

ZONING STAFF REPORT

July 29, 2020



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 8355 Mansion Hill
Project Name: Springs at Pleasant View
Application Type: Approval for Comprehensive Design Review of Signage
Legistar File ID # [61133](#)
Prepared By: Chrissy Thiele, Zoning Inspector
Reviewed By: Matt Tucker, Zoning Administrator

Staff recommendation for the CDR request is contingent on the property obtaining final approval from the Plan Commission on July 27. If approval is not obtained, this application shall be referred until Plan Commission approves the development.

The applicant is requesting Comprehensive Design Review of signage for a new residential building complex, which UDC initially approved July 1st, and which Plan Commission will review on July 27th. The proposed zoning district is Traditional Residential – Urban District 1 (TR-U1), and will abut South Pleasant View Road (5 lanes, 45 mph), and two roads which have yet to be approved (both would be 2 lanes, 25 mph). Surrounding this development are other residential districts with various level of density. However, there is very limited amount of commercial uses in this area.

Pursuant to Section 31.043(4)(b), 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.*

Signage Permitted per Sign Ordinance: One wall and one ground signs per street frontage may be displayed; identifying the entity, with a maximum of two ground signs and two wall signs per zoning lot. Signs, whether displayed on a wall or the ground, shall not exceed 12 sq. ft. in net area, nor be closer than ten feet to any lot line, except such signs may be increased in net area by one square foot for each additional foot that the sign is set back more than 12 feet from the street lot line. No sign under this section shall exceed 32 square feet in net area. No sign shall project higher than one story, or 12 feet above the curb level, whichever is lower. *NOTE: precise elevation of curb level has yet to be established, because the Mansion Hill extension will be a new road.*

Proposed Signage requiring CDR exception: The applicant is requesting for two ground signs to face South High Point Road. One sign would be installed on the retaining wall 167' 9" from the right of way and have a total net area of 30 sq. ft., making it a code compliant sign. The other would be a double sided monument styled ground sign 41' 6" from the right of way and have a total net area of 63.25 sq. ft., 31.25 sq. ft. larger than the maximum size allowed.

The applicant also wishes to install two wall signs and an above canopy signs at the entrance of the leasing office. Each sign would have a total net area of 20 sq. ft. However, only the wall sign on the south façade would face the street, while the other two signs would face a parking lot, which is not a qualifying elevation for signage placement in a Group 1 district. Also, the above canopy sign (which is not a permitted sign in a Group one district) is placed no higher than 12' above grade, but the two wall signs are placed 22' above grade. *NOTE: the applicant has submitted sign heights from the adjacent grade, which is not the curb level measurement required by code.*

Staff Comments: The applicant desires for two ground signs to face County Road M. The first one is a double sided monument styled ground sign towards the North part of the lot. The applicant indicates that due to the topography, the amount of traffic, and the speed limit along the road, the location and size of the double sided ground sign is needed in order to provide the necessary wayfinding to the residential building complex. The applicant further states this sign would provide initial recognition of the complexes for North and Southbound traffic. The total net area of the sign is 64 sq. ft., which is twice of what is allowed per the ordinance (32 sq. ft.). The right-of-way is about 140' wide, and the sign would be placed an additional 40' 6" from the property line due to easements restricting placement. The base of the sign and colors uses in the sign match the materials and colors found within the buildings at the complex.

The retaining wall sign near the intersection is of a code compliant size and location, however, the height on the retaining wall is unknown, so staff cannot confirm if the sign would meet the requirement of having a maximum height of 12' above the curb level, but it likely it would exceed this height. And while this sign does technically face the same street as the northern placed sign, it is intended to be viewed from the vehicular traffic heading eastbound on Mansion Hill Road. This sign also has the same font style as the other ground sign, creating a uniform look. **Staff has no objection to these CDR requests and recommends the UDC find the criteria for CDR review have been met.**

As for the wall signage, the applicant is requesting for two wall signs on the clubhouse/management/leasing office building facing north and south, each with a total net area of 20 sq. ft., located 22' above the curb level. One sign faces Mansion Hill Road, and the other would face the residential buildings to the north, which is not a qualifying elevation for signage. While there are other various locations on the south elevation of the building that could allow for a sign of compliant height to be placed, the applicant indicates the height and location are needed because of the tiered layout of the site and the signs will provide guests and residents appropriate wayfinding to the leasing office. Staff does not believe this is valid or the signs are necessary. Tenants will know where the clubhouse/management/leasing office is located.

The applicant is also requesting for an above canopy sign, which is not a permitted sign in the Group 1 district. This sign would also have a total net area of 20 sq. ft. and an overall height of 2' from the top of the canopy. The top of the sign would also have a maximum height of 12' above the curb level. The proposed location would face the parking lot and drive in front of the clubhouse, situated above the entrance to the leasing office. The sign font matches the other signs at the site. The above-canopy sign will effectively identify the building.

This site is a residential use, surrounded primarily by other residential properties. The City's sign code is more restrictive to these places, because identification needs are fairly simple for residential properties, and signs that are more commercial nature generally conflict with the residential character of these areas. A reason for necessity related to this sign does not appear to have been provided. Other apartment buildings and residential building complexes in this area and the broader City have signage either as ground signs, or wall signs no higher than the first floor elevation. The CDR criteria does not appear to be satisfied to allow signage higher on this building and of this design. Staff believes there are other ways of types of signage the applicant could employ to provide effective identification while still maintaining the look of a residential use.

Staff recommends the UDC find the criteria for CDR review have not been met for the two wall signs and refer the request for more information, or deny the request for signage other than what would be allowed by code. Staff has no objection to the above canopy sign requests and recommends the UDC find the criteria for CDR review have been met.

Staff Comments regarding other shown signage: The applicant shows two ground signs for another residential building complex under the control of this ownership. However, these signs are on a separate zoning lot and therefore shown for context only. These signs are not to be considered as approved by UDC under this application.

Notes:

- The final CDR documents shall state that all other signage complies with MGO 31.