

PLANNING COMMISSION MEETING
JANUARY 13, 2015
7:00 P.M.

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: Carolyn Ghantous, Dave Okum, Richard Bauer, Marjorie Harlow, Robert Diehl, Marge Boice and Don Darby

Others Present: Anne McBride, City Planner; Don Shvegza, City Engineer; and William McErlane, Building Official

III. MINUTES OF THE REGULAR MEETING OF DECEMBER 9, 2014

Chairman Darby: The Chair will accept a motion to approve the Minutes of our December 9, 2014 meeting.

Mrs. Boice: So moved.

(Mr. Okum seconded the motion. Mr. Bauer, not present at the December 2014 meeting abstained and with six "aye" votes from the remaining Planning Commission Members the December 9, 2014 Minutes were adopted.)

IV. REPORT ON COUNCIL

(Mrs. Harlow gave a report on the December 17, 2014 and the January 7, 2015 City of Springdale Council Meetings.)

V. CORRESPONDENCE

Chairman Darby: Each of you should have received a copy of the 2014 S-15 Zoning Pamphlet in your packet.

VI. OLD BUSINESS

(No Old Business presented at this meeting.)

VII. NEW BUSINESS

- A. Chairman Darby: The first item of New Business, Revised Development Plan for Maple Knoll Kensington Project at 11174 Springfield Pike.

Mr. Doug Hinger: I am the President of Great Tradition Homes and I am here tonight representing Maple Knoll Communities. We are seeking approval of a revised development plan for the Kensington section of Maple Knoll Village that was previously approved February 27, 2007. I must begin by apologizing for a couple of items that were inadvertently left out of our re-submittal packet. With that original packet the landscaping and light plans, for some reason they were missed out of our re-submission. We do however have additional plans for you tonight and we will give those out now. We have submitted full size copies to Mr. McErlane, as well, so we hope that this completes our submission. The other bit of information that we have is our materials and we will talk briefly about those. This revised development plan is very similar to the original plan that you see up

here. The original plan that was developed offered five buildings, a total of 56 units. We will be making some changes that you will see in the revised plan; the biggest plan calls for a reduction from 56 units to 52 units and a change from these two larger buildings which you see here, to three smaller scale buildings. The site plan alignment is essentially the same as before and the architectural building detailing is similar, the materials and color palettes that you see here in front of you are matched as closely as possible to the ones that we have now; some of the products are no longer manufactured due to the time frame but we have found compatible materials. It is our intention to complete this section of Kensington to be its own small village within the Maple Knoll campus; we are very pleased because we think the new design does that. The lighting details that are on the exterior will be the same fixtures and the same pattern that we had already established and the landscaping design is consistent with the prior submission, as well. These three buildings shown in the southern most portion is now a one story, two unit building that has an attached wall. These are the two largest of the units, 2,100 s.f. and 2,520 s.f. and this begins the pattern of what we have in reworking this new plan. We have found with our partners at Maple Knoll, the demand here is for a larger and luxurious style of home. We have reduced the density and we have made them larger and we have made them better. In fact, virtually every home in this new section has two bedrooms plus a study which we are finding is very much what the people who are moving into Maple Knoll are looking for. If you are not familiar with Great Traditions, we are a builder and developer known for our master plan communities. We feel that these homes that we are providing here with Maple Knoll are very consistent with that style of luxury and finish and fit that we provide for our residents that are not in a campus setting such as this with the services that Maple Knoll provides. The other two buildings that are on here are very similar to a previously approved building, the building that was previously a six unit building and is now a five unit building. Those units will range in size from 1,460 s.f. to 1,710 s.f. There were several factors that were brought up in the Staff comments and we will be glad to address any of those questions as they arise.

(At this time Mr. McErlane, Ms. McBride and Mr. Shvegza read their Staff comments.)

Mr. Diehl: Was the traffic study completed o.k., in 2007?

Mr. Shvegza: Yes, they did lengthen the left turn lane for the southbound left turn, so it is in place and it has been functioning.

Mr. Okum: In regards to mechanical units, they will be traditional, residential heating and cooling, is that correct?

Mr. Doug Hinger: Yes, that is correct.

Mr. Okum: The mechanical units will be where; the outdoor units?

Mr. Doug Hinger: They will be located on the outside of the buildings on the ground.

Mr. Okum: On the side, driveway, front?

Mr. Doug Hinger: On the sides. They will not be in the front but on the sides; the rear of the buildings actually have the garage access to them.

Mr. Okum: I didn't know if they were going to try to squeeze them between entryways or doorways.

Mr. Doug Hinger: No, we wouldn't be doing that.

Mr. Okum: I believe our Code calls for screening, landscaping around mechanical units. I am very pleased with the revision and I think it will be very successful.

Chairman Darby: Could we get comments, responses about the two trees and the sidewalk that were mentioned in Staff reports.

Mr. Doug Hinger: Yes, the trees that is in question is really between the two five unit buildings as it connects across that driveway and over towards the main part of the campus. We would be glad to meander that path around; so that is suitable. We think the trees are a great part of the site and we will keep as many as we can.

Mr. Okum: I would like to move that Maple Knoll revised development plan at 11174 Springfield Pike be approved to include specifications and designs contained in the exhibits submitted prior to this meeting and those that were reviewed by Staff and this Body. The mechanical units shall be screened in the appropriate enclosure / screening approved by Staff, as well. To include City Staff, City Engineer and City Planners recommendations.

(Mrs. Boice seconded the motion and with seven "aye" votes from the Planning Commission Members, the request for Maple Knoll was approved.)

- B. Chairman Darby: The next item is Development Plan Approval, Thornton's Gas Station, 12185 Princeton Pike.

