. But, it would be a very important part of this could you just teach.

Mr. Ackermann: To the best of my abilities and shall try. A Home Owner's Association known by its acronym HOA, is a private organization that typically, the developer as owner of the property places or as an overlay just as like a PUD is, over the property and all of the things that will be built on it. It contains a set of rules and the slate of operational standards so that as a, anything that is built within that HOA has to comply with the rules that are put in place and then any term or type of operation in terms of amendments, voting, funding, paying for things has to be done by an elected group of officials that comes from people who are members of that HOA. So, they have strict guidelines. They have to fund their operation, there is no public funding that can come into that and then that organization has to maintain itself and support itself and basically be held, can be held accountable for its actions.

Chairman Darby: Thank you.

Mr. Ackermann: So, it is a legally existing entity that has responsibilities and has rules and regulations that it must operate under.

Chairman Darby: Mr. Hawkins is a member of his communities HOA I believe.

Mr. Hawkins: I am not on the HOA board, I do attend all of the meetings my wife won't let me do anything else than what I am already doing. I mean just so it is clear, the Home Owner's Association as is indicated is going to set other guidelines. Folks still have to abide by whatever the City has and the City's zoning, it doesn't allow them to have a special opt out privilege to do something else. You still have to be in compliance, if I want to build a pool in my backyard I have to now apply with not just the city, comply with the city, but I also have to comply with my HOA. So, it just gives me a secondary standard that I have to make sure that I maintaining based on that neighborhood.

Chairman Darby: Thank you. Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. First off, I'd like to thank the folks for coming out it does influence our judgment. I took a lot of notes, 17 people came up here. We know traffic is an issue so they will be looking at that further. A few of the residents brought up questions and I don't know the answer to so Mr. Ackermann if you can help me with this. Addressing the home value maybe relating it to Woodlawn since that is closely similar. How did the project down there affect the home values near that facility?

Mr. Ackermann: Unfortunately, Mr. Ramirez I cannot really speculate on what they have done because I don't have any facts about that. I can tell you what we sold the homes for in the Woodlawn Meadows subdivision and what the surrounding values at the time that we started that the development were, you would have to go out and get some form of independent appraisal to verify that. So the existing homes around the development were in the \$70,000 to \$90,000 range in terms of value and the starting, the lowest price point in there was \$219,000 and the highest was \$380,000 and the average price at the completion of the development with at the final sale of the 43rd house with a projected price is \$305,000.

Mr. Ramirez: It sounds like it is fairly close to your project here in Springdale price wise. How many homes did they have?

Mr. Ackermann: That is the expectation. 43.

Mr. Mears: 43, okay. Thank you. And a couple more questions. The resident asked about the construction time frame, people living around there want to know how much their going to have to put up with tractors and noise and cement trucks and so forth. Is there a projected time frame to complete this?

Mr. Ackermann: It is anticipated that the site development work, so the actual installation of the infrastructure, sewers, water, road would take approximately four months and would take place in between January and May. Then home construction would begin in May and would take approximately 18 months to complete based on the sales pace that we saw in Woodlawn. I would estimate that it would be somewhere between 18 and 24 months to be responsible.

Mr. Ramirez: Okay, thank you. The other question on HOA, I believe it has been answered. Finally, then, folks I appreciate you coming out. The folks here are all residents of Springdale. I have lived in Springdale for 48 years. And we want to do what's best and what you say is very important because I want what's best for the residents but I also realize that you are in the business. You have some valuable land. You are entitled to do something with that land. I know it is a nice green area for the folks to look at but in the end, it is your property and your investors and we would like to see you make use of your investment. That is all I have.

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Just maintenance items and questions I guess. Mr. Ackermann if an HOA fails to do its duty and abolishes itself or fails to establish itself, the developer is part of the HOA at first until all of the properties are sold and then that is conveyed over to the owners. What power or what affect does it have on a community that has a PUD, residential but does not ultimately have an HOA active?

Mr. Ackermann: I would say then the PUD is basically a legally binding agreement between the developer and the municipality and so the municipality can then enforce the rules that were agreed to under the PUD so those would then go directly onto and be assigned to the individual property owners the individual lots. So, the municipality would then have to enforce through their building department those regulations and rules that were established at the beginning of the buildout.

Mr. Okum: but you still have assessments of cost or common areas and so forth that would need to be dealt with. Most HOAs, my son unfortunately moved to

West Chester before this was built, but the situation is like a lot of HOAs they are pretty aggressive that making sure that their communities are well kept. My son, I can't recall what it was, he did not trim a tree out in the public along the street edge and he got a letter, get your tree trimmed notice, citation from the HOA. So, Mr. Hawkins you are in an HOA and I guess they pretty well, I guess the question is, it is in the interest of the owners to continue to keep their HOA active and to do what is necessary to keep their community up. Going that a step further under the Covenants and the restrictions under Woodlawn's requirement, and this goes to the section-8 housing and rental address, there is part of the disclosure in the HOA and the Covenants will not allow any more than 25% of their development to be rented. It is restricted in Woodlawn. There was also in Woodlawn an abatement of taxes. Would there be an abatement of Taxes, Mr. Ackermann, on this site?

Mr. Ackermann: Yes, there would be.

Mr. Okum: The same abatement situation as Woodlawn?

Mr. Ackermann: Yes.

Mr. Okum: It entices people to move in obviously and gives them a little bit extra cash to keep their taxes up. The question I have regarding the mailboxes. I understand the situation with the mailbox location but I would certainly like to see some, and we have done this in other areas in Hamilton County where there is an area to pull off so that people can get their mail without sitting their car in the middle of the street because a lot of times people will say, hey Ricky go get the mail out of the mailbox and it's your kid opening the door and going over to the mailbox to get the mail. So, I would certainly would think that it would be necessary. One of the things I did notice in Woodlawn during construction and it is still being built. A lot of lots sold and a lot of homes there and very well established. Is the buffer area between, what's that street, Woodstock residents is very vegetated and very weed grown. It doesn't appear that it is being addressed yet.

Mr. Ackermann: That parcel is owned by the Village of Woodlawn.

Mr. Okum: That is. Well they are not doing a good job of taking care of their back yard.

Mr. Ackermann: They asked to have that piece turned over to them for their control and their maintenance.

Mr. Okum: Oh, really.

Mr. Ackermann: Yes. So, that was part of the original development agreement.

Mr. Okum: Well I'm glad that it's public that Woodlawn doesn't do their job.

Chairman Darby: Be nice.

Mr. Okum: I'm being nice.

Mr. Ackermann: We offered to clear that and maintain that and it was the desire of the existing residents on Woodstock and the Village to let it revert back to natural greenspace.

Mr. Okum: It looked like a healthy bunch of weeds to me but okay, I understand. The other thing that was in the documents from Woodlawn was the construction hours are restricted from 8am to 6pm Monday through Friday.

Mr. Ackermann: That is correct.

Mr. Okum: That would be a standard that we would certainly want to see. I think at least speaking from my terms and benefit of the residents. So, based upon what you have stated to the community, the site could be built with 54 houses on that site probably in the \$150,000 to \$250,000 range possibly type of home or it could just be boxes with vinyl siding on them?

Mr. Ackermann: Correct.

Mr. Okum: I'm just saying that facetiously, but just please understand my understanding of why a PUD is of benefit to the community. Where their design standards in Woodlawn regarding so much masonry on the buildings, types of materials.

Mr. Ackermann: There we're not, we work directly with each of the builders to come up with different plans that we preapproved for them for each of the lots. So, most of the homes contained some form of masonry or stone on the face of it for a portion of it so that it was, the flexibility and allowed a variety of price points so that we did not incur many additional costs by requiring excessive finishes.

Mr. Okum: Mr. Shvezda indicated that there are two detention facilities that will be developed on to the site which would restrict the flow of water into that creek basin that goes along between the properties. The maintenance of that is up to the HOA?

Mr. Ackermann: That is correct so that it would not be part of the city's responsibility would be the HOA's responsibility.

