



**LAWRENCE SIGN CODE BOARD OF APPEALS AGENDA
DECEMBER 6, 2018 – 6:35 P.M., CITY COMMISSION MEETING ROOM, FIRST FLOOR OF
CITY HALL, SIXTH AND MASSACHUSETTS STREET, LAWRENCE, KANSAS**

CALL THE MEETING TO ORDER

TAKE ROLL CALL TO DETERMINE IF THERE IS A QUORUM OF MEMBERS PRESENT

ITEM NO. 1: MINUTES

Consider approval of the minutes from the October 4, 2018 meeting.

ITEM NO. 2: COMMUNICATIONS

Acknowledge any communications to come before the Board.

Board member disclosure of any ex parte contacts and/or abstentions from the discussion and vote on any agenda item under consideration.

Announce any agenda items that will be deferred.

**ITEM NO. 3: WALL SIGN & GROUND SIGN VARIANCES FOR CITY OF
LAWRENCE; 1 RIVERFRONT PLAZA/6 E 6TH STREET**

SV-18-00531: A request for a variance as provided in Section 5-1828 of the Sign Code of the City of Lawrence, Kansas, 2018 edition. The request is for a variance from the maximum sign area requirements of Section 5-1818(b) of the Sign Code for two Permanent Wall Signs in CD (Downtown Commercial) District zoning, and for a variance from the maximum area and height requirements of Section 5-1818(f) of the Sign Code for three Permanent Internal Ground Signs in CD District zoning. The property is located at 1 Riverfront Plaza and 6 East 6th Street. Submitted by the City of Lawrence, property owner of record.

ITEM NO. 4: MISCELLANEOUS

a) Consider any other business to come before the Board.

ADJOURN



LAWRENCE SIGN CODE BOARD OF APPEALS
MINUTES FOR **OCTOBER 4, 2018**

Members present: Clark, Gascon, Harrod, Shipley, Wilbur, Wisner
Staff present: Crick, Dolar, Miller, Mortensen, Smalter, Weik

ITEM NO. 1: **MINUTES**

Consider approval of the minutes from the July 5, 2018 meeting.

ACTION TAKEN

Motioned by Wisner, seconded by Wilbur, to approve the minutes from the May 4, 2017 meeting.

Motion carried 5-0-1, Harrod abstained.

Motioned by Wisner, seconded by Wilbur, to approve the minutes from the June 1, 2017 meeting.

Motion carried 5-0-1, Harrod abstained.

Motioned by Wilbur, seconded by Shipley, to approve the minutes from the July 5, 2018 meeting.

Motion carried 4-0-2, Harrod and Clark abstained.

ITEM NO. 2: **COMMUNICATIONS**

There were no communications to come before the Board.

There were no ex parte contacts and/or abstentions from the discussion or vote.

There were no agenda items deferred.

ITEM NO. 3: **WALL SIGN VARIANCE FOR KAW VALLEY CROSSFIT; 5150 CLINTON PARKWAY**

SV-18-00437: A request for a variance as provided in Section 5-1828 of the Sign Code of the City of Lawrence, Kansas, 2018 edition. The request is for a variance from the requirements of Section 5-1818.2 (b) of the Sign Code for Permanent Wall Signs in the RM12 (Multi-Dwelling Residential) District. The applicant is seeking to be considered for CS zoning district parameters. The property is located at 5150 Clinton Parkway. Submitted by Kaw Valley CrossFit on behalf of Superior Property LLC, property owner of record.

APPLICANT PRESENTATION

Smalter presented the item.

Shipley said the current sign code was adopted in 2017.

Smalter said correct.

Shipley asked if the variance approved on the other side as referenced by staff was approved under the old code.

Smalter said it was approved under the current code by way of the 5% wall area criteria.

Clark asked what would be the 5% surface area of the south wall of the proposed.

Smalter said the building (wall?) is 1,740 square feet.

APPLICANT PRESENTATION

The applicant was present but had nothing to add.

No public comment.

ACTION TAKEN

Motioned by Harrod, seconded by Wilbur, to close public comment for the item.

Unanimously approved 6-0.

BOARD DISCUSSION

Shipley said the number of businesses at 6th Street and Wakarusa Drive that are set back from the street and have significantly smaller signs was a concern for her, noting that 6th Street is also an arterial street.

Harrod said 6th Street traffic does not move as fast as Clinton Parkway.

Gascon said that Clinton Parkway is also significantly different due to its lack of curb cuts.

Wisner asked what specific signs Shipley is referring to at 6th Street and Wakarusa Drive.

