

Docket Item #7
SPECIAL USE PERMIT #2003-0083

Planning Commission Meeting
October 7, 2003

ISSUE: Consideration of a request to construct additional freestanding signs, with a setback modification.

APPLICANT: JB Rosenthal Retail
by Johnathan Rak, attorney

LOCATION: 3125 Duke Street

ZONE: CG/Commercial General

STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The applicant shall replace the disturbed front entrance landscaping once the signs are installed.
2. The three new signs shall be consistent in size, location, and design with those submitted with this application.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

DISCUSSION:

1. The applicant, JB Rosenfield Retail, requests special use permit approval for two additional free standing signs and a site plan modification for three signs at 3125 Duke Street (Alexandria Commons).
2. The subject property is two lots of record with a combined frontage of approximately 1,138 feet on Duke Street and a total lot area of 12.6 acres. The site is developed with the Alexandria Commons Shopping Center. Access to the property is from Duke Street.

Alexandria Commons, located on the north side of Duke Street just south of the intersection of Duke and Quaker Lane, is a shopping center comprised of 146,133 square feet of retail, office, and personal service space, and 635 parking spaces. There is one existing free standing sign in the parking lot of the shopping center. There are two vehicular entrances from Duke Street.

3. On April 15, 1989, City Council granted SUP#2241 to construct an oversized sign of 185 square feet. The zoning ordinance at that time identified the maximum sign area for a free standing sign at the shopping center to be 150 square feet, which could be increased with a special use permit. On September 5, 1989, City Council approved SUP#2241-A to amend the content of the sign. The sign is the only freestanding sign currently on the property.
4. The applicant proposes to install three new monument signs at the shopping center. Two of the proposed signs would be located on both sides of the westernmost vehicular entrance, one of which will be installed in front of the existing concrete retaining wall on the west side of the entrance. The other sign is proposed on the western side of the easternmost vehicular entrance. Two of the signs require special use permit approval for exceeding the maximum of two signs allowed on the property. All three signs require a modification to the Duke Street building setback line.
5. The proposed signs will each be approximately 5.75 feet in height, from the base of the sign structure to the top of the supporting pillars, 15.00 feet in length, and 1.66 feet in width (see attached picture). The total sign area for each of the three signs, calculated from the sign face only, is 30.54 square feet, totaling 91.62 square feet of additional sign area for the shopping center. Landscaping is proposed to remain in the area around the signs.
6. Number of Signs: Section 9-202 (B)(5)(d) of the zoning ordinance allows the maximum number of freestanding signs to be increased above the allowable two with a special use permit if the commercial lot has a frontage in excess of 300 feet. In this case, the lot width of the subject property is 1,230 feet along Duke Street, therefore, the number of signs may be increased with a special use permit.

7. Building Setback Line: Section 7-1006 (B) of the zoning ordinance states that the building setback line on both sides of Duke Street from Diagonal Road to Quaker Lane shall be at least 60 feet from the existing centerline of Duke Street. Section 7-1006 identifies the intent of this setback provision is to provide sufficient area for use as sidewalks and highway right-of-way and in order to provide for a consistent building line. Structures, such as signs, are not permitted within the setback area.

In this case, the signs are proposed to be located approximately 15 feet inside the setback area (approximately 45 feet from the centerline of Duke Street). Section 11-416 (A) of the zoning ordinance allows a modification of the setback if the planning commission determines that such modification is necessary or desirable for good site development, that specific and identified features of the design make up for those impacts otherwise protected by the regulations for which modification is sought and that such modification will not be detrimental to neighboring property or to the public health, safety and welfare. Staff construes the application to be a request for a site plan modification under this section.

7. Zoning: The subject property is located in the CG/Commercial General zone.
8. Master Plan: The proposed use is consistent with the Taylor Run/Duke Street small area plan chapter of the Master Plan which designates the property for commercial use.

STAFF ANALYSIS:

Staff does not object to the proposed freestanding signs located at 3125 Duke Street. Although, staff would like to minimize the amount of signs along Duke Street in general, the proposed signs are low monument signs and are less automobile oriented than other freestanding signs seen along Duke Street. The signs leave sufficient area for the sidewalk and highway right-of-way, and do not interfere with the existing building setback line. In addition, the shopping center is at a higher grade and less visible from Duke Street, and the low monument signs will provide additional visibility for the center, while maintaining the pedestrian landscape.

Staff recommends approval of the special use permit.

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Valerie Peterson, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

F-1 No comments.

Code Enforcement:

C-1 Construction permits are required for the proposed projects.

Health Department:

F-1 No comments.

Police Department:

F-1 No objections.

Parks and Recreation:

R-1 The applicant shall replace the disturbed front entrance landscaping once new signs are installed.