

PLANNING COMMISSION MEETING
October 9, 2018
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, Richard Bauer, Lawrence Hawkins III, Meghan Sullivan-Wisecup, Tom Hall, Joe Ramirez, Don Darby

Staff Present: Anne McBride, City Planner, Pat Madl, City Engineer; Gregg Taylor, Building Official

III. PLEDGE OF ALLEGIANCE

IV. MINUTES OF THE REGULAR MEETING OF SEPTEMBER 11, 2018

Chairman Darby: The chair will accept the motion to adopt the minutes of our previous meeting.

Mr. Ramirez: I move to adopt.

Mrs. Sullivan-Wisecup: Second.

Chairman Darby: It has been moved and seconded that the minutes of the previous meeting be adopted.

(Voice vote taken and the minutes were adopted with a vote of 7 to 0.)

V. REPORT ON COUNCIL

Chairman Darby: Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. Council met on September the 19th. Six members were present. We had Brendan Conrad honored who just became an Eagle Scout. We also had Ordinance No. 43-2018, that was authorizing the Mayor and Clerk of Council, Finance Director to enter into a contract for the purchase of rock salt and declaring an emergency. That was removed from the agenda. That will come back another time with a 6 to 0 vote. We had Ordinance No. 44-2018 enacting and adopting the 2018 S20 Supplement to the Code of Ordinances of the City of Springdale, Ohio and declaring an emergency. That is the update of legislation to be in conformity with the Ohio Revised Code and that passed with a 6 to 0 vote. We had Ordinance No. 45-2018, an ordinance implementing sections 3735.65 through 6735.70 of the Ohio Revised Code establishing and describing the boundaries of community reinvestment area in the City of Springdale Ohio and designating a Housing Officer to administer the program and creating a Community Reinvestment Area Housing Council and Tax Incentive Review Council and declaring an emergency. That passed with a 5 to 1 vote. That Community Reinvestment Area Housing Council is going to be made up of two City Council members, two individuals who are appointed by the Mayor, one individual who is appointed by the Planning Commission and two individuals that are appointed by those other individuals that are on the Community Reinvestment Area Housing Council. That is basically dealing with the, an area that is going to be pretty much on Route 4 from I275 to Northland and it is dealing with the 15-year tax abatement for new residential dwellings that are \$150,000 and up. We also had Resolution R15-2018 expressing opposition to the Federal Communications proposed declaratory ruling and third report in order regarding State and Local Governments of Small Cell Wireless infrastructure deployment. That passed with a 6 to 0 vote. Again, this was a situation where the

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Federal Government is trying to regulate where they can put cell towers. Council met also on October 3, 2018, all seven members were present. We had before us Resolution R16-2018, a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor and that passed with a 7 to 0 vote. That concludes my report unless there is anything that Mrs. Sullivan-Wisecup has to add or if there are any questions.

Chairman Darby: Thank you very much. I would like to acknowledge that this evening, sitting in for Mr. Shvezda is Mr. Madl. Welcome back, it has been a while.

Mr. Madl: Thank you.

VI. CORRESPONDENCE

Chairman Darby: Each of you have the letter placed in front of you this evening that will be discussed at a later point in the meeting.

VII. OLD BUSINESS

A. Thorntons, 12185 Princeton Pike, Springdale, Ohio, Revision to Development Plan (Application 33818)

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. You all may recall that this was before you in the July meeting. The decision was made to table this for later consideration as there was some questions that commission had. There were a number of, what I would consider somewhat detailed things which would require variances at a later date, setbacks and canopy height, lighting levels, landscaping and storm water detention etc. It seemed that the major issues had to do with the functionality of the site. The internal circulation and the external circulation. So, there was a request made at that meeting for some more traffic information. The applicant, working in conjunction with TEC, our traffic engineer ultimately ended up performing a full-blown traffic study which Mr. Madl will discuss later and I am sure the applicant will as well. Essentially the letter that Mr. Darby was referring to was something that we received via e-mail in August, which was a response to, primarily the detail comments again regarding setback, lighting levels, landscaping and so forth. We did not receive a formal submission of that material. There is the plan that you all saw in July and you can see the three truck fueling islands at the upper portion of the site. In this drawing Crescentville Road, which is the north end of the site is on the right-hand side of the slide, Princeton Pike is on the bottom. Good to know we are still working like a top here. This is the what the letter that you all received referred to, and these are some adjustments that they have made in the plan but as you can see, the overall intent of the plan has not materially changed. The canopy is a little bit smaller, there has been landscaping added and some site lighting details and so forth but basically there is still three truck fueling lanes on the upper portion of the drawing there. That pretty much concludes my comments. I'm sure my colleagues have something to say.

Chairman Darby: Mrs. McBride.

Mrs. McBride: Thank you. In your packets was a typed staff report dated October 9th, and that basically was a reiteration of the staff report that was before this commission in the summer before the applicant tabled the request. They did submit to us, in the beginning of August via e-mail, these additional revised plans but they did not make a formal written full-size submittal. So, today then we were looking at 11 x 17's with a magnifying glass on the lighting and so forth. So, what I would like to do, with the commission's approval is just to discuss these comments relative to the staff report that you have and the site plan that is up on the screen and just kind of quickly run through those. So, as Mr. Taylor indicated, they did remove the western portion of covering the first western lane of that truck fueling which then does create the 30-foot setback from

that western property line that was an issue that was going to send them to the Board of Zoning Appeals you might remember, so that is no longer an issue. We had also been asking them for clarification on the amount of open space with these proposed improvements. That district has a 25% required open space and they have now confirmed that they have 26.3%. The plan that is before you still does not have a bypass lane so if semis come in here and they see it just like that and they don't want to wait and don't know if it back out on to Crescentville, I don't know I guess they have to wait. They have made modifications to their landscape plan and we're having that reviewed by our landscape architect. They did revise their photometric lighting plan. This is considered a high activity level because it is close to the interchange and it is a motor service use, so obviously illumination is important but our code has a maximum of 15-foot candles with that and they are proposing 48-foot candles under the canopy there for the trucks. They had been to the Board of Zoning Appeals to get approval for a higher light level than is permitted as of right on the passenger vehicle fueling and they would need to go into the same for the truck canopy lighting. So, that would require BZA approval. There is a little bit of discrepancy with regards to the freestanding sign. Our Law Director, they're adding the panel to that 17.4 square feet that would reference the diesel sales. Our Law Director feels that that does need to go back to the Board of Zoning Appeals. The applicant feels that it does not, their sign company feels that it does not so we will continue to have that discussion. They did submit information with regard to the waste enclosure. They are moving that, right now that is over toward the south end of the site and they are going to move that to the north so that it is just south, I guess I would say of where the "C" store and so forth is on the other side of the proposed diesel tanks. The enclosure itself meets all of the requirements in terms of being stone and brick and the gates and so forth but they would need to go to the Board of Zoning Appeals for relief from the fact that our code requires that they have landscaping on three sides of that enclosure and one of the sides is actually where they are proposing to have the truck fuel located so obviously they would not be able to put landscaping in there so that would require BZA relief. As Mr. Taylor indicated the largest issue that I have and I think my fellow staff members continue to struggle with is that of site circulation and circulation off and into the site. Specifically concerned with the delivery of the diesel fuel to the site. They will only be able to fill those tanks when there is no one in the truck fueling lanes. If you look at their auto turn, so that is a bit of an issue, where does the fuel tanker wait while he is waiting for these other vehicles to fuel. If by mistake, a semi turns into the area where the passenger vehicles are located for the tanker truck does, you can see circulation issues with regards to that. Then as I pointed out to the commission before when I was actually out on the site, the convenience store does a fairly good business and there is box trucks delivering chips and beer and pop and all of these kinds of things. There is no loading space for those guys to service the convenience store. Right now they use the rear of the building. They also use the south side of the building but they do get a number of deliveries and that I think is only going to add to that confusion. They are proposing to relocate their outdoor sales facility. Parts of it are going to be more than 20 feet from the building I believe with my microscope on the little tiny plans, so that also will need to go to the Board of Zoning Appeals for approval because our requirements say you can have retail sales but they must be within 20 feet of the principle structure and those are going to extend beyond that. So, I think those are the comments that I have. Again, on the plans that you are looking at on the screen.

Chairman Darby: Thank you. Mr. Madl.