Mr. Okum: A resident brought up MSD and sewer issues. For a number of years there was a lot of sewer issues. I can remember a sewer lid pushing up on Cloverdale at the bottom of Cloverdale and we had to bolt it down to keep it, keep the water from pushing it out. Have you received MSD and water, I see Mr. Abercrombie shaking his head yes. So, you have already received your water and sewer?

Mr. Ackermann: We have received our conditional availability from both of those utilities so that there is available capacity in the sewer system based on MSD's internal calculations and our projections that they can service us as well as CWW.

Mr. Okum: The utilities will be underground is that correct?

Mr. Ackermann: All utilities will be underground.

Mr. Okum: Let me see if I have any other questions on my list because I'm one with a lot of questions. Explain to me, and I understand the cuts, you're able to get on Volker Alley you are able to get four additional homes on a very narrow alley access, but some people would call and some areas a panhandle which we don't really approve in Springdale but in many communities is panhandles are all over the place. Is that the intent with that?

Mr. Ackermann: Well actually they have frontage on Kemper so we do have legal street frontage out along Kemper so we were actually using that. What we would prefer to do is make that a full road back there with some form of turnaround that would fit within there and not impact the FEMA flood plain or the green space area.

Mr. Okum: Oh, instead of that alley section behind those four homes? It would be better if it was. I mean T turnarounds are not popular but they are functional.

Mr. Ackermann: As we look at if there are four homes on that side and across there the side of the creek each one of those stubs, those alleyways have three homes each.

Mr. Okum: Right, I see that. What is the configuration, space those homes will face Kemper?

Mr. Ackermann: They will face Kemper.

Mr. Okum: Okay, so they will have rear entrance.

Mr. Ackermann: Correct.

Mr. Okum: They will have rear entrance, but the front façade will be on Kemper Road.

Mr. Ackermann: So, the front façade, the front door will face Kemper Road.

Mr. Okum: The other units along Volker Alley, all those homes along Kemper, which way will they face.

Mr. Ackermann: Everything will face Kemper. Everything on the alleyways will face Kemper.

Mr. Okum: Everything will face Kemper. Okay. That is all I have for now. Thank you.

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. Just a couple of things. One regarding the idea of the public vs. private alleys. This is really driven from the city's perspective by an inability to maintain the alleys. We do not have small equipment and we do not have any way of turning the equipment that we have around in order to perform snow removal and so forth so that was the idea behind the city's resistance to making the alleys public. I believe there, I think it is certainly possible to build them to the city standard pavement section which would hopefully take care of the deterioration of the pavement but it is not going to work if they're going to remain private I think that would enable them to make them slightly narrower or put in an inverted crown or something like that. But, I think it is important that they would be constructed to the city standard in terms of pavement thickness and so forth. Then the only other thing that I would maybe encourage Mr. Ackermann might want to share some of these pictures so people have a little bit better idea what your project is going to look like. If that is the Council's wish.

Chairman Darby: Oh, please we welcome that.

Mr. Ackermann: Alright. So, the first picture is of the Woodlawn Meadows development looking down the street, showing a typical streetscape with a mix of homes of both ranch and two story on a typical 60-foot wide lot. And additional shot showing, this is using the Hamilton County standards with a 28-foot wide street and the 4-foot sidewalk and the home sitting back 25-feet from the right of way. Another view with the typical streetlights. The idea of the landscaping that is typical for these types of homes, and again the average price on these was \$305,000.

Lady in audience off mic.: How many acres is in Woodlawn that they put these houses on?

Mr. Ackermann: Woodlawn was a gross acreage of just over 12 acres.

Lady in audience off mic.: And you put 47 houses on it?

Mr. Ackermann: 43 total.

Lady in audience off mic.: 43 not 47.

Mr. Ackermann: Correct.

Mr. Okum: That is because we have 23% greenspace.

Mr. Ackermann: A front façade of the home by Brookstone Homes and in this situation, we were still allowed to use individual mail boxes. A similar home by Chris Gorman Homes. Again, two of the builders that would like to participate in this development. A two-story home by Potterhill Homes. Again, this development utilized the same setbacks for front yard, side yard and rear yard that we are proposing. Another home showing the example of some of the stone masonry on the front of the home by Whelan Builders. An example of a home that Maronda Homes built. One of the larger homes with what would be a three-car garage as an option. This one is built by Potterhill Homes, another builder that we work with. I apologize that's probably enough to see. So thank you very much for letting me show those.

Lady in audience off mic.: Will you be clearing out all of the trees from there or will any of the larger trees be able to stay?

Mr. Ackermann: We will work to maintain as many large trees throughout the flood plain area. Can you get any of the images to come back up? In the middle of the site, thank you, in the middle of the site we would like to remove any of the invasive vegetation. So the Honeysuckle and any of the dead trees and remove those carefully so that we can then maintain any of the existing large growth, old trees and then install new trees to compliment those and then have that be part of the open space, the green space that would be maintained by the HOA.

Chairman Darby: Mr. Taylor, would you explain how the Tree Ordinance would come into play here?

Mr. Taylor: Well it doesn't really apply to residential.

Chairman Darby: Mr. Okum do have one more question?

Mr. Okum: Just one more question. Mr. Ackermann in regards to the walk paths on Kemper Road and on Smiley, the walkways the sidewalks. You've got five-foot on those?

Mr. Ackermann: Yes. On Kemper Road we have five-foot, excuse me?

Mr. Okum: And Smiley you have five-foot, or Rose. You've got Rose, you've got five-foot?

Mr. Ackermann: I believe at this point we have proposed four-foot for Rose and Smiley but would be open to making them five-foot. We would be connecting along Kemper Road, we have worked with the individual house at the corner of Kemper and Rose that we would be removing their existing sidewalks and putting new sidewalks in that would then compliment and tie in with all of the other proposed sidewalks and we would be continuing our street tree program on both sides of their property. So, the side facing West Kemper along with the side facing Rose so that it would basically complete the street tree program as well as the sidewalk program and incorporate their property into it.

Mr. Okum: The reason I mention width this because four-foot is standard. A lot of the communities are urging bike/walk paths vs. ordinary sidewalks to encourage more biking. We heard residents talking about safety of their children and the opportunity to get to a safe point. Your sidewalk along Kemper would go down to CVS, is that correct?

Mr. Ackermann: That is correct.

Mr. Okum: Okay, so basically with a family living in old Springdale, wanted their child to be able to walk down to the community center without walking on the street, they could go across Rose and down Kemper Road to get to a signalized, well get to CVS and then to a signalized.

Mr. Ackermann: They could actually go through Dorothy Lane and then around the cul-de-sac and there will be a sidewalk on the alleyway going past the parking area that we had designated there. Then the sidewalk will connect out to West Kemper along the open space so there will be an internal sidewalk that then connects out to West Kemper so a resident could have a choice of going all the way down Rose and connecting to West Kemper or coming through the development and connecting to West Kemper at the midway point.

Mr. Okum: So, you have built connectivity into it so families living there, as well as residents in the neighboring area could come through.

Mr. Ackermann: Yes. In working with a staff of the city, one of their strong suggestions and major enhancements to the plan was connectivity and it was the front facing homes on Kemper. So, when working with them, they were the proponents and advocates to have the homes face out but the rear loaded and take advantage integrating a new urbanist style house that is popular that we're saying and other communities into the development to provide diversity to the housing product and provide the connectivity so that new and existing residents could come through the community, connect down West Kemper, go past CVS and use the existing safe walkway system to get to the Community Center. So that was to a credit to your staff really promoting and including those ideas for us.

Mr. Okum: Thank you.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. Mr. Ackermann, with regard to the, what we were talking about Kemper, is there any natural buffer that is going to be along Kemper in terms of the mounding, trees or anything like that?

Mr. Ackermann: There will be street trees along there and actually we do not desire any mounding because we believe that the approach for the housing, that style of house is to be promoted to the street to provide connectivity to provide exposure to provide awareness so that those people connect to the community and they're not per say pushed back were shielded or hidden from it.

Mr. Hawkins: You have any photos of those rear entry style homes that you can share?

Mr. Ackermann: Yes, I do. Gregg, can you help me get to that?