Mr. Ryan Balko: I am with GPD Group, I am the Consulting Engineer for Thornton's Gas Station. Tonight I have Jode Ballard representing Thornton's.

Mr. Jode Ballard: I am the Senior Manager of Development for Thornton's.

Mr. Ryan Balko: Today we are presenting a development plan for a proposed Thornton's gas station at the corner of Princeton Pike and Crescentville. There is an existing retail plaza on the site that we plan to demolish to make way for the 44,000 s.f. building. There will be 7 fuel island on the site. We will be reusing the existing driveway access point on Crescentville and slightly shifting the one on Princeton Pike. Presented here is the landscape plan and we will have a detention basin on the south side of the site.

Mr. Jode Ballard: The landscaping plan obviously shows significantly more green space and parkway trees along the frontages. Today the parking pavement goes essentially to the expanse of the property. We worked with Staff and shifted some things around to try to meet more of what the Staff is looking for. We positioned the dumpster to the rear of the property. We have significant grade changes between the intersection so we plan to continue to have those retaining walls which really have a nice look. There will be some large trees to buffer between 84 Lumber and this will remain as green space.

(Mr. McErlane read his Staff comments.)

Mr. Jode Ballard: We can reduce the size of the pad for the display area.

Mrs. Harlow: Could we please keep the two items separate, the development and the conditional use very separate in discussion; I have some real issues with that so I don't want to muddy the waters and have an issue with the development plan, when I have a real issue with the conditional use.

Chairman Darby: Good point.

(Ms. McBride and Mr. Shvegzda read their Staff comments.)

Mr. Bauer: Mr. Shvegzda, the location of their entrance off of Princeton Pike, the location where it is shown, is that acceptable?

Mr. Shvegzda: That is correct. Basically from that current stop bar that exists for the left turn lane, we will have a distance of 200' and that would be just about where the north edge of their 36' wide portion of the driveway exists and changes over to

the two-way left turn which would allow vehicles to turn left into the site; so yes that location is acceptable.

Mr. Bauer: Then you mentioned about the trucks and turning radius into the site; the one drawing that I saw in the packet that I received looked a little awkward.

Mr. Shvegza: We had some initial discussions so we will need to get with the applicant and kind of go through that and finalize how that turning path will be.

Mr. Bauer: Thank you.

Mr. Okum: Mr. Shvegza, in regards to the detention, the run-off on the site the location of the detention basin, does that need to be there or could it have been in ground and not a swale or a pond?

Mr. Shvegza: Do you mean underground?

Mr. Okum: Underground.

Mr. Shvegza: I don't know if there would have been sufficient depth to discharge. That wasn't investigated. This works out with regards to the fact that the depth to the catch basin out at 747 is sufficient.

Mr. Jode Ballard: The pond will be a dry pond. As the City Engineer pointed out, it will serve to stage up in a larger storm event and then it will draw down. It is not designed to hold water.

Mr. Okum: Sure, I understand. There was some comments from Staff in regards to separation of pavement from the right of way area and I was wondering why the building wasn't sort of shifted a little bit further south where you could have eliminated a little bit of that to get more green on the north side and shifted it a little bit. I know Staff commented in regards to the rear of the building and the drive lane being narrowed down to get more on Princeton Pike but I am thinking as well on Crescentville, the building could go three, four, five feet that way and I am thinking if the dry pond needs to be that configuration or is it flexible, so that you can get a little more green on that north point as well as follow Staff's comments in regards to get a little bit more green on Princeton Pike?

Mr. Jode Ballard: Part of the layout that we made is because we want to provide some flexibility for the future. If this area really takes off, we want to be able to grow in a direction and meet your Code in all areas. That is what we have provided and I think that this provides this flexibility for the future in case we need to come back.

Mr. Okum: Things are changing too. Do you typically have kerosene at your other facilities? Where is kerosene going to be on this site?

Mr. Jode Ballard: We don't plan to offer kerosene.

Mr. Okum: Diesel will be at the pumps, the standard pumps?

Mr. Jode Ballard: Yes. We won't be trying to serve tractor trailers.

Mr. Okum: What about propane?

Mr. Jode Ballard: Propane will be in the outdoor sales area.

Mr. Okum: So you will have one cage?

Mr. Jode Ballard: Yes; essentially it will be either one of the cages that is the 80" long or two of the 40" wide cages.

Mr. Okum: I know that is a conditional use item but I was thinking propane for cars.

Mr. Jode Ballard: We are not designed for that at the moment. If that becomes a business that makes sense then we will certainly investigate it but at the moment it is not something we are installing.

Mr. Okum: And you are not putting any natural gas in?

Mr. Jode Ballard: Compressed natural gas; no. We are certainly looking into it but we are not doing that.

Mr. Okum: Compressed natural gas for vehicles?

Mr. Jode Ballard: We don't have any that we are installing now.

Mr. Okum: And there is no place for it, currently?

Mr. Jode Ballard: I don't know that I would go that far, I think we have room to grow at this location and there is certainly an area where it could go, a number of areas that it could go in.

Mr. Diehl: Can you tell me where the underground tanks are going to be?

Mr. Jode Ballard: On the edge of the property (demonstrating from a drawing).

Mr. Diehl: So, when the trucks are there will cars be able to get through or do they need to go around?

Mr. Jode Ballard: There is still an area to go around.

Mrs. Boice: I am very familiar with the Thornton's in Butler County, which seems like a stone's throw from where you are wanting to put this one. Are you going to continue to maintain the one in Butler County?

