I. CALL MEETING TO ORDER

The meeting was called to order at 7:00 p.m. by Chairman Darby.

II. ROLL CALL

Members Present: Dave Okum, Lawrence Hawkins III, Meghan Sullivan-Wisecup, Tom Hall, Joe Ramirez, Don Darby, Richard Bauer

Staff Present: Anne McBride, City Planner, Don Shvegzda, City Engineer; Gregg Taylor, Building Official

III. PLEDGE OF ALLEGIANCE

IV. MINUTES OF THE REGULAR MEETING

None.

V. REPORT ON COUNCIL

Chairman Darby: Is there a report on Council this evening?

Mr. Hawkins: Yes Mr. Chairman. City Council met on April 17th of this year. All seven members were present. We had before us Ordinances and a public hearing for Ordinance No. 8-2019 and Ordinance No. 9-2019 which both are addressing one of the matters that we had before us with regard to the Red Dog Pet Resort and Spa, Circle, those matters were voted with a 7 to 0 vote to table them. I will note in the discussion that Council had there were a couple of Council members that were questioning why this matter kept coming back and was being reported on to Council and had not been resolved by Planning Commission. Mrs. Sullivan-Wisecup and I explained to them that we were going through and trying to examine things and go over things with the applicant and that we understood their frustration and, I don’t want to say lack of patience, but their frustration that the matter has not been resolved and I explained to them that Planning Commission is also looking to have the matter resolved one way or another. We also had before us Ordinance No. 10-2019 an ordinance authorizing the Mayor and Clerk of Council/Finance Director to enter into an agreement with TEC Engineering Incorporated for the provision of professional services for the operations and maintenance of the City of Springdale’s traffic control systems and declaring an emergency. That passed with a 7 to 0 vote. We also had Resolution R6-2019 appointing Doug Stahlgren as a member of the Board of Zoning Appeals and that passed with a 7 to 0 vote. Council also had a special meeting on April 24th. We had six members present. That was down at the Rec. Center to discuss Resolution R20-2018, a resolution proposing an increase in income tax to 2% and directing that the increase in income tax be submitted to the electors. So, basically talking about the earnings tax which is on the ballot for tomorrow. It was decently attended. We had several questions from audience members and think that the message was getting out clearly in terms of what was going on with the City’s finances and why it was important to support that. We also had a meeting on May 1, 2019. We had all seven members present at that Council meeting. Before us we only had one Resolution R7-2019 commending City of Springdale Patrol Officer Kayla Justice for completing the Boston Marathon. I don’t recall her time. I think it was three hours and something, under four. That concludes my report unless there are any questions or Mrs. Sullivan-Wisecup has anything to add.
Mrs. Sullivan-Wisecup: I just had one thing to add. There was one thing that when we were talking about the piece that we are here for tonight the 12010 that kept being continued. The one thing that at least two of the members of City Council wanted us to make sure that everyone of this body understood was that this is a Public Hearing that we have had to postpone during City Council, so if anybody did want to come out they have had to come out now three different times because of the continuations of this. So they just wanted to see if there was any way in the future that we could find a way to figure this out ahead of time so that it doesn’t have to be something that is on our agenda for the City Council as a Public Hearing and keeps getting continued so that people don’t know when they can come to be heard. That was it. Thanks.

Chairman Darby: Thank you very much.

VI. CORRESPONDENCE

None.

VII. OLD BUSINESS

A. PSA Architects, on behalf of Red Dog Pet Resort & Spa/Circle Storage for the property located at 12010 Princeton Pike, Springdale, Ohio, Final Development Plan (Application 34645) Public Hearing

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. Incidentally, this is a continuation of our Public Hearing as well. Of course you all are very familiar with this. This regards the former Staples and Overstock. There’s the current site plan that is part of your packet. The current Staples is going to become the Red Dog Pet Resort and the Circle Self-Storage is going to be in the Overstock building. You may recall, I think everybody thought this was a positive use of the property. It works well with what they want to do compared to access and so forth. The sticking point, and these slides I just included for reference so you, just to give you an idea again, I know you have all seen this multiple times. This is the way that the Red Dog is going to look upon completions. That’s the Circle Self-Storage. The sticking point of course was the signage and these are the current proposals. This is actually the sign that is proposed for Princeton Pike. It is a monument sign. Part of it is going to be LED changeable, the lower part and the top part is actually a fixed sign. Then this is what is proposed for the interstate. It is substantially smaller than you have seen either of the previous times. Initially it was around 900 sq. ft. then it was around 500 sq. ft., it is now 360 sq. ft. which is 180 sq. ft. per use on the property. In general the survey that we did with the other interstate signs, under 200 sq. ft. per tenant seemed to be what we had used previously. The sign is somewhat lower than it was before. It is shown now 40 feet above the traveled lane of the interstate and the black portion there is indicated to be some sort of decorative treatment, although we don’t know exactly what that is. That is about all that I have.

Chairman Darby: Mrs. McBride.

Mrs. McBride: Thank you. Just to give you a little bit of your history here on this. At your February 12th meeting you recommended approval of the Zone Map Amendment for this property from GB to PUD with the understanding that you were still working through some of the signage issues for free standing signage. The original proposal, as Mr. Taylor was indicating was for a sign on 275 that 910 sq. ft. in area. It was to be 460 of that as an LED reader board and it was going to be 109 feet tall. Then the sign on 747 was to be 148 sq. ft. 19 feet tall and 50 sq. ft. of the 148 sq. ft. was going to be an LED reader board. We met with the applicant on the 22nd of April. You had given us, Staff, some direction as to
what you thought was appropriate. So, we met with the applicant on the 22nd of April and the proposal that is before you this evening is for the ground mounted sign on 747 at the entrance there is going to contain 60.7 sq. ft., it is going to be 8 feet tall. There’s an error in the staff report, it is not all LED, it is about 35 sq. ft. LED and about 25 sq. ft. the upper third ish, is a static sign for both uses. The two things that staff would note, or actually three things, one is that that sign should be included in a landscaped bed as required by our code. The second is that they are showing a painted metal base for that sign and staff feels that a brick base would be more appropriate. Then the third item on that sign is that the code permits 12mm pitch for an LED sign of that height and they are proposing a 16 mm pitch. So, that is something that would require consideration, those three items by Planning Commission. With regards to the sign on 275, that is to be a static sign now. So they have the one proposed LED consistent with our code. It is to contain 360 sq. ft. and as Mr. Taylor was saying it is 180 sq. ft. per user. They have reduced the height by 10 feet and that is the actual height that we will see it instead of 50 feet above 275 it would now be 40 feet above 275. The one item on that that staff would look for Planning Commission has to do with how that structure looks. What they have said is that the portion of the sign pole visible above 275 would be hidden by aluminum shroud that would be painted and decorative. Whereas we wouldn’t see those details till they came back for Final Development Plan, I think Planning Commission needs to give them very clear direction as to what it is that you expect to see at Final Development Plan so that we don’t have to continue things as we have on this. So, other than that we have provided the information relative to what is permitted by code and then if you have any questions, I’d be happy to answer those.

Chairman Darby: Mr. Shvegzda did you have anything?

Mr. Shvegzda: No comments.

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Mrs. McBride, in regards to the digital illuminated sign on 747, can we go back to that? Thank you. Is, and I saw in your considerations that in regards to the dot pitch and so forth, does that other condition set forth in our code regarding digital signs where static, changeable once, etc… are applied to this sign as well?

Mrs. McBride: Yeah, this sign is eight feet tall and our code says if the signs are eight feet tall or less that they can change once every 24 hours.

Mr. Okum: So, there would be no need to make sure that the motion reflects that all other conditions of the code are appropriate?

Mrs. McBride: No, because they stay in place unless they are varied by this commission.

Mr. Okum: Okay, thank you.

Chairman Darby: While we are on that sign, your mention about the brick. Is that not in code?

Mrs. McBride: The code says that the base of the sign is to match the primary building materials and the applicants made a presentation to you all last month about how EFIS was a problem because it collected dirt and could be damaged and so forth and they were proposing this painted metal. They said they could do brick I believe at that meeting and that’s what staff would suggest.

Chairman Darby: Thank you. Does the applicant want to come forward? Good evening.

