

PLANNING COMMISSION MEETING

JUNE 9, 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: Dave Okum, Richard Bauer, Marjorie Harlow, Bob Diehl, Marge Boice, Chairman Don Darby, and Carolyn Ghantous

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

III. MINUTES OF THE REGULAR MEETING OF MAY 12, 2015

Chairman Darby: The Chair will accept the motion to approve the Minutes of our previous meeting of May 12, 2015.

Mrs. Boice: So moved. (Mr. Okum seconded the motion. With seven "aye" votes, the May 12, 2015 Minutes were adopted.)

Chairman Darby: Prior to getting into the meeting, I would like to do a formal introduction, for those of you who have not met him, Mr. Gregg Taylor. He is our new head of the Building Department. He comes to us with a great track record and reputation. Having had the ability to work with him for a very short time, I can assure you that our city folks have made a great selection; he is a consummate professional. I told him I wasn't going to do this, but I'm going to. Just say hi to the people, Gregg.

Mr. Taylor: Hello, and thanks very much. I very much appreciate it. I am thrilled to be here and I will do my best to try to do a good job for the city. Thank you very much.

IV. REPORT ON COUNCIL

Mrs. Harlow provided a summary report of the May 20th, 2015 and June 3rd, 2015 City of Springdale City Council meetings.

V. CORRESPONDENCE

Chairman Darby: Follow me on this because we have several:

Each of us should have received an email requesting a postponement of a presentation this evening, the Communication Tower on Century Boulevard. In their script, they indicate that they would like it postponed until further notice. With that language, I would think instead of tabling it to a specific date, we would just drop it from the agenda and they will resubmit?

Mrs. Boice: Is this not the third postponement?

Chairman Darby: I believe it is the second.

Mrs. Boice: How long do we expect this to be going on?

Chairman Darby: Based on what they submitted, they say further notice. Mr. Taylor, can you help us out?

Mr. Taylor: I received a phone call from the Applicant this afternoon. He was asking what the deadlines were for submission to get on the August agenda. They're having some difficulty gathering information to give to our consultant. July 24th is the deadline for that submission and he indicated he thought they could make that work. We won't know until we actually see it.

Chairman Darby: When they resubmit in a timely fashion, it will reappear on the agenda.

The second piece of correspondence we received is a letter to Mr. Steve Dragon from Kenneth Weartz. Is everyone in receipt of that?

And finally this evening in front of your seat, you should have received a copy of an email to Mr. Webster from Kenneth Weartz. Is there someone here who will be addressing this email this evening? (Affirmation from audience). Great, we'll just do that when we get to the speakers.

Those are correspondences that we have received.

VI. OLD BUSINESS

A. Minor Modification to PUD - Full Throttle Karting Expansion - 11725 Commons Drive

Mr. Adler: Good evening. My name is Steven Adler with Bergman Group. We're the Property Manager/Construction Manager for the Full Throttle Expansion out to the parking lot. We discussed last month briefly the parking lot addition, which you see on the screen in front of you. We submitted all of the plans and received staff comments this afternoon so I didn't have time to get my Engineer/Architect to redo them. So I'd like to go through the points, if I could, point by point, and walk through them with you and try to get this resolved tonight and then resubmit new plans to you by the end of the week after my Engineer has had time to make everything in your comments on the actual plans, if that's okay.

Chairman Darby: If that is your pleasure, please proceed.

Mr. Adler: Thank you. In site layout A1a1, if the aprons are not concrete, we will change that on the plan from asphalt to concrete to comply with that. A1b1 - we will add the signage as requested to direct patrons from the parking lot to the building and then from the building back to the parking lot. In A1c1, I would like to ask that we not have to put a concrete curb on the south end of the parking lot, which is the lower end and the reason being is we expect that the way Full Throttle's business is expanding, they'll want us to expand that parking lot sooner rather than later and putting in a curb and then having to tear all of that back out again seems kind of foolish. If you will allow us to grade below the pavement and leave it without a curb on that side, we're willing to curb the other side, the entrances, and all of the islands as requested.

On B, Storm Water Management 1, if the calculations for a 100-year storm are not included, we will include those on the resubmission. We also will include the erosion control prevention as requested. On the other staff comments, 6 a through g, we will do all of the landscaping as requested and revise that and update it, as asked for. The last comment was the cut sheet for the lighting - I can't read this either, so we will get you all larger cut sheets so you with all have that. So I'd like to ask is if we can get this approved tonight so I can get started on my construction once the actual plans are brought into the Building Department and they're approved, we can keep moving.

Chairman Darby: We'll work through the process to try to get there.

Mr. Adler: Thank you.

Mrs. McBride: As the Commission will recall, last month, we approved an expansion for the Full Throttle facility that was a little over 31,000 s.f. They're back this evening, as you've heard, requesting approval of an additional parking lot on the south side of Old Commons. Mrs. McBride continued with City Planner comments.

Mr. Taylor had no staff comments.

Mr. Shvezda read City Engineer comments.

Mr. Okum: Mr. Shvezda, the Applicant has requested relief on your comment CI, is that correct? But you gave latitude in that by saying "approved barrier"?

Mr. Shvezda: Yes.

Mr. Okum: So that would work, you could deal with that and if I were to reference that in the motion, your recommendations and staff's, that would be okay, to not make the modification?

Mr. Shvezda: That is correct.

Mr. Okum: Thank you.

Mr. Okum: I'd like to move for the approval of Full Throttle expansion of the parking lot to include the City of Springdale's staff's, City Engineer's, and City Planner's recommendations and considerations. (Mrs. Boice seconded the motion, and with seven "aye" votes, the motion was approved as indicated in the motion).

Chairman Darby: Mr. Adler, I do have one more question but in order to ask it, I'm going to have to move you to the end of the agenda – is that okay?

Mr. Adler: I'll be back.

Chairman Darby: That's an inside joke, folks. Congratulations.

Mr. Adler: Thank you.

B. Major Modification to PUD - Tri-County Commerce Park - 12100 Princeton Pike
(GEEAA Park)

Mr. Dragon: Steve Dragon with Vandercar. We are the prospective developer for this project at GE Employee Athletic Association Park and Golf Course.

Chairman Darby: The floor is yours.

Mr. Dragon: Thank you. I appreciate your time this evening. I also have with me tonight Mr. Rob Smyjunas, President and CEO of Vandercar; David Wright, Adam Corn, and Dave Meyer with Kleingers Group, who are our Civil, Site, and Traffic Engineer for this project, available for your questions. I would like once again like to thank city staff and consultants' time and effort and attention in guiding us through this process. We'd like to begin by addressing some of the comments we heard from last month's Planning Commission meeting, which was largely addressed in our letter to the Building Department staff, dated March 29, 2015. First let me address the Traffic Study. We do not have a 100% finalized Traffic Study; we believe we have an agreement in concept to the improvements that will be required to make road operate to the greatest extent possible. We have agreed with the city to locate a new signal at the Crescentville access instead of the 747 access based on our discussions with the city's Traffic Engineers and the City Engineer. We'll install improvements on Crescentville to make that intersection function with the additional traffic, including the extension of the dual left turn lanes that are currently at that intersection; we'll extend those further to the east along Crescentville Road so that they can receive the left turns coming out of the project in addition to the existing and future projected traffic. We have also agreed that we'll extend the east-bound lane that sort of terminates somewhat short of Transportation Way where our access comes in all the way to the new access; that will drop off as a right turn lane into the park. Additionally we'll construct a new north-bound right turn lane on 747 to access the access point at 747. My understanding is that the City has reached out to the County Engineer's office to get their initial input on the plan that we've come up with for these improvements and my understanding is, and I'd ask Mr. Shvezda if he could maybe weigh in. Their initial feedback was generally positive. Again, the study is not 100% final as of this date. Moving on to the discussion of building setbacks at the prior meeting, it seems like the greatest consternation with regard to the building setbacks along Crescentville Road, particularly with regard to proposed Buildings 1 and 8. Initially we had proposed as part of the plan, a 25' setback for those buildings where no parking was located on the street side of the building, that those be treated as a side yard and not as a front yard, which would leave the setback at

25'. We proposed at the meeting a 50' setback. We did provide some additional response in that regard. In looking at the buildings that are located immediately to the north along Crescentville Road, those buildings are set back somewhat more – approximately 80'. They do have parking on the other side, on the street side of the buildings. The result is they have a 20' – 35' of green area between their parking and the street edge. Given the condition that we've outlined, these buildings would have minimally a 70' green area and again, it would only be in an instance where we would have buildings without vehicular use on that side so you'd be looking at passive building wall with landscaping between the road edge and the building; there would be no car parking in that area. So we think it's a reasonable accommodation. I'd also point out, that because of the orientation, in particular Building 1, that would be located a minimum 50' from the right-of-way line at the eastern end. By the time you get to western end, it's something like 115' away from the road so the effective buffer along there is quite a bit more than the 50' minimum. Also, in particular with Building 1, the topography is such that that building will be located anywhere from 13' to 33' below the elevation of the road, so the impact of the building at the road grade will not be the full height of the building; it would be much reduced from that. In that regard, we're asking the city to approve the setback for that condition, where there is no vehicular use on that side, as the 50' setback. With regard to building heights, we had some discussion at last month's meeting, we responded to the city in the interim, we can agree to limit the heights of Buildings 4 and 9, which are adjacent to the northern boundary of the condominium project to single-story 30' maximum building height but we cannot limit the building heights of the other buildings below the 48' proposed due to the limitations of the types of uses for prospective users that would be in those buildings. We have provided buffering around those areas to mitigate against the effect of those buildings against adjacent uses and we would ask the city's approval of the plan as submitted with the accommodation of the limitation on Buildings 4 & 9 to single-story uses, no more than 30' in height. With regard to the discussion of tree replacement and replanting, at last month's meeting you'll recall we asked for relief from the city's replanting requirements. We will make every effort to identify areas to maintain trees as we work through final layout of this plan but given the nature of the proposed project, we believe it's likely that we will fall short of the replanting requirements. We have proposed a monetary contribution to the city to offset that shortfall for your consideration.

Chairman Darby: Excuse me, with your proposed monetary contribution, what was that based on? Did you look at the city guidelines before making that proposal?

Mr. Dragon: I didn't see any strict guidelines in regard to monetary contribution. I may have missed something.

Chairman Darby: We'll make sure that becomes a part of the record tonight. Thank you.

