

PLANNING COMMISSION MEETING  
January 8, 2019  
7:00 P.M.

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

Members Absent: Richard Bauer

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

III. PLEDGE OF ALLEGIANCE

IV. ELECTION OF 2019 OFFICERS

Chairman Darby: As is our responsibility every January, we now are going to have election of officers for this commission for the year of 2019. At this time the Chair will accept nominations for the position of Chair.

Mr. Okum: Move to appoint Mr. Don Darby as Chairman.

Mrs. Sullivan-Wisecup: Second.

Chairman Darby: It has been moved and second that Don Darby be appointed as Chairman.

Mr. Okum: I move that the nominations be closed.

Mr. Hall: Second.

Chairman Darby: Nominations are closed and I thank you for your vote.

Mr. Okum: We have to vote yet Mr. Chairman.

Chairman Darby: I'm trying to rush it.

Mrs. Sullivan-Wisecup: He's campaigning.

Chairman Darby: Okay, it has been moved and seconded that the nominations be closed.

(Voice vote taken and the vote appointing Don Darby as Planning Commission Chairman was approved with a 6-0 vote.)

Chairman Darby: I had my fingers crossed. Thank you very much folks. The Chair will now accept nominations for the position of Vice-Chair.

Mrs. Sullivan-Wisecup: I would like to nominate Mr. Dave Okum for Vice-Chair.

Mr. Hawkins: Second.

Mrs. Sullivan-Wisecup: I'd like to move that we close the nominations.

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Chairman Darby: Move, second that Mr. Okum be nominated and that it has been moved and seconded that the nominations be closed.

(Voice vote taken and the vote appointing Dave Okum as Planning Commission Vice-Chair was approved with a vote of 6-0.)

Chairman Darby: Congratulations Mr. Okum, Congratulations Dave.

Mr. Okum: I'll do my best.

Chairman Darby: You better you have to make me look good. Okay, one remaining position. The Chair will accept the nomination for the position of Secretary.

Mr. Hawkins: I nominate Richard Bauer for Secretary.

Chairman Darby: In Mr. Bauer's absence, I would like for the commission to know that I have communicated with him and he is willing to accept the nomination.

Mr. Hall: I'd like to second that.

Chairman Darby: Moved and second that Mr. Richard Bauer be nominated as Secretary. Motion to close?

Mr. Okum: So moved.

Mr. Hawkins: Second

Chairman Darby: Moved and second that the nominations be closed.

(Voice vote to close nominations approved 6-0.)

Chairman Darby: All those in favor of Mr. Rich Bauer being appointed as our Secretary for 2019.

(Voice vote taken and the vote appointing Richard Bauer as Planning Commission Secretary was approved with a vote of 6-0.)

Chairman Darby: In his absence I congratulate Mr. Bauer. Thank you very much.

V. MINUTES OF THE REGULAR MEETING OF DECEMBER 11, 2018

Chairman Darby: The chair will accept the motion for the approval of the minutes of our previous meeting held on December 11, 2018.

Mrs. Sullivan-Wisecup: I move that we adopt the minutes from the December 11, 2018 meeting.

Mr. Hawkins: Second.

Chairman Darby: Moved and second that the minutes of the meeting of December 11<sup>th</sup> be adopted.

(Voice vote taken and the minutes were adopted with a vote of 6 to 0.)

Chairman Darby: The minutes are hereby adopted.

