



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: May 20, 2024

Re: 455 E. Green Meadows Road – Major PD Plan Revision (Case #126-2024)

Executive Summary

Approval of this request would revise the 2013 CP Plan entitled “Lot 1 of Providence South Plaza Plat 2”, which governs the Macadoodles and gas station pump island located northeast of the intersection of S. Providence Road and E. Green Meadows Road by converting an on-premise sign located in the site’s northwest corner to an off-premise sign for the exclusive use of Lot 2 of Providence South Plaza Plat 2 currently improved with Tacos 4 Life to the east. Additionally, approval of this request would replace the 2013 Design Parameters with a State of Intent (SOI) to contain language reflecting the signage change as well as other technical revisions to ensure compliance with current UDC standards. No other revisions to the PD Plan or Design Parameters are proposed. The off-premises sign, if permitted, would have identical height (12-ft) and area (64 sq. ft) limitations as those approved in 2013 Design Parameters for the on-premise sign.

Discussion

Crockett Engineering Consultants (agent), on behalf of Spirits of Columbia Properties, LLC (owner), seek approval of a revised PD Plan and approval of a Statement of Intent (SOI) to the 2013 CP Plan entitled “Lot 1 of Providence South Plaza Plat 2” and its corresponding Design Parameters, which govern the Macadoodles retail building and the gas station pump island. The proposed revisions would convert an unused on-premise sign location in the northwest corner of the site into an off-premise sign location for the exclusive use of Lot 2 of Providence South Plaza Plat 2 which has been improved with a restaurant known as Tacos 4 Life. Lot 2 is east of the Macadoodles retail building with no roadway frontage or visibility to S. Providence Road.

In December 2011, prior to the sale of the lot upon which Macadoodles is located, the parent acreage was divided into two lots. Lot 1 was improved with Macadoodles and Lot 2 is improved with Tacos 4 Life. As a part of the sale contract associated with Lot 1, the then property owner of the parent acreage (also now the owner of Lot 2) negotiated to retain the right to install a sign on Lot 1 for the benefit of Lot 2. This negotiation was unknown to city staff at the time of the Macadoodles site plan approval in 2013. Had such negotiations been known, accommodation for the desired off-premise sign benefiting Lot 2 could have been addressed. Then existing Chapter 29 provisions for CP zoned properties not unlike today’s UDC provisions for PD zoned property permitted modifications to the general signage standards.

Section 29-4.8(f)(ix) of the UDC states that in a PD District that allows non-residential uses the applicant can request and Council can approve site-specific signage standards unique to



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the “planned” development. In the absence of site-specific standards, signage requirements consistent with the intended development type (i.e. office, commercial, etc.) are applied to the property. Given the provisions of sec. 29-4.8(f)(ix), the 2013 CP Plan and Design Parameters omission, and the now developed nature of Lot 2 with Tacos 4 Life, the original property owner (also the owner of Lot 2) and the applicant seek to amend the 2013 development plan and replace the Design Parameters with a SOI.

If approved, the revision would permit the inactive on-premise sign location in the northwest corner of the site to be used as an off-premise sign location for the exclusively benefit of Lot 2 to advertise the business on that lot. The sign area (64 sq. ft.) and height (12-feet) approved with the 2013 CP Plan are not proposed to be altered. The proposed signage change is reflected on the attached revised development plan under the “Signage” heading and within the new SOI. The existing two signs being used by Macadoodles are to remain unchanged.

This revision is believed appropriate given the text of sec. 29-4.8(f)(ix) and after consideration of other potential scenarios (Board of Adjustment variance, signage consolidation, or text change) that could have been pursued to allow permit the signage conversion. Additionally, the formal amendment of the PD Plan and approval of a SOI ensures that the conversion of signage type is tied specifically to these two lots and would not permit advertising on the off-premise sign by any other business but that located on Lot 2. Furthermore, the conversion results in no greater number of signs on the Macadoodles lot, but rather creates a means by which to allow signage to a lot without frontage along a major transportation corridor that is part of the same subdivision.

As noted, other revisions to the 2013 Design Parameters are proposed. The most significant change between the 2013 Design Parameters and the proposed SOI is a refinement of the “permitted uses” allowed on site. The proposed SOI contains only uses consistent with the original “commercial” intent of the development (originally approved for all C-3 uses). Several non-relevant uses were removed from the permitted use list given the site’s developed condition and adjoining development context. Furthermore, the PD Plan, in addition to the signage note being added, has been updated to remove outdated references to zoning other technical changes that have occurred since 2013.

A public hearing on this revision was held by the Planning and Zoning Commission at their April 18, 2024 meeting. Staff provided its report, the applicant gave an overview of the request, and the original developer who negotiated the signage agreement explained his rationale. No public comments were made.

Commissioners questioned how having the sign located in the northwest corner of the site would benefit Tacos 4 Life given it was past the intersection of Green Meadows Road heading northbound on S. Providence. Staff noted that the sign would provide identity to Tacos 4 Life heading southbound and there was opportunity for northbound traffic to exit S. Providence at Carter Lane, north of the site, and circle back to the business. Following



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limited Commission discussion, a motion was made to approve the requested revisions to the PD Plan and approval of a SOI which passed by a vote of (8-1).

A copy of the Planning and Zoning Commission staff report, locator maps, PD Plan, Statement of Intent, and meeting minute excerpts are attached for review.

Fiscal Impact

Short-Term Impact: None anticipated. Any costs associated with the extension or relocation of public utility infrastructure will be borne by the applicant.

Long-Term Impact: None. The sign is located outside of public right of way on private property and maintenance will be borne by the property owners and signage user.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Resilient Economy, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Economic Development, Tertiary Impact: Not Applicable

Legislative History

Date	Action
01/04/22	Approved PD Plan Lot 2 of Providence South Plaza Plat 2 (Ord. 024878)
03/13/13	Approved CP Plan Lot 1 of Providence South Plaza Plat 2 (Ord. 021638)
12/7/11	Approved final plat of Providence South Plaza Plat 2 (Ord. 021167)

Suggested Council Action

Approve the proposed revisions to the CP Plan for "Lot 1 of Providence South Plaza Plat 2" and its associated Statement of Intent as recommended by the Planning and Zoning Commission.