Mr. Dragon: There was a question at last month's meeting with regard to impervious surface area calculations that were shown on the plan. We responded and corrected the Building 1 lot primarily, which was shown without the future expansion area shown as fully impervious. We provided those numbers to the staff. The result is that the impervious surface ratio of the project, recalculated, 57.67% as shown on the plan. We provided an additional exhibit to show what was included in our calculation of open space area, which we provided to the city. It's shown on the cover sheet as the hatched area generally but it's labeled as open space on the plan but we did provide a separate exhibit to further clarify it. Again, there's obviously more green space associated with the plan that's shown there; obviously there's something north of 40% of the property will remain as pervious surface but what we included was generally continuous open areas to show that we were above the PUD requirement of 20%. There was some discussion and comments about sidewalks throughout the project. I think the only place that we did not show sidewalk on both sides of the street was in the area on Street "A", the north-south street running through the project on the west side of that street, where it is south of Street "B", so generally it is the area where that street abuts the condominium project. Based on discussions with the Condominium Board representatives, they felt they would prefer not to invite the public to walk on their side

of the street, rather to keep the project pedestrian traffic over to the other side of the street and so we submitted the plan with that in mind in order to accommodate that request. We are willing to do it either way – we can add the sidewalk back in if that's the city's judgement; we were just trying to respond to one of the preferences of the condominium association in that regard, but as I said, we're willing to accommodate to either direction, whichever the city prefers. With regard to the discussion of exterior lighting, we did provide some additional. I believe there was a comment from one of the board members or perhaps the public that there's a desire that we design the site lighting, the exterior lighting, to limit the illumination to zero foot candles where it abuts residential property. We're willing to do that. We fully believe we can accomplish that without any great difficulty. With regard to pole heights, we're open to the concept that staff has pointed out of limiting pole heights with regard to proximity to residential uses. Again, we're open to that, we would like to understand what the parameters of that might be, to make a decision, if it's a practical standard to maintain but we are certainly willing to consider that if that is the direction the city would prefer to go with regard to the height restrictions on exterior lighting.

There were some questions and staff comments with regard to the Comprehensive Plan guidelines that are spelled out in the Comprehensive Plan with regard to consideration of PUDs. Again, I direct the Planning Commission to our letter of May 29th; I assume you have a copy of that, with regard to those guidelines. We believe that this plan is in compliance with guidelines, in the spirit of the intent of those. It's in general conformance, we believe, in terms of integrating uses, integrating landscape areas and open spaces, buffer yards and streetscape buffers. We've limited access points to the surrounding surface road system and have logical and effective internal circulation system. We have identified areas where significant preservation of existing trees is possible, including along stream areas and property lines, and buffer areas and we have reserved an area for the city's use in establishing a gateway identification at the corner of Crescentville and 747.

With regard to two other items, I would (putting plans up on screen) ... I wanted to address a couple of the other concerns or questions we got at last month's meeting with regard to the mounding along the eastern boundary of the property and also some questions with regard to the outdoor storage yard. These are the sight lines that we have provided, 1-8 here on this boundary. The first two sight lines are looking from this house here at the corner running on Crescentville, the second from a house on the interior of Heritage Hills where it looks across toward Building 1. The third being another house on Heritage Hill where it looks across the northerly part of the outdoor storage yard and loading component of the site. The fourth being in the southerly portion of that outdoor storage, just to get you oriented. This is sight line section number 1. Again, the house on the right side of the section is the house at the front side of Crescentville. This would be a section cut east-west across from that house, across to where Building 1 would be located. The dashed line here represents a future expansion area for that building. As you can see, the proposed building sits substantially below the level of this home, to the tune of approximately 30'. Because of the grade difference, the mound here is relatively small, approximately four feet in height, with landscaping at the top of it. The sight line shown from normal eye height, from the residences shown through the buffer area. As you see with the expanded building, you'd see the top of that building; you would see, with the Phase 1 building, you would again see just the top of the parapet of that building. Also shown on this version of the sight line, a couple of lighter colored lines that are intended to look over the top of the building where the parapet would be. On the expansion, and then also on the Phase I, get an idea of the rooftop screenings would be a typical kind of five foot tall rooftop unit that might be at the top of this. I've also shown these buildings on this plan at the full 48' height, as might be proposed. The previous plan had it shown at 44' so this is four feet higher than the version we talked about last week. Again, from this perspective, we can screen the majority of the views from this residence other than the very top of the building, and again, we can further buffer that with landscaping in that area. In all of these sight sections, we're keeping the proposed toe of the landscape mounding, held off of the property line approximately 25' in order to provide an area where we can preserve existing tree line that's along that area (walks over to projection screen and back, off microphone) ... that property line; I think you can see it relatively clearly, the

property line runs through this way, north being right on this aerial. You'll see there's a fairly substantial stand of existing trees that we would propose to maintain by keeping the proposed grading away from that edge of property line in that area. This second section again comes through one of the residences that are sort of the interior of Heritage Hill, adjacent to where the proposed Building 1 would be, again, showing the expansion area in dashed line. The first phase building here, more solidly, and again, more substantial moundings are available for this condition because the grades are somewhat closer to consistent one side of the mound to the other. In this location, the mounding, as shown, is approximately 18 feet in height with proposed plantings along the mounding, maintenance of the existing trees along the property lines. We show a sight line here in the redline, showing that you would see that building about midway up; for the expansion area, you would see the very top of the building based on the first phase of construction, again showing these light lines to sort of show the screening of the rooftop units in that condition. These are moving on to the south along the property line. This is Section 3, again, the red line showing the view from an eye height at the residence in that location. In this instance, the homes are somewhat lower now than the proposed grades. The height of the mound here from the toe on the residential side to the top is approximately 20'. You see the sight line across the top effectively screens out the storage yard. This storage yard is shown the full expansion width. This indication right here is a 16' high material storage. If it were to be located right at that property line, you'll see that that is screened from view with the proposed mound and similarly, moving further south, this is Section 4 and again, the mound height in this location is approximately 20' in height on the residential side of the mound; it effectively screens to a height of approximately 18' to 20' at the storage yard from the view line of that residence.

The next four sight lines that were submitted indicate views looking westerly across the project in the location of proposed Building 2. Section 5, as you see in your plan, is cut through the parking area and the loading area to the north of Building 2 and the mound in this location is approximately 12' in height. The Building 2 area, because the topography is more consistent from one side of the site to the other, that mound is pretty consistently 12' in height throughout this area. You can see that the sight line from the residence in this area is screened to a level above where the vehicular use area and the loading areas would be in that section. Moving down another section, Section 6, is cut through the northerly part of that building. The red sight line, from the resident's eye height at the residence adjacent, shows that that building would be visible across the top of the screening to a height near the top of the building and again, this building is shown at the full 48' maximum potential height on this plan and the light lines tend to indicate sight lines that might look into rooftop units. This is Section 7 and 8; Section 7 being through the southerly portion of the building. Again, the proposed mound height in this area is approximately 12' feet in height and again, sight line from the residence would show the upper portion of the building at its' maximum height and sight lines are screened to any rooftop mechanicals from that view corridor. This final sight line, sight line 8, is a view from the residence at the cul-de-sac at the end of the subdivision looking back toward the loading area of Building 2 and again, you can see that the screening in that area would actually screen the building entirely to a height beyond the maximum elevation of the building and beyond the loading and vehicular area there. Again, we feel that the buffer yard that we are proposing provides adequate protection and mitigation from the proposed uses to the adjacent residences. We think it effectively mitigates the views, provides a separation that would help mitigate any noise nuisances, and light spill as well and we would ask Planning Commission's approval of the plan as submitted.

I did receive some additional comments from city staff actually earlier today, which there was some electronic glitch that got it to us later than intended so I would like to quickly roll through those. I assume you all have those comments from the Building Department, Planning, and Engineering. To make sure that I'm not missing something that we should have addressed, to begin with, the Building Department comments essentially outline the items I just discussed in Items 1 through 8. Item 9 is a statement of fact, as is 10. Item 11 similarly, we discussed the tree planning elsewhere. Also with regard to the building setbacks, we've had that discussion; I think we have provided you with what we would propose as accommodation for the primary issue, which is the

Crescentville setback. We would request that the interior setbacks remain at 75 feet from the interior road right-of-ways. With regard to Comment 14, which notes that essentially the grading for the roadway opposite Building 2, there's no room for landscaping; that is not actually accurate. There is an area that is pinched in that location. The referenced location is this area right here (indicating on map); it is a pinch point where the pond comes in closest proximity to the road. There is an area approximately 10' in width minimum outside of the proposed right-of-way line where there can be planting done and where we propose to install a privacy fence to further screen from the condominium association residences in that area with landscaping primarily to the resident side of that fence. That's an area of about 60 feet in length there, where the width is less than 15' down to a minimum of ten feet so there's a small area there where it is very tight where we propose to install more structural screening there to limit views from the condominiums over to the roadway and Building #2 but there is room to do planting and install that buffering in that area. Moving on in the Building Department's comments, I think the numbering gets a little pinky here, so we're back to #7; again this is with regard to preservation of the existing trees, which again we have proposed an accommodation in that regard and would ask for Planning Commission's consideration of that, similar to Comment #8. Comment #9 refers to the impervious surface ration, which we addressed in our response letter. The one thing I don't think we responded to adequately from these comments and previous with regard to the Crossings at the Park PUD restrictions, we, in point of clarification in regard to these specific comments, we would propose to include our design standards in this document which would be subject to the city's review and approval and control so we will do that – we'll move our design standards into the city-controlled document as was noted in staff comments. With regard to these specific comments, we have changed use restrictions; we will include those in this document as well. We've proposed new signage that we can include in this document as well and again, Item D here refers to the tree planning provisions which we've discussed. Item E refers to some provisions that we believe we have otherwise addressed with this plan so that they don't need to be in this covenant document any longer. Item F refers to a provision regarding scheduling and staging of the project which really doesn't apply any longer given the length of time that the PUD has been on the books; it's really not applicable so that's the reason we removed that. I think that was all of the Building Department comments.

