

PLANNING COMMISSION MEETING  
FEBRUARY 10, 2015  
7:00 P.M.

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: Carolyn Ghantous, Dave Okum, Richard Bauer, Marjorie Harlow, Robert Diehl, Marge Boice and Don Darby

Others Present: Greg Dale, City Planner; Don Shvegza, City Engineer; and William McErlane, Building Official

III. MINUTES OF THE REGULAR MEETING OF JANUARY 13, 2015

Chairman Darby: At this time the Chair will accept the motion to approve the Minutes of our January 13, 2015 meeting.

Mrs. Ghantous: So moved.

(Mrs. Boice seconded the motion. With seven "aye" votes from the Planning Commission Members, the January 13, 2015 Minutes were adopted.)

IV. REPORT ON COUNCIL

(Mrs. Harlow gave a report of the January 21, 2015 and the February 4, 2015 City of Springdale Council Meetings.)

V. CORRESPONDENCE

Chairman Darby: There is no correspondence this evening.

VI. OLD BUSINESS

A. Chairman Darby: Under Old Business we have Thornton's Gas Station at 12185 Princeton Pike.

Mr. Andrew Zazofsky: I am with Thornton's. There were two items that were tabled at the last hearing. The first item was the color of our bollards; originally we were proposing our standard Thornton's red color. We heard some feedback that you would like to change that to more of an earthtone, something that is more neutral. I brought with me a sample of our proposed color and I will pass that around to the Members. This will match some of the colors and elements on our facade and on our canopy, it will not be red.

Mr. Okum: In regards to the bollards, because I was the one that brought it up at the last meeting, this is exactly what we are looking for. Would there be some reflective markings on those, as well?

Mr. Andrew Zazofsky: There will. There are two circular pieces of tape that actually go on at the manufacturing plant when they get shipped.

Mr. Okum: It will be the standard stripe; horizontal stripe?

Mr. Andrew Zazofsky: Two of them, right at the top.

Mr. Okum: That is fine with me.

Mr. Andrew Zazofsky: The second item that was tabled at the previous hearing was our signage. I heard some comments that we were asking for a lot over the allowable square footage. I think we were in the 360 range and we are allowed about 215; we are asking for about 150 additional feet of signage. We have reduced that and gotten rid of some the redundant signs on the canopy and on the building and we are only asking for 20 s.f. over the allowable signage. We have gotten rid of the sign on the southern face of the canopy. We thought it was redundant with the pole sign that we are asking for. We have gotten rid of two of the signs on the building that again were redundant with other signage that we are proposing. We are still seeking a variance for the LED pricer and we will come before the Board of Zoning Appeals on February 17. We have reduced our asking of 150 over, to just over 20 s.f. over the allowable.

(At this time Mr. McErlane and Mr. Dale read their Staff comments.)

Mrs. Boice: I just wanted to point out to the Board, I think sometimes we don't take it as seriously but these variances go with the property; once they are there, they are there and I was concerned about all those that were created months ago at the Shell Station. In fact, I opposed it because of the amount of variances. I just want the Commission to look at that closely as we are discussing this.

Mrs. Harlow: On this draft for the electronic fuel price displays, I do have a question about item #2, "Electronic fuel price displays are not permitted on fuel canopies"; is that like what I would see down at Krogers on the canopy?

Mr. Dale: I believe that is the case.

Mrs. Harlow: We haven't had the meeting where we go through the signage part of it but can you give me a little bit of background on why we would not permit on the fuel canopies?

Mr. Dale: I don't know that I can shed a lot of light on that. I think the idea generally is to avoid the proliferation of them. That, I suppose is a policy question that the Committee can address as to whether or not it is an important policy, to have them on the canopies or not. That is a fair question.

Mrs. Harlow: I think where I am coming from in this is, when you have a company like Shell or Thornton's and the corporate office wants one thing and the community boards want another thing, then there has to be some blending there to make it all happen. I am just wondering if this electronic fuel price displays on the canopy is something that we are going to run into giving variances for down the road or if we are going to run into a problem with it later.

Mr. Dale: That is a fair question. I think that is something that your committee can discuss tomorrow, when you are going from not allowing them at all to allowing them, I think it is a question of whether or not you want to have a limited allowance or something that would be more permissive that would mean that they could be on the canopy. It is a fair policy question and I think the community is going to have to decide.

Mrs. Harlow: I just want to look to the future of the companies that might want to come into our community and do business in our community. If they are being told by their corporate office that they have to do it a certain way, then that is my point.

Mr. Okum: Do you have a specific size for the digital signs; what size are those?

Mr. Andrew Zazofsky: They are 3'-4" x 8'-8¼".

Mr. Okum: That is a pretty big space. What is the height of the canopy?

Mr. Andrew Zazofsky: I believe it is approximately 17 ½' tall.

