

TACOMA PERMITS

CITY OF TACOMA

Planning & Development Services Department
747 Market St, Rm 345 | Tacoma, WA 98402

NOTICE OF DECISION

Date of Decision: 05/11/2018

Appeal Period Ends: 05/25/2018

Decision Final: 05/28/2018

Decision: Approved, subject to conditions

Applicant: Bennu Enterprises, Inc.
111 Fern Ave
NashvilleTN37207

Location: 815 S Vassault
Parcel: 0220022129

Application No.: LU18-0034

Proposal: Sign Variance to Build and install (1) set of
Face Illuminated Channel Letters

For further information regarding the proposal, **log on to the website at tacomapermits.org and select "Public Notices"**. The case file may be viewed in Planning and Development Services, 747 Market Street, Rm 345.

Reconsideration: Any person having standing may request reconsideration of the Director's decision, based upon errors of procedure or fact, by submitting a request in writing to Planning and Development Services at the address below.

Appeal to Hearing Examiner: Any aggrieved person or entity may appeal to the Hearing Examiner by filing a written Notice of Appeal and submitting the filing fee of **\$332.46** to the Hearing Examiner (747 Market St., Rm 720) which contains the following:

- A brief statement showing how the appellant is aggrieved or adversely affected.
- A statement of the grounds for the appeal, explaining why the appellant believes the administrative decision is wrong.
- The requested relief, such as reversal or modification of the decision.
- The signature, mailing address and telephone number of the appellant and any representative of the appellant.

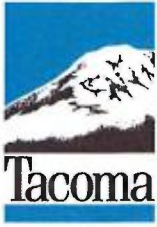
The fee shall be refunded to the appellant should the appellant prevail.

Staff Contact: Latasha Santos, Associate Planner, 747 Market St, Room 345, (253) 594-7971, lsantos1@cityoftacoma.org

Environmental Review: Per SEPA, WAC 197-11-800 and TMC Chapter 13.12, the Environmental Official has reviewed this project and determined the project is exempt from SEPA provisions.



To request this information in an alternative format, please contact Planning and Development Services by phone at (voice) 253-591-5030. TTY or STS users please dial 711 to connect to Washington Relay Services



City of Tacoma
Planning and Development Services

**VARIANCE PERMIT
APPLICATION FOR:**

FILE NO.: LU18-0034

Bennu Enterprises, Inc.
111 Fern Ave
Nashville, TN 37207

SUMMARY OF REQUEST:

Level 1 Sign Variance from quantity and sign area regulations to allow the construction and installation of (1) set of face illuminated channel letters.

LOCATION:

Site Address: 815 S Vassault St. Tacoma, WA 98465
Parcel Number(s): 0220022129

SUMMARY OF DECISION:

The request for a Sign Variance is **Approved**, subject to conditions.

Notes:

The appeal period on this decision closes May 25, 2018, and the effective date of this decision is the following business day, provided no requests for reconsideration or appeals are timely filed as identified in APPEAL PROCEDURES of this report and decision.

The Director has jurisdiction in this matter per *TMC* 13.05.030. The applicant bears the burden of proof to demonstrate the proposal is consistent with the provisions of the *TMC*, the applicable provisions and policies of the City's *Comprehensive Plan*, and other applicable ordinances of the City.

**FOR ADDITIONAL INFORMATION CONCERNING THIS LAND USE PERMIT PLEASE
CONTACT:**

Tasha Santos
Planning and Development Services Department
747 Market Street, Room 345, Tacoma, WA 98402
253-594-7971
Lsantos1@cityoftacoma.org

SUMMARY OF RECORD

The following attachments and exhibits constitute the administrative record:

Attachments:

- Attachment "A": Zoning Map
- Attachment "B": Site Plan
- Attachment "C": Building Elevation
- Attachment "D": Sign Details

Exhibits¹:

- Exhibit "A": Applicant's Justification for the Variance

FINDINGS

Proposal:

1. To allow the construction of one wall-mounted sign, the applicant requests a Level 1 sign variance from quantity and sign area standards.
2. Sites in the R4 district are allowed one sign, either free standing or wall-mounted (See Finding 12). The site has been issued a permit for a free standing monument sign (SIGN18-0020) and an additional sign requires a variance for quantity.
3. Signs in the R4 district are allowed to have a total sign area of 30 square feet; the proposed sign area is 35 square feet (See Finding 13 and Attachment "D"). The applicant requests an approximately 17% increase in sign area, which is within allowed increase for a Level 1 sign variance (See Finding 14).

