

PLANNING COMMISSION MEETING

July 11, 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: Don Darby, Tom Hall, Lawrence Hawkins, Dave Okum, Joe Ramirez

Members Absent: Richard Bauer, Marjorie Harlow

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 23, 2017 & JUNE 9, 2017

Chairman Darby: Chair will accept the motion to adopt the minutes of our previous meeting.

Mr. Ramirez: I move to adopt.

Mr. Hall: I will second Mr. Chairman.

Chairman Darby: It has been moved and seconded that the minutes of the May 23 meeting be adopted all those in favor voice vote (all present stated Aye) opposed (no opposed votes) abstentions (no abstentions). Now we also need a motion to adopt the minutes of the regular meeting of June 13.

Mr. Hawkins: Move to adopt.

Mr. Okum: Second.

Chairman Darby: Moved and second that the meeting minutes of June 13<sup>th</sup> be adopted voice vote all those in favor (all present stated Aye) opposed (no opposed votes) abstentions (no abstentions). Minutes are adopted. Mr. Hawkins do we have a report on council this evening?

V. REPORT ON COUNCIL

Mr. Hawkins: Yes Mr. Chairman thank you. City council met on June 21, 2017 six members were present. We had committee reports and we also had a number of residents coming in discussing the idea of having a splash and or splash pad and in some local Parks. We had ordinance number 25-2017 authorizing an agreement between the city of Springdale and the board of Hamilton County Commissioners for the municipal road funds relative to the improvement of west Kemper road from Springfield pike to Kenn Road declaring an emergency. We were awarded \$63,000 on that, the total out of pocket for that from the city would be \$193,962. That passed with a 6 to 0 vote. We also had ordinance number 26-2017 confirming the designation of depositories by the finance committee of council for the active and/or interim deposits of the city of Springdale. Also declaring all public monies collected or to be collected during the period of designation to be active or interim deposits in estimating the probable maximum amount of money subject to deposit there in. At any time during said period and declaring an emergency that passed with a 6 to 0 vote. Ordinance number 27-2017 accepting a bid and authorizing the mayor and clerk of council finance director to enter into a contract with Lykins and Energy Solutions for

gasoline and diesel fuel and declaring an emergency. That passed with a 6 to 0 vote. We had a motion to an ordinance number 28-2017 to the agenda, which passed with a 6 to 0 vote, and ordinance number 28-2017 which involved an extension of the master service agreement with Interstate Gas Supply to provide electrical aggregation to the city of Springdale. Our gas and electric specifically our electric aggregation ordinance that passed with a 6 to 0 vote. We also had a resolution R5-2017 adopting the tax budget of the city of Springdale for the year of January 1, 2018 for December 31, 2018 and that passed with a 6 to 0 vote. We also had Mr. Greg Johnson nominated and put onto the Board of Zoning Appeals replacing formally Michael Wilson who had left and moved to North Carolina. Council also had a special meeting on June 28, 2017 we had one matter of business ordinance number 29-2017 authorizing the negotiation and execution of the severance agreement in general release and declaring an emergency which passed with a 6 to 0 vote. Unless there are any questions that concludes my reports on council.

Chairman Darby: There being none, thank you very much.

#### VI. CORRESPONDENCE

Chairman Darby: Under correspondence, you do have one item that was it received this evening Mr. Taylor will explain that to us later.

Chairman Darby: Now moving on to our first item of business I would like to notice and notify everyone that we have five members here this evening with to be absent there for any vote will require five positive votes.

#### VII. OLD BUSINESS

##### A. SCP Springdale LLC, 12110 Princeton Pike, Major Modification to a PUD

Chairman Darby: For those in attendance is as good to see you again I just wanted to add that as has been our procedure as we have work through this process we will make the MIC available to you after the presentations and commission questions have taken place. Good evening.

Mr. Cumming: Good evening. I'm John Cumming with Strategic Capital Partners and I appreciate the opportunity to appear before you again this evening. What I thought I would do is go through the quick condensed version of our presentation. Trying to address some of the issues that were brought up at the last meeting and I would be more than happy to take questions afterwards.

Nothing has changed on the overall site it is still 130 acre site so we have not been there been no changes in the boundaries since I was last here. Again, an overview of the site is still the same number of buildings in the same size and dimensions. With five office warehouse buildings conceived and then the Office Retail building on 747, the western portion of the site. This infrastructure plan starts to show some of the changes that we have made in the plans since our last meeting. I will walk through these we have changed and made sure that the labeling is correct and all of the roads that would be built both in phase one and phase two. These are the public roads in the road section width of those roads has been changed to 33 feet per public road specifications so that change is made all the way through. In terms of phase one nothing has changed in terms of what we have conceived for phase one on the road the L shaped road coming off of 747 including the cul-de-sac that would lead into the Crossings at the Park condominiums project and then continuing north up to Crescentville. Phase two of the road system would occur south of that east west road leading to the creek at the south end of the property but not crossing over the creek. There are some changes, minor changes on location of these roads one is that the cul-de-sac leading into the condos and into the senior living parcel to the southwest has been shifted slightly to the west so that it can I'm sorry slightly to the east so that the cul-de-sac, the end of the cul-de-sac would actually touch the right-of-way existing for both properties, touch those property lines. Again nothing has changed in terms of the east west road and the north

south road one change I will point out though at the intersection of those two roads where you see the T shaped intersection is that we did have on the previous plan a bulb at the end of that road at the end of phase one before phase two would begin and so we have changed that to a T shaped intersection that would actually be extended further to the south and a bulb once phase two would occur would be built in the concept is to make sure that the public road that phase one construction would touch the property line of the site the seven acre site to the south into the east that we would not be purchasing. So I wanted to make sure that it was known that the utilities and road infrastructure would be built to that property line with phase one and it would not have to wait until phase two. Really there's no changes on this plan again it just shows the phase two road going all the way to the south but stopping short of the creek. This is an important topic that I wanted to make sure that we pointed out in better detail and this has to do with the temporary access during the construction phase. As you can see on the plan we have shown phase one construction and then we have also shown a phase two construction on that east west road. During phase one construction of the road you can see the x'ed path that leads from the condo road as well as it would lead from the senior living parcel and I'm going to forward to an aerial photo that will show this a little easier. What we will do is construct phase one infrastructure utilizing the path indicated by the yellow highlighted area utilizing existing pavement that is there making probably some additions to that pavement make sure that it is an unbroken access from the condo property as well as the senior living property and utilizing that path out to 747 while phase one construction of the road is ongoing. Once phase one construction is completed then we would have property owners N.E.S. the senior living as well as the condo association owners would have access in and out of the property through the phase one construction road and then phase two construction would begin. During the time the phase two construction, those residents would be accessing the property through Crescentville at the north end of the property. What we have tried to do there is make it as painless as possible for the residents in the property owner to the south along that cul-de-sac and in and out of the property. Again the master plan, and showing this I wanted to next point out the view lines from the eastern neighborhood and as you can see on the and I will use the cursor here make it easier and it is a little tough to see that there's actually six numbers 1, 2, 3, 4, 5 and six along this right side of the page. Those will correspond to the view sites, the images that will show on the next slide or two. I just wanted to point that out because that is the location that these views will correspond to. The number one here where the cursor is at this point the viewpoint shows there is no building that will be in a direct viewpoint from that point. As we move south numbers, two and three will be closest to this building that we call building three. Site four would be in between and then five and six facing these two buildings. The way that the topography works on this site is that the floor elevations for these buildings fall as they move south, so the building heights fall as they move south. This is the line of sight that I mentioned so you can see on the first line of sight exhibit here this is number one where there is no building shown on the west side here. The key here is to see that this is the existing elevation of the homes at that point, this is the property line, this is the existing tree line, this is the setback from the development and this is the beginning of the mound that will be built, a buffering mound that will be built on the property and these trees that are shown each of the site lines at the height of the trees when their planted. They are not the height of the trees that will occur three years five years or ten years from now but these are the height of the trees and they are planted. Then moving this direction may have the development pavement here, landscaping etc. Building heights shown here. I'll point out that this is, these mounds are 4 foot lower than they were on the last plan, but I will also point out that these building heights are 4 foot lower than they were on the last plan so there would be no difference in terms of visibility from these points and we have run a red line which is of little faint and a little tougher to see but it shows that from this viewpoint running the along red line and the trees planted at the height that they will be planted in the beginning, actually it brings the site line to just above the building or right at the top of the building. It's important to note that these sightlines do not catch the building at the lower or middle portion that they actually in some cases has been moved to the south on this actually the buildings will be far below what that site one would create. And this is an example that the only site line here, which is number five, shows the building height and the site line above it. Again with the same conditions of the planted trees and the mounding. In terms of the landscaping plan, we have taken comments from staff and have met with staff since our last meeting, have

added landscaping as has been requested. If there are any additional outstanding landscaping requests for requirements and that the city would have, we will commit to having those in changing those landscaping requirements before the project would be fully approved. That's a little tough to see these in the front and staff comments but we have made those changes. One thing I will mention the trees that would be planted along the phase two, the beginning of phase one and then phase two road at the south, the trees that are shown on the west side of that would actually be planted in the public right of way not on the private owners property. I wanted to make that clear. I would be happy to answer any questions regarding that. I know that that is a quick, but I also wanted to make sure that we left plenty of time for questions and answers. And they have mentioned before that we have also followed staff's recommendations on the no left turn onto the 747 once the phase two road is completed. In conjunction with reducing the pavement width to 33 feet, we would also agree to commit to put signage to control the left turns on to 747 per staff's recommendation.

Chairman Darby: We will move on to staff reports and then we will follow with questions Mrs. McBride.

Mr. Cumming: Thank you.

