



**LAWRENCE SIGN CODE BOARD OF APPEALS AGENDA  
JANUARY 3, 2019 – 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 December 6, 2018 meeting.

**ITEM NO. 2: COMMUNICATIONS**

Acknowledge any communications to come before the Board.

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

Announce any agenda items that will be deferred.

**ITEM NO. 3: WALL SIGN VARIANCE FOR VERIZON; 4651 BAUER FARM DRIVE**

**SV-18-00603:** A request for a variance as provided in Section 5-1828 of the Sign Code of the City of Lawrence, Kansas, 2018 edition. The request is for a variance from the sign location requirements of Section 5-1818(b) of the Sign Code for a Permanent Wall Sign in PCD (Planned Commercial District) District zoning. The property is located at 4651 Bauer Farm Drive. Submitted by Bright Ideas Signs on behalf of Lawrence Retail LLC, property owner of record.

**ITEM NO. 4: 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, Planning & Development Services

**Date:** December 24, 2018

**RE:** 4651 Bauer Farm Drive Sign Variance Request

#### SUMMARY OF VARIANCE REQUEST

The request is for a variance to allow a wall sign on a wall in a PCD zoned district that fronts or faces a directly abutting residentially zoned lot or parcel. The wall sign is proposed to be internally illuminated.

#### ZONING DESIGNATION AND CODE REFERENCE

Zoning Designation: PCD (Planned Commercial District)

Sign Code and Land Development Code References:

5-1818(b) Sign Location: Allowed on building Walls facing or fronting a Public Right of Way or a parking lot or other open space under the same ownership with at least fifty lineal feet between the building wall and the nearest building. No Wall Sign shall be allowed on any building Wall that fronts or faces any directly abutting residentially zoned lot or parcel. In no case shall Wall Signs be constructed on more than 3 building Walls of a building.

#### CODE ANALYSIS

Comparison of allowable sign characteristics to signs proposed for variance:		
Code Section	Allowable Sign Characteristics	Proposed Sign Characteristics
5-1818(b)	<u>Allowable Number of Signs</u> <ul style="list-style-type: none"><li>Unlimited number of signs on walls where signs are allowed.</li></ul>	<u>Proposed Number of Signs:</u> <ul style="list-style-type: none"><li>1</li></ul>

	<u>Allowable Sign Area</u> <ul style="list-style-type: none"> <li>10% of the building wall area maximum, or 150 sq. ft., whichever is less.</li> </ul>	<u>Proposed Sign Area</u> <ul style="list-style-type: none"> <li>2.9% of wall area (42.4 sq. ft.)</li> </ul>
	<u>Allowable Sign Locations</u> <ul style="list-style-type: none"> <li>Allowed on building walls fronting a public right of way or other open space under the same ownership with at least 50 lineal feet between the wall and the nearest building.</li> <li>Wall signs not allowed on walls that front or face any directly abutting residentially zoned lot or parcel.</li> </ul>	<u>Proposed Sign Location</u> <ul style="list-style-type: none"> <li>East facing wall</li> <li>East wall <i>does not</i> front a public right of way</li> <li>East wall <i>does</i> front open space that is under the same ownership and further than 50 lineal feet from the nearest building. This set back distance from wall to the east property line is approximately 73 ft.</li> <li>The east wall fronts or faces a lot or parcel that is zoned PRD (Planned Residential District)</li> </ul>
	<u>Allowable Sign Illumination</u> <ul style="list-style-type: none"> <li>Internally and externally illuminated signs are allowed.</li> </ul>	<u>Proposed Sign Illumination</u> <ul style="list-style-type: none"> <li>Sign is proposed to be internally illuminated.</li> </ul>

### 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, the applicant has not demonstrated in the variance application that conditions exist which are unique to the location and which are not ordinarily found in the same district zone and that are not caused or created by an action or actions of the property owner or applicant. However, such unique conditions may exist. Both parcels of property in question are part of a larger unified mixed use development, broadly known as "Bauer Farms", that was designed under an older version of the City sign code. That previously adopted sign code restricted signs on walls that were bounded by "properly zoned single-family dwellings", not every "residentially zoned lot or parcel". The current sign code became effective in September 2017 and drawings revising the Final Development Plan for 4651 Bauer Farm Drive were first submitted to the City for review in June 2018.
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. The approved Final Development Plan requires trees on either side of the east property line that should shield the sign from view of the multi-family apartments to the east, particularly from the individual dwelling units of the western most apartment buildings.
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. Denial of the variance may result in confusion for visitors to the site.

