

9. SIGN DEVIATION - BIG BOB'S OUTLET SIGN DEVIATION - 10001 West 75<sup>th</sup> Street

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1. APPLICANT: Big Bob's Outlet is the applicant for this request.
2. REQUESTED ACTION: The applicant is requesting a sign deviation to allow for an additional wall sign on one façade.
3. LOCATION: The subject property is located at 10001 West 75<sup>th</sup> Street.
4. EXISTING ZONING: This property is currently zoned M-1, Industrial Park District, and has a temporary special use permit (SUP No. 2008-37) for a commercial use in an industrial district.
5. ANALYSIS: The applicant is requesting a sign deviation to allow for an additional wall sign on the northern façade of the building. Big Bob's currently has two signs located on the northern façade, one each at the east and west entrances (which face north). The east façade also contains a similar entryway sign.

Previous sign approvals for Big Bob's treated the building as two separate tenant spaces. Therefore, the establishment was allowed to have the two signs that are currently installed on the north façade, as well as, the east-facing sign. The currently installed box-style sign's read "BIG BOB'S OUTLET." The applicant has applied to allow the installation of an additional sign to be located between the two existing tenant spaces and signs. The sign would display the words "FLOORING – FURNITURE – MATTRESS" across the first floor fascia on the northern façade (see Maps). The sign is proposed to be red channel letters to match the lettering on the existing box signs.

The Unified Development Ordinance (UDO) allows the following in industrial districts:

Each business or commercial establishment shall be permitted not more than three wall or marquee signs, not more than one on each business facade, the area of which sign shall not exceed 10 percent of the total area of the facade upon which it is placed. Such sign shall not extend above the height of the wall or marquee on which it is mounted. Any sign painted directly upon the wall surface shall not exceed 10 square feet in area. In addition, one non-illuminated wall sign, not more than nine square feet in area, may be placed at each major entrance to a multi-tenant building. Alternatively, multi-story buildings may be permitted three wall signs per building, not more

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than one sign per building facade, as indicated above for Districts C-O and CP-O.

The UDO states that not more than one sign shall be on each business façade. Staff has offered potential solutions to allow the applicant to remain within the wording of the UDO. The applicant provided staff with justification regarding the allowance of the sign deviation (see Maps), in which it is indicated that the only alternative is the one being presented. Potential staff recommendations include installing the desired signage on the east or west facades, creating a smaller sign with the same letters that can be installed adjacent to the current signage, or potentially consider awning signage. The additional signage could be installed per the UDO if it is related to an existing sign, which would require that it be located within five horizontal or vertical feet of any existing sign.

Staff has reviewed the applicant's request for the number of wall signs against the five criteria in order to determine the potential granting of a deviation, as follows:

1. **That the deviation requested arises from a condition which is unique to the property in question, is not ordinarily found in the same zoning district, and is not created by an action or actions of the landowner or the applicant.** This is not a unique condition in that other commercial uses in industrial districts, as well as, uses in industrial districts, must adhere to the sign requirements established in the Unified Development Ordinance (UDO). Although two signs are allowed to serve the two defined tenant spaces, a third sign on the same façade would present a direct conflict with the wording of the UDO.
2. **That the granting of the deviation will not adversely affect the rights of adjacent landowners or residents.** Granting this deviation would adversely affect the adjacent residents or landowners since other businesses are expected to adhere to the requirements of the UDO.
3. **That the strict application of the provisions of this ordinance would constitute unnecessary hardship upon the landowner represented in the application.** Two wall signs are permitted through interpretation of the UDO and the additional wording of the requested sign would potentially work in an alternate configuration recommended by staff. The applicant has specified a potential

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hardship due to the fact that the third sign has already been constructed and must therefore be installed as requested.

4. **That the deviation desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.** This request should not affect the public health, safety, morals, order, convenience, prosperity or general welfare of the city.
5. **That granting the deviation will not be opposed to the general spirit and intent of this ordinance.** The allowance of a third wall sign on a single façade would be outside of the allowable application of the ordinance and therefore opposed to the spirit and intent of the UDO, which explicitly states the allowable signage requirements.
6. **STAFF RECOMMENDATION:** Staff recommends denial of the Sign Deviation, Big Bob's Outlet. However, if the Planning Commission finds this deviation acceptable, staff recommends the following stipulation:
  - a. Prior to installation, the applicant shall acquire the required sign permit.