

AGENDA # 1

City of Madison, Wisconsin

REPORT OF: URBAN DESIGN COMMISSION	PRESENTED: December 6, 2006
TITLE: 509 South Gammon Road – Appeal of the Zoning Administrator’s Interpretation and/or Variance on Signage Package for the “Diamond Center.” 19 th Ald. Dist. (05092)	REFERRED: REREFERRED: REPORTED BACK:
AUTHOR: Alan J. Martin, Secretary	ADOPTED: POF:
DATED: December 6, 2006	ID NUMBER:

Members present were: Paul Wagner, Chair; Lou Host-Jablonski, Lisa Geer, Michael Barrett, Todd Barnett, Ald. Noel Radomski, Bruce Woods and Robert March.

SUMMARY:

At its meeting of December 6, 2006, the Urban Design Commission **REJECTED** an appeal of the Zoning Administrator’s interpretation for a Signage Package for the “Diamond Center” located at 509 South Gammon Road. Appearing on behalf of the project were Att. Dan O’Callaghan, Steven Yeko, Ryan Coffey and Tony Russotto. As a prelude to discussion on this item, staff apprised the Commission as to the nature of the public hearing on this item involving appeal of the decision of the Director of the Inspection Unit through the Zoning Administrator, Matt Tucker, relating to “street graphics other than structural or mechanical concerns provided in Section 31.04(2)(b)2.a. as authorized by the Urban Design Commission, as well as consideration for potential variances if the interpretation by the Zoning Administrator is not sustained by the Commission. The issue at hand involves construction of a roofless side attachment to an existing structure on the site that provides for significantly larger, relocated wall signage on higher portions of the extended structure when compared to the sign areas on the original building prior to its renovation. Staff summarized to the Commission that the interpretation on the definition of “façade,” which reads as follows: **Façade. Any separate face of a building, including parapet walls, and roof surfaces or any part of a building which encloses or covers usable space.** Since the extended structure constructed with the renovation of the existing building was more of a “L” shaped wing wall, it should not enclose or cover usable space and it was not considered to be a façade. In addition, the structure is in conflict with the definition within the Street Graphics Ordinance for “Roof Line” as follows: **Roof Line. The uppermost line of the roof of a building including original parapets, but not including façades which are extended for the purpose of creating or expanding a signable area.** Based on these definitional parameters of the Street Graphics Ordinance, the structure could not be recognized as a viable area for relocated wall signage. It was also noted that the Commission must make a finding that these interpretations were not appropriate in order to make findings on the requested variances. The requested variances provided for consideration of wall signage on the extended structure based on provisions of **Section 31.04(2)(b)2.b.i, Section 31.04(2)(b)2.b.iii., and Section 31.04(2)(b)2.b.iv.,** which reads as follows:

- ii. Approve a sign up to twenty-five percent (25%) larger or higher than the maximum square footage or height otherwise allowed or reduce the yard or setback required if a variance:
 - A. Is necessary for a sign located on the site of an establishment to be identifiable and legible from the nearest roadway at prevailing speeds; and

- B. Will result in a sign more in scale with the building and site in a superior overall design.
- iii. Permit the use of an above-roof graphic on a given zoning lot in a commercial district provided that the graphics on adjacent properties reduce the effectiveness of other types of conforming street graphics or where topographic relationships between structures and right-of-ways would deem their use appropriate;
- iv. Permit the use of an above-roof graphic when the architecture of the building does not provide a reasonable signable area.

Att. Daniel O'Callaghan provided further discussion on the case for the Diamond Center's request for variances relevant to the signage on the renovated structure, citing the enhanced appearance of the renovated structure, its street presence with a design that connects both the upper and lower parking areas. He noted the bumpy topography of this site and general area as a basis for departure from the norm, emphasizing the building's architectural character, including additional references within the application packet relevant to the appeal and variances. He cited that the Commission had the authority under the ordinance to grant the variances as requested. Steven Yeko, owner spoke on the misunderstanding relevant to the renovation and construction of the building as it relates to building permits and signage. Staff informed the applicant's representatives (architect and others) before and after issuance of building permits (over the last year) of issues with the extended structure. Following the presentation, the Commission noted the following:

- The overall design of the renovated structure is handsome and improves the building, but the ordinance text is written to not create large masses of buildings to become billboards.
- The signage creates an artificial building.
- The renovated building solves a lot of site issues, circulation and access would be more amenable if pylon sign is removed. The north-south elevation of the building appears as an extension of the façade with the Gammon Road elevation more billboard-like.
- Signage in the application package is not as presented; in the packet material it is significantly larger, as presented cleaner and crisper. It is troubling that it does not meet ordinance requirements.
- Consider covering the extended structure to act as an additional entrance and problems go away.
- Not a façade, a wing wall not well integrated.
- It is designed and built to increase the end of the building to add additional signage was the motivation that led to wing wall design attached.
- Topographic issues have nothing to do with the sign.
- The extension has nothing to do with roofline; providing protective mechanism for pedestrians would meet the requirements of the ordinance.

ACTION:

On a motion by Barrett, seconded by Ald. Radomski, the Urban Design Commission **REJECTED** the appeal. The motion was passed on a vote of (7-1) with Geer voting no. The motion to reject cited the structure's inconsistency with provisions of the Street Graphics Ordinance relevant to the definition for façade and roofline in support of the Zoning Administrator's interpretation, which provided that the variances as requested could not be granted.

After the Commission acts on an application, individual Commissioners rate the overall design on a scale of 1 to 10, including any changes required by the Commission. The ratings are for information only. They are not used to decide whether the project should be approved. The scale is 1 = complete failure; 2 = critically bad; 3 = very poor; 4 = poor; 5 = fair; 6 = good; 7 = very good; 8 = excellent; 9 = superior; and 10 = outstanding. The overall ratings for this project are 3, 4, 4, 5, 5 and 5.

URBAN DESIGN COMMISSION PROJECT RATING FOR: 509 South Gammon Road

	Site Plan	Architecture	Landscape Plan	Site Amenities, Lighting, Etc.	Signs	Circulation (Pedestrian, Vehicular)	Urban Context	Overall Rating
Member Ratings	-	-	-	-	3	-	-	3
	-	-	-	-	1	-	-	-
	-	-	-	-	2	-	-	-
	-	-	-	-	5	-	-	5
	-	7	-	-	4	-	4	4
	6	5	-	-	4	5	6	5
	-	-	-	-	4	-	4	4
	-	8	-	-	3	-	-	5

General Comments:

- It is obvious that this proposal for an elaborate wing wall that cannot properly be called an integral building façade.
- Does not meet Code. Enclose space and it might work.
- Not a façade.
- As existing, the new walls essentially constitute a sign in themselves, thus too large.
- Would have liked another alternative signage option, eliminating the pylon sign, etc.
- Quite a stretch of the sign ordinance.
- Unfortunately, design is good but not for signage for zoning text.