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- a) Recommendation of the Revised site, elevations, patio, colors, materials, lighting and landscaping for Brusters Ice Cream, located 18318 Pearl Road, PPN 394-26-009 zoned General Business.
- b) Recommendation of a 4' x 8' externally illuminated Ground Sign having white background and black copy and red graphic for property located 18318 Pearl Road, PPN 394-26-009 zoned General Business.
- c) Recommendation of a 2'-8" x 12' internally illuminated Channel Letter Wall Sign having white and red copy and red graphic for property located 18318 Pearl Road, PPN 394-26-009 zoned General Business.

Mr. Serne – Brusters Ice Cream, please state your name and address for the record.

Mr. Sampat – We are building a new building and it is going to be Brusters Ice Cream and one tenant is going to be Brusters Ice Cream and the other tenant is going to be a future tenant. We have done the site plan and the landscape, elevations. You had some notes and comments and we tried to cover them all. The comments were about the setbacks.

Mr. Smerigan – Right, the setback to the west, you moved to get the 10 feet so that is fine now. The setback to the south you moved it to get the 5 feet and that is okay now. You added the Pearl Road Corridor Landscape treatment with the fencing in the front and you added the screen, masonry wall in the rear. All those things are fine, I think all those changes are positive. The one thing I would note, in that regard is that you adjusted the location of the ground sign a little bit. The way the ground sign is oriented now, you may want to reduce that fence by taking out that last column and that last section of fence so that the sign is more visible, if you are looking at the site plan. Make that more visible, this last little section of fence, you may want to end the fence at this pier, this column instead of the last one. It gives you a little, you don't have to but I think it would give you better visibility for the sign. I am good with all of what you did and I am good with that change, the only thing that didn't get done that I can see is the changes to the landscaping that were requested. I know that Jennifer had several comments relative to landscaping that didn't get adjusted at least not in the plans I got.

Mr. Sampat - The comments were about these trees. They are going to be removed.

Ms. Milbrandt – I have been e-mailing somebody in reference to this. Because this is so open, and we were thinking about adding some landscaping here and maybe a little bit here just to protect your distance there.

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Mr. Sampat – We have bollards to protect . . .

Ms. Milbrandt – No, we were talking about the screening, trees like a tree in here, a tree in here and then one of the plant materials that was spec'd, a Japanese Maple, this one, this does not do very well with a lot of asphalt and concrete around it so it is not going to be thriving. So you might want to try to find something as an alternative for that.

Mr. Sampat – Alright.

Ms. Milbrandt – I did mention to the person that I was e-mailing, they put in little shrubs along here, you really don't need anything because you already have the masonry wall so you could just mow the grass there unless the owner wants to have plant material, that is entirely up to you, its an option. If you can e-mail me those changes and then we can move forward.

Mr. Sampat – Sure.

Mr. Smerigan – I think we are okay. I think where I am at with this is I am okay with the adjustment you've made based on our last comments. With the exception of the landscape plan I think we need a revised landscape plan but what I would be willing to do as opposed to having to have you come back to another meeting is, I would be willing to do a conditional approval where we approve it subject to you submitting a landscape plan for Jennifer's approval.

Ms. Brill – What that means also is that you will not go forward to Planning Commission until Jennifer receives the revision. She will communicate that to me.

Mr. Smerigan – That way you won't have to come to another ARB meeting. It saves you some time because if you can get something to her that she is comfortable with then you can get on the next available Planning Commission Agenda. I just think we need in the file the revised landscape plan and I think it makes sense to do those couple of changes that she wants.

Mr. Miller – No comments.

Mr. Serne- If there are no other questions or comments I will entertain a motion for Brusters Ice Cream.

Mrs. Milbrandt – I motion to accept the Recommendation of Revised site, elevations, patio, colors, materials, lighting and landscaping subject to receiving the revised

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landscape plan for Brusters Ice Cream, located 18318 Pearl Road, PPN 394-26-009 zoned General Business.

Mr. Smerigan – Second.

Roll Call: All Ayes APPROVED

Mrs. Milbrandt – I motion to accept the recommendation of a 4' x 8' externally illuminated Ground Sign having white background and black copy and red graphic; and recommendation of a 2'-8" x 12' internally illuminated Channel Letter Wall Sign having white and red copy and red graphic for property located 18318 Pearl Road, PPN 394-26-009 zoned General Business.

Mr. Smerigan – Second.

Roll Call: All Ayes APPROVED

JIFFY LUBE INTERNATIONAL, INC./ Frank Malawski, Agent

Recommendation of the Revised Site, Elevations, Materials and Colors, and Lighting for a 2,984 SF Jiffy Lube building to be located at the corner of Pearl Road and Broxton Drive, PPN 395-07-001 zoned General Business.

