

Zoning Commission

1 **Rezoning Application #ZON-19-02**

September 24, 2019

2
3 **LEGAL NOTICE**

4
5 Notice is hereby given that the Orange Township Zoning Commission will hold a public hearing on
6 Tuesday, September 24, 2019 at 7:00 p.m. to consider the following application:

7
8 **Rezoning Application #ZON-19-02, TH Midwest Inc.** Requesting amendment of one property from the
9 currently effective signage plan approved under Application #17986 applicable to Green Meadows Plaza
10 Planned Commercial and Office District (PCD). The property is owned by 401 East Powell Road LLC
11 and located at 8940 Green Meadows Road, being lot 7511 of Green Meadows Industrial Park Phase 1,
12 having parcel number 318-313-04- 013-002.
13

14 After the conclusion of such hearing the matter will be submitted to the Orange Township Board of
15 Trustees for its action.

16
17 The hearing will be held at the Orange Township Hall, 1680 East Orange Road, Lewis Center, Ohio
18 43035.

19
20 The application and plans are available for inspection from today's date through the date of the hearing
21 at the Orange Township Zoning Office, 1680 East Orange Road, Lewis Center, Ohio 43035. Zoning
22 Office hours are Monday through Friday, 8 a.m. to 4:30 p.m., except legal holidays.

23
24 *Mark Duell, Chairperson*
25 *Michele Boni, Orange Township Zoning*
26

27 *Publish one time on or before Saturday, September 14, 2019 in the Delaware Gazette.*
28

29 Roll: Mark Duell, Christine Trebellas, Dennis McNulty-absent, Adam Pychewicz, Dennis Doherty
30

31 Township Officials Present: Michael McCarthy Legal Counsel
32 Michele Boni Planning & Zoning Director
33

34 Mr. Duell: We have a new application, ZON-19-02, the applicant is TH Midwest, Inc.
35

36 Ms. Boni read the Legal Notice.
37

38 Mr. Duell: We have an email from Scott Sanders at the Delaware County Regional Planning Commission
39 that says they don't think it's necessary to put this on the agenda. Thanks for sharing, though; we are
40 tracking as an active project in our mapping, so Regional Planning has declined to offer any comments, so
41 we're on our own on this one which is fine.
42

43 **APPLICANT PRESENTATION/COMMISSION QUESTIONS & COMMENTS**
44

45 Chris Rinheart, Rinheart Legal Services, Columbus, Ohio, representing TH Midwest which is commonly
46 known as Turkey Hill. With me is Mike Casale, the engineer on the project, with Prime Engineering, and
47 Dave Fagerhaug who is the senior project manager overseeing some of these projects. The site is a four

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48 acre site along Polaris Parkway, the last parcel associated with the original development associated with
49 this area that began back in 2004. One reason they liked the site was because of the size because typically
50 these developments take up a couple of acres and this one offered four and the space to do what they
51 wanted to do. Turkey Hill used to be owned by Kroger and last year the entire division was sold except
52 for the dairy part of it to a company out of Great Britain called Euro Garage, so it still has the Turkey Hill
53 brand but it is under different ownership, and I believe the ownership in the United States is through a
54 subsidiary called AG America, LLC and they typically use the EG initials as their brand logo. Because of
55 that, the typical Turkey Hill you normally see is a little different from this one because EG has done a
56 little different prototype development associated with the stores they are bringing to the United States and
57 that incorporates not only the fuel component but also what they refer to as brand partners which is
58 typically a fast food component which has a drive-thru to it but also has an in-store where you can walk
59 up. It's not a traditional fast food restaurant where you just go buy it and sit down and eat like a full scale
60 fast food restaurant; it has limited seating but you can go in, order, much like you'd see in a rest area or
61 something like that, and it's got some combined seating where you can sit inside on a limited basis if
62 you're going to eat inside. This particular prototype has two brand partners, Popeye's and Pizza Hut.

63
64 Mr. Fagerhaug: We haven't confirmed the brand partner yet, but that's the typical. It hasn't been
65 approved yet.

66
67 Mr. Rinheart: Before we get final approval, we'll have to know that. But typically it's usually two brand
68 partners; it could be one, it just depends on the store size. Aside from that aspect being a little different
69 from the traditional Turkey Hill, it's just like any other Turkey Hill as it has the convenience store
70 aspects; the fuel conveniently outside with ten fueling dispensers, so you'll have one dispenser on each
71 side for a total of two for each fueling area; and a car wash behind it which I think is shown on the site
72 plan.

73
74 Mr. Fagerhaug: It's to the left.

75
76 Mr. Rinheart: What we tried to do with the site is conform to the existing plat that's been recorded in
77 Delaware County, so the setbacks and everything on that site conform to that recorded plat which I think
78 is in excess of minimum requirements for the Township. We have tried to adhere to some of the
79 development characteristics in the area. In association with the existing development plan, we're
80 complying with the landscaping requirements. This plan has gone through some additional review with
81 traffic and incorporated all other requirements from the Engineer's Office. We have two existing
82 development plans; the original one from 2004 and then the amendment in 2015, and what we're seeking
83 to do is amend it again, principally related to the signs. The use is already approved, so we're not asking
84 the Commission to approve any uses that aren't already approved, and rather than asking for a bunch of
85 variances and because there were some issues with the existing text, we thought it might be better to come
86 through an amendment to the development plan and try to address all issues all at once and try to come up
87 with a development plan that's a little easier and less cumbersome to have to deal with from the
88 Township's and owner/applicant side because in going through and trying to identify all the standards we
89 were having to address, we had to go back to the original 2004 plan, back to the 2015 plan, and if we
90 actually do an amendment to this one that is separate and distinct from the other two, then you're going to
91 have three plans covering a span of 20 years. With this plan we tried to bring everything from 2004 into
92 one document; that's the development plan you see here. It's a combination of all three of those together
93 with the divergences we're specifically requesting for the signs associated with this project. In talking
94 with Michele and Mike, I think there was a misunderstanding on my part, at least in terms of the product
95 the Township might want to see in that final development plan, so I told Michele maybe a better use of
96 time tonight is to go over the plan and all the signs we're proposing that are included in the application.
97 As Mike has indicated, there are some significant asks in the proposal and he indicated he's got about
98 eight pages of notes that we're willing to address along with any concerns the Commission might have.