(Talking off mic. not audible)

Mr. Ackermann: I can do it from here. Thank you. Excuse me one minute.

Chairman Darby: Do we have any 13 year olds in the audience to fix this thing for us?

(Talking off mic. not audible)

Mr. Ackermann: I apologize for all that. Is this large enough to be seen? So these are examples from Drees Homes, who has an interest in producing this style of house, to maybe not necessarily this exact style but as a representation of what a street scape would look like with this type of product. As I scroll forward I can show you what individual homes would look like. A typical floor plan. So, some of these homes have different front façade of options such as this or it could be like this.

Lady in audience off mic.: Is it my understanding that you will see the back of these houses from Kemper Road.

Mr. Ackermann: No, ma'am. This would be what you would see from Kemper Road.

Chairman Darby: Excuse me would you repeat her question? Thank you.

Mr. Ackermann: The question was, would this be what you would see, would you see the backs of these homes along Kemper. Would this what you're seeing here face inside the development and the answer to that is no. This is what you would see along Kemper.

(Lady in audience off mic. not audible)

Mr. Ackermann: Back on Smiley we have incorporated the widest lots the 60 foot wide lots back on Smiley which would then face smaller lots that are existing on Smiley and the first pictures that I showed that was developed and built in Woodlawn will be the typical homes that you would see back on Smiley Avenue. So, the smallest homes would face out onto Kemper and the largest homes would face back onto Smiley.

(Lady in audience off mic. not audible)

Chairman Darby: Could you repeat the question?

Mr. Ackermann: I'm sorry.

Chairman Darby: I'm sorry but for the record would you please repeat the question?

Mr. Ackermann: The question is what homes would be torn down to produce this development? There is an existing home at the corner of rose and west Kemper that would remain and it is privately owned it is not part of this development per say but we would work with them to incorporate it appropriately so that it didn't feel left out or feel excluded from the development. There are two homes that would be torn down and those are the ones closest to CVS.

(Lady in audience off mic. not audible)

Mr. Ackermann: Everything on Springfield Pike stays, we don't touch anything out there. If I may elaborate? The City of Springdale owns the property up along Springfield Pike and none of that property is incorporated or part of this development so it basically remains as it is in its current state until the City of Springdale decides that there's something different that they would like to do with it.

Mr. Hawkins: Mr. Ackermann, a couple more questions real quick. There are couple of concerns with regard to the flood plain and the creek. You've spoken with Mr. Okum with regard to there are a couple of ponds that are being put in. Does that specifically to address potential issues with regard to the flood plain and the creek?

Mr. Ackermann: The ponds that are being installed are to address the storm water that would be generated from this development. So, we have to retain and then per say clean and manage the water that is produced from the homes the streets and the driveways and sidewalks. So, the detention basins are going to manage that so it does not and nor increased flow to that creek during the heavy storm events. So, the creek will be maintained as is and they will put no additional flow into it but we will have to maintain anything that we have on our site to make sure that it is clean as it drains out into the creek.

Mr. Hawkins: Has there been any study with regard to the FEMA flood plain in regard to the construction and how that may impact that flood plain for that creek?

Mr. Ackermann: We have records that identified with the flood plain is and what we have to do to maintain it as it is. So, we cannot make any impact on that creek whatsoever. So, we have to maintain per say a perimeter and not increase any flow that goes into the flood plain that that is part of our responsibility not to make an impact on that creek.

Mr. Hawkins: So, you're basically saying that the idea is to stay away from that area with regard to construction opposed to doing anything proactively to try to impact that in a positive way?

Mr. Ackermann: That is correct.

Mr. Hawkins: Then, for staff, I understand Mr. Shvegza's statement that unless you had a certain threshold there is not usually a call for a traffic study, it is possible to still go in heavy traffic study done though right?

Mr. Shvegza: That is correct. There are, that is the threshold, it can be other things that would trigger that but that would be at the discretion of Planning Commission.

Mr. Hawkins: With regard to also for staff, a lot of talk has been about the cost of homes, \$200,000 to \$400,000, are there any communities or some provisions within the city where we have approximately that consistent range, \$200,000 to high \$300,000, I can't think of anything besides maybe Springdale Lakes and Glenview, is there anything else that we have in the city? With regard to the most recent building for that range of homes are we talking 20 to 25 years since we have had anything like that built?

Mr. Taylor: Twenty-five I would think.

Mr. Hawkins: one last thing for staff. We are talking about these rear entry homes that are going to be facing onto Kemper, the rest of them appear that they are going to be basically traditional driveway front door same side and thereabouts homes. And we have a lot of things in the building code with regard to what folks are allowed to do in the front yard, is there anything that folks should expect to be different in terms up with this PUD and what they are going to be able to do in the front yard or not allowed to do in the front yard?

Mr. Taylor: I would think that the home owner's association documents may be more restrictive than our current standards. Essentially our standards you're not allowed to have a fence in the front yard, you can't have any kind of HVAC equipment that kind of thing which I believe could be incorporated that would still apply to this development but again I would expect by virtue of what they're trying to accomplish that they may have a higher standard. That would be for Mr. Ackermann to answer.

Mr. Hawkins: Even our zoning code would still be in effect for those that had some concerns about that? Folks would not have pools in their front yard or basketball courts in their front yards as they are facing Kemper or anything like that? Thank you, Mr. Chairman.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. Couple of questions. I echo Mr. Hawkins' concerns and comments about traffic. You've heard numerous comments from the residents, and I myself would be concerned about traffic to the new homes to the residents that are there I guess I would encourage that if we could do something beyond the standard that we haven't met to look at the traffic and what impacts that we might have I think that would be beneficial for this development and for the current residents in that area. Second, I am going to back up all the way to the PUD. Mr. Galster talked about it a little bit. Planned Unit Developments, we have dealt with them with commercial properties and I understand the flexibilities that provides the developer and the city in developing that area and I have heard numerous advantages to night in regards to this development and how it would help in that regard. Are there any, from staff's concerns? I have not heard any disadvantages. Are there disadvantages to doing this PUD vs. leaving it the current zoning?

Mrs. McBride: As I mentioned in the beginning of my staff report one of the criteria of considering a residential PUD has to do with preserving natural areas and natural features and as an applicant or developer was to go in and develop this under the conventional zoning then they, given working with FEMA and the Core of Engineers they would be able to go in and just basically take all the trees down and they have to again work within the boundaries of the flood plain but they could go right up to those. So, one of the benefits of the PUD is that we do require 20% and in this case 23% of open space is being provided whereas under traditional development no open space would have to be provided. Then secondly is to have this development almost act as a transitional land use between the more intense use is on Springfield Pike and Kemper Road going back into the old Springdale area.

Mr. Bauer: Okay, thank you. Couple of more things.

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. Just to, I guess kind of continue that thought, as was mentioned by Mr. Hawkins we haven't really had a residential development in town for ¼ century. In other jurisdictions where there is a considerable amount of residential development it is, I would say the norm at this point that new residential development is actually done in a PUD regime because in general jurisdictions want to have a higher level of control over what is going on than is afforded with "straight zoning". That is all thank you.

Mr. Bauer: The third thing is, we talked and Mr. Ramirez talked a little bit about the home values for your Woodlawn development and subsequent values in the approximate area. Is there a way, physically, that a resident could now look at properties, the county's web site, would that gave you appraisal values that would be, I'm not sure how long your development has been there in Woodlawn to know how the appraisal values of homes in that area have been impacted?

Mr. Ackermann: Unfortunately, not long enough because it is not, properties have not been reappraised by the county assessor at this time or the auditor so it is up to them, I believe every five years to make an appraisal of the of the Real-estate throughout the county. So you'd have to look it probably the sale price of homes and that sub-market to see how the impact has been.

Mr. Bauer: Okay. Thank you. Lastly, a little bit about what I am seeing here in my comments. I guess, what would be the, it looks like the residents that would be built along CVS or close to CVS is there a buffer there? It looks like there might be a mound.

Mr. Ackermann: There is a buffer there, yes.

Mr. Bauer: So, that's taken into account by a mound with, I'm assuming, with some landscaping along that area.

