



DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

Project Name: POM MRI Wall Sign

Hearing No. BA-05-2018

Applicant: Andrew Byers

Hearing Date: August 9, 2018

Project Location: 2800 North State Road 7

Board: Board of Adjustment

I. RECOMMENDATION:

DENY

II. EXECUTIVE SUMMARY:

The applicant is requesting a main identification wall sign on a portion of the building frontage that is not occupied by the applicant and where another main identification wall sign presently exists. The Margate Zoning Code restricts placement of main identification wall signs and limits the number of main identification wall signs. Staff is recommending denial because the proposed signage is not located near the main entrance to applicant's office space and an additional main identification wall sign would be located where another main identification wall sign exists.

III. ANALYSIS:

1) Description.

The subject property has a land use designation of Transit Oriented Corridor, and a zoning designation of Transit Oriented Corridor TOC-C zoning district. The property is a multi-tenant building, predominately occupied with medical office uses. The applicant, POM MRI, occupies 2,160 square feet within the Evergreen Professional Building for a magnetic resonance imaging (MRI) imaging center.

POM MRI is situated entirely on the south end of the building towards the back of the property which limits the amount of building frontage exposure to State Road 7. The applicant is requesting permission to install a main identification wall sign on the west side end of the building, on the clock tower to identify POM MRI.



