

ZONING DIVISION STAFF REPORT

August 16, 2023



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 722 John Nolen Drive
Project Name: Fairfield by Marriott
Application Type: Comprehensive Design Review of Signage and Exceptions to Urban Design District (UDD) 1 Sign Requirements
Legistar File ID # [77012](#)
Prepared By: Chrissy Thiele, Zoning Inspector; Lisa McNabola, Planner

The applicant is requesting a Comprehensive Design Review for signage for a newly remodeled hotel in the Suburban Employment (SE) District, as well as Urban Design District (UDD) 1. While this property has some visibility from John Nolen Drive, it is located further north off the frontage road, partially behind a two-story office building. The frontage road consists of two lanes, 25 mph, however John Nolen Drive consists of five lanes, 35 mph. The applicant is requesting one wall sign larger than what the code permits, as well as two wall signs more than four feet above the roof line.

In addition to the Sign Code exceptions, the applicant is requesting exceptions to the following UDD 1 Sign requirements:

- The minimum setback for ground signs from 20 feet to six feet – 11 inches, and
- The height of a wall sign from 18 feet, not to exceed 40 feet on the north elevation and 52 feet on the west facing elevation.

CDR Review and Approval Criteria

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.*

Sign Exception Review and Approval Criteria

Pursuant to Section 31.043(2) MGO, the UDC shall act upon requests for Modifications of Height, Area or Setback:

Modifications of Height, Area or Setback. After a public hearing as provided in Sec. 33.24(4)(e)3., the UDC may approve a sign with up to fifty percent (50%) greater net area or fifty percent (50%) higher than the maximum height otherwise allowed, or reduce the required yard or setback if such approval: (Am. by ORD-15-00118, 10-28-15)

- 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 and in a superior overall design.*

UDD 1 Sign Requirements and Guidelines

Section 33.24(8)(c)(4), MGO, indicates the Urban Design Commission shall consider in each case those of the following guidelines and requirements as may be appropriate to signage:

Signs. *Signs in the district shall meet the following requirements and conform as much as possible to the following guidelines.*

- a. Requirements.
 - i. *Signs, if located on or adjacent to buildings, shall be integrated with the architectural design of the buildings.*
 - ii. *Signs shall be located and designed only to inform the intended clientele.*
 - iii. *Signs shall be used only as identification of the establishment, and shall have no more than a total of eight (8) symbols and/or words.*
 - iv. *No portion of an illuminated sign shall have luminance greater than two hundred (200) foot-lamberts for any portion of the sign within a circle of two (2) feet in diameter. No sign or part of any sign shall change its level of illumination more than once every one (1) hour.*
 - v. *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.*
 - vi. *A minimum setback of five (5) feet from the public right-of-way is required of all ground signs. A minimum setback of ten (10) feet from the public right-of-way is required for signs exceeding ten*

(10) square feet in net area. A minimum setback of twenty (20) feet is required for all signs exceeding twenty (20) square feet in net area.

- vii. *The height of a ground or wall sign shall not exceed ten (10) feet along John Nolen Drive or eighteen (18) feet elsewhere in the district unless a higher sign is specifically approved by the Urban Design Commission based on the following criteria:*
 - A. *An exception from the height limitation 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. *An exception from the height limitation will result in a sign more in scale with the building and site and will result in a superior overall design.*
- viii. *The net area of a ground or wall sign shall not exceed forty (40) square feet along John Nolen Drive or seventy-two (72) square feet elsewhere in the district unless a larger sign is specifically approved by the Urban Design Commission based upon the following criteria:*
 - A. *An exception from the size limitation 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. *An exception from the size limitation will result in a sign more in scale with the building and site and will result in a superior overall design. (Sec. 33.24(8)(c)4.a. Am. by ORD-09-00091, 8-1-09)*

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 and activity and clientele at which its message is aimed.*
 - 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. *Illuminated signs should be lit internally or from the ground, not with fixtures projecting from the sign.*
 - vi. *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. (Am. by ORD-09-00091, 8-1-09)*
- c. *The Urban Design Commission shall, in addition, evaluate proposed signs in the district based upon the requirements of Chapter 31 in the Madison General Ordinances.*

