

PLANNING COMMISSION MEETING

June 13, 2017

7:00 P.M.

I. CALL MEETING TO ORDER

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

II. ROLL CALL

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

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

III. PLEDGE OF ALLEGIANCE

IV. MINUTES OF THE REGULAR MEETING OF MAY 9, 2017

Chairman Darby: At this time the chair will accept the motion to adopt the minutes of the meeting of May 9<sup>th</sup>.

Mr. Okum: I move to adopt.

Mrs. Harlow: Second.

Chairman Darby: Moved and seconded that those minutes be adopted. Voice vote all in favor.

Mr. Hawkins: Mr. Chairman before I had one thing to correct on page 27. Second to last paragraph second the last sentence of that second last paragraph starting with during normal business hours when you would think folks may be away at work should be May space be opposed to maybe beyond that. That's the only thing.

Chairman Darby: Did you get that?

Recording Secretary: Yes.

Chairman Darby: Ok the correction will be made. Okay voice vote all those in favor (Aye response) Opposed? (no response) Abstained? (no response). Minutes are adopted.

Chairman Darby: Before we move on I believe that we have an amendment to tonight's agenda. Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Mr. Chairman I did not have an opportunity to contact staff but I realize that the GEEAA project I believe its 32053 that was on the or in the special meeting was continued in progress. Therefore; I am requesting that we add that to the agenda this evening, so that we can bring it to the floor and then move it right away back into in progress because there was things that weren't submitted and so forth that it didn't make the cut for this agenda but for proper carrying the file we need to move it to the next meeting. Is that actually the OK staff just people are looking at once ok with that change the agenda I believe you're moving on to our report on council.

Chairman Darby: Everyone's okay with that change to the agenda? Okay moving on to our report on council.

V. REPORT ON COUNCIL

Mrs. Harlow: Thank you Mr. Chairman. Council met on June 7th. All members were in attendance. That evening we addressed some resolutions and ordinances. Excuse me some ordinances ordinance 22-2017 was an enterprise zone agreement between the Hamilton County Board County Commissioners and Pretzel Baron for a tax abatement. Pretzel Baron is over on Northland Boulevard and they are expanding and they're putting a great investment in the City of Springdale in their business. So we were very happy to work with them on that. Ordinance 23-2017 was a dedication of certain lots as public right away as parts of the Northwest business center subdivision and declaring an emergency. Staff has discovered that there are certain areas that are public right away that have not been deeded correctly down at the courthouse, so those are being all looked at and they will be addressed. We addressed a few here and as more are brought forward we'll address those as well. And then ordinance 24-2017 it amended chapter 123 of our codified ordinances and was declared an emergency and this is in regards to rental permits. That was passed with the 7 to 0 vote. That would conclude my report unless there are any questions.

Chairman Darby: Thank you very much.

VI. CORRESPONDENCE

None

VII. OLD BUSINESS

Mr. Okum: Mr. Chairman as I have requested I'd like to bring to the floor the GEEAA project 32053 I believe that's correct number for purposes of continuing and the public hearing. So I'm moving to bring it to the floor and then I'll make a motion to continue it.

Chairman Darby: Questions on the motion?

Mr. Okum: One at a time. I need a second on the motion.

Mr. Hall: Mr. Chairman I'll second the motion.

Chairman Darby: Moved and seconded that this addition be made under old business. Voice vote all those in favor (Aye response) Opposed? (no response). It shall be added.

Mr. Okum: I'd like to move that the public hearing be continued to our next regularly scheduled meeting.

Chairman Darby: Okay, so ordered the public hearing will be continued. Need a motion second.

Mrs. Harlow: Second.

Chairman Darby: Moved and seconded that it be continued. Voice vote all those in favor (Aye response) Opposed? (no response). Okay thank you very much for catching that Mr. Okum.

VIII. NEW BUSINESS

- A. Trans American Auto Parts, 11350 Tri-County Parkway, Springdale, Ohio, A minor revision to a PUD.

Chairman Darby: Representative please come forward. Let me announce to all those who are going to be presenting this evening and to all of those who are sitting here. Let's be very respectful of our minute taker and make sure where our microphones are

on when we speak. I just turn mine on and those of you at the desk if you choose to walk away from the desk to add emphasis to your presentation we have a hand held mic for you.

Mr. Sears: Good evening Council, Darryl Sears with Pendleton Sears Architects we are the architects on the project. I am here to answer any questions that you may have in terms of what we've submitted for review and provide any clarifications as need be.

Mr. Hodge: Chris Hodge with CBRE on behalf of the tenant.

