

**CITY OF PALM BEACH GARDENS
CITY COUNCIL
Agenda Cover Memorandum**

**Meeting Date: February 2, 2012
Petition: PCDA-11-05-000011
Resolution 11, 2012**


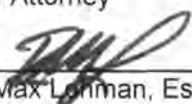
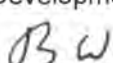



Subject/Agenda Item:

Resolution 11, 2012 - Downtown at the Gardens Planned Community Development (PCD) Amendment to Revise the Approved Master Sign Plan

City Council Approval: A request by Downtown at the Gardens Associates Ltd, for approval of a Planned Community Development (PCD) amendment to revise the approved master sign plan. The amendment includes adding new and modifying existing directional, wayfinding, and identity signage, and includes 16 waivers. Downtown at the Gardens is located north of Kyoto Gardens Drive, east of Alternate A1A, south of Gardens Parkway, and west of the Landmark and Gardens Pointe Developments.

[X] Recommendation to APPROVE with 12 Waivers

[X] Recommendation to DENY 4 Waivers

<p>Reviewed by: Director of Planning & Zoning  _____ Natalie M. Crowley, AICP</p> <p>City Attorney  _____ R. Max Lanman, Esq.</p> <p>Development Compliance  _____ Bahareh Wolfs, AICP</p>	<p>Originating Dept.: Planning & Zoning: Project Manager  _____ Natalie Crowley</p> <p><input checked="" type="checkbox"/> Quasi – Judicial <input type="checkbox"/> Legislative <input checked="" type="checkbox"/> Public Hearing</p> <p>Advertised: <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Date: 1.18.12 Paper: Palm Beach Post</p>	<p>Finance: Accountant  _____ Sarah Varga</p> <p>Fees Paid: <u>Yes</u></p> <p>Funding Source: <input type="checkbox"/> Operating <input checked="" type="checkbox"/> Other <u>N/A</u></p> <p>Budget Acct.#: <u>N/A</u></p> <p>Contract/Agreement: Effective Date: <u>N/A</u></p> <p>Expiration Date: <u>N/A</u></p>	<p>Council Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/ Conditions <input type="checkbox"/> Denied <input type="checkbox"/> Continued to: _____</p> <p>Attachments:</p> <ul style="list-style-type: none"> • Development Application • Justification Statement • Downtown at the Gardens – Wayfinding Plans • Building Signage Program • Landscape Plans
<p>Approved By: City Manager  _____ Ronald M. Ferris</p>	<p>Affected parties: <input checked="" type="checkbox"/> Notified <input type="checkbox"/> Not Required</p>		

EXECUTIVE SUMMARY

The Applicant is requesting approval of a Planned Community Development (PCD) amendment to revise the approved master sign plan. The amendment includes adding new and modifying existing directional, wayfinding, and identity signage. The revised master sign plan, as proposed, will require a total of 16 waivers to the City's sign code. Staff supports 12 waivers and recommends denial of four (4) waivers. Staff supports the waivers for: revisions to existing directional and identity signs to allow additional tenant names and color themes; the addition of two (2) identity signs; and the addition of two (2) new wayfinding signage types. Staff recommends denial of the waiver requests for the proposed gateway sign located adjacent to Lake Victoria Gardens Avenue and a frame for a changeable copy sign on the pedestrian bridge.

BACKGROUND

Downtown at the Gardens (DTAG), located within the Regional Center Development of Regional Impact (DRI), was first approved by City Council on June 5, 2003, by Resolution 91, 2003. The original DTAG site plan authorized the development of 26,000 square feet of neighborhood commercial, 220,745 square feet of retail/restaurant, 67,690 square feet (up to 3,220 seats) of cinema, and 20,000 square feet of professional office, and provided nine (9) development waivers and conditions. The following waiver was approved to increase the amount of wall signage:

8. Section 78-285, Permitted Signs, to allow for six tenant signs for Building A, one tenant sign for Building I, one tenant sign for Building M1, one tenant sign for Building M2, and four project logo signs.

Resolution 91, 2003 approved by City Council on June 5, 2003, also amended the MacArthur Center Signage Program to allow additional Downtown at the Gardens monument signs and locations. This approval designated the project monument sign locations as they are currently situated today.

Since its inception, the DTAG PCD has been amended a number of times through various PCD amendments, site plan amendments, miscellaneous petitions, and administrative approvals. The amendments related to signage are described below.

Resolution 212, 2003 approved by City Council on December 18, 2003, amended the original master sign plan, including architectural changes, and approved the addition of two (2) additional waivers related to wall signage:

10. A waiver from Section 78-285 of the City's Land Development Regulations to permit seven (7) additional project identification signs located at four (4) different buildings within the project.

11. A waiver from Section 78-285 of the City's Land Development Regulations to permit letter heights of 42 inches for one principal tenant sign for the theater on the west elevation of the project.