Mr. Okum: No, I mean the width of the band on the canopy?

Mr. Andrew Zazofsky: There is a LED band on the canopy, I want to say it is 6".

Mr. Okum: I am talking the Thornton's lettering on the band is 31" tall, according to your drawing, but Staff assumes it a little larger because of the space that it is on. I think that we have a responsibility to the community as Mrs. Boice indicated and also Mrs. Harlow's reference in regards to when this evolves then what precedent we are establishing by the introduction of this into use in the City of Springdale. I am one and I am in favor of limited use of digital information provided that it is done tastefully and done with limitations. I did do some browsing and I went to your Fern Valley Road location in Louisville and you have a lower pole sign with a digital sign on it that is much smaller than this and much lower, as well. It seems to work on a busier area than what we have here on 747. I am sort of leaning towards smaller rather than bigger. I think you canopy, in itself is nothing more than a pole sign that has multiple poles underneath it. Basically, you are accomplishing a pole sign twice on the site by putting your business logo on the canopy. Not saying that it doesn't occur, it goes on pretty much everywhere. I would be more inclined to be sensitive to the canopy signage along with a lower monument sign with digital information regarding pricing. This is pretty significant. We are not in a situation at this particular site that you are going to be able to gather traffic coming off of the interstate and I realize that is only 19' tall but nobody is going to be able to read that from the interstate.

Mr. Andrew Zazofsky: Correct, it is not intended to be an interstate attractor.

Mr. Okum: And frankly, at 19' tall and it depends on where that sign is placed the grade is 3' down below the public right of way line anyway with the pole, I would be more inclined to be for a smaller informational sign and for your sign to be lowered and brought into more of a low profile sign if you are going to have the canopy signs as well. That is just my personal opinion, I can't speak for the rest of the Commission. I totally justify mentally the signage square footages being 21 more square feet than what the code allows. I would support Board of Zoning Appeals to grant a variance, if needed for that 21 s.f. but on the other hand I don't see 3' x 8' digital lit pricing; I think that is substantial and I think that is a significant size when we think about how that will impact other gas stations and other retail businesses in Springdale. It is a little bit difficult for the Board of Zoning Appeals and Carolyn who is our representative, you are going to be faced with this next week and if we approve it here then basically you are approving, with conditions that you could put on it of what recommendations that we bring forward to you and you could bring it to the Board. The Board has the right to grant the variance and that is their decision at their discretion. On the Planning end of it, I think we are putting ourselves in a little bit of a difficult situation. Mrs. Harlow referenced the digital signs being on the canopy, the canopy is 30' back from the road, the pole sign is not, so there is a big difference there and obviously Thornton's has done lower profile signs on other developments besides Fern Valley. That is one of your newer concept stores. So, from this point I am having a little bit of trouble with what we have presented here and I don't want to redesign it for you but on the other hand based upon what I am seeing I will probably be voting in opposition to it tonight. I am thrilled you are coming to Springdale but we have to remember this is a gateway location into the City of Springdale. This is pretty much what you see when you come from the north into the City of Springdale, you are going to see retail development of some nature eventually on the other side of the street, as well. Those are things that we need to take into consideration on a Planning point of view. I don't have a big concern over total square footage for the size of the site being up a little bit but the digital, I think we are pushing some big boundaries by approving that. That is more of an expressway design sign verses local profile and I think we need to scale it back.

Mr. McErlane: Just wanted to clarify, the applicant had indicated that the digital pricers are 3'-4" high; that actually includes the language that says diesel and unleaded. The actual digital pricers are slightly above 2' tall. With the proposed language that we are considering, we are talking about the digital portion of the

message that we are going to allow 40% of the sign area; it is based on the sign size so it would be 40% of the sign. This is fairly close to, we don't know that for certain but it is pretty close to 40%.

Mr. Okum: I am not sure I am going to be supporting that; it is the committee level but on the left side for Thornton's, two sign sizes for their digital display of gas prices came up and one was 16" regular gas and the other one was 10" regular gas. Obviously they have used both sizes in their packages.

Mr. Bauer: On the pole sign, the height of that didn't change from the last time, did it?

Mr. Andrew Zazofsky: Correct.

Mr. Bauer: I am also concerned about the height of that sign and where it is at. The height of the canopy is what?

Mr. Andrew Zazofsky: I believe it is 17 ½' or so to the bottom of the under side of the canopy.

Mr. Bauer: I do like lower profile signs, something that is not as high as that. I think Mr. Okum stated everything else pretty distinctly, as far as the gateway into the community. I think it is important that that sign doesn't overstate its bounds. On your signs, thinking about variances, that sign that is showing direction in from Crescentville, where it is at is the farthest from the nearest property as it can be, correct?

