

STAFF DESIGN COMMISSION REPORT

PROJECT INFORMATION:

Project Name: Verizon Wireless
Project Address: 375 E. Palatine Rd.
Prepared By: Steve Hautzinger

PETITIONER INFORMATION:

DC Number: 20-041
Petitioner Name: Tracey Diehl
Petitioner Address: Expedite The Diehl
6487 Hillard Dr.
Canal Winchester, OH 43110
Meeting Date: July 28, 2020

Date Prepared: July 15, 2020

Requested Action:

1. A variation from Chapter 30, Section 30-402, Number, to allow four wall signs where only one sign is allowed.
2. A variation from Chapter 30, Section 30-403, Dimensions, to allow a total of 109.2 sf of wall signs where only 81 sf is allowed.

ANALYSIS:

Summary:

The subject design is being forwarded to the Design Commission for review pursuant to Chapter 6 of the Municipal Code, specifically Section 6-501 (e)(1), which states that the Design Commission "shall review all Plan Commission, Zoning Board of Appeals, Building Permit and Sign Permit applications for new construction and those improvements which affect the architectural design of the building, site improvements or signage to determine whether it meets with the standards, requirements and purposes of the Design Guidelines and Chapter 30, Sign Regulations."

Verizon Wireless is located in a free-standing outlot building facing Palatine Road within the Town and Country Shopping Center. The property is located in a B-2, General Business Zoning District. The building currently has three wall signs, with one sign located on each side of the building facing north, west, and south, as well as one ground sign facing Palatine Road. At this time, the petitioner is seeking a sign variation to allow a fourth wall sign to be located on the east wall of the building.



Aerial View of Property

Background:

Per Chapter 30 Sign Code, one wall sign is allowed per street frontage. Therefore, per code, Verizon Wireless is only allowed one wall sign on the north wall facing Palatine Road at a maximum size of 81 sf. However, in 2009, sign variations were approved to allow three “verizon wireless” wall signs on the building for a total combined size of 152 sf. In 2018, Verizon rebranded and omitted “wireless” from their signs, resulting in a reduced total combined size of 81.9 sf. At this time, the petitioner is seeking a sign variation to allow a fourth “verizon” wall sign to be located on the east wall of the building for a total combined size of 109.2 sf. The table below summarizes the wall sign sizes and locations on the building.

Verizon Wall Signage Background and Current Request:

Elevation / Frontage	Allowed by Code	2009 Variation Approval	2018 Branding Update	CURRENT VARIATION REQUEST
North Elevation (front) Palatine Road	1 wall sign 81 sf	“verizon wireless” 58 sf	“verizon” 27.3 sf	“verizon” 27.3 sf
West Elevation (side) Parking lot	-----	“verizon wireless” 47 sf	“verizon” 27.3 sf	“verizon” 27.3 sf
South Elevation (rear) Parking lot	-----	“verizon wireless” 47 sf	“verizon” 27.3 sf	“verizon” 27.3 sf
East Elevation (side) Parking lot	-----	-----	-----	“verizon” 27.3 sf - (Variation Required)
TOTAL number of signs	1 sign allowed	3 wall signs approved	3 wall signs approved	4 wall signs proposed
TOTAL SF	81 sf allowed	152 sf approved	81.9 sf approved	109.2 sf proposed

Ground Sign:

In addition to the wall signs, there is one existing Verizon ground sign facing Palatine Road that will remain. The ground sign was approved in 1981 per Ordinance 81-114. The existing ground sign complies with the requirements of the Ordinance, so a variation is not required. Refer to the “Previous Sign Variation History” below for a complete summary of past signage variations.

Previous Sign Variation History:

In 1981, Wag’s restaurant was approved for 3 wall sign variations through Ordinance 81-114, with the square footages as listed in the tables below. A free-standing ground was authorized by the Ordinance 81-114 with the following stipulations: 4’-4” high by 9’-2” wide, total area of 40 square feet, on a base of one and one-half feet high.

In 1992, Shoney’s restaurant replaced the Wag’s restaurant. Shoney’s wall signage followed the regulations of Ordinance 81-114, and was less than permitted by the ordinance. Shoney’s restaurant used the same ground sign, same square footage and altered only the name.

In 1994, Boston Market was issued permits for 3 larger wall signs. The Boston Market sign permits were issued in error, and no variations were granted for the additional square footage of the wall signs. The Boston Market signs were therefore illegal non-conforming and the Village does not allow perpetuation and continuance of illegal non-conforming signs. The wall signs were issued in violation of Ordinance 81-114 as they were larger than was previously approved. The Boston Market signs were non-compliant. Boston Market ground sign height was 5’-0” high by 8’-0” wide, total area of 40 square feet, on a base of one and one-half feet high, and therefore exceeded the Ordinance 81-114 requirements.

The tables below list the square footages and number of signs for each of the previous tenants. None of the previous tenants were allowed signs on all four sides of the building.