Mr. Bishop: John Bishop, how are you all this evening? First of all I would just like to say, Anne and Christine were more than happy and very helpful with meeting my team to go over the questions and comments, concerns you all had from the previous meeting and I think we’ve gotten our hands around what we are trying to have on this property as well as trying to meet within the confines and restrictions that you all have
to deal with as well. I think a couple of the things that really came out from meeting with the staff was that, I think it was your all’s wish and hope to see only one electronic message center not two on this particular parcel and we were able to accommodate that change. We were also able to look at the sign on the highway again and reduce it down, thank you to 180 sq. ft. It would be a back lit dual face sign cabinet. It’s affixed, no electronic message board at all. The aluminum shroud that is talked about in that drawing is a decorative cover for lack of a better term around the metal pole that is required structurally to hold the sign that tall, that high up in the air. So, once again, we can put some, that was a concept design. That is what the dark black is verses the light grey pole there is to cover that and create more of a decorative look to it, then with the sign on top of it. One of the things staff mentioned as well is to see if that shroud could maybe extend up to about 10 feet below the grade of the highway. That is a very minor modification, it is very easy to accommodate. As far as the sign on Tri-County at 747 at the traffic light the couple of modifications that were requested there having some kind of masonry, maybe matching the building brick base, once again a very minor detail modification, more than happy to accommodate that as well. So, I think we’ve tried to and seems like successfully we’ve talked through these items and have been able to propose two signs now tonight at this meeting, the other one was the pitch, once again from a 16mm to a 12mm once again is a very minor modification. So, it is very easy for us to make that type of change and we would be more than happy to do that as well.

Chairman Darby: Thank you. As they are thinking and formulating their questions, I want to thank you guys for the cooperative spirit you have approached this project with. We have had some lively exchanges but I think we’ve come to a much better place.

Mr. Bishop: Well I appreciate that and the same here. I know that this is a journey and it’s not always easy to go through all of the details. Sometimes we can get into the weeds but we are all, I think trying to get to the same place. So, we appreciate your all’s understanding and time and that you have granted us to work through these issues.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. I just want to get clarity on what are probably the easy things. You are indicating that you are okay switching the pitch from 16mm to 12mm right?

Mr. Bishop: Yes.

Mr. Hawkins: And you are okay with making that sign on 747 have a brick base instead of a metal?

Mr. Bishop: Yes.

Mr. Hawkins: And you are okay with the landscape bed?

Mr. Bishop: We would expect it, yes. We would want that as well.

Mr. Hawkins: Okay. Then with regard to the highway sign, was there any consideration for that sign being on the triangular gable up there?

Mr. Bishop: We have looked and taken pictures and gone out numerous times to see exactly what is and is not possible. One of the things we looked at was what is the minimum you could put a sign and still be able to see it? The problem that we were having is that once you start getting below the 40 feet above to the top of the sign from the highway elevation, it starts to become so low that you cannot see it, especially with traffic going by. If you have a higher profile vehicle or something or the trees themselves start to block it out. The issue with the gable on the, even the top of the gable is below the highway so you would get to a point that literally unless you are looking over the guard rail and down at the property, that’s the only way that you’d be able to see a sign that would be mounted to the building itself. Traveling at speed, obviously that’s not, nobody wants to see that or worry about that and not paying attention especially being in a decell lane. I think that was one of the things that was
brought up last month is that if we have an electronic message sign right there in the
decell lane and you are changing pictures on that sign, it could actually lead to people
taking their eyes off of what they should be focusing most on which is slowing down and
coming into that intersection.

Mr. Hawkins: Is the drawing that we have on, or drawing 1942 in our packets, it’s the
one with the pole sign, we have a couple of photos of the property from the highway. Is
that rendering with the sign at the 96 feet or is that?

Mr. Bishop: Correct, so this picture board here is just like the one that is up on the
display. You have 56 feet that is from our grade behind the building there just to get up
to the highway itself, so in the PUD the typical guidelines call out for a sign to a
maximum of 50 feet above the center line of the highway. We came down 10 feet or
roughly 20% to try to keep it under but still be able to be visible and be seen. So, we
feel like, I know 96 feet sounds like a lot but when 56 feet of it can’t be seen by anybody
on the highway, you are basically looking at a 40 foot sign at this point.

Mr. Hawkins: What I would say is in terms of if it was up on the gable, from that
rendering, the top photo, you can see a good portion of that gable. Now, I’ll grant you
obviously the higher the sign, the easier it is to go see but you could accomplish that at
least on the 275 heading west bound, I’ll give you, you are not going to see the gable
from the other way if you are going east bound on it but that would be, if I could waive
a magic wand that is what I would do. I’d put it on that gable opposed to a pole sign.
Thank you Mr. Chairman.

Chairman Darby: Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. I’ve a concern, did you conduct a wind loading study
on this and what did it reveal?

Mr. Bishop: The engineering for the pole would have to be sized appropriately to
handle the wind load from the square footage size and that would all be done through
the permitting process but yes we have, they have done the calculations to make sure
that a pole sign of that elevation can be engineered.

Mr. Hall: Okay, thank you.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. I would echo your comments from earlier, I
appreciate your guy’s efforts and coming back with something with our comments
involved and working with staff, I appreciate that. I myself am in agreement with the
lower sign along 747 and also the pole sign. My only concern about the pole sign is the
painted fabricated aluminum shroud and what that and what that is going to look like
other than what I have in front of me right now. Can you, I know that is just a concept
right?

Mr. Bishop: It is but with the pole itself will always be there, it is just a matter of how
we can cover up the exposed part from basically what you can see from the highway.
So, with aluminum and being able to fabricate things like that they do have the ability to
dress it up, he was just trying to give a concept showing that you could make a 45 kind
of fan it out and create more of a base or distinctive base that the sign sits in. Any kinds
of guidance or input that you would like to give Anne or the staff we can try to work
with them obviously. I think that if we have the ability to tweak it and dress it up and
make it look a lot better than just a pole itself.

Mr. Bauer: Okay, so you would envision that from the 40 or from the 56 foot level up
that that would be
Mr. Bishop: To the sign

Mr. Bauer: Because right now to me it still looks like a pole other than what you have done at the top of the sign.

Mr. Bishop: Correct, and I think that the thing that’s, one of the other things to about this particular location is the highway right there at that intersection where you are hitting a decell land to get onto 747 is the highest point on the highway. You keep raising in both directions you are coming up to a peak or a crown in the highway to get over the top of 747. So, it’s very difficult if not almost impossible to see the lower 56 feet of that as you are driving at any kind of speed at all to be able to see down over the hill and see the bottom part of the pole.

Mr. Bauer: Right. I’m not much of a designer so I don’t know if I have a whole lot of direction there other than I guess I envisioned the think looking less like a pole from that 56 foot up. That’s my only comment.

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. A couple of things. One, would the idea be that the shroud would be framed out and be rectangular or is it intended to continue to be round. I guess the reason I am asking the question, it might look less like a round steel pole if it is

Mr. Bishop: That is a squared off rectangular type wrap but it obviously we are starting with something that has to wrap the round pole and we can square it off, absolutely.

Mr. Taylor: The only other comment I wanted to make was regarding Mr. Hall’s comment. Part of our building permit review, once this gets passed Planning, if it in fact does, they would apply for a building permit and part of that would require engineering on both the pole and the foundation. We would be reviewing the details of that for conformance with the code.

Chairman Darby: Mrs. McBride.

Mrs. McBride: Thank you. Just two things real quick. One, with regards to the comment from Mr. Hawkins about a sign on the south parapet, the Planning Commission did approve a sign on that parapet a 150 sq. ft., above that roof line so there is going to be a sign there. Then the other item is obviously, the design of this sign would come back to you all as a part of the final development plan so you would have final review over that.

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Mrs. McBride, you made a certain comment in regards to the way the sign pole is treated. Does staff have any observations or comments in regards to that, I mean obviously it can’t be a Christ Hospital monument?

Mrs. McBride: Right. I think that we are very open to working with the applicant. I’m sure his sign company will come up with some designs and if one has a flashing star on the top we might say, eeeh I don’t think so but, perhaps their sign company can come up with some ideas and staff could vet those before they even get to the commission.

Mr. Okum: In my looking at this, I don’t find it displeasing with what they have submitted. In general I’m, it brings the instead of having the two sign cases sitting up there they have brought it together with the wraps and even if they tied that into the sign on 747 to give it consistency of sign character might be an idea when they do that. I still want the brick base but to bring those wraps around, if that is the case and that were the final approved sign, I wouldn’t have a problem with that. I would like to make sure that shroud that goes down is substantial enough that it goes down as far as it needs to so that we are not seeing a line of a pole and then the shroud showing up. Visually I am thinking where the pole transitions from size from larger to smaller maybe
but you don’t know exactly until the engineering is done where that is going to be. So, I understand that completely. Based upon that I don’t have a problem with that. I too want to compliment you on taking the comments that were brought to you and I think you have saved the owners considerable amount of money and I think that’s great if they can get their message across to their client base that is even better. I’m very encouraged. I mentioned at the previous meetings that I think that this is the proper and the best use for this property and it will be very successful. So, based upon that I am going to be making a motion to approve it with the considerations from staff.

