



Village of South Russell

5205 Chillicothe Road
South Russell, Ohio 44022
440-338-6700

SPECIAL PLANNING COMMISSION MEETING MINUTES

JUNE 29, 2022, 2:00PM-VIA ZOOM

Members Present: Steve Latkovic, Chairman, James Flaiz, Mark Porter, Mayor William Koons, Ph.D., Elisa Budoff

Other Officials: Bridey Matheney, Solicitor; Dave Hocevar, Building Official; Ruth Griswold, Board Secretary

Visitors: Timothy (Sparky) Covert of Electolite LLC, Brian Doering

Meeting called to order by Mr. Latkovic at 2:05pm

Ruth Griswold conducted roll call.

Mr. Porter motioned to approve the minutes from May 12, 2022, and May 31, 2022. Mr. Flaiz seconded. On roll call vote, Mr. Latkovic abstained from voting on the minutes from May 31, 2022; motion carried.

While waiting for the applicant to arrive, Mr. Flaiz asked Ms. Matheney if the Planning Commission could perform a development review and address the parking lot lighting, which is very impactful to neighboring properties. Ms. Matheney said the board could review lighting issues as it pertains to the sign. She said the application is for the sign, and the applicant has already been before the Planning Commission for development review in 2017 and was approved for offices. Mr. Latkovic asked for an email copy of the minutes from 2017.

Mr. Flaiz said whatever businesses go in there should appear before the Planning Commission. Discussion followed regarding prospective tenants being required to appear before the board.

Mr. Flaiz said he noticed that large commercial lights were installed for the barn's parking lot, and he feels that the area is an eyesore. He said he is concerned because one of the most attractive things about the Village is that there are very nice transitions between the commercial and residential areas, and that the main commercial area on Washington does not abut any residential, which is nice. He noted, regarding the limited commercial area of 306 and Bell, that the gas station has mounding and landscaping, going north there is an open field, and going south, the cemetery provides a nice transition. He said from a development review aspect and in consideration of the potential impact to neighboring residential properties, he is concerned because the barn area has no mounding or landscaping to provide a reasonable transition between the area and the residential homes. He is also concerned because the owner of the property seems to add bright lights to the area on a regular basis.

Mr. Latkovic confirmed that the applicant, Timothy Covert of Electolite, was now present at the meeting, and asked Ms. Matheney to clarify the scope of the review that the board could do today. Ms. Matheney said the

review is related to the sign, and since there has already been a development review under 3.04(1)(a) for the offices, she doesn't know if it can be reopened with respect to the sign. She said she doesn't know if the screening, lighting, and mounding issues were addressed in 2017. Mr. Flaiz said those issues were not addressed in 2017, but he pointed out that this application for the sign, which is considered a structure, and is an alteration to the property, and would that alteration open the door to the board doing a full development review of the property.

Mr. Latkovic asked Ms. Matheney to research and provide clarity as to if the development review is closed or not, and asked the applicant to introduce the sign and begin his presentation.

Agenda Item 1: PC Case #22-07: 1225 Bell Road

Timothy Covert, applicant for the property owner Donald Yert, is seeking approval to erect a ground sign for Red Barn Commons, with four spaces for tenant names.

Mr. Covert introduced himself as the contractor for the proposed sign and said everyone calls him Sparky. He said he built the previous sign with the flagpole for the DRY Insurance property on the corner. He said despite his current health issues, he is determined to meet all current codes and be in conformance with the sign and lighting. He noted that although the sign is permitted by code to be 24 square feet, they made the sign a total of 23.33 square feet, in order to be under the maximum. He went on to say that they increased the permitted distance from the road by 5 feet to ensure compliance with the code. He understands the concerns the board has regarding brightness of the area, so they made sure there would be no glaring lighting from the sign, it is only back-lit. He added that the residential style post lights are only 10' high, and aesthetically pleasing like those in Chagrin Falls. He said he also made sure the lights were not bright, and had a dimmer option installed should there ever be any concerns about their brightness. He understands the board wants to make sure that things don't get out of hand, and although his client is anxious to have things done quickly, he is respectful of the procedures required for approval.