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99 We can go through the signs one by one tonight or we can get with Mike and Michele and go through
100 those and come back. It's kind of an informational session tonight, and then we'll request a tabling and
101 address those issues and get back with you.

102
103 Mr. Duell: Since the big thing is the signage, if you'd like to go through the various signs you're
104 requesting, where they're at.

105
106 Mr. Rinheart: Behind Tab 1 is a chart which gives a summary list of all the signs we're asking for. If you
107 go to the site plan, I can show you where some of these are. We tried to tie that chart to this site plan, so if
108 you're looking at the chart, the first two signs listed are the monument signs. We have one monument
109 sign that is A located at the corner and the other one is right there, and there are pages for each sign in the
110 attachments. Sign A is an LED pricing sign much like what you would see at UDF, Meijer, etc. We tried
111 with this sign to comply with the height requirement; the design configuration is a little different than
112 your traditional block. EG tends to go for a more modern design approach; it has that little flare on the
113 inside. I got some prior consultation with some of the members of the Commission, and they asked us to
114 incorporate some of the exterior features, so the base matches the materials are on the exterior of the
115 building and even though it's going to stand out a little bit, but not too much.

116
117 Ms. Trebellas: The green flare, it doesn't have any text on it; it's just green that wraps all the way around
118 to create that little swoosh

119
120 Mr. Rinheart: Yes, that little bump out; that's all that is. And the only thing in this one that we're trying to
121 incorporate is the corporate logo for Turkey Hill; it actually matches the Kroger too. They made this
122 brand and they've tried to keep this logo and keep some of the brand recognition for customers. The only
123 additional thing we're requesting is to be able to have those two panels that show diesel and unleaded,
124 and obviously LED, which I know is a significant issue in Orange Township. But we're trying to make it
125 similar and not stand out too much with what's in that area. I had a conversation with Steve Fuller, the
126 real estate manager for these projects, and he indicated the other option is to do a more mechanical thing
127 which he said is actually getting more and more expensive to maintain and repair because everybody's
128 going to LED, so it's much easier and economical doing it on a mass scale. The second monument is
129 located a little further north on Green Meadows and is just an advertisement for the two brand partners
130 that will be located within the facility and again incorporate the logo and have the same design elements
131 as the monument sign on the intersection, again, maintaining that 8' height. These are significantly set
132 back from the road, so you're going to have some landscaping that's incorporated in this as well. While
133 we're asking for two, these again are not going to stand out significantly except for being able to advertise
134 that, so we're trying to comply as much as we can but also advertise as much as we can so people know
135 where the site's located.

136
137 Ms. Trebellas: I assume it's the same on both sides.

138
139 Mr. Rinheart: Yes. We've got the dimensions, number of faces, total area for each side, and the chart for
140 both of these signs.

141
142 Mr. Fagerhaug: Another change is the colors.

143
144 Mr. Rinheart: Contained within the request for divergences, where appropriate, we've asked for a
145 divergence from the number of colors and also the number of fonts as it depicts within those particular
146 signs.

147
148 Mr. Duell: Color is something we have granted a divergence for before for corporate logos.

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149 Mr. Rinheart: That might be the sign that has the most colors on it. This is the other major sign, and we
150 essentially treated this as one sign even though there has been discussion if it is to be treated as one or
151 multiple signs, but I think the thought process was that since it's appropriated in one space, it's treated as
152 one, so if you look at the page before and the page after, it shows you on the building where this is going
153 to go. It's actually on the front of the building.

154
155 Mr. Fagerhaug: It's on the front of the building and there should be an elevation page that shows that.

156
157 Mr. Rinheart: The front of the building is where it is physically located and it shows you the orientation to
158 the building; the building entrance is to the right. That sign incorporates from top to bottom the corporate
159 logo, the two brand partners and it's open 24 hours so they've incorporated 24 hours up at the top. Again,
160 this is to give some advertisement, let people know what's in the store, kind of get some brand
161 recognition to EG America. Although Turkey Hill is the brand name they're using, they'd still like to get
162 this EG out.

163
164 Mr. Fagerhhaug: Sign C, it is just a vinyl graphic, so it's not illuminated.

165
166 Mr. Rinheart: The main sign is illuminated, they are cabinets but they're thru-plex, so they're very subtle,
167 they're not channel letters which have a little more brightness and thickness to them. We have Sign J
168 which is the Popeye's, Sign H which is the Popeye's spelled out, Sign G Pizza Hut spelled out, the
169 monument sign which is D and then we have C. All of these, this direction from the main sign to the left
170 are internally illuminated; this one is just a decal vinyl that's applied to the building.

