

## WHITEHALL PLANNING COMMISSION MINUTES AUGUST 5, 2021

The Whitehall Planning Commission meeting of August 5, 2021, was called to order by Chairman, Terry Anderson, at 6:33 p.m.

Chairman Anderson asked for a roll call.

Terry Anderson – Present

Mike Brown – Present

Denny Roberge – Present

Barb Blake – Absent

Amy Smith – Present

Jason Thomas – Present

Zach Woodruff – Present

Chairman Anderson asked for a motion to excuse absent members. Mr. Woodruff motioned and Mr. Brown seconded. All voted in favor to excuse the absent member.

Chairman Anderson asked for a motion to approve the minutes from July 1, 2021. Mr. Woodruff motioned to approve. Mr. Thomas seconded the motion. All voted in favor to approve the minutes.

Chairman Anderson introduced Case 824 (continued from June 3, 2021), WHITEHALL DG, LLC, is seeking a GENERAL DESIGN STANDARDS VARIANCE, 1124.10(j)(4), and Case 825 (continued from June 3, 2021) PARKING SPACE VARIANCE, 1126.19(e)(5) on property located at 667 South Hamilton Road, parcel 090-000163 and owned by Schoppelrei Properties, LLC.

Mr. Alex Phelan, Hurley Stewart, presented Cases 824 and 825. Mr. Phelan stated their developer feels this is their best effort. Mr. Phelan presented the current plan showing the areas of glass and brick with an area of a parapet with Dollar General signage. There will not be glass on the areas discussed previously where the restrooms are located at the front of the building. The updated plan on the delivery side shows a brick facade with brick mimicking windows. The updated plan at the rear of the building does provide windows. Mr. Thomas asked if the lighting plan had changed. Mr. Phelan stated the lighting plan remains the same. Mr. Brown asked if there would still be the same number of parking spaces. Mr. Phelan stated the number of parking spaces remain the same but stated they were requesting to decrease the number of parking spaces in the parking space variance.

Chairman Anderson asked if there were questions from the audience. Mr. Tim Hall stated the proposed Dollar General would be directly behind his home. Mr. Hall does not

support the Dollar General as a new business, stating there are too many dollar-type retail stores. Mr. Jeff Mattingly, Cardinal Commercial Real Estate, representing Dollar General, stated the property is zoned correctly for a Dollar General. Mr. Mattingly stated they are here for window and parking space variances. Mr. Hall agreed the building design was "beautiful." Mr. Hall expressed concern with the amount of people and litter. Mr. Woodruff clarified that the location is zoned correctly and the applicant was asking for the window and parking variances.

Chairman Anderson asked for a motion to approve Case 824. Mr. Woodruff motioned to approve the variance requested for Case 824. Mr. Thomas seconded the motion. Roll was called. Anderson – No, Brown – No, Roberge – No, Smith – No, Thomas – Yes, Woodruff – Yes. Case 824 was **DENIED**.

Chairman Anderson asked for a motion to approve Case 825. Mr. Woodruff motioned to approve the variance requested for Case 825. Mr. Roberge seconded the motion. Roll was called. Anderson – No, Brown – No, Roberge – No, Smith – Yes, Thomas – Yes, Woodruff – No. Case 825 was **DENIED**.

Ms. Nancy Hall from the audience commented that the proposed business is directly behind her home. Ms. Hall stated she has grandchildren and is concerned about strange people behind her property. Mr. Woodruff acknowledged her concern and reminded Ms. Hall this property zoned commercial for a while. Mr. Woodruff stated that the variances were not approved by the planning commission.

Chairman Anderson introduced Case 815, THE CITY OF WHITEHALL, the APPROVAL AND PRINCIPAL DEVELOPMENT PLAN (previously titled the PRE-APPLICATION MEETING), 1123.16(j), continued from July 1, 2021, regarding the development at the northeast corner of East Broad Street and South Hamilton Road.

Mr. Woodruff stated the commission has received the new, extensive preliminary zoning packet. According to PUD standards, one of the property owners proposing the PUD is to be the applicant. In this case, the City of Whitehall is the applicant. Jenna Goehring presented two photos of the plan.