## **STAFF RECOMMENDATION**

Staff recommends approval of the variance request as submitted.











Date: 12/6/2018

Zoning Classification: \_\_\_\_\_

Name of Business: VERIZON

Address: 4651 BAUER FARM DRIVE

\$350.00 Non-Refundable Fee Required with application – Date Paid: \_\_\_\_\_

APPLICATION FOR A SIGN VARIANCE  
(Chapter V, Section 1828 of the Code of the City of Lawrence, Kansas)

Variance Request: SIGNAGE ON EAST ELEVATION

City Code (Municipal Law) States:

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. That the variance request arises from conditions that are unique to the location in question, which are not ordinarily found in the same Zoning District, and that the unique conditions are not caused or created by an action or actions of the property owner or applicant.

This retail building was built in the commercial district knowing that it was facing the residential district and the frontage was facing a residential district. Verizon was not aware of this issue when the lease was executed. At that time the building had not yet been built

- B. That granting the variance will not be materially detrimental to the public welfare, including the visual appearance of the area, or injurious to property or improvements in such Zoning Districts or theneighborhood in which the property is located.

The East elevation is the front entrance to all businesses in this building and also faces the parking lot and drive into the building. The parking lot alone acts as a buffer between properties. The sign would only be illuminated during business hours.

- C. That strict application of the Sign Code would result in practical difficulties or unnecessary hardships to the owner or appicant, inconsistent with the general purpose and intent of the Sign Code. Such practial difficulties or unnecessary hardships may include compliance with amended provisions of the Sign Code that were not in effect at the time a predecessor Sign was installed.

The East elevation that also faces the parking lot and entrance is the only entrance used by customers. This is the main storefront This also would provide no signage or visibility on the east elevation which would be 50% of the exposure.

This could certainly create customer confusion when in the parking lot the business would have no signage on the main storefront.

Note: Applicant must provide a completed sign permit application for the proposed sign, along with all information, details, graphics and plans as required by City of Lawrence Code Section 5-1805.

Jeff Miller

Applicant Name

jeff@brightideassigns.com

Email

913-514-2623

Phone Number



Applicant Signature

Property Owner Signature  
(If other than Applicant)





## Permanent Sign Permit Application

Planning & Development Services | Building Safety Division

[www.lawrenceks.org/pds/building-safety](http://www.lawrenceks.org/pds/building-safety)

Date: 10-12-18 Project Name: Verizon

Project Address: 4651 Bauer Farm Drive

### Type of Work

- ☒ New Sign  
☐ Alteration to Existing Sign Structure or Sign Cabinet (Size or Shape)  
☐ Replacement of Existing Sign Faces or Panels Only

### Type of Sign

- ☐ Freestanding Monument Sign ☐ Freestanding Pole Sign  
☒ Wall Sign ☐ Awning/Canopy  
☐ Other: \_\_\_\_\_  
☐ Non-Illuminated ☒ Illuminated

Sign to be constructed of: Aluminum Returns with Acrylic faces

### Sign Size

Width: 13'-10" Height: 3'-3/4" Total Sq Ft: 42.4

### Freestanding Signs

Height from grade to top of sign: \_\_\_\_\_ Distance from street right-of-way: \_\_\_\_\_

### Wall Signs

Business Façade Width: 59.75' Height: 24' Total Sq Ft: 1434

### Will the sign include a changeable Electronic Message Center (EMC)?

- ☐ Yes ☒ No

### Electronic Message Center

Width: \_\_\_\_\_ Height: \_\_\_\_\_ Total Sq Ft: \_\_\_\_\_

**If an Electronic Message Center Sign is proposed, please provide the information as outlined on page 2 of this Permanent Sign Permit Application.**

Total Estimated Sign Value: \$ 2700.00

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

Please attach these and any other relevant documentation. Email completed applications and accompanying documentation the City of Lawrence Development Services Division at [buildinginspections@lawrenceks.org](mailto:buildinginspections@lawrenceks.org)

Sign Contractor: Northern Ventures Inc dba Bright Ideas Signs

Applicant Name: Jeff Miller

Phone Number: 913-514-2623 Email: jeff@brightideassigns.com

Electrical Contractor (if required): \_\_\_\_\_

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.