171
172 Ms. Trebellas: I noticed that the other signs like the Pizza Hut and the Turkey Hill aren't broken out but
173 the Popeye's is; is there a particular reason for that, why you've taken that round Popeye thing and
174 shoved it out to the side as opposed to the Pizza Hut?

175
176 Mr. Rinheart: I can only guess, but I think it's kind of a design feature to kind of break up a little bit of
177 that space because this is all going to be gray, right?

178
179 Mr. Fagerhaug: It will be the façade, the background is stone.

180
181 Mr. Rinheart: So if I had to guess, I think it's more to just break it up and give it a little color.

182
183 Mr. Fagerhaug: I believe there's another downhill on the side of that.

184
185 Ms. Trebellas: That was another thing because you don't have elevations of all four sides of the building.

186
187 Mr. Rinheart: We do; I don't know if they have all the signs on them.

188
189 Mr. Fagerhaug: We should have the elevations with the signs on them if you go to the color elevation
190 page.

191
192 Ms. Trebellas: I only saw them for the canopies.

193
194 Mr. Rinheart: There is for the canopies and I know we have color elevations of the building; I don't know
195 if they have the signs on them.

196
197 Ms. Trebellas: Because one of our requirements is four-sided architecture.

198
199 Mr. Rinheart: Right, which we meet.

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200 Ms. Trebellas: But when you mentioned the medallion might be on another elevation, I don't remember
201 seeing other elevations.

202

203 Mr. Rinheart: Michele, do you have the elevations that I sent you?

204

205 Ms. Boni: Yes. Dave, can you pull up the other attachment we have?

206

207 Ms. Trebellas: I don't remember seeing that.

208

209 Mr. Rinheart: I couldn't remember if the signs were on there or not, so that's one thing we'll want to do
210 when we come back is have all the signs on there.

211

212 Ms. Trebellas: That would be helpful and that way we also know that you're giving equal treatment to all
213 sides.

214

215 Mr. Fagerhaug: That's why we brought this with us, to show you the architecture is 360 all the way
216 around.

217

218 Mr. Rinheart: And the medallion would probably be "here", so we'll add that to the sign package.

219

220 Ms. Trebellas: I'm also curious because I noticed you have a metal hipped roof yet it's broken for the
221 aluminum tower feature; so it is hipped behind the tower? You can't tell from the front elevation.

222

223 Mr. Fagerhaug: It's hipped all the way around.

224

225 Mr. Rinheart: The intent was to try and have the hipped roof all the way around so we didn't have to have
226 a full blown pitched roof all the way around to try and fit in with some of the standards that are in
227 existence.

228

229 Ms. Trebellas: And a lot of our hipped roofs are faux; they're like parapets made to look like they are so
230 you can hide the mechanicals behind there. I have no problem with that, but I was just curious what was
231 happening behind that sign.

232

233 Mr. Fagerhaug: I think it breaks here; there's no reason it can't go all the way across.

234

235 Ms. Trebellas: For me this aluminum tower bullet type thing seems very European.

236

237 Mr. Rinheart: Again, we've taken where we started which was a very European modern oriented design
238 and we have had many conversations about coming into Orange Township; it's not something that's
239 going to fit in with the character of the neighborhood.

240

241 Ms. Trebellas: And that's what I'm wondering about, a big aluminum 21' tower; I'm not resolved on that
242 feature yet because it's aluminum, it's going to be shiny.

243

244 Mr. Fagerhaug: When we interpret the criteria, we said we can adjust that with all four sides with stone
245 and EIFS product and then the only metal would be that roof trim going around.

246

247 Mr. Rinheart: And there may be things that we can do with that side; we can go back and look at it.

248

249 Ms. Trebellas: And I didn't realize there was roof trim until you pointed it out in that elevation. That sort
250 of incorporates that same little aluminum band as it were.

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251 Mr. Rinheart: If the concern is that it looks like a big aluminum albatross, we want it to stand out but we
252 don't want to give the wrong impression. I don't want customers coming in and thinking that's a big
253 European thing and not come to the store. If we can do something to soften that down a bit, we can take a
254 look at that.

255

256 Mr. Fagerhaug: So we're going to come back with the color elevations with all the signage.

257

258 Mr. Rinheart: And look at the finish on the main sign, Sign B. It's not the individual components of it, it's
259 that tower look.

260

261 Mr. Fagerhaug: It's the aluminum; if we put a stone base wrapped around the bottom and maybe a belt
262 course or something like that around the top just to break it up a little.

263

264 Ms. Trebellas: That might help because it looks like you might have 9-10' of just solid aluminum. If it
265 wasn't so much, it might not be an issue or if there was something else there, but for me, it's just a lot of
266 aluminum. I don't know how the other people on the Commission feel.

267

268 Mr. Duell: I didn't even consider it. I guess it didn't bother me but if you want them to change it, it
269 doesn't bother me either.

270

271 Ms. Trebellas: In your renderings, it's just gray material; it doesn't reflect like aluminum does.

272

273 Mr. Fagerhaug: Maybe what we could do is a section of brick and then aluminum when we get up to the
274 sign.

275

276 Mr. Rinheart: If we can break up that aluminum.

277

278 Ms. Trebellas: Yes, I don't want it looking like a big Airstream stuck on the side of the building.

279

280 Mr. Rinheart: I think we've covered most of the signs on the front of the store. The other one that may be
281 of significant concern is the canopy. We tried to give some initial elevations that show the location of the
282 sign. Basically what they're asking for is to have the Turkey Hill sign and logo on each face of the
283 canopies, so that would be a total of four signs each.

284

285 Mr. Duell: Do you need it on the back one facing the store?

286

287 Mr. Rinheart: That's the ask so it is the will of the Commission. I don't know necessarily if folks coming
288 out of the store don't know they're at a Turkey Hill.

289

290 Ms. Boni: There won't be any fuel pricing on it?

291

292 Mr. Rinheart: No.

293

294 Ms. Trebellas: So the only fuel pricing would be that one monument sign?

295

296 Mr. Rinheart: Yes. Trying to be modest in that request given the issues concerning LED pricing, but
297 that's what they've asked for. I heard an additional reservation on the one facing the store and the other
298 concerns regarding having one on the other three sides, and those would be internally illuminated too.
299 And again it's just the logo.

300

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301 Ms. Trebellas: The one on the west side, you're facing the car wash; no one is going to see it. How tall is
302 your car wash?

303
304 Mr. Fagerhaug: The car wash is 18'.
305

306 Ms. Trebellas: And your canopy sign?

307
308 Mr. Fagerhaug: just below 20'.
309

310 Ms. Trebellas: You're probably not going to see it.

311
312 Mr. Rinheart: We'll talk about it but, Dave, do you have any concerns?
313

314 Mr. Fagerhaug: I don't have any concerns.
315

316 Ms. Boni: Is that canopy sign 20' because I thought it was higher than that.
317

318 Mr. Fagerhuag: The top of the canopy is 22'.
319

320 Ms. Boni: So that would be from the tip of the sign.
321

322 Mr. Fagerhaug: And the bottom of the sign is 15'6". So the concern in terms of the number of the sign is
323 on the west side facing the Giant Eagle and the car wash?
324

325 Ms. Trebellas: If someone is driving by, they're not going see the one facing the store. The only people
326 that will see the one facing the store are the ones coming out of the store. The other one you could put
327 there, but they're not going to see it.
328

329 Mr. Rinheart: I think the ones facing the east, you would see it coming from Polaris Parkway, then the
330 ones if you're actually driving by...
331

332 Ms. Trebellas: It depends on which way you're coming from.
333

334 Mr. Rinheart: Either sign; you'd see it from Polaris Parkway itself.
335

336 Mr. Fagerhaug: If you're on Polaris Parkway itself, It's almost redundant; if you're coming this way, you
337 see this one.
338

339 Ms. Trebellas: You're not going to see the one behind it.
340

341 Mr. Rinheart: Part of the ask for those being illuminated as well is we're trying to conform to that
342 pavement issue, so again, it's just trying to get some focal points so people know it's there. Then we've
343 got the car wash sign and that's simply car wash and it's internally illuminated and it's got an enter/exit
344 on each end, so I don't know that there's any particular concern about those.
345

346 Mr. McCarthy: Does anyone want to see renderings of the four sides of the car wash?
347

348 Ms. Trebellas: Yes, with the sign on it, because I want to know what the back looks like and I know there
349 will be some trees screening it, but I wanted to make sure it doesn't look like, for example, some of our
350 old shopping centers, the backside, doesn't look too attractive if you're driving by.
351

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352 Mr. Fagerhaug: What we'll do is get this package here and incorporate it with all the signage.
353

354 Mr. Duell: Other signs we're going to want to maybe talk about although they may not be included in
355 your signage calculations would be the signs associated with the drive-thru, where they're going to be and
356 how tall, and any of the signs for entering the car wash.
357

358 Mr. Rinheart: The menu sign?
359

360 Ms. Trebellas: Like your fast food kiosk, selection kiosk.
361

362 Mr. Pychewicz: Is all that calculated in there?
363

364 Mr. Rinheart: No.
365

366 Mr. Duell: We were having a discussion; we didn't believe they'd be part of the sign calculations, but I'd
367 still like to see them.
368

369 Mr. McCarthy: They have been prior to Ms. Boni's time but they were not included in the total.
370

371 Mr. Rinheart: So the menu sign, for the car wash...
372

373 Mr. Fagerhaug: We do have that in the sign package.
374

375 Mr. Rinheart: We just didn't submit it because it wasn't part of this package. I think I requested, in talking
376 with some of the members of the Commission, some directional signage to help people navigate the site,
377 and I don't know Dave if you could point those out.
378

379 Mr. Fagerhaug: We'd have a sign at the far corner to make sure you come in at the next left, K1 is on the
380 right; K2 is here.
381

382 Mr. Rinheart: So again, trying to get some directional signage so people know where they are going.
383

384 Mr. Duell: Like I said, I don't think we have to include those in the calculations, but where they're at and
385 their size. You have other mechanicals outside; if you could just drop in what they look like; the pumps.
386

387 Mr. Rinheart: The signage on the pumps, what they look like, things like that?
388

389 Mr. Duell: Yes.
390

391 Ms. Trebellas: We don't really know what the pumps look like but also you have a dumpster enclosure.
392 Usually we ask that the dumpster enclosure....
393

394 Mr. Rinheart: Is four sided?
395

396 Ms. Trebellas: Or at least three sides with a gate and make sure that it's higher than the dumpster you're
397 putting in there.
398

399 Mr. Rinheart: I think we had that.
400

401 Ms. Boni: We haven't received the work for this yet, so at this point we're only looking at the signage.
402 We've had communication with the applicant on building elevations and looked at the site layout. We

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403 tried to catch anything we could up front but as far as the screening goes, it will comply with what is
404 necessary.

