

**MINUTES OF MEETING**  
**INDIAN HILL PLANNING COMMISSION**

**JUNE 30, 2009**

A special meeting of the Indian Hill Planning Commission was held on Tuesday, June 30, 2009 at 7:30 p.m. in the Fire Department's Training room at 6475 Drake Road.

Members Present: Paul F. Madden  
Jane G. Koppenhoefer  
David T. Ottenjohn

Members Absent: Richard C. Wiggers  
Abbot A. Thayer

Officials Present: Michael W. Burns, City Manager  
David M. Couch, Assistant City Manager

Visitors Present: John Zaring, Armstrong Chapel  
Bill Mitchell, Armstrong Chapel  
Ben Richards, Champlin/Haupt Architects, Inc.  
Carol Tuthill, 5475 William Henry Harrison Lane  
Thomas Tepe, Jr., Keating Muething & Klekamp PLL  
Hugh Brandt, 6550 Shawnee Ridge Lane  
Chip Nielsen, 7275 Cayuga Drive  
John Gross, 4900 Councilrock Lane  
Galen Mills, 7600 Brill Road  
Joe & Louise Rhodenbaugh, 8155 Indian Hill Road  
Greg Stover, 6520 Madeira Hills Drive  
Jim Beck, 8459 Wetherfield Lane  
Nathan Custer, 6618 Hialea Court  
Deb & Tuck Krehbiel, 8225 Brill Road  
James Gould, 5250 Drake Road  
Mark Kuenning, 8035 Remington Road  
Steve & Jill Smith, 5420 Drake Road  
Scott Phillips, Frost Brown Todd  
Steve Waxler, 8200 Indian Hill Road  
Joe Rhodenbaugh, 8155 Indian Hill Road  
Dobbs Ackermann, 7735 Annesdale Drive

Chairman Madden called the meeting to order and asked for anyone planning to speak on behalf of this case, to please stand, raise their right hand, and be sworn in prior to speaking.

Chairman Madden notes that he was not at the June 16, 2009 Planning Commission meeting but has listened to the entire recording of the meeting.

**Item Number 1:** Continuation of the June 16, 2009 Planning Commission meeting - The Armstrong Chapel United Methodist Church, located at 5125 Drake Road, is requesting special exception approval to construct a building addition with improvements to the existing church. The Armstrong Church operates as an approved special exception under the continuing jurisdiction of the Planning Commission.

Mr. Greg Stover, Senior Pastor for Armstrong Chapel United Methodist Church, comes before the Commission and comments that in addition to himself, Mr. Mark Kuenning, Chair of the Leadership Team, Mr. Galen Mills, Chair of the Building and Facilities Committee, and Mr. Joe Rhodenbaugh, one of the leaders at the church, will be available to assist in the presentation of the request and answer any questions that may arise.

Mr. Stover notes that leaders of the church have met with neighbors four times in the past two weeks as well as exchanging phone calls and emails. Agreements have been reached in a number of areas including:

- The establishment of a joint Armstrong Chapel and Neighbor Committee which will meet semi-annually to discuss operational matters related to the church. Emergency contact numbers will be provided by the church in the event that a situation arises that needs immediate attention.
- Church leaders have agreed to limit the utilization of the church for Interfaith Hospitality Network to four times annually and to provide additional shielding from light through blinds. In addition, the location for early morning pick-ups has been moved.
- Church leaders have confirmed and clarified a previous Jefferson Schoolhouse agreement with the neighbors, including provisions to use less visible light inside and outside of the building.
- Outdoor activities for the church will not begin before 8:00 a.m. or after 9:00 p.m.
- The church will provide over \$20,000 for landscaping to further diminish the impact of headlights and noise that may occur from time to time. Most of the landscaping will be on neighboring properties.
- Church leaders have agreed to address unauthorized use of the parking lot by others, and to do that in cooperation with the Indian Hill Rangers.
- Church leaders have agreed to change the style of windows in two sections of the gathering area that were of particular concern to neighbors and move to a more residential style of window in those areas. This has resulted in at least an additional \$10,000 for the church.

- Additional shielding of light will be provided by use of blackout blinds on the eastward windows of the gathering area of the proposed addition.

