

**BOONE COUNTY PLANNING COMMISSION
BOONE COUNTY ADMINISTRATION BUILDING
BOONE COUNTY FISCAL COURTROOM
PUBLIC HEARING
DECEMBER 5, 2018
7:30 P.M.**

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Mr. Steve Harper
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Greg Breetz
Mr. Mark Hicks
Mr. Kim Patton
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. Michael D. Schwartz, Planner

Chairman Rolfsen called the Public Hearing to order at 7:30 P.M. and introduced the first item on the Agenda:

ZONING MAP AMENDMENT AND CHANGE IN APPROVED CONCEPT DEVELOPMENT PLAN - Kevin Wall, Staff

1. Request of **Al Neyer, LLC (applicant)** for **Aero Commerce Master Developer, LLC (owner)** for a Zoning Map Amendment from Commercial Four (C-4) to Urban Residential Three (UR-3) for 3.481 acres located on the north/east side of Burlington Pike approximately 250 feet east of the Burlington Pike/Aero Parkway intersection, a Zoning Map Amendment from Commercial Four (C-4) to Industrial One (I-1) for 2.82 acres located on the north/east side of Burlington Pike and immediately west of the property at 5985 Centennial Circle, and a Zoning Map Amendment from Urban Residential Three (UR-3) to Industrial One (I-1) for 5.086 acres located on the south side of Aero Parkway approximately 1,070 feet east of the Burlington Pike/Aero Parkway intersection, Boone County, Kentucky; and the request of **Al Neyer, LLC (applicant)** for **Aero Commerce Master Developer, LLC (owner)** for a Change in Approved Concept Development Plan in Urban Residential Three (UR-3) and Industrial One (I-1) zones for a 54.926 acre portion of the 66.313 total acre site that is located on the northeast corner of the Burlington Pike/Aero Parkway intersection, along the south side of Aero Parkway, and to the north of the properties at 5945, 5965, 5975, and 5985 Centennial Drive, and 5785 Constitution Drive, Boone County, Kentucky. The requests are to allow uses permitted in the UR-3 and I-1 zones on the 66.313 total acre site.

Staff Member, Kevin Wall, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). This site in question was reviewed a few months ago. Previously, the request was from C-4 to UR-3 and I-1. The main purpose of the request is to eliminate the C-4 zoning district that is located along KY 18. Mr. Wall gave an overview of the current zoning of the site and adjoining properties. The 2035 Future Land Use Map designates the site as Commercial (C) and Business Park (BP). The site is located at the edge of the 65 DNL. Mr. Wall reviewed the previous approvals. There were two options. The first option had two industrial buildings and 250 apartments. Next to both options was the remaining C-2 zoned property located along Burlington Pike. There was a planned road connection from Aero Parkway to Delaware Crossing Drive. The second option showed one large industrial building and the 250 apartment units. The request involves changing the existing C-4 area and rezoning portions of it to UR-3 and I-1. The proposed Concept Development indicates one large industrial building (1,069,320 square feet) and 240 apartment units. The street connection from Aero Parkway to Delaware Crossing would be eliminated. Mr. Wall showed photographs of the site.

In terms of Staff Comments, Mr. Wall stated that the applicant is proposing to follow all of the nine conditions previously approved with the exception of the public street connection to Delaware Crossing Drive (Condition #8) and the portions of Condition #7 and #9 that pertain to the Delaware Crossing Drive connection. This connection is advocated in the Comprehensive Plan and the Subdivision Regulations. A second concern is the mere concept of what is being proposed. The Comprehensive Plan suggests commercial at the site. This request would eliminate it. A minor concern is how to deal with the industrial use viewed from Burlington Pike. There are recommendations in the Staff Report of better landscaping requirements to screen the industrial

building from KY 18. It is based upon the Comprehensive Plan and the landscaping regulations. This includes screening dock areas along public roads and retaining wooded areas along KY 18. The site should have a year round screen and have a “woods” look. Finally, the Planning Commission needs to evaluate the request based upon the three criteria used in approving/denying a Zoning Map Amendment request.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation? Mr. Ryan Reardon, Al Neyer, LLC (applicant), stated that the reason they are back before the Planning Commission relates to the viability of the commercial area along KY 18. Specifically, the Kentucky Transportation Cabinet would not allow one of the curb cuts and restricted the second curb cut to right in, right out instead of a full access. That determination resulted in their Company re-evaluating the site and the viability of it. What is being request now is the result of their re-evaluation of the site. It is a better plan for their company and for the County. The traffic demands will be greatly reduced due to no commercial uses. It will be multi-family and industrial uses now.

At this time Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? Seeing no one, Chairman Rolfsen asked if any Board Members had any questions or comments? Chairman Rolfsen asked if all the entrances are now off Aero Parkway? Mr. Reardon replied there is one right in and right out curb cut off KY 18. There will be a three quarter access point off Aero Parkway. There is no viable connection to Delaware Crossing Drive due to the new concept. Traffic from the adjoining retail area will not go through the multi-family area. If a street connection would occur, it would serve industrial traffic and it will impact Delaware Crossing Drive with a lot of trucks. Chairman Rolfsen asked what landscaping will be installed along KY 18 that will screen the proposed large building? Mr. Reardon responded there will be a landscape buffer installed according to the submitted plan and profile. Mr. Joe Kramer, Cardinal Engineering, distributed a cross section drawing (See Exhibit A) of the area in question. It is concept at this stage. It will be defined much better later on. They are showing Plant List A. Mr. Bunger asked what are the buffer requirements? How was the size of the building determined? Could it be reduced to accommodate a better buffer? Mr. Wall responded that there are two different requirements. The first one is the street frontage requirement of ornamental trees from Plant List A. The other requirement deals with loading and unloading areas. It addresses it from a more qualitative perspective. Will it do its job? He read Section 3635 from the Boone County Zoning Regulations. Does it require a berm? Mr. Wall replied that it could be a combination of things to adequately screen the development.

Mr. Schwenke asked what was the distance from the KY 18 right-of-way and the corner of the building? Mr. Kramer responded about 175 feet. Mr. Schwenke thought there was quite a bit of an area to work on installing a good buffer at the corner. He cited some examples of site in Ohio with a stepped up wall, berm and landscaping. Mr. Kramer noted that the area in question is the tightest in terms of space.

Mr. Shipe stated that he would like to see the same stacking of trees from Plant List A, B and C along Aero Parkway to “GG” Area. Can all three sizes be installed there? Mr. Kramer replied yes. Chairman Rolfsen suggested that the applicant come up with a more detailed drawing for the Committee Meeting.

Mr. Lunnemann asked if the corner of the building will have an architectural feature or quality to it. He also asked if the building architecture would stay the same as previously approved. Mr. Kramer replied yes.

Mr. Pat Moore, Al Neyer, LLC, explained that the primary (office areas) corners of the building face Aero Parkway and the secondary corners face KY 18. The secondary corners would not have glass because there are no office areas. The building panels and colors will vary in this area.

Mr. Bunger inquired about access to the residential area. Mr. Kramer replied Access Drive #3 will be right in and right out. To make a left turn from the apartment development, one would have to use an access point serving the industrial building. From the apartment site to the industrial area, it will be exit only. Residential traffic cannot enter the industrial area site. They will control it by designing the throat to be narrower and arching it with a 15 foot one way lane. What would have to be done to have the Delaware Crossing Drive connection? Mr. Kramer stated that the only way to make the connection is through the industrial. Truck traffic might be able to be controlled but there is a security issue with a fenced in area and a guard shack. The site can't be secured. Mr. Bunger asked if all the residential buildings will be 3 stories? Mr. Reardon replied yes just like the previous application. It is more economically viable. Mr. Kramer noted that the multi-family housing site sits 10-20 feet below KY 18.

Mr. Lunnemann stated that the previous application had a real mix - residential next to commercial and industrial. The residents could have the option of walking to the commercial area and also have a vehicular connection to Centennial Drive. Now the residential component is an island unto itself surrounding the industrial with no connection to any commercial whatsoever. Mr. Reardon responded that they are providing a multi-use path along KY 18 for residents to walk to the adjoining commercial area. There is also a planned pedestrian connection to the industrial area. However, there would be a gap at the property short of reaching Centennial Circle.

