

**TO:** HEARINGS OFFICER

**FROM:** LISA ANDERSON-OGILVIE, AICP, DEPUTY COMMUNITY  
DEVELOPMENT DIRECTOR AND PLANNING ADMINISTRATOR

**SUBJECT:** VARIANCE CASE 20-03; 827-955 LANCASTER DRIVE NE 97301;  
AMANDA NO.: 20-112701-SA & 20-112703-SI

### **REQUEST**

Summary: A request for a Sign Variance and Sign Permit to increase the display surface of an existing freestanding sign to approximately 548 square feet in size, for property approximately 48 acres.

Request: A request for a variance to increase the display surface of freestanding sign, as allowed by SRC 900.200(c), to increase the square footage of a freestanding sign to approximately 548 square feet in size, for property approximately 48 acres in size, zoned CR (Retail Commercial), and located at 827-955 Lancaster Drive NE (Lancaster Mall) - 97301; (Marion County Assessor Map and Tax Lot Numbers #072W19CC / 04200, 04502, 04504, 04700 05300, 05400, 5402, 5403, & 05800).

**OWNER:** Lancaster Development Company LLC, C/O CE John Company Inc and Lancaster Properties 52 LLC

**FILER:** Seth Garey, CE John Company Inc

### **RECOMMENDATION**

Based on the Facts and Findings presented in this staff report, staff recommends the Hearings Officer APPROVE the request for a Sign Variance and Sign Permit to increase the display surface of a freestanding sign to approximately 548 square feet in size.

### **BACKGROUND**

On August 4, 2020, Seth Garey, CE John Company Inc, filed sign variance and sign permit applications on behalf of the property owner, Lancaster Development Company LLC, C/O CE John Company Inc and Lancaster Properties 52 LLC, with a request to increase the display surface of an existing freestanding sign, as allowed by SRC 900.200 (c)(A)(i)(a), to increase the display surface of a freestanding sign to approximately 548 square feet in size, located at 827-955 Lancaster Drive NE, a vicinity map of the property is included as **Attachment A**.

The sign is proposed for the Willamette Town Center, formally known as the Lancaster mall which is located within the CR (Retail Commercial) zone. SRC Chapter 900.200(c) allows freestanding signs in a shopping center based on the building frontage on a designated arterial or collector street. The proposal is to increase the display surface of

an existing freestanding sign. The applicant is requesting a sign variance for a freestanding sign for the display surface to increase to 548 square feet in size.

The existing freestanding sign was granted a previous variance (VAR13-01) to increase the height of the sign from 30-feet to 50-feet in 2013.

The public hearing before the City of Salem Hearings Officer is scheduled for October 14, 2020, at 5:30 p.m. Notice of public hearing was sent by mail to surrounding property owners and tenants pursuant to Salem Revised Code (SRC) requirements on September 24, 2020. Public hearing notice was also posted on the property pursuant to SRC 300.620(3).

## **PROPOSAL**

The applicant is requesting a sign variance and sign permit to increase the square footage of a freestanding sign approximately to 548 square feet in size, for property approximately 48 acres.

## **APPLICANT'S STATEMENT**

The applicant's plans and written statement are attached and made a part of the staff report (**Attachment B**).

## **FACTS AND FINDINGS**

### **1. Salem Area Comprehensive Plan (SACP) designation**

The Salem Area Comprehensive Plan (SACP) map designation for the subject property is "Commercial". The subject property is within the Urban Growth Boundary and the Urban Service Area.

### **2. Zoning and Surrounding Land Uses**

The subject property consists of several lots which are all zoned CR (Retail Commercial) and are part of an existing regional shopping center.

The zoning and uses of surrounding properties includes:

North: CR (Retail Commercial), CO (Commercial Office), RM2 (Multiple Family Residential), RS (Single Family Residential), (across D Street NE): Apartments, single family dwellings, and commercial uses.

South: CR (Retail Commercial), County (across Center Street NE): Multi-tenant shopping complexes, restaurants, drug store.

East: CR (Retail Commercial), County (across Lancaster Drive NE): Multi-tenant shopping complex, restaurants, bank, grocery store, retail store

West: CG (General Commercial), CO (Commercial Office), PS (Public

Service), (across Interstate-5): multi-tenant business complex and school bus yard.

### **3. Site Analysis**

The subject property is approximately 48 acres in size and has frontage along Lancaster Drive NE, D Street, Center Street NE and Interstate-5. Lancaster Drive NE and Center Street NE are designated as major arterial streets, D Street NE is designated a minor arterial street, and I-5 is designated as a Freeway in the Salem Transportation System Plan. The sign will be located at the northeast corner of the shopping center, on the corner of Lancaster Drive NE and D Street NE.

### **4. Neighborhood and Citizen Comments**

Notice of the application was sent to the North East Salem Community Association (NESCA), East Lancaster Neighborhood Association (ELNA), and all property owners of record within 250 feet of the subject property. ELNA provided comments with no concerns with the proposal. No comments were received from NESCA, or surrounding property owners.

### **5. City Department and Public Agency Comments**

The Building and Safety Division did not express concern with the application. A building permit and engineering plans may be required for the freestanding sign.

### **6. Analysis of Sign Variance Criteria – SRC Chapter 900**

A sign variance shall not provide for any of the following:

- a) To allow a sign prohibited by SRC 900.020 (Prohibited Signs).
- b) To decrease a setback or special setback.
- c) To allow placement of a sign in a vision clearance area.
- d) To allow structural alterations to a non-conforming or non-complying sign.
- e) To authorize a sign not otherwise permitted on the property for which the variance is sought.
- f) To allow any sign other than those specifically allowed by this Chapter.
- g) To modify the display and brightness regulations for electronic display signs established by SRC 900.090.

Pursuant to SRC 900.040(d), an application for a sign variance shall be granted if the following criteria are met:

#### Criterion 1:

Compliance with the applicable standard would create an unnecessary hardship due to unique or unusual physical conditions of the property over which the applicant has no control, such as topography and lot shape, which are not present on other properties in the vicinity that have the same zone designation;

the hardship does not result from actions of the applicant, owner, or previous owners of the property; and the sign variance is limited to the minimum reasonably necessary to alleviate the problem created by the unique or unusual physical conditions.

**Staff Finding:** The shopping center is approximately 48 acres in size, has approximately 1,200 feet of frontage along Lancaster Drive NE, and approximately 1,700 feet of frontage along D Street NE. As the applicant discussed, the subject property is larger and contains more tenant spaces than any other property in the area. The proposal is to increase a freestanding sign allowed under SRC 900.200(c)(A)(i)(a). This variance will not change the number of freestanding signs on the property, if approved. The appearance and function of the proposed sign will not adversely affect, or be out of character with, other signage used by businesses along Lancaster Drive NE and Interstate 5.