Mr. Latkovic referred to the Planning Commission minutes and plans from 2017 and noted that in the site plan there was no indication of signage. He asked Ms. Matheney if a development review is approved with no street signage, does that limit the ability to have the signage or could the development review be redone. Ms. Matheney said she was just looking at the code, and it indicates that **“there will be no application for a zoning permit involving a business structure that shall be approved prior to approval by the Planning Commission, according to the following procedure and development regulations of the code.”** She said since the review in 2017 did not include signage, then the development review is reopened and done for the sign. Mr. Flaiz asked if the review would be just for the sign or for the whole property. Ms. Matheney said the zoning code is not super clear in that area, but that there is definitely an argument that the review could be for the entire property. Mr. Flaiz said that was how he always viewed it, since when they approved it in 2017, there were no pole lights depicted. Ms. Matheney said to keep in mind that the development regulations are also separate, in Chapter 10 of the code, and they address parking and loading, signs, screening, grading, and paving, in addition to those under 3.04, some of the conditions that are in there for your review standards. She said she is of the opinion that the code is fairly broad, and your development review could pretty much include anything, but she said the board should be careful not to abrogate what was done in 2017.

Mr. Flaiz said he understands that the board cannot rescind their approval to have offices in the building, and asked if the board could now review lighting, parking, signage, ingress, and egress. Ms. Matheney said yes, that is correct.

Mr. Latkovic asked Mr. Covert to describe where the new lighting has been installed. Mr. Covert said there are four post lights on 8' poles that have been powder-coated black. One is located to the immediate left off Bell Road, about 70' in and in the grass. There is another one deeper into the property and towards the front of the

barn. He said there are two more that are set back deeper into the property to the east, one sitting in the grass and horizontal in front of the large doors at the ramp, and the fourth and final one is in that same area, but further to the north where the proposed asphalt driveway will be. He said they are all very far away from Bell Road and Chillicothe Road.

Mr. Flaiz said having visited the site this morning, he is most concerned with the light post that is the furthest east, and that it seems to be no more than 50' off Bell Road. Mr. Covert said it is even further off the road than the sign would be.

Mr. Latkovic shared his screen which showed an aerial view of the site, and Mr. Covert pointed out where the light posts are currently located, as well as where the proposed sign would be. Mr. Flaiz said he took pictures this morning, and Mr. Covert's explanation of the locations of the poles is not accurate. Mr. Covert asked permission to leave the meeting briefly to look for a drawing that he would like to show the board.

Ms. Budoff asked if there are lights that illuminate the building because it is very bright. Mr. Flaiz said the post lights aren't even on yet, but that he thinks they have spotlights on all the buildings. He said he feels they don't even need parking lot lighting, since it is already so bright. Mr. Hocevar said when Electolite came in for the permit for the lights, he cautioned them that lighting was a big concern on that corner, and that it would have to be approved by Planning Commission. Mr. Flaiz said he doesn't know if other board members are inclined to do something about the lighting as well, but that whenever he hears comments about that corner, it is always about what is going on there, and why is it so bright. Ms. Budoff said she feels the same standards for lighting that were applied to the gas station sign should be applied to this applicant.

Mr. Latkovic said he is interested in the intent of the lighting as well as the total lumens. Discussion followed regarding other existing signage in the area and the type of lighting they had. Mr. Flaiz said although the insurance sign is only backlit, they have one of the spotlights aimed at the sign and the building. Mr. Covert said the property owner toned down all the lights after concerns were brought up. Mr. Flaiz said he appreciates that, but if it was done it was not a noticeable decline in the lighting. Mr. Covert said he is very willing to work with the Village, and he would approach Mr. Yert again and convince him to get rid of all the spotlights, except for the one illuminating the flag.

