



## Legislation Text

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File #: 19-816, Version: 1

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### PLANNING AND ZONING COMMISSION AGENDA ITEM

#### **ACTION REQUESTED:**

Conduct the public hearing to consider 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 E. 75<sup>th</sup> Street - PZC 19-1-084

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard

#### **BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for PZC 19-1-084 was published in the Daily Herald on August 5, 2019.

#### **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 the Planning and Zoning Commission.

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 the Planning and Zoning Commission.

***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.