HEARING EXAMINER
AGENDA
Thursday, June 9, 2016
5:30 p.m.
Paradice Conference Room
911 N. Seventh Avenue
Pocatello, ID

City Hall is accessible to persons with disabilities. Program access accommodations may be provided with three (3) days' advance notice by contacting Dave Hunt at dhunt@pocatello.us; 208.234.6248 or 5815 South 5th Avenue, Pocatello, ID.

HEARING EXAMINER: Susan Lorenz

1. Disclosure of ex parte communication and site visit. Disclose who was talked to, the basic substance of the conversation and whether the conversation had any influence. Disclose if a site visit was done, location(s) of the visit and what was seen.

2. Retha Cain of Sign Up Signs and Graphics, representing JM Corporation, requests a sign exception for an additional sign on the pole at 520 Yellowstone Avenue, Deleta Skating Rink, to advertise the business located at 555 Pershing Avenue.

AGENDA ITEM NO. 2

STAFF REPORT
SIGN EXCEPTION

APPLICANT: JM Corporation
REPRESENTATIVE: Sign Up Signs and Graphics
LOCATION OF REQUEST: 520 Yellowstone Avenue
ASSIGNED STAFF: Terri Neu, Assistant Planner
MEETING DATE: June 9, 2016

DESCRIPTION OF REQUEST

JM Corporation, represented by Retha Cain of Sign Up Signs and Graphics (mailing address: 3275 W. Highway 30, Pocatello, ID 83201), requests a sign exception for an additional sign on the pole at 520 Yellowstone Avenue, Deleta Skating Rink, to advertise the business located at 555 Pershing Avenue. The new sign is proposed to be 24 square feet and be 8 feet off the ground. The businesses are located in a Commercial General zoning district which allows two square feet for each linear foot of building frontage plus one square foot for each linear foot of open space frontage. The business at 555 Pershing Avenue has frontage on Pershing Avenue, rather than on Yellowstone Avenue. Therefore, the sign location would be considered off-premise.

STAFF RECOMMENDATION

Based upon a review and analysis of the application material, subject site and surrounding area, and applicable Municipal Code sections and goals of the City's Comprehensive Plan, Planning Division staff recommends approval.

A public hearing is to be held regarding this proposal and staff's recommendation is made in advance of this hearing and prior to any public input. Therefore, the decision of the Hearing Examiner may differ as deemed appropriate.

MUNICIPAL CODE

Municipal Code Section 15.20.190 governs signs in Commercial General zoning districts and Municipal Code Sections 15.20.250 and 15.20.260 outlines the requirements for sign exceptions.

PROJECT REVIEW

The subject site is located at 520 Yellowstone Avenue. The requested sign is proposed to be placed on the existing pole that advertises Deleta Skating Rink. The property that encompasses 555 Pershing Avenue and 520 Yellowstone Avenue are all under the same ownership.

They are allowed a pole sign but it is to be on the street where their business fronts. The exception is to allow the sign to be off-premises.

PUBLIC NOTICE

No comments, either in support of or in opposition to, have been received.

SIGN EXCEPTION FINDINGS

Findings regarding compliance with standards for a Sign Exception (Section 15.20.260) are listed below:

A. An exception sought should be the result of unique physical characteristics of the site in question.

Applicant's response: The business is located at 555 Pershing Avenue and is behind Papa Murphy's. It is quite hidden and their ability for signs is limited to only the walls.

Analysis: The purpose of this sign would be wayfinding as much as advertising. The business is located on Pershing Avenue and is difficult to find.

B. The applicant shall have taken all reasonable steps to comply with the strict terms of the ordinance from which he or she requests an exception.

Applicant's response: Not addressed.

Analysis: The applicant is allowed signage on Pershing Avenue but not Yellowstone Avenue. They don't have any signage on their building and have chosen to request an exception for signage on Yellowstone Avenue.

C. The circumstances surrounding the request shall be extraordinary as related to the applicant's land and the reasonable use thereof.

Applicant's response: The business is located at 555 Pershing Avenue and is behind Papa Murphy's. It is quite hidden and their ability for signs is limited to only the walls. There have been multiple businesses at this location that have not been very successful due to the inability to make the traffic and potential customers aware that they are back there, having some signage on Yellowstone should help them out significantly!