Mr. Jode Ballard: Yes, I think there is enough business here but if it turns out that this location needs to grow then we can grow this; we are landlocked on the other site. We have had sites in the past that we have sold off as another retail use. As I understand we are planning to have both, they are on opposite sides of the road so coming and going for either road is convenient but if that store suffers then I would imagine that we would sell that off and this would be the primary location.

Mr. Bauer: The packet that you gave us tonight, I notice differences in here verses the packet that we received to review. Can you highlight what the differences are that are we looking at.

Mr. Jode Ballard: We received our second set of comments last Friday afternoon so the packet that you have has addressed the landscape comments that Ms. McBride commented on earlier, as well as we have included the revised details for the trash enclosure to be the brick CMU with the wood gates. I believe we have also included the revised photometric plans and as Ryan mentioned the light pole in the middle of the landscape area has all been reorganized based on the revised layout. Signage, as well, just to represent the new site layout.

Mr. Okum: I don't know that I found a height for the canopy.

Mr. Jode Ballard: Our canopy clearance is 17 ½'.

Mr. Okum: So it is basically 17 ½' to 21' to the top of the canopy?

Mr. Jode Ballard: That is correct.

Mr. Okum: And it is going to have signage on basically all sides?

Mr. Jode Ballard: Three sides.

Mr. Okum: Then I saw that you requested a pole sign that was also about the same height. Where was the location on the site that the pole sign was going to be requested to be placed?

Mr. Jode Ballard: Right here (demonstrating with drawing).

Mr. Okum: You saw that Staff had requested that you consider a ground mounted sign?

Mr. Jode Ballard: We felt like a monument sign would not be good for visibility to have any target value.

Mr. Okum: Did Staff have another location that they thought a monument sign might work better on the site for the applicant?

Ms. McBride: I don't think we had a specific location in mind but we would be happy to work with the applicant on that.

Mr. Okum: We have elevated signs on it; we have a canopy out there that is going to have Thornton's all over it, basically you are getting the bang at 20', the same height as your pole sign on the canopy and the three locations. If I am coming south on 747, I am going to be able to see "Thornton's" on the face of the building, "Thornton's" on the end of the canopy, "Thornton's" on the face of the canopy; I will basically see "Thornton's" in three places much less on a pole sign that sits by the drive. Then if I am going north on 747, I again have the same opportunity to see "Thornton's". I know permissible, yes; square footage you are way over. I think we need to scale the signage down on the site some. I don't see the need to push it any further with a pole sign.

Ms. McBride: I don't want to do the applicant's job for them but we all shop gas based on price and there are only fuel prices, as I understand it, that are going to be on that freestanding sign. It could be on a ground mounted sign or they could use some of their square footage and put fuel prices on their canopy.

Mr. Okum: Which is becoming a trend.

Ms. McBride: Right. That is something for them to think about. The proposed signage package looks like it has been reduced on the canopy but it has actually increased on the building. We would need to look at that and reevaluate that.

Mr. Jode Ballard: That doesn't sound right. We will look at that and I have some ideas too, to work with you.

Mr. Okum: I think conceptually, I am in agreement that Thornton's would be a good fit for that site. I do know that the site based upon the topography you are going to have a 4' drop to that 19', basically that signage on that canopy is going to be even more in the eye of the driver because you are going to drop down 4' from grade to your gas pump area. You are going to have a much better line of site to the signage that is on the canopy. I am not in a position, based upon what you have submitted tonight and what we have seen in the packet, to give approval on the signage package that goes along with this development because I think it is all inclusive. I am favorable to the development; everybody sitting here is favorable to this happening, it is just in that regard I would like to see that resolved. The other item that I have that is a stumbling block for me, is the potential for future cross-easement and that is the reason I asked where the pond is. The negotiation with 84 Lumber didn't seem to go anywhere. We don't know that 84 Lumber is going to be there forever and we don't know that the go-kart place is going to be there forever. We sort of have to look a little bit more crystal ball, like you are because where the go-kart place is, it is way too close to the public right of way; a redevelopment could be almost an impossibility. Something is going to happen

with the 84 Lumber site eventually. On the other hand, I think we need to be a little bit visionary to that cross-access potential. I think there needs to be provision in your development plan for the future cross-access and that you would be working together to allow that to work collectively between you and any future development on the adjacent property. I think you understand the value of that, it is good to your business as well because it brings people into your market and into you gas pumps without getting onto the public right of way.

Mr. Jode Ballard: I am a fan of cross-access and that sounds reasonable.

Mr. Okum: That is the reason I was looking at the dry pond and if you shift it back a little you can get it for potential future cross-access. Then you would provide the agreements and so forth to the City and you could provide it fee simple for purposes of cross-access.

Mr. Jode Ballard: At the time that is able to occur.

Mr. Okum: Yes. And I think Staff could work those details out.

Mr. Jode Ballard: That sounds reasonable.

Mr. Okum: The signage is a stumbling block because we really need to know where that signage is going. I would think I would like to have that more fine tuned. I think we need to do our homework first and have an agreement on the development before it goes to Board of Zoning Appeals, because we are the planning end of the City.

Mrs. Ghantous: I agree.

Mr. Okum: If we were to separate this out and if my motion were to exclude signage, for you to resubmit and we get to the point were we can make a motion and bring this to the floor, would that be o.k. for you, for development purposes?

Mr. Jode Ballard: Help me understand the mechanism here; bring the signage back to this body?

Mr. Okum: Yes, after working with Staff.

Mr. Jode Ballard: It may or may not go to BZA?

Mr. Okum: It depends on your numbers.

Mr. Jode Ballard: I think that sounds reasonable; sure.

