

**MINUTES OF THE PUBLIC HEARING  
OF LOVELAND CITY COUNCIL  
Tuesday, October 28, 2008**

Mayor Weisgerber called the public hearing to order at 8:32 p.m.

Members Present: Vice Mayor Bednar, Mr. Elliott, Mr. Fitzgerald, Mr. Osborne, Mr. Schickel, Mayor Weisgerber, Mr. Zuch

Also Present: Mr. Carroll, City Manager; Mr. Wright, Assistant City Manager; Mr. Klaine, Solicitor; Mrs. Cox, Clerk of Council; Mr. Taphorn, Finance Director; Mrs. Stephany, Assistant to the City Manager; Police Chief Sabransky, Pastor Hounshell, Police Chaplain; Mr. Rees, Safety Director; Police Specialist Shockey

The Mayor announced this hearing is being held to specifically receive comments on the proposed text change to the Loveland Zoning Code, Section 1107.01 and Section 1173.02, to permit and regulate electronic message display signs.

**OPEN FORUM**

Ms. Paulette Leeper, 1800 Pheasant Hills Drive, stated as Executive Director of the Loveland Area Chamber of Commerce, she notified Chamber members of this hearing and she'd like to make Council aware of the responses she received: a franchise owner felt that as they move into the 21<sup>st</sup> century, there should be no issues with the proliferation of these signs; a Loveland pastor commented that the Code and regulations seemed a bit overly restrictive; a director of a non-profit organization felt less, not more, signage is needed. Ms. Leeper stated her experience over the last six years at the Chamber and while participating in their annual business walk in Loveland, of the concerns she hears from the business community, signage is primary so it is of great concern to the Chamber and its constituency. She understands and respects the work of City staff and the Planning and Zoning Commission (P&Z) and has the utmost respect for work that went into the proposed text amendment and regulations. She also understands it is easier to loosen tight restrictions than it is to tighten loose restrictions; however, she feels sometimes Loveland can suffer from a small image problem with respect to business friendliness. Ms. Leeper urged Council to compel P&Z to revisit this at a time certain and to look at what kind of information and requests have been received over a period of time, while reviewing what can be changed, if anything. Rather than being reactive, she suggested being proactive, though she's not recommending any particular time.

Pastor Bill Hounshell, 1401 Loveland Madeira Road, stated he's a resident of Loveland, Pastor of New Hope Baptist Church, President of the Loveland Ministerial Association, and Chaplain of the City Police Department. Over his 14 years in the City he loves, he's committed his ministry to be a part of the community and do everything they possibly can. New Hope has been in two locations in the City and has the joy of dealing with sign ordinances while being in both buildings. Their church is very proud of their Loveland Madeira Road sign and is pleased with the City's help in getting what they felt was an appropriate promotion for their building at a location called the gateway to the City. They also know it's important to promote the product their church shares, such as events that are a major part of the City and he's proud of their church's participation. One thing he feels needs to be looked at is signage to promote those events and the things which are done inside their building, such as the just completed canine competition that initiated many calls questioning why there were about 30 police cars in their parking lot yesterday. They are proud their building has been referred to as the Loveland Convention Center, but they'd like a way to promote those things that are going on in their building and in the community and electronic messaging would allow that promotion. Pastor Hounshell noted he had contacted Mr. Stoker, the City's Building and Zoning Administrator, four years ago when he had verbally agreed to purchase a digitized sign to be told that he could not install that sign so he's glad to see this under consideration. He would hate to see this ordinance remain tabled, though he realizes there needs to be conditional usage and control, but there are things that can be done to allow sharing what they feel is very important, the things that makes our City the great City it is.

Mr. Terry Schildmeyer, 10902 Shadow Glen Drive, explained his adventure started in May when Mr. Kaden, representing St. Columban Church, approached him because of his involvement in the community and having dealt with the sign ordinance in running a business and dealing with the restrictions the City presented. After appearing before the P&Z several times, he feels they've done the best they can do, but with their parish embarking on their 150<sup>th</sup> anniversary, they want a sign for the purpose of communication for their parishioners and the community that occasionally visits their church. With their youth football and basketball involvement, they often have people coming from all over the Cincinnati area to utilize their facilities and they often need information. They also have visitors for weddings and for their annual festival. Recently there were multiple signs on the church's property and they had to physically remove those signs for a parishioner's funeral. Mr. Schildmeyer asked Council to do the right thing to benefit not just St. Columban, but to improve Pastor Bill's gateway, whose congregation has a stake in the community, as does St. Columban on the other side of town. He noted the sign would be a communication device, it would help clean up their property, and serve as a message board for the community. Being in the 21<sup>st</sup> century and being involved in the business community, he hears comments brought forward by Ms. Leeper. He also has businesses in other communities and those communities are definitely less restrictive and make it easier when it comes to this. He noted the City is losing more businesses than they're gaining and they need to carefully look at this matter and asked that the ordinance be taken off the table.