The City approved an administrative approval for minor changes to site signage on August 1, 2005 (ADMIN-05-06-000011) to alter the sign aesthetics to complement the architectural changes. The design of the monument signs, vehicular directional signs, internal signs, and project identification signs was determined by this approval, along with the final locations of all signage.

On September 29, 2005, City Council approved Resolution 120, 2005, which further amended the master sign plan, increasing the number of tenant signs and increasing the size of the movie theatre sign by revising three (3) previously approved sign waivers, as follows:

8. Section 78-285, Permitted Signs, to allow for six tenant signs for Building A, one tenant sign for Building I, one tenant sign for Building M1, one tenant sign for Building M2, ~~and~~ four project logo signs; one (1) additional tenant sign on the north elevation of Building K; two (2) additional signs on the bridge between Buildings A and B/C (facing north and south); three (3) additional signs on Building B/C (two (2) facing northeast and one (1) facing south); two (2) additional signs on Building D/E (facing north and southeast); two (2) additional signs on Building G/H (facing east and south); and one (1) additional sign on Building I/J (facing north).
10. A waiver from Section 78-285 of the City's Land Development Regulations to permit seven (7) additional project identification signs located at four (4) different buildings within the project, as depicted in the Master Signage Plan.
11. A waiver from Section 78-285 of the City's Land Development Regulations to permit letter heights of 42 ~~66~~ inches for one principal tenant sign for the theater on the west elevation of the project; and 42 inches for two (2) principal tenant signs on the bridge connecting to the theatre building.

On February 1, 2007, City Council approved Resolution 8, 2007, which authorized the Cobb Theatre sign to exceed the maximum copy area requirement for a principal wall tenant sign. This approval allowed the addition of two (2) lines of 36-inch-tall letters to the existing sign logo and granted the following waiver:

1. Waiver from Section 78-285, Table 24, Permanent signs, of the City's Land Development Regulations, to allow a Principal Tenant Wall Sign to have approximately 614 square feet of copy area.

On December 10, 2010, the City granted an administrative approval (ADMN-10-11-000383) amending the master sign plan to allow additional "Boulevard" identification signage and directional signage within the interior of the site. This approval also introduced the color palette, which sets the theme for the exterior signage of the project, as detailed in the subject petition.

The previous master sign plan amendments and waiver requests demonstrate the unique needs of the DTAG development, and indicate the City's willingness to assist in providing additional signage to promote DTAG's identity and its tenants. The subject PCD amendment to revise the master sign plan includes a number of colorful and creative approaches to enhance the center. Several of these changes will create greater visibility for DTAG tenants and assist visitors in navigating the center. A number of these changes can be made by revising the master sign plan, while many require additional waivers from the City's sign code. Staff supports some of the requested waivers and is recommending denial of others. Each waiver request is analyzed based on its own merits in the Project Details section below.

LAND USE & ZONING

The subject site is part of the Regional Center DRI. The site has a Professional Office (PO) Future Land Use designation and a Planned Community Development/Development of Regional Impact (PCD/DRI) zoning overlay, with an underlying designation of PO/General Commercial (CG-1). The surrounding land uses and zoning are provided in Table 1 (below).

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TABLE 1. EXISTING ZONING AND LAND USE DESIGNATIONS		
EXISTING USE	ZONING	LAND USE
Subject Property <i>Downtown at the Gardens</i> Retail and Professional Office Plaza	Planned Community Development (PCD) with approved DRI/PCD Master Plan overlay with underlying Professional Office (PO)/ General Commercial (CG-1)	Professional Office (PO) with approved DRI/PCD Master Plan
North <i>Mira Flores</i> Residential	PCD with approved DRI/PCD Master Plan	Residential High (RH) with approved DRI/PCD Master Plan
South <i>Gosman Parcel</i> Office	PCD with approved DRI/PCD Master Plan	PO with approved DRI/PCD Master Plan
East <i>Landmark/Gardens Pointe</i> Residential; Hotel	PCD with approved DRI/PCD Master Plan	PO with approved DRI/PCD Master Plan
West <i>Parcel 5A/Garden Woods</i> Vacant; Residential	PCD within Bioscience Research Protection Overlay (BRPO); Residential Low Density 1 (RL-1)	Industrial within Bioscience Research Protection Overlay (BRPO); Residential Low (RL)

CONCURRENCY

The subject request does not affect the project’s concurrency approval.

PROJECT DETAILS

The subject PCD amendment revises the master sign plan by changing the color theme of signage throughout the project and enhances and adds wayfinding signage to help patrons navigate from the parking areas into and around the center.

