



**BOARD OF ZONING APPEALS
STAFF REPORT**

TUESDAY, MARCH 26, 2024

CASE NO: BZA 24-0001
PROJECT NAME: PLANET FITNESS SIGN VARIANCE
PROJECT ADDRESS: 4888 AIRWAY, RIVERSIDE, OHIO 45431
PARCEL ID: I39 00114 0043
APPLICANT/PROPERTY INFO: PLANET FITNESS, 4888 AIRWAY RD, RIVERSIDE, OH 45441
OWNER/PROPERTY INFO: WOODMAN PROPERTIES LLC, 3333 RICHMOND RD, STE 350, CLEVELAND, OH 44122
ZONING DISTRICT: B-2 GENERAL BUSINESS DISTRICT
CURRENT USE: FITNESS CENTER

REQUEST:

A variance from UDO Sec. 1115.09(G)(3) to allow an increase in the maximum sign square footage on a multi-tenant building.

LOCATION	REQUIREMENT	REQUEST	VARIANCE %
FRONT FACADE	50 SF. MAX	80 SF. INCREASE	160% INCREASE

CASE SUMMARY/BACKGROUND:

The subject site is the 24-acre Airway Shopping Center. It is outside of the Source Water Protection area. The applicant is the Planet Fitness located on the south side of the shopping center. The fitness center has been a tenant at the shopping center since 2014. The current sign is 147 sf and was installed when the business opened 10 years ago. The City does not have any records for the current sign. The applicant is proposing to replace this sign with a similar internally illuminated 130 sf attached wall mounted sign. The sign code permits multi-tenant structures one 50 sf maximum wall sign for each tenant. The proposed sign size has triggered the variance request.

INTERESTED PARTY COMMENTS:

Staff has not received any calls from adjacent property owners or other interested parties.

STAFF REVIEW/FINDINGS:

Staff finds that the requested variance to allow an increase in the *maximum sign square footage* is not adequately justified and does not meet the standards for approval. Staff recommends **denial** of the requested variance, because:

- This is a substantial variance.
- The current design of the proposed sign is **not** the minimum necessary to afford relief to the applicant. An entirely new sign could be designed to meet the sign code requirements.
- The spirit and intent behind the zoning code would **not** be observed.

The question before the Board of Zoning Appeals is:

- **Does the proposal meet the standards for granting the request variance established in Section 1105.15?**

In order to answer this question, the Board of Zoning Appeals should consider:

- the conditions upon which an application for the variance(s) is based are particular to the subject property with respect to the physical size, shape or other characteristics of the premises, differentiating it from other lots in the same district,
- variance(s) would result in an improvement of the property that is more appropriate and more beneficial to the community than would be the case without granting of the variance(s).
- information in the staff report (standards for approval, attachments, etc.) for each requested variance, and
- testimony and/or evidence provided at the public hearing which directly relates to the variance request.

ATTACHMENTS:

- Zoning Map
- Aerial Map
- Site Plan
- Justification Statement Page
- Supplemental Information

STANDARD OF REVIEW AND STAFF ANALYSIS FOR A VARIANCE FROM SECTION 1115.09(G):

The following factors shall be considered by the BZA in determining whether practical difficulty exists sufficient to warrant a variance to increase the maximum sign square footage; 1115.09(G)(2).

1. Whether the property in question will yield reasonable return or whether there can be any beneficial use of the property without the variance;

Yes, there could still be a beneficial use of the property without the variance.

2. Whether the variance is substantial;

Yes, the applicant is requesting a 160% increase in the permitted sign square footage. This is a substantial variance.

3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;

No, the essential character of the commercial corridor would not be altered nor would adjoining properties be affected.

4. Whether the variance would adversely affect the delivery of governmental services (i.e., water, sewer, garbage);

No, the delivery of governmental services will not be adversely affected.