The shopping center located at the corners of Center and Lancaster and D Street and Lancaster Drive, was previously not considered a shopping center based on ownership and layout of the development site which lead to signage that is inconsistent with the signage allowed for a shopping center. The subject property, pursuant to SRC 900.200 (c)(A)(i)(a), is allowed a freestanding sign for each frontage along an arterial or collector, unless on a corner one sign is allowed. The shopping center has three frontages along an arterial or collector street, allowing two freestanding signs.

Previously, Tax Lots 4504 and 4600 were considered a separate shopping center, and tax lot 4700 as a standalone commercial property. The two signs located on these tax lots are now non-conforming, since being incorporated into the development site of Willamette Town Center.

Several of the other freestanding signs are located at entrances to the shopping center and this sign would be the first sign visible for southbound motorists on Lancaster Drive. The sign would provide notification of the shopping center to those motorists traveling along Interstate-5 from a distance and provide an opportunity for maneuvering to exit at Market Street NE.

The variance is necessary due to the large size of the property, the distance between the freestanding sign, the amount of tenants the property supports, and the proposal is the minimum needed to alleviate the problem created by this site's existing conditions.

Criterion 2:

The sign variance is necessary to permit signage comparable with other properties in the vicinity that have the same zone designation.

**Staff Finding:** A shopping center in the CR zone can have one freestanding sign on each building frontage which is designated an arterial or collector street. However, if the shopping center is located on a corner lot where two intersecting

streets are either designated as arterial or collector streets, only one freestanding sign is allowed. In addition, shopping centers with street frontage greater than 300 feet may have an additional freestanding sign. An individual business within a shopping center in the CR zone may have a wall sign for each building frontage or building face. The subject property is approximately 48 acres in size and has approximately 1,200 feet of frontage along Lancaster Drive NE and approximately 1,700 feet of frontage along D Street NE, which is much larger than other properties in the vicinity. The proposal is to increase the size of an existing sign, the only change will be the appearance of the sign. The property will have the same number of freestanding signs, if the variance is approved. The appearance and function of the proposed sign will not adversely affect, or be out of character with, other signage used by businesses along Lancaster Drive NE.

When reviewing properties within a mile north and south of the shopping center along Lancaster Drive, the next largest property is 16 acres in size. The existing shopping center currently supports approximately 60 businesses. Each business could be entitled to a wall sign. Due to the size of the property, wall signs are not likely to be viewed from the public right of way.

The shopping center consists of ten separate buildings, on several tax lots under common ownership, which share a vehicle use area. If the lots had separate businesses which did not share a vehicle use area, each lot would be permitted to have a freestanding sign on their building frontage. The proposed freestanding sign approximately 50 feet in height and 548 square feet is comparable to other freestanding signs permitted in the CR zoning district based on the size of the subject property.

Criterion 3:

The sign variance will not adversely affect the function or appearance of the development and use of the property and surrounding properties.

**Staff Finding:** Lancaster Drive NE is designated as a major arterial street in the Salem Transportation System Plan. Most properties along the Lancaster Drive corridor have a CR (Retail Commercial) zoning designation, which allows signs similar in size. The proposal is to increase the size of an existing sign, the only change will be the appearance of the sign. The property will have the same number of freestanding signs, if the variance is approved. The appearance and function of the proposed sign will not adversely affect, or be out of character with, other signage used by businesses along Lancaster Drive NE.

Criterion 4:

The sign variance will not impose limitations on other properties and signage in the area, including signage that would be allowed on adjacent properties.

**Staff Finding:** If granted, the sign variance to allow an existing sign to increase the display surface to 548 square feet would not limit allowed signage for other

buildings on the subject property or the allowed signage for adjacent properties.

## 7. Analysis of Sign Permit Approval Criteria – SRC Chapter 900

SRC Chapter 900.025(d) provides that an application for a sign permit shall be granted if the following criteria are met:

### Criterion 1:

The sign meets the requirements of SRC Chapter 56.

**Staff Finding:** The Building and Safety Division has received a building permit including engineering, which has been approved pending the variance application.

### Criterion 2:

The sign is allowed in the zone.

**Staff Finding:** With the variance approval, the freestanding sign would be allowed in the CR zone.

### Criterion 3:

The sign will not interfere with the use of any public right-of-way, other public easements, or other publicly owned property.

**Staff Finding:** No evidence has been presented that the sign will interfere with use of the public right-of-way, public easements or other publicly owned property.

### Criterion 4:

The sign conforms to all the applicable standards in this Chapter.

**Staff Finding:** SRC Chapter 900.200(c)(1) provides that freestanding signs are allowed for each building frontage on a designated arterial or collector, however, when the shopping center is located on a corner lot where the two intersecting streets are either designated as an arterial street or designated as a collector street, only one freestanding sign shall be allowed. The variance request is to increase the display surface of a permitted freestanding sign. If the variance is granted, the sign will conform to the standards of this chapter and the sign permit shall be granted.

## **RECOMMENDATION**

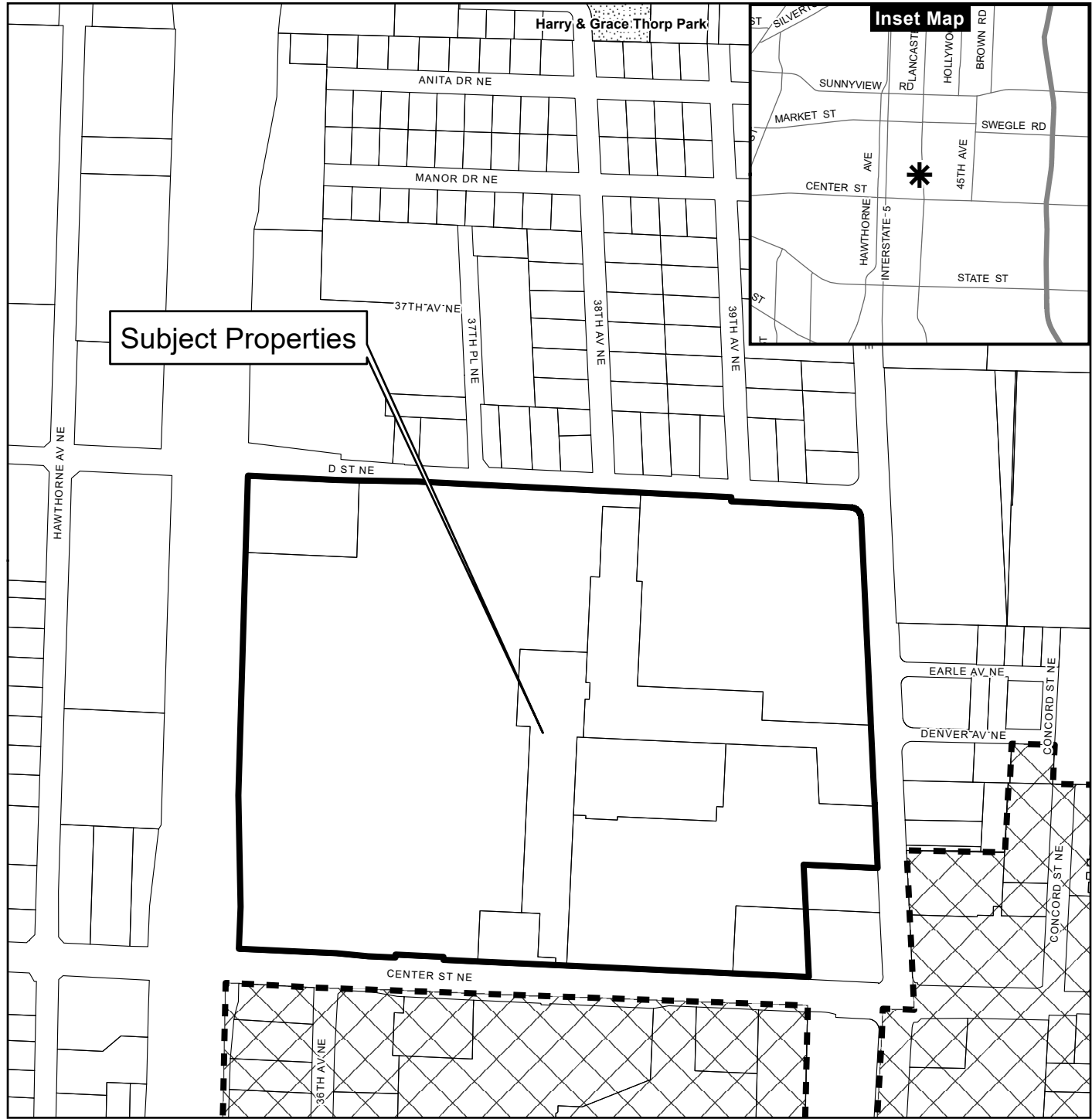
Based on the Facts and Findings presented in this staff report, staff recommends the Hearings Officer APPROVE the request for a Sign Variance and Sign Permit to increase the amount of freestanding sign, as allowed by SRC 900.200 (c)(A)(i)(a), to increase the

