

Hearing Examiner's Report and Findings

DATE: April 29, 2016

APPLICANT/REPRESENTATIVE NAME: Aspire Human Services/Sign Up Signs and Graphics

MAILING ADDRESS: 3275 W. Highway 30, Pocatello, ID 83201

PROPERTY OWNER: Bill Isley

MAILING ADDRESS: 3520 E. Center, Pocatello

LOCATION OF REQUEST: 444 Hospital Way Suite 701. The professional office building is located within a Residential Commercial Professional zoning district which allows one 32 square foot directory wall sign and a building identification sign but not signage for an individual business within the building.

TYPE OF REQUEST: Aspire Human Services, represented by Dave Katzen of Sign Up Signs and Graphics (mailing address: 3275 W. Highway 30, Pocatello, ID 83201), requests a sign exception to install an 22 square foot wall sign on the east side of the office building at 444 Hospital Way, Suite 701.

CONCLUSIONS AND CONDITIONS:

Based on review of the Application for a Sign Exception and analysis of the staff report, applicant's presentation, and lack of 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 22 square foot wall sign on the east side of the office building at 444 Hospital Way, Suite 701 with the following conditions:

1. The sign shall not be lit.
2. No additional signs shall be permitted on this building without going through the sign exception process.

ANALYSIS AND FINDINGS OF FACT:

1 On April 21, 2016 I visited the site looked at the upper level of the building which is Suite 701 and also viewed the building where the sign is proposed to be installed. After the site visit I did make a call to city planning staff to clarify the location of the suite in relation to the office entrance. I have had no "ex-parte contacts and have no conflicts of interest regarding this request.

2 Public Hearing

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

Following the applicant and staff presentations the property owner's representative submitted a drawing of the building with a representation of the sign to demonstrate how it will look when the sign is hung.

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 site is located within the Tuscany Professional Plaza at 444 Hospital Way, Building 700. The requested wall sign is proposed to be placed on the east side of the building facing Center Street. There is a temporary banner on that side of the building and a permanent sign on the side of the building that faces Hospital way for the Idaho Vein Center. The only other signs on the building are the building number and suite numbers.

The office building is the first building to the south as you enter into the plaza. They are allowed a directory wall sign up to 32 square feet in size and a building identification sign. The sign will be the only sign on the east side of the building and will be located above the entrance to their office. It will be blue lettering and graphics.

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.

Analysis: The entrance to the business is at the rear of the building. Having a separate sign above the entrance to the business 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.

Analysis: The office building is allowed a 32 square foot directory sign that will list all tenants near the main entrance to serve pedestrians. The businesses don't share a common entrance, therefore a directory-type sign isn't conducive to this type of office building.

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

Analysis: The circumstances surrounding this request are not extraordinary. There are other offices in this complex that don't have individual wall signs.

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

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.

Analysis: The requested sign will not be lit and will be 22 square feet. The fact that it isn't lit and is rather small will help minimize adverse effects on the adjoining land.

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 29th day of April 2016.



Susan Lorenz
Hearing Examiner