Mr. Ackermann: That is correct. On top of it.

Mr. Bauer: Then lastly, as my first look at this when I got this over the weekend was, wow there is a lot of homes along Kemper Road. I still believe that as I look at it and that concerns me and obviously concerns the residents that are near by but it seems like that could be scaled back somewhat. To not be so congested along Kemper. I think the rest of the spacing, and I know you are here to make a profit in developing that land, that's the area that concerns me the most. Thank you.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. Two questions. Mr. Hawkins had me thinking about, I am visualizing what these homes look like from the outside looking Kemper Road in. Does the Home Owner's Association eliminate sheds or is there a requirement to go to a Home Owner's Association to put a shed your yard?

Mr. Ackermann: Yes there would be. There would be a requirement

Mr. Ramirez: But it is possible to put a shed in.

Mr. Ackermann: It would be possible, it would seem to make sense on the larger lots but not on these smaller lots.

Mr. Ramirez: Okay, and finally to tag along with the volume of the homes, it seems like the property, it sounded like you are about 12 acres, 13 acres down in Woodlawn with 45 or 47 homes and we have 9 more homes here with almost the same size property.

Mr. Ackermann: Yes. That is correct.

Mr. Ramirez: You know I agree with the volume of the homes, I would like to see that scaled back somewhat, especially on Kemper Road. Thank you.

Chairman Darby: Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. For clarification for the applicant and also staff. The concern about the private drives not being brought up to standards. The concern in that point is the heavy trucks that would be going back there. The moving vans, delivery trucks and then if there would be a catastrophic failure you would have several pieces of fire apparatus back there and if the roads, the alley was not brought to standard then the damage to that would have to be incurred by the HOA? So that was a matter of clarification on that. My other point is for the developer is your detention basins that you are constructing, who is going to maintain this?

Mr. Ackermann: Those will be maintained by the HOA.

Mr. Hall: Okay. One last point. You've indicated a lot of prices for, price points for your houses, what is the price points on your lots?

Mr. Ackermann: Between \$45,000 and \$65,000 per lot.

Mr. Hall: Thank you. Thank you, Mr. Chairman.

Chairman Darby: Mr. Okum.

Mr. Okum: Just a comment, Mr. Taylor mentioned it before, oh my mics not on. Just one comment. At Regional Planning which represents all of the townships in Hamilton County, there's literally one out of maybe 20 or 25 residential developments that come through that go for a single letter zoning request. Single letter for those that are here is a zoning request based upon the land as it is currently zoned. The double letter in Hamilton County zoning is PUD. Simple terms. So, just to understand reasoning and logic to that. There has been a lot of problems were developments have been approved over the years in single

letter zoning. Colerain Township recently endorsed a single letter zoning on a commercial property and then because they endorse a single and are zoning as approved an ultimately the developers building something totally different than what Colerain Township anticipated so they were not a bit happy. So it does happen. I guess I've heard the commission's comments in regards to the safety issue. Rose Lane particularly. One person mentioned the need for a traffic study to evaluate that. What is the timeline for a traffic study Mr. Shvegza, for Kemper Road and Rose?

Mr. Shvegza: I'll ask the consultant in regards to his dealings with those in the past. I know they can be done fairly quickly in this regard here.

Chairman Darby: Could you come to the dais please?

Mr. Rothert: I'm Bob Rothert with Abercrombie and Associates. As far as a full-blown traffic study, there would have to be traffic counts that would have to be collected unless those are available so you're probably looking at the 60 day range to do a full blown traffic impact study. Typically, on sites with 52 lots, I know even in Hamilton County Mr. Okum, the county engineer does not require a traffic study until you basically 100 lots typically.

Mr. Okum: Which are telling us is that we got a problem already we're disconnected at a little bit more aggravation to it. The residents are clearly said that we've got a problem here.

Mr. Rothert: I can guarantee you

Mr. Okum: I think with six out of seven council members here, I think they pretty well heard that that we have a problem on Kemper Road folks. So, whether this project goes or not goes I think we have a problem that it needs to be looked at. Do we have lane width ability on Kemper Road Mr. Shvegza, for a turning lane?

Mr. Shvegza: The only location where we have that is in the area where the Maxey Lane cul-de-sac comes out onto Kemper Road. The remainder

Mr. Okum: Does Kemper Road have lane width?

Mr. Shvegza: No, it is strictly a two-lane road.

Mr. Okum: It is built out full to the edge?

Mr. Shvegza: A small shoulder on each side.

Mr. Okum: Okay just so I understand. Okay and your building to your property line so that pretty well sets it. Where they are at now. Okay. The other item I guess is in regards to the density and I've heard two Planning Commission members mention density. The 40-foot lots are the toughest nuts and the 35-foot lot next to Maxey Lane is, I'm reading maybe it is 38 but, right there on the corner.

Mr. Ackermann: I believe that you might be reading a setback number.

Mr. Okum: Oh, is that my setback number, 35+, what's my lot width? 50, oh, okay. I was reading the setback number so that makes a difference. So you're 40 foot on the majority of them along Kemper Road and we've got two that are 50-foot wide.

Mr. Ackermann: Increasing on the entrance. Correct.

Mr. Okum: Not a lot of changes requested by this commission right now. So, then is there something that you can do with that Mr. Ackermann?

Mr. Ackermann: Not desired at this time because, as an example working with the Village of Woodlawn we were able to purchase that property from them directly. This property is being purchased privately and we're paying five times what we paid the Village of Woodlawn. So, to make this economically work for all parties involved we need to be able to use the density that is really available to us based on the low-density zoning and try to maximize in an efficient and responsible and plan but preserving the open space and exceeding one is required under the PUD. So, what if the concern I think the overall design of the development with the streetscape that will be produced with these front facing homes that or rear loaded being serviced by alleyways and creating an attractive colorful streetscape as you go down would be appropriate responsible and attractive and is economically desirable to make this work for us.

Chairman Darby: I hear that concern also but in my opinion that would be if it's a problem would be the problem of the residents. Initially it is going to be a marketing business plan decision. If you feel you can sell them that way and it can be profitable and it can work, that is on you. The bigger issue I am hearing, and there's lots of other issues folks. Those dog gone deer, that's a tough one. But, traffic and I don't know, Mr. Shvegzda, when we have a real tough issue we go to him, but we need to do something to have a better idea just what that traffic situation is going to look like.

Mr. Shvegzda: I guess, we've heard the discussion here that a lot of that traffic issue exists right now. I know just coming over this afternoon the traffic heading west bound, east of Route 4 was very heavy I was a lot of traffic there. There are things that are occurring right now that may be an issue beyond the development that is occurring.

Chairman Darby: What we are concerned with it's just how much will it be exacerbated by what is being planned and is there something short of a 60 day full blown traffic study that would give us an answer?

Mr. Shvegzda: Not something that would give you the answer that you probably would be looking for. I mean it would take that long to properly do an impact study. It was noted that we need traffic counts. All of that needs to be taken into consideration and that takes an amount of time to do.

Chairman Darby: That's a problem. Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. I have an interest with regard to the traffic study. I also have an interest with regard to the feasibility of the reduction of the number of lots. Particularly on Kemper Road. I understand that the mindset, and crunched numbers and I understand all of that. I'd be a little surprised if there's zero flexibility in that number and reality wise if you got rid of one of those lots on the western most part of the Kemper Road side, that would make a significant difference. So, in my perfect world, I think the hardest part is how fast things move particular with regard to the traffic study. These other things that I think you can sit down and talk with staff about. The other thing I have an interest in is, there have been a number of residents of had a concern with regard to property value. I know that Woodlawn is not going to be something that we can use because it takes some time and some of those

houses, the best time I went through there are still being built. I don't know if you guys built a couple in Colerain?

Mr. Ackermann: College Hill.