Mr. Latkovic asked Mr. Covert if he found the drawing he was looking for. Mr. Covert said he did not. Mr. Latkovic referred to the pictures of the poles from Mr. Flaiz and said they do not reflect the same locations as Mr. Covert said they were placed. He asked Mr. Covert what the lumens of the pole lights were. Mr. Covert said they are capable of 12,900 lumens, but he purposely put the dimming systems on them in case the brightness became an issue. He said on the other hand, he feels there should be some semblance of lighting for the security and safety of others. He went on to say that Mr. Yert originally wanted to put 12 pole lights up, but he talked him down to 4 residential style lights to be more subtle and avoid glares for the safety of vehicular traffic. He said these pole lights have 360° fixtures designed to subtly illuminate the subject area for parking, ingress, egress, and to provide general security of the area. He said the post itself is under 8' tall, and they have a 35" tall fixture on them, so from grade to the top of the finial on the fixture is no more than 12'.

Mr. Flaiz asked if the intent was to illuminate the parking areas, why do they need a 360° light at the edge of the parking lot. Mr. Covert said it is for aesthetic value. Mr. Flaiz asked if they could be modified to not be 360°. Mr. Covert said yes, they could do that, but he pointed out that these pole lights are the same as the ones throughout Chagrin Falls, and the aesthetic value is better at 360°. Mr. Flaiz said the Chagrin Falls installation is also on a major street, and he recalled that after the installation of the light poles, there were issues that had to be corrected because drivers were being blinded by them. Mr. Covert said he could take the acorn lens off the fixture and add a filter on the side facing the road, but he sees no reason to block the light going up to the parking lot. He said the light from these poles is very diffused, and asked Mr. Flaiz if he was concerned about them being too bright. Mr. Flaiz said he is concerned because these pole lights have not even been turned on yet, and it is already too bright at that corner. He feels there is already an obnoxious level of light on that corner,

and his concerns are three-fold: the directional lights affecting drivers on Bell Road and the adjoining residential properties, and then even more directional light going up in the air and turning the glow in the sky at the intersection from a 10 to a 12 out of 10.

Mr. Latkovic asked if there were any tenants in the building yet. Mr. Covert said no, the interior improvements to the building are not completed and no spaces have been leased yet. Mr. Latkovic asked if any future tenants would be working late at night. Mr. Covert said there are potential high-class tenants from University Hospitals Health Systems that would be working there at night. He said Mr. Yert is also seeking other big names to lease this beautiful building that already has over \$4 million in improvements, and ultimately, he would like to have luxurious and comfortable offices for those in the medical field, but only for clerical and administrative purposes.

Ms. Budoff asked if the glass on the lamps is clear or frosted. Mr. Covert said they appear to be clear, but they are 1.5" thick and have a milk frosting throughout them. Ms. Budoff asked if they are the same glass as they have in Chagrin Falls. Mr. Covert said yes, they are.

Mr. Covert promised to convince Mr. Yert to remove some of the lights on the corner in order to make it less glaring and more environmentally friendly.

Mr. Flaiz referred to the plans approved in 2017 and noted that they depict a landscaped ramp up to the barn door, and in his opinion, the giant concrete and stone ramp that has been constructed does not look good. Ms. Matheny said if the plans do not meet what is being constructed, that would be an issue for zoning.

Mr. Flaiz said there are two parts to this: one is the review of the sign, and the other is the development review with the lighting, and the lights have not even been turned on yet. He feels perhaps the development review portion should be tabled, and they would review the deviations from the previously reviewed plans and also have the lights turned on, so the board could actually see how the area would look.

Mr. Covert said he would turn the lights on tomorrow, June 30, and leave them on for the weekend.

Mr. Latkovic shared a photo of two of the existing lamp posts and asked if the installation of these lights would eliminate the spotlighting on the building. Mr. Covert assured the board that some of the LED fixtures currently in use would be eliminated, and he agrees that the corner should not look like Alpine Valley.

Ms. Budoff asked if the board could impose time restrictions on the lighting. Mr. Latkovic said the board could do that in their development review.

Mr. Latkovic told Mr. Covert to light the area in the way that they want it to be seen for development review. If Mr. Yert wants to leave the spotlights on and have the lamp posts on as well, that is how the area should be viewed.

