

**FLORENCE BOARD OF ADJUSTMENT
FLORENCE GOVERNMENT CENTER
BUSINESS MEETING
JUNE 10, 2015
8:00 P.M.**

Mr. Pieper called the meeting to order at 8:05 P.M.

BOARD MEMBERS PRESENT

Mr. Timothy Pieper, Chairman
Ms. Lois Evans, Vice-Chairwoman
Mr. Larry Brown
Mrs. Linda Schaffer

BOARD MEMBERS NOT PRESENT

Mr. Louis Kelly

LEGAL COUNSEL PRESENT

Mr. Dale Wilson

APPROVAL OF THE MINUTES

Mr. Pieper stated the Board members received copies of the minutes of the Florence Board of Adjustment meeting of April 8, 2015. He asked if there were any comments or corrections? Mrs. Schaffer said a change needs to be made to paragraph 7 on page 4. The sentence should read "Mr. Kelly said he does **not** believe that the request will cause a precedent because most of the signage will not be visible during the day." Mrs. Schaffer made a motion to change the sentence and Mr. Brown seconded the motion. Mr. Pieper called for a vote and it carried unanimously. Mr. Brown made a motion to approve the modified minutes and Ms. Evans seconded the motion. Mr. Pieper called for a vote and it carried unanimously.

AGENDA ITEMS

- 1. Request of Piros Signs, Inc. for a Variance to allow additional building mounted signage on the south façade of Planet Fitness in a Commercial Two/Planned Development/Mall Road Overlay District (C-2/PD/MR) zoning district. The approximate 1.61 acre site is located at 8000 Mall Road, Florence, Kentucky.**

Staff Member, Todd Morgan, AICP, presented the Staff Report which included a PowerPoint presentation (see Staff Report).

Mrs. Schaffer asked where the sign drawing was that would meet code for the south facade? Mr. Morgan said it's an attachment to the Staff Report. It is labeled "sign that meets code". She asked if the site was part of the Mall Road Overlay Sign District, which was adopted in 2012? Mr. Morgan replied that it was. She said one of the Staff recommendations is that no other building signage should be permitted if the request is approved. She asked what other signage could be installed? Mr. Morgan said the building mounted signage on the north and west facades is under code. Additional signage could be installed on those facades if that condition wasn't included as part of an approval.

Mr. Brown asked if two freestanding signs were approved as part of the Florence Heights Special Sign District approval? Mr. Morgan said Planet Fitness can advertise on two freestanding signs. One will be located at the corner of Mall Road and Heights Boulevard and the other is a 65' tall interstate sign that will be located on the Costco lot. Planet Fitness will have tenant panels on both signs. Drawings of both signs are attached to the Staff Report.

Mrs. Schaffer said the Special Sign District approval would also allow Planet Fitness to construct an outlot monument on their lot. Mr. Morgan agreed. He added that Planet Fitness currently has no interest in installing the monument sign.

Mrs. Schaffer said they are proposing building mounted signage on the north, south, and west facades. Mr. Morgan said code allows them to have building mounted signage on three facades. They are asking for a Variance for the amount of building mounted signage that is permitted on the south facade. He said the way the code works is that they are permitted signage on a primary and two secondary facades. The primary (north) facade is 125 linear feet across and they are permitted 250 square feet of building mounted signage. The south and west facades are 125 and 175 linear feet respectively and they are permitted 125 and 175 square feet of building mounted signage. The permitted signage can be broken up into three sign areas on primary or secondary facades.

Ms. Evans said the sign drawing for the west elevation shows that they will only display "Planet Fitness". There is no logo. Mr. Morgan said he believes they did that because they are seeking a compromise. A total of 550 square feet of building mounted signage would be permitted on the three facades and they are currently asking for 532.14 square feet.

Mr. Joe Phillips, with Piros Signs, said he was representing Planet Fitness. His company has already installed signage on three or four Planet Fitness facilities in the St. Louis region. The sign package in Florence is similar to the St. Louis facilities. Due to the architectural elements in their buildings, Planet Fitness tries to do consistent building mounted signage on the front and rear facades. The front wall on this facility contains 233 square feet of signage. If possible, they always try to use the same signage on the rear wall. The signage does not look out of place because it keeps the continuity going between the front and rear facades. They have a lot less signage than they are permitted on the side (Mall Road) elevation. The owner wants the majority of the signage on the main view points. The front and rear of the building is what will be seen by motorists that are traveling on Mall Road. They are hoping that they can use some of the signage that would be permitted on the side facade and apply it to the rear facade. Planet Fitness has no intentions of constructing the monument sign. They would be willing to accept the recommended conditions if the Board approves the request.

Ms. Evans asked if the Planet Fitness logo was new to their branding? Mr. Phillips said they always had a logo but it has been tweaked over the last couple of years. The new logo is being used on all of their stores nationwide.