Mrs. McBride: Thank you. Just to kind of pick up where we left off. In terms of the setbacks we have not been able to really nail those down on these plans so what we have done is we have listed setbacks both for the buildings and for the parking areas and specifically identified those in the staff report. Then those will need to be the setbacks that are indicated on the final development plans. For the commission's reference the setbacks of the same ones that were established with previous consideration of this PUD so they are consistent. Because the applicant does not know the exact ratio of office to warehouse use on these individual lots, for example in the retail building if that might be a mix of Office & Retail what we were suggesting is that the parking would meet the requirements of our zoning code and we have specified that out. They are allowed obviously to take the 10% reduction that is provided for in our code in this, commission can if you so choose, reduce the number of parking spaces that are required again with the final development plan level. We will be requiring a photometric lighting plan in details consistent with the provisions of the code. The GE Park will be considered low activity level use and the applicant has indicated that they will comply with those lighting requirements for the low activity use. Prior submittals had indicated to the development identification signs one on Crescentville and one on 747. We did not receive any information on that but what staff is suggesting is that we utilize similar signage as has been considered by the planning commission and council previously and that was that on each of the two access points that there would be the development identification sign containing 120 square feet that would be 10 feet tall. Staff is also suggesting a second sign that would be an identification sign for the two senior residential uses, the Crossings and what might ever, happen on the other senior property. Those signs would be 40 square feet and 6 feet in height and that would provide identification for both of those uses. Each development lot been within the GE Park project would be entitled to one ground mount sign they could contain 100 square feet and 8 feet in height that is reflective of the new provisions of our zoning codes since the prior consideration and we also provide for the setback requirements the landscaping requirements and would suggest that all of those signs within the development be unified base of brick or stone or whatever and again that is a detail that we can discuss on the final development plan but we wanted to put these things out there now so that the applicant is aware of it and the commission is aware of it as well. They are indicating the commitment for the gateway element at the northwest corner of the site that the intersection of Crescentville and 747 and they have committed that they will be supplying details of that again with the final development plan for that area. Bicycle parking will need to be provided for in the final development plans. They did submit a modified landscape plan that addressed some of our comments and concerns. There is some additional work needed on the buffer yard along Crescentville Road for building number three that is in the northeast corner of the site. There is some more detailed kind of issues we have pointed out. The ones that I would bring to the commission's attention are on the east property line and that is obviously very critical element for the commission. The buffer along there needs to have about 100 additional shrubs added into that to meet the code requirements and

then also as the applicant indicated to the east of building number three the area of that mound is 4 to 5 feet lower than the originally approved mound but the finished floor of that building is also 4 to 5 feet lower than the originally approved finish floor elevation of that building so staff agrees with the applicant that in terms of line of sight what you are actually going to see there won't be any difference to that because the difference in the mound height is the same as the difference in the change of the finished floor level of the building. We had some additional minor comments both on retail parcel on the condominium buffer where we wanted to see that extended along the full length of those property lines and then some minor comments also on the cross sections. They are indicating approximately 62.4% of the site would be open space and the PUD requirement is actually 30% the balance of that obviously is in the southern portion of the property. Future submittals final development plans for each lot they will need to be bringing forward to you all. Building details that comply with the new requirements of our code in terms of building materials, from which percentage of the building is window etc. Similarly, we will be needing to see with the final development plan submittals the treatment for screening the mechanical equipment both rooftop and ground mounted equipment as well as the location of waste enclosures and how those are going to be treated. There is going to be no outdoor storage at all within the GE Park development. We also in the new code have new industrial performance standards; those will need to be adhered to for those uses that are considered industrial. We have asked for covenants for this project that would be secured for this acreage this portion of the PUD and we have not receive those so what staff is suggesting that if planning commission chooses to recommend approval on to council that staff needs to have those covenants drafted prior to the public hearing it is to be held by City Council so that we can discuss those with the law director and discuss any potential revisions with the applicant prior to any action being taken on the project. The maximum building height that they are proposing including the rooftop screening would be 44 feet and that is what they have indicated on those cross sections. And the only had a comment that I have is on one of their sheets to the rear of building three there is a 96 foot long retaining wall that would be 1 to 4 feet in height behind building number three. We have not seen any details on that in terms of what the material for that and so forth will be fired because that will be visible to the residents in that portion of the development we are going to need to see that and that also needs to be incorporated into their landscaping plan and it is not indicated there it is the only shown in their rating plan. So if you have any questions I would be happy to try to answer those or hold them to be and I guess.

Chairman Darby: We will move on. Mr. Shvegza.

Mr. Shvegza: Thank you Mr. Chairman. In going back and some of the previous comments in regards to the traffic study and what it referred to as far to 747 intersection and the propose roadway their previous plans have noted that the way it was 45 feet the edge to edge that has been reduced to 33 feet there was concern that this would promote left turns at this location and we did not want to see that because of the concern and what was reflected in the traffic study. The applicant has added one single no left turn sign at the intersection as we look at the final plan development that they may need additional signage to reflect the no left turns are permitted at that location. Also, auto turn the wheel path information to verify how in particular the right turning trucks into the site will be able to make it their radius will need to be submitted with the final plans. Also, the consideration for signage from some of the major driveways from the truck entrances and some of the sites obviously they will not be able to turn left at 747 so they need advanced notification that they need to exit via Crescentville Road. As far as some of the Crescentville Road, improvements the previous concept plans for improvements on Crescentville Road did note that there be two west bound through lanes from basically Transportation Way through Business Center Drive. This is now noted on the plan sheets that there will be two westbound lanes. There is also the requirement of getting fiber optic interconnect between the proposed signal on Crescentville Road and the existing signal on 747 and Crescentville, that has also now been noted on the plan sheets. There was as part of the additional permits on 747 there is a 300-foot right turn lane from 747 to the proposed east west roadway. The grading for this work is not able to see it on the plans at the response from the applicant noted that it was but it was not apparent on the plans. That will need to be included and also as far as the final plan will go we will need to take into

considerations relocation of the sidewalk, proper grading to establish the ground cover in that location and those items. Also back on Crescentville Road as part of the improvements there the 125-foot westbound left turn lane into the proposed roadway that is noted in the traffic study however was not indicated on the most recently submitted plans. Also on Crescentville Road the eastbound curb lane will be extended from its current terminus to the proposed new entrance. That is noted on the plan sheets. Regarding the proposed north south roadway, that has of course a signalized intersection with Crescentville Road that is noted on the plan sheets. As part of the final plan development we will have the detailed signal plans that will note that the poles will be located and be considered reasonably safe location away from the truck traffic also in that regard we will need to have the auto turn wheel path reviewed just to verify the radius is sufficient for turning vehicles, turning trucks into that site. Also on Crescentville Road the dual left turn lanes from westbound Crescentville to 747 are part of the traffic study there was no notation on the recently submitted plans noting that particular improvement. As far as the site plans of course is the final site plans are developed right now the plans note as far as utilities the water main in the storm sewers as far as the final plans are concerned they will need to note all utilities including the streetlights which street lights will be served by underground. The proposed length of the north south roadway is about 970 feet with a proposed east west road from that point it's about 1100 feet to the cul-de-sac to the south. That was reviewed by the fire department and they had no concerns with that provided it did have the 33 foot edge to edge with however as far as final plan development fire hydrants will need to be established at a minimum of 400 feet plus a fire hydrant strategically located in the cul-de-sac area as the southern terminus. Another item that was changed from the previous submittal, I think that the applicant had mentioned is that the roadway to the south the intersection had previously been noted as a private road way it is now noted as public roadway with its right-of-way abutting the adjacent property to the west. As part of the final plan, development of the profile information with a roadway construction as well as the horizontal curve information will need to be developed in addition at the intersection will again need to look at the truck turning needs at that particular intersection. The same aspect that 747 intersection we will need to have truck turning information and review that at that location. We talked about the signage that needs to be established and truck entrances to the various developments along the site. On the north south cul-de-sac closest to 747 the applicant has indicated and it is noted on the plans that that has now been configured such that the right-of-way for that will all but the property for the condominium development in the elderly care center or future site. As far as the storm over all the design for the storm sewer was submitted and it is designed for 100 year storm. The detention basins are to be designed for the July 1, 1985 storm which was experienced at that time and is used as a benchmark for storm water protection so there will have to be some additional flow routing for that differential between your storm and the designs storm for this particular site that is not noted on the plans specifically although it does note that each site will develop its own major storm routing as those final plans are submitted but there's the question as to that which would be conveyed at that particular location. Also, there is a proposed detention basin that exists just to the south of the east west road before you get to the intersection with the far end at the east that particular system intercepts the flow from the storm or from the water course, it drains from Butler County underneath Crescentville Road. Based on the plans that were submitted that is going to be enclosed and will have to be some over land flow provision provided that for when we reach a major storm routing where it can be accepted into the proposed storm sewer system. In addition there has to be a method arranged for in that proposed detention basin which will allow water to flow back into the existing permanent body detention basin that exists in the condominium development because that is a location where it currently receives its flow water so have to be continued in some manner at that site. This part of the development of course we have the detention basins for storm water quantity there ought to be storm water quality provision. The applicant has noted this will be submitted in the final plan and I believe there's indication there would be additional volume and the proposed detention basin to convey the working in all the water quality issues. One last item on the mounding plans there was noted a 96 foot retaining wall 1 to 4 feet in height and it's just a question as to why this has been provided and what kind of materials would be provided at this location this would be basically on east side of the mound such that

it could be visible to the property owners. We don't know what it is to look like and what its function is. That concludes my comments.

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

Mr. Taylor: Thank you Mr. Chairman. Before I get started with my remarks, two things I would like to bring to your attention. We received a couple of different letters regarding this project. The first one is in your packet and we received that on May 31 and it is from Michael Roberts Attorney with Graydon representing CM and basically it was addressing the previous letter that we received from Vandercar's attorney. In lieu of boring you with reading this into the record, we have discussed this with the law director and what we're going to do is include the letter in its entirety in our minutes so that it is reflected as part of the record. Similarly just this afternoon we received another letter from Vandercar's attorney from Strauss and Troy, Mr. Fellerhoff who was at the meeting last time around. It's I guess an attempt to update the commission on the current situation in the courts and the city doesn't have a position in any of this of course. One thing that I would like to point out in terms of all of this legal stuff going back and forth, it's that, we have an executed owners affidavit by the property owner who is listed on the auditors records, so at this moment in time until all of this stuff is resolved in the court I believe that we are going to proceed. That we have an application we have a valid affidavit. You can act as you choose. And just as a reminder to everyone this body makes recommendations, the actual action occurs at City Council. Just a few things here, as you heard from Mrs. McBride and Mr. Shvezda there are still some inconsistencies and some things on the plans that need to be cleaned up at some point. The utilities again as Don mentioned are not completely indicated on here and of course, it is important to make sure that these other properties have the ability to be served by public utilities. And again Don mentioned as a part of the fire department agreeing to the cul-de-sac that is in, terms of length is in excess of our subdivision standards is that fire hydrants are placed at a approximately 400 foot intervals and at least 1 of them in the cul-de-sac. It's just not shown at this point. You may recall from previous discussions the developer of the Crossings at the Park condo project had made a commitment to pay into the city's reforestation fund, the amount was \$29,888, and we would expect this development to take care of that obligation. In addition, a substantial short fall is anticipated in terms of the tree replacement and they would be expected to pay into the city's reforestation fund. We want to verify that the screening for the Heritage Hill neighborhood and the Crossings at the Park neighborhood is completed in the initial phase of construction. And then lastly the maintenance of traffic plan would in the general sense makes sense, but we're going to need really to stay on top of that as we move forward in the development of in the planning stages in the construction. That concludes my report.

