

**FLORENCE BOARD OF ADJUSTMENT
FLORENCE GOVERNMENT CENTER
BUSINESS MEETING
JANUARY 10, 2018
7:00 P.M.**

Mr. Pieper called the meeting to order at 7:00 P.M.

BOARD MEMBERS PRESENT

Mr. Timothy Pieper, Chairman
Mr. Louis Kelly
Mrs. Jamie Nieves
Mrs. Linda Schaffer

BOARD MEMBERS NOT PRESENT

Ms. Lois Evans, Vice-Chairwoman

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 June 8, 2016. He asked if there were any comments or corrections? Mr. Kelly made a motion to approve the minutes as written and Mrs. Nieves seconded the motion. Mrs. Schaffer said she would abstain because she was not present at the last meeting. Mr. Pieper called for a vote and it carried unanimously.

AGENDA ITEMS

1. Request of **Jim McFarland for McDonald's** for a Change in Non-Conforming Use. The Change in Non-Conforming Use is to allow additional drive through signage in the front yard and changes to the building materials, paint scheme, and building mounted sign package. The approximate 0.73 acre site is located at 6726 Dixie Highway, Florence, Kentucky and is zoned Commercial Two (C-2).

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

Mr. Pieper said he lives on Bustetter Drive but that will not affect his ability to act on the request.

Mr. Jim McFarland, with Permit Solutions, said he has been working with McDonald's throughout the Midwest over the last year to update several stores. McDonald's Corporate requires all operators to be in compliance with ADA requirements and colors and features that they want to see on the outside of the restaurants. The proposed store renovation also involves an interior upgrade and the closure of a driveway that's located near Dixie Highway. The driveway closure will allow them to put an accessible sidewalk in between the store and Dixie Highway. Mr. Morgan added the driveway Mr. McFarland is referencing is currently chained off. He reviewed a PowerPoint slide.

Mr. McFarland submitted colored elevations of the subject store into the record (see Exhibit 1). He added that they have some flexibility with the proposal to get the non-conformities to where they need to be. Mrs. Schaffer asked if the existing building was being torn down or if it was being refaced? Mr. McFarland responded the brick on the bottom half of the building will remain and be repainted and the top half of the building will have a new EIFS finish and new flat roof. He reviewed the elevations and pointed out the red metal panels that would be added on the front elevation. The roof mechanicals will be fully screened from view by parapet walls. The proposed EIFS is a charcoal grey in color and is rather dark. On Sheet A2.1 there are three sections of E-Wood shown at the cash and pickup windows. This E-Wood product is actually a tile that has a wood grained finish.

The purpose for the tandem drive through layout is to increase efficiency inside McDonald's. The layout allows people to order quicker and it reduces vehicle stacking in the drive through lane. McDonald's has done tandem drive through layouts in Columbus and the Kenwood Road area in Cincinnati. Many owners have gone with a side by side tandem drive through layout, which has side by side lanes before they merge back to a single lane. In this case, there are space restrictions and a side by side layout will not work. McDonald's hasn't done any studies on tandem drive through lanes. Some of the restaurant owners have decided to add them to alleviate congestion and stacking. They are open to adding signage or lighting to inform customers to pull up to the 2nd menu board if it's unoccupied.

They feel the gateway sign and pre-browse board are necessary but would be negotiable on them. The gateway sign contains a clearance bar and this informs motorists how tall the canopies are over the menu boards. The pre-browse board helps speed up the process of ordering. In some cases, it helps customers decide what they want to order before they reach the menu board.

The "Welcome" sign that is being proposed on the roof awning isn't allowed by code because it isn't flush mounted to the building. McDonald's would like to see this sign approved but would be negotiable on it.

The new building design has been around for approximately a year and is called a "Ribbon and Blade" design. McDonald's Corporate selected Ohio, Indiana, and Kentucky for these type of stores.

He offered to answer any questions.

Mrs. Schaffer asked if the McDonald's on U.S. 42 has what is being proposed here? Mr. McFarland said they are in the process of updating that store as well. She feels pre-browse boards are more of an advertisement of what is on sale and are not necessary. She has concerns about this tandem drive through layout because some motorists will not know what to do. They will question which menu board they should pull up to if both are unoccupied. She doesn't have any issue with the Gateway sign because it promotes safety. She also doesn't have any issue with the "Welcome" sign because the amount of roof signage would be greatly reduced. Mr. Kelly said he agreed with Mrs. Schaffer. He also believes the overall proposal is a big upgrade over what is there now.