Exhibit 1: Location Map



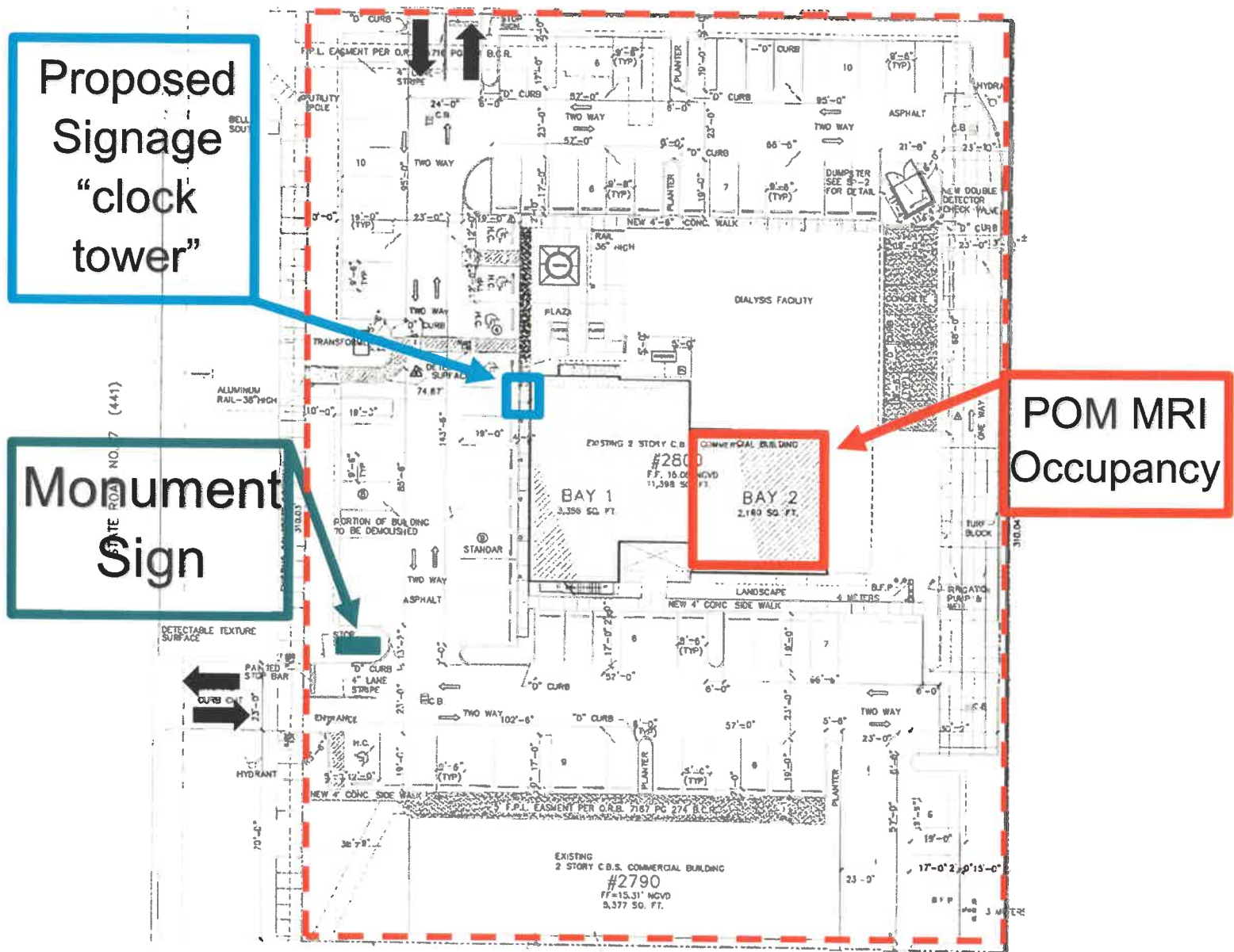


Exhibit 2: Main Entrance and Clock Tower Location



Exhibit 3: Existing Clock Tower/Main Identification Wall Sign



Exhibit 4: Proposed Signage



Exhibit 5: Existing West Elevation



Exhibit 6: Existing Southwest Elevation



Exhibit 7: POM MRI Entrance



Exhibit 8: Existing Monument Sign



2) Compliance with Zoning Code.

The proposed sign presented by the applicant is 12 square feet (18 inches by 96 inches) illuminated blue channel letter sign to identify the name POM MRI. The size of the proposed sign is within the maximum area permitted by the Margate Zoning Code.

The placement of the proposed main identification wall sign below the existing "Holy Cross" wall sign on the clock tower (Exhibit 3) does not comply the Margate Zoning Code. The sign as proposed would be located on the north side of the building on the clock tower (Exhibit 2). POM MRI does not occupy space on the north side of the building. The applicant occupies a portion of the building on the south side towards the back of the property (Exhibit 2). Pursuant to Margate Zoning Code Section 39.6(B), the required location is at ground-level occupancy where said occupancy has its own direct customer/client entrance from the exterior of the building. The proposed location of the POM MRI sign and where the main entrance to POM MRI is located are on opposite sides of the building, which does not comply with the regulations described above.

Additionally, the tower presently has an existing main identification sign. Pursuant to Margate Zoning Code Section 39.6(B), a maximum number of one (1) wall sign may be located on a side with right-of-way frontage or frontage on the main circulation route of a multi-tenant shopping center. This proposal is in conflict with the code to the number of main identification wall signs allowed per frontage.

Section 39.19 of the Margate Zoning Code provides that a decision to grant a sign waiver by the Board of Adjustment must be in conformance with three specified criteria. Those criteria are as follows:

- 1) **There is something unique about the building or site configuration that would cause the signage permitted by this article to be ineffective in identifying a use or structure that would otherwise be entitled to a sign.**

The following statement by the applicant:

"We are not allowed any building signs in a location that can be seen from 441, because unlike many of the suites in surrounding buildings ours has a separate entrance on the south side of the building not visible from the road (441). Although occupying a significant portion of the building square footage, our entrance at the side of the building allows only a monument sign to alert drivers along 441 of our location. The angle and location of the monument sign makes it ineffective at alerting people driving southbound of our location. The font size allowed on the monument sign makes it ineffective at alerting northbound 441 drivers of our location until they get very close, causing people to see it at the last moment and brake dangerously hard or slow down so much looking for it that they create a driving hazard. People can only see our sign once they are already in our parking lot and have found us. "

The Evergreen Professional Building is located on the southeast corner of State Road 7 and Celebration Pointe Drive. The medical office is a two story building with 8,122 square feet on the first floor and 3,276 on the second floor. The current uses occupying the building are Universal Kidney Centers, Holy Cross, and POM MRI. Universal Kidney Centers (dialysis facility) is occupying the one story building to the north, Holy Cross is occupying the entire west portion of the building and POM MRI occupies the tenant space on the south side towards the back of the property. As many plazas located on State Road 7, some tenant spaces are located without frontage facing a right-of-way. The subject property does not have a unique site configuration nor a unique building and is similar to other tenant spaces on State Road 7.

2) The granting of a waiver is not contrary to the intent of the sign code, the aesthetics of the area, or does not create a nuisance or adversely affect any neighboring properties.

The following statement by the applicant:

"We have generated a sign that is in keeping with all of the aesthetic criteria in the code and are open to any other restriction or modification that would allow us to have a sign in the front of the building and visible to drivers along 441. Only the placement is at issue. If we had happened to have leased a suite sharing the front wall we would be in compliance. POM MRI is a well-established diagnostic radiology practice with multiple locations in Broward County.