Shipley said that the sign for Blue Moose is nearly invisible from the road, as well as Spin Pizza and other adjacent businesses. She said that the purpose of the new sign code was to tone down signage and bring it into some sort of uniformity. She said it appeared as though other businesses are adhering to those regulations.

Harrod said Clinton Parkway is designed to flow at a high rate of speed with no curb cuts. He agreed with the staff report that due to their setback from the road and speed on Clinton Parkway an insignificant sign would not be seen.

Wisner added that Blue Moose and Spin Pizza also don't front the street. This property fronts Clinton Parkway and is set back very far from the street.

Gascon said the intent of the new sign code was not to reduce signage but was in part to simplify the code for those making application and to reduce the number of variances that are required. He compared this request to a similar one for Menard's.

ACTION TAKEN

Motioned by Wisner, seconded by Wilbur, to approve the variance as recommended in the staff report.

Unanimously approved 6-0.

ITEM NO. 4: MISCELLANEOUS

a) There was no other business to come before the Board.

Motioned by Wilbur, seconded by Clark to adjourn the meeting.

MEETING ADJOURNED 10:00 PM



Sign Variance Application

Planning & Development Services | Building Safety Division

www.lawrenceks.org/pds/building-safety

Date: November 2, 2018

Address: 6 E. 6th St./1 Riverfront Plaza, Lawrence, KS 66044

Email Address: 785-832-3117

Name of Business: City of Lawrence, Kansas

Printed Applicant Name: Kurt A. Schroeder, Planning & Dev. Services

Phone Number: (785) 832-3117

\$350.00 Non-Refundable Fee Required with application – Date Paid: N/A

APPLICATION FOR A SIGN VARIANCE

(Chapter V, Section 1847, of the Code of the City of Lawrence, Kansas)

Variance Request:

- (1) To allow two new wall signs (up to 80 sq. ft. each) on the City of Lawrence/Riverfront Plaza tower structure next to the 6th St./New Hampshire St. entrance to the City parking garage. One of the new signs would be installed on the west face of the tower and one would be installed on the south face. The area of the requested new wall signs exceeds the maximum allowed by code for each tower wall face.
- (2) To allow three new City Hall/City Hall Riverfront way finding signs (permanent internal ground signs) up to 10 sq. ft. and 5' in height each, exceeding the maximum area and height allowed by code.

City Code Section/s from which the sign variance is being requested:

- (1) Two new wall signs on tower - Sec. 5-1518 (b) Permanent Wall Signs (CD zoning district) - maximum allowed sign area.
- (2) Three new freestanding wayfinding signs - Sec. 5-1818 (f) Permanent Internal Ground Signs (CD zoning) - maximum allowed sign area and height.

Note: The Lawrence Sign Code Board of Appeals may hear and authorize in specific cases a variance from the sign regulations of the City of Lawrence (Chapter V, Article 18). Any such variance shall be authorized **ONLY** upon an affirmative vote of majority of board members present. **Any applicant for a variance must respond to the following circumstances, EACH of which must be found by the Sign Code Board of Appeals to apply prior to granting any variance:**

- A. The variance request arises from conditions which are unique to the location in question and which are not ordinarily found in the same district zone, and are not created by an action of the property owner or applicant.
- B. The granting of the variance will not be materially detrimental to the public welfare or injurious to property or improvements in such zoning districts or neighborhood in which property is located.
- C. The strict application of the requirements of this article would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this article.

Required Attachments: A site plan showing sign placement on the property with dimensions to property lines
A drawing or photograph detail showing sign graphics and dimensions
An elevation drawing or photograph showing sign placement on walls

Applicant Signature: Kurt A. Schroeder

Signature of Property Owner (if other than applicant): _____

Memorandum

City of Lawrence

Planning & Development Services

TO: Sign Code Board of Appeals

FROM: Kurt Schroeder, Asst. Director, Planning & Development Services

CC: Scott McCullough, Director of Planning & Development Services
Barry Walthall, Building Code Official

Date: November 5, 2018 (for December 6, 2018 SCBA Meeting)

RE: City Hall/City Hall Riverfront Sign Variance Request

SUMMARY OF SIGN VARIANCE REQUEST

This request is for variances to allow installation of five (5) new signs on the City Hall/City Hall Riverfront government campus, as follows.

