GENESEE COUNTY PLANNING BOARD
ZONING REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID	**C-04-BAT-2-17**
Review Date	**2/9/2017**
Municipality	**BATAVIA, C.**
Board Name	**CITY PLANNING AND DEVELOPMENT COMM.**
Applicant's Name	**Mike Mikolajczyk**
Referral Type	**Special Sign Permit**
Variance(s)	
Description:	**Special Sign Permit to install a freestanding pole sign for a new drive-thru restaurant (Dunkin Donuts).**
Location	**405 W. Main St. (NYS Rts. 5 & 63), Batavia**
Zoning District	**General Commercial (C-2) District**

PLANNING BOARD DECISION

DISAPPROVAL

EXPLANATION:

The proposed sign does not meet the current or recently adopted sign code which is not yet in effect. The sign's electronic message board comprises 50% of the sign area. The new code will only allow 30% of the sign area as an electronic message board. Approving this message board would create yet another nonconforming sign that would undermine the intent of the new sign code.

Felix A. [illegible]

Director

February 9, 2017

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.

SEND OR DELIVER TO:
GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 815-7901

DEPARTMENT USE ONLY:
GCDP Referral # C-04-BAT-2-17

RECEIVED
FEB 1 2017
Genesee County
Department of Planning

* 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) INFORMATION

Board(s) Planning and Development Committee
Address One Batavia City Centre
City, State, Zip Batavia, NY 14020
Phone (585) 345-6347 Ext.

2. APPLICANT INFORMATION

Name Michael Mikolajczyk
Address 136 West Main St.
City, State, Zip Batavia, NY 14020
Phone (585) 305-0620 Ext. Email mmikol@rochester.rr.com

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 Permit

Subdivision Proposal
- ☐ Preliminary
- ☐ Final

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

A. Full Address 405 West Main St.
B. Nearest intersecting road River
C. Tax Map Parcel Number 84.005-2-7.1
D. Total area of the property _____ Area of property to be disturbed _____
E. Present zoning district(s) C-2

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

BMC190-43 R

C. Please describe the nature of this request Approval to place a free standing sign within the 5' setback.

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 and previous app.

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 Randall Title Code Enf. Officer Phone (585) 345-6327 Ext.
Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020 Email drandall@batavianewyork.com

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: 1/30/17

Re: 405 West Main St.
Tax Parcel No. 84.006-1-4

Zoning Use District: C-2

The applicant, Michael Mikolajczyk (owner), has applied for a Special Sign Permit to place a 36 sq.' interior lit freestanding pole sign in the front yard of this commercial property. The sign will be comprised of a 3' x 6' flat polycarbonate box sign and a 3' x 6' digital reader board type sign. The sign is proposed to be located 2' from the north property line.

Note: A Special Sign Permit was previously approved on 11/17/15 for a 9' x 4' (36 sq.') freestanding pole sign to be located within the 5' set back distance (see attached). The newly proposed sign is different than the previously approved sign, therefore a new Special Sign Permit will be required to place the sign within the 5' setback.

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 the **right of way of a state road or highway.**

City Planning and Development Committee- Pursuant to section 190-43 R, the Planning and Development Committee shall review and approve or deny applications for Special Sign Permits prior to permit issuance.

BMC 190-43 F and Exhibit A Free standing signs are required to be located no less than 5 feet from all property lines.

SIGN PERMIT APPLICATION

Permit No.: _____
Date: _____
Zone: C-2
Special Sign: Yes
84.005-2-7.1

CITY OF BATAVIA
10 West Main Street, Batavia, NY, 14020
Phone: (585) 345-6320 • Fax (585) 343-9221

APPLICANT: MICHAEL MIKOLAJCZYK DUNKIN' DONUTS MMIKOL@ROCHESTER.RR.COM
Name E-mail Address
136 W. MAIN STREET 585-305-0620
Street Address Phone Fax
BATAVIA NY 14020
City, State, Zip Code

OWNER: MICHAEL MIKOLAJCZYK MMIKOL@ROCHESTER.RR.COM
Name E-mail Address
136 W. MAIN ST.
Street Address Phone Fax
BATAVIA NY 14020 585-305-0620
City, State, Zip Code

ADDRESS OF SIGN: 405 WEST MAIN STREET, BATAVIA NY 14020

SIGN AREA: Length 6' Width 6' Area 38 SF
INCLUDES DOUBLE FACE PYLON SIGN AND 3'X6' ELECTRONIC MESSAGE CENTER

TYPE OF SIGN:

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**

☑ Freestanding:	Set Back 2'	Height 14'	
☐ Wall	Wall Length _____	Wall Height _____	Area _____
☐ Projecting			
☐ Marquee			
☐ Awning/Canopy	Length _____	Height _____	Area _____
☐ Window	Window Length _____	Window Height _____	Area _____
☐ Portable			

LIGHTING: ☑ Internal ☐ External

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

_____ _____

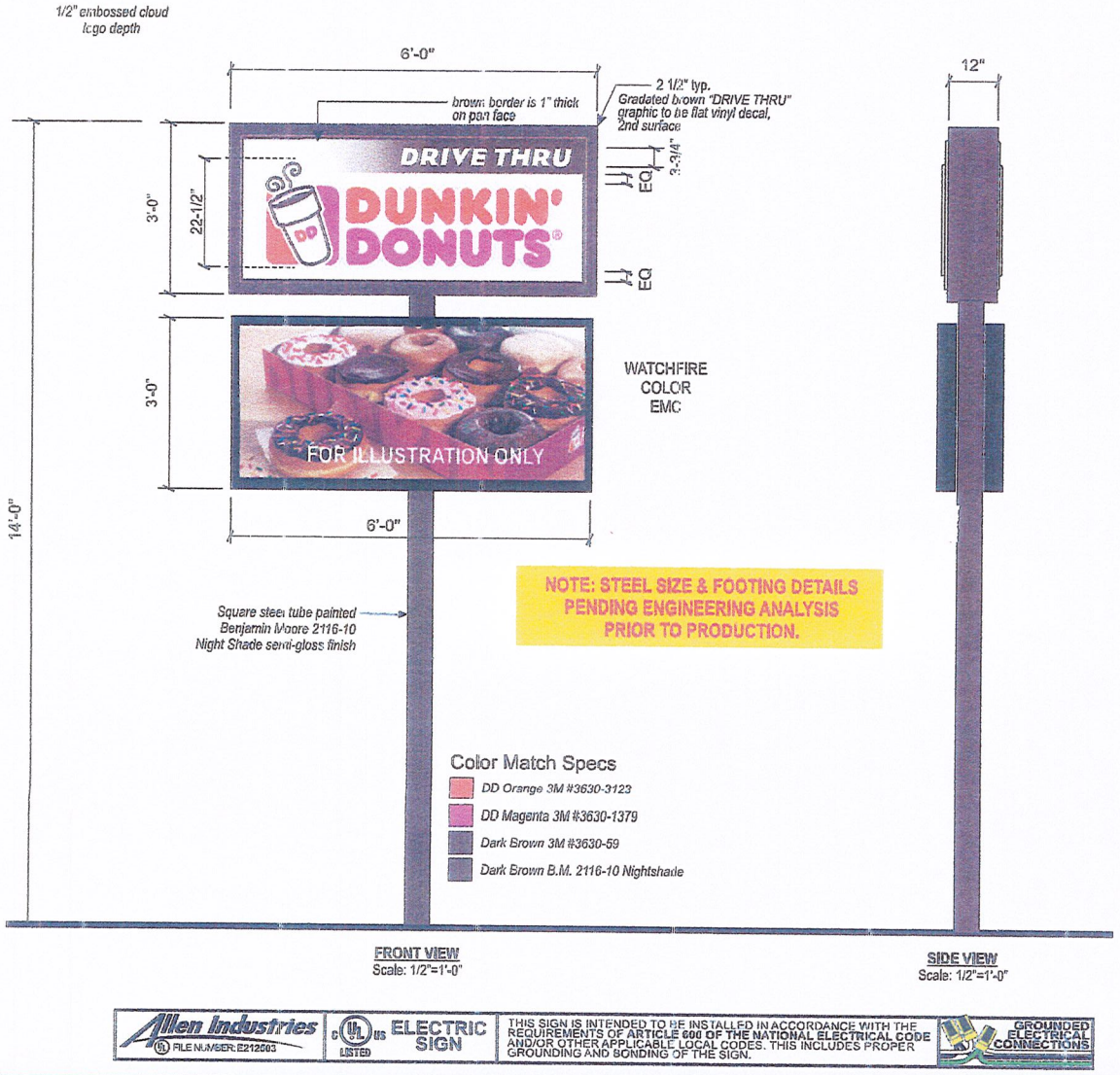
_____ _____

Applicant's Signature: Michael Mikolajczyk Date: 1-18-2017

Issuing Officer: _____ Date: _____

Planning Board Chairperson: _____ Date: _____

FEES: ___ $25 Sign Permit ___ $50 Special Sign Permit ___ $10 Portable Sign



FRONT VIEW
Scale: 1/2"=1'-0"

SIDE VIEW
Scale: 1/2"=1'-0"

COLOR AND MATERIAL SPECIFICATIONS:

Faces to be flat w/ embossed cloud logo (one level embossment); clear Solar Grade polycarbonate.

