

PLANNING, ZONING & BUILDING COMMISSION

CITY HALL

August 13

18

The City of Cortland Planning, Zoning & Building Commission met on Monday, August 13, 2018 at 6:45 P. M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Curt Moll, Vice Chairman Sally Lane, Don Bell, Donald Fatobene, and Jim Bradley. Also present were Mayor Jim Woofter, Law Director Patrick Wilson, Service Director Don Wittman and the following individuals:

Debra & Robert Parsons	125 Argali	Cortland
Joe Steines	300 Oak Knoll	Warren
Larry Sherer	115 N. Colonial	Cortland
Bob Wilson	100 Onyx Pl.	Cortland
Sean Miller	6156 Klimes Dr.	Girard
Scott Taylor	121 Beechwood Dr.	Cortland
Ashley Handrych	5920 Calla Ave.	Warren
Kathy Carr	220 Portal Dr.	Cortland

Curt Moll: It is 6:45. I'd like to call to order the Cortland Planning & Zoning Commission for the purpose of a public hearing, Public Hearing **29-18**. The purpose of the hearing is to consider a variance request for 640 Wakefield to allow an electronically variable message sign and a size of 96 sq. ft. which exceeds the 48 sq. ft. maximum. Can someone explain what you are doing?

Bob Wilson: Joe Steines, Engineer from GPD Architects group.

(inaudible) He's an architect.

Bob Wilson: Sorry, sorry.

Mayor Woofter: Joe, would you go to the podium, just introduce yourself, your name, your address...

Bob Wilson: and what you do (laughter)

Joe Steines: Joe Steines with GPD Group architectural firm for the new Pre-K through 8 building. Downtown Youngstown, I don't know our address off the top of my head. The way it was written here, the code, is that it would allow a 48 sq. ft. message board, a variably electronic message board. The proposed is 96 sq. ft. and that's what we are asking the variance for. (Puts up 2 large photos of the sign on an easel.)

Curt Moll: Two variances, really. We don't allow message boards; for the size and for the message board itself.

Joe Steines: Right. The one at the bottom shows the sign from a bird's eye perspective. You can see the scale of it in comparison to the new school. The one at the top is focused on the sign. It's clay masonry to match the building, with cast stone details, also matching the building. It's right on Wakefield at the main entrance.

Curt Moll: Is it two sides?

Joe Steines: It is two sided. One sign, one location. The portion that I show in black is the electronically variable portion.

Curt Moll: How large is it?

Joe Steines: 96 square feet, 31" tall

Don Bell: Is that with the brick and everything?

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Joe Steines: Yes.

Don Bell: 96 square feet...

Joe Steines: Oh, no, no, no.

Curt Moll: If you could give us an idea of the overall design.

Joe Steines: The entire masonry structure to the very peak of the stone cap is 79 inches and it is 77 inches wide. The screen is 31" tall by 66" wide.

Curt Moll: And what is the technology that you use on the screen?

Joe Steines: It is an LED screen that is remotely controlled from the school.

Curt Moll: So it's dots?

Joe Steines: It's like a tv, the dots are so small that you won't notice the dots.

Jim Bradley: Is there any animation?

Joe Steines: I believe that it has that ability. It would depend on what's driving it.

Mayor Woofter: Curt, what do you want to do because there are two different variances here, so what do you want to look at first? One is dependent on the other.

Curt Moll: I think we will forget about the size right now. It's a little different situation than we normally deal with because it's not in the business district area. One of the things that we had a great deal of concern about; if you had a lot of these business district signs, and they were all animated, then you wouldn't know what was going on. Like the sign that's this high and this wide, has 4 characters on it so it takes you about 5 minutes to read it.

Bob Wilson: I'll tell you what we could do, very easily could do, and it would not be a problem by any stretch of the imagination was to say, 10:00 at night, to shut it off.

Curt Moll: I think that's one of the concerns. You weren't here at the last meeting, but we did have some residents here, one of the concerns they had was the lighting. Whether it would be disturbing at night.

Bob Wilson: I can see where it possibly could be, what's the curfew 11:00? We shut it off at 11:00. That wouldn't be a problem.

Curt Moll: What's the purpose of the sign?

