



**LAWRENCE SIGN CODE BOARD OF APPEALS AGENDA
OCTOBER 6, 2016 – 6:30 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 March 3, 2016 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: DIGITAL GAS AND FUEL PRODUCT AND PRICE DISPLAY ON AN
EXISTING GROUND SIGN/POLE MOUNTED AT THE BP STATION;
2301 LOUISIANA STREET**

SV-16-00412: Consider a request for a variance from the Sign Code found in Chapter 5, Article 18, in the Code of the City of Lawrence, Kansas, 2015 edition. The request is from the specific provisions of Section 5-1841.6(D) which regulates the digital display of gas and fuel product and numeric price information incorporated into a ground/surface mounted (monument) sign in Commercial and Industrial Districts. The applicants request is to incorporate such digital display into an existing ground sign/pole mounted. The request is submitted for the BP Gasoline Station at 2301 Louisiana Street. The variance request was submitted by Virginia Baumgartner, with Luminous Neon for the property owner of record, Haag Properties, LLC.

**ITEM NO. 4: AREA MARKER SIGN VARIANCES FOR MONTEREY VILLAGE
ASSISTED LIVING BY AMERICARE; 3901 PETERSON ROAD**

SV-16-00413: Consider a request for variances from the Sign Code found in Chapter 5, Article 18, in the Code of the City of Lawrence, Kansas, 2015 edition. The requests are from the specific provisions of Section 5-1827(A)(1, 2, 3 & 5) which regulate maximum size, height, illumination and materials the area marker is made from. The requests are for the new assisted living complex located on the southwest corner of Monterey Way and Peterson road, which is addressed as 3901 Peterson Road. The variance requests were submitted by Neal Slattery with Americare for the property owner of record, Lawrence I, LLC.

ITEM NO. 5: MISCELLANEOUS

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

ADJOURN

Memorandum

City of Lawrence

Planning & Development Services

TO: Sign Code Board of Appeals

FROM: Barry Walthall, Building Codes Manager

C: Kurt Schroeder, Asst. Director of Planning & Development,
Development Services

Date: September 30, 2016

RE: 2301 Louisiana Street Sign Variance Request

SUMMARY OF VARIANCE REQUEST

The request is for a variance to allow digital gas price information on an existing ground sign/pole mounted sign.

ZONING DESIGNATION AND CODE REFERENCE

Zoning Designation: CS (Commercial Strip)

Sign Code Reference:
5-1841.6

- (D) **Same, Gas and Fuel Sales Pricing.** Digital display of gas and fuel product and numeric price information for Gas and Fuel Sales (as defined in Chapter 20 of the Code of the City of Lawrence, Kansas) may be incorporated into a ground/surface mounted sign, provided that the total area of the gas and fuel product name and numeric price information shall not exceed twenty-five (25) percent of the sign area. Such display shall be limited to the name of the gas and fuel product and numeric price information only, and shall not flash, scroll, or otherwise simulate movement. (Ord. 8915, Ord. 9113)

CODE ANALYSIS

Comparison of allowable sign characteristics to signs proposed for variance:		
Code Section	Allowable Sign Characteristics	Proposed Sign Characteristics
5-1841.6(D)	<u>Allowable sign structure:</u> <ul style="list-style-type: none">Ground sign/surface mounted ("monument" sign)Could be up to 12 ft. in height and 60 sf. in area, with base that is at least 65% of the width of the sign cabinet	<u>Existing/Proposed Sign Structure:</u> <ul style="list-style-type: none">Ground sign/pole mounted ("pole" sign)Existing sign is approximately 22 ft. in height and 106 sq. ft. in area, pole mounted

5-1841.6(D)	<u>Allowable area of digital display:</u> <ul style="list-style-type: none"> • 25% of the sign area • For a conforming monument sign at this location the maximum allowable area for digital display would be 15 sq. ft. 	<u>Proposed area of digital display:</u> <ul style="list-style-type: none"> • 11.41 sq. ft. • 10.7% of actual sign area • 19% of sign area for conforming monument sign allowable at this location
5-1841.6(D)	<u>Allowable information for digital display:</u> <ul style="list-style-type: none"> • Gas and fuel product and numeric price information 	<u>Proposed information for digital display:</u> <ul style="list-style-type: none"> • Numeric price information

CRITERIA FOR APPROVAL OF VARIANCE

Per Section 5-1847(B), the Board may grant variances from the construction and district regulations upon the determination that all of the following findings have been fully met:

1. At the time a variance is granted by the Board, the Board shall find that 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 the unique conditions are not created by an action or actions of the property owner or applicant; and
2. At the time a variance is granted by the Board, the Board shall find that the granting of 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 neighborhood in which the property is located; and
3. At the time a variance is granted by the Board, the Board shall find that the strict application of the requirements of Article 18, Chapter 5, of the City Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Article. Such practical difficulties or unnecessary hardships may include compliance with amended provisions of this Article that were not in effect at the time a predecessor sign was installed.

STAFF ANALYSIS

Staff opinion is that the request does meet the criteria for the granting of a variance:

1. In the opinion of staff, conditions do exist which are unique to the location and which are not ordinarily found in the same district zone. The parcel has 100 feet of street frontage on both 23rd and Louisiana Streets, which is a signalized intersection. The property is served by driveways within approximately 80 feet from the intersection on 23rd Street and approximately 50 feet from the intersection on Louisiana Street. Current development code standards for new development require that driveway access points are to be located at least 300 feet from signalized intersections for arterial and collector streets, although the

code does permit the City Engineer to reduce these distances as long as the reduction does not result in an unsafe traffic condition.

2. In the opinion of staff, the granting of a variance would not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood. Replacing the existing pole sign in its current location with a conforming monument sign would result in a violation of the City's Land Development Code Section 20-1102 requiring a 25 foot site triangle, and cause motorists' vision of the intersection to be obstructed. Granting the variance would not materially affect property or improvements in the neighborhood as long as the illumination of the digital display is not materially increased above existing levels; the height and area of the sign are not proposed to be altered.
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. Removing the existing pole sign and constructing a conforming monument sign elsewhere on the lot is problematic due to space limitations; it may be possible to relocate the sign outside the site triangle required by the Land Development Code, but requiring the sign be relocated may be an unnecessary hardship, and a relocated sign may still have a negative impact on intersection visibility. Additionally, staff understanding of the intent of the regulations for digital gas and fuel product information and numeric price display is twofold; to improve safety for fuel/gas station employees and the public by eliminating the need for employees to physically alter manual changeable copy signs using equipment such as ladders or poles to change copy and eliminating potential for falling or windblown parts, and to encourage the amortization of existing pole signs as manual price change displays are converted to digital displays. The physical characteristics of the property cause practical difficulty in replacing the pole sign with a conforming monument sign, but the issue of improving gas station employee and public safety may be addressed with a variance.