Project Site:

4. The site is located within the "R-4" Multiple-Family Dwelling District.
5. The site is within the West End Neighborhood Council area.
6. The site has frontage on S. Vassault St. The building that the sign is attached to is setback from the street approximately 115 ft.
7. A Conditional Use Permit (LU16-0244) received final approval on March 22, 2017 to allow the hospital to be constructed on the subject site.

Surrounding Area:

8. The surrounding properties are primarily zoned R4 and R4L and developed with various multi-family developments, religious facilities, a gym and a school (See Attachment "A").

Notification and Comments:

9. The application was determined to be complete on February 7, 2018. Written notice of the application was mailed to owners of property within 100 feet of the site as indicated by the Pierce County Assessor/Treasurer's records, the neighborhood council, and qualified neighborhood groups, allowing for 14 days of comment period. Public notice was posted on

¹ All Exhibits are contained in Planning and Development Services Department File No. LU18-0034. They are referenced and incorporated herein as though fully set forth.

the site within seven days of the start of the comment period.

10. No public comments were received on the proposal.

Additional Information:

11. The applicant's justification for the Variance application is marked as an Exhibit to this report and decision. In summary, the applicant states the following:

- The R4 District sign regulations are designed around allowed residential uses and do not accommodate reasonable signage for a hospital conditional use.
- The structure that the sign will be mounted on is setback approximately 115 ft. from the street – the size and placement of the sign is recommended for visibility and readability from S. Vassault St.

Applicable Regulations and Policies:

12. *TMC* Section 13.06.522.E allows one freestanding sign not exceeding 30 square feet in area for all faces and not greater than six feet in height, or one building face sign of the same maximum dimensions, shall be allowed for each development site.

13. *TMC* Section 13.06.700.S defines sign area as the total area of a sign, as measured by the perimeter of the smallest rectangle enclosing the extreme limits of the letter, module, or advertising message visible from any one viewpoint or direction, excluding the sign support structure, architectural embellishments, decorative features, or framework which contains no written or advertising copy. (Includes only one side of a double-faced sign, unless noted otherwise.)

14. *TMC* Section 13.06.645.B.5.a(1) defines a Level 1 Sign Variance as any sign variance request for up to a 25 percent increase in the permitted sign area or height or to allow an increase in the permitted number of signs. Such variance requests shall be reviewed against the criteria outlined in Section 13.06.645.B.5.b.

CONCLUSIONS²

1. Provided the conditions of approval are met, the proposal meets the criteria as stated in *TMC 13.06.645.B.5.b* for approval of a Variance as follows:

- a. *The proposed signage indicates an exceptional effort to create visual harmony between the signs, structures, and other features of the property through the use of a consistent design theme, including, but not limited to, size, materials, color, lettering, and location.*

The proposed signage is designed to complement the approved building architecture, materials, and location. A white, green and blue color scheme compliments the surrounding natural environment and a neutral font is used. Submitted building elevations (See Attachment "C") illustrate signage that is harmonious with the size and height of the building it is attached to. The sign points to the south, with the closest parcel with residential development being over 600 ft. away from the sign face. Additionally, the City approved a Conditional Use Permit (LU16-0244) to allow the construction of a hospital on the subject site. The R4 zoning district's sign regulations address signage for allowed residential uses as well as limited conditional uses. Hospital

² Conclusions are based upon the applicable criteria and standards set forth in the *Tacoma Municipal Code (TMC)*, the policies of the Comprehensive Plan, and the Attachments and Exhibits listed herein. Any conclusion of law hereinafter stated which may be deemed a finding of fact herein is hereby adopted as such.

uses are not identified and are therefore reviewed under residential use standards. Applying the code literally is unreasonable for this type of use.

DECISION

Based upon the above findings and conclusions, the request for a Sign Variance is **Approved**, subject to the following conditions:

Conditions:

1. The proposal shall be developed substantially consistent with the attached plans (See Attachments "B-D").
2. In no instance shall the total sign area be more than what is allowed through a Level 1 variance, in this case a 25% increase.

Advisory Notes:

The below notes are meant to provide additional information to the applicant relative to the specific development proposal. These notes are not conditions of the permit nor do they constitute a complete review of the project.

ORDERED this 11th day of May, 2018.



Brian Boudet
Manager, Planning and
Development Services Department

FULL DECISION TRANSMITTED by first class mail and interoffice email to:

Bennu Enterprises, Inc. 111 Fern Ave, Nashville, TN 37207

SUMMARY OF DECISION TRANSMITTED by first class and interoffice mail to the following:

All property owners within 100 feet of the subject site
West End Neighborhood Council

PURSUANT TO RCW 36.70B.130, YOU ARE HEREBY NOTIFIED THAT AFFECTED PROPERTY OWNER(S) RECEIVING THIS NOTICE OF DECISION MAY REQUEST A CHANGE IN VALUATION FOR PROPERTY TAX PURPOSES CONSISTENT WITH PIERCE COUNTY'S PROCEDURE FOR ADMINISTRATIVE APPEAL. TO REQUEST A CHANGE IN VALUE FOR PROPERTY TAX PURPOSES YOU MUST FILE WITH THE PIERCE COUNTY BOARD OF EQUALIZATION ON OR BEFORE JULY 1ST OF THE ASSESSMENT YEAR OR WITHIN 30 DAYS OF THE DATE OF NOTICE OF VALUE FROM THE ASSESSOR-TREASURER'S OFFICE. TO CONTACT THE BOARD CALL 253-798-7415 OR <WWW.CO.PIERCE.WA.US/BOE>.

APPEAL PROCEDURES

Any request for RECONSIDERATION and/or any APPEALS must be submitted in the applicable manner as outlined below on or before **May 25, 2018**.

RECONSIDERATION:

Any person having standing under the ordinance governing this application and feeling that the decision of the Director is based on errors of procedure or fact may make a written request for review by the Director within fourteen (14) days of the issuance of the written order. This request shall set forth the alleged errors, and the Director may, after further review, take such further actions as deemed proper, and may render a revised decision. A request for RECONSIDERATION of the Director's decision in this matter must be filed in writing to the staff contact listed on the first page of this document.

APPEAL TO HEARING EXAMINER:

Any decision of the Director may be appealed by any aggrieved person or entity as defined in Section 13.05.050 of the *Tacoma Municipal Code*, within fourteen (14) days of the issuance of this decision, or within seven (7) days of the date of issuance of the Director's decision on a reconsideration, to appeal the decision to the Hearing Examiner.

