

PLANNING COMMISSION MEETING  
December 11, 2012  
7:00 P.M.

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: Carolyn Ghantous, David Okum, Richard Bauer, Tom Vanover, Robert Diehl, Marge Boice and Don Darby

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

III. MINUTES OF THE REGULAR MEETING OF NOVEMBER 13, 2012

(Mrs. Ghantous moved to accept the minutes of the November 13, 2012 Planning Commission Meeting; Mr. Vanover seconded the motion and with seven "aye" votes, the minutes were approved as written.)

IV. REPORT ON COUNCIL

(Mr. Vanover gave a summary report of the November 21<sup>st</sup> City Council Meeting.)

V. CORRESPONDENCE

Chairman Darby: There is no correspondence this month.

VI. OLD BUSINESS

(No Old Business was presented at this meeting.)

VII. NEW BUSINESS

- A. Chairman Darby: For New Business we have a variance request from the Tree Preservation Ordinance, the Vineyard Community Church, 11340 Century Circle East.

Mr. Jim Cochran: I have been on staff at the Vineyard for a number of years and have had the pleasure of appearing before Planning Commission before. We have brought this request before Planning Commission; the idea is that our campus, quite frankly is getting pretty full of plantings, and we wanted to come before this group and just evaluate with you if it makes sense to continue to plant more trees in places that aren't particularly practical. Or does it make more sense to pay a fee into the fund for Springdale to plant trees in other places in the City. That is why we are bringing this.

(At this time Mr. McErlane read his Staff comments; no additional comments were presented by Ms. McBride.)

Mr. Bauer: Is the 185 inches and the \$5,000 an equivalent amount?

Mr. McErlane: It has been a while since we have accepted a dollar amount in lieu of plantings and that number is varied anywhere from \$44.00 a caliper inch to, in

years after that we have been up to, \$100.00 per caliper inch. The \$5,000 obviously doesn't match up with \$100.00 per caliper inch nor does it likely match up with the \$44.00 per caliper inch either.

Mr. Vanover: I guess I would ask if it is a question that you guys don't want to plant any more trees or is it the top end number? I have no problem with you working with Staff and coming to a resolution on that; that would be fine with me. I have been to the campus over there and it is a beautiful facility and there are trees, we have the Cagis picture and we can see them from the air. If that is the case, I wouldn't have any problem letting Staff and you guys sit down and work through this.

Chairman Darby: And you meant that donation would be gladly welcomed?

Mr. Vanover: If that is what they work out, then I am good with that.

Mr. Jim Cochran: I guess the other factor is with some of the summers that we have had recently it has been a real challenge with as many plantings as we have done to stay on top of keeping those healthy and so forth. We keep a staff grounds guy pretty busy just trying to stay on top of all of those plantings. Most of the areas, even in the long-term plan, we don't think there is going to be any future expansion. It feels like we have done plantings in those areas and so you start getting into areas that, down the road, may be an area that we are going to end up disrupting those trees to expand. We don't have any current expansion plan but in terms of what the original expansion building pads were and that kind of thing, we just thought it maybe made sense to talk about this rather than trying to continue to plant on the original schedule.

Mr. Vanover: I can understand because we have the remnants of a hundred to a hundred-fifty year old oak on the hillside behind our house that has probably been dead for about five years. I can definitely understand the stress that the trees have been put under with our weather recently.

Mr. Okum: The Cagis map does show areas where trees could be planted over time. Your expansion template may have eventually encroached into that area. Five thousand dollars is not going to do a lot for the City as far as plantings. That may be probably forty trees. How are you doing on your replacement of the existing trees that have died off over time that was part of the original plan that was agreed to? Are you keeping up with that or are there voids?

Mr. Jim Cochran: I think, in general we have done pretty well with that. I know that Staff has been out. It feels like we have done pretty well with replacements.

Mr. Okum: Can we get a comment from Staff, have you visited and are they pretty much in keeping up with the current tree plantings?