Mr. Pieper asked if the existing parking lot lighting would be changed at all? Mr. McFarland said they are not changing the light poles in the parking lots. Mr. Morgan stated the plans show

that new light fixtures are proposed on the building exterior and they will need to provide a photometric plan when they submit the Site Plan application for review.

Mr. Pieper asked if anything is changing on the back of the building for trash pickup? He knows it is tight for a trash truck to get in and out of there. Mr. McFarland said trash pickup times normally occur before the stores open. They can check with the trash company to make sure the design works for them.

Mr. Pieper asked if McDonald's has looked at how efficiently the two-pickup window system works? The drive through window on the existing store backs up quite a bit. Mr. McFarland said the tandem drive through and windows are being put in to increase efficiency and the ordering experience. He don't have any statistics with him but the tandem drive through layout has to help with efficiency and stacking.

Mr. McFarland asked for the existing menu board photo to be shown again. He heard Mr. Morgan say that the existing sign topper is a temporary sign and shouldn't be there. He will make sure the new menu boards do not have these toppers. They are not part of the proposal.

Mr. Morgan asked Mr. McFarland to confirm the trex on the back of the building would be painted to match the rest of the building? Mr. McFarland said that was correct. Mr. Morgan asked Mr. McFarland to confirm the first window on the drive through side of the building was a cash window and the other two windows were order pickup windows? Mr. McFarland said that was correct. Mr. Morgan asked if the building occupancy was increasing, decreasing, or staying the same? Mr. McFarland said seating is typically staying the same or decreasing. Mr. Morgan said that issue will need to be analyzed further if the seating is increasing. The required parking is based on the number of seats.

Mr. Pieper asked if anyone else in the audience wanted to speak? There was no response.

Mrs. Schaffer asked Mr. Morgan for his thoughts on the Gateway sign. Mr. Morgan said he understands the purpose of the sign because it contains a clearance bar. He does not like that the top of the structure displays "drive through" with 8 inch letters. He thinks the sign on top is common sense and adds an element of sign pollution to the site.

Mrs. Schaffer asked if motorists would feel the clearance bar if they hit it? Mr. McFarland replied they will feel the bar. It is mounted on chains and pushes upwards on contact. Motorists would hear the contact.

Mrs. Schaffer said she feels the overall non-conformities are being decreased. Mr. Morgan said he agreed. The amount of drive through signage would increase slightly but the roof signage is almost entirely being eliminated.

Mr. Pieper asked if the Board had any more questions? There was no response. He asked for a motion.

Mr. Kelly made a motion to approve the request with the following conditions:

- 1. The request shall be approved as presented with the exception of the pre-browse board. The pre-browse board shall not be permitted.**

- 2. All roof mounted mechanicals shall not be visible to the public. They shall be fully screened by parapet walls.**

Mrs. Nieves seconded the motion. Mr. Pieper called for a vote and it carried unanimously.

OTHER

Mr. Morgan said the Board should elect officers since it is the first meeting of the year. The Board can hold off to the next meeting if they so choose since Ms. Evans is not present. Mr. Kelly asked Mr. Pieper if he wanted to remain as Chairman? Mr. Pieper replied that was fine. They discussed that Ms. Evans was currently Vice-Chairwoman and should remain in that position. Mr. Kelly asked Mrs. Nieves if she wanted to be Secretary/Treasurer? She stated that would be fine. Mr. Kelly made a motion by acclamation that Mr. Pieper serve as Chairman, Ms. Evans serve as Vice-Chairwoman, and Mrs. Nieves serve as Secretary/Treasurer. Mrs. Schaffer seconded the motion.

ADJOURNMENT

Mr. Pieper asked for a motion to adjourn. Mrs. Schaffer so moved and Mr. Kelly seconded the motion. Mr. Pieper called for a vote and the meeting adjourned by unanimous consent at 7:51P.M.

APPROVED

Timothy Pieper, Chairman

Attest:

**Todd K. Morgan, AICP
Senior Planner, Zoning Services**

Exhibits

1. Colored Elevation Drawings