display surface on an existing freestanding sign to 548 square feet in size, for property approximately 48 acres in size zoned CR (Retail Commercial), and located at 827-955 Lancaster Drive NE (Willamette Town Center).

Attachments: A. Vicinity Map  
B. Applicant's Plans and Statement

Prepared by: Olivia Dias, Planner III








# Vicinity Map 833-955 Lancaster Drive NE



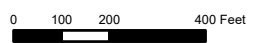
Subject Properties

**Inset Map**

### Legend

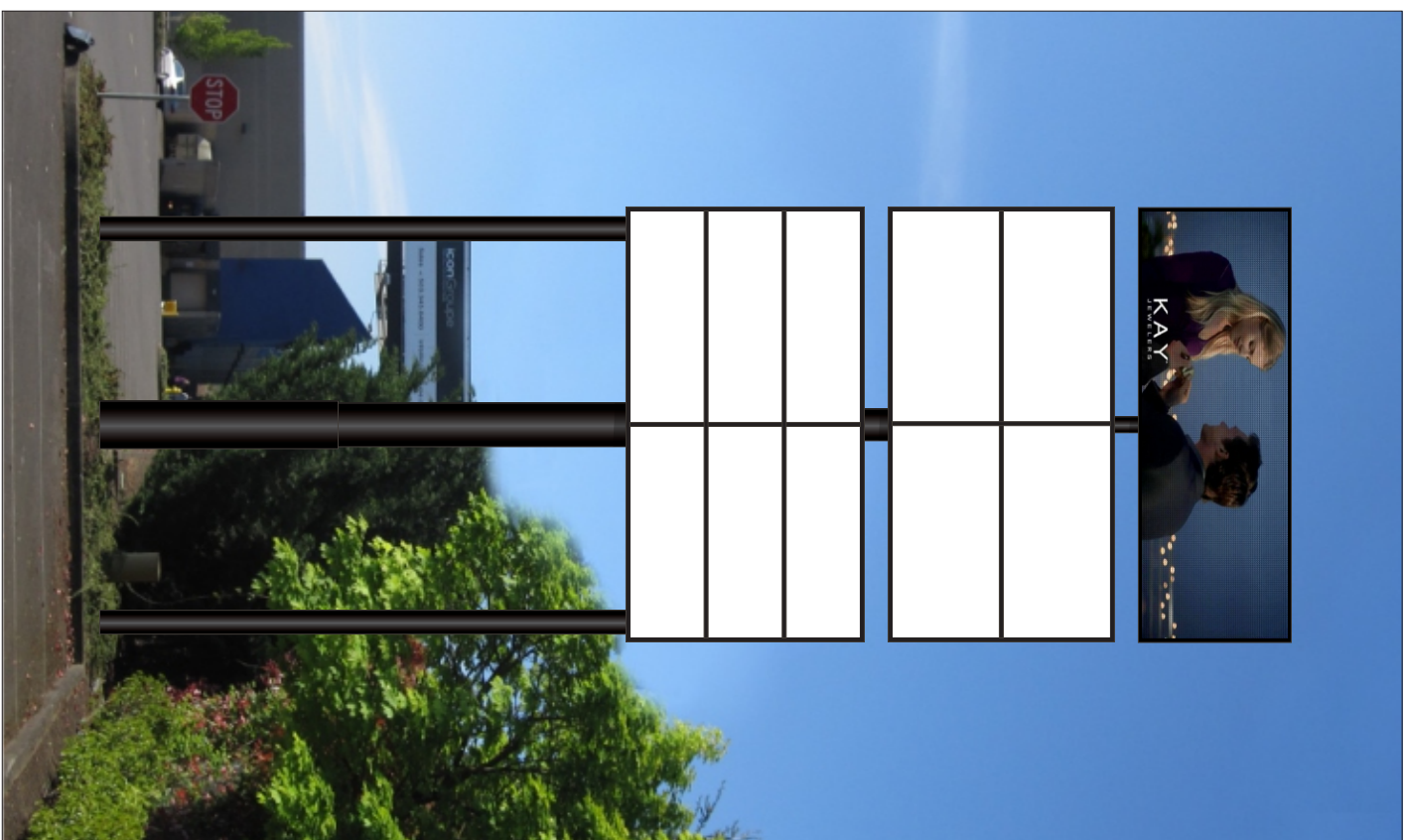
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks

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*AT YOUR SERVICE*  
 Community Development Dept.