5. Whether the property owner purchased the property with knowledge of the zoning restriction;

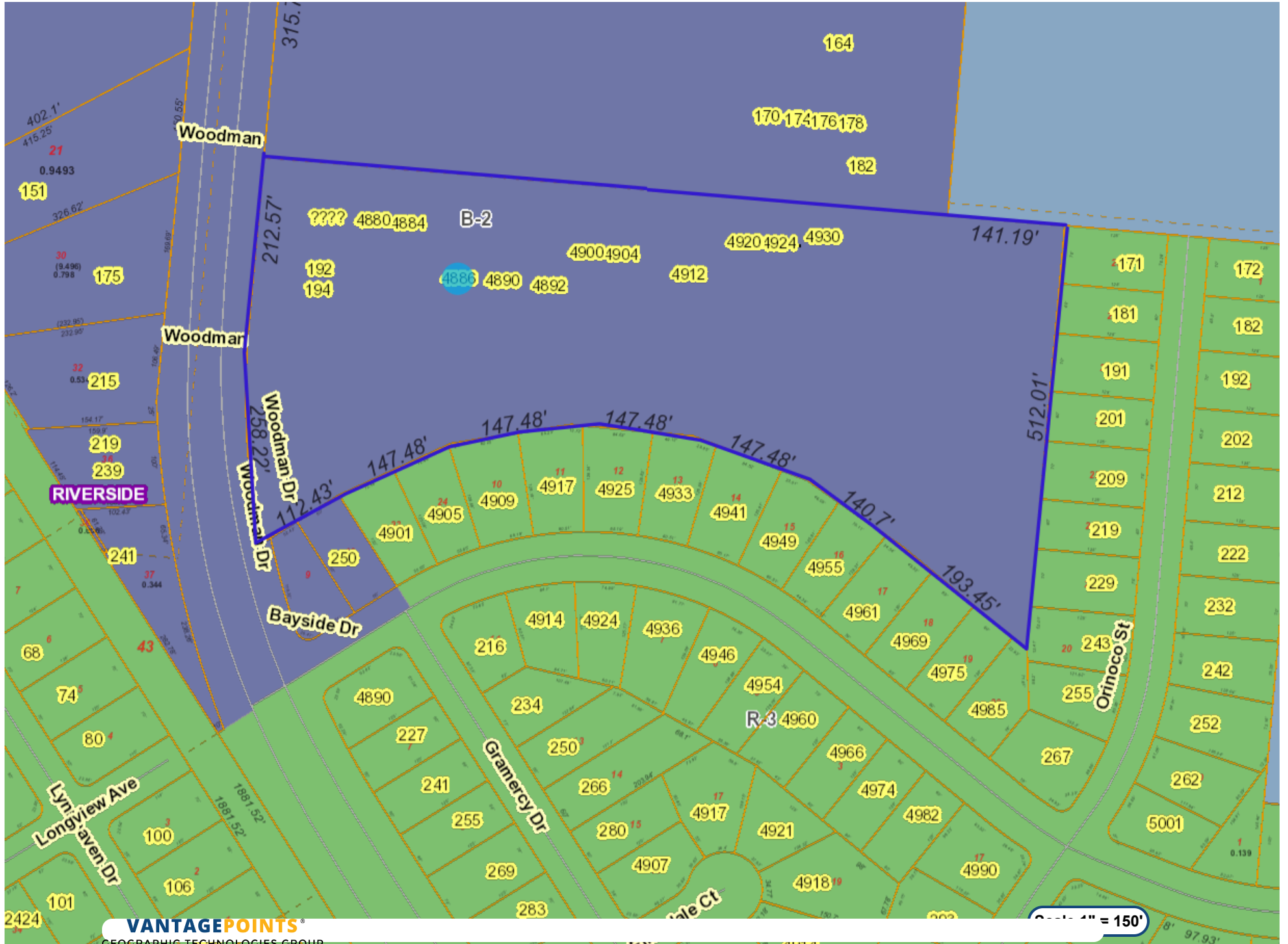
No, the property owner purchased the property prior to the current zoning regulations. The applicant has applied for the variance prior to start of the project.

6. Whether the property owners' predicament feasibly can be obviated through some method other than a variance;

Yes, the applicant can replace the existing sign with code compliant signage or propose a design with a reduced variance request.