Chairman Darby: Thank you. With that we move on to the staff reports. Mrs. McBride.

Mrs. McBride: The applicant is proposing to locate in the existing 15,014 square foot vacant building that's between Friday's and Home Emporium and the Cassinelli Square PUD. The sale of auto parts is a permitted use within the PUD district and the installation of products that are purchased onsite is also permitted as an accessory use within the PUD, however; because the installation was not a use that was anticipated at the time of the PUD, I am going to need to once again ask the two members of council that are present to make the determination that this is a minor change which staff believes that it is.

Chairman Darby: Mrs. Harlow.

Mrs. Harlow: I do have a question. It says that it's the installation of products purchased on site.

Mrs. McBride: That's correct.

Mrs. Harlow: And they can be installed onsite.

Mrs. McBride: That's correct.

Mrs. Harlow: And the building that is there right now doesn't have a service bay yet.

Mrs. McBride: We're going to we're going to talk about that in just a minute. They are going to be having that.

Mrs. Harlow: Okay. Then I would also assume that it's a minor modification.

Mr. Hawkins: I like Mrs. Harlow, have a question for staff. With regard to staff's opinion and its minor modifications that based purely on the statute or Section 153.253(b).

Mrs. McBride: It is in the fact that it's also an accessory use it's not the primary use of the property it's an accessory use.

Mr. Hawkins: So the primary use is the retail and the selling.

Mrs. McBride: Correct. You can do so and I'll talk about that in a minute but you can go in and buy products but you can also have the products that you're buying installed at that location. So that's an accessory part you can't take parts in that you own and have them install it like you could at an auto body you were an auto service facility.

Mr. Hawkins: Okay. Based on that I find to be a minor modification.

Chairman Darby: Thank you very much.

Mrs. McBride: Thank you. As I mentioned the total building contains a little bit over 15000 square feet. Of that portion of it will be used about 4,327 square feet for the retail showroom and for sales about 7,600 will be utilized for installation of the parts that are purchased onsite and that would be done in eight separate bay areas. The remaining approximately 3,000 square feet would be used as storage for merchandise and parts that are going to be installed. Based on those numbers a total of 50 parking spaces would be required for the building if we were to calculate it at all retail, 44 would

be required if you are going to break out so much for the warehouse, so much for the service bays and so forth. The applicant indicates that there are actually 62 parking spaces within the Cassinelli square that are designated for this building so it obviously meets our parking requirements. The only improvements that the applicant is proposing to make to the building, to the exterior is to add a customer entrance on the north elevation and then to also add an overhead door or as we like to call them a retractable overhead door on the north elevation which would provide access to the installation area to where the service bays are. They are proposing signage on both the north elevation and the West elevation. On the west elevation there would be an 84 square foot sign at the north corner of the building. It has that architectural element there at the northwest corner of the building so signage is proposed for that location and it would be a channel cut letters that would be on that elevation and the square footage and so forth matches what is permitted within the zoning code. On the north elevation they're proposing two signs. They're proposing another of the 84 square foot channel cut letters on the north building elevation at the West end. So again on that same architectural feature as they're proposing on the on the west elevation. They're also proposing a second sign on that elevation more in the center of the of the North elevation that would contain 165 square feet. That is not proposed to be channel cut letters as required by the zoning code. It also puts them 17 square feet over the signing area that they are permitted by the code and that sign does exceed 150 square feet maximum as permitted by the code. Planning Commission does have obviously the ability to grant modifications to allow a sign at 165 square feet in excess of 150 to allow the additional 17 square feet and to allow a sign that is not done and channeled cut letters as the new zoning code requires. That's obviously at your discretion. I made a comment about existing landscaping around the building. It needs some attention. There's an island at the northwest corner of the building and the parking area immediately adjacent to the building that does not have any trees in it so it needs to have the two trees replaced to it. On the east side of the building there is some landscape material some of which is not in very good condition and a lot of landscaping material is missing from that area so we would like to see a plan for that area to replace the material that is that is missing. In discussions with the property owner they indicated that they would be willing to do that. The only other thing I would add that's not in my staff report is when I went out again to look at this after the staff reports had gone out the gates on their dumpster enclosure which are on the south side of the building they actually face East. The actual wood Gates on that enclosure are in need of some repair so I would suggest that the commission add that as a consideration if you're thinking of approving this. If you have any questions I'd be happy to answer those.

Chairman Darby: Mr. Shvezda.