STAFF RECOMMENDATION

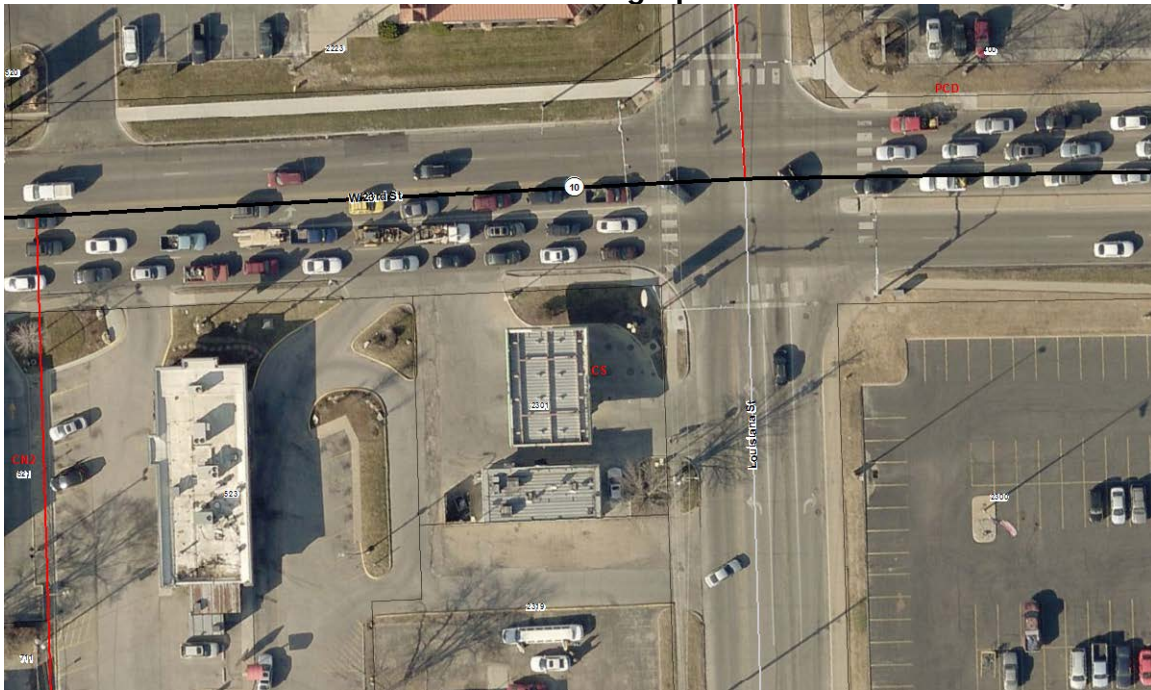
Staff recommends approval of the variance request to allow digital gas or fuel price numeric information on an existing ground sign/pole mounted, with the following conditions:

1. Illumination of the digital price display is limited to .3 foot-candle relative to ambient light.
2. The variance does not transfer with a change of use of the property to a use that does not include gas or fuel sales.
3. The variance does not transfer upon any redevelopment of the property that would require site plan approval, as specified by City of Lawrence Code Section 5-1841.5(A):

5-1841.5 **New pole signs** prohibited in commercial and industrial districts; Repair/Replacement for existing signs.

- (A) From and after March 14, 1995, the installation of a ground sign/pole mounted shall not be permitted on a commercial or industrially zoned lot. Provided, that the replacement or repair of a ground sign/pole mounted in existence on March 14, 1995 shall be allowed if the existing pole for the sign is not moved from its location on March 14, 1995 and the square footage of the sign surface area is not altered from that present on March 14, 1995. Provided, that any ground sign/pole mounted located on a tract of property with a site plan approved after June 12, 1995 that would be moved or altered, contemporaneous with site plan approval, in any manner, including the alteration of lettering, logo, or insignia on the surface area or configuration of the sign, shall be required to be removed within ninety (90) days of the approval of the site plan.

Aerial Photograph





City of Lawrence

PLANNING & DEVELOPMENT SERVICES

Building Safety Division
 1 Riverfront Plaza, Suite 110
 PO Box 708
 Lawrence, KS 66044
 Phone: (785) 832-7700
 Fax: (785) 832-3110
www.lawrenceks.org
buildinginspections@lawrenceks.org

SIGN PERMIT APPLICATION*

Date: 9/2/16

Project Name: BP (Gills Amoco)

Project Address: 2301 Louisiana, Lawrence, KS 66046

Type of work: ☐ Construct New Sign ☒ Permanent
 -OR-
☒ Rework or Replace Existing Sign ☐ Temporary from: _____ to _____

Type of Sign ☒ Ground Sign ☐ Wall Sign ☐ Awning/Canopy ☐ Banner
☐ Other: _____
☐ Non-Illuminated ☒ Illuminated (method) LED

Sign to be constructed of: aluminum, vinyl, polycarbonate

Sign Size: Sign Width: 7'9" Sign Height: 15'8-3/16" Total Sq Ft: 105.91

Ground Signs: Height from grade to top of sign: 22' +/-

Distance from street right-of-way: _____

Wall Signs: Business facade width (ft) _____ height (ft) _____ Total Sq Ft: _____

Estimated Value: \$6500

*Required Attachments:

- *A site plan showing sign placement on the property
- *A drawing or photograph detail showing sign graphics and dimensions
- *An elevation drawing or photograph showing sign placement on walls

Please attach these and any other relevant documentation. Email completed applications and accompanying documentation to the City of Lawrence Development Services Division at buildinginspections@lawrenceks.org.

Sign Contractor: Luminous Neon, Inc.

Applicant Name (please print): _____ Virginia Baumgartner

Phone Number: 785-267-2625, c 925-3718 Email: vbaumgartner@luminousneon.com

Electrical Contractor (if required): N/A

I hereby certify, to the best of my knowledge and belief, that all of the information on this application and on drawings submitted in support of this application are accurate. I understand that any sign that is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations of the City is a violation of the City Code. I also understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations of the City does not create any legal nonconforming status, nor does it remove any obligation to bring the sign into compliance. I further understand that no sign shall be installed until a sign permit has been approved by the City.