Mr. Bishop: Thank you Mr. Okum. Could I just ask for one clarification because I am not sure I heard it correctly? Anne, could you restate one more time on the one electronic message board at 747, did you say there is or isn’t criteria for the changing of the sign when it is less than eight foot or whatever?

Mrs. McBride: Yes. If a sign with an LED is eight feet or less per our code it can change once per day.

Mr. Bishop: What if it is more than eight feet?

Mrs. McBride: Then it is depending on how tall it is how many times it can change.

Mr. Bishop: Okay, so you all are thinking that the sign we have, it can only change once a day?

Mrs. McBride: That is correct, that is based on the code.

Mr. Bishop: I’ve got ya. Is there any leniency on that? I’d like to as because I am not sure that has ever been something that has been talked about or clarified other than the one we talked about on the highway and that is why we made the decision between taking if off of the highway because it is on a decell lane verses at the entrance.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. We spoke about this at the last meeting, actually pretty extensively we talked about the two different elevations and how many times they could change because we had made comments about how on the pole change, what was it every 10 seconds? It was something like 10 seconds and then the one that was to be on 747 was once a day. I know that we had said that quite a few times that we had talked about that and I had even brought it up as a point when we were talking about one LED sign. I had made mention that when you said something about keeping the one on 747 and I even said that one could only change once a day. So, I know that we had talked about that the last meeting. I know that we talked about a lot of things the last meeting so somethings may have gotten lost in the whole discussion but I know that we did talk about how the pole sign would be able if that was the LED sign that it would be able to change more often as opposed to the one that was eight feet or smaller would have to change once a day.

Chairman Darby: Thank you. Mr. Okum.

Mr. Okum: There’s two things happening here that are, we have to be aware of. One is that this is a PUD and it allows some adjustment to code that is a give and take between the applicant and the City. There’s also provisions in the code for some variance in that. On the other hand there’s the situation of the other businesses that have business opportunities that have the same situation and the reason the code was writing the way it was, was so that everybody was on the same playing field. So, everybody is consistently getting the same opportunity to change their sign when it is the least amount of traffic imposing on those signs. That was a big change. This City didn't have digital signage approval until, what three years ago now? Three years ago. So, that was a major, major change because if we all look back to history our sign code said no moving, no changes, nothing. I mean we didn’t even allow balloons for years because of the motion of balloons. Not saying it’s right but there was difficulty in that because of the distraction and the amount of traffic that is involved. This is a very busy
intersection. 747 is a very busy intersection. I’m not totally ignorant to think that changing of signs is not necessary but on the other hand is getting the message across to your clients and whatever that message is and we don’t have any regulation over messages and we will not ever have any regulation over those messages but so that the public has the opportunity to see what they need to see. So, based upon that, I’m not totally negative to a sign changing but on the other hand I have to think about what precedent we have and how that will impact the other businesses along Route 4, along 747, along Kemper Road and we have a lot of PUDs in the City of Springdale. So, consider that at least when you are thinking about it. Thank you.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. Out of curiosity, how often did you want it to change say in a 24 hour span, how often were you thinking you wanted that message board to change?

Mr. Bishop: I think it is obviously dynamic and obviously I am getting caught off guard and my apologies.

Mrs. Sullivan-Wisecup: No, you’re fine.

Mr. Bishop: Obviously if you can go down to a little as every 10 seconds, it sounded like was one option up to once a day that is a pretty big disparity. I would want to work with you all but obviously to get our message out and see it more than once a day obviously would be something that we would really wish you all to consider. I mean if something like once a minute, once every two minutes, five minutes, anything like that. I’m thinking myself that just not standing there watching the traffic light change but if you are pulling up to the traffic light and you only see one message and then when those people go through if they are not being bombarded with five and six and eight message every ten seconds I can obviously understand that but if we could have the ability to change it every two or three minutes so that you would still each time you come up to a red light you’d only see one message would that be something the board would be willing to consider?

Mrs. Sullivan-Wisecup: Well, I’m not sure but with the messaging, I want to make sure that I am understanding because we talked about this last time. So you are talking about like when you do the specials and if there’s

Mr. Bishop: Or if there is an even this weekend or something like that we could and if they are coming back the other way in the afternoon they might get lucky enough to see another message. Because once again when the message is always the exact same thing people tend to not pay attention to it any more.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. The McDonald’s message board, is that comparable and how often does it change?

Mrs. McBride: Yes it’s permitted to change once every 24 hours.

Mr. Bauer: That’s it?

Mrs. McBride: That’s it.

Mr. Bauer: Thank you.

Chairman Darby: Do we currently have any situations that deviate from the code for this size?

Mrs. McBride: Not that I am aware of, no.

Chairman Darby: Mr. Hall.
Mr. Hall: Thank you Mr. Chairman. I agree with Mr. Okum on this and staff. I think we have to remain consistent. If the applicant is wanting to change the sign every two or three minutes because of a traffic light there then what happens with the other merchants that are on the same street? It would be my feeling that the applicant should concur with the ordinance and follow that. Thank you.

Mr. Bishop: Sorry, one more time for clarification. Anne, did I hear you correctly and say that the sign that is by the highway has no restrictions for how often it can change?

Mrs. McBride: I’m sorry which?

Mr. Bishop: The sign, that sign right there the 360 sq. ft. sign.

Mrs. McBride: That is not an LED.

Mr. Bishop: If it was, you’re saying that there would be no restriction?

Mrs. McBride: No, every eight seconds.

Mr. Bishop: Every eight seconds. So, once again, obviously apologies, I’m working on the fly here, would you guys even consider just flip flopping it and making it just a fixed back lit sign cabinet at the traffic light at 747 that doesn’t change at all it is just a fixed sign and making that just a 360 sq. ft. EMC so it can change whenever we need it to?

Mrs. McBride: You need to ask the commission that.

Mr. Bishop: I mean that is the only other, I’m just, once again I’m just asking a question.

Chairman Darby: We’ve got lights here. Mr. Okum.

Mr. Okum: Simply the reason that I would object to it is proximity to the interchange and the reason for

Mr. Bishop: I’m sorry could you say that one more time

Mr. Okum: Proximity of it to the interchange and the reason that our code was written the way it was, was that it was not in a through lane areas and right at the exit ramp.

Mr. Bishop: Okay.

Mr. Okum: And I would be voting against that request.

Mr. Bishop: Okay. Just a

Mr. Okum: I understand and it is a good question but on the other hand that was the reason that I objected to the pole sign being digital or electronic because of the changeable situation.

Mr. Bishop: Gotcha.

Mr. Okum: I can’t speak for the rest of the commission but I see a lot of nodding heads so I think that’s probably the way that it is looking.

Mr. Bishop: So, our architect from PSA, Darrell Sears just said, once again is, he is saying that when you go to a nine foot tall sign it and change every eight seconds? That’s in the code?

Mrs. McBride: That’s correct.
Mr. Bishop: I've got you. If we keep the same square footage but made the sign nine foot tall verses eight foot tall would it, then it would fit within every guideline that you have written in your code, is that something you all would be willing to consider?

Chairman Darby: We'll let the technical staff tackle that.

Mrs. McBride: I mean that's really up to the commission. What the applicant has presented us is an eight foot tall sign and per our code eight feet tall signs or lower with an LED message center change once a day. Now, if the commission wants to allow the sign to go to nine feet and change every eight seconds

Chairman Darby: But did I hear that it would be the same square footage?

Mr. Bishop: Yes.

Chairman Darby: So it would be narrower?

Mr. Bishop: We could still keep it within the same square footage that we have asked for it would just be, the sign itself would just be a total height of nine feet off of the ground verses eight feet off the ground.

Chairman Darby: I understand. Mr. Bauer.

Mr. Bauer: Question. Where does that change, the display frequency, at nine foot?

Mrs. McBride: Anything over eight feet.

Mr. Bauer: Anything over eight feet. So eight foot one? Are you looking it up?

Mrs. McBride: That is correct.

Mr. Bauer: What is the reasoning or rational?

