

## ZONING DIVISION STAFF REPORT

March 16, 2018



PREPARED FOR THE URBAN DESIGN COMMISSION

**Project Address:** 2921 Landmark Place  
**Project Name:** Landmark Oaks  
**Application Type:** Comprehensive Design Review Initial/Final Approval  
**Legistar File ID #** [50648](#)  
**Prepared By:** Matt Tucker, Zoning Administrator

The applicant is requesting Comprehensive Design Review INITIAL/FINAL Approval for signage at this new development. This property is located in a Suburban Employment (SE) district. This lot is at the end of Landmark Place, a cul-de-sac that runs North-South from Todd Drive, the Beltline Highway frontage road. The project consists of a five-story office building at the last (southernmost) lot on this street. Through the CDR, it appears as though there will be two or three anchor tenants, which will be the only tenants allowed exterior signage on the building.

Staff has been meeting with the owner about this project for years, and has been on record to support approvals for reasonable signage on the north-facing facade for the development, given the building orientation, site constraints and desire to have the site be visible from the Beltline.

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, Wall signs may be attached flat to or affixed parallel with a distance of not more than 15 inches from the wall. No sign affixed flat against a building wall shall extend beyond any edge of such wall. 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 30% of the signable area. In no case shall the sign exceed 120 sq. ft. in net area. For multi-story buildings with more than one vertical occupancy, *there may be up to two additional signable areas per façade displayed above the first story, with no limitation on the height of placement, but only one sign per occupant, per façade.*

**Proposed Signage:** The applicant is requesting approval for two eligible sign areas above the roofline on the North elevation and one eligible sign area above the roofline on the West elevation. No other wall/roof type signs are proposed. All signs require exceptions to Chapter 31 for the following reasons:

North facing signs:

1. This wall does not have frontage on a street or face a 33' wide parking lot, therefore this facade is ineligible façade for wall signage. *UDC commonly allows eligibility in these cases. Per sec. 31.043(d).*
2. The signs are proposed to be placed on mechanical screening at the roof level, which qualifies these as roof signs, which are not permitted in the SE zoning district. *UDC can allow this per sec. 31.043(c), additional sign code approvals.*
3. The applicant is proposing 180 sq. ft. or 260 sq. ft. for the sign, larger than the maximum 80 sq. ft. (under 25,000 sq. ft. tenant space) or 120 sq. ft. (over 25,000 sq. ft. tenant space). *The 180 sq. ft., is the maximum wall sign size that could be approved via a variance, larger can be approved by CDR.*

West facing sign:

1. The signs are proposed to be placed on mechanical screening at the roof level, which qualifies these as roof signs, which are not permitted in the SE zoning district. *UDC can allow this per sec. 31.043(c), additional sign code approvals.*
2. The applicant is proposing 180 sq. ft. or 260 sq. ft. for the sing, larger than the maximum 80 sq. ft. (under 25,000 sq. ft. tenant space) or 120 sq. ft. (over 25,000 sq. ft. tenant space). *The 180 sq. ft., is the maximum wall sign size that could be approved via a variance, larger can be approved by CDR.*

Sec 31.07 (3) provides regulations for above-roof signs:

*31.07 (3)Above-Roof Signs. An above-roof sign is a sign, any portion of which is displayed above the roofline. Above-roof signs may be displayed in the IL and IG employment districts and as allowed in Sec. 31.04(2)(b)2.b.iii. and iv., if no wall or roof sign is displayed on the corresponding facade. The signable area for an above-roof sign is calculated on the corresponding wall facade and can be transferred above the roof line. An above-roof sign may extend to a maximum height of ten (10) feet above the roofline.*

**Staff Comments:** The applicant requests a sign that cannot be approve at any similarly-zoned property without a UDC exception. CDR, through its standards, is designed to allow for unique and high-design signage, with consideration to integration to the site and necessity. Some aspects of the submittal clearly meet these principles, while others are open for debate. CDR should not be used to allow for a signage which simply does not comply with code.

The mechanical screen is basically a screen wall, not an architectural element at the top of the building that is integrated into the architecture of the building. This element is set back about 15' from the north-facing wall of

the building and is flush with the west-facing wall of the building. There is one approved example of this type of signage in the city: the TDS/Johnson Bank building on Junction Road, which clearly has an architecturally integrated building topper with integrated architecture, and associated appropriate signage. This signage example was approved by the UDC.

*North side of building:* The request includes options for up to 180 sq. ft. signage and 260 sq. ft. signage. The north-facing façade wall of the building is well articulated, with windows and material changes. There does not appear to be a signable area of a size that could allow for visible/legible signage on this wall. The screen wall, and associated signage, does not appear to provide high design, as compared with another example of similar signage in the City, however, this appears to be the most appropriate location signage for the north elevation. Given the nearly 1,000 foot distance of the building to the highway, a larger sign that code would otherwise allow seems reasonable. In support of this request, photographs have been included which show the building as viewed from the beltline. Staff believes these photographs do not accurately represent the visibility of the building. To that point, the building has an unlit "Ideal Construction" sign on the screen element, which is clearly visible from the highway, which is closer to an 80 sq. ft. size. The 260 sq. ft. signs are excessively large and out-of-scale with the screening element and building in general, and would otherwise dominate the facade.

*West side of building:* Chapter 31 allows a wall sign on this elevation, because it faces a street (Landmark Place). The request includes options for up to 120 sq. ft. signage and 180 sq. ft. signage. This elevation appears significantly obscured by vegetation and staff questions if this sign would even be visible. If visible, the sign would need to be large to be legible from the long views. No long views of this elevation have been provided with the application, presumably because this elevation is not visible. Staff does not believe the UDC could find standards are met to approve this sign as an exception to the sign code. Staff supports a single sign on this elevation, on the wall (not the roof screening) otherwise in compliance with MGO31.

**Ground Signs Permitted by Sign Ordinance:** This lot is allowed a monument-style ground sign with a size of 32 sq. ft. of net area per sign, and a maximum height of 10'.

**Proposed Ground Signage:** The applicant proposes to construct a new monument-style sign, which would have a net area calculation of 43 sq. ft.

**Staff Comments:** This sign is attractively designed to generally match the color and material of development on the site. This development is the end of the road, a dead-end cul-de-sac. A viable code-complaint sign was also shown, which staff supports. The code-complaint sign will clearly identify the site to those approaching the site at the end of the road. This request does not appear necessary, and does not appear to meet the standards of approval for CDR.

Staff Recommendations, subject to further testimony and new information provided during the public hearing:

1. **For North facing signage, sign eligibility on north-facing wall, (to qualify the wall for signage): *Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review have been met.***
2. **For North facing signage, above-roof sign on roof screening element: *Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review have been met.***

3. North facing above-roof signage, sign size exception: *Staff believe the standards have not been met by the applicant for a CDR signage exception relative to the request for two sign areas up to 260 sq. ft. in net area. Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review have been met for two sign areas up to 180 sq. ft. in net area.*
4. West facing signage, above-roof sign on roof screening element: *Staff believe the standards have not been met by the applicant for a CDR signage exception relative to the request for above-roof signage on this elevation.*
5. West facing signage, sign size exception: *Staff believe the standards have not been met by the applicant for a CDR signage exception relative to the request for sign size, and recommends the UDC grant approvals for signage on this façade no large that the ordinance would otherwise allow.*
6. Ground sign: *Staff believe the standards have not been met by the applicant for a CDR signage exception relative to the request for the proposed ground sign. Staff recommends the UDC approve the CDR for the otherwise code-compliant ground sign.*