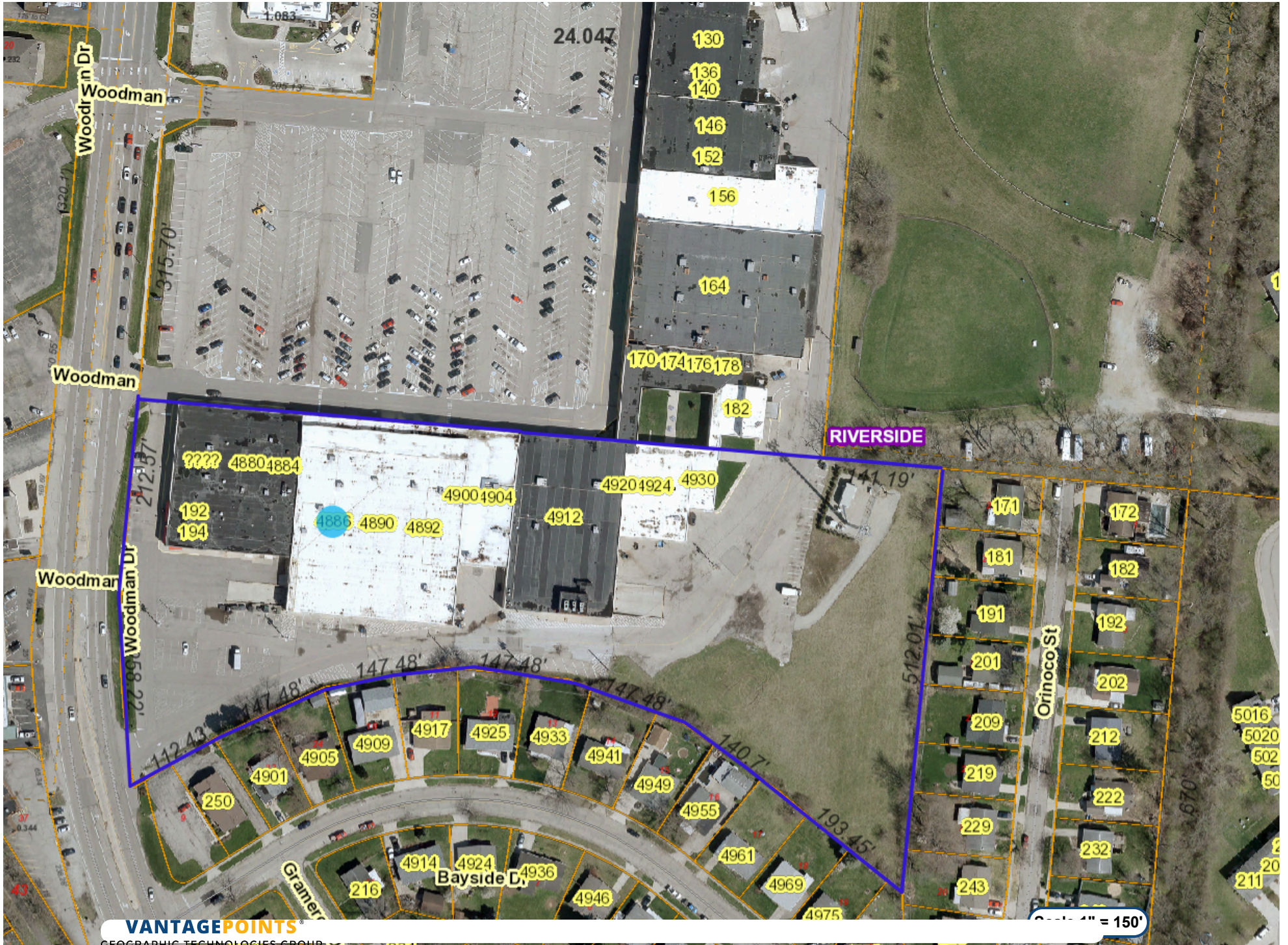
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

No, the spirit and intent behind zoning code would not be observed. The square footage limit is intended to provide uniformity and avoid sign clutter within multi-tenant businesses. The zoning code under §1103.13 *Nonconforming uses* clearly states the intent of the code is for nonconformities to be allowed to continue until they are removed. Then these uses or structures should not be encouraged to survive.