Mr. Stover comments that there's one area of significance in the text in which church leaders and neighbors have not been able to reach a mutually satisfying language. Neighbors have asked for language that would require Armstrong Chapel to gain approval of a majority of the neighbors or subsequent owners of those properties prior to bringing any plan before the Planning Commission for future expansion and to agree never to construct a gymnasium.

Church leaders have suggested alternative language that would state that they agree, at this time, to eliminate the gymnasium from the site plan and amend the current master plan to delete this aspect of the proposed expansion. Church leaders would agree that, should they plan to expand in the future, they will meet with neighbors to attempt in good faith to reach consensus concerning such plans before seeking approval from the Planning Commission. Mr. Stover states that they are unable to accept an agreement that ties the hands of future governing boards and leaders of Armstrong Chapel.

Church leaders are aware that neighbors are still concerned about the size of the proposed addition. Efforts have been made to explore other alternatives; however, the other alternatives fall short of meeting the church's needs.

Mr. Stover emphasizes that the planned worship center was not designed to accommodate dramatic growth, but to strengthen the ability to meet the needs of current membership.

Mr. Galen Mills comes before the Commission to address, on behalf of Armstrong Chapel, the twelve standards that must be met prior to granting a special exception.

1. The establishment, maintenance, or operation of the special exception will not be detrimental to or endanger the public health, safety, convenience, comfort, morals, or general welfare.

The church has been at the northwest quadrant of Drake Road and Indian Hill Road for over fifty years and has proven to be a positive land use and a good neighbor. The proposed expansion will not be detrimental to or endanger the public health, safety, convenience, comfort, morals, or general welfare, and actually should promote the aforesaid public purposes. The church is expanding its facilities to meet the current demands and needs of its congregation without having to increase the parking areas or alter the character or integrity of its site. The same architectural style that has been so appropriate for a rural type church setting of this nature will be carried forward with the expansion. The building expansion will not be an extension into any undeveloped area or closer to any property line than the existing development. There will be no expansion

or extension to the south toward Indian Hill Road, and no expansion or extension to the west toward the rear property line opposite Drake Road. Along Drake Road, the expansion will be set back at least the same distance as the front of the church. The proposed expansion is essentially to the north, but will be south of the parking lot which is on the north side of the church and south of Brill Road.

All of the abutting property owners near the expansion area will have enhanced conditions. Visually, the appearance will be essentially the same. "Before" photographs have been taken looking to the northwest from the intersection of Drake Road and Indian Hill Road, looking to the southwest from the intersection of Drake Road and Brill Road, and looking south from Brill Road near the northwest corner of the property. From these same vantage points, using computer imaging, "after" photographs have been taken that reflect the expanded facilities. The visual change is negligible. Moreover, the church has undertaken additional steps to mitigate any potential impacts by working with the neighboring property owners.

The Krehbiel property is on the south side of Brill Road, abutting the church property on the west. Under existing conditions, the church property has a drive that extends along its west side from Indian Hill Road on the south to Brill Road on the north. This driveway will be reoriented on the northerly part of the site to divert traffic away from the Brill Road access point, which will mitigate the internal traffic in the vicinity of the Krehbiel property.

The Rhodenbaugh property is on the north side of Brill Road, west of Indian Hill Road, directly north of the church, and would be the most directly affected property. The Rhodenbaughs have reviewed the plans and have concluded that the church has properly designed the expansion so as to not negatively impact their property. They have written a letter of confirmation to the Village.

The Gould property is to the northeast of the church property, on the east side of Drake Road, just north of the intersection of Brill Road. The church has agreed to enhance their property by installing additional landscaping and screening along their frontage.

The Bieser property is on the east side of Drake Road, south of the Gould property and north of the Jefferson School property. The church is proposing to realign the Bieser driveway twenty feet to the north and do substantial landscaping across the Bieser frontage for better screening and privacy.

In summary, the legitimate needs of the church will be addressed, the character of the area will be preserved, and the abutting neighbors will be properly protected.

2. The special exception is not inconsistent with the Village's adopted Land Use Objectives and Policies.

A careful analysis of the "Land Use Objectives and Policies" appears to indicate that none of the policies and objectives are violated by the proposed expansion. Moreover, the manner in which the requested expansion is proposed demonstrates compliance with certain specific, applicable objectives.