Mr. McErlane: I know that they have had to, in the past year as Mr. Cochran has expressed, actually had to go back and replant some of the ones that have died out. Looking at some of the places on that aerial I know there are some areas that look like they could be planted and they probably don't make sense. There is one immediately adjacent to the building to the south of it that I think was intended to be an expansion pad that is next to the gymnasium, it doesn't make a whole lot of sense to plant that and then at some future time take all of those out. To the east of the site, adjacent to their office just south of the parking lot there is a detention basin. South of the drive that goes to the east was a stock pile when you built the church building and I don't know if there are plans for that area?

Mr. Jim Cochran: If we did a future expansion of the main building from an auditorium seating standpoint, there would be parking expansion required in that area.

Mr. McErlane: Even though it looks like there is an expansion area to the north of the pond, it is basically the slope leading down to the pond. There probably is an

opportunity there but I would think that you wouldn't want to preclude visibility of the pond at some point and time either.

Mr. Jim Cochran: Not only that, because it is a sloped area then it is even more challenging to keep those with adequate water on them and so forth.

Mr. McErlane: The one advantage to the Vineyard campus is that there are a number of areas where it is heavily forested and I don't know if there are any future plans to do anything in those areas or not?

Mr. Jim Cochran: No, not in the forested areas, just in the area that you referenced in the image to the right or south of the office / chapel facilities there across the access road, where that would be parking expansion. Most of that is already clear there; there might be a little bit more that would be involved. Those trees look a little bit more attractive on the aerial photograph than they probably actually are around the perimeter of that open space.

Mr. McErlane: In general, there are maybe some opportunities for some additional plantings, but there are some limitations as opposed to what it might look like in this aerial view. There are some areas where it doesn't make a whole lot of sense to plant them if they are going to be removed in the future.

Mr. Okum: Was 685 the agreed to number or was that the determination based upon the site development?

Mr. McErlane: That was the agreed to number for replacement.

Mr. Okum: So there was a higher number that was required?

Mr. McErlane: Right.

Mr. Okum: And then it got extended out, so relief on this would be a relief from the agreed to number down to the lower number and then it got extended out. We can certainly use the money going back into the tree fund because the City has lost a lot of trees over the past year; I don't know how far \$5,000 will go; probably 40 trees. Unfortunately that is the nature of what has been happening; I lost three elms on my property in the past two years. On the other hand, if you were to expand parking areas and take out more trees then I would certainly expect that replacement to be bound to additional numbers. If there were a relief on this it wouldn't eliminate, in my opinion, the need to be responsible for what you do take out for your expansion needs.

Mr. Jim Cochran: I understand. And again, not very much of that would be required even under a maximum expansion plan because of the original plan that laid out for those kinds of things.

Mr. Diehl: I would suggest that the Church and Staff get together and come up with a reasonable number that would be acceptable to everybody and based on that number and the replacement of the trees then I think maybe you have met your obligation. I would like to see a motion that Staff get together with the applicant to come up with a suitable number.

Mr. Okum: To be applied to the site, Mr. Diehl?

Mr. Diehl: Yes.

Mr. Okum: In exchange for the \$5,000 or a combination of?

Mr. Diehl: No, in exchange.

Chairman Darby: I would like to give some clarification, in my opinion I think that you have shown a lot of good will in replacing the trees in a difficult situation but also I would like to see you work with Staff to strategically place additional trees, a

number to be agreed upon between you and Staff. But, we would very much appreciate the donation to the tree fund, in addition.

Mr. Okum: I will make that motion.

Mr. Jim Cochran: Just so that I am clear, it sounds like we are talking about negotiating with Staff on a kind of hybrid of some cash in the fund and some trees still done.

Chairman Darby: I was hearing \$5,000 and a negotiated number of trees.

Mr. Okum: I made that motion.  
(Mr. Vanover seconded the motion.)

Chairman Darby: It has been moved and seconded. To repeat, in exchange for approval the Vineyard is agreeing to make a \$5,000 donation to the City's tree fund and they will work cooperatively with Staff to identify for the strategic planning of new trees on the site.

Mrs. Boice: I am really still a little bit hazy on that. Are we saying that we want the \$5,000 donation and they still have to put more trees in? I don't think that is what he presented here; I am not clear on how this is being done.

Mr. Jim Cochran: You are correct. That is not what we proposed.

