

Planning Commission
December 19, 2007
Minutes

The Chairman called the meeting to order. The following members were present: John Mears, Ned Bromm, David Miller, Mike Zuilhof, Lee Silvani, Paul Ernst & Craig Stahl. Carrie Handy was present to represent the Development Department and Amanda Keegan was present to represent the Law Department.

Mr. Stahl moved to approve the minutes from the November 28, 2007 meeting as presented; Mr. Miller seconded the motion, which carried unanimously.

Chairman Mears swore in anyone who wished to speak for the adjudication hearing.

The first item on the agenda was adjudication hearing to consider an application for a conditional use permit for an electronic message center sign 1007 W. Perkins Avenue filed by Brady Signs on behalf of Jasinto, Inc/Casa Fiesta.

Mrs. Handy stated that the applicant wished to replace an existing reader board type sign with an electronic message center sign. She stated the new sign would require 3 variances which would be heard at BZA on the next evening. Staff didn't really have any concerns except what type of messages would be on the sign and the interval between changing. She commented that there were some signs in Perkins Twp. that were very distracting and since this was a busy intersection, staff would like more detail on the types of messages so the Commission could put some conditions on it.

Mr. Zuilhof thought that there had been a policy to grant these types of signs on Cleveland Road as an exception because of the nature of the businesses at that location. He believed that had been stated by the prior planner.

Chairman Mears commented that he didn't believe they had ever had that policy; it would always have to be individually requested. Mr. Zuilhof commented that it was an unofficial policy. Mark Morehart from Brady Signs stated that he recalled hearing the previous planner say that but he didn't believe it became a written policy.

Mr. Morehart commented that he believed the planner had been trying to create a tourist corridor but it didn't get any farther than that.

Mr. Morehart stated that this electronic message sign would increase public awareness of the business and increase visibility along with increasing their advertising impact on the motoring, transient public. He stated they needed to compete with national chains and this sign would be a great equalizer. Mr. Morehart commented that electronic message centers were thought to be traffic distractions, however, the Federal

Government had done studies and they came to the opposite conclusion and found that electronic message centers actually helped to break up the monotony of a drive.

Chairman Mears commented that staff recommended a 30 sec. interval for messages. Mr. Morehart commented that ODOT's standard for their electronic billboards was 8 seconds. Chairman Mears commented that would depend on what type of message was presented, whether it was scrolling or static. Mr. Miller thought 8 seconds was a reasonable parameter if ODOT used that standard.

There was discussion as to the intensity and size of the letters and graphics which would be on the sign. The Commission felt that video clips would be too distracting. Mr. Morehart commented that there was stock clip art which came with the software package and they encouraged companies to keep their messages brief and to the point.

Mr. Stahl commented that he felt that the City needed to give local businesses the tools to stay in business and he would approve this as long as there wasn't any profanity or video. Mr. Silvani agreed.

Mr. Stahl moved to approve the conditional use permit subject to staff conditions along with no profanity, and no streaming movie type pictures. Mr. Silvani seconded the motion. Mr. Bromm commented that staff had recommended a 30 second interval and Mr. Stahl and Mr. Silvani amended the motion to make it no less than 8 seconds.

Mr. Zuilhof commented that perhaps the sign code was too restrictive and it should be done away with since the Commission seems to just keep approving variances to it. Mr. Miller disagreed and he felt that the Commission should be the ones to determine if this type of signage was appropriate in a particular location and he felt that the City needed to have some types of restrictions and then it was up to the Commission to approve or disapprove variances.

The motion to approve the conditional use permit passed 6 – 1 with Mr. Zuilhof voting against it.

The next item on the agenda was an application for barb wire fencing on Ogontz Street, filed by Ogontz Realty. Mr. Stahl commented that he had talked to Mr. Guerra and this was an insurance issue. There was already a partial fence around the property and this was an attempt to finish the fencing. No one had any questions and Mr. Stahl moved to approve the application subject to staff conditions, Mr. Silvani seconded the motion, which carried 7 – 0.

Next on the agenda was the election of officers for 2008. Mr. Stahl moved to keep the same set of officers, Mr. Zuilhof seconded the motion, which carried 7 – 0. Mr. Mears will continue as Chairman, Dr. Ernst as Vice-Chairman and Mr. Bromm as Secretary.

The last time on the agenda was the PUD regulations. Mrs. Handy stated she hadn't changed anything from what the Commission had already reviewed but she added the last part about major and minor modifications to a PUD to clarify what would happen when a developer might want to change a PUD after it had been approved.

Mr. Zuilhof commented that a 10% change in density would be a pretty substantial change and he felt it would be fair and reasonable to say that any change other than 3-5% change in design density would need to come back to the Commission.

Chairman Mears asked if he would be satisfied with 5% and Mr. Zuilhof thought that would be more reasonable. Mrs. Handy stated that 10% had been used by other jurisdictions but she would change it to whatever the Commission wanted.

Mr. Miller asked if Harry Welsch had recommended the 10% figure and Mrs. Handy stated that she didn't think he specifically spoke to the 10%, she could ask him if everyone else used 10%. Chairman Mears suggested that if Harry didn't specifically recommend it then the Commission should just go ahead with what they thought since they would like to get this ordinance passed.

Mr. Bromm agreed that 5% was reasonable. Mr. Zuilhof moved to approve the PUD regulations as amended and forward it on to the City Commission, Mr. Bromm seconded the motion, which carried unanimously.

There was nothing further for the Commission and the meeting was adjourned at 5:22 p.m.

APPROVED:

Mary L. Grendow, Clerk

John Mears, Chairman