Chairman Darby: I would like to remind all of the commission members to please use your microphones when you're speaking. We will open this up for questions and comments. Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. To the applicant for staff I appreciate how diligent you have been with working with staff and listening to the concerns that have been brought forth and addressing them. I also appreciate with regard to in phase one indicating that you're going to take care of the roads by the Crossings as well. As well as the portion of property you are referring to that you do not own it belongs to Vandercar that you are going to get roads back to their as well as utilities to them as well. So I do appreciate your addressing those issues.

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Just a few items Mrs. McBride and had a question on the monument sign that two 40 square foot monument signs. Those are for what properties that are contained in the overall PUD.

Mrs. McBride: Those are, would be for the Crossings condominiums and for the property it to be developed that is been designated for senior housing.

Mr. Okum: Okay. Would it be practical to look at a combined monument element for those adjoining properties in the PUD to include Vandercar's because they do have a parcel on this, in this development?

Mrs. McBride: They do, well the combination sign would be for that to residential type uses, the Vandercar parcel is part of the overall GE Park and is zoned right now for industrial type use so I would think that it would be identified as the GE Park. Identification sign.

Mr. Okum: For the overall industrial office

Mrs. McBride: We were trying to make sure that there was good indication to get to the Crossing's condominiums and to get to any future assisted living, nursing home type facility in from both 747 and Crescentville to make sure because it wouldn't have the typical issue we turned into an industrial park to reach either of those two types of uses.

Mr. Okum: That makes good sense. I guess just some understanding the mounded system that was going to be constructed on the east corner or the east side of the parcel did the applicant present Mr. Shvegza I'm sorry that the applicant submitted a plan for dealing with the water and drainage and conveying that water to a watershed area?

Mr. Shvegza: There was nothing detailed for that and the fact that they'd acknowledge that this would have to be detailed as part of the overall storm water system in the final plans.

Mr. Okum: So they would do that

Mr. Shvegza: Yes.

Mr. Okum: Is that correct?

Mr. Cumming: That is correct. We don't disagree with any of the city's recommendations that were outlined to us. That is correct.

Mr. Okum: You have agreed, and are zoning code is restrictive on lighting and how it impacts residents, our lighting standards are restrictive on obviously east side where there are residences involved. I think also they would complement to that you have not brought forward outdoor storage, which seemed to be a factor issue with the equipment and moving of the equipment due out the site. There's going to be plenty of noise and I think the residents need to understand that there's a lot of earth moving that is going to go on and there is a lot of equipment that is going to be coming on site and that is going to be impacting their lives and their normalcy. Is there a set time for your construction standards for your excavation and Phil and cut periods do you have that preset?

Mr. Cumming: We don't have a preset but we would be happy to work with the city and the residents. To put that together

Mr. Okum: I think we would need that considering the amount of material that is going to be moved and the impact on the residences. I think I had, the one thing that did concern me and staff did bring up is building three and how it exposes itself to Crescentville Road and landscaping side of that building. I did some math and believe me my magnifying glasses and bifocals do not always work well together but I was able to get the building Heights and so forth figured out and I think I've got it pretty close building three is at 676 and the roadway up above it is like at 700 so the building is going to be down with the 26 foot slope drop so you're going to see a big part of that building and the whole side of that building frankly. So that area is obviously going to need to be affected. This is preliminary and we haven't got the final development plan do you have most of the company's coming forward nowadays are doing the tilt up concrete panels is that the type of that construction that you are looking for the site?

Mr. Cumming: It would be in a precast smooth concrete panel system.

Mr. Okum: Might talk to you about embossed panels vs. move to give it some definition some character there's a bunch of new designs out there that allow the companies are going to, to give it more of an appearance of something other than be concrete wall.

Mr. Cumming: There were certainly be reveals and design within that, I was really on this move precast just speaking about that kind of the

Mr. Okum: Sure the method.

Mr. Cumming: The method yes.

Mr. Okum: I understand. And you do understand that the 44 foot is I think its 44 foot is including your enclosures around to mechanicals you do understand that right?

Mr. Cumming: Yes, we do understand.

Mr. Okum: I think that's all I had for right now. Thank you.

Chairman Darby: I don't have any lights is there anyone in the audience who would like to make comments at this time? And it and I recall the last meeting but offered you guys to bring my rule over and nobody took me up on it. I recall the last meeting I offered you guys to bring my grill over and nobody took me up on it.

Mr. Wahl: Hello there.

Chairman Darby: Good evening.

Mr. Wahl: Hello, my name's Tom Wahl, I'm the current board president of the Crossing's, the homeowners association. It is good to see all of you here again tonight. David and I, and it and this is about our fourth or fifth run on this process right.

Mr. Okum: Yes sir.

Mr. Wahl: So just a couple of clarifying questions. First of all just as a point of reference, I believe that the rec center is the height of that is around 40 feet and so are these buildings being approximately that size it's good for the folks to know that that's going to be approximate height of what the buildings are going to be. But what I really want to talk about was really important to us is that, and as you recall I was part of the 2003 PUD which of course created the Crossing's project. The pond that is now referenced here is the central pond appears to me to be almost identical to the pond that was required in that PUD thereby taking the North South creek and pulling the water from that into the pond and then on into the water escape that's to the east of the property of the Crossings. So I believe that's what we're now doing. Is that totally correct?

Chairman Darby: Would you come to the mic. please.

Mr. Warnament: Patrick Warnament from The Kleiningers Group. The north south where the water comes from Butler County underneath Crescentville basically feeds the pond that you're referencing. We basically will intercept that flow from Butler County and bring it around to that pond so that pond still gets water.

Mr. Wahl: The gets water and the waterscape itself will then get water?

Mr. Warnament: Yes.

Mr. Wahl: To the pond?

Mr. Warnament: Yes.

Mr. Wahl: So then, the rest would be fill in? In other words if you look at our area right down in that part of the Crossing's project there's quite a big opening now and it

is deteriorating pretty rapidly because the flow of water coming from the north appears to have dramatically increased. I don't know what the cause would be for that but we actually have a video we recently taken that just shows the gushing water coming down and so what's real important to us is that the north south creek and at some point it's going to veer off a little bit to the to the east perhaps and tie into the now what you're referring to is the central pond.

Mr. Warnament: Yes.

Mr. Wahl: And again, I'm sorry for asking this several times is very important to us.

Mr. Warnament: Sure, I understand.

Mr. Wahl: So then the central pond will then, of course feed the waterscape, which is on the eastern boundary of the Crossings Project right where Vandercar a little piece of property is right? So we got all that correct right?

Mr. Warnament: Correct.

Mr. Wahl: Now the question then there is that there's an area where it's probably five feet higher than the level is relative to where the condos were one of the buildings is. Which we refer to as building 21 in the 2003 PUD and the plan for the 2003 PUD was we were going to level that off. And so that residents come off, coming out of their building could essentially walk right to the to the central pond that you are now talking about. Does that sound correct?

Mr. Warnament: Yes, if I am following you right, yes.

Mr. Wahl: Okay.

Mr. Warnament: I think so. So basically the existing pond that is there will still get water to it, will have some riprap and such to try to slow the water down and prevent some of that erosion that might be going on that you mentioned from the apparent flow increase so when water comes out of there it will go through a riprap channel before it goes

Mr. Wahl: Into where?

Mr. Warnament: The existing pond.

Mr. Wahl: I'm confused, I'm sorry. So again we're, say that one more time.

Mr. Warnament: Okay. So what we're calling the central pond on our site,

Mr. Wahl: Yes.

Mr. Warnament: When the water releases from there, it'll go to that existence.

Mr. Wall: The waterscape?

Mr. Warnament: Yes. So as it exits our pond there will be a little riprap channel to slow that flow down and it will be detained and come out at a slower release rate.

Mr. Wahl: That's fine. The important thing for us would be that we won't it does continue the flow of the North and South creek as it comes along the edge of building 21.

Mr. Warnament: Right and we are intercepting that in the pipe.

Mr. Wahl: Good. And then perhaps we get the land filled in there while you've got bulldozers and you got lots of ground lots of earth that you want and probably get rid of any way that you've dug the pond out because you work on my dry ponds originally I think right in your first? Now you're going a wet pond I take it?

Mr. Warnament: The ponds on our side are going to be dry ponds.

Mr. Wahl: They're going to be dry ponds?

Mr. Warnament: Yes.

Mr. Wahl: Okay. Wow, I guess that'll work. I don't know but Okay.

Chairman Darby: Mr. Shvegza do you want to comment on that and all?

Mr. Shvegza: Overall, the basic intent is that some amount of flow is still preserved to go into the existing pond that is located to the east of the condos. Correct?

Mr. Wahl: Is the pond is actually to the west. Well it's on the east side of the condos.

Mr. Shvegza: Yes.

Mr. Wahl: So you are saying you are actually the plan is to keep a flow of water there?

Mr. Shvegza: Is to provide some flow to that location.

Mr. Wahl: So then so then what I just proposed was that it would be filled in is not going to be filled in is what you are saying?

Mr. Shvegza: Are you talking about the area that's to the north of the pond that has a permanent body of water?

Chairman Darby: Do you have anything that you could put on the screen?

Mr. Wall: If you go to slide five, I think it is. That is where, that, yeah that could help right there.

Mr. Shvegza: Can we zoom in?

Mr. Wahl: I think which slide is that. That's two why don't we go to five. Let's just take a look at five. Okay sorry where five?

Mr. Cumming: Does this one show?

Mr. Wahl: Yeah, well no actually I don't know why, there's the pond.

Mr. Wahl: So here's what we're talking about is that again, this is the waterscape right here.

Mr. Warnament: Right.

Mr. Wahl: And so the way the it right here is north of course it's been meandering down through here and then it flows a little bit over this way and it dumps right in to here.

Mr. Warnament: Yes.

Mr. Wahl: There's a height differential here about this location right in here where there's a mound of theirs and it's kind of leaning, leaning towards wanting to fall into that creek area. And we want to get that taken care of because that could be a major consideration for us in the future. The thought was if the 2003 PUD addressed that in the fact that this right here would take all the water that would come from the creek and then we would discontinue this part that comes right down through here and that's what I'm looking to see if that's what we're hoping to do here.

