

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
JANUARY 5, 2017

Case No. 17-32

A request by Americare Senior Living (owner) for approval of an amendment to the "Americare at Heritage Village - OP Development Plan". The proposed amendment seeks to allow an additional monument sign along the development's Sinclair Road frontage. The 8.21-acre property is located at the southeast corner of Sinclair Road and Southampton Drive, approximately 3,000 feet south of Nifong Boulevard.

MR. STRODTMAN: May we have a staff report, please.

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the revised O-P development plan dated November 10, 2016.

MR. STRODTMAN: Thank you, Mr. Palmer. Commissioners? Ms. Russell?

MS. RUSSELL: Is there any lighting involved in this sign?

MR. PALMER: I believe so. It's actually not on the plan. Would that be -- it would have to be externally --

MS. RUSSELL: Any direct or a backlighting or any lighting involved that's going to affect the neighbors?

MR. PALMER: Not that's on the plan. It would have to be direct light, I think. So it would block its own light from -- it would be facing the sign and it would block it from the neighbors, if that makes any sense.

MS. RUSSELL: From -- from the ground? It would be from the ground just --

MR. PALMER: Yeah. There is nothing to indicate that this is backlit or anything like that.

MS. RUSSELL: Okay.

MR. PALMER: So it would have to be from the ground. Maybe the -- the representative from Americare can shed some light on that issue.

MS. RUSSELL: Okay. Thank you.

MR. STRODTMAN: Ms. Burns?

MS. BURNS: Could we go back to the other examples of signage this company has used?

MR. PALMER: Yeah.

MS. BURNS: Okay. It looks like there's some landscaping involved also. I didn't know if that was part of it or perhaps the representative can share more information about that.

MR. PALMER: Yeah. It wasn't included on these plans, but, I mean, these are kind of a different situation where they're placed within a plan -- an existing planting bed, and I think out on the roadway there's a little -- little difference in the scenario, but I'm -- you know, they have existing landscaping there, too.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: Just real quickly. It's beyond the 25-foot setback. Where it sits, that's a common area -- where the sign --

MR. PALMER: I'm sorry?

MR. MACMANN: Where the proposed sign will actually be connected to the ground, that is commonly held ground then?

MR. PALMER: Yes. The -- generally, the -- the development is commonly held and small individual envelope lots for the -- for the individual homes.

MR. STRODTMAN: Commissioners, any additional questions for staff? I see none. This is a public hearing, so I'll go ahead and open our public hearing portion.

PUBLIC HEARING OPENED

MR. STRODTMAN: Anybody that would like to come forward and speak on this case, please do so. Please give us your name and address, and we'll limit each speaker to three minutes.

MR. COOK: Good evening. My name is Robert Cook; I'm here representing Americare Senior Living. This was a sign that came about after we finished construction. We've been open now for about nine months in this location. The facility is doing quite well. We're very pleased with it, but our staff had asked that we could approach and get this amendment approved so that we could construct another sign along Sinclair. One, obviously for advertising purposes for us, and also as they have noted traffic along Sinclair has been increasing, and they would like something along there to help provide people with direction. When they call the facility and ask for directions, that gives them another point to point out and find that facility and make it more identifiable along that area. In answering a couple of the questions I heard earlier, is the sign lighted? It is direct -- those signs, and especially the one -- if you could flip back to the pictures.

MR. PALMER: We saw that.

MR. COOK: The one with Mill Creek Village, the cottages on it. That sign does have direct lighting on it. If you go out there at night, quite honestly, it's a spotlight shining on the -- on the brick face. There is no backlighting on these signs. It's not something Americare is interested in doing. We're not trying to light up the -- the area around it. We just want to make the sign identifiable as you drive by at night.

MR. STRODTMAN: Questions, Commissioners, for this speaker? Ms. Loe?

MS. LOE: I notice that you have it located about midpoint on the property line along Sinclair, it looks like, but that's also the lowest point, it also looks like, at about 62 -- 662 elevation. Having you considered moving it at all closer to the corner?