Mr. McMillian inquired about access management? How do you get to the residential area? Mr. Reardon responded that access to the residential area can be made off KY 18 and Aero Parkway. Mr. McMillian asked if its confusing to the applicant, how do you expect residents to get there? Mr. Reardon replied that the site will have appropriate signage as submitted. Mr. McMillian asked how will you get out? Mr. Reardon explained how to make a left turn from the development. Mr. McMillian commented that it is not a simple way to do it. Mr. Kramer stated that residents living on the site will know there way in and out. It is not the simplest but it is the best they can do given the restraints the State has put on them.

Mr. Bunger noted there is usually a transition from industrial to commercial to residential. This is unique that there is no transition. It will be very heavy industrial because of the activities on the site and residential. He asked the applicant to evaluate the site with no residential uses but just commercial and industrial? The need for buffering would be different. Mr. Kramer responded that the residential was a softer approach to growing the industrial use towards KY 18. Mr. Reardon stated that they did evaluate it. There is a need for affordable workforce housing especially with what will happen across the street. Mr. Bunger asserted that the proposed industrial building location will have a high impact on KY 18. Mr. Reardon stated making the site all Commercial is not a possibility. What about the connectivity to Delaware Crossing? Mr. Reardon replied that he

doesn't know how to make that connection. Mr. Bunger noted that the plan depicts heavy residential next to heavy industrial. In his mind, it will be the only place where this will exist at the Gateway to Burlington and the Airport.

Mr. Schwenke suggested that the applicant evaluate parking and stacking requirements because shift changes could affect the residential traffic. It would be good to evaluate trip generation and assignments of the uses during the peak hours.

Mrs. Heilman asked if the two previous building options for the site was possible? If the buildings were scaled back in size, then the buffering may not be needed as much on the corner. Mr. Reardon responded that the submitted Concept Development Plan showing one building is in response to market feedback as it is a speculative building. There is a current demand for this product. Mrs. Heilman suggested that the applicant go back to the two buildings in order to make the transition better? Mr. Reardon responded that they will reconsider it even though the market is different now.

Chairman Rolfsen stressed that the issue is how close the building sits to KY 18 or specifically the "GG" Area. KY 18 is the Gateway to Burlington. This will be the first building along KY 18. Perhaps the building size could be reduced to put an adequate buffer in place. If the building is shrunk, a better buffer could be installed to better accommodate two different uses. It would help the residents in the multi-family portion by providing more green space. They won't have to look at a large industrial building and trucks.

Mr. Schwenke expressed a concern of not knowing the tenant. Depending on the tenant, the applicant may need more parking and it can't be provided because the building is maxed out. It needs to be reduced.

Mr. Bunger suggested that the applicant look at all of the alternatives in order to obtain any approval of the submitted plan.

Mr. Lunnemann stated that if the industrial building is shrunk, then it will provide an opportunity for a street connection to Delaware Crossing Drive for the residential portion of the development. It could be a pedestrian or vehicular street connection.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on December 19, 2018 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on January 2, 2019 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 8:25 P.M.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

Exhibit A - Aero Commerce Center Handout

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bunger, Secretary/Treasurer
Mr. Steve Harper
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Greg Breetz
Mr. Mark Hicks
Mr. Kim Patton
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Kevin P. Costello, AICP, Executive Director
Mr. Kevin T. Wall, AICP, Director, Zoning Services
Mr. Todd K. Morgan, AICP, Senior Planner
Mr. Michael D. Schwartz, Planner

Chairman Rolfsen called the Public Hearing to order at 8:26 P.M. and introduced the second item on the Agenda:

ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT - Michael Schwartz, Staff

2. Request of **Stanley W. Young, III, Worthington Signs (applicant)** for **Speedway America (owner)** for a Zoning Map Amendment for a Special Sign District for a 1.4 acre site located at 3555 North Bend Road, Boone County, Kentucky. The request is for a Special Sign District in a Industrial One (I-1) zone to allow an electronic message center on a monument sign.