Mr. Andrew Zazofsky: There is a property line and there is landscape area, then there is a driveway onto Crescentville and we are snug up against that driveway. We can't put it on the other side of the driveway because of the retaining wall that exists there today so we are constrained by where our driveway is. It is an existing driveway that we are reshaping, re-contouring and the 19' is as far away as we can get it.

Mrs. Harlow: Do you have canopy signage on other locations?

Mr. Andrew Zazofsky: We do.

Mrs. Harlow: With the canopy signage, do you also have pole signs with the signs on them, as well?

Mr. Andrew Zazofsky: Yes.

Mrs. Harlow: In a perfect world, you could come in and tell us exactly what you wanted. What is it that you want? That doesn't mean you are going to get it, but just tell me what you want.

Mr. Andrew Zazofsky: I think we have put together sort of the minimum package that my group is willing to approve internally and we have significantly reduced what we originally proposed by eliminating two signs on the building and now only being 20 s.f. above our allowable. We would love to have the package that is in front of you today. If I could just comment quickly on the 19' dimension, it is not intended to be an interstate sign but it is intended to be tall enough so that people can make a decision when they get off of that off ramp and they are going north to get into a left bound lane to come into the site. The reason that the pricer, as you can see it is almost bigger or the same size as our brand, is that you see the pricer first and you know it is a gas station before you know it is a Thornton's and that is what attracts your eye to the fact it is a gas station. We are in the convenience industry. That is the reason for the height and the size of the LED pricer, people tend to recognize that first before they recognize the brand.

Mrs. Harlow: Given the fact that the canopy signage and the digital signage is still in a draft format to be reviewed by committee and then it has to be presented to

Council for approval, if that were to happen, would you be looking at a canopy sign and then doing something different for this sign?

Mr. Andrew Zazofsky: Are you saying, if the Code was revised to eliminate?

Mrs. Harlow: No, to add canopy digital, if it were revised to add? I have no idea whether it is going to be looked at favorably or not.

Mr. Andrew Zazofsky: I would say we would be satisfied with this because like Commissioner Darby mentioned, the canopy is set back. Mr. Okum had the same point, it is 30', 40' even 50' from the actual right of way so when we are advertising our price and trying to be competitive with Shell down the street, this being 10', 15' off the property line is really what gets people to the site; more so than the digital pricer on the canopy.

Mrs. Harlow: I think everybody has stated that we are looking at development at the property across the street. We don't know what is going to be coming in with that but we also want to make sure that signage that goes up on your location isn't going to dictate what we allow at the other location in the gateway to the City. If that other property is developed, there will be a lot more traffic there and that type of thing. That looks like an awfully big sign to me too.

Mr. Okum: On the Fern Valley, you are probably familiar with it, it appears that it is near an interchange?

Mr. Andrew Zazofsky: I am not familiar with it and I am not sure what the code allowed there, as far as height.

Mr. Okum: I did some scanning around and pretty much most of the businesses are 12' high, in that range. The pole is not raw, it is surrounded with an enclosure to give it more of a monument or an accent instead of just a black pole sticking up in the air. I will be happy to share this picture with the rest of the Commission.

Mr. Andrew Zazofsky: We would have no problem with jazzing up the base if that is what you would like to see.

Mr. Okum: The 19' is based upon ground level of the parking lot?

Mr. Andrew Zazofsky: Yes, at grade.

Mr. Okum: It is really pretty level with the public right of way. This business is so far distant from 275, it is going to be a blur from 275, even at the size that has been presented. There are two ways of getting off of the expressway, you either go north or you go south. You don't get a choice and that decision is made long before you get to that exit ramp, because if you don't you are not going to get there. When you go north you are going to see Thornton's, you are going to see the canopy and frankly I don't have a problem with the building sign being a little larger. It was very interesting, we had a sign revision in Hamilton County Regional Planning Commission last Thursday and it was with Delhi Township. Delhi Township is allowing full building elevation signage, which is very odd and reducing what is out on the street. So, they are allowing more signage at the distance away from the roadway and that was Delhi Township's way of cleaning up the boulevard. As a bonus, the businesses are not hitting the street with a lot of heavy signage, they are moving it back to the businesses. In regards to this, I am still not convinced that that is the right proportion and based upon that I can't, at this point support it. Thank you.

Chairman Darby: I don't want to lose the point that was made about jazzing the pole up. As I look at the Fern Valley example, a pole is a pole. You guys do have experience creating more of a monument look but doing some things with that. You would be willing to do that, right?

Mr. Andrew Zazofsky: Right. At the base of the sign, sure.

Chairman Darby: Thank you.

Mr. Diehl: I like digital signs a lot. The question of the pole being at 19', would you consider bringing that down to a different level?

Mr. Andrew Zazofsky: I believe we are allowed 25' to the top, per the Code for a pole sign. We would love to pursue 25'. We are talking about changing the size of the LED cabinet that goes with it.