Bob Wilson: Convey information.

Curt Moll: To?

Bob Wilson: Adults, kids, community. Next week's 7th grade open house. Tomorrow night we've got 8th grade basketball with Howland.

Mayor Woofter: First of all, I'm very pro digital electronic signs within certain parameters. Unfortunately, we don't have anything in our sign ordinances.. what we have in our sign ordinances is – we don't allow these.

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Bob Wilson: Is that just for businesses or just for everybody?

Mayor Woofter: It was written up for businesses. One of the concerns that administration has, and this board has; is it going to be rolling, moving, blipping, pictures, that kind of thing. It's very distracting.

Curt Moll: They don't convey the message very well if you can't read it when you are driving by.

Bob Wilson: Right.

Curt Moll: I found that messages change too frequently, if they're scrolling or rolling or flashing, you just don't get the message.

Bob Wilson: Our purpose, Curt, is to deliver a message. I don't think that there is going to be a whole of flashing, fireworks. I think it's going to be 7th grade volleyball – Tuesday.

Joe Steines: The ability for it to change, roll, and animate; is just a bunch of technology. At this point, they're not going to dumb down the technology to not allow that on a product that is capable of it. It would be up to...

Mayor Woofter: Right, so what we want to hear is the fact that you are not going to do that. You're going to have a message up there, it's going to be up there maybe for four or five minutes. And then, maybe it's going to change without rolling, flashing, or scrolling, it's just going to change. It's going to be there. Not a lot of flashing, because it's distracting, not what we want to see in our community.

Bob Wilson: I can make that; I'm sure it will be tastefully done.

Curt Moll: Can we get an agreement that it would be turned off.

Bob Wilson: Sure. That's not a problem.

Curt Moll: I think that's the answer.

Debra Parsons: Because it's a residential area.

Robert Parsons: It's not like it's on 45 or 46.

Curt Moll: If it was on 45 or 46, I don't think that we'd allow it.

Robert Parsons: If you're in a neighborhood with people just from the area, just area traffic, so...

Curt Moll: Are you going to have parking lights as well all night long?

Bob Wilson: We haven't decided how exactly; we have 34 light poles out there in front of that building, and we have to decide. We don't necessarily need to have them on all night. We need some security but we don't need 34 lights.

Mayor Woofter: That's good for the neighborhood as well.

Bob Wilson: Sure.

Debra Parsons: Don't get me wrong, we miss the old school lights.

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Bob Wilson: We have not made that decision yet on how many lights we're going to keep on and how long. But, we do need some security.

Curt Moll: That really doesn't have anything to do with this anyway.

Bob Wilson: No. If you want to go with curfew, if you want to go with midnight, you tell me when you want it off and we'll shut it off.

Curt Moll: I think that curfew would be a good time.

Bob Wilson: That's what I was thinking. What time is curfew 11:00? We'll shut it off at 11.

Don Wittman: I don't think that shutting it off.. If you dim it down, stop the scrolling, maybe just have Lakeview schools. So that it can react to the darkness. To utilize the sign, they are bright during the day and they lose that photocell and they stay bright all night. It's very distracting. As long as those controls remain in place, and the scrolling, changing of the message is minimized at night. That's really what it is, that creates that flashing. If you have a constant light, it's going to like ambient light. Whereas, if it's changing while no one is there, driving by, that's going to be distracting to the residents.

Curt Moll: There has to be some way to shut it down; reduced.

Don Wittman: I say, put a picture of the superintendent up...

Bob Wilson: And scare people. That'd be a vandalism issue. It'd be vandalized if you do that.

(Laughter, many talking at once.)

Mayor Woofter: So, I think the best idea..

Bob Wilson: Shut it off.

Mayor Woofter: Shut it off.

Bob Wilson: We can do that.

Mayor Woofter: Just shut it off.

Bob Wilson: Yep.

Don Wittman: Patrick, from a legal stand point, could there be a conditional use permit issued based on compliance with operation to the City's satisfaction? So there's a continued dialog?

Curt Moll: We did that with the Church.

Don Wittman: Did we?

Patrick Wilson: Yes, you can put that language in this, Don, if that's what the board wants.