Mr. Madl: Just continuing on site access. First, the Crescentville Road access point. The Public Works office noted that fuel delivery trucks were coming from, the applicant provided auto turn analysis for a fuel truck coming through this access point and it showed the truck having to go two lanes to the left closest lane to the center basically taking up three lanes in order to make a right turn into the site in which it very narrowly misses the Duke utility pole so obviously that is a concern. The second, the other access point that was a major concern was the proposed shared 84 Lumber access point to 747. The applicant has noted that while this would remain a full movement it is anticipated that existing traffic will only turn right to travel southbound on 747 due to the difficulty of making a left turn at this location. The recommendation of the City Traffic Engineer and we agree is that you cannot have that assumption without a

physical barrier being placed. Signage does not work. Little islands do not work. In addition, for peak hour southbound traffic on 747 routinely backs up beyond the 84 Lumber access point from Progress Place so it is going to be difficult to make that right turn during peak hour. Then also the study used a capacity software to determine gaps in traffic for southbound 747 and while that would work there is no turning analysis provided making that exiting from the 84 Lumber to southbound 747 movement. We put in a turning analysis are self and it shows that it takes three Lanes. The software that they used assumed a single lane so you are looking for a gap in a single lane where as it shows we need to have three lanes to make that movement so that also is a concern. That, I think is the main part of our comments.

Chairman Darby: Thank you. Representatives want to come forward?

Mr. Smoots: Ladies and gentlemen thank you for the opportunity to present to you this evening. We have made some progress since our last conference.

Chairman Darby: Please identify yourself?

Mr. Smoots: My name is Todd Smoots with Thorntons. So, we have made some progress since our July submission. We have worked with staff to make sure that we are meeting the requirements for the green space of the property. As Mrs. McBride indicated we could not accomplish the landscape screening on the one side of the dumpster enclosure because that is where the fuel truck drive will be routed to. At this point we have eliminated all of the variances except for three. That one and maintain that the lighting levels needed underneath the truck fuel canopy are such that it would be considered light service. National electrical standards stipulate 50-foot candles for that kind of activity where a truck driver would pull up and they would pop their hood, check their oil and check their coolant and everything and to be above to get a dip stick back into your tank you need adequate lighting to do that. So, that was the one thing that we've really could not budge on because we do not feel that the drivers could fuel and check their fluids adequately with a level stipulated by the code. We acknowledge on the traffic study that there's warrants for median turn lane on Crescentville Road, however; there is no right of way left and looking at the depth of the necks of the drive on our side and to the north there is no capacity to add that median turn lane that would be warranted to turn into the site with a truck. We do maintain, also with the 84 Lumber drive that exiting trucks are not going to go back north because of the difficulty to make that turn and would proceed to the south. Do you have any questions upon the revisions of our submittal?

Chairman Darby: I have a question or a statement and maybe this will direct your future comments. You, in essence, submitted the same plan that you did the last time that you were here and you have cleaned a few things up. You are down to three requested variances and what have you. As I recall this commission's discussions with you the main issue, not the only but the main issue had to do with site circulation. So, can you just talk to us about with the submittal of the same plan, you address site circulation?

Mr. Smoots: We did the traffic studies that were required by the City Engineer and looked at the amount of trucks that we anticipated coming into the site and maintain that it is only going to be about two trucks an hour. So, I would submit to you that, that situation that you see on the site plan, there is likely not to happen. That we would have two trucks going through our diesel lanes per hour. Discovered doing the counts and the research on the 84 Lumber shared drive that the level of service is a Level E right now which turns to an F if anyone tries to turn left out of there so we maintain that we are not making those conditions worse. They are not great right now admittedly but we are not contributing to the detriment of the traffic on that drive.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. I have a question. The anticipated trips that you're talking about is that including and did it anticipate for the industrial park that is going and across the street?

Mr. Smoots: Yes ma'am. We looked at the traffic study and Mr. Shvegza given to us and we took that into account when we recalculated our truck counts for the site.

Mrs. Sullivan-Wisecup: I just wanted to make sure that it is on record that was included in on there so that there was ever questions.

Mr. Smoots: Yes ma'am.

Mrs. Sullivan-Wisecup: Perfect. Thank you.

Chairman Darby: Mr. Madl.

Mr. Madl: Just a clarification. The traffic impact study that was provided indicates that for the am peak would be 6.42 trips, this is new trucks and 5.8 for the pm peak. I also failed to mention that the police department had reviewed the records for people trying to make a left turn out of 84 Lumber. For the year through June there were seven accidents involving people trying to make a left turn across what would be three southbound Lanes and then the two-way left turn.

Chairman Darby: Thank you. Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. There's a lot of problems that I have with the plan. Particularly, I go to that Thorntons all of the time and frankly the other day it was just one of many times I got frustrated because I could not make a safe left turn off of 747 north, Princeton Pike to get into the site so I went to the intersection to turn left to go to a safer entry into the site. That is shown on staff report that as provided. That is a consistent problem on the site. Additionally, there's a lot of cars and I don't know if they are doing it to avoid the light but certainly if you would get into those stacking lanes by a vehicle, a normal car, there is nothing that you could do except back out because you could not get around the trucks. There is no driving lane around the back of the building which doesn't make any sense at all. Additionally, the other items, the safety items are number one. Number two is, I hate to see a project come through that needs variances in order to make it function when you've got a situation there that you could make some adaption to accommodate it. The dumpster enclosure not being screened and basically facing Princeton Pike, is that correct, is that the dumpster location?

Mr. Smoots: That is correct.

Mr. Okum: The gates are facing Princeton Pike, it is not what our code calls for is that correct staff, Mrs. McBride?

Mrs. McBride: I'm sorry.

Mr. Okum: The dumpster location is not to be on the front or attached, that's not within our code that would be a variance?

Mrs. McBride: The location is per the code, the materials for the enclosure are per the code but the code requires the landscaping on the three sides.

Mr. Okum: There is a reason for that.

Mrs. McBride: Right.

Mr. Okum: Okay. So, when you left us the last time, we had three lanes of trucks and you are saying one every, one to two every hour and I see more than that. I also see a situation where it is very difficult for those trucks to understand how to navigate. Let's take an example. The truck decides it wants to come in and it is going north on 747, Princeton Pike. It's going to have, the truck driver is going to have to know, logically or by experience and that only comes by frequency that he is going to have to go up to Crescentville Road, turn left to make access into the site. Is that correct?

Mr. Smoots: We have incorporated directional signage to help the drivers how to navigate the site.

Mr. Okum: So, they need, the signage says we need to drive to the corner, go to the signal, turn left and then turn left into the parking area?

Mr. Smoots: No, it is a metallic blue sign with a truck icon and an arrow pointing the correct direction.

Mr. Okum: I'm, there is just so many reasons why I cannot support this request. Thank you.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. Question for Mr. Madl. The police report, the incidents, were those passenger vehicles or trucks?

Mr. Madl: Passenger.

Mr. Bauer: Passenger, okay. Then just an administrative type of question. As far as the reason plans were not resubmitted to staff over the last?

Mr. Smoots: I apologize for that, that was the first I had heard of that and I would have remedied that if I had heard before now.

Mr. Bauer: Okay. A question for the applicant. As far as the, I did not hear you, as far as the circulation, the diesel truck, the diesel fill and how that was going to be managed. Can you explain, it does not seem that there is any difference in the way that's going to occur and that would be a concern of mine as how that would happen and where that truck would go if the lanes behind it are all full of trucks. What would it do and where would it go?

Mr. Smoots: Well it would come in off of the Crescentville Road entry there and it could potentially navigate around the building and the auto canopy to come around the other side if ever that area was blocked. Do we have an auto turn showing that? Lee?

(talking off mic. not audible)

Mr. Smoots: Okay.

Mr. Bauer: Okay. The access from Crescentville Road, make that right-hand turn, the swing out into the lane of traffic so then missing that pole. That is not, you don't believe that is an issue?

Mr. Smoots: It's an existing issue but was not going to move the power pole to address that at this point.

Mr. Bauer: Okay. Thank you.

Chairman Darby: Mr. Madl.

Mr. Madl: Sorry, just an additional clarification. The numbers I gave previously about the AM and PM peak were per fuel pump so the actual numbers for the AM peak entering for the trucks is 10 in and 10 out and then weekday PM Peak is 9 in and 9 out. Just to dovetail that, with trucks pulling in and perhaps not having anywhere to go, to us the biggest issue is the vehicles trying to exit on 747. There simply is not room and the analysis that has been provided assumes a single lane, whereas the truck turning analysis that we did, the applicant did not provide it, shows that three lanes are necessary. So, there is nothing to support within the study that they can make that right turn to southbound 747.