As a medical practice it adds value to the community and fits in well with surrounding businesses, including the dialysis center connected to the building and Northwest Medical Center across the street. The sign itself uses block-style (sans serif) channel letters with a soothing blue color associated with medical care. We deliberately used this style as it is cleaner, more conforming and easier to see from a distance than a logo. The area we are proposing to install the sign is not the actual face of the building but on a large building-height vertical slab offset from the front building wall by about 6'. This appears to be an architectural feature intended to hold a clock-tower and building signs. The building is fairly large, and the entire front of it currently contains only two signs. The vertical architectural slab itself only contains one sign, easily leaving room for another without any semblance of clutter. Far from being a nuisance or adversely affecting neighboring properties, the POM sign would add continuity and respectability to the medical plaza it would be placed in, along with the surrounding medical businesses.

The neighboring businesses should experience zero negative effects from the proposed sign, and in fact should be encouraged to welcome this type of business as it is additive and conforming to the planned use criteria for the economic development zone."

By preventing signs to be erected on facades of buildings at any location, quantity or volume, the regulations would minimize the proliferation of signs to reduce clutter and preserve the aesthetic appearance of the community and consistency with architecture. The location of the sign would confuse clients/customers that the main entrance is located at that portion of the building where the sign is placed. Additionally, the proposed blue color sign is not aesthetically compatible with the existing signage. Staff finds that the additional sign is not consistent with the intent of the code to preserve the aesthetic appearance of the community and create a balanced system of sign control.

3) Literal enforcement of this article would result in unreasonable and undue hardship upon the petitioner.

The following statement by the applicant:

"In order to succeed most businesses need to have exposure so the public can find them. We have medical practice whose services are in demand by the community, but the community cannot find us simply because the suite we occupy doesn't happen to share the front wall facing 441, and we cannot place a sign so it can be seen from 441. This is an undue hardship for us in trying to make our presence known to patients and referring physicians in the neighborhood, and to those patients and physicians who experience hardship attempting to find us or direct patients to our location. Our focus with this request is to allow us to add value to the health-centric zone surrounding Northwest Medical Center, and by extension to the Margate community we serve. The presence of our high quality diagnostic medical service improves the area by providing much-needed services to the physicians and their patients in the immediate area, so they do not have

to drive to Coral Springs or another community for these services. We want to keep this business in Margate, but to do so we need to have proper exposure. We have attempted to go through the appropriate channels in an effort to develop signage that fully comports with the regulations as stated. In November of 2017, we spoke in-person with Andrew Pinney, Senior Planner. He suggested that a blade sign outside our door on the side of the building may be the only other way we could alert people to our location, who are not already in front of our door. After looking at the size restrictions it became apparent that this solution would not work for the purpose in this location."

The third criteria described above further supports staff's position until the applicant explores all signage opportunities provided by the Code, there is no unreasonable or undue hardship in the literal enforcement of the sign code provisions. The sign code allows one (1) main identification sign located on a side with right-of-way frontage, but offers alternative signage options, including a freestanding monument sign and main identification wall near the main entrance. Currently, there is a freestanding monument sign located at the southern portion of the property. The Margate Zoning Code permits several monuments signs per property, provided the signs are at least 100 feet apart, satisfy a 5 foot setback from the right-of-way, a 10 foot setback from the interior property lines, and maintained visual clearance at right-of-way intersections and intersections of driveways and right-of-ways. The allowable size of the monument is 72 square feet for multi-tenant building with a total of 75% of total sign structure area at a maximum height of 10 feet and 8 feet wide. The existing monument sign is 7 feet high and 5.6 feet wide, which a total of 3 feet is used for tenant copy signage and the remainder used to identify the Evergreen Professional Building name and address. The monument sign was not built to its full potential and a quarter was used for the building name and address. The Zoning Code does not limit the font size of tenant panels on a monument sign as the applicant has implied. As such, staff finds that the applicant did not explore all the permitted signage per section 39.19 and existing monument sign on site was not built to its full potential.

3) Consistency with Comprehensive Plan.

The plan is silent on this matter.

4) Compatibility with surrounding area.

Not applicable.

IV. RATIONALE:

The granting of the waiver will result an unbalanced system of sign control to allow the wall sign to occupy the portion of the building of another tenant space and building where another main identification wall sign presently exists. An additional wall sign would create a cluttered appearance which may be distracting to passing traffic on State Road 7 and confusing to visitors of the property. For these reasons, staff recommends denial of this sign waiver.



Robert Massarelli, AICP
Director of Economic Development Services