

ZONING DIVISION STAFF REPORT

July 31, 2019



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 6905 Odana Road
Project Name: Burlington/Ross Dress for Less
Application Type: Comprehensive Design Review Initial/Final Approval
Legistar File ID # [56306](#)
Prepared By: Chrissy Thiele, Zoning Inspector
Reviewed By: Matt Tucker, Zoning Administrator

The applicant is requesting Comprehensive Design Review INITIAL/FINAL Approval. The property is located in the Commercial Center (CC) district and abuts West Platte Drive (2 lanes, 25 mph) and Odana Road (4 lanes, 30 mph). The subject property is part of a Planned Multi-use site that includes Burger King and a small retail multi-tenant building near Odana Road, which is not under the control of this applicant. Ross Dress for Less and Burlington came before the UDC in July and August of 2016, obtaining variances for their wall signage.

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.*

Ground Signs Permitted by Sign Ordinance: This zoning lot is allowed up to two ground signs with a combined net area of 96 sq. ft., and a maximum height of 10' for monument style signs, based off of the prevailing speeds

and number of traffic lanes. Additional ground signs are allowed by CDR. The ordinance also allows for lots with frontage 500' or more with vehicle entrance on that frontage to have an additional monument-style ground sign, no larger than eight feet in height, with 32 sq. ft. per side, located at each vehicle entrance.

Proposed Signage: The applicant is requesting approval for a new ground sign in the same location of an existing sign that is in disrepair, keeping a total number of four ground signs on the zoning lot. The existing ground sign is 7 feet tall and has a total net of 96 sq. ft., while the new ground sign would be 8' 4" tall and have about 120 sq. ft. of total net area.

Staff Comments: There are four existing ground signs on this zoning lot, two of which fall under the control of this application. One of the remaining ground signs belongs to Burger King and the other belongs to the Sherwin Williams in the small multi-tenant retail building. The applicant wishes to replace an existing non-conforming sign with a larger ground sign of similar size to the second ground sign under this properties' control, identifying two other tenants on the zoning lot. The sign they propose to match in style has a total net of about 80 sq. ft., while the existing sign to be replaced has a total net of 96 sq. ft. The applicant is proposing to replace the existing sign with the new sign, at about 120 sq. ft., would be 24 sq. ft. larger than the existing sign and 40 sq. ft. larger than the other ground sign matching this style. The proposed style of sign is consistent in style and material between the two signs identifying the tenants found in the strip mall further in the zoning lot. **Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review have been met for having a fourth sign, but that the size of the new sign have a maximum net of 96 sq. ft.**

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. For a tenant space with less than twenty-five thousand (25,000) square feet in floor area, the maximum net area of wall signs shall be forty percent (40%) of the signable area, or two feet per lineal foot of tenant frontage, not to exceed 100% of the signable area. In no case shall a wall sign exceed eighty (80) square feet in net area. For a tenant space with twenty-five thousand (25,000) square feet or more in floor area in a multitenant building, the maximum net area of a wall sign shall be thirty percent (30%) of the signable area, not to exceed one hundred twenty (120) square feet in net area.

Proposed Signage: The applicant is requesting that the three larger tenant spaces to have wall signage 50% larger than what is permitted. The spaces Burlington and Ross Dress for Less occupy would continue to have wall signage with a maximum net of 180 sq. ft. and the space which JoAnn currently occupies would be allowed to have a sign 120 sq. ft. in size. The remaining two tenant spaces would comply with code.

Staff Comments: As noted above, the Ross Dress for Less and Burlington signs were approved a few years ago by the UDC through the variance process. The JoAnn sign is an exiting non-conforming sign that exceeds both what would be allowed through code today and through a variance process. The applicant is requesting for any future sign proposed for this tenant space, that they have the size of sign that could be obtained through the variance process as well, 120 sq. ft. being the maximum size. The applicant also provides regulations for all future wall signage as high quality design, either allowing for individual channel letter either internally illuminated or halo lit. Box signs can make up a portion of the sign at the property owner's approval, but only as a routed face with push-thru letters or molded faces. **Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review have been met.**

Notes:

- Final submittal shall include overall dimensions of the new sign net area.
- Applicant shall add the note that all other signage not addressed in this CDR comply with Chapter 31 in the final submittal.