Mr. Okum: Those are the items that I am sensitive to and I think you can address the landscaping in Staff's comments in regards to that. You have already made a pretty good effort to it, it appears based upon this resubmission. It is always awkward because Staff does a review and sends it to the applicant, the applicant wants to get a response back to us but unfortunately we can't review what you submitted this evening even though it is helpful for us to understand.

Mr. Jode Ballard: I understand. There were a couple of things that you brought up earlier and I would be happy to address those. (At this time Mr. Jode Ballard shared examples of building materials and photos for the proposed site.) The rear drive isle that we talked about, many times we take deliveries in the back of the building and some of our vendors have side access compartments. It is a two-way drive isle so we kind of feel that 24' might be a little too narrow for a service person to be unloading a truck and then someone to sneak by them, so that is why we tend to feel comfortable with 30' drive isles. That is one thing that makes us a little bit more comfortable, as the drive isle is shown. The truck turn around, we talked about earlier and we have complete control over the fuel trucks, we own the transportation group that brings fuel to our trucks. We have their buy-in and the driver's buy-in as we are laying those out. The red LED band that is shown here;

that is something that the group is interested in. We use the bollards instead of the curb stops because of tripping hazards; the same reason that we got rid of curbs. Our glass front goes essentially down to the ground, even if it was a wall, it wouldn't protect from a vehicle coming in, so we feel that the bollards are the best way to protect our building.

Ms. McBride: I understand that they have removed the curbing at the store to eliminate the tripping hazard but if you look at the front illustration on the packet that they have given us, you can see the red bollard fence that now surrounds the store. I don't particularly find that very attractive and I think there are other ways to do that using parking bumpers and other means.

Mr. Jode Ballard: Parking bumpers are merely a speed bump if somebody is going to enter your sales floor. What we use is a sheath that is over it and if it dings up, we just pull the red sheath off and put the new plastic sleeve on. It is steel on the inside but it is a plastic cover with retro-reflective bands to be visible with headlights.

Mrs. Harlow: I understand what Ms. McBride is saying about the steel bollards, but I also watched the evening news last night and in Cincinnati there were two articles on the evening news about cars that had gone into storefronts. I also like the fact that you don't have a step up on the curb.

Mr. Jode Ballard: As we age, I am much more aware of that.

Mr. McErlane: The elevation drawings that we received didn't really indicate building lighting. I noticed on your illustrations that you show a number of methods for lighting your building. Can you describe how those are accomplished?

Mr. Jode Ballard: Sure. The lights that are along the front of the building are a down light, so it lights up the sidewalk in the front area of the parking stalls.

Mr. McErlane: Is that an LED or fluorescent?

Mr. Jode Ballard: Yes, we use all LED inside and outside the building. It is an expensive application but it saves our maintenance team from going out to change bulbs; they have a twenty year warranty. Everything that we are using is LED. We have no exposed bulbs so that goes to the glare question that I heard. The fixtures are flat and the sides are enclosed. We are trying to reduce the light trespass and I believe we are getting to the levels that are much less than what the City is requiring at the property boundaries. The lighting levels under the canopy, we consider the canopy area as a sales floor so this is lit up more than we want a parking stall of a drive isle. There are transactions occurring there and having that well lit is important for visibility and we feel like it is a safety item. Staff is correct, the canopy is brighter but we consider that a sales area. The other areas are not as well lit.

Mr. McErlane: The vertical red elements, is that sconces that you light those with?

Mr. Jode Ballard: There is a single up-down light on each column and it dies out as it gets to the ground; it is an LED fixture also.

Mr. McErlane: Then on the metal treatment over the door, is that lighting behind that?

Mr. Jode Ballard: There is under lighting just as accent for the louvers. Those are not individual lights.

Mr. McErlane: But there is not lighting behind it?

Mr. Jode Ballard: It is underneath the horizontal.

Mr. Okum: Will you be replacing the retaining wall?

Mr. Jode Ballard: We don't think so, it is a fairly attractive retaining wall.

Mr. Okum: I am a little bit different in my thoughts about the bollards because I don't think there is any of us here that hasn't stumbled over top of those stupid parking blocks, over the years. On the other hand, I agree with her that it does look like a row of soldiers surrounding the building with red, which is their company colors. Have you done those in an alternate color line? It is a planning element on the site and it is certainly something to be thought of but it could be buff colored like the brick but a down tone, instead the brightness that it is, and still accommodate the issue of protection for pedestrians. I don't have a major problem with the bollards but I have more of a problem that it would look like red soldiers surrounding the building.

Mrs. Boice: Yes; tone it down.

Mr. Jode Ballard: I don't think it stands out as much as you think it might. They are not tall.

Chairman Darby: If it an issue of them standing out, then why not use the color of the metal treatment?

Mrs. Boice: I think it is more attractive.

Mr. Okum: That would go with the louvered panels.

Mr. Jode Ballard: I could look into it; is that something that we could work with Staff on?

Mr. Okum: We could do that or we could review it when you come back for signage.

Mr. Jode Ballard: That sounds acceptable. That is not a question that I have had before, so I am sorry I don't have a quick answer.

Mrs. Harlow: I don't know that I actually like the metal for the bollards, because at night time how well are those going to be able to be seen?

Mr. Jode Ballard: It wouldn't be bare metal, it would be a sleeve with the retro band.

Mr. Okum: The parking lot is lit. That photo is not really a true representation of how that site is going to look because that site is going to be lit up. It looks really nice with the canopy and the subtle colors on the building. Safety wise, it is well below five foot candles or ten so it is going to be significantly brighter than that. You will get plenty of light off of that building.

Mr. Jode Ballard: I will take that back to my team.