Virginia Baumgartner
 Applicant Signature

9/2/16

Date

bp



regular

88.9

BP
gasoline

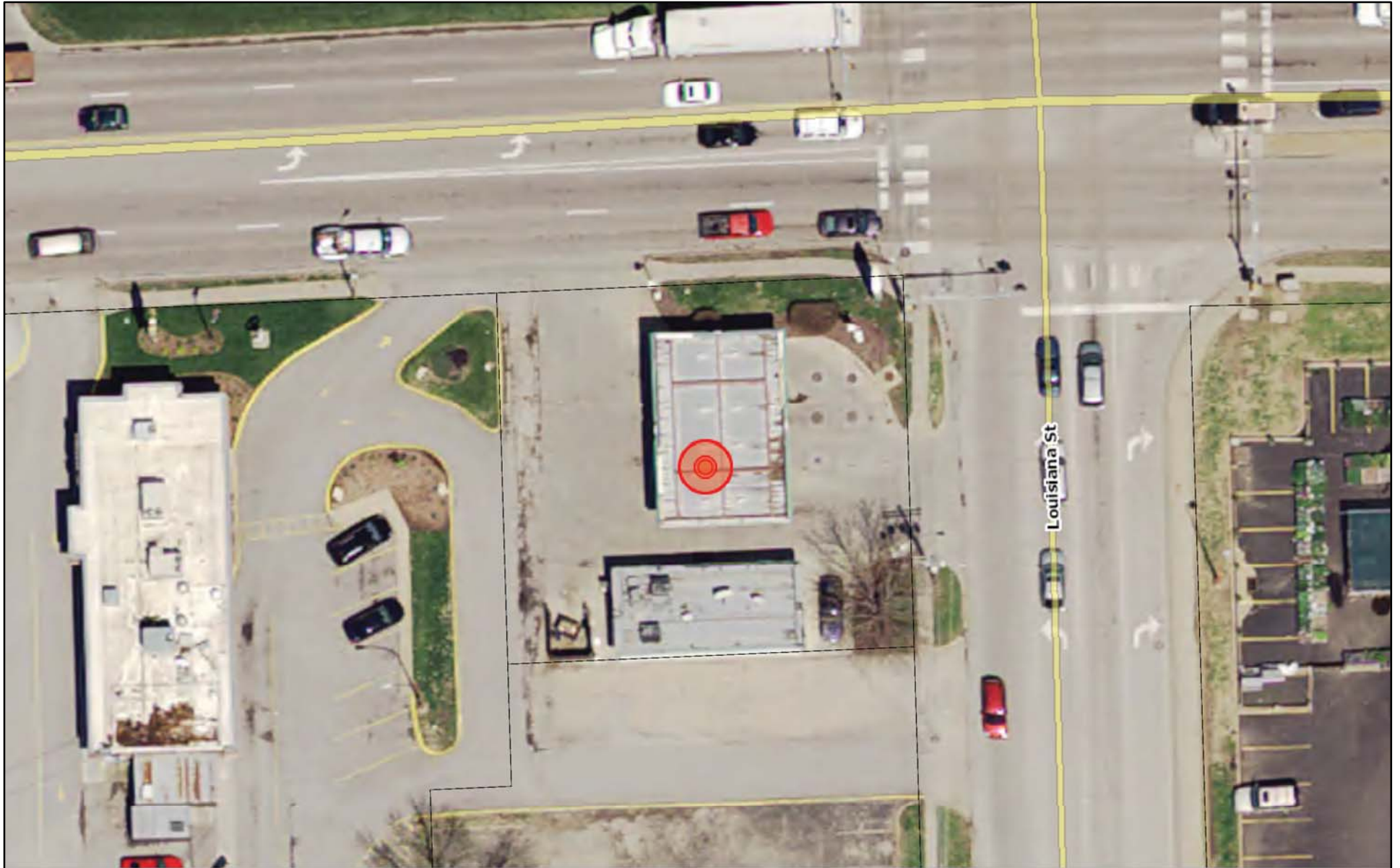
with
Invigorate

GILLS AMOCO
SVB#: 8210502
2301 LOUISIANA,
LAWRENCE, KS 66046

LOUISIANA ST

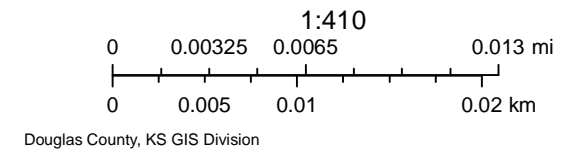


BP, 2301 Louisiana



September 2, 2016

☐ Parcels



From: [Virginia Baumgartner](#)
To: [Barry Walthall](#)
Subject: BP (Gills Amoco) 23rd & Louisiana
Date: Wednesday, September 28, 2016 4:46:44 PM
Attachments: [DSCN1534.JPG](#)
[DSCN1535.JPG](#)

Barry,

The blocked out black area around the digits is $27\frac{1}{2}$ " tall x $64\frac{1}{4}$ " wide at the top and $53\frac{1}{4}$ " wide at the bottom. It's $16\frac{1}{4}$ " tall on the right hand side (it's not a complete rectangle).

The applied digits with embedded LEDs are $24\text{-}5\frac{5}{8}$ " tall x $13\frac{3}{4}$ " wide, the $9\frac{1}{10}$ " digit is $13\text{-}3\frac{3}{8}$ " tall x $7\frac{1}{4}$ " wide. The LEDs themselves are an inch inside the applied larger digits' edges and $\frac{3}{4}$ " inside the $9\frac{1}{10}$ ths applied digit's edges.

The blackout is $2\text{-}5\frac{5}{8}$ " to the left of the digits, $1\text{-}5\frac{5}{8}$ " at the top & bottom, with 4" between the digits. Hard to get decent close-ups without another set of hands, but here are large and small digits respectively.

I hope this gives you more info than you want!

Virginia Baumgartner

Account Manager

Luminous Neon, Inc.

1510 SW 41st Street

Topeka, KS 66609

785-267-2625, cell 925-3718

Memorandum

City of Lawrence

Planning & Development Services

TO: Sign Code Board of Appeals

FROM: Barry Walthall, Building Codes Manager

C: Kurt Schroeder, Asst. Director of Planning & Development,
Development Services

Date: September 30, 2016

RE: 3901 Peterson Road Sign Variance Requests

PROJECT SUMMARY

The applicant is requesting permits for three signs, including two area markers and one wall sign. The signs are labeled as follows:

- Sign 1 – area marker at the Peterson Road access point to the development
- Sign 2 – wall sign for “The Arbors” memory care assisted living building
- Sign 3 – area marker at the Monterey Way access point to the development

The requested variances are for area marker signs 1 and 3:

1. To allow area marker signs at the Peterson Road (sign 1) and Monterey Way (sign 3) access points to the development to exceed 24 square feet in area.
2. To allow an area marker sign at the Monterey Way (sign 3) access to the development to exceed 4 feet in height above the street level or the adjoining ground level.
3. To allow area marker signs to be illuminated (signs 1 and 3).
4. To allow area marker signs to be constructed of painted aluminum graphics attached to brick sign structures (signs 1 and 3).

GENERAL INFORMATION

Zoning Designation: RM12-PD (Residential Multi-Dwelling, Planned Development)

Sign Code References:

5-1827 AREA MARKERS FOR RESIDENTIAL USES

- (A) Area Markers.** Area markers meeting the requirements of this Article shall be approved by the Planning and Development Services Director, or his or her designee. Area markers for residential uses shall comply with the following requirements:

- (1) Not to exceed twenty-four (24) square feet in area.

- (2) Total height is not greater than four (4) feet above the level of the street upon which the sign faces, or above the adjoining ground level, if such ground level is above the street level.
- (3) Illumination of any type is not allowed.
- (4) Permitted, pursuant to 5-1840.1, in RS (Residential Single-Dwelling), RM (Residential Multi-Dwelling), RMO (Residential Multi-Dwelling-Office), PRD (Planned Residential).
- (5) Shall be constructed of wood or stone or brick or combinations thereof.
- (6) Identify an area only.
- (7) An area marker may only identify an area of four (4) or more acres. Construction shall be carried out in a manner approved by the Planning and Development Services Director, or his or her designee, as to its safety and support.
- (8) One (1) area marker shall be allowed per public road access point, with no more than two (2) area markers allowed regardless of the number of public road access points.

CODE ANALYSIS

Comparison of allowable sign characteristics to signs proposed for variance:		
Code Section	Allowable Sign Characteristics	Proposed Sign Characteristics
5-1827(A)(1)	<u>Allowable Area:</u> <ul style="list-style-type: none"> 24 sq. ft. 	<u>Proposed Area:</u> <ul style="list-style-type: none"> Sign 1 – 50 sq. ft. Sign 3 – 50 sq. ft.
5-1827(A)(2)	<u>Allowable Height:</u> <ul style="list-style-type: none"> 4 ft. above the adjoining street level, or 4 ft. above the adjoining ground level if such ground level is above street level 	<u>Proposed Height:</u> <ul style="list-style-type: none"> Sign 1 – 2.3 ft. above the adjoining street level Sign 3 – 5 ft. above adjoining ground level
5-1827(A)(3)	<u>Allowable Illumination:</u> <ul style="list-style-type: none"> None 	<u>Proposed Illumination:</u> <ul style="list-style-type: none"> External ground mounted lights
5-1827(A)(5)	<u>Allowable Material:</u> <ul style="list-style-type: none"> Wood, stone, brick or combinations thereof 	<u>Proposed Material:</u> <ul style="list-style-type: none"> Painted aluminum graphics applied to brick masonry structures

CRITERIA FOR APPROVAL OF VARIANCE

Per Section 5-1847(B), the Board may grant variances from the construction and district regulations upon the determination that all of the following findings have been fully met:

1. At the time a variance is granted by the Board, the Board shall find that 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 the

unique conditions are not created by an action or actions of the property owner or applicant; and

2. At the time a variance is granted by the Board, the Board shall find that the granting of 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 neighborhood in which the property is located; and
3. At the time a variance is granted by the Board, the Board shall find that the strict application of the requirements of Article 18, Chapter 5, of the City Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Article. Such practical difficulties or unnecessary hardships may include compliance with amended provisions of this Article that were not in effect at the time a predecessor sign was installed.

