

**MINUTES
DESIGN & REVIEW BOARD**

JUNE 10, 2014

MEMBERS PRESENT: Louise Keating, Sandra Hull, John Campbell and Susan Bates

MEMBERS ABSENT: Dick Kinder, Dick Deffenbaugh and Keith Speirs

STAFF PRESENT: Andrew Dutton

I. MINUTES

Susan Bates moved, Sandra Hull seconded, to approve the Minutes of May 13, 2014 as received. Motion carried.

II. PROJECT REVIEW AND/OR APPROVAL

TABLED. DR-500. (C-4, Public Square Landmark District). S. Properties, on behalf of Bedre Bus LLC, requesting Board approval of signage to include door and window lettering for property located at 150 West Liberty Street (The First Amendment).

No one was present to speak to the request.

Louise Keating moved, Susan Bates seconded, to remove DR-500 from the table for consideration. Motion carried.

Sandra Hull moved to reject the application.

Mr. Dutton stated the Board needed to make the motion in the affirmative, but that if the motion failed to get the majority votes, the motion would also then fail. Discussion occurred as to why the motion needed to be in the affirmative.

Sandra Hull moved to approve DR-500 as submitted. Mr. Campbell stated he could not see how there would be a second to the motion if all of the members objected to it.

Louise Keating moved, Sandra Hull seconded, to table DR-500 for another month. Motion carried by a 4-0 vote.

Mr. Dutton indicated he would speak with Dick Benson, Law Director, as to why the motion should be made in the affirmative and will advise the Board at its July meeting.

TABLED. DR-502. (C-4 District). Dariland Ice Cream requesting Board approval building mounted, advertising signs (east and west sides of the building) for property located at 306 West Liberty Street.

Mr. Campbell noted that the applicant withdrew the request.

TABLED. DR-505. (C-4 District). Jodi's Closet requesting Board approval of a building mounted sign on the northern side of the building for property located at 150 North Walnut Street.

Susan Bates moved, Sandra Hull seconded, to remove DR-505 from the table for consideration. Motion carried.

Ken Stiffler, Sign Design, apologized to the Board for not attending the meeting in May. He indicated he was out-of-town and did not make it back in time to attend.

Mr. Stiffler stated after discussion with Andrew Dutton, the sign in question was made smaller to comply with the Sign Code regulations (see revised submittal in file). Mr. Stiffler stated a single panel sign to the logo was proposed, across the legs of the ladies. Mr. Stiffler noted that five ladies (silhouettes) were previously proposed, and two had been omitted to decrease the overall size of the sign. Mr. Stiffler noted the ladies would be in grey and the sign would be pink and white.

Sandra Hull moved, Susan Bates seconded, to approve signage for Jodi's Closet at 150 North Walnut Street as revised (3 silhouettes). Motion carried.

DR-506. (C-4 District). Jessie's Nails requesting Board approval of a 4' x 5' building mounted sign and door lettering for property located at 135 Beall Avenue.

Rod Fought, Fought Signs, stated signage was proposed which would be compatible (similar colors) with existing signage now on the building for House of Hair. Window/door lettering was also proposed which would note their business hours.

Louise Keating moved, Sandra Hull seconded, to approve signage for Jessie's Nails at 135 Beall Avenue as submitted. Motion carried.

DR-507. (C-4, Public Square Landmark District). Jimmy John's requesting Board approval in order to place two tables along with two chairs for each table on the sidewalk for property located at 131 West Liberty Street.

Alan Ganci, owner of Jimmy Johns, stated he wished to place two, 30" round tables on the sidewalk in front of the storeside where the awning existed. Mr. Ganci stated he wished to have *three* chairs per table. Mr. Ganci stated he believed there would be an 11' clearance between the end of the tables and the end of the sidewalk, so he felt it would be adequate for pedestrian traffic. Mr. Ganci stated the tables would be heavy-duty metal, plastic coated and would be black. Mr. Ganci stated the tables would remain there until the fall and would be secured at night.

Susan Bates moved, Sandra Hull seconded, to approve the request of Jimmy John's at 131 West Liberty Street.

Ms. Keating questioned how many chairs the Board was approving. Mr. Campbell questioned if adding an additional chair, per table, would be an issue. Mr. Dutton stated it would not be, as long as 6' of clearance was maintained in the walkway.

