

ZONING HEARING BOARD MEETING
January 17, 2011 MINUTES

Members Present:

P. Andrew Diamond
Allan Tedesco
Mark Veon
Glenn Geisel
Charles Hawkins

Township Staff Present:

Jeffrey Musher, Supervisor Code Administration
Joe Shafer, Community Planner

Court Stenographer:

Leaette Cavaliere

Mr. Diamond called the meeting to order at 7:32 p.m.

Roll call was taken and it was determined all members were present and accounted for. The Zoning Hearing Board was re-organized for 2011 and nominations were made to fill the positions of Chairman, Vice Chairman, and Secretary.

Motion was made by Mr. Tedesco to nominate Mr. Diamond Chairman of the Zoning Hearing Board. Mr. Hawkins seconded the motion.

No other nominations were made.

Motion to appoint Mr. Diamond Chairman of the Zoning Hearing Board carried, 5-0.

Motion was made by Mr. Veon to nominate Mr. Tedesco Vice Chairman of the Zoning Hearing Board. Mr. Hawkins seconded the motion.

No other nominations were made.

Motion to appoint Mr. Tedesco Vice Chairman of the Zoning Hearing Board carried, 5-0.

Motion was made by Mr. Tedesco to nominate Mr. Geisel Secretary of the Zoning Hearing Board.

Mr. Hawkins seconded the motion.

No other nominations were made.

Motion to appoint Mr. Geisel Secretary of the Zoning Hearing Board carried, 5-0.

Old Business: None

New Business:

AP # 31303 - An appeal on behalf of JTB Sign Service, Inc. The request is for a variance of Chapter 27, Zoning, Part 6 (Signs), Section 27-605.5.B(1)(a) (Number of Building Signs for Shopping Center) located at 20215 Route 19, Suite 107 (Buffalo Wild Wings), Cranberry Township, PA 16066 (Map & parcel no. 130.4F110.10CA).

Mr. Diamond read the application into the record and confirmed that the application submission was complete and in good order.

All parties to be involved in the hearing were sworn in by the stenographer.

Mr. Remus, a representative for Buffalo Wild Wings, congratulated the Board on their reappointments. He proceeded to give an overview of the project mentioning that the process of bringing Buffalo Wild Wings to Cranberry Township had begun in spring of 2010 with traffic counts, market research, and a study of the Township's Zoning Ordinance. Upon completion of this process, the old Hollywood Video site, located in the Cranberry Shoppes shopping center, was selected. Mr. Remus explained that initially it was thought that signs were allowed wherever the business had road frontage. Upon discovering otherwise, they withdrew their request for a third sign along Nicklas Drive since it is

classified as a private road. The request for a second sign, on the south side of the building remained. The applicant then noted that other restaurants, such as Houlihan's, had been allowed to have two signs. Mr. Remus' closing point was that unique circumstances existed for the site citing that the only access to the site from either of the primary roads in the vicinity, Route 19 and Freedom Road was indirect via Old Freedom Road and a second sign would aid in visibility and navigation for the general public.

Mr. Diamond clarified that the sign in question was located over an awning that had been approved as part of a variance request for a patio that was granted by the Zoning Hearing Board on September 20, 2010.

Mr. Geisel sought clarification on the size of the proposed sign as well as what the ordinance permitted. Mr. Musher informed the Board that the variance request was for a sign approximately 100 square feet in size and explained that, in this instance, the Zoning Ordinance allowed for signage up to 120 square feet or 10% of the building's frontage, whichever was the more restrictive of the two. Mr. Musher noted that the already approved sign on the eastern frontage of the building was 68 square feet and detailed how the Township typically measured signs with "T" or "L" shapes.

Mr. Geisel concluded that the applicant had 52 square feet in signage that was allowable under the Zoning Ordinance. Mr. Tedesco asked the applicant why a second sign was needed on the southern frontage of the building and why was it larger than the approved signage on the eastern frontage of the building.

Mr. Remus informed the Board that this was standard sign practices for Buffalo Wild Wings and that the sign on the frontage was needed for visibility to the general public.

Mr. Veon asked if the existing trees on site would block the requested second sign and was informed by Mr. Rahe, representing JTB Sign Service Inc., that the sign in question would be placed high enough on the building that this would not be an issue.

Mr. Tedesco asked the applicant if there were any alternatives for the sign and was informed by Mr. Remus that a sign with 20 inch high letters, approximately 54 square feet in size was a possibility. Mr. Tedesco asked staff if the other businesses in the shopping center had utilized all of their allotted square footage for signage. Mr. Musher stated that they had for the most part and pointed out allotted square footage for the other businesses in the shopping center varied depending on the amount of frontage they had.

