

Monroe Planning Commission Minutes
July 27, 2016 – 6:00 pm
233 South Main Street, Monroe, Ohio

The Planning Commission of the City of Monroe met in regular session at 6:00 pm on July 27, 2016. The meeting was held at Monroe City Hall.

Call to Order

The meeting was called to order at 6:04 pm by Mr. Berry. Members present were James Berry, Steve Wood, and Ron Tubbs.

Also present were: Kevin Chesar, Director of Development/Zoning Enforcement Officer; Kameryn Jones, Planner; Deana England, Deputy Clerk of Council.

Mr. Wood moved to approve the minutes from May 17, 2016 and June 9, 2016; Seconded by Mr. Tubbs. Voice vote. Motion carried.

Public Hearing

Case No. 2016-7-13 Consideration of a Conditional Use Permit for the expansion of the Church of the Nazarene.

Mr. Tubbs moved to open the public hearing at 6:08 pm; Seconded by Mr. Woods. Voice vote. Motion carried.

Mr. Berry swore in all who wished to speak at the public hearing, for or against the proposed consideration of conditional use.

Ms. Jones presented Planning Commission with exhibits regarding Case No. 2016-7-13.

Ms. Jones stated that the Monroe Church of the Nazarene has submitted a conditional use permit for the purposes of an expansion to their current facility on Macready Avenue. The site is approximately 2.31 acres. The new facility will sit detached and behind the current church structure. The proposal is for a 10,116 square foot multi-purpose space that will house storage, a kitchen, nursery, and open rooms that may function as gathering spaces for services or recreational purposes. The applicant anticipates a September start date and finishing up in the spring of next year.

Ms. Jones stated that the Surrounding zoning consists of North: R-1 Residential PUD (Mount Pleasant), South: R-1 Residential (Wyandot Woods subdivision), West: R-1 Residential (single-family home), and East: R-1 Residential (single-family home).

Ms. Jones stated that the applicant has indicated the main building along with the new addition will be separated from the secondary structure the Church owns. They also plan to execute an easement for the detention area outlet at the rear of the property to the east of the pipe at State Route 63.

Ms. Jones stated that the applicant has indicated 10'x16.5' parking stalls in some areas. Code minimum is 10'x18' for parking stalls. The applicant has indicated the 16.5 ft stall length takes into account the allowed overhang of vehicles and allows for less pavement area. Though not indicated on the plans, the applicant has specified that parking stalls will have parking blocks.

Ms. Jones stated that sidewalks are required along all streets and are required along Macready Ave and SR63 but have not been indicated on either frontage. The applicant has indicated sidewalks on either side are unwarranted and could pose safety risks for residents due to the amount of high speed traffic along State Route 63 and lack of connectivity along the northern side of Macready Avenue. In addition, entrance sidewalks must be 8 ft wide at a minimum; the applicant appears to meet this requirement.

Ms. Jones stated that there does not appear to be any outdoor or rooftop equipment requiring screening. Staff wants to verify this observation as well as make certain there are no outside dumpsters proposed to accommodate the new structure.

Ms. Jones stated that in regards to buffering the church is defined as a conditional use in a residential area, buffering is required to screen from adjacent residential uses and should follow Buffer Type B as outlined in the Code. While there appears to be some landscaping on both the east and west sides of the site, the trees on the eastern side appear to be on the adjacent property. The applicant has indicated buffering between residential areas detracts from the church's desire to be a part of the community. The applicant has indicated the adjacent property owners do not wish to separate their properties from the church with large amounts of buffering. Significant landscaping is indicated at the south (entrance) of the site facing the several single-family residences at the entrance to Wyandot Woods subdivision.

