



## Legislation Details (With Text)

**File #:** 20-283B      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/30/2020      **In control:** City Council  
**On agenda:** 5/19/2020      **Final action:** 5/19/2020

**Title:** Pass the ordinance approving variances to permit the replacement of an existing monument sign on the subject property located at 22 E. Chicago (River Square) - PZC 20-1-004 .

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 22 E. Chicago Sign Variance Ordinance, 2. Exhibit A. Legal Description, 3. Exhibit B. Plat of Survey, 4. Exhibit C. Variance Petition and Response to Standards, 5. Exhibit D. Sign Plan, 6. Location Map, 7. Application, 8. Disclosure of Beneficiaries, 9. 4-29-20 PZC Meeting Minutes -DRAFT

Date	Ver.	Action By	Action	Result
5/19/2020	1	City Council	passed	Pass

### CITY COUNCIL AGENDA ITEM

#### **ACTION REQUESTED:**

Pass the ordinance approving variances to permit the replacement of an existing monument sign on the subject property located at 22 E. Chicago (River Square) - PZC 20-1-004 .

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Scott Williams, AICP

#### **BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission considered this matter on April 29, 2020 and voted to recommend approval of the request (Approved, 9:0). Staff concurs.

#### **BACKGROUND:**

The subject property is located on the south-east corner of Chicago Avenue and Washington Street. The property is zoned B4 (Downtown Core District) and is approximately 2.94 acres in size. The site is improved with a multi-tenant shopping center and associated parking lot commonly referred to "River Square."

The existing monument sign is located on the hard corner of Chicago Avenue and Washington Street and oriented at an angle with the sign facing the intersection (as depicted on the plat of survey). The landscaping bed is arrayed primarily around the front of the sign. While the existing monument sign was installed at a time when such signs were permitted in the Downtown, the sign regulations have since been amended to prohibit such signs in the Downtown.

On October 2, 2019, the owner went before the Planning and Zoning Commission seeking an appeal of the Downtown Design Guidelines in order to paint the existing masonry façade to help improve the

aesthetics of the shopping center. The appeal was later withdrawn in favor of staining the façade which was administratively approved by staff.

### **DISCUSSION:**

The petitioner, Mid-America Asset Management, LLC (petitioner), is seeking to replace the existing sign in the same location. The proposed sign structure is 5' in height, the face of the sign is approximately 44 square feet (not including architectural features and address lettering), and is setback more than 10' from the adjacent Chicago Avenue and Washington Street property lines. The proposed sign will not identify any tenants within the shopping center, but instead only display the shopping center name (new: "River District"). The proposed height and setbacks are more restrictive than the City's general commercial sign code regulations irrespective of the "Special Areas of Control" governing downtown signage. The petitioner's proposed monument sign requires variances to the Municipal Code as follows:

1. A variance to section 6-16-3 (prohibited signs), to permit a monument sign in the B4 District; a
2. A variance to section 6-16-5:2.2.1 (ground signs: orientation) to permit a monument sign to continue to face an intersection; and
3. 6-16-5:2.4.2 (development identification signage: area) to permit a development identification sign that exceeds 32 square feet

#### *Downtown Ground Sign*

Ground signs are prohibited in the B4 Downtown Core zoning district. Any existing signs in the B4 district are governed by the 6-16-10 (nonconforming signs), and staff cannot approve a sign replacement or any work which extends the structure's life. The petitioner is requesting a variance to replace the existing sign with a new sign.

#### *Orientation*

The existing sign is oriented to face the intersection and is not perpendicular to an eligible frontage. This code requirement generally applies to all commercial ground signs with intent of providing clear business and property identification especially for multi-tenant shopping centers. The petitioner is seeking to replace the existing sign and; therefore, requires a variance to maintain the same orientation.

#### *Development Identification*

A development identification sign is defined in the Code as a sign which identifies an existing commercial center which serves as a destination for which an identification sign is helpful as a location navigation reference. In the downtown, development identification sign is permitted but are limited to 32 square foot wall signs. A variance is required for the proposed sign because the sign not only exceeds 32 square feet, but will continue as a monument sign not mounted to any of the building's walls.

#### *Staff Review*

The multi-tenant shopping center and the placement of the sign is an existing condition and dissimilar to the rest of the downtown. The building and associated surface parking lot differs from a traditional downtown lot which typically cannot accommodate a detached ground sign. Any wall mounted development identification would be lost in the visual clutter based on the distance separation from the right-of-way.

Given the setbacks of the existing sign, adjusting the orientation to be perpendicular to either

Chicago Avenue or Washington Street would reduce the corresponding setback and shift the sign closer to a sidewalk. The 300 square-foot landscape bed would be bifurcated and reduce the streetscape appeal at a prominent intersection. This alignment dictates that only 1 face of the sign continues to be visible from the right-of-way. Staff finds it reasonable to request 44 square-feet in area when considering commercial development identification signs are typically 2-sided thus resulting in reduced exposure by comparison. The sign plan maintains landscape while affording the shopping center sufficient identification.

The proposed sign is consistent with and complimentary to the proposed exterior façade improvements and with a limited height of 5', does not visually block the façade of the building. The sign will contain simple and legible lettering that will convey the new rebranding of the shopping center. Furthermore, the source of lighting is internal with reverse channel lit lettering. Staff finds the proposed sign meets the Downtown Design guidelines.

In conclusion, the proposed variances are appropriate given the sign's reduction in size, maintaining current alignment, and only one face of the sign is visible from a public right-of-way. The petitioner's responses to the Standards for Granting a Zoning Variance are attached, and staff is in general agreement and recommends adoption by the City Council.

### ***Planning and Zoning Commission***

The Planning and Zoning Commission conducted the public hearing for PZC 20-1-004 at their meeting held on April 29, 2020. One member of the public provided testimony in opposition stating that the sign does not meet the design standards, lacks tenant identification, and additional improvements to the shopping center should be considered. Staff provided a summary of a prior meeting when PZC was updated on the façade staining under Old Business. The commission voiced support for the sign due to the area being reduced in size compared to existing.

The Planning and Zoning Commission closed the public hearing and voted to recommend approval of PZC 20-1-004 (Approved, 9-0). Staff concurs with the Planning and Zoning Commission's recommendation.

### ***Key Takeaways***

- The petitioner requests variances to Sections 6-16-3, 6-16-5:2.2.1, and 6-16-5:2.4.2 of the Municipal Code to replace an existing monument sign at the corner of Chicago Avenue and Washington Street.
- Staff supports the variance requests given the unique, downtown multi-tenant shopping center and replacing an existing monument sign.

### **FISCAL IMPACT:**

N/A