

Recommendation of the Revision to the Master Sign Program as submitted on October 13, 2020 for the Royalton Collection located on Royalton Road, PPN 396-12-002, 006 and 032 zoned General Business and R-RS.

Mr. Smerigan – Item Number One, Royalton Collection. Because of COVID19 restrictions the applicant was on speaker phone for this meeting.

Mr. Pupo – Luis Pupo, RDL Architectures.

Mr. Smerigan – Mr. Miller.

Mr. Miller – I am the Building Commissioner. I read through this and personally I am not in favor of amending the Sign Program. I think that what was proposed is sufficient enough. I don't think, even though that sign is higher up on the parapet that was extended, I really don't see a need for it. All I see is it creating grief for us with the residents in that area and with City Council.

Mr. Pupo - Okay, can I ask you this, I know that there is a balance, based on some rough estimations, a balance of what they have available to them will result in a two foot high letter and I know that provisionally it was proposed by them was a five foot letter. Is there any place in between that 2 foot and 5 foot that maybe we could meet half way? Or is it entirely a no go?

Mr. Smerigan – I looked at it like this, even where we have commercial buildings that are on corner lots the second sign, the side street sign is limited to 40% of the main sign. I can't see where we would grant something that is more than that in any case. It is a situation where you're not really a corner lot so this is just surplus sign as far as the Code is concerned. To grant a second sign on this parcel that would match 100% of the main front wall sign, I don't see how we do that and have any consistency in the Zoning Code. From my standpoint if the position is a sign that size my answer would also be no, I might be willing to consider a reduced amount but certainly not a sign that is equal in size to the front wall sign.

Mr. Pupo – Right and that is what I am really asking, their initial sign is 60 inch letters and based on that 40% would be 24 inch letters. Is there any give, the problem is that from, the vantage point where it is supposed to be viewed from, Royalton Road, a two foot high letter obviously is going to be very difficult to even pick up. Not to mention that it is going to be dwarfed by the tower in which it is mounted on. I am asking, I understand the 100% issue but is there any way that we could do better than 40%? Obviously, as you have indicated the Code is what the Code is and I am really just asking in essence for anything

that you could provide to try to appease this tenant. I know that you and your Board have done everything along in the process to try and accommodate them and get them in there. I am at your mercy at this point because you have all of the Codes behind you. I am just saying if we can improve on the 2 foot at all and then I could go to them and say, well look you are only allowed 40% and they went the extra mile to try and appease you and get you something more visible and more recognizable and this is the best that we can do, I think that would be a good compromise.

Mr. Smerigan – Actually they don't have a right to the 40% because they are not on a corner property. So the 40% is basically a gift. I understand your point about if the sign gets small it is hard to read at that distance but my counter to that would be, you have an enormous free standing sign sitting out next to the highway and if you have that I don't understand the value of this side wall sign anyway. That free standing sign is very large and very visible and it is visible for people traveling in both directions on Royalton and they are not going to miss that driveway because of that sign. To claim that there is a need to have a large wall sign in the back, I don't think that is what is going to direct people into your site.

Mr. Pupo – Well as I said, the Code is what the Code is and I think that part of the problem is that they sort of anticipated this sign being in the size and now for whatever reason they are not being allowed to place it there.

Mr. Smerigan – I don't know why they would have anticipated the sign being there because we had the Master Sign Package for the Development and the Master Sign Package for the Development didn't permit that. There is no reason they should have thought they had a right to that sign.

Mr. Pupo – The other hardship obviously is that they went ahead and fabricated the sign which is entirely on them because they should have waited until they had approval to fabricate that sign.

Mr. Smerigan – I can't help that. If they were silly enough to go ahead and have the sign fabricated before they had a permit for it, that is just a business mistake.

Mr. Pupo – I certainly agree on that. It seems pretty cut and dry but is there anything that we can do at all at this point?

Mr. Miller – I just find it, I might concede to a 40% but that is only going to give you 2 foot high letters. I just don't see it going against our Code, we are going against what was approved under the original Master Sign Plan. You are coming in for an alteration for this one tenant. I don't really see the value in it to be honest with you. People know where

Home Goods is going to be, the people that are driving west on Rt. 82 will drive by the entrance drive before they see that sign, so that sign will only help people coming east on Rt. 82 and most of the people will be traveling that are coming here are going to be traveling off of I-71, coming west on Rt. 82 and they have a giant sign on the ground sign that says Home Goods. I would concede to 40% but that would be about as far as I would concede.

Mr. Pupo – Okay, I will communicate that to them and I certainly appreciate the time and effort that everyone has put forward to consider this item.

Mr. Smerigan – We need a motion to amend it to 40%. Or we can table it and you can talk to them some more.

Ms. Brill – Which would you prefer, a vote today, if they deny here which seems to be the direction they would be within their right to apply to the Board of Zoning Appeals for a variance to get the bigger sign.

Mr. Smerigan – You would be wasting your time.

Ms. Brill – That would be your choice to do or not to do or we could table it again and if you guys feel that there is some way to have more conversation with Home Goods, if you feel that would help.

Mr. Smerigan – If the 40% isn't something that they want or are willing to use then there is no sense in us amending the Master Sign Program to do 40%. If the 40% would be acceptable to them from what I am hearing you have at least a couple of votes to maybe grant the 40%. I am not interested in changing that if there is no interest on their part either.

Mr. Pupo – I am obviously from their perspective 40% is better than no sign whatsoever. I guess that is my perspective. Given the fact that you have indicated that there really isn't going to be any use in applying for a variance, because more than likely, based on my conversation with your department, the likelihood of them passing it is nil.

Mr. Smerigan – Let me put it to you this way, they don't grant variances to the 40% for businesses that are on corner lots. So the likelihood of them even giving you 40% or anything more than 40% as a variance when you don't even qualify for the second sign, I would say is somewhere close to nil. I am not trying to be a harda... about it but I hate to see them waste time and money and effort to get a no answer. I am basically telling you that is what is going to happen.

Mr. Pupo – I appreciate that because as I told Carol it is better to know going in what the outcome more than likely will be and nobody wants to waste their time so I would appreciate you amending to the 40% consideration. I will go to them and explain to them that they really are not entitled to it, that at this point this is a gift.

Mr. Miller – I move to recommendation the Revision to the Master Sign Program to permit a 40% of the permitted sign on the south elevation of Building 2 for the Royalton Collection located on Royalton Road, PPN 396-12-002, 006 and 032 zoned General Business and R-RS.

Mrs. Milbrandt – Second.

Roll Call: All Ayes APPROVED

Ms. Brill – You need to let Greg know that he is going to have to get me a revised Master Sign Program showing the 40% for that sign. The one that he submitted has not been approved, we need to see the 40% listed in there.

Mr. Pupo – Will do, we will get that language to you as soon as possible.

Mr. Smerigan - Is there any other business to come before the board?

Hearing no further business. The Chairman adjourned the meeting.

George Smerigan /s/

George Smerigan, Acting Chairman

Carol M. Brill /s/

Carol M. Brill, Administrative Assistant,
Boards & Commissions

Approved