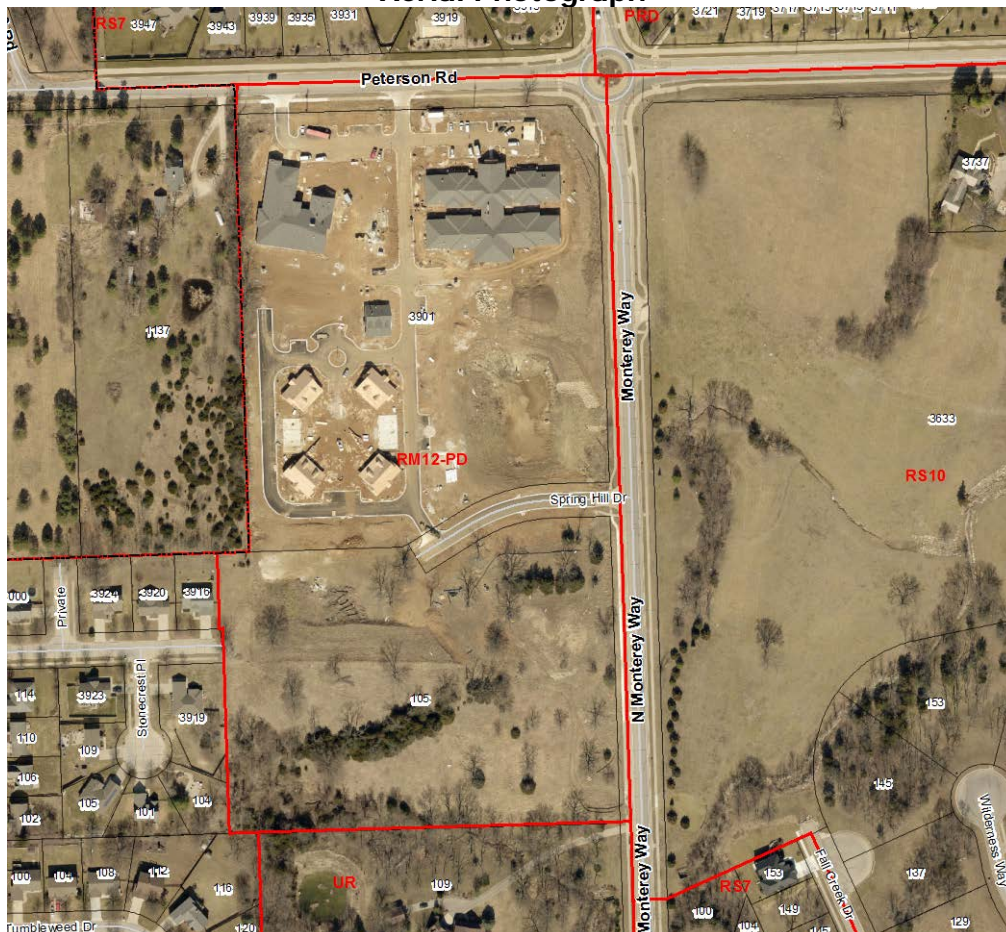
STAFF ANALYSIS

Staff opinion is that the request does meet the criteria for the granting of a variance:

1. In the opinion of staff, conditions do exist which are unique to the location and which are not ordinarily found in the same district zone. The property is a residential development with mixed uses that include memory care, assisted living, and independent living facilities. Residential developments are commonly either single use or mixed use based on type of dwelling unit, such as single-family, duplex, or multi-family, not level of care provided to residents.
2. In the opinion of staff, the granting of a variance could be conditioned in a manner that would not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood. Illumination of the area marker signs could potentially impact the single-family residences already in existence north of the proposed Peterson Road sign location; and could negatively impact property east of the proposed Monterey Way sign location that is currently unimproved but zoned for future single-family residential development. A condition to install timers that would turn the lights off after a specified time, or to install timers upon request of City staff in the event of reports of harmful impacts on neighbors, would mitigate or eliminate potential detrimental or injurious impacts on the public welfare or neighborhood properties or improvements.
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. Staff opinion is that the variances requested are reasonable and necessary for providing adequate way-finding information for visitors to the facilities for various levels of care provided on the site, and that reducing the area marker structures in height and area or eliminating illumination entirely would be an unnecessary hardship.

Staff recommends approval of the variances as requested to allow area markers at the proposed Peterson Road and Monterey Way locations to exceed 24 square feet in area, be indirectly illuminated with ground lights and to include aluminum graphics applied to brick sign structures; and for area marker at the proposed Monterey Way location to exceed 4 feet in height above the adjoining grade level, with the following condition:

- ## Aerial Photograph



Date: 8/29/16 Zoning Classification: Rm 12
Name of Business: MONTEREY VILLAGE W/ PD OVERLAY
Address: #3901 PETERSON ROAD Disposition: MULTI-DWELLING
\$250.00 Non-Refundable Fee Required with application – Date Paid: _____ RESIDENTIAL

APPLICATION FOR A SIGN VARIANCE

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

Variance Request:

City Code (Municipal Law) States:

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.
"SEE ATTACHED"
- 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.
"SEE ATTACHED"
- 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.
"SEE ATTACHED"

Note: Applicant must provide a picture or drawing (to scale) of the proposed sign. Location of ground signs (pole-surface mounted) will need location indicated on the submitted site plan.

Jeal R. Blalock
Applicant Signature

[Signature]
Signature of Property Owner (if other than applicant)

573-442-5188

Phone number (day)



September 27, 2016

Application for Hearing by The Board of Zoning Appeals

Summary:

The project currently under construction at #3901 Peterson Road will be a Senior Living project owned and operated by Americare. The public name for this will be "Monterey Village Assisted Living by Americare" and is expected to open around the end of 2016.

The overall property at this location is 19.3 acres with Lot 1 being the part under construction and is 10.7 acres and the un-developed Lot 2 to the south being 8.09 acres.

The overall phase being built has public road frontage on three sides to the north, east and south sides. The property will have three public access points with the two main ones being on the north side at Peterson Road and the secondary access being off Spring Hill Drive which was built as part of this project.

Spring Hill Drive does not extend all the way west to Spring Hill Subdivision. The future extension of the western section will occur with the development of the 8.09 un-developed acres to the south with the timing of that being unknown.

The Monterey Village campus will consist of two large Assisted Living buildings on the northern half of the site near Peterson road with the southern half consisting of a clubhouse and nine Independent Cottage buildings. Only six Cottage buildings are being built initially.

