



Legislation Text

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File #: 19-816B, Version: 1

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**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the ordinance approving a major change to the PUD in order to grant a deviation to reduce the required setback for a ground sign for the subject property located at 1090 75<sup>th</sup> Street (Finish Line Car Wash) - PZC 19-1-084

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission considered this matter on August 21, 2019 and voted to recommend approval of the request (approved, 9-0). Staff concurs.

**BACKGROUND:**

The 1 acre subject property is located on the north side of 75<sup>th</sup> Street, approximately 800' west of Naper Boulevard. The property is zoned B2 PUD (Community Shopping Center District) and is improved with an approximately 5,500 square foot car wash and motor vehicle sales facility. The property was approved as the Stenger Subdivision Planned Unit Development (PUD) in 1985. A car wash is not a permitted use in B2; however, it was permitted through the PUD approval. In 2014, a conditional use to permit motor vehicle sales was also approved for the subject property.

The petitioner, Karen Dodge, represents the contact purchaser of the subject property. The petitioner proposes to remodel the facility and to replace the existing ground sign with a new ground sign in same location. Motor vehicle sales will no longer be conducted on the subject property. Replacement of the sign will require a deviation to reduce the required major arterial sign setback and a major change to the PUD.

**DISCUSSION:**

Per Section 6-16-5:2.2.5.1 (Signs on Commercial and Institutional Property: Setbacks) of the Municipal Code, a 10' setback is required for ground signs adjacent to an arterial roadway such as 75<sup>th</sup> Street. The proposed ground sign will be sited in the same location as the existing sign and located at the property line with a 0' setback. The proposed sign meets all other Code requirements including area, height, and setback from the interior property lines.

75<sup>th</sup> Street is classified as strategic regional arterial and has a 200' right-of-way. Although the sign will be located at the front property line, the actual distance to the 75<sup>th</sup> Street pavement is 50'. Increasing the setback of the sign from the property line will lead to a loss of visibility from the street. Given these factors, staff is in support of the deviation to reduce the sign setback. The petitioner's responses to the standards for granting a deviation are attached. Staff agrees with the petitioner's

findings and recommends adoption by City Council.

As noted above, the subject property is part of a PUD. Per Section 6-4-6 (Changes to a Final PUD plat), a major change to the PUD is required when a deviation is requested. Staff finds that the proposed setback deviation will not alter the overall use of the PUD and is in support of the major change request. The petitioner's responses to the standards for granting a major change are attached. Staff agrees with the petitioner's findings and recommends adoption by City Council.

***Planning and Zoning Commission Action***

The Planning and Zoning Commission opened the public hearing to consider PZC 19-1-084 on August 21, 2019. Karen Dodge with Municipal Resolutions spoke on behalf of the petitioner. No one from the public provided testimony. After limited discussion, the Planning and Zoning Commission closed the public hearing and voted to recommend approval of PZC 19-1-084 (approved, 9-0). Staff concurs with the Planning and Zoning Commission's recommendation.

***Key Takeaways***

- The petitioner proposes to replace the existing ground sign with a new ground sign with a 0' setback. Staff supports the request due to the size of the 75<sup>th</sup> Street right-of-way.

**FISCAL IMPACT:**

N/A