Chairman Darby: I know. The proposal has changed to a point that we feel there was a substantial number agreed upon previously and we are quite a bit short of that and we have identified sites on the site where it would be reasonable to make new plantings; not to the original numbers.

Mrs. Boice: Are we talking 25% or 50%?

Chairman Darby: I don't know if we are in a position by looking at the drawings to identify a percentage because we have looked at some areas, and I would count on the good will existing between the Vineyard and the Staff. Mr. Cochran, is that o.k. with you?

Mr. Jim Cochran: Yes. I suppose ultimately what we would work that out. I am confident that we have had a good relationship with Staff in the past and I think we can work through something.

Mr. Diehl: I think I should clarify my feeling on how I came up with my statement. I am all for trees, I like trees as much as the next person and I think they can come up with a reasonable number that the Staff would agree with. The \$5,000 amount, personally I think the Vineyard Church can use that far better than what the tree fund can use it for.

Mr. Bauer: I am a little concerned with the "open-endedness" of the tree number. Do we have a ballpark figure? I understand the \$5,000 and the 185 inches.

Ms. McBride: Again, there isn't space for that many trees. Staff just did a quick drive through to see if there is even places where it may be possible to add some trees and there are a few places for a few trees but you are not going to get anywhere the number of trees that they are required to plant. I don't think it is in the best interest to plant them for the sake of planting them but there are a few key locations where the existing landscaping could be supplemented. How many trees? I don't know. If the Commission wanted a specific number we could come back with that next month but I can't tell you this evening exactly how much that would be.

Mr. Bauer: Maximum, 40 or 50?

Ms. McBride: I would be stunned if it was 50. If you want to set that as a maximum, that would be fine.

Mr. Jim Cochran: I heard 10 to 15 in that early commentary.

Mr. Okum: What if we set a number of caliper inches? If they are contributing \$5,000 to the fund, then say 50 caliper inches; then that could be variable sizes of trees. That would be a third of the requirement and \$5,000 contributed to the fund. If you say number of trees, then you are not sure. If you say inches then they could put in some larger trees in some spots and some smaller trees in other spots and accomplish the same thing. Give them some latitude by doing it that way. That is just my suggestion.

Mrs. Boice: I understand what you are saying. I seem to think that we are leap-frogging what the Church has offered. They are coming and asking not to do any more trees and are willing to give a \$5,000 donation. Now, we are saying that we want that \$5,000 donation but we also want you to put in 10, 18, 30, 40 trees. Somehow I want clarification from you, Mr. Cochran, if you are agreeable to that because my impression was it was \$5,000, over and done with. Now, we are leap-frogging that. Are you comfortable with that?

Mr. Jim Cochran: Thank you for the question. We are just trying to be wise, balancing the issue. Things have been tight and we did a 15% Staff reduction this last spring. We want to honor our agreements and we feel like we had a whole tree replacement agreement before this that we fulfilled completely. We feel like we are honoring our commitment. We feel we have beautified the campus and have done those kinds of things. It isn't just putting them in; it is maintaining them and having Staff do that and so forth. When I heard Anne's ballpark number of 10 to 20, or something like that in addition to the \$5,000; I thought o.k. we can probably compromise in that range. When I hear that number escalate then I get concerned.

Mr. Okum: Is 50 caliper inches too much?

Mr. Jim Cochran: Well, typically we are planting a 2" tree; sometimes it is more than that. The highest number I heard was 18; so that is 36 caliper inches.

Mr. Okum: We are more at 30 to 36. I am just going to amend the motion to add that the applicant shall plant up to 36 caliper inches in the next three years, including the \$5,000.

(Mr. Vanover seconded the amendment to the original motion and with 4 "aye" votes and 3 "no votes the motion did not carry.)

Chairman Darby: Five affirmative votes are needed. What is the pleasure of the Commission at this time?

Mrs. Boice: I think working with Staff is important and I think we need to go back to the drawing board and see what we can work out, in fairness for the amount of trees and the amount of donation. When someone offers a donation and we jump over that and add something else, I personally am not comfortable with that and I don't think that is the way this City operates. I would ask that this would be placed on the agenda next month, if that is convenient. In the meantime, if you can meet again with our Staff people and see if we can work out something that would be more fair and in the spirit of the way the City works.