Mr. Bill Kaden, 320 Redbud Court, stated he's speaking as a St. Columban parishioner and as a member of their football program who has had problems getting other teams to their facility. Referencing a Council conversation on establishing businesses in the City, he noted business is one leg of the community, schools and churches are another leg and if they can technologically move them forward, they cannot afford to hold them back. These groups cannot put up their signs and communicate without Council's help and is why he came forward to speak tonight.

Mr. Al Kressler, 1948 Timberidge Drive, stated he's a member of P&Z, though he's not speaking for them, but as one of them and he'd like to speak to issues they've discussed. In the several years he's been on P&Z, there have only been two churches, and no businesses, that have requested electronic signs. P&Z would like to be proactive, but what they've faced over the years are signs that are grandfathered so they've purposefully been somewhat conservative on what's allowed, though they may come back to Council in a year with revisions. Their interpretation of this ordinance is: it would not affect scoreboards and similar items; it includes window signs that could be seen from the outside, such as unlimited size, flashing signs, particularly in the overlay districts where they're encouraging new developments be closer to the street, and a window sign could be totally unregulated by making this change; it doesn't apply to signs that do not change, such as "Open" and "Closed" signs; not to have electronic signs in the Scenic Waterways and Historic Districts; not to allow scrolling or blending to prevent drivers from taking their eyes off the road too long, where fixed messages can be glanced at more quickly; it should be monochromatic, such as the sign at the Christian school on Kemper Road; subsection (4) addresses only ground mounted signs; signs would be dimmed until a half-hour before sunrise and a half-hour after sunset; because these are conditional uses, a similar sign would need to be presented to P&Z; wiring running to the signs must be underground to prevent safety hazards. Mr. Kessler noted P&Z held a public hearing and discussed this at their regular meeting and the only people who attended those sessions were the two churches represented tonight.

Mr. Martin Schickel, 415 Ohio Avenue, stated his church, St. Columban, has requested permission for an LED sign which seems to him to be a good scale and well suited to its location. As part of their 150<sup>th</sup> anniversary, he hopes it can be made a reality and with a personal interest in it, he would like to see it move forward in a timely manner. As a past president of the Chamber of Commerce, having set on several City committees and worked on these very same issues, and having personally gone through the issues of permitting signs over the years, he sees why such signs cause him and others to think this is not a good fit for the Historic District and on the face of it, that is his reaction to these signs in residential districts, especially for multi-colored, lighted signs. But when there's a specific proposal where the design is good, brightness can be controlled and you see how technology changes things, one can see how that may be and he feels the conditional use process is right for this kind of sign. He pointed out that LED signs in proximity to their homes in Residential Districts will raise at least as many difficult and important issues for P&Z going through the conditional use process, as they would in the Historic District in proximity to businesses and homes,

so it would seem a reasonable approach in the Historic District. Protecting the feel in these two Districts will not be easy to achieve so he feels the conditional use process is appropriate. Stating he doesn't know all the answers, he suggested regulation by total numbers, such as liquor licenses, or having the Community Improvement Corporation operate one in the District, if it is wanted. Mr. Schickel concluded it is not clear to him that a complete ban on such technology in the Historic District is the way to go when they're considering introducing them, and he hopes they do, in Residential Districts.

Father Larry Tensi, Pastor of St. Columban Church, 894 Oakland Road, stated their need began when their sign fell and when a parishioner put it back up, he was notified they can't have two signs on a corner. A committee was established to work on their 150<sup>th</sup> anniversary and they wanted to put up a really nice sign, which was presented to P&Z. Their idea, similar to Pastor Bill's, is about evangelization and advertisements and sprucing up the corner at State Route 48, which can be considered a gateway as many people go through that area to both church and their homes. He agrees there needs to be conditions that Council and the committees need to set, but he's hoping they're not so restrictive that no one will ever have a sign in the 21<sup>st</sup> century, as these signs are utilized in many areas. Father Tensi expressed hope they will be allowed to have this sign for their 150<sup>th</sup> anniversary and forever and that conditions are not so restrictive that it will be almost impossible. He thanked Council and asked them to revisit this and see it will be great for Loveland and will beautify their part of the City.

Mr. Tom Quehl, 308 Huntington Drive, stated he's the booster president of St. Columban and pointed out it's obvious this sign means a lot of things. He believes Mr. Kaden and Mr. Schildmeyer made a point that the sign would be a way to share information, both for St. Columban and the community, especially when there are changes like when a church service will begin. He asked that Council please consider this sign for St. Columban.

The Mayor asked if anyone else wished to speak who has not had the opportunity. Mr. Kressler pointed out as technology becomes available, the electronic signs could be changed to deliver emergency messages to the public. He also pointed out the sign presented by St. Columban would not have trouble meeting the conditions recommended by P&Z.

As there were no other comments, Mayor Weisgerber entertained a motion to close this public hearing; so moved by Vice Mayor Bednar and seconded by Mr. Zuch. The motion was approved by unanimous consent and the hearing ended at 9:02 p.m.

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Mayor

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Clerk of Council