

ZONING DIVISION STAFF REPORT

November 20, 2019



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 5409 Femrite Drive
Project Name: Viking Electric Distribution Center
Application Type: Approval for a Street Graphics Variance Request
Legistar File ID # [58097](#)
Prepared By: Chrissy Thiele, Zoning Inspector
Reviewed By: Matt Tucker, Zoning Administrator

The applicant is requesting approval for a sign variances for two wall signs. This property is located in the Industrial Limited (IL) district. This is a new development, which UDC reviewed approved April 10, 2019. The zoning lot is bordered by Femrite Drive (four lanes, 40 mph) and Marsh Road (2 lanes, 25 mph). This property is also located in Urban Design District 1, which the Applicant is for exception to some of the criteria as well.

Pursuant to Section 31.043(2), MGO, the UDC may approve a sign with up to fifty percent (50%) greater net area or fifty percent (50%) higher than the maximum height otherwise allowed, or reduce the required yard or setback if such approval:

- (a) 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) Will result in a sign more in scale with the building and site and in a superior overall design.

Section 33.24(8)(c)4. indicates the Urban Design Commission shall consider in each case those of the following guidelines and requirements as may be appropriate to signage:

a. 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 luminance greater than two hundred (200) foot-lamberts for any portion of the sign within a circle of 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.
- 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.
- vi. A minimum setback of five (5) feet from the public right-of-way is required of all ground 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. A minimum setback of twenty (20) feet is required for all signs exceeding twenty (20) square feet in net area.
- vii. The height of a ground or wall sign shall not exceed ten (10) feet along John Nolen Drive or eighteen (18) feet elsewhere in the district unless a higher sign is specifically approved by the Urban Design Commission based on the following criteria:

- A. An exception from the height 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 height limitation will result in a sign more in scale with the building and site and will result in a superior overall design.
- viii. The net area of a ground or wall sign shall not exceed forty (40) square feet along John Nolen Drive or seventy-two (72) square feet elsewhere in the district unless a larger sign is specifically approved by the Urban Design Commission based upon the following criteria:
- A. An exception from the size 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 limitation will result in a sign more in scale with the building and site and will result in a superior overall design. (Sec. 33.24(8)(c)4.a. Am. by ORD-09-00091, 8-1-09)
- 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 and 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.
 - v. Illuminated signs should be lit internally or from the ground, not with fixtures projecting from the sign.
 - 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)

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. For a single occupancy, stand-alone, non-residential building with twenty-five thousand (25,000) square feet or more in floor area, or a non-residential occupancy or tenant space with twenty-five thousand (25,000) square feet or more in floor area in a multi-tenant building, the maximum net area of all wall signs shall be thirty percent (30%) of the signable area. **In no case shall a wall sign exceed one hundred twenty (120) square feet in net area.** The signable area for a wall signs is determined by the area of the facade of the building that is free of doors, windows, or other major architectural detail, and no more than four (4) vertical feet of the parapet wall may be included in the measurement of the signable area.

Proposed Signage: The applicant is requesting for a wall sign facing Femrite Drive, with a total net of 119 sq. ft., which is 42.5% of the signable area.

Staff Comments: The applicant provided two renderings. These renderings show areas eligible for signage, which include the area proposed for the sign placement and a grey area above and to the sides of the proposed placement. The large tan areas on the facade do not contain reasonable signable areas, due to articulation/color changes across these areas. One rendering shows signage meeting the UDD requirement of having a maximum total net of 72 sq. ft. (which is 25.7% of the signable area, compliant with the sign code). The other shows a wall

sign that has a maximum net of 119 sq. ft. (which is 42.5% of the signable area, necessitating a sign code variance and UDD exception). The distance from the building to the right-of-way is about 80 feet, with an additional 30 feet of terrace before reaching the street. The right-of-way has a width of 100 feet. Vehicles traveling west bound will have little time to react and enter into the lot, as the driveway is further east, past the edge of the building. This puts the sign at a distance of about 310 feet for vehicles traveling in the far westbound lane if they are intent to pull into the driveway. The sign is oriented over the entrance of the building, and while the signable area is small, the sign does fit in the space appropriately, and fits with the overall facade of the building. **Staff has no objection to the Variance request for the wall signs and recommends the UDC find the standards for Variance review have been met.**