Analysis: The circumstances surrounding the request are not extraordinary. The applicant is allowed signage on Pershing Avenue but would like visibility from Yellowstone Avenue. The building is located behind Papa Murphy's and they have approximately 15 feet of frontage on Yellowstone Avenue but the building is difficult to see from Yellowstone Avenue.

D. The applicant should show that, absent an exception, no reasonable identification of the subject land remains.

Applicant's response: The business is located at 555 Pershing Avenue and is behind Papa Murphy's. It is quite hidden and their ability for signs is limited to only the walls. There have been multiple businesses at this location that have not been very successful due to the inability to make the traffic and potential customers aware that they are back there, having some signage on Yellowstone should help them out significantly!

Analysis: There is reasonable identification for the property but won't provide the visibility that the applicant is looking for.

E. The applicant for an exception shall show how the proposed exception has been designed to minimize adverse effects on adjoining land.

Applicant's response: The request is to install a 3' x 8' non-illuminated double face sign on the existing Deleta pole sign.

Analysis: The proposed sign won't be lit and will be located on the same pole as another business. This will help reduce sign clutter due to the fact that an additional pole will not be added to an already congested area.

F. The proposal must be in conformance with the purpose set forth in this chapter.

Section 15.20.010 lists the purpose of the sign code is to protect and enhance the physical appearance of the community, reserve scenic and natural beauty, provide an enjoyable and pleasing community, protect property values, and create an attractive economic and business climate. It is further intended to reduce sign or advertising distractions and obstructions that may contribute to safety hazards. Staff finds that this proposal complies with the purpose of the sign code since the proposal is attractive, in scale with the site and buildings, and will not result in any distractions or obstructions causing safety concerns.

CONCLUSION

Staff finds that this proposal complies with the purpose of the sign code in terms of the sign being as unobtrusive as possible for the surrounding neighborhood.

Attachment: Application materials

PLANNING & DEVELOPMENT SERVICES
PO Box 4169, 911 North Seventh Avenue
Pocatello, Idaho 83205
(208)234-6184 FAX (208)234-6586

A MUNICIPAL CORPORATION OF IDAHO

APPLICATION FOR SIGN EXCEPTION

(For Legally-Established Land Uses)

Submittal Date: 5/12/16
Contact Person: TN
Public Hearing: 6-9-16

Permit No.: 16-1061
Receipt No.: 117269
Receipt Date: 5-18-16

Filing Fee: $200.00 + 17 addresses X $3.00 = $ 51 = Total Due $ 251.00

Sign Contractor Information:

Name: SIGN UP SIGNS
Address: 3275 HWY 30
Phone: 232-2938
Email: RETHA5980@YAHOO.COM

Business/Site Information:

Name: JM CORPORATION
Address: 776 FAIRWAY DR
Phone: (208) 251-4869
Email: JACKIE_FOULGER5@HOTMAIL.COM

Zoning: CG Historic District: Yes ☐ No ☐

Type of sign(s): POLE SIGN ADDITION

Illumination Source: N/A

Dimension of Face(s): 3'x8'

Power Source: Existing☐ New☐ If new, electrical contractor name:

Is the electrical connection a standard three-prong? Yes☐ No☐

Height (from ground level to top of sign): 8'

Total Sign Area Existing on Site (include all painted wall signs, pole signs, and window signs): (4) POLE SIGNS

Building Frontage (per street front):

Open Space (per street front):

Is this a multi-use facility (more than one tenant in bldg.)? Yes☐ No☒

Would this signage overhang a public sidewalk or right-of-way? Yes☐ No☒

Would this signage utilize an existing pole, not presently in use? Yes☒ No☐

Would this signage utilize an existing cabinet, not presently in use, or a face reflecting a "closed" business? Yes☐ No☒

If the answer to either of the previous two questions is yes, do the proposed changes constitute fifty (50) percent of the sign's total value? Yes☐ No☒

Is this request for a new pole/ground sign? Yes☐ No☒ If yes, what is the distance to any neighboring pole/ground sign(s)?

