

ZONING STAFF REPORT

May 9, 2018



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 85 East Towne Mall
Project Name: Flix Brewhouse
Application Type: Approval for Comprehensive Design Review of Signage
Legistar File ID # [51105](#)
Prepared By: Chrissy Thiele, Zoning Inspector
Reviewed By: Matt Tucker, Zoning Administrator

The applicant is requesting Comprehensive Design Review for signage at East Towne Mall, specifically the new movie theater. This property is located in a Commercial Center (CC) district, which consists mostly of various retail uses in the zoning lot. The theater faces Zeier Road and an undeveloped lot, located southwest of the zoning lot.

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.*

Wall Signs Permitted per Sign Ordinance: Summarizing Section 31.07, Wall signs may be attached flat to or affixed parallel with a distance of not more than 15 inches from the wall. No sign affixed flat against a building wall shall extend beyond any edge of such wall. **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 30% of the signable area. In no case shall the sign exceed 120 sq. ft. in net area.

Proposed Signage requiring CDR exception: The applicant is asking for two wall signs on the same elevation of this tenant space. One sign will be located near the entrance of the theater, which is located far back from the front façade of the building, and the other sign is located on the front façade of the theater. Both signs appear to not exceed 30% of the signable area, however there is a dimension missing for the gross area of the larger sign.

Staff Comments: The design of the building and how it lays out on the lot creates very limited signable areas. For example, the south elevation technically does not face a parking lot, and while the north elevation does, the vantage point to view the sign is very short, as Dick's Sporting Goods sticks out just as far. Therefore, it appears the only real are for a wall sign is on the East elevation. The other problem is the entrance for the theater is located far back from the front wall of the theater. A sign located near the entrance of the building makes sense, as it directs customers where to enter the building. However, the location does not provide much visibility from East Towne Way, which circles the mall. Having a second wall sign on the main façade of the theater would help identify the tenant space to potential customers. **Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review have been met.**

Notes:

- The gross area must be provided with the final submittal