

# **MINUTES OF THE PLANNING COMMISSION MEETING**

**October 22, 2018**

The regular meeting of the Mission Planning Commission was called to order by Chairman Mike Lee at 7:00 PM Monday, October 22, 2018. Members also present: Stuart Braden, Brad Davidson, Jami Casper, Robin Dukelow, Burton Taylor, Charlie Troppito, Pete Christiansen and Frank Bruce. Also in attendance: Brian Scott, Assistant City Administrator, and Martha Sumrall, City Clerk.

## **Approval of Minutes from the August 27, 2018 Meeting**

Mr. Scott: You should all have the corrected version of the minutes. Attached to the corrected version is a complete motion that was adopted by the City Council the other night. So, we had a snafu when we were preparing the packet that went to City Council. In preparing the recommendation to the City Council to read at their meeting, I picked up the wrong motion. It was brought to my attention after the fact. So, we went back to the Planning Commission this past Wednesday evening and asked them to reconsider and to adopt the correct motion, which is the single page you see in your packet, stipulation 6, which is the correct motion that you all adopted. I apologize for that. Working too fast.

Comm. Troppito: I'd like to thank staff and all who were involved in getting that corrected, and the due diligence it took.

Mr. Scott: A couple of things that we're going to do a little differently in the future. One, I'm going to actually type of the motion so we can all read it, make sure that's what we are adopting. Secondly, if you look through the minutes, you'll see a lot of "inaudible" or "crosstalk." So, I would ask all of us to be more diligent about speaking into the mic so we can be sure the recording picks up on it. If you're not sure if your microphone is on, there's actually a green light. Push the button, and that green light should come on. So, if there could be a more concerted effort to speak into the microphone, it will pick up the conversation a little better. Thank you.

**Comm. Troppito moved and Comm. Dukelow seconded** a motion to approve the minutes of the August 27, 2018, Planning Commission meeting.

The vote was taken (9-0). The **motion carried**.

## **Case # 18-10 SkillPath Executive Park Private Sign Criteria**

Chair Lee: At this time, I'm going to recuse myself and turn it over to Stuart.

Mr. Braden: We'll hear from staff.

Mr. Scott: Okay. This item is concerning an application for private sign criteria for 6900 Squibb Road, which is the SkillPath Executive Office Park. That property consists of two offices buildings. Both of them are three stories, I believe, both are about 50,000 square feet in size. Both identical in appearance. They have signs right now on the building, but they're wanting to make some changes to one sign that would not meet our current zoning regulations. So, the private sign criteria is a more appropriate path for them to take. I'm not going to steal too much of their thunder because they have a presentation they want

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to make. Provide a little more background of why they want to make the changes they do. So, I'm going to hand it over to the folks at SkillPath to make a presentation.

*Dan Bishop, CEO, SkillPath, appeared before the Planning Commission and made the following comments:*

Mr. Bishop: Good evening. I'm the CEO for SkillPath. SkillPath has been a longstanding member of the Mission business committee. We're one of the best-kept secrets in the area, and actually, in the city. So, I'd like to share with you a little bit of context of why we're asking for this special permit on the sign.

A little bit of history. We were founded here in Mission. We're actually 30 years old and we bought our two buildings at 6900 Squibb Road, which is just up the street here at the intersection of Metcalf and Shawnee Mission Parkway, right next to the Target store. Actually, one of the buildings is a three-story building and the other is a five-story building. And we have about 180 employees at this location. We also have a customer care center based in Chillicothe, MO.

Just a little bit about our business. Again, as I mentioned, we're a well-kept secret. Nobody knows some of these things about us, but we actually service pretty much every one of the Fortune 1000 companies. We provide management development and leadership development training programs for these organizations. We do work for all 15 branches of the federal government. We do a tremendous amount of work for FBI, CIA, NSA, Department of Homeland Security, Federal Reserve Bank, Center for Disease Control. We are also working for all five branches of the military. We do on-site training on at least 226 military bases around the world. And our real claim to fame, what we like to brag about, is that we actually do training work for the NFL, NBA, MLB and NHL, in their back office with their management team. We do quite a bit of work for these organizations, and we also do about 16,000 training events each year around the country, and some outside the United States, as well.