Mr. Warnament: Sure. So basically, if we could fill this in with dirt and just pipe it over.

Mr. Wahl: Yes exactly. Yes.

Mr. Warnament: Okay. Then we are on the same page.

Mr. Wahl: Good.

Mr. Warnament: Yes, there will have to be some little agreement for us to be able to run through a little piece of your property.

Mr. Wahl: Sure, that is not a problem for us. No that really would help us an enormous amount.

Mr. Warnament: Okay.

Mr. Wahl: That's a big concern. A lot of potential future costs with us for that. And again it should have been, that would have been addressed in the 2003 PUD had that been accomplished but the developer fell short of doing that. Okay that's good.

Chairman Darby: So we're in agreement. Do any of the commission members have questions about it?

Mr. Wahl: Did you guys.... good. Let's see what else I have. I think that's the main thing to be frank that was our major concern. And I just want to also just make a comment that you remember I stood up here in the very first meeting here with working with Strategic and with working with Viking and I commented that we just have so many more people in our facility right now there are far more happy with the development that you're seeing here as opposed to one that was presented by Vandercar. I say we get 90 something percent approval for this particular PUD. So thanks for working with us on this. Thanks a lot for your help.

Chairman Darby: Thanks for your input. Mr. Vanover.

Mr. Vanover: Tom Vanover, 11982 Tavel Court. Go back to point Mr. Okum was talking about and especially in the construction the mounds, the upper portion of Ledro Street that butts up to the eastern side. The differential is not as great as until you get down towards my end and I've got and I've been out in the neighborhoods the last couple weeks. There's a lot of water coming off of the property now that are ending up in these residents back yard. So you know we need protection not only in the final form but also in the construction area too with the amount of dirt that's going to be moved, silt issues can become paramount especially on that lower end down there because it will wash down that way. The one concern, the change on this development versus the other one they're talking about dry detention ponds. And I don't like them. They end up being bogs, maintenance issues become problems. I would much rather have the standing water. It's less of a, if you don't pull the mosquito side of it in, it's less of a problem in there than it is in the dry basins where the soft dirt fills in you get cat tails in it this land then becomes a sponge that just holds water probably as much as a wet basin would. And then you get maintenance issues on top of that. So you know I understand kind of what you're wanting to do but I personally and I've had other residents bring that up to me in talking with them. I would rather see wet basins come in especially you're not protruding as far south into which I think because I am at the southern end, but you know you've got some unbroken virgin down that a wet basin could fit in, it was fit in down in that direction before because the amount of run off of that property when we get into the final stage and what our requirements are it can't be greater than, what is existing now. But there's a huge amount and construction again is going to be a real paramount issue because of now with the weather we're having right now if it replicates itself this silt, dirt is it's going to get washed down you know and I'm downhill So it's going to end up down on my neck of the woods. So that's really the big issues I see right now the water retention. I would much rather see wet basins rather than the dry basins and just, you know the protection of that neighborhood. Well actually both

neighborhoods but the fall coming off that side on our side over there. Especially in the southern element where luckily there's not as much development has pushed down that far but that's where the differential between the property heights, elevations is in that's all also, they you know they're all their backyards are steep upgrades to get up to the level of what the property GE Park Golf Course we call it is today and they are experiencing today issues during heavy down downpours rains of water you know washing through there. So that's my concerns.

Chairman Darby: Thanks for coming. No more lights I believe. Is there anyone else that would like the opportunity to address?

Mr. Warnament: I would like to add one thing.

Chairman Darby: Yes. Please.

Mr. Warnament: I just wanted to point out we appreciate your remarks. We will have a permanent storm maintenance agreement with the City that we have to sign before final approval and everything. So as far as the maintenance of the ponds that is the signed legal agreement with the City so that will be in place. And on the east side of the mound basically we will, we have a 25 foot no disturbance area off the property line coming in our way and we will have some little series of drains to pick up whatever drainage is there. And really, the only drainage will be going there is from the top of the mound that way so some of the drainage area that actually goes that direction will probably get smaller actually because of the mound. So just a little clarification.

Chairman Darby: Mr. Shvezda.

Mr. Shvezda: One element of the construction period to, the applicant will need to submit a detailed storm water pollution prevention plan, which I would strongly suspect one of the elements of that would be sediment basins that keep the sediment from leaving on the site. There will be a part of the construction.

Chairman Darby: Thank you. Mr. Okum.

Mr. Okum: I just had one question regarding convenience water and runoff. The Vandercar site or whatever we want to call it the undeveloped site that's not part of this PUD, is there a method or a location that their water will be able to be handled off of their site?

Mr. Warnament: Yes, the public road that extends down there will have a series of catch basins that they'll be able to tie into if it ever develops and if it doesn't develop for some period of time, it will drain towards the public road basically and eventually find its way into those new catch basins.

Mr. Okum: I understand, thank you. OK Mr. Chairman I would like to make a motion to approve the as the SCP Springdale, LLC. at

Chairman Darby: Hold on one second. Mrs. McBride.

Mrs. McBride: I think that we need to close the public hearing first.

Mr. Okum: Oh yes we had it open we continued it, we need to close it. Move to close the public hearing.

Chairman Darby: All those in favor (all present-stated Aye) opposed (no opposed votes). Okay public hearing is closed.

Mr. Okum: That's been a while. Thank you. Okay, moving on. I'd like to move to approve the SCP Springdale LLC project at 12110 Princeton Pike case number 32053 a major modification to the PUD, which involves 130.83 acres and includes specifications and designs contained in the exhibits as submitted, reviewed by staff prior to this meeting. This motion also includes all staff, building official, city engineer

and city planners' recommendations and considerations. This PUD shall have include staff and our law director's approval of the covenants for this area the site as submitted. The motion also includes that the applicant will work with the condo association on how water is conveyed onto its site and handled appropriately. That's it.

Mr. Hawkins: Second.

Chairman Darby: Moved and seconded this submittal be approved as indicated in the motion. Recorder please call the role.

(Ms. Morsch, acting recorder called roll and the motion was approved with a 5-0 vote)

Chairman Darby: Thanks everyone for coming. Thank you for your participation. I want to comment that this has been a very positive process we've worked through. With your input, we've been able to identify and solve a lot of problems and we assure you that the legal things that are going on at this time will not deter us from following the city's procedures and moving forward. Again thanks for coming.

Chairman Darby: Everybody Okay? All right we'll move on now to new business.

#### VIII. NEW BUSINESS

##### A. 15 Acre site located on Northwest Boulevard, Springdale, Ohio, Final Development Plan

Chairman Darby: Representatives please come forward.

(Back ground chatter)

Chairman Darby: Good evening.

Mr. Stein: Thank you and it's a tough act to follow. My name is Steve Stein; I am a market officer and partner with Exeter Property Group. We are a full service real estate development firm based in Philadelphia, Pennsylvania with a local office in Columbus where I reside. I'd like to just first take this opportunity to thank you for this opportunity for us, we're excited about this. I know you've probably had a little bit of what we call deal fatigue on this site. Maybe seeing presented to you all before. We hope that this is the final time you have to see it and the chance for us to get this project off the ground. So from our perspective we own about 150 million square feet of industrial real estate across the country. We're one of the largest landlords of this type of real estate and we are a private company with over five billion dollars of private equity under management. I know that you've seen the site and you're familiar with the building, I will note that we have not changed the building size or really made many of scalable changes to what you guys will see today from what you've seen before. We wanted to take what you guys had as comments and tweak the plan to what we hope will be a very leasable building in a very good market.

In Cincinnati, we own about two and a half million square feet so we are very familiar with this market. We like to, or we'd like to continue the growth of what we are doing across the country specifically here in Cincinnati. So I'd be happy to answer questions as you guys see fit.

Chairman Darby: We'll move on to question after our staff reports. Mrs. McBride.

Mrs. McBride: Thank you. The Planning Commission with the preliminary development plan had approved a reduced set back from Northwest Boulevard and Pictoria Drive I'm sorry from Northwest Boulevard, there's a 100 foot setback that's required on both Northwest and Pictoria. The applicant met it on Pictoria but they did not meet it on Northwest. You had approved a reduced set back of 85 feet from Northwest Boulevard and the final development plans before you this evening actually set back 90 feet. So it's a little bit in excess of the reduce setback that you had approved. The proposed building height that you're looking at this evening is 43

feet. The G.I. district actually allows a maximum height of 75 feet so it's significantly less than the building height that is allowed. The with regard to the building design our new code as you all know has some design requirements. One of that one of those requirements has to do with building materials. The applicant is proposing to construct this building with painted pre-cast concrete panels. That is not a specifically permitted building material per the new code, however; it can be approved by planning commission if you so choose to do that. One of the comments that we had had previously had to do with the West elevation and they meet our building design guidelines through the use of window openings. They have modified the north south and east building elevations to meet the new code design requirements that they're broken up every 40 feet by a two-foot projection. So that is just not a solid slab of concrete. With regards to the windows, the code has requirements for that. The South elevation does not meet the required window openings on the eastern portion of that elevation. The western elevation of the building does meet the window requirements. The Southern elevation does not because that eastern portion of the building is actually the warehouse part so Planning Commission can modify that requirement staff believes that in this particular use and building type that that would be appropriate. A minimum 30 percent of the site is required to be public or common open space and they hit that right on the nose at four point seventy acres. So they do meet that requirement. In terms of the parking 11,000 a little over a little less than 11,500 square feet of the building is going to be used for office, which will require 38 parking spaces. The balance of the building, which is 218,662 square feet, would require 219 spaces making it a total 257 space is required for the site. The code has a 10 percent reduction. They are proposing a total of 243 spaces, however; only 193 of those spaces are to be constructed with the initial phase of the development. They are proposing the additional 50 spaces would be on the south side of the building and our code does now allow for what we call phase parking. However, the applicant needs to submit to us a phasing plan for how and when that parking is going to go in. What we are suggesting is that at any point in time the city could basically call that and require that those 50 spaces be constructed. The other item that we would relate to that since we did not get a phase in plan is that all of the landscaping that would be required for those additional spaces go in with the initial landscaping so that all mature at the same time. Photometric lighting planning cut sheets. We did receive that they are proposing to use only wall-mounted fixtures on this building there would be no pre-standard pole lighting only wall mounted fixtures. They are requesting a variance, our code; again, this is a low mounting height of 15 feet. They are requesting a variance from that to be allowed to locate them 30 feet in height. They've indicated that there would be a conflict with the truck doors on the east elevation and in order to achieve the light levels that are required by the code they want to be able to locate those wall packs at 30 feet in height. Excuse me, they did submit a lighting plan or I'm sorry a landscape plan. We did have some comments on that. The one thing that I do want to point out to the commission is that along the southern boundary of the property there along Pictoria drive the plan that you had seen previously and talked with the applicant about was to include a mound along Pictoria because I think the concern of the commission was that in driving down Pictoria drive you didn't want the truck docks and the parked trailers and so forth to be readily visible from Pictoria. That mound is now gone, that is now going to be a detention basin and they do have some plant material along there but the plant material that they're proposing to use in staff's opinion a lot of it is the skyline honey locust which we call the see through trees in the retail business. So we're suggesting different plant material but planning commission also will need to consider the fact that that mound is now gone and is now a detention basin. It is my understanding based on information submitted by the applicant that it was a cost issue relative to putting that storm water management underground. So we will need to revise landscape plan from the applicant for staff review and approval. We did not receive any information on either ground-mounted signage or building mounted signage or how the waste would be handled for this particular site. What the applicant has indicated is that once they have a tenant secured that they will bring that information back to planning commission for review and approval that would be both the signage and how waste is going to be handled. We still do not have a copy of the PUD covenants with the proposed modifications to them. At the very least, the new property owner would need to be a signature to those covenants and we do not yet have those. One of the conditions at city council was that there would be a total of 24 fully equipped dock doors on the east elevation

