

Mr. Serne– Item Number One, Arby's. Please state your name and address for the record.

Mr. Knuckles – Ken Knuckles, 4209 Gallatin Pike, Nashville, TN 37216.

Ms. Krukemeyer – Sherri Krukemeyer, I am the building owner, 27821 N. Park Drive, North Olmsted, Ohio 44070.

Mr. Serne– Please explain to the Board what you plan to do.

Mr. Knuckles – You guys are familiar with this corner. It is the south east corner of Pearl and Whitney. There was a former restaurant on that side for a number of years. They have since demolished it. We are proposing to put a free standing Arby's on that lot. The way this is currently laid out, we have the building, and the main entry is on this long side which fronts Pearl Road. We've got the entire building, parking lot, everything is laid out to take advantage of the frontage being on a main street. I believe that we have 32 parking spaces on this, sorry 31 parking spaces on this. This is an almost 2,300 SF building with 40 seats on the inside. We originally proposed it as a 60 seat building but Arby's came back and determined that this is better to be a 40 seat building. There is no outside patio seating or anything like that. Then there is a second entrance off Whitney Road on the north east corner of the building right there. There is a third entrance in the back next to the cooler which is just an entrance for deliveries. We have been dealing with this project for a number of months, quite a long time. They actually went to Planning Commission to get our rejection to go to BZA. We went to BZA and got approval on several variances that had to do with the parking lot encroachments along Pearl and Whitney and also the 2 acre minimum lot size for this use. We got those variances and City Council pulled those for review and we did have to go to City Council and City Council required us to modify the site plan and shift it east 10 feet into the required 20 foot buffer along the residential to the east there. You are obviously familiar, you know that there is a very large garage that runs along the residential property that runs through this like a solid brick wall. They required us to encroach into that primarily to get more green space along the two street frontages particularly Pearl Road and to also increase the stacking distance on these driveways, this one in particular on Pearl. They also required us to design this driveway as a right in, right out only, which we have done. We've created concrete medians out there. In the interest of further prohibiting left turns out or left turns in from Pearl from that driveway. We were also proposing some traffic signs there would be no left turns, stuff like that. They will have our second point of access on Whitney which gives us full access in and out from Whitney at that location. We are also proposing the brick columns and aluminum fencing along that corner which is intended to match, basically the same design as Arby's, McDonalds and Sheets. Our design on the fence is basically just to mimic what McDonald's did, that is a more attractive status. One thing I will note on here is that we are currently proposing to match the brick on our building on

these columns but we are open to having to match the McDonalds or Sheets brick or something like that, we are happy to do that too, it is whatever you guys prefer.

Mr. Biondillo – Are you talking about the brick on the lower banding?

Mr. Knuckles – Yes, right the brown brick. We just thought it would work better esthetically with the building itself. At McDonalds they have stone and brick. I think Sheets has a similar brick, not exactly the same. We are open to doing that to provide continuity at the intersection if you prefer that or as I said just match the brick on the building. I am anxious to see if you guys have an opinion on that. This is all one way flow, there is no two way flow around the building. So the drive thru is going to be the pickup window is going to be on the east side of the building, cars will stack from that point and wrap the building. They have the ability to wrap the building and come down the front side without impeding any traffic flow or parking at all. The menu board is there. Arby's requires that to be 100 feet from the center of the window to the center of the board so that is what that represents is 6 cars. We understand that also trying to be aware of the fact that this is residential, this is also helpful, and the fact that it's directed away, the speaker box would actually be directed more toward Pearl then to the residential property. Trash enclosure is back at the south east corner. I think that is proposed as, I don't remember if that is an 8 foot or 6 foot, do you require 8 foot enclosures?

Mr. Biondillo – Correct.