We like to be a good citizen in our local community. We do a number of civic events. We do our first responders 9/11 pancake breakfast every year. We have very good participation from both our local police, fire and first responder operations with the money we raise through that. Through gains that our employees pay, we donate back to both fire and police organizations for their personal needs. We support a number of local charities. In fact, we have several non-profits as tenants in our building. We actually occupy all of our three-story building and about 4 1/2 of our five-story building and sublease out the rest of that space.

A little bit on the future and our vision for the future, and what we're looking at. This is an architectural rendering of the space that we're actually building out on the first floor right now, that is under construction. It should be completed by the end of December, with a grand opening scheduled for early January. This would be the Center for Professional Development. It will be a professional learning facility. It will be a state-of-the-art meeting facility inside, with full audio-video capabilities, live television screen capabilities. And we're doing this because, as I mentioned, we're one of the best-kept secrets in the Kansas

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City area for the size and breadth of our organization. So, our core function and purpose for this is to bring the Kansas City business community into our organization. This is not a profit center. This is a community center. For example, our local rotary club will be able to house meetings in that location because we will not charge for utilization of the space. This is a branding function for our business, to bring business people in the community into the organization. We will also hold training functions for Kansas City business professionals. We do about 50 events around the Kansas City area right now, all in hotel meeting rooms around the city, and we'll bring those in and have those done here at our Mission location.

So, as I said, this will be a modern, totally state-of-the-art facility, and we'll train our own employees and employees of other companies in the area. And, as I mentioned, make it available to non-profits and other businesses and organizations.

This is an example of groups we're already in discussions with, who have expressed a specific interest. For example, Children's Mercy Hospital, we are in negotiations with them to execute a major training program for their back office administrative staff, and they don't want to do that within their own facility, so they'll go off-site and we will do the training for them at our location. We have a partnership with Kansas City Chamber of Commerce. We provide training for all the Kansas City chambers. Chamber members will hold some functions there. Central Exchange is a very prominent women's business organization in the city. We also have a learning and training partnership with them and we will do part of the training for that organization, as well. Total Rewards, in association for talent development, are human resource-related organizations that have most of the manager/HR professionals in the Kansas City area as members. Again, we will provide our space to them to do training and other programs in this facility.

A bit about the future. One of the things we think is an advantage to this is this will drive business professionals into the city of Mission and put us further on the map. We want to be good citizens of the community, and if any of you have ever gone down Squibb Road by our buildings, we're right next to Entercom. It's really difficult to find. And if you use Uber or Google, oftentimes it sends you off track because you have to drive through the neighborhoods. If you miss the turn, you have to go all the way around Metcalf and come back up by Target, and then, drive all the way back around. So, we're trying to create more prominence to identify and brand this, and make it easier for folks to find when they come to visit us. And we will be doing, for example, what we call a chief learning officer's forum in January. We will be bringing in major executives of companies from all over the country. The companies are all current customers of ours - FedEx, Johns Hopkins University, who we are an official strategic partner for; Lockheed Martin, Mercedes, Walgreens, Notre Dame - these are all current, active clients that we provide training services for. And we'll have their chief learning officers in attendance at the event that we run early in the year.

This is a rendition of our request for signage. We already have the SkillPath logo up here, it's been up there for many years. The street address, we're asking for special approval to have this prominence in the Center for Professional Development signage placed on

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the building. That is our ask in this particular case, relative to zoning approval. That's it. Any questions I can answer for anybody?

Comm. Dukelow: I've got some questions regarding monument signs. Do you have any additional information that you can provide us on those? The proposed new signs would go in the same location as the existing signs, one at each drive?

Mr. Bishop: That is correct. We want to update the two existing signs, which are quite dated, and add one additional SkillPath branded sign right at our main entrance to help direct traffic into the parking area, where they will park when they come.

Comm. Dukelow: What is the size of the existing monument signs?

Unidentified: Ten feet by five feet tall, so 50 square feet.

Comm. Dukelow: Is that the size of the existing sign or the proposed maximum area?