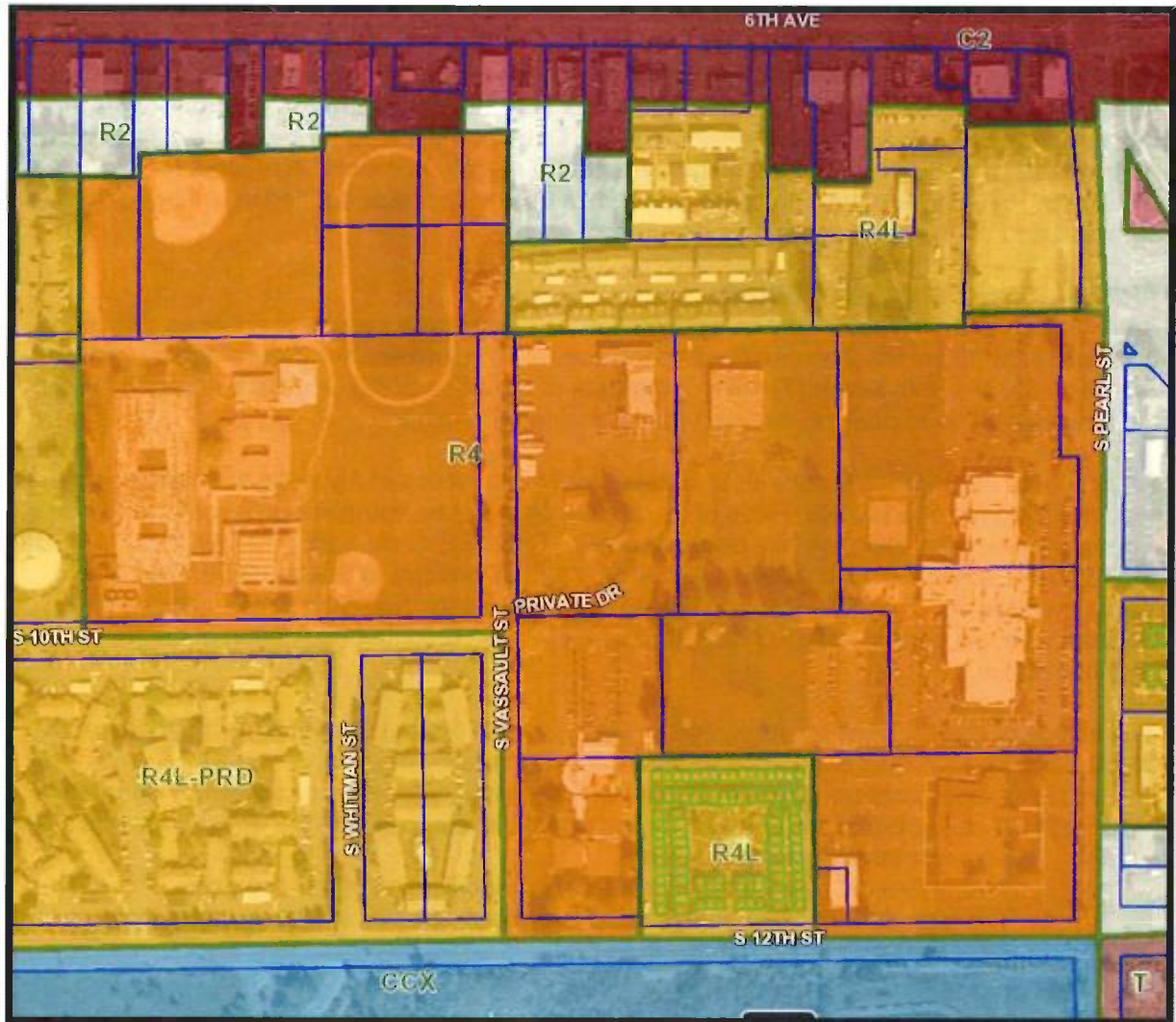
An appeal to the Hearing Examiner is initiated by filing a Notice of Appeal accompanied by the required filing fee of **\$320.90**. Filing of the appeal shall not be complete until both the Notice of Appeal and required filing fee has been received. **THE FEE SHALL BE REFUNDED TO THE APPELLANT SHOULD THE APPELLANT PREVAIL.** (Pursuant to Section 2.09.020 of the *Tacoma Municipal Code*, fees for appeals shall be waived for qualifying senior citizens and persons who are permanently handicapped who are eligible for tax exemption because of financial status.)

The Notice of Appeal must be submitted in writing to the Hearing Examiner's Office, Seventh Floor, Tacoma Municipal Building, and shall contain the following:

- (1) A brief statement showing how the appellant is aggrieved or adversely affected.
- (2) A statement of the grounds for the appeal, explaining why the appellant believes the administrative decision is wrong.
- (3) The requested relief, such as reversal or modification of the decision.
- (4) The signature, mailing address and telephone number of the appellant and any representative of the appellant.

Attachment "A":