With regard to the Engineering comments, again, I did discuss the traffic, which I'd be happy to answer any questions about and again, I welcome staff's comments along those lines as well. With regard to Item B, the intersection does align with Transportation Way, we do meet the width requirements per the city regulations. We are requesting Planning Commission approval of the extended length of the cul-de-sac for Street "A" given its topography and the condition of the site we believe it's justified to grant us that variance, if you will. I think we indicated last month that we would be willing to provide an emergency access connection. We think it makes sense for both the Tri-County Commerce Park project as well as for the Crossings project, that there would be a secondary way of accessing from either side of those in the case of emergency; we're willing to do that. With regards to the sidewalks, I believe I've already addressed that; there's one location where we don't comply but we are willing to if that's the decision of the Planning Commission. With regard to the storm sewer culvert, essentially the bridge at Beaver Run Creek, we would agree with staff's comments that it needs to be designed for the whole flood capacity. With regard to the turn-around, we would agree that we will provide a temporary turn-around if it's not constructed to the full cul-de-sac end. #2, I don't know that that requires any comment. #3, regarding the access road, Road "C" that connects the condominium development, we will provide a tear drop; we will provide the full-width as required by the city to make that turn-around an adequate size. We're willing to work with the city and the condominium association to design that in detail with final development plan and construction plan development to make that work as effectively as possible. We have shown a connection, I think, to the sidewalks with the condominium project and again, we are willing to detail that more fully as part of the final Development Plan throughout the approval process. With regard to Item C, Storm Water Management provisions, we have not shown storm sewer details on this plan; it is a preliminary Development Plan and we will comply with the city's storm water management regulations and Land Development regulations in the design of those sewers but again, we feel that's a final

Development Plan or construction-level detail. With regard to storm water quantity detention, we have submitted some preliminary calculations to justify the feasibility of the Storm Water Management Plan. We believe we've adequately shown that, in concept, it is a feasible plan and will need to be finalized obviously through final development of the final plans and the construction drawings and we are committed to complying with the city's regulations in that regard, regarding both quantity and quality. With regard to Item D again, we will comply with the city's regulations. We will establish an accurate (indistinguishable) corridor as noted in these comments. With regard to Flood Plain Management, we believe that, based on our experience, we've dealt with flood plains on a number of projects; we believe that the work generally shown in those flood plain fringe areas are well within the limits of what we would expect to be able to comply with flood management regulations. We will obviously have to substantiate that with calculations when we get into the final development and final design phases. We're committed to complying with those requirements as well. With regard to Item F, Miscellaneous, it's called out that there are 30 Linden plain trees shown in the 747 right-of way. Again, we can move those into the streetscape area that's adjacent on the property. I would suggest if there's a mechanism in the city to do it, particularly in the area that's between the underpass of the railroad and the new access point that, if we can work with the city to have some sort of an easement to install some landscaping in that area, that it might be beneficial to all parties – it's kind of a large sloped area that's kind of bare right now and I think it could be improved. Obviously we'd have to work through provisions for taking on the maintenance of that as part of the project and part of the future development but we'd like the city to consider that but again, it's not something that is a deal breaker if it can't be accomplished. We can provide the landscape buffering on the property within the project limits. With regard to the Beaver Run Creek crossing structure, we'll work with the city to create an aesthetic bridge and headwall system there once we understand the exact size and system that will be installed so I think we're in agreement with these comments with those few caveats.

With regard to the Planner comments, I think the general comments are more or less informational and don't require addressing. Item #4, the Comprehensive Plan, I believe we referenced in our letter, our position that we are in compliance with the intent of those guidelines. With regard to the Site Plan comments, again, Items 1 and 2 are largely informational, as is Item #3, again we would agree that we'll comply with the city's parking requirements including the requirements for landscaping associated with the parking and vehicular use areas. With regard to setbacks, we've discussed that. I believe, again my understanding is, that primarily the Crescentville road frontage is the stickiest point, which we've responded to, that deals with the first two bullet items. With regard to the third bullet item, we have shown that as a 75' setback, which is what we proposed, consistent with the other front yard setbacks internal to the project. The next bullet item, we would agree with staff's comment that, with regard to Building 8, to maintain a 75' setback from the highway. With regard to the parking setbacks, I believe, and we've confirmed with our engineer, that the Building 7 parking area does meet the 10' setback. The plan scale is somewhat a pretty small scale, even at the full plan size sheet, but we will comply with that 10' setback and again, given this PUD, we would ask for the Planning Commission's willingness to consider cross-parking arrangements that might affect the setbacks for certain buildings where they might be sharing parking, as we noted on the front sheet of our PUD submittal. With regard to the loading areas, I believe we responded to this in last month's meeting; if not, I apologize, my memory is not great at this point but we would agree to restrict loading areas from those two locations, street frontages from areas that abut residential, so we would propose to change those covenants to reflect that. We've discussed the building height in our response. With regard to the Landscape Plan comments, we are in agreement with the conditions as generally laid out here for the buffer yard plantings. We believe that we've provided sufficient buffer yard areas. Buffering can be completed effectively to mitigate against potential impacts. We'd ask the Planning Commission's approval and we would acknowledge our complete willingness to work with staff as we finalize those buffer yard plans to show specific planting locations and species and sizes and specific mound grading throughout any of those areas. With regard to the next set of comments regarding Landscape Plans, 1- 21; these involve things like the scale of the Landscape Plan, plant material identification, separate calculations for impervious

surface for vehicular use areas, tree labeling, those sorts of things – we believe those are more appropriately addressed as part of the final Development Plan process and we'd agree to do that.

With regard to signage, it sounds like staff is generally in agreement with the signage as proposed. With regard to the declaration of covenants and restrictions, again we would agree to put that, the guidelines and the restrictions, in the appropriate document. We will comply with comments noted here.

Again, with regard to signage sounds like staff is generally agreed in agreement with the signage that's just proposed and then with regard to the declaration of covenants and restrictions and again would agree to flip that setting the guide lines and the restrictions and appropriate documents that was our error so we will put these in the documents the city has control over and we will comply with the comments that are noted here on the first 5, items of staff comments. Again with regard to the design standards we're in agreement with the building standards modifications that's suggested and we agree to, with the landscaping comments, particularly with regard to developing those as part of the Final Development Plan. Screening and buffering requirements – again, the first item I think we can eliminate since we're proposing not to locate loading areas adjacent to the residential uses or street frontages. We will include in Comment C regarding screening of service structures and also Comment D regarding waste receptacles and Comment E regarding screening of roof top equipment. We're okay also with Item 4. With Item 5, we have proposed an alternative fencing system for the front yard of the fence area along Street "A", particularly for Building 1. We continue to believe that the best material for long-term maintenance and security within the park is vinyl-coated chain link fence with privacy slats are appropriate and we propose that as part of our park covenants. The height of the proposed fencing would be limited to eight feet. Again, with regard to exterior lighting, we would be willing to consider reduced heights adjacent to residential use if we can understand what the parameters of that might be and we are in agreement with the idea of consistency in terms of the general appearance of the light poles and fixtures throughout the park. With regard to the signage provisions that were noted here, we're in agreement with those as well. In terms of Items E and F, we would propose to submit final materials and illumination details along with the Final Development Plan. Again, moving on, the lighting provisions, I think primarily again with pole height, I guess we would like to understand what the actual provisions of the city would propose in that regard would be, but we're willing to consider that.

We had a discussion at last month's meeting regarding the noise and potential restrictions on operating hours. As we noted last month, we are unable to restrict those hours given the types of prospective tenants for these buildings; these would be institutional grade buildings and we can't restrict hours of operation for the types of tenants we would be seeking for these uses. Regarding the storage yards, again, we did indicate on the sight sections that we just showed you and that you have in front of you, the screening that is provided to accommodate the 16' high storage areas. It's not primarily provided by the fencing itself in those conditions but by the location of the landscape buffering and mounding. Again with regard to the considerations at the end of the comments, Item 1 is a statement of fact; Item 2 we agree with; Item 3 we agree with; and Item 4 we would agree with. For Item 5, a point of clarification here, I think we can address the streetscape buffering; we may have some issues with regard to buffering vehicular use areas prior to knowing exactly where those areas are going to be so there may be in some phasing in of the full buffer yard planting as we develop Final Development and construction plans for specific users but I think we're in favor of providing the bulk of the buffering as part of the first phase of the development. Item 6, we are in agreement with; Item 7, we are in agreement with; Item 8, we are in agreement with; and Item 9, we are in agreement with. You know for Item 10 we have provided an area for a Springdale gateway to be installed – there is an easement there. I don't know if there's anything intended beyond that with this comment but obviously we are willing to reserve that area for the city's use in establishing a gateway element. With regard to the setbacks – again, we would request that the setback on Crescentville Road be accommodated with the conditional setback - that it be treated as a 50' setback if there are no vehicular parking areas on the frontage side of the building. We've discussed building heights - we did ask the Planning Commission to approve. I think we

are in agreement with Item 13. Item 14 – I think we have provided feedback on that – we are unable to limit hours of operation in those areas for those businesses. Item 15, we are in agreement with. I assume with Item 16, some of that is related to the concern regard proximity to residential uses and rights-of-way and again, we've agreed to restrict against that so hopefully that addresses that. Obviously any of those screening items are subject to the city's review as part of our Final Development Plan submittals in terms of the specifics. I think we've addressed the staff comments in their entirety but I would be happy to answer any questions you might have regarding this submittal. We hope that you will see fit to recommend approval of this plan at this evening's meeting.

Chairman Darby: Thank you. Prior to moving to staff reports, Mrs. Boice has a comment.

Mrs. Boice: I just wanted to say I know many of you were here last month and you heard me make this statement about our staff here leaves no stone unturned. Well, I can tell you people when they delivered our packets this week, they didn't just turn over one stone; they turned over a lot of them. We get 26 pages of comments, suggestions, and analysis, so I want to let you know that the City of Springdale is looking at every nook and cranny. I just want to commend all of you again on your wonderful work which makes our jobs much, much easier. Thank you.

Mrs. McBride: At your meeting on May 12th, the Commission did table this item pending additional information and research and so forth that the Commission I think wanted to receive and for staff to review. We did not receive any new plans from the Applicant. We did receive a 6-page letter from them on May 29th and I think that was included in your packet and the Applicant has obviously gone through that this evening. I did have the opportunity, along with Mr. Taylor, to meet the Applicant this morning to discuss primarily the eastern property line buffer yard. The two members of Planning Commission that also serve on Council have made the determination obviously that this is a major departure given the 1,250,000 s.f. of office, industrial, and warehousing space that's proposed as a part of the plan. Mrs. McBride continued with City Planner comments.

Chairman Darby: How much of a disadvantage are you guys at because you did not receive a revised plan?

Mrs. McBride: I think in not receiving revised documents, because that would include the covenants and so forth, I think it could have, would have cut down my staff report significantly. If there are things that they are in agreement with, we would have gotten rid of that, as you know, from the staff report. I will say we did get these sections tonight but we haven't had a chance obviously to look at those. You can see from what the Applicant gave us this evening that those buildings are going to be visible from those backyards in some instances so I think we really do not need that, again, emphasizing why that buffer is so very important.

Mr. Okum: I certainly do not want to go without hearing from the public in regards to the development but we do have a situation where we're going to be faced with a situation where I either phrase, or someone phrases a motion and references something, which we don't have. It's going to be pretty hard to bring that motion to the floor tonight so I want everyone who's here making comment to understand that I'm having a difficult time because we don't have any revised drawings or plans or, unfortunately, no responses to staff's comments except for the comments that were made tonight publically by verbal. So that makes it really hard. Not that I'm not willing to do it or someone else is more than welcome to do it; I just want to make sure that everyone's aware of that before we get into a lot of discussion on this because, like Mrs. Boice said, there's 26 pages of detail. Mrs. McBride's considerations are 16 items long, but they're still items of questions that don't have any direction. We do not have any type of a tree survey for the site, giving us any idea whatsoever of the removal of trees or the variances that would need to be given based upon that and just arbitrarily to take, in my opinion, \$30,000 and say oh, boy we got \$30,000 to put into street trees; that doesn't go very far nowadays in street trees, but we want to understand where

we're at anyway. I just wanted to make those comments but I also wanted to make sure that we have an opportunity for anyone that wants to speak tonight that they can.

Chairman Darby: We will do that as soon as we're finished with staff report.

