

BOARD OF ZONING APPEALS

January 17, 2013

The Board of Zoning Appeals met in Courtroom No. 1 for their regularly scheduled meeting. Mr. Behrens, the Chairperson, called the meeting to order at 7:30 p.m. and asked the Secretary to call the roll. Members in attendance were Mr. Bartholomew, Mr. Callender, Mr. Horacek and Ms. Waytes. Also in attendance were the Law Director, James Lyons; the City Planner, Russell Schaedlich; the Assistant City Manager, Doug Lewis and the Secretary, Tina B. Pomfrey.

MINUTES: The minutes of December 20, 2012 were approved as submitted.

Mr. Behrens explained the procedures for this meeting and swore in those who planned on speaking for or against the variance requests.

TABLED BUSINESS

REFUSAL NO. 2234

APPLICANT: Lou Belknap, Agile Sign & Lighting

DISTRICT: B-1 Business/Residential

LOCATION: 933 Mentor Avenue

VARIANCE: Section 1341.17 (a), 1341.118 (d), 1341.22 (c)

An application has been submitted by Mr. Lou Belknap of Agile Sign & Lighting, requesting a variance to Section 1341.17 (a), 1341.18 (d) and 1341.22 (c) of the Painesville Sign Code. The applicant wishes to install an Electronic Message Center (EMC) on the YMCA property located at 933 Mentor Avenue. Section 1341.18 (d) permits EMC signs only on property zoned B-2, General Business. The applicant would also like to install an internally lit sign on the property. Section 1341.22 (c) of the Sign Code does not allow signs visible from adjoining properties zoned for residential use to be illuminated except with indirect white light. Additionally, the applicant would like to install a second wall sign on the west entrance off of the parking lot. Section 1341.17 (a) permits only one wall sign on a property unless it is a corner lot. A variance for the second wall sign is being requested.

The applicant, Mr. Lou Belknap, 7340 Far Hills Drive, Concord Twp, Ohio, was present, representing the YMCA. Mr. Belknap, explained that the YMCA has existing signage that is located 40 ft. from the curb to the sign, 27 ft. from the inside of the sidewalk. The new sign will be installed in the same location. The lighting of the parking lot and the street will make the lighting of the sign insignificant. Because there are 1,000 watt metal halide lights that are all around the YMCA location, the internal illumination of the proposed sign will be absorbed by the numerous lights surrounding it. The lighted sign will be visible, however it will be diffused, not glaring. Additionally, the sign itself can be fitted with a vinyl panel that will further diffuse the light. The EMC light is proposed to be red in color, however, amber is available as well. The YMCA is trying to upgrade the signage to keep pace with other YMCA facilities and the new national logo. Conversions of all YMCA signs must be done by 2014. Mr. Belknap explained that the YMCA does not believe ground lighting and gooseneck lighting to be aesthetically pleasing and is not an option that they want to consider.

Mr. Bartholomew asked if there is additional information on EMC signs. Mr. Bob Hoffman, Vice President of the YMCA, stated the EMC will advertise registration for the many different programs that are sponsored by the YMCA, as well as membership drives and the Dream House project. The YMCA facilities in Madison and Willoughby currently have letter signs but have both been approved for EMC and monument signs.

Mr. Bartholomew clarified that he was curious if there is a guide regarding how long messages can stay up on the EMC board. He commented that this is a residential neighborhood that many children live in and he would hate to see distracted traffic because of the signage.

Mr. Belknap replied that the USSC, the United States Sign Council, conducted studies in some of the busiest metropolitan areas, including the New Jersey Turnpike. These studies found that accident rates were reduced 1 to 3% when EMC signs were used to aid drivers directionally, etc. (He stated these reports are public records for anyone to check). In most cases, messages are displayed 5 to 8 seconds before changing. At the YMCA property, no graphics or animation will be used on the sign.

Mr. Hoffman added that messages on the EMC would be minimal. He mentioned that the Y would like to advertise subjects like "day camp" and the "Dream House", but the subjects would be limited.

Mr. Schaedlich indicated that if approved, the criteria for EMC signs is already spelled out clearly within the Painesville Sign Code.

Mr. Horacek commented that perhaps the control of the EMC should be limited to 1 or 2 people. Mr. Belknap replied that the YMCA would prefer that the control was limited anyway.

Mr. Belknap stated that the second sign request is for the west entrance of the YMCA. It helps visitors to know there is a side entrance into the lower level of the building. This sign is a flat, wall sign that is not illuminated. Any current signage and/or logo will be removed before the new signage is installed.

Mr. Behrens asked if there were comments from the Board or the audience. There being none, he asked for the comments from the neighborhood. The secretary read a letter from Joe and Claudine Dobbins, 954 Mentor Avenue, across the street from the property. They stated that although the YMCA has always been a good neighbor, they will be most impacted by the EMC and are not in favor of the variance request being granted. Additionally, Mr. Belknap provided the secretary with letters from the neighborhood, all in favor of the variance request being granted.

Mr. Lyons asked if all the people who sent letters of support are members of the YMCA. Mr. Belknap replied no.

Discussion ensued regarding the height of the EMC sign. There was also discussion regarding what zoning district allowed EMC signs. Mr. Schaedlich indicated that B-2, General Business, allows EMC signs. Since the YMCA property is zoned B-1, the City asked if they would be willing to limit the EMC sign height to 8 ft. as is required in the B-2 district. The YMCA representatives agreed.

Mr. Lyons asked why internal illumination of the signage is a preference for the YMCA signage. Mr. Belknap replied that outdoor ground fixtures are a maintenance issue and can be costly if damaged. Additionally, graphics need to be maintained and weather can play a role in the ease of use of the sign. He commented the LED lights are not only easier but cheaper to use; they cost very little to run.

Mr. Lyons asked if it would be an option to have a sign that was externally illuminated but then to couple it with an EMC. Mr. Belknap stated that it is possible but not very practical to mix the two types of light. The ambient light from the fixtures would diminish the efficacy of the EMC, in other words, it would be difficult to see because of the glare of the fixtures. The EMC could, however, be tamed to have little or no glare.

Mr. Horacek moved to approve Sign "A" with the stipulations to comply with all other permissions relating to EMC signage except #5 and #13. Additionally, the applicant shall add a vinyl diffuser to the sign. Ms. Waytes seconded the motion. Mr. Horacek moved to approve the wall sign on the west entrance with the stipulation that the current sign over the door be removed. Ms. Waytes seconded the motion. On roll call, Mr. Horacek, Ms. Waytes and Mr. Callender answered "yes". Mr. Bartholomew abstained from the vote. Mr. Behrens answered "no". Motion carried, 3-1.

There being no further business, the meeting was adjourned at 8:22 p.m.

Jim Behrens, Chairperson

Tina B. Pomfrey, Secretary