Chairman Darby: Mr. Okum.

Mr. Okum: Do you have any response to staff's comments in regards to that.

Mr. Smoots: I don't believe that there is any way that we could remedy that with the site plans that we have attempted and I think that this is the optimal site plan after flipping the layout around so the trucks enter off of Crescentville Road. I think that this is the best that we can do with the land as it is configured and with the existing access that is there.

Mr. Okum: Sometimes it is too much in a sack and in this particular case you've got, you are defeating safety with, we want to get as much into the sack as we can.

Mr. Smoots: I wouldn't represent it as such but I understand what you are saying.

Mr. Okum: Okay, thank you.

Chairman Darby: Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. As you recall from the last time you were here, I have a concern with the safety issues. I've had three or four of the memorandums and comments from your engineers and they address that issue and it seems like that your company responds always with no comment or they will take it under advisement or comment noted. So, that has never been addressed. The issue is, you are turning a 53' trailer and probably a 30' tractor out on to, dumping it out on to southbound 747 at 2 or 3 miles an hour and you've got folks coming out of Butler County going through the green light at 45 miles an hour. It just, it doesn't, in my opinion, and I agree with Mr. Okum, it just doesn't fit. It appears that one it was an afterthought, it was not planned, two, it is a bad place for it. Now, if you go up the road to your competitor, where they are dumping the semis out on to 747 at a traffic control device which takes control of it. Here you are wanting to dump the semi-tractor trailers out on to 1/2 a mile down the road and there is no controls. If in fact one of them would ignore one if the signs, if the signs are not journalized by the state and sanctioned by them, the enforcement efforts are going to be limited on that. So, let's take a for instance, if you have a semi-tractor trailer that wants to go northbound on 747 and he doesn't read your sign with the truck with the arrow through it, he's not only got three lanes of traffic blocked coming southbound but he's going to have other lanes of traffic blocked going northbound trying to get into the northbound lane. In my opinion on this, it is a recipe for disaster. It is going to have a drain, correct me if I am wrong we had seven auto accidents in that location just involving motor vehicles in a year. Now we are going to start dumping semi-tractor trailers out onto there. It's just, in my opinion, it is just the wrong place for it and for that reason I can't support it either. Thank you.

Chairman Darby: Any other comments. Well I sense that you understand the direction that this commission is moving in. In order to get approval on this you would need to get 5 affirmative votes and the verbiage so far indicates that that's not going to be the case but we can go to the motion and a vote if you so choose or if there is any way that you would go back to your people and come up with a totally redesigned plan because that is what it is going to take. We would be willing to consider a continuance but that's your choice.

Mr. Smoots: I understand Mr. Darby, this is the best that we can come up with, with the constraints of the site and with our neighbors being unwilling to sell. So, I'd have to receive some kind of closure on this issue, I'd ask for the vote to go forward please.

Chairman Darby: Mr. Okum.

Mr. Okum: Mr. Chairman, based upon the request of the applicant, I move to approve the following project, Thorntons, 12185 Princeton Pike, case number 33818, per specifications and designs provided in our meeting packet as exhibits which were submitted by the applicant and reviewed by staff prior to this meeting which are referenced in those staff reports. This motion also includes staff, City Engineer, City Planner, Traffic Engineer's recommendations and considerations contained in their

report. This approval is conditional upon the Springdale Board of Zoning Appeals of the identified variances as required. The dumpster and refuge enclosure shall be code compliant.

Chairman Darby: Secretary please call the roll, Oh sorry.

Mr. Hall: I'd like to second it Mr. Chairman.

Chairman Darby: Moved and seconded that this application be approved as identified in the motion. Secretary please call the roll.

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

Chairman Darby: The motion has been defeated by a unanimous vote.

Mr. Smoots: Ladies and Gentlemen, thank you for your consideration, I appreciate it.

Chairman Darby: Thank you for considering Springdale.

VIII. NEW BUSINESS

- A. Golden Signs & Lighting, Kerry Ford Signage, 155 West Kemper Road, Springdale, Ohio, Revised Development Plan (Application 34199)

Chairman Darby: Mr. Taylor.

Mr. Taylor: Okay folks. You may recall, I believe in October of last year and also December of last year you heard some requests for some modifications to the building. In October it was for the Quick Lane addition which coincidentally we just gave them a Temporary Certificate of Occupancy for which is kind of to the rear of the building and the showroom addition that was approved in December. When those two cases were brought forward the sign package was not part of that approval so they have come back for approval of the signage at this time. This, of course, is just an aerial of the site. This I believe is the east elevation and you will see the name Kerry and two of the blue Ford ovals and then on the north elevation the balance of the signage. Mrs. McBride has the floor.

Mrs. McBride: Thank you. The property right now is zoned GB or General Business District and based on the requirements of our sign code of section 153.459(C)(2) and given the fact that the building has 204' of frontage on the north or front elevation which faces West Kemper Road. They are entitled of 326 sq. ft. of sign area on that elevation. What they are actually proposing is a total of 210.13 sq. ft. of sign area. One of which would be the channel cut letters Kerry which is obviously the name of the dealership at a little over 62 sq. ft. and then one Ford oval which is a cabinet sign that would be 39.9 sq. ft. a second Ford oval at 29 sq. ft. and then the word Service out of channel cut letters which is just under 21 sq. ft. and then they have the Quick Lane and the logo and so forth which is actually a little over 58 sq. ft. It is a combination of channel cut letters and the logo which is the wrench with the hand is actually a cabinet sign. So, they are here this evening asking us for approval for cabinet signs, the two Ford oval signs are cabinet signs. Our code is, as the commission knows requires signage to be channel cut letters. These are the required Ford oval cabinet signs that you see all across the country and I don't think that the applicant has a tremendous amount of leeway in terms of how you would make those into channel cut letters. Similar situation with the hand symbol logo, that portion of that sign is only 9.44 sq. ft. and again you can see it there just to the left of the Quick Lane on that diagram. I believe that is a Ford requirement. So, those are the only comments that I have on this.

Chairman Darby: Thank you. Representatives want to come forward. You guys kind of like that Ford logo don't you?

Mrs. Golden: Yes, we do. It's on all of the fronts of the grills now. I'm Sharon Golden, Golden Signs and Lighting, here to represent for the Ford dealership signage.

Chairman Darby: Questions? Comments from the group? Mr. Okum.

Mr. Okum: Just a comment. Considering the size of the building, 203 feet of frontage on the east elevation and 21 sq. ft., I'll call them medallions in my term, and the individual letters for Kerry, I don't have a significant problem with it and I will be supporting the motion that I am going to make. Since I don't see any lights.

Chairman Darby: There is no light.

Mr. Okum: Mr. Chairman, I hereby move to approve the following project: Kerry Ford, 155 West Kemper Road, case number 34199. This motion includes the following conditions, staff, City Planner recommendations and considerations contained in their report.

Mrs. Sullivan-Wisecup: I second.

Chairman Darby: It has been moved and seconded that this submission 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: Congratulations.

Mrs. Golden: Thank you very much.

- B. Klusty Sign Associates, Inc., Take 5 Oil Change, 1190 East Kemper Road, Springdale, Ohio, Modified PUD Plan (Application 34205)

Chairman Darby: Mr. Taylor.

Mr. Taylor: Thank you Mr. Chairman. A somewhat similar request, the difference here being that this particular property is in a PUD. This is the site, it is adjacent to Mike's Carwash. This little diagram here which is in your packet describes the various sign locations and really the issue here has to do with the oil can and the checker boards as those are cabinet signs. The drive thru oil change is channel cut letters not, I don't think a concern. Mrs. McBride.