The Development Plans submitted and approved by the city indicated that 3 separate signs were planned for this development. The first being the main monument at the eastern driveway entrance on being road, the second was shown to be the Arbors sign immediately in front of the western half of the Arbors building and the third sign being a proposed Cottage sign located on the north side of Spring Hills Drive at its intersection with Monterey Way.

This project first started construction around October, 2014. Since then the marketing group for Americare has reviewed the sign information and would like to make some revisions to the initial sign package submittal made on 8/29/16. After some discussion it was determined to ask for only the three signs as shown on the Final Development Plan. The general locations are the same as reflected on the Development Plan but there are some revisions to the specific details such as size, configuration, etc.

Exhibit A is included with this letter that shows the location of the three proposed signs.

Sign #1 (Ground sign, Area Marker # 1) is at the same location as originally shown on the Development plans and will be a ground sign. It will be located at the east entrance off Peterson Road. The sign is proposed to be a two-sided all brick monument sign with ground lighting on each side illuminating the lettering on the faces of the proposed sign. The proposed lighting are small ground lights at the ground surface intended to indirectly illuminate the face of the sign itself.

The lettering will consist of the logos and labels to identify the two main types of senior



living services to be provided on this campus. The proposed content of Sign #1 are displayed on Exhibit B.

- 1) **Monterey Village - assisted living by Americare** (north half of site)
- 2) **The Cottages – independent living by Americare** (south half of site)

The size of the sign is proposed to be 5 feet tall and 10 feet long. The surface area of each brick face is 50 sq. ft.. The surface area of the lettering & logos are 20 sq. ft. per side.

The ground elevation of the sign is approximately 2.7 feet below the elevation of the entrance with the top of the sign being 2.3 feet above the elevation of the street at the driveway connection. The location of the sign will be over 50 feet behind the back of curb of Peterson Road.

Sign #2 (wall mounted informational sign) is in the same location as originally shown on the Final Development Plan and is needed to help guide visitors to the Arbors memory care building on the west side of the property. It was first intended to be a small one-sided all brick monument sign. But instead it is now proposed to be a wall sign. The Arbors building has a 6 foot tall brick screen wall to conceal mechanical equipment. The location and proposed lettering/graphics for Sign #2 are indicated on Exhibits C1 & C2. It will not have its own ground lighting. The proposed wall sign will be located on the face of the brick screen wall as indicated on Exhibit C1.

The surface area of the brick screen wall is approximately 294 sq. ft. and the surface area of the lettering & logos is 10 sq. ft. with the proposed content to say **“The Arbors – memory care assisted living by Americare”**.

Sign #2 will be located approximately 170 feet behind the back of curb and the elevation of the graphics will be roughly 2 feet lower than the elevation of the street. Its visibility will basically be limited to those visitors traveling thru the parking lot in front of the Arbors building.

Sign #3 (Ground sign, Area Marker #2) is at the same location as the Cottage Sign originally shown on the Development plans and is intended to be an Area Marker or main business sign. It will be located on the north side of Spring Hill Drive at its connection with Monterey Way. The sign is proposed to be a two-sided all brick monument sign with ground lighting on each side illuminating the lettering on the faces of the proposed sign.

The size of the sign is proposed to be 5 feet tall and 10 feet long. The surface area of each brick face is 50 sq. ft.. The surface area of the lettering & logos are 14.5 sq. ft. per side. The sign will be the same dimensions as shown by Exhibit D and the lettering will say **“Monterey Village – senior living by Americare”**. This sign is intended to be the main business sign for the development. Monterey Way will have the highest amount of traffic traveling north and south and this sign will let those passing by what the development is and who the provider is.

The ground elevation of the sign is approximately 5.0 feet above the back of curb immediately east at Monterey Way and around the same elevation as the back of curb



elevation of Spring Hill Drive. The location of the sign will be over 70 feet west of the back of curb of Monterey Way and 30 feet north of the back of curb of Spring Hill Drive.

*** The Variances being sought from the Lawrence Sign Code Board of Appeals are:**

1. To allow area marker signs at the Peterson Road (sign 1) and Monterey Way (sign 3) access points to the development to exceed 24 square feet in area.
2. To allow an area marker sign at the Monterey Way access to the development (sign 3) to exceed 4 feet in height above the street level or the adjoining ground level.
3. To allow area marker signs to be illuminated (signs 1 and 3).
4. To allow area marker signs to be constructed of painted aluminum graphics attached to brick structures (signs 1 and 3).

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, are not created by an action of the property owner or applicant.

Before this project was acquired from the previous owner, the property was rezoned as per the recommendations of city staff to allow for the proposed specific use on the property. It was rezoned from RS10 to RM12 with a Conditional Planned Development Overlay to allow for the Assisted Living use on the property. This provided the city the means to oversee and regulate the design for the project to insure its compatibility with the surrounding area.

The surrounding zoning was as follows:

- West: R-1 county; single family residential
City, RS 7; single dwelling residential, detached
 - North: City, RS 7; single dwelling residential, detached
 - East: City RS10; single dwelling residential, detached, "partially developed"
 - South: City RS7; single dwelling residential, detached & UR (urban reserve)
- This project went all the way thru the rezoning of the property the full Development Plan review process before the full approval of the Construction Documents in order to start the project. That process started well over two years ago.

The property is being developed in order to provide Senior Living Services to the surrounding community of which it had been determined that there is a definite need. The designated use for this site is residential in nature but it is also a business in reality and those items directly related to successfully operating a business should be accounted for. One of the most important items directly related to business is to allow for the proper signage to help intended visitors to arrive and navigate the development. Monterey Village is being built as a Senior Living Community and the overall campus is rather large. Lot 1 is 10.7 acres and will only have the 10 proposed buildings at full build-out. It has public road frontage on three sides and Americare is asking for a total of 3 signs. Sign #1 and #3 are intended as the Area Markers for the project. They are located at the two main public access points for the project. One at the north side and one at the southeast corner and they will be over 700 feet apart on opposite sides of the



campus. Sign #2 is a wall mounted informational sign intended to help visitors arrive at the appropriate building.

It must be remembered that this is a Senior Living project and the majority of visitors for the residents will probably be elderly themselves. The placement of the proper signage to help them navigate is very important.

All three of the proposed signs will be placed on the proposed brick surface with painted aluminum graphics and lettering and the style is intended to blend in seamlessly with the surroundings yet they must be large enough and visible enough to help the visitors arrive to their desired destination. No proposed sign is intended to be taller than 5 feet. Pictures of the actual signs from other developments are included with this submittal to reflect that the proposed materials, graphics/ lettering are stylish and blend in well but visible to those driving by without being obtrusive to the surroundings.

Americare has been in the Senior Living business for over 30 years and has over 120 facilities operating in 5 states. The placement and selection of these signs has been developed from that experience.

This variance request is unique to this property when compared to the other surrounding properties because of its actual use and the services that it will provide to the Lawrence community.

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.

The overall project was planned, designed and approved up to this point because of its compatibility with the residential use of the surrounding properties. The city's comprehensive plan indicates that the area is intended for low density residential development. This project at full build-out will be around 3.55 dwelling units per acres for the 10.7 acre tract. The overall development when completed will be a quiet, attractive, low traffic generating facility that will blend in seamlessly with the surrounding character of the adjacent properties.

More importantly though is that it will provide the much needed benefit of offering high quality Senior Living services to the surrounding community from a very experienced provider.

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.