Ms. Jones stated that street trees are required along both State Route 63 and Macready Avenue. The site appears to have approximately 220 ft of frontage along Macready, requiring 6 street trees (every 40 ft on center). The applicant has indicated the street trees unnecessary for the same reasons as the sidewalk installation. The site has approximately 220 ft along State Route 63, requiring 6 street trees. If Planning Commission permits a waiver of a portion of the street trees, the applicant will be responsible for a waiver fee of \$150.00 for each tree not installed as required in 1212.06(G). Perimeter parking requires one canopy tree for every 5 parking spaces with a 3 foot visual screen of shrubs surrounding the parking area. Given the 76 stalls proposed stalls, 15 canopy trees are required to be spread throughout the perimeter of the parking area. The applicant has not met the canopy tree requirement and has not indicated any perimeter shrub screening. The applicant is requesting is asking for reconsideration on the required 30 canopy trees given the site's use. The front yard landscaping requirement may be used to fulfill this requirement. Perimeter landscaping for access drives require one canopy tree for every 50 linear feet and 3 bushes for every 15 linear feet. The site has two access drives on either side of the addition, with approximately 300 linear feet on the west side and 170 on the east side. 9 canopy trees and 31 bushes are required along the access drives; the applicant has proposed 3 canopy trees on the west side and no bushes. The front yard landscaping requirement may be used to fulfill this requirement.

Ms. Jones stated the Landscape islands appear to be missing on single row of stalls at the entrance of the parking lot with required landscaping. The applicant has agreed to include one island along the interior single row at approximately 139 square feet, though it appears two are required, one on either end. The applicant will need to indicate the dimensions of the islands to ensure minimum size of 135 square feet is met. Landscape islands at the addition appear to meet landscaping requirements but must

indicate dimensions. 20% of the required front yard must be landscaped and the site has two front yards (Macready and SR63). As the front yard setback for non-residential sites in the R-1 district is 100 feet, the minimum depth of landscaping of the front yard is 20 feet. The applicant has indicated the landscaped area will be approximately 1,800 square feet.

Ms. Jones stated that code requires that buildings should generally be parallel to the street they front. The addition entrance facing State Route 63 is slightly angled away from the street. The applicant is meeting the maximum building height of 35 feet with a maximum height of 30'6" at peak. Additional requirements for this conditional use prohibit steeple or tower height to exceed 75 feet and require the main structure to comply with the restrictions of the residential district. The applicant is attempting to break up the massing of the building with a combination of materials—AAC textured panels and metal panels). However, metal is a prohibited material (unless considered decorative) and should be discussed. As the north elevation faces onto State Route 63, this façade is held to additional commercial architectural standards: The base-body-cap design standard appears to be met with the combination of the AAC at the base, metal panels at the body, and roof overhang acting as a cap, though it is not clear whether the percentages for each element are met. Because the façade spans more than 60 feet, 2 foot deep offsets are required every 40 feet at a minimum of 20 feet wide. Though there appears to be some inset along the north elevation, the applicant will need to indicate whether it meets the appropriate depth. Building elevations visible from a public street should contain windows making up 25% of the wall area. It does not appear that the applicant has met this requirement, though staff will need to see a calculation from the applicant to determine this. The entrance of the addition is emphasized with the appropriate "bump-out", outdoor plaza area (unsure of outside seating or exact depth), roof overhang, and large windows.

Ms. Jones stated the lighting plan for the addition site appears to meet the minimum standard at 0.2 footcandles with the exception of the southwestern edge near the access drive. Because the site sits between two residential uses, it is important to know the footcandles at the edge of the property line. The applicant has agreed as a condition of approval to resubmit a new lighting plan that indicates the full extent of light extending to the property lines.

Ms. Jones stated in regards to Condition Use Permit Criteria being consistent with the spirit, purpose and intent of the comprehensive plan, will not substantially or permanently injure the appropriate use of neighboring property and will serve the public convenience and welfare. The expansion of the existing use is consistent with the comprehensive plan and will not greatly impact the use of neighboring single-family uses given its location at the rear of the property that sits lower than street level and assuming appropriate buffering is included.

Ms. Jones stated that in regards to will the use be harmonious with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area that the proposed use as a church, community-type space will be harmonious with the residential character of the surrounding area.