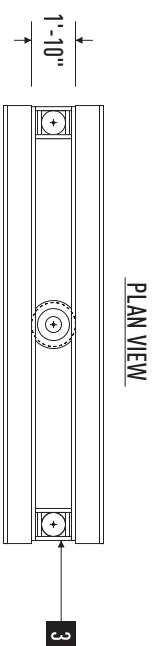
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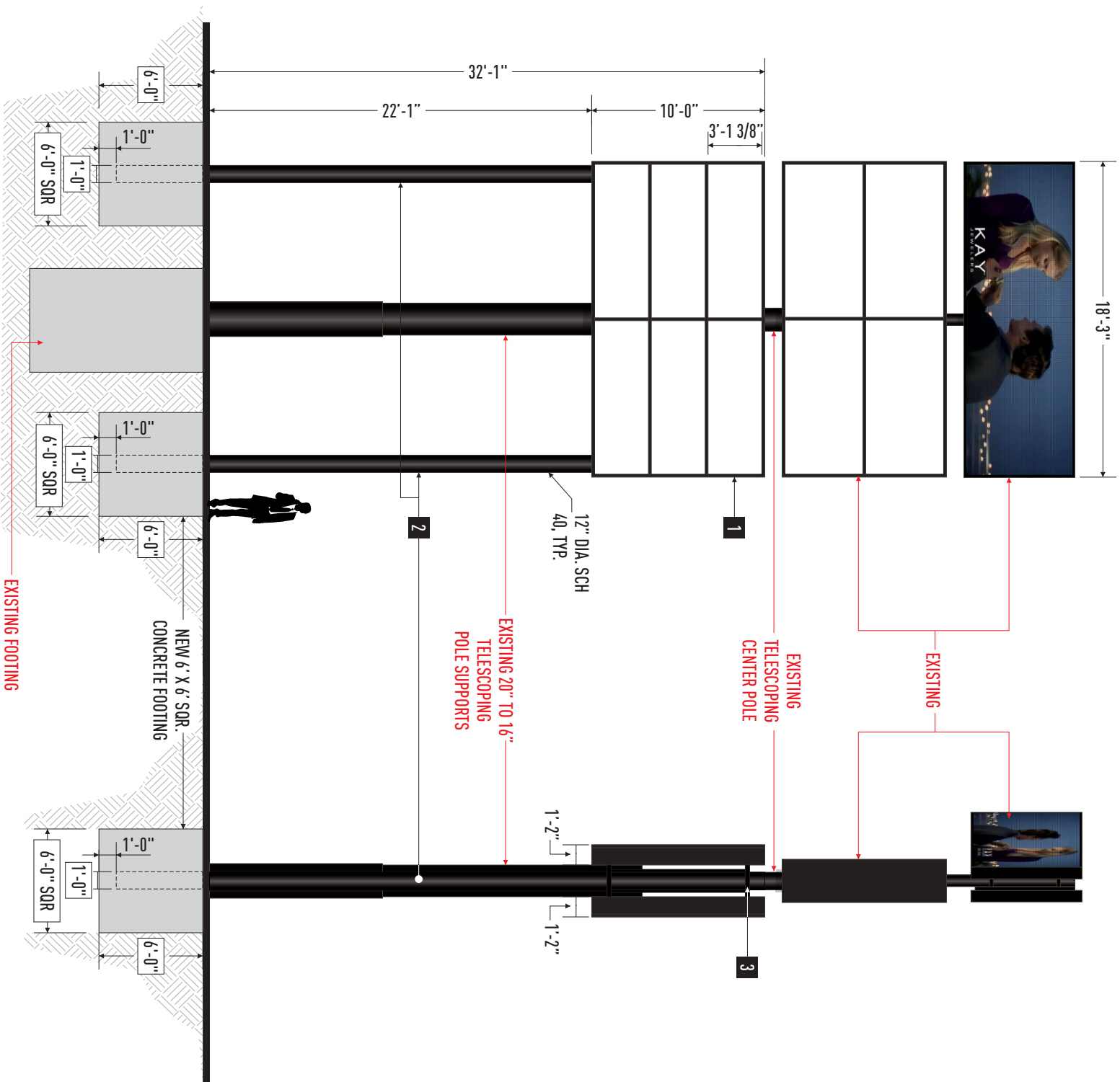
PROPOSED SIGNAGE

SCALE: 1/8" = 1'



PLAN VIEW

SIDE VIEW



A | FREEWAY PYLON SIGN & POLES - 182.50 SQ FT.  
Scale: 1/8" = 1'-0"

COLORS



CITY CODE ALLOWANCE

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Account Manager: Dylan Martin

Project Name  
**Willamette TOWN CENTER**  
831 Lancaster Dr NE  
Salem, OR 97301

**Sign Type A**  
Illuminated  
Manufacture and install two (2) S/F illuminated multi-tenant cabinet signs on freestanding structure.

Install two (2) support poles around existing center pole

**1 MAIN CABINETS**  
Construction: Fabricated aluminum, 14" deep, with 2" retainers & divider bars for six (6) tenant panels, painted Satin Black.  
Faces: .150" white polycarb faces (blank)  
Illumination: White LEDs

**2 NEW SUPPORT POLES**  
Type: 12" Sch. 40 Steel Pipe, painted Satin Black set in concrete footing as per engineering.

**3 STEEL SUPPORT FRAME**  
Construction: Fabricated 2" Angle Support Frame, painted Satin Black.

**INSTALLATION**  
Cabinets: Bolted to Steel Angle Support Frames  
Support Frames: Welded to 12" Support Pole  
Pole(s): Two (2) 12" Schedule 40 Pipe set into poured 6' x 6' square concrete footing, per engineering.

Client Approval: \_\_\_\_\_

Landlord Approval: \_\_\_\_\_

Date: 03.09.2020  
Drawing: 20-mm104-1  
Sheet: 1 of 3

EXTERIOR | PYLON SIGN - FREEWAY VIEW

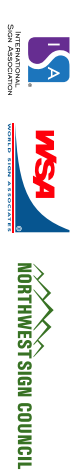


PROPOSED SIGNAGE - FREEWAY VIEW

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**Client Approval:** \_\_\_\_\_

**Landlord Approval:** \_\_\_\_\_

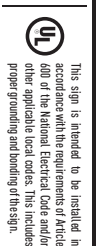
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MATTHEWS PAINT  
 SATIN BLACK 