Mr. Hawkins: College Hill. I don't know what if any of the other developments you did that of that around for a while, if there are studies that could be looked at with regard to that. I personally disagree with the premise that having \$200,000 to \$400,000 homes is likely to bring down the value. They understand the concept during construction obviously that is an issue. I was always taught you don't have the most expensive house on the street because you want to be generating value from the home so I think there is a benefit to the residents overall in the surrounding area for that. Overall, this is a development in concept with regard to these priced homes that the city, I think will benefit from. Not in terms of tax revenue but in terms of presenting another opportunity, as you heard the chairman talk about the mosaic of the city, that when they attract other individuals coming into the city. There are a number of people that I know who grew up in Springdale who grew up in the Princeton District that would love to have their kids in Springdale or in the Princeton District and they have built homes in Monroe, in Liberty, in West Chester because there was not a place in which to build. I, before this came up, I didn't even envision that this is a place to build. I'm thinking about Glenmary Mission and when they ever sell that off and think well that is going to be the next place where we will build new homes in Springdale and then this comes up. I think there is a need in terms of for our city going forward. Now how that gets played out, that is the question, and we want to make it a fit for everybody who lives particularly from the area but for the whole city. Nobody wants to make any residents feel out of place, or crowded, or make their ability to go to and from work any worse than what it is. We want to try to improve anybody's situation. Those three things I have an interest in. I think the traffic study maybe, obviously you have heard from everybody the traffic is a significant thing. I don't know if it is possible to start that process and maybe get information with regard to the value of other developments as well as having some conversation with staff if there is any flexibility to reduce the number of lots particularly in that area that I talked about then come back and have a tabled in a month. The reality of it is, if this planning commission decides to approve this and send this on to Council, I can't speak for the council members here but they may want that information regarding a traffic study and the reality is that is going to take some time so if the process was started now, if this got approved, Council would at least have that information going forward as they are going to make a decision on that. Six other council members may not care but they may because six of them are here tonight and you've heard everybody talking about the congestion and traffic so it's just a thought if there is any interest in tabling it for a month?

Lady talking in the audience off mic.: Mr. Hawkins, I've got a question on the traffic. They tried to route that traffic. I don't know how long you have been here in Springdale, but they

Mr. Hawkins: Since I was five.

Lady talking in the audience off mic.: What?

Mr. Hawkins: Since I was five.

Lady talking in the audience off mic.: I don't know how old you are.

(Laughter and people talking off mic.)

Chairman Darby: Where is our mic. Excuse me where is our MIC. Well she's got a question on the floor.

Lady talking in the audience off mic.: That Value City project they went around, down Northland and tried to reroute the traffic to help improve the traffic in Springdale. That was a big flop. I mean they don't use that any more or anything like that so I don't know what they can do or anything like that but they have tried stuff but it didn't work. I just wanted to bring that to your attention if you even know about it or anything like that.

Mr. Hawkins: I appreciate that and I don't know what the answer would be. The interest really, there is obviously a lot of concern and so sometime when we look at something and we get more data it may confirm that the concern is as we thought it is or it may be worse or it may not be as bad. So, I just think it is data that would be helpfully and at some point if this was approved and it goes on to Council, I'm guessing that those other six people would probably want that information. Maybe they wouldn't, maybe I'm wrong. In terms of what you can do about it maybe there is nothing that can be done but it is good to know. If someone looks at it if there is something else that can be done to help improve that situation for everybody that is sitting here.

Chairman Darby: Mr. Okum.

Mr. Okum: Mr. Ackermann.

Mr. Ackermann: Yes.

Mr. Okum: I don't think we are going to get a five vote right now. I would suggest that we go the route with the traffic study. If, and I am encouraged by this type of development for Springdale. I think it is positive, I think it is enlightening. It brings a little bit of spark to our community and I know it is an impact. Change is always an impact but on the other hand, Springdale can use a little bit of a spark in its residential base. It has been spoken to this evening that we have lost residents, including my son that moved out of Springdale because we don't have a housing stock that is there for him. He loved the community, he went to Springdale Elementary, a lot of you guys know Joe. He would have lived here but the thing is that he moved. We need to be able to provide opportunities for our residents now and our residents in the future. So, based on that are you willing to go through the study process for this to be moved forward? I think we still need to deal with this lot density issue.

Mr. Ackermann: I think I can respond to all three things.

Mr. Okum: If you would please.

Mr. Ackermann: The issues that are raised. Mr. Hall's point, Mr. Bauer and Mr. Hawkins' point. Quite simply on the traffic study, I am aware that Kemper Road is a problem. That is a fact. Our development is not going to impact that in any significant way. Will it impact it? Yes. Will it be significant? No. A traffic study will show, based on the data that was provided and standard information that is available to all Traffic Engineers, that this will not have an impact. We can go through the process, but I can state confidently that the results are going to show that this development, based on the number of homes, types of homes, the trip generation numbers are not going to provide any further information to require us to do anything. It will produce information but will not be any different than what we provided today. So, if it's the commission's desire to

have it tabled to have us do that, that's your choice and we will abide by that but I am stating a fact now of what will happen. So, we can go through the process but we will be back here. We'd prefer to do it as we are going through the process with you rather than table and wait. In terms of a density issue, it is the benefit of losing a lot, a lot does not make nor break this development, but it is more of the spirit and the principal of we are coming here with less than what we are allowed to do and we are trying to bring more homes, more residents, yes more tax base. More tax base and more potential students. If you want to remove that and that is your request, I'll honor that. Does it cost me a little bit of money today? It costs you all a lot of money over the life of the project. This is your community. You all make that call. So, I have been through this a number of times, I know what the impacts are. I can live with it and I am willing to do it but just know what you are asking for when you make those requests of me.

Chairman Darby: Mr. Ackermann.

Mr. Ackermann: Oh, may I interrupt Mr. Chairman.

Chairman Darby: Sure.

Mr. Ackermann: In terms of public/private street, I would be happy to build the alleyways to public specs but with some type of modified turn around or no turn around and keep them maintained by the private so that there does not present a problem like Mr. Hall, and thank you for clarifying and correcting. I apologize if I was maybe assertive in my response, I now understand, I misinterpreted what you were speaking to me about, but I would honor that request and do so for the betterment of the HOA and for the city long term and keep them private.

(Lady speaking from audience, not audible): Said that traffic won't have an impact.

Chairman Darby: No, that is not what he said.

(Lady speaking from audience, not audible): overnight.

Chairman Darby: That is not what he

(Lady speaking from audience, not audible): The construction traffic alone is going to be mind boggling.

Chairman Darby: Thank you. Mr. Ackermann, I can appreciate what you just said, your response is there but I am listening to this commission and we could go to a vote this evening. You've heard the same things.

Mr. Ackermann: Mr. Chairman, I'm happy to have you table it. I just wanted to state my position. I respect the commission, I just ask that you hear my position and keep that in mind as we move forward so that if the information as I presented and anticipate it being forthcoming, if it does turn out that way please respect that.

Chairman Darby: Did you have a comment?

Mr. Meierjohan: Could I have a quick word with Mr. Ackermann.

Chairman Darby: Sure.

Mr. Ackermann: This is my partner, Ralph Meierjohan.

Chairman Darby: Mrs. McBride.

Mrs. McBride: Mr. Chairman, if in fact it is the commission's decision to table this issue, you will want to continue the public hearing in progress so that you can take any new testimony either from the applicant or from the public that may come forward.

Mr. Okum: I was prepared to do that.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. I was wondering if it would be helpful to the applicant if we would make suggestions what we would like to see so that he is not shooting blindly and coming back with a different plan. I think he understands on the density issue on Kemper Road. If we have any other concerns, we might convey those to him now so that he could come back with something different.

Chairman Darby: Okay. Mr. Okum.

Mr. Okum: The only thing that I think that this commission should be aware of and have a firm understanding of the Covenants that in the restrictions on the site and that would I be making a motion this evening I would say that along with the Law Director and staffs review of the Covenants it should also be this commission's in review of those Covenants as well.

Chairman Darby: Are there any other issues that we want to put on the table before I ask for a motion for a continuance?

Mr. Okum: Just one other thing. Can we not have Alley and just have Lane? Alley is just such a, I would rather, I'm sorry.

Chairman Darby: It depends on where you grew up.

Mr. Okum: Maybe so but I am just thinking, Alley just sounds so tacky.