Mr. Shvezda: Thank you Mr. Chairman. The only comment I had is when we looked at the site there appeared to be a real concern on that site distance at both the North West and the southwest corner of the building. I've had some photos particularly at the southwest corner. There's that dumpster enclosure in the transformer right in that area that causes a very limited sight distance there so some type of signage such as the stop sign would be appropriate in those locations. That concludes my comments.

Chairman Darby: Mr. Taylor did you want to add anything? Okay. Do we have questions for our presenters or staff? Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. Just a question for the applicant. The sign that's not channel cut letters is there a reason why you don't want to do channel letters there?

Mr. Sears: That sign that's proposed as their branding standard that they use across the United States. And if I can speak on behalf of the square footage one of the things that we were looking at in terms of this total square footage, that facade is actually 400 feet away from the easement for would be the parallel street so we were looking at the exemption for that 400 foot offset from the right of way also on that.

Mr. Bauer: But the channel cut letters is there a reason why that is not the standard their standard but is that the reasoning?

Mr. Sears: That is their standard that they have on all of their locations across the United States.

Mr. Bauer: That's it for now. Thank you.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. I understand you're going to do install parts on vehicles in the back, are there going to be any repairs such as brake fix type repairs or oil changes things like that.

Mr. Sears: No repairs, It's only the people come into the retail section and they will buy a part and say they've got shocks that they're willing to buy our tires and they're going to buy from them and they'll bring their vehicle in and only those parts are being performed there is no oil changes no servicing the vehicles, you know it's strictly just the parts that they buy at the retail that are being installed onto their vehicles.

Mr. Ramirez: So do you anticipate vehicles being overnight in the garages.

Mr. Sears: No, the common practice is that they'll bring the vehicle in and the parts will be installed so there's not a storing of vehicles on site midway through a process or anything, so it's kind of in one day out the same day.

Mr. Ramirez: So you don't see vehicles in disrepair parked in a lot to be repaired.

Mr. Sears: Not at all.

Mr. Ramirez: That's all I have. Thank you.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. You referenced this is sort of their industry standard for this corporation is it. Is it a franchise or are these just different stores owned by the main corporate.

Mr. Sears: These are all stores that are owned by the corporation.

Mr. Hawkins: Okay.

Mr. Sears: So it's not a franchise situation it's all corporate stores.

Mr. Hawkins: And how many stores approximately are there across the country.

Mr. Hodge: There's right now about 80.

Mr. Hawkins: I'm sorry.

Mr. Hodge: About 80.

Mr. Hawkins: Okay.

Mr. Hodge: Eight zero, and I think it would be worth noting that this is a division that was acquired about a year or two ago from Polaris industries which is a very common household name.

Mr. Hawkins: Thank you.

Chairman Darby: Mr. Okum.

Mr. Okum: Mics on. Just a couple of questions in regards to your comment and your reference to trademark logo lettering signage, then my understanding is that how many stores they have. Out of those 80 stores, there's no stores with channel cut letters signage on their stores?

Mr. Hodge: Not for this specific sign that's being requested.

Mr. Okum: Well they're smaller bigger?

Mr. Hodge: I'm not aware of any locations have channel cut letters. It's always been a sign.

Mr. Okum: And in regards to vehicles in disrepair if we should have conditions set on the site, because this is a PUD that no vehicles in disrepair should be kept on site outside of the building you'd be acceptable to that?

Mr. Hodge: I see that would be an acceptable exemption.

Mr. Okum: And regards to Mr. Shvezda's comments regarding the stop signs. Where are the stop signs on both corners?

Mr. Shvezda: That would be your recommendation, yes.

Mr. Okum: Yes considering my son got t-boned there about 20 years ago, I'd certainly be happy with that situation if the road didn't go all around the building I would be happy to hear that it didn't then because frankly it would be better if they if they ever did some resurfacing that they moved that roadway to the west a little bit right there get a bend in it so it's not a straight line across that edge of the building. It's dangerous for people coming out of the building because of the proximity of the roadway and the walking area. So if you can get a latitude with the landlord to shift that section of the driveway a little bit to the west I think he might eliminate a lot of issues.

Mr. Hodge: They have some restrictions in terms of moving to the west because there's existing landscape islands.

Mr. Okum: I don't think that that would be a big thing if they were shifted as well. You could get rid of that straight line square peg situation.

Mr. Hodge: They would also sacrifice some parking spaces along with that.

Mr. Okum: That's a big open field. I don't think TGI Fridays or I don't know who in the world would ever use that space because it's basically vacant open lot in that space. So it's not a big loss. If stop signs are going to work that's fine. Frankly, what's to happen is 90 percent of people that go through there are not going to stop. Unfortunately pedestrians coming out of your building are going to be affected by that. Just be aware of it because it is fairly blind on that corner. It's your decision. You've got to deal with the customers and the customers falling into that traffic area but people are not going to stop at private parking lot stop signs.