Mrs. Boice: How far apart are these bollards?

Mr. Jode Ballard: Five foot on center. If a vehicle hits, it will likely hit two at a time and not collapse one and use it as a ramp.

Mr. Okum: That is a lot more expensive than some concrete blocks sitting out there.

Mr. Jode Ballard: It is cheaper in terms of lawsuits.

Mr. Okum: I understand that.

Mr. Diehl: You have no problems with meeting the Code concerning the dumpster?

Mr. Jode Ballard: No problems, we are going to match the building materials.

Mr. Okum: I move that the project Thornton's at 12185 Princeton Pike be approved with the following items and exhibits; this shall include the specifications and designs contained in exhibits as submitted and reviewed by Staff prior to this meeting and also those that were presented in our packets before this meeting. It shall include our Staff, City Engineer and City Planner's recommendations with the following exception, the bollard consideration in Ms. McBride's Staff comments shall be omitted. The accent lighting that has been presented on the application shall be reviewed and approved by Staff. Such accent lighting shall be all lit or not lit at all times. Signage for this project is to be excluded from this motion and shall be resubmitted and reviewed by Staff and then submitted to this Body for final review and approval. The outdoor sales area shall be based on a separate conditional use hearing and is not part of this consideration. The applicant shall provide cross-access to the property south of the development and the agreement that it shall be available for interconnection if and when the property to the south redevelops. The bollards, as stated that is on the application shall be permitted but covers on the bollards shall be reviewed by this Commission when the signage is reviewed at the next meeting.

Mr. Shvezda: The cross-access arrangement, are we still looking at relocating the detention basin?

Mr. Okum: It would be necessary, but that is for you guys to work out, where it is at.

Mr. Jode Ballard: We want to word that "for potential future cross-access".

Mr. Okum: I did say for potential redevelopment. It would be available for interconnection if and when the property south redevelops.

Mr. Jode Ballard: O.K., thank you.

(Mrs. Harlow seconded the motion and with seven "aye" votes from the Planning Commission Members, the motion was approved.)

- C. Chairman Darby: Item C, Conditional Use Approval for outside display of products at Thornton's Gas Station, 12185 Princeton Pike.

(This being a public hearing, individuals from the audience that indicated they were present to speak on behalf of this request were sworn in.)

Mr. Jode Ballard: The area that we mentioned before would be south of the building. The items would be ice, propane and seasonal items for winter and summertime it might be windshield wiper solvent; rotating items based on seasonal demand.

Mr. McErlane: I am not familiar with what Thornton's may have outside for display, I have seen at other filling stations and convenient stores things like mulch and soft drinks. Are those things that Thornton's displays?

Mr. Jode Ballard: No. Our future is taking us in a different direction than some of those things. One of the things that we are trying to do is to have everything restaurant clean. Part of the reason we are not going to sell mulch and we are not going to sell things that are dirty, is that we don't want the appearance that our employees are out there sweeping up dirty things and then coming inside and serving you a sandwich. We want to give the appearance that we are restaurant clean and we want to execute it in that fashion.

(Ms. McBride read her Staff comments.)

Mrs. Harlow: I drove by the Thornton's that is just north of this location and I noticed that you had a very clean storefront there; you didn't have any propane tanks for sale or anything. Around the side of the building that is shielded from plain view, I did see the propane tanks and I saw a large stack of colored plastic containers of some type. Then I drove around other gas stations in the Springdale area; United Dairy Farmers has nothing out on their sidewalk for sale. Some of the gas stations do have propane but they kind of have it on the side or shield it and I am aware that you really don't have a place to shield that very well. You are putting a first class looking operation in there and I would really like to see the things that you sell on the outside, down to a minimum for the aesthetics.

Mr. Okum: Thornton's in Sharonville has a few things out; I think they have the ice machine and I can't remember if they have the propane. If we were to set a size area, and I don't see any reason for more than one propane unit, then you could isolate that area and give it a nicer look. I agree with Staff's comments in regards to a line of designation but I also think the pad needs to be designated to its size.

Mr. Jode Ballard: Three feet deep, 87 s.f. and 29' in length is what we are comfortable with. For the designation line, I think the simple way to do it is to have a joint there.

Mr. Okum: But it shouldn't even be onto the sidewalk walking area.

Mr. Jode Ballard: Right, yes.

Mr. Okum: And if we said it should not extend past the face of the building.

Mr. Jode Ballard: Yes. So, not to extend further back than the face of the building and have a 5' or 6' sidewalk.

Mr. Okum: I am confused, I am thinking of a straight line, straight across the building and your pad extending behind the face of the building so that you are displaying your cabinet even with the face of the building. We do the same thing on fences.

Mr. Jode Ballard: So, you want it further back than the face of the building?

Mr. Okum: I don't want it further out towards the street. So, everything stays symmetric.

Mr. Jode Ballard: That is kind of what I had in mind.

Mr. Okum: Is a painted line necessary, Staff?

Ms. McBride: As long as there is a clear mark as to where that is supposed to be.

Chairman Darby: And the indication that is the only area that these items can be displayed.

Mrs. Harlow: Is that sidewalk running all the way across the front of the store?

Mr. Jode Ballard: It is.

Chairman Darby: At this time the public hearing is now open; is there anyone in the audience that would like to speak on behalf of this request?
(No one from the audience came forward to speak and the public hearing was closed.)

Mr. Okum: I move to approve the conditional use and approval for Thornton's at 12185 Princeton Pike for an outdoor sales area just south of the building on the designated concrete pad. The outdoor sales display area shall consist of an ice cabinet, propane cabinet and other sundry items supporting the business. That area shall be 3' x 29' wide and shall not encroach past the face of the building

(Mrs. Boice seconded the motion and with seven "aye" votes from the Planning Commission Members, the motion was approved.)