Mr. Taylor read staff comments. Mr. Taylor added: I do want to thank the Applicant for bringing the sections tonight; I thought that was very helpful. Things to consider while you're deliberating – Most of the sight lines were indicated to go essentially at the top of what would appear to be like evergreens planted somewhere on that mound. I think those are probably eight or ten feet tall – I don't know what the proposal is, but I think that's approximately what's shown on the drawing. In order to achieve actual buffering at eight or ten feet off the ground, I think that's a pretty dense plant, I'm not sure what may or may not be proposed. I'll leave that to you all to discuss. That concludes my report.

Chairman Darby: Each of you who has addressed proposed green space, how do those figures square with the proposed expansions?

Mrs. McBride: It is staff's understanding that the proposed green space takes into account the expansions.

Mr. Taylor: Correct.

Mr. Shvegza: In short, the Applicant has pretty much agreed to all of the issues. I think there was a decision on the sidewalk on both sides of Street "A", so I'd like to just concentrate on the two aspects that are probably the most important – the traffic and the storm water. Mr. Shvegza then read City Engineer comments.

Chairman Darby: Our reports being completed, at this time we will follow the protocol we've established for previous meetings and ask residents if they have comments they'd like to make. I am particularly interested in the person, I forget who it was, who was going to address the memo we received. There you are sir, please come forward. As you come up, please identify yourself and give your address.

Mr. Ruzick: My name is Ken Ruzick. I'm a member of the Board of Directors of the Crossings at the Park condo community. I live at 509 Salzberg Lane. At last month's meeting, two members of our community addressed the Council and expressed their regret at losing the greenspace of GE Park. I'm sure I can speak for most all of our residents and agree with those sentiments. However, the reality is that GEEAA cannot sustain operation of the park and the membership of GEEAA has agreed to cease operations. This is just a reality and we can do nothing about it. Vandercar, the Applicant, has met with the Board Members of Crossings at the Park condo community at least four times now over the last several months, each time at their request. They have made every effort to keep us apprised of their general plans and have listened to their concerns. This was basically the letter from Mr. Weartz that Mr. Darby referred to earlier this evening. This is still a conceptual plan and Vandercar has addressed our concerns and told us what they could do and will do and what they could not do and will not do for us. At this point, we are comfortable with being able to say to the Planning Commission that the concerns we have expressed to date, especially those in Mr. Weartz's letter, have been openly discussed and addressed with Vandercar. So at this point, we, as the board of Crossings at the Park condo community, have no objections to the conceptual plan as presently presented. That's all I have to say.

Chairman Darby: Does anyone have any questions? Thank you sir. Anyone else?

Mr. Noah: Leo Noah, 407 Lisbon Lane. As a Board Member with Ken, I concur with his statement. I wanted to ask, I saw on your diagram up there, that you had sight lines and I was curious whether Steve could go through that with us, if that's available.

Chairman Darby: Do you want to address that now?

Mr. Dragon: With regard to the sight lines through the area generally between the condominium project and Building 2, as proposed, I have identified five sight lines, A through E here, moving generally from north to south. I'll just point out a couple of general dimensions, to sort of familiarize you with the configuration. The dark line here is what the condominium property line is currently and would be the boundary line between the condominium property and Tri-County Commerce Park. The proposed Street "A" is a 60'-wide street/right of way as proposed. You see sort of a dashed line on the west side of that that would sort of be the eastern boundary, the buffer yard. This common line being sort of the western boundary of the buffer yard. You can see from the configuration of the property line, and this is where the existing condominium pond sits currently. In this area that's sort of north of the pond, I think there's an area that's generally in excess of 150' of area that will remain. This is an area that has good stands of mature trees. There will be no grading proposed in that area. The street grades in this area are actually very close to existing so we should be able to maintain that good mature growth of trees in that area there. As you move sort of in where it starts to pinch down as you move south, this mature tree stand kind of disappears; it's more scrubby kind of undergrowth/brush kind of material. So starting in that area, we look to do new mounding up to a maximum height of about 8' until we get to this pinch point where the mounding has to taper off. (Indicating on map.) This is the area I was referring to earlier, that corridor where it really tightens up for that 60' where it's really close between the pond and the road and we look to install fencing along with the landscape plantings. As we get beyond that pond area, it widens out again to well over 150' – 250' in this area as it starts to follow then more towards Beaver Run Creek. We look to do additional mounding, new mounding, in this area to buffer between the proposed road and the condominiums. Again, the sight lines move from A to E, north to south here. So this is sight line A. Again, in this area there's fairly significant trees remaining. We would propose not to do any new mounding in those areas so that we could maintain as many of those trees as possible. We would propose a double row of evergreens along the road right-of-way to create the low sight screening. The sight line through this area, you will see the building, we'll be able from the vehicular parking areas between the building and the street and there will be some view into this area where you can see through the vegetation to where you could conceivably see some truck traffic. Moving further to the south, again this is an area where we looked to clear the smaller vegetation that's existing, create mounding between the pond edge and the right of way, create landscape plantings in that area, and again, with sight line through here, you would see the upper portion of the building; you would not see into the vehicular area on the west side of proposed Building 2. Again, these light lines are intended to be sight lines towards what would be building mechanical, so you would effectively be screened from any rooftop mechanicals on those buildings at that viewpoint. Continuing south, Section C here, again, this is the pinch point where we would look to install some fencing in addition to landscaping to buffer and again, you would see up on the building approximately ten to 12 feet, so you would see the upper portions of the building but would see over the parking areas. Moving south again, it starts to widen and we bring the mounding up. Again, you would be able to see the building, looking over the parking area. Finally, this is towards the south, the southernmost section, increasing the mounding with area here, maintaining existing good trees where we're able and then that sight line again, you look at towards the upper portion of the building. The building parapet would effectively screen any views to rooftop mechanicals. That's essentially those sight lines.

Chairman Darby: Okay, thank you. Are there any others?

Mr. Vanover: Tom Vanover, 11982 Tavel Court. There are still several issues that are of concern: the outside storage, they're saying 16' feet but we and they don't know who the occupants are going to be, what's going to be stored there and with the movement on industrial and warehousing to the pods, if you want, those are running about 10' a piece and all you have to do is go down Crescentville and Mosteller and see what those look like stacked up. That's still a concern. We don't know who's going to be there, what they're storing. Is it hazardous materials? We don't know. Line of sight: line of sight view #3, sitting right here, Mr. Roy Bertram. Standing up in the back, Mr. Art Brockman, I can speak on number 1, because I've done work in the back of that house and that whole roof will be visible. The roof, if any of you have seen, I know Mr. Okum

can speak to it, is probably the ugliest part of the building because there's no aesthetic concern up there whatsoever. Mr. Bertram, what's stored, where, how, he may be looking at the top of that. Mr. Brockman, if he wants to speak, he can; he's there, I'm just south of his line of sight. Through all of this, concerns, traffic study still in flow and flux, water retention. I remember back when we did the overpass there on Crescentville where we spent three years on an Environmental Impact Study on the creek. This is not only crossing it, it is affecting it on both sides. Storm water retention, those ponds – typically that's a stand pipe or spillway. If it tops the top of it, where's that water going to be contained? Is that going to go right to the creek and aggravate downstream situations? All of this is concern but the one thing that often times, and I include myself when we get in these situations, sometimes you can't see the forest for the trees. I was reminded of that this week with a conversation of a resident. All of these are trees but the forest, the question we have to ask about the forest is where in our code does it go and state that we can put industrial warehousing up against residential occupancy. When I bought, 275 was already there, so I had to live with this. This wasn't here when I bought, and if they're going to have 24 hour operation and I know the safety OSHA requirements on the equipment, the buzzers, and all of that. I have the mulch pile, probably about 25' to 30' higher in elevation than my backyard and probably I'm separated by it by one of the densest growth of trees and scrubs, honeysuckle, and I still hear those just like they're in my backyard. During the day time, that's fine, but 10:00 p.m., 11:00 p.m., or 12:00 a.m., 1:00 a.m., 2:00 a.m. in the morning, that's a lot to ask to tolerate. So with that, I'll yield the floor.

Chairman Darby: Thanks Tom. If there are no others, we are going to move on to our Commission discussion. Thank you very much for coming and presenting, and by the way, you all are welcome to stay. As long as we're here, you're welcome to stay.

Mr. Okum: I've got a couple of questions for staff. In industrial zoning, which will be the underlying use for this development, what types of industrial uses would be able to be used there, that are listed as suggestions in our code?

Mrs. McBride: In the GI, General Industrial, district, under principally permitted uses, which is Section 153.2621, light manufacturing, experimental and research laboratory, production operations, warehousing, nonprofit recreational areas and facilities, sexually-oriented businesses, offices, religious places of worship, post-secondary educational facilities, and similar principle uses as approved by the commission.

Mr. Okum: Like if GE were to do like a jet engine test facility - that would be approved?

Mrs. McBride: Yes.

Mr. Okum: What about a shooting range?

Mrs. McBride: I would say no, unless it was a nonprofit (laughter). Well, it could happen, it could be the police shooting range, I don't know.

Mr. Okum: I understand. I guess that's one of my concerns, is we can mound a lot, but we really don't know what we're going to do with the sound issues. My office was located on Mullhauser Road, right next to Lesaint, for five years. Directly behind our business, there was a huge growth of trees and a creek bed. I'm telling this story because it's very appropriate and I hope you bear with me. The business that was operating behind there had some type of a compressor device that about every 25 minutes or 30 minutes would expel an enormous pop and a whistle for release of air. That went on for all the years that I was in my business. I'm thinking about those residents in Heritage Hill and the people in your development, those of you that are here from the condos, and I have to be concerned about that. I spoke to all of those that were here when they wanted to build the condos there and I spoke about attenuation of sound and the trains. I remember somebody said well, you know as we get older, we don't hear as well. Well, I hear plenty well and I'm getting older and I definitely am very sensitive to the development and that's an acceptance that those of you that are here. Can I see the hands of condo owners?

Chairman Darby: Most of them left.

Mr. Okum: How about residents from Heritage Hill? So we have representatives from both areas. I think about what I went through that time when I was on Mullhauser Road and I heard that pop, whistle release of air that is an industrial use for a business that I had no control over. It went on whether I was at the office at 7:00 p.m. or 5:00 a.m.; whatever time I was there, that thing was still releasing air. So we have to be concerned about that. We can't just take an amagard approach to what happens. I made a list of items that are annoyances and I guess I'm going to say as I get older, annoyances become more aggravating: air compressors, tow motors, loaders that could be moving mulch or of that nature, tractor trailers with their back up sensors, mechanical equipment, lifts or tow motors that lift cargo containers, generators. Those are all things that create noise. We have a noise ordinance in Springdale and I believe it's set and it's enforced but if a business is doing its' business, I don't know how our noise ordinance is going to protect them unless there are some limitations put on and so far the Applicant hasn't submitted that to us, how those could be controlled. So I have to look at the residences and say okay, how do we go deal with this industrial use next to residential? I still haven't come up with a comfortable feeling at that because there's reasons that, in planning circles, you don't typically put industrial uses next to residential; you just don't. It's just not a normal thing. So you have to deal with how are you going to deal with that for the residents that are there. And it's not the residents that are living there today, it's the residents that are going to be living there for the next 50-100 years. It's not who's living in your condos today; it's who's going to be living in those condos in the next 50 years, or for the next 50 years. Those are my concerns and so far we haven't gotten to that and that's the underlying problem I've got with bringing something to the floor with a motion for, and I'm still having problems with the use in connection to the residential homes. It could be the best plan in the world and it could solve a lot of financial issues and it could look pretty but if it's going to impose a hardship or a negative impact on one or two or a hundred residents, we have to be concerned about that and that's the reason I'm having problems with bringing this to the floor tonight. Possibly the Applicant can, I mean there are methods to deal with sound. There are methods, I mean but they, based upon the plan we got here, we've got storage, outdoor storage, and we've got trucking areas next to single family residences. So I hope you understand that that's making it very difficult for me. Thank you.