WHITE POLYCARB 

CITY CODE  
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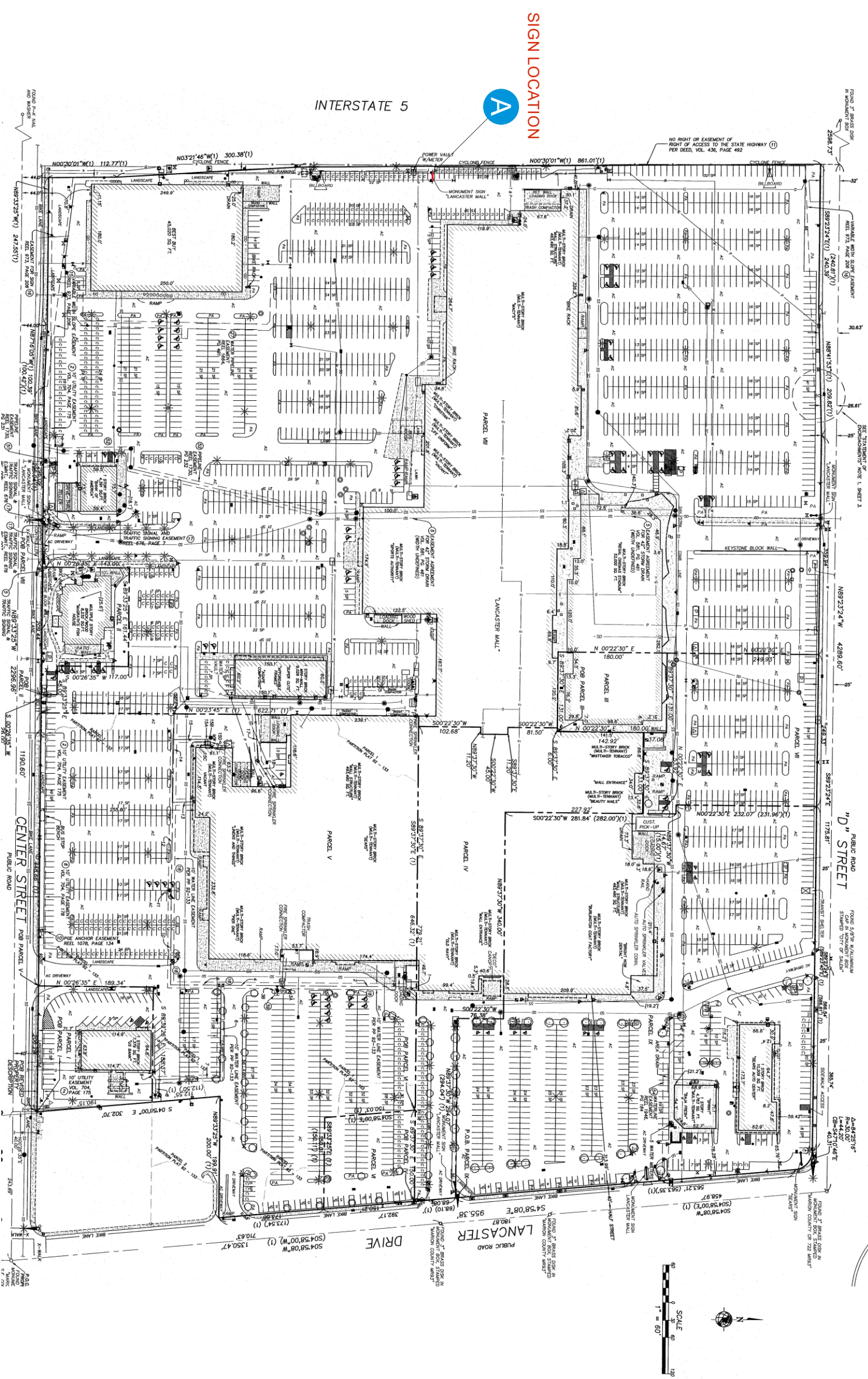
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**Date:** 03.09.2020

**Drawing:** 20-mm104-1

**Sheet:** 2 of 3



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 Sheet: 3 of 3

Client Approval: \_\_\_\_\_  
 Landlord Approval: \_\_\_\_\_

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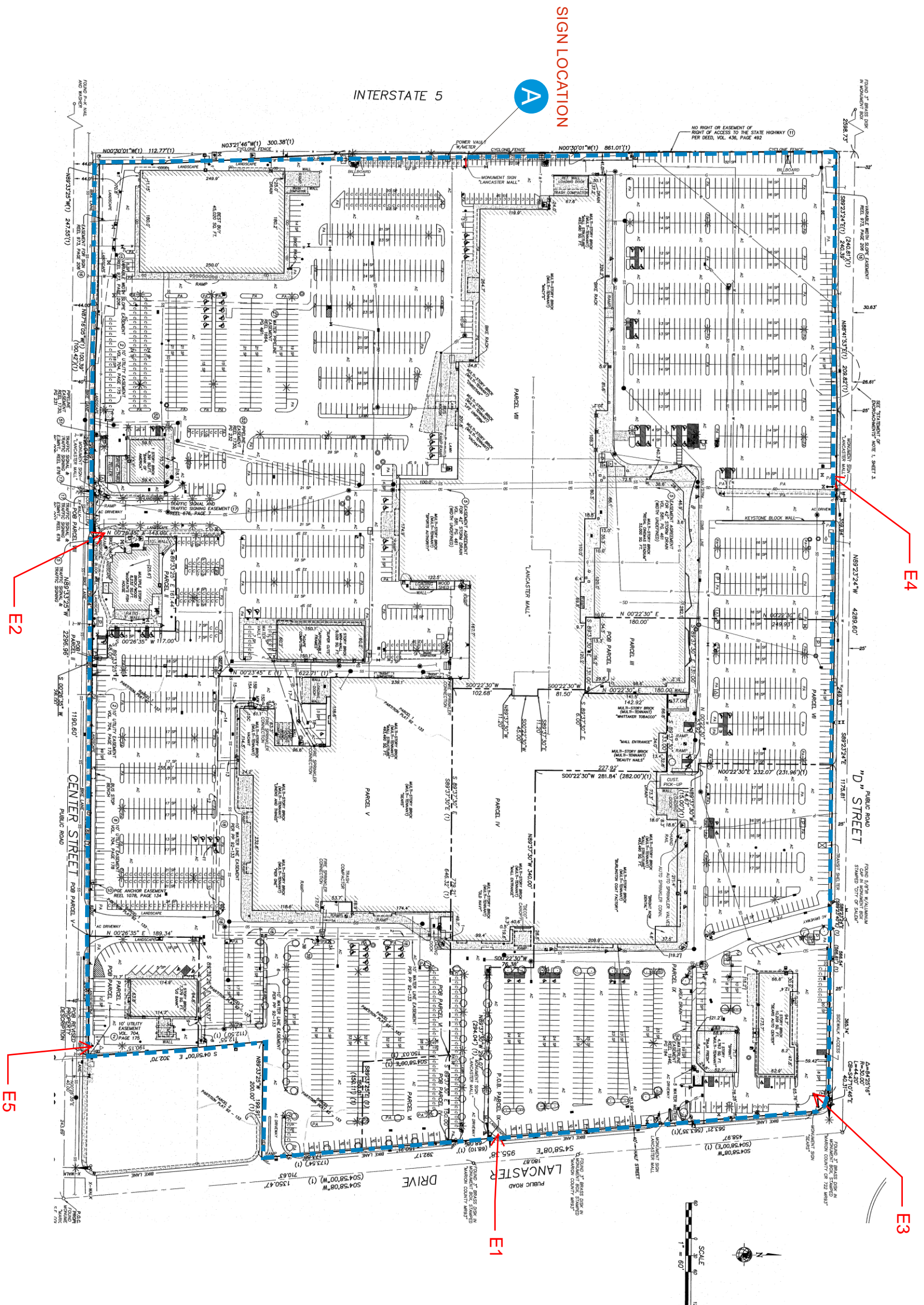
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Account Manager: Dylan Martin

