

President Kevin Hardman called the Special Council meeting of September 18, 2007 to order at 6:00 p.m. The Pledge of Allegiance was led by Kevin Hardman.

ROLL CALL

In attendance for Roll Call were Council Members: Kerry Rabe, Jim Dygert, Greg Pugh, Vicki Hoppe, Bob Duerler and Janey Kattelman. Rob Tankersley arrived at approximately 6:15 p.m.

PRESENTATION AND DISCUSSION OF NORTHERN LIGHTS CORRIDOR MASTER PLAN

Richard Osgood, Interim Building and Planning Director, introduced Brian Forschner and Brad Schwab with McKenna Associates as well as Phil Partridge and Mark Kluesener with CDS & Associates for the presentation of the Northern Lights Corridor Master Plan, development standards and zoning overlay guidelines.

Brian Forschner gave a quick overview of the master plan and the zoning overlay district that is being proposed. The master plan is the culmination of a process of working with the community and design team to determine a policy guide for the revitalization of Chester Road. While Chester Road has lost its competitive advantage compared to newer centers in the area, there are opportunities in the corridor including the Convention Center and the Sheraton. There are broader trends underway in urban entertainment centers for dining and theater. There is an opportunity to create something like that in Sharonville. This is not a new concept. It is building on a number of past planning efforts that have been done in the Chester Road corridor. Meetings have been held with stakeholders along the Chester Road corridor to discuss ideas and concepts for the future of the corridor.

The audiences to be served were looked at first. These were grouped into three main categories:

- Conventioneers and travelers
- Businesses and local workers
- Residents

The guiding principle for the Northern Lights Master Plan includes being:

- The northern gateway for the Cincinnati area
- A distinctive environment that sticks out having a unique brand
- An inviting destination landmark

The benchmark / inspiration for the design team in the process include a lot of light and curving lines embodying the Northern Lights concept, the *aura borealis*.

There are three goals within the vision guiding the efforts of the Master Plan and all of the recommendations of the Plan fall within each of these goals.

1. To develop a distinctive and vibrant hospitality, entertainment and office district. The Convention Center is going to be the catalyst. The expansion of the Center will be the anchor creating a demand for hotels, restaurants and retail. It will be the anchor for the total package of amenities: restaurants, retail and hotels clustered within walking distance around the Center.
2. To create an aura that celebrates the arrival to the district. One way to do this is by creating gateways at the key entrances to the district with landscaping, signage and lighting that really announces arrival at a significant destination. Then continue that

design theme into a streetscape to maintain interest and create an appealing environment for pedestrians. The streetscape design would echo what is established with the gateways. Also part of the aura would be a contemporary architectural theme that looks at the art deco heritage of Cincinnati with a contemporary spin. Visual effects will be a key element of this aura with a unique lighting effect of ambient light reflecting light off of things with up lighting of buildings and landscaping to create an interesting ambience when walking through the district. It will also create an interesting effect from a distance with a glow over the district that will attract interest to the area.

3. Emphasize pedestrian connections while accommodating automobile access. Create the convenience by allowing people to drive here but once here encourage walking from place to place. The way to do this is to concentrate activities in a small area by putting buildings closer to the street, locating parking to the sides and rear of the buildings, creating an interesting streetscape with outdoor seating and pedestrian plazas along Chester Road. The space in front of the Convention Center will be a focal point for pedestrians. The parking lot being planned will be visually appealing and it will be possible to convert this to a pedestrian only plaza for special events. Weather proof walkways are also being planned to connect the Convention Center to adjacent hotels which gets to the idea of making it a year round destination. A significant part of this goal is calming the traffic coming through the area using things like a round-about, medians and raised pavement. This slows traffic down to make a comfortable and safe environment for pedestrians without causing congestion. It is important to also create a way-finding system to orient people once they arrive to identify locations for parking, businesses and significant facilities. This should be done with a consistent style for all of the signs in the area.

The expansion of the Convention Center with the plaza and the elevated walkway across the road will be the catalyst for the implementation of the plan. The streetscape improvements on Chester Road and other roads in the area will be an important public investment to encourage private development in the district.

Marketing recruitment will be an important part of implementing this plan of establishing the Northern Lights brand and attracting businesses to locate here. Significant redevelopment is going to be necessary to implement a lot of the goals being discussed. This may involve complete redevelopment of sites or rehabilitation of buildings. It will be a long term process and there is a phasing plan included in the Master Plan.