Mr. Serne- If there are no other questions or comments I will entertain a motion for Jiffy Lube.

Mr. Smerigan – I motion to accept the Recommendation of the Revised Site, Elevations, Materials and Colors, and Lighting for a 2,984 SF Jiffy Lube building to be located at the corner of Pearl Road and Broxton Drive, PPN 395-07-001 zoned General Business.

Mr. Miller – Second.

Roll Call: All Ayes APPROVED

HOOLEY PUB AND KITCHEN/ Arkinetics, Agent

Recommendation of the Elevations, Materials, Colors, Lighting and Patio for the Hooley Pub located at SouthPark Mall, PPN 396-22-011 zoned Shopping Center.

Mr. Serne- If there are no other questions or comments I will entertain a motion for Hooley House.

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Ms. Pancoe – Good morning everyone. I am Sand Pancoe and I am an Architect, I work for Bruce Taylor who the owner of Arkinetics. This is John Reese who is the owner of Hooley House. We recently changed our name to the Hooley Pub and Grill. We are going to put one of the restaurants in the old Bar Louie space at SouthPark Mall. Big arched entrance just to the right, there is actually a column here for the arched entrance and this is where the Bar Louie entrance was. We are going to go right in there and the nice thing about this Bar Louie space is that is already a restaurant so our client can move in and start up another business. What I am going to show you is, this is the entrance to the mall here. This is the old bar and restaurant, we are recreating a new look for the façade. There is an existing dining patio here and here so we are going to use those. We are here to talk about what is going to happen on the outside and so, there is not going to be much happening to the front of the building. We are going to put a new front on the side portions. It is going to look like the upper story of an old Irish pub, so where you might it walking down the street in Ireland. Generally there is a stone masonry base an then above it is usually a wood structure. We are going to have some faux backlit windows here with window boxes. At the front entrance, as you can see here, is the Hooley signature fireplace. So as you come in there is this welcoming warmth and it is a double-sided fireplace so on the inside where the patio is here, they will also be serving the customers on the inside. The plan, you are looking at this, here is that fireplace and this pergola is a free-standing shape construction. It's really just like a trellis on some posts with a shade cloth on top of them, intended to look sort of temporary good weather kind of thing. When winter comes they will take the shade cloth off but it is really just going to look like a trellis and you kind of see that in this elevation here. You might be seeing underneath it, there is a drink rail. There are some existing railings here, we are going to put in a couple of stone piers to match the stone here and hold up the pier and new railings. So that's really . . . you have some gooseneck lighting the is going to illuminate the sign which you know is somebody else's presentation. There will be a new canopy entrance here, just to protect from the weather and then there will be a sign here. Just want to show you the elevations to flatten everything out. All of this stone that is there now will remain. We are applying this piece. These are the garage doors that are in the restaurant now.

Mr. Smerigan – I think you have done a very nice job here. I think this will be a nice addition to that entrance to the mall. I think its going to look good. I am comfortable with the materials and colors and the approach.

Mr. Miller – I am good.

Mr. Mikula – I like it a lot.

Mr. Serne – It is very unique and inviting. It adds change to the mall.

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Mrs. Milbrandt – Looks great.

Ms. Brill – To address your patios, I am going to need to have the square footage of both of those patios that you are showing and whatever seating you are going to have out there. When you go forward to Planning Commission there will be a Conditional Use that is going to follow this and it is for the outside dining so I need the total number of patron seating on those patios also.

Ms. Pancoe – Okay, do you want us to put it on our boards or do you want me to give you that?

Ms. Brill – If you will e-mail me a pdf of the detailed patio that would be fine.

Mrs. Milbrandt – I motion to accept the Recommendation of the Elevations, Materials, Colors, Lighting and Patio for the Hooley Pub located at SouthPark Mall, PPN 396-22-011 zoned Shopping Center.

Mr. Smerigan – Second.

Roll Call: All Ayes APPROVED

Ms. Brill – Your next step will be to go onto Planning Commission and after I get those documents you can go ahead and get me packets.

Ms. Pancoe – You have everything already except the patio. That would be in November, 3rd or 8th?

Ms. Brill – November 3rd.