COLORS:
Background to be white
Vinyl colors to be:
DD Orange- 3M #3630-3123
DD Magenta- 3M #3630-1379
Dark Brown-3M #3630-59

DRIVE THRU OPTION: "DRIVE THRU" copy to be flat vinyl decal w/ gradated PMS 1545C Dk. Brown background and white copy

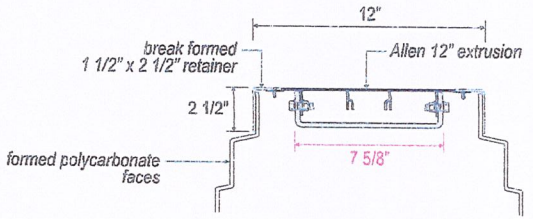
All vinyl to be applied to the second surface.

Cans and poles to be ptd. Benjamin Moore 2116-10 Night Shade semi-gloss finish

Illumination to be LED

Post to be plate mounted in concrete footing per engineering specifications. Exact specifications TBD

NOTE: This is a concept drawing only and is subject to final engineering; Some material and dimensional specifications may vary or change per final engineering



4x9 Section Scale: 1/8" = 1"

NOTE: LED OPTION AVAILABLE PER CUSTOMER REQUEST. ALL SIGNAGE PRICED AS FLUORESCENT.

Allen Industries | FILE NUMBER: E212503 | c UL us LISTED ELECTRIC SIGN | THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN. | GROUNDED ELECTRICAL CONNECTIONS

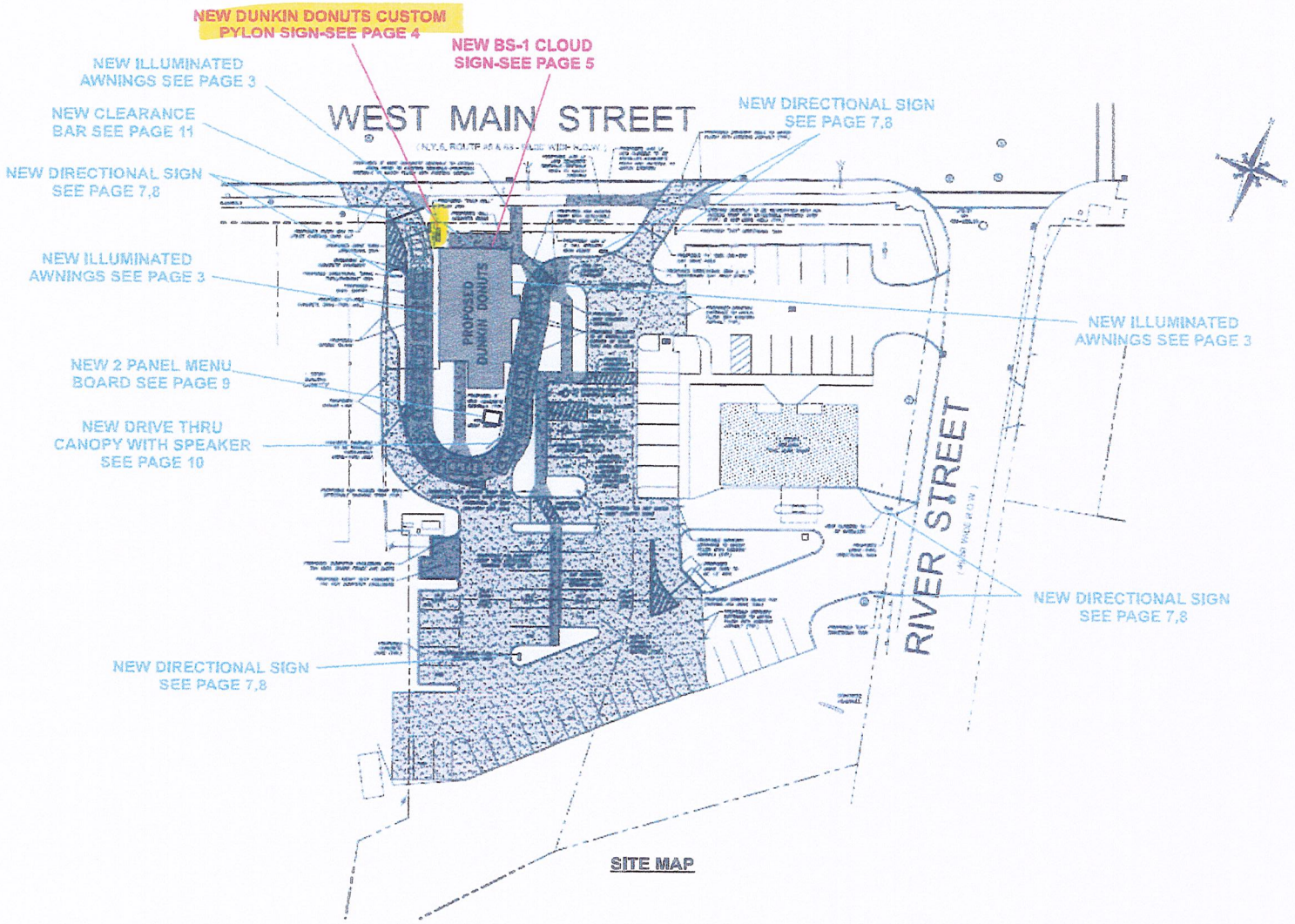
Copyright © 2015 Allen Industries, Inc.
This is an original, unpublished drawing created by Allen Industries, Inc. This drawing is submitted to you in confidence for your use solely in connection with the project being planned for you by Allen Industries, Inc. and is not to be shown to anyone outside your organization, not used, reproduced, copied or exhibited in any fashion whatsoever.
The designs shown on this drawing (except for any registered trademarks that may belong to a client of Allen Industries, Inc.) remain the property of Allen Industries, Inc.