405
406 Ms. Trebellas: Because sometimes we get the dumpster enclosure included in our zoning package, so I
407 was a little curious.

408
409 Mr. McCarthy: If you could, put the dumpster enclosure in the package.

410
411 Mr. Rinheart: That's in here.

412
413 Ms. Trebellas: Just so we know you thought about it and it's not chain link.

414
415 Mr. Rinheart: We're using a trex material.

416
417 Ms. Trebellas: Just as long as it's not chain link; chain link doesn't do a very good job of screening.

418
419 Mr. Fargerhaug: They build them with slats in them; do you want slats in them?

420
421 Ms. Trebellas: We've seen them with slats before but slats are a maintenance issue; they don't get
422 maintained and then they're no longer slats.

423
424 Ms. Boni: It usually has to match with what the building elevations are. I can't recall what the text says
425 but we'll make sure that's all in line with this.

426
427 Mr. Rinheart: It's currently a trex material.

428
429 Mr. McCarthy: We need it in the text and the drawings.

430
431 Ms. Boni: I thought we were only talking about signage tonight, so we didn't review...

432
433 Ms. Trebellas: It was just my comment that if you're including the gas pumps, give me my enclosure.

434
435 Mr. Fagerhaug: So you want to see the gas pumps too?

436
437 Mr. Duell: Just a picture of them.

438
439 Mr. Rinheart: To make sure Dave and I have the same list: Sign B, try to make it look less modern; look
440 at the canopy signs facing the store and the car wash; what the menu sign is going to look like, we've
441 already got that one; mechanicals, make sure we have formal elevation included with the package;
442 pictures of the pumps, what the signage is going to be on those. Anything else?

443
444 Mr. Pychewicz: Could we go back to Sign A, the monument signs? At the base you have the stone that
445 matches the building. Would you be opposed to having the brick that's on the building at the base?

446
447 Mr. Rinheart: The stacked brick? We were just trying to do that to bring in some more tying in because it
448 was just the sign; it wasn't sitting on anything.

449
450 Ms. Trebellas: Our Code requires a base and we want it integrated with the rest of the building. My only
451 concern with that is you requested a divergence for the second sign that is off of Green Meadows which is
452 8' tall; pretty high.

453

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454 Mr. Fagerhaug: We're going to put those street trees out through there; if you go to the landscape plan.

455

456 Ms. Trebellas: But it's 8' tall, 14' wide; it's like a billboard.

457

458 Mr. Rinheart: There's two reasons for that ask. Besides it being significantly back from the road, that's
459 part of the reason for asking for the 8' height, and then we're going to continue with the row of trees. Yes
460 they're big, but you're going to have some sight interference because of the trees. So it's a combination of
461 the fact that we want you to know we're here but at the same time we also understand that we don't want
462 you to know that bad in terms of trying to get some screening to that so it's not the only thing that you're
463 seeing.

464

465 Mr. McCarthy: If I remember correctly, the A1 sign is only 25' from the right-of-way.

466

467 Mr. Rinheart: I don't remember off the top of my head, but Mike can probably answer that a little bit
468 better.

469

470 Mr. Casale: This one is 23' off the roadway, this one is 43' and 49'.

471

472 Mr. Rinheart: And the one would probably sit back further except for the fact that we're trying to
473 incorporate the pavement and all that.

474

475 Mr. McCarthy: If that setback code has a limit, I think it's around 56 or somewhere in there plus or
476 minus, in square feet, and you're twice that.

477

478 Mr. Rinheart: So AA1, look at the base of materials and A1 look at the size.

479

480 Mr. Pychewicz: Would that be a divergence if they use the stone?

481

482 Ms. Boni: It doesn't specify a specific material; there's a setback with solid base.

483

484 Mr. McCarthy: The 2004 did and I think you made a comment about it.

485

486 Ms. Boni: And yes, it does require a mortar brick base plus the setback.

487

488 Mr. Pychewicz: So if you change it to the brick, that takes care of that.

489

490 Ms. Trebellas: And that was a divergence that didn't bother me as long as it had a solid base.

491

492 Mr. Rinheart: So in addition to what I mentioned before, we're building the brick and look at the size of
493 A1.

494

495 Mr. McCarthy: Since you said you were over 40' from both rights-of-way, the maximum area your Code
496 permits is 64' per side and this is just about twice that.

497

498 Mr. Rinheart: We'll look at it. Is it required to be outside the parking setback?

499

500 Mr. McCarthy: Not outside the parking setback but it's measured size versus setback from the right-of-
501 way. So depending on the size, it could be well into the parking setback.