Mr. Diehl: Not necessarily.

Mr. Andrew Zazofsky: Would we be willing to lower the sign?

Mr. Diehl: Yes.

Mr. Andrew Zazofsky: I don't see why not, how low are we talking?

Mr. Diehl: You are the expert, not me.

Mr. Andrew Zazofsky: If 19.5' is too much for the bottom of the LED, what would be appropriate?

Mr. Okum: I would say 12', 13'.

Mrs. Ghantous: I would agree.

Mr. Diehl: What determined from your corporate when you put canopy sign up or when you don't?

Mr. Andrew Zazofsky: When we put the Thornton's logo on there?

Mr. Diehl: I am talking digital signs.

Mr. Andrew Zazofsky: Honestly, if it is allowed per code in the jurisdiction that we are in, we will pursue it. Sometimes the position of our sign doesn't correspond to where the heavy traffic area is. In this case, at the signal, that is not where our sign is going. That is a big decision point for people. If we had the ability, potentially to do a pricer on the canopy, then that would be something that we would look at.

Mr. Diehl: Personally, I don't like them at all. I was curious when you made that decision to use that. Does it depend on the neighborhoods or the demographics?

Mr. Andrew Zazofsky: The traffic levels, and what the position of the canopy is adjacent to the road. It would make sense at that corner where the signal is that that is the heavy traffic area. Since we have a sign, no need for it.

Mr. Diehl: What you are saying is that you only use those when you don't have any other alternative?

Mr. Andrew Zazofsky: I would say that but also if code allows it we try to pursue it and get the maximum size to be honest with you.

Mr. Diehl: I understand.

Mr. Dale: It is very difficult to find any point of reference to scale it but when you look at some of the surrounding context there might be a little bit of an optical illusion because of the size and the thickness of the pole and the thickness of the sign, it probably looks smaller in comparison to that but honestly I am not sure it is all that much smaller in height than what you are seeing there. But that is an estimate, trying to scale it with surrounding cars.

Mr. Diehl: When you go northbound, you are coming off of that ramp, I am not sure you can see that sign at all because of the bridge.

Mr. Andrew Zazofsky: Right.

Mr. Diehl: So you have to be going underneath, down in the valley and back up before you are going to see a sign, wherever that sign is.

Mr. Okum: 19' or 12'.

Mr. Diehl: That is correct.

Mrs. Harlow: What is allowed by Code for the height of that sign?

Mr. McErlane: 25'.

Mrs. Harlow: Can you tell me what other similar type businesses that have signs, what range is their signage in?

Mr. McErlane: Similar businesses like the Shell Station; they probably have 35' total height. They had a variance.

Mrs. Harlow: So he is not asking for a variance for the height of the sign, he is asking for a variance for Planning to approve the digital size of the letters?

Mr. McErlane: No. He is asking for a variance for a digital sign.

Mrs. Harlow: He would have to get that from Board of Zoning Appeals?

Mr. McErlane: There are three things he is asking for a variance for, the digital sign, total square footage of signs and distance of the directional sign from the property line.

Mr. Andrew Zazofsky: The one that says Thornton's entrance off of Crescentville.

Mrs. Harlow: So, Mr. Okum your issue is with the height of the sign? Planning can say o.k. on a 25' high sign, but you are saying it is too high?

Mr. Okum: The reason I am is that we are allowing canopy signage, as well, that is already at 17' to 21'. We have already got elevated signage on the site, on the canopy.

Mrs. Harlow: It is their name, it is not the gas prices.

Mr. Okum: It is still signage. Let's put digital signage aside for just a moment and just look at signage. This gentleman has indicated that they determine where they are going to put signage based upon where the traffic is going to see it and that is important. We agree with that and we understand that but had they not had a gas canopy there, which is an elevated pole; it has a skirt around it and it has multiple supports underneath it but it is a pole, an elevated sign. It is giving them an opportunity to get the elevated sign in the presence in the eye of the people driving on Princeton Pike. When you go to the pole sign that they are allowed and they have reduced it down, then you are talking two elevated signs on the site plus the building signage and it is not the square footage of signage. I am not adverse to the square footage of signage, I am adverse to the elevated signage that is already there on the canopy and then doing a pole sign at basically the same level. We have two basic elevated signs on the site plus the building signage. My feeling was to put the digital sign aside; do we really need a 19' high sign when we already have a canopy that has the sign that says "Thornton's" on it and the perspective viewpoints that the traffic people are going to see? That was my reasoning there. As far as the digital signage goes, and I understand where Staff is coming from because if you take out "Diesel" and you take out "Unleaded", then that is probably about 40% of that sign face. If we feel as this Commission that that is going to be a standard and Mrs. Boice referenced that earlier, then that is probably right. I am not sure that 40% is right. I am more inclined to 30% of the signage on those types of signs. I think and I mentioned at the last meeting that it depends on how close the sign is to