- Installation of two (2) new maximum 80 ft.² wall signs on the large tower structure (which is considered to be a building) next to the New Hampshire St. entrance to the City Hall parking garage. The new signs would advertise both the existing City Hall (6 E. 6th Street) and the new City Hall Riverfront (1 Riverfront Plaza). One sign would be installed on the west face (or wall) of the tower structure and one would be installed on the south face. The area of each proposed sign would exceed the maximum area allowed for wall signs by the Sign Code (maximum sign area cannot exceed 10% of the building wall façade area).
- Installation of three (3) new maximum 10 ft.² and maximum 5 ft. tall freestanding permanent internal ground signs (wayfinding signs) to direct visitors to the existing City Hall and/or the new City Hall Riverfront. The signs would be along the 6th Street frontage at the locations indicated on the attached map (page 6). The proposed signs would exceed the maximum area and height allowed by Sign Code for permanent internal ground signs (which include wayfinding signs).

ZONING DESIGNATIONS AND SIGN CODE REFERENCES

Zoning Designations:

- City Hall and City Hall Parking Garage – GPI (General Public Institutional). For lots zoned GPI, in accordance with Sec. 5-1821 (d) of the Sign Code, the Planning & Development Services Director has determined (for Sign Code purposes) that the most appropriate zoning classification for these lots, based on existing land uses on the lots and adjacent lots, is CD (Downtown Commercial District).
- 1 Riverfront Plaza (future site of City Hall Riverfront) – CD (Downtown Commercial District)

Sign Code References:

5-1818(b) **Permanent Wall Signs** (for CD Zoning District)

Sign Area: 10% of the building Wall area maximum, or 150 sq. ft., whichever is less. For each 100-foot increment the building Wall is set back from a Public Right of Way, the base maximum area may be increased by 50%, provided the total area of building Wall Signs shall not exceed 10% of the Wall area or 450 sq. ft., whichever is less.

5-1818(a) **Table 5-1818.2: Sign Types**

E. Permanent Internal Ground Sign - A Sign with a design and scale to be legible to pedestrians or vehicles navigating or using the internal roads, sidewalks, walkways, or parking lots of a site, and, except for Signs placed at entrance or exit driveways to direct vehicular traffic safely onto or from the interior portions of a site, generally not legible to vehicles or pedestrians from the Public Rights of Way. Internal ground Signs may be free-standing Signs.

5-1818(f) **Permanent Internal Ground Signs** (for CD Zoning District)

- *Sign Size:* 4 sq. ft. maximum when located within 15' of a Public Right of Way; 6 sq. ft. maximum when located more than 15' but not more than 50' from a Public Right of Way; 16 sq. ft. maximum when located more than 50' from a Public Right of Way. Signs serving drive-through facilities may be 32 sq. ft. maximum when set back at least 50' from a Public Right of Way and located further back from the Public Right of Way than the Wall of the primary use building that faces a Public Right of Way.
- *Sign Height:* 3' maximum height when located within 15' of a Public Right of Way; 4' maximum height when located more than 15' but not more than 50' from a Public Right of Way; 6' maximum height when located more than 50' from a Public Right of Way. Signs serving drive-through facilities may be 8' maximum height when set back at least 50' from a Public Right of Way and located further back from a Public Right of Way than the Wall of the primary use building that faces a Public Right of Way.

SIGN CODE ANALYSIS

See table on next page.

