HEARING EXAMINER
AGENDA

Thursday, January 9, 2020 at 5:30 p.m.
City Council Chambers
911 N. Seventh Avenue
Pocatello, ID

City Hall is accessible to persons with disabilities. Program access accommodations may be provided with three (3) days’ advance notice by contacting Skyler Beebe at sbeebe@pocatello.us; 208.234.6248; or 5815 South 5th Avenue, Pocatello, ID.

HEARING EXAMINER: Keeven Shropshire

1. Disclosure of ex parte communication and site visit. Disclose who was talked to, the basic substance of the conversation and whether the conversation had any influence. Disclose if a site visit was done, location(s) of the visit and what was seen.

2. Gables Assisted Living Center, represented by Tate Schuldies of FastSigns Idaho Falls, request a sign exception to install an approximately 117 square foot wall sign (7.3 feet tall x 16 feet wide) at 2805 S. Grant Avenue. The property is within a Residential Medium Density Single-Family zoning district. Municipal Code 15.20.170 does not allow new business signage within residential zoning districts without approval of a sign exception. Municipal Code 15.20.250 outlines requirements for sign exceptions.
STAFF REPORT
SIGN EXCEPTION

APPLICANT/REPRESENTATIVE: Gables Assisted Living Center/ Tate Schuldies of Fast Signs
LOCATION OF REQUEST: 2805 S. Grant Avenue
ASSIGNED STAFF: Matthew G. Lewis, Senior Planner
MEETING DATE: January 9, 2020

DESCRIPTION OF REQUEST

Gables Assisted Living Center, represented by Tate Schuldies of Fast Signs of Idaho Falls, requests a sign exception to allow placement of a wall sign approximately 117 square feet in size at 2805 S, Grant Avenue. The assisted living center is located within a Residential Medium Density Single Family zoning district. Municipal Code 15.20.170 does not allow new business signage within residential zoning districts without approval of a sign exception.

STAFF RECOMMENDATION

Based upon a review and analysis of the application material, subject site and surrounding area, and applicable Municipal Code sections and goals of the City's Comprehensive Plan, Planning Division staff finds that this request is not in compliance with the standards for an exception. However, if the Hearing Examiner should choose to approve the exception, staff recommends the following conditions:

1. Any lighting of the sign structure shall be prohibited;
2. No additional signs shall be permitted without first applying for a sign exception.
3. Any standards/regulations not herein noted but applicable to placement of the sign structure under Chapter 15 shall be strictly adhered to.

A public hearing is to be held regarding this proposal and staff's review was done in advance of this hearing and prior to any public input. Therefore, the decision of the Hearing Examiner may differ as deemed appropriate.

MUNICIPAL CODE


SURROUNDING AREA

As noted above, the subject site is located at 2805 S. Grant Avenue consisting of approximately 45,708 square feet or 1.049 (+/-) in area. The property is accessed from Grant Avenue. Surrounding land uses consist of single family residential homes with Riverside Golf Course directly east. Bannock Highway also abuts the property to the east as well.
as Hawkweed Road on the west.

PUBLIC NOTICE

No comments, either in support of or in opposition to the request, have been received as of completion of this report (12/31/19).

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: See attachment A

Staff analysis: The Gables Assisted Living Center has no unique circumstances in regard to topography or lot configuration which would warrant the need for approval of a sign exception. The property is landscaped with the building setback in an angle approximately 78 feet on the north and 25 feet on the south. The speed limit on Bannock Highway is 35mph, which in combination with the building setback, may result in clients and visitors passing by the living center if not previously aware of the location. Placement of the proposed sign may be helpful to better locate the assisted living center.

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: See Attachment A

Staff analysis: A sign exception is required in light of the residential zoning.

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

Applicant’s response: See attachment A.

Staff analysis: The applicant has reasonable use of the property without the sign exception.

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

Applicant’s response: See attachment A.

Staff analysis: Records show that The Gables Assisted Living Center was constructed in 2004 with no signage on site since that time.
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:

Staff analysis: The applicant does not propose to illuminate the sign which may help eliminate possible adverse effects on 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.

Conclusion:

The Gables Assisted Living Center was constructed in 2004 and there have been no sign permits issued over the past 16 years. There are no unique circumstances in regard to topography or lot configuration which would warrant the need for approval of a sign exception. The speed limit on Bannock Highway is 35mph, which in combination with the building setback, may result in clients and visitors passing by the living center if not previously aware of the location. Placement of the proposed sign may be helpful to better locate the assisted living center.

Attachments: Application materials
APPLICATION FOR SIGN EXCEPTION
(For Legally-Established Land Uses)

City staff received on: 11/21/19
City staff contact: ML
Public hearing date: 1/9/20

Application No.: 19-3643
Receipt Date: 12-10-19

Filing Fee: $475.00 + (18) addresses x $3.00 = $ 51

Total Due $ 51

Sign Contractor Information:
Name: FASTSIGNS
Address: 340 E. ELVA St. Idaho Falls
Phone: 208-522-1355
Email: tate.s@fastsigns.com

Zoning: A-3 Historic District: Yes ☐ No ☑
Illumination Source: Non-illuminated

Power Source: Existing ☐ New ☑ If new, electrical contractor name:

Is the electrical connection a standard three-prong? Yes ☐ No ☑
Height (from ground level to top of sign): 18'

Total Sign Area Existing on Site (include all painted wall signs, pole signs, and window signs): 112 sq ft

Building Frontage (per street front): 200 sq ft

Open Space (per street front): 2600 sq ft

Is this a multi-use facility (more than one tenant in bldg.)? Yes ☐ No ☑
Would this signage overhang a public sidewalk or right-of-way? Yes ☐ No ☑
Would this signage utilize an existing pole, not presently in use? Yes ☐ No ☑
Would this signage utilize an existing cabinet, not presently in use, or a face reflecting a "closed" business? Yes ☐ No ☑

If the answer to either of the previous two questions is yes, do the proposed changes constitute fifty (50) percent of the sign's total value? Yes ☐ No ☑

Is this request for a new pole/ground sign? Yes ☐ No ☑ If yes, what is the distance to any neighboring pole/ground sign(s)?

