

**MEDINA TOWNSHIP
BOARD OF ZONING COMMISSIONERS
PUBLIC HEARING-DIGITAL MESSAGE SIGN TEXT
AMENDMENTS and REMOVAL OF PUBLIC SERVICE
SIGNS/REGULAR MEETING
MARCH 16, 2010**

REGULAR MEETING

Chairperson Strogin called the regular meeting of the Medina Township Board of Zoning Commissioners to order at 7:30 p.m. Board members Overmyer, Apana, Erickson, Payne and Strogin were in attendance.

Chair Strogin then recessed the regular meeting and opened up the public hearing at 7:35 p.m.

PUBLIC HEARING

Chair Strogin read the proposed Text Amendments as follows:

Addition of a Definition for Sign, Digital Message Sign.

Addition of letter M. to Section 605 to address Digital Message Signs; and the removal of Section 603 G. Public Service Signs in its entirety.

Chair Strogin stated the proposed text amendments were forwarded to the Medina County Planning Commission. The Planning Commission held their monthly meeting on March 3, 2010. She then read the staff report/recommendation of the Medina County Planning Commission as follows:

Staff Comments:

1. Staff suggests substituting the word "copy" in the definition and proposed text for Section 605 M. to "image" for clarity.
2. The 60 second image change interval between messages is excessive. Most literature on electronic signs suggest 8-10 seconds. In zoning districts fronting on major streets or highways, it may be acceptable to allow images to change between 1 and 8 seconds, to allow faster-traveling traffic to view the message(s).
3. A foot candle is "A unit of measure of the intensity of the light falling on a surface, equal to one lumen per square foot and originally defined with reference to a standardized candle burning at one foot from a given surface." It is the measurement of light hitting an object at any distance; it is the light received. The illumination level of one foot candle may be too bright to view an electronic message on the sign at night; 0.3 foot candles may be more appropriate according to the International Sign Association. A photometer can be used to measure the brightness, and the zoning inspector will need to be trained to use the equipment.

4. Medina Twp. should consider requiring that a digital message sign be programmed to dim and brighten automatically in response to changes in ambient light to avoid undue brightness.
5. Digital message signs should also be programmed to “freeze” or go blank if there is a malfunction, so that flashing or other distracting movement does not result.
6. If the digital message sign takes the place of the ground sign, the regulations should more clearly state the Township’s intent.
7. The permitted square footage of the digital message sign, and the setbacks, should be indicated in this section to avoid confusion with any other type of sign.
8. Attached is an article by Alan Weinstein regarding electronic message signs, which may be of assistance to Medina Township.

Staff Recommendation: Staff recommends APPROVAL WITH MODIFICATIONS of the proposed text amendment per Staff comments to the Medina Township Zoning Resolution. Staff also suggests that Medina Twp. review and amend Article VI Sign Regulations in its entirety, and any other relevant sections of the Zoning Resolution, for the purpose of ensuring compliance with the legal requirement that they be content neutral. Staff is available to assist in this endeavor.

Chair Strogin stated the Medina County Planning Commission had no issues with the removal of Section 603 G. Public Service Signs in its entirety.

Chair Strogin stated she asked the CPC the reason they suggested the word “image” instead of “copy” and they responded they did so to clarify copy being just words and image pictures. Chair Strogin then suggested that both words be added to the proposed text so there was no confusion that a digital message sign consists of a sign which the copy/image changes...The other Commission members agreed.

Regarding the frequency in which such a sign can change, Chair Strogin stated that the proposed language was reflective of the City of Medina’s zoning code. She continued that the 8 second interval was geared for highways and interstates when traffic is moving at 60+ miles per hour. In a confined area such as Rt. 42 from Fenn Rd. to the City limits there are approximately 40 + businesses in that short distance and the same on Rt. 18. Chair Strogin stated as technology changes and these signs become more prolific there would be the potential for numerous signs to be changing messages at a high frequency and potentially becoming a safety factor. After that discussion the Planning Commission agreed with the 60 second frequency proposed.