the street and all of those things are factors that influence those decisions, in my thinking. But I am trying to give you a reasonable persons point of view and that is where I am coming from, we have two elevations and then we have two elevated signs and then we have the digital signs. The digital signs, as far as I am concerned and I have seen the Thornton's sign with just the "Thornton's" and frankly it is ugly. I balance something on it besides just Thornton's, it is not bad. Mr. Diehl, I echo your feelings, I am not adverse to digital signs. We are recommending to the Board of Zoning Appeals a variance with conditions that they can act on and I think our motion needs to be strong enough that the Board of Zoning Appeals accepts our recommendation to them and incorporates that, if they decide to grant a variance, that our recommendation is strong enough that the Board of Zoning Appeals can work from that.

Mrs. Harlow: If the digital signage is approved through the zoning review committee and finally Council and then if it were to be approved for canopy, then would you be willing to take that sign and take the digital off of it and make it a monument sign.

Mr. Andrew Zazofsky: You are saying if you guys approve a code ordinance that says we can have canopy signage, would we then remove this and replace it with a monument sign with no digital?

Mrs. Harlow: No digital. And again, I don't know how it is going to go in the review committee. I think we will move forward with some type of digital because I think we are going to be forced to in order to be competitive with other communities and what the businesses are requiring when they are coming in. The sizing and all of that, I don't know what is going to happen with that. I think we need to be very, very careful because again this is an opportunity to develop that corner and that gateway to Springdale and we want to get it right. We don't want to look back in four or five years after your site is developed and the G.E. site is developed and say, "Man, we really blew that, we should have been able to do this or that." That makes it very difficult right now.

Mr. Andrew Zazofsky: I guess my only comment on the canopy signage would be that it would have to go on one face and then we would be missing a whole direction of traffic, if we didn't have that sign. That would be the difficulty that I think my group would have with eliminating that in lieu of the canopy.

Mrs. Harlow: Well, I think if you have that up and that is facing north/south then the people coming east/west aren't going to be able to see the digital gas prices.

Mr. Andrew Zazofsky: Correct, yes.

Mrs. Harlow: It is only going to be for one direction.

Mr. Andrew Zazofsky: Right. My point was if it is on the north face of the canopy if you are coming north then it is going to be difficult to see.

Mrs. Harlow: It is going to be difficult to see.

Mr. Andrew Zazofsky: We are expecting the majority of our traffic to be on Princeton Pike and not on Crescentville.

Mrs. Harlow: I think, too, this isn't going to be seen from the expressway. It is not going to be seen at the underpass but by putting the appropriate signs out on the expressway where it shows for gas, that will help direct traffic to you that way. I agree that this sign is not going to be seen from the expressway.

Mr. Andrew Zazofsky: Correct, that is not the intent.

Chairman Darby: It appears to me that the applicant has been very responsive to the concerns that we raised at the last meeting. They came back with, what I would consider to be an acceptable proposal. As I have listened to all the different inputs,

it appears to me that the main hang-up at this time is over the height of the sign, which is within Code. Personally, I don't have any problem with it.  
Are there any other comments or questions? If there is nothing further, are we ready for a motion?

Mr. Bauer: How are we handling the upcoming or impending digital signage change in the motion?

Mr. Okum: To include the conditions set by Staff. Mr. Chairman, I move to approve the aforementioned project which shall include the specifications and designs contained in the exhibits that have been reviewed by the City of Springdale Planning Commission and Staff and presented to the Commission prior to this meeting. This motion shall include Staff's, Springdale Planning Commission, City Engineer and City Planner recommendations with considerations for digital information regarding gas pricing and diesel fuel. Should the Board of Zoning Appeals approve a variance be granted with certain conditions, the conditions for a variance that the Board of Zoning Appeals will consider are an electronic pricer, the total sign area that expanded as requested and also the directional sign locations and distance from the public right of way. The signage that is presented shall include a pole sign that shall be enclosed and embellished by an improved enclosure similar to the Fern Valley Thornton's treatment. The digital sign for this project will include on that pole sign pricing for gas and diesel fuel only. The bollards that the applicant has requested to be placed around the building shall be of the material as submitted; that material is a gray PMS 8600 G39-9031-M and shall have two horizontal reflective stripes on each.

(Mr. Diehl seconded the motion and with 6 "aye" votes and 1 "no" vote from Mr. Okum, the signage request for Thornton's was approved with conditions.)

Chairman Darby: The motion has passed. What is your timetable for construction?

Mr. Andrew Zazofsky: We would like to start sometime mid June and open by the beginning of October.

## VII. NEW BUSINESS

- A. Chairman Darby: Moving on, Minor Revision to the PUD, Hooter's Restaurant exterior color and material changes at 12185 Springfield Pike.