Mr. Diehl: Don, I have a question on the Traffic Study - what effect does traffic going east-bound on Crescentville have?

Mr. Shvezda: I'm going to have to take a look back at the specifics of the study. I don't recall there being any significant impact on the east-bound direction. Remember we do have a right-turn lane that will drop into the development too, so that will handle a great deal of the traffic.

Someone talking off microphone (indistinguishable)

Mr. Shvezda: That's a good point I heard mentioned. Of course a lot of the truck traffic will be arriving via 275 so it will be entering through.

Mr. Diehl: So it will have a minimum impact. But what if you're going east-bound, coming out of the industrial park and going east-bound?

Mr. Shvezda: In that regard, of course the traffic study has to make assumptions on direction of traffic - the direction of traffic arriving or leaving the site, a very limited amount of it was heading to the east. Most of it was going to go towards 747 to 275. If the Applicant wants to expand on that a little bit more as far as the details of it, but that was my recollection of the study.

Mr. Diehl: Okay, thank you. I also have a questions for Mrs. McBride or Mr. Taylor. From your past experience and expertise, can we get to 100% that no one can see the buildings in the sight lines - is that feasible to obtain that?

Mrs. McBride: Well, I'll voice my opinion and then let Gregg. Likely not, not for all of those residences and for all those condominiums. You saw the sight lines from the condos and they're all going to see the buildings in the sight plans that the Applicant prepared tonight. A number of the single family homes will also see the buildings. Again, that's why we wanted to work with them relative to what type of plant material and how big it is at installation and those kinds of things, to give it the best shot. But I wouldn't say everyone is going to be 100% visually blocked from the development.

Mr. Diehl: How close to 100% would you think we could get overall?

Mrs. McBride: I don't make that kind of money to give you that kind of guess. I really don't know.

Mr. Diehl: Give it your best shot.

Mrs. McBride: That's why we really needed to get more final details, particularly on that buffer area and I have no idea what the agreement is between the Applicant and the condominium folks. I've heard the Applicant mention a fence tonight and some plantings and some moundings but we don't have anything to look at so I really couldn't tell you. I'm sorry.

Mr. Taylor: I would concur. The bottom line is I don't think there's a realistic way to reach a zero impact development. I think the best that you can hope for with this type of plan is to do the best job you can at mitigating the effects of the development. Part of the reason that industrial and residential are generally noncompatible is because it's very difficult to mitigate that. That's about all I can offer.

Mr. Diehl: Thank you very much for your answers.

Mrs. Harlow: My head is kind of spinning. I feel like we have had an awful lot of information given us. Some of it passed out tonight as we're sitting here. Some of it that we got to go over and look through since last Friday. The Applicant got up and sped through some of the points that he and the Building Department and City Planner were working out. We only have one shot to get this right. I'm really concerned about, as Mr. Okum said, the residents in the condominiums and the residents in Heritage Hill. I don't know that I would want to be sitting on that street, looking at the buildings that they're looking. I don't know that I would want to be sitting there listening to the trucks come and go. As Mr. Vanover stated, we're not sure what's going in the storage lots, we're not sure how tall it's going to be. They're proposing 16' but if it's a pod-type storage or something other than that, it could extend beyond the 16'. We do have a noise ordinance but I think that more goes with our residences than with our businesses or with our industry. I think we have a lot more work to do before we're ready to put a motion on the floor. I'm not comfortable with a motion right now with all of the unanswered questions that we have. I'd like to see the Applicant continue to work with our Building Department and with our City Planner and City Engineer.

Mr. Shvezda: Just going back to the study, for the 2026 full build-out, it did note 31 vehicles exiting the Road "A" onto Crescentville Road going east-bound.

Mrs. Boice: This is kind of like a double-edged sword. The Applicant is in a position where he also I'm sure is not positive of what's going to be in that storage yard or who is going to occupy these buildings that have yet to be built. He has that dilemma; we have the dilemma. Ours is a little bit different because we have a responsibility to the citizens of Springdale. It's a pretty neat little city and it's run well. We really do want the planning to be superb and as I related earlier, we get much more paper work here; we're finally going to get us a solution but I would agree with Mrs. Harlow and my other members here that I'm not ready to make a decision either. I also want to say to the Applicant I understand where you're coming from because some of these questions are difficult for you to answer also and we realize that. We want to work with you and give you every opportunity just as we want our residents to have every opportunity. So I don't know if we need to do some special meetings to move this along. The commission has been always very open to that type of thing. You tabbed it well - it needs a lot more work and that's where I stand also. Thank you, Mr. Chairman.

Mr. Okum: I think for the benefit of the Applicant, and I agree with you 100 percent Mrs. Boice, the Applicant needs some direction from us in regards to that 75' or that 100' or 50' off of Crescentville Road. The Applicant needs some direction as to a yes or no on the storage yard next to those single-family residences. The Applicant needs direction from us on the building height of 48'. Those are items I think we need to help at least express so he's not shooting in the wind; he needs to know that.

Mrs. Boice: Absolutely.

Mr. Okum: I think there's things that the Applicant can do. There's a lot of developments where you don't see the truck bays; they're hidden with wing walls and evergreens and so forth. They've done it in a number of developments and you don't see the truck areas but on the other hand, that's only one part of it. If we're going to have industrial there, then those answers need to be resolved. The issues of noise and time, that the applicant said is unacceptable to them, need to be aired by us on this commission so that the Applicant knows whether we're going to approve those uses next to those single-family residences. Those are the items I think we really need to express so that the Applicant knows where we're coming from. I'm going to address some of those. I'm going to say that the storage yard and loading areas next to the single-family residences - I have a problem with. I have a problem with the noise that will impact those single-family residences, whether it be the condominiums or it be the single-family residences of Heritage Hill. I have a problem with the operating hours, if those noises are going to be over 65 decibels, which I believe is the number during any period of the time and how it impacts those residences. If internally, in the center of the site, you're at 65 decibels by the time you get to the outside, you're probably lower than that. My frame of thought is that you want to no more than 65 decibels at the line of the property; I believe that's the number that the state highway department uses as an annoyance level. Anything over 60 or 65, whatever that number is, is what the State of Ohio uses as an annoyance level and it was also the justification for why those walls were constructed on 275 and constructed pretty much all over the country, is that the annoyance level was based upon that level of noise and I believe it was either 60 or 65. So I think that those are important. I have come to the understanding and acceptance that with mounding and a proper typical mounding detail that would be arrived at between the Applicant and staff and us, I think you can screen some of the visual effects of the buildings - not all of it, you're going to see the buildings. We're not going to hide the buildings - I accept that but I am really more concerned about how those buildings impact with odor, with sound, than I am with seeing a wall 200' away. Two hundred feet is a long way. Two hundred feet is probably where the department sign is out there (indicating Tax Department sign out in the atrium). Am I close, Don?

Chairman Darby: That's about a log wedge.

Mr. Okum: Yes, that's a wedge. Those are my feelings; I'm only one commissioner here; I'm only one person so we have seven. It does require five affirmative votes to move it to Council so we need to get those people in line so that you, the Applicant, understands, and the residents understand, what we're looking at. Thank you.

Chairman Darby: When I reviewed the packet, we have reached a point I was fearful of when I reviewed the packet - 26 pages, an awful lot. In my opinion it stems from the fact that we did not receive a revised plan so consequently we sit here and try to be as attentive as possible but when we're hearing a recitation dealing with 26 pages of new and maybe not so new information, it's very difficult to digest, folk, extremely difficult. That point that we have reached, that I was fearful of, is I don't think, having heard a couple of the commissioners already and knowing my position and suspecting others, I don't think we're at a point where we can vote. Wait, that's not correct - I don't think we're at a point where we can give a vote that would be favorable to the Applicant, one commissioner speaking there but I would invite any others up here to voice your opinions at this time because we're going to have to make a decision to which direction we move. We have to come to some type of closure on this issue.

Mrs. Harlow: Thank you Mr. Chairman. I agree with what you've stated and what Mr. Okum stated and I also agree with Mrs. Boice. I think that everyone up here wants to move the project forward and I think that we're all would be willing to have any type of special meetings that would be required to do so. I'm assuming we would need to publicize those meetings, so many hours, 72 hours in advance or something like that? I certainly would be willing to make myself available for any type of meeting that would happen before our next required meeting. Thank you.

Mr. Bauer: I guess I would just reecho comments and to let the Applicant know where I stand. It is extremely difficult, the amount of comments and concerns that we've seen and I want the businesses to proceed forward, but in and amongst the residents that are there, I'm glad to see the condo association has come to some agreement although I'm not sure what that totally is with what you guys are proposing in their line of sight and in their minds of that development but the noise issue is a big concern of mine. I guess if I echo comments, it's hard to portray what I feel; a lot of it echoes staff's comments – 75' setback is what I would prefer to see, but that's my opinion, along Crescentville Road. The heights of buildings aren't as much a concern to me. As you've heard from the other commissioners, the residents are going to see those buildings. Noise is a big concern of mine. I work in construction. Back-up alarms are quite audible and quite noisy and if you have those in your residences, and if you don't limit the hours of operation, residents are going to be upset. It won't take long for that to happen if you don't limit the hours. Those are my general comments in regards to that.

Mrs. Boice: I think it's very obvious that no one sitting here is ready to bring a motion forward, so where do we go from here. I would suggest, Mr. Chairman, that the Applicant, there have been a lot of questions raised; our Planners, I think, are eager to meet with them and bring more information to us. If they feel the need for addition meetings, I think that most of us are committed enough that we would be happy to do that, but I think to continue on any longer this evening is really fruitless at this point, because no one is going to be bringing a motion forward - that is obvious.

Chairman Darby: Well, I would say this - I think the Applicants are entitled for us to bring a motion forward, which we can do but the discussion I think is an indication as to what the result would be.

