

ZONING DIVISION STAFF REPORT

March 2, 2018



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 2025 Zeier Rd
Project Name: East Towne Plaza
Application Type: Comprehensive Design Review Initial/Final Approval
Legistar File ID # [49797](#)
Prepared By: Chrissy Thiele, Zoning Inspector
Reviewed By: Matt Tucker, Zoning Administrator

** This staff report relates to the revised sign design plans submitted 2/22/18**

The applicant is requesting Comprehensive Design Review INITIAL/FINAL Approval for a new ground sign. This property is located in a Commercial Center (CC) district. This lot is part of one large zoning lot, encompassed by East Springs Dr, East Towne Boulevard, and Zeier Road. Other properties in this zoning lot have been to UDC before for CDR approval for approval of an additional ground sign (e.g. Shopko, Bob's Discount Furniture, Ashley Furniture, Famous Footware, etc.) so there are already a number of ground signs in this zoning lot. The existing ground sign the applicant is looking to replace abuts Zeier Road, which has four lanes and a 35 mph speed limit.

Pursuant to Section 31.043(4)(b), MGO, the UDC shall apply the following criteria upon review of an application for a Comprehensive Sign Plan:

1. *The Sign Plan shall create visual harmony between the signs, building(s), and building site through unique and exceptional use of materials, design, color, any lighting, and other design elements; and shall result in signs of appropriate scale and character to the uses and building(s) on the zoning lot as well as adjacent buildings, structures and uses.*
2. *Each element of the Sign Plan shall be found to be necessary due to unique or unusual design aspects in the architecture or limitations in the building site or surrounding environment; except that when a request for an Additional Sign Code Approval under Sec. 31.043(3) is included in the Comprehensive Design Review, the sign(s) eligible for approval under Sec. 31.043(3) shall meet the applicable criteria of Sec. 31.043(3), except that sign approvals that come to Comprehensive Design Review from MXC and EC districts pursuant to 31.13(3) and (7) need not meet the criteria of this paragraph.*
3. *The Sign Plan shall not violate any of the stated purposes described in Sec. 31.02(1) and 33.24(2).*
4. *All signs must meet minimum construction requirements under Sec. 31.04(5).*
5. *The Sign Plan shall not approve Advertising beyond the restrictions in Sec. 31.11 or Off-Premise Directional Signs beyond the restrictions in Sec. 31.115.*
6. *The Sign Plan shall not be approved if any element of the plan:*
 - a. *presents a hazard to vehicular or pedestrian traffic on public or private property,*
 - b. *obstructs views at points of ingress and egress of adjoining properties,*
 - c. *obstructs or impedes the visibility of existing lawful signs on adjacent property, or*
 - d. *negatively impacts the visual quality of public or private open space.*
7. *The Sign Plan may only encompass signs on private property of the zoning lot or building site in question, and shall not approve any signs in the right of way or on public property.*

Ground Signs Permitted by Sign Ordinance: A zoning lot is allowed up to two ground signs with a **combined net area of 128 sq. ft., or 64 sq. ft. per side**, based off of the prevailing speeds and number of traffic lanes. Also, depending on the size of the sign's base, *pole signs* have a maximum height of 16' and **monument signs have a maximum height of 10'**.

Relevant Sign Ordinance definitions:

***Pole Sign.** A Ground Sign that is supported by one or more poles or other supporting structures, if the total width of the pole(s) or supporting structure(s) is one third (1/3) or less than the width of the net area of the sign copy it supports. The width of all pole(s) and supporting structures at their widest point and any space between poles or supports shall be included when measuring the total width of the pole(s) and supporting structure(s).*

***Monument sign** A Ground Sign supported by and integrated into an internal structural framework or some other solid structural features other than a pole or poles, if the total width of such supporting structure(s) is more than one-third (1/3) of the width of the net area of the sign copy it supports.*

Existing Ground Sign: The existing ground sign has a height of 22', and the net area totals to almost 196 sq. ft., roughly 98 sq. ft. per side. The existing ground sign is classified as a monument-style sign, exceeds the maximum height by 10' and exceeds the maximum net area by 68 sq. ft. The existing sign has tenant panels that do not comply with the internal illumination requirement (light copy on a dark or non-illuminated background). This sign is nonconforming. Per Sec. 31.05(1)(a). The sign may be maintained through time and only the sign copy may be changed.

Proposed Ground Signage: The applicant proposes to modify the existing sign, to expand the net and gross area of the sign. The modification adds two additional tenant panels placed below the existing tenant panels, about 30 sq. ft. of net sign area per side. The new sign would have a total net area calculation of 254 sq. ft., or 127 sq. ft. per side.

The submitted plans also show noncompliance with sign code internal illumination requirements (Burlington, Party City), however, it does not appear as though an exception is being requested from this requirement. CDR Standard #4 prohibits such an exception from being granted.

The project also includes architectural modifications to the structure, cosmetic in nature. It is unclear how significant the modifications will be accomplished, however it is apparent the sign will be partially or fully disassembled to accommodate the changes. The requested sign is classified as a "new sign" per the sign code, as the net area of the sign is being expanded with this request.

Staff Comments: Any new ground signs at this zoning lot will require CDR approval, as there are more than two. However, this is a large zoning lot and the site having two ground signs would not be adequate to help identify all the commercial tenants. A ground sign at this location appears to be functional/necessary, as it identifies access to tenants that are located far back in the lot, mostly hidden when viewed from the street by other stores located closer to Zeier Road. That being said, the applicant has not provided information as to why exceptions should be granted for a 22' tall, 127 sq. ft. per side sign, through a CDR exception.

The City's sign code has established basic parameters for new signage, while allowing existing signage to remain until it needs to be replaced, either by attrition or the desire of the property owner. This request is primarily based by the desire of the property owner to maintain the height of the existing sign while expanding the sign

area for a sign, which could not otherwise be approved. The application attempts to take a nonconforming sign and make it conforming. Any new or expanded ground sign at this location should comply with the height requirements of a monument-style ground sign of 10', maximum. Any flexibility to the sign code requirements must be found consistent with the standards for CDR, which staff believes have not been met. In consideration of these comments, **staff does not recommend the CDR be approved, and recommends the applicant consider redesigning the ground sign to comply with the 10' height requirement or changing the copy on the existing sign as allowed per Sec. 31.05(1)(a).**

Notes:

1. The calculations the applicant provides does not show their net area box measurement method, and omits the signage on the top of the proposed sign, *East Towne Plaza*, which must be included with the net area calculations.
2. Two of the proposed sign panels do not comply with the internal illumination construction requirement, and must be modified.