Mr. Knuckles – If it is not 8 feet we will make sure that it is 8 feet. Then the block will be painted to match the dark brown on the building. We will have a chain link gate with slats in front of that to help conceal the receptacles inside the building. Building architecture itself, you guys can see, it's a mix of white brick, dark brown brick and EFIS. The top, the darker brown on the top has the appearance of hardi board. I believe that is also EFIS. The nominal height of the building is 20 feet 10 inches and then the elevated areas, the two main entries and the drive thru window are about 23 feet 10 inches so they go up about 3 feet. All of the roof top units and equipment will be effectively screened. This is their prototype building. So we've never had an issue with . . .

Mr. Biondillo – So this represents your finished roof height?

Mr. Knuckles – Correct, that is that actual so you have more than 3 foot above that to the top of the parapet. Landscaping wise we have a lot of landscaping at the intersection and at the fencing. We've got some trees, we tried not to place trees to block the visibility of the building from the intersection. We've got to help soften that brick wall on those garages, we have some grasses and oak trees on that side. Then we just have small plantings and stuff in the green areas around the building. We do have some foundation

plantings proposed against the building there. Stop me if you have any questions or anything.

Mr. Biondillo – I think that is enough.

Mr. Knuckles – Lighting Plan, we've got 6 light poles and you should have cut sheets on all the fixtures. They are LED fixtures, 20 foot poles on a 3 foot base. The two lights that are immediately adjacent to the eastern property line are going to have house shields on them to make sure that no light is thrown back and that everything is thrown forward to the parking lot. The fact that there is residential parking here in spite of the fact that we have that huge garage running through here. We can talk when you are ready about signage.

Ms. Brill – We will do the building first.

Mr. Knuckles – I guess that is all I really have on that.

Mr. Serne – Jennifer.

Mrs. Milbrandt – I reviewed that landscaping and my only comments are, we have a minimum size tree that you have to put in and you only have a 3 gallon container. We need a 2 ½ inch caliper tree balled and burlaped so that it is a little larger tree size and also according to our tree preservation ordinances, if you have a 1 acre lot, you are required to plant 15 trees so you are going to add a few more trees in here to meet that requirement. You are a little under an acre so probably 14 trees. I know that you don't want to obstruct the building but you can add some trees out here in the grassed area.

Mr. Knuckles – Okay, we can be selective about where we put those? We can maybe group them.

Mrs. Milbrandt – Yes, add an extra one on the sides or maybe two on the sides.

Mr. Knuckles – So, do you have a specific species list or something like that?

Mrs. Milbrandt – No, you can do what you want to do.

Mr. Knuckles – Okay, on the shrubs it is 3 gallon minimums?

Mrs. Milbrandt – On the shrubs, yes and a 2 ½ caliper tree.

Mr. Knuckles – Actually there is a note below that table that says they will all be 2 ½ inch caliper and 6 to 8 feet tall. Looks like we just need to add quite a few more trees is all.

Mrs. Milbrandt – Other than that, no additional comments.

Mr. Serne– Tony.

Mr. Biondillo – I think I communicated with you via e-mail on this project. It may not seem like it but I think you are rounding 3rd and heading towards home. I don't have an issue with the building, it is a typical Arby's. I like the color pallet actually, I like the design. Your lighting plan, although you have a little bit more spillage at the property line, as you said it abuts those garages and that masonry wall so I don't have an issue with that. I did read the spec on those two fixtures.

Mr. Knuckles – Yes they really did take in account that brick wall there.

Mr. Biondillo – So I am fine with it, I would rather have more illumination in the parking lot any how then worry about a little bit of light spillage. Your dumpster enclosure does show that you have 9 feet to the top of the block on your dumpster elevation you identify it. That is fine. Roof top screening is good. The only other thing that probably would have been addressed with Mike Miller is your waste oil containment, you either have to put it interior UL approved tank or it goes underground. We don't allow the units inside the dumpster area so I am sure that will be addressed when you come back to Planning Commission.

Mr. Knuckles – I will get an answer to that for sure.

