

LIM USA, Inc. Window Signs with Technical Deviations STAFF REPORT

Petition Number: 2022-0021 ARB

Property Owner: Wellington Land Development LLC
 3020 Fairlane Farms Road
 Suite 1
 Wellington, FL 33414

Agent/Applicant: Julie Jardel
 LIM USA, Inc.
 DBA CWD Boutique and
 Devoucoux
 3040 Fairlane Farms Road
 Wellington, FL 33414

Site Address: 3040 Fairlane Farms Road

PCN(s): 73-41-44-20-03-000-0240

Future Land Use Designation (FLUM): Flex

Zoning Designation: Flexible Use

Acreage: 2.43 Acres

Request: Julie Jardel of LIM USA, Inc., applicant/agent, on behalf of Wellington Land Development, LLC, owner, is requesting Architectural Review Board (ARB) approval of signage with technical deviations to allow for the tenants window signs to cover more the 50% of the window area for CWD Boutique and Devoucoux located within Commerce Park East at 3040 Fairlane Farms Road.

Project Manager:
 Kelly Ferraiolo, Senior Planner
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Adjacent Property	FLUM	Zoning
North	Flex	FZEC
South	Flex	FZEC
East	Flex	FZEC
West	Residential C (1.01 du – 3.0 du/ac)	PUD

Site History and Current Request

LIM USA, Inc. is located on Fairlane Farms Road approximately 650 feet south of the Pierson Road and Fairlane Farms intersection. LIM USA, Inc occupies the entire building of 3040 Fairlane Farms Road with under two (2) separate businesses – CWD Boutique and Devoucoux. On April 27, 2022, Code Compliance cited the tenant (CC-001237-2022) for the signage on the west (front) windows as they were in violation of Section 7.9.7.A.5 of Wellington's Land Development Regulations (LDR) (Exhibit A – Current Site Conditions). Per Section 7.9.7.A.5 of the LDR, window signs within industrial land uses shall be limited to a sign area of 50% of each window area, including glass doors, and be located within three (3) feet of a first story window. Per Section 7.9.4.M.3 of the LDR, sign areas shall be measured from the highest point to the

ARCHITECTURAL REVIEW BOARD

Planning and Zoning Division

July 27, 2022



lowest point including graphics or logos. If signage includes colored backgrounds, the background shall also be included in the height. The tenant occupies the entire building and faces west. 100% of all 20 window areas are covered by signage or dark tint. The applicant is requesting ARB approval to keep all signage/window coverings.

On April 26, 2022, Council approved Ordinance 2022-13 a Zoning Text Amendment which amendment the requirements for window signs which reduced the allowable window sign area to 50% of a window not to exceed 25% of the window area on each façade. Being that the window signage existed prior to the Zoning Text Amendment, the analysis will be based off the previous sign code requirement that allowed up to 50% of window sign area.

Technical Deviation:

1. Describe in detail the Technical Deviation.

The tenant is requesting a technical deviation to allow all windows on the front (west) façade and side (north) façades to be covered 100% with window signage (Exhibit B – Window Signage Calculations). The applicant installed the UV window coverings in 2018 as another tenant had similar coverings. The coverings allow the employees to work with their curtains open and allow natural light into the office, while reducing the use of the air conditioner. The window covering was also installed for security purposes. Although not all of the covering has signage, pursuant to Section 7.9.4.M.3 of the LDR, signage is computed to include the colored background even though there are no graphics, logos, or text.



2. No deviation may be granted which has the effect of permitting any sign which is specifically prohibited by these regulations.

A Window sign is a permitted sign type.

3. The deviation must enhance the aesthetic result of the overall sign program or mitigate a unique feature of a user, structure, or location that warrants a technical deviation from the code in the opinion of the ARB.

ARCHITECTURAL REVIEW BOARD

Planning and Zoning Division

July 27, 2022



The tenant is located within a building that the storefronts face west which gets direct sunlight throughout the afternoon. The decals showcase the industry that they sell to and not all have logos and wording, the majority of the coverings are graphics.

The building was constructed in 2018 and has newly installed shade trees that are located across the parking lot from the storefront, not providing any shade to the windows. The signage on the south side has some shading from the neighboring landscaping. Staff recommends allowing all signage that is not under an awning to remain on the front façade, and 50% of the window coverings to be removed on the side (south) facade. The tenant is to remove all window coverings that are on the doors and windows next to the four (4) entrances that are underneath awnings.

4. Approval of the deviation must not negatively impact another tenant or building shown on the Master Sign Plan.

Other tenants within the commerce park have requested technical deviations in the past for signage. Prestige Italia was granted ARB approval for a technical deviation at the May 18, 2022 ARB meeting to allow the entire front façade to be covered with window coverings/signage. However, other tenants within the Commerce Park and within Wellington have been cited for the same violation and most have complied and met the requirements of the LDR.

5. The technical deviation must not cause any negative off-site impacts.

No negative off site impacts are expected to occur as the property is surrounded by other industrial type uses that are able to request a technical deviation if needed.

Recommendation:

Staff recommends the following for Petition 2022-0021 ARB for signage with technical deviations to allow for the tenants Window Signs to cover more the 50% of the window area for LIM USA, Inc, DBA CWD Boutique and Devoucoux, located within Commerce Park East at 3040 Fairlane Farms Road:

1. All signage that is not under an awning shall remain on the front façade (west), and 50% of the window coverings shall be removed on the side (south) facade. The tenant shall remove all window coverings that are on the doors and windows next to the four (4) entrances.
2. All additional window tint shall have a maximum opacity of 50%.

ARCHITECTURAL REVIEW BOARD

Planning and Zoning Division

July 27, 2022



Exhibits:

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| Exhibit A | Current Site Conditions |
| Exhibit B | Window Signage Calculations |
| Exhibit C | Previous Window Conditions |
| Exhibit D | Justification Statement |