Under "Character", Objective B states: "To preserve the spacious and quiet atmosphere of the Village in order to provide the opportunity for personal and family privacy." Thereunder, Policy 1 and Policy 2 are met by the modified lighting which is proposed for the parking area to replace the existing lighting. The lighting will be less intrusive and will have less spillage. Moreover, the landscaping which is described above on two of the adjacent neighbors' properties will afford them greater privacy.

Under "Ecology", Objective B states: "To preserve and enhance the natural monuments and scenic views within the Village and along Village roadways for the benefit of both residents and visitors." Thereunder, Policy 4 is met by having the building design of the expansion facilities be of the same architectural style as the existing church to ensure compatibility and consistency with the established character of Drake Road.

Under Physical Development and Site Design, Objective A states: To use the significant and unusual environmental features within the Village to guide the location of physical development. Thereunder, Policy 6 is met as this development will have the most efficient means of handling on-site wastewater and solid waste disposal.

Under Community Services and Facilities, Objective A states: To provide services and facilities that are consistent with the established character of the Village. Policy 3 is met by designing a new septic system that will handle the waste from both the existing and proposed facilities in an upgraded manner for the benefit of the surrounding property owners and the public at large. Objective B states: To meet the Village's responsibility for providing essential public services and facilities for the safety and protection of the health, welfare, life, and property of Village residents. Thereunder, Policy 3 is met by the redesign of the site to have state of the art stormwater drainage to protect against surface flooding and uncontrolled runoff.

3. The special exception, either alone or in conjunction with other special exceptions previously granted or otherwise existing, will not injure, diminish, or impede the use, enjoyment, or normal and orderly development of other property in the immediate vicinity of the parcel proposed for development.

The special exception requested is simply an expansion of the existing church facilities to meet the needs and demands of the existing congregation, many of whom are residents of the Village. As described above, the limited nature of this expansion, and especially the area within the site in which the expansion is taking place, will not adversely affect any other properties in the immediate vicinity. Further, as described above, the landscaping to be implemented by the church on certain adjacent properties,

as well as the treatment of traffic within the property, will allow for the protection of all surrounding properties.

4. The special exception is consistent with the residential character of the immediate vicinity of the parcel proposed for development.

As described above, this special exception is an expansion of the existing Armstrong Chapel use and is a continuation of the same architectural style and design, such that the character of the area will not change.

5. The special exception will not adversely diminish or impair property values within the neighborhood.

For over fifty years, Armstrong Chapel has been a good neighbor at this location. It is obvious from viewing all of the surrounding residences that their values have not been negatively affected by the church as demonstrated by the “before” and “after” photographs taken from key vantage points at the intersection of Drake Road and Indian Hill Road, at the intersection of Drake Road and Brill Road, and in the vicinity of the access point on Brill Road in the northwesterly portion of the property. The visual impact will be negligible at most and the aesthetic value of this attractive church setting will continue to enhance the values of the neighboring properties.

6. Adequate utilities, drainage, waste water treatment, and/or other facilities necessary to serve the proposed special exception already exist or will be provided.

Adequate and sufficient utilities are already in existence at this location and adequately serve the existing development and are available to serve the proposed expansion. Moreover, an underground stormwater detention system has been designed to improve the control of stormwater runoff. Further, a proposed new septic system will be an upgrade over the existing conditions and will therefore have a positive impact on the surrounding area.

7. Adequate access roads, entrances and exit drives, and off-street parking spaces already exist or will be provided and designed so as to prevent traffic safety hazards, to minimize traffic conflicts and congestion in the streets, and to maintain the rural residential character of existing roadways in the Village, without requiring improvements that will increase the capacity of existing roadways or will encourage their use by through traffic.

Studies conducted by the church indicate that the existing church parking lot has more parking spaces than needed. The proposed expansion, which is being undertaken to serve the needs of the existing congregation, will retain the number of spaces presently provided.

Moreover, the church has been well designed in terms of access points, with one access point in the southwest corner of the site on Indian Hill Road, one access point in the northwest corner of the site on Brill Road, the main access point to the parking lot on Drake Road, and the crescent drive on the west side of Drake Road in front of the church entrance. No additional access points are needed.

Accordingly, there should not be any traffic congestion or traffic conflicts on any of the three roads abutting the church property or for traffic entering or exiting the site.