Curt Moll: I think we want to put in language of the time (inaudible), as far as the operation of it, we'd like to be able to make suggestions. I've seen a number of signs around like that in other communities and they really don't convey messages.

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Bob Wilson: No, right. I understand that.

Patrick Wilson: You have to be careful, you can't say to them anything about what information they are conveying. You understand that, and forward it to the next Mayor and the next chairman of the board may have a different opinion.

Curt Moll: I meant more of method of operation. I would like to ask anyone else that would like to get up and talk about this sign; we have another five minutes or so. You have some comments?

Debra Parsons: You have asked all of the questions that we have. All night in a residential neighborhood? Who's traveling at night; shame on parents if they are out at that time of night, they should be home with their children; to read signs?

Curt Moll: The other concern we had is, what is it going to look like. I think we have pictures, maybe we didn't have pictures the last time.

Donald Fatobene: We did.

Jim Bradley: Yeah.

Debra Parsons: Is that the location? Is that set in stone?

Joe Steines: Yes, that's where it is being proposed. Now, just so we are clear; the picture shows a retention basin that's not really there, it's just grass.

Larry Sherer: Larry Sherer. If you end up with a conditional variance, to whom would that information have to be addressed? Would it be an individual?

Patrick Wilson: Between the board and the city?

Larry Sherer: Yes.

Patrick Wilson: That would run through Don's office.

Larry Sherer: Joe Smith gets angry one night and decides that it doesn't fit so; would the variances change?

Patrick Wilson: If something like that were to happen; if you were getting neighbor complaints, those complaints would be made; if there was a conditional language attached to the variance. Those complaints would be made to the city and then this board would have to entertain them. If it even got to the board, most likely the Service Director, Zoning Inspector would address them before that.

Mayor Woofter: If the city felt you were out of bounds, we're going to contact you.

Bob Wilson: No more fireworks show.

Larry Sherer: I guess my concern is; is it a group of people or is it an individual? Is it the mayor of the city that's going to make that decision?

Curt Moll: The restrictions that we are talking about will be on the permit. It will say operations between these hours.

Patrick Wilson: Because it's a variance, because these are prohibited in the city, we'd be giving you a variance to allow it. Any complaint, it could be one complaint, the city has to look into it and investigate it. It may get addressed to this board, it may not.

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Mayor Woofter: It probably wouldn't. More than likely, it's going to go through Don's office. The service department would get ahold of you.

Debra Parsons: I do have one more question.

Curt Moll: Go ahead.

Debra Parsons: By doing this, does it open it up for other businesses? Just out of curiosity.

Mayor Woofter: That's an issue that this board would have to address case by case.

Patrick Wilson: We would argue that it is not, this is a very unique situation. This is a school building in the middle of a residential area. That's typically not zoned in any city you go to. It's not just Cortland.

Mayor Woofter: Our sign ordinances refer to businesses. They are not allowed to have digital signs. This is not a business. That's one of the big issues.

Curt Moll: Quasi business. If that's all anyone wants to talk about, I need a motion to close the public hearing.

Don Bell motioned to close the public hearing and **Don Fatobebe** seconded.

The City of Cortland Planning, Zoning & Building Commission met on Monday, August 13, 2018 at 7:02 P. M. at the City Administration Building, 400 N. High Street, Cortland, Ohio. In attendance were the following board members: Chairman Curt Moll, Vice Chairman Sally Lane, Don Bell, Donald Fatobene and Jim Bradley. Also present were Mayor Jim Woofter, Service Director Don Wittman, Law Director Patrick Wilson and the following individuals:

Debra & Robert Parsons	125 Argali	Cortland
Joe Steines	300 Oak Knoll	Warren
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Sean Miller	6156 Klines Dr.	Girard
Scott Taylor	121 Beechwood Dr.	Cortland
Ashley Handrych	5920 Calla Ave.	Warren

Curt Moll: First we need roll call please.

Roll Call: Jim Bradley, here; Sally Lane, here; Curt Moll, here; Don Bell, here; Donald Fatobene, here.

Curt Moll: I need a motion for approval of commission minutes for July 9, 2018 regular meeting.

Don Fatobene made a motion to approve the July 9, 2018 meeting minutes, seconded by **Sally Lane**.