Mrs. McBride: Thank you. So, as Mr. Taylor indicated, this is in a PUD. The existing Quick Stop Lube service which is attached to the Mike's Carwash was developed under our prior code as a PUD so they have signage actually on the Kemper Road frontage, the east frontage there as well as on the north frontage, the side and then on the west frontage, the rear of the building and all of those signs are channel cut letters. What the applicant is proposing, let me back up for a minute. The new code would only provide them signage on the elevation that faces the public street and they would be allowed to have 114.5 square feet of sign area but again only on that south elevation. There is the requirement that all signage be channel cut letters. So, what they are proposing, you can see on some of the illustrations, they have changed out some of their buildings in Boone County already, is the oil cabinet sign at 26.2 roughly square feet, that is illuminated, it is a cabinet sign. The pictures show it extending, on the Boone County ones, above the roof line which of course our code would not allow. But then on ours they are proposed to extend below the fascia as you can see. They are also proposing the channel cut letters, the drive thru oil change at 36 square feet and change and then those four aluminum panels that you can see in between the garage doors that are like checker boards which are about 3.5 or 3.6 square feet each for a total of 78.74 square feet of signage proposed on that south elevation. So, the issue with the south elevation is that they have got the oil can which is a cabinet and then those four aluminum pans which are cabinet signs so that is the issue on the south elevation. On the north elevation, the new code does not allow you to have signage as

it backs up there to COSTCO. They are proposing a, you stay in your car, which is going to be PVC letters on a red ACM panel, non-illuminated just under 30 square feet and then another cabinet sign that would be mobile one for six square feet at just under 36 square feet on that north elevation and our code today does not permit any signage on that elevation. On the east elevation, the side elevation, they are proposing again the oil can cabinet sign at just over 26 square feet. So, in addition to that they are proposing to change out the 36 square foot panel on the ground mount sign with the Take 5 which they are permitted to do obviously and then they are proposing two directional sign that meet our requirements in terms of height and square footage. Staff has a little bit of concern to make sure that they meet the five-foot setback from the right-of-way and the ten foot from the side lot line, given where they were showing them on the exhibit. So, the commission, the two members of the commission who serve on Council, because it is a PUD and it is a modification, would need to determine that this was a minor modification which the staff would agree that it was and would suggest that it was but for formality you would need to make that determination.

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

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

Mrs. McBride: Thank you. So, then the other issues are just in summary, the number of cabinet signs that they are proposing then additionally the signage on both the north elevation, the side and the rear elevation, which is the north elevation which is not permitted any signage under the current code.

Chairman Darby: Thank you very much. Would the representative come forward?

Ms. Vergenz: Good evening, I'm Melody Vergenz, I am with Klusty Sign Associates. We are doing all of the installations for the Take 5's all over the greater Cincinnati area and Northern Kentucky. Everything was presented really nice. I did do a couple, I don't have enough so if you could share. (walked away from microphone not audible) Showing the existing elevation versus what we are proposing. Just a couple of comments while you are looking at that. Actually

Chairman Darby: Excuse me. Mr. Taylor, do you have a copy of this? Do you feel that this is something that you should have reviewed?

Ms. Vergenz: It is the same thing that is on the drawings, I just kind of put the before and after together.

Mr. Taylor: We have seen the existing elevation, this isn't new information.

Chairman Darby: Okay.

Ms. Vergenz: No.

Mr. Taylor: But it is not in your packet I don't think.

Chairman Darby: Please continue.

Ms. Vergenz: Thank you. As an overall at the site existing there is 167.75 square foot of signage right now, so with the new Take 5 signage we would be reducing that to 138.75 square foot of signage. So, it would be coming down somewhat. A difference of like 30 square feet or close to it. We are not proposing signage that there is not already a sign. There is already a sign on all three of these elevations. They are illuminated signs. We are removing the illuminated sign from the rear elevation and putting up the non-illuminated letters that say stay in your car and that is directional. I mean, I've been driving through there a couple times. Getting to the oil change with the Mike's Carwash that is splashed everywhere it is kind of funky getting in there and pulling in right away into the oil change so I feel like the stay in your car in that alerting the driver, that this is, until they get used to going there all the time that that's needed. As far as the logos, we call them logos, the cabinet signs, they do drop down on the

front and the side elevation. They will drop down close to 24 inches below that sign band but they still have a 10-foot grade clearance up to the bottom of them. The existing Quick Stop signs have the lightning bolt somewhat only about nine or ten inches when we measured it so there is a greater drop down there but you still have a good ten feet from the ground up to the bottom of that sign. So, it should not affect any pedestrians, anybody walking around the site or driving or anything. You can't get that close to the building where they are. I'd be happy to answer any questions.

Chairman Darby: Mr. Bauer.

Mr. Bauer: Thank you Mr. Chairman. A couple questions. I'll have to tell you I have only been there once so some of my questions are going to be. So, typically you stay in your car, that is the entry, that is where that sign is?

Ms. Vergenz: Yes.

Mr. Bauer: Okay. If we left that sign there, why couldn't those be channel cut letters?

Ms. Vergenz: They are, well they are individual letters and I was under the impression that's what they had to be. They are non-illuminated so they are individual letters, they just don't have any lighting in them.

Mr. Bauer: Okay.

Ms. Vergenz: I mean they could be illuminated channel letters but if that is what the city requires but.

Mr. Okum: Are these plastic PVC letters?

Ms. Vergenz: Yes. Flat cut out PVC.

Mr. Okum: They are surface mounted letters.

Mr. Bauer: Those are okay? Okay. Okay, then the other question I have is just on some of the smaller signs that seem superfluous. The checker board, that is the purpose of those?

Ms. Vergenz: I'm going to have to defer.

Mr. Carr: My name is Elijah Carr, I'm a District Manager of Take 5 Oil Change. That is actually just about all of our locations across the country have those same checkerboards on the front of the building. They are not illuminated they are just simply an aluminum cabinet sign that is mounted on there and it is just the look that we have at the majority of our locations.

Mr. Bauer: Okay and that is on the exit is that correct?

Mr. Carr: Yes, that's correct.

Mr. Bauer: Okay. Then the Mobile One sign is that the only oil that you sell?

Mr. Carr: Actually, I'm not familiar, I have not seen that sign before, is that illuminated?

Ms. Vergenz: No, it is again a pan, an aluminum pan so it has about an inch thickness so, it is what you would consider a cabinet but it is not illuminated and it just tells patrons that they do use Mobile Oil.

Mr. Bauer: But is that the only oil that you use?

Mr. Carr: It is not, no.

Mr. Bauer: Okay. Alright, that's it, thank you.

Chairman Darby: Mrs. McBride.

Mrs. McBride: Thank you. While the applicant is up there, the actual Take 5 gentleman, could I just ask you an unrelated question?

Mr. Carr: Yes.

Mrs. McBride: Do you intend to paint that brick building?

Mr. Carr: Yes, they are painting it, I believe, have you seen it since they have started painting?

Ms. Vergenz: Wait a minute, I haven't seen it since they started but I have the letter approving the colors. Hold on a minute let me find it. I hope I brought it.

Mrs. McBride: Will it be roughly the same colors as the Erlanger one?

Mr. Carr: Yes, we will follow that same color scheme.

Mrs. McBride: Okay, so the commission has that?

Mr. Carr: (talking off mic. not audible) variation is typically

Chairman Darby: Please speak into the mic.

Mr. Carr: My apologies. With our building colors typically, the only variation with that is if the city has specific colors that aren't allowed to be used but I believe that was already approved by the city for any paint that was already put on the building.

Ms. Vergenz: (talking off mic. not audible) approving their color scheme.

Chairman Darby: So, Mrs. McBride, you have any comment on that the painting?

Mrs. McBride: The site is within a PUD, we don't have specific color requirements. I mean if the commission wanted to make that a condition of any kind of approval of additional signage or cabinet signage, that would certainly be up to you all.

Chairman Darby: Mr. Okum.

Mrs. McBride: It just seems like painting half that building and the other half is staying brick doesn't make for every aesthetically pleasing building.

Mr. Okum: I'm a little confused are we talking the sign band?

Mrs. McBride: No, they are going to paint the whole building.

Mr. Okum: Oh, they are.

Mrs. McBride: Which is brick right now.

Mr. Okum: We approved the PUD with the building pallet or color pallet that was applied to that site.

Mrs. McBride: Right but typically we don't bring people in for color changes. Now, changing from natural brick to painted brick is not the same.

Mr. Okum: That's change and as far as a PUD is concerned I think it is change. I had a concern regarding the sign band, the red band and what percentage of the building that made up because I consider it a sign band as well and it certainly looks like it is more than 10%. We typically allow accent sign banding at 10% don't we?

Mrs. McBride: That is in the corridor district so, and this not in the corridor district.

Mr. Okum: This is a PUD.

Mrs. McBride: It is a PUD.

Mr. Okum: I would, I see other lights lit and I'll defer to the lights and then I will comment.

Chairman Darby: Mr. Taylor.

Mr. Taylor: The paint color, you can put that on me. I did not find anything in our PUD that mandated a certain color or not and perhaps I overstepped, but however; they do have a letter from me stating that.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. I have a few questions as well. One is what Mr. Okum is speaking of is that red band, is that red band, what material is that band made of.

Ms. Vergenz: It is an Alucobond material which is an aluminum faced PVC.

