

SIGN CODE BOARD OF APPEALS
Meeting Minutes of October 2nd, 2014 –6:35 p.m.

Members present: Gascon, Holley, Kimzey, Wilber
Staff present: Cargill, Guntert, Barry Walthall

ITEM NO. 1: MINUTES

Consider approval of the draft minutes from the March 6, 2014 meeting.

ACTION TAKEN

Motioned by Kimzey, seconded by Gascon, to approve the March 6, 2014 Sign Code Board of Appeals draft minutes.

Motioned carried 3-0-1.

ITEM NO. 2: COMMUNICATIONS

No communications came before the Board.

No Board member disclosure of ex parte contacts or abstentions from the discussion and vote on any agenda item under consideration.

No agenda items deferred.

ITEM NO. 3: MENARDS; 1470 WEST 31ST STREET

SV-14-00394: Receive and consider a request for a variance from the provisions of Chapter 5, Article 18 (Signs), in the Code of the City of Lawrence, Kansas, 2013 edition. The applicant is seeking a variance from the code provisions found in Section 5-1842.3(B) which identifies the standards applicable for wall signs in a CR (Regional Commercial) District. City Code allows 150 square feet of wall signage on a commercial building, which may be increased up to a maximum of 450 square feet of wall signage based upon the distance the commercial building is set back from a public street right-of-way. The specific variance requested by the applicant would have a total of 586.2 square feet of wall signs on the south building façade; and, an additional 36 square feet of wall sign on the west gate canopy. The request is submitted by Tyler Edwards, Real Estate Representative, for Menard, Inc., the property owner of record.

STAFF PRESENTATION

Barry Walthall presented the item. He explained that the applicant was seeking approval to have more wall signage on the south and west building walls of the new store (currently under construction) than allowed by code. This was the first case of commercial development in the CR (Regional Commercial) District. The sign code defined how much wall signage was permitted based upon 10% of the wall area or 150 square feet, whichever was less. The code allowed additional wall signage if the building was set further back from the street right-of-way up to a maximum area of 450 square feet. In this case, the building location is far enough back from the street right-of-way to allow wall signage totaling 450 square feet.

He explained the different types of wall signage the applicant wants to install along the length of the building. In staff's opinion, the amount of signage was excessive and did not meet all of the conditions necessary for variance approval. Staff recommended the variance request not be approved by the Sign Code Board.

The Board asked a number of questions about how the area of the signs was calculated in determining the total area of signs. For example, is the area based on the actual size of each letter, logo design, etc. or is the area more generally calculated based upon the length and height of the sign element.

Mr. Walthall indicated the sign area was calculated using the length and height of each word, phrase, logo, etc.

APPLICANT PRESENTATION

Tyler Edwards, Real Estate Representative for Menard, Inc., explained the reasons why they were seeking the variance for the amount of wall signs for the new Menard store. He described the different signs the company uses on their buildings and why it was important to have the whole package of signs to provide the customer with the information they need to be able to navigate where they can find the merchandise they are looking for in the store. He thought the additional signage was also important because of the size of the building. If the lettering size was reduced any further the signs would be difficult to read because of the distance the building was from the street.

Mr. Edwards answered questions from the Board. He offered that the company would be willing to eliminate the slogan sign if that helped the Board with their decision. All of the different department signs were important to keep with the sign package. The signage proposed for the west building wall was also important to retain because the lumber yard was on that side and it helped direct customers to where they needed to go when entering the yard for loading materials.

PUBLIC HEARING

No one from the public was present to speak to this request.

BOARD DISCUSSION

The Board talked about how the Sign Code did not anticipate situations such as this one where the principal building was located so far away from the street right-of-way. They recognized that it would be more difficult to read the signs if they were reduced in size to comply with the code standard for maximum sign area on the building walls. Further discussion centered around what signs in the package might be able to be eliminated in order to bring the request into compliance, or at least closer to compliance, with the Sign Code. They appreciated the applicant's willingness to not include the slogan sign, which has 46.6 square feet in it alone.

They noted there were no concerns from neighbors.

Walthall confirmed that there were no concerns.

ACTION TAKEN

A motion was made by Wilber to approve the variance request with the removal of the slogan sign. The motion died for lack of a second.

Motioned by Gascon, seconded by Kimzey, to approve the variance request allowing a combined total of 576 square feet of wall signs on the south and west building walls instead of the applicant requested 622.2 square feet.

Following discussion, the motioned carried 4-0.

ITEM NO. 4: **MISCELLANEOUS**

There was no other business to come before the Board.

ADJOURN 7:47 pm