Zoning Map



Attachment "B"
Site Plan

See Attached



911 CHEROKEE AVENUE
 NASHVILLE, TN 37207
 615.226.4577 / bennusigns.com

CHI FRANCISCAN HEALTH

815 SOUTH VASSAULT STREET
 TACOMA, WASHINGTON
 98465

TONY HATCHELL

ELLIOT BAE

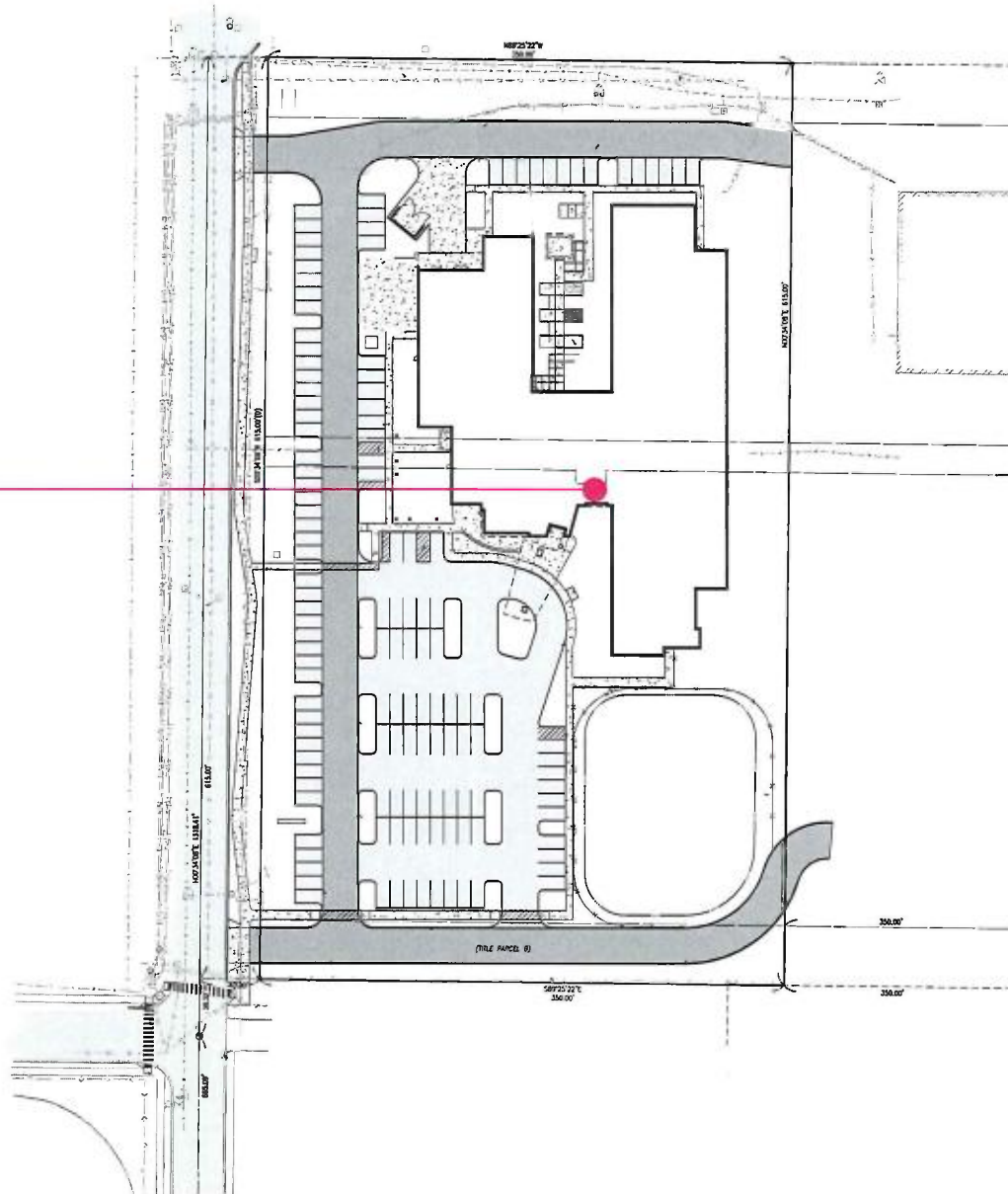
EXT - FRANCISCAN REHAB
 HOSPITAL - CHANNEL
