

WHITEHALL PLANNING COMMISSION MINUTES NOVEMBER 4, 2022

The Whitehall Planning Commission meeting of Thursday, November 3, 2022, was called to order by Chairman, Terry Anderson, at 6:35 p.m.

Chairman Anderson asked for a roll call.

Terry Anderson – Present

Mike Brown – Absent

Denny Roberge – Present

Barb Blake – Present

Jackie Plank – Present

Jason Thomas – Present

Zach Woodruff – Present

Chairman Anderson asked for a motion to excuse the absent member. Mr. Woodruff motioned. Ms. Blake seconded the motion. All voted in favor to **EXCUSE** the absent member.

Chairman Anderson asked for a motion to approve minutes from September 1, 2022. Mr. Woodruff motioned. Ms. Plank seconded the motion. All voted in favor to **APPROVE** the September minutes.

Chairman Anderson introduced **Cases 848, 849, and 850 – SIGN VARIANCES** to allow three free-standing signs in the Community Crossroads District, 1123.11.09, 1123.11.09(1)(b)Iii, 1123.11.09(2), 1123.11.09(3)(C), and 1123.11.09(4)(a), on property located at 4700 East Broad Street, parcel 090-008216, owned by David and Nancy Gill. John Kuhl, attorney with Vorys, Sater, Seymour, and Pease, representing David and Nancy Gill, presented Cases 848, 849, and 850. Laurie Gill was also in attendance. Mr. Kuhl reviewed the case. Mr. Kuhl stated there are three existing signs that have been in place for decades. Mr. Kuhl stated the city is acquiring by eminent domain a strip of property for a road improvement project. The three signs are located in this strip. The signs indicate certified service, a Chevy-branded Dave Gill sign for the new car portion of the business, and a certified preowned sign. Mr. Kuhl stated these signs predate the city's current sign requirements. Mr. Kuhl states the signs would be moved back in approximately the same location relative to the existing right of way, although slightly further back. Mr. Kuhl stated they are seeking to place the signs outside of the city's temporary construction easement. Mr. Kuhl stated the setback would be at approximately 7 to 10 ft from the right of way line, depending upon the angle of the temporary construction easement. Mr. Kuhl believes that special circumstances exist pursuant to the city's variance code due to city's decision to

exercise eminent domain to undertake a roadway project. Mr. Kuhl stated these variances benefit not only the Chevrolet dealership but, also, the city. Ms. Blake asked if the ingress/egress would be affected by the construction. Mr. Kuhl stated that the ingress/egress points are not changing but the driveway curve would move back. Mr. Kuhl stated these signs are owned by Chevrolet or owned by a franchise that owns Chevrolet's intellectual properties. Ms. Blake asked for clarification if the same signs could be reused. Mr. Kuhl stated the same signs would be moved to the new location. Mr. Kuhl stated the desire is to have the signs moved before the construction date.

Ms. Miller reviewed the staff report for Cases 848, 849, and 850. This property is located within the Community Crossroads District. The applications were submitted with the previous GCD codes and have since been updated to reflect the CCD codes. Staff recommends approving Cases 848, 849, and 850, as the city is inconveniencing the applicant with eminent domain for the good of infrastructure improvement.

Chairman Anderson asked for a motion to approve **Cases 848, 849, and 850**. Mr. Woodruff motioned. Ms. Blake seconded the motion. All members voted unanimously to **APPROVE** Cases 848, 849, and 850.

Chairman Anderson introduced **Case 851 — SIGN VARIANCES** to allow a 14-ft, LED monument sign in the Community Crossroads District, 1123.11.09 and 1123.11.09(2) on property located at 407 North Hamilton Road, parcel 090-005336, owned by Byers Realty, LLC. Stanley W. Young, Allied Sign Co., Inc., representing Kevin King (Byers) who could not attend. Mr. Young reviewed the case, stating this sign will complete the sign package for Byers. Mr. Young stated the monument sign will be the main identification sign for the auto dealership. The upper part of the sign will be illuminated (letters will light). There will be a halo-lit blue panel behind the letters with a full-color message center on the lower half. The location of the sign will be adjacent to one of the curb cuts off North Hamilton Road, approximately 90 ft to the south of the entrance. Due to the height, the sign will not be in the clear-vision triangle. Therefore, there will not be any visibility issues with incoming/outgoing traffic.

Ms. Miller reviewed the staff report for Case 851. This property is located within the Community Crossroads District. The staff recommended a favorable recommendation. The staff believes a taller monument sign is appropriate for the dealership size and location.

Chairman Anderson asked for a motion to approve **Case 851**. Ms. Blake motioned. Ms. Roberge seconded the motion. All members voted unanimously to **APPROVE** Case 851.

Chairman Anderson asked if there was any further business. There being no further business, Chairman Anderson asked for a motion to ADJOURN. Mr. Woodruff motioned. Ms. Plank seconded the motion. All members voted in favor to adjourn the meeting. The November 3, 2022, Planning Commission meeting adjourned at 6:52 p.m.

APPROVED _____, **2022**, respectfully submitted,

Terry Anderson, Chairman

Lori Morton, Secretary