Mrs. McBride: The rational is because our ground signs are supposed to be eight feet in height and so the theory was that if you had like a McDonald's sign, the maximum height of that sign, although it is in a PUD but back that out for just a minute.

Mr. Bauer: Yeah.

Mrs. McBride: The maximum height is eight feet so what we didn't want was a lot of ground mount signs on businesses that were changing very frequently because of the volume of traffic on those roads.

Mr. Bauer: Okay. Well in that regard, I'd be for changing either, to me there's not a whole heck of a lot of difference between eight and nine. I understand that you've got to make a cut somewhere but I'd be for keeping it eight foot and providing some relief from the once if we are concerned about setting a precedent then I would say go to nine feet. That is my opinion.

Chairman Darby: One thing we have to keep in mind is that if we were to go with the numerous changes in the eight foot sign that could be considered a precedent for a number of other eight foot signs, whereas since this sign has not been constructed yet if it is more than eight foot it would comply with code. Correct?

Mrs. McBride: Correct.

Chairman Darby: That is the difference. Still talking about a code issue. Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. If, and I'll say the ground mounted sign on 747, I don't have any issue with based on the things that you have agreed to with regard to the pitch and the stone mounting or the brick mounting. I would not have a big issue with it going, I don't think we need to necessarily jump by a foot but you know bit if it
was eight and a half or whatever to clear over that eight foot barrier I wouldn't have a
big issue with it. I would come back to the question of if you were having that
opportunity to have that kind of change in frequency in message is there any
consideration of not having that pole sign?

Mr. Bishop: No because I think that is going to be the big drawing card because to be
honest with you the number of people that travel up and down that highway every
day is a very important factor for us wanting to locate here and being able to see us and see
that sign.

Mr. Hawkins: Thank you Mr. Chairman.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. My thought is that with the number of
concessions that the applicant has made previous and he pretty much tried to stick to
what we have asked for, I would not object to allowing a nine foot sign as Mr. Darby had
said, we are going to stay within the code and the zoning and not set a precedent. So,
my opinion on that is to allow a nine foot change able sign. Thank you.

Chairman Darby: Mr. Okum.

Mr. Okum: For clarity Mrs. McBride. The sign, this sites permitted under typical zoning
for one pole and one monument sign?

Mrs. McBride: No, if the site were to stay GB it would be permitted a ground mount
sign or a pole sign. If you interpret the direct frontage on an interstate highway. I mean
that is the right-of-way, that’s the little bit of the, and the wall sign is what it would be
allowed to have.

Mr. Okum: One ground mounted sign and one pole sign?

Mrs. McBride: One ground mounted sign per development and then if the pole sign, if it
was a PUD or GB and it was, has direct frontage on an interstate highway right-of-way
then they would be allowed one pole sign.

Mr. Okum: So, they would be entitled to one ground mounted sign and one pole sign
and we are giving them the right to do what they would typically do under their GB
zoning?

Mrs. McBride: Correct.

Mr. Okum: Okay. The ground mounted sign allowance in our code is eight feet?

Mrs. McBride: Correct.

Mr. Okum: So, they are varying from our ground mounted sign requirement of eight
feet and wanting to make it eight foot six or nine foot to avoid the code issue which I
have a real problem with that our code said that they just make the sign nine feet and
there, but the ground mounted sign is what they are permitted at eight feet.

Mrs. McBride: Correct.

Mr. Okum: And they are allowed a digital sign on that ground mounted sign at eight
feet.

Mrs. McBride: Correct.

Mr. Okum: Under GB or PUD?

Mrs. McBride: Correct.
Mr. Okum: Okay. So, in a give and take situation, I would have to see something less than every eight seconds of changing if we are going to permit it at eight foot six or whatever as it being part of the PUD. That’s only reasonable.

(Talking off mic. not audible.)

Mr. Okum: Or every eight seconds, sorry.

Mr. Bishop: So, would you be willing to consider anything around that would be double or triple that, I mean I am trying to, do we need every eight seconds? Absolutely not.

Mr. Okum: Every eight seconds is nothing more than flashing blinks.

Mr. Bishop: Right and that’s not something that we would do that quick anyway.

Mr. Okum: I was thinking in my heart once an hour but I’m obviously one person here. So, in that again is, you are allowed a monument mounted sign at eight feet that can be digital, you are not allowed two pole signs, you are allowed one monument and one pole sign. We are varying on the pole sign height which we have given latitude on which I think is great because they need that, obviously you have got to be able to see it. It would be stupid to tell somebody that they can have a pole sign and you can’t tell it from the roadway but on the other hand I think that if, I am still very concerned about the precedent. I’m saying that probably everybody along the corridor would do the same thing. Everybody on Route 4 would do the same thing, I want my sign eight feet six inches so I can have a digital sign that changes every eight seconds and that is about the craziest thing in the code that we could possibly have. Just the way it is. So, because it is a PUD it is a give and take. The pole sign is allowed to be higher for this applicant. Not a problem in my mind. I think that is most appropriate. Digital sign, whether it is eight foot six or eight foot three or eight foot one inch doesn’t make a difference to me. I think eight foot is appropriate for that for driving traffic but to push it up to nine feet, it doesn’t really need to be that just to get the every eight seconds.

Chairman Darby: Are you finished?

Mr. Okum: Yeah, I’m done. I’m just confused.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. So, Mr. Okum you make some very good points. I want to be clear though because I thought when we went through this discussion with regard to the pole sign we had the discussion that you were entitled to a pole sign if you have frontage on the highway or the interstate and that this was sort of being given some leeway because there is not frontage on the highway or the interstate but there is frontage on the exit ramp.

Chairman Darby: Is there something that you want to share with us? For clarification?

Mr. Hawkins: So, I guess that is my... they are not entitled to a pole sign by the actual code or they are?

Mrs. McBride: Well they are because they are adjacent to the right-of-way, I mean the ramp is part of the right-of-way.
Mr. Hawkins: Okay, but it is not going to just the interstate. See I thought we were cutting some, giving some latitude with regard to how they are positioned there with the consideration of that ramp verses the actual interstate.

Mrs. McBride: And that was falling under the PUD section which is on that second page of my staff report. In a PUD you are allow one electronic highway sign and that is the sign that was between 300 and 720 sq. That was the one that had to be adjacent to a through lane.

Mr. Hawkins: Okay. If we are talking about given and take and that process I would have some more flexibility with regard to that ground mounted sign if there wasn’t that pole sign. I know you guys want that pole sign and you guys want it at that height. I’m just speaking for me personally, I would give you guys some more latitude with regard to the ground mounted sign if that pole sign wasn’t there.

Mr. Bishop: If I could, since this is a little bit of a unique situation where we truly have two distinct separate businesses on one parcel so if you looked at it from another perspective if we were to subdivide the parcels and have two distinct parcels with two distinct businesses, I would think that there would be really no change in the way signage is in terms of each parcel would have the ability to have a ground mounted sign and then the one that would be against the highway would still be able to have flexibility with a pole sign. So, you know trying to keep it all as one parcel and trying to put two distinct businesses on just two signs is been the biggest challenge for us. I think if we were just one business with one building on this parcel it would be a lot easier to accommodate and accomplish what we are trying to on a much smaller perimeter. I think trying to incorporate two distinct totally different businesses and still give them enough equal time to be able to understand there is two distinct businesses on this one parcel is what has been our biggest challenge and that’s why we have been working so hard to come up with something that can work for us and help us and still try to fit within the parameters and guidelines of the City’s Zoning Codes. I know that is not exactly what you are asking me Mr. Hawkins but I am trying.

Chairman Darby: Folks, let me state that our initial convergence suddenly has turned into a massive divergence and as I am listening, I think what it narrows down to is the monument sign. Is it at eight feet and is it going to comply with code which would allow it to change once a day or is it more than eight feet and it would comply with code and change some unidentified interval. I think we almost have Mr. Okum nailed down to an interval but we lost that. So, the one thing that I am hearing that is very good is that several of the members have identified the fact that this is give and take and it is a PUD so the wiggle room is there. What interval would you want?

Mr. Schneider: Hi, my name is Raymond Schneider.

Chairman Darby: Good evening.

