

PLANNING & DEVELOPMENT COMMITTEE

Tuesday, February 16, 2016

6:00 pm

Council Board Room

One Batavia City Centre, Batavia NY

AGENDA

I. Roll Call

II. Call to Order

III. Approval of Minutes – 1/19/16

IV. Proposals

Address: 85-89 Main Street

Applicant: Adam Lowder (Contractor, Vinyl Sticks)

Proposal 1: Special Sign Permit: placement of a 17.64' x 8.45' window sign across four window panels on the north elevation of this commercial building located within the BID

Actions: 1. Review application
2. Discussion and action by the board

V. Other/ New Business/Updates

VI. Setting of Next Meeting: March 22, 2016

VII. Adjournment

PLANNING & DEVELOPMENT COMMITTEE

MINUTES

January 19, 2016 6:00 pm

Council Board Room
One Batavia City Centre, Batavia NY

Members present: *Edward Flynn, Matthew Gray, Duane Preston, Robert Knipe*

Members absent: Rachael Tabelski, Marc Staley (Alt.)

Others present: Meg Chilano – Recording Secretary, Doug Randall – Code Enforcement Officer

I. Roll Call

Roll call of the members was conducted. Four members were present and Chairman Preston declared a quorum.

II. Call to order

Mr. Preston called the meeting to order at 6:10 pm.

III. Previous Meeting Minutes

Mr. Knipe moved to approve the minutes; the motion was seconded by Mr. Gray, and on roll call, was approved 4-0.

RESULT: Approval of November 17, 2015 meeting minutes.

IV. Proposal

Special Sign Permit: placement of a 17.64' x 8.45' window sign across four window panels on the north elevation of this commercial building located within the BID

Address: 85-89 Main Street

Applicant: Adam Lowder (Contractor, Vinyl Sticks)

Actions: Table the application

Action by the board

The applicant was not in attendance to speak about the proposal.

MOTION: Mr. Preston moved to table the application until the next meeting; the motion was seconded by Mr. Knipe, and on roll call, was approved 4-0.

RESULT: Application tabled.

V. New Business: 2016 Meeting Schedule

Mr. Flynn moved to approve the schedule; the motion was seconded by Mr. Gray, and on roll call, was approved 4-0.

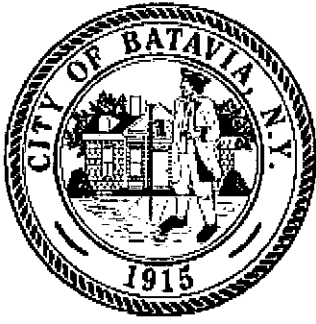
RESULT: Approval of 2016 Meeting Schedule.

V. Setting of Next Meeting: February 16, 2016

VI. Adjournment

Mr. Gray moved to adjourn at the meeting at 6:15 pm. Mr. Knipe seconded. All voted in favor.

Meg Chilano
Bureau of Inspection Clerk



City of Batavia
Department of Public Works
Bureau of Inspections

One Batavia City Center, Batavia, New York 14020

(585)-345-6345

(585)-345-1385 (fax)

To: Genesee County Planning
Planning and Development Committee

From: Doug Randall, Code Enforcement Officer

Date: 11/23/15

Re: 85-89 Main St.
Tax Parcel No. 84.049-1-46

Zoning Use District: C-3

The applicant, Adam Lowder (Contractor, Vinyl Sticks), has applied for a Special Sign Permit to place a 17.64' x 8.45' window sign across four window panels on the north elevation of this commercial building located within the Business Improvement District.

Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (1).

Review and Approval Procedures:

County Planning Board- Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of a state parkway, throughway, expressway, road or highway.

City Planning and Development Committee- Pursuant to section 190-14 D (2) (b), the Planning and Development Committee shall review and approve applications for sign permits on properties located within the B.I.D. Also; Per 190-43 R the PDC shall approve or deny Special Sign Permits.

BMC 190-43 F and Exhibit A

A maximum 25% window sign coverage is permitted in the Central Commercial District.

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 344-2580 Ext. 5467

DEPARTMENT USE ONLY:

GCDP Referral # _____



*** GENESEE COUNTY ***
PLANNING BOARD REFERRAL

Required According to:

GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N

(Please answer ALL questions as fully as possible)

1. REFERRING BOARD(S) INFORMATIONBoard(s) Planning and Development CommitteeAddress One Batavia City CentreCity, State, Zip Batavia, NY 14020Phone (585) 345 - 6347

Ext. _____

2. APPLICANT INFORMATIONName Adam Lowder (contractor, Vinyl Sticks)Address 23 Ganson Ave.City, State, Zip Batavia, NY 14020Phone (585) 409 - 5543

Ext. _____

Email _____

MUNICIPALITY: ☒ City ☐ Town ☐ Village of Batavia**3. TYPE OF REFERRAL:** (Check all applicable items)☐ Area Variance☐ Use Variance☐ Special Use Permit☐ Site Plan Review☐ Zoning Map Change☐ Zoning Text Amendments☐ Comprehensive Plan/Update☒ Other: Special Sign Pmt