Chairman Darby: There is a motion to table by Mrs. Boice.  
(Mr. Okum seconded the motion.)

Mr. Vanover: I have a question on procedure; we have acted upon the business before us, and now we are tabling it?

Mrs. Boice: You are correct. The motion should have been to put it back on the agenda next month.

Chairman Darby: The Chair stands corrected on procedural issue. So, the Chair will accept a motion to include this item for discussion on the next meeting.

Mrs. Boice: So moved.

(Mr. Okum seconded the motion to include the item on the next meeting's agenda and with a unanimous "aye" vote from the Planning Commission Members the motion was accepted.)

- B. Chairman Darby: Moving on to the next item; Minor Revisions to an Approved PUD / Transition District Development Plan, McDonalds at 11723 Princeton Pike. Would the representative please come forward.

Ms. Etta Reed: I am with Bayer Becker.

Mr. Jon Barnard: I am with McDonalds.

Chairman Darby: I feel I need to ask the Members of Council if this represents a major change.

Mr. Vanover: I say a minor change.

Mr. Diehl: I agree.

Ms. Etta Reed: On the site on Princeton Pike, where the old Frisch's used to be which is now vacant, McDonalds proposes to tear down the vacant Frisch's site and tear up the pavement and basically reconstruct the site for a new McDonalds restaurant with a dual drive-through.

(At this time Ms. Reed reviewed drawings for the proposed McDonalds restaurant.) We have received Staff's comments and I would like to go through some of those. A number of the comments revolved around the access drives and the buffer yard, which relates to the landscaping and meeting the Code. It is a rather small site and it is currently almost 100% impervious. In order to make this site work for McDonalds and the delivery vehicles, they would come in off of Fancis Lane and turn in and unload on the non-drive through side of the building; the truck would park in the drive isle and unload into the restaurant and then leave the site. We are unable to reduce the drive isle and we understand it is a one-way traffic flow. Ideally we would like to narrow; it is more inexpensive for us to put less pavement down but what happens is when you put the truck wheel path on, we need all of that pavement to accommodate our delivery vehicles to the site. So, in turn if we cannot reduce the drive isles, we cannot increase the buffer yards. While the buffer yards don't meet the 10' code as required on the north, east and the south side, we do have more of the setback than what is there today. On the north side we are only like 3 ½ feet today and there is a very small landscape buffer island there and you have no front yard and no setback along the south side. While we are not meeting code, and we do acknowledge that, we are providing more than what you have there today. It is all due to the fact that we need to accommodate the delivery vehicles on this site. We don't meet the green space requirement of 25%, and again it is due to the fact that we really don't have any location to provide additional green space short of removing parking isles. (At this time Ms. Reed points out elements of the landscape drawing for the Commission Members.) We have provided landscape, green space around the building; we have 21½% and the Code requires 25%.

Stacking, for the drive-through lanes, I know that was a concern for Ms. McBride, we have a dual drive though; the main reason for that is to get customers in and out. However, we can accommodate six total before we get into the parking spaces and blocking them. One thing we have done at other sites during the peak hours is to require employees to park in these spaces (near the building), so that customers don't park here and can't get out; we don't have the ADA spaces here but they are there (demonstrating parking spaces across from the spaces near the building), so that ADA customers can still visit during the peak hours. We would like to propose that, if that would be agreeable to Staff.

Another concern that has been brought up by a number of the Staff Members is the drive-isle width of 30'; as well we have 24' and 24'. These are one-way isles and we need to keep the 24' to accommodate our trucks. This 30' is essentially to tie into the 28' drive we have here on Princeton Pike. We have a diverter island to help divert the traffic in and out so that an individual coming in off of Princeton Pike does not want to go the wrong way. One of the proposed suggestions from Staff was to consider relocating this drive to avoid conflict here. Some concerns we have with that suggestion is that it would be getting it closer to the traffic signal and that a drive-through patron would come and head straight out verses realizing they were going to have to cross traffic. Also, to move this proposed drive,

we would have to get an agreement with the adjoining property owners because they do have a cross-access agreement with Jared's and the center.

