

ZONING DIVISION STAFF REPORT

December 2, 2020



PREPARED FOR THE URBAN DESIGN COMMISSION

Project Address: 1-33 East Main Street, 10 East Doty Street, and 119 Martin Luther King Jr. Boulevard

Project Name: Block 89

Application Type: Approval for Comprehensive Design Review of Signage

Legistar File ID # [62785](#)

Prepared By: Chrissy Thiele, Zoning Inspector

Reviewed By: Matt Tucker, Zoning Administrator

The applicant is requesting Comprehensive Design Review of signage for an existing property located in a Planned Development (PD) District, which previously had a Planned Development sign package approved by UDC. Most of the shown signage remains the same, but required a new UDC approval because of a change to the Sign Ordinance (Sec. 31.13(4)), which requires previously approved sign packages to comply with the sign ordinance for the selected zoning district assigned by the Zoning Administrator. As has been our experience with many of these PD-approved sign packages, the applicant may request approval from the UDC through Comprehensive Design Review as an alternative for otherwise high-quality/design/integration but not code-compliant signage. While this zoning lot has a number of code compliant signs, there are a few locations that have signage that require Comprehensive Design Review exceptions for new or replacement signs. This block is located on the Capitol square, abutting East Main Street (2 lanes, 25 mph), South Pinckney Street (2 lanes, 25 mph), East Doty Street (2 lanes, 25 mph), and Martin Luther King Jr. Boulevard (2 lanes, 25 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, 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.

Signable area is defined in the code as “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.”

Proposed Wall Signage: While the applicant is proposing some signage that appears to meet code, there are a number of designated signable area for signs that require approval through CDR process. Most of these signs consist of being located outside a qualifying signable area, either that the sign would cross architectural detail, or mounted in front of vision glass – not otherwise allowable signable areas. Other signage proposed would either be mounted on a raceway suspended between the window columns or would hang beneath the window soffit – also not otherwise allowable signable areas. The largest of these signs would be no more than 50 sq. ft. in net area (5b), with most of the other proposed signage measure between 35 and 40 sq. ft. in net area. Most of the proposed areas for signage call for internally illuminated individual channel letters or internally illuminated cabinet with push-thru acrylic letters. In no case would any single tenant be permitted more than one sign per facade. Some tenant spaces do not have wall signage allowances.

Staff Comments: This Planned Development was approved and developed in the 1990’s, and while it is technically one block-wide building, the exterior façade consists of various architectural elements to appear like several separate buildings. Most of the first floor consists of large storefronts and windows, limiting the signable area for some of the tenant spaces at the street-level. The proposed sign locations are visible for pedestrians on the sidewalk, and while the style of signage varies along tenant spaces, each is of high quality design and materials and fits with the diversity of the façade. **Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review have been met. This recommendation is subject to further testimony and new information provided during the hearing.**

Canopy Signs Permitted per Sign Ordinance: Summarizing Section 31.071, above-canopy signs may be installed in lieu of canopy fascia signs, but are restricted to the business name and logo, must be designed with freestanding characters and the logo, have a maximum height of 2’ and the net area of the logo limited to 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 placed in front of architectural detail may not be closer than three feet from the nearest face of the building without a UDC exception.

Proposed Signage: The applicant is requesting two areas for potential signs (signs 14 and 14b, currently occupied by a single tenant, proposed with no more than one sign per tenant), in which internally illuminated channel

letters would not exceed 2' in height nor extend beyond the canopy width, but the signable area would cross architectural detail (vertical pole elements attaching the canopy to the building).

Staff Comments: This area of the building consists mostly of vision glass with very little qualifying signable areas. Even the metal awing an architectural feature, prevents an above canopy sign from being permitted without CDR approval. Yet even though signage will cross architectural detail, the metal canopy appears to have been designed as the place for tenant signage. Previous tenants such as the Opera House and Ocean Grill each had their signs suspended below the canopy, while DLUX currently has their letters mounted above. **Staff has no objection to the CDR request and recommends the UDC find the standards for CDR review have been met. This recommendation is subject to further testimony and new information provided during the hearing.**

Parking Lot Signage Permitted per Sign Ordinance: Summarizing Section 31.03(2) and 31.044(1)(l), parking lot directional signage are necessary for safety or prompting traffic flow to a location on the premises on which the sign is located. These signs can be a maximum size of 3 sq. ft. with a maximum height of 10 ft., and two signs per street frontage. These types of signs are exempt from permits.

Parking lot regulation signs, on the other hand, designate the condition of use or identity of such parking areas. These signs can be a maximum of 9 sq. ft. and require a 10 ft. setback from the property line.

Proposed Signage: Signs 3, 5a, 15, 18, and 19 are used for directing vehicles and pedestrians to the parking garage, or areas for deliveries and refuse pickup. Most of these are wall signs, with the net area varying from 4.8 sq. ft. to 15 sq. ft., and consist of individual non-illuminated letters and logo. Most of these signs are also higher than 10' from grade. The applicant is also proposing two projecting signs on the same façade (signs 18 and 19), each with a net area of 12.83 sq. ft. per side. It is unclear if these two signs meet the 10' clearance required for projecting signs. These signs would be non-illuminated and made of perforated metal panels with dimensional letters.

Staff Comments: Signs 3 and 15 are shipping/receiving signage and 5a is a pedestrian entrance sign to the parking ramp. The locations of signs 3, 5a, 15, are placed in areas that can be seen from the street, and while they are larger than what the code would allow, smaller signs would reduce their visibility. Signs 18 and 19 have been installed without permits or approvals. Sign 19 is past the parking entrance, and appears unnecessary, as E. Doty Street has one way traffic from west to east. Having a projecting sign to identify the entrance to the parking garage makes sense to assist drivers looking for the parking entrance, and the proposed size appears appropriate. However, staff would require that the projecting sign have at least 10' clearance from grade, which is not shown on the elevation.

In general, staff supports signs 3, 5a, 15, and 18. Staff does not support two signs on either side of the parking entrance, and believe only one sign is needed, specifically sign 18. **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 sign 19 be removed from the submittal. This recommendation is subject to further testimony and new information provided during the hearing.**

Notes/conditions:

- Sign type E (#2) does not fit into any sign type category and may remain. If replaced, a CDR alteration will be required. The final CDR documents shall make note of this condition.
- Future #1 sign (Delmonico's projecting sign) shall not go beyond the second stor

- Signs 18 shall show the minimum 10' clearance height
- As part of the conditions of approval, all other signage should comply with the standards of Chapter 31, as a DC District, and signs shall have landlord approval before obtaining a permit.
- Additional signage may be approved by the UDC secretary, consistent with this CDR approval and the Downtown Design Guidelines for Signage. The UDC secretary may refer any request for additional signage to the UDC for review per sec. 31. 043(4)(d).
- The second Tavernakaya sign and parking garage entrance sign shall be added to the final CDR package documents showing existing signage.