Client Review Status
Allen Industries, Inc. requires that an "☐ Approved" drawing be obtained from the client prior to any production release or production release revision.
☐ Approved ☐ Approved as Noted ☐ Revise & Resubmit
Name
Title Date

Date	Description
12/21/16	Issue Date
01/03/17	A Revised Per Request
01/19/17	A " "
	A
	A

Project Information
Client Dunkin Donuts
405 W. Main St.
Batavia, NY
File OP002340_Dunkin Donuts_Batavia, NY_r2
Sales Design JR PM AW

Allen Industries
www.allenindustries.com
Signs and Image Solutions
Corporate Headquarters
6434 Burnt Poplar Road, Greensboro, NC 27409
Phone 800-967-2553 336-668-2791 Fax 336-668-7875



Copyright © 2015 Allen Industries, Inc.
This is an original, unpublished drawing, created by Allen Industries, Inc. This drawing is submitted to you in confidence for your use solely in connection with the project being planned for you by Allen Industries, Inc. and is not to be shown to anyone outside your organization, nor used, reproduced, copied or exhibited in any fashion whatsoever. The designs shown on the drawing (except for any registered trademarks that may belong to a client of Allen Industries, Inc.) remain the property of Allen Industries, Inc.

Client Review Status

Allen Industries, Inc. requires that an "☐ Approved" drawing be obtained from the client prior to any production release or production release revision.

☐ Approved ☐ Approved as Noted ☐ Revise & Resubmit

Name _____

Title _____ Date _____

Date	Description
12/21/16	Issue Date
01/03/17	1 Revised Per Request
01/19/17	2 " "
	3
	4

Project Information

Client Dunkin Donuts
405 W. Main St.
Batavia, NY
File OP002340_Dunkin Donuts_Batavia, NY_r2
Sales Design JR PM AW

Allen Industries
www.allenindustries.com
Signs and Image Solutions
Corporate Headquarters
6434 Burnt Poplar Road, Greensboro, NC 27409
Phone 800-967-2553 336-668-2791 Fax 336-668-7375

(2)

Permit No.: _____
Date: _____
Zone: C-2
Special Sign: Yes

SIGN PERMIT APPLICATION

CITY OF BATAVIA
10 West Main Street, Batavia, NY, 14020
Phone: (585) 345-6320 • Fax (585) 343-9221

APPLICANT: Indus Group — kfinley@indushq.com
Name — E-mail Address
1080 Pittsford-Victor Road Suite 201
Street Address — Phone — Fax
Pittsford, NY 14534 — 585-451-6538 — 585-248-3271
City, State, Zip Code

OWNER: Indus Real Estate
Name — E-mail Address
1080 Pittsford-Victor Road Suite 201
Street Address — Phone — Fax
Pittsford, NY 14534 — 585-451-6538 (KP)
City, State, Zip Code

ADDRESS OF SIGN: 401 W. MAIN STREET ; PYLON SIGN

SIGN AREA: Length 69 1/8" Width 156 1/8" Area 80 sq ft
9' x 4' approved by PDC

40 sq' Permitted
80' Proposed
+40 special sign permit Req.

