Hearing Examiner's Report and Findings

DATE: March 14, 2016

APPLICANT/REPRESENTATIVE NAME: Keeven Shropshire, JHS Architects

MAILING ADDRESS: 125 N Garfield Ave, Pocatello, ID 83204

PROPERTY OWNER: Health West Inc.

MAILING ADDRESS: **1000 N. 8th Ave Pocatello 83201**

LOCATION OF REQUEST: The request is located at 1000 N. 8th Avenue. The request is on the side of the building facing Custer Street but closest to Custer Street.

TYPE OF REQUEST: Health West Dental Clinic, represented by Keeven Shrophire of JHS Architects (mailing address: 125 N. Garfield Avenue Pocatello, ID 83204) requests a sign exception to install a 13 square foot wall sign on the west side of the building at 1000 N. 8th Avenue. The business is located within a Residential Medium Density Multi-Family zoning district which allows one 32 square foot directory wall sign.

CONCLUSIONS AND CONDITIONS:

Based on review of the Application for a sign exception and analysis of the staff report, applicant's presentation, and considering the absence of any citizen's comments and testimony in support of the variance, against the variance and neutral to the variance, the Hearing Examiner finds that this request does meet the conditions for a sign exception. The Hearing Examiner approves request for a sign exception to install a 13 square foot wall sign with the following conditions:

1. No additional signs shall be permitted at this site without going through the sign exception process.

ANALYSIS AND FINDINGS OF FACT:

1 The Hearing Examiner is familiar with the area and the building and did therefore did not visit the site. I did not ask staff questions concerning this hearing or this request for a sign exception. I have had no "ex-parte" contacts and have no conflicts of interest.

2 Public Hearing

No neighbors attended the public hearing and no comments were submitted in advance of the hearing.

The applicant and staff made presentations. Dimensions and configurations, slope and lighting of the sign were discussed to determine compatibility with existing signage and community ambiance.

3 Municipal Code Standards Applicable to the Request

MUNICIPAL CODE/COMPREHENSIVE PLAN

Municipal Code Section 15.20.220 governs signs on professional office buildings and Municipal Code Sections 15.20.250 and 15.20.260 outlines the requirements for sign exceptions.

Staff finds the following Comprehensive Plan goal and objective applicable to this application:

Community Design Goal 1. Improve the physical image of the city.
Objective 1.2. Regulate the use of signs to enhance public safety and aesthetic character.

PROJECT REVIEW

The subject is located at 1000 N. 8th Avenue. The requested wall sign is proposed to be placed on the west side of the building o, on the southern end.

The office building has 244 feet of frontage along N. 8th Avenue and 28 feet of frontage along both Custer and Young Streets. Municipal Code Section 15.2.180(B) allows a 32 square foot directory wall sign and a 32 square foot directory monument sign per street frontage. The signage on the building is a wall sign on N. 8th Avenue. There are separate entrances for each business so a separate sign for each business was more conducive to the layout rather than a directory sign.

Public Input. No public input either for or against the request has 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 unique physical characteristics of the site are that the original building and the original sign was for the northern two thirds 2/3 of the physical structure. The southern third (1/3) was an empty shell space for future health related functions. At that time it was unknown the type of function, i.e. storage, administrative offices, or clinical offices not associated with Health West patrons. Therefore this project required separate and distinctive entrance complete with individuate signage to assist patrons where to go for their desired services.

Analysis: The exception sought is not a result of unique physical characteristics of the site, however, with separate wall signs, rather than a directory sign, it will make it easier for patrons to locate and identify the business.

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: The design for the prosed sign was kept as small as possible but yet large enough to be visible from vehicular approach to the site a will as for visibility from the parking lot. The entrance and associated signage was purposely located on the building façade away from the adjoining residential

properties. Similarly, the entrance and signage was located as remote as possible from the main building entrance which determined the interior layout of the dental clinic.

Analysis: The size of the sign has been made as small as possible so it isn't obtrusive. It isn't lit and therefor won't be an undue burden on the neighborhood.

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 circumstances surrounding the request are extra ordinary in that the structure occupies the majority of the block. The frontage on N. 8th is the major identity façade for Health West where all the public parking and building access is located, so having the separate clinic entrance facing one of the side streets would create difficulty for patients finding their way to the entrance to the Dental Clinic.

Analysis: The circumstances surrounding the request are not extraordinary as related to the land. However, , the front of the building where the sign is proposed to the located faced a City park rather than residential homes so it shouldn't be and undue burden on the neighborhood and will help patrons of the clinic locate the appropriate door for the dental clinic.

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

Applicant's response: Absent and exception to allow the requested signage, many of the Heath West patients for dental services would have difficulty finding he the entrance from the public parking lot. Also the dominant arrival direction is from the northwest which is the opposite end of the building from the dental clinic adding to the difficulty of reasonable identifications.

Analysis: Reasonable identification of the land remains however; I an effort to help patrons of the dental clinic find the correct entrance an additional sign is necessary.

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 properties to the south and east are residential and the design character on those facades reflect a residential style whereas the front/entrance side of the building design created an attractive new identity feature for Health West. A scaled down version of the entry feature was utilized to further assist the patients in seeing another entrance; that with the proposed signage, would be recognizable without distracting from or having adverse effects on the adjoining land.

Analysis: The proposed sign has been designed to be attractive, not detract from adjacent land uses, is not lit and the lettering matches the other sign.

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.

Respectfully submitted this 15th day of March, 2016

Susan Lorenz

Susan Lorenz
Hearing Examiner