



PLAN COMMISSION STAFF REPORT

ITEM NO: 1 APPLICATION NO. 0220-2022

MEETING DATE: January 17, 2023

SUBJECT: Amendment to an adopted planned development ordinance

LOCATION: 14150 Hamilton Town Center Boulevard

PETITIONER(S): Hamilton TC, LLC and Simon Property Group (Developer/Owners) and Chuy's Restaurant (Applicant)

SUMMARY: Amendment to the adopted Hamilton Town Center Planned Development Ordinance specifically regarding signage for Chuy's Restaurant

WAIVERS REQUESTED: NA

RECOMMENDATION: Denial

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THIS PARTICULAR STAFF REPORT WILL ONLY HIGHLIGHT CHANGES AND PROVIDE ADDITIONAL INFORMATION REGARDING THE SIGNS. FOR PREVIOUS STAFF REPORT IT IS ATTACHED AS AN EXHIBIT TO THIS UPDATED VERSION AND INCLUDES THE MINUTES OF THE DECEMBER PLAN COMMISSION MEETING.

Summary

This item was continued from the December meeting after much discussion regarding the submittal (Please refer to the attached December minutes regarding the public hearing and the previous Staff Report and Exhibits). The applicant has resubmitted his plans noting the following change: 1. Block Acrylic Closed Channel Letters for the words Tex Mex.

Adopted Requirement of HTC	Outlot Tenant Specs	Chuy's Proposal
Maximum Number of Signs	3	6*
24-IN Letters	1	see below
18-IN letters	2	see below
Backers/Cabinet Signs	Prohibited	Has backer/cabinet signs
Maximum percentage for logos	30%	33-35%
Open Faced Channel Letters	Prohibited	None provided – corrected partially

*This includes the words “fine Tex Mex” as it is a separate sign

The following are the regulations that apply to Chuy's outlot:

- Three signs total
- 2.25-ft multiplied by the linear length of the elevation
- One sign up to 24-IN letters and 50% of the users store front in length
- Other two signs 18-IN letters and 33% of the users store front in length

Based on the review by Staff, the following are regulations that are not being met with this proposal:

1. Requires individual mounted channel letters.
Not all letters for Chuy's are individual channel letters. Chuy's appears to be Face-lit and slightly raised. “Fine Tex Mex” are individual channel letters.
2. Backers and/or cabinet signs are prohibited
The blue background and arrow are a cabinet sign
3. Exceeds the maximum 30% maximum permitted for logos and/or graphics
Depending on the sign it is approximately 33-35%

West Elevation (main entrance – Town Center Boulevard)

4. Wall sign maximum size - 50% of wall length = 96-SF
Proposed at 52.8 SF for larger sign plus the 16-SF for the “Fine Tex Mex” = 68.8-SF
5. Exceeds maximum sign height 24-IN.
Proposed at 68-inches (183% larger than permitted)

North Elevation (Campus Parkway)

6. Wall sign maximum size - 33% of wall length = 61.5%
Proposed at 42.5-SF for larger sign plus the 16-SF for the "Fine Tex Mex" = 58.5-SF
7. Exceeds maximum sign height 18-IN
Proposed at 60-IN (230% larger than permitted)

East Elevation (Internal to parking lot)

8. Wall sign maximum size 33% of wall length = 30.8 SF
Proposed at 42.5-SF (38% larger than permitted)
9. Exceeds maximum sign height 18-IN
Proposed at 60-IN (230% larger than permitted)

West, North, East, and South Elevations

10. Proposing LED lighting around the building which is also considered a sign.
The LED lighted single line will be around the entire building at the top.

Staff has search for standards relating to sign sizes based on distance from roadway. Based on the International Sign Association they suggest 1-IN of letter height for every twenty-five feet of distance from the roadway; however, in speaking with some of the sign companies that submit for sign permits on a regular basis at the City of Noblesville; they use 1-IN of letter height for every 10-Feet of distance from the roadway. Based on the setback of Chuy's from Campus Parkway it is approximately 108-FT that would mean that the letter size should be approximately 10.8-inches in height; noting that Hamilton Town Center is allowing 24-IN sign height for one sign and and 18-IN in sign height for the other two signs noting that two signs are typically internal to the overall retail center. This is a very simplistic rule of thumb.

Sign standards are based on various objective factors such as the number of travel lanes on the road, setback from roadway, posted speed limit of roadway, angle at which the sign can be initially seen by vehicle and/or pedestrian, sign lighting, sign colors, font type, letter size, and color contrast. Based on an algebraic calculations used by The International Sign Association and the United States Sign Council Foundation that included the setback from the roadway, speed limit of the roadway, and type of roadway; the letter size should be approximately 24-inches. Based on these professional sign organizations, the Hamilton Town Center sign sizes appear to be aligned with the recommendations of those professional organizations. Also, predicated on case studies, the most visible colors are black, white, and red with those colors against a background color opposite the sign color.

Staff has researched the service mark/trademark and appears that the only active service mark pertaining to these signs actually is the cursive letters with either a line above or below the lettering. The blue oval and/or other descriptive elements of the sign appear to not be active service marks.

Again, it appears the only reason for the proposed signs is that is what Chuy's want to install at the Hamilton Town Center.

Attachments

Exhibit 1	Updated Sign Package
Exhibit 2	Previous Staff Report and Exhibits
Exhibit 3	December 12, 2022 minutes (partial)

Recommendation

Staff does not support the amendments to the sign portion of the Hamilton Town Center Ordinance as Staff does not believe they have justified their request with supporting statements or documentation other than this is what they propose. Staff believes that adhering to the Hamilton Town Center size regulations will does not inhibit their ability to communicate their message.

Motions

1. Motion to approve the amendment to the Hamilton Town Center Ordinance as per the presentation, drawings attached, and forward a favorable recommendation to the Council for adoption as per Application No. 0220-2022 **(LIST REASONS)**

2. *Motion to deny the requested amendment as per the presentation, submitted drawings, and Application No. 0220-2022 and forward a do not adopt recommendation to the City Council.*
(LIST REASONS)

3. Motion to continue Application No. 0220-2022 until the February 21, 2023 meeting.