8. The special exception will not adversely affect a known archeological, historical, or cultural resource.

There are no known archeological, historical, or cultural resources anywhere on this site. Moreover, the building expansion does not involve an extension into any undeveloped area.

9. The applicant has represented to the Commission that it has the capacity to complete, maintain, and operate the special exception as proposed and approved, and has made or will make adequate legal provision to guarantee the provision and development of any buffers, landscaping, public open space, and other improvements associated with the proposed development.

With a fifty plus year history, the applicant has demonstrated the ability to complete, maintain, and operate a church at this location in an attractive, aesthetically pleasing, and well landscaped setting. The church's track record at this location is the best evidence of the continued quality that can be expected on this site.

10. The special exception shall in all other respects conform to the applicable regulations of the zoning district in which the property is located, except where Planning Commission in a particular case grants a variance from the regulations pursuant to Section 101.5 or, if the regulations are of the type that may not be varied under Section 101.52, where Council in a particular case waives or modifies the regulations pursuant to the recommendations of the Commission.

The subject property is located in zoning District "B". The existing church building and the proposed expansion will comply with all of the district regulations as to use, lot frontage, front yard depth, side yard width, each side yard, and rear yard depth. The sole exception is lot area, as ten acres is not required for a place of worship. This church use was established prior to the time that the zoning regulations required a minimum lot area of ten acres. Since there is no violation of any of the required setbacks and no diminution of any of the actual existing setbacks, there should be no adverse affect upon any other property in the district.

11. All exterior lighting fixtures will be designed, directed, or shaded so that no direct light is cast upon any other property; and all driveways and off-street parking areas will be designed and screened to minimize the illumination of adjacent residential properties by automobile headlamps.

The proposed exterior lighting will be an enhancement over the existing exterior lighting, as the existing lighting fixtures will be replaced with state of the art fixtures that have "full cut-off" luminaries, as the lighting source will be recessed within the fixture. As such, no lighting will be directed toward any neighboring property, and there will be no spillage of light off-site. This is confirmed by the photometric plan which shows 0.0 foot-candle levels at the property boundary lines.

12. All buildings and structures within 25 feet of the minimum front yard, side yard, or rear yard required under Section 63.1 or 73.1 will be screened by landscaping of a type, nature, and seasonal character that will ensure the privacy of adjacent dwellings and will ensure that the visual character of the use will be compatible with surrounding uses, and all accessory outdoor storage areas, mechanical equipment, and waste disposal facilities will be screened from the view of adjacent buildings.

There will be no new structures within any of the required setback areas. The privacy of adjacent residences will not be impacted. There is no exterior mechanical equipment proposed or anything not fully consistent with the existing architectural character of the building. Any and all storage areas, mechanical equipment, and waste disposal facilities will be fully screened from the view of any adjacent dwelling.

Mr. Mills states that the existing church use and the proposed expansion are fully consistent with the standards set forth in the Indian Hill Zoning Ordinance for the approval of a special exception.

Mr. Mills displays an aerial view of the site and surrounding properties before the Commission. Plans show the area in its current state and with the proposed addition from several different views.

Mr. Mark Kuenning notes that there are presently two hundred sixty-five parking spaces on the site. The proposed plan includes two hundred seventy-two parking spaces. Although it is not anticipated, if the need arise there is room for an additional thirty-eight spaces.

Mr. Madden asks for any comments from Staff concerning the twelve standards presented by Mr. Mills and his response to the standards.

Mr. Couch comments that Staff feels the standards presented above meet the criteria for acceptance. Standards 4 and 5 prove difficult to have a definitive answer as to

whether or not property values will increase or decrease from this type of project. Otherwise, Staff agrees with the way the above standards are written.

Mr. Madden draws attention to the response to Standard #1 stating that "The building expansion will not be an extension into any undeveloped area or closer to any property line than the existing development." However, the building will extend further north than it currently does. Mr. Madden states that he believes what is meant is that the actual hard surface that is currently there will not change. The building itself does extend into undeveloped area.

Mr. Madden notes that comments were made that the same architectural style as the existing church will be used with the addition. There is some questioning as to if the new entrance and cupola being added is a continuation of the current style.