Mr. Bishop: We don't anticipate changing the size of the signs. We just want to update the look and feel. They are pretty dated.

Unidentified: The existing signs are 50 square feet. What is proposed is 50 square feet. Same size.

Comm. Dukelow: Thank you. I have one more questions, just a clarification. When we look at the previous image from the applicant's presentation, we saw the building, the three-story building, and it has the SkillPath, and then there is the added verbiage. Is the building number currently on the building?

Mr. Bishop: Yes, it is.

Comm. Dukelow: Okay.

Unidentified: No, it's not on the building currently.

Comm. Dukelow: It's not currently on the building? It might just be on the other side.

Unidentified: Clover, I believe is right here, but it is not right there. Should be part of the proposed criteria.

Comm. Dukelow: So, to get to my real question. With the addition of the Center for Professional Development language, we would be, I understand, about 6.5 percent?

Mr. Bishop: Correct.

Comm. Dukelow: On the building?

Mr. Bishop: Right.

Comm. Dukelow: Okay. And then, the other building, which would be the five-story building, is, of course, because it's a larger building, a larger face, we could put the same signage on that building and be well under the amount. So, I guess what I'm trying to verify is that, if we were to do an office park -- this is what I'm thinking -- if it were a planned office district and we were to say yes, we're doing private sign criteria, 10 percent on this

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building, the three-story building, would be quite a different impact than 10 percent on the five-story building. Because the buildings are not the same.

Mr. Bishop: Right.

Comm. Dukelow: Is the point that I'm trying to make. Are there other tenants in the building? I believe you said there were additional tenants.

Mr. Bishop: In the three-story 6900 building, our employees occupy that building, and that's the building that will have the new Center for Professional Development in it. In the five-story building, we occupy the full first floor and about one-third of the fourth floor. The rest is subleased space. In fact, where you see the Bovard sign there, when that tenant finishes their current lease, we will be removing that signage.

Comm. Braden: Do you foresee...? So, you're taking the Bovard sign down because the tenant's lease will not be renewed. Are you planning on taking up the remainder of the building? Or, if you have another tenant, will you put another sign up?

Mr. Bishop: No, we will not put any other signage beyond SkillPath on that building. We find it to be misleading and confusing. I've been the CEO there for about 18 months, so this is something that predates me. Frankly, I'm not happy about it, so we're going to fix it. We will not negotiate any contracts for that building that include signage.

Comm. Troppito: A question about the lighting. I didn't see anything in this report about the lighting. Will illumination of the sign change, and by how much?

Mr. Bishop: No, sir, it will not. We have LED up lighting on the outside of our building. That will be plenty to illuminate the signage.

Comm. Davidson: The 6900 building that we're talking about, that building is the one on the south, correct?

Mr. Bishop: Yes.

Comm. Davidson: And we're talking about...

Mr. Bishop: It faces out on Shawnee Mission Parkway.

Comm. Davidson: ...the south-facing façade for this purpose.

Mr. Bishop: Correct.

Comm. Braden: Any other questions? Thank you. Any questions of staff?

Comm. Dukelow: I have a question for staff. Based on your experience, do you have a sense of how many, how many private sign criteria increase the percentage of the signage allowed on a building? Is it a typical request?

Mr. Scott: Yes and no. The example that comes to mind is Hy-Vee. If you look at the building plus the convenience store/gas station, there's more signage overall privately committed on that building, that area. So, that fell within the private sign criteria. I'm trying to think of other examples around town. Definitely the best example of more than what we approve otherwise.

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Comm. Braden: Are there questions? Do we have a motion?

Comm. Troppito: I move that the Planning Commission approve the staff recommendation for the SkillPath Executive Park private sign criteria, as listed in the staff report.

Comm. Bruce: Second.

Comm. Dukelow: Mr. Chairman, I'd like to make an amendment to the motion.

Comm. Braden: We've had a motion and a second. Now we're entertaining an amendment to the motion.

Comm. Dukelow: So, my proposed amendment would be to simply clarify and correct the private sign criteria as written, to indicate that one building is five stories and one building is three stories, and they couldn't have the same number of square feet. So, I'd like to see that section corrected.