and they do have 24 dock doors on that elevation. I think that concludes all the comments that I had.

Chairman Darby: Mr. Shvegza.

Mr. Shvegza: Thank you Mr. Chairman. There was a comment before us as far as we have of course the two aprons on the Northwest Boulevard, which will deal with the truck traffic the southernmost will be the entry point. We talked about re-stripping the Northwest Boulevard to provide a center or two way turn lane to get the truck traffic off the main line so to speak when it's turning left. We talked with the public works department to agree to a particular dimension, so that's been submitted to the applicants so they'll need to come up with the plans for providing the modified pavement model or pavement markings. The plans clearly show the standard City detail for apron which is as it has indicated standard of course in this location will have heavy truck usage so we need to have the applicant submit the turning information wheel path to define what the proper dimensions for those aprons are obviously going to have to be wider in some respect or have a bigger radius or whatever to accommodate the truck traffic. Regarding, there was a comment or the previous review had noted that there was concern for, there were like dead in aisles in some parking areas were long aisles would dead end or there wasn't a connection between different parking fields. They've dealt with that, one of the ways they dealt with it is to connect the ends of the parking field into the base of the truck driveways. I guess that our understanding initially for that particular arrangement was to separate the car and the truck traffic but now it is being combined again. At the very minimum at the end of it at the car parking fields where it's entering the truck driveway there needs to be obviously stop signs to control this car traffic. We've been looking at a cross connection between Pictoria and the property to the east in some manner. The City's looking at various options for that, but we haven't gotten to the point where that's finalized. The applicant has is noted that what they would plan to do is to basically convey the existing easement that's in place with the emergency access drive. That really isn't what the city would desire, it doesn't fulfill any of the public roadway requirements or proper cross-connect, so we would ask that sometime in the future when we do further define what the alignment is for that cross connection that we could work with the applicant to provide that writes across the property to provide that connection.

The storm sewer system would Mrs. McBride mentioned the mounding aspect there on the south side as far as store management there are two detention basins pretty much in accordance. We are in agreement with the applicant in regards to the volume. One's at the southern end one's at the northwestern end of the site. Those are also being utilized for water quality. There's additional volume in there that deal with water quality but there are some I guess some questions on how we deal with the release rate from the site and particularly to the south because there is a specific rate that is set aside because that that flows to the south end of Pictoria Drive. That the detention base that exists between 275 and the tower so that they'll have to be further refined. Water quality volume like as I mentioned being provided in the detention basin for this particular development because that's a post construction water quality method will need an operation maintenance agreement that we entered into by the applicant. Again, as far as defining how the major storms get into the detention basin that's going to have to be further defined. We've got a large area of the truck dock that's relatively flat and of course there's going to be some, I assume, probably some water built up on that parking lot surface there but it is a truck dock so that probably should be acceptable we'll just have to get further definition about how much it is and how that proceeds to the detention basin. In regards to the details of the storm water or the storm sewer profiles that are shown in these, two cases for the outlets from the two detention basins and there appears to be an error in the profile. I think it probably is something incorrectly set up when the CAD drawings were done but it needs to be reviewed and corrected. The grading, grade goes in the wrong direction basically as far as the storm sewer as for both the South basin and the North West basin. There is currently there exist a channel that takes water from the eastern properties and conveys that to the existing detention basin that exists just to the north of the subject site. That appears that there may be some encroachment in that channel we just need to verify exactly what that is and if that's affecting the capacity

that channel. In regards to the work that's going out on the site, right now the preliminary grading. There is a separate storm water pollution prevention plan that is in place for that. There will need to be a new storm water pollution prevention plan for proposed work, the final grading will take place for the site that needs to be submitted before the work commences along with the water management sediment control bond will need to be submitted to the city prior to commence construction. There's a 24-inch storm sewer that will be part the outlet from the North West detention basin out to the existing storms sewer within the roadway. That section of storm sewer needs to be reinforced concrete pipe that needs to be indicated on the plans. In addition to the proposed North truck driver, its location is right about the middle of an existing catch basin that will need to be relocated to a sufficient distance north or south as the proposed truck entrance or truck exit drive. So that would be functional and will not be damaged by the trucks. And that concludes my comments.

Chairman Darby: Thank you sir. Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. Couple of things that you've heard from our two previous staff members just to kind of reiterate the situation along Pictoria Drive, you may recall the original PUD of course for this property was for offices and so forth and this was a change to industrial type use and as part of that I believe there's some consideration about trying to maintain the appearance along Pictoria Drive both for the existing tower and future development. For the five-acre piece, as well so clearly you know it's not a mound now it's shown as a detention basin and so you all need to consider that. Secondly regarding that cross connection as Mr. Shvezda mentioned you know we don't exactly know what that may be but it's unlikely that the existing emergency access is going to be workable for a future connection. So there will need to be some kind of consideration for that as time goes on. And then finally in addition to the storm water management bond for the existing earthwork operations there's a substantial tree removal bond if you will, recognizing that there's going to be a shortfall ultimately between what's proposed in the landscaping and what's required from our tree replacement ordinance and through the development process here alternately we'll have to get that the funding for the reforestation and then we'll work out the release of the bonds and so forth to coincide but that will all be part of it. That's all I have.

Chairman Darby: Thank you sir. Did you want to comment on any?

Mr. Stein: Yes just a few things. So as far as, I guess I'll just go and order what I wrote down. The parking to the south and how it now interconnecting with the truck lanes turning in out of the building. We did that for a couple of reasons. One we find a very common place throughout the area and throughout industrial real estate to see any intermingling of trucks and cars. Of course, there would be a stop sign and the cars would be obligated to stop at the access point to where it turns out. But from the tenant perspective, tenants want easy access in and easy access out and what we are proposing are planning on this building is to have two tenants with or potentially three with Office pods on the corners so to get access quickly to that office entry would allow for easier access for it for tenants which we find to be helpful in leasing space. Secondly, also I would say for emergency purposes I think it's a good point to note that easier access for emergency vehicles to respond if need be. The second thing I wrote down was just from the conveying of the easement with the South connection between Pictoria and the driveway to the east of our site. We obviously don't control the east road. That's a private drive that we do not control but of course we would be more than happy to work with the city in conveying an easement necessary that South connection point. And then lastly on the screening piece in the actual mounding that was taking place on the south side of the site. What we did was eliminated the underground detention for purposes of just not being economically feasible and I think Patrick can get into the specifics of why the engineering piece of that didn't necessarily convey either. But what we did do was we will take suggestions for additional landscaping needs that that need to be addressed. But we did, there is a small mound now still along long Pictoria that does hopefully screen that detention basin. But again, we tried our best to do something that would be feasible in this location, at the same time making it pleasant for traffic that's driving by and for pedestrians walking by.

Chairman Darby: Mrs. McBride.

Mrs. McBride: Just two additional comments, one has to do with that phase the 50 phase parking spaces to the south of the building. When we work with the applicant to develop that phase parking place one of the elements I want to make sure is incorporated in that is a safe method for those folks to get to the front of that building where those office entrances are because what we don't want is them walking along the main and just drive with the trucks coming down the same time. So we want to make sure that that gets incorporated into that plan. The other thing that although it said my staff comments I did fail to mention to the commission and that is that in their landscape plan they're showing existing vegetation on the north and the northern part of the Eastern property line to remain and that was to be part of their buffer area. That's basically all gone now it's all been cleared. So one of our comments is they're going to go back in and put a buffer yard back into there that's going to have to be included on the revised landscape plan so I just wanted to express those.

Mr. Stein: Sure.

Mr. Okum: Thank you Mr. Chairman. Are there any sidewalks on Northwest Boulevard?

Mr. Shvegza: There is one being proposed.

Mr. Warnament: Just in front of this site.

Mr. Okum: Just in front of this site that could tie in later on if somebody, if they expanded up to... There is nothing getting up to Crescentville right?

Mr. Shvegza: I believe there is at the site there that fronts on Crescentville Road.

Mr. Okum: Okay. So in Pictoria we do have a sidewalk.

Mr. Warnament: We showed on the northwest side. We don't show it on the Pictoria side because of the future cross connection and not knowing the orientation we don't want to install it and then tear it back out web that's done.

Mr. Okum: Okay.

Mr. Warnament: But yes, we would basically would go along the same orientation as the sidewalk that runs between our site and Crescentville now.

Mr. Okum: I mean you could you could run it back a little bit.

Mr. Warnament: We could.

Mr. Okum: Instead of, I mean because that cross access point you know

Mr. Warnament: It's not going to go all the way over.

Mr. Okum: It's not going to go all the way over.

Mr. Warnament: Sure, we could bring it around the corner some.

Mr. Okum: At least get close. In regards to the cross-access someplace, I saw 60 feet someplace I saw a different measurement. What's the approximate width of the cross access?

Mr. Warnament: I think the easements 50 feet I don't know the pavement

Mr. Okum: Maybe I read 50 of them.