VANTAGEPOINTS
GEOGRAPHIC TECHNOLOGIES GROUP

Scale 1" = 150'



DESIGNS PREPARED FOR:



planet
fitness

SITE ADDRESS:
4888 AIRWAY RD,
DAYTON, OH 45431

JOB NUMBER:
292193

ZONE:
INDUSTRIAL

SALES REPRESENTATIVE:
Eric Zeise & Steve Berryman

PROJECT MANAGER:
Matt Garves

FRONT ELEVATION - OPTION A



EXISTING ELEVATION
SCALE: 1/8"=1'-0"



PROPOSED ELEVATION
SCALE: 1/8"=1'-0"

C/L W/
SIGNBAND

JONES SIGN
Your Vision. Accomplished.
A MORTENSEN COMPANY

JOB #: **292193_R1**
DATE: 01.22.2024
DESIGNER: ZT
SALES REP: Eric Zeise & Steve Berryman
PROJ MGR: Matt Garves

REQUIRED:

- FIELD SURVEY
- VECTOR ARTWORK
- PAINT COLOR
- CLIENT PMS COLOR
- FONTS
- ENGINEERING

OTHER:

LANDLORD APPROVAL _____ DATE _____

CLIENT APPROVAL _____ DATE _____



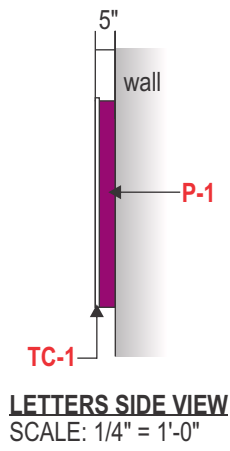
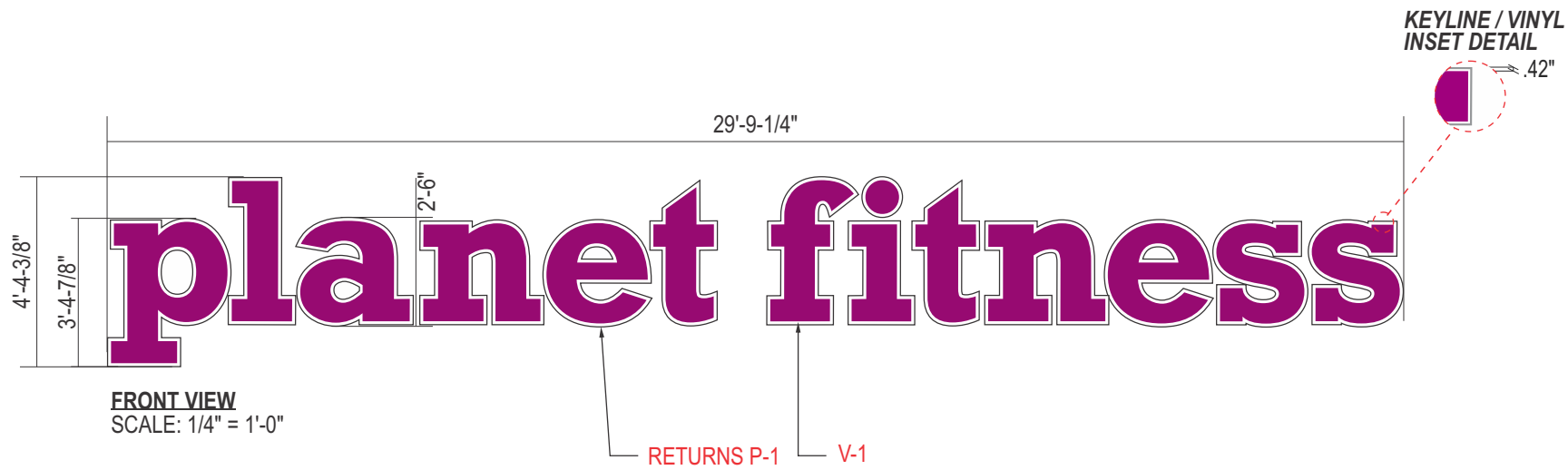
PLANET FITNESS
4888 AIRWAY RD,
DAYTON, OH 45431