Mr. Biondillo – You have the option, they have the vertical tanks that you can pump or a lot of people now are piping the deep fryers directly into that waste oil tank to eliminate young people moving hot oil around inside the store. We will speak to the signage when we are done with this. Other than that I am fine with everything else.

Mr. Serne– Ken.

Mr. Mikula – I have no comments, I think everything looks nice and Lori will review the civils.

Mr. Knuckles – She should have them.

Mr. Serne – George.

Mr. Smerigan – I am fine with the materials and the colors. I don't have any issue with any of that. You did a nice job with the ornamental fencing out front. Other than the modifications for the landscaping that Jennifer recommended I am fine.

Mr. Biondillo – I think it is more important to match the banding brick on the building.

Mr. Smerigan – I think it should match the banding brick on the building in my opinion. I like it the way they have it now.

Mr. Serne – I think that will look good. There is no reason to make them all the same.

Mr. Smerigan – No, I think it is better to make the site consistent.

Mr. Knuckles – You are going to have the consistency of the fence.

Mr. Smerigan – Then you play it off your building which what really should happen. I think that is the better way to so that so I agree with leaving it the way it is.

Mr. Serne – I think that the building materials look fine. It looks like an Arby's.

Mr. Knuckles – Their stores are really nice inside.

Mr. Serne- If there are no other questions or comments I will entertain a motion for Arby's

Mr. Smerigan – I motion to accept the Recommendation of Site, Building Elevations, Building Materials and Colors, Lighting and Landscaping for the proposed 2,230 SF Arby's Restaurant building for property located at 9175 Pearl Road PPN 395-16-004 zoned Motorist Service, subject to the suggested modifications to the landscaping plan.

Mr. Biondillo – Second.

Roll Call: All Ayes APPROVED

Ms. Brill – Your site plan is good so that can move forward to Planning Commission when you are ready with all you're engineering. Touch base with Lori with what she is going to need.

Mr. Knuckles – I think they already submitted that but I haven't heard back to confirm it from her. Can we be put on to the 12-5-19 Planning Commission?

Ms. Brill – As long as she has what she needs.

Mr. Smerigan – You can get Carol the revised landscape plan and Jennifer can okay it and we will be fine.

Mr. Knuckles – That is fine.

ARBY'S/ Ken Knuckles, Agent

Recommendation of a 6' x 6' 6" internally illuminated channel letter wall sign having white copy and red background and returns for the west elevation; and

Recommendation of a 6' x 6' 6" internally illuminated channel letter wall sign having white copy and red background and returns for the north elevation; and

Recommendation of a 3' x 8' 5" internally illuminated channel letter wall sign having white copy and red background and returns for the south elevation; and

Recommendation of a 4' x 5' 2" internally illuminated ground sign having silver, red and black background and white copy, black trim and returns for the west elevation; and

Recommendation of a 4' x 5' 2" internally illuminated ground sign having silver, red and black background and white copy, black trim and returns for the north elevation; and
Recommendation of four 1' x 3' internally illuminated directional signs having black and red background and white copy, two stating "enter" and the other two stating "exit" for the north elevation

Recommendation of a 10' 1" illuminated speaker canopy having red, silver and tan background and black and red copy; and

Recommendation of a 5' 8" x 8' 7" Menu Board for the south elevation for property located at 9175 Pearl Road PPN 395-16-004 zoned Motorist Service.

Mr. Serne– Item Number Two, Arby's Signage. Mr. Knuckles remains at the microphone.

