

# ZONING STAFF REPORT

February 26, 2020



PREPARED FOR THE URBAN DESIGN COMMISSION

**Project Address:** 666 N. Midvale Blvd.  
**Project Name:** Evereve  
**Application Type:** Approval for an Alteration to an Approved Comprehensive Design Plan  
**Legistar File ID #** [59269](#)  
**Prepared By:** Chrissy Thiele, Zoning Inspector  
**Reviewed By:** Matt Tucker, Zoning Administrator

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The applicant is requesting an amendment to a previously approved Comprehensive Design Review. The original approval to allow signage for spaces along Hilldale Way (the pedestrian mall) and allowing certain tenant spaces to have a third wall sign, which UDC approved September 7, 2016, and was again amended April 11, 2018 add a directory sign for basement tenants and allow for a window area as a signable area. This property is Zoned PD, and is also located in UDD #6, which the original CDR acknowledged would comply with all criteria.

Pursuant to Section 31.43(4)(d), MGO, any changes to the approved plan must first be approved by the UDC using the full Comprehensive Design Review (CDR) process under Sec. 31.043(4)(a):

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.*

Section 33.24(13)(d)3., Signage Criteria for Urban Design District No. 6, indicates the Urban Design Commission shall consider in each case those of the following guidelines and requirements as may be appropriate to signage:

Signs. The mixed land use patterns that characterize substantial portions of the district contribute to a proliferation of business and product identification signs.

a. Requirements.

- i. Signs in the District shall conform to all provisions of [Chapter 31](#) of the Madison General Ordinances.
- ii. Signs shall be integrated with the architecture of the building.
- iii. Electronic changeable copy signs, if permitted in the District, shall comply with [31.046\(1\)](#) which requires that electronic changeable copy signs in Urban Design Districts shall not alternate, change, fade in, fade out, or otherwise change more frequently than once every one (1) hour. Additionally, no sign or portion of sign shall change its level of illumination more than once every one (1) hour.

b. Guidelines.

- i. A sign should identify the activity without imposing upon the view of residents, businesses or activities of the District.
- ii. A sign should be appropriate to the type of activity and clientele at which its message is directed.
- iii. Signs should be designed so as to be legible to the intended viewer in relation to the surrounding circumstances.
- iv. Signs should avoid covering or impinging upon landscape features or significant structures.
- v. Internally illuminated signs displaying illuminated copy shall be designed in such a way so that when illuminated, the sign appears to have light-colored copy on a dark or non-illuminated background.

Illumination of Signs per Sign Ordinance: Summarizing Section 31.04(5)(k), illumination includes any source of direct or reflected lighting incorporated in or connected with a sign. Illumination, when allowed, may be internal **OR** external to the sign.

Proposed Signage: The applicant is proposing to modify the CDR to allow for signs that are both internally **and** externally illuminated, which is not allowed by the sign ordinance. The external illumination method utilize gooseneck lighting on the façade, which exists (the existing sign is currently externally illuminated). The internal illumination method utilizes face-lit channel letters. The internal illumination is proposed due to the sign's thin font type. The size of the sign is consistent with CDR requirements. It is not clear of this CDR request is for this sign illumination type is to be permissible for other tenants, or only this particular tenant only (this should be clarified).

Staff Comments: There is limited parking in front of this storefront and vehicle traffic moves very slowly on the private street where this tenant space is located. Therefore, most traffic to this tenant space is by foot from the parking ramp, surface lots, or walking from other mall tenant spaces.

The first CDR criteria requires a visual harmony between signs throughout the building site. Most of the other tenants have some type of internally illuminated sign (individual channel letters, halo lighting, etc.) at the Hilldale

Mall; however no other tenant has BOTH an internally and externally illuminated sign. A sign that would have both would detract from the goal of visual harmony with the rest of the signage at the Mall, particularly at night when the sign is illuminated, and would stand out from the rest of the signage at the Mall. Staff also believes the sign would be adequately visible with either internal or external illumination, but not both. No case has been made by the applicant for the dual illumination method.

The second CDR criteria requires each element shall be found necessary due to unique or unusual design aspects in the architecture or limitations in the building site or surrounding environment. Staff does not believe this standard has been met. This appears to be a relatively simple sign on a regular brick façade. The external light fixtures have been installed for the sole purpose of lighting up a non-illuminated sign, which can be seen in the application under *existing conditions*. The applicant does not provide any support as to why the gooseneck lights could be removed and just have an internally illuminated sign. However, staff believes if the goose neck lighting fixtures are to remain, they should be used to externally illuminate a non-internally-illuminated sign.

All other CDR criteria appears to be met.

The goal of this request appears to be for the tenant to have an internally-illuminated sign while retaining the existing goose-neck lighting. The result will probably be an overly-bright sign, due to both methods of illumination being employed. Even though the applicant provides artwork as to how both illumination methods would actually appear, staff does not believe it adequately illustrates how bright the sign would be, than had either allowable option of illumination been used alone. The request to have an internally AND externally illuminated sign seems excessive for "appropriate location identification." **Staff recommends UDC find the CDR standards are not met and refer the request for more information, or deny the request for having both an internally and externally illuminated sign**, subject to further testimony and new information provided during the public hearing. However, if UDC does approve this request, need to decide if this would be specifically for this tenant, or if the approval should extend to other tenant spaces regulated under this CDR.