Mr. Veon asked what staffs position on the matter was. Mr. Musher stated the Township was neutral in this case, being neither for nor against the request.

Mr. Geisel established that the Zoning Ordinance only allowed a second sign for businesses that exceeded 30,000 square feet and confirmed that Buffalo Wild Wings was only 6,000 square feet in size, approximately.

Mr. Tedesco asked the applicant what the distance was between Old Freedom Road and the southern frontage of the building. Mr. Remus stated that it was approximately 50 feet. Mr. Tedesco also asked staff if any other businesses in the shopping center had a second sign. Mr. Musher replied no. Mr. Remus pointed out that King's Jewelers had a second sign located in their window. Mr. Diamond clarified that signs placed in windows, pursuant to Township regulations regarding display type, were not counted by the ordinance as a second sign and were allowable. Mr. Geisel asked the applicant if a sign could be placed in the window of the southern frontage. Mr. Remus said it was a possibility but not a preferred alternative.

Mr. Tedesco and Mr. Veon discussed smaller sign alternatives and it was stated that the Board would prefer a second sign in the range of 52 square feet. The Board again clarified with staff the size of the frontage of the eastern and southern elevations and what the Zoning Ordinance permitted in terms of signage. Mr. Diamond pointed out that the building did technically have two fronts on the eastern and southern sides. Mr. Hawkins stated that with the two fronts combined two signs could be permitted, the existing sign and a 52 square foot sign, and still meet code. Mr. Diamond stated that the Zoning Hearing Board does not typically grant a second sign and that it has only been done in the past in cases with unique circumstances. He cited Barnes and Noble as being an example in which it was granted due to a change in the Zoning Ordinance that had occurred between the time of the initiation of the original development and the time that the sign permit was applied for. Mr. Diamond again stated that the Buffalo Wild Wings building had two fronts which created a unique circumstance.

Mr. Tedesco asked staff if the shopping center had a sign. Mr. Musher stated that they did have a pylon sign but it only had the name of the center on it, Cranberry Shoppes, and did not include the names of any of the tenants. Mr. Tedesco also asked staff if the shopping center qualified for another sign and was told no.

Mr. Diamond asked the applicant if the developer would be content with a reduction from the requested 100 sq. ft. (approximately) size to a size in the range of 54 to 57 square feet. Mr. Rahe stated yes, it was a possibility. Mr. Remus stated some custom adjustments in design could be made to maximize the alternative size of the sign that the Board was considering.

Mr. Geisel stated that signs are not viewed by the Board as advertisements but rather as a tool to convey to the general public information needed to properly and safely navigate themselves to their desired destinations. Improper or inadequate signage could lead to confused motorists who were liable to cause accidents due to the distraction of searching for the location of their destination. He also stated that shopping center signs with tenant names were sometimes used to prevent this problem. Since pylon signs provided proper signage, requests for a second sign in the past for businesses that already had their name on a pylon sign had been rejected. It was noted that since the shopping center's sign did not include the names of any tenants, this was not an issue in this case.

Mr. Diamond sought a motion for the proposal as applied for.

Motion was made by Mr. Tedesco to approve the application as it was submitted to grant the request for a second sign whose size, when combined with the already approved sign on the eastern frontage, would not exceed a total of 120 square feet on the basis that the building in question was situated on a corner lot and double fronted therefore creating a unique circumstance allowing for the utilization of the maximum sign allotment.

Mr. Hawkins moved to second the motion.

Mr. Diamond motioned to amend the original motion to include the fact that the entity could not be reasonably found by the public without the addition of the second sign on the side of the building.

Mr. Tedesco moved to second the motion to amend.
The motion to amend carried, 5-0.

Mr. Geisel motioned to further amend the original motion to clarify that the side in question of the building was defined as the southern frontage of building adjacent to Old Freedom Road, which is considered a front yard.

Mr. Hawkins moved to second the motion to further amend the original motion.
The motion to further amend the original motion carried, 5-0.

Mr. Hawkins moved to approve the original motion as amended.
Mr. Geisel moved to second the motion to approve the original motion as amended.
The motion to approve the original motion as amended carried, 5-0.

Discussion about the minutes from past meetings took place and the Board requested that the Township obtain a transcript from the stenographer of the motions and votes taken during their meetings and have them added to the Zoning Hearing Board's minutes.

Motion was made by Mr. Geisel to adopt the minutes from the September 20, 2010 meeting with corrections to better clarify the frontage of the building that was being discussed.

Mr. Hawkins moved to second the motion, including the corrections.
The motion carried, 5-0.

Adjournment

Meeting adjourned at 8:36 p.m.

Respectfully Submitted,

Jeffrey Musher
Supervisor, Code Administration