VI. REPORT ON COUNCIL

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. City Council met on December 19, 2018. Six members were present. We had the election for Vice-President which the Council selected Lawrence Hawkins. Regarding that matter we had the presentation of the 2019 Budget. We also had before us Ordinance No. 58-2018 an Ordinance amending Ordinance No. 52-2017 as amended by Ordinance No. 48-2018 to provide for wage increase and declaring an emergency. That passed with a 6-0 vote. There was a 2% increase for everyone. Ordinance No. 59-2018 an Ordinance adopting a Supplemental Appropriations Estimated Receipts Ordinance to make appropriations for the current expenses and other expenditures and adjust estimated receipts for the City of Springdale, Ohio during the fiscal year ending December 31, 2018, which passed with 6 affirmative votes. We had Ordinance No. 60-2018 and ordinance adopting a temporary appropriation ordinance for the period January 1, 2019 until the fiscal year 2018 appropriation permanent ordinance is adopted and that passed with a 6-0 vote. We had Ordinance No. 61-2018 authorizing the Mayor and Clerk of Council/Finance Director to enter into a collective bargaining agreement with the Springdale Professional Fire Fighter's Local 4027 and declaring an emergency. That passed with a 6-0 vote. We had Resolution R20-2018, a resolution proposing an increase in income tax to 2% and directing that the increase income tax be submitted to the electors. That was a second reading of that matter. That is something that Council is looking to get on the ballot for this spring. It would be a .5 increase, .5% increase of the income tax. We had Resolution R21-2018 appointing Sheila Seiter as a member of the Charter Revision Committee which passed with a 6-0 vote. Resolution R22-2018 appointing Robert Coleman as a member of the Civil Service Commission which passed with a 6-0 vote. Resolution R23-2018 appointing Gregory Jackson as a member of the Tax Review Board which also passed with a 6-0 vote. We had Resolution R24-2018 and R25-2018, both with regard to the housing, the Board of Housing, Building and Fire Appeals and those matters were taken off of the agenda because those were Mayoral appointments, no need for a vote but just for the commission's edification, the Mayor has appointed Charles Hormann and Robert Apke on those two boards. We had Resolution R26-2018 appointing Dan Shroyer as a member of the Volunteer Fire Fighters Dependence Fund Board seat 1 and Resolution R27-2018 appointing Jeff Anderson as a member of the Volunteer Fire Fighters Dependence Fund Board. Both of those passed with a 6-0 votes. We had Resolution R28-2018 commending Wood and Lamping for their years of service which passed with a 6-0 vote. We have moved on to a new Law Director. With regard to Council also met on January 2, 2019, all seven members were present. We had Ordinance No. 1-2019 adopting the annual appropriation and estimated receipts ordinance for the fiscal year ending December 31, 2019 which passed with a 7-0 vote. We had Resolution R20-2018, third reading of the resolution proposing an increase in income tax to 2% and directing that increase in income tax be submitted to the electors. We had Resolution R1-2019 authorizing the investment of Municipal Bonds and that passed with a 7-0 vote. We had Resolution R2-2019 requesting an advanced payment from the Hamilton County Auditor which also passed with a 7-0 vote. That would conclude my report unless there are any question or there is anything that Mrs. Sullivan-Wisecup would like to add.

Chairman Darby: Questions? Thank you very much, very comprehensive.

VII. CORRESPONDENCE

VIII. OLD BUSINESS

- A. Ditsch/Pretzel Baron, 311 Northland Boulevard, Springdale, Ohio, Revision to Development Plan (Application 34475)

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. I actually have a witness, the A/V system actually worked so hopefully it will continue to function. Okay, this is the case that you all heard last month and was tabled to try to get a little further information. This of course is an aerial view of the site. This is the plan that was approved some time ago and this is the

plan that is currently before you. You may recall the plan includes adding a third silo and an oil tank behind the wall that encloses it. The Commission seemed to be okay with the additional size of the enclosure, the issue at hand was how this thing is going to appear. So, the applicant, in addition to providing this sheet, provided several animations for your consideration and I have included them here. So, if you just kind of bear with me. The first two here are actually of the way that the facility currently looks and this is from Northland traveling east to west. Of course you can see the building and this is a pretty accurate depiction of the way that it looks from an elevation stand point that is accurate according to the applicant. This is going the other direction. Now we are heading from west to east. There we are. I've got two sets of animations for your consideration tonight. The first one, the entire enclosure is a color that is color matched to match the existing brick façade. Again this is traveling from east to west and you can see element that is added there on the right-hand side of the building. This is the same, this is the view going from west to east and again you can see this is the element in question. There was a concern that possibly all one color might be a little bit much so they have also provided, for your consideration, another alternative here. On this one you will see that the screening element is comprised of three different colors. Again, here is the animation. Whoops! Let me go back. This is going from east to west again and you can see that the bottom part is the kind of brick red color and then there is a tan and a dark stripe at the top. Then finally this is the last view heading from west to east. Again you can see the element that has been added to the building. That is all that I have for you tonight.

Chairman Darby: Thank you. Mrs. McBride.

Mrs. McBride: Thank you. My staff report mainly tries to clean up the issues that are before the commission this evening because there were some additional issues that were up at our December meeting. So, as Mr. Taylor has indicated really what we are looking at this evening is how the screening material is going to look. It is my understanding that it is going to be a corrugated metal material but whether or not it is one color or multiple colors or whatever, it is up to the commission. Additionally in my comments we've had a chance to review their revised landscape plan and we have some requirements for that that we would like to see incorporated into any motion that the commission might make, that that would be revised and submitted to staff for review and approval.

Chairman Darby: Thank you. Mr. Shvegzda do you have anything for us?

Mr. Shvegzda: No comments.

Chairman Darby: That concludes the presentation so comments? Questions? Did the applicant wish to come forward? I'm sorry.

Mr. Gottenbush: Gary Gottenbush, CEO Ditsch USA. We have just side by side so you can see the difference in the picture. I think the pictures are pretty much what we needed for the presentation. Very nice thank you John. However; one is a little bit softer and the other. Everything, obviously is to code, height, however; it is really aesthetically what looks best and maybe A or B, what you guys like best. I have my opinion and either one will be very satisfactory for us. I thank you very much for seeing us again this evening. If there's any questions to me, I'd be happy to hear anything that you have. This is critical for our expansion and there really isn't anything that we are going to add to the silos. That is absolutely everything. The oil in question is soybean oil by the way.

