

MARIEMONT PLANNING COMMISSION
REGULAR MEETING HELD FEBRUARY 17, 2010

The Mariemont Planning Commission met on Wednesday February 17, 2010. Mr. Stich called the meeting to order at 7:00 p.m. Present were Mr. Miller, Mayor Policastro and Mr. Sturtz. Also in attendance was the Building Commissioner, Dennis Malone.

1. Application from Spinnenweber Builders, Inc, 6880 Wooster Pike, Mariemont, OH 45227 for rezoning of two parcels of property located in the Village of Mariemont from Residence 'B' to Business 'A'. Those parcels of property are located at 6928 Madisonville Road and 6927 Thorndike Avenue.

Finding of the Building Commissioner: This Public Hearing of the Planning Commission is the first step in a nine-part process for rezoning a parcel of property in the Village of Mariemont. The Planning Commission will meet with the Applicant and vote to approve, deny or modify the Application and report same to Village Council.

- *Above Application shall be subject to limitations set forth in Section 151.040 of the Village Ordinance No. 0-04-96 as adopted by the Village of Mariemont, March 25, 1996.*

Mr. Dan Spinnenwber, Spinnenweber Builders Inc. (SBI) said he does not have any planned renderings or drawings at this time. Before they enter into any of those stages they felt they needed to clear the matter with the Village if they are open to the concept of expanding or changing the Village Square. They are not requesting the zone change this evening but rather approval of the Village on the concept of the zone change. The way to get the process started is to apply for the zone change and have it contingent upon Planning Commission, ARB (if appropriate) and Council approval. His concern is within the next three years all of the leases on the Square will enter into option periods. They will need to negotiate with some of the people to retain the businesses they have.

Mr. Spinnenweber showed members of the Planning Commission a map outlining the proposed changes. He gave a brief history on how SBI acquired the properties. When plans were underway to expand the Mariemont Inn back in 2002 they acquired the apartment building on Madisonville Road and one piece on West Street. The apartment building on Madisonville Road was re-zoned with a conditional use contingency for parking. The conditional use expired when the Inn was not expanded. This left them with a vacant lot and an apartment building. It is difficult to own an apartment building in Mariemont between the taxes and the energy costs. February 2008 he was approached by Rick Greiwe, Greiwe Development Group. Mr. Greiwe was going to build three buildings with apartments and housing for the MariElders. The idea was for SBI to swap the Madisonville apartment building for the present MariElders building which included five parking spaces. The stressed out parking in the area would not work for SBI and therefore he was not interested in selling. The next plan Mr. Greiwe proposed was to

build zig zag around SBI property. It was the first presentation made to the Planning Commission. He told Mr. Greiwe that SBI has an easement through the alley for ingress and egress which resulted in the plan going no further. Mr. Greiwe presented a new "C" shaped plan with all of the vehicle traffic ingress and egress exiting on the 20' alley. The other problem was the front door would open right on to his parking lot. The other problem was there was no parking for guest parking. He told Mr. Greiwe that a solution would be to widen the alley to 60' right-of-way (full street width) with sidewalks on both sides it could be considered. Mr. Greiwe proposed 24' street with a 4' sidewalk which in his opinion is too small to walk down the sidewalk or turn a vehicle. The current plan by Mr. Greiwe now includes Murray Avenue. During the whole process SBI was concerned with the zoning code being violated with all the variances. After Residence "D" went on SBI approached Mr. Greiwe with selling to them the back option (6927 Thorndike). He needed some depth/width between the proposed apartments and his buildings. It appears to be a better solution and would allow SBI to look at a myriad of options. Mr. Greiwe said if SBI would release their easements along the alley he would give SBI the option to buy 6927 Thorndike. SBI will not buy the property until Mr. Greiwe owns the other six properties because the easement is still in tack. If he bought the property he would be faced with the same problem of owning two properties with an island in between.

