

# ZONING DIVISION STAFF REPORT

November 29, 2023



PREPARED FOR THE URBAN DESIGN COMMISSION

**Project Address:** 6610 Seybold Road  
**Project Name:** Erik's Bike Shop  
**Application Type:** Approval for an Alteration to an Approved Comprehensive Design Plan  
**Legistar File ID #** [80400](#)  
**Prepared By:** Chrissy Thiele, Zoning Inspector

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The applicant is requesting an amendment to a previously approved Comprehensive Design Review. The Urban Design Commission first approved this Comprehensive Design Plan on October 19, 2011, for a monument sign and having building signage not located within a signable area. The applicant would like to modify the building signage to match current branding. This site is located in the Commercial Center (CC) District and abuts the West Beltline Highway (four lanes, 55 mph) and Seybold Road (2 lanes, 25 mph).

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.*

Canopy Signs Permitted per Sign Ordinance: Summarizing Section 31.071, canopy signs can be displayed on the fascia of a canopy in lieu of a wall sign, and shall be considered a wall sign, with the fascia of the attached canopy acting as the signable area. The signable area for a canopy fascia sign shall not project beyond the limits of the canopy in any direction, and shall be no wider than the width of the canopy. Any canopy fascia sign shall be in lieu of an above-canopy or below-canopy signage. The standard net area allows for 40% of the signable area, or two square feet of signage for each lineal foot of building frontage not to exceed 100% of the signable area. In no case shall the sign exceed 80 sq. ft. in net area.

There are two relevant code definitions relative to the proposal, Signable Area and Façade.

MGO 31.03 defines *Signable Area* as:

*One designated area of the facade of the building up to the roof line that is free of doors, windows (for purposes of this definition, spandrel panels or other non-vision glass used as an exterior building material are not considered windows) or other major architectural detail, that extends no higher than the juncture of the wall and the roof...*

MGO 31.03 defines *Façade* as:

*Any separate face or surface of a building, including parapet walls, and roof surfaces or any part of a building which encloses or covers usable space. Where separate facades are oriented in the same direction, or where the inside angle at the intersection of two surfaces is greater than one-hundred and thirty-five (135) degrees, they are to be considered as part of a single facade.*

Proposed Signage: The applicant is requesting to modify the existing signs by combining “Bikes” and “Boards” on a single board, and adding the word “Skis” on a backer similarly styled as the ground sign. The CDR was originally approved each sign to have a 5’ 2” overall height, an overall width of 29’ 4”, and a total net area of 96.45 sq. ft. The proposed sign would maintain the overall height of 5’ 2”, decrease the overall width to 23’ 2”, and have a total net area of about 112 sq. ft. using three boxes.

Staff Comments: The CDR currently approved by the commission permits for two signs, each in an area that does not qualify as signable area, as the canopy doesn’t have any fascia. Instead, the signs are mounted with vertical supports between the two horizontal beams on an architectural feature that is in front of the building. The applicant wishes to keep the same style of signage by reusing the “Erik’s” oval and “Bikes” and “Boards” lettering, but add signage to match the updated branding (“Skis”). The unique architecture of the building limit the signable areas in which Erik’s could place a code compliant sign, and the sign seems to fit with the architecture of the building. While the net area of the proposed sign is increasing by 15.5 sq. ft., it is under 120 sq. ft. that could be approved through a variance. In addition, this site does not have a ground sign facing the beltline, so it makes sense having a larger wall sign for identification. **Recommendation: Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review have been met. This recommendation is subject to further testimony and new information provided during the hearing.**

Ground Signs Permitted by Sign Ordinance: This zoning lot is allowed up to two ground signs with a combined net area of 160 sq. ft., or 80 sq. ft. per side for a single sign, and a maximum height of 12’ for monument style signs, based off of the prevailing speeds and number of traffic lanes.

Proposed Signage: The applicant is requesting to change the copy on the ground sign, which will have the same dimensions as the ground sign previously approved in the first CDR. No other modifications are proposed.

Staff Comments: The existing ground sign complies with the sign ordinance, so UDC does not need to grant a special exception.