

ARB MINUTES

December 14, 2009

The ARB held a regular meeting on Monday, December 14, 2009 at North Royalton City Hall, 13834 Ridge Road. The meeting was called to order by Chairman Frank Castrovillari at 6:05 p.m. Roll called.

Members Present: Frank Castrovillari, Joseph Kapitan, Linda Watkins and Laura Tworzydlo
Donna M. Babinec, Secretary
Members Absent: None
Others Present: Donna Vozar

1. **Approval of Minutes of November 23, 2009 Regular Meeting.**

Chairman Castrovillari moved to approve the minutes of the November 23, 2009 meeting. Mr. Kapitan second. No discussion. Motion carried 3/0.

2. **Old Business:**

A. **Pearl Plaza Mini Storage & Parking.** Mrs. Babinec stated that this applicant would not be present for this meeting. Mrs. Vozar asked to address the Board. She stated that the Board may recall at the last meeting there was an issue concerning whether this was a permissive use underneath the zoning district. After the applicant looked into it with the building commissioner, it was determined it was not so they will need to request a use variance with BZA. In her discussions with the Building Commissioner, she suggested that when speaking with the applicant he advise them that with the time constraints of this Board, the applicant may want to withdraw their application and resubmit once they are approved. She had hoped that they would be present tonight but the Board may go forward and vote on the application with the knowledge that there is no permissive use. The applicant submitted something to Planning Commission asking that the application be tabled until after their appearance at BZA. The problem is that this Board is constrained by the Code and assuming it got on the agenda for the next BZA meeting, it would be the last Monday in January and the soonest it would come to ARB would be the first meeting in February. Her recommendation is, since the applicant is not present and cannot withdraw, the Board go forward on this matter taking into consideration that the applicant is not here and that they do not have an opportunity to go over any additional submittal they may have. More importantly, it is not a permitted use in that zoning district. She went on to say that the Board, in their discretion, can waive the fee for the applicant to come back for

reconsideration. Chairman Castrovillari asked Ms. Vozar if he was correct in his understanding that, if the Board voted and rejected the application, the applicant would not be charged another fee for reconsideration. Mrs. Vozar said, assuming they would be coming back for reconsideration, and they submit a new plan, they would not be charged. Mr. Castrovillari said that there is no financial burden to the applicant and, in his opinion, whatever variance they get, or do not get, will affect the sign and they will have to resubmit anyway. He then opened it for discussion by moving to remove it from the table. Mrs. Watkins second. Motion carried 3/0. He then moved to review as submitted. He suggested the Board vote to reject the application and have them resubmit. Mr. Kapitan said since we have no color version of the sign, he would like them to resubmit. Mrs. Tworzydlo stated that she also feels the sign is too busy. Roll called. Chairman Castrovillari, nay, Mr. Kapitan, nay, Mrs. Watkins, nay. Application rejected. Mrs. Vozar stated that Mrs. Babinec should advise the applicant of what has transpired tonight and that they must resubmit. Chairman Castrovillari stated that she should also advise there will be no cost to resubmit.

3. New Business:

A. **The Jump Yard.** Mrs. Babinec called for applicant. Dave Donadeo present as applicant. Mr. Castrovillari moved to approve the application as submitted. Mr. Kapitan second. Discussion: Mr. Kapitan asked Mr. Donadeo if he is with a sign company. He replied no, that he is with the Jump Yard. Mrs. Watkins asked what kind of a business it is. Mr. Donadeo stated it is a family fun center. It's a place where families can go for birthday parties, etc. and they have giant inflatables inside. Mr. Donadeo stated he did not know if the Board had the landscape submission. Chairman Castrovillari replied they did and asked the address of the business. Mr. Donadeo stated 13700 York Road, basically 82 and York. It's two doors down from the furniture store. Mrs. Vozar stated that it is her understanding that they had received a conditional use permit from Planning Commission. Mr. Donadeo replied that they had. Mrs. Tworzydlo said she is not fond of the changeable copy. They have the three lines on the sign for that. Mr. Kapitan said the business is not in the TCDs and outside of the TCDs it's allowed up to 25% of the total sign area. Chairman Castrovillari asked Mrs. Vozar who reviews that portion of the signage. Mrs. Vozar said the Building Commissioner. Mrs. Tworzydlo asked if the sign will be illuminated. Mr. Donadeo replied it would. Mrs. Vozar then said if, by some chance, the building commissioner missed that on the application and, after it is reviewed, it doesn't meet Code he would have to go for a variance as this Board does not have authority to grant that variance. So if it exceeds the 25% he can obtain the variance or change the sign to meet Code and come back to ARB. Chairman Castrovillari said he would like it verified because it looks like more than 25%. Mr. Kapitan said he agrees. Mr. Kapitan said if the total is 29.5 and the changeable area is 2x4.3 feet it appears to be over 25%. Chairman Castrovillari said it may only mean going from 3 to 2 lines of changeable area which doesn't change the sign. Mr. Kapitan suggested

making the sign less wide at the base and said there are many ways to do it. Chairman Castrovillari told Mrs. Tworzydlo he understands her dislike of the changeable copy but it is allowed in that district. Mrs. Tworzydlo asked about the illumination. Chairman Castrovillari asked if just the top half will be illuminated. Mr. Donadeo replied just the top part is illuminated not the changeable copy. Chairman Castrovillari said he is fine with that. Mrs. Tworzydlo asked if it will be illuminated 24 hours, he replied yes and Chairman Castrovillari stated that most of the signs in the City are the same. He went on to say that he likes the sign, the colors. He agreed that the white box of the changeable copy is a little much but that can be resolved by the 25% rule. He also said he liked the landscaping - the junipers going all around and the marigold annuals. Mrs. Watkins said she liked the sign as well - it looks very inviting for the kids. Chairman Castrovillari said he thinks the sign is very playful and it conveys what the facility is for. His only problem is the 25%. Mrs. Vozar recommended that the Chairman put on the record that the sign be approved subject to any restrictions in the Code regarding the changeable copy. She asked Mr. Donadeo if he agreed and he did. Chairman Castrovillari asked if Mr. Alvarez should be notified and Mrs. Vozar said she had already instructed Mrs. Babinec as to how to proceed.

Miscellaneous: Chairman Castrovillari asked if there was anything for miscellaneous. A short discussion was had as to the meeting dates in January. Chairman Castrovillari said the Board will then vote regarding the new chairperson.

Chairman Castrovillari moved to adjourn the meeting at 6:20 p.m. Mr. Kapitan second. Meeting adjourned.

Approved: _____
Chairman - Architectural Review Board

Attest: _____
Secretary - Architectural Review Board

Date: _____