Staff Member, Michael Schwartz, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The site is 1.4 acres in size and located at the northwest corner of North Bend Road and Wright Boulevard. The site was developed in 2007. It contains a convenient store, gasoline pumps, associated off street parking and a sign that advertises the larger development as well as a sign on the corner that advertises Speedway. Mr. Schwartz showed a location map, an aerial photograph of the site and the existing sign location. He reviewed additional photographs of the site. The site is currently zoned Industrial One (I-1). Property north and east of the site is zoned Commercial Two (C-2). The area to the south is zoned Industrial One (I-1) and immediately west of the site is zoned Commercial Two (C-2). The 2035 Future Land Use Map designates the site as Business Park (BP). The site is located in the 60 DNL Airport Noise Contour. Across and down North Bend Road, the Boone County Board of Adjustment approved a Conditional Use Permit in December, 2017 to allow Hebron Baptist Church to install an electronic message center sign. Other electronic message center signs in the area consist of a Shell gas station about 0.6 miles north, a BP gas station about 0.8 miles north of the site and a Speedway gas station about 1.5 miles north of the site.

The existing sign is 10 feet high, 72 square feet in area and has 3 manually changeable copy areas. The applicant is proposing a sign face change. The height and area of the sign will not change. The Speedway logo will change from the left side to the right side. The primary change is going from 3 manually changeable gas price signs to 3 electronic gas price signs. The numbers will be red and green.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation? Mr. Stanley W. Young, III, applicant, referred to page 5 of the Staff Report and stated that he is in agreement with conditions 4a to 4e. He also provided some information about the sign illumination from the manufacturer, Everbrite (see Exhibit A). The proposed sign has an automatic dimming feature based upon ambient light. As the light changes, the sign becomes dimmer. It is the opposite when it gets brighter. It adjusts. It is the same sign type as other Speedway gas stations.

At this time Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request? There were none. Mr. Bunger asked if the proposed face change would be placed on the existing sign base? Mr. Young replied yes.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on December 19, 2018 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on January 2, 2019 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 8:31 P.M.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Mr. Steve Harper
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Greg Breetz
Mr. Mark Hicks
Mr. Kim Patton
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Kevin P. Costello, AICP, Executive Director
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen called the Public Hearing to order at 8:32 P.M. and introduced the third item on the Agenda:

ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT - Todd Morgan, Staff

3. Request of **Tommy Reed/Atlantic Sign Company (applicant)** for **Muellers Properties LLC (owner)** for a Zoning Map Amendment for a Special Sign District for a 3.0106 acre site located at 5555 North Bend Road, Boone County, Kentucky. The request is for a Special Sign District in a Commercial Two (C-2) zone to allow a pylon sign with an electronic message center.

Staff Member, Todd Morgan, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The site is the Burlington Health Care property. The request is a Zoning Map Amendment for a Special Sign District in order to allow a pylon sign with an electronic message center (EMC). There is a monument sign currently located on the site. It will be removed and replaced with a 17.5 foot high pylon sign that's 105.6 square feet. The proposed sign includes a 59.35 square foot electronic message center cabinet and four (4) fixed copy tenant cabinets that are 11.56 square feet each in size. He showed a drawing of the proposed sign. In 2014, a Change in an Approved Concept Development Plan was approved and a free standing sign concept was presented but was not approved as part of the application. Mr. Morgan showed maps of the topography and adjacent zoning. The current zoning of Commercial Two (C-2) would allow this type of sign as a Conditional Use but only if the EMC would not exceed 50% of the sign area. The proposed EMC is at 51.1% or just barely over that amount and that is the reason for the Special Sign District. He showed photographs of the site and adjoining properties. The 2035 Future Land Use Map designates this site for Commercial (C) uses.

The following "Future Land Use Development Guideline" found in the Land Use Element relates to this proposal:

- A. The minimal use of signs is encouraged; signage should be adequate to identify a specific development, but should not be used as a means to compete for motorist attention. The objective is to avoid the confusion and/or distraction of motorists, and to avoid the potential negative impacts on the visual appearance of a development or corridor "Design, Signs, and Historic Preservation, pg. 164).

In terms of Staff Comments, the Boone County Planning Commission and the Boone County Fiscal Court should analyze the following passages from the Boone County Zoning Regulations and Boone County Comprehensive Plan before acting on the request specifically, Section 3440 of the Zoning Regulations states the purpose of a Special Sign District. The applicant could have sought a Conditional Use Permit from the Boone County Board of Adjustment if the proposed sign met all the standards listed in Section 3430 of the Boone County Zoning Regulations. But because the display screen of the EMC exceeds the 50% requirement, the applicant has decided to seek a Special Sign District.