Mr. David Howse: I am with Hooter's of America. I am here representing Hooter's of Springdale. We are requesting some modifications to the existing Hooter's. The modifications would include the repainting of the building from grey to more earthtone colors, the addition of an entry element as well as changing out one of the signs which does not comply with standards.

(At this time Mr. McErlane and Mr. Dale read their Staff reports.)

Mr. Dale: As I understand it, what is before you is not the sign package, so the sign modifications are not actually being approved as part of this request, as I understand it.

Mr. McErlane: Planning Commission could approve it but my only recommendation would be that Planning Commission approve it, if it turns out that the square footage is equal to or less than what is already up there, equal to or less than what is currently on the face of the building that is going to be removed?

Mr. David Howse: The current sign that is on the front, is actually 100.39 s.f. The proposed sign would be around 48 s.f., which would put us under the 150 s.f. that is allowed.

Chairman Darby: Are there any planned renovations for the other part of the building, the Rib City?

Mr. David Howse: No, sir. That is not our business.

Chairman Darby: Just in terms of design do you foresee any inconsistencies with your shiny new building?

Mr. David Howse: Actually with the changing of the colors, we will blend in with Rib City because they are more of a brown tone. The color of our trim is not actually "black", it is called "black fox", which is a brown.

Chairman Darby: At this time I would ask the two Council Members if they determine whether this represents a major change for this PUD development or a minor change?

Mrs. Harlow: I think this is a minor change.

Mr. Diehl: A minor change.

Chairman Darby: Thank you.

Mr. Bauer: With the entryway, you are replacing that sloped roof with basically a flat roof, where does it drain to?

Mr. David Howse: There will be drains that go out into landscaped areas on the side.

Mr. Bauer: So there will be a downspout somewhere that we are not seeing on this?

Mr. David Howse: Possibly. It will be hidden behind the slat system which sits off the face about six inches.

Mr. Bauer: So it will be hidden.

Mrs. Harlow: I wanted to ask what kind of lighting that you have for the outside? I was up there this evening and noticed that you have colorful string lighting out there.

Mr. David Howse: That is going to be removed.

Mrs. Harlow: What type of lighting do you propose for the outside of the building?

Mr. David Howse: Underneath the patio there will be track lighting. The light around the entry is really all that we have besides site lighting.

Mrs. Harlow: Your Hooter's sign would be lit?

Mr. David Howse: Yes.

Mrs. Harlow: No up-lighting or anything like that?

Mr. David Howse: Not at this time.

Mr. Okum: If you are taking the drainage off of that roof and going into the landscaping, you are basically dropping it off uphill and it is going to be draining down into your entryway; I guess it probably does now.

Mr. David Howse: It may even tie in underneath the sidewalk and go out to the parking lot, but I can't speak to that.

Mr. Okum: I understand. In regards to the lighted panel system, or recessed lighting panel, can that be dimmed? Is it LED?

Mr. David Howse: It is LED, yes.

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Mr. Okum: That could be a very bright element; extremely bright element on that building. I am a little bit torn on that because I go to Hooter's and it is pretty jazzy; I haven't seen it in real life.

Mr. David Howse: It is a standard element that we have used throughout the country. It does light up, you can see it. It is orange and it does not really reflect out into the parking lot because it is backlit and bounces off of the panel and then back out.

Mr. Okum: So, you don't have an orange haze?

Mr. David Howse: It is orange. The element will light orange but it doesn't transfer out onto the sidewalk or out further into the parking lot.

Chairman Darby: Staff, do you have any comments about Mr. Okum's point at this time?

Mr. McErlane: There is a cross section of the front of it and you will notice that the LED's are actually mounted to the backside of the rain screen so it bounces off of it orange and then comes back through the openings in the rain screen part of it. So, it is not a direct lit, but without seeing it personally I can't tell you what it looks like.

Mr. Okum: In regards to signage, I think Mr. McErlane what you are saying is that the signage shall remain what is allowed by Code. If it is more than what has been approved on this site then they would have to come back in, is that correct?

Mr. McErlane: My recommendation is that the one sign that they are proposing does not exceed what it currently in place then we don't need to consider whether or not they are over on what has been previously approved because we don't have those numbers to compare. If it turns out that they are, then they may have to come back. If it is greater than the ones that are being removed then we can still do an evaluation if they are within Code. If that is the case then the Chair can consider it.

Mr. Okum: It is a PUD and it does have some flexibility by this Commission.

Mr. McErlane: It is the Commissions' decision to make.

Mr. Okum: We have already approved what they have.

Mr. McErlane: We don't have the details to consider something larger, at this point and time.

Mr. Okum: Is the inside going to be totally redone?

Mr. David Howse: Yes, sir. We are going to remodel like we have remodeled our other stores and applying new elements; changing up the bar design and enclosing the kitchen and adding some wall finishes, cleaning up the floors and new table package, new TV's.