Comparison of Sign Code Allowances to Signs Variance Requests

Proposed Sign Description	Code Section/s	Code Allowances	Requested Variance to Code Allowances
New maximum 80 ft. ² wall sign on south face of tower	5-1518(b) - Permanent Wall Signs	Ten percent of the building wall area maximum, or 150 sq. ft., whichever is less. Ten percent of the south tower façade (≈ 700 ft. ²) is ≈ 70 ft. ² . The area of existing south facade signs is 122 ft. ² , as authorized by previous City Commission actions and/or sign variances, and is ≈ 17.4% of the wall façade area.	New 80 ft. ² sign will be in addition to the existing 122 ft. ² of signage on the south tower façade, bringing the total south façade sign area to 202 ft. ² . This is approximately 29% of the south wall façade area, exceeding the 10% maximum allowed by the Sign Code.
New maximum 80 ft. ² wall sign on west face of tower	5-1518(b) - Permanent Wall Signs	Ten percent of the building wall area maximum, or 150 sq. ft., whichever is less. Ten percent of the west tower façade (≈ 700 ft. ²) is ≈ 70 ft. ² . The area of existing south facade signs is 143 ft. ² , as authorized by previous City Commission actions and/or sign variances, and is ≈ 20.4% of the wall façade area.	New 80 ft. ² sign will be in addition to the existing 143 ft. ² of signage on the west tower façade, bringing the total west facade sign area to 223 ft. ² . This is approximately 32% of the south wall façade area, exceeding the 10% maximum allowed by the Sign Code.
New monument-style Permanent Internal Ground Signs (2) with maximum sign area of 10 ft. ² and maximum height of 5' (Wayfinding Signs 1 and 3 on map; both signs to be located within 15' of street ROW).	5-1818(f) – Permanent Internal Ground Signs	<ul style="list-style-type: none"> <i>Sign Size:</i> 4 sq. ft. maximum when located within 15' of a Public Right of Way; 6 sq. ft. maximum when located more than 15' but not more than 50' from a Public Right of Way; 16 sq. ft. maximum when located more than 50' from a Public Right of Way. <i>Sign Height:</i> 3' maximum height when located within 15' of a Public Right of Way; 4' maximum height when located more than 15' but not more than 50' from a Public Right of Way; 6' maximum height when located more than 50' from a Public Right of Way. 	Proposed Wayfinding Signs 1 and 3 will be located very near the street ROW line, and would be allowed to be 3' tall and 4 ft. ² in area per the Sign Code. The request is to allow each sign to be up to 5' tall and up to 10 ft. ² in area.
New monument-style Permanent Internal Ground Signs (1) with maximum sign area of 10 ft. ² and maximum height of 5' (Wayfinding Sign 2 on map; sign to be located about 20' from street ROW).	5-1818(f) – Permanent Internal Ground Signs	<ul style="list-style-type: none"> <i>Sign Size:</i> 4 sq. ft. maximum when located within 15' of a Public Right of Way; 6 sq. ft. maximum when located more than 15' but not more than 50' from a Public Right of Way; 16 sq. ft. maximum when located more than 50' from a Public Right of Way. <i>Sign Height:</i> 3' maximum height when located within 15' of a Public Right of Way; 4' maximum height when located more than 15' but not more than 50' from a Public Right of Way; 6' maximum height when located more than 50' from a Public Right of Way. 	Proposed Wayfinding Sign 2 will be located 20' - 25' from the street ROW line, and would be allowed to be 4' tall and 6 ft. ² in area per the Sign Code. The request is to allow this sign to be up to 5' tall and up to 10 ft. ² in area.

CRITERIA FOR APPROVAL OF VARIANCE

Per Section 5-1828(b), the Board may grant variances from the construction and district regulations upon the determination that each of the following has been established by clear and convincing evidence:

- (1) That the variance request arises from conditions that are unique to the location in question, which are not ordinarily found in the same Zoning District, and that the unique conditions are not caused or created by an action or actions of the property owner or applicant.
- (2) That granting the variance will not be materially detrimental to the public welfare, including the visual appearance of the area, or injurious to property or improvements in such Zoning Districts or the neighborhood in which the property is located.
- (3) That strict application of the Sign Code would result in practical difficulties or unnecessary hardships to the owner or applicant, inconsistent with the general purpose and intent of the Sign Code.

VARIANCE CRITERIA ANALYSIS

Staff opinion is that the sign variance requests meet the criteria for the granting of variances, as follows:

1. In the opinion of staff, conditions do exist which are unique to this location and not ordinarily found in the CD zoning district. The two lots included as part of these sign variance requests (City Hall/City Hall parking garage and 1 Riverfront Plaza that will house City Hall Riverfront) are two of the largest, if not the largest developed lots in areas zoned CD and within the Downtown Historic District area (the combined lots are just shy of 10 acres - 4.8 acres for the City Hall/garage lot and 5.1 acres for the Riverfront Plaza lot - with over 600 feet of street frontage). The building at 1 Riverfront Plaza contains over 220,000 ft.² and was erected in 1989/1990 as a regional outlet shopping mall. Currently, City Hall and the 1 Riverfront Plaza building provide over 250,000 ft.² of government, hotel, office and retail space.

Many City of Lawrence government services are currently provided from City Hall, and new or expanded City of Lawrence government services will soon be provided from both City Hall and the west wing of the 1 Riverfront Plaza building (including Municipal Court, which will be moving to 1 Riverfront Plaza from 1006 New Hampshire St. in early 2019). This will create a significantly expanded City government campus at this location. It is critical to have new signage that is easily seen from the street during the day and after dark, and effectively directs and assists citizens/other visitors into the City Hall/City Hall Riverfront campus (and to the appropriate building facility/service). Because many citizens/visitors walk to the City Hall campus from off-site locations (public transit stops, nearby neighborhoods and downtown), or utilize the 6th Street vehicle drop-off area to access City services, the proposed permanent internal ground signs (wayfinding signs) are also critical.

2. In the opinion of staff, the granting of the requested sign variances would not be materially detrimental to the public welfare, including the visual appearance of the area, or injurious to property or improvements in the zoning district or neighborhood. In fact, staff believes the requested signage will be quite helpful and beneficial to citizens and others who must access City services at City Hall/City Hall Riverfront, often after dark (for public meetings

and hearings). It should be noted that the large Riverfront tower structure has displayed large wall sign panels on all four sides since 1 Riverfront Plaza was initially occupied in the year 1990 (Riverfront Mall logos and subsequently, hotel signs). Since 2003, other wall signs have been permitted and installed with City Commission and/or SCBA variance approvals.