Chairman Darby: Okay. We will start, Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. Did you have a preference between the two?

Mr. Gottenbush: To me the yellow looks softer. It looks to me visually, I mean I can't quantify it but it looks about 15% smaller and everything is to scale, everything is exactly

the same. So, I was surprised by the appearance. It certainly softens the front and adds to the building.

Mrs. Sullivan-Wisecup: So, you would prefer to have the yellow or the more neutral color with the dark top than the whole entire thing the same color is what you are saying right?

Mr. Gottenbush: I would like either one. I have no preference what so ever. It looks a little bit smaller, I just need the silos and this will help seal the deal so that is what I really want to accomplish this evening.

Mrs. Sullivan-Wisecup: Okay. Thank you.

Chairman Darby: Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. Could we see some samples of the corrugated material that you are indicating that you would like to put on there please?

Mr. Gottenbush: Did you want to hand them?

Mr. Hall: Is this kind of the same as you had the last time.

Mr. Schlagetter: Yes. John Schlagetter. So that is the same profile of the metal panel. It is a Benjamin Moore Copper Kettle so it is a standard color and we used Ditsch colors using the pantone matching system to color blend the tan and the brown.

Chairman Darby: Does the lighter color present any maintenance issues?

Mr. Schlagetter: It shouldn't. No more than any other color would over the course of time.

Mr. Hall: Just one further question. So, it is not a corrugated material then, it is going to be a solid material. Corrugated so that the air can go through it as in corrugated or solid pattern.

Mr. Gottenbush: It will be a solid.

Mr. Schlagetter: It is a solid pattern.

Mr. Gottenbush: It is a solid panel.

Mr. Hall: Thank you so much.

Mr. Gottenbush: Thank you.

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Couple of questions. The panels are going to be horizontal?

Mr. Schlagetter: Yes.

Mr. Okum: Mounted and you had talked about air getting into the space. From this elevation it appears that the tanks do have some exposure to the roadway. How will you tie that wing wall basically into the main structure? I mean it is a large element, what 50, 40 some feet high? 36 feet high. I mean is there going to be like connection point between? Is that side totally open?

Mr. Gottenbush: It is going to be open, yes.

Mr. Okum: Okay, so that would be, for purposes of understanding that is the east side of the silo enclosure will be totally open.

Mr. Gottenbush: Yes. Correct.

Mr. Okum: South East. Got it. Really is that south east?

Mr. Gottenbush: North east.

Mr. Okum: Okay.

Mr. Gottenbush: The east side will be exposed, yes.

Mr. Okum: Okay, so, getting back to that, I can understand that you have trucks that are going to back up, there was some presentation originally on the previous meeting that trucks would not be offloading there.

Mr. Gottenbush: It won't be an offload it would be with a hose so there won't be any physical off-loading it is all going to be pneumatically. Pumped through the hose.

Mr. Okum: I see. Is there a containment basin in the bottom part of that?

Mr. Gottenbush: For the oil, yes. Not for the flour, the flour won't.

Mr. Okum: So, the depth of that concrete?

Mr. Schlagger: Eight inches.

Mr. Okum: Oh, it is only eight inches.

Mr. Schlagger: So, the requirement is the size of the tank which is 8,000 gallons and a 24 hour 25 year storm event which typically works out to about 3 inches of depth. So the 8 inch curb should be more than sufficient for that containment volume.

Mr. Okum: I see. Okay. I noticed when I observed the site the other day when I drove over, and your representation is very close obviously, the west wall of the building is just ordinary masonry.

Mr. Gottenbush: It's currently unpainted and it has never been painted.

Mr. Schlagger: The transition from brick, the brick goes back approximately

Chairman Darby: Could you step to the mic please so that she can pick it up?

Mr. Schlagger: Yes, the brick extends back approximately 24 feet and then does transition to the concrete block.

Mr. Okum: Okay. We had mentioned at the last meeting some large element trees or evergreens to break that silo. It doesn't appear that you have added any, is that correct?

Mr. Schlagger: What we did was, we replaced the proposed trees with a Columnar Hornbeams and those would grow to become that element.

Mr. Okum: Okay.

Mr. Schlagger: So, what we were also asked to do is to show that as planted height so we only changed the species of tree, we did not proposed as plated height but we will change the specification to the caliper inches verses the height.

Mr. Okum: How many of those are being planted? It looks like four.

Mr. Schlagger: Yeah

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Mr. Okum: It's not many.

Mr. Schlagetter: That is probably accurate. Again, as a part of this revision we were not proposing to change the approved landscaping plan. So the landscaping plan

Mr. Okum: Except for the type of the tree.

Mr. Schlagetter: Exactly, yes in response to staff's comment from last August.

Mr. Okum: Then, I guess you being the Tree Czar, Mr. Taylor, that one large tree that is there is a healthy specimen well enough that it is going to last with this construction?