For the landscaping we have shown buffer along all three sides and a portion in the rear; we will add additional landscaping around the dumpster enclosure, however one concern we do have with that is that it is a narrow strip so I don't know that we can get the plantings in there to get the height to screen the entire structure, but we will maximize the height that we can get. The buffer within the public right of way; what we are proposing to do to meet that requirement is there is an existing little landscape island of shrubbery and we propose to keep that intact and just reutilize the buffer, the landscape that is already in the right of way, rather than take that out and replace what is already there.

Lastly, signage; in your package you should have received our signage. We do have signage on our building and we also have directional signage but only one McDonald stand alone sign and that is proposed to be located approximately where the pylon sign is. Our plan shows it being located approximately 1' off of the right of way where the pylon sign is; Code requires 10' off and we have no problem with that and we are willing to move it and put it essentially in the island in the parking lot with some landscaping around it. We are proposing an electronic message center on that sign and we understand that the retail shopping center has already been approved for a certain amount of electronic message board signage; we are willing to withdraw our message board if we can have a static message board, a sign where our owner operator would go out and replace the letters. The last item on our monument sign is the height; we are proposing a height of 13' to the top of our sign. Our signage is proposed to have a 3' brick face, so that we can get the signage up so that our sign does not block the cars that are parked on either side. Our intention is to put that up higher so that patrons driving down Princeton Pike can see that signage. Our sign would fit right underneath the existing pylon sign out there; if you wanted to look at comparison if you were out on the site.

(At this time John Bernard displayed for the Planning Commission Members, a variety of proposed building materials.)

Mr. Jon Barnard: Because this is a franchise, we let them pick the interior and the exterior colors. We can show you what that is going to look like once she decides on that. There is one on Colerain Avenue and in Forest Park that she just rebuilt; another one to look at is on Kemper Road that just had a major remodel done to it. That would be the look, and you can see different colors that we would have.

Chairman Darby: Mr. McErlane, do you know with the addition what that brings the 21% up to?

Mr. McErlane: With the addition, it is going to bring it down and I am not sure I have the total square footage of the addition.

Ms. Etta Reed: They are proposing a 5' building addition in the back because they need it for additional freezer / cooler storage.

Mr. McErlane: I can work that number up after my report.

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

Chairman Darby: Would the applicant like to address Mr. Shvegza's comments about the traffic?

Ms. Etta Reed: Actually, we have a site that is somewhat similar to this on Route 4 in Fairfield. Same situation, we have individuals who are coming through to get in the drive-through lane and we have individuals leaving the drive-through lane that must cross. John could probably speak to the number of accidents that they have there; but it is a very similar situation that they have at that location.

Mr. Jon Barnard: I talk to him every week, and I don't ever hear him recall traffic flow issues there. I would say we have a car released every 30 to 40 seconds out of the drive-through; so it does give you enough time to sit and look around before you actually start pulling forward.

Mr. McErlane: Just to fill us in on the green space percentages. If you take the 225 s.f. of impervious surface away from the green space it takes them down to 21%; adding back in the green space along the dumpster on the east side of the dumpster enclosure will take you up to 21.2%

Mr. Jon Barnard: Do we know where we are at now?

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Ms. Etta Reed: The existing site only contains approximately 4½ % greenspace. It is really impervious surface from one property line to another with the exception that there is a little grass strip along the north property line. So they have 4 ½ % and we are going to have 21%.

Mr. Diehl: Can you walk me through the handicap parking situation?

Mr. Jon Barnard: We talked about maybe moving them and having the handicap parking spaces on the other side. And the ones by the building would be typical parking spaces and we could have employees park there.

Mr. Diehl: If I park on this side, and I am going to Hobby Lobby, how would I get there?

Mr. Jon Barnard: You would go back around. There are two access points so you would pull right around.

Mr. Diehl: And your goals for the signs?

Mr. Jon Barnard: We will have them on our building but they won't be above the building level; and directional.

Ms. Etta Reed: McDonalds does put a lot of arrows on their pavement to help direct the driver; but obviously in incimate weather you won't see the pavement arrows.