Chair Strogin continued regarding the measurement of the intensity of light falling on a surface (foot-candle) that was the language in the City’s zoning code and she had no preference if the wording was part of Medina Township’s Zoning Resolution. Chair Strogin then commented that it may be a good idea to add this language as the

manufacturers of such signs would be familiar with that measurement and this would be a benchmark for the Commission to use.

The next recommendation was that a digital message sign be programmed to dim and brighten automatically in response to changes in ambient light to avoid undue brightness. Chair Strogin questioned if this was fact and if signs could be programmed to respond automatically. Mr. Steve Kohn interjected that he works for a sign company and stated he did not know for sure if all signs could be programmed in that manner. He added that this recommendation may limit the number of sign manufacturers that could put up such signs in the Township.

Recommendation 5. Digital message signs should also be programmed to “freeze” or go blank if there is a malfunction, so that flashing or other distracting movement does not result. Mr. Kohn again commented that he felt this was a good recommendation.

Regarding the recommendations for size and setback requirements for digital message signs, Chair Strogin stated she explained to the CPC that those requirements were in the ground sign section of the code because a digital sign can be a ground sign.

Regarding the last comment from the CPC about the entire section on signs be reviewed and rewritten, Chair Strogin stated that would be considered at a later date but language on digital message signs needed to be addressed quickly as these types of signs were becoming more common and prolific.

Chair Strogin then opened up the public hearing to public comment.

Bill Ostmann (3670 Hamilton Rd.) stated as a resident and business owner in the Township he felt it was good planning for the Township to mirror the language of the City code on such signs especially on the Rt. 42 corridor as it levels the playing field for all businesses in that area.

Mr. Overmyer stated he agreed with the recommendation of the Planning Commission and added that measuring foot candles was not that difficult. A light meter would not be that expensive. Mr. Overmyer stated that especially in this economy every business was vying for attention and if a business could increase the foot candles to make their sign a little brighter somebody is going to do it.

Mr. Apana stated he too was in favor of Mr. Overmyer’s comments and the CPC’s recommendation that a digital sign be programmed to go freeze or go blank if there is a malfunction. Mr. Apana stated he disagreed with the recommendation of an electronic sign being able to change every 8-10 seconds. He felt that was too often.

Trustee Gardner stated a Google search was just done during the meeting, and a light meter costs between \$125-\$179. Chair Strogin stated maybe someone in the sign business could come out with their light meter and do the measurement of the light intensity or at least verify the measurement.

Mr. Erickson stated he was concerned with electronic signs that show video. An example of this type of sign is at Rt. 42 and Boston Rd. He added there were actually two such signs at this location and they were very distracting. Chair Strogin stated that was addressed under the movement portion of the existing signage code. Mr. Payne stated he agreed with the CPC's recommendation for such signs to be programmed to freeze if a malfunction occurs and to automatically dim at night.

Trustee Gardner interjected that the recommendation for such signs to be programmed to freeze, as was stated by Mr. Kohn not all digital signs have the software to do that. Chair Strogin stated on the flip side if the regulations have that requirement a business would have to buy a sign that can be programmed to freeze. Mr. Kohn interjected that he did not feel it was unreasonable to require this because medium quality and upper quality signs would have that capability. If the community wants that standard that can be a requirement.

Hearing no more comments, Chair Strogin then closed the hearing to public.

The Commission then proposed the following text amendments:

Definition of Signs, Digital Message-A sign on which the copy/image changes through electrical or electronic means at intervals.

Addition of letter M. to Section 605 Accessory Signs requiring a permit

M. Digital Message Signs are permitted for ground signs only and shall be permitted in all business districts. A Digital Message Sign shall meet the following requirements:

- 1. Frequency. Copy change shall not be more frequent than once per 60 seconds and both text and color shall remain static between intervals.**
- 2. Color. Any Digital Message Sign erected within one hundred (100) feet of an intersection where an illuminated device has been provided for the control of traffic shall not duplicate the electric light of such sign in any colors appearing in the traffic control signal.**
- 3. Illumination. Illumination level of a Digital Message Sign shall not exceed .3 foot candle as measured from the adjacent right of ways.**
- 4. Digital Message Signs shall be programmed to dim and brighten automatically in response to changes in ambient light to avoid undue brightness.**
- 5. Digital Message Signs shall be programmed to "freeze" or go blank if there is a malfunction, so that flashing or other distracting movement does not result.**

Removal of Section 603 G. Public Service Signs in its entirety.