Mr. Ramirez: So, it's impregnated with that red color, it's not

Ms. Vergenz: Yes.

Mr. Ramirez: It's not a paint?

Ms. Vergenz: No.

Mr. Ramirez: We don't consider that part of a sign or that doesn't go toward their square footage?

Mrs. McBride: That's correct.

Mr. Ramirez: Okay. As far as, is this a franchise locations? You mentioned other locations.

Mr. Carr: This is a corporately owned location. We have about 50 locations in Ohio. Cleveland, Columbus and Cincinnati and the surrounding area. All of our Ohio locations are corporately owned none of them are franchised.

Mr. Ramirez: How many of them have this type of signage?

Mr. Carr: All of them in Ohio do. We have 36 locations in Cleveland, they all have a very very similar color scheme as well as the seven locations we have in Columbus.

Mr. Ramirez: And they do have box sign, a box sign with channel lettering at the same time?

Mr. Carr: Yes. Yes.

Mr. Ramirez: It just looks like a lot of signage to me. I know the square footage is within the realm but with that red band around there it stands out kind of harsh to me. Thank you for your comments.

Mr. Carr: Yes.

Chairman Darby: Mr. Hall.

Mr. Hall: Thank you Mr. Chairman. I have a question for the applicant. Just a matter of clarification for the record. Is the sign, stay in your car, a permanent sign. What I heard you say earlier that you were going to train the customer and it was my understanding that the sign would them come down. Can you clarify that please?

Ms. Vergenz: No, it is a permanent sign because there will always be new patrons and that's the way of saying you stay in the car, you just pull your car in the bay and we change your oil for you. So, it is permanent. It signifies that is the entrance to the location.

Mr. Hall: Thank you.

Chairman Darby: One thing I missed. What color do you plan to paint the bricks?

Mr. Carr: She does have a picture of one of our other locations for reference if you want to know the exact color scheme.

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. I don't think you did anything wrong Mr. Taylor. I think you interpreted the code basically strictly by the code. The only caveat to that is that it is brought before this commission and we have to make a determination if, in our opinion that this is consistent with the color pallet that we were presented 15 years ago when Mike's and the oil facility went in and if that creates a variance and change to the site. Your using a neutral color, it could have been purple as far as I was concerned or any other color. I hate to see somebody put, every time I drive by the old Michel Tire and I see the paint peeling off of the roof and I see the building just deteriorating I think about what this could look like, God forbid you ever closed, but God forbid you ever closed and the paint starts peeling off the brick and so forth. The red banding appears to be two different colors from what I can see in this photo that staff provided us. This is scarlet red and staff's got a picture that looks more like a burnt red or a dark red. Is it more of the scarlet red?

Ms. Vergenz: It is more of the picture that Mrs. McBride took of one of the locations.

Mr. Okum: Okay, do you have a sample of that for us?

Mr. Carr: I do not unfortunately.

Mr. Okum: I'm sorry, we have it?

(someone talking off mic.)

Mr. Carr: It's not quite this bright but.

Mr. Okum: Okay, so no I am going to as the question. You answered, Mr. Bauer asked you a question, or Mr. Ramirez did, I can't recall, in regards to the other 40 locations in Ohio, is that right?

Mr. Carr: Yes.

Chairman Darby: 50

Mr. Okum: 50, almost 50 locations. All of those locations, did they paint all of the brick?

Mr. Carr: Yes. There were, I don't think of the renovations that I have seen, the conversions from an old brand to a new brand, I don't think I have seen anywhere the bricks were not painted.

Mr. Okum: Okay, and did they all run the red stripe totally around the building?

Mr. Carr: Yes.

Mr. Okum: Okay, so that is a standard part of the logo?

Mr. Carr: Yes, absolutely.

Mr. Okum: So, it is basically part of the signage package?

Mr. Carr: Yeah.

Mr. Okum: Is that correct? It is being done by a sign company right?

Ms. Vergenz: We are not doing all of the painting and everything.

Mr. Okum: You are doing the red?

Ms. Vergenz: We will put the Alucobond panels on the building yes and we will put the signs up. It is part of their corporate look.

Mr. Okum: I totally understand, I just want the commission to interpret it, what it really is because I consider it a sign band and when it becomes scarlet red I consider it signage. Staff has what they have to take but this is a PUD so there is give and take in a PUD, there are certain things that we can give and certain things that we can interpret and as I am a planning person on this commission I consider the red pretty much a signage element to the building. It certain to bring attention.

Ms. Vergenz: And I agree with you that it is, what we in the sign business consider a sign band, an area for the signs to go on and usually that is the contrasting color of some kind but you are right its purpose is for the signage and so that the signage is very visible when installed upon it. Just like on the pictures of the existing, it is a different color than the brick. It is painted a dark so that their signs, the Quick Stop signs stood off from it and were very visible. So yeah, you're right.

Mr. Okum: So, in your give and our give, you've reduced the signage down.

Ms. Vergenz: We have reduced the square footage of it.

Mr. Okum: From what is currently been approved for the PUD location.

Ms. Vergenz: Correct.

Mr. Okum: You've interjected, or added medallion cabinets, that is my hot term for the night, medallion cabinets that identify the business identity. I guess the business name is Take 5? So, if I'd go onto Google, I'd say Take 5 and it would take me right there. So, I'd be able to find it?

Ms. Vergenz: Correct.

Chairman Darby: With the red background.

Mr. Okum: With the red background and the red band. Pretty much all of us know what Tire Discounters looked like at the corner of Crescenville Road and Route 4 with the red band.

Mr. Hall: Yes.

Mr. Okum: So, that is pretty much what you've got here. Same thing. I'm really not comfortable with that scarlet red band, and I know that is their corporate logo, I don't have a serious problem with the amount of signage. I will tell you that the individual letters that are on the back of the building that says, you sit and wait or whatever it says.

Ms. Vergenz: Stay in your car.

Mr. Okum: Stay in your car, those same letters were put on my sign cabinet by Klusty and they are doing just fine, they are very durable. So, for purposes of knowledge, I'm very familiar with that. I'm just not comfortable with the red band.

Chairman Darby: Definitely, do we have anything here that will illustrate the color you plan to paint that band?

Ms. Vergenz: No, I don't.

Chairman Darby: We see everything from a bright red to this subdued whatever it is.

Ms. Vergenz: Yeah, the red is so diverse, I agree with you. I did not bring any samples because I was not aware that the color was an issue or I would have brought samples to show you. I'm trying to read here and let me see what color they are saying it is. Sherwin Williams 6871 Positive Red. I don't have my Sherman Williams chart in my car. I will say that in the locations over in Northern Kentucky, and correct me if I am wrong, and I think Moraine and there was another one up north, Ft. Wright, the bands were painted. I mean the red was a painted color. The reason that they have gone to the panels at this location is due to the condition, what the material of the existing sign band is.

Mr. Okum: For purposes of Google, 6871 is considered Positive Red, red paint color. So, it's pure scarlet. It is probably as close to Princeton colors as we could possibly get. I think they've got a little more darkness.

Chairman Darby: It would go with the grey. Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. I had a question on the picture that I was looking at that was set around, there is also a red band at the bottom. Is there also, is this brick or is this painted or what is this down at the bottom? Is this supposed to be red painted brick at the bottom?

Mr. Carr: I believe that is actually, it is hard to distinguish in the picture, but I believe that is actually a brown color.

Mrs. Sullivan-Wisecup: Okay. But that will be just be like normal basic brick, you're not going to paint that part, is that just going to stay the normal brick color or is that being painted a color?

Mr. Carr: I don't think that there will be the brown on the bottom with this one.

Mrs. Sullivan-Wisecup: Okay. Perfect, thank you.

Chairman Darby: Everything we see here over the internet is bright red. Using the code that you identified.

Ms. Vergenz: Okay, I mean it is a red. I mean it is not like a dark orange.

Mr. Okum: No, it's Scarlet red.

Ms. Vergenz: It's red red. Again the reason that they aren't painting, most of the locations they have painted that sign band area, but if you look at the pictures, that is a corrugated material which is why they were covering it with panels.

Chairman Darby: Mr. Okum.

Mr. Okum: Just for reference, we had a very similar application for a red band on O'Rileys when they presented their application to this commission and O'Rileys wanted to go all the way across the front of the building with a red front and the commission talked with the applicant and worked through reducing that amount of red. Honestly I

think that any more than 10% of that red that is being presented would be too much on the building and I would not support more than 10%.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan-Wisecup: Thank you Mr. Chairman. I just want to make sure that I am understanding everything. This red band is not a part of this thought? What we are looking at because I did not see that on any of the paperwork. Is that part of our consideration tonight?

Mrs. McBride: Well, Mr. Okum brings up a good point in that when we approved the PUD they, in all likelihood, I don't recall but maybe Mr. Okum does recall and whoever all else is on the commission a material and color pallet for that building. If it was anywhere else in the city, say the corridor district, it would be not up for grabs but if there was a material and a color pallet that was approved for this PUD and they are going that dramatically changing from brown brick to red and tan, then I think that that is something that would be under the review of the commission even though it was not discussed in the staff report.

Mrs. Sullivan-Wisecup: I just wanted to make sure that it is all up for grabs tonight. Okay, thank you.

Ms. Vergenz: Can I ask a question. As far as the PUD is concerned, the PUD stays with the property for the life of the property unless we come back and change it correct?

Mrs. McBride: That is correct.

Ms. Vergenz: So, what did the original PUD allow for signs, they had to allow for signs on all three elevations of the building. So, would that stay with the property even though the sign code changed?

Chairman Darby: But they would have also had a color pallet submitted.

Ms. Vergenz: I mean I guess I'm just asking because it has been my experience that a PUD, you usually have to submit a sign plan and that stays with that property regardless if it changes ownership, changes business name so that if they are allowed 200 square feet of signs on three elevations in that PUD, the new owner is allowed that same consideration.

Mrs. McBride: I think one of the bigger concerns is that you are proposing cabinet signs and the prior folks did not have cabinet signs.

Ms. Vergenz: Correct.

Mrs. McBride: And that is part of the new code. So, it has to be evaluated with regards to the new code because you are making changes obviously to it.

Ms. Vergenz: So, the new code overrides the PUD?

Mrs. McBride: No, they work together.

Ms. Vergenz: Okay. I'm just trying to clarify, we do a lot of work in Springdale and I want to make sure that we propose to our customer.

Chairman Darby: I think Mr. Okum made another very good point in that it appears, based on our past experiences, and he cited at least one location. This commission really doesn't like painted bricks but it appears that the thought process at this time is that it might be okay and that is part of the give and take, but I see us being really hung up over the amount of this scarlet red that is proposed. Am I putting words in your mouth? Mr. Okum. Speak for yourself.

Mr. Okum: The PUD was Mike's, COSTCO and the automobile oil change facility and typically those discussions go along with all of the owners of those, of that PUD. You know COSTCO has a voice in that and Mike's has a voice in that because like next month, let's say Mike's says, well we really want to paint ours and put a red stripe on our building too. You end up, that's why you have PUDs so you have some consistency and a blend so it all works together for everybody in the PUD. That is my concern about it, it is not just I am picking on Take 5, it is just I want that PUD to remain consistency and I understand totally why it is an identity issue for the business to be able to be seen and obviously design sign people and designers pick scarlet red as a color because it is seen.

Ms. Vergenz: It is the most visible color alright.

Mr. Okum: It is the most visible around. So, police, fire trucks, ambulances they all, it is what you see. So, if, I would request that, because I probably, I would so request that, and I know you want to get moving forward with Take 5 but at this time I won't be supporting it. I don't know how the other commission members are feeling about it but I'd like to see something come back, and that does not mean move all the red to the front of the building and nothing on the back. It is a balance and when I say 10% balance it is a 10% balance of accent color on the building and I don't have a problem with the individual letters on the back at all because I have those same letters on my sign and they have held up pretty well and they have been there almost eight years, nine years now. So, they are doing very well. That's my position on it.

Ms. Vergenz: I'm, and I don't mean to argumentative at all, number one I take these as a learning experience because we always check zoning before we propose signs to anybody and we want to propose what the cities will allow. It doesn't help anybody to have to come and ask for special permissions. Just follow the rules and do that. In this situation I understand the single face sign cabinets, what we call logos, which is like the Ford oval and the Take 5 cabinet and there are so many companies that have that logo with their name which is why we we're, I thought we were here tonight. Take 5 did receive the approval from the city to proceed with their colors so, they are ready to roll. But, if we need to regroup just tell me what we need to do so that we can regroup and they can, they are really anxious, this is their last location in the area to redo.

Mr. Okum: Like I said earlier, I don't like to see good brick painted but I understand and the color that is on that photo seems to be reasonable, low luster, low tone, earthy not a problem, I would not have a problem with the brick being painted. I have a problem with the red band and that impact as, in my opinion it impacts that signage on this PUD.

Ms. Vergenz: So, if we reduce the red band to 10% of the total building square footage, like building is 15 foot tall by 63 foot long on the front and rear elevations and I didn't bring the dimension on the side elevation. We would be kind of working with, and I am just thinking out loud here, the channel letters on the front of the building that say Drive Thru Oil Change and the You Stay In Your Car letters, we wouldn't want, because those letters, I'm trying to remember, we would like to keep the red behind those letters, those yellow letters and I think they are like 18 inches tall so we would try and keep that band at least the 18 inches and get within that 10%. So, maybe 24 inches in order to give a little bit top and bottom. Are you saying something

Mr. Okum: What is the size of the band now on the building?

Ms. Vergenz: The total is four foot tall, I just measured it this afternoon, had one of the trucks go up and actually measure it. Now, they do show a different color top and bottom and in looking at that photo, I'm going to say that is about nine inches top and nine inches bottom. So, that take 18 inches away and you are looking about 2 ½ to 3 feet. 2 ½ feet of red. The drawings really aren't to a good scale.

Mr. Okum: What would the rest of the color where it is not being painted red be?

Ms. Vergenz: I guess it would be that cream color. I'm kind of at a loss because I was not prepared for this. I don't know, I can't change their

Mr. Okum: I hate to design on the fly, I'd rather you take it and come back next month and give us that color pallet for the band and be done with it.

Ms. Vergenz: Is there any way that we can do anything sooner? I would have it all ready for you tonight if I had been aware that this was an issue. We would have talked to Take 5 about it and we would have come up with different drawings and showed percentages and brought you color samples.

Chairman Darby: Mr. Taylor, Mrs. McBride, as has been the case in the past we would probably be willing to entrust your review of what is submitted. You have heard the concerns that have been expressed, just don't mess up.

Mrs. McBride: I think it probably requires an engineers review is what I think.

(laughter)

Mr. Okum: 10% would be 1.6 feet.

Mr. Taylor: That's where I am going with it. If there is a specific number from the commission that is pretty easy to review. If it is beyond that, I'm pretty close to already having stepped in it here tonight so I don't really want to repeat that if I can help that.

Chairman Darby: Mr. Okum gave you a reprieve on that.

Mr. Taylor: If we can get some pretty specific guidance, I am certain we can work our way through that.

Chairman Darby: We will do that. I think we are, no more lights, I think we are ready for a motion?

Ms. Vergenz: Can I ask one more question?

Chairman Darby: Yes, sure.

Ms. Vergenz: When you say one foot six and that is the 18 inches, which is the height of the actual letters going up there with no relief top and bottom to separate, would Take 5 have the option to do like a cream-colored band or a black band instead of that red, it would be black, it is dark brown now? I'm just throwing something out because they are going to have to talk about this and see what is going to work with their identity. I'm just afraid that when you shrink that down to 18 inches and then you have that logo can, it is just going to maybe look worse is what I am worried about.

Mr. Okum: I don't know how you can do it? I mean they could almost leave it the same material that it is currently, the brown, but you've got to put your panels on. Are you taking the brown panels off?

Ms. Vergenz: We were going to put the panels overtop of the corrugated.

Mr. Okum: So, you can put your panels, your red non-sign panel could be whatever size they need to be and the brown could remain? Because you do have an accent color on the lower foundation wall.

Ms. Vergenz: Correct, I'm just thinking signs the dark brown background with the red is not really a really good look.

Mr. Okum: What is up there now are metal panels, it is like four inch reveal vertical panels on it. What is going up there is more like a corrugated metal.

Ms. Vergenz: No, it is a solid aluminum, it is a solid there is no corrugation to it.

Mr. Okum: The one that we have got a picture of shows a corrugated panel.

Ms. Vergenz: That is a building

Mrs. McBride: I took that.

Mr. Okum: Okay, well that's fine.

Ms. Vergenz: This is one that has already been done over in norther Kentucky and that was just painted and their painters painted that.

Chairman Darby: What's existing. Okay. Are we able to capture this?

