

Cold Spring Planning & Zoning May 14, 2008

The regular meeting of Cold Spring Planning and Zoning Commission was called to order by Chairman Steve Taylor. Pledge to the flag was recited. The roll call showed the following present – Roger Bay, Alan McCullough, Vince Sticklen, and Steve Taylor; excused - Ken Warden and Ken Sharp. Also present were Rita Seger, Mike Schwartz, Andy Videkovitch and Brandon Voelker. New member Vince Sticklen was officially sworn in before this meeting.

Steve Taylor pointed out the exits from the building, per Fire Department regulations.

The April 9th regular meeting minutes were reviewed by all. Alan McCullough made a motion for approval. Vince Sticklen seconded the motion. All were in favor. Motion carried.

There were no subdivision items scheduled.

Chairman Steve Taylor opened the public hearing on a **proposed amended Stage II Development Plan on signage on an approximate 115 acre area located at the northeast quadrant of the Alexandria Pike / AA Highway interchange.**

Andy Videkovitch of NKAPC Staff gave his review, with the history and past actions by this Board. The submitted amended Stage II Development Plan is for the installation of three ground, type S signs along Crossroads Boulevard. Staff has recommended approval of only two type “S” signs adjacent to the curb cuts onto Crossroads Boulevard, and disapproval of the third sign located in the middle of the block, based on the supporting information in Staff report of April 24, 2008. Compliance is mandatory that all signs are to be five ft. from the right of way, and it isn’t necessary to make that a condition.

Vince Sticklen questioned the reference to a sign that was to be relocated on Alexandria Pike. Steve Taylor stated that the relocated sign at Alexandria Pike, as shown on the plan, was actually never built.

Greg Land of CMC Properties addressed the Board. This is the time for renewal of the first leases, and he is working with his tenants about their concerns. Feedback is that they really need signage, to give them more of a presence on Crossroads Boulevard. Because of the topography, this center lies perpendicular from US 27 so that, unlike other market service areas, you cannot drive by the center and see wall mounted, store front signage. You have to drive down Crossroads Boulevard, and the in-line space faces away from the road.

Mr. Land provided a drawing of the signs that he has plans to erect. They would be approximately 50 yards apart from each other. CMC has worked hard to make these high quality signs, all with quality brick to match the center, and exterior lit. Meaningful signage requires two issues - how large the lettering is on each sign and how tenants are represented on the signs. They have twelve tenants. The goal is to have these tenants represented on three signs, with four tenants represented on each sign. If there are six tenants on one sign, as you drive by you most likely would not even see the last tenant on the sign. They need the third sign to make this work. He would be willing to give up one of the approved office signs to get this additional third type S sign and make this work. The sign is a matter of what can people see when they go down the road. This signage would only be visible on Crossroads Boulevard.

Alan McCullough verified that these were not directional signs but have the name of the tenant on the sign near the curb cut.

Steve Taylor verified the relationship of the locations of these three proposed signs with the current restaurant signs and PNC sign. All three of these signs are before the curb cuts, and he questions if there is an opportunity to spread the signs out further than 100 ft. Greg Land stated he does not want to block the Kroger’s sign but they could move the signs down and spread them out further.

Discussion followed on other signage along Crossroads Boulevard. Mike Schwartz stated that Stage I Plan for the Dialysis Center signage was approved subject to the provision that it would be evaluated at the Stage II plan level for the rest of the office development, which has not happened. That sign will go.

Vince Sticklen stated that once you turn into Crossroads Boulevard, when you go back out you can see all of the signs on the building very well. Reading signs while driving down a busy road would distract people. Greg Land stated that these signs are spread 50 yards apart from each other, and with fewer logos on a sign, the better off you are.

Alan McCullough questioned if they expect more tenants, or if any of the stores could be divided, and if so, would they require additional signage. Greg Land stated they only have one vacancy. Also, the store space is odd shaped, with some being extra deep and they are very hard to divide. Recent conversations are only about consolidating, not dividing. Greg Land said they would just have to deal with how they put people on the panel if they add another tenant. There would not be another sign.