Mr. Warnament: I think that's the easement.

Mr. Okum: I thought I saw 60 someplace on one of the drawings somewhere and I was a little confused. So 50 is adequate Mr. Shvezda if it were to go to fruition?

Mr. Shvezda: No, we weren't looking at this being at the cross connection.

Mr. Okum: No, I understand, but if there were, one today provided to the city?

Mr. Shvezda: No, the minimum right-of-way distance is 60 feet.

Mr. Okum: That's what I was looking for. So you would need not 50 but 60 feet to be available should that ever be constructed.

Mr. Shvezda: Yes at some location that we have yet

Mr. Okum: At some location to be agreed upon. Right, I agree with that I just want to make sure we're all on the same page.

Mr. Warnament: Yes.

Mr. Okum: Okay. So it is 60. I thought it was 60. Okay. Ms. McBride the question, the issue of planning commission waiving the window requirement. Would that be for a portion of the South elevation in the east elevation?

Mrs. McBride: No, that requirement only applies to building elevations they have street frontage, frontage on a public right of way

Mr. Okum: So that would be

Mrs. McBride: The South elevation only and it's only for the eastern portion of south elevation.

Mr. Okum: Eastern portion. Okay. Can we talk about the pre-cast concrete panels? You heard me mention it to the other applicants so you knew it was go come up right? There's a lot of different pre-cast panels now. There's embossed, there's finishes there's all kinds of things going on. This is next to a fairly significant business element in the City. Across the street cannot say much about it's there it's been there. Unfortunately it's there until it comes down I guess. But we have a shot at this and we want to know what your feelings are and what you're have been submitting. I mean this is final so we don't have any idea except as cover painted concrete with some lines in it.

Mr. Stein: Yes. Have you guys, do you have the elevation that we've submitted? If you don't I can pass this.

Mr. Okum: No, we do not.

Mr. Stein: Okay. So

Mr. Okum: Does staff? Oh, wait. That's what we got.

Mr. Stein: So effectively, this is what we would be looking at. So there are undulations in the pre-cast there are obviously the openings. There's a few canopy type structures that would be undulations from the pre-cast that the entry features. There is you know whether it's 8 foot or 12 foot reveals, their significant amount of reveals that every 8 or 12 feet of along the elevations of the building. We've done this before obviously we know you know or at least we think we know what looks good and what doesn't look good but we can take your word on what you'd like to see. We know that pre-cast panels and tilt up concrete panels are the preferred construction of today's day and age warehouse product. You know as opposed to something like a metal panel building you're able to block the building. And we understand that there are certainly different ways to get the finish. I don't have any idea as to what the actual finish would be other than it would be a smooth concrete that would be

painted. I'm not sure if you mean you don't have reveals that where these paint lines are. So every paint line will also have a reveal on the north and south of the east and west whatever's bordering the paint as well as the actual reveals and the panel sizes themselves.

Mr. Okum: The only thing that happens with those is UV starts breaking down the color and you end up with a bleached look and it's starts looking like a straight up concrete panel. And I know you like to take care of your buildings and yet there's that it's always early here but it doesn't always happen. I have some reservations about that. I really do. I feel that we need to get something there that gives us more of a softening and that has color, I agree with you with the color and you guys are better with the colors you decide put on it. So long as it is not chartreuse. We're good with it. I'm good with that but I'm going to tell you that to have it a brick, a stone, or a something embossed finish. And those panels would certainly make it go a long way in my day and I think staff could work with you on that, but I do not go design your building for you, I'm just going to say it's still a concrete flat panel concrete panel with relief and the relief helps a lot.

Mr. Stein: Yeah it's architect type.

Mr. Okum: Its architectural type and you know I, so that being said I'm go listen to what the planning committee members have to say

Mr. Stein: And to your point of being a just, a plane Jane repeated pre-cast building. We've seen those and we know what paint looks like. You know we tend to try and paint our buildings earth tones right because earth tones tend to not fade as much. When you paint a building blue, dark blue, a dark purple, or a dark green, it fades with time. These colors that are more neutral with degrees in the tans and the yellows tend to hold their life. Again, I mean we'll take everything into consideration and you tell us. I've never heard of an embossed panel but I'd like to find out more about the actual specifics of what you mentioned. You know from a standpoint of breaking the entire facade I would say that is a little outside of what we can

Mr. Okum: I didn't ask you to do that.

Mr. Stein: Yes, I understand.

Mr. Okum: Question about a color pallet. Do we have a color palette from the applicant? We should get one that represents what's been submitted.

Mr. Stein: Sure

Mr. Okum: I do have another concern regarding the light packs on the building and how they impact pedestrians and the driving public particularly, parking fields. And we're going to have parking fields on Northwest. There's going to be parking field around the corner on the north side on that corner. I'm not very comfortable with light packs shining off your buildings like that parking field. In the back, you're basically shining into your neighbor's property. We have you know we have restrictions on how far that gets cut off but the glare from those lights that are generated to adequately like that field is significant and it's annoying and it's annoying to the neighbors. The light fall may end at the property line, but if you look at a building that the lights are on the building creating light for that parking field, it's significant. If you wanted to take the lights, put them on poles at the edge of your property, and shine it toward your building, I don't have a problem at all about it. But when you take them and put them on the building and shine them out to your neighbors and driving public and the people in your parking lot are walking up to your building, that's an annoyance and it's a cheap way of going, but it is certainly a negative as far as I'm concerned as far as how going to go.

Mr. Stein: We're not trying to take the cheap way out. I hope you understand that. Would you want to comment on that?

Mr. Warnament: I just wanted to add all the property lines are pretty much coated in landscaping so I hope that helps alleviate some of that issue.

Mr. Okum: It won't do much along north Northwest Boulevard. It won't do anything on Pictoria because those lights will bleach right out into the roadway. If you're going light that parking lot with that with those lights you're going to have impact on the roadway. It may be zero fall or .5 candles at the at the at the property line, but if I'm coming down Northwest Boulevard to go to the go to Pappadeaux's or Smoq those lights go hit me in the eyes and that's not that's not a positive. It's a negative to the site.

Mr. Stein: That's easy, you know we can swap out wall packs with site poles.

Mr. Warnament: If the main concern is on the public right away the Northwest Boulevard and Pictoria side then it'd be easier to have the poles in those locations because we don't have you know its basically vehicle parking instead of truck parking so that's actually a pretty easy swap.

Mr. Okum: We also we also have them on the North side of the building where the parking field is.

Mr. Warnament: We don't have parking.

Mr. Okum: No parking on the north? I thought there was.

Mr. Stein: There is future parking on the south.

Mr. Okum: Let me make sure. So you would not need light packs on the Northside on the north side of the building with their need to be light packs, you've got a driveway?

Mr. Stein: Just to illuminate the driveway so I guess there would be. We can put them still if the concern is, is the concern alone street ways or is the concern just in general?

Mr. Okum: If I want to go down Northwest Boulevard, I just don't want those lights to hit me in the eye. I don't, if the North side if there are down and shielded and you can adequately do it, I mean you do have a landscape area that was 20 feet? So you're going to be basically needing to project past that in order to get light out. Where's Tom at. I'm sorry Tom's always talking about lights.

Mr. Warnament: But the Northwest Boulevard side is the easiest side to do what you're saying and basically, to take the wall packs off that side and replace them with poles.

Mr. Okum: And on Pictoria side.

Mr. Warnament: And on the Pictoria side. Those sides are easy without the trailer parking and such. That's not a difficult fix.

Mr. Okum: Okay, let's hear what the rest of the commission have to say. Thank you.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. I really echo Mr. Okum I had that in my notes as well on the lighting in particular to be able to provide enough lighting for the parking lot from lights on the building I can see where that would be an annoyance as well and I would like to see pole lighting myself. I think that will be a softer touch for the safety for the parking lot. I had a separate; I also have concern with the pre-cast concrete panels. Other than seeing the drawing colored in, I'm not sure what I'm looking at with this pre-cast so I was wondering if you could provide some sort of a sample of what that would look like what the texture of it. Is it as smooth a smooth and just painted three different colors as we see here?

Mr. Stein: Correct with moldable reveals in the pre-cast right so there's little divots that kind of run the length of the of the pre-cast panels that border where the pain changes.

Mr. Ramirez: Okay. Were you entertaining at all on any kind of relief from the panel that Mr. Okum had stated other types of panels that may have some texture to them?

Mr. Stein: Yeah we're all ears. I mean this was this is what we know right. This is this is the industry call it standard is the preferred method of construction and I'd say that this is what most tenants have come to know and expect.

Mr. Ramirez: And the reason I'm saying this is this is in you know as we have retail there as well with what with Pictoria Island and it's just not a warehouse location so it's just something I would like to say.

Mr. Stein: The parking garage to the south I do believe is also the pre-cast non-painted smooth finish so it does, there is other buildings in the vicinity that are mimicking the see feel I think this would go one step further with the amount of reveals with the amount of glass extrusions from the facade to kind of break up the flatness of the panels. Just a point.

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

Chairman Darby: Mr. Hawkins

Mr. Hawkins: Thank you Mr. Chairman. I agree with the points that you've already heard from the commissioners regarding the lighting. Question for Mrs. McBride and staff regarding the painted of pre-cast concrete panels. When we left that out of the zoning was primarily because of the fading over time or were there other reasons too?

Mrs. McBride: Well those are standards are found within the PUD. And you know a lot of cases applies to our retail developments and so forth and we didn't want that on the retail developments. I don't think that we particularly, I mean we left it out for the reason that we didn't we didn't want to see a lot of that. I also would remind the commission that I think that this building sets a precedent for other industrial warehouse buildings that will be coming to the commission in the future. So I think you really want to think about those building materials and how that building is an appearance and the breakup of it.

Chairman Darby: And you folks are prepared to offer the applicant some possible options that they're not familiar with correct?

Mrs. McBride: We can work with the applicant. I mean they're in that business I think they need to bring the options to us rather than ask without them you know meet with contractors and so forth.

Mr. Stein: I just wasn't exactly familiar with the extruded concept that was mentioned.

Mr. Hawkins: But to be clear you're open to working with staff with regard to that? Avoiding that.

Mr. Stein: In general, we expected the exterior of building material will be a pre-cast or a tilt up concrete panel to provide the rigidity and to provide the engineering that's necessary. As far as the finish of it, we're happy to explore options.

Mr. Hawkins: Thank you Mr. Chairman.

Chairman Darby: Mr. Hall.