Mr. Brown asked if Planet Fitness was concerned about the sign on the south facade not being seen? Mr. Phillips said he thinks the reason for the request has more to do with the architectural characteristics of the building and keeping the continuity between the front and rear facades. He believes a 125 square foot building mounted sign will look lost on that facade because the building is 25 to 30 feet tall.

Mr. Brown said his concern is that they are getting away from the sign code that was recently adopted for Mall Road. He is also concerned that the fitness center will be serving the local community. Planet Fitness is already permitted to advertise on two big freestanding signs and the building is essentially three stories tall. Local residents will know what the building is after they drive past it once or twice. Mr. Phillips said he agrees that it is a locally based business. Florence is fortunate that they have so many people that come into the community to go the Mall and are traveling through on the Interstate. He said a lot of people come to Florence for work purposes and they will go to a gym after work. He does not believe the larger sign on the south facade will be a detriment at all. Planet Fitness is considered one of the anchor tenants in the development. Anchor tenants need a little bit more signage because of the size their buildings.

Ms. Evans said she feels they have an advantage because they have been permitted to advertise on the development pole signs. One of these signs is 65' tall and is visible from the Interstate. Mr. Phillips said that is the advantage of being an anchor store. The anchor stores will attract customers to the other multi-tenant buildings located in the development. He sees their request as a give and take because they are asking for additional signage on the south facade but are giving up other signage that they would be permitted.

Ms. Evans asked if developers look at the sign code before they build out a project? Mr. Morgan said the developer did look at the sign code in this case and got a Special Sign District approved to allow additional freestanding signage. The Special Sign District did not address building mounted signage because the Planet Fitness use was not known at that time. Some developers look at the sign code before they develop and others do not.

Mr. Phillips said Planet Fitness submitted the Variance application to get a sign package that meets their needs and branding standard. Ms. Evans said her concern is that other businesses in Mall Road Overlay District have to abide by the same standards. Mr. Phillips said he understands that but that is why there is a Variance process. The Board can go beyond what the code says if they feel like they are not setting a precedent. Each site should be looked at individually. He doesn't believe the average citizen will know that a Variance was given if the application is approved. They are seeking a compromise because they are not going over the amount of building mounted signage that is permitted on the whole building.

Mr. Pieper asked if Planet Fitness would be willing to reduce the size of the building mounted signs on the south facade? Mr. Phillips said he brought a sign drawing of the next size down and submitted it into the record (see Exhibit 1). The logo is 7'-6" tall and the overall sign is 168.3 square feet when it's broken into two sign areas. Mrs. Schaffer asked if the sign would be lit? Mr. Phillips replied it would be LED illuminated. He said the sign would still be subject to a Variance but it is about 64 square smaller than the originally proposed sign.

Mrs. Schaffer said she understands Mr. Phillips position but whether you are traveling northbound or southbound on Mall Road you will see two building facades.

Mr. Brown asked where the two freestanding signs would be located? Mr. Morgan replied that Planet Fitness will advertise on a 31' tall freestanding sign at the corner of Mall Road

and Heights Boulevard and a 65' tall interstate sign on the Costco lot. Mr. Brown asked Mr. Morgan to confirm that there will be a freestanding sign on each side of the Mall Road/Heights Boulevard intersection. Mr. Morgan reviewed the slide of the Crossroads Church/Pep Boys freestanding sign on the other side of the intersection.

Mrs. Schaffer said she does not see any unique or special circumstances or that they are being deprived of reasonable use of the land. They already have a special sign district and the building is still under construction. She does not see how they meet the criteria for approving a Variance. Mr. Brown said he concurs with that statement. In addition, the building will serve the local community and sits right on top of the road. It will not be hard to spot the building.

Mr. Pieper asked if there was any other discussion? There was no response.

Mrs. Schaffer made a motion to deny the application because there are no special circumstances and Planet Fitness is not being deprived of reasonable use of the land. This is based on the Staff Report and applicable Boone County Zoning Regulations.

Ms. Evans seconded the motion.

Mr. Pieper asked for a roll call vote and Mr. Pieper, Ms. Evans, Mrs. Schaffer, and Mr. Brown were all in favor of the motion. The motion carried 4-0.

OTHER

Mr. Pieper asked if anyone had anything to discuss? Mrs. Schaffer said she drove past TA truck stop and noticed they have an electronic gas price panel on their smaller freestanding sign. She said the sign is blank right now. She asked if the Board had approved that sign? Mr. Morgan replied that she is probably referring to the Valero sign and if that is the case the sign was approved and is not functioning properly. He will look at the sign closer as he drives home.

ADJOURNMENT

Mr. Pieper asked for a motion to adjourn. Ms. Evans so moved and Mrs. Schaffer seconded the motion. Mr. Pieper called for a vote and the meeting adjourned by unanimous consent at 8:50 P.M.

APPROVED

Timothy L. Pieper, Chairman

Attest:

Todd K. Morgan, AICP
Senior Planner, Zoning Services

Exhibit 1 - 168.3 Square Foot Building Mounted Sign Option for South Facade