Mr. Erickson made a motion to recommend to the Township Trustees the proposed zoning text amendments as presented. It was seconded by Mr. Overmyer.

ROLL CALL-Erickson-yes, Overmyer-yes, Payne-yes, Apana-yes, Strogin-yes.

The recommendations would be certified over to the Township Trustees. Chair Strogin then closed the public hearing and reconvened the regular meeting of the Commission at 8:05 p.m.

REGULAR MEETING

The Zoning Commission minutes from their February 16, 2010 meeting were approved as written. The Trustees have scheduled site plan reviews to be heard on April 1, 2010 at 7:00 p.m. A letter would be sent to the applicants when the Trustees would hear their site plan/signage requests.

SITE PLANS

Dental Surgical Center of Medina-3443 Medina Rd. Suite #105

Mr. Steve Nguyen represented Dental Surgical Center of Medina, Inc. He stated he and the next applicant, Medina Pediatric Dentistry were two completely separate entities working in the same building with different suite numbers. There was an error made by the architect when signage was going to be erected that Dental Surgical Center of Medina and Medina Pediatric Dentistry were one and the same and that was not the case. Therefore he was before the Commission this evening to ask for a change of use.

Mr. Overmyer made a motion to approve the change of use for Dental Surgical Center of Medina to be located at 3443 Medina Rd. as presented. It was seconded by Mr. Apana. ROLL CALL- Overmyer-yes, Apana-yes, Erickson-yes, Payne-yes, Strogin-yes.

Mr. Steve Kohn from Sign-A-Rama represented Dental Surgical Center of Medina signage requests. He stated he was requesting a wall sign for Dental Surgical Center of Medina to consist of 4.7 sq. ft.

Mr. Overmyer made a motion to approve the wall sign for Dental Surgical Center of Medina to be located at 3443 Medina Rd. not to exceed 4.7 sq. ft. as presented. It was seconded by Mr. Payne.

ROLL CALL-Overmyer-yes, Payne-yes, Apana-yes, Erickson-yes, Strogin-yes.

Mr. Kohn stated he was also requesting a tenant panel to be placed on the existing identification sign consisting of 4.66 sq. ft.

Mr. Apana made a motion to approve the tenant panel for Dental Surgical Center of Medina to be placed on the existing identification sign not to exceed 4.66-sq. ft. as presented. It was seconded by Mr. Erickson.

ROLL CALL-Apana-yes, Erickson-yes, Overmyer-yes, Payne-yes, Strogina-yes.

Medina Pediatric Dentistry-3443 Medina Rd. Suite #104

Mr. Steven Kohn from Sign-A-Rama represented Medina Pediatric Dentistry. He stated he was before the Commission to request a 4 sq. ft. wall sign for Medina Pediatric Dentistry.

Mr. Payne made a motion to approve the wall sign for Medina Pediatric Dentistry to be located at 3443 Medina Rd. Suite #104 to consist of 4 sq. ft. as presented. It was seconded by Mr. Overmyer.

ROLL CALL-Payne-yes, Overmyer-yes, Apana-yes, Erickson-yes, Strogina-yes.

Mr. Kohn stated he was also requesting a tenant panel to be placed on the existing identification sign consisting of 4.66 sq. ft.

Mr. Payne made a motion to approve the tenant panel for Medina Pediatric Dentistry to be placed on the existing identification sign not to exceed 4.66-sq. ft. as presented. It was seconded by Mr. Erickson.

ROLL CALL-Payne-yes, Erickson-yes, Overmyer-yes, Apana-yes, Strogina-yes.

Medina Vision Centre-4463 Weymouth Rd.

Dr. Timothy Earley represented Medina Vision Centre. He stated he was before the Commission to request a 32 sq. ft. ground sign. Dr. Earley stated they would just be refacing the existing ground sign. The height of the sign is 7 ft.