In addition, Staff sent the applicant's team a list of questions regarding the proposed sign on November 21, 2018 and a written response was provided on November 27, 2018 (see attachments). Staff has the following concerns regarding the electronic message board:

- A. Its proximity to two condominium developments located across KY 237.
- B. That motorists could be distracted if too much information is presented.

If the application were to be approved, Mr. Morgan recommended the following conditions:

- A. The overall sign shall be constructed as presented.
- B. The electronic message center shall only display still photos and alphanumeric messages. The messages shall not contain any apparent motion (video, flashing messages, scrolling messages, running messages, moving patterns or boards of light, illusion of moving objects, rotating shapes or similar animation effects, etc.).
- C. No message shall contain more than one still photo and/or three 3 lines of text.
- D. All messages displayed on the electronic message center shall be displayed for a minimum of seven (7) seconds.
- E. The electronic message center shall have a 19 millimeter pixel pitch or better resolution.
- F. The electronic message center shall be equipped with a photocell or dimmer and the messages shall dim as the sky gets darker.
- G. All alphanumeric portions of the message shall be displayed on a black background.
- H. The property owner shall work with Planning Commission Staff to resolve any lighting (brightness/glare) issues that are caused by the subject sign on KY 237 or adjoining properties.
- I. The sign shall not be used to advertise off premise businesses.

The request needs to be evaluated by the Boone County Planning Commission and Boone County Fiscal Court in terms of the three criteria necessary for approving a Zoning Map Amendment and Sections 3440 (Special Sign Districts) of the zoning regulations. The Future Land Use Map will not need to be amended if the request is approved.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Mike Cassidy, representing Burlington Centre, stated Burlington Pharmacy first located in the retail center where the Ameristop is located. The business was relocated in 2004 and the pharmacy closed in 2013. The business closed because it was undervalued. Profits dwindled. It was considered a small business. It closed because of changes in Medicare and due to competition - Walgreens, Kroger, CVS, Walmart, Meijer, etc. In 2014, Steve Mueller sought a zone change to lease or sell the building. Part of the concept was to get Rightway Nursery and Ohio

Mulch involved in the signage. They showed no interest whatsoever. The building has one tenant and Mr. Mueller now works for Walgreens. He is trying to do something to bring the building back to life. He has advertised and marketed the building and everyone needs exposure/advertising on KY 237. A lot of tenants like electronic message centers because of the versatility. It is enticement to attract tenants. Poston Brothers is now interested in leasing the building if they can advertise on the EMC. Mr. Cassidy noted that he has addressed Staff Concerns in his email messages. One concern is lighting. All the manufacturers have automatic dimmers on EMCs. All electronic message centers have an auto dimming system through computer programming. There are no residential areas on the west side of the site. The proposed sign does not shine at Tall Trees Subdivision because it is located perpendicular to the street. There is also some foliage that lines the road right-of-way. More lighting would come from the parking lot lights and impact Tall Trees Subdivision more than the EMC.

At this time Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on December 19, 2018 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on January 2, 2019 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 8:49 P.M.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

COMMISSION MEMBERS PRESENT:

Mr. Randy Bessler
Mr. Kim Bungler, Secretary/Treasurer
Mr. Steve Harper
Mrs. Lori Heilman
Mrs. Janet Kegley
Mr. Rick Lunnemann
Mr. Don McMillian
Mr. Charlie Rolfsen, Chairman
Mr. Bob Schwenke
Mr. Brad Shipe
Mr. Kenny Vaught

COMMISSION MEMBERS NOT PRESENT:

Mr. Greg Breetz
Mr. Mark Hicks
Mr. Kim Patton
Mr. Steve Turner, Temporary Presiding Officer

LEGAL COUNSEL PRESENT:

Mr. Dale T. Wilson

STAFF MEMBERS PRESENT:

Kevin P. Costello, AICP, Executive Director
Mr. Todd K. Morgan, AICP, Senior Planner

Chairman Rolfsen called the Public Hearing to order at 8:50 P.M. and introduced the fourth item on the Agenda:

ZONING MAP AMENDMENT FOR SPECIAL SIGN DISTRICT - Todd Morgan, Staff

4. Request of Tommy Reed/Atlantic Sign Company (applicant) for WFF Investments LLC (owner) for a Zoning Map Amendment for a Special Sign District for a 13.882 acre site located at 11095 Dixie Highway, Boone County, Kentucky. The request is for a Special Sign District in a Industrial One (I-1) zone to allow additional wall signs.