502

503 Ms. Boni: Does the current Code allow for more than one monument sign?

504

Zoning Commission

505 Mr. McCarthy: No, it would be a divergence. In this particular case, if you look at the rather large
506 paragraph at the bottom of the first page, it gets into what you are permitted to have. This also indicates
507 that there will be one monument sign for Parcel A across the street, one monument sign for Parcel B
508 which is being done away with; Parcel C, D and F are each allowed one monument sign, so there are a lot
509 of monument signs flying around here, and those would each need back in 2004 need a divergence.
510

511 Mr. Rinheart: What we're trying to do with the development plan and again there is probably going to be
512 some further discussion with Mike, is clarify the number of divergences because I think it's been a little
513 confusing for us to try and identify all the divergences we may need but trying to bring that 2004 plan,
514 incorporate the provisions of the 2015 plan and then incorporate that into this development plan with the
515 changes and divergences we'd be requesting for this development. That was part of what we wanted to
516 talk with you guys about tonight and we'll probably be able to get with Michele and Mike and go in the
517 direction the Commission may want us to go, and try to bring back a package that is easy for you guys to
518 understand, easy for us to understand, and easy for Michele and Mike to enforce if they ever have to.
519

520 Ms. Boni: Does the Commission want to see any window signage that may be included as well?
521

522 Mr. Fagerhaug: Are you looking for graphics?
523

524 Ms. Boni: Yes.
525

526 Mr. Fargerhaug: I don't know that we have much.
527

528 Ms. Boni: In Article XXII there is a requirement of how much percentage you can cover on the windows.
529 I didn't see that on the plan and I didn't know if that was something the Commission would like to see as
530 well.
531

532 Mr. Duell: Sure.
533

534 Mr. Fagerhaug: I'll get the window application and see what it has.
535

536 Ms. Trebellas: I assumed they are going to follow the Zoning Code and that you were going to enforce
537 that if they had too much window graphics.
538

539 Mr. McCarthy: I think her concern is that it's going to exceed 10%; that would have to be a divergence,
540 not something she could do or should do.
541

542 Ms. Boni: Yes.
543

544 Mr. Rinheart: Otherwise we'd have to go back and ask for a divergence to the development plan.
545

546 Ms. Boni: Yes.
547

548 Mr. Rinheart: Which we don't want to do.
549

550 Ms. Trebellas: So if you exceed what Code allows, then you need to ask now or you'll have to come back
551 and she'll cite you with a zoning violation in the meanwhile.
552

553 Mr. Pychewicz: On Sign B, you have on the detail in this section that it's 22" off of the face of the
554 building. I think the sign's protruding 16", is that because of the backlit, the controls and stuff?
555

Zoning Commission

556 Mr. Fagerhaug: There's a façade and you have 12", 16" and this here, .5" is just the plex or screw, so
557 you're 16" to the outside of the face of the box and you have a ½" for the push-thru plex that comes out.

558

559 Mr. Pychewicz: So that's directly up against the wall? There's not a standoff panel or something where
560 there's a gap between the wall?

561

562 Mr. Fagerhaug: No, it's directly against the wall. The cans are 4" and then the push-thru is .5".

563

564 Ms. Trebellas: I'm not familiar with what was approved in 2004, so if there are zoning requirements in
565 2004 that don't go with our current Zoning Code, is that correct? Like you said, Michele, monument signs
566 are limited to 36 square feet per side, having a total of 72 square feet yet our Code says it's 64.

567

568 Mr. McCarthy: No, this is the culprit. This is a chart that was used....

569

570 Ms. Trebellas: So how are we supposed to know that?

571

572 Ms. Boni: I tried to outline those in the Staff Report and it's difficult.

573

574 Mr. Duell: We've already had the conversation that we could have used that.

575

576 Mr. Rinheart: That was part of the discussion about bringing all of this into one document so it would be
577 easier for everyone to follow.

578

579 Mr. McCarthy: It was not in the Zoning Resolution itself; it was in the approved development standards
580 for the signs.

581

582 Mr. Rinheart: So what the intent will be is bring back a package that hopefully incorporates all of that
583 stuff in a form that we all can actually work from and understand and know what the standards are.

584

585 Ms. Trebellas: Because right now it seems like an uneven playing field and if we all know what it is, it
586 will be a lot easier to discuss and deal with these divergences when we actually know what it's diverging
587 from.

588

589 Mr. McCarthy: In the future I'll make a point, and I know Michele probably will too, to be sure and trail
590 the old text onto an electronic and put it out so they can see it in there.

591

592 Ms. Boni: I did that. I emailed the matrix to you in my Staff Report. I tried to outline what I interpreted.

593

594 Mr. Rinheart: The intent is that we'll come up with a package for you to review, us to know what we have
595 to follow for them to know what they're enforcing, so you don't have 3" documents that you're dragging
596 around to figure it out. Mike, I don't know if you want to go through all of these this evening or if you
597 just want you and me to get together.

598

599 Mr. McCarthy: I can skip the easy ones and just state them and if no one objects, move on. Some of them
600 probably require some kind of decision by the Commission. The first one, number the development text
601 pages. Incorporate all the exhibits into the development text. You included the disclaimer from 2004. The
602 disclaimer has morphed and I'll send the updated version to you. 14.03, right now you have the
603 individual uses either a) to either be permitted or not permitted. If you could just have those individually.
604 As you pointed out, it's a devil to find all the divergences, but provide us a new listing of the divergences.
605 There's two listings for those in the text. In the prohibited uses list, the storage or self storage for rent by
606 the public was not included.

Zoning Commission

607 Mr. Rinheart: What I did with this development text was take everything from the 2015 text and brought
608 it forward except for what we were changing with respect to this project, so it is word for word of the
609 2015 text.

610
611 Mr. McCarthy: I would drop the 2004.

612
613 Mr. Rinheart: Yes, and that may be where some of this, and I can put something together based on your
614 comments.

615
616 Mr. McCarthy: If it's not intended, put it back. I think when it happened in 2015, you've seen their plan;
617 it really didn't have a lot of direction.

618
619 Mr. Rinheart: And I think that's where the confusion is; I wasn't sure which one to work from.