- D. Chairman Darby: Revision to the PUD Development Plan, Raising Cane's Chicken Fingers, 705 Kemper Commons Circle.

Mr. Drew Gatliff: I am a manager for M&A Architects in Columbus. With me I have owner's representative Amanda Zook, project manager for Raising Cane's in Ohio.

Ms. Amanda Zook: We are very excited to come into your community. I grew up just down the street and my family owns and operates two businesses right off of Princeton Pike.

Mr. Drew Gatliff: We are proposing to take the former Don Pablo's and demolish that building and we are proposing to build a Raising Cane's Chicken Fingers, which is a fast food restaurant with a drive through on the western portion with future development on the eastern portion of the lot. Being a large lot, it makes business sense for the development side to be able to split that off. In the Tri-County Commons covenants, it would be possibly future split off of the out parcel #5.

(Mr. McErlane, Ms. McBride and Mr. Shvegza read their Staff comments.)

Chairman Darby: As for the two Council Members, do you see this as a major modification?

Mr. Diehl: No.

Mrs. Harlow: No, not a major modification. Mr. Shvegza, you stated that it appears the slope adjacent to the new right-in access may be 2 to 1, and that is that driveway that goes around behind the first parking lot; is that what you are talking about the actual roadway that is the infrastructure there.

Mr. Shvegza: It is actually the drive that connects Kemper Commons with Kemper, they are widening that out to provide another lane inbound, when they do that it creates what appears to be a slope there at the southern end of that, about 2 to 1 down to the site.

Mrs. Harlow: O.K., thank you.

Mr. Okum: The property that is not being redeveloped, that parking lot is not in a condition that it could be coated and resealed; it is in really bad shape. If that is going to sit, and I think that is what we are going to see, then personally I think the asphalt needs to come out and it needs to be turned into grass and lawn and maintained until such time that it gets redeveloped. We had exactly the same situation at Cassinelli, where they took out the cinema about fifteen years ago and we still have dirt and gravel and weeds basically. If that is going to be a future development then they are not going to be able to use that blacktop anyway. You are not going to use the blacktop on the site, the little bit that you have, probably not. I am concerned about the mechanical units being screened for west bound Kemper Road due to the elevation of the building because you are going at a downhill grade, I would certainly expect that view from the public right of way and not next to the building, but the public right of way would need to be addressed. I am not overly sold on metal, steel shutters or panels around the mechanical units. In regards to the masonry, we are taking down unfortunately an unsuccessful masonry building, pretty much 90% masonry building and going back with an EFIS building. I think Kemper Road deserves a little bit more masonry on it; I think you could get a little more masonry on Kemper Road. Getting to the ground mounted sign, I think Staff's recommendation for shared ground mounted sign with some flexibility on placement, height, those kind of things are appropriate for this. I certainly would not support a pole mounted sign on this site. That is why it is a

PUD and we sort of want to keep the intent. I think a ground mounted sign could be done nicely for visibility. I am not really worried about your sign square footage on Kemper Commons Circle. Raising Cane's embossed on the building, that road is a public road but you are sort of in the development and I am not overly concerned about that sign being reduced down by 10 s.f.; I don't have a problem with it. I do have a concern with a new access drive, dynamically there are always cars stacked all the way down to that corner during different periods of time during the year, especially when things are going good. A lot of people that go to the back development come out around what used to be Walmart and come out that way and they basically fill that lane because it doesn't flatten out at the top. What happens is that when you get to the top of that you are on a skewed angle where you hit Kemper Road, your line of vision is impaired and cars are hesitant because it doesn't flatten out enough on the top. What happens is that cars hesitate to get out and they all sit there waiting for a cue to get out on Kemper Road because Kemper Road is 35 mph and there is a lot of traffic going westbound on Kemper Road. Not only does that upper platform need to be addressed, that staging area to get onto Kemper Road needs to be flattened out at the top part; that area tends to get cars back up and then when we have bad weather, that is always just treacherous for people to get up the hill because of the slope. Because it is a private drive, I don't think we maintain it as a City function so it ends up being one of the last things that gets de-iced when there is snow piled up on it. That area there needs a considerable amount of work. It is necessary and a real benefit to the Mall to have a right-in there. I think it is going to be an asset and a real asset to your business. In regards to the light band on the building, that it is "all lit" or "not lit". Most of the time it is an LED and it is not an issue but we still have some people that are using neon and other lighting.

Mr. Drew Gatliff: It is neon but I believe they are revising to provide LED. When they initially came out with neon, LED was far more expensive.

Mr. Okum: I understand but we find neon partially lit and not lit and LED is a little bit more reliable. I am not telling you to use LED.

Ms. Amanda Zook: We are working right now to actually switch over to LED. Our parent company down in Dallas are looking at fixtures to put LED from the ground up. Once they are satisfied with that option they are going to be retro fitting all of their restaurants. Currently we do almost a monthly audit, with a check and balance system; they come in and audit us and that covers everything from a ding in the toilet paper holder to a neon out or if there is trash in the parking lot. Those audits that we do monthly basically puts ourselves in check, as well to be sure the aesthetics of the building are up and well. To that note, we don't let a neon go out for longer than a couple days.

Mrs. Harlow: I am going to agree with Mr. Okum on the parking lot that is not being used for part of the redevelopment but is going to be staged for redevelopment at a later time, I think that it does need to be dug up and just planted in grass. You are going to have that expense at some point and time when you redevelop. I think it is going to make your whole operation look better, it is going to make the City look better and will attract another tenant there for you faster than a parking lot that is showing a lot of wear and tear. I think this will be a great addition to our City.