SHEET NUMBER

5.0

WS.1 FACE LIT CHANNEL LETTERS WALL MOUNT - LETTERS ONLY - EXTERIOR (QTY 1) - OPTION A

OVERALL SQUARE FOOTAGE: 130
 ALLOWABLE SQUARE FOOTAGE: 50



SPECIFICATIONS:

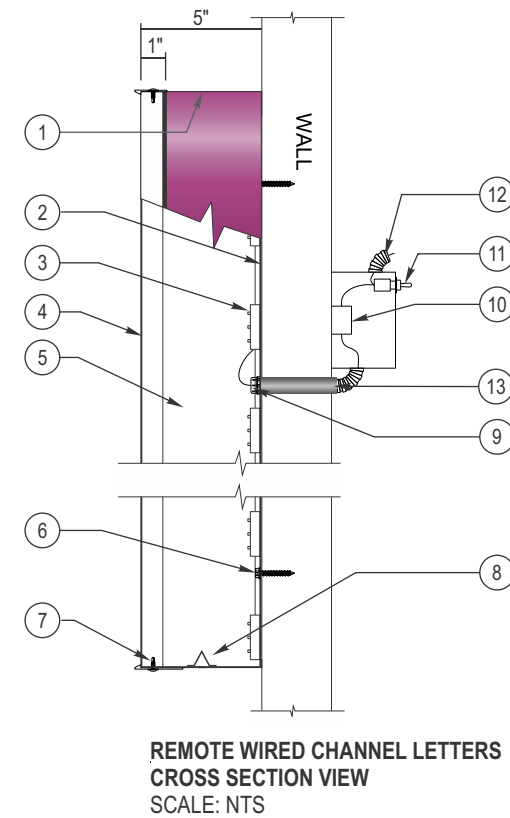
- .040" X 5" PRE-FINISHED ALUMINUM COIL (WHITE INSIDE) (SEAMS IN CORNERS OR TOP) P-1
- ACM BACKS / LETTER LOCKED TO RETURNS
- WHITE LED'S, 4000K
- 3/16" WHITE ACRYLIC A-1 WITH FIRST SURFACE APPLIED VINYL V-1,
- 1" PRE-FINISHED JEWELITE CHEMICALLY BONDED TO FACES (SEAMS AT THE TOP) TC-1
- MOUNTING HARDWARE TO SUIT FIELD CONDITIONS
- #8 - 1/2" PAN HEAD SCREWS (NO MORE THAN 24" APART) P-3
- 1/4" DIA. WEEP HOLES W/ .063" DRAIN HOLE COVER (EXTERIOR APPLICATIONS ONLY)
- 7/8" ELECTRICAL HOLE / 1/2" COUPLER WITH FLEXIBLE CONDUIT TO POWER SUPPLY BOX (IN MIDDLE OF LETTER UNLESS NOTED OTHERWISE)
- LED POWER SUPPLY INSIDE POWER SUPPLY BOX
 SELF CONTAINED OPTION: LED POWER SUPPLY WITH ENCLOSURE
- TOGGLE SWITCH MOUNTED TO POWER SUPPLY BOX
 SELF CONTAINED OPTION: TOGGLE SWITCH WILL MOUNT TO RETURN OF LETTER
- 15 FT. MIN. WHIP LENGTH
- RIGID CONDUIT THROUGH WALL WITH 1/2" - 1" STUB BEYOND INSIDE WALL.
 INSTALLER TO FOLLOW LOCAL CODE.

NOTES:

- ENSURE EVEN ILLUMINATION ACROSS ALL FACES. 120 LM/MODULE, 1.5 MODULE/FT 107 LM/W EFFICACY
- KEEP POWER OUTS AT THE BOTTOM OF THE LETTERS
- ETL STICKER TO BE PLACED ON BOTTOM OF SIGN, VISIBLE FROM GROUND

COLORS / FINISHES:

- P-1 AKZO NOBEL GRIP-GARD #490-D6, SATIN FINISH
- P-3 MP WHITE, SATIN FINISH
- V-1 ORACAL (8800 SERIES) MULBERRY 422
- A-1 OPTIX LD WHITE ACRYLIC #7328 WHITE
- TC-1 WHITE JEWELITE TRIM CAP