3. The strict application of the requirements of the sign code may result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the code, not only for the City of Lawrence that must effectively direct citizens and visitors to City services and public hearings/meetings provided at City Hall/City Hall Riverfront, but for citizens and visitors who must find and access those services, hearings and meetings.

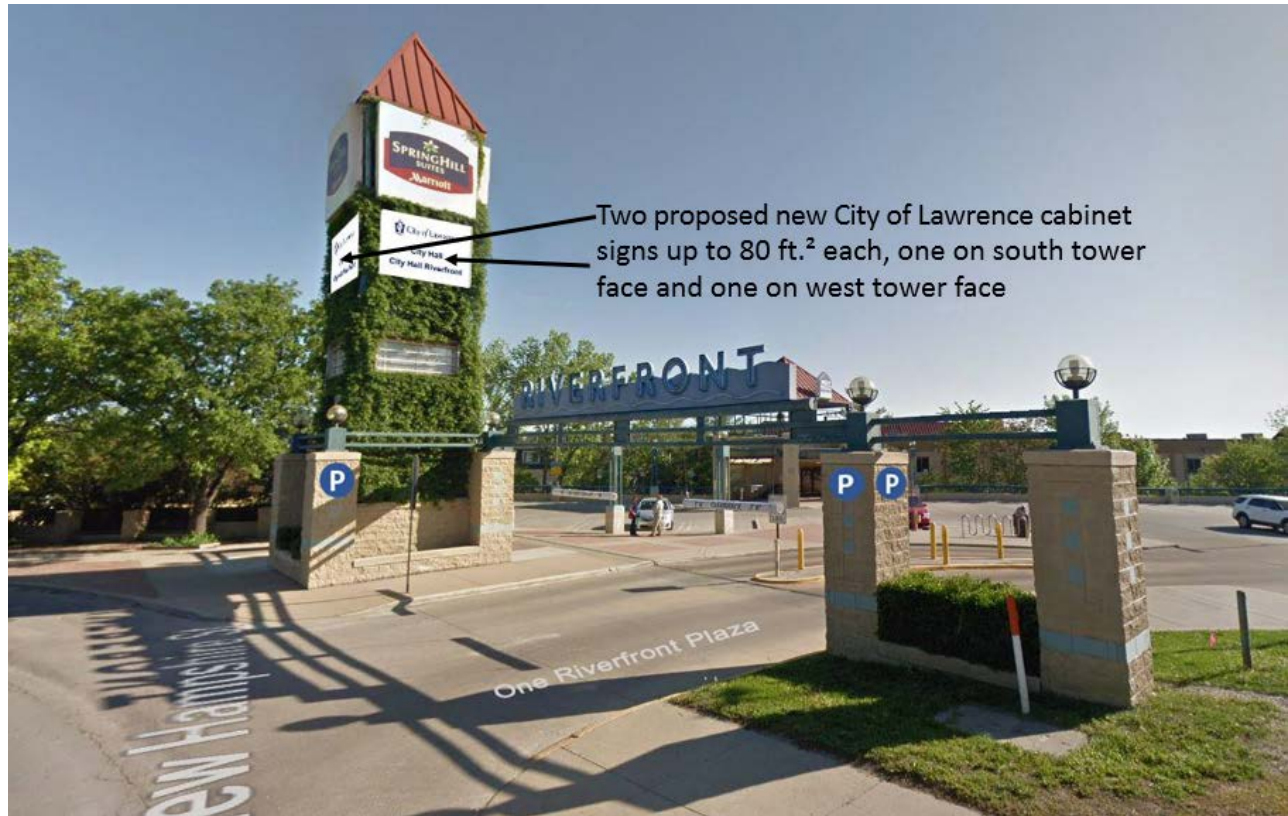
City of Lawrence Sign Variance Request, 12-6-18 SCBA Meeting



City Hall and Riverfront Plaza Zoning



Proposed New Wall Signs on Tower Structure



City of Lawrence

City Hall

City Hall Riverfront

Sample cabinet sign for tower, not to exceed 80 ft.²

Sample small wayfinding monument sign, maximum 10 ft.² sign area and 5' height



Proposed Wayfinding Sign 1



Proposed Wayfinding Sign 2



Proposed Wayfinding Sign 3



Looking East from East 6th Street



Looking North from New Hampshire St.