Mr. Schneider: I’d like to bring some clarity to what we are trying to accomplish here. We are in the business of taking care the two goals here. One is a pet resort and the self-storage facility. I have spent the last 25 years learning about signage, marketing, running a business and trying to make it successful. Today, every shopping center has a problem. Every retailer has a problem and our need is to not have a problem. So, we are a PUD. We are not asking for anything out of line. We have definitely given away a lots of what we started with so it is a give and take and we have given away more than one time, more than two times. We are willing to give but I would like to bring some clarity. If you are driving down the highway and if you look at the Springdale sign it changes every eight seconds. If you look at it you can count three to four messages but you are so far away you are almost a mile and a half away. When you are down here on Princeton-Glendale Road you are on the off ramp and you might see the sign but you are looking at the traffic light and you are going to either stop and sit there waiting for the light to change or you are moving on and you are going to be under the bridge in less than three seconds. So, if the sign changes every eight seconds the only time you are going to see it change is if you are sitting at the traffic light or it might change once as you pass it by. To worry about it being once an hour we are trying to attract
customers with a story that allows them to know who we are and what we have. The problem with this property, it’s had difficulties. It is in a hole. We currently have a pet resort down the street that is in a hole. It’s called West Chester Pet Resort and we are moving it into Springdale. Our goal is to take the lessons that we have learned from the time that we started our business in 2007 and make it work in 2019. As Mr. Okum had said you didn’t even discuss this three years ago. So, I don’t think anybody in this room had a cell phone in their pocket 10 or 15 years ago but our kids do nothing but live and read off of their cell phone. So the world is changing. All I am asking is to be reasonable in today’s world and understand that change of the message is not going to be going over and over and over while somebody is driving by. They have the time to see it once and it might change but on that exit ramp or going by they are either spending time at that light or they are moving by at 20 or 30 mph. so they may see the sign change once. I am willing to go beyond the eight seconds, maybe 15 seconds. We are dealing with an example that we had down the street. I built all my stores, Red Dogs and as I move forward I kept growing my signs and getting more visible to traffic. Down the street we are in a hole. Even our employees have passed the building, they couldn’t see it. It kind of sits to the right as you get up the hill going down Princeton and as you go past it, oh I just passed that place. We put up an electronic sign. It changes on a regular time basis as we are talking about and out business grew 25%. People found us, they knew we were there and it gave them an opportunity to think about our retail business or our service business because that is what we do and we would like to continue growing our business and making Springdale successful. Give and take, we have given and take. If you go by Walgreens, they have two signs on every building, one on one corner and none on the other corner. We are visible to the highway but if you would take the time to drive over there it is easy to get in there. You can get to the bottom of the lot and you are 56 feet and you can’t see the highway because it is way up there. It is 56 feet up and the code allows us to go 50 feet above the center of the adjacent highway. We have given. We have given from 116 feet, or 106 feet down, we came down 10 feet. We have changed it from an EMC sign to a stationary sign. We are just asking as a good customer in Springdale as a PUD to give us the opportunity to change 2019 to be successful because everything we did in the past we had to learn from. I have learned to use and EMC sign and the sign is going to be 8’3” or 5”. Now that I know that what we intended was to keep in code but to stay in code we are finding out that extra and because it is a PUD and whatever McDonald’s did, they came to you at the time and you have to really deal with today. Some of you are going to be here tomorrow and some of you will be going on. We are going to be here tomorrow and we want to be successful and we need your help to do that. So all I am asking is, can we adjust the size of the Princeton-Glendale size, we have given into everything that you have asked and more and we would like to work with you to be successful together.

Chairman Darby: Thank you. Mrs. McBride.

Mrs. McBride: I was just going to make maybe a suggestion to the commission and that would be that perhaps the sign change every 10 minutes which I heard the applicant suggest earlier this evening.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: That was just going to be my question if we could nail down an exact interval to move this along, because this is our third meeting and five hours

Chairman Darby: I do agree we do need to move it along. Mr. Hawkins was your light on earlier?

Mr. Hawkins: No sir.

Chairman Darby: Okay, sorry. Mr. Okum.

Mr. Okum: So, did I just hear 10 minutes now?

Mr. Schneider: No, I did not say 10 minutes.
Mr. Okum: Who said 10 minutes?


Mrs. McBride: Mr. Schneider said it earlier.

Mr. Bishop: If it was it was a private conversation back behind here.

Mr. Schneider: I think we are going to try and stay at code (talking off mic. not audible.).

Mr. Okum: If I may Mr. Chairman.

Chairman Darby: Yes sir, Mr. Okum.

Mr. Okum: If they are going to stay within the code, the code is an eight foot high monument sign and it is once a day. We are trying to give the applicant the latitude to be more than once a day so, my recommendation to the commission would be to allow a monument sign to be constructed 8’1” to 8’6” high. Allowing it to be taller than what is in our monument sign code and allow them an interval of changes, whatever number this commission and the applicant can come up with that is reasonable. I have written down, 60, 30, 15, 7-8. So eight’s where it is.

Chairman Darby: We need to know, straw poll, what are your feelings on the intervals, not everybody at once. Mr. Bauer.

Mr. Bauer: I had written down five minutes.

Mr. Okum: Five minutes?

Mr. Bauer: Yes.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. A question that I had also was, the time span for the changing of that sign, so you could have ten times in an hour and then the next hour not change at all so does it have to be an equal amount of time that that sign changes? So, maybe at 3 and 6 in the morning nobody is looking at that sign so you are not changing as often so what we do need to be aware of is when we do have that number, whatever we come up with it is an equal amount throughout the day. Is that understandable?

Mr. Okum: It is at least a no more than.

Mr. Ramirez: Yes. So, I believe that 10 minutes is okay.

Chairman Darby: To complete my right side, Mr. Hawkins do you have a thought?

Mr. Hawkins: Yes, Mr. Chairman, I have many thoughts about this whole thing but

Chairman Darby: On the interval?

Mr. Hawkins: Ten minutes is fine if we’re doing this.

Chairman Darby: On my left, Mrs. Sullivan-Wisecup?

Mrs. Sullivan-Wisecup: I’m okay with 10 minutes.

Chairman Darby: Mr. Hall.

Mr. Hall: Mr. Chairman 10 minutes would be acceptable.

Chairman Darby: Mr. Okum.
Mr. Okum: I’ll go along with 10, now it is up to the applicant.

Chairman Darby: I think we are ready for a motion.

Mrs. Sullivan-Wisecup: It is up to the applicant if they want to accept that right?

Mr. Schneider: The change to the sign is to say who we are and you can do once a year, I’m asking for something closer to a minute if that would work because no one is going to see it but the person passing it in that minutes and nobody is around.

Chairman Darby: Sir, I know these folks pretty well, you are not going to get a minute. It is not going to happen and I think we are ready for a motion, we need to move on.

Mr. Schneider: Okay.

Mr. Okum: Mr. Chairman I’d like to move to approve the following project, Red Dog Pet Resort and Spa and Circle Storage at 12010 Princeton Pike, case number 34645 per specifications and designs provided in our most recent meeting packets as exhibits which were submitted by the applicant and reviewed by staff prior to this meeting. Where by this action finalized Planning Commission’s referral to City Council for consideration on this PUD. Any other changes to the below conditions referenced shall constitute a change to the approved plan. Such changes shall require prior approval by this Planning Commission. This motion includes the following conditions, Staff, City Planner’s recommendations considerations contained in their report. Special signage conditions shall include the digital electric sign shall be permitted. A change of image every 10 minute intervals. The monument sign shall be permitted to be erected at 8’1” up to 8’6” high. That is my motion Mr. Chairman.

Mr. Hall: Mr. Chairman I second that motion.

Chairman Darby: It’s been moved and second that this submittal be approved as identified in the motion. Secretary please call the role.

(Secretary called the roll and the motion was approved with a vote of 5 to 2, with Mr. Hawkins and Mrs. Sullivan-Wisecup voting against the motion.)

Chairman Darby: With five affirmative votes the motion is approved.

Mr. Bishop: I’d like to just thank every council member for all of the work that was put in on this. I appreciate it.

Mr. Okum: Thank you guys.

Mr. Bishop: Thank you.

Chairman Darby: What are you going to do with yourselves you are leaving so early this time. Thank you very much gentlemen.

VIII. NEW BUSINESS

A. CF Partners/Zips Car Wash, 11346 Princeton Pike, Springdale, Ohio, Minor Modification to a PUD (Application 35006)

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman.

Mrs. McBride: Mr. Chairman, I am going to obviously recuse myself from this discussion but I am going sit here if that is alright with the commission.
Chairman Darby: That’s fine. Now, prior to you doing that because that is a personal choice, I know about your recusal last time but the issue upon which you based your recusal has been resolved so you really feel you need to do that again?

Mrs. McBride: Yes, I do, yeah.

Chairman Darby: Okay. No hand motions though.

Mr. Okum: I have no problem with her recusing herself.