<p>JONES SIGN Your Vision. Accomplished. <small>A MORTENSEN COMPANY</small></p>	JOB #: 292193_R1 DATE: 01.22.2024 DESIGNER: ZT SALES REP: Eric Zeise & Steve Berryman PROJ MGR: Matt Garves	REQUIRED: <input type="checkbox"/> FIELD SURVEY <input type="checkbox"/> PAINT COLOR <input type="checkbox"/> FONTS <input type="checkbox"/> VECTOR ARTWORK <input type="checkbox"/> CLIENT PMS COLOR <input type="checkbox"/> ENGINEERING	LANDLORD APPROVAL _____ DATE _____ CLIENT APPROVAL _____ DATE _____		PLANET FITNESS 4888 AIRWAY RD, DAYTON, OH 45431	SHEET NUMBER <h1 style="font-size: 2em;">6.0</h1>
	OTHER:					

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FRONT ELEVATION - OPTION B



EXISTING ELEVATION
SCALE: 1/8"=1'-0"



PROPOSED ELEVATION
SCALE: 1/8"=1'-0"

C/L W/
SIGNBAND

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OTHER:

LANDLORD APPROVAL

DATE

CLIENT APPROVAL

DATE



PLANET FITNESS
4888 AIRWAY RD,
DAYTON, OH 45431

SHEET NUMBER

7.0

WS.1 FACE LIT CHANNEL LETTERS WALL MOUNT - LETTERS ONLY - EXTERIOR (QTY 1) - OPTION B

OVERALL SQUARE FOOTAGE: 46.9
 ALLOWABLE SQUARE FOOTAGE: 50



NIGHT VIEW
SCALE: NTS

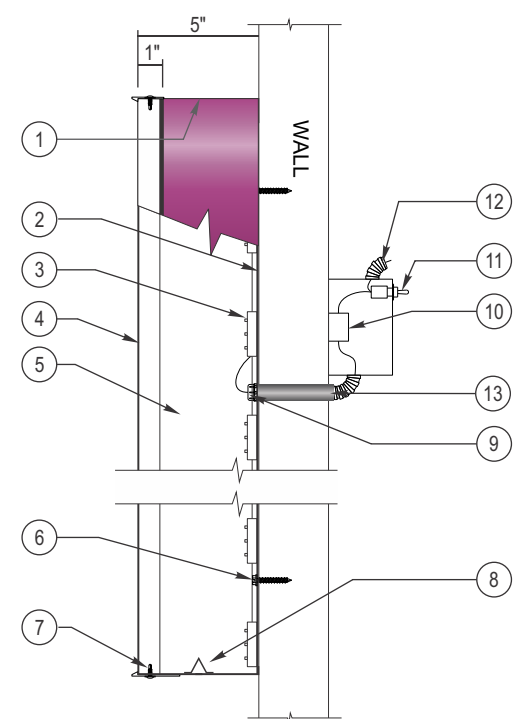
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 - KEEP POWER OUTS AT THE BOTTOM OF THE LETTERS
 - ETL STICKER TO BE PLACED ON BOTTOM OF SIGN, VISIBLE FROM GROUND



REMOTE WIRED CHANNEL LETTERS
CROSS SECTION VIEW
SCALE: NTS

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	OTHER:					

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City of Riverside
Community Development
5200 Springfield Street
Suite 100
Riverside, OH 45431

Variance Narrative Statement

To Whom It May Concern,

This justification narrative is respectfully submitted requesting a minor variance related to the size (square footage) allowance for wall signs in a multi-tenant retail development at 4888 Airway Park. The new wall sign being proposed exceeds the City of Riverside sign ordinance. The property is zoned as B2.

Planet Fitness is seeking relief from City's ordinance, Section 1115.09, subsection 3. Wall Signs, line item b).G(3)(b) which states:

G. Sign Permitted for Business, Industrial, or Other Nonresidential Uses

3. Wall signs

b. Wall signs shall be a maximum size of one and one-half square feet of linear building frontage, for multi-tenant buildings, a building frontage is the individual tenant space as defined by this Ordinance. Multi-tenant structures shall be allowed one wall sign per tenant, located above the primary entrance with a maximum size of 50 square feet per sign.