Ms. Jones stated that with regards to whether the conditional use is to be located in a district wherein such use may be permitted, subject to the requirements of this chapter, the use is permitted conditionally in the R-1 residential district.

Ms. Jones stated that the use complies as discussed in the architectural section of the report.

Ms. Jones stated that the proposed shall be adequately served by essential public facilities and services such as, but not limited to, roads public safety forces, storm water facilities, water, sanitary sewer, refuse, and schools or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services and the site appears to have adequate public facilities.

Ms. Jones stated that in the interest of public safety, as a matter of policy, all points of ingress/egress shall be located as far as possible from the intersection of two or more streets. Both access points are existing coming off Macready Avenue. While the eastern access drive only intersects with Macready, the western drive lines up with Wyandot Woods Boulevard across Macready Avenue.

Ms. Jones stated that the expansion will not be hazardous or negative for existing and future surrounding uses as it will essentially remain the same as the previous use. However, the intensity of the use will likely increase with increased space and function.

Ms. Jones stated that the community gathering space this addition provides should only benefit the community, and would not be detrimental to the economic welfare of the community.

Ms. Jones stated that although the proposed use will increase the amount of traffic and therefore people and noise to the area, though staff does not believe it would be categorized as excessive or Detrimental with regards to uses, activities, processes, materials, equipment and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to the uses permitted in the base zoning district.

Ms. Jones stated the expansion of the church will not impede development of improvements to surrounding properties.

Ms. Jones stated that the Fire Department reserves the right to comment during plan review/inspection process and the Police Department has no comment at this time.

Ms. Jones stated that staff has not received any public feedback in favor of or against the proposed conditional use.

Ms. Jones stated that staff recommends due to this use being located along Macready Avenue for a number of years, many of the potentially unknown impacts are not present. Staff recommends approval of the site plan with further landscape recommendations, other staff comments being met, and metal siding use to be discussed with Planning Commission.

Mr. Wood inquired as to what the solution to the properties drainage issues.

Mr. Chesar stated that the city is currently working on drainage issues in the right of way area to the west.

Mr. Berry asked if anyone present would like to speak in favor of the proposed condition use.

Mr. Dan Jeffers stated that he lives directly east of the property and is also a member of the Church of the Nazarene. He also stated that that he is not interested in any additional buffering between the two properties due to the row of trees planted already planted on his property.

Mr. Jeffers stated that he has agreed to allow the contractors to insert a drainage pipe through his property to aid with water runoff issues. The new drainage pipe will divert water from the low point that has been the concern for a number of years to the back northeast of his property and then drain out under State Route 63 into an existing creek.

Mr. Jeffers stated that he is in favor of the purposed use and is excited for the services and opportunities it will provide to the community and schools.

Ms. Lindsay Henrriquez stated that she is the Butler County Success Liaison for Monroe Local School District. Ms. Henrriquez states that the program aids students with non academic barriers such as food, clothing, and shelter. Ms. Henrriquez states that this will provide even more space to aid them in providing students with a safe environment.

Mr. Charles Borne stated that he is a member of the church and the Assistant Scout Master for Local Monroe Troop 54. He states that they have currently 100 Scouts that use the church to help aid the city and is in favor of the conditional use.

Mr. Ralph Hesson stated that he has been a member of the church for over 35 years and is in favor of the use due to the limited space and the opportunity for the growth of the church.

Mr. Larry Jeffers stated he is the Civil Design Engineer for the proposed structure. Mr. Jeffers stated that the drainage concerns are being addressed and corrected with city improvements to the existing ditch and the proposed drainage pipe to run through Dan Jeffers property.

Mr. Wood stated that the city has re-graded the existing ditch, but still has concerns with the water also running off to the west.

Mr. Larry Jeffers stated that he doesn't see need for concern because the piping will be 7 to 8 feet lower than the grade of the ditch.

Mr. Larry Jeffers stated that they were willing to work with Planning Commission and staff in regards to landscaping plan solutions.