Mr. Gottenbush: That is actually on the City's property that is not on our property.

Mr. Okum: That is on the City's property?

Mr. Gottenbush: Yes.

Mr. Okum: Then I certainly hope it certainly does last. Yeah you are right that is on our property isn't it. That is all I have for right now Mr. Chairman, thank you.

Chairman Darby: Would, I see one pressing question for us. Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. Just for the record, either one of those are fine with me so, I will be okay with the owner making the decision which one he desires. Thank you.

Chairman Darby: You stole my thought because that had come up and would the other Commission members care to have some input about which model they prefer and I'm on record, I like either one. Mr. Okum.

Mr. Okum: I tend to agree with the owner, I think the beige or off white tends to lessen the impact and soften the front and it does seem smaller. It may not after it is up there but at least based upon the illustration I believe it does.

Mr. Gottenbush: This illustration, everything is the same.

Mr. Okum: Spot on, I understand. Thank you.

Chairman Darby: Anyone else? Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. I would be okay with either of them. If I had a preference I probably would take the solid color. I do agree the break up sort of softens it up a little bit but at the same time it also can create more attention by there being some different coloring there. So, if I had my preference I would probably pick the solid color but whatever the commission decides I would approve either.

Chairman Darby: Any other inputs? Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. I just have one questions sir. On the north side of the building, the parking area that is there next to the silos. You have a 60'x15' spot for semi-tractor trailers to back into there to unload. How would anybody be able to unpark if they are in any of those six or seven parking spaces with that tractor trailer in there?

Mr. Gottenbush: Fortunately that is not going to affect the parking itself but exiting the parking it could be an issue and I'll address that, there shouldn't be a problem at all. I don't for see a problem with exiting and if so we are going to make sure that the people that park there that scheduling wise don't have to leave at that time. We can schedule the truck deliveries.

Mr. Hall: Okay.

Mr. Gottenbush: It is office parking.

Mr. Hall: Thank you.

Chairman Darby: I don't have any more lights. Mr. Okum.

Mr. Okum: Do you anticipate any additional rooftop mechanical changes to the structure?

Mr. Gottenbush: This will not affect any rooftop or mechanical, no.

Mr. Okum: Any exterior lighting changes to the property?

Mr. Schlagetter: So, previously we had proposed that we would only have maintenance lighting within the screen wall for visibility at night as well as security. We are not currently proposing any light fixtures that would be visible from the roadway. We try to minimize those types of roosting places on the outside of the food plants. Some are necessary but we do try

Mr. Okum: Louder voice.

Mr. Schlagetter: We do try to keep, sorry Liz, but we do try to keep it minimal for safety and security only inside the enclosure.

Mr. Okum: As long as you comply with our Zoning Code on lighting.

Mr. Schlagetter: Correct. Yes sir.

Mr. Okum: Mr. Chairman I would like to move to approve the following project: Pretzel Baron, 311 Northland Boulevard, case number 34475, per the specifications and designs provided in our meeting packet as exhibits which were submitted by the applicant and reviewed by staff prior to this meeting. This motion includes the following conditions that staff, City Planner's recommendations and considerations contained in their report are also included. All lighting and re-lamping of fixtures shall conform to existing zoning code and requirements. Special landscaping is required and required has been addressed by the applicant.

Mr. Hall: I'll second the motion Mr. Chairman.

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

Mr. Hawkins: Before we do that I have a question.

Chairman Darby: Yes sir, Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. Are we specifying which one of these two?

Mr. Okum: I missed that completely.

Chairman Darby: I heard we were leaving it up to the applicant.

Mrs. Sullivan-Wisecup: Up to the applicant.

Mr. Okum: We only had two opinions and they were 50/50

Mr. Hawkins: I wanted to make sure it was clear.

Mr. Okum: He said the applicants.

Mr. Hawkins: Okay.

(Ms. Morsch Acting Secretary in Mr. Bauer's absence called roll and the motion was approved with a vote of 6-0.)

Chairman Darby: Congratulations.

Mr. Gottenbush: Thank you.

Chairman Darby: When are you going to come back and put the section on where you brew the beer for the pretzels?

(Laughter in audience and commission)

Mr. Okum: I just want to know if those nubs are yours to?

Mr. Gottenbush: The pretzel bits? Yeah we actually have patent pending on the product. Yes. They are ours.

Mr. Okum: That is what I thought. Thank you.

Mr. Gottenbush: We want to keep beer away from the bakers.

Chairman Darby: Before we move on to the next item without amending the agenda, I need to add something. I should have done this right after we had our elections and I could do it at the end but there would be no body here. I want to acknowledge the folks who treat us like rock stars. That is our staff, Mr. Taylor, Mrs. McBride, and Mr. Shvegza and especially to Ms. Morsch, who keeps me in line sitting here. When I say they treat us like rock stars it is because we show up for the meeting, it is just like the guitar player who just walks on the stage and starts doing his thing and we really really appreciate that and you did not get to vote on whether or not you get to do it either. Thanks guys.

