

PLANNING COMMISSION MEETING

February 12, 2009

The Planning Commission convened in Courtroom No. 1 at City Hall for their regular meeting. Chairman Fitzgerald called the meeting to order at 7:30 PM.

Members in attendance were, Mr. Andrew Eade, Mr. Brian Temming, Ms. Christine Shoop, David Komjati, and Chairman Thomas Fitzgerald. Also present were, City Manager Rita McMahon, Assistant City Manager Douglas Lewis, City Planner Russ Schaedlich, Assistant Law Director James Lyons, and Secretary Lynn White.

MINUTES: Motion by Mr. Temming, seconded by Mr. Komjati to approve the Planning Commission Meeting Minutes from January 8, 2009 as submitted. All members present said "aye". Motion carried.

Chairman Fitzgerald indicated there was no New Business to discuss and moved onto the Administrative Report.

ADMINISTRATIVE REPORT:

Chairman Fitzgerald indicated the item under the Administrative Report deals with Electronic Message Center Signage (EMC).

Mr. Douglas Lewis stated enclosed in the packet are two different ordinances. He explained the differences between the two ordinances. One ordinance allows for two freestanding ground signs that are EMCs; the other allows one of the two permitted freestanding ground signs to be an EMC sign. Mr. Lewis indicated he would like clarification from the Commission as to which ordinance they prefer since the issue was brought up at last month's meeting. The question was raised about signage at corner properties. He indicated the staff recommends approval of the ordinance only allowing one free standing EMC.

Chairman Fitzgerald questioned the fact that freestanding ground signs are not defined. He stated ground signs are defined currently. He indicated on page two the ordinance defining EMCs states ...shall be a free-standing ground sign... He asked if that is the same as a ground sign. Mr. Schaedlich responded that they are the same. Chairman Fitzgerald indicated he read the calculations for the square footage of the signs. The ordinance states 75 square feet per face, not to exceed 150 sq ft per sign. He asked for more clarification on how this calculation works. Mr. Schaedlich explained that if you add the two sides of the sign at 75 square feet each you would have the maximum allowable sign at 150 square feet for the total of both sides. This is calculated the same for regular and EMC signage. Chairman Fitzgerald asked for further clarification of an EMC sign. He wondered if this also included the television type signage. Mr. Lewis stated that it does not include that type of sign. Mr. Schaedlich clarified the code outlines the reader text type signage only. There was continued discussion regarding the animation of the signs and what would be allowed to be displayed.

Chairman Fitzgerald asked about the placement of the signage in regards to the existing grade. Would an applicant be allowed to raise the sign up by placing it on a mound or wall? There was discussion on how grade is determined. Grade, reference is located in the definition section of the Zoning Code and is defined as the center line street elevation opposite the midpoint of the building site frontage.

Ms. Shoop stated that she had driven around the area looking at the various EMC's. She commented that she had not seen one sign that would be allowed in the City based on the regulations outlined in this text. This would be due to the scrolling and use of colors in the signs that she had seen. She directed the members to the regulations in item number 8. Ms. Shoop indicated that the signs she looked at were in Mentor and some of them had white lettering which were very hard to read. She asked if it was the City's intent to discourage this type of signage. She wondered what the motive was behind the regulations within the code.

Mr. Schaedlich responded the proposed code was written with a strict interpretation in mind. He indicated that one of the items that can be an issue is the use of colored lights. The Walgreen's sign in Mentor uses red bulbs and being near an intersection can cause confusion to motorists. The

intent was to eliminate this type of confusion before it becomes an issue. There are many colors available; he indicated he has seen blue and orange lights used in this type of signage.

Mr. Lewis stated the colors used in the signage will depend on the location of the sign. The Planning Staff will evaluate this condition when the application is received and reviewed. The main idea behind the creation of this code was to create something very comprehensive to address all of the issues that might come up in regards to this type of signage. The second idea was to make them non-distracting to motorists since this was one of the main concerns brought up at the Board of Zoning Appeals Meeting. The Board of Zoning Appeals wanted to be sure there were enough restrictions in place so as not to be distracting to motorists.

Mr. Lewis stated free-standing ground signs were looked at due to the aesthetics of the signage. He also stated the Staff has discussed the possibility of re-writing the entire sign ordinance to bring it up to date. The start of getting this done is looking at this proposed EMC ordinance and changing the type of signage from ground sign to a free-standing ground signs. Komjati stated EMC is the new way of advertising. We do not want Painesville to be filled with too many bright flashing signs. If we have tight restrictions on the signage, it is easier to relax them if needed then opposed to tightening them up once they are in place. Mr. Lewis stated the tell tale sign of this is when Walgreens went before the Board of Zoning Appeals they imposed restrictions on themselves. They proposed some of the restrictions outlined in this proposed ordinance.