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Project Name  
**Willamette TOWN CENTER**

831 Lancaster Dr NE  
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**NORTHWEST SIGN COUNCIL**

Account Manager: Dylan Martin

Project Name: **Willamette TOWN CENTER**

831 Lancaster Dr NE  
 Salem, OR 97301

Willamette Town Center Sign Inventory

Sign	Size (SF)	Height (FT)	Location	Variance/Adjustment	
E1	275	37	Lancaster Dr	Adj for 10% increase	
E2	275	37	Center St	Adj for 10% increase	
E3	165	28	Lancaster Dr	Variance for larger 2nd sign	VAR-SI-18-01
E4	50	20	D St	Secondary Pylon on D St	
E5	50	15	Center St	Secondary Pylon on Center St	US Bank

# WTC PYLON SIGN

SALEM, OREGON

**Application For:**  
Type III Sign Variance

Submitted: July 2020

Applicant:  
**Lancaster Development Company, LLC**  
1701 SE Columbia River Drive  
Vancouver, WA 97205  
Contact: Seth GaRey  
Phone: (360) 823-2779

Applicant's Representative:  
**DOWL**  
720 SW Washington Street, Suite 750  
Portland, Oregon 97205  
Contact: Mike Towle  
Phone: (971) 280-8645



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## EXHIBITS

- A. Sign Plans
- B. Neighborhood Association Contact
- C. Land Use Application Form
- D. Property Owner Information
- E. Sign Permit Application Form
- F. Structural Engineering for Sign Permit



# I. INTRODUCTION

## GENERAL INFORMATION

<b>Applicant/Property Owner:</b>	<b>Lancaster Development Company, LLC</b> 1701 SE Columbia River Drive Vancouver, WA 97205 Contact: Seth GaRey Phone: (360) 823-2779 Email: sgarey@cejohn.com
<b>Applicant's Representative:</b>	<b>DOWL</b> 720 SW Washington Street, Suite 750 Portland, Oregon 97205 Contact: Mike Towle Phone: (971) 280-8641 Email: mtowle@dowl.com
<b>Project Location:</b>	827 Lancaster Drive NE Salem, OR 97301
<b>Parcel Information:</b>	072W19CC05400
<b>Current Zoning District:</b>	CR Retail Commercial
<b>Comprehensive Plan Designation:</b>	Commercial
<b>Project Site Area:</b>	+/- 49.91 acres / 2,174,080 square feet (SF)

## II. PROJECT SUMMARY

### Existing Conditions

The overall site area, shown in Exhibit A, is approximately 49.9 acres encompassing Willamette Town Center Mall. The development site area is located on tax lot, 072W19CC05400, at 827 Lancaster Drive NE near the western property line along Interstate 5. The mall property abuts the Interstate 5 corridor to the west and is bound by Lancaster Drive NE to the east, Center St NE to the south and D Street NE to the north. The mall is accessible from Lancaster Drive NE, Center Street NE, and D Street NE. The City of Salem boundary runs along Center Street NE for the majority of the length of the mall site.

The site is comprised of a number of tax lots and currently contains Willamette Town Center, several stand-alone retail buildings, and associated parking areas. Table 1 below summarizes tax lot information for the site. The entire site is zoned CR (Commercial Retail), which is regulated by chapter 522 of the Salem Revised Code (SRC).

Table 1: Tax Lot Information

Marion County Assessor Map	Tax Lot Number	Size (acres)	Zoning
072W19CC	04200	7.58	CR
072W19CC	04502	1.93	CR
072W19CC	04504	0.51	CR
072W19CC	04600	0.86	CR
072W19CC	04700	0.86	CR
072W19CC	05300	0.56	CR
072W19CC	05400	34.38	CR
072W19CC	05703	1.85	CR
072W19CC	05800	1.38	CR
	<b>Total</b>	<b>49.91</b>	

Existing zoning and land uses for the properties surrounding the site are summarized in Table 2 below.

**Table 2: Surrounding Zoning and Uses**

<u>Area</u>	<u>Zoning</u>	<u>Land Uses</u>
North	RM2 and RS	Willamette Town Center Property, D Street NE, single and multi-family homes
West	CR	Willamette Town Center Property, Interstate 5, school bus depot
South	Commercial and Commercial Office (Marion County Zoning)	Willamette Town Center Property, Center Street NE, commercial and office development, large retail (Target)
East	PS, CG and CO	Lancaster Drive, commercial development

**Project Description**

Lancaster Development Company, LLC is proposing a Type III Signage Variance pursuant to Salem Revised Code (SRC) 900.040 in order to provide an additional panel to a pylon sign on its property along Interstate 5. Willamette Town Center, formerly known as the Lancaster Mall, has been a staple of Salem for over 50 years. More recently, the shopping mall industry has been severely hurt by online shopping and the COVID-19 pandemic. In order to attract strong national tenants to reinvigorate the mall and attract customers, it is important to compete with other area competitors, most notably Keizer Station. Keizer Station has a major advantage in its location along a major Interstate 5 interchange and large pylon sign along the freeway. The trend is retailers are getting smaller so buildings that previously housed one tenant are now being split into multiple which each require signage thereby increasing the need for signage at the shopping center. Bankruptcies and subsequent closures of Sears, Pier 1, and other mall tenants added well over 100,000 SF of vacant space in just the last 14 months. The retail industry is consolidating to the best locations, and signage is a major component to whether a retailer will choose Salem or go to another city. In order to compete regionally, the applicant proposes to add an additional signage panel and supporting poles to the existing sign on the property. Because the sign is a legal, non-conforming structure on the site, a new sign variance is required for the location, height, and area of the freestanding sign.

**Request**

The applicant requests a Type III Sign Variance to the sign code requirements for the location along a freeway frontage (SRC 900.200(c)(1)(A)), height (SRC 900.200(c)(1)(A)(i)(a)(1)), and area (SRC 900.200(c)(1)(A)(i)(a)(2)) of the proposed freestanding sign for shopping centers with the CR zone pursuant to SRC 900.040.

