

Minutes  
Historic Sign Review Committee  
December 22, 2006

MEMBERS PRESENT: Norm Nelson, Kyle Mattison, Lee Geiger, and Jim Jackson

STAFF PRESENT: Rodney Proffitt, Brad Solon and Risë Ficken

OTHERS PRESENT: Lesley Rutter from Unique Signs, Deb Usera, Tony Marshall, Jean Kessloff, and Adrienne Kerst

Call to Order

Geiger called meeting to order at 8:31 am.

1404 Mount Rushmore Road – Wall and Window Signs

Lesley Rutter presented the application and advised that the applicant would like to remove the retainers noting that the signs would be fabricated using a lightweight aluminum material with the design to be printed on adhesive vinyl. In response to a question, Rutter stated that the sign is not backlit.

**Mattison moved and Jackson seconded to approve the wall and window signs at 1404 Mount Rushmore Road.**

In response to a question, Rutter identified the proposed lettering to be used on the door and window signs.

Nelson entered the meeting at this time.

Rutter discussed the dimensional address letters to be placed on the structure.

**The motion to approve the wall and window signs at 1404 Mount Rushmore Road passed unanimously.**

909 Saint Joseph Street – Ground Sign

Nelson advised that he had visited with City staff concerning the proposed on-premise ground sign. In response to questions from Nelson, Solon stated that off-premise messages are not permitted to be displayed on on-premise signs noting that each message displayed would need to be evaluated individually.

Nelson advised that currently, there are studies pending by an LED Sign Task Force and he noted that the City is working to apply for grant funding for a wayfaring sign program. Nelson suggested that the application be continued until the LED Sign Task Force completes their work and the revised sign code is in place, likely the first meeting in March. Mattison expressed concern that this application is identical to the application previously denied. Nelson indicated that there was significant opposition to the application from the West Boulevard Association the last time it was considered.

Tony Marshall, applicant, distributed copies of a map showing the property and location of the Historic Environs on the property. Marshall reviewed two potential alternative locations for the proposed sign outside of the Historic Environs. Marshall indicated that the site further to the east was later eliminated from consideration as the view from the southbound traffic on West

Boulevard would be obscured by the Kulpaca Building. Marshall stated that the other alternative was to move the sign further south on West Boulevard out of the Historic Environs. Marshall explained that by moving the sign off the intersection the face would have to be enlarged noting that he had submitted an application for a 12 foot by 20 foot LED sign at that location.

Marshall expressed concern that the new sign at the proposed location would place the electronic sign directly west of, and potentially overpower, the existing West Boulevard Historic District sign. Marshall requested that the Historic Sign Review Committee reconsider the request to place the smaller LED sign at the location as described in the application. Marshall stated that Mike Pelly and Pat Roseland had agreed that the smaller sign would have less of an impact on the historic district than the larger sign now proposed to be located outside of the environs to the south. Marshall asked the Committee to approve the proposed sign as identified in the application.

Solon advised that Marshall has the right to appeal the Committee's previous denial of the sign application. Solon stated that while people typically provide new or additional information when re-submitting applications, the City Attorney has indicated that the applicant can resubmit the exact same application as the Historic Sign Review Committee currently has no rules addressing the issue.

Jackson suggested that the Committee address the application at this time.

Adrienne Kerst advised that she is a member of the Historic Preservation Commission and suggested that the application be continued until the LED Sign Task Force has had an opportunity to complete their work. Jean Kessloff, concurred with Kerst and advised that she is also a member of the Historic Preservation Commission and the West Boulevard Homeowner's Association.

Solon reported that the LED Sign Task Force has completed their work and primarily discussed illumination requirements and enforcement issues noting that the Task Force did not identify any new restrictions. Proffitt stated that the LED Sign Task Force also discussed issues associated with sign credits and downsizing. Solon suggested that the work of the LED Sign Task Force would not have an impact on the sign as proposed by the applicant. Proffitt discussed procedure issues according to Roberts Rules of Order.

Marshall stated that he does not want the application continued and requested that the Historic Sign Review Committee make a decision on the application today. Marshall emphasized that he felt the location on the corner within the Historic Environs was a better alternative for both the neighboring Historic District and his client.

Geiger indicated that he felt the sign could be located further to the east, outside of the historic environs, and would still have good visibility. Lengthy discussion followed concerning the setbacks of the Kulpaca Building and the percentage of southbound traffic on West Boulevard that turned east on Saint Joseph Street.

Marshall indicated that the alternative site to the south was selected in order to accommodate as many people as possible. Marshall added that there is a clear sight line from west to east at the intersection of West Boulevard and Saint Joseph Street.

Geiger stated that the sign was denied at the previous meeting as it did not meet the criteria set forth in the Historic Sign Review guidelines. In response to a question from Geiger, Ficken advised that the City Attorney has determined that if any part of a structure lies within the environs of an historic district the entire structure is subject to review. Ficken added that for portions of the property that do not contain structures, only improvements that physically lie within the environs is subject to review. Geiger stated that while it is clear that the sign as proposed in the environs is less obtrusive than the sign that is proposed to be constructed further south, the sign still does not meet the criteria set forth for historic review of signage.

Geiger indicated that the Committee could make a positive recommendation on a new sign package that meets the review criteria. Nelson expressed concern that the proposed LED sign is located at the corner that is the gateway to both the West Boulevard Historic District and the Downtown Historic District.

Discussion followed concerning the various criteria for lighted signs, criteria for determining the appropriate type of signage permitted on a property based on the year the structure was built, and criteria determining the type of signage technology typically used in the community at the time the structure was built.

Jackson indicated that the proposed location for the LED sign will not have a positive impact on the neighboring Historic District. Marshall emphasized that the sign location as proposed in the application is preferable to the proposed larger sign to be located outside of the environs to the south. Marshall stated that he does not want the installation of the sign to be delayed any further.

Geiger recommended that Marshall submit an appeal to the Sign Code Board of Appeals for consideration. Discussion followed concerning the procedure for submitting an appeal to the Sign Code Board of Appeals, the Historic Sign Review Committee's criteria for evaluating applications, and the time frame for approval and authority of the Sign Code Board of Appeals.

Solon stated that the decision of the Sign Code Board of Appeals could subsequently be appealed to the City Council.

In response to question from Marshall, Geiger stated that the Historic Sign Review Committee cannot approve a sign that does not meet the criteria based on the suggestion that the alternative is worse.

Solon suggested that the Committee take action on the re-submitted application.

**Geiger moved, Mattison seconded and unanimously carried to deny the request for a ground sign at 909 Saint Joseph Street.**

#### Minutes

Nelson stated that he had not had an opportunity to review the November 27, 2006 minutes.

**Geiger moved, Mattison seconded and unanimously carried to continue the approval of the November 27, 2006 minutes to the next meeting.**

Sign Board Review:

In response to a question from Jackson, Nelson advised that the Historic Sign Review Committee has drafted a revised ordinance. Nelson added that the City Attorney's office has reviewed the draft ordinance and recommended that the Committee make some additional minor revisions. Nelson requested that a copy of the draft ordinance be forwarded to Jackson for review.

Solon advised that the City Attorney has offered to attend an upcoming meeting to discuss the draft ordinance, and the potential to include additional language to address re-submittals and appeal procedures.

Discussion followed concerning the criteria contained in the existing sign ordinance as it relates to LED signage, animation, and various on-premise and off-premise signage.

Nelson adjourned the meeting at 9:39 am.