Chairman Darby: On the overall plot, what percentage is your development going to take?

Mr. Drew Gatliff: Sixty percent; .59 acres, which leaves a little over .6 acres left.

Chairman Darby: I am just echoing what other folks have said about redeveloping that unused portion so that it is presentable. The Cassinelli Square situation has been a real horror for us. Do you anticipate that there is someone out there that would be anxious to develop that forty percent?

Mr. Drew Gatliff: Yes, we do.

Ms. Amanda Zook: We have been in talks with a couple users. We are not jumping the gun to sell it off or lease it off at this moment and time because we want to generate traffic to it. We want to make sure we are open at least thirty days before we clearly put those motions into place. There are a few that we are interested in and it could go anywhere from drycleaners, coffee or ice cream. We have looked into a couple different users.

Mr. Drew Gatliff: Something to compliment the chicken.

Mr. Bauer: On the dumpster enclosure, how would that be accessed? The way it is tilted there it looks like the truck would have to come in opposite normal traffic. I know they come early in the morning.

Mr. Drew Gatliff: The dumpster is only accessed only during non-business hours. The only people on site would be possible workers that would be parked in their parking spaces. They have full access to the entire site to be able to swing around their truck however they need to.

Mr. Bauer: Thank you.

Mr. Drew Gatliff: With the asphalt at the east would you be opposed to the western portion, not leaving it as is but adding some more pavement so that during the grand opening when they have a lot more traffic than typical. Would you be opposed to new pavement, not using the existing on the other portion. If you look at the future layout, it would only encompass where there would already be pavement.

Mr. Okum: What if we gave you 120 days from the date of opening to do that work; remove it? It is going to kill your excavator because you could excavate it all out and get it done at one time.

Mr. Drew Gatliff: When they open they don't want the site to be under construction, after opening because it is not pleasant. But if it is going to be redeveloped at some point that is going to happen.

Ms. Amanda Zook: I understand completely about Cassinelli Square. I used to go there and watch movies there and then I see it down to rubble and it hasn't really changed. For us, I think it is one or the other. Either we replace the asphalt and make it even with the entire site or we remove it completely and reseed it. I think that is something that we could definitely consider.

Mr. Drew Gatliff: Any trees that would have to be removed just from the layout of our building, we said on our landscape plan we are relocating those but if they can't be relocated then we would replace them. The screen wall, Mr. Okum, you said you are not fond of the metal panel. I was curious to what material would be o.k. to use to screen?

Mr. Okum: It is smart placement on the roof and engineers don't really think of that but architects do. An engineer will stick it to the front of the building where the dining room is instead of sticking it back further. The problem is because of that grade, it is going to be a tough thing to hide and they are going to need to do a lot of design into that when they do it. Carry your building elevations up a little bit higher so that you get more screening off of your facade because basically your roof drops down below it anyway.

Mr. Drew Gatliff: We have also raised the parapets, unfortunately that does add a bit of cost because that is a lot more material than the mechanical screen.

Mr. Okum: Sometimes you can bring your units back further and create a facade across the roof line and keep your units behind it so that you get depth.

Mr. Drew Gatliff: Are you only concerned about on Kemper Road or are you concerned about the whole building being a little more brick; did you mean just the facade that faces Kemper?

Mr. Okum: That would be on the south facade.

Mr. Drew Gatliff: Only the facade that faces Kemper Road is where there should be more brick along that. And the suggestion of allowing the ground mounted sign to be taller than what a normal ground mounted sign is absolutely something that we don't mind doing but if it is only going to be 8', it is already 8' below grade so therefore anybody driving along Kemper Road really wouldn't see it unless they are coming from the east traveling west.

Mr. McErlane: Pertaining to the screening of the rooftop units, the photographs that Ms. McBride took of the Grove City location, I think is a situation where they extend the parapets up.

Mr. Okum: And they are probably 6' above the roofline.

Mr. Drew Gatliff: At Grove City.

Mr. Okum: Grove City is picky about mechanical units, as well. That would be much more appropriate because you can bury the units, basically so that you can't see them.

Mr. Drew Gatliff: The light fixtures would be mounted most likely at 18'. The color would be black or dark brown color. Black would match the metal on our building. I did have a question on the .5 required at the lot line; is that the minimum or is that the maximum?

Ms. McBride: Maximum.

Mr. Drew Gatliff: So that there is no spill over; I just wanted to make sure it wasn't the minimum and we have to provide a lot of light. That is fine.

Ms. McBride: If the Commission was thinking for the parking on the western area, to work with the applicant if there isn't a way to achieve the minimum setback from that access drive and try to save some of those existing trees; if there is some way that we would be allowed to work with them to look at other configurations of the striping of that lot to achieve the setback and save the trees and allow the required landscaping on that access drive.

Mr. Okum: Ms. McBride, we said 25% more masonry element on the south elevation?

Ms. McBride: Yes. I would think that would get you probably something similar to what they are showing on the north elevation; you might include some kind of proportional ratio as they are showing on the north elevation.

Mr. Okum: O.K. Since you think you might have a potential development that might tag behind you on this, what if we gave you 180 days, six months on that parking field? You could do it today or tomorrow or anytime you want but I am trying to give a moratorium for that parking field and give you six months.

Ms. Amanda Zook: Just to understand, 180 days to either develop it or put landscaping there?

Mr. Okum: Or turn it into grass and lawn; 180 days after grand opening.

Ms. Amanda Zook: Yes. And we always have the right to make that decision to turn it into landscaping prior to opening?