Mr. Okum: I don't know. It is just what do you do with the balance of the color band? Planning Commission I'm open for input.

Ms. Vergenz: It is almost going to look like racing stripes because 18 inches and 18 inches.

Mr. Okum: Well that is not the idea.

Ms. Vergenz: I know that is why I wanted to bring it up. I mean when you do an 18 inch red out of four feet that is going to leave you what, 16 inches top and bottom. Math is not my strongest. It is a foot and a half out of four so that leaves you two and a half.

Chairman Darby: Mr. Bauer. Ideas?

Mr. Bauer: I'm an engineer not a sign person but what if you limited the red band to just where your yellow signage is and take somewhere in proximity of the Take 5 and the rest of that be the beige color?

Ms. Vergenz: So, you would have 15 inches of beige and then 18 inches of red?

Mr. Bauer: No, I'm saying keep the red the same height, limit it in this direction between the signs and then you would have beige

(multiple people talking over each other not audible)

Mr. Bauer: kind of more of a

Mr. Carr: That could potentially work if that's one of the only options. We could potentially make that work.

Chairman Darby: Mr. Hawkins, before you speak I want to note that we typically don't put this much effort into designing on the fly but as you stated earlier you didn't expect this so we are going to be a little more lenient here. Mr. Hawkins.

Mr. Hawkins: Thank you Mr. Chairman. I was going to make the same suggestion that Mr. Bauer made in terms of just, essentially limiting that space to around the yellow letters. The only other thing that I was going to say is, I love and trust staff but all this other stuff you are taking about, I can't visualize it. I'm not going to support that, I want to see what it looks like, I want to have a better ideal. That is just one vote. I'm just telling you that I am not going to support you guys messing with brown and black and whatever else that I have not seen.

Ms. Vergenz: Well that is why I wanted to bring up the way it was going to look if you started reducing the red and adding color top and bottom. It will look much different.

Chairman Darby: So, I think it is time to ask you what is your pleasure?

Mr. Carr: I'm sorry?

Chairman Darby: What is your pleasure? I think you have heard some strong expressions of opposition to what we have before us and also opposition to a positive

vote for something that we don't see before us before we vote on it. So, at this time we could go on with a motion on the presentation or we could continue and give you time to put something else together?

Mr. Carr: I wanted to clarify. So, is this, if we were to take a vote would this be an all-inclusive vote between paint color as well as signage on there, because there was a little bit, okay so it will be an all-inclusive vote thing?

Chairman Darby: It is a vote on the motion.

Mr. Carr: Okay.

Ms. Vergenz: Is there any way that we can vote on the signage so at least that can be in manufacture while we are waiting for the next meeting and it is just the paint color that is the issue for the next meeting?

Chairman Darby: Mr. Okum.

Ms. Vergenz: I'm just

Mr. Okum: It puts you in a very precarious position because, let's say corporate from Take 5 says if it can't be all red, we don't want that sign package and then you are put in a position and we are put in a position, well we approved the signage package for it. We'd love, I'd love to help because we want your business to thrive and do well in Springdale but I've got to think of the other businesses that are also in that PUD and how one impacts the other.

Ms. Vergenz: Oh, definitely.

Mr. Okum: What you suggested, Mr. Bauer, is very very good suggestion actually, I think that they can certainly make that work and the rest of it could remain brown if they, that dark brown, brownish black that it currently, but corporate may not like that. The other problem, that is not the only situation, O'Rileys is a good example of that very same approach that was taken and that wasn't even in a PUD, where we narrowed down the amount and it was exactly the same red, I believe or very close to that red. So, I would support, if you want us to vote approving the sign package without the building elevation colors approval, I'd have a slight problem with that because Mr. Taylor did give you a conditional approval but we still have to give you the approval on the signage and I think that the only fairness to this commission and to the community is that we hold the signage as part of that package as one element and that would be the only way to be fair so that we do represent all of the businesses in that PUD as well as just the one.

Mr. Carr: I do feel, like it had been brought up before, to have the yellow letters that have the red backdrop and then potentially the cream color in place of the red. Like on the other parts of the building. I definitely think that that is something that we could work with. I don't feel that our corporate office would like to keep the same brown that is currently up there. It really doesn't go with the look and it wouldn't match the majority of our other locations that we have.

Mr. Okum: I understand and that is for you to make a submission. We would entertain that. Just for reference, on that building elevation that is shown on that proposal the red box and the 5 goes over the brick face as it is, so it would work. You're just going to need to, I guess what I am asking is do you want to go back before this is brought to a vote and try to bring something back next month? I don't see this commission, if we can get the colors worked out, I don't see this commission objecting to your signage package. There are members of this commission that are, and I will say from experience, that these medallions like these cases are a point of contention and they are sensitive to that. So, but in this particular case I would be supporting these cases for the Take 5 on this project. I can't speak for the other commissioners but I would.

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Ms. Vergenz: I had only asked because manufacture will take three to four weeks after your approval is the only reason I had asked, but I would rather wait.

Mr. Carr: I agree.

Ms. Vergenz: But then you are going to wait and it is going to be next month, do we even have time to get on next month's meeting? Have we already missed the deadline? Alright so we we'll have next month, same time of the month and then we will have, so it will be December when we install.

Chairman Darby: Mrs. Sullivan-Wisecup.

Mrs. Sullivan- Wisecup: Thank you Mr. Chairman. Do we need to make a motion to continue this? Okay.

Chairman Darby: We are going to have to hear them.

Mr. Carr: I really quick wanted to clarify something. So, if we have a continuation of this, would we still be able to, the Quick Stop sign that is shared with Mike's Carwash, would we be able to get that replaced just to give our company the new name on there?

Chairman Darby: According to Mrs. McBride yes.

Mr. Carr: Okay, wonderful.

Chairman Darby: Okay. The chair will accept a motion to continue this submittal.

Mrs. Sullivan-Wisecup: I would like to make a motion to continue this submittal till next month.

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

Chairman Darby: It has been moved and seconded that this submittal be continued until our next meeting. Secretary please call the roll.

(Secretary called the roll and the motion to continue this submission till the next meeting was approved with a vote of 7 to 0.)

Chairman Darby: See you next month.

Mr. Carr: Thank you all very much for your time and consideration.

Chairman Darby: Everybody okay to continue. Okay.

- C. Tree Ridge Capital, LLC, 230 Pictoria Drive, Springdale, Ohio, Concept Plan (Application 34209)

Chairman Darby: Mr. Taylor.

Mr. Taylor: This is a picture of the site. It is approximately a 5 acre tract just to the east of the existing Pictoria Tower. This is a site plan and of course this is in your packet. This is a plan view of what the concept is that is before you and it shows a slightly smaller office tower with surface parking. This is a PUD or a version of what was approved some years back. Actually, I think the date on this is 2001 and what was envisioned for this site, Tower 2 was going to be six levels, a total of 189,189 square feet and a five level parking deck for 808 cars. The principal thing here in front of you is the change from structured parking to surface parking and a reduction of the size of the tower. That is all that I have at this time.

Chairman Darby: Mrs. McBride.

Mrs. McBride: Thank you. I really don't have much to add to that. We had asked the applicant, so that we could give better guidance to the two members of Council who serve on the commission if it was a major or a minor change because included in that are things like the basic design, the density, the open space and so forth. So, we had asked for information about the approved versus proposed building square footage. Similarly, the number of off street parking spaces as well as the approved and proposed open space and we did not receive any response to those requests so, again this is a concept plan approval but I wanted the commission to start to look at whether or not it would be a major or minor change given that. Those are the only, that is the only comment that I have.

Chairman Darby: Question, Concept Plan, approval or just discussion.

Mrs. McBride: It is just discussion.

Chairman Darby: Okay thank you. Mr. Madl.

Mr. Madl: There is detention already in place. We will just need to confirm that the proposed site matches the original intent with regard to impervious area. The other issue is the pavers on the, I guess you would call it a large turn around area are starting to get close to, I would not quite call it disrepair but with another construction project coming through they are going to need to be replaced and my understanding is that the Covenants that run with this whole development indicate that there is a shared responsibility. Not the City's responsibility to maintain those pavers, so after construction it will likely need to be replaced and repaired and we need to make sure that is clear as part of any approval.

Chairman Darby: Thank you. Representative want to come forward please.

Mr. Merrell: Thank you so much. My name is Randy Merrell, I'm the architect that did the plans that you are looking at. I am here to represent the owner who could not be here tonight, his wife had planned a vacation that he forgot about so he asked me to come in his place.