Wall Signs	Wag's Restaurant (Ordinance 81-114)	Shoney's Restaurant	Boston Market (Boston Chicken) Non-compliant
North (front elevation)	32 sf	10 sf	71 sf
East (left elevation)	30 sf	10 sf	62 sf
Rear (south elevation)	54 sf	34 sf	-----
Right (west elevation)	----	----	62 sf
Total Square Footage	116 sf	54 sf	195 sf

Sign Variation Criteria:

The Village Sign Code, Chapter 30, Section 30-901 sets out the criteria for granting a sign variation as follows:

- a. *That the particular difficulty or peculiar hardship is not self-created by the Petitioner.*
- b. *That the granting of said variation will not create a traffic hazard, a depreciation of nearby property values or otherwise be detrimental to the public health, safety, morals and welfare;*
- c. *That the variation will serve to relieve the Petitioner from a difficulty attributable to the location, topography, circumstances on nearby properties or other peculiar hardship, and will not merely serve to provide the Petitioner with a competitive advantage over similar businesses;*
- d. *That the variation will not alter the essential character of the locality;*
- e. *That the Petitioner's business cannot reasonably function under the standards of this chapter.*

The petitioner has submitted a letter addressing the sign variation criteria, stating that the proposed signage is necessary to help customers find the business within the shopping center since there are multiple points of entry from adjacent roads. Additionally, the petitioner feels the sign is necessary to remain competitive with the adjacent AT&T store that has multiple wall signs.

Adjacent AT&T Signage Background:

The adjacent AT&T store signage was updated in 2017. Variations were approved in 2011 to allow additional wall signs due to the unique layout and orientation of the building. The table below and aerial image summarize AT&T's signage.

AT&T Wall Signs Summary (For Reference):

	2011 Variation Approval	2017 Branding Update	REMARKS
East Elevation - (facing Rand Rd)	AT&T with logo on tower: 64 sf	AT&T with logo on tower: 39.6 sf	Complies with code
West Elevation (facing Palatine Rd and parking area)	AT&T with logo on tower: 64 sf AT&T with logo at entry: 12.8 sf <u>AT&T with logo at entry: 12.8 sf</u> Total: 89.6 sf	AT&T with logo on tower: 39.6 sf logo at entry: 25 sf <u>logo at entry: 25 sf</u> Total: 89.6 sf	Variation approved in 2011 to allow three wall signs on the west elevation, 89.6 sf total.
South Elevation (facing parking area)	AT&T with logo: 34.17 sf	AT&T with logo: 24 sf	Variation approved in 2011 to allow one wall sign on the south elevation, 34.17 sf total.
TOTAL number of signs	5 signs approved	5 signs approved	
TOTAL SF	187.77 sf approved	153.2 sf approved	



Location of existing Verizon and AT&T wall signs, highlighted in red (for reference).

Staff Comments / Analysis:

In 2009, when Verizon requested a variation for three wall signs, Staff was in support of a variation for only 2 wall signs for Verizon because that is consistent with other outlet buildings in the Village, such as at Olive Garden and Chili's which each have two wall signs and a ground sign. However, the Design Commission and the Village Board felt that this was a unique location with difficult visibility, so all three signs were approved.

At this time, Staff maintains the position that signage on all four sides of the building would be excessive and would contribute to an unfair advantage. Allowing wall signs on all sides of a building would set a bad precedent for other businesses throughout the Village. In the history of this building, none of the previous tenants had signage on all four sides of the building. Code allows one wall sign per street frontage. Each variation request should stand on its own merits and should not refer to prior precedents. However, the adjacent AT&T store has two street frontages, with signage on three sides, where Verizon only has a single street frontage and is requesting signage on four sides of the building, which is excessive. Additionally, the previous AT&T variation approvals were a different situation, largely due to the unique shaped property. It should be noted that AT&T has illegal window signs, covering 100% of the window where only 40% coverage is allowed. The illegal AT&T window signage has been referred to the Building Department for code enforcement.

Other Alternatives:

Staff has suggested to the petitioner to consider other code compliant signage options such as awnings with signage on the east and west elevations. This would enhance the building architecture and give the petitioner additional signage that they are seeking without variations.

Additionally, it is encouraged that Verizon enhance the entry feature of the building to create a more prominent appearance and enhance their brand identity, in lieu of adding more signage.

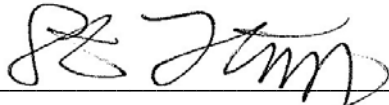
RECOMMENDATION

It is recommended that the Design Commission recommend **denial** to the Village Board of the following sign variations for Verizon at 375 E. Palatine Road:

1. A variation from Chapter 30, Section 30-402, Number, to allow four wall signs where only one sign is allowed.
2. A variation from Chapter 30, Section 30-403, Dimensions, to allow a total of 109.2 sf of wall signs where only 81 sf is allowed.

This recommendation is subject to compliance with the plans 6/2/20, Federal, State, and Village Codes, regulations, and policies, and the issuance of all required permits, and the following conditions:

1. This review deals with architectural design only and should not be construed to be an approval of, or to have any other impact on, any other zoning and/or land use issues or decisions that stem from zoning, building, signage or any other reviews. In addition to the normal technical review, permit drawings will be reviewed for consistency with the Design Commission and any other Commission or Board approval conditions. It is the architect/homeowner/builder's responsibility to comply with the Design Commission approval and ensure that building permit plans comply with all zoning code, building permit and signage requirements.



July 15, 2020

Steve Hautzinger AIA, Design Planner
Department of Planning & Community Development

c: Charles Witherington-Perkins, Director of Planning and Community Development, Petitioner, DC File 20-041