Mr. Wood stated concern that with the added space and potential for added waste materials, that the applicant might want to reconsiders its decision to not add a dumpster to the site.

Mr. Larry Jeffers stated that they would take that concern into consideration.

Mr. Berry asked if anyone would like to speak in opposition to the proposed conditional use with no reply.

Mr. Tubbs moved to close the public hearing at 6:52 pm; Seconded by Mr. Wood. Voice vote. Motion carried.

Mr. Berry inquired as to what options are available in regards to street trees along State Route 63.

Mr. Chesar stated that Planning Commission has the ability to waive the requirement, although there is no waiver of a \$150.00 Street Tree Fee per tree not planted that goes into the city's park fund. Another alternative is to plant the required amount of trees elsewhere on the property that is agreeable to Planning Commission and staff.

Mr. Berry inquired about solutions to the shortage of canopy trees in the landscape plan.

Mr. Chesar stated that staff will work to enhance the landscape plan with the applicant. The property has already existed for a number of years and any addition to the landscape is an improvement to the property and the intent of the current code.

Mr. Berry inquired more information on the window requirements and as to whether the requirement was being met.

Mr. Chesar stated the commercial requirements were intended to enhance property along State Route 63. Considering the use, the building does not lend itself well for the 25% window coverage. If Planning Commission is satisfied with the overall look, they have the ability to waive the requirement.

Mr. Chesar stated in regards to the application of metal siding. The applicant is using a product that looks as if it were stucco and along with the other materials being used, the applicant has done well in breaking up the facade of the structure, which is the intent of the requirement.

Mr. Chesar stated in regards to sidewalk requirements along State Route 63 that the intention of the code was to create connectivity within the city. Mr. Chesar stated that with this not being a commercial facility and the current lack of sidewalks in the area, a waiver can be granted for the installation of a sidewalk at this time with the stipulation when the connectivity starts to take place, the applicant will then be required to install the sidewalks.

Mr. Chesar stated that the applicant does still need to provide an updated lighting plan to staff showing that with the elevation, light is not intrusive to adjacent property owners.

Mr. Berry stated that he would like to confirm that the Fire Department had no concerns with access to the structure.

Mr. Chesar stated that the Fire Department stated that they did not see an issue with fire apparatus having access issues.

Mr. Chesar stated that staff would speak with the Fire Department as to whether an additional fire hydrant should be installed.

Mr. Tubbs moved to approve documents presented to Planning Commission in regards to this case and Public Hearing; Seconded by Mr. Wood. Voice vote. Motion carried.

Mr. Tubbs moved to approve Case No. 2016-7-13 with the conditions that the applicant and staff work on an agreeable landscape plan in regards to street tree, parking island, and canopy tree requirements; a waiver to sidewalk requirements at this time, but acknowledge that when connectivity takes place that

the applicant will be required to install sidewalk connectivity per code; a new lighting plan is submitted to staff, and all staff comments are met; all architectural designs are approved as submitted; Seconded by Mr. Woods. Voice vote. Motion carried.

Case No. 2016-7-14 Consideration of a site plan for Ahava Coffee House.

Ms. Jones stated that Karen Halsey with Better Built Construction Services has submitted an application for Site Plan Review for a new drive thru coffee shop, Ahava Coffee House. The proposed use will house a full service coffee shop with meeting space, outdoor patio area, and drive thru at approximately 2,300 square feet. The lot is located along Cincinnati Dayton Road between the commercial center off Overbrook and the North Monroe Cemetery at approximately 3 acres. The site currently sits vacant.

Surrounding Zoning consists of North: A-1 Agricultural (North Monroe Cemetery), South: C-2 Commercial (Vacant commercial land), West: C-2 Commercial, A-1 Agricultural (Overbrook commercial center, North Monroe Cemetery), East: C-2 Commercial (Monroe Shoppes, Monroe Flex I).

Ms. Jones stated the property owner is to operate the business and hopes for a mid-summer construction start date and a mid-December opening. The coffee shop will feature a drive thru, meeting space available to the public, and a limited food menu. The outdoor seating area will feature a fire pit area.