Monument Signs

The existing brushed aluminum and plexi-glass monument signs on the DTAG site will be modified to fit a colored aluminum “box” over the plexi-glass panel. The existing brushed aluminum “Downtown” signs and the foundations will remain. The monument signs will remain in their current locations: one (1) primary ground sign at the corner of Alternate A1A and Kyoto Gardens Drive; and seven (7) secondary ground signs – two (2) at the western entrance from Alternate A1A, two (2) at the southern entrance from Kyoto Gardens Drive, one (1) at the northwest corner of the intersection of Kyoto Gardens Drive and Lake Victoria Gardens Avenue, and two (2) at the northern entrance

from Gardens Parkway (see attached DTAG Wayfinding design booklet, sheet 45, for entrance monument and vehicular directional sign locations). The new insert will consist of a blue curved section and a projecting red rectangle on one (1) side with five (5) tenant names and "at the gardens" lettering (see attached Materials Examples, sheet 43.1). The new insert will increase the overall heights of signs beyond the maximum height allowed by Code (see attached DTAG Wayfinding design booklet, sheets 3 and 4; and waivers 1 through 4 below). Up to five (5) tenant names are allowed under the City's sign code. (The sign code previously allowed three (3) tenant names, but was amended to five (5) tenant names in 2010.) Two (2) of the locations will require waivers for the amount of landscaping required for ground signs. Although the signs already exist and were approved in these locations, the increase of signage height requires a corresponding increase in landscaping around the base of the sign. A total of eight (8) signs will be modified to provide a total of **40 new** tenant names throughout the project.

Vehicular Directional Signs

The existing vehicular directional signs will also be redesigned to add red and blue inserts to match the monument signs. The overall height of the signs will increase slightly (seven (7) inches or less) from the previously approved eight- (8) foot and seven- (7) foot-tall designs (see attached DTAG Wayfinding design booklet, sheet 5 and 6). Waivers are required because building directional signage is limited to a height of four (4) feet and a copy area of four (4) square feet by the City's sign code. Most of the existing vehicular directional signs will remain in the same locations. Two (2) signs will be shifted from their current locations for increased visibility at decision-making points and two (2) signs will be eliminated (see DTAG Wayfinding design booklet, sheet 45, for entrance monument and vehicular directional sign locations).

Lakeside Gateway Sign

The Applicant has proposed a 19 feet 9 inches tall free-standing gateway sign that is proposed to be located on the east side of Lake Victoria Gardens Avenue, a City right-of-way. The sign includes a 7 foot 10 inches wide overhang with 13 feet 6 inches of clearance over the right-of-way for the purpose of including five (5) additional tenant names and a symbol for the parking garage structure. While staff supports some type of gateway structure, staff does not recommend the proposed sign as proposed. The proposed overhang portion of the structure, which includes five (5) signs, is not within the existing character of the project and not consistent with the overall integrity of the PGA Corridor. Given all the existing and proposed signage throughout the project, particularly, given the proposed changes around the vicinity of the proposed lakeside gateway sign for the monument and vehicular and directional signs (see sheet 45) as well as all the additional signage that is being proposed with the petition, the top/overhang portion of the sign is unnecessary.

The center currently has several types of signs available to give tenants exposure and guide customers to their stores, including:

- Principal tenant and ground-floor tenant wall signs locations approved throughout the exterior and interior of the shopping center;
- Vehicular directional signs, which may include tenant names and direction arrows; and
- Pedestrian directional signs, which may include maps of shop locations.

In addition, staff supports many of the wayfinding elements in this petition, including the addition of up to five (5) tenant names on each of the eight (8) monument signs and additional signage on the proposed column directional signs.

Furthermore, the 13 feet 6 inches is the absolute minimum height clearance required by code for fire rescue vehicles to safely drive under the structure, which is proposed to overhang over a portion of the City's right-of-way easement over Lake Victoria Gardens Avenue. Fire Rescue has reviewed the revised proposal and has concerns that the minimum clearance could still be problematic in the event a portion of the right-of-way is encumbered with construction, loading, etc.

It is important to note that staff agrees that some sort of entry sign proposed in that location could be supported. Staff had suggested to the Applicant to use a similar design as the main entrance directional signs (*see pages 8, 9, and 10*) to provide vehicular directional and the potential for some tenant signage, consistent with the overall character and scale of the center. However, the Applicant has chosen to pursue the proposed option.

Column Directional Sign

The Applicant is proposing this type of signage to add color and to provide directional information on existing columns located near the entrance walkways leading into the shopping center (*see DTAG Wayfinding design booklet, sheet 46, for column sign locations*). The column signs will be color coded to designate different areas of the shopping center and related parking fields. The signage will consist of a colored aluminum case on the front of the column with backlit aluminum lettering giving the entrance name, and vinyl lettering providing directional information (*see DTAG Wayfinding design booklet, sheets 8, 9, 10, and 12*). The column signs are designated as directional signs and require waivers to exceed the maximum height and copy area required by Code (*see waivers 9 and 10*). Staff supports the waivers because the column signs are in character with the new color theme of the shopping center. They provide useful information for patrons entering the shopping center and are not out of scale with the shopping center.

