ZONING DIVISION STAFF REPORT

June 25, 2025

PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address:	**655-667 S Whitney Way, 601, 625, 649 Sand Pearl Lane**
Project Name:	**University Park, LLC**
Application Type:	**Comprehensive Design Review for Signage**
Legistar File ID #	**88670**
Prepared By:	Chrissy Thiele, Zoning Inspector Jessica Vaughn, Urban Design Commission Secretary

The applicant is requesting a Comprehensive Design Review for Signage for a new mixed-use development that consists of five buildings with over 400 residential units and plans for a future mixed-use building at the corner of S Whitney Way and Tokay Boulevard. The new development is zoned Planned Development, which has an equivalency district of Commercial Corridor-Transitional (CC-T), and abuts S Whitney Way (5 lanes 30, mph) and Tokay Boulevard (25 mph, 2 lanes). HyVee also shares the same zoning lot with this development but is under different ownership and is not part of this CDR application. As part of this CDR request, the applicant is requesting:

- Two above canopy signs, which are code compliant,
- Two ground signs, which are code compliant on their own, and
- One projecting sign larger than 12 sq. ft. in size, which the code does not permit when there is ground signage that exceeds 12 sq. ft. in total net area.

Comprehensive Design Review - 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.*

Comprehensive Design Review - Proposed Signage

Ground Signage

Ground Signs Permitted by Sign Ordinance: This zoning lot is allowed up to two ground signs with a combined net area of 80 sq. ft., **a maximum of 40 sq. ft. per side**, and a maximum height of 10' based off the prevailing speeds and number of traffic lanes. The Sign Code also states that if a ground and projecting sign 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 Ground Signage: The applicant is requesting two monument style non-illuminated ground signs, each with an overall height of 4'. One sign will be a single sided and have a total net area of 6.34 sq. ft., while the second ground sign will be double sided and have a total net area of 21.88 sq. ft. This makes the combined total net area 28.22 sq. ft, which is compliant with the Sign Code.

Staff Comments: While the signs themselves are code-compliant, the applicant is requesting a projecting sign over 12 sq. ft. in size, for which the CDR approval is required. The base of each sign is made of brick material like what is used on the buildings, with the copy consisting of flat cut aluminum pin mounted to the brick. The letters are comparable to the letters used for the above canopy signage, which are also non-illuminated cut aluminum. The only difference is the ground sign letters are black and the above canopy letters are brushed aluminum.

Staff have no objection to the ground signage that is part of this CDR request and believe that ground signage is consistent with the CDR approval criteria, including those related to design given the masonry and pin mounted individual aluminum lettering, as well as necessity given the number of buildings on site and the limitations in building design and placement as it relates to successful identification/visibility. In addition, the proposed ground signage is compliant with the Sign Code.

Staff note that the site plan in the application materials is not current. The property owner/developer applied to create two separate buildings instead of one, larger connected building. A condition of approval is noted below to update the site to reflect the current plans under review.

Projecting Signage

Projecting Signs Permitted per Sign Ordinance: Summarizing MGO Section 31.09, occupants may display a total of one projecting sign on a façade facing a street or on a corner of a building. This zoning lot allows a projecting sign 32 sq. ft. per side for the elevation facing S Whitney Way. Projecting signs must vertically clear any pedestrian area by at least ten (10) feet and vehicular ways by at least fourteen (14) feet. Also, if a ground and projecting sign are displayed on the same zoning lot, only one of such signs where permitted may exceed 12 sq. ft. in net area.

Staff notes that, as an alternative, pursuant to MGO Section 31.043(2), in the future if a larger sign is desired, the applicant may request a Modification to Sign Height, Area, or Setback. This would allow the applicant to request a projecting sign that is 50% larger than what the code would allow, 18 sq. ft. in net area.

Proposed Signage: The applicant is proposing a projecting sign mounted at the third story of the building façade facing S Whitney Way. The sign is internally illuminated with a routed aluminum face and acrylic backing, and would have a total net area of 31.56 sq. ft.