It is fully understood that the City of Lawrence has adopted the Sign Code with the intent of overseeing or regulating the proposed signage in order permit the proper placement of signage in suitable locations and prohibit what may be considered obtrusive or unsuitable signs in the wrong environment.

The signs proposed for this particular project have been selected and developed



over time based upon practical experience. They are not excessively tall, bright or contain wild colors. The materials are the same type and color scheme being used for the residential structures currently being built for this project.

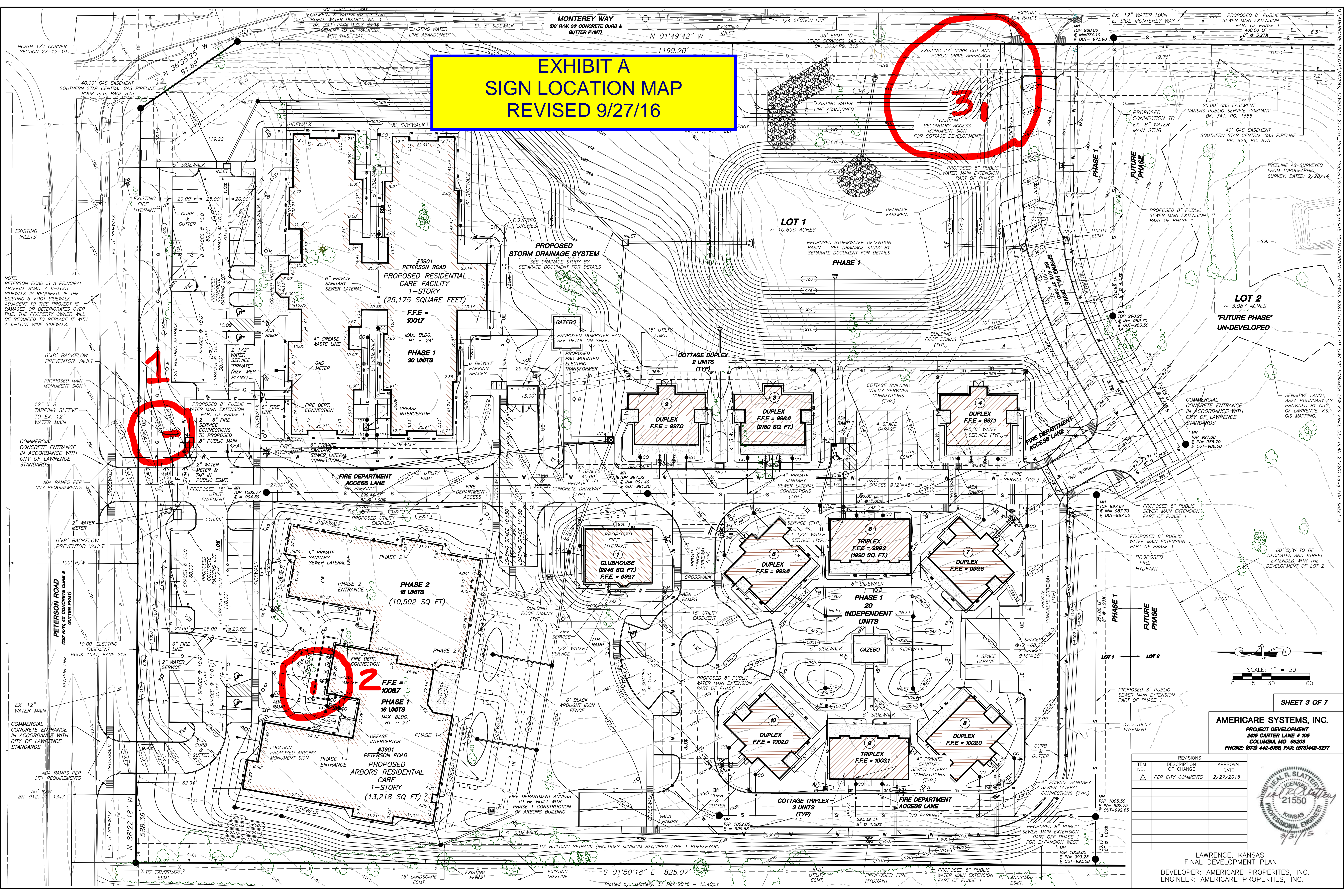
The signs are intended to have the specific purpose of guiding those visiting the large campus to their desired destination. As mentioned previously, the majority of visitors to this facility will be from the elderly community as well. Any assistance we can give them is beneficial and appreciated.

To follow only the strict definitions as listed in the Sign Code will not only have an undesired impact on the owners/developers of the facility who have made a significant investment to bring these much needed services to this area of the community, it can have a negative impact to those visiting the facility. Instead of actually protecting the surrounding properties as is the intent of the code it actually can have detrimental impact to the area.

Properly supporting a facility such as this is vital to providing critical services to those residents in the surrounding neighborhoods. It allows them to keep their family members or friends nearby without having to travel extensive distances for those services. They are the ones that will actually be utilizing and benefiting from the proposed signage.

Americare has worked with the city staff on this project from the very beginning to help create and design a development that fits in well with its surroundings. It has been a Planned Development from the start. The request for the number, type, size and location of the proposed signage is all part of the planning process for this project and it is unique to this project and its intended use.

EXHIBIT A
SIGN LOCATION MAP
REVISED 9/27/16



REVISIONS

ITEM NO.	DESCRIPTION OF CHANGE	APPROVAL DATE
1	PER CITY COMMENTS	2/27/2015

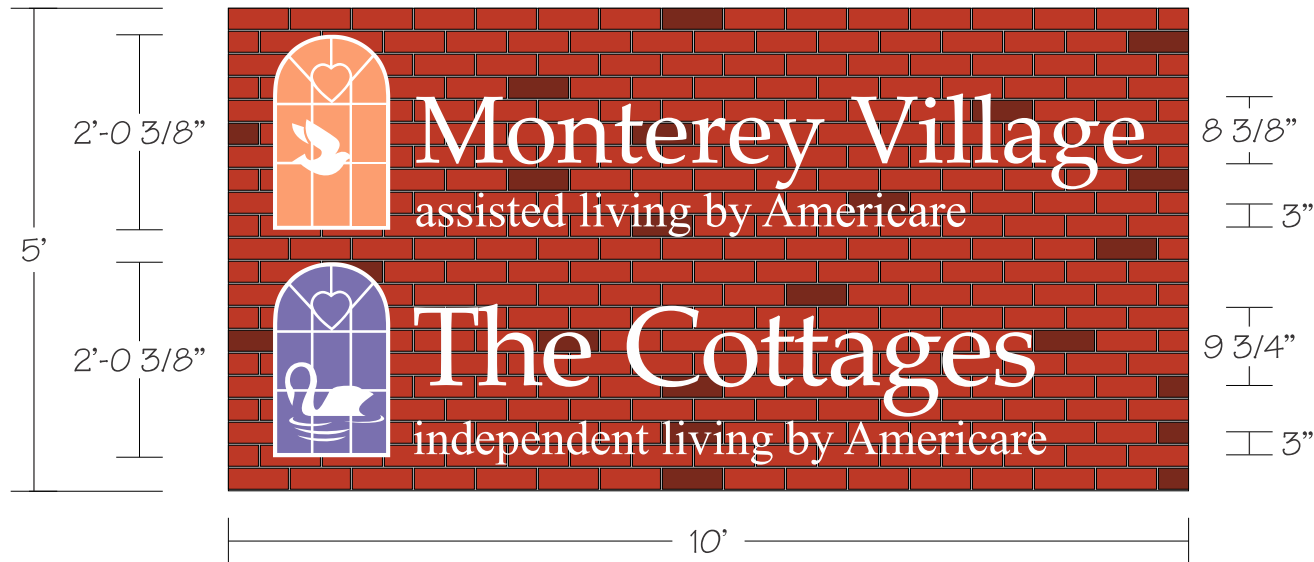
AMERICARE SYSTEMS, INC.
PROJECT DEVELOPMENT
2415 CARTER LANE # 105
COLUMBIA, MO 65203
PHONE: (673) 442-5188, FAX: (673) 442-5277

SEAL: MICHAEL R. SLATTERY, 21550, KANSAS PROFESSIONAL ENGINEER, 3/21/15

LAWRENCE, KANSAS
FINAL DEVELOPMENT PLAN
DEVELOPER: AMERICARE PROPERTIES, INC.
ENGINEER: AMERICARE PROPERTIES, INC.