Chair Strogina asked about landscaping around the base of the sign? Dr. Earley stated that the former business at this location was a garden center. Last fall Medina Vision Centre had a landscaper come in and clean up the plant beds on either side of the sign. In those beds were certain perennials and wildflowers and until they start to grow again they would like to leave that area undisturbed until it is known what is planted in the beds. If any further landscaping needed to be added then they would do so accordingly.

Mr. Apana made a motion to approve the ground sign for Medina Vision Centre located at 4463 Weymouth Rd. not to exceed 32 sq. ft. as presented. It was seconded by Mr. Overmyer.

ROLL CALL-Apana-yes, Overmyer-yes, Payne-yes, Erickson-yes, Strogina-yes.

It was so noted that landscaping will be provided at the base of the sign.

Dreams to Realities Bridal-3725 Medina Rd. #112

Chair Strogin read a letter from Ms. Kristin Tomsheck from Dream to Realities Bridal asking for their site plan and signage to be tabled until the Commission's April meeting date due to the fact the company's lawyer had not completed the lease agreement at this time.

Mr. Overmyer made a motion to table the use and signage approval for Dreams to Realities Bridal to be located at 3725 Medina Rd. #112 until the Commission's April 20, 2010 meeting as requested. It was seconded by Mr. Payne.

ROLL CALL- Overmyer-yes, Payne-yes, Apana-yes, Erickson-yes, Strogin-yes.

On Tap Restaurant-2905 Medina Rd.

Mr. William Marras, Art Michaels owner, and Dan McGown, architect represented On Tap Restaurant. Mr. Marras stated they would like to add a covered patio area to the back of the building. The area would be lined with 3' raised planting beds and there would be two concrete planters on either side to the east and west of the covered patio area. He added there would be a sand pit area (75'x 14') to the north of the proposed covered concrete patio area for corn hole games and horse shoes.

Mr. Marras stated there would be access from the restaurant to the patio area. Even with the proposed addition the restaurant still met their parking requirements. He added that there would also be a 3 ft. metal fence around the patio area which was a requirement to serve alcohol outside.

Mr. Overmyer asked how many additional seats would be added? Mr. Marras stated 32 seats would be added and their current seating capacity is 131. ZI Ridgely stated she asked On Tap about the lighting. On Tap stated they would direct the lighting down towards the parking lot. She added that On Tap would also be starting to serve breakfast and the signage has been corrected for that advertisement.

Trustee Gardner asked with all the improvements On Tap was making if they could address the dilapidated light pole in the parking lot? Mr. Marras stated that would be looked at as well. Chair Strogin then asked about the landscaping around the pole sign. Mr. Marras stated they would address that as well.

Mr. Overmyer made a motion to approve the addition to On Tap Restaurant located at 2905 Medina Rd. as presented. It was seconded by Mr. Payne.

ROLL CALL- Overmyer-yes, Payne-yes, Apana-yes, Erickson-yes, Strogin-yes.

It was so noted the owner has agreed to address landscaping around the existing pole sign

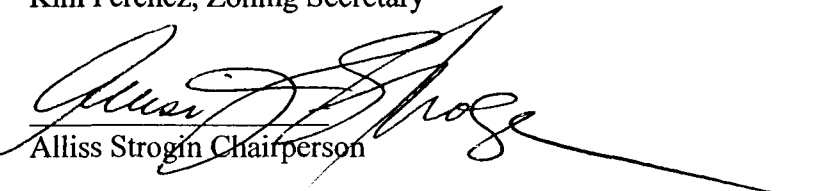
MISC.

Trustee Gardner stated the CPC workshop scheduled for March 31, 2010 is filled. The workshop is on new technology and zoning. As one can imagine it was going to be hands on computer training. Due to the fact the March 31, 2010 date is filled the CPC would hold another workshop on this topic on April 14, 2010 at 6:30 p.m. Location yet to be determined. Trustee Gardner asked for the e-mails of those Commission members interested in attending so she could forward the names to the CPC and then let the members know the exact location of the class when determined.

Having no further business before the Board, the meeting was officially adjourned at 9:00 p.m.

Respectfully Submitted,

Kim Ferencz, Zoning Secretary


Alliss Strogan Chairperson