If a pole/ground sign, does it meet sight triangle regulations? Yes ☐ No ☑

Is this business relocating from another site? Yes ☐ No ☑

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THE FOLLOWING INFORMATION MUST ACCOMPANY EACH APPLICATION

1. A site plan that includes the site with property lines, street locations, lot frontage dimensions, building location(s), building frontage dimension, open space dimension, landscaping, location of all existing and proposed signage with setback dimensions from property lines, and the dimensions of each sign.

2. Schematic drawings, inked, of the proposed sign(s) which indicate dimensions, height, colors, copy, type of illumination, and construction materials.

3. Structural details showing mounting to a building or pole (pole size, anchoring, concrete footings, etc.).

4. Color photographs of the site showing building and proposed location of sign(s). A color photograph of the entire building face on which the sign is to be erected is required for proposed wall signs.

5. Typed, gummed mailing labels with all of the names and addresses of the property owners and occupants that share a common boundary line, minus public right-of-way, with the project site on which the proposed sign is to be located. A charge of $3.00 per property owner and occupant is required. A signed Affidavit of Mailing List must also be submitted (attached).

THE FOLLOWING SIGN EXCEPTION STANDARDS MUST BE ADDRESSED IN A WRITTEN NARRATIVE:

A. An exception sought should be the result of unique physical characteristics of the site in question.
B. The applicant shall have taken all reasonable steps to comply with the strict terms of the ordinance from which he/she requests an exception.
C. The circumstances surrounding the request shall be extraordinary as related to the applicant’s land and the reasonable use thereof.
D. The applicant should show that, absent an exception, no reasonable identification of the subject land remains.
E. The applicant for an exception shall show how the proposed exception has been designed to minimize adverse effects on adjoining land.
F. The proposal must be in conformance with the purpose set forth in Chapter 15.20.

The undersigned applicant and/or applicant's representative hereby agree to indemnify, protect, and save the City harmless from all costs, loss, or damage, which may be sustained by reason of the erection, maintenance, use, or removal of the sign(s), and that the sign(s) may be removed as provided in the City ordinances. The approval of this sign does not permit the violation of any section of this or other City ordinances. I/we hereby acknowledge that I/we have read this application and certify that the information provided is correct. Further, I/we understand that it is my responsibility, as the sign contractor, to secure the exception and permit prior to commencement of any work including fabrication and installation of said signs. The permit should be available in the City Planning & Development Services Department 5 working days after final processing of this exception, including expiration of the appeal period. Further, by my signature below, I acknowledge that any and all conditions will be adhered to and are understood, that all work will be done in accordance with the issued permit, and that I am authorized to do so by the building/business owner.

PRINT NAME OF BUSINESS/PROPERTY OWNER
Quinn Oliver
SIGNATURE OF BUSINESS/PROPERTY OWNER
Quinn Oliver
DATE
11/21/19

PRINT NAME OF SIGN CONTRACTOR
Jathan Smith
SIGNATURE OF SIGN CONTRACTOR
Jathan Smith
DATE
11/21/19

(Note: Both signatures required.)

Signage should be completed within ninety days of obtaining a permit. Permits and exceptions are not transferable from one sign contractor to another (Municipal Code 15.20.250.G).
Exhibit A
THE FOLLOWING SIGN EXCEPTION STANDARDS MUST BE ADDRESSED IN A WRITTEN NARRATIVE:

A. An exception sought should be the result of unique physical characteristics of the site in question.
   - This is in a residential zone. I believe it meets standards for the sign code.

B. The applicant shall have taken all reasonable steps to comply with the strict terms of the ordinance from which he/she requests an exception.
   - I have reviewed the zoning code and feel we are within the sign codes.

C. The circumstances surrounding the request shall be extraordinary as related to the applicant’s land and the reasonable use thereof.
   - The property is zoned within specified requirements.

D. The applicant should show that, absent an exception, no reasonable identification of the subject land remains.
   - The Gables of Pocatello Assisted Living and Memory Care is within good standings of zoning requirements.

E. The applicant for an exception shall show how the proposed exception has been designed to minimize adverse effects on adjoining land.
   - We are sending out mailing avadavat to the surrounding neighbors in accordance to the process of the Sign Acceptations

F. The proposal must be in conformance with the purpose set forth in Chapter 15.20.
   - Fastsings has submitted all other sign coding requirements set forth by the City of Pocatello
The Gables
Assisted Living & Memory Care
2805

[Image of The Gables building]

FASTSIGNS,
IDAHO FALLS
340 E Elva
Idaho Falls, Idaho 83401
208-522-1355
552@fastsigns.com

11/20/2019