

## ZONING DIVISION STAFF REPORT

September 22, 2017



PREPARED FOR THE URBAN DESIGN COMMISSION

**Project Address:** 821 E. Washington Avenue  
**Project Name:** The Spark  
**Application Type:** Comprehensive Design Review Initial/Final Approval  
**Legistar File ID #** 48453  
**Prepared By:** Chrissy Thiele, Zoning Inspector  
**Reviewed By:** Matt Tucker, Zoning Administrator

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The applicant is requesting Comprehensive Design Review INITIAL/FINAL APPROVAL. This property is located in a Traditional Employment (TE) District, as well as Urban Design District #8. This lot and neighboring lot 811 E. Washington Avenue (The Gebhardt Building) are considered to be one zoning lot, through the shared access and circulation of the Pocket Park located between the two buildings. This part of East Washington has 6 lanes and a speed limit of 35 mph.

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.*

Wall 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**. 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 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 Signage: The applicant has specific qualifying signable areas for the main tenants of the building and is proposing to self-limit the size, style, and color of the signs at the first two stories. The building identification signs, however, are on elevations that do not have any qualifying signable areas, as the west and east elevations do not face a street or parking lot. The proposed signs are also shown at the top of the building, which is not something that has been approved on any of the other surrounding buildings in this area.

Staff Comments: The sign at the top of the building serves as a “vista” or “long-view” sign, primarily serving for advertisement or branding of the skyline in lieu of identification, and has little relationship with the site at the street or sidewalk level. This area has been redeveloping with a vision as an extension of the downtown area, where there are little to no signs high up on buildings. The UDC has consistently denied requests for building-top signage at other redevelopment sites along the Urban Design District No. 8 corridor. In consideration of these comments, **staff does not support the location of the identification signs at the top of the building, and recommends the applicant reconsider the locations of the building identification signs, not to exceed the ceiling height of the second-story level as perceived from the streets/sidewalk.**

**For the first two-story levels of signage, a maximum size for the signable areas has not been provided for any of the identified signable areas. For clarification purposes, staff recommends annotating the plans to indicate the maximum size of sign to be allowed in these signable areas. As for the proposed limitations of color and style of signs, staff believes this is too limiting. Ultimately, tenants will change and the new tenant will want a different sign than shown, and this will be sent back to the Commission to lift these limitations. To avoid this, staff recommends that if UDC does determine the conditions are met to approve this part of the Comprehensive Design Review, that the style and color of the signs be regulated and approved by the landlord, which Zoning staff will require with the sign permit application request before issuing any sign permits. Otherwise, if the applicant is unwilling to reconsider the location of the building identification signs, there is no need for a Comprehensive Design Review for this property.**

Ground Signs Permitted per Sign Ordinance: Zoning lots are allowed to have two ground signs. Technically, through the Zoning Ordinance, this property is on a zoning lot with The Gebhart Building, as both properties share access and circulation of the Pocket Park located between the two buildings. However, further review of the *Ground Sign* section of the Sign Ordinance states that Zoning Lots that meet the criteria of Sec. 28.137(2)(e) are limited to two ground signs per zoning lot. Sec. 28.137(2)(e) states *A planned multi-use site containing more than forty thousand (40,000) square feet of floor area and where twenty-five thousand (25,000) square feet of floor area is designed or intended for retail use or for hotel or motel use*, which does not fit either building. Therefore, as this Zoning Lot does not meet Sec. 28.137(2)(e), it has been determined by staff that each lot can have up to two ground signs.

Based on the speed limit and number of traffic lanes, they are allowed up to two ground signs with a shared net area of 144 sq. ft., with monument signs having a max height of 11'. The only ground sign located on this lot appears to comply with the sign ordinance and therefore does not need special exceptions as part of the Comprehensive Design Review.