Susan Bates amended the motion to include approving three chairs for each table (2 tables proposed). Sandra Hull seconded the motion. Motion carried.

DR-508. (C-4, Public Square Landmark District). Eriz Lloyd, on behalf of Oak Grove Eatery, requesting Board approval for a fenced patio area, a bi-fold window and a sign for property located at 151 South Market Street.

Eric Lloyd, representing Oak Grove Eatery which was presently known as the South Market Bistro, stated rebranding of the business would occur in August. Mr. Lloyd stated the fencing would be vinyl; the tables would be metal and would have two seats at each table. The area proposed to be fenced would be 8' x 14' which would leave 6' of clearance to the road. Mr. Lloyd stated the window would be bi-fold and would open up in the center and expand the width of the front of the building where the two windows were currently located. Ms. Hull expressed concern with how adding the bi-fold window would change the building. Mr. Campbell stated he was having difficulty understanding the concept of the bi-fold windows and where they would be. Mr. Campbell stated he would have liked to have seen an elevation drawing showing where the bi-fold windows were proposed. Mr. Lloyd stated the bi-fold window would be about 6' high, and the top would be a stationary window with a sliding portion. Mr. Campbell also noted that the seating issue was vague.

Mr. Campbell noted the Board could discuss the fencing and chairs separately, and the bi-fold window could be addressed under another submittal.

Mr. Lloyd stated as for signage, window graphics were proposed and would be frosted white vinyl, and would replace the existing South Market Bistro vinyl lettering currently on the front window; a building mounted/hanging sign would also be erected where the existing South Market Bistro sign was currently. Mr. Lloyd stated the building mounted sign would be made out of copper sheeting with punched out lettering; the background would be white. Ms. Hull questioned if the painted sign on the building itself, which reads "South Market Bistro" would be repainted with the new business. Mr. Lloyd stated that sign would likely be removed. Ms. Keating questioned the size of the building mounted/hanging sign. Mr. Lloyd stated it was 3' x 4'. Ms. Hull questioned if it was similar in size to the sign which currently existed. Mr. Lloyd indicated it was "a little bigger".

Louise Keating moved that the proposal for the frosted glass look decal for the windows (Oak Grove Eatery) and the punched copper sheet, 3' x 4' sign, for Oak Grove Eatery be approved as shown. Sandra Hull seconded the motion. Motion carried.

Sandra Hull moved to accept the application for tables, chairs and fencing. Ms. Hull questioned what color was proposed for the fencing. Mr. Lloyd stated he was proposing white vinyl. Ms. Hull wondered if black was considered. Mr. Lloyd stated he chose white to offset the black tables. Mr. Lloyd stated the fencing would not be fastened to the ground, so it could be easily moved and cleaned. Mr. Campbell questioned what colors were available for the fencing. Mr. Lloyd stated he had only seen white; most of the black fencing he saw was "pretty ugly". Ms. Hull stated she had catalogs available of fencing products if he was interested. Mr. Lloyd stated Spoon Market, who he was also representing, was hoping for white fencing as proposed. Ms. Hull stated she felt the black would be better.

Sandra Hull moved to accept the fencing as presented but in black; the tables and chairs were also to be black (as proposed) for the Oak Grove Eatery at 151 South Market Street. Susan Bates seconded the motion. Motion carried.

Louise Keating moved to table the request for bi-fold windows. Sandra Hull seconded the motion. Motion carried.

III. MISCELLANEOUS

Mr. Campbell stated he was wondering, procedurally, how the Board should handle requests that they wished to reject. Mr. Campbell stated he had been on the Board for many years, and they had voted to reject requests previously. Mr. Campbell stated he could not understand making a motion in the affirmative and having the motion seconded, only to reject it. Mr. Dutton stated he spoke with Dick Benson, the Law Director, and he indicated that you had to give the request/motion a chance even if there were no positive votes. Mr. Campbell stated he would like to have an explanation as to the process by the next meeting. Mr. Campbell stated he did not understand if the Board members wished to reject something, why you would make a motion to approve it. Ms. Hull questioned what the Board should do if no one wished to make a motion to approve a request. Ms. Hull questioned if the Board should then, under that circumstance, ask for a motion to reject the request.

Meeting adjourned at 6:03 p.m.

Andrew Dutton, Staff Liaison