Mr. Okum: Yes.

Ms. Amanda Zook: Thank you.

Mr. Okum: I would like to move for the approval of Raising Cane's at 705 Kemper Commons Circle to include the specifications and designs and exhibits that were presented and reviewed by Staff and this Planning Commission prior to this meeting. That it shall include all Staff, City Engineer, City Planner's recommendations; that the mechanical units shall be screened from view of adjoining properties and the public right of way. The mechanical units shall be in Staff and Planning Commission's approved enclosure and screening; mechanical units shall be screened by building elevations wherever possible. The accent lighting, which is presented by the applicant for the building shall be maintained in "all lit" or "unlit" condition; should part go out, it should all be turned off. The signage on the property shall be approved as presented with the exclusion of the pole sign. There shall be no pole sign on the site. Staff shall work with the applicant and arrive with an approved configuration and design for a monument sign that shall serve both developments. Future development area; the parking field of the future development area shall be removed and the area shall be put to a grass and lawn condition and shall be maintained. Said area shall be placed in this condition within 180 days of opening of this business. South elevations shall have an increase in masonry of 25% and that shall be proportional to that which was detailed on the north elevation.

(Mrs. Ghantous seconded the motion and with seven "aye" votes from the Planning Commission Members, the motion was approved.)

Ms. McBride: Mr. Chairman, could I ask one question relative to this application, is the Planning Commission o.k. if the applicant is willing to let us work with them on that west parking area, that was not part of the motion. Is the Commission o.k. with that, if we are able to reconfigure that, to save the trees and try to increase that setback? Is that o.k.

Mr. Okum: Yes.

Mrs. Harlow: When are you planning on starting construction?

Ms. Amanda Zook: We plan on submitting plans, which we have already submitted to the City and then we will add any revisions that will come through communications with Staff. We hope to start construction in mid February. It is about a three month construction process. We are looking at early summer for opening.

E. Chairman Darby: We are going to move on to Subdivision Plat at Cassinelli Square, 11360 Princeton Pike.

Mr. Craig Kolb: I am with C.F. Partners; we are the owners of the Cassinelli Square and what we have before you tonight is fairly straight forward subdivision plat. You may recall that we were in at the December meeting and you all approved a zero setback for the lot line. We are creating a wall to be built between Big Lots and the vacant space that is about 46,000 s.f. and the reason we are doing that is because we have a tenant that we are very close to signing to take that space but they ultimately want to buy the building so we need to be able to create a separate parcel to be able to transfer it. At Cassinelli, we have five lots and with this subdivision plat we are going to end up with four, one of which would be lot 1 which is the biggest lot and would be the Home Emporium lot all the way to the Big Lots wall. We are going to be building a fire wall in that space and once that is done it will have to be surveyed and ultimately will be the north property line. We realize that when we submit the final configuration to Staff we will have to have a declaration which we are working on that covers issues such as cross parking, cross utilities, storm drainage, utilities, etc.

(At this time Mr. McErlane read his Staff comments.)

Mr. Shvezgda: The only thing that I would have to add is that our surveyor has reviewed the plan and it is in conformance with applicable City regulations.

Mr. Okum: You still have the old cinema's property that you inherited and the old Longhorn Steakhouse that was taken down.

Mr. Craig Kolb: Yes. Right

Mr. Okum: I think Sweeney is parking on pretty much all of it?

Mr. Craig Kolb: A good portion of it.

Mr. Okum: So, he is pretty much parking on gravel?

Mr. Craig Kolb: That is correct.

Mr. Okum: That is really not an improved surface. When will that be changing?

Mr. Craig Kolb: We were hoping to have a couple buildings started by now. We have had a number of prospects, a number of different retailers pretty far down the line but for a variety of reasons they didn't happen. We don't want to spend a lot of money paving an area.

Mr. Okum: We are fine with grass and lawn. But if Sweeney is using it, it is a little hard to tell him to park his cars on grass or lawn.

Mr. McErlane: We could tell him to park on pavement like they are supposed to.

Mr. Okum: I think that would be the better choice. There is a lot of pavement out there that they could be parking on. That will be a thorn when we get into development on this site. That has been a sore for a good number of years.

Mr. Craig Kolb: We only recently became aware of it. We were notified by the City that we needed to do something about the weeds.

Mr. Okum: That is because it is supposed to be lawn and grass.

Mr. Craig Kolb: As you pointed out it is a situation that we inherited.

Mr. Okum: I understand. Based upon the request Mr. Chairman, I would like to move for approval of the subdivision plat, Cassinelli Square PUD at 11530 Princeton Pike with Staff comments, to be approved.
(Mrs. Ghantous seconded the motion and with seven "aye" votes from the Planning Commission Members, the motion was approved.)

VIII. DISCUSSION

A. Chairman Darby: Are we all set for the Planning Conference?

Ms. McBride: Some of you may be already registered but registration is coming to an end; it is on Friday January 30th.

B. Chairman Darby: Any other items for Discussion?

Mr. Bauer: Any progress for LED signs with the zoning workshop?

Ms. McBride: We have not gotten to the sign section yet. We are working on that in house but the Committee has seen nothing on that yet. The fuel pricers are something that we are looking at and we will be addressing, provided that the Committee is on board with that.

IX. CHAIRMAN'S REPORT

Chairman Darby: The Chairman's report shows one sign approval.

X. ADJOURNMENT

Mrs. Boice moved to adjourn, Mr. Okum seconded and the Planning Commission meeting concluded at 9:38 p.m.

Respectfully submitted,

_____, 2015 _____
Don Darby, Chairman

_____, 2015 _____
Richard Bauer, Secretary