

Board of Adjustment



Staff Report

CASE NUMBER: BOA18-00661
LOCATION/ADDRESS: 5540 East Broadway Road
COUNCIL DISTRICT: District 2
STAFF PLANNER: Erik Hansen, Management Assistant II
OWNER: Kevin King
APPLICANT: Chad Keller, Christy Signs

REQUEST: *Requesting a Special Use Permit (SUP) to allow a Comprehensive Sign Plan in the LC-PAD District.*

SUMMARY OF APPLICANT'S REQUEST

This request is for the approval of a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP) for a commercial plaza, located at 5540 East Broadway Road (property). The CSP proposes to maintain the current number of attached signs at the property, while introducing a detached, triangle-shaped sign along Broadway Road. As the detached sign would include approximately 160 sf of signage, this proposal would exceed the current square footage allowance for a single, detached sign for the property; however, under this request, the Applicant proposes to surrender all other rights to detached signage at the property.

STAFF RECOMMENDATION

*Staff recommends **approval** of case BOA18-00661, with the following conditions:*

- 1. Compliance with the site plan, sign plan details, and project narrative submitted.*
- 2. Compliance with all requirements of the Development Services Department in the issuance of sign permits.*
- 3. Attached signage shall comply with current sign code requirements.*

SITE CONTEXT

PROPERTY: Commercial plaza – zoned limited commercial (LC) PAD
NORTH: Single-family residential units – zoned residential (RS-6) PAD
WEST: Single-family residential units – zoned residential (RS-6) PAD
EAST: Medical offices – zoned LC
SOUTH: Vacant/Single-family residential units – zoned residential (RM-2, RS-43, & Leisure World)

STAFF SUMMARY AND ANALYSIS

The property is located on the northwest corner of Broadway Road and 56th Street and was developed as a commercial plaza in the mid to late 1980's. The property is approximately one (1) acre in size and currently includes three (3) attached signs and zero (0) detached signs.

The proposed CSP would allow for attached signage to comply with current sign ordinance requirements, as well as the construction of a new, detached triangle-shaped sign. Tables 1 (Attached Signs) and 2 (Detached Signs),

below, compare the City's Zoning Ordinance (MZO) standards with the proposed CSP. **Bolded** entries denote where the CSP proposal exceeds Code.

Table 1: Attached Signs (MZO Table 11-43-3-D-1)

Front Foot of Tenant Occupancy	Code Sign Area Maximums	Proposed Maximum Sign Area	Code Maximum Number of Signs	Proposed Maximum Number of Signs
80' or Less*	2.0 sf/linear foot of tenant frontage	2.0 sf/linear foot of tenant frontage**	2 signs per tenant	2 signs per tenant
81' – 199'	160 sf aggregate	160 sf aggregate	3 signs per tenant	3 signs per tenant
*Currently, all tenant frontages > twenty (20) linear feet ** Each tenant is allowed a minimum of 24 sf of sign area regardless of front foot of tenant occupancy				

Table 2: Detached Signs (MZO Table 11-43-3-D-3)

Street	Linear Feet Street Frontage	Code Aggregate Sign Area	Proposed Sign Area	Code Maximum Sign Height	Proposed Sign Height
Broadway Road Proposing 1 sign	315'	315 sf aggregate 80 sf max. per sign	160 sf aggregate 2 faces @ 80 sf each	12' (+ 20% embellishment)	12' + 12" embellishment
56th Street Proposing no signs	195'	195 sf aggregate 80 sf max. per sign	0 sf	12' (+ 20% embellishment)	0'
Total	510'	510 sf aggregate 80 sf max. per sign	160 sf	12'	12' + 12" embellishment

The CSP proposes to allow attached signage to follow current sign code requirements with regard to the number of attached signs and square footage per tenant. Per the MZO, the 16 tenant spaces on this property could be allowed up to 658 sf of attached, aggregate sign area that may be distributed between a maximum of 32 signs. The site currently has 38.9 sf of attached, aggregate sign area distributed between three (3) signs. The CSP proposes that any new tenants, or existing tenants that want to expand into an adjacent suite(s), be allowed attached signage per current sign code. The CSP also proposes one detached sign, placed on the Broadway Road frontage, with approximately 160 sf of total sign area distributed evenly (approximately 80 sf) between two sign faces. The interior angle between the two faces of the proposed detached sign is greater than 45 degrees. Therefore, sign area is calculated as the sum of the areas for both sign faces. The proposed detached, triangle-shaped sign would be approximately thirteen (13) feet tall (12' tall sign plus 1' embellishment). Per the MZO, the property could potentially have 510 sf of detached, aggregate sign area, with no sign being greater than 80 sf in area or 12 feet (+20 percent for the embellishment) in height. The CSP proposes a reduction in the amount of sign area from MZO maximums for detached signs.