Carousel directional sign

The pedestrian entrance between Whole Foods and Z-Gallerie has been designated as the "Carousel" entrance. This narrow pedestrian pathway leads directly to the carousel courtyard; however, it is underutilized because it is difficult to see from the parking area. The Applicant is proposing modifications through a concurrent administrative approval request designed to increase the walkway's visibility through the addition of colorful overhead sails, removal of landscape beds to widen the walkway, and the addition of potted palms, framed posters, and outdoor seating within the walkway. In addition to the column directional sign (described above) and an additional Downtown identification wall sign (described below), this petition proposes a carousel directional sign to add visibility and give an identity to this entrance walkway. The carousel directional sign will be an 18-foot-tall column with the words "Downtown" and "Carousel" written vertically on the sides with a four- (4) sided carousel logo at the top (*see DTAG Wayfinding design booklet, sheet 22.2*). The carousel sign will replace an existing pedestrian light pole and serve as a light fixture itself.

Because this type of signage has not been proposed in the City previously, staff has designated it as a directional signage. Waivers have been requested since the sign exceeds the maximum size of a directional sign and exceeds the maximum copy area (*see waivers 11 and 12*). Staff supports the waivers because the carousel sign is proposed in a unique location for the shopping center and is within the existing character of the carousel approved as a central public art feature for the center. Furthermore, although the carousel sign will be visible from the Whole Foods parking area, it will not be visible from outside the project.

Additional Principal Wall Signs

Two (2) additional principal structure wall signs are proposed. This will require an increase to the previously approved waiver that allowed seven (7) project identification signs on four (4) buildings (*see waiver 15*).

An additional "Downtown" identification wall sign is proposed at the carousel entrance (*see DTAG Wayfinding design booklet, sheet 11*). Staff supports the waiver to add this sign because it is similar in design and appearance to the other Downtown identification signs. In keeping with this smaller entranceway, the sign is smaller in size than the other identification signs and will provide additional visibility of the pedestrian walkway from the parking lot.

In addition, a parking garage identification sign is proposed on the stairwell tower on the southern façade of the garage (*see DTAG Wayfinding design booklet, sheet 19*). The sign will be orange and blue to reflect the color scheme assigned to the parking garage. Staff supports the waiver to give added directional assistance to drivers looking for the parking garage. The sign will be visible from Lake Victoria Gardens Avenue within the site, but should not be visible from outside the project.

Pedestrian Bridge Sign (changeable copy)

The Applicant proposes a large aluminum frame to display vinyl changeable copy signs. The changeable copy frame would allow DTAG to promote its various special events without having to hang temporary banner signs (*see DTAG Wayfinding design booklet, sheet 22.1*). When not needed for a special event sign, the frame would be used to post directional signage, such as directions to the free parking garage. The Applicant has reduced the size of the proposed sign from the previous version reviewed by PZAB (from 293 feet to 168 feet). However, the frame is still much larger than a principal structure wall sign (90 square feet) or a special event banner sign allowed by Code (32 square feet). Staff **does not** support the waivers needed to provide this type of signage (*see waivers 13 and 14*). Section 78-284 strictly prohibits signage on accessory structures. Except in Public/Institutional Zoning Districts, Staff has consistently recommended denial of changeable copy signs, and the magnitude of the sign is not justified by the Applicant (*see waiver analysis*).

Clarification of Previously Approved Wall Signs

It is important to note that through Resolution 212, 2003 a certain amount of wall signs were approved on the exterior elevations of the project. Five (5) previously approved exterior sign locations on the north and west elevations of Building A have not been utilized. The approval allowed these signs to be 36 inches in height. The Applicant has submitted exhibits clarifying that these five (5) previously approved tenants will be provided as displayed on sheets 22.3, 22.4, 22.5, 22.6, 22.7, and 22.8. The signs are permitted for any tenants within the project, so long as the project remains with a unity of title.

Other Master Sign Plan Requests

There are a number of other sign requests that do not require waivers; however, they still require approval as part of the master sign plan. These sign amendments include:

- Addition of a colored aluminum or acrylic panel behind the project identification wall signs (*see DTAG Wayfinding design booklet, sheet 7*) to highlight the "Downtown" lettering from the building background.
- Internal identification and directional signage: A number of signs internal to the site have previously received administrative approval from the City (ADMN-10-11-000383). Exhibits of these signs have been included with the current petition to show the consistency of the signage theme throughout the project and to have all the site's wayfinding signage together in one place (*see DTAG Wayfinding design booklet, sheets 23 – 28; 30 - 34*).

- Surface parking identification signs: Color-coded signs are proposed on the lamp poles within the surface parking areas to assist patrons in navigating the center. The City's sign code does not have specific regulations regarding this type of signage. The Police Department is supportive of the color-coded parking identification signage from a public safety stand point. Staff recommends approval of these signs as part of the overall master sign plan.