620
621 Mr. McCarthy: LED, add into the text that all LED color temperature will not exceed 3000 Kelvin, and I
622 think Michele had a comment as well about individual drawings. You have the little black box; just put it
623 on all the drawings that have LED.

624
625 Mr. Fagerhaug: About the 3000 K, I told them to put that on every sign. It's not on every sign?

626
627 Mr. Duell: It talks about the color temperatures which is basically the description of the colors, but the
628 overall lumens of the signs, is there any concern because there's a lot of signs. Is there going to be a
629 situation where it's like glowing?

630
631 Mr. Rinheart: No, it won't be over the 3000 K so we'll note it on each sign.

632
633 Mr. McCarthy: We talked about the divergences. I will list those out for the Board and they probably
634 belong on a list, but you guys need to work them out unless you want to go through them. Total area
635 permitted, I'm pretty sure the Code didn't envision your parcel. The language in the 2004 and I'll have to
636 confirm whether it remained in 2015, concerning aggregate sign area.

637
638 Ms. Boni: There were no new sign standards in 2015.

639
640 Mr. McCarthy: In that case, you front on more than one street and at one point the streets had to be
641 parallel or you only got 3' per lineal foot of frontage on your principle and you've got to choose which
642 will be your principle and then 50% of whatever of the secondary frontage on a corner lot; I'm kind of at
643 a loss of what to do when you're surrounded on three sides and that's the question. You indicated that you
644 had a limited 363 but that doesn't encompass any of the remaining facades being your secondary façade,
645 so technically it would be more than 363 but less than the 784 that's being requested in overall signage.

646
647 Mr. Rinheart: I'll take a look at that and the total amount of signage will probably come down based upon
648 some of the stuff talked about tonight.

649
650 Mr. McCarthy: Also, the rear of the store kind of points to a "V" ; is that on board as an eligible frontage
651 for a secondary or should it be the Old Green Meadows or Green Meadows side is the secondary?

652
653 Mr. Duell: I think it's going to be the new Green Meadows that's the busier road.

654
655 Mr. McCarthy: Would that be acceptable to you guys?

656
657 Mr. Rinheart: I probably agree.

Zoning Commission

658 Mr. McCarthy: You'll pick up 3' for half of the run there.

659

660 Mr. Rinheart: I'll look at it.

661

662 Mr. McCarthy: Typically the Commission has had indications from gas, electric and telecom concerning
663 utilities.

664

665 Mr. Rinheart: We weren't asking for new uses, so I wasn't sure whether to include all of that but we can
666 certainly don't have a problem getting letters like that from the utilities.

667

668 Ms. Trebellas: I know that you corresponded with the County Engineer regarding the Traffic Study and
669 how you didn't need a right extra lane. If you can get a response from them, that would be great.

670

671 Mr. McCarthy: This was directed to Mike Love and I noticed after the correspondence there was some
672 red writing; was that Mr. Love's reply?

673

674 Mr. Casale: That is the response we got for our review.

675

676 Mr. McCarthy: From the County Engineer?

677

678 Mr. Casale: He sent those to me and said add the striping for the turn lane on Green Meadows, so we
679 added all that to our drawings. Then he said you didn't change the Traffic Study and I said you said add
680 the striping and we did. So then he made us file a new Traffic Report where we included the new site plan
681 because the only thing we changed was added the site plan with the striping on it.

682

683 Mr. McCarthy: But it didn't change anything as far as the decel there?

684

685 Mr. Casale: No, because he didn't ask for anything else.

686

687 Mr. Rinheart: I know they have an "Approved" stamp in the County Engineer's Office...

688

689 Mr. Casale: I haven't gotten that.

690

691 Mr. Rinheart: Because I've seen it, so if I can get you something that says something to that affect...

692

693 Mr. McCarthy: That would be good because they make everyone else do it. Right now you've calculated
694 your parking off of the retail standard which is 5 plus 1 for every 400 square feet, but you now indicate
695 there are seats inside for the food places. Is this then now becoming a restaurant and if so, how do you
696 want to deal with the fact that restaurants have a minimum requirement for the restaurant area of 25
697 spaces?

698

699 Mr. Duell: It's not set up to be a full service restaurant.

700

701 Ms. Trebellas: How have we done it in the past when there was a DQ at the Giant Eagle? I don't think
702 anything was ever addressed on that.

703

704 Ms. Boni: For the Giant Eagle? That's a huge parking lot.

705

706 Ms. Trebellas: No, at the GetGo, not the Giant Eagle. It has moved but it used to be there and I don't
707 think there was any consideration for extra parking there just because it was considered part of the
708 convenience.

Zoning Commission

709 Mr. McCarthy: I guess it's a two edged sword. First of all, no objection to some form of divergence to the
710 extent that may be necessary to cover the restaurant. The second would be that would allow you then to
711 strike the fact that exclusively drive-thru businesses are on the prohibited list, they could be on the
712 prohibited because you'd be safely inside with a divergence and sit down and drive-thru.

713

714 Mr. Rinheart: So just look at a divergence request with respect to restaurants?

715

716 Mr. McCarthy: Yes. I'll type this all up and send it to you.

717

718 Ms. Trebellas: I have no concern.

719

720 Mr. McCarthy: I just wanted to make sure.

721

722 Mr. Duell: If they were concerned, they would want to make sure their customers could park.

723

724 Ms. Boni: And just something that has to be addressed in the Code because we don't have any of that
725 shared parking language for mixed uses, so it does distinguish retail and restaurants, so it does need to be
726 addressed here.