Mr. Ackermann: I would say,

Chairman Darby: He wants

Mr. Ackermann: In terms of things like that,

Mr. Okum: All who wants Alley, raise your hand?

Chairman Darby: He wants a Boulevard.

Mr. Okum: I'm sorry.

Mr. Ackermann: Springdale needs to decide what is appropriate for the City of Springdale in a name and things such as that.

Chairman Darby: With those things said the chair will request a motion that this item be tabled until our next meeting.

Mr. Okum: Continued.

Chairman Darby: Continued.

Mr. Okum: Mr. Chairman I would like to move to continue the hearing in progress at the request of the applicant. Sorry.

Mr. Ramirez: Second

Chairman Darby: It has been moved and seconded that this be continued at the request of the applicant. Secretary please call the roll.

(Secretary called the roll and the motion to continue the hearing in progress was passed with a vote of 7-0)

Chairman Darby: Mr. Ackermann, don't be discouraged.

Mr. Ackermann: Oh, no.

Chairman Darby: It is my experience, and the two gentlemen sitting there in front of me who were here also can attest, it has been the history of this commission to measure twice and cut once. So we are very encouraged and we will see you next month.

Mr. Ackermann: Thank you very much Mr. Chairman, thank you commissioners.

Chairman Darby: In the meantime I'm sure you will be in touch with staff if any questions or issues come up. With that I'm going to announce, I'll compromise, seven minutes break.

- B. Meda Care, 12190 Springfield Pike, Springdale, Ohio, Conditional Use Permit (Application 33947) Public Hearing.

Chairman Darby: At this time we will reconvene. Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. This is going to be a little more brief. I apologize to you guys for the length but it is what it is.

Chairman Darby: We have another two hours in us.

Mr. Taylor: Ata way.

Mr. Shvezda: Speak for yourself.

Mr. Okum: Like old days.

Mr. Taylor: This is the property in question. It is the former Tire Discounters, excuse me. It is zoned GB and it is also within sub area A of the Corridor Review District. The application before you all tonight is a Conditional Use Permit to allow automotive repair of fleet vehicles. As a part of the application, the folks at Meda Care would like to repaint the building and this is just, this is in your packet of course, it's just a slide that shows the colors that they are looking for. That is all that I have. I will pass the torch to Mrs. McBride.

Mr. Okum: Do we want to do the swearing in first and open the public hearing?

Mrs. McBride: Well it is a public hearing just as the last one was.

Mr. Okum: Well we have not sworn anybody in and it is a Conditional Use.

PLANNING COMMISSION MEETING
14 AUGUST 2018

PAGE 42

Mrs. McBride: If you would like to do that it would be fine.

Mr. Okum: Should we do that now or you first?

Mrs. McBride: Do it now, it's fine.

Mr. Okum: If you are planning on speaking we need to swear you in for purposes of record.

(Talking from the audience, not audible)

Mr. Okum: Raise your right hand and repeat after me.

(Member of the audience were sworn in)

Mr. Okum: Mr. Chairman, the one person that may be speaking is sworn in.

Chairman Darby: Okay. Mrs. McBride.

Mrs. McBride: Thank you. The property that is before you this evening, second property that is before you this evening is the property there at the southeast corner of State Route 4 and Crescentville Road, it is the former Tire Discounters' site. It is zoned GB or General Business District and it is also located in Sub Area A of the Corridor Review District. Automotive repair facilities servicing vehicles owned by the general public, which is important to remember, is a conditional use within the GB district. So the applicant has requested a Conditional Use Permit to be able to service automobiles, vehicles in that district. However, the vehicles that they are proposing to service are actually fleet vehicles that belong to Meda Care that they use for transporting patients to and from appointments and so forth which is not permitted by the definition of automotive service. So, we are actually doing two things here. We, they are requesting a conditional use to allow for the automobile service and they are two, requesting a determination of a similar use in that the automobile automotive repair of public vehicles to the general public is similar to that of fleet vehicles. Actually it is probably a reduced number of trips in and out of the site, it is certainly a more controlled standard. So, the Planning Commission is going to need to look at the A-G standards for Conditional Use that I have included in my staff report and then in considering the determination of the similar use you need to make a decision whether or not we want to amend the zoning code to allow the service of fleet vehicles within the GB district as a conditional use or do we want to amend the definition of automobile service in the code to strike that portion that says, to the general public or do you just want to leave it all as is and just make this one time exclusion. Does that make sense? Clear? No.

Chairman Darby: Clear as mud.

Mrs. McBride: Are you good?

Chairman Darby: And your recommendation?

Mrs. McBride: My recommendation would be probably to either amend the definition or to let it go as it is. I think this is a kind of one-off situation.

Mr. Okum: I'd be inclined to leave it the way it is. Just make it a one-off.

Chairman Darby: Yeah, right.

Mrs. McBride: That's fine. The applicant is also proposing to paint the exterior of the existing building and to reseal the parking lot. Yes, let the record show that the Chair is pleased. They are proposing to paint the existing blue saving the white stripe and then obviously the Sub Area A has standards as does the Corridor Review District with regards to the earth tone colors. We have advised the applicant that they need to bring the actual paint swatch for Planning Commission review as obviously printers are

different. My printer will print it different than your printer. The CRD Sub Area A requires 25% of the site to be open.

Chairman Darby: Mrs. McBride, you say for the commission or for staff? We have been putting this off.

Mrs. McBride: Well we have asked for it, we didn't receive it so I am saying for the commission this evening.

Mr. Okum: We still don't have it.

Mrs. McBride: I am assuming that the applicant is going to give that to you in your, in his presentation he will be addressing that comment. Right now the CRD requires 25% of the site remain as open space and there is no proposal to reduce that amount of open space. There is also no changes, no signage that is proposed at this time either free standing or on the building. Based on the 4,724 square foot building and the six service bays the site is required to have 18 parking spaces and they are going to be striping 11 parking spaces. So, Planning Commission does have the ability to reduce the number of parking spaces that are required, however; we would say that all vehicles on the site need to be parked in marked parking spaces or within a service bay. If you go by at different times you will find vehicles that are on the site that are being worked on that are not in a space and not in a service bay so that's not to be permitted. Right now there is a dumpster without screening between the building and Crescentville Road. That needs to be in an enclosure as required by section 153.254(G) which is that it would be constructed of materials that would match the building, that it would be landscaped, that it would have gates, etc. So that needs to be provided. Currently on the east side of the building, there is what was a dumpster enclosure it is a chain link fence with plastic slats. That is being used for the storage of auto parts and so if there is to be outdoor storage that that would need to be consistent with the provisions of section 153.253(E)(10) and reviewed and approved by Planning Commission. There are no changes proposed to outdoor lighting. We would suggest that the commission adopt a condition on the Conditional Use that only fully operational and licensed vehicles of Meda Care and their employees are to be located on the property, that all work on vehicles needs to be done within the building and not in the parking lot, and that the existing site landscaping is in need of attention. The shrubs need to be trimmed, there are weeds that need to be pulled and the grass needs to be cut. So those are all of my comments.

Chairman Darby: Mr. Shvegza.

Mr. Shvegza: Thank you I have no comments.

Chairman Darby: Mr. Okum.

Mr. Okum: Mrs. McBride, it is possible that we can require that the parking vehicles for anything other than just a couple hours that they be on the northeast parking area instead of in front of the building?

Chairman Darby: Around the back.

Mr. Okum: Around the back because they don't really, I mean it looked trashed up with all of the trucks in front of it the past couple of days and I don't see a reason for that. Certainly they have plenty of area on the side that they can park them at.

Mrs. McBride: I think it just depends on how many vehicles that they are servicing at the time and then also then their employees would be parking out in front of the building.

Mr. Okum: No, there is plenty of space on the northeast side of it.

Mrs. McBride: They are only proposing to stripe 11 parking spaces.

Mr. Okum: Then those 11 spaces should be over there.

Chairman Darby: So, you are saying a total of 11?

Mrs. McBride: That is what they are proposing to stripe.

Chairman Darby: Sir, typically how many employees do you have at a given time?