Mr. Dragon: Before you make a final decision on what your approach to the case would be this evening, can I ask for some specific direction, assuming it sounds like the desire is to continue this for additional time, can I ask for some specific direction on what specific information you would like from us to be able to make a final decision so that we can have a clear understanding of what we need to accomplish and, if this is the course that we are going down, what we need to accomplish in a very short time. I know that's difficult and I appreciate that but I would like to know what other information you need us to produce that would allow you to make a decision. Again, I guess I would say that I recognize a number of comments here on paper, when you distill it down, I think were down to relatively few; at least I hope that's the case, if it's not the case, I'd like to know that. I appreciate your time and I know it's getting long here, but to the extent can we boil it down to the issues and/or preferably, the specific items of information that you need, I think that would be very helpful for us to understand, whatever decisions we need to make. Thank you.

Mrs. Harlow: I think in response to what you're asking for, the Crescentville Road setback is an issue for me, those storage lots that are abutting our Heritage Hill subdivision is an issue. I'd also like to have more definition on the screening from the condos and how that will be done and the landscaping and all of those other issues I feel like that you could work out with our Building Department and City Planner and City Engineer. I have a real problem with going less than 75' on Crescentville Road with a massive building like that. I don't know how you're going to break it up visually. The setback are there for protection of the people who are neighbors of your development as well as for your development itself. We can't have one project have a 25' setback and then hold other people to a 50' or a 75' setback. We need to make everybody stay accountable for the same setback unless there's a specific reason for varying that. I

guess I would need to have some understanding from you as to why a 75' setback could not be managed for that particular building. Again, the storage lots are a real concern.

Mr. Dragon: With regard to the building setback, I don't know what other information we are going to be able to provide. I can tell you that, essentially the reason we're asking

Chairman Darby: Sir, that's fine but I really don't think at this point, we'll share our concerns but this is not the forum to discuss it back and forth. We've been down that road earlier this evening.

Mr. Dragon: This is the decision-making body, is it not?

Chairman Darby: Yes, it is.

Mr. Dragon: I thought that is exactly what this forum is for.

Chairman Darby: We're establishing a model upon which we will base that decision. We have talked about the setback all night - I think it's been mentioned three times. I'll bring something up - I'm not a planner, everyone knows that, but I'll bring up a notion that I know planners hate to hear - in my opinion, this site is maxed out. That's why you're coming up with a 25' setback - it's just too much, in my opinion.

Mr. Dragon: That's fine, but there's no reason to delay our case for issues like that. If that's your opinion, I don't know what other information you need from us. We've got streams that are requiring green space reservation that are reducing the amount of buildable area. We've got buffer yards we're trying to provide for the residential uses. So yes, we're asking for some relief from that setback in the event there's no vehicular use there so we can increase the buildable area of the site - that's where we're at. We need your decision; there's no more information we can provide that will help you make that decision to my knowledge unless there's something specific you can tell me what you need to hear from us regarding that issue. I can spend two weeks or ten weeks, I'm not going come back with any other information for you.

Chairman Darby: I think what I hear people saying is they need to hear you say it's going to be 75'.

Mr. Dragon: That's not my decision. I offered 50'; it's your decision - is it going to be 75' or is it going to be 50'?

Chairman Darby: What I'm hearing is that if it's not 75', you probably wouldn't get a positive vote; that's what I'm hearing.

Mrs. Harlow: I know I'm the newest member on the board and I apologize if I'm not understanding everything exactly correctly but this isn't the final say on this project - that's my understanding - it has to go before Council. We want to take a good project before Council so that we can get it approved and we're willing to work with you on that but we need more, some of the other issues addressed. I just feel like we were given a tremendous amount of information to digest.

Mr. Dragon: So you just need to digest the information; you don't need more information?

Mrs. Harlow: No.

Mr. Dragon: I guess I'm getting different direction here - you've got too much information, you don't have enough information. We need to know what it's going to take to get to a decision and I feel like we're just putting things off in hopes that something is magically going to change unless there's some information out there that will help and that's what I want to try to get to.

Mr. Okum: If you want us to vote, I'll make a motion and we'll vote on it tonight based upon what you've submitted. That's what you're asking for.

Mr. Dragon: I'm asking for direction.

Mr. Okum: Then I'm going to make a motion - I'm going to bring a motion to the floor, if you're asking for it, to approve what you've submitted to date for this plan and we're going to let this body vote on it. Then you can resubmit because I'm going to tell you I am going to vote no because you're asking for a vote. I'm trying to get you to a point to understand that based upon what I'm hearing from these other people on this commission, if you don't move that building back to 75', you're not going to get a positive vote. Do you want a negative vote or do you want a positive vote? Do you want the project to move forward?

Mr. Dragon: Yes I do.

Mr. Okum: We're going to try to help you move forward. I've heard two members of this commission say they'll do everything they can to help move this project forward, including special meetings if needed and all you're doing is being argumentative and saying you're the decision body. We're not going to tell you how to design your plan. We're not going to tell you how to design it. We're going to give you certain parameters. The city has a set of standards and you're going to have to either go with that or not go with that. I can't design the plan for you so we gave you ideas. We said sir, we have a problem with how these properties are affecting the residential neighborhoods that you are adjoining to, okay? I'm not going to tell you how to fix that problem; that's not my job. It's not any person's job on this commission to fix that problem. We told you that 75' is what staff has recommend and that is what we are standing behind. Do I see anybody on this commission saying 50'? No, we've all said 75'. So what do you want from us - we told you we wanted it 75'.

Mr. Dragon: Would you pass a motion conditioned on

Mr. Okum: No, I'm not because there's not enough, because you have not completed a submission.

Mr. Dragon: That's what I'm asking for, what do you want?

Mr. Smyjunas: We're asking what do you want to see?

Chairman Darby: One at a time, please. Sir, would you identify yourself please.

Mr. Smyjunas: I guess what our discussion is trying to get to is basically what Mrs. Harlow said - is she wants 75'. We've heard other comments or desires - what we'd like to know tonight, if we're going to continue and then come back with a plan, which I'm getting to the point of, you know, thinking we're going to have to have a continuance, but to have a continuance so that I don't come back here and have Anne go through this, 28 more pages of the same thing she did last time - I'd like to know what the board wants and that's it. I'm quite willing to be pretty accommodating and so is Steve here but we just want to know what's going to be accommodating - on the noise, I'm glad that you understand that you know that you can't stop everything, you're going to see something. We want to be accommodating to this board and to the city administration as well as to the City Council but just give us some direction so that if we come back here next time, we come back here with the things that address the way you want them to be addressed rather than us trying to figure out and then having this discussion again. We'd like to address the setback - if it's 75', you know I don't think that's much of a problem. I think we maybe can do something. We only have one building and it's a corner building and it's a few feet off. I agree. You know what - we'll work on that and on certain amounts of landscaping. I think we were in agreement with you - we will do the landscaping along the roadways the way that staff has presented; we have no problem with that. We want to do that. In fact, to have an institutional project of a high quality that has value, it's best that we have a beautiful park that's landscaped to the city's standards. We've invested a lot of time with the condominium association.

We have reached out to them trying to bring them to meetings, okay? We've had no problem with them because they've told us, "hey look, we're concerned about here, well we can do this, we can do that, we need your forbearance on certain things". We've had this give and take situation. What I'm asking this board to do is to tell Steve and I the important aspects of the 32 pages that came to you and there's just a few I'm sure. I mean we're distilling it down to a few things. Just to tell us what they are and what is acceptable to you - the lighting, I understand. The noise - you know what? I don't want noise either and we're going to be building Building 1 and Building 1 is for a specific user and we've explained to staff who that user is. Building 2 is going to be spec building - it's going to cover basically what you're seeing on that site plan. There's not going to be much of any outdoor storage. There won't be any outdoor storage because it's all going to be put inside. It's probably going to be a logistical or a light manufacturing situation inside that building, most likely it's going to be logistics. Buildings 1 and 2 or Buildings 3 and 8 along Crescentville and 747 are probably going to be local light manufacturers or local tech companies and they're going to be further away and they're going to be nicer buildings. One of them we're going to build right away for spec because most of these people want a building built. You know we're going to be able to do the architectural standards; we have no problem with that. We have no problems with the setbacks and the landscaping. We do need to work on, with you, understanding the noise that we can go back to certain users and say is this okay? The pods? Understood. We're going to go back to the one user and find out if they're going to use pods and how high they're going to be. I understand that but we just want to know what's acceptable and how to achieve acceptability, so that when we come back, we're not having a lot of give and take - it's all give and then we can get to the end; we can get to our approval so that we can get into the ground so you guys can be proud of what you have accepted or you directed.

Mr. Bauer: Thank you Mr. Chairman. I iterated some of my concerns. I guess, as I sit here, what I thought would help us move forward and I think a lot of the information that's out there and 26 pages of comments come from the lack of not resubmitting a plan that staff could not have 26 pages of comments and that information isn't an overload for lots of us up here and a lot of that is resolved. Again, 75 feet, noise, the buffer are big concerns for me and how those are addressed and I rely on staff immensely for their work and how I view things as I read through those comments. I think that were I see a big help would be if something was resubmitted, as for as how your proposing, based on the earlier comments and we've resolved a lot of those comments, that we don't have 26 pages of unanswered questions.

Mr. Diehl: By the way, I agree with you on your statement what needs to be done. I had one general question - do you anticipate this industrial park to be a 24 by 7 operation?

Mr. Smyjunas: You know, I think it's fair to say that some people might be working 24 hours a day and some may not. I mean we have an operation - we built the Monroe Logistics Park and Home Depot, which is a 24-hour in some cases operation - that park, or that building didn't operate 24 hours going and you'd think that it would because it had 100 to 200 doors in it and this isn't anywhere close to that size but it didn't operate 24 hours. A lot of these buildings don't operate 24 hours but they don't have the restrictions on it for 24-hour operation. A truck may come in at 05:00 a.m. and park, absolutely, waiting for the building to start operation. These are things that I couldn't sit here and

Mr. Diehl: You have no control over.

Mr. Smyjunas: But most likely, if somebody owns it, like our Building 1 - somebody's going to own it - is somebody going to come in with a load of pipe and wait for them to get the first shift in, at 08:30 a.m. or 6:30 a.m., or whatever? Yeah, they're going to wait. They're going to wait on the street or they're going to wait in the yard.

Mr. Diehl: I understand that. My only comment to you, to get this thing really moving along, is to get your comments and your stuff into our staff as soon as possible so they

can digest and get it back to us and once that happens, I think you will see a vote come real quickly.

Mr. Smyjunas: What's your biggest concern, Mr. Diehl, on this whole project? This is the thing I need to know in order to address your concern.

Mr. Diehl: Well, remember you asked a question here, okay? Your concept and my concept of what should be there are two different things.

Mr. Smyjunas: I agree.

Mr. Diehl: An industrial park is not my number one choice for that piece of property but it is what it is, okay? So my only comment to you is to get the information to staff, let them digest that, and get it back to us and I think you'll see this thing move along nicely.