IX. NEW BUSINESS

- A. Fastsigns, on behalf of Our Health, 11568 Springfield Pike, Springdale, Ohio, Minor Improvement Requiring Planning Commission approval (Application 34591)

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. This is located in what was in one point in time Riley's or J. Austin's. This is going to be part of that and this is of course is the way that it looks from the air. It is zoned GB and it is in Sub-Area C of the corridor review district. This is the proposal that is before you. It is this cabinet sign that says My Clinic. The Our Health portion is all channel letter and was previously approved. So, the issue here before you is the panel sign that says My Clinic. Take it away Mrs. McBride.

Mrs. McBride: Well after you said all the good stuff. As Mr. Taylor indicated right now they have a 10.6 square foot Our Health sign on the premises. They are allowed a total of 95 square feet of sign area based on the 50 lineal feet of building frontage. They would like to add the My Clinic sign which is another 10.6 square feet so they are significantly under the amount of sign area that they are permitted. The My Clinic sign is not earth tone colors as we often interperet them, however with that it is only 31.6 percent of the total sign area which is under the 50% so that does not require action by the commission, only the inclusion of the cabinet sign would require your review and action.

Chairman Darby: And the action of the Council members?

Mrs. McBride: Because it is zoned GB and it is within our Corridor Review District only a PUD would require the review of the Council members.

Mrs. Sullivan-Wisecup: It says we do?

Mrs. McBride: Oh, does it really, sorry about that. It shouldn't say that.

Chairman Darby: Mr. Shvegza you don't have anything on that? Okay. Would the applicant want to come forward?

Mrs. McBride: I'm sorry. I am absolutely losing my mind here this evening. It is within a PUD and it does require the two members of Council, sorry about that guys.

Chairman Darby: She's just doing this at the beginning of the year so that everybody knows that she's not perfect. She'll never make another mistake.

Mrs. Sullivan-Wisecup: I find that this is a minor change.

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

Chairman Darby: Yes sir.

Mr. Pence: Thank you very much for your time.

Chairman Darby: Please identify yourself.

Mr. Pence: I'm sorry, Lane Pence, President of FastSigns, Central Cincinnati. I'm here on behalf of Our Health. Our Health is opening a clinic in the former J. Alexander's, so Our Health being there, their corporate name My Clinic being the designation of this particular location. The, as you can see the type of logo that My Clinic is very thick stroke on the Clinic so that it does not lend itself to the channel letters but it sits large enough to be visible to the public. So, we would like to present that to you and whatever questions you might have.

Chairman Darby: Okay, thank you. Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. I drove by it the other day to look at it and I saw the Our Health sign up there and frankly I thought it was a little bit small for that elevation. Certainly, My Clinic, doesn't offend me in the least and I would support your request.

Mr. Pence: It is actually maximized, we have to give I believe it's

Mr. Okum: Three feet on each side, I know. It just, the lettering is so thin and that must be the logo lettering and it is just hard to make it bold enough.

Mr. Pence: Yeah.

Chairman Darby: No lights.

Mr. Okum: Mr. Chairman, based upon that and the fact that I didn't see any lights, I move to approve the following project at Our Health at 11568 Springfield Pike, case number 34591 to include staff and City Planner's recommendations and considerations per the packets applied.

Mrs. Sullivan-Wisecup: I second that.

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

(Ms. Morsch Acting Secretary in Mr. Bauer's absence called roll and the motion was approved with a vote of 6-0.)

Mr. Pence: Thank you very much.

- B. Carpenter Sign Service, on behalf of Mi Tierra, 401 West Kemper Road, Springdale, Ohio, Minor Improvement Requiring Planning Commission approval (Application 34592)

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. Again this is our aerial of the site. It is also part of the, zoned GB and it is also included in Sub-Area C of the Corridor Review District. The grocery store is going, you all may recall you approved the work on this space earlier. So, the restaurant and grocery store is going into this location. This is the sign that has been proposed. There is a couple of issues here for your consideration. One is the logo which is a cabinet sign and the other is, I believe there is more of the sign, the Mi Tierra portion that is not earth tone so you have to act on both of those issues. I'm sure Mrs. McBride has more for you.

Chairman Darby: Mrs. McBride.

Mrs. McBride: Thank you. So, this particular tenant is entitled to a total of 149 square feet of sign area. They are proposing a total of 137.6 square feet of sign area. It is primarily channel cut letters compliant with our code, however in the upper left hand corner of the sign there is a small cabinet sign type logo that they would like to include. The sign is also comprises predominantly non-earth tone colors which exceed the 50% requirement so both of those actions would require Planning Commission approval to allow them to do the signage as they are proposing.

Chairman Darby: Applicant wish to come forward please. Take your time. Good evening.

