

ZONING HEARING BOARD MEETING
January 16, 2012 MINUTES

Members Present:

P. Andrew Diamond
Glenn Geisel
Charles Hawkins
Mark Veon

Township Staff Present:

Jeffrey Musher, Supervisor Code Administration
Joe Shafer, Community Planner

Members Absent:

Allan Tedesco

Court Stenographer:

Leaette Cavaliere

Mr. Diamond called the meeting to order at 7:35 p.m.

Roll call was taken and it was noted that Mr. Allan Tedesco was not in attendance. Mr. Tedesco informed Mr. Diamond of his absence prior to the meeting, citing a conflict of interest.

The Zoning Hearing Board re-organized for 2012.

Motion made by Mr. Geisel to appoint Mr. Diamond Chairman of the Zoning Hearing Board.

Motion seconded by Mr. Veon.

Mr. Diamond accepted the nomination.

Nominations were closed.

Motion to appoint Mr. Diamond Chairman passed 4-0.

Mr. Diamond noted in his discussion with Mr. Tedesco before the meeting, Mr. Tedesco had informed him that he would not be opposed to a nomination as Vice Chairman of the Zoning Hearing Board.

Motion made by Mr. Hawkins to appoint Mr. Tedesco Vice Chairman.

Motion seconded by Mr. Geisel.

Nominations were closed.

Motion to elect Mr. Tedesco Vice Chairman passed 4-0.

Motion made by Mr. Veon to appoint Mr. Geisel Secretary of the Zoning Hearing Board.

Motion seconded by Mr. Hawkins.

Nominations were closed.

Motion to appoint Mr. Geisel Secretary passed 4-0.

Old Business:

None

New Business:

AP # 31481 – An appeal on behalf of Dick’s Sporting Goods Inc. The request is for a variance from the provisions of Chapter 27, Zoning, Part 6 (Signs), Section 27-605.5.B(1)(b) (Number of Building Signs for Shopping Center) and Section 27-605.5.B(2) (Maximum Sign Area) located at 2021 Mackenzie Way, Cranberry Township, PA 16066 (Map & parcel no. 130.4F44.18B).

All parties to be involved in the hearing were sworn in by the stenographer. Mr. Diamond verified the application was received and in good order with staff and then read the application into the record,

noting the attached narrative.

Mr. Kevin McKeegan of Meijer, Unkovic, & Scott introduced himself as legal counsel for the applicant and proceeded the rest of the representatives of the applicant; Ms. Shannon Yeakel, Manager of Development for Dick's Sporting Goods, Mr. Terry Venturino, Director of Store Planning and Purchasing for Dick's Sporting Goods, and Mr. Jim Mikula, President of Image One, a sign consulting firm.

Ms. Yeakel stated that the existing Dick's Sporting Goods in the Township was 50,000 square feet and that the new building that they would be constructing and re-locating to is 80,000 square feet, noting that the new store will operate and focus on a regional scale as opposed to a local one. Mr. McKeegan and Ms. Yeakel gave an overview of the approved Cranberry Crossroads site plan, in which the new Dick's Sporting Goods will be located, noting that the distance from Route 228 to Dick's front door was approximately 637 feet. Ms. Yeakel proceeded to describe the building itself, noting it was two stories and that the store design was the new prototype for all new Dick's buildings. Ms. Yeakel stated that three signs were being requested, one on the southern (front) façade, one on the western (side) façade, and one on the northern (rear) façade, and that the number and size of the signs exceeded what was allowable by ordinance. Ms. Yeakel also stated that she believed that a two-story building, by nature, needed larger signs and that smaller signs would be 'dwarfed'. She clarified the signs would read 'Dick's Sporting Goods' as this is the businesses full name and noted that the signage being requested was typical of the signage they have installed at other locations of similar building type.

Mr. Hawkins asked how far the sign on the western side of the building was from the road (Fairport Drive) and how far the sign on the rear side would be from Mars Road. Ms. Yeakel replied that the sign on the western side would be approximately 200 feet from Fairport Drive and the sign on the rear of the building would be approximately 125 feet from Mars Road.

Mr. Geisel asked if a freestanding sign was being proposed and Mr. McKeegan replied no and noted that freestanding monument (shopping center) signs were being installed by the developer of the overall project, and that Dick's would receive a space on this sign like all other tenants but Dick's was not responsible for applying for the monument sign(s).

Mr. Musher stated that the Cranberry Crossroads development was allowed to have two monument signs by code and that discussions with the developer indicated that their plans are for one of these signs to be devoted to their retail/restaurant/office tenants and that the other would be only be used by a proposed Get Go automobile fueling station. Mr. Musher stated that, to the best of his knowledge, the developer did not intend to install freestanding signage on Mars Road.

Mr. Veon asked about finished floor elevations and was told by Ms. Yeakel that the FFE for Dick's would be 1093 and the Get Go would be 1087 according to the site plan.

Mr. Musher clarified with Mr. Venturino that the front entry sign was a building sign and not a free standing sign. There was a discussion between staff and Mr. Diamond in regards to which roads in the Crossroads development are or would be public roads.

Mr. Mikula introduced himself and identified that visibility of the signs was hindered by the setback of the building from Route 228 and stated the ordinance did not address depth when regulating signs. He believed people would not be able to safely view the sign from this corridor. Mr. Geisel and Mr. Mikula discussed sign philosophy with Mr. Mikula noting that if the building was closer to Route 228, a larger sign would not be needed. Mr. Geisel asked what made Dick's different from the neighboring development with Target and Lowe's (Cranberry Commons) and Mr. Mikula replied that those businesses were in a true shopping center plaza and Dick's was a standalone building which made it

more difficult to find. Mr. Geisel stated that monument signs were used for safety but building mounted signage is not necessary for a safe control of traffic. Mr. Mikula disagreed.

