

# ZONING DIVISION STAFF REPORT

August 16, 2023



PREPARED FOR THE URBAN DESIGN COMMISSION

**Project Address:** 34 Schroeder Court

**Project Name:** 34 Schroeder Court

**Application Type:** Approval of a Major Alteration to an Existing Comprehensive Design Review in Urban Design District (UDD) 2

**Legistar File ID #** [78778](#)

**Prepared By:** Chrissy Thiele, Zoning Inspector; Jessica Vaughn, AICP, Urban Design Commission Secretary

The applicant is requesting an amendment to a previously approved Comprehensive Design Review (CDR). The Urban Design Commission last approved proposals for this Comprehensive Design Plan on March 20, 2013, for five wall signs above the first story on the elevation facing the Beltline (Legistar #[06638](#)). The original CDR only permitted wall signs consisting of individual channel letters mounted on a raceway. The applicant is proposing to amend the CDR to allow for the option for signs to also be mounted to backer panels instead of a raceway. This site is located in the Suburban Employment (SE) District, in Urban Design District No. 2, and abuts the West Beltline Highway (five lanes, 55 mph).

## 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.*

## UDD 2 Sign Requirements and Guidelines

Section 33.24(9)(d)(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:

- a. Guidelines.
- i. Signs should identify the activity without imposing upon the view of residents, businesses, or activities of the district.
  - ii. Signs should be appropriate to the type of 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.
- b. 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 a luminance greater than two hundred (200) foot lamberts for any portion of the sign within a circle 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. (Am. by ORD-09-00091, 8-1-09)
  - 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. (Am. by ORD-09-00091, 8-1-09)
  - vi. A minimum setback of five (5) feet is required of all detached 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 and fifteen (15) feet in height. A minimum setback of twenty (20) feet is required for all signs exceeding twenty (20) square feet in net area or twenty (20) feet in height. No detached sign shall exceed seventy-five (75) square feet in net area and twenty-five (25) feet in height. Based upon the following criteria the Urban Design Commission may specifically approve a larger sign or reduce the setbacks above:
    1. An exception from the size and setback 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
    2. An exception from the size and setback limitation will result in a sign more in scale with the building and site and will result in a superior overall design. (Am. by Ord. 9593, 10-14-88)

- vii. No detached sign shall occupy the space between two (2) feet and ten (10) feet above grade within fifteen (15) feet of the public right-of-way except for its support, which shall not exceed a total cross-section area of one (1) square foot.
- viii. The net area of an attached sign of any occupancy on any facade shall not exceed forty (40) square feet.
- ix. All signs and their words shall be mounted parallel to the building surface to which they are attached. No sign or words shall project more than eighteen (18) inches from the surface to which they are attached. Attached signs shall not be mounted on roofs and shall not project above roofs.

Wall Signs Permitted per Sign Ordinance: Summarizing MGO 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 buildings with more than one tenant, each tenant is allowed a signable area as reasonably close to its tenant space as possible. 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. For multi-story buildings with more than one vertical occupancy, there may be up to two additional signable areas per façade displayed above the first story, with no limitation on the height of placement, but a total of only one sign per occupant, per façade.

Proposed Signage: The current CDR permits five signable areas on the third-story of the north elevation and two signable areas above the first-story on the east elevation. Each signable area permits one wall sign with a maximum net area of 40 square feet, consisting of illuminated individual channel letters mounted to a raceway. The applicant is proposing to allow for the option of having a backer panel instead of a raceway, while still maintaining the same signable area and size from the previous approval.

Staff Comments: The applicant wishes to keep the same location, number, and size of signable areas, as well as the maximum net area permitted in the CDR, however the applicant is requesting an additional option for sign mounting and material. As of now, the CDR only permits illuminated channel letters mounted on a raceway, but the applicant is proposing to allow the option of having a backer panel in-lieu of a raceway. The sign shown in the application has internally illuminated channel letters, as well as blue halo lighting behind the letters, mounted on a backer panel. While the backer panel would allow the blue halo lighting more visibility compared to the dark red brick on the building façade, staff has concerns with how the backer panel will impact the design consistency between signage that was a part of the original CDR approval by allowing a second option for mounting.

**Recommendation: While staff believes the UDD 2 sign requirements and guidelines can be met, staff requests UDC review and make findings related to the proposed backer panel alternate sign mount especially as it relates to consistency with the CDR review criteria no. 1, which speaks to creating visual harmony between signs. This recommendation is subject to further testimony and new information provided during the hearing.**