Applicant Signature: Jeff Miller Date: 10-12-2018

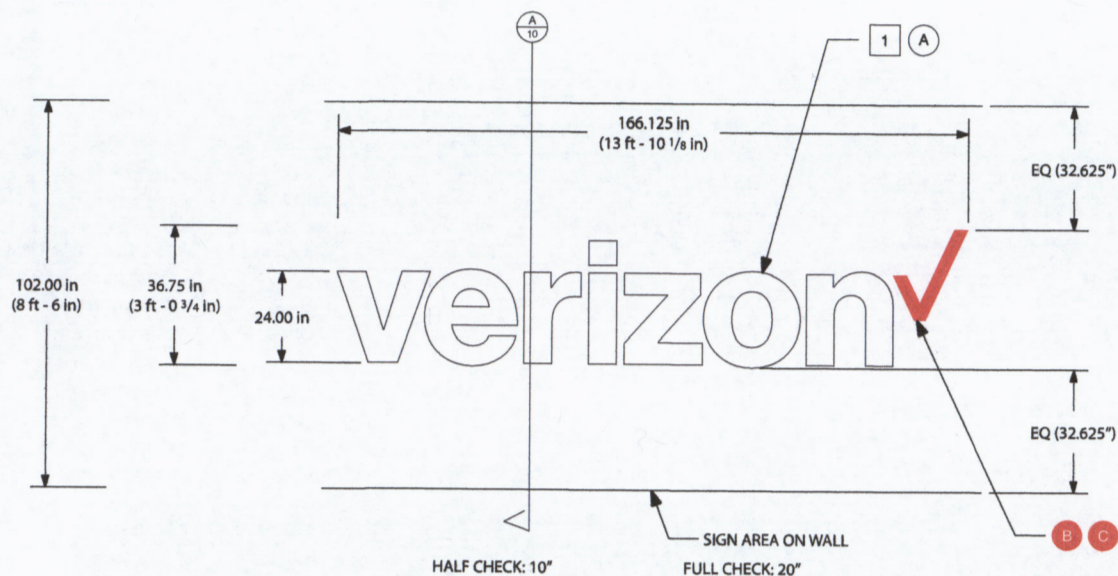




STORE NUMBER	ADDRESS	SHEET TITLE	DATE	ORIGINAL DESIGNER	REVISION	REVISION DATE	REVISION DESIGNER	PREPARED BY	SHEET NUMBER
181392	4651 BAUER FARM DRIVE LAWRENCE, KS	SIGN 2 - EAST ELEVATION - RENDERING	05.03.18	SC	N/A	00.00.0000	N/A		6







## KEY NOTES

- |   |   |
|---|---|
| 1 | <ul style="list-style-type: none"> <li>-Front Lit 2" Depth LED Channel Letters</li> <li>-Flush Mounted</li> <li>-Sign vendor to confirm facade paint color match</li> </ul> |
|---|---|

## COLORS

- A WHITE FACE, SATIN TRIM & RETURNS
- B PMS 485 SATIN TRIM & RETURNS
- C TRANSLUCENT POPPY RED 3M 3630-143
- D FACADE: SW 7075 WEB GRAY, LRV: 13

## SCALE

3/8" = 12"

## SQUARE FOOTAGE

42.4 SF

TARGET "V" HEIGHT: 38.5"

