

1. CALL TO ORDER/ROLL CALL

Chairman Lucking called the meeting to order at 7:02 p.m.

Members Present: Chairman Lucking and Commission members John Beal, David Paeper, Todd Palmberg, Mark Spiers and Alternate members Bill Cook and Brian Malo

Absent: City Attorney Mark Kelly

Others Present: Council Liaison Tom Fletcher and Zoning Coordinator Gus Karpas.

2. APPROVE AGENDA

Commissioner Beal moved to accept the agenda for tonight's meeting. Commissioner Paeper seconded the motion. Motion carried 5-0.

3. MINUTES OF August 18, 2010.

Commissioner Paeper moved to approve the minutes of August 18, 2010. Commissioner Beal seconded the motion. Motion carried 4-0.

4. LIAISON REPORT

Council Liaison Fletcher informed the Commission that the Adult Establishment Ordinance passed its second reading. He said the codification process is continuing and the Council is considering whether to have dead trees and limbs continue onto the new ordinance as a violation and whether to include Buckthorn as a prohibited weed. He said the city continues its enforcement efforts with Georgetown Manor, with continued inspections by the Fire and Building inspectors. He said the Council has agreed to put new signs along Sleepy Hollow Road in an effort to slow down traffic. He said the preliminary budget has been approved with a three percent reduction from last year and the only notable increase is an additional twenty-five thousand dollars in the road fund. He said the Council was approached by a new property owner seeking to vacate a undeveloped right-of-way along Fairview Street, the Council informally expressed its opposition, so the Commission may see the owner in the future seeking a variance or to amend the ordinance for corner lot setbacks.

5. PUBLIC HEARINGS

Conditional Use Permit - Sonus Hearing Care Professionals, 21000 State Highway 7, (C-1, 10,000), Conditional Use Permit request for the removal of the existing signage on the west side of the building and the placement of new internally illuminated cabinet signs on the south and west elevations. The applicant proposes a total sign area of seventy-two square feet.

Section 1140:40(4)(2) requires a Conditional Use Permit for all new signs erected in the city. Section 1140:40(9)(a) permits a maximum sign area equal to fifteen percent of the building façade area up to a maximum of seventy-five square feet.

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 15, 2010
7:00 P.M.**

Zoning Coordinator Karpas said there are a couple of issues with the application, the first being that the actual owner of the structure has not signed the application and secondly, the structure is permitted a total of seventy-five square feet of signage and the applicant is seeking seventy-two square feet, even though there is another tenant in the structure who may want future signage.

Chairman Lucking opened the public hearing.

Marshall Rosner, owner of Sonus Hearing Care Professionals spoke to the request. He said as part of the overall remodeling of the property, he would like to place some additional signage on the building since he is concerned about visibility.

Chairman Lucking asked if the sign cabinets were rounded and if only the face of the signs would be illuminated. Commissioner Palmberg commented that neighbors west of the subject property would be able to see the sign if the edges were illuminated.

Commissioner Beal said there would be no value to the applicant to illuminate the residential district since the focus is along Highway 7. Commissioner Palmberg agreed, but noted the residential homes are located on a hill overlooking the property.

Commissioner Beal discussed the sign area issue and the fact if the request was approved there would be minimal available signage for the other tenant in the building. He questioned whether that was even a concern for the Commission. He feels that is an issue that is between the building owner and his tenants.

Zoning Coordinator Karpas referenced an e-mail sent to the applicant by the building owner in March which stated the applicant was permitted thirty-five and a quarter square feet of signage.

Commissioner Cook expressed concern that the application was not signed by the building owner. Commissioner Palmberg feels the application could be invalid. Commissioner Beal disagreed and finds it hard to believe that a business owner can't apply for signage. Commission Spiers noted that the Conditional Use Permit is issued to the owner and not the tenant. Beal said the owner's signature can be obtained between the Planning Commission and Council meeting.

Chairman Lucking noted again that the owner indicated in his e-mail that the applicant was permitted thirty-five square feet of signage. Commissioner Beal believes that's between the owner and his tenants. Lucking said the applicant may only be able to place one of his desired signs. Beal said the landlord may negotiate with the other tenant and feels the real question is if the Commission is comfortable seventy-five square feet of illuminated signage on the site based on the City Attorney's memo outlining the criteria for Conditional Use Permits. He doesn't want to get involved with the allocation of signage between tenants.

Commissioner Cook has no issue with the signage but reiterated the application needs to be signed by the building owner.

GREENWOOD PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 15, 2010
7:00 P.M.

Commissioner Palmberg discussed the hours of operation and the wattage of the signs feeling they could impact the homes to the west of the property.

Commissioner Beal discussed the Conditional Use criteria and doesn't believe the request would be detrimental to or endanger the general welfare of the area. He discussed the compatibility of the proposal with the existing character of the general vicinity, noting he doesn't believe the proposed signage would impact the general character. He said it's a matter of fairness in his mind, since the other businesses in the area have illuminated signage, especially the Lakeshore Market right next door. He feels it is fair to ask that the signs have a flat surface and not cast light in a manner that impacts the adjacent properties. Commissioner Spiers noted the intensity of the lighting must comply with the city's lighting ordinance.

Commissioner Palmberg asked about a limitation on hours of illumination. Mr. Rosner said he would have them on all the time if it were allowed. Council Liaison Fletcher suggested 9 p.m. Mr. Rosner said that would be alright. Commissioner Beal said he wouldn't have a problem if the sign on the south side, along Highway 7, were left on all night.

Chairman Lucking closed the public hearing.

The Commission discussed potential conditions to place on a motion for approval including having the building owner sign the application, a limitation on the hours of illumination, a limitation on the total sign area and that the applicant and the building owner come to an agreement about the amount of signage the applicant is entitled to. The Commission was polled and it was agreed by a majority that the sign located along the west façade of the building must not be illuminated any later than 10 p.m.

Motion by Commissioner Beal to recommend the City Council approve the Conditional Use Permit for the placement of two internally illuminated cabinet signs with flat sign surfaces and opaque sides, not to exceed seventy-five square feet and to be placed on the south and west elevations of the buildings, as presented for 21000 State Highway Seven. The motion was conditioned that the building owner sign the Conditional Use Permit application, that the sign located on the west façade must not be illuminated later than 10 p.m. and that the issues of the applicant's permitted sign area be negotiated between the applicant and building owner. Commissioner Paeper seconded the motion. Motion carried 5-0.

6. OTHER BUSINESS

7. ADJOURN

Motion by Commissioner Beal to adjourn the meeting. Commissioner Spiers seconded the motion. The meeting was adjourned at 7:42 p.m.

Respectively Submitted
Gus Karpas - Zoning Coordinator