

## ZONING STAFF REPORT

June 6, 2018



PREPARED FOR THE URBAN DESIGN COMMISSION

**Project Address:** 53 West Towne Mall

**Project Name:** Total Wine

**Application Type:** Approval for an Alteration to an Approved Comprehensive Design Plan

**Legistar File ID #** [51508](#)

**Prepared By:** Chrissy Thiele, Zoning Inspector

**Reviewed By:** Matt Tucker, Zoning Administrator

The applicant is requesting an amendment to a previously approved Comprehensive Design Review. The original approval was specifically for the Sears and Dave and Busters signs, approved November 30, 2016, and Total Wine obtained approval for their signage December 20, 2017. Total Wine would like to request additional signage for their tenant space. The property is located in the Commercial Center (CC) district.

Pursuant to Section 31.43(4)(d), MGO, any changes to the approved plan must first be approved by the UDC using the full Comprehensive Design Review (CDR) process under Sec. 31.043(4)(a):

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.*

Signable Area defined in Sign Ordinance: One designated area of the facade of the building up to the roof line that is free of doors, windows (for purposes of this definition, spandrel panels or other non-vision glass used as an exterior building material are not considered windows) or other major architectural detail, that extends no higher than the juncture of the wall and the roof.

In addition to this, façade is defined as “any separate face or surface of a building, including parapet walls, and roof surfaces or **any part of a building which encloses or covers usable space.**”

Proposed Signage requiring CDR exception: The applicant is looking to install a sign on either side of a metal wing protruding from the building on the east façade of the tenant space, facing the north and south of the lot. This metal wing does not enclose or cover usable space inside the tenant space; therefore, the wall does not qualify as a signable area according to the Sign Ordinance. Each sign will be 44.44 sq. ft.

Staff Comments: The locations of these signs provide visibility to the beltline, as well as the parking to the north of the lot, and placed on the metal wing of the building, act like a projecting sign for the tenant space. However, a compliant projecting sign for this tenant space would not have the height, or the size compared to the proposed signage. Also, the metal wing would most likely block visibility of the projecting sign viewed from the parking area north of the lot. The size of the signs appear to fit with the space, however no measurements were provided to show the signable area. **Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review have been met, with the condition that these signs be in lieu of a projecting sign for this tenant space.**

Notes:

- The signable area must be provided with the final submittal