Mr. Hodge: One thing in terms of customers, there is a sidewalk that is across the front of the building.

Mr. Okum: It's about four foot, six, five foot wide.

Mr. Hodge: There is a sight line for customers that would be coming out of the building so it's not

Mr. Okum: And you've got the columns that come down on that element on the corner.

Mr. Hodge: Correct.

Mr. Okum: Is it your business you have to deal with it. It's all I had Mr. Chairman.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. I've got to mention one other thing. Were you in agreement with doing the repairs to the dumpster enclosure?

Mr. Sears: I don't see any issues with performing those repairs at all.

Mr. Ramirez: To staff's recommendations you're okay with that?

Mr. Sears: Yes.

Mr. Ramirez: Okay. Thank you for coming to Springdale.

Chairman Darby: Mr. Okum I believe we are ready.

Mr. Okum: Mr. Chairman I'd like to make a motion to approve.

Chairman Darby: I'm sorry. I'm sorry. Mr. Hall squeezed him in.

Mr. Hall: Thank you Mr. Chairman. I have a question for the applicants. I see that Four Wheel Auto Parts is a chain of supplies specializing in trucks Jeeps and off road vehicles, will be semi tractor trailers there that you're supplying these parts to as indicated on their web site?

Mr. Sears: They do have a loading dock on this building which they will be receiving parts in via tractor trailer but that typically occurs overnight when you're talking after hours somewhere between the hours of 10:00 and 4:00 o'clock in the morning.

Mr. Hodge: I don't believe they get into the customization of large tractor-trailers.

Mr. Hall: Okay, thank you so much.

Chairman Darby: Okay any others? Mr. Okum.

Mr. Okum: I just want to verify with staff Mr. McBride then, the signage conditions considering what has been presented by the applicant. It is a significant distance from the right of way precedent issue what's your feelings on that?

Mrs. McBride: I guess I would disagree with them because the North elevation actually doesn't face a right of way before it hits a property line. So that really doesn't apply. But I don't have a lot of problem with the 17 feet over and the 165 over the 150. Those are not really significant increases, and that face of the building does not face a public right of way.

Mr. Okum: Basically that's an okay?

Mrs. McBride: Okay.

Mr. Okum: With some concern. Okay, I'm ready.

Chairman Darby: Yes Sir.

Mr. Okum: Mr. Chairman I'd like to make a motion to approve project that 11350 Tri-County Parkway minor modification to the PUD. Case number 32176 to include staffs City Engineer and City Planners recommendations to also include under signage that the signage shall be approved with the consideration that has been presented. There should also be conditions on the site that there shall be no vehicles in disrepair kept on site outside of the building and the other item is that the dumpster and refuse enclosure shall be upgraded and repaired per staff's comments.

Chairman Darby: Is there a second.

Mr. Ramirez: Second.

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

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

Chairman Darby: Thanks for coming. I think I speak with the commission by saying welcome to Springdale to echo Mr. Ramirez.

- B. Higher Ground Ministries, 1391 Crescentville Road, Springdale, Ohio, PUD Zone Map Amendment and Preliminary Development Plan.

Mr. Thomas: Thank you.

Chairman Darby: Good evening.

Mr. Thomas: Good evening. I'm Brian Thomas with the law firm of Graydon and Ritchie I represent Higher Ground Ministries. Behind me, we have a cadre of Higher Ground Ministries people, board members, Pastor Finney, Sister Finney, a number of parishioners as well just show some support so we would love to answer any questions you have on this PUD application.

Chairman Darby: Would you like to introduce yourself Sir.

Mr. Graves: Hello, I'm Kyria Graves and I serve on the board of trustees at Higher Ground Ministries.

Chairman Darby: Thank you.