Steve Taylor asked if we could create a uniform look and retrofit all of the signage along Crossroads Boulevard. Greg Land said the large store signs are typed to the business logo signs and they are non-negotiable. He said the consistency is that the brick material will match the brick of the shopping center.

Andrew Crowl with Digital Plus / Sprint stated he was one of the first tenants. He has three locations in Greater Cincinnati, but this store is most frustrating. Not only does he have limited signage from street but he sits down in a hole. Usually people just drive right past his store. Everyday someone comes in and asks how long they have been there. He asks that we think about the small business owner who pays taxes and wants to continue doing business in our city.

Peter Yang of Chan's Asian Wok opened his store about four years ago. Many customers call and ask about his location because they cannot find them.

Scott Taylor Duncan, Montgomery Cyclery, stated that signage isn't just for the place you are looking for, but for a place that you didn't know was there, so that the next time you are in that area, you have a reference and know where it is at.

Brandon Voelker gave the background on the signage in this area, and stated some of the tenants were coming up with creative uses of signs on vehicles. Greg Land has been very cooperative with the City and has talked to his tenants so that no one is putting temporary signs in the right of way. Quality signs such as these will help us keep it clean with no temporary signs going up in right of ways.

Steve Taylor questioned if the first site sign at the hard left curb cut could be moved to the second site and bump each one down accordingly. This would keep the first sign away from the O'Charleys monument sign, the Bank sign, and the left turn at the curb cut which might be an issue. Greg stated that concern is conflict between moving those signs down without disturbing the visibility of the Kroger signage, but from a construction standpoint it could be worked out.

The public hearing was closed. Steve Taylor made a **motion to approve the amended Stage II Development Plan, subject to the following conditions: as shown on the Stage II Development Plan, the site of the first sign is to be moved to the site of the middle sign, the middle sign is to be moved to the site of the third sign, and the third sign is to be moved 50 yards farther down to a new location, each sign to be approximately 50 yards apart; and forfeiting the office signage in lieu of that third sign against the future.** Roger Bay seconded the motion. Roll call vote showed all in favor. **Motion carried.**

There was no report on annexations in the city.

Mike Schwartz of NKAPC staff addressed the issue carried over from the April meeting on the HC* to HC zoning. Mr. Schwartz suggested a do-nothing proposal since that is always an alternative. He doesn't think it is appropriate to do a text amendment to deal with this situation. This has historically worked and is working today. In fact the asterisk is there in 27 percent of the city. There are seven distinct areas with the asterisk, and only two of them are less than five acres. There is a stipulation in the zoning ordinance that states you cannot do a map amendment on less than five acres, but it also includes wording that says unless there are area restrictions that are stipulated in the Comprehensive Plan. The way staff has interpreted that is that, if there is an area identified in the Comprehensive Plan for a certain type of use less than five acres, it would be consistent with the Comprehensive Plan. There is not a significant difference between the county HC and the city HC zone. More harm is done if you try to do a text amendment to retrofit because it may not jive.

Steve Taylor confirmed that the 27 percent of the asterisk area in the city is predominantly undeveloped. He believes that this issue came about because there were set back issues and certain restrictions governing what the developer wanted to do behind the car wash and lube. Mike Schwartz stated that the city landscape regulations set greater restrictions than the county. Because of that, a greater setback must be provided for both the building and parking areas. Staff has taken the position that, when there is an annexation, we just take the zoning district out of the county book and put it in the city, for references for uses on setbacks and maximum height restrictions, and that everything else in the city will apply. The law says the land use restrictions that apply to the land prior to the annexation, apply to it after the annexation.

Brandon Voelker stated that re-zoning from an R-RE zone is always asked for.

Mike Schwartz suggested that we do nothing, since this hasn't been a problem thus far, and let the market run its course. In the next Comprehensive Plan, we could identify those areas for retail service as opposed to the SDA area and then the Article 17 falls away and that five acre minimum doesn't apply.

Brandon Voelker stated that all recent annexations and future annexations do address the zoning.

Roger Bay made a motion to adjourn. Steve Taylor seconded the motion. All were in favor. Motion carried.

Respectfully submitted,

Rita Seger, City Clerk

NEXT MEETING --- JUNE 11TH