It will be necessary to rely on design guidelines and zoning to obtain the desired vision of development for this district since most of the district is privately owned. A draft of an overlay district which has requirements on top of the zoning already in place is included in the packet distributed to Council along with a zoning amendment and design guidelines. The zoning amendment would actually go into the Sharonville zoning code. It has land use regulations, describes special review procedures and a sign amortization clause. It also refers to the design standards and guidelines which would be a separate handout to give to developers to identify what the City wants for this area. The design standards and guidelines are for architecture, signage and site design.

An incentive driven review process is proposed. The standards are mandatory and developers must meet 100% of the standards in order to get zoning approval. The guidelines are optional. If developers meet 50% or more of the guidelines they qualify for an expedited review process.

This is where staff may be the reviewing body for a site plan. The developers would not need to go to the Architectural Review Board or the Planning Commission. If developers meet less than 50% of the guidelines they would need to go through the typical site plan review process with the Architectural Review Board and Planning Commission.

Examples of standards include:

- 10' to 20' building set backs: Buildings would have to be no more than 20' and no less than 10' from the right-of-way. This would get buildings closer to the street while still allowing for green space and pedestrian amenities like outdoor seating.
- Cross access easement: Developers of properties must provide shared access to parking lots and driveways to other properties on that block.

Examples of guidelines include:

- Encouraging entries of buildings to be at the front along Chester Road to orient the entrances to pedestrian traffic.
- Encouraging shared parking among a number of different properties to reduce the overall requirement for parking.
- The types of signs would be restricted for advertising. Wall and awning signs would be permitted. Taller buildings could have signature signs that advertise to interstate frontage. Ground signs would be more restricted due to buildings being closer to the road and to prevent a proliferation of ground signs in the area. Property owners would be encouraged to have multi-tenant signs located at driveways and to use a style of sign that corresponds to the way-finding system that is being created. On multi-tenant signs the businesses would have freedom on the individual panels of the sign but the overall sign structure would have to be preset.
- Sign amortization: When property is rezoned and the current use does not conform to the new standards it becomes a legal non-conforming use and is allowed to continue existing. In this case, the signage would only be allowed to exist for a limited period of time before it must be removed. The intent of the sign amortization clause is to mainly have this apply to the ground signs on Chester Road. A timeframe of five years is proposed because typically depreciation schedules are roughly five years.

Mark Piepmeier questioned the legality of requiring removal of signs after five years and whether the City would be required to reimburse the businesses if the signs were still viable. Brad Schwab identified they would need to work with legal counsel on these issues. Land-use planners are not allowed to provide advice on legal matters. Brian Schwab identified that his company had been approached by other communities in regard to doing it. He noted that this is the first time that a community his company has worked with has chosen to implement this process. Tom Keating identified that the concept of sign amortization has been around for a long time and has been approved by the courts, generally, when there is a good reason and the length of amortization time is reasonable.

Al Ledbetter noted that there have been disagreements before with the Zoning Board of Appeals (ZBA) on signs. He questioned if the ZBA would have the ability to grant a variance. Tom Keating said yes this would be a classic case where ZBA could give them more time. ZBA would not be changing the law by stretching that time out.

Mayor Lovitt noted that this is a difficult issue as signs generally last much longer than five years and due to the investment by the businesses in the signs. No cost estimates for multi-tenant signs were available at the meeting.

Kevin Hardman asked how much focus the City should give to the common areas used to reach the Northern Lights Corridor (i.e. I-75/Sharon Road interchange exit). Brian Forschner noted that these areas do need to be addressed as well as the right-of-way along I-75 and the view from the interstate into the district. The plan does give a lot of emphasis to the core area with the idea of building out from there. Brad Schwab noted that the design team is interested in this issue of how to get a sense of arrival as soon as one leaves the interstate. The design team is looking at where it may be appropriate for additional gateway signage to direct people into the corridor. This is a development plan to provide guidance between now and the next few years. As this plan is implemented it will be important to prepare another plan to expand or update the directions and recommendations for the district.

Mark Piepmeier asked for the estimated cost of the overall plan that would include property acquisition, burying utilities, streetscape, boulevard, etc. Mark Kluesener identified that the estimate is approximately \$14 million.

Tom Keating questioned if the City would be expected to contribute to the lighting of building facades, etc. Brian Forschner noted the City would be expected to provide the lighting within the right-of-way for street lights and lighting of gateways. While not specifically noted in the plan, the assumption would be that lighting on private properties would be a private property owner cost. Ted Mack identified that the City is trying to develop a corridor that enhances the private property and the value of the property. As an incentive to the private property owners to light their properties, the City may want to provide incentives like providing engineering services to design something that would meet the needs of the property owners.