Mr. Carpenter: Bob Carpenter, the applicant, with Carpenter Sign Service, 9437 Harrison Avenue, Cleves, Ohio here on behalf of Mi Tierra. My first question is with regards to the earth tones. I went on the internet searching for earth tones and they basically have none. They only have a definition. I did, however; find one place that listed these as earth tones and they are all rather subtle and so forth, not lending themselves well to being easily legible which is the main sign job is to be legible. The green that we proposed is an earth tone and it was 58.23 square feet of green that was as near as I could calculate in the drawing and the tomato red was chosen because we assumed it to be an earth tone to being chosen from a tomato and so forth. It is an off shade of red, not a pure red like the cardinal red and scarlet and so forth. That was 60.18 square feet of red. Again as near as I could calculate them because of the shapes, but that was taking boxes around them, the way you people figure your square footage. That being said, neither one of these numbers is in excess of 50% of the total square footage because the square footage then is also, you have the space between the lines and so forth that you count as square footage because they put a box around our sign. We have 134 square foot of signage, 58.23 of green and 60.18 of the red, we are within two square foot of being 50/50. So, that I'm that close. My graphics guy today also decided to put a green trim cap and sides on the Mi Tierra letters if they are the ones considered not to be earth tone. That should add enough to it to make it a 50/50 proposition.

Chairman Darby: Well as you know we get presentations and some deal with litigation and some deal with mitigation. I think your position is one of mitigation because our staff has a standard way of calculating square footage and we tend to accept that.

Mr. Carpenter: Sure. I used your method.

Chairman Darby: I can assure you, red is not an earth tone, but we do have some things we can talk about. But, for the record I want to make that clear.

Mr. Carpenter: Okay. That being said, we could go with the colors of red used in the Family Dollar for our red. Were those earth tones.

Chairman Darby: As I said there's some things we could talk about. We have made some considerations.

Mr. Carpenter: We'll work with the board on that.

Chairman Darby: We have made some considerations in the past.

Mr. Carpenter: We'd prefer the red and so forth because that is their colors and that's the colors in the Mexican flag also.

Chairman Darby: Okay. Mr. Okum.

Mr. Carpenter: That is why you usually see them appearing.

Mr. Okum: Mr. Carpenter.

Mr. Carpenter: Yes sir.

Mr. Okum: The Mi Tierra reds are the corporate logo colors of Mi Tierra?

Mr. Carpenter: Yes.

Mr. Okum: Is this the same grocery store that is also in Sharonville? Is this the same grocery store that is in Sharonville?

Mr. Carpenter: Yes.

Mr. Okum: Is that the colors that are on their current signage in Sharonville?

Mr. Carpenter: I do not know because I didn't do that sign.

Mr. Okum: Is there someone here from the business that could respond to that?

Mr. Carpenter: Yes, there is some people here.

Mr. Okum: Then could we hear from them please?

Mr. Carpenter: Yes.

Mr. Okum: Thank you.

Mr. Carpenter: Can we get

Mr. Okum: I want to have an answer to that before I ask more questions.

Mr. Carpenter: Okay then. Fine.

Chairman Darby: Do you want to come forward so we can hear you on the microphone.

Mr. Roblero: Good evening everyone.

Mr. Okum: Good evening.

Mr. Roblero: Yes, absolutely

Chairman Darby: Please identify yourself.

Mr. Roblero: My name is Neftali Roblero and I am a member of Mi Tierra supermarket. The letters of the current sign, the channel built is exactly the logo on the corner, on the left corner.

Mr. Okum: I'm asking about the Mi Tierra colors. The colors that are on that red, is that the red that is on your current business?

Mr. Roblero: Honestly, I have not compared this red with the other red.

Mr. Okum: Okay.

Mr. Roblero: I couldn't answer you exactly the question because there are several tones of red.

Mr. Okum: Are there more Mi Tierras around?

Mr. Roblero: It is just, no.

Mr. Okum: Just the two.

Mr. Roblero: It is just the one in Sharonville and then the other one is going to be opened in Springdale.

Mr. Okum: Okay. Thank you.

Mr. Roblero: You're welcome.

Mr. Okum: You may want to hang out there might be another question. You never know.

Mr. Roblero: Sure, sure.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. Just for the record. Liz has this up online and it looks like the lettering is green at the other location. Mi Tierra is in green and not red.

Chairman Darby: Yea.

Mr. Carpenter: Another question because I couldn't hear him.

Chairman Darby: She just pulled it up on line and the picture of the Sharonville location of Mi Tierra is in green.

Mr. Ramirez: So the phone number is in green, Mi Tierra is in green. It does have a logo on it and the Supermercado is in red. So, basically flipped.

Mr. Carpenter: Right.

Mr. Roblero: Okay.

Chairman Darby: Other questions, comments folks?

