

**DESIGN REVIEW BOARD
MINUTES OF MEETING
November 12, 2014**

MEMBERS PRESENT: Scot Draughn, Scott Failor, Tim Greenway, Peter Griffin, Tim Schacht, and Martin Pratt

OTHERS PRESENT: Bob Barton, Ray Zimmerman, Brian Lorenz, Tim Rollins, Karen Beasley, Drew Youngberg, Derek Hutchinson and Greg DeLong

MEETING CALLED TO ORDER: The meeting was called to order at 6:30 p.m.

APPROVAL OF MINUTES: Mr. Pratt submitted to Mr. DeLong some minor corrections. The minutes from September 10, 2014 were approved with the submitted modifications.

CITIZEN COMMENTS: None.

ADMINISTRATION COMMENTS: None.

NEW BUSINESS:

Certificate of Appropriateness- Replacement of existing freestanding sign panel- 318 E. Fifth Street, Filed by Drew Youngberg of UC Signs on behalf of Daniels Holdings 6, LLC.

Mr. Pratt made a motion to move this to the end of the agenda because Mr. Youngberg had not arrived yet. Motion was passed.

Sign Variance Request- Install two canopy signs vs. one canopy sign permitted- 211 E. Fifth Street- Filed by Tim Rollins on behalf of Cork Marysville, LLC.

Mr. Rollins spoke on behalf of Cork Wine and Dine. They are just going to replace the old awnings that were there for Docs Wine Bar. Mr. Pratt asked if they could do one canopy or not because of the pole? Mr. Rollins said he believes the pole is an issue and they are trying to use the old structure that was already in place. Mr. Rollins is only doing new coverings with the new business name. Mr. Pratt said with the pole it would make it difficult to put one awning up.

Mr. Failor made the motion to approve the Sign Variance request for property located at 211 E. Fifth Street:

Question put, stood:

Mr. Pratt YES
Mr. Schacht YES

Mr. Failor YES
Mr. Greenway YES

Mr. Draughn YES
Mr. Griffin YES

This agenda was approved as submitted.

Certificate of Appropriateness- Replacement of canopies and canopy signage- 211 E. Fifth Street- Filed by Filed by Tim Rollins on behalf of Cork Marysville, LLC.

Mr. Pratt asked what kind of material will be used to replace the canopies. Mr. Rollins explained that it will be a canvas material from Capital City Awnings. Mr. Pratt asked for the color of the canopy. Mr. Rollins answered it was burgundy and the lettering will be an off-white color, similar to tan-buff.

Mr. Draughn made the motion to approve the Certificate of Appropriateness for replacement of canopies and canopy signage for property located at 211 E. Fifth Street, with the following conditions:

- *Awnings to be canvass in material and burgundy in color.*
- *Signage on the awnings will be buff-tan in color.*
- *Per Section 1125.01 of the Planning & Zoning Code, the applicant shall obtain a sign permit prior to commencing work. Please note that once a sign permit is issued, work shall commence within 6 months or the permit expires. It is recommended that the applicant work with City staff to coordinate scheduling.*
- *The applicant shall obtain all necessary permits from the Union County Building Department.*
- *Should the canopies be removed from the building, the façade of the building shall be restored to a condition which matches the condition of the remaining exterior façade.*
- *Certificate of Appropriateness approval shall be for a period not to exceed two years from the approval date of the application. If work has not begun within two years after approval is granted, the approved application shall become null and void.*

Question put, stood:

Mr. Greenway YES
Mr. Failor YES

Mr. Griffin YES
Mr. Draughn YES

Mr. Pratt YES
Mr. Schacht YES

This agenda was approved with conditions.

Exterior Plan/Landscape Plan – Construction of a new 384 sq. ft. storage shed – 16701 Square Drive – Filed by Ray Zimmerman on behalf of Living Home Church of Marysville.