Wall Signs Permitted per Sign Ordinance: Summarizing Section 31.07, there shall be one signable area for each façade facing a street or parking lot 33 feet in width or greater. For a single occupancy, stand-alone, non-residential building with twenty-five thousand (25,000) square feet or more in floor area, or a non-residential occupancy or tenant space with twenty-five thousand (25,000) square feet or more in floor area in a multi-tenant building, the maximum net area of all wall signs shall be thirty percent (30%) of the signable area. In no case shall a wall sign exceed one hundred twenty (120) square feet in net area. The signable area for a wall signs is determined by the area of the facade of the building that is free of doors, windows, or other major

architectural detail, and no more than four (4) vertical feet of the parapet wall may be included in the measurement of the signable area.

Wall Sign Requirements per UDD 1: The height of a ground or wall sign shall not exceed eighteen (18) feet elsewhere in the district unless a higher sign is specifically approved by the Urban Design Commission using the criteria in 33.24(8)(c)4.a.vii MGO.

Proposed Signage: The applicant is proposing two wall signs, one on the north elevation and the other on the west elevation. Both signs would have the same a total net area of 64.86 sq. ft., however the sign on the north elevation would exceed 30% of the signable area. The top of both signs would also be higher than four feet above the roofline and both would be mounted higher than what UDD 1 allows. The signs consist of internally illuminated individual channel letters.

Staff Comments: The applicant recently received approval to remodel the building façade, altering the existing signable areas. The approved façade creates a taller signable area, and while the sign code only permits a wall sign to be higher than 4 feet above the roofline, the applicant is requesting the signs to be about 6" higher than permitted to maximize the visibility of their signs from John Nolen. In addition, the proposed sign on the north elevation is smaller than the west elevation. As the applicant is requesting to have two signs with the same net area, the sign on the west elevation would occupy 14.5% of the signable area and the sign on the south elevation would occupy 55.4% of the signable area. As part of the application materials, the applicant provided renderings of a code compliant sign and the proposed sign on the south elevation to show the limited visibility as viewed from John Nolen Dr. The signs requested by the applicant provide better visibility for the establishment, as well as maintain a uniform look with the sign size and design. **Recommendation: Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review, as well as the criteria for Modifications of Height, Area or Setback have been met. This recommendation is subject to further testimony and new information provided during the hearing.**

Ground Signs Permitted per Sign Ordinance: This zoning lot is allowed up to two ground signs with a combined net area of 128 sq. ft., and a maximum height of ten feet for monument-style signs, based off of the prevailing speeds and number of traffic lanes.

Ground Sign Requirements per UDD 1: A minimum setback of twenty (20) feet is required for all signs exceeding twenty (20) square feet in net area. A modification to the setback may be approved by UDC if the approval meets the criteria in 31.043(2) MGO.

Proposed Signage: The applicant is proposing a double-sided monument-style ground sign with an overall height of six feet, and a total net area of 63.75 sq. ft. The sign is setback 6' 11". The ground sign copy and tenant panels will consist of routed face with a polycarbonate backer panel. The sign is shown to sit partially within the vision triangle.

Staff Comments: The proposed ground sign complies with the sign ordinance in size and height, and does not need an exception from this CDR. However, the proposed ground sign requires approval of an exception to the UDD 1 setback requirement. Staff notes that there is an existing ground sign in this location and in an effort to reuse existing infrastructure, the new ground sign would be located accordingly to do so. In addition, a similar request was granted in 2014 (Legistar #35753) for the previous hotel group.

Staff notes that the applicant will need to apply for a variance with Traffic Engineering in order to have the ground sign in the proposed location, as it is partially located within the vision triangle. Overall, staff believes that the proposed sign is located adjacent to the driveway entrance and will provide better visibility for the establishment. **Recommendation: Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review, as well as the criteria for Modifications of Height, Area or Setback have been met. This recommendation is subject to further testimony and new information provided during the hearing.**

Staff Conditions/Required Plan Revisions:

- Approval of the proposed ground sign and setback exception is conditioned on the applicant obtaining a variance from Traffic Engineering in order to locate the proposed ground sign in the vision triangle.