Mr. Ramirez: That is all I have.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. I personally don't have a problem with this because I think in order to be seen from the road you have to have some sort of something that is going to catch your eyes. These colors since it is on the logo matching, I know it is a lot of red if the Mi Tierra was maybe in green and the main part not in the logo part but in the main part that might be a little bit different but if it is the logo color, its branding. I really don't have a problem with any kind of branding color on this particular one. So, it would be noticeable because everything else O'Reilys is

the green and the red, Family Dollar is the red and in order to be recognized he'd probably need something that would pop, in my opinion.

Mr. Carpenter: Could I interject something. If it makes it more palatable to the board we could work with the same greens and the same reds that are already on the building and on the signage that is around there so there is not a third color or fourth color but I also wanted to clarify the actual logo is made and constructed exactly like a channel letter with the trim cap on the faces and so forth. It is exactly the same construction of the Family Dollar logo which you could see on that first shot when you were showing the building there. It is a channel letter and it is not a cabinet. We had a cabinet proposed and the board had on their preliminary report objected to that so we cut the thing down and put it into a shape just like the Family Dollar logo is and made it into a channel letter.

Chairman Darby: Any other questions or comments folks?

Mr. Okum: I think we need a comment from staff on the modification to the medallion cabinet.

Mrs. McBride: As staff, I don't have a problem with what they are proposing, what's before the commission as is.

Mr. Okum: Let me finish. Whether it is red or green, this sets significant distance from the street. I don't think that it is that overwhelming and it is within our square footages. I would certainly not and frankly I think that this might help the process and the business. So, I don't have a problem with that.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. Just in addition to the distance that it sits from the roadway there, there is also a topographical change as well where it sits a little bit lower. So, I think that would make sense to approve the sign based on those circumstances.

Mr. Okum: I'm going to leave, on the medallion cabinet, for staff's final review in the motion so that staff has an opportunity to see it. Mr. Chairman, seeing that there are no other lights, I move to approve the project, Mi Tierra at 401 West Kemper Road, signage for case number 34592 per the specifications provided in our meeting packet as exhibits which were submitted by the applicant and reviewed by staff prior to this meeting. It includes staff, City Planner's recommendations and considerations in that the medallion signage cabinet as modified for the cabinet sign as presented will be based upon staff's review and approval.

Mr. Hall: Second that Mr. Chairman.

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

(Ms. Morsch Acting Secretary in Mr. Bauer's absence called roll and the motion was approved with a vote of 6-0.)

Chairman Darby: Before you leave. I recall when you folks first came to us with your proposal. You had a whole team of people. I'd never seen a more enthusiastic presentation. I want you to keep that enthusiasm and we are looking to continuing to work with you. Thank you.

Mr. Roblero: Thank you very much.

Mr. Carpenter: I appreciate your time and consideration.

- C. Mi Cozumel, 11700 Princeton Pike, Suite C 1, Springdale, Ohio, Revision to PUD (Application 34596)

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. This is the trifecta of signs tonight. This is a very similar request actually. This is at Mi Cozumel which is down near Macy's in the mall. I think you all are familiar with it, hopefully you've already eaten there. This is what exists and this is what they would like to add. There is a logo element here that's kind of a cabinet sign and there is a small cabinet sign under the name Mi Cozumel. So, those are the issues that are before you tonight. Mrs. McBride.

Mrs. McBride: So, this is, as you all know, within a PUD so it will require the two members of Council who serve on the Planning Commission to make that minor modification determination.

Mrs. Sullivan-Wisecup: I find that it is a minor modification.

Mr. Hawkins: I concur that it is a minor modification.

Mrs. McBride: Thank you. So, the site is allowed a 160 square feet of sign are and that is based on their frontage there along the mall. That is based on the fact that they do sit just over 400 feet back off of 747. They went ahead and pulled a permit for the 94.2 square foot Mi Cozumel sign that you see up there today and as Mr. Taylor was indicating they would like to add to that sign both on top in terms of the logo and then some additional verbiage in a cabinet sign below that which would bring it to 120 square feet. So, again it is substantially what is permitted but we do have the two cabinet signs involved which will require the Planning Commission's action.

Chairman Darby: Representatives please come forward.

Ms. Jaime: Good evening all.

Chairman Darby: Good evening.

Ms. Jaime: My name is Liliana Jaime and I'm the daughter of the owner and I am here to, well represent them and ask them to please approve it because the existing sign, we are happy with, however; we need to specify, some peoples driving around and they are not sure, even if it looks like a restaurant they are not sure. That is why we want to add Margaritas and Flaming Fajitas under the sign and of course our logo on top of it. They recognize the restaurant itself. Basically that's it.

Chairman Darby: Thank you. I recognize it, I just want you to know. Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Just a couple of things. Mi Cozumel's sign is crooked, not level. It is out of level.

Ms. Jaime: Okay.

Mr. Okum: Only someone that is like me would notice that except Mrs. McBride also noticed it. It is annoying so, if I am making a motion tonight the existing sign gets leveled because it is not straight because just looks really weird.