Mr. Hall: Thank you Mr. Chairman.

Mr. Hall: I completely agree with Mr. Okum's comments that he made earlier. A good point of that is if you drive three quarters of a mile north on 747 you'll see the concrete buildings that have not been painted, you'll see the ones that had been painted the U.V. really affects them quickly and it isn't very pleasant when you see the faded paint on it and it would just be an ongoing process paint, paint, paint, paint, paint where like you indicated earlier sometimes you just throw the slabs up there on the concrete. So that's a serious consideration that I have because it's right across the county line. Also, I concur with him on the lighting that the lightning should light the parking field up; rather than the outside of the building. So those are my comments Mr. Chairman.

Chairman Darby: Thank you sir.

Mr. Hall: Yes sir.

Chairman Darby: Yes Sir Mr. Parham. 94 cents a minute

Mr. Parham: Derrick Parham City Administrator. Just to remind everybody of where we started with this piece of property. This piece of property was supposed to be three office buildings. We very reluctantly as an administration decided that after the property sat vacant for many years, that we would consider moving away from the requirement office and move into some industrial. None of us really want industrial in that location okay. But because of the owner has been owning this property for well that's been paid a nice penny for the debt on the property. We decided to give it but when we decided to give in, we were presented with a couple of buildings. Two buildings presented and what we have always said to them is we have to protect the character of the large office tower that sits there because there were still supposed to be two office towers there. Right now, there's one office tower. We didn't want, as Mr. Okum referenced which sits across the street with the white warehouse. We don't want another one of those. We want something that fits and blends in with that office tower. If someone can't necessarily, give us something that fits and blends in then perhaps that isn't necessarily the project for them. As Mrs. McBride indicated that this is the beginning of this phase for us. The two projects you had before you tonight is about a lot of industrial. The other industrial has really nothing to point to that has a major impact or it will have a major impact on the way this development will have on the office building. We just had an owner who came in and bought that property for 27 Million dollars, put up substantial investment down with that piece of property. There's a second tower that is supposed to be constructed. We don't want another white office or warehouse that we have across the street. So it's very important that what we do this evening or whatever comes forward for this piece of property that we try as best we can to make it blend in with the office environment with an office building that is there. The second point I wanted to touch on is that access point. Mr. Shvezda indicated that we have not necessarily tied down that off the access point to convey over the what exists right there doesn't really fit. Okay. What we've been looking at is more of connecting a roadway through that process. I think what I heard this evening is that essentially where we've been looking is part of what they've been talking about for their detention basin and where the mound is located. Again, we haven't ironed it out. I don't want to be unfair to these gentlemen but we need to do something to be able to take the traffic off of Crescentville Road from sending the properties to the east of the Crescentville to get to the restaurants that's on the Pictoria site and then they have to go back out to Crescentville to come back. We want to have them connect in between and the hope is to be able to sit down with property owners in general, Mr. Byer the folks with the Progress Park and talk about some sort of access that maybe we can partner as a community and as these private owners to be a connection. So that's a central part of this process as well. If you have a questions, I will try to address any of those for you.

Mr. Okum: Mr. Parham, if I could Mr. Chairman. And I appreciate your comments. I agree 100% and the philosophy and the way we're going about this process and how this impacts other developments as well. This 60 foot, and that's the reason I went from because I noticed on the drawing I believe it did say 50 foot. And I just wanted to make sure that we were clear that a typical right of way is going to be 60 feet not 50 feet. Where exactly that's going to be that's for the engineers in the city to work out.

But we want to make sure that as part of the motion that there is a commitment from the applicant for that right that normal right away width to get that accomplished. Where that location is as long as it doesn't impact their operation and they can make it work and as long as we can make it work for the city, that's a win win for the community because I too frequent those businesses there and I definitely see the connection need and encourage and say and support is a great and greatly. If we were to update our thoroughfare plan that would be one of the key items on that thoroughfare plan that needs to be there from this commission in my opinion because it's connectivity and it brings the properties together. It's a it's a win for them and it's win for the community.

Mr. Parham: Just one comment. With the previous group that was before you that went through the preliminary process, I sort of thought that we missed the opportunity because we did not have a chance to sit down and talk to me about it. I've not met the gentlemen that are here present representing this organization. I have met one of their other partners in a meeting with that individual we express what we are hoping to do. We have not outlined specifically where it's located but it's nothing that can be identified or located to north through this building. It has to be to the south of their building because that's where the connection the appropriate connection is from Pictoria over into the Progress Park location.

Mr. Okum: That is correct. That's exactly where I thought it should be to.

Mr. Parham: Thank you.

Chairman Darby: Thank you sir.

Mr. Warnament: I'd like to offer up as the engineer from the previous developer and the current developer that the previous developer had a much more rigid stance against the cross connection between the site and the Avon property and Exeter has the totally opposite view and has been very open to it. So that means anything I don't know but totally different mentality on the developer side.

Mr. Okum: Let's see if we can get from point A to Point B and make it work.

Mr. Byer: Burke Byer the current owner. So I have some very good news. The owner of the building to the north of our site I just found out today is actually a very close family friend of mine and they have a partner in that building that actually wants to lease this building to expand their business. That's good. And I had a meeting with the owner of the tower telephonically two weeks ago, don't ask me to say his name, it is a Russian name and I'll slaughter it. But we were actually starting discussions about he's interested in buying our five acres next to the tower of hopefully another tower. And I ran and emailed him these plans and he was very pleased with it. He lives in New York so he wouldn't make it. But all I can tell you is that the tenants to the north and to the south are very happy about what we are doing. People have reached out to and connect with.

Chairman Darby: No lights.

Mr. Okum: I'm just trying to make sure. Mr. Chairman.

Chairman Darby: Mr. Okum.

Mr. Okum: We are at a final plan review we've got some questions here. This man has a lot of money invested in this. Wants to get his project moving forward. I'd like to see your project move forward, but there are some things that we really need to tie down and there's only five of us here and you need five votes to make it move forward. I'm not going to tell you to do this but we've been willing to meet with notification if we get, I'd like to get the lighting situation resolved. The issue, you've agreed to a cross access point that will work at least it appears you have and this building finish what this building physically looks like. We don't have a color palette, which is typically required in a PUD. So we need to sort of tie those items down. I'd

hate for you to get a no vote. I'd rather to see this thing go forward, but it has a few things that just needs to be fixed.

Chairman Darby: Excuse me. What I'm hearing from all the comments that have been made as I announced the beginning of this meeting that any motion will require all five of the votes that are present. In my opinion that may not be the expected outcome. So we are in a position as Mr. Okum alluded to, to work with perhaps a special meeting. Maybe we're in a position where we should consider tabling or continuing.

Mr. Okum: If I were maybe, I would rather see the request come from you rather than us.

Mr. Stein: Sure. Can we break for two seconds here to just.

(background chatter)

Mr. Stein: How quickly can we get the next special hearing? What's the typical time line?

Chairman Darby: Mr. Taylor.

Mr. Taylor: Well I think you know the issue probably from staff's perspective is to have adequate time to review whatever is submitted in order to be able to get some meaningful input to you all. I don't know how long it may take you folks to turn something around but I would think you know I can't imagine us being able to do much in less than a couple of weeks. I mean I would.

Mrs. McBride: You have to notice the meeting to.

Mr. Taylor: No, it does not require a public hearing.

Mrs. McBride: You have to notice a Planning Commission special meeting.

Mr. Taylor: Does that take 15 days?

Mrs. McBride: I don't know.

Mr. Taylor: I don't know either. I'm not sure, I mean I appreciate the spirit of trying to accommodate the developer you know by trying to insert something here but let's just say for the sake of argument it takes them a week or so to get something back and it takes us you know a couple of weeks to review. I mean we're essentially, where our next meeting would be. Again I appreciate you know trying to accommodate the timetable of the developer and I know there's some issues in terms of closing and so forth you know but I think realistically you know I'm not sure that we can even put together a meeting in two weeks which would be like a midpoint between you know this meeting and the next meeting. So I guess my preference would be to just you know have it at the next regular meeting.

Mr. Okum: Which would be the 8th.

Chairman Darby: The 8<sup>th</sup>.

Mr. Stein: Would there be a possibility of doing a special meeting in three weeks to give us a week and give you two weeks and still get it in before the following full hearing.

Mr. Taylor: I think assuming that we could find a date and we could if we do have to advertise to announce that we're going to have a meeting. I think all of our public notifications basically are 15 days. So we have to have we have to have the 15 days plus it basically takes us about a week to get the stuff in the paper. So I'm going to say three weeks is about the absolute minimum that we could possibly do. If it saves you a week you know and if you folks are available.

Mr. Stein: We would appreciate it if it's possible.

Mr. Okum: That would put it as August 1st

Chairman Darby: August 1st vs. the 8th

Mr. Okum: Don't forget that we're going to be turning around and staff is going to be double.

Chairman Darby: Is a week is a week that critical to you?

Mr. Byer: Yeah, timing wise it kind of is for just financial flow for the contractors we are working and closing dates and the we are talking about lighting.

Mr. Stein: Finishes and paint colors.

Mr. Byer: Finishes and paint colors which.

Mr. Stein: And the conveying of the easement. So really, the lead-time there is the lighting. Just getting you a photometric showing, site poles which really would take a couple of days. So we think we can meet that time. We just want to give you guys ample time to review.

Mr. Okum: Yeah, staff also brought up to comment about the mounding change and that obviously needs to be addressed with staff and resolved. Mr. Chairman if I may.

Chairman Darby: Please Mr. Okum go ahead.

Mr. Okum: leave the, it appears that we're flexible if staff can make it work. It appears that we are flexible if staff can make it work but I don't know if it's going to make a lot of difference. But, and you're right there's only like four items you know I'd hate to do a conditional approval on a final development plan and then you come back with a building finish schedule that or the color palette in that building and you kind of result there's like you know four items here and we really appreciate what we really want to make this work if we can. But on the other hand, we want to be fair to everybody and specifically you in this city in our deliberations. That's where I'm at on and I'll do it whatever I'll make my time available.

Mr. Stein: Is there a possibility to get a conditional approval subject to?

Mr. Chairman: Mrs. McBride you had your light on?