Mr. Flaiz suggested tabling the development review portion for the lighting and to focus on the sign.

Mr. Covert said he wants to be conforming to the Village's regulations, and he feels that the sign he is proposing matches aesthetically with the existing sign and is certainly smaller.

Mr. Latkovic asked what the brightness of the backlighting of the proposed sign would be. Mr. Covert said the sign has five double-sided LED modules, and they are not super high output. He said 70% of the sign is metal and does not light up. He said the words Red Barn Commons would light up, and the white tenant signs would also light up. There would be no spotlights on the sign. He said everything you see that is red, other than the building graphic, would not light up, and that the building graphic itself has been cut out of a special translucent material and is lit from behind. Mr. Porter asked how many lumens would be lighting from the back. Mr. Covert said it would be 6300 lumens, internally lit in the middle of the sign and would light both sides of the sign.

Mr. Flaiz confirmed that there were no other commercial advertising signs east of Bell Road. He said driving up Bell Road, Kensington Green has a beautiful entryway, the wooden sign for the police station is subtly spot lit,

and the harmony with the surrounding properties as well as the unique area where the sign would be located must be considered.

Mr. Latkovic asked what the primary objective of the sign is. Mr. Covert said it would inform the public what businesses are located at that address. He said there would be no logos for the businesses, and all the copy would be the same font with black lettering.

Mr. Flaiz said doesn't think there should be a red glowing barn on the sign, and given its adjacency to the residential area, and with no other commercial advertising signs in the vicinity, he is not in favor of any sign that is back lit. He said although it is zoned commercial, it is a unique property that borders a residential area, and it would not look good when exiting the residential streets and driving down Bell. He said most of the signs in South Russell are not back lit, and certainly not LED back lit with a glowing logo.

Mr. Covert said there would be more of an obstruction and glare with any front lighting.

Mr. Flaiz said he is more concerned about having this look like Mayfield Road; it's going to look terrible, and people are going to complain.

Mr. Latkovic shared views of other signs in the area and discussion followed.

Ms. Budoff asked how many lumens the DRY Insurance sign has. Mr. Covert said it has about 15,000 lumens, making it about 60% brighter than the proposed sign, which is also a lot smaller than the insurance sign. Discussion followed regarding the overall size of the proposed sign and skirting, and it was determined that the sign would stand about 7' high. Mr. Latkovic said the other signs in the area are fairly straightforward, and they tend to be white. He added that having this giant red sign on the road screams "Mayfield Heights" and he does not feel this is attractive for the Village. He asked when they intended to have the sign lit. Mr. Covert said they would work under the parameters dictated by the Village. He said, if necessary, they would send out a petition to the neighbors asking them their views on the sign, and he feels they will respond in the same positive way that they do when commenting on the improvements to the exterior of the barn. He said the way Mr. Yert restored the old house and the barn has received many compliments from people in the area.

Ms. Budoff asked why the barn has to be depicted on the sign, since it is in front of the barn itself. Mr. Covert said that is the logo for Red Barn Commons. Ms. Budoff reminded him that future tenants wouldn't be allowed to have their logo on the sign. Mr. Covert said that is correct, logos will not be permitted in order to provide consistency and to not have the sign become too busy.

Mr. Flaiz said this proposed sign is inconsistent with other signage in the Village, and inconsistent with the character of the Village. He said he believes it would have a significant adverse effect on the neighboring properties.

Mr. Latkovic said the sign is meant to be a beacon, but the barn itself is a beacon, and is impossible to miss. He told Mr. Covert, if this building is simply office space and not retail, it doesn't seem like this sign is appropriate or necessary. If the building was set way back and difficult to find, it may be different, but the barn itself is already a huge presence on that corner.

Mr. Covert said he will have to discuss the views of the board with Mr. Yert and get him more involved with this, so he can gain a better understanding of the issues regarding the sign. Mr. Covert said he feels the board doesn't like the barn or the sign, and that Mr. Yert will have to decide what action he will take. He said he feels the board doesn't want him to have a sign there at all.