Landscaping

For the most part, landscaping will not be altered by the proposed signage modifications. In a few locations where the new gateway signage is proposed, landscaping may need to be relocated or removed and replaced. There are two (2) crape myrtles near the proposed parking garage entrance that need to be relocated due to the location of an existing stop sign. To correct this existing conflict, the City Forester has recommended the trees be relocated as part of this petition. Around the base of a few of the modified monument signs, additional landscaping will be added to enhance the areas around the taller signs. Other than these minor adjustments, impacts to landscaping will be minimal.

Waiver Requests

The Applicant is requesting 16 waivers with this petition (see *Table 2*).

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Table 2. Waiver Requests

	Code Section	Requirement	Required	Proposal	Waiver	Staff Support
1	78-285, Table 24	Maximum ground sign height (Primary sign)	10'-0"	16'-4"	6'-4"	Approval (1)
2	78-285, Table 24	Maximum ground sign height (Secondary sign)	10'-0"	11'-7"	1'-7"	Approval (2)
3	78-285, Table 24, Note (2)	Ground sign landscape area shall not be less than height of sign (Kyoto Gardens Dr & Lake Victoria Gardens Ave)	11'-7"	1'-0"	10'-7"	Approval (3)
4	78-285, Table 24, Note (2)	Ground sign landscape area shall not be less than height of sign (Alt. A1A & western entrance)	11'-7"	9'-4"	2'-3"	Approval (4)
5	78-285, Table 24	Building directional signs: Maximum height (Vehicular directional signs)	4'-0"	8'-7"	4'-7"	Approval (5 & 6)
6	78-285, Table 24	Building directional signs: Maximum copy area (Vehicular directional signs)	4 SF	12 SF	8 SF	Approval (5 & 6)
7	78-285, Table 24	Building directional signs: Maximum height (Gateway directional signs)	4'-0"	19'-9"	15'-9"	Denial (7 & 8)
8	78-285, Table 24	Building directional signs: Maximum copy area (Gateway directional signs)	4 SF	45.86 SF	41.86 SF	Denial (7 & 8)
9	78-285, Table 24	Building directional signs: Maximum height (Column directional signs)	4'-0"	23'-0"	19'-0"	Approval (9 & 10)
10	78-285, Table 24	Building directional signs: Maximum copy area (Column directional signs)	4 SF	45 SF	41 SF	Approval (9 & 10)
11	78-285, Table 24	Building directional signs: Maximum height (Carousel directional sign and free-standing parking garage sign)	4'-0";	18'-0"	14'-0"	Approval (11 & 12)
12	78-285, Table 24	Building directional signs: Maximum copy area (Carousel directional sign and free standing parking garage sign)	4 SF	25 SF	21 SF	Approval (11 & 12)
13	78-284(g)(6)	Prohibited Signs: Changeable copy sign & signage on accessory structure (Pedestrian Bridge sign frame)	Prohibited	Frame for changeable copy sign and to allow sign on accessory structure	To allow changeable copy sign and to allow sign on accessory structure	Denial (13)
14	78-285, Table 24	Wall sign: Maximum size (Pedestrian Bridge sign frame)	90 SF	168.48 SF	78.48 SF	Denial (14)
15	78-285, Table 24	Principal wall sign: Maximum number of Principal Structure signs (Downtown identification sign at Carousel entrance; Parking Garage ID Logo sign)	7 (approved by previous waiver)	9	2	Approval (15)
16	78-284	Sign on accessory structure: Parking Garage ID Logo sign	Prohibited	To permit sign on accessory structure	To permit sign on accessory structure	Approval (15)

- 1) Primary ground sign. The Applicant requests a waiver from City Code Section 78-285. Table 24. to allow one (1) primary ground sign, located at the northwest corner of Alternate A1A and Kyoto Gardens Drive, to be 16 feet 4 inches in height. However, the Code allows a maximum height up to 10 feet, requiring a waiver of 6 feet 4 inches. This sign is currently 11 feet 8 inches in height and was previously approved as an exhibit to the administrative approval (ADMN-05-06-000011), which set the ground sign locations and designs in 2005. The proposed waiver will allow a red-colored insert to be added to the existing sign to display five (5) tenant names. The full 16 feet 4 inches of additional height will only be added to one (1) side of the sign for display of tenant names. The proposed insert is in scale with the size and width of the body of the sign and its base. The body of the sign will remain 8 feet 5 inches in height, including the base. A curved blue aluminum insert of 12 feet 5 inches" will replace the existing translucent rectangular insert. In summary, the waiver allows the sign to maintain the general character of the previously approved design, while adding a splash of color and greater exposure for the center's retail tenants. *Staff recommends approval of the waiver request.*