EXHIBIT B

SIGN # 1



Double Face Monument Sign

Roberts

INTERIOR/EXTERIOR

SIGNS, INC.

901-365-7750 Fax 901-365-2730

Customer Americare

Location Lawrence, KS

Approved By _____ Date 6-1-16 Sales Rep. JR

This is an original unpublished design created by Roberts Sign, Inc. for your personal use, in conjunction with a project being planned for you by Roberts Sign, Inc. It is not to be shown to anyone outside your organization, nor is it to be copied, reproduced, altered or exhibited in any way.



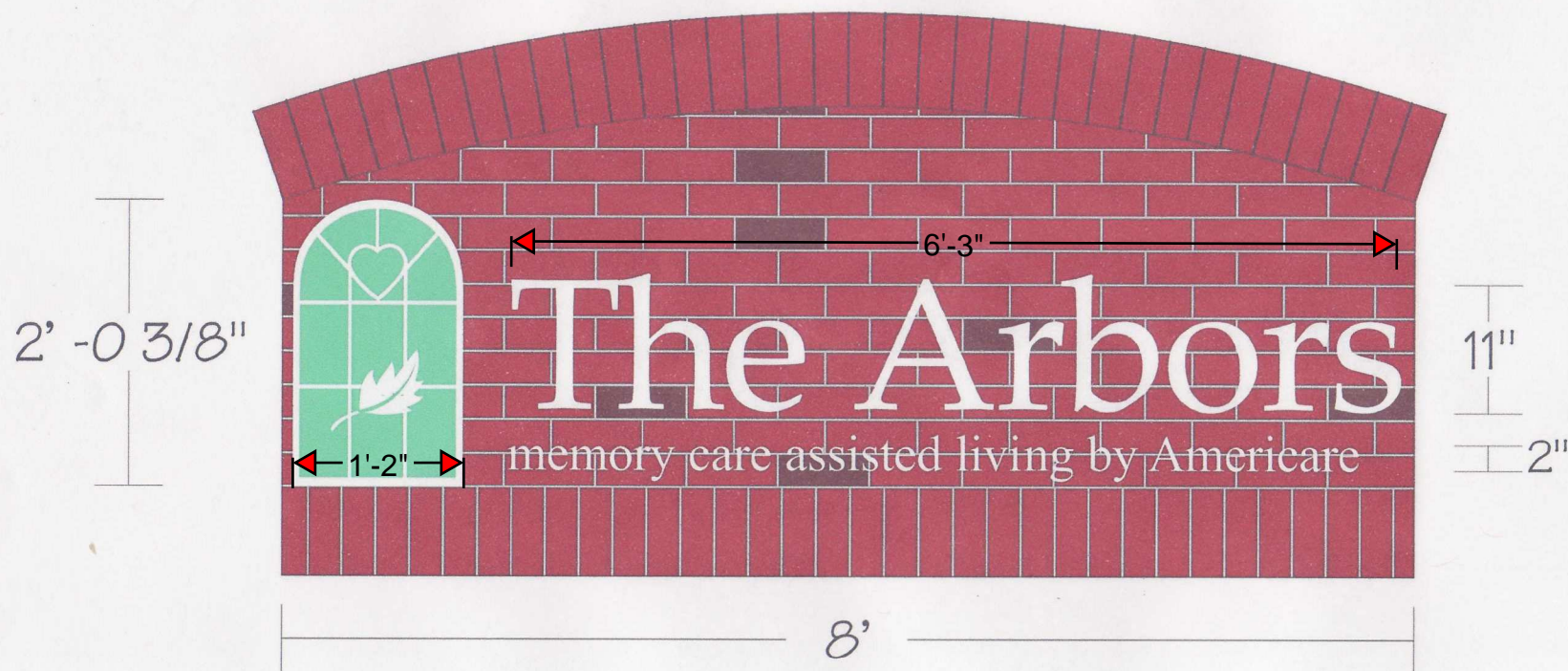
The Arbors
Memory care assisted living by Ameriquest

EXHIBIT C1
SIGN # 2

EXHIBIT C2

SIGN # 2

GRAPHICS



Roberts

INTERIOR/EXTERIOR

SIGNS, INC.

1-365-7750 Fax 901-365-2730

Customer AMERICARE

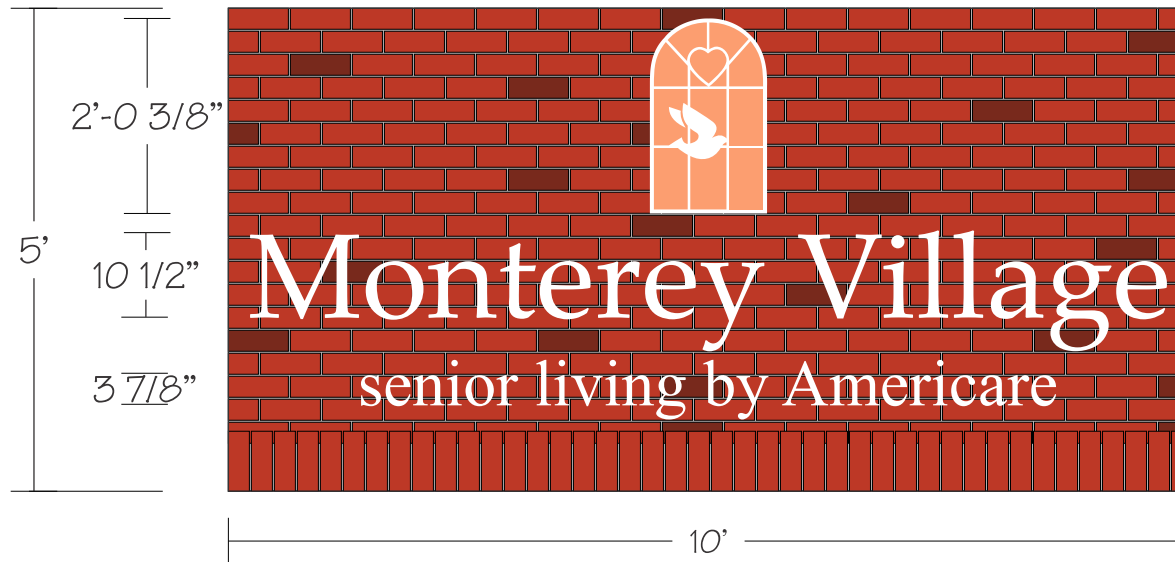
Location COLUMBIA, MO

Approved By _____ Date 3-11-16 Sales Rep. JR

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EXHIBIT D

SIGN # 3



Double Face Monument Sign

Roberts

INTERIOR/EXTERIOR

SIGNS, INC.

