

Planning Commission
August 23, 2017
Minutes

The Chairman called the meeting to order at 4:30 p.m. The following members were present: Mr. David Miller, Mr. Jim Jackson, Chairman Michael Zuilhof, Mr. Whelan, Mr. Joe Galea and Mr. Wes Poole. Ms. Casey Sparks and Ms. Angela Byington represented the Planning Department; Mr. Justin Harris represented the Law Department; and Debi Eversole, Clerk from the Community Development. Mr. Pete McGory arrived before the first agenda item.

Mr. Miller moved to approve the minutes from the 6/28/17 meeting. Mr. Jackson seconded the motion. With no further discussion, the minutes were approved with a unanimous vote.

Mr. Miller moved to approve the minutes from the 7/26/17 meeting. Mr. Galea seconded the motion. With no further discussion, the minutes were approved with a unanimous vote.

Mr. Harris swore in audience and staff members that wished to offer testimony during the adjudication hearing. Mr. McGory arrived during this time.

Ms. Sparks presented that Nyle Oldes, on behalf of Nova 8516 LP had applied for a Conditional Use Permit for a digital message board sign to be located at **1631 Cleveland Rd**. The parcel is zoned as General Business and is adjacent to other parcels zoned as General Business as well as parcels zoned as Residential. The use of the property is a gas station which previously had a free standing sign that was substantially larger. The applicant applied for a face change and proceeded to install a digital message board sign. Previously they had 2 changeable copy signs and have replaced to a digital sign. When the applicant was made aware that a Conditional Use Permit must be obtained, they applied and are before the Commission tonight. Staff recognized that the sign is smaller and looks better and therefore recommended approval of the Conditional Use Permit. In addition, Staff did have 2 phone calls from surrounding property owners that showed their support. Mr. Poole asked if the callers identified themselves. Ms. Sparks stated that they did not.

Mr. McGory asked if the sign is a scrolling message or electronic changeable sign.

Nyle Oldes stated that the bottom of the sign will be changeable copy. He gave the example that it could read Monster Energy for 20 seconds and change to Coca Cola or store specials. The message will change throughout the day.

Chairman Zuilhof asked if this was approved through the "8 second rule" according to ODOT regulations since it is on a State Route. Ms. Sparks stated that it could be conditioned in the approval that the sign comply with ODOT regulations.

Mr. Miller asked if the sign changed static pictures or will there be moving pictures, like a TV screen. Mr. Oldes stated that it is a static picture and that the sign does meet ODOT regulations, He has them placed in several municipalities and is aware of the requirements. The 8 second rule applies and it automatically dims at night.

Mr. Poole stated that he has no problem with the sign itself, but there are bushes places around it that cause an obstruction. He referenced a photo in the presentation that showed drivers in vehicles and their heads are not as high as the bushes. He requested that the applicant take care of this potential hazard. Mr. Oldes agreed.

Mr. Miller moved to approve the application with the condition that it is compliant with ODOT 8 second rule. Mr. McGory seconded the motion. Chairman Zuilhof asked for discussion on the motion. Mr. Harris stated that since staff and commission do not know the ODOT regulations verbatim, the commission may wish to amend the motion to state that the application complies with all ODOT regulations regarding signs. Mr. Poole moved to make such amendment as stated. Mr. Whelan seconded the motion to amend the previous motion, which carried by unanimous vote. The amended motion and second is to approve the application with the condition that it complies with all ODOT regulations regarding signs. The motion carried with a unanimous vote.

Chairman Zuilhof stated that Staff requested to reschedule the September 27th meeting. Ms. Sparks stated that the week of the 11th – 14th would be a suggestion. Chairman Zuilhof suggested Wednesday September 20.

Mr. Miller moved to change the meeting date to Wednesday, September 20, 2017. Mr. McGory seconded the motion, which carried with a unanimous vote.

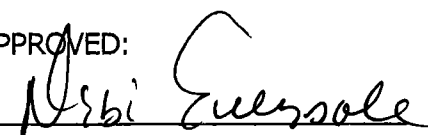
Chairman Zuilhof addressed that Mr. Waldock had communicated a request that the Planning Commission remove his previously tabled application from the table. Chairman Zuilhof stated that there shall be no discussion of this matter until the public is notified that the Public Hearing will be continued.

Mr. Miller asked if there would be a 30 day notification period since the next meeting date was rescheduled. Ms. Sparks stated that Staff had reviewed the notification period prior to tonight's meeting and there will be the required 15 day newspaper notification and 10 day notification to surrounding property owners.

Mr. Miller moved to remove the application from table to be heard at the next Planning Commission meeting scheduled for September 20. Mr. Poole seconded the motion, which carried unanimously.

Mr. Whelan moved to adjourn the meeting. Mr. Galea seconded the motion. The meeting was adjourned at 5:50 p.m.

APPROVED:



Debi Eversole, Clerk



Michael Zuilhof, Chairman