Mrs. McBride: Thank you. The request before the commission this evening is to rezone 3.08 acres at the southwest corner of Crescentville and Chesterdale Roads. The request is to reclassify the property from RSH-H residential district to PUD, Planned Unit Development District and the request is being made to allow for a portion of Higher Ground Ministry, House and Favor of God in Christ facility to be rented out as a commercial day care. We've met with the applicant several times. If the daycare was going to be operated in conjunction with church services obviously that would be permitted as an accessory use but to rent it out for McBride's day care or something like that, that then becomes a commercial business use and would require a Zone Map Amendment and that is what they have requested. Properties to the west and the south which are in the City of Springdale are zoned to RSH-H as is the subject property to the north in West Chester township across Crescentville Road is M2 which is an industrial classification as well as our PUD which is a planned residential community. To the east across Chesterdale Road which is the City of Sharonville, those properties are zoned R1B residential district and have been developed for residential use. Our comprehensive plan designates this property for public institutional use. That designation largely came from the fact that when we did the comprehensive plan it was being used strictly as a place of worship. The total existing structure itself contains a little over 15,000 square feet and that based on information the applicant submitted the worship area and affiliated uses with that occupy about 9,434 square feet actually. The youth wing which is where the day care center would be located contains about 5,622 square feet. The daycare center would have a maximum of 85 children in care and depending on the age of those children there would be a maximum of 17 staff people. The day care facility would work Monday through Friday. It would be open from 6 a.m. to 6 p.m. and it's their intent to use the existing play area that right now is adjacent to Crescentville Road almost in the corner of the property. It's got a chain-link fence around it with play equipment in it. Based on our parking requirements, there would be a total of 45 parking spaces that would be required for the daycare. It's not going to be operating at the same hours as the place of worship. The applicants have indicated there's 191 parking spaces on the site. When staff went out, a number of those are no longer striped. The parking lot really needs some attention, so there may be 191 there but it's kind of hard to find them. They have indicated that signage will comply with the zoning code and if the Zone Map Amendment was approved obviously this commission would be

seeing a final development plan for the proposal which would include signage and any other changes. They have indicated however that they're not proposing any other changes to the property at this point in time. So those are my comments.

Chairman Darby: Mr. Shvezgda

Mr. Shvezgda: I have no comments.

Chairman Darby: Mr. Taylor we like to add anything?

Mr. Taylor: No thank you Mr. Chairman.

Chairman Darby: Commission? Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. With regard to how the church is operating right now, I'm sure there's someone who's there Monday through Sunday, but are there any activities that you guys have going on right now that involve that play area or are kids there. Obviously there's probably more like kids there on Sundays but are there any activities, vacation bible school or anything like that that goes on where kids are already going to be out playing?

Mr. Graves: Not currently. Just the parishioners now.

Mr. Thomas: Yeah and that's part of our in our application. The primary uses of the day care will not operate at the same time. That's one of the great uses of the parking lot whether we need to restripe it or not. It will be a good use of that space because it's currently not used for anything and even at the playground facility has really not been used to its fullest ability now so this will be a great use for that.

Mr. Hawkins: Thank you Mr. Chairman.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. Couple of questions. It's going to be a fee based for the day care. Will be there be different fees for members versus general population to use a daycare facilities.

Mr. Thomas: As of right now we haven't discussed the actual fee base yet. Our intention with the daycare is its community based so it's not designed for one set for parishioners and one set for others. The whole idea with daycare is to serve the community so we haven't talked about specifics as to how the fees are going to be structured because as of right now the talk has been that it's going to be one fee structure for everyone that uses it.

Mr. Ramirez: Okay, thank you. The question is concerning the fencing will the children be out for play time and I have been by there many times but is that enclosed with fencing and is there a gate on that fence where

Mr. Thomas: Yes it's the chain link fence I can't recall. There's an egress gate on the fence but it's a traditional chain link fence that you would see around the play area. There's some play equipment in there that has been under utilized now but we don't want to really change the structure of anything on the outside so it will remain like it is now.

Mr. Ramirez: Okay. Thank you very much

Chairman Darby: Mr. Oakum.

Mr. Okum: Thank you Mr. Chairman. I'm familiar with the church. First house we lived in Springdale was in Heritage Hill. Our boy scout troop was based out of that church from the Vineyard had it so I'm very familiar with it. Had meetings over in that area over there so I am very familiar with. I think it's sort of not right but it is sort of right for the area. So it's you know when you think of a church and activity area a

place of gathering you know you think of a commercial operation where there's children there still is a use that going to have numbers of people there whether the church was functional and it was when the Vineyard outgrew it, obviously they needed more space but the playground area was erected much later. I would say probably 15 years ago 20 years ago. We have to be sensitive to our neighbors to the east or the residential properties there on the corner which would be getting some of the sound from the children's play area. So I think when if we were to approve this on your final development plan you need some sound attenuation consideration for that. North I'm not overly concerned about because it's commercial and if you're not go affect the craft building the sound bouncing back off of it. So but I think that in my opinion there needs to be something there to buffer that those corner homes right there on Chesterdale and at Crescentville.