Chairman Fitzgerald asked if there was any discussion of not allowing EMCs or is this something that would not be possible. Mr. Schaedlich indicated it is possible; however, the Board of Zoning Appeal's concern was the City should have some regulation put in place to address this type of signage. The intent was to have some type of guidance as to what the City would prefer be installed for this type of signage. The Board of Zoning Appeals would like to see something in place rather than deal with the signs one at a time with no set policy.

There was discussion about setbacks for signage. Ms. McMahon indicated there are no setbacks for signs. Signs can be located up to the sidewalk area as long as they do not overhang and cause an issue for pedestrians and vehicular traffic.

There being no other questions, Chairman Fitzgerald asked for a motion on the proposed code amendment dealing with Electronic Message Center Sign. Motion by Mr. Komjati, seconded by Mr. Temming to favorably recommend the proposed Ordinance regarding Electronic Message Center Signage allowing one of the two permitted freestanding ground signs to be an EMC sign. There being no other discussion the secretary was asked to call the roll. On roll call Ms. Shoop, Mr. Komjati, Mr. Eade, and Mr. Temming answered "yes"; Chairman Fitzgerald answered "no". Motion carried.

Presentation of Proposed Downtown Plan

City Manager Rita McMahon gave a PowerPoint Presentation on the Proposed Downtown Master Plan. She explained that many of the Commission Members had participated in the Planning Sessions for the Plan. The information provided in the presentation is the final draft of the plan and provides a vision for our community for the next 15 to 20 years. She stated this is not something that will happen immediately it will be a plan in process.

Ms. McMahon stated she would like to go through the highlights of the plan. She would also like to discuss the intent of the document and the focus of the plan and answer any questions the Commission may have on the topic. Ms. McMahon began by stating the Plan begins with the vision. The approach taken from the very beginning in meeting with the stakeholder and steering committees was to figure out what makes up a great downtown. Ms. McMahon stated the first concept is building upon the downtown's strengths to encourage a traditional, pedestrian-oriented town center. This would reflect the character of the community and maximize the area's potential that a great downtown is made up of a collection of neighborhoods.

Ms. McMahon indicated the process for this plan started about a year and a half ago and included a series of four Steering Committee meetings, three public workshops and various stakeholder meetings to create a plan with broad planning recommendations and sets forth a direction for revitalization rooted in the aspirations of the community and potential of the downtown. As we look at this document going forward, we are not looking to follow it exactly; it is to be used as a framework to work toward this vision.

Ms. McMahon stated that City Architecture was hired as the consultant in creating this plan. They

have extensive experience in working with urban development in Cleveland. City Architecture started by gathering information about what conditions exist within the neighborhood that influence long-term development; they did site analysis of how do the existing conditions in Downtown impact redevelopment potential; they did context and concept ideas on how to impact development and what redevelopment possibilities exist with Downtown. City Architecture then held the various meetings with the Community Stakeholders and public to get feedback on the concepts to move forward to a workable plan.

Ms. McMahon continued to explain the various aspects of the Plan. There was discussion regarding linking Lake Erie College to the downtown area. The area in between consists of the Harvey High School site and the soon to be vacant Lake Hospital Site. What happens in these areas will have a major impact on the rest of the downtown.

Ms. McMahon outlined for the Commission the five different neighborhoods shown in the Plan. The five downtown districts include; the Civic District, the Downtown Residential District, Harvey High School Site, State & Main Mixed-Use District, and the Grand Riverfront District. She explained the plan looks at making changes that are obtainable and not something that will never happen to the areas. The recommendations in the plan include infrastructure improvements, public space enhancements, parking area and landscaping modifications. This would be done by creating new pedestrian walkways and adding park like areas into the downtown with seating areas to create a warm and inviting atmosphere. This is something that would be a key element that would guide the planning process to all areas of the Plan.

Ms. McMahon indicated in order to move forward she is requesting a recommendation from the Commission for adoption of the Plan. She explained that the plan, if adopted, would become a part of the City's Comprehensive Plan. Once this is done, the City can move forward and begin the Transportation for Livable Communities Initiative to study the streetscape improvements outlined in the Plan. In addition, there are Clean Ohio Funds available for use on the Hospital site. The application submittal date for this is in June. The Downtown Plan must be in place prior to the application. Ms. McMahon concluded by stating she believes this plan to be an excellent tool in guiding the development of the overall downtown area.

There being no further discussion, a motion was made by Ms. Shoop, seconded by Mr. Eade to favorably recommend the adoption of the Downtown Master Plan to City Council. There being no other discussion the secretary was asked to call the roll. On roll call Mr. Komjati, Mr. Eade, Mr. Temming, Ms. Shoop, and Chairman Fitzgerald answered "yes". Motion carried.

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE PLANNING COMMISSION

There were no other items to come before the Planning Commission.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Lynn M. White, Secretary

Thomas Fitzgerald, Chairman