Mr. Venturino stated that he believed that smaller signs on such a large building would be out of proportion and look silly. He cited that the Marriott across Route 228 was close to the road and had a large sign. Mr. Diamond replied that the Township was typically inclined to limit signs and bring non-conforming signs into compliance.

Mr. Musher stated that the Township did not support the variance request due to the square footage being requested and the number of signs being requested and noted that the signs being proposed were actually larger than indicated by the applicant. Mr. Musher stated that the request was for significantly more signage and extensively bigger than what is allowed, noting that the businesses in Cranberry Crossroads sit farther back from the road and all have code compliant signs. Mr. Diamond clarified the code requirements for building mounted signs with Mr. Musher.

Mr. Diamond advised that each individual letter of the sign be measured as opposed to the whole sign area and suggested that 3 signs at 120 square feet each be allowed.

Mr. McKeegan stated they had measured the signs as instructed and clarified that the signs on the front and side were the same signs (size, type) while the sign on the rear was different. He also stated that only the rear sign would have a green background included as part of the sign, noting that the green background on the other two signs was already part of the building architecture and not part of the sign themselves.

Mr. Geisel asked what the point of the side sign was and the applicant replied that if any of the three signs had to be removed, they would prefer to remove the sign on the rear. Mr. Geisel asked if the sign on the western elevation needed to be as large as proposed and Mr. McKeegan stated that they would be willing to reduce the size of that specific sign to 120 feet. Mr. Geisel stated that he was OK with the size of the rear sign but not the size of the front sign.

Mr. Veon stated that he was concerned about setting a precedent to allow larger signs and would rather see 240 square feet on the front and internal signage in the windows on the side and rear. Mr. Diamond further explained the difference in code requirements between external and internal signage.

A brief recess was taken at 8:44 pm. The hearing resumed at 8:48 pm

Mr. McKeegan stated that the applicant was amending their request. They asked to withdraw the request for a sign on the rear, and proposed a maximum letter height of 5 feet on the side sign and 7 feet high on the front sign, making the size of the side sign 120 square feet and the size of the front sign 280 square feet.

Mr. Diamond asked if any directional signage had been applied for and Mr. McKeegan said that this was the responsibility of the developer but not to his knowledge. Mr. Diamond stated that the ordinance was clear on the 120 square foot max and was not supportive of going over but he believed the ordinance did not expressly limit a business to only two building mounted signs.

Mr. Geisel replied that the issue with the applicant's proposed amendment was the size being requested for the front sign, being 160 feet over the maximum allowed. Mr. Geisel inquired about a 240 square foot sign on the front. Mr. McKeegan stated that it was not preferred. Mr. Geisel agreed that a small sign on a large building would look 'somewhat odd'. There was then further discussion between Mr. Musher and Mr. Mikula about sign measurement and how the size of the proposed signs would be reduced.

Ms. Yeakel stated that signs could not be too small because visibility would not only be from the parking lot but from the road as well. Mr. Mikula followed up by stating that the proportion of the sign would be distorted by its distance from the road. Mr. Diamond replied that too large of a sign could be a hazard as well. Mr. Venturino answered that the monument sign was small and subject to being blocked by traffic, in which case the building sign is more beneficial. Mr. Diamond discussed the monument signs at the neighboring Cranberry Crossroads development. Mr. McKeegan reiterated that Dick's had no control over the monument sign.

Mr. Diamond noted that the ordinance was not silent on sign maximums (size) but was very clear on the matter. Mr. McKeegan replied that hardships did exist and that he believed the sign square footage should be allocated appropriately. Mr. Musher stated that the Township had no additional comments.

The Zoning Hearing Board went into Executive Session from 9:18 pm to 9:44 pm

Mr. Diamond stated the Zoning Hearing Board would entertain 280 square feet for the front sign, 80 square feet on the side sign, and no sign on the rear, measuring the signs by each individual letter as opposed to using the 'boxing' method. Mr. Musher asked if the measurements would disregard the space between the individual letters and Mr. Diamond replied yes.

Motion made by Mr. Geisel to grant the amended request of 280 square feet of signage for 'Elevation A' (front/southern façade) and 80 square feet of signage for 'Elevation B' (side/western façade) as shown on the drawings, citing the scale of the building, the aspect that the building in question is a freestanding structure, safety, the hardship of unique physical circumstances being prevalent not created by the applicant, the nature and character of the neighborhood would not be changed, and that the appeal represented the least modification possible.

Mr. Veon seconded the motion.

No further discussion took place.

The motion passed 3-1 (Yays: Mr. Geisel, Mr. Hawkins, Mr. Veon; Nays: Mr. Diamond)

Correspondence:

None

Approval of Minutes:

Mr. Geisel acknowledged that they had received minutes for 4/18/11, 5/16/11, 6/13/11, 7/25/11, and 8/15/11. Mr. Geisel noted that the 8/15/11 minutes had been approved in 10/17/11 but the Zoning Hearing Board had not received the minutes from the 10/17/11 meeting.

Motion was made by Mr. Diamond to approve the minutes the Zoning Hearing Board they had received.

Motion seconded by Mr. Hawkins.

The motion passed 4-0.

Adjournment:

Motion to adjourn made by Mr. Hawkins

Motion seconded by Mr. Veon.

Motion passed 4-0.

Meeting adjourned at 9:57 pm

Respectfully Submitted,

Jeffrey Musher
Manager, Code Administration