
ORDINANCE NO. O-1819-2

ITEM NO. 5

STAFF REPORT

GENERAL INFORMATION

APPLICANT	St. Joseph Catholic Church
REQUESTED ACTION	Rezoning to SPUD, Simple Planned Unit Development District
EXISTING ZONING	C-2, General Commercial District, R-3, Multi-Family Dwelling District, and R-3 with Special Use for Church (School)
SURROUNDING ZONING	North: R-1, Single Family C-2, General Commercial East: A-2, Rural Agricultural RM-6, Medium Density Apartment and R-3, Multi-Family South: C-3, Intensive Commercial CO, Commercial Office R-3, Multi-Family West: C-2, General Commercial and C-3, Intensive Commercial
LOCATION	East side of Porter Avenue on the north Side of Acres Street and continuing South to East Gray Street
SIZE	4.27 acres, more or less
PURPOSE	Master Sign Plan
EXISTING LAND USE	Institutional
SURROUNDING LAND USE	North: Residential & Commercial East: Institutional & Residential South: Commercial West: Commercial

SYNOPSIS: St. Joseph's Church is seeking approval to rezone their property from C-2 and R-3 to SPUD (Simple Planned Unit Development) to implement a wayfinding sign package, which is not otherwise allowed by the Sign Code as currently zoned. The Sign Code (Section 18-408)

allows a sign package to be approved as part of a SPUD site development plan approval. The Zoning Code (Section 22-420.05) requires a master sign plan as part of a SPUD.

ANALYSIS: St. Joseph's Church has existed in this location for many years. In 1996 they were required to rezone part of their campus to Special Use to allow their school to be re-opened. That was amended in 1997 to allow additional portable classroom buildings and again in 1998 for a new Family Life Center north of Acres Street and main church on Porter. It was amended again in 2010 to allow the reconstruction of the rectory and additional parking lots. The Porter Corridor Zoning Overlay District was also adopted in 2010 to regulate how land uses impact adjacent residential uses, specifically buffering parking lots from residential.

This Institutional use has evolved over many years from one defined area into a campus occupying 4 lot areas (defined by streets and alleys) with two zoning designations, special use permits, and multiple individually platted lots in the Original Townsite plat. Two of the lot areas are zoned both C-2 (General Commercial) and R-3 (Multi-Family Dwelling), while two of the lot areas are zoned only R-3. The lots and buildings are already developed and are considered legal. Therefore replatting or lot line adjustments will not be required. The Land Use Plan currently identifies the campus area as Institutional and there are no proposed changes to the current land uses, so a Land Use Plan Amendment is not required. A Site Development Plan is required as part of the SPUD. The only significant changes proposed are to the existing signage and the sign package cannot be permitted the way the individual lots are currently zoned.

- **Signage Issues**

Allowable signage in the C-2 and R-3 zones differs with respect to size, number and setback. The proposed signage for both zones includes wall signs, private traffic directional signs and subdivision (campus area) identification signage. Only a few of the requested signs can be approved under the current zoning. The issues include: on-premise vs. off-premise, set-back, size, number, location and lighting. Staff recognizes the design and practicality of the proposed signage and that it meets the intent of the Sign Code, but has not identified another way to qualify them under the current codes. Rezoning to SPUD with a master signage plan is allowed in both the Zoning Code and the Sign Code, and is the best means whereby the signage can be approved.

The Sign Code language was structured to regulate single businesses/uses on single lots with one zoning designation per lot. While there are provisions for variances and special exceptions, the desired signage does not qualify for such consideration. There is a provision in the Sign Code that recognizes PUD's and authorizes signage in conformance with a master sign plan adopted as part of a PUD. The total area of the private ownership of the 4 lots is approximately 4.27 acres and may be considered as a SPUD, rather than a PUD (which would be required if the property were 5 acres or more).

Specifically, the following are some of the reasons the proposed signs cannot be approved as presently zoned. In C-2 zones directional signs are limited to 8 feet overall height, 4 sf per face, 1 per curb cut and 1 interior. In R-3 zones the regulations are the same except that the size is limited to 3 sf per face. The proposed directional signs are 8.25 sf per face, plus the decorative

steep attachment and generally not at curb cuts. These cannot be permitted as proposed. In R-3 zones only one wall sign is allowed, whereas multiple wall signs per building are proposed to identify the buildings and destinations. Not all the wall signs can be permitted as proposed. Fence signs are prohibited unless they are a subdivision entry signage on a masonry fence, at the intersection of an arterial street with a collector street, are no bigger than 32 sf, and are only indirectly lighted. The proposed signs on the fence are 35.5 sf, are illuminated from the back, and are located at a local street and an alley. The fence signs cannot be permitted as proposed.

The proposed master sign plan meets the intent of the Sign Code stated in Section 18-102:

(a) Purpose. It is the purpose of this chapter to establish effective signage regulations which recognize the public as well as private interest and investment in our environment, and which regulate the number, size and location of signs; relate signs to the individual use, site and structure; prohibit unsafe signs; cause removal of abandoned and nonconforming signs; and promote and protect the health, safety, welfare, convenience and enjoyment of the City for its residents and visitors.

(b) Intent. It is the intent of this chapter to promote more effective signing practices which will be compatible with their surroundings and appropriate to the type of activity to which they pertain; to encourage greater consideration of influencing factors and thoughtful design of signs; to promote economic and business development; to protect property values; to reduce distractions and obstructions that may contribute to traffic accidents; and to enhance and protect the physical appearance and natural beauty of the City.

The particulars of this SPUD include:

1. USE Continue existing institutional use per Exhibit A (Campus Map).
2. OPEN SPACE Continue existing open spaces with no proposed changes other than signs.
3. PARKING Continue existing parking with no proposed change other than signs.
4. PHASES Implement Wayfinding Sign Package per Exhibit B.

ALTERNATIVES/ISSUES:

- **IMPACTS** Purpose is to implement a wayfinding sign package, which is not otherwise allowed under the existing Sign Code with the current zoning. The property also remains subject to the Porter Corridor Overlay District Zone.
- **ACCESS** No change.
- **SITE PLAN** No change to the existing land uses.

OTHER AGENCY COMMENTS:

- **PARK BOARD** No impact.
- **PUBLIC WORKS** No impact.
- **FIRE** No impact.

STAFF RECOMMENDATION: Because it should not result in negative impacts on the surrounding neighborhood and meets the purpose and intent of the Code, Staff supports the request as submitted.