Mr. Okum: Redoing the restrooms?

Mr. David Howse: I believe that is one of the items. There may be some of the tile work that remains, partitions and vanities.

Mr. Okum: The restrooms are nasty and I think that is the best way to describe it, because I do go in there periodically. I am glad to hear that you are doing an upgrade on it, the business needs it. That has been there twenty years now; probably that long.

Mrs. Boice: It was not too long ago and in fact we were up against a deadline that this Board had extended for them to redo the outside in putting up that stone, which it seems like now you are going to redo that again, was there a problem with water leakage or is it just the design concept that you are going for?

Mr. David Howse: This building is part of a franchise group; RMD that HOA acquired about two or three years ago, the stone was put on about that time and that was done by the landlord. We acquired the building and now we are going through and doing the remodeling. We are trying to apply the prototypical elements to this building so it wasn't that the stone is failing or anything like that.

Mrs. Boice: The picture boards that you showed us, I would suggest that you might want to do something different with that. This night vision to me is very unattractive to my eye. If that is what it is going to look like at night then I just think that would be sad. That is just my opinion.

Mrs. Harlow: Is that what it is going to look like at night?

Mr. David Howse: Similar to that, yes.

Mrs. Harlow: But it is not going to be as large as that, correct?

Mr. David Howse: No, it is going to be smaller. It is about the size of the existing structure now. We are not going above where the existing sloped roof is currently.

Mrs. Harlow: You have orange and yellows on this, but you are only going to have the orange backlit?

Mr. David Howse: Yes. That was an early version where they were testing the LED and the LED were spaced farther apart so they gave that gradated look. Now that we have tested it on a number of stores, we actually have more of a consistent color.

Mrs. Harlow: So, this won't be the look at all. It will be a totally different look, right? And you can dial it down?

Mr. David Howse: It is very similar. Actually, we have never put it on dimmers.

Mrs. Harlow: Is it possible to do that?

Mr. David Howse: I would have to investigate that.

Mr. Okum: I guess we ought to at least give Ms. McBride the benefit of her comments in regards to 10% of the building elevation and looking at the elevation that is on the screen there, which is the east elevation, would you consider the new entry element an increase over the 10% of the building elevation? Carolyn is shaking her head "yes". What could you do to bring that down to the allowable 10%?

Mr. David Howse: Since we are using the existing structure, even if we lowered it you would have some issues with the sloped roof behind it, which requires some major modifications to the building itself.

Mr. Okum: I understand. What about the awning, the canopy or the orange roof? Do you have orange roofs on every Hooters?

Mr. David Howse: Yes.

Mr. Okum: If we are over the 10%, that orange roof below the word "Hooters", because we are in excess of the 10%; am I right Staff?

Mr. Dale: I don't know that we have the measurements to be able to determine that. I think just to clarify, the 10% that you are referring to is the guideline that says "non-earthtone accent colors".

Mr. Okum: Right, that is correct. The orange is definitely a non-earthtone accent color.

Mr. McErlane: Just to point out that we are actually getting a reduction in orange over what is currently on the building.

Mrs. Harlow: That is my comment.

Mr. Okum: When that thing is lit up at night, orange, I think it is more orange than 10%.

Mrs. Harlow: I thought when looking at that and looking at the pictures of the current Hooters, it seems to me like there is less orange, with the roof being changed out so that you are going to have the two canopies orange, it just looks to me like there is less. I think the vision of seeing it face-on, as opposed to seeing it on a slanted roof might make a visual difference. I want to stay within what Staff has said is guidelines for the 10%. I think that looks a whole lot better than what we have here currently.

Mrs. Ghantous: No doubt, it looks way better.

Mrs. Harlow: I don't want to start going out of the bounds of what previous Planning Commissions have said in the PUD.

Mr. Bauer: I think it looks better. When this was before us before, the existing orange accent I believe was above 10% at that point, was it not?

Mr. McErlane: Yes, it was.

Mr. Bauer: I see in this photo that we have from Ms. McBride's comments, that the rail was orange and it is now not going to be orange, the deck rail?

Mr. David Howse: That is right.

Mr. Bauer: I am sure that is pretty well hidden anyway; that is all I have.

Chairman Darby: If there are no other comments or questions, I think we are ready.

Mr. Diehl: Mr. Okum brought up a great point originally about the drainage, has that been resolved?

Mr. Okum: I think he answered the question in regards to the way the existing roof is carrying water currently and will be carrying water for this new scheme.

Mrs. Boice: I still have a concern and I think the picture is throwing me off, how bright is that LED going to be at that entrance behind the black wall? It just looks to me like something that is going to, according to that picture, is going to jump out. Do you have any idea what the brightness is?

Mr. David Howse: We have used it a lot. I don't know how to gauge the brightness to you. It will be visible and it will be orange.