Mr. Thomas: Mr. Okum that's a fair point I think thank you.

Mr. Okum: The rest of it you know it's basically if it's kept as that's a play area for the children on the outdoor activities versus the parking lot which is next to residences. I think you've got a much better mix there in here. So that's all the comments I have for now. I'm anxious to hear other comments from the Commission.

Chairman Darby: Mr. Hall

Mr. Hall: Thank you Mr. Chairman. What kind of qualifications are the tenants that you lease the operation to going to be required to have?

Mr. Thomas: For operating the day care?

Mr. Hall: Yes sir.

Mr. Thomas: The group that we're in communication with now they're affiliated with a group that has other daycares and other areas, so anything that they do they're getting advice from the people that they've worked with before. So everything is going to be qualified under the state. There are certain things you have to do the same with licensure. All of those things are going to comply with all of the state licensure.

Mr. Hall: Thank you.

Chairman Darby: Mrs. Harlow.

Mrs. Harlow: Thank you. Yeah I'm very familiar with the Early Childhood requirements at the state level and it is very intense. You have to have so many staff for the number of children you have and depending on the age of the child depends on how many staff members you have to have and the facilities have to meet certain standards as well as our local fire codes. So those would all have to be inspected before it could be opened. My only comment on this is that in addition to the playground area concern for the noise is I want to make sure that the operating hours are clearly defined and cannot be changed the 6:00 a.m. to 6:00 p.m. Monday through Friday. We've had some experiences with childcare centers in the city where our residents have been bothered by children being out on the playgrounds at you know 8:00 or 9:00 at night when they're trying to relax on the patio and the noise level bothered them. So I want to make sure that that's part of our motion that it has [00:01:30] a fixed time frame.

Mr. Thomas: That's a fair point. We can certainly accommodate that.

Mrs. Harlow: Thank you.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. Obviously I think what you're hearing in terms of concerns that it's just about worrying about the residents making sure their enjoyment of their property is not impacted or minimally impacted. It is a location that's far potentially less impactful than some others based on commercial properties

across the street. Along the lines of and I know you guys submitted some hours of operation you put in there. If you're adhering to that along the lines of what Mr. Okum had asked with regard any kind of steps taken to try to minimize or mitigate potential sound and I don't know what steps you may take, I don't know if that's putting up some evergreen trees or just what, but along those lines it sounds like you guys are willing to try to do that.

Mr. Thomas: Sure, and that's what we, part of the reason we're coming before this this commission and taking this on in the first place is for the community. I know you're familiar with some of the church from when the Vineyard had it. The youth wing is a great use for this property. This is just a great community benefit that we have here. As part of having that community benefit we understand the responsibility. I don't live in the great city of Springdale, I'm in Loveland.

Mr. Hawkins: You can move.

Mr. Thomas: I can move. I can move. I can move. I sure can.

Chairman Darby: Is that part of the motion.

Mr. Thomas: That's right in motion. Let me ask my wife first before we go ahead. But I have one of the Loveland schools that's right across the way from us and we have a full-blown playground across the way, so I am concerned about noise. I understand more than most about noise and that's not our intention to do that. So whether it's the hours whether it's a 6 to 6. We certainly want to comply with that, that's why we provided that with our additional application. Anything that we can do whether it's planning screening or sound elimination or sound muffling we will certainly do that. I just want the commission to know that that's a priority for us to make sure that the community, that they get full enjoyment not only of the day care but to do that it doesn't cause any ancillary problems to them.

Mr. Hawkins: The only thing that I would add with that, obviously we are going to have some definite time periods of operation, but if there's anything the staff has or members of the commission have with regard to objective things that can be done to mitigate sound I'd hope that gets addressed this evening. The other thing you heard some comments with regard to the strategy the parking lot. Is there any issue with taking on that?

Mr. Thomas: No I don't think that would be a problem. I think we can we can take a look at that if it's just painted lines, we'll see how much that cost and see what that would take. I appreciate your concerns, if that's something we need to do we can certainly do that

Mr. Hawkins: Thank you

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. I did have a question in regard to the old house. Is the old house staying?

Mr. Thomas: I believe we're not making any change to that. Yeah that's the house is right next to the actual worship building and I don't believe we're making any change to that.

Mr. Okum: Question for staff. Two things, hours of operation under a PUD can be specified I'm pretty sure that. I see headshaking yes.

Mrs. McBride: Yes.

Mr. Okum: Okay. The fenced in playground area it's pretty close to the sidewalk.

Mrs. McBride: It's pretty close to the road.