Mrs. Boice: You know for the many years that I've served on the Planning Commission, I don't like meetings when they get a little rough like this and a little confrontational. It is not healthy. It's not healthy for anyone. I'm going to be very honest with you. When I first looked at these plans, my main concerns were Building 1 and Building 2, because of the location. Then of course when I looked and saw future storage, which we don't know what future, and we've had things that in the city they've said we're going to do this or we're going to do that, then we okay it and go along with conscience and then we have to go back and try to clean that up. I don't go that route any more. I made it very clear at an early meeting that setbacks were a major concern to me but we're going to accomplish nothing if we continue in this vane. I think this and you think that. We have told you what we feel, I would love to see Building 1 and Building 2 reduced in size but I'm smart enough to know that's probably not going to happen. So, what comes next? I want to know what you're going to do to screen it; what you're going to do with the noise ordinance. I know you probably can't tell me what's going to be in the storage lot. Storage is one of the messiest things in industrial parks. You've seen it; I've seen it. It's a major concern so these are all concerns – we want you to have a good development. I frankly think the plan that you have submitted, I mean we're just baring are souls here tonight, is over- developed. I think there's too much building on this piece of land. I think some of these buildings need to be cut back, as our chairman stated a couple of meetings ago - it's like putting 10 pounds of flour in a 5-pound sack. We used to have a previous mayor that used that expression quite often, God rest his soul. But I think we've all been very open - we want the property developed - but we want the best for you and we want the best for our citizens. So our suggestions are so you can go back to the drawing board. I know you have commitments. I understand that, but Mrs. Harlow has said, I have said, and I've heard no objections from a single member up here - we are willing to come in for special meetings, if that's what it takes. We're here to serve you and we're here primarily to serve the citizens of Springdale and I think we do that quite well. That's where I'm coming from but after, as I said, many years, once the voices start getting raised, nothing is accomplished.

Mr. Smyjunas: So in that spirit, in order for us to come back and have a substantive meeting on that, not this next Planning Commission meeting, but a subsequent meeting, we'll say in a week or two, we will be discussing noise, setback, which I think, Mrs. Harlow, we can deal with that setback tonight – we'll do that. But the noise, the landscaping on the buffer to Heritage Hills, we're going to have to, before we get our final Development Plan, we're all going to have to agree what the landscaping is.

Someone (microphone not on, indistinguishable)

Mr. Smyjunas: My question to you, as a board, do you want us to actually have a full Landscaping Plan prior?

Mrs. McBride (?): No.

Chairman Darby: I think that Mrs. McBride

Mr. Smyjunas: Because I'm a little used to

Chairman Darby: I think her comment had to do with the buffered section.

Mr. Smyjunas: That's right, that's what I'm asking about – do you want a full ?

Mrs. Harlow: Well, what I think what was suggested was a walk-through so that we could determine what kind of plants and trees are there and if they can be viable trees for the future and then work on the Landscape Plan, after you know what's there.

Mr. Smyjunas: But do you want a Landscape Plan for the PUD approval for this body? I mean, what I'm saying is, and what Anne was asking for, and she can say if that's not the case, what she is suggesting is that we provide you, this body, a full, comprehensive Landscaping Plan of that buffer yard for the PUD, rather than what the PUD does – it says you have a buffer yard and at the final planning, this body approves or disapproves the Landscaping Plan as part of each site plan. Anne is suggesting, and I'm not disagreeing with her but I'm not agreeing with her, she would like, or what she is suggesting is, is that we have a full Landscaping Plan as part of the PUD on that buffer - meaning what trees, where, density of the trees, the types of trees, etc., etc., etc., and I'm asking this body is that what you want?

Chairman Darby: That is what I want, yes, and my main concern about that buffered area has to do with the water plan and what's going to happen to those yards on the Heritage Hill side, as far as the overflow is concerned.

Mr. Smyjunas: It's coming down and going like this. It's coming down and the property goes like this. There's a decline going all the way to the stream. So what this body wants is a Landscape Plan, which would take a long time.

Mrs. Boice: Sir, I think we made it very clear we rely heavily on our staff. There's a running joke up here that Marge Boyce doesn't know anything about trees and I don't. When we say we want a Landscape Plan, yes, we're not, that is something, once the plan is approved, we have done it before with other plans, that that is worked out with the staff after this comes more to a doable type thing. We're not going to get hung up on it; I hope we're not going to get hung up on a pine tree.

Chairman Darby: Folks, I'm going to revisit my earlier comment. Perhaps I wasn't understood. I wasn't trying to be argumentative or negative, but no, it is not our intention to sit here for the remainder of the night and go back and forth and work out these details. My suggestion is that you work very closely with our staff, and I know they're willing to do so and they take notes. They have heard what we have said. If you work closely with them, I'm confident that, if it be via a special meeting, which we are willing to do, we can get this ball rolling.

Mr. Smyjunas: That's fine. I wonder how long. As you can see, I'm a little anxious. How quickly could we have a special meeting – is that like in two weeks or?

Mr. Okum: Well it depends on how quickly you get stuff back to them to review for them to comment so you can make. The problem is, if I may, Mr. Chairman?

Chairman Darby: Yes, Mr. Okum.

Mr. Okum: The difficulty is, they gave you 26 pages, the same pages we got, okay? Now you've got to digest that and put it down into not a six-page letter that says I'm going to do this, I'm not going to do that – that really doesn't do it. The things that you're going to do, you need to put in the plan so that they can see it and you can submit it to them and they can get at least a set of comments back to us so we can understand it – that's based upon a set of plans that we lay in front of us that we can look at each page and we understand what's going on, on each page. The things that Mrs. McBride has asked for is not out of the ordinary. Maybe to you, but it's not out of the ordinary to us to see our Planner say "hey, they need information so that they can make an informed, intelligent decision". In order to do that, the items that this commission has mentioned to you, have been heard by them, and they are going to convey that again to you and

you're going to get some type of a dialog going so that you can resolve it and then come back to us with something that's been resolved. If it takes two weeks, it takes two weeks. If it takes one week, I don't care. If I need to come back here next Tuesday, I'll be back here next Tuesday. I don't think it will happen but it needs to be, I'll be here. But the ideas of how we're going to ... We all know that noise and sight and impact on those residences are precedent to everybody on this commission. I'm not going to tell you how to fix that but we're asking you to give a detail on that mounding on how you're going to attenuate the sound problems, if you can. If you can, you'd do it. You don't. The staff has requested, twice now, for a tree survey. We've had an offer of \$30,000 from you, which doesn't even cover the replacement of the moratorium that's been upon this site from the previous development that we approved, that we don't even know how many trees are going to be saved. I hope you save as many as you can, I really do but if it's an ash tree or if it's Dutch Elm and it's got Dutch Elm disease, and it's not part of that and it's a diseased tree, it's not going to get counted into that tree count, right? It doesn't hurt, it doesn't help you.

Mr. Smyjunas: My point is, on the tree survey, I don't know. We don't know what we're going to take and what we're not going to take.

Mr. Okum: You gave us drawings of the site.

Mr. Smyjunas: No, no, I understand that. We'd rather just - we're going to be cutting down pretty much anything that's in the site plan, within the site plan area, we're going to be cutting down. I know that we're going to go over a lot of inches of caliper. So what I'd like to come down to is a specific dollar amount, it just makes it a little - instead of going and doing a tree survey ...

Mr. Okum: If we don't know what you're taking out, we don't know what the dollar amount value is or anything. How would we even know the value of that loss of the umbrella that we're losing and the result of "hey, I'm going to go cut down a bunch of trees" because I've got buildings going there. I understand you're going to take down trees but we need that count. That's the reason that tree surveys are required and that's a big part of our code. I don't mean to be argumentative about it but it is. It's been a big part of our code for a long time.

Chairman Darby: The Chair will accept a motion.

Mrs. Harlow: I make a motion to table. Mrs. Boice seconded the motion.

Chairman Darby: Moved and seconded that this item be tabled until the next scheduled meeting. Thank you.

C. Development Plan - 175 Progress Place - Parking Lot Addition

Mr. Warnement: Good evening. My name is Patrick Warnement. I work with the Kleingers Group in West Chester and Paul Gerbus is here from First Highland, who is the owner of 175 Progress Place here in Springdale. If you recall, we were here last month and received a number of comments. A large number of the Building and Planning comments related to a Landscape Plan and the fact that we had not submitted a Landscape Plan last month. We have since resubmitted, with a full Landscape Plan that fully accounts for 664 caliper inches plus 22 trees. There were a couple of comments from the previous dock improvement project and we have accounted for those trees that were in the Building Department comments. We hope that everyone has been able to look at that. One note on the Landscape Plan is that to the west of the property where we aren't really disturbing, there aren't a whole lot of trees existing and we did try to incorporate some trees in that parking area to beautify that as much as we could. One small note on the Landscape Plan - the tenants are not yet finalized so we hope that staff and commission are willing to allow us some flexibility in the future if some tenants change and the future maturity of the trees might be too dense for what they might like and might cover too much of the building, that there could be some number of inches removed and then compensated for by the city's guidelines on how that might work but we would like to keep some open communication with the city on that

particular item but we have demonstrated in the plan that we can do the full 664 inches plus 22 trees if that's how things turn out. An additional comment was that the green space calculation had only been performed for the portion of the sight that we are disturbing. We redid that calculation for the full 62 acres and currently the sight is below 30%, which is the requirement. We'll still be below 30% basically and we submitted a variance to that affect. We would like to have as much green space as possible but this building was built for a very specific tenant with very specific uses and that leaves us with some limitations as to what we can do. A lot of the existing parking is to the far east and far west of the building where a lot of the new tenant space is in the center of the building which, if they were required to walk from the existing parking areas, could be up to a quarter of a mile basically so we need to concentrate more parking towards the center of the building, which happens to be where some of the green space is so that is what's driving that variance request.

The second variance is for the parking spaces from 19 down to 18', which is seemed as though everyone was fairly supportive of last meeting. Included in that Landscape Plan, you will see the walking path which we discussed last time but had not yet shown. Our landscape architects wove that in throughout the landscaping to make for a nice scenic walk/exercise space amenity for the employees which we mentioned last time but had not shown on a plan yet and it seemed like the commission was supportive of the idea of having a walking path on the property. Additional comments – there was discussion last time regarding maintenance of porous asphalt, not any real specific comments but just in general, a concern over the maintenance. We've now provided a maintenance schedule on the Utility Detail sheet and we also provide a maintenance schedule for the water quality unit which will be installed. Side note – storm water runoff currently on the site – there's no detention or water quality treatment whatsoever. So I think this is an improvement to treat some of that water before discharging it.

Other comments – there was a request made for a Key Plan for the building to more clearly delineate the uses so we added that to the plan set so it's more clear to everyone what the uses would be. The other comment was for a Photometric Plan, which we have provided. Cut sheets have been given for the light fixtures; we did not provide in your package but we can provide any time.

So this evening we're requesting approval for this project so that tenants can be signed and we can commence to adding the parking that they need to be able to bring these new jobs to the city.

Chairman Darby: Thank you.

Mrs. McBride read City Planner comments.

Chairman Darby (to Applicant): I think it should be noted that you brought forth a plan that caused Mrs. McBride to nix something green – that's an accomplishment (laughter).