Greg Pugh questioned whether there would be some type of energy conservation incorporated into the guidelines for low energy lighting options. Ted Mack noted that the International Building Code adopted the newer version of the energy efficiency code in July of 2007. Designers would have to meet those codes.

Kevin Hardman noted that one of the most challenging parcels identified in the plan is the one just north of the Convention Center. He noted that there is an existing extended stay hotel there now and asked for an explanation on the recommendation to basically demolish that hotel. Brian Forschner identified that this is one of the challenges of redeveloping any corridor and creating a cohesive district like this. This is a pivotal piece of land as it is directly adjacent to the Convention Center. There is a significant amount of land there. If it were demolished or selectively expanded or consolidated in some way, enough land could be gathered for a significant sized business class hotel. The market study did show a demand for an additional business class hotel. There are not a lot of parcels in the area that are large enough and close enough to the Convention Center to accommodate such a hotel. Kevin Hardman questioned the feasibility absent public dollars. Brian Forschner said this would depend on the market and noted that public / private partnerships are often necessary. He stated that there are vehicles out there like port authorities and other bodies that may help facilitate these types of projects.

Based on a question by Kerry Rabe, Brian Forschner clarified that a Project Manager/Coordinator is a customer service issue in making the development process more efficient for developers or businesses who are interested in locating in that area.

Kevin Hardman noted he is impressed with the plan and that it is a great vision for the City to try to get that corridor into a destination that the City would like it to be.

Tom Keating questioned what current uses on Chester Road would become legal non-conforming uses with this zoning overlay. Brian Forschner identified these would include: stand-alone multi-family residential, single family residential, vehicle sales and industrial uses on Lippelman Road. In response to a question from Planning Commission member Lorna Parsons, Brian Forschner clarified that those uses could continue to exist. However, if the uses discontinue or redevelopment happens there and zoning permits are requested, the same uses could not be rebuilt on those properties. Whatever is built there must conform to the new zoning that is in place.

Richard Osgood noted the following projected schedule:

- October: Draft to Planning Commission for resolution for the zone change overlay. Richard requested feedback by October 1 to prepare for the upcoming Planning Commission meeting.
- End of October: Council to schedule a Public Hearing to look at the Planning Commission resolution for the rezoning.
- End of November: Public Hearing for the zone change.

EXECUTIVE SESSION

At 7:05 p.m. the motion by Mrs. Hoppe to move to go into Executive Session to discuss potential acquisition of property was seconded. Roll Call Vote to move into Executive Session. Motion approved unanimously. At 7:55 p.m. the motion by Mrs. Hoppe to reconvene was seconded. Voice Vote Called. Motion approved unanimously.

RULE SUSPENSION MOTIONS

The motion to allow Late Delivery of Ordinances 2007-48-E and 2007-49-E by Mrs. Hoppe was seconded. Voice Vote on passage. Motion approved unanimously.

The motion for suspension of the regular rules of Council to allow three readings on Ordinance 2007-48-E and 2007-49-E by Mr. Dygert was seconded. Voice Vote on passage. Motion approved unanimously.

NEW BUSINESS

ORDINANCE 2007-48-E – Authorizing Safety/Service Director To Enter Into A Contract To Purchase In Lieu Of Eminent Domain Real Property Located At 11250 Chester Road, Sharonville And Declaring An Emergency. The Clerk of Council gave the three readings of this ordinance. The motion for passage by Mr. Dygert was seconded. Voice Vote called. Motion approved unanimously.

ORDINANCE 2007-49-E – Authorizing The Safety/Service Director To Enter Into A Contract To Purchase The Real Estate Located At 11317 Chester Road For The Purpose Of Chester Road

Improvements And The Expansion Of The Sharonville Convention Center And Declaring An Emergency. The Clerk of Council gave the three readings of this ordinance. The motion for passage by Mr. Dygert was seconded. Voice Vote called. Motion approved unanimously.

OTHER MATTERS TO BE HEARD BEFORE COUNCIL

Kevin Hardman notified Council that resident Diane Kinsel left a phone message for the Clerk of Council this morning. Diane Kinsel received an unfavorable Zoning Board of Appeals decision last week. She wishes to come before Council to present her case and witnesses. Council Members may review the minutes of the meeting that were recently distributed to Council. In response to questions it was noted that Diane Kinsel may certainly address the issue before Council. However, Council may not overrule the ZBA decision unless Council changes the law.

ADJOURNMENT

The motion to adjourn the meeting by Mrs. Kattelman was seconded. President of Council Kevin Hardman adjourned the meeting at 8:04 p.m.

ATTEST

Martha Cross Funk, Clerk of Council

Kevin Hardman, President of Council

Date

Date