Subdivision Proposal

☐ Preliminary☐ Final**4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:**A. Full Address 85-89 Main St.B. Nearest intersecting road Jackson St.C. Tax Map Parcel Number 84.049-1-46

D. Total area of the property _____ Area of property to be disturbed _____

E. Present zoning district(s) C-3 (BID)**5. REFERRAL CASE INFORMATION:**

A. Has this referral been previously reviewed by the Genesee County Planning Board?

☒ NO ☐ YES If yes, give date and action taken _____

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law

BMC 190-14 D(2)(b) and 190-43 RC. Please describe the nature of this request Approval to place 17.64' x 8.45' window sign across four window panels on the north elevation of this building.**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral☒ Local application☐ Site plan☐ Subdivision plot plans☐ SEQR forms☐ Zoning text/map amendments☐ Location map or tax maps☐ Elevation drawings☐ Agricultural data statement☐ New or updated comprehensive plan☒ Photos☒ Other: Cover letter

If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.

Email to planning@co.genesee.ny.us**7. CONTACT INFORMATION** of the person representing the community in filling out this form (required information)Name Douglas RandallTitle Code Enf. OfficerPhone (585) 345 - 6327

Ext. _____

Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020Email drandall@batavianewyork.com



SIGN PERMIT APPLICATION

CITY OF BATAVIA
10 West Main Street, Batavia, NY, 14020
Phone: (716) 343-8180 • Fax (716) 343-9221

Permit No: _____

Date: _____

Zone: C-3

Special Sign: Yes

84,049-1-46

APPLICANT:

Name Adam Lowder/Vinyl Sticks alowder@vinylsticks.com
E-mail Address
23 Cansen Ave 585-409-5543 N/A
Street Address Phone Fax
Batavia, NY 14020
City, State, Zip Code

OWNER:

Name Ken Mistler gymowner@icloud.com
E-mail Address
85 Main St. 585-344-3700 N/A
Street Address Phone Fax
Batavia, NY 14020
City, State, Zip Code

ADDRESS OF SIGN: 85 Main St Batavia, NY 14020 (North side of building)

SIGN AREA: Length 53' Width 101.5' Area 37.4 sq. ft.
17.64' 8.45' 149.05'

TYPE OF SIGN: One way window film. See out from inside building

1. All sign applications must have an illustration of the sign with its dimensions and copy.
2. Freestanding signs must have a Site Plan to show the sign's location on the property
3. All other signs must include an elevation plan to show the sign's placement on the building

<input type="checkbox"/> Freestanding:	Set Back _____	Height _____	Area _____
<input type="checkbox"/> Wall	Wall Length _____	Wall Height _____	
<input type="checkbox"/> Projecting			
<input type="checkbox"/> Marquee			
<input type="checkbox"/> Awning/Canopy	Length _____	Height _____	Area _____
<input checked="" type="checkbox"/> Window	Window Length <u>53'</u>	Window Height <u>101.5'</u>	Area <u>37.4 sq. ft.</u>
<input type="checkbox"/> Portable	<u>4.41'</u>	<u>8.45'</u>	<u>149 sq. ft.</u>
	<u>17.64'</u>		

LIGHTING: ☐ Internal ☐ External

EXISTING SIGNS (Please list all existing signs with dimensions):

N/A

149 sq. ft.
37.25 sq. ft.
111.75 sq. ft. over.
100% Coverage
25% Permit Fee (149 sq. ft.)
75% over.

Applicant's Signature: _____

Date: 11/9/15

Issuing Officer: _____

Date: _____

Planning Board Chair person: _____

Date: _____

FEES: ☒ \$25 Sign Permit ☒ \$50 Special Sign Permit ☐ \$10 Portable Sign



**GENESEE COUNTY PLANNING BOARD
ZONING REFERRALS NOTICE OF FINAL
ACTION**

GCDP Referral ID **C-39-BAT-12-15**
Review Date **12/10/2015**

Municipality
Board Name
Applicant's Name

BATAVIA, C.
CITY PLANNING AND DEVELOPMENT COMM.
Adam Lowder (contractor, Vinyl Sticks)

Referral Type
Variance(s)
Description:

Special Sign Permit
Special Sign Permit to place a 17.64 x 8.45 ft. window sign.
Total Window Sign Coverage Area
Maximum allowed: 25% (37.25 sq. ft.)
Proposed Sign: 100% (149 sq. ft.)

Location
Zoning District

85-89 Main St. (NYS Rts. 5 & 33), Batavia
Central Commercial (C-3) District

PLANNING BOARD DECISION

APPROVAL WITH MODIFICATION(S)

EXPLANATION:

The required modification is that the applicant decreases the size of the window sign to comply with the City's 25% maximum coverage regulation. The amount of signage proposed grossly exceeds that allowed per the City's zoning regulations and by reducing transparency in the first floor windows, detracts from the pedestrian experience. With this required modification, the proposed sign should pose no significant county-wide or inter-community impact.

Director

December 10, 2015

Date

If the County Planning Board disapproved the proposal, or recommends modifications, the referring agency shall NOT act contrary to the recommendations except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within 30 days after the final action the referring agency shall file a report of final action with the County Planning Board. An action taken form is provided for this purpose and may be obtained from the Genesee County Planning Department.