The variance request is seeking relief to exceed the maximum square footage allowance of 50 square feet and to allow the sign to use the one and one-half square feet per linear feet of lease space and not let the new sign to exceed the square footage of the existing wall sign which is approx. 150 square feet.

Planet Fitness has been an established business in the Airpark Shopping Center for quite a few years. Their business opened to the public when the zoning regulations allowed for more square footage for wall signs. Planet Fitness current wall sign was approved and permitted which allowed for approx. 150 square feet based on Planet Fitness's lease space which spans 99'-7" wide.

As a franchisee owner in the Planet Fitness family of stores, a requirement the franchisee owner must do is update their exterior signage every ten (10) years or face financial fines/penalties.

In doing the required update of exterior signage, the current sign ordinance is not the same as when Planet Fitness first opened its business. The current and highly restrictive sign ordinance, only allowing a maximum of 50 square drastically reduces the exterior signage from approx. 150 square feet to 50 square feet....300% smaller. In turn, it is the current sign ordinance creating the hardship not allowing Planet Fitness to have their new wall sign close to the square footage of their existing wall sign. To ignore the Planet Fitness franchisee requirement of updating their exterior signage, then forces the franchisee to pay corporate financial fines.

As shown in the design exhibits below, the photos illustrate the current existing wall signs compared to what the new proposed wall signs follows the current sign ordinance to a maximum of 50 sq. ft. As shown, the new wall sign is lost on the large building lease space face, is lost on the building facade and does not compliment the lease space sign band area.



EXISTING ELEVATION
SCALE: 1/8"=1'-0"



PROPOSED ELEVATION
SCALE: 1/8"=1'-0"

As shown in the design exhibits below, the photos illustrate the current existing wall signs compared to what the desired new proposed wall signs with the approval of the minor variance. As shown, the new wall sign is comparable to the existing wall sign Planet Fitness has had for years to advertise their business.



EXISTING ELEVATION
SCALE: 1/8"=1'-0"



PROPOSED ELEVATION
SCALE: 1/8"=1'-0"

The Landlord Mid-America is in support of the variance request to continue the current aesthetic Airpark Shopping Center has with Planet Fitness at the larger wall sign square footage.

The granting of the sign variance request gives Planet Fitness the ability to identify their business as they have been doing since they opened their doors to serve your community.

Thank you for your time and consideration.

Variance Justification Response

(1). Whether the property in question will yield reasonable return or whether there can be any beneficial use of the property without the variance

- **The approval of the variance to allow for the permit approval and installation of the new exterior wall sign for Planet Fitness located in Airpark Shopping Center will continue to provide a reasonable return to Planet Fitness and the neighboring businesses and the property (shopping center) allowing the new exterior wall signage to be similar in size and square footage to the existing wall signage.**

(2). Whether the variance is substantial

- **The variance is not substantial.**

(3). Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

- **Granting of the variance to allow the increased square footage which exceeds the current sign ordinance Section 1115.09 Sign Standards, subsection 2. Wall Sign, line item b).G(3)(b), the essential character of the neighborhood would not be altered, and the adjoining properties would not suffer substantial detriment. The approval of the sign variance would allow the new exterior wall sign to be comparable to the existing size as the current wall signs which have been in place for numerous years at the Airpark Shopping Center.**

(4). Whether the variance would adversely affect the delivery of the governmental services (i.e. water, sewer, garbage).

- **With the approval of the sign variance for the square footage that exceeds the current sign ordinance for wall signs, it would not affect the delivery of governmental services.**

(5). Whether the property owner purchased the property with the knowledge of the zoning restriction

- **The zoning restrictions were not applicable at the time Planet Fitness signed the lease agreement. At the time Planet Fitness started their business, the sign code allowed for more square footage.**

Without the variance approval, the current sign ordinance creates the undue hardship Planet Fitness faces.

(6). Whether the property owners' predicament feasibly can be obviated through some method other than a variance.

- **No other method would allow the new wall signage to be consistent with the existing wall sign square footage current sign has.**

(7). Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance

- **Yes, the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.**



Front of Subject Site



Adjacent Business to the East



Adjacent Property to the West



Other Business in Shopping Center



Variance Location



Variance Location: View 2