MR. COOK: That was a consideration at one point in time, but we're trying to -- in viewing the site, what we looked at in the location was center it on that detention basin that's to the east, trying to provide people, especially ones coming from the south, see that sign where they can turn before -- know they've got to turn before they get to our street. Then also coming from the other direction, it's quite

visible long before you get there. So centering at that location. Being right on the corner just -- it was not appealing to us. Also there's some other, I believe, infrastructure and stuff right in that area that might have made that a little tight to make that sign fit in that location.

MS. LOE: I'm just thinking about the views and the neighbors. In the photograph we were shown with the sign pasted in, we can pretty clearly see the houses behind that, so, I mean, it's not a tall sign. It's not big. But when you're in a residential community, just adding signage to --

MR. COOK: But it's not any bigger than the sign, I believe, that is at that corner to provide identification of that subdivision. I don't have a good picture and, unfortunately, I didn't take one while I was out there doing -- doing these, but --

MS. LOE: So you think those signs are less than seven feet tall or not more than seven feet tall, as well?

MR. COOK: Yes.

MR. PALMER: It's actually in the photo there, if I'm --

MS. LOE: Uh-huh.

MR. STRODTMAN: You're talking about the other subdivision sign?

MS. LOE: Yeah.

MR. PALMER: I believe that's what he's referring to, yeah.

MR. STRODTMAN: In the background?

MR. PALMER: Yeah. The -- the -- yeah. It's hard to see from the big screen, but the screen in front of you, you should be able to -- you should be able to make it out there.

MR. STRODTMAN: Any additional questions for this speaker? Yes, Ms. Loe?

MS. LOE: Can you just tell us what concessions you may have -- I mean, besides considering making it the same size as the signs to that subdivision, what other concessions you may have made to make it more appealing to the residential neighborhood?

MR. COOK: I'm not sure I understand your question.

MS. LOE: Neighbors have called in with some concerns about seeing the sign from their houses or backyards. Was that a consideration when you placed or designed the sign?

MR. COOK: Well, obviously, that is one of the concerns. Also, you know, it's got to be visible along the right-of-way for it to be beneficial to us, as well. Now, from a --

MS. LOE: I understand.

MR. COOK: -- from the home --

MS. LOE: That's why I'm asking you what concessions you made for the neighbors' benefit.

MR. COOK: Well, we weren't aware that there were --

MS. LOE: Okay.

MR. COOK: -- any questions from any of the neighbors.

MS. LOE: Okay.

MR. COOK: If that becomes a large issue, quite honestly, we've got several hundred thousand dollars in landscaping out there now. I don't think adding a couple more trees to screen those couple of houses off from the sign would be an issue that we would -- we would step back from.

MS. LOE: Thank you.

MR. COOK: Thank you.

MR. STRODTMAN: Anybody -- Commissioners, additional questions for this speaker?

Mr. Cook, I thank you.

MR. COOK: Thank you.

MR. STRODTMAN: Anyone else from the audience like to come forward? I see none. We'll go ahead and close this portion of the public hearing on this case.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners, discussion, questions?

MS. RUSSELL: I'll go ahead and do a motion.

MR. STRODTMAN: We'll take a motion.

MS. RUSSELL: Okay. In regards to the Case 17-32, I move to approve the revised O-P development plan dated November 10, 2016.

MR. TOOHEY: Second.

MR. MACMANN: Second.

MR. STRODTMAN: I'll -- Mr. Toohey was maybe a little louder, so Ms. Russell has made a motion, and seconded by Mr. Toohey. Commissioners, any discussion on this motion? Questions? I see none. Ms. Secretary, whenever you're ready.

MS. BURNS: Thank you.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Ms. Russell, Mr. Toohey. Motion carries 9-0.

MS. BURNS: Motion carries 9-0.

MR. STRODTMAN: Thank you, Ms. Burns. Recommendation for approval will be forwarded to City Council for their consideration. Moving on. At this time, I would ask any Commissioners who have had any ex parte communications prior to this meeting related to Case 17-34, please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us. I see none.