Michael Shannon presented Case 815. Mr. Shannon reviewed highlights for **Mr. Thomas**. Mr. Shannon stated that PUD zoning allows for mixed-use development. It stipulates there must be good use of public open space, community facilities, and is geared to

having different styles/types of housing, retail, and office space. Mr. Shannon explained that in looking at the corner of the diagram of Broad and Hamilton, there will be road improvements at that corner. It is more likely than not the Speedway will not be there. In lieu of that, a pocket park with an entrance feature and following that entrance feature all the way up to the lake is the promenade that will go through the made corridor of Phase 1. There will be three different villages: The one in the lower left corner is the southwest corner. The one to the north that bounds with the park and Poth Road. The one on the east that is bounded by Broad Street to the south, the park to the north, and Big Walnut Creek to the east. Phase 1 has purple buildings which are multifamily buildings. These are seen as market rate, in the neighborhood of about 250 units. The yellow buildings are neighborhood retail. Along the vista that goes up to the park, there is the opportunity for live/work space. There are also large commercial uses at the end caps of the yellow buildings (predominantly multiple restaurants). The red spaces are community buildings. The one in the center of Phase 1 will probably be a community building with an emphasis on public art. Following the promenade up to the man-made lake (which will handle the storm water), there is an amphitheater (which has an 18 foot shift in the grade) will form a natural amphitheater that will be bucolic in nature. Also, in the north quadrant, the purple – multifamily, green could be single family for-sale townhomes (still on the drawing board), yellow – commercial, blue – office, and orange – multifamily. An exception is on Poth Road the orangish-yellow is pencilled in as a senior-care facility. Moving on to the east side of the pond with Big Walnut Creek to the east, this is where what we believe is the greatest opportunity for office development with frontage to Broad Street. Two traffic lights will be installed – one at the entrance between the two blue office buildings. That building footprint is roughly 29,000 sq ft which would be just one floor with the possibility of two, three, or four floors. Getting closer to the natural features of the lake and the green space, there will be multifamily, possibly by this stage, higher end multifamily with, again, for-sale units. The bottom line is that the only way to integrate these types of mixture of uses under the zoning code is in the planned unit development district. PUD allows the specificity of seeing a land use plan and in this case, we have a master land use document as well. By the time we get to the final development plan, the information will be what Mr. Shannon called more "granular." Mr. Shannon stated that you will actually get a feel for Phase 1, exactly what we think the square footages are going to be, how the parking is going to function, the number of units in each building, and the streets. Mr. Shannon pointed out that the major entrance point would be off Hamilton Road. The roundabout corner at the pocket park at Broad and Hamilton would allow vehicular access for pedestrian pickup and drop off. There will also be teaser parallel parking to activate the corner. The green space going through the promenade and the green space going through the development is currently planned to remain as parkland

which is subject to change. Obviously, we would have to maintain that as parkland. We have not fully vetted that with the City directly. Mr. Shannon believed that the client would have to take over the maintenance. Mr. Woodruff confirmed. This started off being a \$250 million project prepandemic. The costs of lumber have finally come down but little else. The developer has the skill, ability, and work performance to deliver the significant capital infusion that hopefully would allow initiation of demolition possibly as soon as October and shovels in the ground as soon as March 2022. Mr. Shannon stated the packet given the commission members is the development agreement between the client and the city.

Mr. Woodruff asked Ms. Goehring to refer to Phase 1 diagram. Mr. Shannon further explained that (differing colors) pink – retail, B -- live/work units, and E is the bright yellow which -- liner buildings. The street goes up next to those buildings, giving a more European feel. It also blocks the parking behind that serves not only them but C, the apartment buildings. To the north is the red building, an amenity building/workout facility. **Mr. Woodruff stated that D is a three-story walkup, similar to Norton Crossing. That is technically 1A.** On the north and east side of 1A is 1B. Mr. Shannon believes 1A will kick off in March 2022 with 1B being a seamless transition that as we construct and build the rooftops in Phase 1 that we will already have a lot of equipment on site and based on the success of Norton Crossing, the Weiler development, and the Cass development. This project is contiguous to the 80-acre Whitehall Community Park. Mr. Shannon stated this in his business this would be considered a 150-acre development – nothing like this exists inside of 270 anywhere. Tonight is procedural and important to receive a favorable recommendation. **Therefore, Mr. Shannon respectfully requested approval of the approval and principal development plan.**

Chairman Anderson asked for clarification if the city planned to own any other buildings or structures that will require maintenance. Mr. Woodruff stated the city has no intent on owning any of the buildings with the exception potentially some of the civic buildings Mr. Shannon mentioned that could serve for art purposes or open-air pavilions.