- 2) Secondary ground signs. The Applicant requests a waiver from City Code Section 78-285. Table 24. to allow seven (7) secondary ground signs, located at entrances into the DTAG shopping center (two (2) at the western entrance from Alternate A1A, two (2) at the southern entrance from Kyoto Gardens Drive, one (1) at the northwest corner of the intersection of Kyoto Gardens Drive and Lake Victoria Gardens Avenue, and two (2) at the northern entrance from Gardens Parkway), to exceed the 10 feet 0 inches maximum height requirement by 1 foot 7 inches in order to allow signs with an overall height of 11 feet 7 inches. The waiver does not include the existing, off-site sign located at the corner of PGA Boulevard and Lake Victoria Gardens Avenue. The secondary ground signs are similar in appearance to the primary ground sign but are smaller in scale. The body of the sign will remain 6 feet 8 inches in height, including the base. The height of the sign, including the curved blue aluminum insert, is 9 feet 3 inches. The only portion of the sign that will exceed the maximum height restriction will be the red-colored insert displaying the five (5) tenant names. The waiver allows the proposed sign to maintain the general appearance of the previously approved design, while adding color to increase visibility and increase exposure for the center's retail tenants. *Staff recommends approval of the waiver request.*

- 3) Ground sign landscaping at Kyoto Gardens Drive and Lake Victoria Gardens Avenue. City Code requires the landscape area to be at least as wide as the height of the sign. The Applicant requests a waiver from City Code Section 78-285. Table 24. Note (2) to allow the landscape area around the base of the ground sign to be less than required. Therefore, a 10-foot-high sign would require 10 feet of landscaping around the front and sides of the sign. The existing sign location at the corner of Kyoto Gardens Drive and Lake Victoria Gardens Avenue was previously approved with only one (1) foot of landscaping between the base of the sign and the sidewalk on one (1) side, and the base of

the sign and the roadway on the other side. Because the proposed amendment increases the height of the signs to 11 feet 8 inches, the amount of required landscaping is increased by the same amount. The waiver will be for 10 feet 8 inches to allow the 11 feet 8 inches required landscape area to be reduced to 1 foot 0 inches, as it exists today. Since the existing sign location was previously approved in 2005, the increase of 1 foot 8 inches to the sign height does not have a significant impact on the condition of the existing sign location or landscaping. *Staff recommends approval of the waiver request.*

- 4) Ground sign landscaping at the western entrance to Alternate A1A. This waiver is for the sign located on the southern side of the western entrance into the shopping center from Alternate A1A. Similar to waiver request 3, this is a waiver request from City Code Section 78-285, Table 24, Note (2) regarding the amount of required landscaping around the base of an existing ground sign. In this case, the waiver is needed only for 2 feet 3 inches, since the sign has 9 feet 4 inches of landscaping at one (1) corner between the sign base and the sidewalk. The remainder of the sign has enough landscaping to meet Code requirements. The Applicant is proposing additional landscaping around the base of this sign and several of the other secondary ground signs to enhance the appearance of these areas. *Staff recommends approval of the waiver request.*

- 5-6) Vehicular directional signs. The Applicant requests a waiver from City Code Section 78-285, Table 24, to allow building directional signage to exceed the maximum height requirement of 4 feet by 4 feet 7 inches to allow vehicular directional signs to be 8 feet-7 inches in total height, and a waiver request to allow the directional signs to exceed the maximum four (4) square feet of copy area by eight (8) square feet to allow directional signs to have a total of 12 square feet of copy area. The previous master sign plan approved the size and locations of these directional signs. Fifteen (15) vehicular directional signs currently exist at DTAG. The proposed master sign plan eliminates two (2) of these signs and relocates two (2) signs by shifting them closer to decision points. The vehicular directional signs were approved in 2005 as part of the administrative approval that determined the sign locations for the overall master sign plan. The proposed master sign plan adds color inserts that match the theme of the ground signs, which increases the overall height by seven (7) inches from the previously approved sign design. *Staff recommends approval of these two (2) related waiver requests.*

- 7-8) Lakeside gateway directional sign. The Applicant requests a waiver from City Code Section 78-285, Table 24, to allow building directional signage to exceed the maximum height requirement of 4 feet to be 19 feet 9 inches in total height, and a waiver to allow the gateway sign to exceed the maximum four (4) square feet of copy area to have a total of 41.86 square feet of copy area. The actual "gateway" feature proposed is not a typical directional sign. However, staff had to determine how to classify this type of signage and whether to support the waiver to allow it. For this reason, the gateway sign has been classified as

directional signage, and waivers are needed to allow for the large size of the signs.

The purpose given by the Applicant for the gateway signage is to guide visitors to the free parking garage at key decision points, and to identify the direction of major tenants within the plaza. While the purpose for some type of gateway structure is reasonable, the design and additional signage proposed on the gateway sign is not justified. Staff believes the existing vehicular directional signage can be adapted to better guide patrons to the parking garage and the proposed additional overhang structure as part of the sign is not necessary for this purpose. A design similar to the proposed column directional signs is much more within the existing character of the center and would still provide a significant gateway feature within the proposed area.