Chairman Darby: You have to establish priorities.

Mr. Merrell: So, I don't know if you could ruin that. What we have prepared is sort of an animation of the design model. I'm not sure, okay. Now one thing I wanted to, Mrs. McBride, I did not know you had questions. I kind of got late in the game.

Mrs. McBride: They were sent to the applicant.

Mr. Merrell: Yeah, I do have those answers for you if you need them.

Mrs. McBride: Alright thank you.

Mr. Merrell: One of the challenges that we've had with this site, I'll let you run through this, kind of soothing, some birds.

(video started with gentle streaming water, chirping birds and music showing the perspective building)

Mr. Merrell: (narrating through the video) You can see Pictoria 1 in the background. How we have placed this is to have maximum exposure to the highway without necessarily detracting from the original building. So, you can see what we would like to do, not necessarily mimic the original building but sort of match it in style with precast panels and similar configurations.

(video malfunction – presentation video restarted back to the gentle streaming water, chirping birds and music)

Mr. Merrell: (still narrating through video) Sometimes if you are on it a couple of times it clears all of the bugs out. We could not get enough of the first time so we had to do it again. One of the things obviously, the market for this class A office building it is hard to justify doing a six to eight story building here. Parking garage is very expensive and it is very hard to do that as well. What we've been able to do and we have been working with staff and we have come and talked to them a couple of times with what we could present to you that would be acceptable. I think 105,000 square foot building is about what the market could actually support. The parking is like 123 parking spaces, right at four per thousand of square footage. We are not really asking for TIF money or any additional financing/financial help. If we had to go with a garage, we would need. With that said, I am here to answer any questions that you might have.

Chairman Darby: Good job. Mr. Madl.

Mr. Madl: Just an addition to my previous comment. For clarification, during the initial review of the Pictoria Development staff at that point noted that the paver portion should be the responsibility of all of the adjacent owners. It was never confirmed that that was in the final Covenants so, if the PUD is modified to accept this we recommend that this be added to the Covenants.

Mr. Merrell: I don't think that would be a problem. We would want the same thing, we would not want those to be deteriorating.

Chairman Darby: I know you mentioned square footage but what size is the building in relation to the original building? Is it half as large?

Mr. Merrell: The Pictoria 1 or the proposed original?

Chairman Darby: No, the one that is existing now?

Mr. Merrell: The original one was like 230,000 square feet. It is eight stories.

Chairman Darby: And this come in at 100 and

Mr. Merrell: 105 and change.

Chairman Darby: So, it is a little bit under half as large as that?

Mr. Merrell: Yeah. Correct.

Chairman Darby: Mr. Okum.

Mr. Okum: Thank you Mr. Chairman. Frankly I was involved in approval of the original Pictoria site, well the fifth rendition of the Pictoria site. I am very encouraged by what you are presenting. I think it is a very positive element. At first when I saw it I thought, I said boy they pushed that building really close to the interstate and it's going to give obstruction to Pictoria 1 but I think you have done it nicely by staging the heights and I don't have any real issue with that. I know we've got water retention capacity for the site.

Mr. Merrell: Correct.

Mr. Okum: But, I might recommend that you look at some alternative ways of dealing with water shed from the parking lot.

Mr. Merrell: Certainly, yes.

Mr. Okum: Instead of the curb and edge drop offs and water feature where you can take water off and bring it into a more environmental approach instead of curb and gutter.

Mr. Merrell: We have no problem with that what so ever.

Mr. Okum: And the parking lot. Anderson Township has done it on a lot of projects recently and have done very well with it. They had great success. It also gives the trees a little bit more life because they are getting a better feeding of water. But, all in all I think it's, obviously it is class A office space. I would assume that you have people interested?

Mr. Merrell: We have some people, I'm not the realtor.

Mr. Okum: But the developer has people interested?

Mr. Merrell: They have some people interested. Some of it is medical and some of it is not medical.

Mr. Okum: We would sort of like to see some type of time line when you make your, when you come in for your, from start to finish. Very encouraged by it not requiring the TIF and those areas. Personally, I do not have a problem with the parking field for this particular site. If push came to shove people could still park in Tower 1 which does not get totally utilized.

Mr. Merrell: We've actually talked about that.

Mr. Okum: I think that Tower 1 was built with the parking garage and it was built under our old parking standards. I think that it is, if we were to look at our new, it is much higher isn't it? I see Mrs. McBride shaking her head. Yeah, two codes ago.

Mr. Merrell: Yeah, I actually think in our discussions with staff, we felt that you might even be able to get 40 to 60 spaces out of that garage that we could use.

Mr. Okum: Easy.

Mr. Merrell: Very easily.

Mr. Okum: If not more. Thank you very much for bringing it to us. I'm encouraged.

Chairman Darby: Mr. Bauer.

Mr. Merrell: From a time-frame, if I could sir, the impression that I got from Burke Byer, who is the owner, as soon as we can get you guys to say, this looks good, we will be wanting to submit and move forward right away.

Mr. Bauer: Thank you. Just a couple of questions. The parking field that is, the extent of it is based on the capacity of the office building I'm assuming, the size and the number of cars?

Mr. Merrell: Yes.

Mr. Bauer: So, it is an accurate representation of what we are going to, of what we would see the number of spaces?

Mr. Merrell: Yes.

Mr. Bauer: Okay. Then just some background. You talked about the difference in the building looks the same but you have gone to a different tint in the precast panel?

Mr. Merrell: Yeah, we actually talked about that. Obviously, there are copywrite issues that we can't just copy somebody else's design right? So, we tried to make it consistent but not the same. Some of the paste make up the pre-cast might not be the same, the actual profiles may not be the same but I think from a design stand point and trying to make it not look foreign but not the same was the challenge that we had.

Mr. Bauer: Thank you and it does look very good. I'm excited about it.

Chairman Darby: Mr. Ramirez.

Mr. Ramirez: Thank you Mr. Chairman. Just for the record, I also agree with Mr. Bauer and Mr. Okum. I look forward to another building there at Pictoria and I think this will be a great choice. Thank you for coming in.

Mr. Merrell: Thank you.

Chairman Darby: There being no other lights I'd like to say I'm very encouraged with this submittal at this point and the opportunity to talk with you. I think you see there's quite a bit of support coming from this commission.

Mr. Merrell: Yes.

Chairman Darby: We look forward to working through the process with you.

Mr. Merrell: That is fantastic.

(very loud cell phone ringing)

Mr. Okum: You didn't make the announcement tonight.

Chairman Darby: Which one?

Mr. Okum: Turn your phones off.

Chairman Darby: It never works anyway. Any additional comments. Thanks for coming.

IX. DISCUSSION

Chairman Darby: Mrs. McBride, this is your moment, tell us how well your conference, tell us all good news about the conference.

Mrs. McBride: Well since you asked. We had to close registration early because Thursday we hit 485. We had originally thought 300 Planners and then it went to 350, we were at 485, Friday we had 520 Planners. That is a lot of planners and Planning Commission members. We were able to raise about \$36,000 in sponsorship. We had three times the number of session proposals as we had space for sessions. Two very successful parties on Wednesday and Thursday nights. So, it went, I think swimmingly.

Chairman Darby: Thank you.

Mr. Okum: I had also, Mr. Chairman if I could, I was privileged to be able to go on Friday, courtesy of the City of Springdale and I appreciate sincerely. I got in.

Chairman Darby: Wait, I thought the County paid for you, why did you?

Mr. Okum: They didn't pay for me on this, they pay for everything else. I really appreciate it and I got a lot out of it. I got to be a panelist on the ethics panel. Mrs. McBride got her credits for her hour and forty minutes listening to us talk about zoning and planning issues ethically for Planners.

X. CHAIRMAN'S REPORT

Chairman Darby: This year you winners of last year's People's Choice Award for the chili contest, when I did it by myself, someone suggested that the Civil Service and Planning Commission join up this year.

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Mrs. McBride: Great idea.

Chairman Darby: And we lost.

Mr. Okum: Well I didn't know how well did. How did we do? I didn't know we were doing it.

Chairman Darby: I wish I had a tape to put up there of Cheryl and myself making the chili because I tend to say things like, why did you do that? But it was very good, we got extremely good feedback but we will hang in there and try again next year.

XI. ADJOURNMENT

Chairman Darby: Without a motion this meeting is adjourned.

Respectfully submitted,

_____, 2018 _____
Don Darby, Chairman

_____, 2018 _____
Richard Bauer, Secretary