

ARB MINUTES

February 8, 2010

The ARB held a regular meeting on Monday, February 8, 2010 at North Royalton City Hall, 13834 Ridge Road. The meeting was called to order by Chairman Frank Castrovillari at 6:03 p.m. Roll called.

Members Present: Frank Castrovillari, Joseph Kapitan and Laura Tworzydlo
Donna M. Babinec, Secretary
Members Absent: Linda Watkins - Motion made and approved to excuse.
Others Present: Donna Vozar

1. **Approval of Minutes of January 25, 2009 Regular Meeting.**

Chairman Castrovillari moved to approve the minutes of the January 25, 2009 meeting. Mr. Kapitan second. No discussion. Mr. Kapitan excused himself from voting. Motion carried 2/0.

2. **Old Business:**

None.

3. **New Business:**

A. **Key Bank.** 6424 Royalton Road, TCD-1 Zoning, Signs Approval.

Mrs. Babinec called for applicant. Major Harrison present for sign company. Chairman Castrovillari moved to approve application as submitted. Mr. Kapitan second. Mrs. Tworzydlo commented that the ground sign looks pretty good but she thinks the “24 hour banking” is a bit much. Does that really need to be there? Mr. Harrison stated that the current sign says that. Mrs. Vozar stated that she provided Mr. Harrison with a copy of the Building Commissioner’s report regarding the signage. Mr. Kapitan stated that there is an issue regarding the directional signs. Chairman Castrovillari stated that there is a ground sign five feet away. Mr. Kapitan stated there currently isn’t a directional sign there. Chairman Castrovillari suggested moving the “24 hour banking” to the directional sign. Mrs. Tworzydlo stated that the report says the directional sign can only the direction of the pedestrian/vehicle can be on the sign. Chairman Castrovillari said, does that mean that they can’t have ATM on the sign? Mr. Harrison said the direction to ATM is not a directional sign. Mr. Kapitan said the Code says no advertising. He doesn’t know if ATM is advertising

but the Key Bank logo is. Mrs. Vozar stated that this issue has come up for other banks. Chairman Castrovillari said he's trying to recall the National City signage but can't remember. Mr. Harrison said ATM is currently on the directional signage and they are just re-branding their existing signs. Chairman Castrovillari said because they are replacement signs they have to comply with the current Code. Mrs. Vozar said the directional signs are merely intended to just state in and out. Mr. Kapitan said they are not an opportunity to advertise the brand. Mrs. Vozar said they are only to give direction in and out, not to say "Teller," "ATM" or "Drive-Up." She thought that was the Building Commissioner's issue with this signage - because it is additional signage, excess signage. Mr. Harrison questioned that informing the public that the ATM is in a certain direction is being included as advertising. He went on to state that the Key Bank logo on the signage is understandable but he didn't feel that in this case they were doing anything other than showing directions throughout the parking lot. Chairman Castrovillari said this is not the parking lot, they are at the street. Mr. Harrison stated this is the entrance to the parking lot to say the ATM is in a certain direction. Mrs. Tworzydlo said, if you look at the other signage it already says ATM and Teller so you see where it is so you're doubling the signage. Mr. Harrison said if you look at the clearance signage, the one furthest to the left is indicating an ATM but the other canopy bays are for other transactions than just the ATM and the other bays are indicating something else. Chairman Castrovillari said he has no issue with the signs above the bays. He asked Mrs. Tworzydlo if she has an issue with the signs above the bays. Mrs. Tworzydlo said she doesn't have an issue with those signs. Chairman Castrovillari said he thinks the Board believes it is a repeat to have a sign at the bay that says ATM and 25 feet away tells you where the ATM is. Mrs. Vozar said that is why the Building Commissioner raised the issue. His concern was regarding the directional signs that are close to the roadway. Those signs, according to the Code, are to "permit directional signs to indicate traffic route and similar functions" so the arrow pointing in and a sign saying "In" is permissible. Anything beyond that, she believed, the Building Commissioner believes is not permissible. Mr. Harrison said he has read the Code and he understands that the Key Bank logo on the directional sign is further advertising however, if you read that section, it says directional signs means "a sign indicating only direction of pedestrian and vehicular circulation routes." This directional sign is currently there and is 5 feet from the set back and is on the road. There's quite a distance back to the ATM and it is used solely as a way finding purpose for anyone who lives in North Royalton or perhaps visiting North Royalton, that the ATM is toward the rear of the property. Mrs. Vozar told Mr. Harrison that she understands what he is saying but, as the Assistant Prosecutor she is more than willing to give this Board a legal opinion on this matter but the Building Commissioner has already given his opinion that what has been submitted is not in compliance with the Code. Because of that there are a couple of options, he can seek a variance and take this specific directional sign language that he is requesting before the Board of Zoning Appeals. This Board doesn't have the authority to deviate from that and the Building Commissioner has indicated that it