Ray Zimmerman spoke on behalf of Living Home Church of Marysville. Mr. Pratt went through the staff report. Mr. Pratt asked what color the fiberglass doors will be. Mr. Zimmerman said white. Mr. Pratt asked if there would be any new lighting. Mr. Zimmerman said no. Mr. Zimmerman said the church is renting a storage unit to store chairs and tables in.

Mr. Failor made the motion to approve the Exterior Plan/Landscape Plan for property located at 16701 Square Drive, with the following conditions:

- *Pedestrian doors to be fiberglass in material and white in color.*
- *No additional exterior lighting will be installed.*
- *Per Section 1125.01 of the Planning & Zoning Code, the applicant shall obtain a zoning permit prior to installation of the shed. Please note that once a zoning permit is issued, work shall commence within 6 months or the permit expires. It is recommended that the applicant work with City staff to coordinate scheduling.*
- *Exterior Plan approval shall be for a period not to exceed two years from the approval date of the Exterior Plan. If no construction has begun within two years after approval is granted, the approved Exterior Plan shall become null and void.*
- *Applicant shall work with City Zoning and County Building staffs to obtain all proper reviews and permitting prior to commencement of the project.*

Question put, stood:

Mr. Schacht YES
Mr. Pratt YES

Mr. Greenway YES
Mr. Failor YES

Mr. Griffin YES
Mr. Draughn YES

This agenda items was approved with conditions.

Exterior Plan/Landscape Plan – Construction of a new 32’ x 18’ canopy – 711 Clymer Road – Filed by Karen Beasley of Beasley Architecture and Design on behalf of Ryan Logistics.

Ms. Karen Beasley from Beasley Architecture and Design spoke on behalf Ryan Logistics.

Ms. Beasley gave a presentation on the project which includes the installation of a new canopy that will cover an outdoor break/eating area for the employees at Ryan Logistics.

As part of the presentation, Ms. Beasley addressed all of the questions in the staff report.

Mr. Schacht made the motion to approve the Exterior Plan/Landscape Plan for property located at 711 Clymer Road, with the following conditions:

- *Façade material to be aluminum siding, white in color.*
- *Posts will be pre-treated wood.*
- *Gutters and downspouts will be aluminum, white in color.*
- *No additional exterior lighting will be installed.*
- *Per Section 1125.01 of the Planning & Zoning Code, the applicant shall obtain a zoning permit prior to installation of the shed. Please note that once a zoning permit is issued, work shall commence within 6 months or the permit expires. It is recommended that the applicant work with City staff to coordinate scheduling.*
- *Exterior Plan approval shall be for a period not to exceed two years from the approval date of the Exterior Plan. If no construction has begun within two years after approval is granted, the approved Exterior Plan shall become null and void.*
- *Applicant shall work with City Zoning and County Building staffs to obtain all proper reviews and permitting prior to commencement of the project.*

Question put, stood:

Mr. Draughn YES
Mr. Griffin YES

Mr. Schacht YES
Mr. Pratt YES

Mr. Greenway YES
Mr. Failor YES

This agenda was approved with conditions.

Exterior Plan/Landscape Plan – Exterior remodeling – 1105 West Fifth Street – Filed by Bob Barton of TRG Service LLC on behalf of Wendy’s.

Mr. Bob Barton from TRG Service LLC on behalf of Wendy’s. Mr. Barton showed the new design for the Wendy’s. He said his team is hoping to start the Monday after Thanksgiving and finish up the building in January.

Mr. Greenway made the motion to approve the Exterior Plan/Landscape Plan for property located at 1105 W. Fifth Street, with the following conditions:

- *Existing greenhouse to be removed.*
- *No patio or fencing will be installed.*
- *New sidewalks will be installed in 2014.*
- *Parking lot asphalt will be installed in the Spring of 2015.*
- *Façade materials and colors to be:*
 1. *EIFS – colors to be limestone, gray and Wendy’s red.*
 2. *Brick – Existing to remain*
 3. *Aluminum – colors to be bronze, wood-grain blend*
 4. *ACM panel – bronze in color*
- *Canopy materials and colors to be:*
 1. *Aluminum – bronze in color.*
- *Doors and windows materials and colors to be:*
 1. *Aluminum – bronze in color*
- *Gutters and downspouts to be bronze in color.*
- *Exterior lighting to include can soffit lights and wall-pak lights bronze in color.*
- *Existing dumpster enclosure to be refurbished with the same materials and colors as existing, which include wood, dark brown color.*
- *Existing dumpster that is not enclosed will be removed from the property.*
- *No new mechanicals will be installed.*
- *Per Section 1125.01 of the Planning & Zoning Code, the applicant shall obtain a zoning permit prior to commencing work. Please note that once a zoning permit is issued, work shall commence within 6 months or the permit expires. It is recommended that the applicant work with City staff to coordinate scheduling.*
- *Exterior Plan approval shall be for a period not to exceed two years from the approval date of the Exterior Plan. If no construction has begun within two years after approval is granted, the approved Exterior Plan shall become null and void.*

- *Applicant shall work with City Zoning and County Building staffs to obtain all proper reviews and permitting prior to commencement of the project.*

Question put, stood:

Mr. Schacht YES
Mr. Pratt YES

Mr. Greenway YES
Mr. Failor YES

Mr. Griffin YES
Mr. Draughn YES

This agenda was approved with conditions.

Exterior Plan/Landscape Plan – Building expansion (Pearl Building) – 14310 Scottslawn Road – Filed by Brian Lorenz of WD Partners on behalf of Scott’s Company LLC.

Mr. Brian Lorenz from WD Partners spoke on behalf of Scott’s Company, LLC. He has reviewed the staff report, to which he brought samples of the exterior materials that will be placed on the building. The building will be used for testing and retail setups, it will also contain some offices.

Mr. Griffin made the motion to approve the Exterior Plan/Landscape Plan located at 14310 Scottslawn Road, with the following conditions:

- *Façade to be brick – Belden Modular – A-1125.*
- *Trim to be EIFS and FIPON, white in color.*
- *Doors and windows to be anodized aluminum, black in color.*
- *Gutters and downspouts will not be exposed.*
- *Additional exterior lighting will include emergency wall-pak lights which are downcast.*
- *Mechanicals will be roof mounted and will extend 3-feet above the roofline. They should only be minimally visible.*
- *Ornamental fencing to be a maximum of 12-feet in height, per Code requirements.*
- *Per Section 1125.01 of the Planning & Zoning Code, the applicant shall obtain a zoning permit prior to commencing work. Please note that once a zoning permit is issued, work shall commence within 6 months or the permit expires. It is recommended that the applicant work with City staff to coordinate scheduling.*
- *Exterior Plan approval shall be for a period not to exceed two years from the approval date of the Exterior Plan. If no construction has begun within two years after approval is granted, the approved Exterior Plan shall become null and void.*
- *Applicant shall work with City Zoning and County Building staffs to obtain all proper reviews and permitting prior to commencement of the project.*

Question put, stood:

Mr. Greenway YES
Mr. Failor YES

Mr. Griffin YES
Mr. Draughn YES

Mr. Pratt YES
Mr. Schacht YES

This agenda was approved with conditions.

Certificate of Appropriateness- Replacement of existing freestanding sign panel- 318 E. Fifth Street, Filed by Drew Youngberg of UC Signs on behalf of Daniels Holdings 6, LLC.

The Board moved on without the applicant present. Mr. Youngberg showed up and answered questions. Mr. Youngberg said the sign panels will have vandal proof covers over them to protect the neon bulbs.