Comm. Bruce: Would you like me to withdraw my second?

Comm. Braden: We need a second on the amendment.

Comm. Troppito: I'll second the amendment.

Comm. Braden: So, we will be voting on the amendment itself right now. Call roll.

The vote was taken (8-0). The **motion carried**.

Comm. Braden: The amendment passed, and now we'll now vote on the original motion with the amendment attached. Call the roll, please.

The vote was taken (8-0). The **motion carried**.

Comm. Braden: I'll turn it back over.

*[Chairman Mike Lee returned to the meeting.]*

**Discussion Regarding Proposed Amendment to the City of Mission's**  
**Sign Code to all for Electronic Message Boards**

Mr. Scott: Thank you, Mr. Chair. This item is a request from Trinity Lutheran Church, located at 5601 West 62nd Street, here in the city of Mission. The church has had an electronic message board on their property for many, many years, I think as long as pretty much anybody can remember. The message board is actually two boards put together to form a long single board, each one approximately three feet tall by 10 feet long, so a total of three feet tall by 20 feet long. The message board is mounted on a landscaped wall located at the southeast corner of their property, generally facing the intersection of Shawnee Mission Parkway and Nall Avenue.

The message board has not been functional for several months now. The church inquired about getting the message board fixed, and they were told by the sign company that it's essentially an obsolete sign, and that the technology to make it work is beyond its time. So, the best answer would be to replace it. Electronic message boards are not allowed

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under our zoning ordinance, and to replace it would go beyond their means. So, they are at a crossroads now. They can't just replace the sign.

So, we talked about it, we talked about what they would like to have. There was a rendering done by Luminous, a sign company, that is in your packet. That shows samples of the type of electronic board they would like to have. I did some research on other cities in Johnson County, which I have included in your packet, as well as a survey. It's sort of a mix. Most don't allow electronic message centers, but there are a few. We looked at exceptions. The City of Lawrence actually has a pretty sophisticated ordinance and criteria that provides for electronic message boards, with limitations of how big, the brightness of the boards, etc. I've included that in your packet, as well.

We have all seen these types of boards. They are very sophisticated in design and animation - fireworks, dancing angels across the sign. The message can materialize and dissipate, or flash up, flash down, and scroll across, back and forth. Those are the kinds of things we need to think about if this is something we want to entertain, and what kind of stipulations we want put on that. If it is something that the Planning Commission is interested in moving forward with, we would have to do an amendment to our zoning ordinance, which requires a public hearing, and legal notice of that. We could probably do that at our meeting in November. I did not draft any proposed language. I'll let you all discuss it, and then, we'll have our attorney, Pete Heaven, draft some language for us to consider in an amendment.

There are some folks here from the church tonight. I don't know if they want to say anything? Larry?

*Larry Conrad, Administrator, Trinity Lutheran Church, appeared before the Planning Commission and made the following comments:*

Mr. Conrad: First, I want to thank you for considering this. I realize that technology changes, and we want to be very good partners with the City. We have for some time. We just found ourselves in a position that says to do what we'd like to do, what we've been doing forever, it seems, apparently just doesn't fit the rules. So, we're trying to figure out how we can work with you guys.

One thing I would like to leave with you is, a comment was made that these boards can do many different things. Yes, they can, but we as the church would like to abide by what you as the City want to see. If you don't want to see flashing lights - trust me, we wouldn't put dancing angels out there anyway. We would certainly like to conform with what you guys want. It seems like the world today is going to color, and if we could use color as a color background, it simply shows, I think, a cleaner message, something that is a little easier to read.

Lastly, if this is approved, I would like to be sure that we extend to the City the option that, if the City has public service announcements, we would be more than happy to run public service announcements on that screen. It would certainly catch a lot of passersby on Shawnee Mission Parkway. So, unless you have questions, I thank you very much for considering this.

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Comm. Braden: I have a question. On the new sign, do you have to do anything with the existing infrastructure, other than the sign itself?

Mr. Conrad: No.

Comm. Braden: So, the sign would be no bigger, it would essentially look the same...