Ms. Jaime: Really, okay.

Mr. Okum: Yes. You may have not noticed it but I noticed it and I am particular.

Ms. Jaime: I really don't. Thank you for bringing it up we will correct that.

Mr. Okum: The addition to the additional signage is not an over reach for that match space on that building. I would suggest that when spring comes, with review there

might be some lighting that you do to your trellising that down lights to the trellis area to your outdoor venue. That might help as well.

Ms. Jaime: Okay.

Mr. Okum: Just one other favor, mild salsa would be nice.

(Laughter from audience and commission.)

Ms. Jaime: Okay.

Chairman Darby: As long as you have hot.

Mr. Okum: I didn't get it mild.

Chairman Darby: I have another light. Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. I want to make sure that people know where you are as well and I am not so sure that, is that an Aztec design? The logo?

Ms. Jaime: It is sir.

Mr. Ramirez: How that would really identify it as being a restaurant, you know just my opinion. I'd actually like to see the text below Mi Cozumel identifying it as a restaurant or just larger than the Margaritas and Flaming Fajitas. It's just my opinion. You know if you are going to use up your signage I'd like the people to really make use of that signage if you are going to change it. That is just a comment from me. Thank you.

Ms. Jaime: Thank you.

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. I agree with Mr. Ramirez. I don't think the addition of the Aztec design assists in indicating that it is a restaurant. If folks know what Mi Cozumel is they know what Mi Cozumel is. The addition of the Margaritas and Fajitas, that makes sense. That indicates that this is a restaurant, the other part of that design, I agree with Mr. Ramirez, I don't know if that is necessarily helpful for the idea of folks knowing that there is a restaurant there. The bottom portion of that, that makes sense to me.

Mr. Jaime: Thank you sir.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. I am going to be the unpopular one because I love, it is an Aztec God right?

Ms. Jaime: Yes.

Mrs. Sullivan-Wisecup: I love it. I told him he did not know what it was and he did not believe me, so thank you for making me right.

(Laughter.)

Ms. Jaime: It is.

Mrs. Sullivan-Wisecup: I liked it for branding. I'm really big on branding. Is that your actual logo?

Ms. Jaime: It is.

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Mrs. Sullivan-Wisecup: I think for branding it is a good thing to have your actual logo on your sign. I may be unpopular on that but I do like the branding of it. Underneath it, I agree I think that the words need to be bigger so you can see what it is in case you are not familiar.

Chairman Darby: Mrs. McBride, based on these last three comments, you did say that that they still have additional square footage available to them?

Mrs. McBride: Yeah, that's correct. They are allowed 160 square feet and all in what they are proposing here with the Aztec Goddess is a 120 square feet so there is still 40 square feet on the table, which they are permitted as of right.

Chairman Darby: Mr. Okum.

Mr. Okum: I wouldn't have a problem with extending that orange cabinet a little bit and getting the word restaurant in to that.

Ms. Jaime: Thank you sir.

Mr. Okum: I think it would be appropriate.

Ms. Jaime: That is a good observation.

Chairman Darby: I think that would be for your benefit and that would just be reviewed by staff.

Mr. Okum: Only in Springdale do you find that we add signage to people's request.

Chairman Darby: There's no lights.

Mr. Okum: Ready Mr. Chairman?

Chairman Darby: Yes we are sir.

Mr. Okum: Mr. Chairman I move to approve the following project, Mi Cozumel, 11700 Princeton Pike, case number 34597 per the specifications and designs provided in our meeting packet as exhibits which were submitted by the applicant and reviewed by staff prior to this meeting. It includes staff, our City Planner's recommendations and considerations contained in their report. Additionally, the sign conditions include the addition of the medallion and two small cabinet signs as presented. The main sign will be leveled and additional space will be allowed in the orange cabinet in width for the word "restaurant".

Mrs. Sullivan-Wisecup: I second.

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

(Ms. Morsch Acting Secretary in Mr. Bauer's absence called roll and the motion was approved with a vote of 6-0.)

Ms. Jaime: Thank you very much. Good evening and Happy New Year.

Chairman Darby: Thank you for coming.

Mr. Okum: That is a great Margarita.

(Laughter.)

Ms. Jaime: We have mild salsa by the way you just have to ask for it and they will bring it to your table. It is really good.

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Mr. Okum: Thank you.

X. DISCUSSION

XI. CHAIRMAN'S REPORT

None

XII. ADJOURNMENT

Chairman Darby: I'll accept that motion.

Mr. Hawkins: I move to adjourn.

Chairman Darby: It's been moved to adjourn, it's been second, we are out of here.

Respectfully submitted,

\_\_\_\_\_, 2019 \_\_\_\_\_  
Don Darby, Chairman

\_\_\_\_\_, 2019 \_\_\_\_\_  
Richard Bauer, Secretary