Curt Moll: Any discussion on the minutes?

Donald Fatobene, yes; Sally Lane, yes; Jim Bradley, yes; Curt Moll, yes; Don Bell, yes. MOTION APPROVED.

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Curt Moll: We go to old business first. In old business we have **31-18 Variance Request** – the request is to allow a variance for 640 Wakefield to allow an electronically variable message sign and a size of 96 sq. ft. which exceeds the 48 sq. ft. maximum. In discussions we talked about adding a provision, restriction on that to make it to be off during curfew hours from 11 p.m. to 6:30 a.m. I need a motion.

Don Bell motioned to approve **Variance Request 31-18** and **Don Fatobebe** seconded.

Curt Moll: Any further discussion about this? I think that we need to have you talk about what you said in the public meeting.

Joe Steines: Joe Steines with GPD Group, architect for the new Lakeview Pre-K through 8 building. The variance request is for a digitally variable sign, at the entrance of the school that exceeds the allowable size per the ordinance.

Curt Moll: Any questions from the board for this? Any concerns, further restrictions we can think about? No? I think you have a friendly board today.

Patrick Wilson: The conditional use would be tied to the operation of the electronically variable sign between the hours of 6:30 a.m. and 11 p.m.

Curt Moll: Right.

Patrick Wilson: Does that work Joe?

Joe Steines: Yes.

Curt Moll: Any questions anyone? What an unusual situation that we have this in a residential area that is a school, not a business. It's not in a business district, based on that, (inaudible). Can I have a roll call.

Roll Call: **Curt Moll, yes; Donald Fatobene, yes; Sally Lane, yes; Don Bell, yes; Jim Bradley, yes. MOTION APPROVED.**

Curt Moll: Ok, we have passed that variance now; **33-18**, I'll need a motion, **Ground Mounted Sign – 640 Wakefield Dr.** – Lakeview Schools - 96 Sq. ft. – 6 ft. ht. – Internal Lighting.

Don Bell motioned to approve **Variance Request 33-18** and **Don Fatobebe** seconded.

Curt Moll: We have heard what the sign is, thank you. Do we need anything more on the record Patrick?

Patrick Wilson: No, he explained the size and diameter of it so unless the board has specific questions of him as far as the sign, they're content with it.

Mayor Woofter: One thing that I want to say about it is, the height is below ground mounted signs that we have in the city, I think we have a 12' on pole signs. I think it's in keeping with the building architecture and I find it very attractive.

Curt Moll: It's a very attractive structure.

Jim Bradley: Line of sight for pulling out?

Joe Steines: We set it back far enough from the road.

Curt Moll: Do you have a plan on here somewhere? (looking through the sign packet)

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Mayor Woofter: How far is that, Joe, would you say?

Joe Steines: I would say 40 feet, but that's just a guess.

Mayor Woofter: Ok, plenty of room.

Jim Bradley: Oh, ok, yes.

Mayor Woofter: We allow much closer than that in the business district.

Joe Steines: It's far enough back. From the cars in the parking lot, you can see the scale.

Curt Moll: Any other questions? Ok, let's have a roll call.

Jim Bradley, yes; Sally Lane, yes; Don Bell, yes; Don Fatobene, yes; Curt Moll, yes.

Curt Moll: Let's move on to new business, **34-18 Replat** – A replat of Lot 7 and part of Lot 8, now known as Lot 355 and Lot 356 Cortland Homes Plat #1 Vol.16 Page 56. Can I have a motion please?

Don Bell motioned to approve **34-18 Replat** and **Don Fatobebe** seconded.

Curt Moll: Is there anyone here to talk about that? Would you like to come up to the microphone, state your name and address, and tell us what you are trying to do today. We have a drawing.

Kathy Carr: Yes, you guys should have a copy of it. My name is Kathy Carr, I currently live on the main part of it (pointed at Lot 355) and the extra feet... it's been traded back and forth between the properties, where my house is and the property next door since the mid 70s. My dad build the one house and it was only 5 feet from the property line, so he bought the 85 foot property. My grandparents were next door, which is where I live. Then my brother got out of the Marines and talked my mother into selling that house. They split the lot in between; 40' went to the one house and 45 went to the other. Over the years there were times, like when my mother was alive, she needed money – she sold the lot to the house next door. When the last lady that lived there moved, I bought it back. So, I own it. I would like it replatted in one plot so that I don't keep getting two tax bills and so that when I pass away, my daughter will have an easier time selling it.