Mr. Conrad: Correct. The physical electronics would fit into the very same casing. There would be no change whatsoever to the hard structure that exists.

Comm. Dukelow: It doesn't seem like very long when we said no electronic signs. What's the date on that?

Mr. Scott: In 2017, the City Council adopted the new sign ordinance recommended by you all.

Comm. Dukelow: And was there one prior to that where you eliminated electronic signs?

Mr. Scott: Yes. It's been prohibited for a long time.

Chair Lee: I remember a conversation with Reverend Lee Hovel prior to that. He was arguing the same argument 26 years ago. At the time when it needed to be replaced at that time. I think the decision was made that it was not (inaudible) changed out, but they did allow maintenance on it, so they were able to work it through. That's not really the right terminology, but it's gotten by for 20-some years. It just went out this last year. I mean, this is not the first time this has come up.

Mr. Scott: The church is actually located in Countryside.

Chair Lee: Well, it wasn't...Yeah, in that area. It was part of Countryside at the time.

Mr. Scott: I don't know if Countryside had any regulations on that or not.

Chair Lee: Yes, but that was done prior to (inaudible). Countryside also adopted (inaudible) but they weren't allowed. It grandfathered in at the time.

Comm. Bruce: Staff, in essence, the sign is not going to change, the overall appearance that's there now, or...It may not be functioning at the moment, but it has been functioning for a long period of time. And cosmetically, you won't see any change to the sign. Is that my understanding?

Mr. Scott: That's what they are proposing, yes.

Chair Lee: I would argue that because you're going to see a dramatic change when the sign is on. The sign is off now. When it's on, it will look night and day different. Lots of color, etc.

Mr. Scott: Yeah. Right now, it was black, brown, kind of amber color, a kind of pixelated look, old-school pixelated look. If they erect a new sign, it will be much brighter, the letters will be much crisper. We've talked about background. I would prefer not to see a white background because that can be very bright, even when you dial it down. They gave some examples of more subtle colors -- blue, green, maroon. It's really up to you. I mean, if you want to make it very strict, to just wording, numbers, letters, unobtrusive



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backgrounds, no scrolling, no animation, controlling the illumination, the hours. All things to consider.

Comm. Troppito: You know, this new technology -- and I don't know the answer, which is why I'm asking -- what would prohibit it from being displayed the way it always has been?

Chair Lee: Well, I think what they said is really true. I mean, the existing technology that's there, no one makes anymore.

Comm. Troppito: I mean visually.

Chair Lee: Well, visually, that's what the difference is. When you turn that new sign on, it will look nothing like the old sign did.

Comm. Troppito: It can't be dimmed down?

Chair Lee: Yeah, it can be dimmed down, but it's still the intensity of the colors, the brightness will be substantially greater than it is today, or was, even at its prime. These signs over a period of time will get dimmer.

Unidentified: The old technology.

Chair Lee: Well, even the new. Eventually, it will go down. But that will be years.

Comm. Braden: Mr. Chairman, a question for the applicant. If the old technology was available and you could replace it in kind, would you do that? In other words, we're not upgrading the sign because we have no function, we're just upgrading the sign because that technology, or that manufacturer, is no longer in business.

Mr. Conrad: That's correct.

Comm. Casper: I have a question. On the new sign, how is the brightness measured? Foot candles?

[No audible response.]

Comm. Braden: And wasn't there some regulations in other cities about what the levels would be?

Mr. Scott: Correct.

Chair Lee: And you brought up several cities within the general Johnson County area, although there are others. And they mostly are not, although Roeland Park does. Prairie Village does not. Leawood does not. Overland Park does not. A vast majority. Olathe does within certain extremes.

Mr. Scott: Correct.

Comm. Bruce: I agree with Comm. Troppito. In today's environment, I cannot believe technology is not available to recreate a new product that would be within the light rating - or whatever - of the existing sign. We as a City have our own omnipotent little flashing sign that we put on Johnson Drive in the middle of traffic that flashes at drivers. Surely that is more pronounced and distracting than what we have up here on the corner.