Ms. Jones stated the site plan shows an undersized stall along the rear of the building, which will need clarification as it does not appear on the landscape plan.

Ms. Jones stated sidewalks are required along all streets and are required along Cincinnati-Dayton Road with a sidewalk connection from SR63 to the coffee shop. The applicant has indicated a future sidewalk location on private property outside of the right-of-way. The width will need to be indicated to ensure it meets the 5 ft width requirement. No pedestrian connection to the site from the sidewalk has been indicated as the sidewalk is located on the Ahava site itself. Within the site, entrance sidewalks must be 8 ft wide at a minimum; the applicant appears to meet this requirement though dimensions have not been indicated.

Ms. Jones stated during review, concerns regarding access and impact on traffic this proposed use may have were discussed. Staff required a Traffic Impact Study (TIS) for the entire parcel. Initial comments from our City Engineer pointed out that the site currently has a two lane access drive, though a three lane (two exits and one entrance) is appropriate. Code would also recommend a deceleration lane as a part of the TIS study. The City Engineer has indicated that due to the width of the current pavement, a deceleration lane can be striped on the existing shoulder, similar to the deceleration lane across the way at Monroe Shoppes. The applicant has agreed to install three lanes to meet this requirement but will need to confirm installation the deceleration lane as well to meet these recommendations.

Mr. Wood stated concern in regards to delivery truck traffic entering the site and whether the existing shoulder could hold the weight of such trucks.

Mr. Chesar stated that staff would look into that concern.

Ms. Jones stated the applicant will need to indicate the height of the dumpster structure to ensure sufficient screening.

Ms. Jones stated all rooftop equipment will need to be appropriately screened. There appears to be at least one rooftop unit that is not appropriately screened by the parapet.

Ms. Jones stated an elevation drawing of the screening fence for the outdoor seating area will need to be provided.

Ms. Jones stated the maximum allowed lot coverage in this district is 75%. While it appears the site is well within this range, staff will need a calculation from the applicant. Street trees are required along the Cincinnati-Dayton Road frontage with a minimum of 2 inches DBH. In order to calculate the number of street trees to be required, the applicant must calculate the total frontage as trees are required every 40 feet on center. An estimate by staff shows approximately 300 feet of frontage, requiring 8 trees. Staff recognizes the significant topography issues along the site's frontage and is suggesting the required street trees be moved behind the right-of-way line to help meet the front yard landscaping requirement.

Ms. Jones stated in discussion with the applicant, staff stated that at minimum 3 trees along the detention area and two trees south of the access drive should be installed. The applicant has only indicated 3 trees along the detention area. If Planning Commission permits a waiver of a portion of the street trees, the applicant will be responsible for a waiver fee of \$150.00 for each tree not installed as required in 1212.06(G). Furthermore, the proposed *Ulmus 'Frontier'* tree does not meet our code regulation of a Canopy Tree which requires an expected height of greater than 40 feet. As such, an appropriate Canopy will need selected.

Ms. Jones stated perimeter parking requires one canopy tree per 5 parking stalls with a 3 foot visual screen of shrubs. The applicant appears to meet the number of trees requirement but has not distributed the trees and shrubs along the entire parking perimeter as required in 1212.07(B)(3). The types of shrubs proposed do not provide a continuous screen as required since they are essentially barren during the most of the fall/winter season. A mixture of evergreen type plants should be added and/or replace current plant selection to meet the perimeter and buffer yard requirements. Staff would recommend that two of the northern perimeter trees be placed on the southern side which would then leave three remaining canopy trees spaced approximately 40 feet apart on the northern side, matching our current street tree spacing requirements for healthy tree canopy growth. The proposed *Syringa Reticulata 'Ivory Silk'* tree does not meet our code regulation of a Canopy Tree which requires an expected height of greater than 40 feet. As such, an appropriate Canopy will need selected, ornamental grasses or evergreens are recommended along the four rear parking stalls.