Mr. Biondillo – I am going to recommend that we table that signage. Ken this is probably about the third or fourth time I've reviewed that signage package for this building. It came in almost as soon as the building came in. I did a spread sheet of the variances that are going to be required based on what is proposed here. Typically we handle the signage separately from the building permit any how so it won't slow down anything on the development side of it. They can move forward with Planning approval, we can actually issue the permit and you can go through the BZA process. So this is a breakdown of all of the signage that has been proposed. Just to go through it quickly, I think you knew

this, we only permit one ground sign so that second ground sign along Whitney Road would require a variance. The height and area of the ground sign is okay so you just need the variance for the second sign where only one is permitted. The wall sign along Pearl Road, maximum height we have on our Zoning Code is five foot and proposed is Six foot high. The additional signage along Whitney Road, same thing that is proposed six foot high and the limit is five foot, plus that is considered you secondary sign, which is only allowed to be 40% of the allowable on Pearl Road. If you look, I left that blank because they were still working with the site plan and I wasn't sure what your final frontage was going to be so that is 150% of your frontage, that determines your signage on Pearl Road and then 40% of that is permitted along Whitney Road.

Mr. Knuckles – While you are talking about the size of the signs, so five feet max on the height of the wall sign, we are basically on that on Pearl we should be allowed 96 SF and we are proposing it at 24.5 SF so we are extremely small in area so my thought or my question would be, I get this is a BZA action at this point, if we are over 5 feet we have to go to BZA. My thought would be that we are so far below what is required that we could hopefully get the extra height.

Mr. Biondillo – It has to be the BZA that grants it. I don't have the authority to approve it if it is over 5 foot and in all honestly, BZA has been pretty reasonable especially up on that corner, I would look to Blue Falls, I believe they have a south facing sign, they are not on a corner lot so I think you have some examples in that area. Same thing with Sheetz and O'Charley's so you've got, like I said BZA has been pretty reasonable with additional. The only other one that would need the variance is your south facing wall sign. But again, that is a reasonable request I think and I don't know if you will have any issues with that.

Mr. Smerigan – I think you're trading area for height and I think that is a valid argument that carries weight.

Mr. Knuckles – Basically if they are going to use that hat log, there is not a way for them to lower that 5 feet and still maintain the area so we are at 5 feet is going to make that sign that much smaller.

Mr. Biondillo – That is something else to present to the BZA because they have taken that into consideration when you are asking for additional wall signs on a frontage that is not permitted. They have been looking at what your overall square footage area that you are permitted to have.

Mr. Smerigan – They are well within that.

Mr. Biondillo – Yes, you are well within that so that is a good argument to make with them.

Mr. Knuckles – My understand is that we are going to continue to have push back and an issue with the second ground sign.

Mr. Biondillo – Yes.

Mr. Knuckles – You have made that clear from day one and I tried to express that.

Mr. Biondillo – Again, it's, I would roll the dice with it, all they can say is no. The other sign that is going to require a variance is the menu board sign because it's too difficult to come up with standards for those so that just needs a variance and those are typically all approved within reason so that usually isn't an issue with BZA either.

Mr. Knuckles – The drive thru canopy is good?

Mr. Biondillo – Those are fine.

Mr. Knuckles – I think we are allowed 6 directional signs and we only have 4.

Mr. Biondillo – All your directional signs are good, you are within the limitations so if you follow that spread sheet that pretty much outlines what your variances.

Mr. Smerigan – You are looking at 5 variances and again you have some trades to that.

Mr. Knuckles – I think it's easy if they present it well to BZA because I won't be at that meeting. Arby's sign vendors are going to do that so I will have some discussions with them.

Mr. Smerigan – I think you are right, I think it is a reasonable shot.

Mr. Biondillo – If you want to Kathy Zamrzla, she is the Secretary for the BZA, they have applied for the sign permit, we've denied it and you could put in your application for the variance to get that process started.

Mr. Knuckles – So they applied for a permit without going to BZA?

Mr. Biondillo – Correct, they just submitted, like I said that is like the 3rd time I looked at this thing.

Mr. Smerigan – I think you have a reasonable shot at BZA, the only thing I think you are going to have difficulty with is the second ground sign.

Mr. Knuckles – And again, Carol made that clear from the beginning.

Mr. Smerigan – That has historically been a situation. The wall signs I think the arguments on the wall signs are reasonable.

