

ZONING DIVISION STAFF REPORT

June 12, 2024



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 739 South Gammon Road
Project Name: Dunkin' Donuts
Application Type: Approval for a Major Alteration to an Approved Comprehensive Design Plan
Legistar File ID # [83456](#)
Prepared By: Chrissy Thiele, Zoning Inspector

The applicant is requesting an amendment to a previously approved Comprehensive Design Review. The Urban Design Commission approved the original Comprehensive Design Plan for an existing multi-tenant building in July 2012. The property is in the Commercial Center (CC) district and abuts S Gammon Road (4 lanes, 35 mph). The main tenant recently updated the building façade which altered the signable area, so the applicant is requesting an alteration to the building signage allowed in the existing CDR. The applicant's alteration will change the mounting height of the wall sign on the north elevation from a maximum of 12 feet to approximately 15 feet and the sign type on the south elevation (a nonqualifying elevation) from an awning sign to a wall sign, both which were specifically delineated in the original approval.

Comprehensive Design 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.*

Urban Design District No. 2 Signage Requirements and Guidelines

Section 33.24(9)(d)4., Signage Criteria for Urban Design District No. 2, indicates the Urban Design Commission shall consider in each case those of the following guidelines and requirements as may be appropriate to signage:

Signs. Because of the relationship between the residential and commercial activities of this area, it is necessary that the location and treatment of signs be appropriate to both activities. In this sense the Urban Design Commission shall evaluate proposed signs based on the following guidelines and requirements:

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:
 - A. 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*
 - B. 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 and Roof Signs Permitted per Sign Ordinance: Summarizing Section 31.07, there shall be one signable area for each façade facing a street or parking lot 33 feet in width or greater. 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.

Proposed Wall Signage: The applicant is proposing a total of three wall signs, two of which will face either a street or parking lot, while one will face a drive aisle. Each sign will have 2' tall internally illuminated channel letters and a total net area of 21.5 sq. ft.

Staff Comments: The proposed sizes and locations of the Dunkin' signs comply with the sign ordinance, except for the sign facing the drive thru as it does not face a street or a parking lot. The original CDR did approve a sign on that elevation; however, it was written specifically to be an awning sign no more than 12' above grade. The CDR also called out specific signable areas for the west and north elevations for the building that also limited the sign height to be no more than 12' above grade. The tenant obtained approval in November 2023 to update the building façade, which altered the signable areas shown in the existing CDR. Therefore, an application has been submitted to UDC to change the signable area location on the building and increase the allowed height the signs can be from grade. **Recommendation: Staff has no objection to the CDR request and recommends the UDC find the standards for CDR approval criteria and UDD 2 requirements and guidelines have been met given the consistency in design across all signage, and integration of the signage with the updated architecture. This recommendation is subject to further testimony and new information provided during the hearing.**

Ground Signs Permitted by Sign Ordinance: This planned multi-use site is allowed up to two ground signs with a combined net area of 80 sq. ft., and a maximum height of 10' for monument style signs, based off of the prevailing speeds and number of traffic lanes. The ordinance also allows for lots with frontage 500' or more, as well as a vehicle entrance on that frontage, to have an additional monument-style ground sign, no larger than eight feet in height, with 32 sq. ft. per side, located at each vehicle entrance.

Proposed Ground Signage: The applicant will be replacing the existing tenant panel on a double-sided monument sign with updated branding. The new panels will have a total net area of 25.64 sq. ft.

Staff Comments: The existing ground sign was approved in the original CDR. The proposed alteration is a change of copy, which complies with the sign ordinance and does not need a special exception to be granted.