Ms. Jones stated drive thru lanes and access drive areas are required one canopy tree for every 50 linear feet and three bushes for every 15 linear feet. The applicant likely meets the required number of trees but does not indicate any bushes. Canopy tree type requirement is not met but with the proposal, it would be supported by staff.

Ms. Jones stated drive thru menu boards are required to have surrounding landscaping equal to or larger than the total sign area. This landscaping requirement may contribute toward other required landscaping such as the required island landscaping for single parking rows. Currently, no landscaping is proposed in this area.

Ms. Jones stated landscape islands must be a minimum of 135 square feet for single parking rows in internal parking areas. While the applicant shows the appropriate number of islands, there is no

indication of size or the required landscaping, which is a minimum of one canopy tree and three bushes per required tree for single rows.

Ms. Jones stated 20% of the required front yard area must be landscaped. As the front yard setback for C-2 sites is 50 feet, the minimum required landscaping is 10 feet multiplied by the frontage of the lot. Though the proposed landscape plan indicates some landscaping in the front yard area, the applicant has not shown this calculation and therefore staff cannot determine whether this requirement has been met. The applicant has indicated that because a storm water detention area has been planned for the front yard, there is less available space to meet the 20% requirement. Some of the plant species do not appear to meet the minimum height requirement of 36 inches at time of installation. All landscaped areas are required to have a 6 foot wide mulched bed, which has not been indicated. Because the site buffers an A-1 site (cemetery property), Buffer C standards are required. The applicant has shown 5 canopy trees along the north side of the property bordering this property along with a number of shrubs but does not meet the full buffering requirement.

Ms. Jones stated the proposed structure meets the minimum building height of 20 feet. The base-body-cap design standards needs to show the required percentages with the combination of cedar wood body, metal "lip" cap, and split face stone base. Staff has calculated and they appear to meet regulations but, the applicant needs to indicate. The applicant has indicated a 2" projection of the block base from the cedar siding, which is required to occur along the entire building, especially when considering the split face block is being utilized on the body section in certain areas.

Ms. Jones stated building elevations visible from a public street should contain windows that make up 25% of wall area. It appears that the east facing elevation may meet this percentage, though the north and south elevations likely do not. The west (rear) elevation is not visible from Cincinnati-Dayton Road and would not need to meet this requirement. Staff recommends installation of false windows.

Ms. Jones stated as a flat roof structure, parapet walls with three-dimensional cornice treatments are required. The cornice shall include a perpendicular projection of at least eight inches from the parapet façade plane. Thin parapets that extend more than two feet above the roof and have a depth of less than two feet from the façade surface, are prohibited. The applicant will need to provide more detail on the parapet. The parapet appears to project approximately 8" from the cedar siding.

Ms. Jones stated the development entrance is required to be a minimum of 1 footcandle for frequent use areas. The area analysis does not include this area and appears unlikely to meet requirements as the internal front edge of the site is only at 0.8 footcandles. The applicant has indicated that Duke will be installing a fixture on their pole which should provide 1 fc for the entire entryway up to the establishment. A revised lighting plan showing these calculations will need to be provided to ensure the entrance to the site is appropriately lit.

Ms. Jones stated though signage is permitted through an administrative process, the proposed drive-thru sign (directional at the entrance) appears to be very close to the right-of-way line. Monument signs must be set back a minimum of one-half the height of the sign from the right-of-way. Depending on the size of the proposed sign, it may need to be pushed further back on the site to comply.

Ms. Jones stated that the Public Works Department noticed that the plans provided are not to scale, the drive apron shown as concrete beyond the proposed storm culvert. Typically, the drive apron would be concrete throughout the entire R/W area but since the R/W is so large we want to see concrete

approximately 35' from the existing edge of asphalt. We also need to see detention calculations for the site; the Fire Department reserves the right to comment during plans review/inspection process; the Police Department had concern about the illumination of the entrance.