Mr. Okum: It's pretty close to the road it's like 3 feet from the sidewalk. Is that compliant with our existing zoning code?

Mrs. McBride: It's a chain link fence. You know it's been in since I think before I was here.

Mr. Okum: It's been there a long term.

Mrs. McBride: But again that would be something that I would think that if commission were looking to recommend approval of this to council and council were to approve a Zone Map Amendment that is the type of detail is to allow us to work with the applicant. You know is going to stay in that location? How are we going to screen it? Those types of things are typically details that we would see at the final plan. Understanding that it is a concern of this commission and of the City and of staff based on prior experience to try to soften the noise that comes off of those playgrounds.

Mr. Okum: And the applicant understands that this is a first step.

Mr. Thomas: Yes.

Mr. Okum: It's Planned Unit Development so it goes from us to council and so forth.

Mr. Thomas: Absolutely. Anything as I said before anything that we can do that serves that community goal is certainly something that we want to do.

Chairman Darby: Mrs. McBride you had a light?

Mrs. McBride: The only other thing I was going to say Mr. Chair is that when the commission has done obviously there are questions that we would need to open the public hearing.

Chairman Darby: Mrs. Harlow.

Mrs. Harlow: In regards to the playground and the proximity of the playground if there is any issue with the location of the playground or with the equipment on the playground that will be addressed by the Ohio licensing agency as they go to look at the site. They'll make any determinations that need to be made about that. So that might not you know we may have a concern about it but they may have a greater concern.

Chairman Darby: One other point you may want to consider. You had a similar expression in a church and this is just for your internal discussions and planning. I know you don't plan to have any worship services during the operation of day care but you will have funerals.

Mr. Thomas: Sure.

Chairman Darby: So that's something that you have to have a plan for.

Mr. Thomas: Yes and then we talked a little bit about some of the ancillary use the funerals perhaps weddings and that's absolutely true. So we're looking at it now with the 191. We don't currently use all of that number so we assume that that would be enough with the operation. I think that number we gave was I think it's 45 for the day care. We're probably not going to use all of those spaces but that's a that's a great concern and I appreciate that.

Chairman Darby: Because of that you may choose to with the restriping that may have some designated spots.

Mr. Thomas: Yes that very smart

Chairman Darby: You do have other activities.

Procedurally we don't have any other questions; procedurally we need to since this is the PUD open up the public hearing Mr. Okum?

Mr. Okum: We don't need to swear anybody in.

Mr. Okum: It is not Conditional Use.

Chairman Darby: Is there anyone here in the audience, I started to say congregation, see if you have one me.

Mr. Thomas: We appreciate that.

Chairman Darby: Okay. No I want to make an observation. Okay, I do this all the time. You two young guys you're really sharp but I know who a pastor it was when you walked in because he's just got it, one of these days you may have it he's got it now. Okay. Is there anyone like to come forward to address the issues that we've been talking about?

Ms. Seamers: I'm Jennifer steamers and I'm a resident in the Heritage Hill community and I'd just like to say that I really would like to see this used for the building because the playground at this point is used unofficially by kids in the neighborhood so basically they're trespassing. So I think once the daycare takes over and that is officially there is then the misuse would stop. I'd like to see it in the neighborhood I think, especially for the community, it definitely would get some kids watched.

Chairman Darby: Appreciate you coming. Thanks for your input.

Ms. Clausen: Hello. I'm Pamela Clausen and I'm live in the City of Springdale. There are quite a few children in the neighborhood. Actually there's many, and just within the last few months I've had two inquiries on people looking for daycare in the City of Springdale in the area. So I think it would be good for the community to have a daycare. Thank you.

Chairman Darby: Thank you.

Mr. Boyd: I am also

Chairman Darby: Name please.

Mr. Boyd: My name is Ken Boyd.

Chairman Darby: Thank you.

Mr. Boyd: And I'm also a 15 year resident of Springdale and a member of the church. And one thing about our congregation we are very community oriented. I think that we could do a lot to help the City of Springdale even be beyond the daycare center but I think that we and our pastor and his leadership has a great heart for the people and for the young people as well, and I just think it would be a great asset to our community.

Chairman Darby: Thank you sir. There being no others, I think we're ready for a motion.

Mr. Okum: Mr. Chairman I move that the public portion of this meeting be closed.

Mr. Ramirez: Second.

Chairman Darby: It is so done.

Mr. Okum: Mr. Chairman I'd like to make a motion to approve the project at 1391 East Crescentville Road project number 32179. To include our staffs city planners recommendations in motion and that this and I believe she had it, but I want to just

emphasize that efforts will be made by the applicant for sound attenuation control for the playground area and that the hours of operation shall be 6 a.m. to 6 p.m..