Figure 1. Vicinity Map

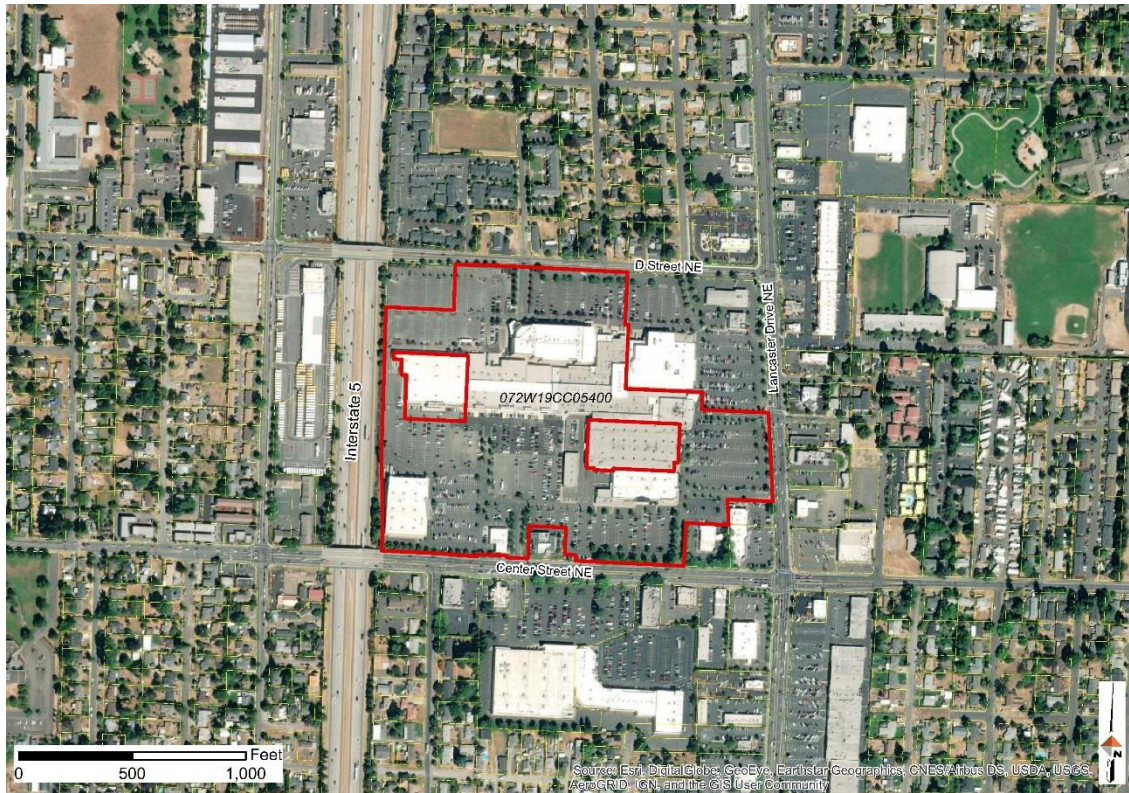
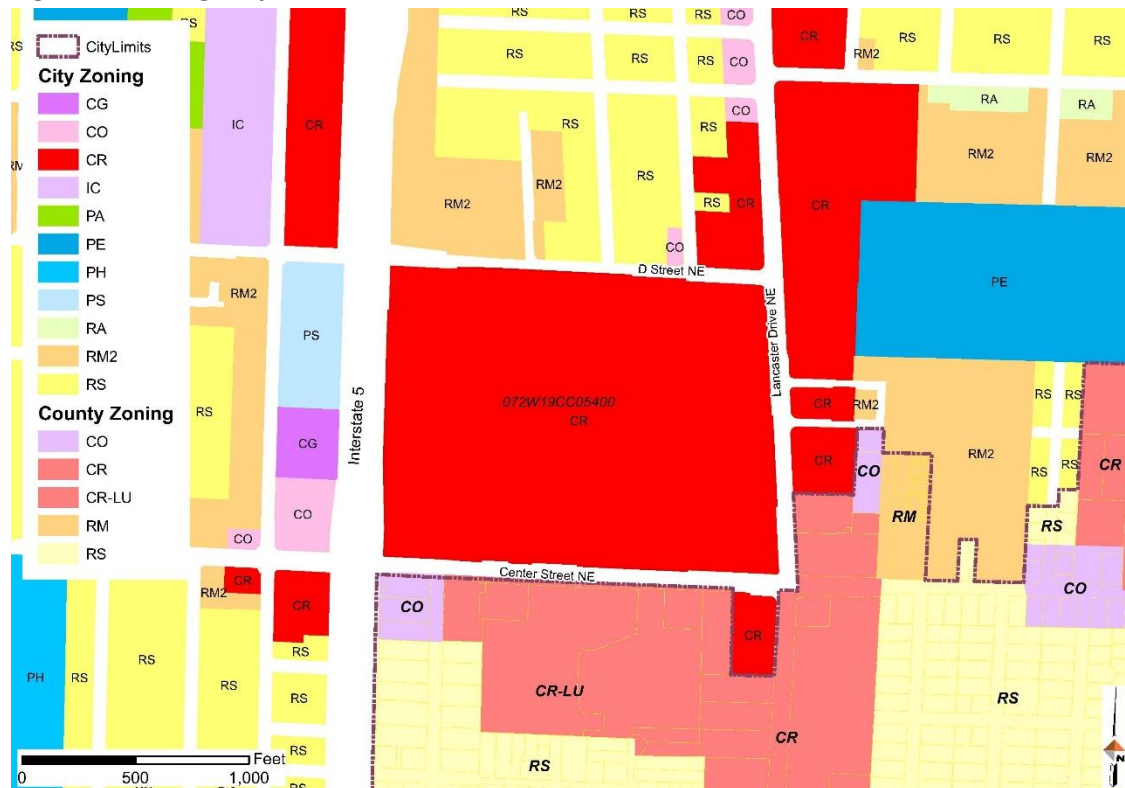


Figure 2. Zoning Map



### III. CITY OF SALEM UNIFIED DEVELOPMENT CODE

The applicable Salem Revised Code (SRC) provisions are set forth below along with findings demonstrating the project's consistency with these provisions. Code language that is not applicable to this proposal is not included.

#### CHAPTER 300. - PROCEDURES FOR LAND USE APPLICATIONS AND LEGISLATIVE LAND USE PROPOSALS

##### SEC. 300.310. - NEIGHBORHOOD ASSOCIATION CONTACT.

**(b) Applicability.**

- (1) Neighborhood association contact, as provided in this section, is required for those land use applications identified under Table 300-2 as requiring neighborhood association contact.**

**Response:** Per SRC Table 300-2, a Type III Sign Variance requires neighborhood association contact. Neighborhood association contact materials in compliance with this section are provided as Exhibit B.

- (3) Nothing in this section shall be construed to preclude additional contact between an applicant and neighborhood association beyond the requirements of this section, or an applicant from contacting a neighborhood association where no neighborhood association contact is required.**

**Response:** As a courtesy, the sign variance was also discussed voluntarily at the regularly scheduled East Lancaster Neighborhood Association meeting on March 5, 2020.