Mr. Okum: Mr. Shvegza had suggested the openings be narrowed down a little bit; what about if you would go to the north exit and bring in that island a little bit to the south. Expand that island out and narrowing that down to maybe 16', then you could gather a little bit more green space and accommodate what Mr. Shvegza has indicated in regards to the thought pattern of drivers and that would look like it is a single lane – I am not saying 10', I am saying maybe 16'. Then that would give you a little bit more green space on that. If you were to take the bushes on the left side and that were extended toward that loop, I have seen you landscape those on a number of McDonalds and I don't see why we couldn't do that.

Ms. Etta Reed: The reason we need to have some striping here is to get the delivery trucks in and also the garbage truck to pick up the dumpster.

Mr. Okum: At least we can get a little bit on that one side there and maybe expand that a little bit if you can and narrow it down and get some on the backside of the dumpster container, as well; instead of concrete on that backside you might as well make use of the space and try to get some impervious area there. The little triangle on the east side, there is no directional pole or anything on that, it is just a raised hump?

Mr. Jon Barnard: It is a raised median; when a truck comes in he can pull right over the top of that.

Mr. Okum: I go to the Boymel Drive location frequently and we go in the entrance and go around the building and we also go out that entrance; we have to cross over and there are periods when people are coming by and you have to be careful. It is a matter of people being used to it but there are going to be situations were there are going to be people turn out and run into somebody. Striping is important, but you can only do so much; a sign on the building would not hurt. I did look at the building elevations and that first 20' on that south side of the building is going to be pretty fully exposed; you get a good view of that going northbound on Princeton Pike. I would like, before you finish up your final building elevations, to possibly carry some of the stone around to that elevation to tie the three sides together so that they look similar. We do not know if Jared's is going to be there forever and if Jared's were removed and a different building were built there, then you would have a similar situation that we have on the Meineke Building over there. The enclosure that you are intending to put around the walk-in, is that an internal building element?

Mr. Jon Barnard: It will all be brick and finished just like the rest of the building.

Mr. Okum: In regards to the sign, I don't really have a problem with the sign package, I do have some concerns about the pole sign. If you take off the information board you basically have a McDonalds marquee on a pole with a brick base around it. It doesn't really look like a monument sign on the drawing that we have. If I were making the motion tonight then I would want to hold that approval out on that sign until we see your final and then you meet with Staff and you work out something that we can see, because it has

landscaping at different locations. I did notice the interior of this McDonalds is not the Starbucks type McDonalds.

Mr. Jon Barnard: It is up to the owner.

Mr. Okum: Typically, I would make a motion for this Body to approve all of Staff's comments and recommendations; there are some things that Mr. Shvegzda still needs to work out with you and some things that you need to work out with Ms. McBride. It is going to be a little difficult for me to phrase the motion and bring it to the floor. I agree with Staff on increasing your impervious surface area and get a little bit more out of it. The pole sign, I think most of this Body would agree that the pole monument sign needs to be finalized and worked out and possibly that building elevation be considered on the south side. As far as the choice of brick, anything is better than painted brick that you have done on your retros, the Fairfield's brick I don't particularly care for. The water retention, water mitigation control, if there are any, are there no drains on site at all?

Ms. Etta Reed: There are none existing.

Mr. Shvegzda: I guess the nearest catch-basin that we were aware of is about 200' away.

Mr. Okum: And you won't be utilizing that. O.K., that is all I needed.

Mr. Bauer: My concerns are the stacking and the ADA spaces being permanently relocated to the other side of the drive isle like that.

Mr. McErlane: The general requirement is that they be as close to the entrance as possible, it doesn't specifically give a distance and I am not sure where they are proposing to do that.

Ms. Etta Reed: What we have done at other sites when there is a reason they can't be adjacent to the building, we will stripe an isle so it is very clear where the path is for ADA. McDonalds is very serious about ADA requirements.

Mr. Bauer: O.K., with employees parking in those four or five spots during peak hours, what would those peak hours be?

Mr. Jon Barnard: From 6:30 A.M. until 8:00 A.M. and again from 11:00 A.M. until 1:00 P.M., and in the evening between 4:00 P.M. and 6:00 P.M.

Mr. Bauer: Going back to Ms. McBride's comments what would be the process to ensure employees park in those spots?