Staff Member, Todd Morgan, presented the Staff Report, which included a PowerPoint presentation (see Staff Report). The 13.88 acre site is Fyda Freightliner and has frontage on Dixie Highway and backs up to I-71/I-75. A Special Sign District for the site was approved in 2017 to allow alternative signage. Fyda Freightliner is about to sell Isuzu trucks and parts. That is the reason why they want to amend their Special Sign District. On the south facade, the owner wants a 77 square foot Isuzu box sign. They would also like the same type of sign on the west facade facing I-71/I-75. The other existing signs would remain unchanged. Mr. Morgan showed photographs of the proposed signs on the south and west facades. He showed photographs of the site from I-71/I-75 and from Dixie Highway. Currently, 4 sign areas are permitted on the east facade. There are three 37.63 square foot awning signs and one 156.24 square foot channel letter sign on this side. No signs currently exist on the north and south facades.

Mr. Morgan noted that references to the Comprehensive Plan are mentioned on pages 3 and 4 of the Staff Report. In terms of Staff Comments, the following exceptions to the sign code were approved with the 2017 Special Sign District approval:

- A. A 50' tall, 240 square foot pole sign was permitted. The sign code permits a maximum of a 10' tall, 100 square foot monument sign in an Industrial One (I-1) zoning district.
- B. A second freestanding sign (10' tall, 50 square foot monument sign) was permitted on site. The sign code permits a business establishment in an I-1 zone to have a maximum of one freestanding sign.
- C. Four (4) building mounted signs were permitted on the east building facade. The sign code permits a maximum of 3 sign areas on a building facade.

Second, a condition of approval from the 2017 Special Sign District limits the number of building mounted signs and sign areas to those presented at the March 1, 2017 Public Hearing.

The Special Sign District application was submitted because the proposed signs do not comply with this condition. It should be noted that the proposed signs do not create any new exceptions to the sign code.

Third, Staff would like the applicant to address the following questions:

- A. Could the Isuzu signs be changed from sign cabinets to individual channel letters?

- B. Has any consideration been given to refacing the 240 square foot cabinet on the interstate pole sign only? Staff believes including Isuzu on this sign panel would be more effective advertisement and the Special Sign District would not need to be amended.

At this time, Chairman Rolfsen asked if the applicant was present and wanted to proceed with their presentation?

Mr. Mike Cassidy, representing Fyda Freightliner, stated that Freightliner is doing very well in Boone County and jumped at the possibility of adding Isuzu. Isuzu needs some interstate signage. There are 97,000 exposures everyday at that location. That is about half a million per year and they cannot afford not to have a sign for marketing the business. The owner can install channel letters versus box letters. In regard to the existing pole sign, they cannot advertise Isuzu because the bottom panel advertises their vendor. The panel is difficult to read and they paid for it. Isuzu won't be able to use it. Western has the only right to use that portion of the sign.

At this time Chairman Rolfsen asked if there was anyone in the audience who wanted to speak in favor or against the request?

Mr. Lunnemann inquired about eliminating one of the Freightliner signs on the facade that has 4 Freightliner signs? Mr. Cassidy responded no because they are in love with this location. The 4 signs are part of a branding system. Mr. Morgan noted that three of the signs indicate Sales, Service and Parts. Mr. Cassidy explained that it is like asking McDonald's not to use the "Golden Arches."

Mr. McMillian noted that all McDonald's restaurants don't have the same signage. They are different based upon location.

Seeing no further questions or comments, Chairman Rolfsen announced that the Committee Meeting for this item will be on December 19, 2018 at 5:00 P.M. in the Fiscal Courtroom. This item will be on the Agenda for the Business Meeting on January 2, 2019 at 7:00 P.M. Chairman Rolfsen closed the Public Hearing at 9:01 P.M.

APPROVED:

Charlie Rolfsen
Chairman

Attest:

Kevin P. Costello, AICP
Executive Director