Mr. Greenway made the motion to approve the Certificate of Appropriateness for property located at 318 E. Fifth Street with conditions:

- *Existing ground mounted spot-lights at the base of the sign structure shall be removed.*
- *Per Section 1125.01 of the Planning & Zoning Code, the applicant shall obtain a sign permit prior to commencing work. Please note that once a sign permit is issued, work shall commence within 6 months or the permit expires. It is recommended that the applicant work with City staff to coordinate scheduling.*
- *The applicant shall obtain all necessary permits from the Union County Building Department.*
- *Certificate of Appropriateness approval shall be for a period not to exceed two years from the approval date of the application. If work has not begun within two years after approval is granted, the approved application shall become null and void.*

Question put, stood:

Mr. Pratt YES

Mr. Failor YES

Mr. Draughn YES

Mr. Schacht YES

Mr. Greenway YES

Mr. Griffin YES

This agenda was approved with conditions.

DISCUSSION ITEMS:

(As, needed)- Signage for Partners Park- 125 E. Sixth Street.

Mr. Pratt said he spoke with Mr. Emery. Mr. Pratt said Mr. Emery plans on attending within the next month or two to discuss items that are being added. Mr. Emery said this will be a moving target within the next two years.

Mr. Failor said he is disappointed that Administration did not come and they indicated they would come back and have a discussion. It has been a complete lack in transparency and a waste this board's time. At the September meeting, the Administration apologized for not sharing their plans and information that they had for the nine/ten months. Those are in the Agreements that they had reached with the business donating money or services and signage plans in particular. Mr. Failor said he took from that the Administration wanted to talk to us and they wanted to have more discussion and the next thing we get is a note stating the signs are being installed three days before this meeting over the weekend. Looking at those agreements, the signs did not have to be installed until the end of the year. Mr. Failor felt that there was an opportunity to come back. They did not show up the October meeting and they are not here for the November meeting. He

did not know but some of the other members did, that when Administration came in September they did not share during that meeting that the signs had been ordered in August.

Mr. Failor says he thinks it is a complete waste of the board's time and he doesn't feel that it has been well handled the whole process by Administration. Mr. Failor said maybe the public doesn't care, maybe he is the only one that cares about the signs but his point has been all along that should have been a public discussion and an opportunity for the public to come in and comment. Maybe the vote comes out the same and the end results comes out the same but there should have been a discussion on that. We were also told that the word pavilion would be there and there was no discussion of a logo. Mr. Failor feels like we have been misrepresented on this entire project. Mr. Failor said some of you saw my email, whether we agree on the legal interpretation of "code" or not. He just thinks that it is really disingenuous and not the intent of the code to say that the City does not have to follow its own code and historic guidelines, which still seems to be ignored. Mr. Failor said to him it puts us in the position that we have to apply different standards to different applicants. Mr. Failor feels that they have been wrongfully accused and criticized by the Administration for lacking common sense. Mr. Failor said it goes back to the house across the street which is now a parking lot which you cannot park and turn around in. The issue was the code and there was no action upon the City to address the code at all. We are still left with that situation that has been left unresolved.

Mr. Failor said he is left with his opinions and interpretations of the code, are not really valued or desired by the Administration and that he is wasting his time as a board member. Mr. Failor said to those of you that do not know I have resigned both my Planning Commission and Design Review Board seats. Mr. Failor wishes the City the best but feels this has not been appropriately handled. Maybe the outcome does not change but there should have been a public discussion on the signs. His personal review is that is a hideous result.

Mr. Pratt said Mr. Failor, I request that you reconsider your seats, because in hindsight you are probably the one person that the City did not have a chance to talk to in September. Mr. Failor said his only comment to that is the City had a chance to come to the October/November meetings, but he hasn't heard anything. There shouldn't be private discussions there should be public discussions about it.

Mr. Pratt was called into a meeting on Monday. The City's position is that they were very confused on the issue. They could not show us what was going on in September by contract. They tried to give us as much as a hint they could as to where things were going. Mr. Pratt said the signs were ordered in August, there are no qualms about that, but as far as what it would look like they couldn't because Memorial asked them to keep that private.