Chairman Darby: We'll get a second and then we will have questions on the motion.

Mr. Hall: Second.

Chairman Darby: We have a question on the motion?

Mr. Bauer: Wrong buttons sorry. Were approving a zone map, a PUD Zone Map Amendment, is that correct?

Mrs. McBride: You're actually making a recommendation on to City Council, they will be the ones that would make the decision on the Zone Map Amendment.

Mr. Bauer: And then from some of those other things you added on that's more and more the next phase.

Mrs. McBride: Those would actually be, could become if Council chooses to become a part of the conditions of the PUD.

Mr. Bauer: Okay.

Mrs. McBride: Just as it's a specific use, it's not open to any use any business use. Then the, I'll say enforcement or interpretation of those issues would come back to you for example on the playground, sound attenuation on the final development plan.

Mr. Bauer: So it's appropriate that those things. I guess what I didn't hear in the motion was the Zone Map Amendment.

Mr. Okum: It was it was the request to the application so I didn't include it.

Mr. Bauer: Okay

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. Maybe Mr. Okum is going to get to this part but where are you going to include the striping of the parking lot.

Mr. Okum: I missed that, but it's under zoning code that the parking lot has to be maintained and stripped. That's going to be part of the final plan. It was good that they heard it because they obviously note that it's going to be addressed but it will definitely be part of their final plan because it's required. Am I not correct, it is required, yes.

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

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

Chairman Darby: Congratulations. Now your work begins.

Mr. Thomas: Thank you, very much, we look forward to serving the community.

#### IX. DISCUSSION

Chairman Darby: Moving on any items for identification of the group under discussion?

Mr. Okum: Just a couple Mr. Chairman.

Chairman Darby: Mr. Okum.

Mr. Okum: Just a little up if we could get an update from staff on the sign removal for the Princeton bowling lane, it's down. I noticed that Tire Discounters came down yesterday. Good action by staff and the efforts they have going on to do it. I didn't know that the bowling alley came down. Do we have a project coming back on Princeton bowling alley from the applicant?

Mr. Taylor: Possibly, Mr. Gilhart sent some documentation. Well essentially, there's two issues that he feels are stumbling blocks to the project. One of course is, does flood plain determination and that centers around the value of the building, market value of that building and he's engaged a professional property appraiser to look into that. The other issue has to do with the discussion that we've had many times about the covenants or lack thereof. We're in the process of trying to respond to his questions and depending upon, I would assume our responses, I would expect that he either will or won't go forward. I think there's still interest on the part of Mr. Gilhart to go forward assuming a couple of these big issues can get worked out.

Mr. Okum: Just one other question in regards to the digital sign for the businesses. Princeton Plaza. They're still not compliant with the code or the conditions of the PUD. I don't know what to do with it, but it's annoying and I think everybody on this who sees it feels that way. So I don't know if they aren't in compliance it either needs to be turned off, abandoned or removed if they're not going before hand with the intent or the motion that was approved.

Mr. Taylor: We'll cite them. That's all we can do. I mean there was an attempt; you know I would say for voluntary compliance. Obviously if we're not getting that you know we have one choice and that's enforcement.

Mr. Okum: Thank you.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Question about the razor wire on Wal-Mart.

Mr. Taylor: Well, I don't know where it is in court. I think it's in July. Their appeal is going to be heard and who knows.

Mr. Bauer: I was visiting Graeters a week ago and I don't know why I never noticed that place next to Graeters, but the Princeton Tire they've got razor wire around that place. The back parking, not parking but their back yard that faces Graeters. It's been there for a while I guess I just dawned on me because we've done the case.

Mr. Taylor: I appreciate that; we'll obviously look into that. I certainly wasn't aware of it.

Mr. Okum: You need to go to Graeters more but I think all of us have and never noticed because it's not facing you on the street it's in the back end.

Chairman Darby: It's still not allowed.

Mr. Okum: Nope.

X. CHAIRMAN'S REPORT - None.

XI. ADJOURNMENT

Chairman Darby: So we moved to that wonderful part of the agenda

Mr. Hawkins: Move to adjourn.

Mrs. Harlow: Second.

Chairman Darby: Moved and seconded that we adjourn. See all next month thank you.

Respectfully submitted,

\_\_\_\_\_, 2017 \_\_\_\_\_  
Don Darby, Chairman

\_\_\_\_\_, 2017 \_\_\_\_\_  
Richard Bauer, Secretary