If a pole/ground sign, does it meet sight triangle regulations? Yes☒ No☐

Is this business relocating from another site? Yes☐ No☒

THE FOLLOWING INFORMATION MUST ACCOMPANY EACH APPLICATION

1. A site plan that includes the site with property lines, street locations, lot frontage dimensions, building locations(s), building frontage dimension, open space dimension, landscaping, location of all existing and proposed signage with setback dimensions from property lines, and the dimensions of each sign.

2. Schematic drawings, inked, of the proposed sign(s) which indicate dimensions, height, colors, copy, type of illumination, and construction materials.

3. Structural details showing mounting to a building or pole (pole size, anchoring, concrete footings, etc.).

4. Color photographs of the site showing building and proposed location of sign(s). A color photograph of the entire building face on which the sign is to be erected is required for proposed wall signs.

5. **Typed**, gummed mailing labels with all of the names and addresses of the property owners and occupants that share a common boundary line, minus public right-of-way, with the project site on which the proposed sign is to be located. A charge of $3.00 per property owner and occupant is required. A signed Affidavit of Mailing List must also be submitted (attached).

THE FOLLOWING SIGN EXCEPTION STANDARDS MUST BE ADDRESSED IN A WRITTEN NARRATIVE:

A. An exception sought should be the result of unique physical characteristics of the site in question.
B. The applicant shall have taken all reasonable steps to comply with the strict terms of the ordinance from which he/she requests an exception.
C. The circumstances surrounding the request shall be extraordinary as related to the applicant's land and the reasonable use thereof.
D. The applicant should show that, absent an exception, no reasonable identification of the subject land remains.
E. The applicant for an exception shall show how the proposed exception has been designed to minimize adverse effects on adjoining land.
F. The proposal must be in conformance with the purpose set forth in Chapter 15.20.

The undersigned applicant and/or applicant's representative hereby agree to indemnify, protect, and save the City harmless from all costs, loss, or damage, which may be sustained by reason of the erection, maintenance, use, or removal of the sign(s), and that the sign(s) may be removed as provided in the City ordinances. **The approval of this sign does not permit the violation of any section of this or other City ordinances.** I/we hereby acknowledge that I/we have read this application and certify that the information provided is correct. Further, I/we understand that it is my responsibility, as the sign contractor, to secure the exception and permit prior to commencement of any work including fabrication and installation of said signs. The permit should be available in the City Planning & Development Services Department 5 working days after final processing of this exception, including expiration of the appeal period. Further, by my signature below, I acknowledge that any and all conditions will be adhered to and are understood, that all work will be done in accordance with the issued permit, and that I am authorized to do so by the building/property/business owner.

Jackie M. Fulger	Jackie M. Fulger	5/4/16
PRINT NAME OF BUSINESS/PROPERTY OWNER	SIGNATURE OF BUSINESS/PROPERTY OWNER	DATE
Retha Cain	Retha Cain	5/10/16
PRINT NAME OF SIGN CONTRACTOR	SIGNATURE OF SIGN CONTRACTOR	DATE

(NOTE: Both signatures required.)

Signage should be completed within ninety days of obtaining a permit. Permits and exceptions are not transferable from one sign contractor to another (Municipal Code 15.20.250.G).

Retha Cain
Sign Up Sign & Graphic
3275 Hwy 30
Pocatello, Id

5/10/2016

City Of Pocatello
Re: Sign Exception
To whom it may concern:

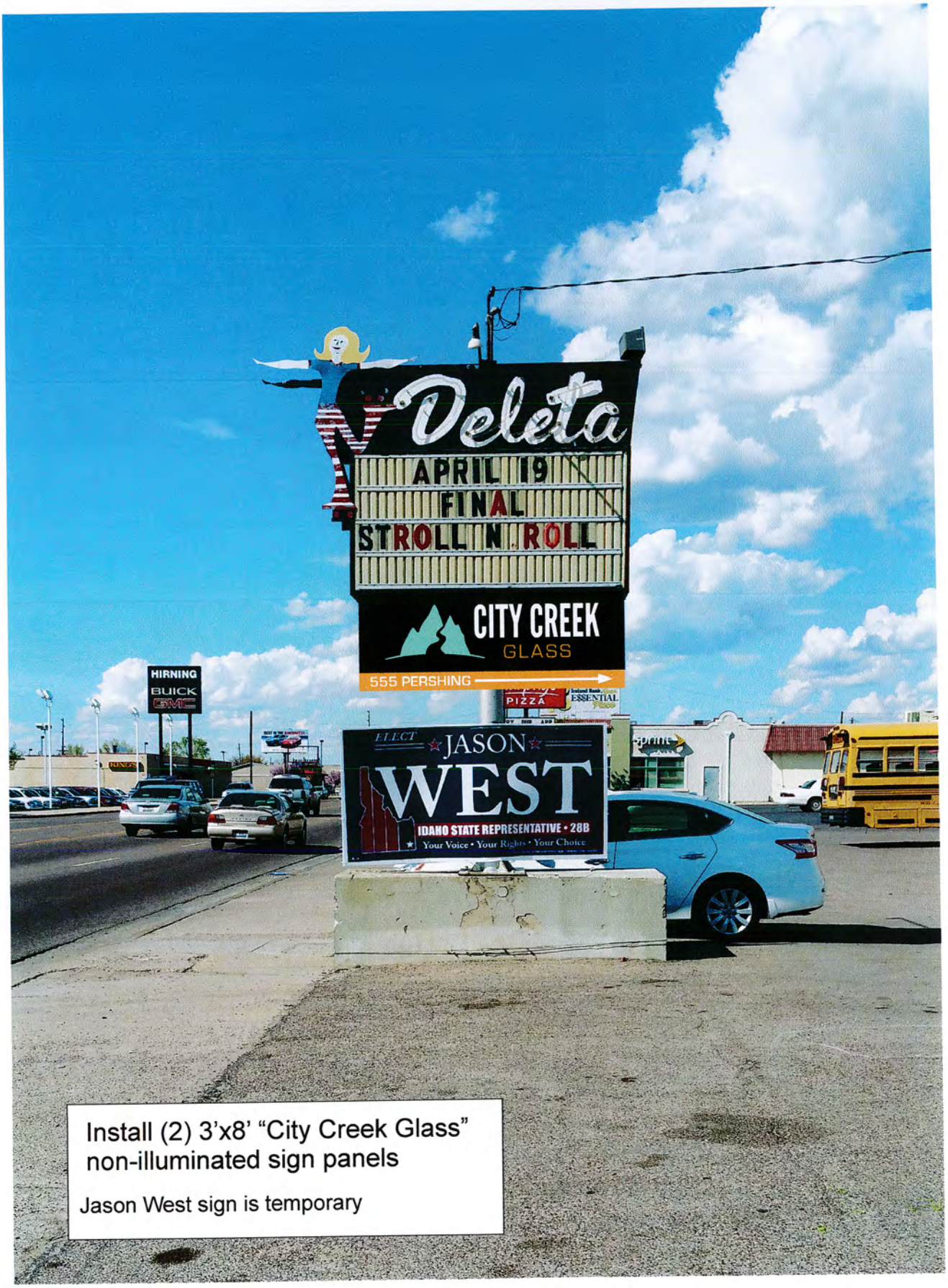
I Retha Cain have been asked to represent an application for a sign exception for an existing pole sign located at the Deleta Skating Rink located at 520 Yellowstone, Pocatello Id.

The property owners, JM Corporation have multiple individual businesses located on these parcels, each business is entitled to have their own pole sign for their building. One of the buildings/business is located at 555 Pershing Ave. and is behind Papa Murphys, it's quite hidden & their ability for signs is limited to only the walls. JM corporation is requesting for an exception to the city sign code to allow them to installed a 3' x 8' non-illuminated double face sign on the existing Deleta pole sign, this will help to direct traffic to the new glass company that is now occupying this space. There have been multiple businesses at this location that have not been very successful due to inability to make the traffic and potential customers aware that they are back there, having some signage on Yellowstone should help them out significantly!

We appreciate your consideration to granting approval for this off premise sign.