Mrs. McBride: Yeah. Just a couple of things. I think that if we were to do something we would also want to see that revised landscape plan because one of the things that has changed from initial to now that was not represented on the plans and is not represented in the plans at this before you this evening is the fact that they've taken out that vegetation on the north property line and the Northeast property line. So you know we would like to see that in the revisions to the landscape. I do want the Commission to give the applicant some indication if they're ready to take the fixtures off the building and put them on the poles that what is the appropriate height the code allows 15 feet with this type of use. So you know I just don't want to get to whatever the meeting is three weeks from tonight four weeks from tonight and all of a sudden oh 30 feet tall. So I think we do need to give them some direction as to if they're going to mount them on poles is 30 feet acceptable. Are you going to hold tight to the 15 feet that the code requires or whatever?

Mr. Okum: Mr. Chairman? In regards to the poles 30 feet in the truck dock area 15 feet in the parking fields it's real simple. It works, gets them there and they can be the same brown hole just needs to be a little taller in the parking area, the back truck area.

Mr. Warnament: Just for clarification so we are on the same page in the dock area on the east side are the wall packs. So I mean just general consensus on that side that would be acceptable or at a 30 foot height?

Mr. Okum: Our lighting code calls if you do wall packs they have to be down lit. I don't see how you can do a park field lighting and be complying with our zoning code on lighting. So probably not.

Mr. Warnament: If we can meet, the code is it okay?

Mr. Okum: I guess.

Mrs. McBride: The code requires 15 feet so you are not going to meet the code.

Mr. Warnament: Yeah on the height part. But if we do that 30 feet meet the foot-candle requirement.

Mr. Okum: I don't know how it's going impact what's on the other side there. What is your impacting from your adjoining property.

Mr. Warnament: Mostly just paved parking.

Mr. Okum: There's Progress Place runs along there.

Mr. Warnament: Yeah and north of that, there is the GE building. Yeah and it's mostly pavement.

Chairman Darby: So where are we?

Mr. Okum: Now I get a lot of things that are conditional. There's offices there. Those are offices on that side. There's offices on that side that would definitely be a no

Mr. Stein: So poles on all four sides of the of the site. Lighting poles?

Chairman Darby: So what is your pleasure?

Mr. Stein: So we would request conditional approval subject to getting the staff and the council the color change the color palette the change lights, the final finish of the pre-cast panels and the revised landscaping plan. If that's not a possibility, we'd like to request a special hearing for three weeks.

Mr. Okum: I think I can craft that. If staff thinks we can do it with conditions.

Mrs. McBride: Just two other issues though that the applicant, one had to do with that cross access.

Mr. Stein: Oh yeah the conveyance of the easement.

Mrs. McBride: And the last item have to deal with a phase parking plan. Which is required by the code but they did not send one.

Mr. Stein: So just to understand the phased parking plan is an understanding what when the future parking would be built. And it would be an obligation to build that future parking.

Mrs. McBride: Yes, it will be an obligation to do that. What triggers it as I suggested in the staff report that the landscape and will go in up front. I also want to make sure that there is safe pedestrian circulation from those spaces given the truck traffic on that access drive, how you are going to get them to the front office entrances.

Mr. Warnament: Could I ask a question regarding phased parking? If they have two tenants, whose total employment does not exceed the amount of parking and the 193? Would it just be you know basically determined if say the attendance then

change in the future and somebody with a higher demand comes in at that point it would trigger it?

Mrs. McBride: Yeah I think basically we're going to ask for it is that it will be at the City's determination. That if we go out and we find cars repeatedly parked in the grass that we're going to say guys put the parking. The one other item, I know I keep making a laundry list longer and I'm sorry, is the covenants we still don't have the covenants guys.

Mr. Okum: That was here.

Mrs. McBride: Okay.

Mr. Okum: That's on my list. Well Mr. Hall just asked me a question can they get it all in three weeks. No. But if these are conditions set into motion then they would have to comply to that and then come back to us with those items be submitted at a later time but at least they'd have their project approved with conditions.

Chairman Darby: Yes. You ready.

Mr. Taylor: Just to make sure I understand the idea would be to approve it with conditions. These guys would go ahead, submit to us, and bring it back to you all so you could look at it. That's not something you'd expecting us waive off on.

Mr. Okum: Same way we do on signs, other things, and other developments on Final Development plans we've reviewed. Sometimes we'll leave it to staff and I'll motion that to be reviewed by staff but there's I think this comes to us.

Mr. Taylor: This is more than we're comfortable with.

Mr. Okum: Comments.

Chairman Darby: Okay. Yes Sir Mr. Parham.

Mr. Parham: What if they come back to you and you don't agree with elements of this.

Mr. Okum: And they are not going to them that their, staff won't be able to approve their plan.

Mr. Parham: I guess of the concern is the party that was just before you, you held a special meeting for them and tried to address their concerns and unfortunately when they came back because they didn't they weren't able to get it done in a timely manner, the essentially lost a month. If he can't get it done all the things they're talking about and you are trying to have a special meeting you'll lose an opportunity because you won't be able to get to the next scheduled meeting. They will push you back into.

Mr. Taylor: They are going to do that on a conditional basis.

Chairman Darby: It's a regular meeting.

Mr. Parham: I got that but they still have to come back if it's not

Mr. Okum: But they could come back in two months Mr. Parham. They could get all their ducks in order, come back in two months, and get on the agenda and or they could make it and make the timeline for the next meeting according to the rules.

Mr. Parham: If he makes it, they are good if it doesn't make it. It's just a thought.

Mr. Warnament: So basically, if we do the conditional approval tonight we go August 8 instead August 1.

Chairman Darby: Yes.

Mr. Warnament: We get our part of it corrected back in to Gregg and then we are here August 8 and not August 1?

Chairman Darby: Then regular schedule.

Mr. Okum: That might make some bankers happy.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. The main purpose of the conditional approval is basically you guys can get things moving with regard to closing and what have you. Right. And everybody understands it still has to be complied with and finally approved but it allows you to get some of those financial issues moving down that road.

Mr. Stein: Correct. We understand that.

Mr. Okum: Okay I'm going to go through this list, working list. We've got out City Planner and City Engineer's recommendations. We've got the PUD's covenants that must be submitted. We have pole lights of 15 foot in the parking fields 30 foot in the truck dock area. No wall pack lighting on the site. And I hate to use that term because if you have it over a doorway it's a wall pack, but I think the understanding is, is wall pack area lighting. Revised landscape plan be submitted. That the precast concrete panels finish and color to be submitted to planning commission review for approval. That there be submitted an exterior color palette for approval by planning commission. That a portion of the South elevation the eastern portion of the South elevation. I'll get this right. Planning Commission is waiving the need the requirement for window placement on that elevation portion of the project. Right? We have a cross access agreement that the applicant will provide a cross access easement shall be provided is approximately 60 feet wide and worked with the City of Springdale on the South area of the building. South of the building. Is that Okay Mr. Parham. Okay. (sneeze in audience) God bless you. Pictoria mounding issue the, mounding that's been eliminated from Plan shall be reviewed and submitted to Planning Commission for review and phase parking plan shall be provided. How about that is close. Mrs. McBride? You got another one? I got one more spot.

Mrs. McBride: No, I don't know of another one but I guess the question that I would have is what direction is the commission given to the applicant relative to the mounding on Pictoria, because that was in before and now it's not up now it's down and it really have both the detention and the mounding.

Mr. Okum: Their going to need to deal with the landscaping elements to adapt for that change.

Mr. Warnament: Just to note, we received comment to basically swap out some plantings provide larger canopies and that's what we intend to do.

Mrs. McBride: I just want to make sure, though because it was a discussion point with the Commission during the last time you reviewed this project was the need to have that mounted on Pictoria.

Mr. Okum: If I can recall when we did the garage, we put the developer through the worst element in the world on the whole, those corners were treated. If you can recall with the landscaping element that we required on those corners of the parking garage. So there was separation from that garage mass and the roadway dictated by this commission. If you remember back when we did that's a few years ago but it was a lot there.

Chairman Darby: You want to make that sound pretty.

Mr. Okum: I'm going to go through it. Mr. Chairman I'd like, are we okay. Good. Mr. Chairman I'd like to make a motion to approve the 15-acre site located on Northwest

Boulevard, case number 32288, Final Development Plan for Exeter Property Group. This motion includes all staff, City Engineer's City Planner's recommendations. The PUD shall include the staff and Law Directors approval of a set of covenants to be submitted. The requirement on the site lighting fixtures shall be restricted to no wall packed lighting for area lighting and that there shall be pole lighting, which will include 15-foot high poles in the parking fields and permission to go to 30 foot in the truck dock area. The applicant shall submit a landscaping plan revised to be reviewed by staff and then by planning commission. The building elevation shall be constructed of pre-cast concrete panels a finish and texture shall be submitted to planning commission for review and approval. The exterior color palette for the building elevations shall be also submitted to planning commission for approval. A portion of the eastern portion of the South elevation planning commission waives the window requirement from that for that elevation portion of the site. A cross access agreement shall be provided to for cross access easement shall be provided approximately 60 feet wide and worked out with the City of Springdale in the south area of the building site. The Pictoria mounding area that the main building was removed shall be modified and reviewed with our planner in regards to dealing with appropriate replacement of the mounding area with landscaping and/or other mounding. Parking areas shall be submitted with phased parking plan, which shall be approved per code.

Chairman Darby: You want to modify this as conditional.

Mr. Okum: Yeah we can say conditional motion.

Chairman Darby: Let's get this get a second and we'll deal with the question.

Mr. Ramirez: The question is just so he doesn't have to come back again. Do we have requirements on zoning on a number of lighting poles that are needed in the parking lot?

Mrs. McBride: No. That will be determined by the fixtures that they use and the light levels that they that they produce that's how they'll determine the number of poles.

Mr. Ramirez: So this condition will need to meet the requirements.

Mrs. McBride: Of the code, correct with the exception of the fact that the commission is granting a variance on the pole height for the polls that are on the east side of the building.

Mr. Ramirez: Thank you.

Chairman Darby: Do you want to second?

Mr. Hawkins: Second.

Chairman Darby: It has been moved and seconded that this motion be approved as indicate the description. Recorder please call the roll.

(Ms. Morsch, acting recorder called roll and the motion was approved with a 5-0 vote)

IX. DISCUSSION

Chairman Darby: Moving on folks. Thank you for your perseverance. Do we have any items for discussion from the group? Staff anything for us?

X. CHAIRMAN'S REPORT - None.

XI. ADJOURNMENT

Chairman Darby: Chair will entertain a motion to adjourn.

Mrs. Hall: I'll second it.

Chairman Darby: You first it he seconded it. We are adjourned.

Respectfully submitted,

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

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