



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
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**BOARD OF ADJUSTMENT
MINUTES
October 11, 2018**

MEMBERS PRESENT:

Hannah Cicioni
Roger Clark
Mandel G. Samuels
Aaron Smith

OTHERS ATTENDING:

Lori Ericson – Planning Administrator
Beth Johnson – Planner II
Kara King – Planning Technician
Nathan Becknell – City Engineer
Jeanine Johnson – Administrative Assistant

Acting Chair Roger Clark called the meeting to order at 4:00 pm.

OLD BUSINESS

Clark explained to the Staff and members of the audience, due to only four Board members present, any approval votes will need to be unanimous to provide a quorum. Therefore, each item on the agenda will be given the opportunity to table their request.

18-54: A request by NW Medical Plaza for a variance to allow increased height (10' to 13.6') and area (100 sf to 126.48 sf) on a monument sign and 4 additional wall signs with 176.9 square feet of additional sign area at 2000 South 42nd Street in the city's C-2 (Highway Commercial) zoning district and the city's Overlay District.

Staff stated the applicant is requesting a total of four additional wall signs. The two incoming tenants would then have two signs each, one on the east and one on west elevation. The applicant is requesting increased height on a monument sign. There is a significant change in grade between Pleasant Grove Road and the parking lot where the monument is located. Staff stated over two years ago, a variance for a wall sign on the west rear elevation was approved. Staff stated each applicant was made aware of staffs opinions on the request.

Laura Tucker, Best Sign Group, represented the Northwest Medical Center. Tucker said the approval for the additional 3-foot height on the monument sign is to increase visibility due to the change in grade and for wayfinding purposes. Tucker stated a change in the request for only two wall signs, east or west elevation. She stated one tenant is moving in now and the other tenant at a later date. Tucker stated the back side of the building gets visibility. However, you don't see the front unless you drive in the parking lot. Tucker stated the variance request is because the backside of the building is technically illegal for signage. The backside is considered west and frontside is considered east.

Clark opened the Public Hearing. As no speakers were in favor or opposition of the variance, the Public Hearing was closed.

Clark stated the Board only approves/denies the presented motions and not open proposals for future tenants. The Board discussed the size of the signs, number of signs and locations. Tucker stated the applicant is only asking for approval of either the east or west elevation. She said each tenant should have one sign; 50 square feet per sign; location to be tenant choice of east or west. Tucker said a tenant is moving in now and one in the future. Staff stated each tenant is allowed 25 square feet each by right. Staff stated the recommendation to deny the 2 additional wall signs on the west elevation, could be a "consideration" due to the hardship.

The Board discussed the purpose of a monument sign and the request for increased height. Staff stated each tenant is allowed a single sign inside the monument sign. Clark stated the monument sign needs to advertise a tenant, not services provided by a tenant. Lori Ericson stated due to Freedom of Speech, the Supreme Court ruled the City can only consider or regulate the contents of a sign, only the size of a sign.

Tucker amended the requests as follows:

1. The variance request for one additional wall sign on the east elevation and for an additional 26.9 square feet of additional total sign area.
2. Withdraw the variance request for two additional wall signs on the west elevation and 100 square feet of additional total sign area.

Samuels motioned to approve a variance request for one additional sign on the east side elevation for an additional 26.9 square feet. Second by Cicioni. Voice vote: (unanimous). Motion carried. **APPROVED.**

Samuels motioned to deny the variance request for an additional sign on the east side with an additional 26.9 square feet for the non-existent tenant. Second by Cicioni. Voice vote: (unanimous). Motion carried. **DENIED.**

Samuels motioned to approve the variance request for increased height on a monument sign, from 10' to 13.5'. Second by Cicioni. Voice vote: (unanimous). Motion carried. **APPROVED.**

Samuels motioned to approve the variance request for increased area on a monument sign, from 100 square feet to 126.48 square feet. Second by Cicioni. Voice vote: (unanimous). Motion carried. **APPROVED.**

NEW BUSINESS

18-56: A request by Rush Running and Tuscany Square for a variance to allow 142.43 square feet of increased total sign area (from 400 square feet to 542.43 square feet) at 2603 W Pleasant Grove Rd in the city's C-2 (Highway Commercial) zoning district and the city's Overlay District.

Curtis Moore, Sign Planet represented the request. Staff outlined the building is a multi-tenant building, with a new tenant infill. The overall 400 square foot total for the building has been exceeded and future tenants are allowed 25 square feet maximum by right. The applicant is asking for a 36.67 square foot sign. The entire building's square footage had to be addressed for this application. Staff explained the square footage chart of the existing signage. Staff stated a

few tenants applied for and legally received a sign permit at 25 square feet or less. The request for 142.43 square feet of additional sign area will allow Rush Running to install a 36.67 square foot sign and also address existing, legal non-conforming signs on site.

Moore stated they simply could not replace the sign for Calypso Tan, which was a 90" by 115" sign. He the applicant would like to have a larger sign. He said 25 square feet is very small on the building. Clark and the Board discussed the code and the requirements, along with bringing all existing signage into compliance. Staff stated Ventura Dental was granted a similar variance request in 2017.

Clark opened the Public Hearing. As no speakers were in favor or opposition of the variance, the Public Hearing was closed.

Cicioni motioned to approve the variance request for 142.43 square feet of additional total sign area. Second by Smith. Voice vote: (unanimous). Motion carried. **APPROVED.**

18-58: A request by Cambridge Crossing for a variance to allow increased height and sign area on 2 monument signs, allow 2 off-premise signs, and 6 additional monument signs at 201 South 19th Street in the city's C-2 (Highway Commercial) zoning district and the city's Overlay District.

Ann Gray with Innovative Wellness represented the variance request. Staff stated they would like to treat this as a common development. All three buildings in the development are addressed as 201 South 19th Street. The site was developed as one cohesive development and the signs have existed for an undetermined length of time. Due to the age of the development, there are no records of sign permits for these existing monuments, which are considered non-conforming signs. The current request is to bring existing signs into compliance. The large development monuments located off Walnut and South 20th Street serve necessary wayfinding purposes for all business in the development. Without the development monuments, there would be no street-side signs for the southernmost building. With the new overlay standards, the multi-tenant signs could only get 10 feet in height and a hundred square feet. The existing signs are: 20 feet (area 220 square feet); 14.5 feet (area 120 square feet). Therefore, the request is for increased height and area for these existing monuments. Only one business has wall signage on the building and the rest of the tenants rely on the additional monuments at their entrances for wayfinding purposes. Multiple tenants have been denied changing their signs as there was no variance.

Clark opened the Public Hearing. As no speakers were in favor or opposition of the variance, the Public Hearing was closed.

The Board discussed the appropriateness of bringing the signs into compliance. Staff stated there were no opposition from the public.

Cicioni motioned to approve the request for increased height and area on the West Walnut development monument, as shown in Tab 1 of this application. Second by Samuels. Voice vote: (unanimous). Motion carried. **APPROVED.**

Cicioni motioned to approve the request for increased height and area on the South 20th Street development monument, as shown in Tab 1 of this application. Second by Samuels. Voice vote: (unanimous). Motion carried. **APPROVED.**

Cicioni motioned to approve the request for 6 additional monument signs. Second by Samuels. Voice vote: (unanimous). Motion carried. **APPROVED.**

Previous minutes: September 27, 2018.

Clark motioned to approve the minutes from September 27, 2018. Second by Smith. Voice vote: (unanimous) Motion carried. **APPROVED.**

Meeting adjourned at 4:38 pm.

Roger Clark, Board of Adjustment Secretary