Chairman Anderson also asked for clarification regarding the entrance on East Broad Street. **Mr. Woodruff stated that entrance would be no left turn by virtue of a curb-height, brick median as part of the Broad/Hamilton Intersection Improvement Project.** The first entrance on Broad does not have a traffic signal. The middle entrance does not have a traffic signal. The Hamilton road entrance will have a traffic signal by the entrance to Charisma Life. As close to the ridge as we can get on Broad Street will have a traffic signal. Roadway 2 will be right in/right out. Roadway three, around the Speedway, will be also be right in/right out.

Mr. Brown asked for clarification regarding seating at the amphitheater. Mr. Shannon stated there is great flexibility for seating and that they would work with Parks and Recreation regarding the most efficient manner of seating and handicap accessibility. **Mr. Shannon also mentioned the extensive network of paths coming from the park, Poth Road, and through the development to the 90-foot open space to the lake. There is also a bicycle trail down to Broad Street.**

Mr. Roberge asked for clarification on the two red buildings. Mr. Woodruff stated those buildings would be the clubhouse, fitness center, and pool. Mr. Shannon stated this is the latest preliminary drawing.

Mr. Woodruff stated the three-phase plan is to show the intent of the overall plan. Phase 1A is close to what will be built. Mr. Shannon and his team are working on the HUD submittal. We are working on streetscape to landscape to building elevation. Once submitted to HUD, the plans are final for Phase 1A. The preliminary development plan is to show the general overview. The PUD text will be more detailed in the future for Phase 1A. We have a good idea what will happen in 1B. Two and three will be market driven. The overall text of the zoning attachment will detail everything from setbacks to landscaping to building materials to roof lines and windows. Ten years from now, as Phase 2 or Phase 3 gets going, the city may not know exactly where the buildings will be but will know generally what type of buildings and kinds of uses to create the maximum amount of certainty while ensuring the flexibility the developer needs to undertake a project that will take a decade to develop. Mr. Brown asked about the timeline. Mr. Woodruff stated the developer has 10 to 15 years to get the project fully phased out, meeting certain benchmarks that are in the development agreement. If the developer does not perform in a mutually agreed upon time frame, the undeveloped land will be returned to the city.

Chairman Anderson asked for clarification regarding infrastructure. Mr. Woodruff stated the city has received roughly \$7 million in external funding to build the three roads. The pedestrian plaza will be built during Phase 1A. The pond will be necessary for water retention and as an active amenity in the park, and we are working to get the amphitheater completed as part of Phase 1A as well.

Chairman Anderson asked if there were further questions. Chairman Anderson asked for a motion to approve Case 815. Mr. Roberge motioned to approve the APPROVAL AND PRINCIPAL DEVELOPMENT PLAN requested for Case 815. Mr. Thomas seconded the motion. All in favor by responded with "Aye." Case 815 was **APPROVED**. Mr. Woodruff abstained. Ms. Smith abstained.

Chairman Anderson asked if there was any further business. Mr. Woodruff requested moving the September 2, 2021, meeting to September 9, 2021. Doing so, would allow having a planning commission meeting after the first reading at council. All members of the planning commission were in agreement to change the date to September 9, 2021.

Chairman Anderson asked for a motion to adjourn. Mr. Woodruff motioned. **Mr. Brown seconded the motion. All voted in favor to adjourn.** The meeting adjourned at 7:10 p.m.

**APPROVED** \_\_\_\_\_, 2021, respectfully submitted,

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Terry Anderson, Chairman

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Lori Morton, Secretary