901-365-7750 Fax 901-365-2730

Customer Americare

Location Lawrence, KS

Approved By _____ Date 6-1-16 Sales Rep. JR

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Mill Creek Village
assisted living by Americare



The Cottages
independent living by Americare



SIGN #1



City of Lawrence

PLANNING & DEVELOPMENT SERVICES

Building Safety Division

1 Riverfront Plaza, Suite 110

PO Box 708

Lawrence, KS 66044

Phone: (785) 832-7700

Fax: (785) 832-3110

www.lawrenceks.org

buildinginspections@lawrenceks.org

SIGN PERMIT APPLICATION*

Date: 8/31/16

Project Name: MONTEREY VILLAGE

Project Address: # 3901 PETERSON ROAD

Type of work: ☒ Construct New Sign

☒ Permanent

-OR-

-OR-

☐ Rework or Replace Existing Sign

☐ Temporary from: _____ to _____

Type of Sign ☒ Ground Sign ☐ Wall Sign ☐ Awning/Canopy ☐ Banner

☐ Other: _____

☐ Non-Illuminated

☒ Illuminated (method)

GROUND LIGHTS < 12" TALL "INDIRECT"

Sign to be constructed of: BRICK

Sign Size: Sign Width: 10' Sign Height: 5 FT Total Sq Ft: 50 SF BRICK SURFACE

Ground Signs: Height from grade to top of sign: 5 FT 20 SF GRAPHICS EA. SIDE

Distance from street right-of-way: 20.5', 50' CURB

Wall Signs: Business facade width (ft) _____ height (ft) _____ Total Sq Ft: _____

Estimated Value: \$6000

*Required Attachments:

*A site plan showing sign placement on the property

*A drawing or photograph detail showing sign graphics and dimensions

*An elevation drawing or photograph showing sign placement on walls

Please attach these and any other relevant documentation. Email completed applications and accompanying documentation to the City of Lawrence Development Services Division at buildinginspections@lawrenceks.org.

Sign Contractor: ROBERT'S SIGNS INC.

Applicant Name (please print): NICOL SLATTERY AMERICARE

Phone Number: 573-442-5188 Email: NSLATTERY@AMERICAREUSA.NET

Electrical Contractor (if required): TIBBET'S ELECTRICAL

I hereby certify, to the best of my knowledge and belief, that all of the information on this application and on drawings submitted in support of this application are accurate. I understand that any sign that is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations of the City is a violation of the City Code. I also understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations of the City does not create any legal nonconforming status, nor does it remove any obligation to bring the sign into compliance. I further understand that no sign shall be installed until a sign permit has been approved by the City.

Nicol R. Slattery
Applicant Signature

8/31/16
Date

5108#2



City of Lawrence

PLANNING & DEVELOPMENT SERVICES

Building Safety Division
1 Riverfront Plaza, Suite 110
PO Box 708
Lawrence, KS 66044
Phone: (785) 832-7700
Fax: (785) 832-3110
www.lawrenceks.org
buildinginspections@lawrenceks.org

SIGN PERMIT APPLICATION*

Date: 8/31/16

Project Name: MONTEREY VILLAGE

Project Address: #3901 PETERSON ROAD

Type of work: ☒ Construct New Sign ☒ Permanent
-OR-
☐ Rework or Replace Existing Sign ☐ Temporary from: _____ to _____

Type of Sign ☐ Ground Sign ☐ Wall Sign ☐ Awning/Canopy ☐ Banner
☐ Other: _____
☐ Non-Illuminated ☐ Illuminated (method) _____

Sign to be constructed of: _____

Sign Size: Sign Width: _____ Sign Height: _____ Total Sq Ft: _____

Ground Signs: Height from grade to top of sign: _____

Distance from street right-of-way: _____

Wall Signs: Business facade width (ft) 49 height (ft) 6 FT Total Sq Ft: 294 SF
Estimated Value: \$2000 "SCREEN" WALL 10 SF GRAPHICS

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

Please attach these and any other relevant documentation. Email completed applications and accompanying documentation to the City of Lawrence Development Services Division at buildinginspections@lawrenceks.org.

Sign Contractor: ROBERT'S SIGNS INC.

Applicant Name (please print): HEAL SLATTERY, AMERICARE

Phone Number: 513-442-5188 Email: NSLATTERY@AMERICAREUSA.NET

Electrical Contractor (if required): TIBBETTS ELECTRICAL

I hereby certify, to the best of my knowledge and belief, that all of the information on this application and on drawings submitted in support of this application are accurate. I understand that any sign that is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations of the City is a violation of the City Code. I also understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations of the City does not create any legal nonconforming status, nor does it remove any obligation to bring the sign into compliance. I further understand that no sign shall be installed until a sign permit has been approved by the City.

Heal R Slattery
Applicant Signature

8/31/16
Date



City of Lawrence

PLANNING & DEVELOPMENT SERVICES

Building Safety Division
 1 Riverfront Plaza, Suite 110
 PO Box 708
 Lawrence, KS 66044
 Phone: (785) 832-7700
 Fax: (785) 832-3110
www.lawrenceks.org
buildinginspections@lawrenceks.org

SIGN PERMIT APPLICATION*

Date: 8/31/16

Project Name: MONTEREY VILLAGE

Project Address: #3901 PETERSON ROAD

Type of work: ☒ Construct New Sign

☒ Permanent

-OR-

☐ Rework or Replace Existing Sign

-OR-

☐ Temporary from: _____ to _____

Type of Sign ☒ Ground Sign ☐ Wall Sign ☐ Awning/Canopy ☐ Banner

☐ Other: _____

☐ Non-Illuminated ☒ Illuminated (method) GROUND LIGHTS < 12" TALL

Sign to be constructed of: BRICK

Sign Size: Sign Width: 10' Sign Height: 5 FT Total Sq Ft: 50 SF BRICK SURFACE

Ground Signs: Height from grade to top of sign: 5 FT 14.5 SF GRAPHICS

Distance from street right-of-way: 47' MONTEREY 13.5' SPRING HILL EA. SIDE

Wall Signs: Business facade width (ft) _____ height (ft) _____ Total Sq Ft: _____

Estimated Value: \$6000

***Required Attachments:**

*A site plan showing sign placement on the property

*A drawing or photograph detail showing sign graphics and dimensions

*An elevation drawing or photograph showing sign placement on walls

Please attach these and any other relevant documentation. Email completed applications and accompanying documentation to the City of Lawrence Development Services Division at buildinginspections@lawrenceks.org.

Sign Contractor: ROBERT'S SIGNS INC.

Applicant Name (please print): NEAL SLATTERY, AMERICARE

Phone Number: 573-442-5188 Email: NSLATTERY@AMERICAREUSA.NET

Electrical Contractor (if required): TIBBETTS ELECTRICAL

I hereby certify, to the best of my knowledge and belief, that all of the information on this application and on drawings submitted in support of this application are accurate. I understand that any sign that is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations of the City is a violation of the City Code. I also understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations of the City does not create any legal nonconforming status, nor does it remove any obligation to bring the sign into compliance. I further understand that no sign shall be installed until a sign permit has been approved by the City.

Neal Slattery
 Applicant Signature

8/31/16
 Date