Staff analyzed the proposed gateway sign computer renderings and visited the site to determine how the gateway signs fit with the existing scale and design of the shopping center. Staff does not support these two (2) waivers, as the gateway sign is out of character with the two- (2) story design of the shopping center, and the amount of proposed signs has not been adequately justified by the Applicant. DTAG already has a substantial number of vehicular directional signs to guide vehicles around the center and to the parking garage. The proposed modifications to the monument signs and vehicular directional signs which are supported by staff will further assist in wayfinding throughout the project. *Staff recommends denial of these two (2) related waiver requests.*

- 9-10) Column directional signs. The Applicant requests a waiver from City Code Section 78-285. Table 24. to allow building directional signage to exceed the maximum height requirement of four (4) feet by 19 feet to allow four (4) "column" directional signs to be 23 feet in total height, and to allow the column signs to exceed the maximum four (4) square feet of copy area by 41 square feet to allow the proposed gateway signs to have a total of 45 square feet of copy area. The column signs will be located at the four (4) main pedestrian entrances into the shopping center.

The column signs are not typical directional signs because they are not stand-alone signs and exceed size requirements. The proposed directional signage will be incorporated onto existing columns located at the pedestrian entrances into the central shopping area from the surrounding parking and valet service areas. The signs will be color coded and include the entrance names (i.e., Boulevard, Carousel, Centre Court West, and Centre Court East) to assist patrons in navigating the center. The column signs will also include directions to significant tenants and destinations. The signs will be visible from the parking areas and Lake Victoria Gardens Avenue but will not be visible from outside the development.

The column signs will assist patrons and are consistent with the design and color themes of the master sign plan. Staff supports the waiver because the column signs are a creative way to add color and interest to existing architectural features, while providing useful information to patrons without increasing the number of stand-alone directional signs. Since these signs are built into the existing architecture, they are not out of scale with the center. The column signs also tie in with the color-coded lamp-post signs in the parking areas and with the new colored backings to the existing Downtown wall signs. *Staff recommends approval of these two (2) related waiver requests.*

- 11-12) Carousel directional sign. The Applicant requests a waiver from City Code Section 78-285, Table 24, to allow building directional signage to exceed the maximum height requirement of four (4) feet by 14 feet to allow a "carousel" directional sign to be 18 feet in total height, and a waiver request to allow the carousel sign to exceed the maximum four (4) square feet of copy area by 21 square feet to allow the proposed carousel signs to have a total of 25 square feet of copy area.

Since this type of sign has not been requested in the City previously, staff classified the sign as a large directional sign. The carousel sign is designed to draw attention to an underutilized pedestrian entranceway. This entranceway is narrower than the others within the plaza and is difficult to see. Since this walkway is the most direct path from the parking lot to the carousel, it is ideal for families to use. However, according to the Applicant, many patrons do not know about this entrance. The design of the carousel sign is in character with the courtyard area and the carousel itself, which was approved as public art. Also, although visible from the Whole Foods parking lot, the carousel sign will not be visible from a public right-of-way or from outside the project. Because the carousel sign is an appropriate scale for the shopping center and in character with the carousel approved as a central public art feature for the center, *staff supports approval of these two (2) related waiver requests.*

- 13) Pedestrian bridge sign frame (changeable copy and sign on accessory structure). The Applicant requests a waiver from City Code Section 78-284(g)(6), which regulates prohibited signs to allow a changeable copy sign and regulates signs which are attached to an accessory structure. The proposal is to add an aluminum frame onto the side of the pedestrian bridge to display vinyl changeable copy signs. The changeable copy frame would be used to advertise various special events held at DTAG without having to hang temporary banners each time. While staff understands the advantage of designating one specific location for temporary signs, the proposal creates its own set of regulatory issues.

Currently, special event signage is regulated by Section 78-187. Special events. and Section 78-290. Temporary signs. of the City's Land Development Regulations. These sections restrict the number of special events and the number, type, and size of signage allowed for special events. Staff is concerned that approval of the changeable copy frame would make these regulations more difficult to enforce.

In addition, City staff has consistently recommended denial of changeable copy signs within commercial projects. If approved, changeable copy signs are extremely difficult to regulate, considering that the City may regulate type, size, or location of signage, but not signage content. Once a changeable copy sign is approved for a commercial project, it may set a precedent for other commercial developments to follow. If some future waiver requests for changeable copy signage are approved while others are denied, it could open the door to questions of fairness and freedom of speech rights, which could lead to legal challenges to the City's Land Development Regulations or sign code. Therefore, *staff recommends denial of the waiver request for the changeable copy sign.*

- 14) Pedestrian bridge sign frame (maximum wall sign size). The Applicant requests a waiver from City Code Section 78-285. Table 24. to allow a wall sign of 168.48 square feet, which is 78.48 square feet larger than the maximum allowable size for a principal tenant sign of 90 square feet. The waiver is requested to allow a large aluminum frame for the display of vinyl changeable copy signs on the pedestrian bridge. It is important to note that the maximum size allowed for special event banner signs is 32 square feet. While the Applicant does explain that the sign frame will allow for the neat display of temporary, special event signs, the magnitude of the sign is not justified. *Staff recommends denial of the waiver request for the maximum wall sign size.*

- 15) Principal wall signs. The Applicant requests a waiver from City Code Section 78-285. Table 24. to allow a total of nine (9) principal structure walls signs (aka project identification signs) where a total of seven (7) project identification signs on four (4) buildings were previously approved by waiver for the project (*Resolution 212, 2003, waiver 10*).