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Chair Lee: In my opinion would be, no, it's only because of size, and again, colors and intensity of the light. I don't believe, unless I'm misunderstanding what you're discussing and wanting, you're not wanting something similar to what you have now. Again, given the option the you are able to do exactly what you have now, same type of colors, same functions, same capabilities, versus the new with all the colors, all the bells and whistles, which will be built into it, even though you sit here tonight and say that that's not something you're interested in, there is nothing that prevents you from flipping the switch and having that happen. In six months, if you have a promotion, or a certain holiday that you want to do something different, you want to create that different image, there is nothing that prevents you from sitting at your computer and making those changes.

Mr. Conrad: While there would be nothing to prevent me from being able to turn that switch on, I would hope that we, if the City has a limit as to what I can and cannot do, I would like to believe that we would have the integrity to follow those rules.

Chair Lee: Well, I'm sure it would be done with intent of trying to...

Mr. Conrad: I would not simply because I can flip a switch and cause dancing angels to be on screen, or the flashing lights, and such. I will be clear and say, yes, the new technology that is available will make the sign display look cleaner and crisper. Can we dummy down to what the old technology is? We can. I believe that technology, just as with our smart phones, has progressed, and people are more used to having crisp, clear communications, whether that is on your phone, or on a sign. We're just thinking that if that technology is available, we'd like that option. It certainly is within your right to say, you know, that you would approve something with these restrictions. And then, of course, we would have to go back to the drawing board with our sign manufacturer and say, "Okay, how do we do that." So, it truly is up to the desires, I think, of what the city Planning Commission here needs, or wants to show on the corner.

Comm. Bruce: I cannot speak for Comm. Troppito, but my thinking was more of the illumination, and basically the taste of the sign in way of colors, flashing, or whatever, has been the motif.

Mr. Conrad: Well, the actual technology side of the sign, I believe that Clinton would be able to speak to more specifically. He's with Luminous. I believe, if I'm correct in saying, the sign intensity can certainly be managed to whatever level is chosen, be that daytime intensity or nighttime intensity. And it can be automatically changed as a result of dusk, and dawn.

Comm. Braden: The bottom sign looks somewhat similar to what you had. A little clearer, obviously, but it's still kind of a black/amber (inaudible).

Mr. Conrad: I would agree with you.

Chair Lee: What you are proposing is full color, correct?

Mr. Conrad: We're asking, since the technology allows us to be able to do color...

Chair Lee: It will not look anything like that when you put it in color.

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Mr. Conrad: Well, if you put color into it, no, it would not look exactly like the bottom. However, if that is the restriction that policies would allow, we can make it look like the bottom one. But, I assure you it will probably look a little better than what the old technology is, but again, at the same time, we as the church are going to go back to say, well, I'm not going to spend money on technology that I can't use. And if I don't spend money on technology I don't use, then the sign is not going to be as crisp and clean and clear as these samples that we're providing. I don't know exactly what that would look like, but we certainly wouldn't pay for the technology if we're unable to use it. I would hope, though, that description is put in place, that then we wouldn't have other exceptions or variances out there that allow someone else to go out and do something that would also include colored backgrounds, and then, we're sitting here without the ability to do a colored background. That's kind of where we're at. Other questions?

Comm. Taylor: For me, that's actually the concern, is that if we allow this sign, we'll have other businesses.... Like, SkillPath might come back and say they want a digital sign on top of the building. And they'll be able to point back to our decision and say that we set a precedent with that.

Mr. Conrad: I certainly understand that. As I said, we certainly will abide by the choices and decisions you all make.

Comm. Taylor: I appreciate you underscoring that, as well.

Comm. Davidson: Mr. Chair, I have a question for Brian. Brian, are there any electronic signs in the city of Mission that are under the grandfathered stipulation, right now?

Mr. Scott: Just time and temperature signs. Security Bank has a couple time and temperature signs, one at their location on Martway, one on the east way of Martway and one in the center of Martway.

Chair Lee: Even most cities that don't allow electronic message signs allow time and temperature.

Mr. Scott: They do have an exception, correct.

Comm. Christiansen: Just so I'm clear, we adopted a code last year that said no more electronic signs, but there had been something previous, in the last 20 years before that, as well?