Mr. Ben Richards, with Champlin/Haupt Architects, Inc., explains that the existing architectural style is of a Georgian architecture. The style of the cupola, use of red brick, existing roof line, and colors are all in keeping with the Georgian style.

Mr. Mills notes that after discussions with neighbors with regard to some of the new windows, a change in the style of window has been made to more of a residential style. Blackout blinds will also be used to block light from escaping during evening events.

Mr. Stover emphasizes that this expansion is much needed for the vitality of Armstrong Chapel and to support the church's ability to be of service in the community. Armstrong Chapel prides itself in being a church for all ages as well as serving many generations. Mr. Stover reminds the Commission that the church has had virtually no expansion for nearly fifty years. This addition will help Armstrong Chapel serve the needs of the current generation.

Mr. Madden asks for clarification from Village counsel as far as if the Planning Commission should be concerned about and review agreements that have been made between Armstrong Chapel and their neighbors in making their decision on this special exception.

Mr. Scott Phillips, with Frost Brown Todd, responds by stating that the Commission can either view those agreements between the church and their neighbors as totally separate and not allow them to affect their decision; or the Commission can attach those agreements to the decision as conditions for approval of this special exception. If these agreements are part of the Commission's decision, it will be the responsibility of Staff to enforce them.

Some discussion followed concerning details of these agreements and changes to the site plan.

Mr. James Gould, residing at 5250 Drake Road, states that he and several of his neighbors have worked diligently with the church to attempt to come to some type of an agreement that would resolve some of their concerns. However, no agreement has been reached.

Mr. Gould explains that he and his neighbors feel that the major expansion the church is asking for is not consistent with the residential character of the neighborhood, nor does it meet some of the other standards required for special exception approval. The effort of the neighbors was mainly focused on getting the congregation to downsize the addition.

During the meetings between the church and neighbors, many topics were discussed including the hours of operation, lighting, landscaping, parking, and most importantly downsizing the addition. During these discussions, progress was made. However, it was revealed that future expansion is planned. There was mention of a gymnasium and other facilities being added at a later date. The neighbors reluctantly agreed to allow the Planning Commission to decide the fate of this project if the church would agree not to build a "Phase II" which would include a gymnasium. Mr. Gould points out that the church cannot control the noise level and traffic flow at the current point in time. Adding another addition would only increase these problems as well as reduce property values in the neighborhood. Representatives for Armstrong Chapel would not guarantee that a gymnasium would not be included in future plans. Therefore, no agreement was reached between the parties.

Mr. Thomas Tepe, Jr., with Keating Muething & Klekamp PLL, comes before the Commission, representing Mr. Gould. Mr. Tepe states that in the church's response to the twelve standards a constant theme of "we need it because we need it" is apparent. Mr. Tepe feels strongly that this request does not meet the twelve standards for approval of a special exception. With the proposed expansion, the church will not "fit in" with the rural character of the surrounding area. This addition is simply too large for the size of the lot. If approved as proposed, the church will be doubling in size.

Mrs. Deb Krehbiel, of 8225 Brill Road, expresses concern regarding noise levels and how noise reflects off the large paved areas on the property. Mrs. Krehbiel would like to see more pervious surfaces for parking in an effort to reduce the transfer of noise to their property.

Mr. Steve Waxler, residing at 8200 Indian Hill Road, notes that he would like to have a continuation of the Krehbiel fence along his fence line that extends to Indian Hill Road. Mr. Waxler feels that he needs a barrier from the headlights, noise, and view of the church dumpster. Mr. Waxler mentions that his dogs also bark whenever they see people in the church parking lot.

Mr. Burns explains that Mr. Waxler's request for a fence is a totally different process, and the Commission cannot make it a condition of this approval.

Mr. Joe Rhodenbaugh, of 8155 Indian Hill Road, states that he supports the proposed project. He feels any noise generated from the church is relatively minor. Mr. Rhodenbaugh believes property values around the church have an established value, and that this expansion will not change property values. He feels the proposed addition will be good for the community.

Mr. Gould asks the Commission to include the agreement between the neighbors and Armstrong Chapel in any approval that would be issued concerning the proposed special exception.

Mr. Burns notes that Staff has not seen the detailed agreement between the neighbors and Armstrong Chapel. He states that before he would make any recommendation to the board, he would like the Village's attorney to review the agreement.