- (c) Process. Prior to submitting a land use application requiring neighborhood association contact, the applicant shall contact the City-recognized neighborhood association(s) whose boundaries include, or are adjacent to, the subject property via e-mail or mailed letter. The e-mail or mailed letter shall:**

- (1) Be sent to the chair(s) and land use chair(s) of the applicable neighborhood association(s) prior to submitting the land use application; and**
- (2) Contain the following information:**
- (A) The name, telephone number, and e-mail address of the applicant;**
  - (B) The address of the subject property;**
  - (C) A summary of the proposal;**
  - (D) A conceptual site plan, if applicable, that includes the proposed development; and**
  - (E) The date on which the e-mail or letter is being sent;**

- (d) Effect on subsequent land use application submittal. A land use application requiring neighborhood association contact shall not be accepted, as provided under SRC 300.210, unless it is accompanied by a copy of the e-mail or letter that was sent to the neighborhood association, and a list of the e-mail or postal addresses to which the e-mail or letter was sent.**

**Response:** Neighborhood association contact materials in compliance with this section are provided as Exhibit B.

**CHAPTER 900. - SIGN CODE**

**SEC. 900.040. - SIGN VARIANCES.**

**(d) Criteria.** An application for a sign variance shall be granted if the following criteria are met:

- (1) Compliance with the applicable standard would create an unnecessary hardship due to unique or unusual physical conditions of the property over which the applicant has no control, such as topography and lot shape, which are not present on other properties in the vicinity that have the same zone designation; the hardship does not result from actions of the applicant, owner, or previous owners of the property; and the sign variance is limited to the minimum reasonably necessary to alleviate the problem created by the unique or unusual physical conditions;**

**Response:** Per City staff, the legal lots shown on the overall site plan included in Exhibit A have been combined as the Willamette Town Center for past land use approvals. Therefore, the mall site exhibits a unique physical condition due to the size, shape, and multi-lot configuration. Per SRC 900.200(c)(1)(A), only one freestanding sign is allowed for shopping malls per building frontage when the adjacent street is designated as an arterial or collector. This provision is too restrictive, as it does not include the mall's frontage along Interstate 5, a freeway classification not captured by the municipal code. This unique frontage is not a hardship created by the applicant, and visibility along this frontage is necessary to compete with area retail. The sign variance, due to the location of the freeway pylon sign, is necessary to alleviate the unique physical constraint along the freeway.

The applicant requests a variance to the 35-foot maximum height standard required by SRC 900.200(c)(1)(A)(i)(a)(1). The proposed pylon sign is approximately 51.7 feet tall, which exceeds the standard by approximately 48%. The applicant is not proposing to increase the height of the existing sign. The height of the sign is necessary to be visible from the freeway, a circumstance unique to the site.

The applicant requests a variance to the area standard required by SRC 900.200(c)(1)(A)(i)(a)(2). The applicant proposed an additional 182.5-square-foot panel to the existing sign. The overall area of the sign will be 547.5 square feet, which exceeds the 250-square-foot maximum area standard by 119%. The allowed area of the sign is based on the length of street frontage and adjacent street designation. The proposed sign, which greater than the maximum standard, is proportional to the approximately 1,295-foot long frontage along Interstate 5. The larger area of the sign is necessary in order to be visible from the adjacent freeway, a circumstance unique to the site.

- (2) The sign variance is necessary to permit signage comparable with other properties in the vicinity that have the same zone designation;**

**Response:** In order for Willamette Town Center to remain viable and attract new tenants as department stores and traditional retailers continue to close, additional signage is necessary. In all commercial property along Interstate 5, the vast majority of tenants, big and small, have building and pylon signage visible from Interstate 5. The proposed height and area of the pylon sign are comparable with other properties along Interstate 5.

**(3) The sign variance will not adversely affect the function or appearance of the development and use of the property and surrounding properties; and**

**Response:** The proposed sign will not be visible from other properties, except for along Interstate 5 within the Oregon Department of Transportation right of way. The proposed freeway sign will not include flashing lights or other prohibited materials that could distract motorists or interfere with existing traffic signage and signals. Therefore, the surrounding development will not be adversely affected in function or appearance.

**(4) The sign variance will not impose limitations on other properties and signage in the area, including signage that would be allowed on adjacent properties.**

**Response:** The sign variance does not request any changes to how the Willamette Town Center property is viewed by the city or result in change or impact or limit what would be allowed on adjacent properties.

**(e) *Conditions of approval.* The Review Authority may impose conditions on the approval of a sign variance necessary to establish compliance with the approval criteria.**

**Response:** The applicant understands the review authority may impose conditions of approval.

**(f) *Concurrent processing required.* Applications for a sign variance shall be processed concurrently with the sign permit application.**

**Response:** The applicant will submit a sign permit application concurrently.

**SEC. 900.200. - PERMANENT SIGNS IN CENTRAL BUSINESS DISTRICT (CB), WEST SALEM CENTRAL BUSINESS (WSCB), RETAIL COMMERCIAL (CR), AND GENERAL COMMERCIAL (CG) ZONES.**

The following permanent signs are allowed in the Central Business District (CB), West Salem Central Business (WSCB), Retail Commercial (CR), and General Commercial (CG) Zones.

**(c) *Permanent signs for shopping centers.* A shopping center and individual businesses in the shopping center are allowed the following signs:**

**(1) *Shopping center.***

**(A) One sign shall be allowed on each building frontage on a designated arterial or designated collector as follows:**

- (i) For CR or CG zones, one freestanding sign or one wall sign. However, when the shopping center is located on a corner lot where the two intersecting streets are either designated arterials or designated collectors, only one freestanding sign shall be allowed.**

**Response:** The applicant requests a variance pursuant to SRC 900.040 to locate a sign along the Interstate 5 frontage. Freeways are not a street frontage classification recognized by this code. The shopping center is located in the CR zone on a corner lot. Lancaster Drive NE and D Street NE are designated arterials. A previously approved variance, unaffected by this application, allows for more than one freestanding sign on the site.

**(a) Freestanding sign.**

- (1) **Height.** The freestanding sign shall be limited to a height not exceeding 20 feet for the first 100 feet of street frontage, plus an additional one foot for each 20 feet of street front property line over 100 feet, up to a maximum height not exceeding 35 feet.

**Response:** The frontage along Interstate 5 is approximately 1,295 feet. Therefore, the maximum height allowed for freestanding signs is 35 feet. The proposed sign is approximately 51.7 feet tall as shown in the sign elevations included in Exhibit A, which exceeds the 35-foot maximum height standard. A variance to this is requested pursuant to SRC 900.040.

- (2) **Area.** The freestanding sign shall be limited to a display surface not exceeding one square foot per linear foot of street front property line for the first 100 feet of street front property line, plus one quarter additional square foot for each foot of street front property line over 100 feet, up to a maximum display surface of 250 square feet.

**Response:** The frontage along Interstate 5 is approximately 1,295 feet. Therefore, the maximum height allowed for freestanding signs is 250 square feet. An approximately 182.5-square foot panel is proposed in addition to the existing sign. Overall, the sign will be approximately 547.5 square feet, which exceeds the maximum area standard. A variance to this is requested pursuant to SRC 900.040.

#### **IV. CONCLUSION**

As evidenced throughout this narrative and the associated documents, the applicant's Type III Sign Variance request is consistent with the applicable local standards governing the allowance of the requested action. Due to the unique nature of the freeway frontage, the proposed variance is necessary to bring the needed visibility to tenants in the shopping center in order to remain competitive and consistent with the other shopping centers along the freeway. Therefore, the applicant respectfully requests City of Salem's approval of this application.