Mr. Scott: Yes.

Comm. Christiansen: And I understand that Roeland Park allows for them, but a lot of our other neighboring cities do not allow them. And my concern is that we do have a couple major corridors that are very close to residential areas, and if we hadn't allowed them in the last 20 years and even re-adopted that - or if I'm saying this correctly, last year, which I'm sure had public opinion in it...I find it hard to have a reason to have an exception, to just allow more when we've already set that precedent.

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Comm. Taylor: Just to go further on that point. I wasn't on the Planning Commission at the time, but a year ago when we set this in place, we knew the sign existed. And we accepted that there was one out there, and everyone was comfortable with that.

Chair Lee: That was grandfathered in.

Comm. Taylor: Right.

Chair Lee: And when Mission merged and took over Countryside, that took (inaudible).

Mr. Scott: That sign was grandfathered in. If they want to maintain it, they can do that, being grandfathered in, but this is beyond maintenance. It doesn't meet the definition of maintenance.

Comm. Braden: I just have a comment. I never liked the sign, and I'm not a big fan of the sign, and I don't want to continue it if...If they were doing something totally different with the infrastructure itself, I guess I would, in this case, call it something similar to a grandfathering of existing pole signs. And if the sign was lit with incandescent lighting, eventually incandescent lighting, you can't get it anymore. So, they can't buy incandescent lighting. So, at that point, that sign has to come down because that technology is no longer available. As much as I don't like the sign, to me, if they can produce something that we can regulate and say how bright it is during the day, how bright during the night, they only do font, they don't do flashing; maybe we regulate that. I don't see that as much different than having to go from incandescent to LED at that point.

Chair Lee: Under our maintenance (inaudible), is there a percentage?

Mr. Scott: That's a good point. Maintenance cannot be any greater than 40 percent of the value of the overall sign.

Chair Lee: So, if they were to come into your office and say, "Okay, we want to rehab 37 percent of our sign." And they do that, and six months later, rehab another 37 percent, can they do that?

Unidentified: Or they got a really sweet deal on their sign?

Mr. Scott: To do one side, and then the other...

Chair Lee: If you're going to end up with the same look you have today, and you can limit it to certain percentages, it really would be maintenance and not something new. If you come in with something totally different-looking, bright colors, etc., that's a different thing.

Comm. Troppito: That was the essence of my question to begin with. In effect, dumbing down the technology to replicate what is there now.

Mr. Scott: We could probably call it "maintenance" if they stuck with what they have now. It's a little squishy, but we could probably do that.

Comm. Braden: Just one more comment. I think the last thing we should do, if we would happen to allow something to be changed, is put City signs up there. When we're already trying to not have that, to eliminate having those types of signs in the city anyway.

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Comm. Christiansen: If we make a decision on this, it still has to go before the City, and City Council, as well.

Mr. Scott: If you all move forward with something, we would actually have to amend the zoning ordinance. So, I would have to post a public hearing, and there would be a public hearing at a future Planning Commission meeting, where you would consider that official amendment.

Comm. Christiansen: And if we shoot this down, it's done.

Comm. Taylor: But if they were to decide that this is maintenance, they could just operate on their own?

Mr. Scott: If they agree to stick with what is the bottom square there, which is probably the closest to the original sign, I can kind of squish around and say that's maintenance. But that's it. There's no changing of colors, no...You bring up a good point. They may agree to that, but what happens when someone retires in the future, a new person comes on, "Oh, I got this sign, we can do all this." Next thing you know, you've got dancing angels.

[crosstalk]

Mr. Scott: We have to regulate it, yeah.

Chair Lee: Well, as it is under maintenance, they could come in -- correct? -- and just actually fill out an application to do a face change, or whatever the terminology is. And that could be when you put your comments on that?

Mr. Scott: Yes.

Chair Lee: It wouldn't have to be done by the Planning Commission.

Mr. Scott: It would have a list of stipulations that I would...yeah. A document to sign off on. That would go with the permit.

Chair Lee: We, in essence, wouldn't be taking action on it.

Mr. Scott: Right.