KENTUCKY FRIED CHICKEN/ Major Harrison, Agent

- a) Recommendation of a 2' x 6.53' internally illuminated Channel Letter Wall sign having red copy with gray trim and returns stating "KFC"; and
- b) Recommendation of a 41" x 4.64' Externally Illuminated Canopy Sign black copy stating "Real Meals to Go"; and
- c) Recommendation of a 1.33' x 16.65' Non-Illuminated Boxed Wal Sign having gray background, white copy stating "World Famous Chicken" ; and

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- d) Recommendation of a 8.75' Non-illuminated Clearance Bar stating "8'-6" Clearance"; and
- e) Recommendation of a 3' – 10" x 7'-6" internally illuminated Ground Sign having white background, red and black logo and copy with black trim stating "KFC" ; and
- f) Recommendation of a 1.48' x 2.59' internally illuminated Direction Sign having red background and white copy with red and white logo for property located at 12827 Pearl Road, PPN 396-08-001 zoned R-RS.

Mr. Smerigan – I was a little bit confused about just exactly what they were asking for. I will tell you where I am at. This business of, they have the cross bar to keep high vehicles out. I don't know why they need "meals to go" on there. If I am in the drive-thru line, I think I know what I am doing, I think I have already committed to their product. The sign is doing nothing at that point, it is not convincing me to buy anything. I obviously already been convinced so I don't see why that needs to say "meals to go" above that cross bar. That was my first problem. I got the same kind of issue with the canopy over the drive-thru because I don't understand what we are accomplishing there either. It looks like the ground sign was okay.

Mrs. Milbrandt – They already have the sign on the building too.

Mr. Smerigan – He is allowed to have a wall sign and a ground sign. It looks to me like the ground sign meets the code. Doesn't this ground sign meet the code? Its 8 ft. tall and its 20 some square feet.

Ms. Brill – This says it is 3'10" x 7' 6".

Mr. Miller – It is more than that because he is at 4' 4" for just the signage. 4'4" and 7' 6", he says it is total square footage of 28.73. He is saying 310 and that it not right.

Mr. Smerigan – He is saying 28.73 square feet.

Mr. Miller – He is at 33.44 SF for that sign.

Mr. Smerigan – But he is still okay at that size isn't he?

Mr. Miller – Yes, he is allowed 8 foot on a pole sign. Let me look.

Ms. Brill - Wasn't that always there? It is a pole sign.

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Mr. Miller – By definition it is a pole sign and they are only allowed out by I-71.

Mrs. Milbrandt – They are only allowed by the freeway.

Ms. Brill – Unless they were already there and then they grandfathered unless they changed the sign and then they had to conform to Code.

Mr. Miller – That is not a pylon sign by definition.

Mr. Smerigan – It says pylon sign is 40 SF and 8 ft. in height so I thought he was okay. Why can't he get a pylon sign?

Mr. Miller – He could get a pylon sign but that is not a pylon sign. Look at the signs in the very back of the chapter, they have a pylon sign versus a pole sign.

Ms. Brill – Look at what is there. I know we made changes to their signage previously.

Mr. Smerigan – So for a pylon sign it has to come all the way down, right?

Mr. Miller – Yes.

Mr. Smerigan – So if he took and closed that down all the way down he would be okay, or does that bottom area count against his square footage?

Mr. Serne – That is the square footage.

Mr. Miller – Well it would actually be 7 because with a pylon sign we can give them a base.

Mr. Mikula – So they have a pole sign.

Mr. Miller – He would be over that because he would be over 56 SF.

Mr. Mikula – I thought that you changed the Code that the pole signs are okay if you reface them but if you are completely rebuilding it you can't do it.

Mr. Smerigan – That is what he is doing here, he is rebuilding it.

Ms. Brill – No, it is there. It is existing, the only thing that is changing is the existing sign right now has a red background with white lettering and this one is got the white background. It is a reface.

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Mr. Smerigan – Well if he is refacing the sign, but that can't be right because that is way more than 8 feet.

Mrs. Milbrandt – Can they shorten it?

Mr. Miller – Well then they are not refacing it. It would not be refacing if he cuts that pole down.

Ms. Brill – Do we want to make a phone call and ask him some questions?

Mr. Miller- We can, he is saying it is a reface on his application, if he doesn't cut the pole but he can't be over 8 feet.

Mrs. Milbrandt - It looks a lot taller than that.

Mr. Mikula – It can be what it is if he is just refacing it.

A phone call was made to the applicant.

Mr. Smerigan – The first question I had is, with the free-standing sign, in one place it looks like you say you are essentially refacing the sign but when I look at the sign dimensions it looks like you are actually lowering it. You only show an 8-foot height on the drawing.

Mr. Harrison – Let me look at my plans. I know specifically they are saying that they are refacing it. I know that but let me grab my plans and see if there are any additional notes.

Mr. Smerigan – If he is just refacing it I am ok with what they are proposing.

Mr. Miller – But he is over 8 foot.