Mr. Taylor: Okay. Well shockingly we are talking about signage again.

Chairman Darby: Yay! Why not.

Mr. Taylor: I’m sure you all recall, we discussed this project last month and really, I think the only issue that I recall was that there were some questions regarding some of the signage that was proposed for the building. This is the site plan and one think I would like to mention and I am sure that Don will speak to this, the applicant basically. Don had some comments regarding traffic movement on the other parcel, basically there was no space for people to back out of the parking spaces and the applicant had agreed to go ahead and adjust the plan but as I recall we hadn’t had time to actually review the plan. We do now have the plan that has been revised to rectify the, there’s like a five foot area where the people on the other side of the property line can actually back in and it facilitates their movement, but again Don will speak to that. This is the revised site. This is, these drawings are in your packets folks and this shows the current configuration of the signage and essentially if you look at the staff report originally they were asking for 242 sq. ft. of signage and that is wall signage and then they also were asking for a monument sign on 747. The revised proposal, and you can see all of the different numbers in here, basically is for 250 sq. ft. of wall signage and they have removed the monument sign. All of the signage, the Free Vacuums, you may recall it was on two sides before, now it is only on one. The Free Vacuums and the Car wash are channel letters as required by our code, however; the Zips logo which is next to the car wash is a cabinet sign. So, the issue really before you folks at this point is, we have a slight increase in terms of the square footage of signage that they are requesting and we have the three Zips signs which are cabinet signs. So, what you need to address is permitting the cabinet signs to include the Zips logo and then the 250 sq. ft. of total wall signage which is more than they would be entitled to. That’s the lousy Building Official’s version of, oh I’m sorry and also in your packet is the photometric plan which was revised and it is in general conformance with our requirements, however; I think we just need to stipulate the color of the light poles, it needs to be bronze or dark. That is all that I have.

Chairman Darby: Mr. Shvegzda.

Mr. Shvegzda: Thank you Mr. Chairman. As Mr. Taylor mentioned the one item that has changed since the last meeting that we have had a chance to take a look at is how the additional pavement is provided to allow the cars backing out of their parking spaces to be able to turn and continue on. Prior to this the applicant had submitted plans where basically the pavement was saw cut and removed basically at the edge of the parking stall and continued on through the width of the property. With that there was no ability for any T to be there for the cars to back into. Subsequently the applicant has now added, and I just wanted to clarify that we have scaled it off at five feet an added additional pavement to be remaining within the property that is before us today such that it could be used for cars backing out of the parking spaces to back into and then continue on. Is that in fact five feet?

(Talking from audience off mic.): Yes.

Mr. Shvegzda: Ok that is just to confirm that is five feet there which is adequate, it is on the minimal side but it is adequate. Then, of course that distance has been subtracted out from, part of it is from the north/south drive aisle the width has been
reduced from 15 feet to 12 feet and that is a one way drive anyway so that’s acceptable. Where was the other two feet removed from?

(Talking from audience off mic.): I do not know. I brought the engineer here tonight.

Mr. Shvegzda: I assumed it was in some of the, maybe the landscaped areas.

(Talking from audience off mic.): As a matter of fact it was.

Mr. Okum: We can’t hear him.

Chairman Darby: We need you to come to the Dais please?

Mr. Kolb: Hello, my name is Craig Kolb. I am here representing CF Partners who owns the lot.

Chairman Darby: Sir, before you begin I was remiss, I need to interject the question for the Council persons that this is a major or minor modification?

Mr. Taylor: Staff believes it is a minor because it is a permitted use in the original PUD.

Mrs. Sullivan-Wisecup: I find it to be a minor modification.

Mr. Hawkins: I also find it to be a minor modification.

Chairman Darby: Thank you.

Mr. Kolb: Thank you. Again my name is Craig Kolb and I am here representing CF Partners who owns the lot, also representing Zips Car Wash. You may recall that Mark Batista was here at the last meeting, he was not able to be here tonight. At any rate, as Mr. Taylor pointed out we have changed the signage for the most part to comply with the channel letter requirement. We do still have the cabinet signs for the logo and the square footage did increase a little bit from what was submitted before primarily because of the way that signs are measured. I know that is according to code but if you look at the logo it is about 4’ tall, the car wash sign is 2’ tall but the way that your code reads you basically box that in to determine the square footage. So, we feel like we are getting penalized a little bit for 2’ x 12’ on the carwash signs there. But again that is what your codes says and so we do understand that.

Mr. Okum: We do that consistently though.

Mr. Kolb: I understand.

Mr. Okum: I just wanted to make sure.

Mr. Kolb: Understood.

Chairman Darby: Questions folks? Mr. Okum.

Mr. Okum: Yeah, I frequent Thornton’s in Springdale and I recall the metal poles the bollards around the building when they made the original submission to us and they originally wanted all red bollards all the way around the building and we said, hey look you really ought to make it the same sign as your sign pole which they did and it worked out really well. Thornton’s is a huge success at that location obviously and they wanted to expand it was such a success. I would like to at least bring it to the table that the light poles should be non-reflective and we had the discussion of the arms for the, and in my opinion they should be of the same color as the light poles so it all, the vacuum poles, so that everything is consistent on the site. I’m very very pleased and encouraged by your addition of the medallions verses the sign cases. I think it adds a class look to the development.

Mr. Kolb: Thank you.
Mr. Okum: I’m very sensitive to that and I have no objection to the amount of signage that you have requested based upon the location of the business.

Mr. Kolb: Thank you. The color reference you are talking about the lighting poles verses the?

Mr. Okum: The vacuum poles.

Mr. Kolb: The vacuum.

Mr. Okum: So your lighting poles would be a non-reflective like a bronze or a brown or a dark color, whatever is approved and what staff would work with you on and the vacuum poles would be of the same color tones. So, instead of having red vacuum poles and all over the site because you have a lot of poles on the site, everything would match.

Mr. Kolb: Okay. I believe and I am at a little bit of a disadvantage here but I do believe that the poles that are on top that are part of the vacuum system, I think that they are always red, it is part of the branding of the car wash of Zips.

Chairman Darby: We discussed that.

Mr. Okum: I understand, well they discussed them yes.

Mr. Kolb: Yes.

Mr. Okum: But my recommendation is that they possibly should consider the same reason that Thornton’s thinks that they needed red bollards all the way around the site because they have red accents on their building, it doesn’t necessarily mean that the poles need to be red.

Mr. Kolb: I understand.

Chairman Darby: Let me make sure that we are talking about the same thing. The last time we discussed this I raised the issue and maybe I am talking about something different about the red vacuum poles. There was agreement that that was okay?

Mr. Okum: I’m just going with staff’s made a recommendation for why not make the light poles red then? I man staff’s making a recommendation that all of the pole be non-reflective and I’m saying that if that is the case then why are they doing that?

Mr. Taylor: I think our code calls for the poles to be dark and non-reflective.

Mr. Okum: Then why do you think that the code says that?

Mr. Taylor: I would assume that that was the wishes of the city at some point in time.

Mr. Okum: So my feeling is that if that were the case then I think that we should keep everything consistent. I am only one vote.

Chairman Darby: Are you saying that’s a corporate image?

Mr. Kolb: Yes sir.

Mr. Okum: It’s basically a

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. I thought that when we discussed this at the last meeting that we had already approved this part that the only part that
was still pending was the lighting and the signage that was to be decided with the city. Am I correct in that Mr. Taylor?

Mr. Taylor: To be honest, I’d have to review exactly what the motion said. I think the intention was, I mean this was definitely discussed and I believe that you all said that you were okay with the red booms because that was part of their corporate identity. Having said that, I am not positive of the exact wording of the motion was at the time.

Mrs. Sullivan-Wisecup: Okay, I just wanted to make sure because I didn’t know if what we were dealing with today, if we were supposed to add in something that we have already agreed on starting all the way over or are we just supposed to go with the signage and the lighting.

Mr. Taylor: I think the intention was that we were going to review the signage and the lighting. I mean I believe that was the intention of the commission at the time.

Mr. Kolb: In fact, we filled out a new application form just to address the lighting and the signage.

Mrs. Sullivan-Wisecup: Thank you.

Mr. Bauer: I was just going to.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. I was just going to reiterate my feelings last time was the red was acceptable in my opinion.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. I am okay with the signage and the lighting that has been presented. In terms of going back to the booms, I agree with Mr. Okum we should be consistent, at the same time when we have had other applicants that have come through that have a business trademark or something that goes to the essence to their corporation, that’s usually been supported, so I am okay with the red booms based on your representation that that is what you guys do with all of the locations.