An additional "Downtown" identification wall sign is proposed at the carousel entrance. Staff supports the waiver to add this sign because it is similar in design and appearance to the other Downtown identification signs. The sign is smaller in size than the other identification signs in keeping with this smaller entranceway, but will lend additional visibility of the pedestrian walkway from the parking lot. Also, the carousel entranceway is the only entrance into the shopping center that does not currently have a "Downtown" identification sign.

A parking garage identification sign is proposed on the stairwell tower on the southern façade of the garage. The sign will be orange and blue to reflect the color scheme assigned to the parking garage. Staff supports the waivers to give added directional assistance to drivers looking for the parking garage. The sign will be visible from Lake Victoria Gardens Avenue within the site; however, it should not be visible from outside the project. Since the proposed sign is limited only to the Parking Garage symbol and does not include any additional tenant signage, staff is agreeable that the additional sign on the accessory structure will assist with the strict intent to direct vehicles toward the parking garage.

Staff supports the addition of two (2) additional project identification signs because they are consistent with the site's existing signage and will assist patrons in locating the carousel entranceway and the parking garage. *Staff recommends approval of the waiver requests to add two (2) additional project identification signs.*

Waiver Justification Criteria

The Applicant provided a justification statement addressing the waiver criteria for the overall master sign plan wayfinding amendment package. While the overall wayfinding aspect of the proposal does meet the waiver criteria, several of the specific waiver requests have not been adequately justified by the Applicant, specifically in regard to the quantity and scale of the increased signage.

There are no enhancements proposed to the Center other than increases in landscaping around the base of the seven (7) monument signs, increasing height, and the removal of two (2) vehicular directory signs. There were no enhancements provided to mitigate the gateway signs, the large changeable copy sign proposed for the pedestrian bridge, the additional tenant wall signs, or the increased size of the proposed tenant wall signs other than the investment being made in renovating the signs themselves. No increase of landscaping was proposed in the locations of the three (3) gateway signs. There was no justification to explain why a changeable copy sign should be permitted for a commercial land use, or how Downtown at the Gardens differs from other retail commercial developments that may want to promote special events using a permanent changeable copy sign location. While staff supports the directional/wayfinding aspects of the overall master sign plan amendment, staff has serious concerns about the granting of the gateway signs, the changeable copy frame on the pedestrian bridge, and the proposed lakeside gateway sign, which constitute significant departures from the City's sign code.

COMMENTS FROM THE DEVELOPMENT REVIEW COMMITTEE (DRC)

On June 1, 2011, the subject petition was reviewed by the DRC. The Applicant submitted responses and revised plans on August 17 and August 25. The DRC staff reviewed these submittals and sent additional comments to the Applicant on August 31. The Applicant resubmitted responses and revised plans to address the August 31 comments on September 12. DRC staff reviewed all of resubmitted materials. At this time, all comments related to the project have been satisfied.

PLANNING, ZONING, AND APPEALS BOARD (PZAB)

On November 1, 2011, the PZAB voted to approve the subject petition by a vote of 5-2 consistent with the recommendations on the waivers with staff, which denied the applicable waivers to allow the proposed gateway sign structures, the proposed additional junior anchor tenant signs, and the proposed changeable copy sign for the pedestrian bridge.

Based on comments from the Board and the continuing staff concerns regarding certain elements of the proposed sign package, the Applicant further revised the program to include an alternative gateway structure design and also made other adjustments to the petition.

Since the changes were so significant to the proposed program, the petition was brought back before the PZAB on January 10, 2012. At the public hearing, the PZAB voted to approve the subject petition consistent with the recommendations by staff, which still denied the waivers for the proposed gateway structure as proposed, as well as the proposed additional junior anchor tenant signs and the proposed changeable copy sign for the pedestrian bridge. It is important to note that the PZAB, consistent with staff's recommendation, did support some sort of gateway structure at the lakeside but did not support the structure as proposed.

Since the January 10, 2012, meeting, the Applicant eliminated all the proposed additional wall signs and revised the proposed lakeside gateway structure, which is the information reflected in the current proposal.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of Resolution 11, 2012, including approval of 12 waivers, and denial of four (4) waivers, as presented.