Discussion followed concerning school buses sitting in the church parking lot waiting to start their route. Mr. Kuenning mentions that this issue was brought to their attention after recent discussions with neighbors. Church leaders were not aware that this was happening up to that point. Church leaders have contacted the school concerning this matter, and a letter will follow asking them to have bus drivers stop waiting in the church parking lot for their route to begin.

Other unauthorized uses of the parking lot were also brought to the attention of church leaders by neighbors. Mr. Kuenning notes that he has asked Staff to have the Rangers increase patrol of the area, especially late at night and on weekends.

Mr. Phillips clarifies that although he did say that it was a possibility that the Commission could attach the agreement between the neighbors and Armstrong Chapel to the decision as conditions for approval of this special exception, he is not recommending that they do so. If the agreement is attached to the approval as conditions, it will create a lot more enforcement issues. Disputes between neighbors are better left between neighbors, rather than the Village getting involved.

Mr. Phillips comments on a statement made by Mr. Tepe, noting that in the twelve criteria that the Commission has before them, size is not specifically listed. Obviously, the zoning ordinance addresses size by height and lot coverage, but it doesn't really address it as one of the criteria that the Commission is to consider in looking at this request. Mr. Phillips states that there is an argument that the proposed addition may have an impact on the neighborhood or character of the neighborhood.

Mr. Phillips also mentions that there has been a lot of talk about what may happen in the future. This issue should not be addressed by the Commission in making their

decision. Only the application before the Commission at this time should be considered. What may happen in the future is completely irrelevant.

Lastly, Mr. Phillips addresses a comment made suggesting that the church may not be in compliance due to possibly hosting activity that is inconsistent with the religious nature of a church. Again, this is not before the Commission. If there is a compliance issue, it should be handled through the enforcement mechanism that's provided in the code.

Mr. Dobbs Ackermann, of 7735 Annesdale Drive, comes before the Commission on behalf of Hill Kohnen at 5070 Drake Road. Mr. Ackermann asks the Commission to address several issues including size, usefulness of the existing structure, and renovation of the existing structure instead of the addition. Concerns are also voiced regarding noise, traffic, and parking issues.

Mr. Madden explains that these issues were previously discussed in this meeting and in the June 16, 2009 Planning Commission meeting.

Mr. Tuck Krehbiel, residing at 8225 Brill Road, notes that he would like to speak but was not sworn in at the beginning of the meeting. After Mr. Madden does so, Mr. Krehbiel mentions that when he moved into his home, the church parking lot was gravel and sound did not travel like it does now that it's paved. He would like to see the Commission place a condition on the approval that includes more pervious surfaces.

Mr. Madden asks church leaders that although no future expansions are before the Commission or are being considered, how long do they believe this building will meet their needs.

Mr. Stover replies that it is very difficult to determine how long the building will meet their needs. However, if you look at the past growth of Armstrong Chapel over the years, it has been a very stable congregation. Mr. Stover believes it will be at least fifteen or twenty years before a serious look is taken at any kind of expansion beyond what could be done in the center open area, which would not affect any surrounding neighbors.

Mr. Madden asks if the Fire and Police Departments have reviewed the driveway/parking area of the church. Mr. Couch states that the Fire Chief would need to approve the revised plans. Mr. Burns reminds the Commission that these plans must also go through building code review, which will cover the above mentioned issues. Any plans must be in compliance with code requirements.

After discussion and further review of the plans, Mr. Madden suggests that a monthly calendar be made that shows the date and time of all activities held at the church for

disbursement to Staff, the Police and Fire Departments, neighbors, and anyone else interested in knowing what events will be taking place and when.

Mr. Stover mentions that a calendar is on the church's website, and they will also email or appropriately deliver a copy to those who are interested in receiving one.

Mr. Ottenjohn inquires about the construction schedule. Mr. Stover replies that they hope to break ground near the end of August and complete the project by the end of September 2010.

Mr. Ottenjohn asks if funding for the project has been finalized. Mr. Rhodenbaugh states that the church went through a capital campaign and has pledges from two hundred members totaling five million three hundred and fifty thousand dollars. There is also a loan commitment from Union Savings Bank for 2.5 million dollars. This will be more than enough to cover the cost of the project.