Mr. Flaiz said they are not saying that at all, but rather, what would be wrong with having a simple wooden sign with a couple of spotlights, to be more consistent with other signs in the Village. Mr. Covert said Mr. Yert thinks wooden signs are tacky. Mr. Flaiz said Chagrin Falls and Gates Mills don't think those are tacky, but they do think back lit LED signs are tacky, because they are. Mr. Covert said he will advise Mr. Yert to get involved with this personally, since he has been unable to get anywhere.

Ms. Matheney said since Mr. Covert is acting on behalf of Mr. Yert, he may consider asking the Planning Commission for a continuance, or perhaps have the submission tabled, so Mr. Yert can appear. She said if a vote is taken, it may be denied, and she doesn't know if Mr. Covert has the authority to revise the sign application. Mr. Covert said he has the authority to revise the sign within reason. Ms. Matheney said if the board votes today and the sign is denied, then there are different avenues of recourse, but he couldn't just simply come back to the Planning Commission.

Mr. Latkovic said board members have conveyed some perspectives regarding problematic aspects of the proposed sign, and he has not heard anything from the applicant that would address and resolve some of the issues in any constructive way. He said Mr. Covert has indicated he may have some authority to change the sign, but also that he needs to consult with Mr. Yert. He said the concerns of the board are in relation to the brightness of the sign, how the sign fits in aesthetically on Bell Road, and its purpose and use. He said he thinks that Mr. Yert should be joining the discussion.

Mr. Covert said he would like to suggest eliminating the illumination of the red barn graphic, leaving only the name, Red Barn Commons, and the tenant names illuminated. He said if the board would approve the sign with these changes, they would make it work.

Mr. Flaiz asked Ms. Matheney if they were to approve the sign, although he is against any backlit sign at all, would the development review be closed to reviewing the parking lot lighting and the lighting of the entire area. Ms. Matheney said the development review would not be closed and those other items could still be addressed.

Mr. Latkovic asked how far away the sign would be from the barn. Mr. Covert did not have that information readily available. He pointed out that he purposely made the stone skirt very small in comparison to the existing stone skirt of the insurance sign.

Mayor Koons asked Mr. Covert if he could limit the total lumens of the entire area after 10:00pm. Mr. Covert assured the board that both the insurance building and its sign and all other lighting, except for the flagpole, will be put on a timer. He also said that he will make sure some of the spotlights on the insurance building are removed permanently from the area.

Mr. Latkovic said he appreciates his efforts, but that does not impact how the Planning Commission must proceed, and he is concerned about the level of authority that Mr. Covert actually has in this instance. He shared his screen showing the street view of the sign at Cipriani Plaza, indicating that it is a fairly neutral sign that shares information and blends reasonably into the landscape, compared with the proposed sign for Red Barn Commons, which seems totally out of place with the area and other signs. He said he does not think it is an appropriate sign when the building itself already stands on its own and is quite visible. He said for the record, he would not vote to approve the plan as submitted.

Mr. Latkovic asked for other comments before moving forward with either tabling the submission at the applicant's request or moving ahead with the vote.

Mr. Covert said his objective is to get a permit for the sign with the contingency of removing the illumination of the red barn graphic on the sign.

Mayor Koons asked Ms. Matheney if the sign is denied, what the appeal process would be. Ms. Matheney said she would have to research that; it may be an appeal to Council or the Board of Zoning Appeals.

Mr. Flaiz said since the proposed changes of the sign are not before them, and they also have to have another meeting on the development review for the ramp and lighting, he would make a motion to deny the sign application. Mr. Latkovic seconded. On roll call vote, Steve Latkovic-Yes; James Flaiz-Yes; Mark Porter-Yes; William Koons-No; Elisa Budoff-Yes. Motion passed.

There being no further business, Mr. Latkovic adjourned the meeting at 3:29pm.



Steve Latkovic, Chairman

9-8-22

Date



Ruth Griswold, Board Secretary

9-8-2022

Date