Mr. Griffin said he is very supportive of Mr. Failor's comments. Mr. Griffin has reviewed this with other people who are total bewildered as to how this could happen. Mr. Griffin said no one has said anything about signage for the other partners of the park. There are several other partners including Scotts, URE and he was not sure who else, but are they entitled to come and do what they want to do before we ever get a chance to talk about it. Mr. Pratt said you were out in the September meeting, they did say that most of the others are going to be small plaques. Mr. Griffin said he would like to go on record to say that he thinks this whole thing is terrible. He

feels that the whole thing is over stated and it should have been understated with plaques or other small things makes much more sense. He feels that there is going to be a lot of turmoil for the City over the outcome and for the procedure of the outcome. Mr. Griffin says the signs look poorly.

Mr. Schacht said he is sad to hear Mr. Failor is resigning, but also he has taken a little bit of a poll in the community himself. Now that the signs are up it is pretty obvious that the signs on the north and south side are defiantly overdone. The building isn't big, it is very clear that if you stand and look at it you can see the sign. The signs were poorly thought through. Mr. Schacht agrees with the comments from Mr. Griffin and Mr. Failor. Mr. Schacht is worried about future precedence that are being set with these kind of projects.

Mr. Draughn is in agreement with all the comments so far, he is disappointed that we had an opportunity to take a set of signs by the City and create something that could enhance our historic district, instead it was ignored for a client, and the client's monetary value. He feels that it could have been done completely differently to follow our historic district signage requirements and still could have been beautiful and as large as it is. At this point it is what it is. He is very disappointed.

Mr. Greenway said he can only echo what everyone else has said. It is very disappointing. In all the other projects that this City has commenced or completed those projects could fall under governmental activities and they came to us for their insights and votes on those. Therefore setting a precedent and now they have broken that precedent.

Mr. Failor said he just wanted to state he has no problem at all with the business and is thankful for the donation. He is glad they are supporting the community, the issue is with the way it was handled and the Administration, we have signage off premises and he understands that but they feel the code does not apply. We have two conditions from our January meeting that address signage as well that were ignored.

Mr. Pratt thanked Mr. Failor for his comments. Mr. Pratt said three weeks ago he did send a special request to Mr. Emery concerning the certificate of appropriateness, because he thinks 1143's condition is in the code whether we like it or not. Mr. Pratt said he believes there is a lack of communication here. There is not only a lack of communication between the City and the board but also the board and the City. Mr. Pratt said he has had several meetings with Mr. Emery and Mr. Aslaner and he was stunned with the things that they did not know what is going on. Mr. Pratt said with our minutes, the minutes from January does not mention signage in anyway. If we see things that are not in the minutes we need to make sure they are added because that is one of the things that the City is using. Mr. Failor asked if the recording still exists for the January meeting. Mr. Pratt said absolutely, we can win that argument. Mr. Pratt said this was handled as bad as it could have been and he is going to take some of the blame for not pushing this further. He asked that the Board moves forward. He said people think this involves Memorial but it does not. Memorial happens to be doing an awful lot in the past eighteen months which is wonderful for the City, so they are in front of us a lot. Mr. Pratt said he would like to put this behind us, and move forward.

COMMENTS OF INDIVIDUAL COMMISSIONERS:

Mr. Schacht: None

Mr. Griffin: None

Mr. Draughn: None

Mr. Failor: He has enjoyed the opportunity to work with you. He said the group has done their job over the years. He commended them for having tough discussions. He wished them the best.

Mr. Greenway: He said he has enjoyed being on this Board. He is going to miss everyone here including the City. He said this will be his last meeting, he is resigning his commission on this board.

Mr. Pratt: He said he has talked to the City, and he encouraged everyone to get out and talk to people whether it is Planning Commission, Design Review or BZA, we need a group of people to join these committees. Currently there is two openings on Planning Commission, three openings on Design Review and who knows there might be another opening on Design Review and Planning Commission coming up.

ADJOURNMENT: The meeting was adjourned at 7:27 p.m.