Mr. Kolb: Yes, thank you.

Chairman Darby: Mr. Okum.

Mr. Okum: Based upon the comments that I have heard, I am not going to say anything more about the booms. You guys have overwhelmed me and that takes a lot. I hereby move to approve the following project: CF Partners/Zips Carwash at 11346 Princeton Pike, Springdale, Ohio, case number 35006 to include staff’s recommendations and considerations contained in their report as to signage and lighting.

Mrs. Sullivan-Wisecup: I second the motion.

Chairman Darby: It has been moved and second that this submittal be approved as identified in the motion. Secretary please call the roll.

(Secretary called the roll and the motion was approved with a vote of 7 to 0.)

Chairman Darby: Welcome to Springdale.

Mr. Kolb: Thank you very much.

Mr. Okum: When are they going to open?
Mr. Kolb: That’s a good question. My understanding is that this would be a summer start, I think that they are building one over on Colerain Avenue and that they would like to get the two of them going at the same time.

Chairman Darby: Thank you.

Mrs. McBride: No vacuums for Mr. Okum.
Mr. Hall: No free vacuums for you.

Mr. Okum: I’ve got my own vacuum thank you.

Chairman Darby: The way that this has gone folks I’m going to have to make a motion that we chip in and pay for Dave’s first car wash.

(Laughter.)

Mr. Okum: No it’s just when I buy coupons books I got to make a decision what coupon book I buy. So, just so you guys know.

B. Springdale Zoning Code Text Amendments.
   Public Hearing

Mrs. McBride: At the last meeting we talked about a text amendment which was going to eliminate Section 153.460(C) and that is the electronic highway signs in the PUD zoning district. If you will recall that is the signage that the City originally adopted when the Tri-County Mall thought that they were going to do the jumbo sign that was going to advertise all of their tenants and they obviously never did that and it is somewhat problematic with other PUD’s and so forth. So, the recommendation was to Planning Commission was to go ahead and eliminate that section and I think the Planning Commission was supportive of that recommendation but we needed to have a public hearing on that and I would suggest then we have one other potential text amendment before you this evening and that is an addition to Section 153.253(C) which is the table that outlines the accessory uses that are permitted in a non-residential district. So that is our Office, Business, our GB, our Industrial, our SS districts and so forth. The addition would be only to the GB, General Business District and it would be to allow fabrication as an accessory use as a conditional use. If you can follow that one, okay? So, the proposed Section 153.253(C) simply says to add that into our table that it would be added into the accessory table for non-residential uses as a conditional use within the GB district, fabrication. Then the next suggestion that we are having as a text amendment is to 153.253(E) which is the non-residential accessory use standards. That would then set forward a series of standards that if you met those then you would be eligible to apply for a conditional use permit from this Planning Commission following a public hearing. Those standards include that it would be a maximum of 40% of the gross floor area of the premises could be used for fabrication and the remaining 60% of the gross building area would have to be used for showroom, sales and office uses. That all of the fabrication is for the making of articles to be sold only at retail on the premise. So you wouldn’t get somebody fabricating something and then shipping it somewhere else. That all of the fabrication is to be conducted within completely enclosed buildings. That any portion of the building used for fabrication would have to be located a minimum of 300 feet from any of our residential districts and then last that there would not be any generation of objectionable or hazardous elements such as smoke, odor, noise, vibration, water pollution or dust. Then lastly would be a text amendment to include a definition of fabrication to Section 153.600.

Chairman Darby: Thank you.

Mr. Okum: Just in regards to that what about chemical compounding?

Mrs. McBride: What we have tried to do with the fabrication is the, and I guess you could think of alteration, we have tried to limit it as much as possible, Mr. Okum to
allow for specific types of uses. So, for example, if there was a facility that was going
to sell say granite counter tops, that they would be able to in 40% of the back of the
building be able to cut the sink holes out and glue the two pieces together and so
forth within an enclosed building then load it on the truck or the van and install it in
your home. So, that’s what this was written for as tightly as possible. Is it possible to
say that is the only thing that can happen in this? No, but again this is going to be a
conditional use that is going to come to this body for review and approval and there
is, as you know a whole series of standards that this commission must look at when
you are considering a conditional use.

Mr. Okum: I understand. I am thinking, you know with e-trade the way that it is that
we are being very, this is an extremely restrictive section where it is only to be used as
sales at the retail, sold only retail on the premises. I would be more, even open to no
more than 15% or a certain percentage of it could be sent off. Well let’s say that I
order it from Amazon and one of our local businesses is an Amazon fabricator, okay,
puts things together for Amazon and they have this facility here in Springdale and one
of the widgets that they fabricate goes onto Amazon on a daily basis, frankly I don’t
have a problem with that as long as it’s not a primary part of that business. Sort of
like a retail service district works. So, would that be wrong? We’d never be able to
monitor it anyway.

Mrs. McBride: Well that is what I was going to, I mean you are setting Mr. Taylor up
for a

Mr. Okum: The UPS truck goes there and picks up and drops off and

Mrs. McBride: I mean you are setting him up for a nightmare of enforcement when
you start to do that.

Mr. Okum: He would not be able to.

Mrs. McBride: Right.

Mr. Okum: So, if we say that sold only at the retail on the premises. So the granite
top place, okay. When I order granite tops from KBR, KBR has a showroom but my
sale of the counter top is at the point of sale. My point of sale is actually at the
customer’s house it’s not at KBR. KBR is just the supplier and vendor. They have a
showroom, my clients go and I am just using that as an example and since you brought
up granite and tops and so forth it is a good analysis. So, how do we deal with that
because that point of sale, that sale is actually not at there unless you want to talk
about they invoiced me so their sale is where they are invoicing from?

Mrs. McBride: Well I mean I would say it would be.

Mr. Hall: I agree with that because you’re buying it and you are reselling it.

Mr. Okum: I’m not really no, but

Mrs. McBride: You are taking the order and the order is getting processed at their
office, they are taking your payment at their office whether it is credit card or a check.

Mr. Okum: Ok then I am good with that. Just want to make sure that we are clear on
it. You know how things can be in the code.

Mrs. McBride: I do.

Mr. Okum: Since this is a public hearing Mr. Chairman and we have not seen anyone
in the audience that would like to comment, is there anyone in the audience that
would like to comment on this issue? For the second, third and final time. Mr.
Chairman I see no one coming forward to you.

Chairman Darby: You’ve got to watch him, he likes to talk.
Mr. Okum: I’m going to move for the public hearing to be closed Mr. Chairman.

Chairman Darby: The public hearing is hereby closed.

Mr. Okum: Thank you. I move to approve the recommendations submitted by our staff in regards to those sections as reported and refer it to Council for consideration.

Mrs. Sullivan-Wisecup: I second.

Chairman Darby: It has been moved and second that the staff’s submittal be approved. Secretary please call the roll.

(Secretary called the roll and the motion was approved with a vote of 7 to 0.)

IX. DISCUSSION

Chairman Darby: I would like to bring up a topic for discussion and some of you may care to join in and some may not. We just had a tough vote, tough project and I want to say two things about the code. One of the best things a municipality can have is a code and one of the worst things a municipality can have is a code because we are not computer chips and we have to put some interpretation in, throw into that the thing called a PUD. We had a tough vote tonight. We approved the project. There was a lot of give and take. Personally I think it was a good thing for the City. We all know what that plot of land is like and they brought to us a proposal that should be successful and they met so long in the vestibule out there, I hope they didn’t change their minds. That’s the way that it goes. Now, Dave had a concern about others coming and wanting a similar treatment and they would have to make their case because we have the ability to approve or disapprove. When you are talking about the code and you are talking about PUDs, I don’t give a lot of credence to the word precedent because for various reasons you may get it and the next person may not or vice versa. But, I want to commend everybody because we put a lot of time into this and I think we did a good job. Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. Different subject is that okay?

Chairman Darby: Sure.

Mr. Ramirez: That Take 5 that we approved that had a lot of colors, a lot of signage, I went by there the other day and I know we have rules on temporary signage. So, they have hanging down above the drive-thrus, advertisement basically that span the whole width of the drive-thru stating how much the oil change is and some other things. So, we approved a lot of signage for that place and it was quite gaudy looking, yellow and red and we toned them down a little bit and now they have banners up and I am wondering how long are they going to be allowed to keep these banners?

Mr. Taylor: Well since they didn’t apply for them I think they will probably be getting a notice from your friendly Building Department.