Mr. Jon Barnard: The shift manager would have to make sure they are full. The drive-through would be open 24 hours, as well. Every time the shift changes we would tell the shift manager to keep them full.

Mr. Bauer: With the Staff's comments about that stacking, did you look at any other options as far as what you could do for the stacking?

Ms. Etta Reed: The stacking obviously needs to curve that way, so the only other thing we could do is eliminate those spaces. We do, per code, have one extra space and we also have an agreement with the retail center that we can share parking. If we do go below code, we do have the capability to use the Center for parking if we were to eliminate these spaces.

Mr. Bauer: The other question goes back to signage; I agree with what I have heard so far, the electronic message board, I don't want to see as part of that sign. I'm not a big proponent of the other suggestion that you made. I wasn't clear from Mr. McErlane, is that the other type of sign that he is talking about putting in there instead of the electronic?

Mr. McErlane: There is nothing specific to address that in the Code.

Mr. Bauer: I don't particularly like that either. As far as the landscaping imperviousness of the site; I think you guys have definitely improved upon what is there and I know you don't meet code; I am comfortable with trying to make that as much as we can.

Mr. Vanover: On impervious surface; has there been any thought that there are pavement materials that are pervious because with the semi trucks coming and going, their weight limits coming and going would be a negative influence in that area.

Mr. Jon Barnard: I am personally not a huge fan of it.

Mr. Vanover: Concerning the curbing in the southwest corner?

Mr. Shvegza: That is not curbing, it is painted.

Mr. Vanover: A thought possibly to do, is to replicate your island.

Ms. Etta Reed: We can look at that and see what we can do. I think the delivery trucks may hit a corner of it. It is more of a concern with the trash trucks and obviously they are not as heavy. We could look at that to see if there is a little something we could put in there to help it out.

Mr. Vanover: The diverter island out front is a good idea. I have been to the Boymel Drive location and have watched the drivers come into that parking lot off of Route 4 at about 45 miles per hour. And when you frequent a site, you learn what you can and cannot do.

Mr. Shvegza, don't we have mid-lane curbing on 747?

Mr. Shvegza: Yes.

Mr. Vanover: So, really that could almost be a "right out only". There is a median island out there that is going to prevent northbound traffic from hopping it. I know it is the franchisees choice on color but I think the red will probably blend more with the rest of the center than the chocolate.

Mr. Jon Barnard: We can make that suggestion and say that is what you guys prefer.

Mr. Vanover: I do love the stone.

Ms. McBride: I have another thought about the parking and the stacking; what if, the two spaces that would be blocked by the stacking go away and the two ADA spaces stay where they are? Then they don't have to fool around with making employees park there on peak hours. The ADA spaces are conveniently located and they are going to be the last ones blocked in. The area where those two spaces are coming out can then become part of the landscape field which will up your open space requirement. And then if you could work that in where the striped area is to the west of those four spaces, I don't know if that is to give access to your delivery trucks through those double doors, if somewhere a wider concrete walk could be worked through that landscaping area instead of that striped out area, that whole area could become green space with a nice wide concrete walk for your delivery guys to get the stuff in and out. You don't have to fool around with the parking, the ADA is most convenient to the door and you up your area on the open space, we get some additional landscaping and all is good.

Ms. Etta Reed: I think that would definitely work. The biggest thing that I was worried about is we have to have a paved surface for our delivery trucks. As long as they can get deliveries back to this walk to the back door, I don't see a problem with that.

Ms. McBride: Maybe if the Commission was comfortable with Staff working that out with them, but I think that might be a very good solution to that. We are still short on stacking but not as concernably short.

Mr. Vanover: What you may want to do is flop, putting two ADA parking spaces on the other side, so if those are blocked then they have that there because that is the only designated spaces on the site, correct?

Ms. Etta Reed: Correct.

Ms. McBride: Except they will lose some spaces.

Chairman Darby: How many times a week will deliveries occur?

Mr. Jon Barnard: Three times.

Mr. Okum: I was going in the same direction as you were, Ms. McBride. I think the situation is, if you just have two handicap spaces there, that is nice but it would be nicer to have one ADA space and one regular person space and then drop your other ADA space on the other side; or is that too much trouble?