TYPE OF SIGN:
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

☒ Freestanding:	Set Back 2' to face of sign box	Height 22' (pole @ ± 9' from ROW)		
☐ Wall	Wall Length ____	Wall Height ____	Area ____	
☐ Projecting				
☐ Marquee				
☐ Awning/Canopy	Length ____	Height ____	Area ____	
☐ Window	Window Length ____	Window Height ____	Area ____	
☐ Portable				

LIGHTING: ☒ Internal ☐ External

Note: Set back 2' from front prop. line.
Special sign permit.

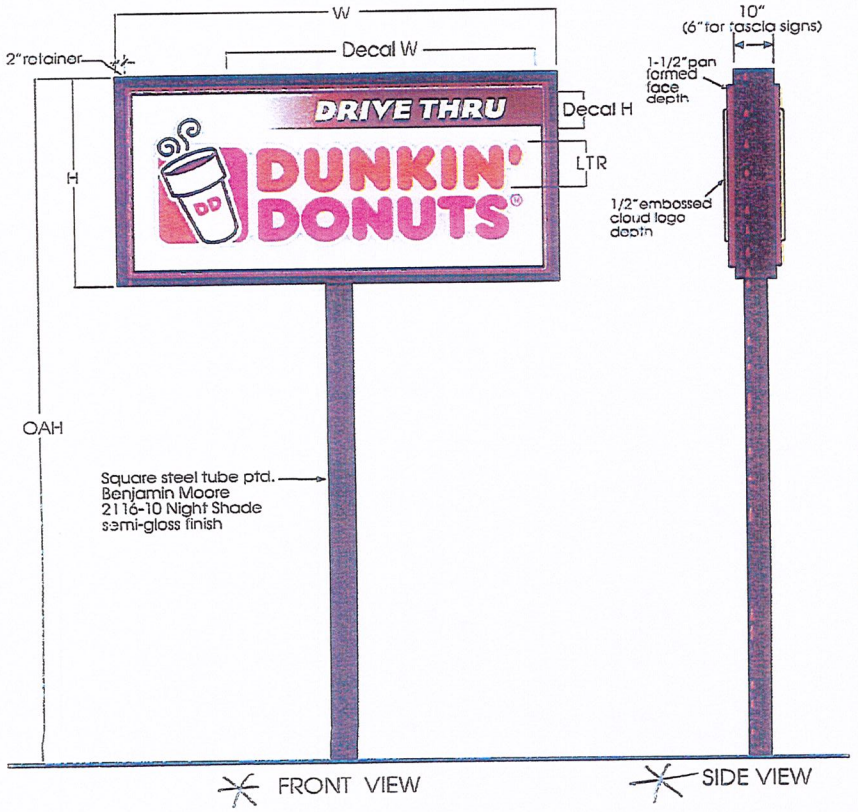
EXISTING SIGNS (Please list all existing signs with dimensions):
No existing signage for Dunkin Donuts parcel; subdividing from Five Star Bank parcel.

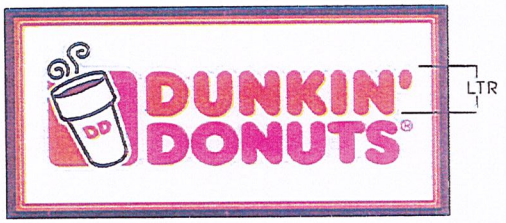
Applicant's Signature: Kip Finley — Date: 10/27/15