Comm. Troppito: Let me try this. I make a motion to table this discussion to allow the applicant to reapply to the City, and report back to us after they apply as to the decision, as to whether the maintenance criteria is met, or not.

Mr. Scott: The maintenance criteria would be essentially replacing the sign so it's as-is, of what was there before.

Comm. Troppito: Yes.

Comm. Christiansen: Can I make a comment? So, they could withdraw this right now, correct? I mean, we wouldn't have to vote on it, and it would come back later? Or we're going to table it? So, if the owner chooses to, you could withdraw it, correct? And they could come back. Or, do their maintenance, and we (inaudible) before us. Or, we could

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table it to another session where you'd have to come back in front of us. And we would take a vote on it then.

Chair Lee: Or it would just die for lack of a motion.

Mr. Scott: Dies tonight for lack of a second, yeah. I don't want to put words in your mouth, Comm. Troppito, but I think what you're saying is, let's table it, let me discuss it with the applicant. If they are accepting of calling this maintenance and presenting that sign at the bottom with the black background and amber color like it was before, we can just call it maintenance. They can replace the sign with that stipulation, and I would report back to you at a future meeting those results.

Comm. Troppito: That was the intent, yes. I'll agree with that interpretation.

Comm. Davidson: One quick comment. Basically, this sign is grandfathered in, so, to the average person who would pass the property, they wouldn't know if the sign has changed that they've seen for 20-some-odd years, or not. And the dancing angels and starbursts, that would draw attention, which could be negative attention. The end result, if the applicant agrees to dumbing down the technology, is to keep it so that no one knows that it is brand new LED technology, but it's just the electronic sign that's been there all these years. I think that's what we're looking at as the end result.

Comm. Dukelow: I'll second Comm. Troppito's motion to table the discussion.

The vote was taken (9-0). The motion carried.

### Old Business

Mr. Scott: I have something that kind of ties in with tonight's topic. We did talk this summer about historical markers and signs. I thought if we were going to make an amendment to our zoning ordinance, this would be a good time to do that. Would you still like to proceed with that? Or table it?

Chair Lee: I think Charlie's the one driving this, so I will leave it up to him.

Comm. Troppito: Well, did you see the email I sent you about...? I'd like to see us move forward, but the dispatch with which we move forward really isn't that much of a concern. Whether or not it's part of the sign ordinance, or whether or not it's a separate ordinance, I don't really care. One of the things I mentioned was that first staff would need to look at what other cities have done, how they define markers. Make distinctions between markers that are Mission-historic versus, say, state or federal markers, so if there (inaudible) whether the city could get an effective (inaudible)...Mission theater, for example, comes to mind. Maybe other things.

The other one was to, while going through the sign inventory database, I noticed there are no markers in there, and I believe when we discussed this in May - I may be wrong, but some other commissioners said they knew of other markers around the city. So, I thought one of the first things we ought to do is try to make an inventory of these markers and how many there are. Try to come up with a definition of what a marker is. Once that is done, go from there and see what needs to be done. So, it's a multi-step process.

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Again, whether it's approached on a basis of being part of the, to re-do the whole sign ordinance or not, doesn't really matter to me.

Chair Lee: Maybe we should do a subcommittee that would look at the inventory and definition. If Charlie would step forward and...

Comm. Troppito: Well, it would need some staff support, too. And maybe code enforcement. To try and locate some of these. Also, planning commissioners, if you know of any, send me an email and copy Brian on it. I'd appreciate it.

Comm. Dukelow: So, the first step would be an inventory?

Comm. Troppito: Yes. Because I think we need to do that first, take a look at what people think are historical markers, and then, come up with a definition that actually fits them all.

Comm. Dukelow: Okay.

Mr. Scott: Thank you.

**Planning Commission Comments/ CIP Committee Update - None**

**Staff Updates - None**

**ADJOURNMENT**

With no other agenda items, **Comm. Dukelow moved and Comm. Troppito seconded a motion to adjourn.** (Vote was unanimous). The **motion carried.** The meeting adjourned at 8:00 P.M.

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Mike Lee, Chair

**ATTEST:**

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Martha Sumrall, City Clerk