Mr. Weidger: We have five over there.

Chairman Darby: Five. Then 11 is not, I drive past your place umpteen times a day and it just looks as, that is one of the entries into our city. It just looks so congested at all times. If we can do something about parking vehicles that aren't being, well you are going to be servicing the vehicles inside anyway.

Mr. Weidger: Yes.

Chairman Darby: Is there a problem with them parking in the rear?

Mr. Weidger: Just getting into the garage doors. There's six garage doors. I don't have a problem with putting everything toward the back. We are going to move the dumpster behind the fence and putting slats in there.

Chairman Darby: Right so

Mrs. McBride: No, no, no, no. No, that is not what staff's recommendation was and obviously it is up to the commission to decide that. The applicant is

Chairman Darby: Let's deal with the parking first and then we will deal with the slats. So, if a vehicle is not in the bay, in one of the bays, could it not be in the rear?

Mr. Weidger: You are talking towards

Mr. Okum: Crescentville Road.

Mr. Weidger: Yeah, yeah.

Chairman Darby: That would be preferable.

Mr. Okum: I mean you could get

Chairman Darby: But, if that is the case then you are going to have to stripe more than 11 spaces.

Mr. Weidger: I know what you are saying. On the Route 4 Corridor there should not be any vehicles parked out front.

Mr. Okum: You can get ample parking here.

Chairman Darby: But, they are all the time.

Mr. Okum: That's private then parking across here.

Mr. Weidger: Yeah, I agree with that. We don't have a problem with that.

Chairman Darby: Thank you. Now let's Slat.

Mrs. Sullivan-Wisecup: Let's slat it up.

Mrs. McBride: I'll let the applicant present their position but staff's position is that this is a Conditional Use, that is a non-conforming waste enclosure that has been there for many many years, it's in very poor condition, it does not meet the city code today, it is

on the corridor district and that it needs to be brought into conformance with a solid masonry enclosure with solid gates.

Mr. Okum: That is not the storage area?

Mrs. McBride: No that is the waste enclosure.

Mr. Okum: The dumpster.

Chairman Darby: Your turn.

(Talking from the audience – not audible.)

Mr. Weidger: So you want a small masonry, now the other challenge that we have here is that this is a temporary location for us. We were only planning on being here for six months to a year and a half. I must have missed that when I read everything.

Mrs. McBride: Well whoever occupies that property in the future this same condition would apply. It still would be a non-conforming use and it needs to get cleaned up.

Mr. Okum: Staff's recommendation, I'm going to support staff's recommendation on it. I'm also going to support staff's recommendation that there should not be outdoor storage on the site.

Mr. Weidger: I'm ok with that.

Mr. Okum: The enclosure with the slats and all of that and that storage of parts.

Mr. Weidger: There's one

Mr. Okum: It doesn't need to be there.

Mr. Weidger: There's one vehicle in there, it is cut in half but we are going through a police investigation right now and we didn't have anywhere to put it, so that will be going away.

Mr. Okum: Yeah, that should go to an impound lot or someplace like that if it is under investigation. Thank you. I'm done.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. At any time will there be vehicles unlicensed or non-running vehicles?

Mr. Weidger: No.

Mr. Ramirez: So you won't store any that are not.

Mr. Weidger: No.

Mr. Ramirez: Okay. That is all I have. Thank you.

Chairman Darby: Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. This is a question for staff. Being that it is a very temporary, limited facility, six months to a year, would staff consider letting the applicant maybe put up a chain-link fence with slats in it with two gates on it to conceal the dumpster?

Mrs. McBride: No, because anybody that goes into that building after them, we are going to be faced with the same situation whether they are there six months or two years and the next guy is there six months or two years. The situation is that the

dumpster enclosure needs to be brought up to code. I would also like to ask the commission that now that we are not sure exactly where these parking spaces are going to be striped that prior to them doing that that they need to submit a site plan because we have no site plan on this. So that prior to them doing that that a site plan needs to be submitted to staff for review and approval to make sure that the spaces are the correct size and so forth.

Chairman Darby: Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. This is a question for the applicant. Would you be willing to contact the owner of the building to see if he would participate in that since it's going to be a long range thing?

Mr. Weidger: They are a no go.

Mr. Hall: They are going to have to do it sooner or later.

Mr. Weidger: I know but they are not.

Mr. Hall: Okay. Thank you.

Mr. Weidger: They told us that.

Chairman Darby: Well we have the issue here. You need this certificate to occupy.

Mr. Weidger: No, I understand.

Chairman Darby: That's what will be reflected in the motion.

Mr. Okum: All four elevations of the building are to be repainted per the color pallet submitted.

Mrs. McBride: That is my understanding. We don't have elevations, but that is my understanding.

Mr. Okum: All four. I'm just going to say all four elevations to be painted.

Mr. Weidger: Yeah, all the way around. It looks awful right now. It's hideous.

Mr. Okum: I'm surprised the landlord who owns it doesn't care. Just for the record, is the building owned by Tire Discounters?

Mr. Weidger: Yes.

Chairman Darby: Still.

Mr. Okum: Still? Okay.

Mr. Weidger: So we will look into getting the masonry stuff.

Mr. Okum: Okay, so based upon that are we all ready? I don't see lights. I'm going to make a motion Mr. Chairman. I move to approve the application for a Conditional Use Permit for 12190 Springfield Pike, application 33947. In this motion is to be based upon specifications and designs provided in our meeting packet and it shall include our staff's, City Planner's recommendations and considerations in her report. This motion also includes parking and site conditions that the applicant provide staff, to review and approve, a site plan with designated locations for cars and vehicles to be parked and the pleasure of this commission is that that parking should be pushed to the northeast portion of the site. All four building elevations to be repainted based upon the color pallet submitted this evening. Did I miss anything?

Mrs. Sullivan-Wisecup: Solid masonry enclosure?

Mr. Okum: That was Mrs. McBride's conditions so we are good.

Mr. Hall: That's part of it. Second. Mr. Chairman I would like to second that motion please.

Chairman Darby: It has been moved and seconded that this submittal be approved as indicated by the motion. Secretary please call the roll.

(Secretary called the roll and the motion was approved with a vote of 7-0)

Chairman Darby: You got it. One comment, not that you need it but, to me you seem like, fix the car and the vans kind of guy. All of this site plans and enclosure and that might be a little bit foreign to you, so as you move forward, and I say that with all seriousness, as you move forward please stay in touch with these folks.

Mr. Weidger: Okay.

Chairman Darby: It will work out. Thanks a lot. Sorry we had to keep you so long.

Mr. Weidger: Thank you.

- C. Professional Design Associates, 1300 Century Circle North, Springdale, Ohio, Revised Development Plan (Application 33948).

(Continuance requested, see comments and vote on continuance under item A, OLD BUSINESS section of these minutes.)

IX. DISCUSSION

Chairman Darby: Mr. Taylor.

Mr. Okum: You guys are going to hate Mr. Taylor.

Mr. Taylor: I apologize, given the hour but I do have a couple of thing to discuss.

Chairman Darby: That's okay we'll go on overtime.

Mr. Taylor: The first thing concerns our Final Development Plan approval process and this is specifically referring to the Springdale Commerce Park, Strategic Capital (GEEAA). As everybody knows this is a large complex project and there is some time constraints involved with getting this thing going. Particularly with the expenditure of TIF dollars and a whole bunch of other stuff. So, the long and the short of it is, in order to try to move this thing along to the best of our ability and still maintain a level of closure on this whole thing and control from you folks, we are hopeful that we can kind of approve the Final Development Plan in pieces if you will and in stages. The first one is actually going to come, the first one of these pieces is going to come before you folks next month and it is basically it is being called the Mass Excavation piece. You may recall from all of the work that you guys have done on this thing there is a tremendous amount of site clearing and excavation to be done in order to get the building pads ready to go and so the goal here is to get them working. We are going to, Mr. Shvezgda and myself and Mrs. McBride and Jeff Agricola our Public Works Director have been trying to work out exactly what level of detail we need to have in order to present something to you folks that we feel comfortable with as we go down the road. So, I just wanted to kind of give you a little bit of background on that when you see an incomplete Final Development Plan. The glass half full way of looking at this is that we are actually getting a head start on getting part of this approved rather than waiting until the bitter end to get it all done. So, we are hopeful that that meets with your approval. We have talked to the Law Director and there is nothing in our process that does not enable you

to do in in this fashion. So, I guess we are comfortable from a staff and Administration level that we can go forward in this manner. Just wanted you to be.