Mr. Knuckles – The menu board has been granted time and time again.

Mr. Smerigan – The menu board is not even an issue. It is just the way we handle menu boards is by way of variance because we don't want to write standards for a menu board because it is impossible to do.

Ms. Brill – It is more of a technicality, everybody has to go with that.

Mr. Biondillo – That is not going to be an issue. This was applied for back in July so I don't know, G & G Lighting and Maintenance.

Mr. Knuckles – They are probably their local installers.

Mr. Biondillo – Okay, so if that is who is going it we can work off of this application or take the paper work with you.

Mr. Knuckles – I don't know how valid this still is, it has changed a few times. In fact is there a date on this one? 6-24 and what you have is 11-8 so there are a couple of variations on that between then and now. I am going to recommend that they go to BZA and get their variances and then apply for a sign permit. They are getting too far ahead of themselves.

Mr. Biondillo – It would be simpler if they submit the same package.

Mr. Knuckles – If they get the variances or whatever variances they are able to get, we need to come back to ARB for the signage?

Mr. Biondillo – Do you want them to come back to ARB? I am fine with the coloring and everything on these, as far as the signage is concerned as long as they get their variances.

Ms. Brill – Are you suggesting that we table the entire packet?

Mr. Biondillo – At this point yes.

Ms. Brill – If we table it they would have to come back for the other ones any way that don't require variances and we normally have you come back after the variance just to confirm that BZA granted the variance.

Mr. Knuckles – I didn't know if maybe you guys would approve the signage that is allowed.

Mr. Biondillo – That gets confusing and then I would have to issue two different permits for it so I would rather just issue one permit. You are so far out and ahead of the game.

Mr. Knuckles – Alright so come back to ARB after BZA.

Mr. Biondillo – Are you hoping to break ground this year?

Mr. Knuckles – We were but City Council screwed us over. We had every plan to be open this year and that was what we were tracking and we were doing pretty well but it is not going to happen this year now. I will work with their vendor to get that application done and if it hasn't already been filed, I doubt it has been or you would have known about it. Then once that is done and they get past BZA then I will come back to you guys so that we can confirm all the signage.

Ms. Brill – This does not hold the building up. I want you to understand that. Your building is still going to go forward. We look at signage as a separate issue.

Mr. Knuckles – That is good to know. I know that Lori should have plans, should be reviewing or has those to review but my engineer confirmed that they sent it but I haven't gotten her response as to whether she has everything she needs.

Ms. Brill – She is out of the office today but when she comes in tomorrow we'll have a conversation and I am sure that they will be hearing something from her.

Mr. Knuckles – So for now just plan on 12-5-19?

Ms. Brill – I am positive not negative so I would push forward. That will just push onto the Planning Commission Agenda and the only thing that would change that is if Lori does not have what she needs.

Mr. Knuckles – Okay then we will ear mark 12-5 and if something happens between then and now . . .

Ms. Brill – There will be communication going back and forth anyway, Lori is really good about that.

Mr. Knuckles – That is still an 8:00 p.m. meeting?

Ms. Brill – No, we now have Caucus at 5:30 p.m. and the meeting begins at 6:00 p.m.

Mr. Knuckles – I know that they changed the BZA at one point to 6:00 p.m. but the Planning Commission stayed at 8:00 p.m.

Ms. Brill – No, the BZA is still at 8:00 meeting, they didn't change that. Planning Commission is the one that changed permanently.

Mr. Knuckles – 5:30 Caucus and 6:00 meeting, okay is there anything else? I will get with the sign vendor and make sure that they get to BZA and I appreciate you guys talking through the site plans today and getting your approval.

Mr. Serne- Is there any other business to come before the board?

Hearing no further business. The Chairman adjourned the meeting.

Dale Serne /s/

Dale Serne, Chairman

Carol M. Brill /s/

Carol M. Brill, Administrative Assistant,
Boards & Commissions

Approved