Mrs. Boice: Again, I would get a different picture.

Mr. Okum: I would like to make a motion for minor revisions to the Hooters at 12185 Springfield Pike location, PUD in the Corridor Review District to include the following specifications and designs contained in the exhibits that have been reviewed by City of Springdale Planning Staff and presented to this Commission prior to the meeting. To include in this motion the City of Springdale Planning Commission, Staff, City Planner's recommendations and considerations. The unit shall be a new entry unit which shall encompass some accent lighting. In my motion I am including wording that says that lighting shall be maintained at all times and shall be all lit or it shall be totally turned off at any one time that it is in disrepair. Signage conditions on the site shall include that the signage shall remain under the allowable sign area as approved and is currently in place.

(Mrs. Boice seconded the motion and with seven "aye" votes from the Planning Commission Members, the motion was approved.)

- B. Chairman Darby: Item B, Conditional Use Permit for a day care at 1275 East Kemper Road.

(This being a public hearing, individuals from the audience that indicated they were present to speak on behalf of this request were sworn in.)

Ms. Monique Johnson: I am here with hopes of getting the relocation of my current child care center approved. I currently operate a child care center at 1530 East Kemper Road and this new location is 1275 East Kemper, the previous Tri-State Sleep Center, I believe. We would just like to relocate to that location.

(At this time, Mr. McErlane read his Staff comments.)

Mrs. Harlow: I would like the Board to know that at the University of Cincinnati I knew Ms. Johnson, she was a student of mine. I want to make that disclosure and I have no connections or no role in her day care center or her education or anything like that. If anyone would have a issue then I would be more than happy to recuse myself.

(No one indicated that Mrs. Harlow should recuse herself and the meeting continued.)

Mr. Okum: There are no residential uses adjacent to this facility, is there?

Mr. McErlane: The property to the west, we believe still contains a residential component to it; it is an exterminator and it originally was a residence with an exterminator business operating out of it, as well. To the best of our knowledge it is still maintained as a residence to a degree. I can't tell you that for certain because we haven't been in there for a long time.

Mr. Okum: Just for purposes of the record, there were notices given in regards to that. Is that property not up for sale, there is a "for sale" sign on it?

Mr. McErlane: Not that I am aware of.

Mr. Okum: It is the other house?

Mr. McErlane: Right.

Mr. Bauer: The sign that you propose to put in front of that, does that get reviewed at some point?

Chairman Darby: They are just replacing what is in existence; take it out of the case and put theirs in.

Mr. Bauer: A wooden fence is per code that they are proposing?

Mr. McErlane: As far as the zoning code; yes.

Mr. Bauer: Is that going to be painted or stained or just weathered?

Ms. Monique Johnson: Just weathered.

Mr. Bauer: O.K.

Mr. Diehl: Going back to the fence that Mr. Bauer was asking about, does that fence comply with the state regulations?

Ms. Monique Johnson: Yes.

Mr. Diehl: Thank you. How many children will you have?

Ms. Monique Johnson: I am currently licensed for ninety-eight children.

Mr. Diehl: Ninety-eight, and then you are taking it up about 10%, 12%?

Ms. Monique Johnson: Yes.

Mr. Diehl: How big is the area that you have?

Ms. Monique Johnson: We are currently housing about 7,000 s.f. We have two buildings.

Mr. Diehl: Now, you are going to just under 12,000 s.f.?

Ms. Monique Johnson: Yes. The new location, yes, but that whole location won't be classrooms, we are adding other amenities within the facility for the students.

Mr. Diehl: You are not going to keep the other location?

Ms. Monique Johnson: No.

Mrs. Harlow: I am very happy to see that Ms. Johnson is being very successful in her business and wants to come into Springdale.

Mr. Okum: I move to approve the aforementioned project which shall include the specifications and responses presented by the applicant and reviewed by Staff prior to this meeting.

Chairman Darby: There being no other comments or deliberation and no other individual being sworn in, the public hearing is hereby closed.

Mr. Okum: There is no deliberation, then my motion is as stated.  
(Mrs. Boice seconded the motion and with seven "aye" votes from the Planning Commission Members, the request for a conditional use permit was approved.)

## VIII. DISCUSSION

(No Discussion presented at this meeting.)

## IX. CHAIRMAN'S REPORT

Chairman Darby: The Chairman's report shows a wall sign for Cricket Mobile approved.

## X. ADJOURNMENT

Mr. Okum moved to adjourn, Mrs. Boice seconded and the City of Springdale Planning Commission meeting concluded at 8:19 p.m.

Respectfully submitted,

\_\_\_\_\_, 2015 \_\_\_\_\_  
Don Darby, Chairman

\_\_\_\_\_, 2015 \_\_\_\_\_  
Richard Bauer, Secretary