Ms. Etta Reed: It would be best to have them both along here because there is a middle gap between them.

Mr. Okum: I understand.

With the stacking issue, I think there is going to be a couple times during a 24 hour period that would be an issue because you have a dual lane concept. We don't give you credit for the dual lane but personally I think that the reality of it is, the dual lane really does take cars out of the stack.

We are to approve the building elevations and building materials that are going to be used on the site; how long will it be before you have the applicant's decision?

Mr. Jon Barnard: I could probably have a preliminary by tomorrow or Friday.

Mr. Okum: If we were going to hold off on building elevation and signage from this meeting and then if you bring that back in at the next meeting that would give you thirty days, which is plenty of time to get it worked out. That way you could work out the impervious surface ratio area and the landscaping adjustments. Frankly, I don't think you are going to get a "no" vote here, but on the other hand we could do part of it tonight, if that would be good for you, or just continue it to the next month and get it done, all in one. I think there are some Members here that would like to see these loose ends tied down because it makes it a lot smoother.

Mr. Jon Barnard: I wouldn't mind getting as much approved tonight as we can and then just coming back with the changes.

Mr. Okum: You would still come before this Body?

Mr. Jon Barnard: That is fine.

Mr. Diehl: What is your time table on this?

Mr. Jon Barnard: We were hoping to start construction in March 2013. We can't get our building plans done until we have approval here. If we know the building works then we can go ahead and start that design; the exterior is something that we add last anyway. We could get everything else moving over that next month, instead of waiting.

Ms. Etta Reed: Then next month, after we have the building elevations and signage approved, it would just be a matter of making those final revisions to the building drawings and then we could come in for permits so that we would be ready to start in March.

Mrs. Boice: I would certainly be agreeable to clearing up some of the things tonight but my first reaction was that we have a lot of balls in the air and that piece of PUD area has always been done and done well and I would hate to have this going on and that going on; so I would certainly be agreeable to doing a partial, whatever feels acceptable tonight as long as you are going to be back before us next month for the final. I don't know if my fellow Commission Members share that kind of thinking with me. But as far as doing the whole ball of wax and then working with Staff, I am not comfortable with that. I want to hear the final and it is our responsibility to do that.

Mr. Diehl: I would second Mrs. Boice.

Chairman Darby: Are we ready for a motion?

Mr. Okum: I would like to make a motion for the minor revisions for the PUD at 11723 Princeton Pike to be approved to the specifications and design exhibits A-2.0 through A-2.1; A-1.6 and so forth. The motion shall include Staff, City Engineer and City Planner's recommendations except those items that are being finalized by Staff and this Commission and are not part of this motion. Based upon the presentation, the building elevations shall contain mechanical units being screened as indicated in Staff's report. Landscaping to include an increase in green space and an increase in impervious surface ratio, as much as possible over the 21%, to be reviewed and approved at our next meeting. All four building elevations shall be masonry, brick and stone to be finalized at the next Planning Commission meeting. The signage shall be approved conditional upon the elimination of the electronic digital board, the pole replacement and monument sign shall not be considered at this time and shall be part of the final sign package to be approved by this Commission. Parking field on the north side of the building, as discussed, shall be changed to landscaping and two handicap spaces.

Mr. Shvegza: You mentioned the reduction of the north?

Mr. Okum: That was part of the final items to be worked out with Staff, but to include that in my motion, I will add reduction of the northwest entrance to be reduced down to approximately 16'.

(Mr. Vanover seconded the motion and with a unanimous "aye" vote from the Planning Commission Members the motion was approved.)

VIII. DISCUSSION

(No items were presented for discussion at this meeting.)

IX. CHAIRMAN'S REPORT

Chairman Darby: On the Chairman's report you can see the signs that were approved.

X. ADJOURNMENT

Mr. Vanover moved to adjourn; Mr. Okum seconded the motion and the meeting adjourned at 8:33 p.m.

Respectfully submitted,

\_\_\_\_\_, 2012 \_\_\_\_\_  
Don Darby, Chairman

\_\_\_\_\_, 2012 \_\_\_\_\_  
Richard Bauer, Secretary