September 9, 2013

Mr. Roger Friedman – Chairman Mr. Rich Barrick – Vice-Chairman Mr. Tom Kronenberger – Member Ms. Anne Flanagan – Member Mr. Bill Mees – Secretary Mr. Steve Roos – Alternate

# Item 1. - Meeting called to Order

Mr. Friedman called the regular meeting of the Zoning Commission to order at 7:00 p.m. on Monday, September 9, 2013.

# Item 2. - Roll Call of the Board

Mr. Mees called the roll.

Members Present:	Ms. Flanagan, Mr. Barrick, Mr. Friedman, and Mr. Mees
Members absent:	Mr. Kronenberger and Mr. Roos
Staff Present:	Greg Bickford and Beth Gunderson

## Item 3. - Approval of Minutes

Mr. Friedman stated the first order of business was to approve the April 8, 2013 and August 12, 2013 meeting minutes.

Mr. Friedman asked for any corrections to the April 8, 2013 and August 12, 2013 minutes.

Mr. Friedman entertained a motion to approve the April 8, 2013 and August 12, 2013 meeting minutes.

Mr. Barrick noted he was not present for the April 8<sup>th</sup> meeting and suggested voting on them separately.

Ms. Flanagan moved to approve the April 8, 2013 meeting minutes.

Mr. Mees seconded.

Ms. Flanagan – AYE Mr. Barrick – ABSTAIN Mr. Friedman – AYE Mr. Mees – AYE

Mr. Barrick moved to approve the August 12, 2013 meeting minutes.

Mr. Mees seconded.

All voted – yes.

# Item 4. - Old Business

2013-05MA Creative Architectural Solutions (LoanMax) 7711 Montgomery Road Major Adjustment to a PUD

Mr. Bickford reported that staff had received neither a revised submittal nor any contact from the applicant. He said he reached out to the applicant, architect and attorney with no response.

Mr. Friedman stated it was his understanding from the last meeting that the applicant had requested a continuance so that revised plans could be submitted. He said the board must now consider the case based on what was submitted for the August meeting.

Mr. Mees motioned to consider case 2013-05MA as submitted.

Ms. Flanagan seconded.

Ms. Flanagan – NEA Mr. Barrick – NEA Mr. Friedman – NEA Mr. Mees – NEA

Mr. Bickford said the case would go before the Trustees on October 3, 2013 and that residents who received notice of the first hearing would be sent a notice for the Trustee hearing as well.

## Item 5. – New Business

2013-06MA ACE Sign Company (Premier Laser Spa) 7865 B Kenwood Road Major Adjustment to a PUD

Mr. Mees stated recused himself from the board for this case because of a conflict of interest.

Mr. Bickford presented the case and case history in a power point presentation. Mr. Bickford noted the tenant space occupied by Premier Laser Spa does not have an exterior entrance and therefore is not permitted a building sign as of right.

Mr. Friedman asked if the applicant was present and wished to speak.

Jim Schumacher, Premier Laser Spa General Manager, addressed the board. Mr. Schumacher said the spa has been in operation at this location since June, 2013 and it has been difficult for customers to find them because of the lack of a building sign.

Mr. Friedman asked if Mr. Schumacher was aware of the sign restriction when the spa moved into the tenant space.

Mr. Schumacher answered he was not aware of the sign restriction.

Mr. Friedman asked if they were subletting the space.

Mr. Schumacher answered that Premier Laser Spa was subletting the space from another tenant, Massage Envy.

Mr. Bickford reported the space now occupied by Massage Envy, The Salons and Premier Laser Spa used to be occupied by one tenant, Downlite.

Mr. Barrick asked if Premier Laser Spa had its name on the pylon sign.

Mr. Schumacher answered yes, but that without a building sign it was difficult for customers to find them once they entered the parking lot.

Ms. Flanagan and Mr. Barrick agreed that the absence of a building sign would make it difficult for customers to find the business once in the parking lot. Ms. Flanagan pointed out that the proposed sign was quite large compared to the others on the building.

Discussion ensued about the possibility of a window sign.

Mr. Friedman entertained a motion.

Ms. Flanagan moved to consider case 2013-06MA.

Mr. Friedman seconded.

The board discussed the issues brought before them.

Mr. Barrick called roll.

Ms. Flanagan – NEA Mr. Barrick – NEA Mr. Friedman – NEA

Mr. Friedman suggested perhaps Laser Spa could speak to the owner about working out the signage to be more equitable among the tenants.

Mr. Bickford said the case would be heard by the Board of Trustees on October 3, 2013.

### Item 6. – Trustees Report

Mr. Bickford informed the Zoning Commission that the 45 day deadline was near for Upper Echelon to remove all non-compliant signs on that property.

## Item 7. – Adjournment

Mr. Barrick moved to adjourn.

Mr. Mees seconded.

All voted yes.

Meeting adjourned at 7:25 p.m.

Minutes Recorded by:

Beth Gunderson Planning & Zoning Assistant