Mr. Warnement: Well, it's an awful lot of trees. We had to squeeze in as many as we could.

Mr. Taylor: In recognition of that, they did in fact provide a tree survey, as requested.

Mrs. Ghantous: Thank you.

Mr. Taylor: Based upon the results, they're willing to go with the 664 caliper inches which was recommended the last time around and I think that was actually based on our assumption that there was going to be more removed than they actually are proposing so that's a good thing. Mr. Taylor continued, reading staff comments.

Mr. Warnement: Quick response on that – we did look at that and it just

Chairman Darby: Perhaps you want to hear what Mr. Shvegza has because I think he's more equipped to discuss that with you.

Mr. Shvezgda read City Engineer comments.

Mr. Warnement: Right, I think we did try to address that to some extent. There's a gate there and I think there's still some uncertainty as to whose property that's located on. To really straighten out that little portion that comes through there and really provide something that would be, if you designed it from scratch without existing things, something that would make a lot of sense. There would have to be property acquisition and a number of things to get through there that I don't think First Highland is prepared to do at this time.

Mr. Shvezgda: Maybe we're looking at, we've done it in other situations, where it's a continuing kind of agreement to, if the condition arises with the appropriate adjacent property owner, to work out something that would be perfect for both property owners.

Mr. Warnement: Sure, First Highland has expressed that interest that, if that property to the west develops, to make something a little more straight in that is much more accessible to everyone so that's something that has been thought about but without that property being developed, it's difficult.

Mr. Shvezgda: Sure. That concludes my comments.

Mr. Okum: I hate to do this, but I have a picture. I mentioned at the last meeting the way that it was treated along 275 in the, what do they call that park, that expressway park?

Someone off mic: (indistinguishable)

Mr. Okum: Limited right-of-way by 275 by North Commerce Park. They've moved their landscaping development all the way down to the wale, the road swale, and landscaped it and cut it. Have you noticed that? You're welcome to look at it. Look at the lake and look at the grass all the way up to the expressway line. They've carried trees and landscaping into that area. They put in an access gate. Now if you take and go your way, then you'll see what it looks like looking at your property from the expressway in front of your site. Can you see it?

Mr. Warnement: Yes.

Mr. Okum: Right. So I think that there's an agreement that businesses are getting with ODOT to allow them to go into that area and I certainly would think that that would be something that you should do. I'm sure it's more grass to mow but you're taking out a lot of grass and putting in blacktop.

Mr. Warnement: (off microphone, indistinguishable)

Chairman Darby: We need you to gentlemen at the mic so we can hear you please. Thank you.

Mr. Warnement: Part of the issue that we're going to run into is that that hill is much steeper by our property and it's going to be a difficult area to mow. We are willing to

Mr. Okum: I think you can grade – you might be able to get a little bit of relief on that – it's not that bad. I mean my backyard gets mowed and it's got grass that high. It's worth

Mr. Warnement: It ebbs and flows but yes, a lot of that is the ramp from 75 to 275.

Mr. Okum: It's a little bit steeper there.

Mr. Warnement: That's a lot steeper there.

Mr. Okum: Yes but right now it's just chopped up vegetation where you took out trees and the brush and so forth and it really looks trashy. Something really needs to be done there. I mean, if you go to Waterstone on 71, you'll see exactly the same thing and as steep of a slope is that, where the Waterstone sign is on 71 and that's been treated there as well. So I think you can certainly incorporate into that limited access area your Landscaping Plan and I think staff would help do that and you might be able to spice it up a little bit. It really is your front door and it's what people see when they're driving by. It's really unfortunate because the vegetation was better with it there than what's been left by chopping out the whatever. The other comment I had is, and I thank you Mr. Shvezda for looking at those traffic access points. I know you can't get rid of them all but there are opportunities there for you to get rid of some of those hazardous back out issues. I don't like speed bumps, but it's your development and certainly speed is going to be an issue. There's a mound and it's sort of like. The only thing I can do is show it. This thing here, in front of the warehouse, what do you call that? It doesn't have anything. That right there. That little teardrop.

Mr. Warnement: It's landscaping.

Mr. Okum: It's an ugly awful landscaping thing that could be mounded and done nicely with some new trees.

Mrs. Boice: It's ugly.

Mr. Okum: Yes, it's ugly.

(Off microphone comments, indistinguishable)

Mr. Okum: Yes, that teardrop. That teardrop, Mrs. McBride, the teardrop there. The reason is, the way I noticed it is, is when I come on and I come on frequently, you see that, and you see the truck bays and you see those sparse whatever used to be evergreens there and you see that teardrop thing there and I'm just suggesting that if you get, and I'd be willing to get rid of those three evergreens that are dead. Go up in the teardrop.

Mr. Warnement: This right here?

Mr. Okum: Right there, that thing.

Mr. Warnement: Oh, I see.

Mr. Okum: I'm not a landscaping architect but that is, there's like three or four trees that are almost dead.

Mr. Warnement: Our concern is that, if we have to replace it with like-caliper trees, we cannot put enough trees in there.

Mr. Okum: Mound it and put smaller trees. You're going to be moving dirt.

Mr. Warnement: So what you're telling me is that we can do a one for one?

Mr. Okum: On those trees that are looking as bad as they are? Yes, I would take that in a heartbeat. I'll have to leave it up to our city tree czar and our

Mr. Warnement: I'm just trying to make sure I understand that correctly.

Chairman Darby: Mrs. Boice, be calm; we'll be past this in a moment.

Mr. Okum: It's okay; we're getting out of the trees. I'm giving up trees.

Mrs. Boice: I was just saying

Mr. Gerbus (off mic, partially indistinguishable): ... this landscape island here is proposed and this will ...

Mr. Okum: Screen those doors. Screen some of it. But those are trees, deciduous?

Mr. Gerbus: Yes.

Mr. Okum: Not evergreens, so you'll see through them most of the year, if those are deciduous. That teardrop, in my opinion, if you took that teardrop, elevated it, put some evergreens on top of it, you're going to get a great screen on that looking westerly.

Mr. Gerbus (off mic, partially indistinguishable): ... missing six trees or ...

Mr. Okum: If staff would approve that.

Mr. Gerbus: Sure.

Mr. Okum: I can show you a picture on my phone. Google has a really good shot of those.

Mrs. McBride: Just one comment, actually two. We need your name for the records please.

Mr. Gerbus: Paul Gerbus.

Mrs. McBride: Then the second was relative to you'll recall when the Planning Commission approved those dock doors on the side of the building, one of the conditions was that they submit a Landscape Plan that would screen those. We have not gotten that so this is actually that.

Mr. Gerbus (off mic): Yes we received those comments from the previous project. So this new island here was an attempt to achieve some of that screening but we would certainly be happy to look at this area if the one for one tree arrangement is approved, we'll be able to mound that area up (indistinguishable)

Mr. Diehl: Well first of all, Mr. Okum is not an engineer but he did stay at a Holiday Inn last night. (laughter) My comment – last month, I asked you do you have a Plan B and you said no. Well I want to tell you I like your Plan A that you brought tonight.

Mr. Warnement: Thank you. We took the landscaping comments very seriously and tried to provide a very good campus feel to this.

Mrs. Ghantous: Thank you.

Chairman Darby: I'm sorry we weren't able to provide you a good role model on that.

Mr. Bauer: Thank you, Mr. Chairman. Did you see Mr. Shvegza's comments about the trap, the modifications to the ends of the parking lanes to try to help alleviate the backing in to the main parking thing.

(a couple of people talking, not on microphones, not sure who): ... I don't think I got that yet ...

Chairman Darby: We just talked about that, didn't we?

Mr. Bauer: That's what we just spoke about, where we had

unidentified: Right, but I don't think I've seen the diagram.

Chairman Darby: It's included in our packets.

Mr. Bauer: And whether you've seen it or not, I guess, are you willing to look at those docks?

Mr. Warnement: Yes, certainly, within the limitations of – you know the particular tenants have requirements but yes, as far as trying to alleviate safety, yes, we will. If there's a specific suggestion, absolutely.

Mr. Bauer: Thank you.

Mr. Okum: I move for the 175 Progress Place project to be approved to include specifications and the design contained in the exhibits that have been reviewed by the City Planning, Engineer, and staff and presented to the Planning Commission prior to this meeting to include all of the City of Springdale's Planning Commission, City Engineer, and City Planner's recommendations. This approval is conditional upon approval by the Springdale Board of Zoning Appeal of identified variances with conditions. The landscaping architects will look at encroaching into the limited access way of I-275 and addressing the landscape area between that and the roadway. Additionally the Applicant will be redoing the teardrop area outside the truck loading zone along the roadway and it shall be done with a review of the Landscape Plan by staff and the trees that are being replaced shall be at one for one in that area only. (Mr. Diehl seconded the motion, and with seven "aye" votes, the motion was approved as indicated in the motion).

Chairman Darby: Congratulations.

VII. NEW BUSINESS - none

VIII. DISCUSSION

Mr. Okum: Two items, Mr. Chairman, if I can, real quick.

Chairman Darby: At 10:15 p.m., you only get one.

Mr. Okum: I just want a report; I'd like to get some feedback from staff in regards to the McDonald's landscaping issue, on the replacement of the trees that they took out.

Mrs. McBride: I actually went past that myself this evening. They submitted a Landscaping Plan. I'm working from memory here, but I think we settled at five trees. They submitted a plan that showed two on the frontage and they were putting three on the back. We sent them a letter and said, no, all five needed to be on the front like we talked about. That's the last that we've heard of it.

Mr. Okum (not on microphone) (indistinguishable): ... the letter ...

Mrs. McBride: Yes, I'll work with Mr. Taylor and we'll

Mr. Okum: Mr. Taylor, thank you; you just got right into it and we appreciate that and that's very helpful. Did anything come in about Outback? I get a lot of questions from residents.

Mrs. Boice: Yes, everybody's asking.

Mr. Okum: Everybody wants to know what's going on with Outback.

Mr. Taylor: Not a word.

Mrs. Harlow: In the paper there was an article about Tri-County revitalization. If I'm remembering the article correctly, it stated that Outback was going to be moving to an outparcel but there was another development that had already started and that's where they have it screened off and I guess that's where the Men's Warehouse, Chipotle, and Starbucks is going to go. It mentioned that Outback was going there in that article.

Mrs. Boice: My kids have been wondering.

Mrs. Harlow: That was what that article indicated.

Chairman Darby: Haven't seen anything official.

Mrs. Boice: Maybe they haven't figured out their landscaping yet.

Mr. Okum: They haven't figured out where their trees are going.

IX. CHAIRMAN'S REPORT - none

X. ADJOURNMENT

Mr. Okum moved a motion to adjourn and Mrs. Ghantous seconded and the City of Springdale Planning Commission meeting concluded at 10:44 p.m.

Respectfully submitted,

_____, 2015 _____
Don Darby, Chairman

_____, 2015 _____
Richard Bauer, Secretary