Ms. Jones stated the applicant is requesting waivers on the following; requires trees every 40' along the road frontage. We have shown those trees on the submitted landscape plan. The topography however puts these trees in the ditch which abuts Cincinnati-Dayton road in front of our site. A proposal we would like to recommend is to remove those trees and in their place put three trees on 40' centers out of the right of way on to personal property in front of the water retention area. The location would still leave room for a 5' sidewalk. We think this provides a common sense approach to the effect the city is trying to achieve; requirement of a 5' sidewalk along the Cincinnati-Dayton road frontage. The ditch makes locating the sidewalk at the street impossible. plans indicate a location for the sidewalk (out of the right of way) as there are no sidewalks currently to either side of the applicant is asking that the construction of the sidewalks be waived until a future date; requirement of landscaping around the entire perimeter of the site. Landscaping is currently not shown on the west side of our site. The west side (at the back of the Coffee Shop) is bordered by an open field. As this side of the site is not viewable we ask that the landscaping on this side be waived; a waiver on the requirement for window on the drive through side. The close proximity of the landscaping effectively blocks line of site for that wall; a waiver on the requirement for windows on the side with the tower. There are currently no windows shown on that side to the west of the tower. The tower itself blocks line of site of that area and there is landscaping on that side as well.

Staff recommends approval of the site based on the above comments being met, specifically including the following: A new enhanced landscaping plan; a new photometric plan; a more detail/conversation on parapet meeting requirements and screening of rooftop equipment from the right-of-way; all other staff comments be met.

Mr. Berry stated that he would like clarification on the issue with street and canopy tree locations and selections.

Mr. Ron Carter, an owner of the proposed business, stated that they recognize that the code requires a certain amount of street trees. Along Cincinnati-Dayton Road there is a significant ditch line which prohibits all of the required trees to be installed. Mr. Carter suggests placing the remaining required number of trees in another location on the site.

Mr. Chesar stated in regards to the street/canopy trees and other landscaping submissions, there are also issues with plant variety selection as it does not lend to screening for 12 months out of the year. Some plant selections will be barren during the winter months and not provide adequate screening.

Mr. Carter stated that he was not opposed to changing the variety of canopy trees that were chosen in order to meet canopy tree requirements. In regards to perimeter screening, Mr. Carter stated the tree variety selected was to provide color to the site. Mr. Carter stated that they had no issue with changing the bush selection in order to provide screening year round. Mr. Carter stated that a canopy tree in the area of the menu board would be positioned too close to the building and asks that an alternative solution be agreed upon.

Mr. Wood voiced concern with the side view of the roof equipment screening and suggested extending the outside parapet wall height 1 to 1 ½ foot to resolve the issue.

Mr. Wood stated that elevations from on all sets of plans submitted do not match and need to be corrected.

Mr. Chesar stated that a solution to the rooftop equipment screening will have to be met as to restrict the side views as per code regulations.

Mr. Berry stated that more clarification is needed in regards to window coverage on the side that the menu board is located.

Mr. Chesar stated that with bump out projections and the landscaping plan for that area it doesn't seem necessary to add a false window in that location, but asks Planning Commission to confirm.

Mr. Berry inquired clarification to the Police Departments concerns with entrance lighting.

Mrs. Halsey stated that the issue would be addressed when the new lighting plan is submitted to staff.

Mr. Tubbs moved to approve Case No. 2016-7-14 with the following conditions; a waiver to the window requirement on the drive thru side of the structure; research as to whether the deceleration lane can handle truck traffic load weight; waiver of street tree number requirements due to ditch line issues with the premise that 4 trees will be relocated to other locations on the site; work with staff in regards to tree /plant variety selection in order to meet code intent; sufficient rooftop equipment screening requirements are met; submit to staff an update lighting plan to include entrance illumination; and all other staff comments are met; Seconded by Mr. Wood. Voice vote. Motion carried.

Mr. Tubbs motioned to adjourn at 8:37 pm; Seconded by Mr. Wood. Voice vote. Motion carried.

Respectfully Submitted by:

Deana England
Executive Assistant/Deputy Clerk of Council