MZO 11-46-3(D) (defined below) establishes required findings in order for the Board of Adjustment (BoA) to approve a CSP:

a) The development site contains unique or unusual physical conditions, such as topography,	Staff believes the property's relation to two street frontages (Broadway Rd and 56 th St) justifies the
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proportion, size or relation to a public street that would limit or restrict normal sign visibility; or	two detached sign faces. The property presents right-of-way restrictions along the two street frontages and a bus shelter along the Broadway Road frontage that limits normal sign visibility.
b) The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest or other distinguishing features that represent a clear variation from conventional development; or	Staff finds the signs are appropriate to the surrounding area and complimentary to the architecture of the building.
c) The proposed signage incorporates special design features such as logos, emblems, murals or statuary that are integrated with the building architecture.	Staff finds the colors and materials used on the signs integrate with the architecture and use of the property.

Summary of Applicant's Justification

As justification for the proposed detached sign area, the Applicant has noted:

- A. The property presents right-of-way restrictions along the two street frontages and a bus shelter along the Broadway Road frontage.
- B. The Applicant is not proposing any additional attached signage.
- C. The aggregate attached and detached sign square footage is far below the property's MZO allowances.
- D. Each detached sign face is approximately 80 sf.
- E. The Applicant is willing to surrender rights to any additional detached signage.
- F. The proposed signage is integrated with the building architecture to enhance the property.

Conclusion

While the proposed CSP requests to maintain the current inventory of attached signs on the property, it also proposes a detached, triangle-shaped sign along Broadway Road. The proposed total square footage for this sign is effectively double that allowed by a single, detached sign; however, it is spread out over two sign faces.

With the right-of-way restrictions along the two street frontages and a bus shelter along the Broadway Road frontage, the property has been presented challenges with regards to sign visibility, which is why the Applicant is proposing one (1) detached sign with total square-footage above that allowed by the MZO. In return, the Applicant is proposing aggregate attached sign area in conformance with current MZO allowances and detached sign square footage far below the property's allowance while also surrendering the of rights to any additional detached signage.

With the above noted challenges and concessions, Staff recommends approval, with conditions, based on the following findings:

FINDINGS

1. The CSP does not propose to increase the number or area of attached signage beyond current MZO allowances on the property.
2. The CSP proposes to exceed the maximum allowed square footage for a single detached sign per the MZO; however, the CSP offers a trade off by proposing an aggregate sign area for detached signage far below that allowed by the MZO and no detached signage on the 56th Street frontage.

3. The existing/proposed attached and detached signage on property is below MZO allowances for sign number, area, and height.
4. The sign criteria within the CSP is tailored to this specific development and enhances the characteristics of the land use.
5. The CSP, with the recommended conditions, will be compatible with, and not detrimental to, adjacent properties or the district in general.

ORDINANCE REQUIREMENTS

Zoning Ordinance, Section 11-70-5(E) – Special Use Permit:

- D. **Required Findings.** A SUP shall only be granted if the approving body determines that the project as submitted or modified conforms to all of the following criteria. If it is determined that it is not possible to make all of the required findings, the application shall be denied. The specific basis for denial shall be established in the record.
1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;
 2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;
 3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and
 4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

Zoning Ordinance, Section 11-46-3(D) – Comprehensive Sign Plans:

- E. **Review Criteria.** The Zoning Administrator Hearing Officer or the Board of Adjustment may approve a comprehensive sign plan containing element which exceed the permitted height, area, and number of signs specified in this Sign Ordinance if the comprehensive sign plan conforms to the required findings in 11-70-5 of the Zoning Ordinance and upon a finding that:
1. The development site contains unique or unusual physical conditions, such as topography, proportion, size, or relation to a public street that would limit or restrict normal sign visibility; or
 2. The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest, or other distinguishing features that represent a clear variation from conventional development; or
 3. The proposed signage incorporates special design features such as lighting, materials and craftsmanship, murals, or statuary that reinforce or are integrated with the building architecture.