Curt Moll: Yes, we would require that at some point. So, this really just splits that into two parts...

Kathy Carr: The house next door had probably 5 or 6 different owners since my dad built it and I had thought at one time that they had taken the 40 feet and platted it onto theirs. But, the surveyor told me that it technically had never been done that way. For some reason, on the auditor's site, it has them as one property, but they never went for a replat apparently.

Curt Moll: They could have replatted it and not recorded it.

Kathy Carr: I have no idea. I just know that this will make it officially mine and if Jennifer needs to sell it; she can sell as one property.

Mayor Woofter: You're on 357? The corner lot?

Kathy Carr: No, this is not the corner(holding up drawing). I'm this part. This is the corner house and it's 40 feet and I'm over here with this 45 feet.

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Mayor Woofter: Ok.

Kathy Carr: The second one from the corner. This first broken line goes to this house and this broken line goes to my house on this part.

Mayor Woofter: That's the part you are replatting.

Kathy Carr: Right, it's 130 feet. I actually own 5 more feet of that lot than the house next door. They only own 40 and I own 45.

Curt Moll: Very good. Any questions? Don, any zoning questions?

Don Wittman: No, it's just a consolidation of a portion of Lot 356 to be added to existing Lot 355 which will be known as Lot 355A.

Curt Moll: Can we have a roll call.

Roll Call: Jim Bradley, yes; Sally Lane, yes; Curt Moll, yes; Don Bell, yes; Donald Fatobene, yes.

Curt Moll: Now this will have to go to council.

Kathy Carr: This will have to go to council?

Don Wittman: This will go, as a recommendation, to council.

Kathy Carr: That's not on my list of what they gave me.

Patrick Wilson: It's going to get there by next Monday.

Don Wittman: It is a week from tonight, your presence is not required. I can explain it.

Kathy Carr: Good, I'm having cataract surgery tomorrow.

Don Wittman: I will call you the Tuesday after, we should have the mayor's signature on it by then, and you can have your surveyor or however

Kathy Carr: He gave me this list, I have to take it to three more places.

Don Wittman: Ok, we can talk Tuesday for sure.

Kathy Carr: Monday?

Mayor Woofter: No, you don't have to be here.

Kathy Carr: Ok, don't come to that.

Curt Moll: Thank you. Any discussion on anything else?

Donald Fatobene: Is there going to be a time when we should discuss the sign ordinance with digital signs?

Curt Moll: Probably.

Mayor Woofter: I will be working on something to bring to this board to review, to possibly make some changes to our existing sign ordinances for digital signs.

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Curt Moll: I took some things that were in the last go-around that I have some questions on. It probably wouldn't hurt to schedule a time for discussion (inaudible) work study before this meeting.

Mayor Woofter: That would be a good idea because tonight, the Parks Board had made a recommendation. They made a motion and it passed, to improve our Point Park sign, which would include a digital sign. That came out of the Parks Board tonight.

Curt Moll: That would an opportunity for the city to demonstrate responsible operation of a sign like that (inaudible).

Mayor Woofter: However, this mayor is not opposed to digital signs as long as they are operated (laughter) on record; because as a business person, I would like to see some progress made, in the city, under certain guidances; like we restricted the school tonight, to allow digital signs. It's not up to me. It would be up to Planning Commission and Council to approve that.

Don Bell: (inaudible) it's a win, win for everybody.

Curt Moll: Do I have any comments on the proposal?

Mayor Woofter: I have examples.

Curt Moll: You have examples? We will look at them after the meeting. I'd like a motion to adjourn.

Don Bell motioned to adjourn and **Don Fatobebe** seconded.

Roll Call: Sally Lane, yes; Jim Bradley, yes; Donald Fatobene, yes; Curt Moll, yes; Don Bell, yes. **MOTION APPROVED.**

Meeting adjourned: 7:23p.m.

Chairman

Date

Secretary