Mr. Okum: So it will be a Final Development Plan, Phase 1?

Mr. Taylor: Correct.

Mr. Okum: And Final Development Plan, Phase 2?

Mr. Taylor: We are probably going to get at least three, maybe four.

Mrs. McBride: For each building.

Mrs. Sullivan-Wisecup: That's fine.

Chairman Darby: I would like to add one thing. I think that this piece is very very important because we have some residents living over there, literally in the jungle. This will alleviate some of that.

Mr. Taylor: Well, we are, one of the things in conjunction with that, the current property owner is a little bit less cooperative than we expect Strategic Capital to be in terms of property maintenance and so forth so I think we are looking forward to them closing on the property Friday. So, I think that is a positive for all concerned. So, that is thing 1. Thing 2, everybody is aware of the City's property, the former hotel site. Bunnell Hill, a.k.a. Henkle Schueller if you will, that's the developer that has been selected to go forward with the project. They need some more signage. They need to be able to attract the attention of people going by on 275. They approached us about getting an additional sign, I looked in the code, what they want does not comply. I told them that they would have to get a Variance. That's not really correct, as Mr. Okum pointed out to me the other day.

Chairman Darby: He's like that.

Mr. Taylor: The Sheraton property is part of a PUD and therefore you all have the ability, as this body, to grant some relief from the zoning standards to enable them to put this sign up and then that way they don't have to get a Variance and the Variance would not stay with the property, it would be specific to what you were approving. So, they applied for a Variance that was actually, that was supposed to be heard next Tuesday and in an effort to try to get this thing processed in the proper manor and also be somewhat expedient in trying to get this thing approved so that they can get the sign up so hopefully the City can move the property, I actually had Ms. Morsch provide you all a copy of the Variance packet that we got from Henkle Schueller and I am asking if you would consider taking a peek at this tonight and possibly acting on it tonight so that this does not get delayed for another month for these folks. Basically, the request is for a 200 square foot sign, the code allows a 100 square foot sign in this instance. They want it 30 feet maximum height, it is going to be mounted on three telephone poles was my understanding and the normal, I believe the code allowable height is 10 feet. They would be here to present if they knew we were going to discuss this. So, I am sort of trying to give you the Reader's Digest version of why this is important to them. They feel like the exposure on 275 is vital from a marketing stand point. I think that is probably a case they could certainly make better than myself but I think it is obvious that at 118,000 cars a day going by there we might attract the attention of somebody who is in a position to act on this. The issue, if you will, in terms of getting the larger sign and the higher sign is because the window of opportunity for a person actually passing along the highway there is very limited window and between the trees and the topography for somebody to actually see the sign. So, that would represent the, let's say the unique character of the land that would require some relief from the normal zoning code. Does that about sum it up?

Mrs. Russell: The only thing I would add, I guess since the City is the owner, I can officially be the applicant here right? The only thing I would add is that, remember we also have the sound barrier wall there so they have to.

Mr. Okum: Get above it.

Mrs. Russell: They are in a hole, they have to get above that wall and they really spent some time figuring out exactly where that sign needs to be right in between the trees so that somebody driving by could get a, you know, a two or three second look at it. So, they're pretty confident that at this size it will be seen and it will be seen above that wall and in between the trees.

Mr. Okum: We did that same thing for Mallard Lakes.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. With regard to this matter, the former Sheraton property owned by the City, I am going to recuse myself from any discussion on this in abundance of caution, my mother-in-law works for Henkel Schueller, I've done so as well on Council matters regarding this.

Chairman Darby: Finally want to go home to don't you?

Mr. Hawkins: No, I'm going to sit out there because I want to hear the Chairman's report. So, I'm not going anywhere.

(Laughter)

Chairman Darby: Yeah, okay. May I add something to this? Is it feasible not necessarily for the folks from the expressway but from the folks who drive pass to clean that area up? I know we have some trees along the property line but most of it is just overgrown weeds.

Mr. Taylor: I'm not going to speak for our Public Works Department but

Mr. Okum: Didn't they hire somebody to do that and they sort of did it and didn't finish?

Mr. Taylor: Well they

Chairman Darby: They stopped.

Mr. Taylor: I don't know the extent of what we were trying to accomplish when they did what they did.

Mrs. Russell: I think I can add a little bit of light to that. When they were doing the additional lane construction on Route 4, there was a contractor there to do some clearing for ODOT. We were able to take advantage of that existing contract to move into, out of ODOT's right of way and into just the city right of way to clear that out.

Chairman Darby: That area looks so much better.

Mrs. Russell: It looked great and ODOT didn't do their whole area, they just did basically what they needed to, to do that construction and to our Public Works capacity to do that work themselves, they just don't have the staff to take that on right now. So, believe me I asked them about that frequently.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you. What, and they have gone through a lot of study of where to put this thing, what is going to be on the sign? Do they have the study with that?

Mrs. Russell: Is that in the packet? If you do want to just take 30 seconds I will run and get it, it is at my desk?

PLANNING COMMISSION MEETING
14 AUGUST 2018

PAGE 50

Mr. Okum: Yeah, I'd like to see it, and typically content is not a discussion for signage but because this is a Conditional Use, sort of.

Chairman Darby: You can't.

Mr. Okum: We really should not discuss content. But, you being the owner, representative, you can present what you want to put on the sign just for purposes of information.

Mrs. Russell: I'm happy to go

Mrs. McBride: Just as long as you don't alter it.

Mr. Okum: We won't alter it.

Mrs. Russell: I am happy to go grab it for purposes of information. Hang on.

Chairman Darby: Now if you guys are hard up, you know I have a sickle at home.

Mr. Okum: Gregg would be, Gregg would get upset with me with that I know.

(Background chatter off mic.)

Mr. Okum: My only comment is typically when real-estate signs go up, I think the real-estate company is doing more advertising for themselves then they are for the land that they are trying to list.

Mrs. Russell: You will notice the word land is bigger than the logo.

Mr. Okum: As long as the city, you the owner, push purpose, not the marketing of the real-estate company out there.

Chairman Darby: Can we get a motion?

Mr. Okum: Yeah.

Chairman Darby: Okay.

Mr. Okum: Staff did discuss this with the Law Director's office so it is within our power. Based upon the fact that it is within the power of Planning Commission I would like to move to approve the 10 x 20 temporary sign located at 11700 Springfield Pike, in the City of Springdale, Ohio. Why does it have Springdale's address?

Mrs. Russell: No.

Mr. Hall: I'd like to second that.

Chairman Darby: It has been moved

Mr. Okum: That's the wrong address. What's the address?

Chairman Darby: We will correct it in the record. It has been moved and seconded that the sign installation be approved as described by Mr. Okum.

Mr. Okum: 11911 Sheraton Lane.

Chairman Darby: Secretary please call the roll.

(Secretary called the roll and the motion for the real-estate sign at 11911 Sheraton Lane was approved with a vote of 6-0 and 1 abstention Mr. Hawkins)

Mr. Okum: Lawrence you can come back in.

PLANNING COMMISSION MEETING
14 AUGUST 2018

PAGE 51

Mrs. Sullivan-Wisecup: Come on in Lawrence.

Chairman Darby: Come on in for the Chairman's Report.

X. CHAIRMAN'S REPORT - None.

XI. ADJOURNMENT

Chairman Darby: Chairman will accept the motion to adjourn.

Mr. Hawkins: So moved.

Mrs. Sullivan-Wisecup: Second.

Chairman Darby: It has moved, seconded and third. We are out of here.

Respectfully submitted,

_____, 2018 _____
Don Darby, Chairman

_____, 2018 _____
Richard Bauer, Secretary