 LETTERS

500141

01 01/11/2018

- 02
- 03
- 04
- 05
- 06
- 07
- 08

CL



Attachment "C"
Building Elevations

See Attached



911 CHEROKEE AVENUE
NASHVILLE, TN 37207
615.226.4577 / bennusigns.com

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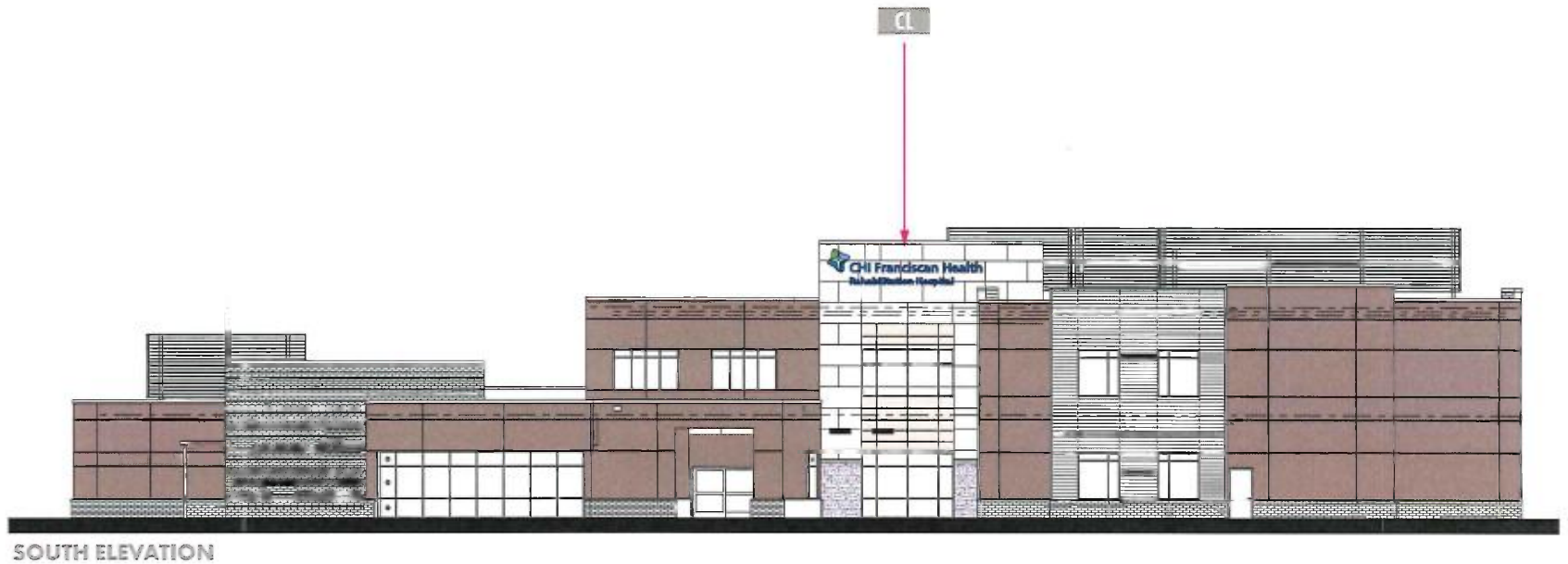
CHI Franciscan Health