727

728 Mr. McCarthy: The landscape plan, I don't know which is the omission, it indicates that there be 15
729 Kwanzan cherries but only 6 are shown. So I don't know if 6 is the correct number or if we're just
730 missing some cherry trees and if so, where are they to go? On the two monument signs, they are labeled
731 as preliminary design; I assume you'll want that off of there.

732

733 Ms. Trebellas: For the final, yes.

734

735 Mr. Duell: Eventually all preliminaries will be final.

736

737 Mr. McCarthy: As far as the colors, the fonts, sizes, if you could just list those out individually.

738

739 Mr. Rinheart: I'll list them by sign. We'll come to agreement as to which sign constitutes one sign and I'll
740 list the divergence for each sign.

741

742 Mr. McCarthy: The 24 hour sign is 21' tall and there is a 20' limit.

743

744 Mr. Rinheart: I think that's a typo; it's supposed to be 20'. I think there's another plan that actually shows
745 it at 20'. I didn't want to request a divergence on that.

746

747 Mr. McCarthy: Back to Sign B, you've placed dimensions on the drawings but then you say $\frac{1}{2}'' = 1'$. So
748 either your sign is 30' or the number along the side...I'll just highlight the numbers; I think the numbers
749 are easier to work with or just say NTS and leave the dimensions, one of the two. We have to zone the
750 use, not the user, so if for any reason it didn't come to fruition and it went to someone else, we have a
751 discussion point that we just don't need. On the car wash renderings, you'll have the signs?

752

753 Mr. Rinheart: Yes.

754

755 Mr. McCarthy: Make it clear that the directional signage is outside the right-of-way.

756

757 Ms. Boni: Do we want to see the setbacks from the right-of-way on this?

758

Zoning Commission

759 Mr. McCarthy: I think it could be depicted on the plan. I think the rest of this I'll put in there; I think they
760 are things you would agree with and not be controversial, but those were the decisions that needed to be
761 brought up.

762
763 Mr. McNulty: I agree with making the silver sign closer to the colors that are here in the Township and as
764 for the issue of how you view the buildings, this is visible from three sides. I'd like to require some
765 landscaping ; we're going to be more concerned with the way this looks since there isn't a real back;
766 we're in a unique situation.

767
768 Mr. Duell: Are you doing additional landscaping on the little orphan part at the basin?
769

770 Mr. Casale: We'll take a look at it. We just put something together based on what the standards were but
771 we didn't think about it that much because we're still wrestling with the County Engineer about the basin.
772 We're not going to move it, but we're tweaking.
773

774 Ms. Trebellas: Right now that lot is not very attractive, so if you're going to improve the lower 2/3's of it,
775 it might be nice to make sure the little tip triangle where the retention basin is also attractive.
776

777 Mr. Duell: Even if you call it maintained open space.
778

779 Mr. Rinheart: We'll do something with it.
780

781 Mr. Duell: We just want to make sure you maintain it. We're going to have Mr. McCarthy write up his
782 notes and send them out. It will take about 3 weeks to get everything back to you which will give us time
783 to review his notes and make sure there's nothing we need to add, and then the ball will be in your court
784 as far as a new submission, however long you think that's going to take.
785

786 Mr. Rinheart: Maybe 45 days would give us enough time. I want to make sure at least the three of us are
787 okay with what the development plan text looks like before we come back so it's a little more clear.
788

789 Mr. Duell: 45 days would put us at the beginning of December; do you want to wait that long?
790

791 Mr. Rinheart: I prefer not to but I want to make sure we've got everything in order because we've got
792 these three plans we have to address. If it takes you guys three weeks, it's probably going to take us at
793 least two weeks to put a revised plan together.
794

795 Mr. Duell: We could look at the middle of November then, as opposed to going into December.
796

797 Mr. Rinheart: The middle of November would be fine.
798

799 Ms. Boni: We could do the 19th.
800

801 Mr. Rinheart: If we can't move forward on November 19, we can look at tabling, but I'd rather go ahead
802 and set it tonight, and if we have to move it, I'll give everyone plenty of advance notice.
803

PUBLIC COMMENT

804
805
806 None
807

MOTION TO RECESS REZONING APPLICATION #ZON-19-02

808
809

Zoning Commission

810 Mr. Pychewicz made a motion to recess Rezoning Application #ZON-19-02, TH Midwest, Inc., until
811 Tuesday, November 19, 2019 at 7:00 p.m. at Orange Township Hall; seconded by Ms. Trebellas.

812

813 Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Mr. Pychewicz-yes, Mr. Doherty-yes, Mr. McNulty-
814 yes

815 Motion carried

816

817 Meeting adjourned at 8:20 p.m.

818

819 Minutes prepared by Cindy Davis, Zoning Secretary

820

821 On November 19, 2019, Mr. McNulty made a motion to approve the September 24, 2019 meeting
822 minutes of the Orange Township Zoning Commission for Rezoning Application #ZON-19-02, TH
823 Midwest, Inc., with the following corrections:

824

- 825 • Change the name of the attorney from Todd Brenner to Chris Rinehart throughout the minutes
- 826 • Line 278: Change the word “Arrowstream” to “Airstream”
- 827 • Line 404: Take out the duplicate of the word “what”

828

829 Seconded by Ms. Trebellas

830

831 Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Doherty-
832 yes

833 Motion carried

834

835

836

837

838