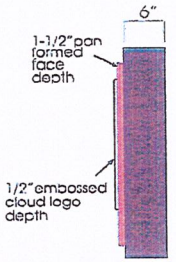
Issuing Officer: _____ — Date: _____

Planning Board Chairperson: _____ — Date: _____

FEES: ___ $25 Sign Permit ✓ $50 Special Sign Permit ___ $10 Portable Sign

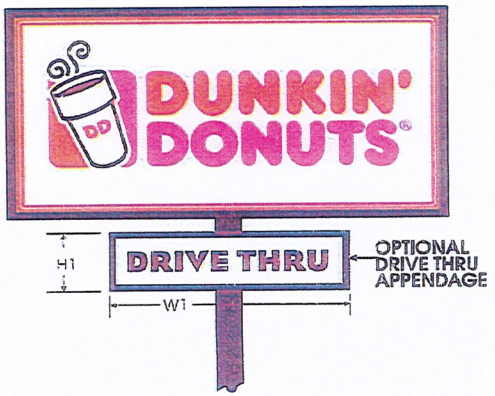






SINGLE FACE WALL SIGN

Drive Thru gradated decal is not to be used on single face wall signs. If Drive Thru signage is desired on building, select one of 3 sizes of single face **Drive Thru Oval Signs** for wall mount



COLOR AND MATERIAL SPECIFICATIONS:

Faces to be pan formed and embossed (cloud logo is a one level embossment) clear Solar Grade polycarbonate.

COLORS:

Background is white w/ brown border on flange & pan edge of face when DRIVE THRU copy is used; Orange border on flange & pan edge of face when DRIVE THRU is not used

Vinyl colors to be:
- DD Orange- 3M #3630-3123
- DD Magenta- 3M #3630-1379
- Dark Brown-3M #3630-59

DRIVE THRU gradation is flat vinyl decal applied to face

All vinyl to be applied to the second surface.

Cans and poles to be ptd. Benjamin Moore 2116-10 Night Shade semi-gloss finish

Illumination: White LEDs

NOTE: This is a concept drawing only and is subject to final engineering; Some material and dimensional specifications may vary or change per final engineering

PYLONS & WALL SIGNS:

Nominal Size	Applies to:	H	W	OAH	LTR	Decal W	Decal H	Area (Sq. Ft.)	Illumination
3 x 6	Pylons & Wall Signs	35-3/4"	74-1/2"	13'	8"	49-13/16"	6-7/16"	20	White LEDs
4 x 9	Pylons & Wall Signs	49-11/16"	109-5/8"	15'	12"	74-7/16"	9-1/4"	40	White LEDs
6 x 13	Pylons Only	69-7/8"	156-1/8"	22'	17"	109-15/16"	14-1/2"	80	White LEDS

OPTIONAL DRIVE THRU APPENDAGE:

Nominal Size	H1	W1	Area (Sq. Ft.)	Illumination
1'x 4'	12"	48-9/16"	4.04	White LEDs
1.5'x 6'	18"	72-13/16"	9.10	White LEDs
2'x 8'	24"	97-1/16"	16.17	White LEDs

NOTE: THESE DRAWINGS ARE FOR IMAGE DESIGN GUIDANCE ONLY. IT IS THE SOLE RESPONSIBILITY OF THE ARCHITECTS AND ENGINEERS RETAINED BY THE FRANCHISEE TO PREPARE ALL NECESSARY CONSTRUCTION DOCUMENTS FOR THE PARTICULAR PROJECT LOCATION. DUNKIN' BRANDS, INC., THEIR AGENTS AND EMPLOYEES, DO NOT WARRANT THE ACCURACY OF THESE DRAWINGS, NOR DOES DUNKIN' BRANDS, INC. GUARANTEE THAT THESE DRAWINGS AND THEIR COMPONENTS MEET THE REQUIREMENTS OF ANY FEDERAL, STATE OR LOCAL LAWS, REGULATIONS, ORDINANCES, BUILDING CODES OR INDIVIDUAL SITE CONDITIONS. IT IS THE SOLE RESPONSIBILITY OF THE FRANCHISEE AND OF THE ARCHITECT AND ENGINEERS RETAINED BY THE FRANCHISEE TO ENSURE COMPLIANCE WITH ALL APPLICABLE LAWS, REGULATIONS, ORDINANCES, CODES AND OTHER REQUIREMENTS, INCLUDING, WITHOUT LIMITATION, AMERICANS WITH DISABILITIES ACT.

Everbrite
4949 South 110th Street
PO Box 20020
Greenfield, WI 53220-0020
414.529.7131

dunkin' brands SM

Revisions:

DD LED Illum'd Pylon & Wall Signs

FILE

Date: 8/12/15
Scale: NTS
Drawn: C HART

SS-4

401 W. MAIN

9x4 approved by PDC 2' from property line
special signpost