



PLANNING AND ZONING CASE SUMMARY

BACKGROUND

APPLICANT:	Stantec Consulting Services, Inc. on behalf of Market East Associates, LLC.
REQUESTED ACTION:	Rezoning to Planned Development – Commercial to establish revised sign regulations for the subject properties.
LOCATION:	1505, 1515, 1519, 1601, 1645, 1649, and 1705 N. Town East Blvd.
CASE NUMBER:	Z1218-0080
COMMUNITY RESPONSES:	Two responses were returned in favor and one was returned in opposition.

STAFF COMMENTS AND ANALYSIS

The applicant is requesting a rezoning to Planned Development – Commercial to revise sign regulations for the subject properties owned by Market East Associates, LLC. The requested PD would allow (1) an additional oversized freestanding sign, (2) to add additional signage to existing ‘tower-type’ ground sign, and (3) allow off-premise signage within the Market East Shopping center.

The proposed signage could not be considered as a sign variance by the Board of Adjustment for two reasons. In April 1986, the City Council approved a Sign Variance to allow a tall tower sign seen along Town East Blvd advertising businesses in the Market East Shopping Center. A stipulation of the Council’s approval was “there shall be no other signs on the site with the exception of the one on the buildings...” The result of the 1986 variance approval is the tall tower sign seen along Town East Blvd advertising Target and businesses in the Market East Shopping Center. It is Staff’s interpretation that the Board of Adjustment cannot change a stipulation of a City Council granted variance. Additionally, the Board of Adjustment does not have the authority to grant variances to allow off-premise signage.

RECOMMENDATION

At the January 28, 2019 meeting, the Planning and Zoning Commission voted unanimously (7-0) to recommend approval of the proposed change in zoning, subject to the following conditions:

1. The boundary of the PD shall be limited to those lots as identified on Exhibit A.
2. The tower-type ground sign as shown in Exhibit B shall be allowed to have up to 450 square feet of signage on each of the four sides of the tower.
3. An oversized multitenant monument sign shall be permitted as shown in Exhibit C and located as shown on Exhibit D provided that the sign complies with the City’s traffic visibility requirements.
4. Free-standing signs permitted in accordance with this ordinance may advertise any business located within the PD, regardless of individual lot lines, without being considered off-premises (billboard) signage.