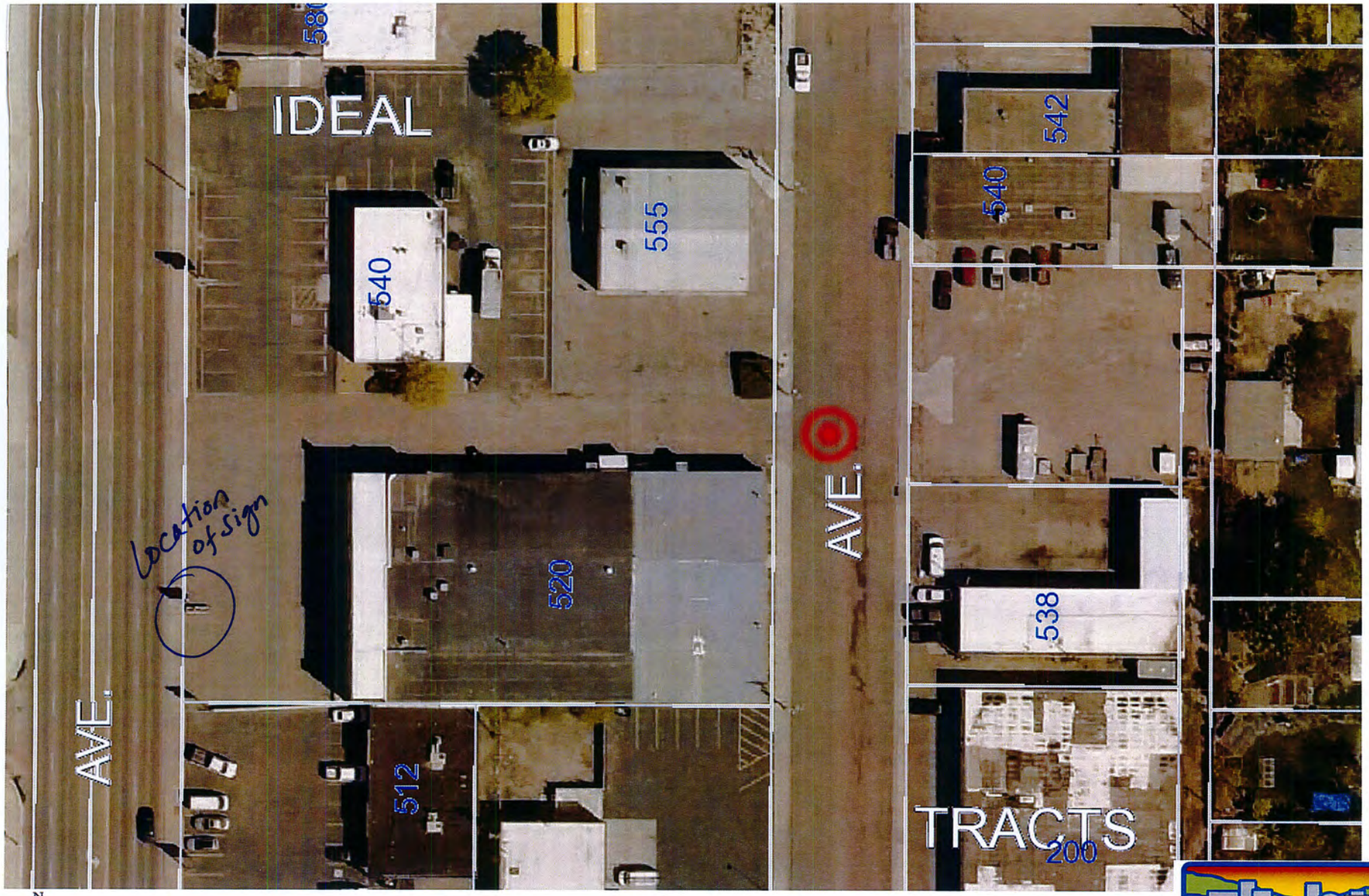
Thank You,

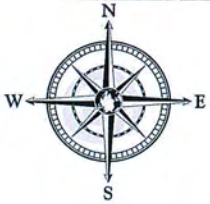
Retha Cain



Install (2) 3'x8' "City Creek Glass" non-illuminated sign panels

Jason West sign is temporary





5/16/2016

City of Pocatello Web Map

25m
80ft
580234.712 444273.076 Scale 1:645

Pocatello
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The City of Pocatello does not Guarantee the information contained In this map to be an accurate Representation of actual existing Conditions