Some of the ideas SBI has for the area are some things he considers flaws. The retail space is not efficient. They could possibly build a more valuable building. There also is not enough retail. More retail would help the center. The current parking lot is in a hole and is hidden. The grade could be changed to end up with a level parking lot. The other issue they face is the lighting which shines on everyone along Thorndike. He is also not happy with the rear access. The whole ingress and egress could be redeveloped. Another problem is the back doors are actually used as the main front door for many of the retailers.

Mr. Miller asked if there was a possibility of some building being taken down. Mr. Spinnenweber said that could be a possibility.

Building Commissioner Malone said the building themselves are not historic but they are located within the outline of a Historic Zone.

Mr. Spinnenweber said parking garages do not work in suburban retail. People want to see where they are going to park. Tiered parking may work for office space but not retail.

Mr. Stich said SBI is looking for a sentiment from the Village to their willingness to entertain the development of those parcels of property as Business A so they can move forward with planning. But there is not yet a plan.

Mr. Spinnenweber said the land is so expensive that it is really hard to develop anything on it that is only one story. His two lots equal 1.7 million an acre or \$39 per square foot for the raw land. He wants to keep the business center going. We need some flexibility. He went out on a limb to contract the properties because he feels so strong

that it is important to keep the town square going. The flagship is the hotel and that is what he is all about.

Mayor Policastro said if this was approved when SBI would have plans to be approved. Building Commissioner Malone said the Planning Commission has the right to attach conditions to the recommendation to grant the approval of the zone change. Mr. Spinnenweber said it would be difficult to give a time frame especially in this day and age. The zone change would be of no value until SBI came with a plan that is approved. He would need time to talk to his tenants and address whatever needs they may have to determine costs factors.

Mr. Sturtz said he is inclined to give SBI the flexibility. He would rather see SBI go to their tenants and tell them he has the green light from the Planning Commission giving him the capability of altering the space as needed versus the tenants vacating to the Promenade.

Mr. Miller said we need to make sure that whatever SBI puts up complements the work done by Greiwe development. The commercial has to complement the residential and vice-versa. Mr. Spinnenweber said they have been working together. He said he would not put up anything that would not complement the Mariemont Inn or the new condo development. He reminded the Planning Commission that the Village would have the last say on whatever is proposed.

Mr. Stich said the last time Mr. Greiwe was at the Planning Commission meeting there was discussion about this very issue. The basic understanding was the SBI was retaining the property not because they wanted to own a couple of multi-family dwellings. He does not believe it was any secret when Mr. Greiwe obtained the re-zoning of the properties. He does not have an issue with re-zoning the property. The concern he has what is it going to be. No one wants to buy a pig in the poke. He does not have a problem passing this on to Village Council with the recommendation for the re-zoning to be contingent upon there being a development plan as referred to in the Ordinance. There is a difference in the way this would be re-zoned versus Residence "D". Residence "D" had a whole series of protections to ensure that the re-zoning does not even occur until everything is in place. Village Council and the Planning and Zoning Committee are going to have to grapple with is once you grant the re-zoning do the conditions still hold. If down the road there is no agreement on what is going to be done in the Residence "D" property what is the extent of which Council can enforce its will. However, he does not anticipate it being an issue.

Mayor Policastro said the beauty of the agreement is the contingency. SBI would need to come before us with a plan and we have the right to aye or nay. His past experience working with SBI and Mr. Spinnenweber on the Strand, Village Square and Theater Projects he has always done what he said he would do. He has the utmost trust for Mr. Spinnenweber who is working with Mr. Greiwe. The two together will make a fine project.

Mayor Policasto moved, seconded by Mr. Miller to re-zone the property from Residence "B" to Business "A" with the contingency that the plans must come before the Planning Commission for approval. The proposed Ordinance would be forwarded to Council for adoption. On roll call; four ayes, no nays.

Mr. Miller moved, seconded by Mr. Sturtz to accept the minutes as written for January 20, 2010. On roll call; four ayes, no nays.

The meeting adjourned at 7:45 p.m.

Respectfully Submitted,

Mr. Jeff Sturtz
Secretary

