

ZONING STAFF REPORT

November 30, 2022



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 414 East Washington Avenue
Project Name: The Continental
Application Type: Approval for Comprehensive Design Review of Signage
Legistar File ID # [74667](#)
Prepared By: Chrissy Thiele, Zoning Inspector
Jessica Vaughn, AICP, UDC Secretary

Proposal: The applicant is requesting Comprehensive Design Review of signage for a new mixed use building with 148 apartments and 1,200 sq. ft. of commercial space. This property is located in the Urban Mixed-Use (UMX) district and abuts East Washington Avenue (6 lanes, 25 mph), North Hancock Street (2 lanes, 25 mph), and North Franklin Street (2 lanes, 25 mph) in Urban Design District No. 4.

As part of this CDR request, the applicant is requesting a second memorial sign facing East Washington Avenue and a second projecting sign, which would face North Franklin Street.

Project Background: Staff notes that sign permits have been issued for this property, including an above-canopy sign along East Washington Avenue and a projecting sign facing North Hancock Street. After an inspection was conducted, it was discovered that two memorial signs were installed along East Washington Avenue where the sign ordinance would only allow for one memorial sign on each street facing elevation. As such, a CDR approval is required to allow for the additional memorial sign on the E Washington Avenue facing facade. In addition, since CDR approvals are applicable to all signage on one zoning lot under common ownership, it will encompass all of the proposed signage on the building, including the existing, permitted signage.

CDR Criteria for Review: 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.*

UDD 4 Criteria for Review: Section 33.24(11)(d)3., Signage Criteria for Urban Design District No. 4, indicates the Urban Design Commission shall consider in each case those of the following guidelines and requirements as may be appropriate to signage:

Signs. The mixed land use patterns that characterize substantial portions of the district contribute to a proliferation of business and product identification signs which detract from the appearance of these areas.

a. Requirements.

i. Signs in the district shall conform to all provisions of Chapter 31 of the Madison General Ordinances.

*ii. Signs shall be **integrated with the architecture of the building.***

iii. Electronic changeable copy signs, if permitted in the District, shall comply with Sec. 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. Additionally, no sign or portion of sign shall change its level of illumination more than once every one (1) hour. (Am. by ORD-09-00091, 8-1-09)

iv. Signs along East Washington Avenue west of First Street shall not be so high or so large that they detract from the view of the State Capitol.

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 of activity** and clientele at which its message is directed.*

*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 signs.

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)

Signs Permitted per Sign Ordinance: Summarizing MGO Section 31.044(i), a building is permitted one memorial sign or tablet on a wall with street frontage, denoting only the name of the building and date of erection, cut or

set into the masonry surface. This sign is permitted a maximum net area of 12 square feet. This type of sign is exempt from needing a sign permit.

Proposed Signage requiring CDR exception: The applicant is requesting two memorial signs facing East Washington Avenue, each with just the name of the building "Continental" and a net area of 4.83 sq. ft. The proposed sign area is code compliant, however only one sign per street frontage would be allowed.

Staff Comments: The intent of memorial signage is not to serve as identification signage. Typically, memorial or tablet signs are located at building corners and are located lower on buildings. The architect indicates the engraved name of the apartment building reinforces the architectural design and detailing of the building, as well as create a balance by having a sign on either side of the entrance and located above the above-canopy signage. However, since these signs are small and located higher on the building, it is unclear if these signs will be easily seen or visible. In addition, staff also notes that the two memorial signs are in addition to the above-canopy and two projecting signs. As permitted by code, the applicant would be allowed to have one memorial sign for each street facing façade, anywhere on the building. As part of the staff review, consideration was given to alternate locations, including centered above the canopy sign on the E Washington Avenue street frontage, which would not only result in symmetry as noted in the applicant's justification, but also be code compliant in terms of quantity. There are other options for potential locations and design considerations, however this is a matter of noncompliance that needs to be resolved.

Recommendation: Staff requests the UDC provide feedback and make findings related to the appropriateness of the additional memorial signage as it relates to the location, type, visibility, integration with the overall architecture, creating visual sign clutter, etc. relative to both the CDR review and approval criteria and UDD 4 guidelines and requirements. Generally staff believes that the UDD 4 guidelines and requirements can be met, however staff questions whether the applicant has satisfied CDR Criteria No. 2, which speaks to unique architectural design or site limitations. If the UDC can find that the proposed memorial signage meets the applicable review and approval criteria, including CDR Criteria No. 2, staff recommends the UDC make specific findings related to the criteria for review.

Staff notes that if this CDR request is not approved, a CDR is not required as the other proposed signage is code compliant. In addition, the other proposed and existing signage is not eligible for a CDR since there are no special exceptions.

This recommendation is subject to further testimony and new information provided during the hearing.

As part of the Commission's review, due consideration should also be given the other signage existing and proposed, including the above-canopy and projecting signage, which is also reviewed under UDD No. 4 guidelines and requirements and Sign Code.

Canopy Signs Permitted per Sign Ordinance: Summarizing Section 31.071, above-canopy signs can be installed instead of a wall sign, but are restricted to the business name and logo, be constructed of freestanding characters and the logo, have a max height of 2' and the next of the logo being a max size of 4 sq. ft. These signs also cannot be wider than the width of the canopy or the corresponding façade, whichever is narrower. Above-canopy signage may not project further than from the building than the canopy to which it is attached and a sign that crosses architectural detail may not be displayed closer than three feet from the nearest face of the building.

Proposed Signage: The proposed above canopy sign consists of 18" tall individual channel letters with acrylic faces, and would have a total net area of 18.38 sq. ft.

Staff Comments: The sign complies with the sign ordinance requirements for an above canopy sign, however as this is part of a CDR request UDC must consider all proposed signage of the development to determine if the proposed signage is necessary, creates visual harmony with the other proposed signage, and does not create sign clutter.

Recommendation: Staff has no objection to the CDR request and recommends the UDC find that the review and approvals standards for CDR and UDD 4 design guidelines and requirements have been met. This recommendation is subject to further testimony and new information provided during the hearing.

Projecting Signs Permitted per Sign Ordinance: Occupants may display a total of one (1) projecting sign on a facade facing a street. This zoning lot is allowed a projecting sign 32 sq. ft. per side based on the number of traffic lanes. Also, if a ground and projecting signs are displayed on the same a zoning lot, only one (1) of such signs, where permitted may exceed twelve (12) square feet in net area.

Proposed Signage: The applicant is proposing two projecting signs, one facing North Hancock Street and the other facing North Franklin Street. Both signs would be 9.25 sq. ft. per side. The signs would not extend above the second story, keeping in mind the Downtown Urban Design Guidelines historic requirements.

Staff Comments: The projecting signs comply with the sign ordinance size and location requirements, however as this is part of a CDR request, UDC must consider all proposed signage of the development to determine if the proposed signage is necessary, creates visual harmony with the other proposed signage, and does not create sign clutter.

Recommendation: Staff has no objection to the CDR request and recommends the UDC find that the review and approvals standards for CDR and UDD 4 design guidelines and requirements have been met. This recommendation is subject to further testimony and new information provided during the hearing.

Notes:

- Applicant has disclosed the commercial space would not be given signage at this time. If signage is proposed at a future date, an alteration to the CDR is required.
- The final CDR documents shall state that all other signage not requiring permits shall comply with MGO 31.