After a broad discussion, Mr. Ottenjohn comments that he would like to see the conditions of the agreement between the church and the neighbors as a part of the approval. Mr. Ottenjohn offers some suggestions to be considered that he prepared prior to the meeting which include the following:

**Preamble:** The Indian Hill Planning Commission appreciates the efforts of the applicant to work with the adjacent property owners. In consideration of that effort, and with the revised commitment outlined in the applicant's response to the twelve standards required of a special exception in Indian Hill that was submitted this June 30, 2009, the Indian Hill Planning Commission will approve the special exception with the following conditions described below. It is the opinion of the current Indian Hill Planning Commission that the acceptance of this plan maximizes the utilization of the site, and that future Indian Hill Planning Commissions should take this position into consideration in any future request to be submitted by Armstrong Church.

The conditions are as follows:

1. All Armstrong services, events, and meetings will have the related cars parked on Armstrong's property. Drake, Indian Hill, and Brill Roads will not have cars parked on them during Armstrong services, events, and meetings. It will be the responsibility of the applicant to make sure that the existing parking lots are used without exceeding their capacity.
2. Any future change in use, site plan, new development, or construction will need to be approved by the Indian Hill Planning Commission. This special exception is subject to the continuing jurisdiction of the Planning Commission.

3. No future parking on the southeast lawn or other area will be allowed in a traditional manner. Any parking proposed in the future will need to be a pervious surface.
4. The applicant will adhere to the commitments made in the revised response to the twelve standards required of a special exception, submitted June 30, 2009.
5. This approval of the special exception is subject to the execution of written "Findings of Fact" by the Indian Hill Planning Commission.

Mr. Ottenjohn leaves the option open to change or add additional conditions to the above, and suggests that some of the agreements between the church and the neighbors be included as conditions.

After a lengthy discussion, Mrs. Koppenhoefer made a motion to take a ten minute recess to allow Staff and Village counsel to organize the list of conditions to be placed on approval of the special exception. Mr. Ottenjohn seconded, and the motion was approved by a unanimous voice vote.

As the meeting is called back to order, discussion continues regarding the conditions to be placed on approval of the special exception.

The application for special exception is proposed for approval as follows:

**Preamble:** The Indian Hill Planning Commission appreciates the efforts of the applicant to work with the adjacent property owners. In consideration of that effort, and with the revised commitment outlined in the applicant's response to the twelve standards required of a special exception in Indian Hill that was submitted this June 30, 2009, the Indian Hill Planning Commission approves the special exception with the following conditions described below. It is the opinion of the current Indian Hill Planning Commission that the acceptance of this plan maximizes the utilization of the site, and that future Indian Hill Planning Commissions should take this position into consideration in any future request to be submitted by Armstrong Church.

The conditions are as follows:

1. Applicant shall insure that adequate parking is available on-site per the drawing submitted June 30, 2009 or off-site through private parking arrangements.
2. The applicant will adhere to the commitments made in the revised response to the twelve standards required of a special exception, submitted June 30, 2009.
3. This approval of the special exception is subject to the execution of written "Findings of Fact" by the Indian Hill Planning Commission.

4. No outdoor activities shall commence prior to 8:00 a.m. or continue past 10:00 p.m. Sunrise Easter services shall be permitted.
5. The approval is granted for the plans that were submitted to and reviewed by the Planning Commission on June 30, 2009.
6. All new windows along the Drake Road side of the building are to have blackout blinds installed to prevent light from escaping during evening use extending beyond 9:00 p.m.
7. Applicant shall submit a revised landscaping plan that addresses on-site and off-site improvements. Such revised plan shall be reviewed by Staff and must be acceptable to Staff.

Mr. Ottenjohn made a motion to approve the special exception subject to the above conditions. Mrs. Koppenhoefer seconded, and the motion was approved by a unanimous voice vote.

Mr. Phillips reminds those in attendance that this is a preliminary approval. The final approval will be through the adoption of the "Findings of Fact and Conclusions of Law".

There being no further business to come before the Commission, Mrs. Koppenhoefer made a motion to adjourn. Mr. Ottenjohn seconded, and the motion was approved by a unanimous voice vote.

Respectfully submitted,

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Paul F. Madden, Chairman

ATTEST:

Michael W. Burns, Secretary