Mr. Ramirez: Okay, easy enough, thank you.

Chairman Darby: Mr. Okum.

Mr. Okum: Can I go back to signage for a second?

Chairman Darby: Please do.

Mr. Okum: I think we found a quandary this evening in our code that I think we need to understand it in regard to an 8’6” monument sign can be changeable every eight seconds but an eight foot high monument sign can have changeable every day. I don’t think that was what the intent was.
Mrs. McBride: Actually that was. That was what the committee wanted. You will recall that we didn’t have any LED, any electronic signs, not even price changers for our fuel stations and the thought was that they didn’t want them to change like the McDonald’s, more than once a day.

Chairman Darby: What’s industry standard?

Mrs. McBride: Well, most places don’t distinguish based on height, most of them are that they can’t change any more than 10 seconds or whatever the

Chairman Darby: I mean the interval, is that

Mrs. McBride: You know I can look at that for you, I wouldn’t want to give you a number off of the top of my head because it varies so widely. We could sample some just real quick, some local communities around here.

Mr. Okum: I think we should and I think that that variation between 8’ and 8’6” issue is something that really perturbs me, it makes it difficult to be well you know

Mrs. McBride: Well like anything in the code, I mean you have to have a cutoff.

Mr. Okum: Sure you do.

Mrs. McBride: So, if it is 8’ based on the height of the ground mount sign

Mr. Okum: So you go 8’6” and it becomes a more liberal code, I mean it that’s contradictory to what I am thinking.

Mrs. McBride: I think the committee, at the time, and I don’t want to speak for all members of the committee, because this is the committee that was pushing this. We were suggesting that LED and electronic signs be included so that we could kind of move with that next stop. The committee’s thought was, yes but we don’t want the ground mount signs flashing in everybody’s face. That was their decision and recommendation to this body who recommended it on to Council who adopted it that they change only once a day based on that eight feet which is the upper limit of our ground mount sign height.

Chairman Darby: To talk about how we progress, I remember many many years ago when I first became a member of this commission, Mayor Vern French, tell you how long ago it was. Tri-County had a proposal for a sign. It was electronic. I think it would have changed about two months. But we were really really apprehensive about that. So, things have changed.

Mr. Okum: In going back to that, let me finish and then I will stop. The National Highway Administration report most recently said that there is 1,000 accidents a day from distracted drivers. I stated this at the last meeting. We need to think about that. I’m not saying that thing here is not one of the biggest distractors of all but signage is a distraction as well but I also think that signage you can’t read or is poorly scripted makes it, can be just as distracting when you are trying to read something that you can’t read. So, signs that are partially out, which we have some in Springdale. Some of our digital signage is partially out. That can be distracting. I think we, at least I my opinion, I would like to see the staff look at this part of the code. We have changed. We have evolved and times are changing so let’s evolve and try to be consistent so that it is fair to everybody. That is all that I can ask.

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thanks Mr. Chairman. I just wanted to kind of reiterate what Dave said earlier. You know, I think that the idea of the magic eight feet was absolutely that that’s what your monument sign is period and there’s nothing that says you have to give them, these guys are just push the envelope folks. We were within 15 minutes of having
something together and then the wheels kind of fell off on the whole thing. But, as you said previously Mr. Darby, I mean the bottom line is that if these guys are successful and they, I think are probably going to be ultimately it is a good use for the property and putting up with some stuff is maybe not the worst thing that we had to endure. I really think the idea of the eight feet, yeah that was magical for a reason because nobody thought that somebody would say, well I’ll just have a nine foot.

Mr. Okum: They were quick.

Mr. Taylor: I think that was the crux of the whole thing.

Chairman Darby: Okay. Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. Are we going down the wrong path with setting refresh times on these signs and enforcement were we are going to set one at 10 minutes, one at 1 minute, and one at 30 seconds with businesses all over town? We almost have to put a stake in the ground and say, 10 minutes. That is going to be the number from now on whatever that number might be. I can’t imagine your staff trying to enforce a 30 minute refresh verses a 10 second refresh.

Mr. Taylor: It is virtually undoable. I mean unless we had, yes you are correct. It’s not really even feasible. Especially if this is the way of the world obviously. I do think they are right about that. I mean the electronic age obviously is here. We are going to see more and more of this stuff and if everybody had a different interval just go ahead and shoot me now.

Mrs. McBride: As I said, we will do a quick study and kind of come up with what some of our other surrounding jurisdictions are doing and what the industry standards are and so forth and there is going to be coming to you later this summer a whole series of text amendments that are all minor in nature so if it is the pleasure of the commission to change that in the code I would include that then in what will be coming to you later this summer if that’s okay.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. I think it would be easier that if we are going to do something like that and change with the text amendments to say monument signs. Don’t say eight feet just monument signs and then pole signs because like you said, it was 8’ and then they were like we will just do it 8 ½ or whatever and then it was like, oh well then that kind of defeats the purpose of why we made the rule in the first place.

Mrs. McBride: Except that they are not allowed to do the 8 ½’.

Mrs. Sullivan-Wisecup: Yeah. Well if it is in a PUD they have more flexibility correct or no?

Mrs. McBride: Only if you approve it.

Mr. Okum: And that is why I brought it up in the discussion that if you go more than eight you are altering what the code allows.

Mrs. Sullivan-Wisecup: I voted not based on the fact that I thought that they were trying to manipulate the code too much. I know that they said that they gave a lot, well they asked a whole lot to begin with so it is not like they were making a whole lot of concessions, they just shot for the moon straight out of the gates and I feel like little by little it was chiseled down to where we were tonight. I am sure that they are not happy and I obviously am not happy I voted no, with what was the ultimate. I do, I echo your sentiment absolutely cell phones are a big distraction but I do find myself, if I am driving down the highway, even the one that is over by Dave & Buster’s, the Lamar sign, I look up at that one and see it changing and I am not always paying the best attention because I am looking to see what’s up there.
Mr. Okum: I wish it was static longer because I have a hard time catching it.

Mrs. Sullivan-Wisecup: Yes.

Mr. Okum: It drives me nuts.

Chairman Darby: And that particular positioning gives you ample opportunity to really hone in on it.

Mrs. Sullivan-Wisecup: So, I think it is hard when you have the signs that flip all the time. The 10 minutes was more than generous that we set tonight. I know again, if you are going to shoot for the moon shoot for the moon right. So I think that’s what they were trying to do consistently across all three meetings that they were here was try to get the most that they possibly could out of each thing that was in front of us.

Mr. Okum: The good thing is that they will be able to use the, because they’re going to be, I hope they are going to be a member of our local Chamber and they will be able to utilize the digital sign that the City has available to them.

Mrs. Sullivan-Wisecup: It’s a very very small fee if you are a member of the Chamber for the amount of advertising that you get over time. It is an amazing value for them and I thought for sure when we brought that up last time that would make some sort of a difference but it didn’t seem to make that much of a difference overall.

Mrs. McBride: I do want to say though, to the commission, when they first found out tonight, because they hadn’t read our code, that it could only change once every 24 hours, Mr. Schneider said, and Mr. Taylor and I both heard him, see if you can get to change every 10 minutes.

Mr. Okum: We totally

Mrs. McBride: And then he said he didn’t say that.

Mr. Okum: We totally

Mr. Hall: Then he denied it.

(Multiple members of commission talking at once over each other.)

Chairman Darby: No, he didn’t deny it he just said it was a personal conversation. He admitted it.

Mrs. McBride: Yeah, Mr. Schneider said that he didn’t say that so.

Mr. Okum: I understand but his objective was, I mean if you have seen the West Chester facility you understand how frequently it changes and it flashes. I mean it is literally a flash so it is what they are used to. I agree with, especially with what Joe said, very consistent. We need to be consistent and if it is going to be 10 minutes it should be 10 minutes. I do want to comment in regards to the progress that was made on the Zips with the logo medallion. I think it was a classy change and I think we need to incorporate and encourage that in our code when we do those changes because I think it worked good for Take 5 and it is what we are going to see more frequently in the future. There is going to be more design going that direction. That is all I have, thank you.
X. CHAIRMAN’S REPORT

None.

XI. ADJOURNMENT

Chairman Darby: If there is nothing else for the good of the body, motion to adjourn

Mr. Hawkins: So moved.

Mr. Okum: Second.

Chairman Darby: Moved and second that we adjourn, we are out of here.

Respectfully submitted,

________________________, 2019 ____________________________
Don Darby, Chairman

________________________, 2019 ____________________________
Richard Bauer, Secretary