Rehabilitation Hospital

OPTION 1

CL CHANNEL LETTER DISPLAY // FOR LIGHT BACKGROUND

SIGNAGE CL: 116 ft²

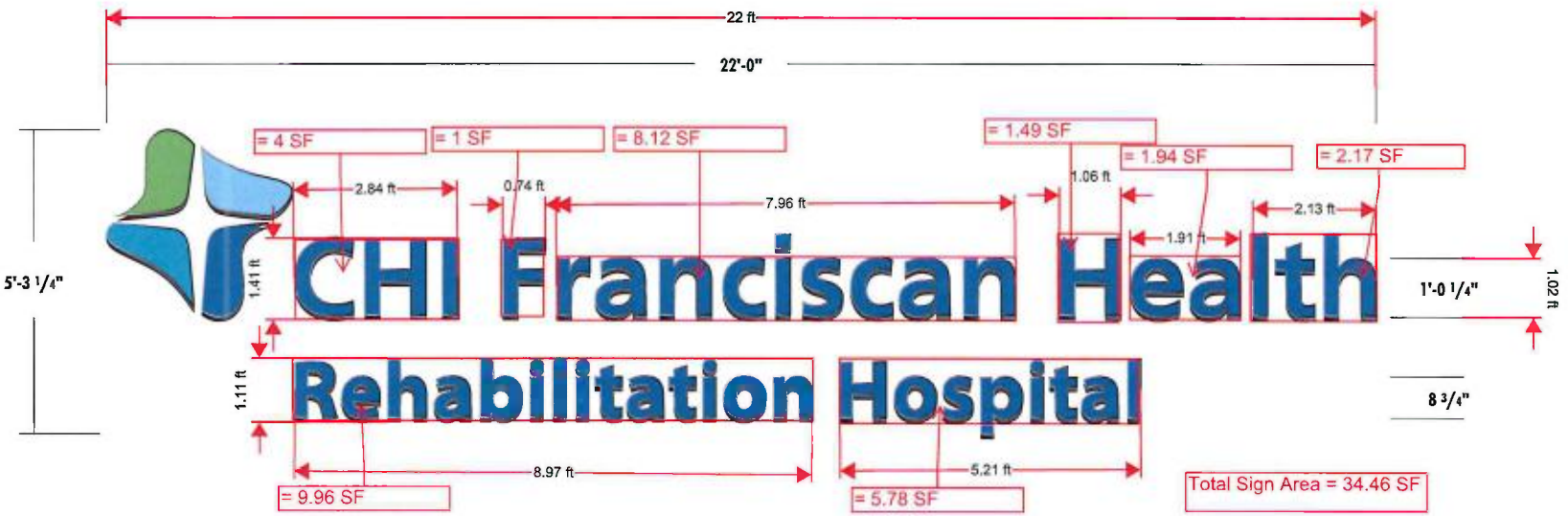


SOUTH ELEVATION

Attachment "D"
Sign Details

See Attached

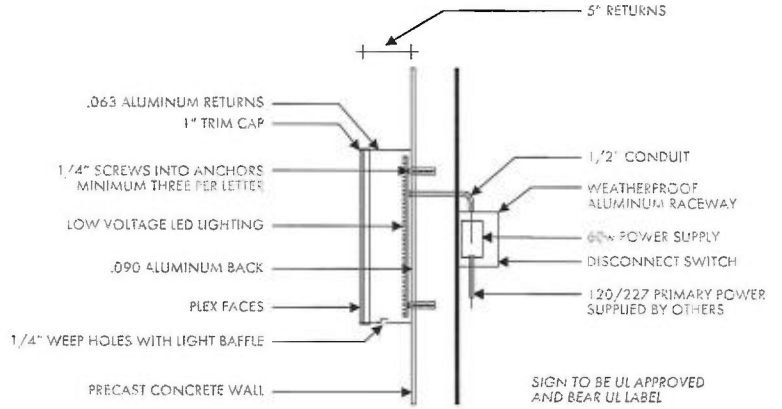
THIS DRAWING IS THE PROPERTY OF BENNU ARCHITECTURAL SIGNAGE. IT IS TO BE USED ONLY FOR THE PROJECT AND LOCATION SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BENNU ARCHITECTURAL SIGNAGE. ANY UNAUTHORIZED USE OF THIS DRAWING IS STRICTLY PROHIBITED. BENNU ARCHITECTURAL SIGNAGE SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS DRAWING. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.



OPTION 1
CL CHANNEL LETTER DISPLAY // FOR LIGHT BACKGROUND

QUANTITY: 1 (ONE)
SCALE: 1:24
FACE: SINGLE
CONSTRUCTION:
STANDARD ALUMINUM CONSTRUCTION WITH MATTHEWS SATIN ACRYLIC POLYURETHANE FINISH.
INSTALL:
3/16 WHITE IMPACT MODIFIED ACRYLIC ILLUMINATED WITH WHITE LED'S WITH FACE PLATE TREATED WITH HIGH PERFORMANCE CAST TRANSLUCENT VINYL. PAINT EXPOSED STRUCTURE MAP BLACK.
1" TRIMCAP (BLACK) WITH 5.3" LETTER COIL (BLACK)

- PANTONE DARK BLUE C
- PANTONE 7711 C
- PANTONE 305 C
- PANTONE 369 C
- 100% BLACK
- 100% WHITE



PLEX FACED CHANNEL LETTERS WITH LED ILLUMINATION / FLUSH MOUNTED

Exhibit "A"
Applicant's Justification for Variance

See Attached

Franciscan Rehabilitation Hospital is seeking a variance to allow building mounted channel letters. They did not realize the restrictive nature of R4 zoning for signage and did not consider amending the special use to include building signage. Currently the hospital is only allowed a 30 sq/ft monument. This serves mainly as an entrance marker and does not address visibility and use of building.

Building Signage: Channel Letter Variance Request

1. The building frontage is 280' X 41'11" Tall or approximately 11,760 sq/ft. The road frontage for this facility is 615' linear feet. The building is set back 116' from the road. The lot's area is 4.94 acres. The proposed building signage is 115.95 square feet or 10 % of building area.

The current placement of the monument sign is off the main road positioned on their property marking the main entrance into the parking lot. The monument sign is designed to comply with R4 zoning. The building signage being requested is designed to be visible from Vassault Street and compliment the building architecture. It will be seen before the monument becomes visible. This is critical for the safety of visitors by increasing alertness on approach to the hospital.

2. The proposed signage does not exceed the minimum needed for relief from this hardship. The size and placement of the signage is what we are recommending for visibility and readability.
3. The grant of this variance is requested to allow for reasonable marking for a hospital.
4. The grant of this variance will not be materially detrimental or contrary to the Comprehensive Plan and will not adversely affect the character of the neighborhood and the rights of neighboring property owners.
5. The grant of the variance will not cause a substantial detrimental effect to the public interest.
6. This request in no way is to accommodate corporate branding efforts. We feel it is necessary for safety of approaching visitors.