Mr. Smerigan – If he is just replacing the face.

Ms. Brill – He is just replacing the face.

Mr. Miller – Where does it say that? I am not aware of that.

Ms. Brill – If it has been there?

Mr. Miller – If it has always been there but they've always been compliant too. I have never come across a pole sign that is in excess of 8 feet that has been reface at least in my recollection.

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Mr. Mikula – We did one at the hotel on Royalton Road.

Mrs. Milbrandt – But that is the only place you are allowed to.

Mr. Miller – You are allowed pole signs there.

Mr. Mikula – It was still refacing and it was higher than 8 feet.

Mr. Miller – But you are allowed that there.

Mr. Mikula – You should really look at that and not discuss it on record.

Mr. Miller – I don't really care.

Ms. Brill – If he is just refacing what is the height?

Mr. Miller – 8 foot maximum.

Mr. Harrison – I am pulling it up on the computer right now but I understand that it is just being refaced, that is exactly what they told us.

Ms. Brill – The maximum height on that ground sign for a pole sign can not be more than 8 feet high.

Mr. Harrison – I thought we were just at 8 feet.

Ms. Brill – I don't know, that is what we are asking you because I don't know that the drawings really state that.

Mr. Harrison – This is just being refaced.

Ms. Brill – So the pole sign is as is, not being touched. You don't know the exact height on the pole sign that is there?

Mr. Smerigan – Based on that picture I don't know how it could be.

Mr. Harrison – There is 3' 8" from grade, from the bottom of the sign to grade and then you have 3' 10".

Mr. Smerigan – That is what your drawing shows but that is not what is out there right now.

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Mr. Harrison – Let me see what is out there.

Mr. Smerigan – According to this drawing there is less distance under the sign than the depth of the sign itself. That is not what that picture shows. I think we have to clean this up.

Mrs. Milbrandt – Why don't we talk about the other signs.

Mr. Smerigan – I have an issue with the "meals to go" language on top of the clearance bar. I don't understand the necessity of that. At that clearance bar I am already committed and so I don't understand what the advantage is to that and it is just more signage on the site that I don't think makes any difference so I am not prepared to go along with that.

Mr. Harrison – Are you speaking about the painted stencil?

Ms. Brill – The over the top of the clearance bar where the signage over the top of the clearance bar where it says "meals to go".

Mr. Harrison – Oh okay. That is just something that they have been doing with their complete rebranding but we don't necessarily have to have that.

Mr. Smerigan – Well it is really not accomplishing anything. If it is at the clearance bar I am already committed to having purchased something so it doesn't make any sense.

Mr. Harrison – I understand.

Ms. Brill – How about we go down the Agenda so it doesn't get confusing. The channel letter wall sign stating KFC, that is the one on the front elevation, correct?

Mr. Harrison – Correct.

Mr. Miller – He is saying his square footage is only 13 SF so he is permitted that.

Mr. Smerigan – I didn't have any issues with that wall sign.

Ms. Brill – Alright, so your front wall sign there is good, the "meals to go" is a no. The boxed wall sign "world famous chicken".

Mr. Harrison - The band stencil.

Ms. Brill – It is just a stencil on the building.

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Mr. Miller – That is a second sign and is going to require a variance.

Ms. Brill – Okay so that one would have to have a variance. If they want it.

Mr. Harrison – I will talk to KFC and see if they want it. In the past they've been okay with it if it had to be removed.

Mr. Miller – What about sign "B" ?

Mr. Smerigan – That is the canopy. That is a third sign so that's got a problem too.

Ms. Brill – So that one would require a variance.

Mr. Smerigan – So "b" would need a variance and "c" would need a variance, "a" is okay, "d" we are not going to approve.

Ms. Brill – "d" is the clearance bar.

Mr. Smerigan – The clearance bar is fine but the "meals to go" above the clearance bar is not going to get it.

Ms. Brill – So we will say without signage above.

Mr. Harrison – Okay.

Mr. Smerigan – Then we've got the ground sign.

Mr. Harrison – I am looking at this off of google earth and it does appear that it is a lot lower, maybe their dimensions are wrong. In fact I am starting to think that this is actually a new pole sign.

Mr. Smerigan – That is what I thought when I looked at it. I thought this was a replacement sign, rather than a refacing.

Ms. Brill – Your client needs to understand that we have zoning in place that doesn't allow pole signs any longer unless you are near I-71 or are a gas station. They are going to have to look at that as far as a ground sign or pylon sign.

Mr. Miller – A pylon would be your better bet I think. A pylon would actually be higher but that pole sign if they are redoing it can't stay.