is not in compliance. He says, all other signage, except for the directional signs is in compliance. Mr. Harrison stated, his report says no Key Bank logo - it says nothing about the drive up or ATM. Mrs. Vozar said she sees that and, then asked if is he saying that he will withdraw that on behalf of the applicant. Mr. Harrison said they will withdraw the Key Bank logo from the sign. Mrs. Vozar then asked if the ATM language, Teller Service and Drive-up will be withdrawn at this time. Mr. Harrison said not at this time. She then made a recommendation that the application be tabled until the Building Commissioner can review it to determine whether or not it complies, if the applicant agrees to that. Mr. Harrison said that's fine. She thinks that the Building Commissioner may have some issues with having all three of those signs and, with him not being here, she thinks he is referring to the directional signs in total. She has no problem with taking it back to Mr. Alvarez for a more definitive answer as to why they are not in compliance. In this case, listing three different things, Drive up ATM and Drive Up Teller Service. Chairman Castrovillari asked Mrs. Vozar if the Board can approve the building sign. Mrs. Vozar said that is up to the applicant. She would prefer that they keep it all together unless they have time constraints. Chairman Castrovillari stated that there is currently a sign there so it's not like there is no signage now. Mrs. Vozar asked when the next ARB meeting is and Mrs. Babinec replied two weeks. Mr. Harrison asked if the directional sign can be approached by the Building Commissioner as a separate case while this Board can, if they wish, give approval for the other signage. If the other issue regarding the ATM, Drive up and arrows in that direction, could be looked at administratively, it would be ideal. The have no problem with removing the logo from the directional signs. Mrs. Vozar said he would still have to come back to the Board. The Building Commissioner has raised an objection by indicating in his comments that what has been submitted does not comply with the Code. If he wants to submit it the way it is, he will have to go to BZA. If he wants to modify it, he can do it here before this Board. Short of that, it will have to be tabled, go back to the Building Commissioner and get his determination as to what he's objecting to on what has been submitted as now he is indicating that he is willing to remove the Key Bank logo so what it is now a new submittal so he will now have to review to determine whether the new submittal is in compliance. Mr. Kapitan stated that piece of it would still come before ARB. Mrs. Vozar said the Building Commissioner does not have the authority to approve the sign, he only has the authority to advise this Board as to whether the sign is in compliance. Again, looking strictly at the Code, it says directional signs, it doesn't say informational signs, "directional signs indicating the direction of pedestrian and vehicular routes." That would mean in and out. If the Building Commissioner was to expand that reading, and has expanded that reading to allow it to be ATM or Teller, he's expanding the literal language of the Code and so it has to go back to him. That is her recommendation so he will have to come back. The question is will he be coming back on one sign or all three and her recommendation is it is best to keep it all together because issues come up that may affect the other signage. For example if, in fact, the Building Commissioner is going to permit this language on the directional signage it may

actually affect the total signage he has on the property because this is now actually going to be treated more as a ground sign. Everyone knows a bank has an ATM and teller service so it depends whether or not this is additional advertising as to what is sold at the bank. Mr. Harrison asked if that applies even if this is what is currently there. Mrs. Vozar said if he want to leave the signage the way it currently is there would be no issues. It's not in compliance with the Code as it exists now. Mr. Harrison said if you remove the Key Bank logo it is basically what is there now. Chairman Castrovillari said that the Code has changed since the original sign went up. He has to comply with the current Code. Mrs. Vozar said or you could use the existing sign. Chairman Castrovillari said this Board cannot tell him to remove an existing sign but if the sign is changed, it has to comply with the new Code. Chairman Castrovillari then moved to table the sign until the next meeting. Mr. Kapitan second. Mr. Harrison asked for an opinion as to the other signage. Chairman Castrovillari said he has no problem with the signs above the bays. Mrs. Tworzydlo and Mr. Kapitan agreed. Chairman Castrovillari and Mr. Kapitan have no issue with the ground sign. Mrs. Tworzydlo said she doesn't like the 24 hour banking on the ground sign as, in her opinion, it looks cluttered. Mr. Kapitan said, in a perfect world, it wouldn't be there but it meets the Code as to the clutter provision for ten items. Mrs. Tworzydlo said there is a directional sign with all the clutter and then the ground sign with clutter. Mr. Kapitan said that these are two separate things. Mrs. Tworzydlo said everyone knows there is 24 hour banking. Chairman Castrovillari asked what if the directional signage only said in and out, would it bother her as much. Mrs. Tworzydlo said, if it was in and out it wouldn't be so cluttered. Chairman Castrovillari then stated that the issue of 24 hour banking can't be resolved until the Board sees the revised directional sign so there may or may not be an issue as to the 24 hour banking. Roll called. 3/0. Mrs. Vozar asked Mr. Harrison to check with the Building Commissioner tomorrow to discuss these issues with him. Mr. Harrison said fine, he knows Mr. Alvarez.

Miscellaneous:

Chairman Castrovillari stated that the Board has to address the issue for the new Board Chairman. Donna Vozar asked if there are any nominations for Chairperson. Mr. Kapitan asked how long Linda has been on the Board. Mrs. Babinec said she thought this was her second year. Chairman Castrovillari said if no one wants to do it, he'll continue. Mrs. Tworzydlo asked Mr. Kapitan why he didn't want to do it. Chairman Castrovillari said Joe did it before, first it was Joe and then Ed. Mrs. Tworzydlo nominated Joe Kapitan. Chairman Castrovillari second. Mr. Kapitan accepted nomination. Roll called. 3/0.

Chairman Castrovillari moved to adjourn the meeting at 6:28 p.m. Mr. Kapitan second. Meeting adjourned.

Approved: _____

Chairman - Architectural Review Board

Attest:

Secretary - Architectural Review Board

Date:
