

MEMBERS PRESENT: Mayor Richard H. Albier, Chairman
Katie Gallagher, Council Representative
Ray Porterfield
Joe Polidori
Jim Oper

ALSO PRESENT: Edward F. Fitzgerald, Building Commissioner
Barbara Stanton, Secretary

Chairman Albier called the Brooklyn Planning Commission meeting to order. Clerk, call the roll: Mayor Albier, "here", Katie Gallagher, "here", Ray Porterfield, "here", Joe Polidori, "here", Jim Oper, "here".

A motion to approve the minutes from November 19, 2012 was made by Mayor Albier, second by Joe Polidori. **Vote Resulted:** Yes – Mayor Albier, Ray Porterfield, Joe Polidori, Jim Oper. Abstain: Katie Gallagher.

A motion to approve the minutes from December 6, 2012 was made by Katie Gallagher, second by Joe Polidori. **Vote Resulted:** Yes – Mayor Albier, Katie Gallagher, Ray Porterfield, Joe Polidori. Abstain: Jim Oper.

Chairman Albier: A request from Patrick Fernandez for Similar Conditional Use approval to occupy an existing vacant store front located at 6700 Biddulph Road P.P. #432-28-009. Building Commissioner Fitzgerald: The applicant, Mr. Fernandez is requesting a similar conditional use to schedule 1121.02 (a) (4) commercial entertainment and recreational, theaters, indoor movie theaters, bowling alley, skating rinks, dance halls, and club rooms. This is in an RB zoned district and building department has no objection to this request. Mayor Albier: How many locations do you have? Mr. Fernandez: Currently we have ten locations open two franchisees and eight corporate owned stores. Mayor Albier: Where was your first location? Mr. Fernandez: Two opened at the same time in Victory Texas and Brownsville Texas. Attorney Charles Nemer: There are two types of facilities; the express model which we are proposing this evening and the full amenity gym. The express gym does not have all the full amenities such as basketball courts, swimming or racket ball. Mayor Albier: What would be the capacity of the gym? Mr. Nemer: The express gym would be about 300 as an occupancy load. We would see about 500 people per day on average going through the gym. It is open from 5:00 A.M. to 11:00 P.M. Jim Oper: Is this like a Planet Fitness gym? Mr. Nemer: Correct. We submitted images of the gym. The Commission reviewed the documents. Joe Polidori: The documents are of the inside of the facility. What will the outside look like? Mr. Nemer: In this case we are not changing the outside. That is being negotiated with the landlord as to the signage. I do not anticipate any major changes to the outside of the facility. Everything would go through compliance and code. Jim Oper: How many employees to do foresee? Mr. Nemer: These are self taught environments and we typically have 7 to 10 employees. There are usually two on duty at any given time. Commissioner Fitzgerald: Do you know during your survey; approximately how many people per hour go through your doors? Mr. Nemer: I do not have that information with me but peak times are 8:00 A.M. and 5:00 P.M. A motion was made by Jim Oper, second by Ray Porterfield to approve a request from Patrick Fernandez for Similar Conditional use approval to occupy an existing vacant store front located at 6700 Biddulph Road. **Vote Resulted:** Yes – Mayor Albier, Katie Gallagher, Ray Porterfield, Joe Polidori, Jim Oper.

The second item on the agenda is a request from Vertex Signs to install a freestanding sign on the lot with frontage width less than 100 feet 1129.03 (e) (1) located at 10750 Brookpark Road

P.P. #433-17-011. I will be abstaining from this request. My son in law is representing the client. Keith Hamulak representing the owners of the property: I was engaged by the owners approximately two years ago to try and sell or lease the property. Since that time I have significant challenges with the property and also reduced the price on multiple occasions. Pizza Hut left without notice, took the sign and the pole is still on the property. We recently negotiated terms with Drummond Financial for a long term lease at the property with capital improvements to the interior and exterior. In doing so they are requesting a contingency in the lease for signage and that is the request for this evening. If they do not get the variance they will re evaluate the plans for the building and it may go back on the market. Kevin Booker representing Vertex Signs: Pictures from google were presented to the commission. There is an existing pole. You have a cut sheet from the Pizza Hut signage. This building is an anomaly; the building has a low pitch roof which cannot hold any type of signage. There is nowhere on the building to place a sign. Signage is critical to any business. What we have asked for is to have permission to go back on the existing structure with smaller signage and have the free standing sign. The lot doesn't have the frontage allowed for the sign. We will need the variance since the sign was removed. If the sign was still there we would have been able to reface the existing sign without a variance. We are hoping to reduce the square footage and put up the sign. Mayor Balbier: Mr. Fitzgerald, the Pizza Hut sign was larger than what is being requested. Commissioner Fitzgerald: Originally I told you 135 square feet, but the cut sheet showed it was 144.22 square feet. The sign that they are proposing is 112 square feet with two cabinets since there is no building signage. Mayor Balbier: You are using the existing pole? Mr. Booker: Yes. Katie Gallagher: How long is the lease for? Mr. Hamulak: 5 years with a 5 year option. Katie Gallagher: Mr. Fitzgerald, in addition to less than 100 feet, also I was looking through the ordinance 1129.3 (d) requires not over 16 feet so it would be an exception to that rule also? Commissioner Fitzgerald: Correct. This item is going to the Zoning Board for a variance and the Commission may approve the sign contingent upon Zonings approval granting the variances. Joe Polidori: The existing pole is 110 miles per hour wind speed. Does that also include the signage that goes onto the pole? Mr. Booker: This is a standard cut sheet that it is rated at. Keep in mind we would be reducing the square footage by 30 square feet and also we could lower the sign slightly. There was further discussion regarding wind speed and damage to signage. Ray Porterfield: Is the height of the sign comparable to the McDonald's sign? Mr. Booker: I'm not sure the height of the sign. I would like to be consistent with the signs in the area. I would like to keep the signs to the proper scale of the other businesses. There was further discussion regarding the height of the sign and the signs in the area. A motion was made by Jim Oper, second by Ray Porterfield to approve a request from Vertex Sign to install a freestanding sign on the lot with frontage width less than 100 feet located at 10750 Brookpark Road contingent on the Board of Zoning granting the variances and the height of the sign is required to be the same or lower than the McDonalds signage. **Vote Resulted:** Yes – Ray Porterfield, Joe Polidori, Jim Oper. Abstain: - Mayor Balbier. No: - Katie Gallagher.

General Business: Mayor Balbier: I have one other item. I would like to appoint Jim Oper to the 2013 CRA Committee. A nomination was made by Mayor Balbier, second by Joe Polidori. **Vote Resulted:** Yes – Mayor Balbier, Katie Gallagher, Ray Porterfield, Joe Polidori.

A motion was made by Joe Polidori, second by Ray Porterfield to adjourn. **Vote Resulted:** Yes - Mayor Balbier, Katie Gallagher, Ray Porterfield, Joe Polidori, Jim Oper.

Meeting adjourned.



Barbara Stanton
Secretary



Mayor Richard Balbier
Chairman