Staff Comments: The applicant is requesting ground signage with a total net area larger than 12 sq. ft., which limits the size of a projecting sign to 12 sq. ft, unless a larger sign is approved as part of a CDR or Sign Modification as noted above. While staff believe that a larger projecting sign could result in better visibility for vehicular traffic along S Whitney Way (five lane, 30 mph street), there is a question as to whether the proposed projecting sign is consistent with the CDR approval criteria, including:

1. As it relates to CDR Criteria No. 1, which speaks to creating visual harmony between the signs, the use of unique and exceptional use of materials, design, color, and result in signs of appropriate scale and character of their context. The projecting sign as designed reflects a standard cabinet sign and is of a different design aesthetic than either the ground or above-canopy signs. In addition, staff notes that the floor-to-floor heights as shown on the approved plans on file are 11 feet +/-. The proposed sign is over 11 feet in height. Consideration should be given to the size and proportionality of the proposed sign relative to the overall building proportions, as well as the location of the sign relative to the datum lines (architectural detailing) present on the building; and

2. As it relates to CDR Criteria No. 2, which speaks to necessity based on a unique design aspect in the architecture or limitations in the building site or surrounding environment that would necessitate a larger sign. Staff is unaware of any architectural or design aspect in the building (i.e., architectural detailing or element, etc.), building location (i.e., setback from the street, high traffic speed, limited visibility by other buildings, size/scale of the building, etc.) or site limitations (i.e., larger-scale site, topography, etc.) that would necessitate a larger sign than what the Sign Code would allow, and mounted high on the building.

   The application includes graphics for a code compliant sign (12 sq. ft.), a sign that would be allowed through a Sign Modification request (18 sq. ft.), and the proposed larger sign (32 sq. ft.), mounted at the third story. The letter of intent states that the projecting sign is necessary for traffic visibility, however staff do not believe that having the sign lower on the building would negatively affect the visibility. Having the projecting sign lower may provide better visibility to pedestrians and bicyclists, as well as motorists who are seated in vehicles. Staff do not believe the necessity of the mounting height nor size of the sign has been clearly demonstrated, especially given the character of the area, which appears to be more pedestrian oriented and lower traffic speeds, and other signage in the CDR request, including the above-canopy and ground signage.

Staff **does not** believe the proposed 31 +/- SF projecting is consistent with the CDR criteria, specifically as it relates to CDR Criteria 1, which speaks to design, and size and proportionality, and 2, which speaks to necessity.

Above Canopy Signage

Above Canopy Signs Permitted per Sign Ordinance: Summarizing MGO Section 31.071, above-canopy signs are restricted to the business name and logo, constructed of freestanding characters and the logo, have a maximum height of 2', and the text of the logo being a maximum 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 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 applicant is requesting an above canopy sign facing S Whitney Way, consisting of 10" tall non-illuminated individual channel letters and a total net area of 15.42 sq. ft. The second above canopy sign also consists of non-illuminated individual channel letters with the overall height of 7" and a total net area of 7.34 sq. ft. There is also an existing above canopy sign on 601 Sand Pearl Ln that constructed the same way, 11" tall, and a total net area of 13.06 sq. ft.

Staff Comments: The proposed signage complies with the Sign Ordinance in size and height and does not need any exceptions on its own.

Staff have no objection to the above-canopy signage that is part of this CDR request and believe that the above-canopy signage is consistent with the CDR approval criteria, including those related to design given the individual brushed aluminum lettering, as well as necessity given the building design and placement as it relates to successful identification/visibility of building entrances. In addition, the proposed above-canopy signage is compliant with the Sign Code.

Comprehensive Design Review - Staff Recommendation

The purpose of the Comprehensive Design Review process is to allow for exceptions to the city's Sign Code for signage that is of **both** an enhanced design aesthetic and necessary, given a unique or unusual design circumstances in a building design or location. As noted above, the trigger for this CDR application is the proposed projecting sign as all other signage is compliant with the Sign Code. However, as part of a CDR application, the Urban Design Commission's purview is not just limited to the projecting sign, it extends to all the signage on site, existing and proposed, and as part of their review, the UDC shall evaluate all the proposed signage for consistency with the CDR criteria.

As noted above in the staff comments, while staff have no objections to the Sign Code compliant ground and above-canopy signage, staff do have objections to the proposed projecting signage. Regarding the proposed projecting sign, staff do not believe that the CDR criteria for review have been met as it relates to:

- CDR Criteria 1, based on the size and proportion of the sign relative to the building and its design elements, as well as the overall design of the sign reflecting a standard cabinet sign and of a different design aesthetic than the other signage in the CDR, and

- CDR Criteria 2, as the necessity for a larger sign, mounted higher on the building was not fully demonstrated.

Staff recommend that the UDC find that the criteria for CDR have not been met and refer the request for more information or deny the CDR request as submitted. This recommendation is subject to further testimony and new information provided during the hearing.