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Mr. Smerigan – So they are going to have to reconfigure that and then directional signage I don't have issues with. I understand you need to direct traffic on the site so, so the directional signs don't bother me but obviously we need to do some adjustment to this sign package before we can act on it and you would need some variances before we act on it.

Mr. Harrison – If you allow me to, let me speak to KFC, I definitely want to get further clarification in regards to the free-standing sign and what their intentions are. We are okay with the stencil and we are okay with the “meals to go” being removed and what I am hoping that I could do is just get the clarification for the free-standing sign, is that okay?

Ms. Brill – Well yes but we wouldn't be able to act on it today though.

Mr. Harrison – I am just saying maybe administratively get further clarification. I understand that the free-standing sign has a maximum height of 8 feet and it is on a single pole but maybe we could put some aluminum around there to make it more of a ground sign then anything.

Ms. Brill – Ground sign can't be that high.

Mr. Miller – Ground sign can only be 5 feet with a 1-foot base so the total amount is 6 so you are going to have to go back and . . .

Ms. Brill – What is the height on a pylon?

Mr. Smerigan – It is 8 on the pylon but then you are counting that whole thing as square footage so if he wraps it then it is going to be too big. They would have to drop it a little bit.

Ms. Brill – You would have to reduce the size if you want to make it a pylon and it could go up 8 feet but if you are coming down to a ground sign you can only go 5 feet high.

Mr. Smerigan – So one way or the other you are going to have to drop the sign a little bit.

Ms. Brill – Somehow they are going to have to revise the ground sign.

Mr. Harrison – Okay.

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Mr. Miller – Then I would advise your client to look at those directional signs because you are going to go in front of BZA and they are going to look at all signage on the property and it has to be under what is permitted by ordinance.

Ms. Brill – He is not going to BZA.

Mr. Smerigan – He is to get those other signs.

Ms. Brill – Alright, on “b” and on “c” where the variances would be required he just said remove them.

Mr. Smerigan – What about the box sign?

Mr. Harrison – The stencil.

Mr. Brill – That is a stencil.

Mr. Smerigan – He is going to waive that too? Well then maybe he doesn’t go to BZA and if he can get by without going to BZA it would probably be a wise thing.

Mr. Brill – What about the directional, how many would he be allowed and is the signage okay? Is there a limitation on how many?

Mr. Miller – Yes there is, I don’t know that there is a limitation on how many.

Mr. Harrison – On the proposal I believe there are just two if I am not mistaken.

Mr. Miller – Two directional signs?

Mr. Harrison – Yes.

Mr. Miller – Then why am I looking at ten, there are ten in the package.

Mr. Harrison – Because, I talked to these guys constantly about this and they just have so many facing options.

Ms. Brill – So which grounds signs are you looking for, “thank you”, “do not enter”, “drive-thru”, “exit”, “welcome”?

Mr. Smerigan- This is making more sense to me because he is using “g”.

Ms. Brill – Okay, so “drive thru” and then what other?

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Mr. Smerigan – I am confused it doesn't match up right.

Mrs. Milbrandt – The letters don't match up. "g" says drive thru and "d" says exit.

Ms. Brill – So they should say "drive thru" and "exit" right? Your map doesn't match the actual drawings.

Mr. Smerigan – I think you just need to clean the packet up a little bit. If you could avoid BZA that would probably be smart but if we are going to do the ground sign if you are going to adjust it, it could either be a ground sign or a pylon sign, that is fine. I don't have a problem with the actual design of the sign, other than the fact that it is a pole sign, so if you can make it meet the other requirement by adjusting it, I am okay with that but I think we are going to need to get revised drawings. I don't see how we are going to do anything today, I think what we would have to do is table this and let you get us some revisions so that we can act on it.

Mr. Miller – On your ground directional signs, it is 3 SF in sign face area maximum with 3.5 feet in height.

Ms. Brill – If we table this today Major you are going to have to get me revised drawings and then I am going to remove off of the Agenda the "real meals to go" and "the world-famous chicken" stencil.

Mr. Harrison – Okay that is not a problem I will speak for the customers, they are in Wisconsin and I will get this straight. Thank you Carol I really thought this was at 7:00 p.m.

Ms. Brill – It okay.

Ms. Milbrandt – Can I give my 2 cents about the signs. I was out there, remember when we were discussing them putting up the Pearl Road Corridor? My concern is, once they put in a ground sign you are not going to have any sight distance. You are going to have sight distance obstructions. I know that is not my call but that might cause an issue for Engineering for when you are pulling in.

Mr. Serne – We will table this matter.

Ms. Brill – Okay until they get us revised drawings.

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