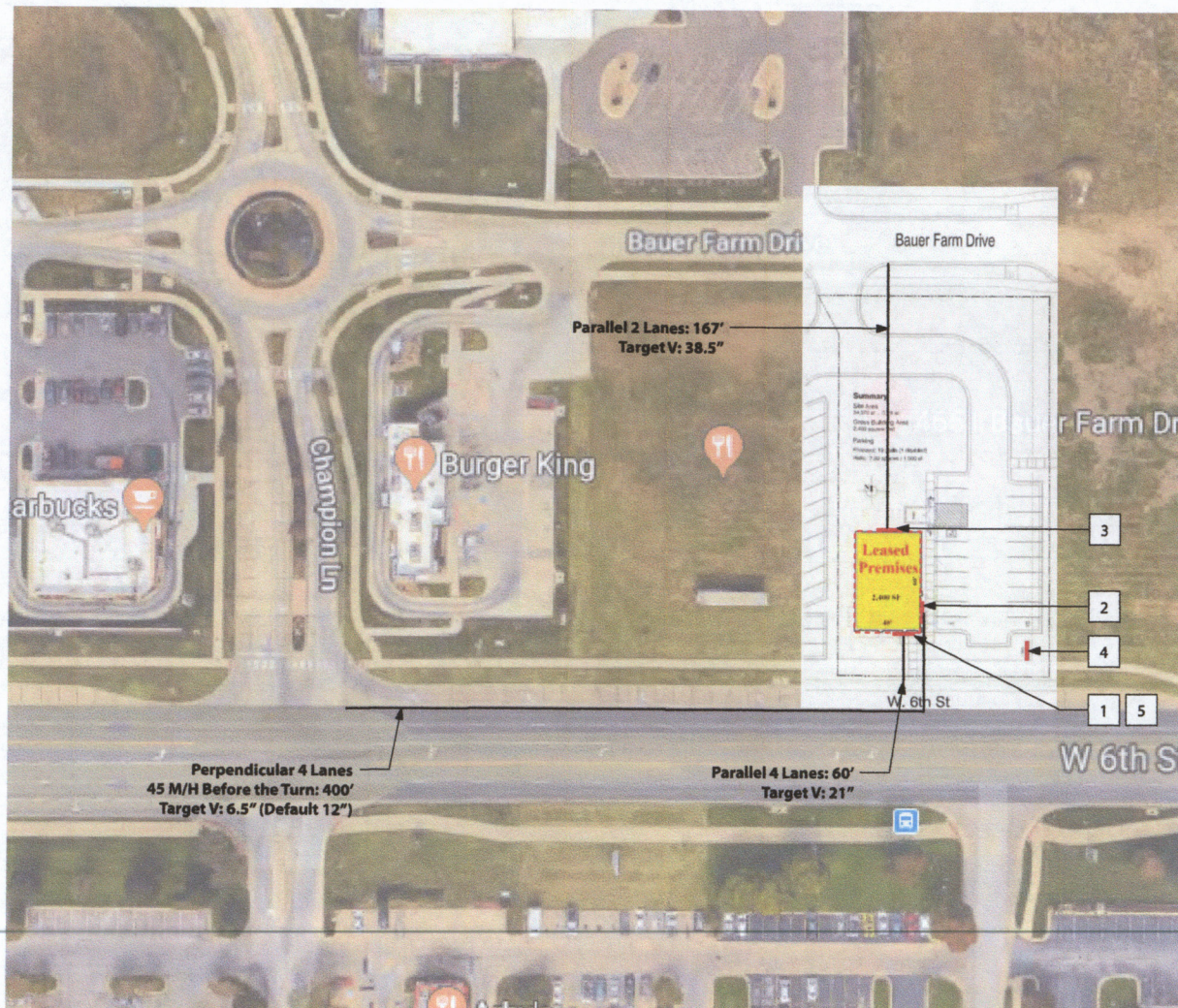
ACTUAL "V" HEIGHT: 24"



STORE NUMBER	ADDRESS	SHEET TITLE	DATE	ORIGINAL DESIGNER	REVISION	REVISION DATE	REVISION DESIGNER	PREPARED BY	SHEET NUMBER
181392	4651 BAUER FARM DRIVE LAWRENCE, KS	SIGN 2 - EAST ELEVATION - FABRICATION DETAIL	05.03.18	SC	N/A	00.00.0000	N/A		7







## LEGEND

		QTY
1	SOUTH ELEVATION - WALL SIGN	1
2	EAST ELEVATION - WALL SIGN	1
3	NORTH ELEVATION - WALL SIGN	1
4	MONUMENT - SECONDARY SIGN	2 PANELS
5	DOOR VINYL - SECONDARY SIGN	1

## KEY

SIGN LOCATION —

BUILDING OUTLINE - - -

