

## PLANNING COMMISSION MEETING

*January 8, 2009*

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

Members in attendance were, Mr. Brian Temming, Ms. Christine Shoop, and Vice Chairman David Komjati. Absent were Mr. Andrew Eade 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 Ms. Shoop, seconded by Mr. Temming to approve the Planning Commission Meeting Minutes from December 11, 2008 as submitted. All members present said "aye". Motion carried.

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

### **ADMINISTRATIVE REPORT:**

Vice Chairman Komjati indicated the item under the Administrative Report deals with Electronic Message Center Signage. At the last meeting, this issue was brought up due to a request from the Board of Zoning Appeals. Vice Chairman Komjati asked Mr. Schaedlich to explain the materials given to the Commission regarding the signage.

Mr. Schaedlich commented that he and Mr. Lewis worked on the text. They researched various communities throughout Ohio and throughout the Nation. This is a composite of things they liked from various codes and from recommendations of the Board of Zoning Appeals meetings. The first item is the definition of electronic message centers. The second item is the text for electronic message centers. They looked at where this type of signage would be most appropriate. The thought was the only appropriate zoning district that would support this type of signage is the B-2 General Business District. They would not be appropriate in the Downtown Area, which is the B-3 Central Business District. This would be primarily Richmond and Erie Street and some parts of Mentor Avenue. There is a provision that if they are located on Mentor Avenue they cannot face residential or historic districts. Mr. Schaedlich stated that the B-1 district is a lower density use for retail and it serves as a transitional area to residential. They felt it would not be appropriate in that district. In the B-2 District freestanding and wall signs are permitted. The electronic message center would be allowed in lieu of the freestanding sign. The standard size is the same as what is allowed for regular standard signs. Mr. Schaedlich explained that in addition to these items they have provided eighteen stipulations for the electronic message centers. Each of the stipulations was reviewed and explained to the commission. There was discussion regarding the approach that should be taken in regards to corner lots and whether or not two signs should be allowed for these properties. The current signage regulations allow for two signs for corner properties such as Walgreens or Rite Aid.

Also discussed was the spacing between electronic message centers along the roadway. The thought was to have the separation between EMC signs a minimum of seventy feet (70'). EMC signs shall be located a minimum of thirty feet (30') from any intersection of public streets and located on the property so as to not restrict line of sight visibility for pedestrian traffic and any vehicular traffic for ingress from or egress to a public street.

The next item discussed was the timing on the message itself and how often the message changes. In looking at the various codes, the message spacing ranged from 2-3 seconds to 2-hours. The suggestion is to have the message change at 15-second intervals and that it shall take no longer than (3) three seconds to change messages. This should eliminate any visual hazard to motorists.

Mr. Schaedlich indicated that stipulation number 7 is a combination of a number of suggestions that came from the Board of Zoning Appeals. It deals with the number of messages and indicates there shall be a maximum of four (4) separate and distinct messages permitted per business day, and each message shall be limited to two (2) lines of text per screen and two (2) screens of text total. Letter and/or character copy shall not exceed a maximum of eighteen (18) inches in height. Amber Alerts and Weather Alerts shall be the only permitted exceptions to this section.

Mr. Schaedlich explained that the hours of operation of any EMC sign should be consistent with the

hours of operation of the business on which the EMC sign is located, except that no EMC sign shall be operational between the hours of 11:00 PM or 6:00 AM. It was explained that this might cause an issue for the 24-hour businesses that have other signage that does not have an hours of operation stipulation. Mr. Lewis commented that the actual message portion of the electronic message center is to be limited to hours of operation whereas the sign itself could be illuminated 24-hours a day if allowed otherwise. There was discussion regarding the illumination of the signs and about how this condition would be regulated.

Mr. Schaedlich reviewed the remaining stipulations with the Commission. The first being all electrical power to any electronic message center sign shall be supplied via underground carrier inside approved conduit, and must be installed to the City of Painesville's electrical requirements. The next was any malfunctioning electronic message center sign shall be turned off, or display a blank screen, until repaired. The next condition is all electronic message center signs shall be kept in good operating condition and maintained with good external appearance. And the last being if any non-conforming, existing electronic message center sign is damaged so that repair costs amount to fifty percent (50%) or more of the replacement cost of the electronic message center sign, the electronic message center sign may be repaired only if it is brought into conformance with this ordinance.

Vice-Chairman Komjati stated that the information provided is very comprehensive. Mr. Schaedlich asked if any of the members had any additional questions regarding the provided information. Ms. Shoop asked for clarification regarding the eight-foot height restriction on the signs. Mr. Schaedlich indicated the eight-feet is measured from the ground to the top of the sign. Mr. Lewis stated that the text should be changed to indicate a freestanding ground sign, which is defined in the code.

Vice Chairman Komjati stated that the next step would be to bring this back to the Commission for approval and from there it goes to City Council. Ms. McMahon replied that this is a text amendment, which does not require a public hearing by Planning Commission. The Commission asked that this item come back for a final review in its ordinance form.

## **OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE PLANNING COMMISSION**

Ms. McMahon indicated that she would like to discuss one item with the Commission. She handed out copies of the Downtown Plan on disk to the members. The information on the disk is the plan for the Downtown area that has been developed by the City and its consultant, City Architecture. The Plan has been created through a series of public meetings to discuss how to develop the downtown, reuse the hospital, and encourage growth along the riverfront. The consultant is finalizing the document so it can come through the approval process. The first part of the approval process starts here at the Planning Commission level. Some of the Planning Commission Members have been involved with this process where others have not. In order to bring all of the Members up to speed on the plan, this disk has been created with multiple PDF files on it. The files walk you through the process of the visions for each of the downtown areas. Ms. McMahon indicated the plan is also on the city's website, however, if you do not have a fast internet connection, it may not load properly. The disks should make it easier for viewing the files. She asked the Commission to look at the files between now and the February Meeting. The plan is visual, a series of PowerPoint slides with text along the sides describing the vision. The desire is to bring a presentation of the downtown plan to the Commission at the February Meeting.

Vice Chairman Komjati asked if they would be looking for approval at that time. Ms. McMahon replied that it depends on many other items. She explained the Downtown Plan would need to be approved by City Council in order to submit an application for funding to demolish the hospital. The deadline for this is not certain. This plan may have to be approved at the February Meeting. Ms. McMahon stated that if there are any questions regarding the plan to let her know.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned.

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Lynn M. White, Secretary

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David Komjati, Vice-Chairman