



ZONING STAFF REPORT

Sprouts Farmers Market at Estero Grande

Planning and Zoning Board

PROJECT NAME: SPROUTS FARMERS MARKET
AT ESTERO GRANDE

CASE TYPE: VARIANCE

CASE NUMBER: VAR 2019-E001

PLANNING AND ZONING BOARD DATE: MAY 21, 2019

REQUEST

The applicant is requesting a variance to place a monument sign for the proposed Sprouts Farmers Market grocery store 5 feet from the US 41 right-of-way instead of the required 15 feet.

APPLICATION SUMMARY

Applicant: GBT Realty Corporation

Applicant's Agent: Waldrop Engineering, P.A.
Fred Drovdlc, AICP

Request: Variance from Land Development Code Section 33-385(a)(3) which requires a minimum 15 foot setback from any street right-of-way or easement, and 10 feet from any other property line, to place a monument sign five 5 from the US 41 right-of-way.

Location: The property is located on US 41 across from Walmart. The property STRAP number is 28-46-25-E1-180C1.0000.

PROJECT HISTORY

The property is part of a larger 29.6-acre site that was rezoned from Residential (RS-1) to Mixed Planned Development through Zoning Resolution Z-14-028.

Development Order DOS2016-E003 for on-site infrastructure was approved by the Village of Estero on July 14, 2017.

The site is platted as Tract C1 (Sprouts Farmers Market) of the Estero Grande Subdivision per Instrument No. 2018000041056. The site is currently vacant.

ZONING DISTRICT

Mixed Planned Development (MPD).

FUTURE LAND CATEGORY

The current future land use category is Urban Community. The subject site is Transitional Mixed Use in the adopted Comprehensive Plan. The new Plan is not currently in effect.

PUBLIC INFORMATION MEETING

A public information meeting for the Sprouts Farmers Market was held at the Design Review Board on March 13, 2019. The Board suggested that the applicant include the address on the side of the sign and provide a rendering of the proposed landscaping at the base of the sign.

DEVELOPMENT ORDER

A Development Order application was submitted to the Village of Estero on March 15, 2019 for the Sprouts site. The Development Order is currently under review.

STAFF ANALYSIS OF REQUEST

The applicant is requesting a monument sign for Sprouts grocery store, to be located 5 feet from the US 41 right-of-way instead of the required 15 feet. The sign will be located approximately 125 feet north of the Estero Grande main entry.

Staff review of the request indicates that there are a few extenuating circumstances that affect the placement of the sign. First, the Florida Department of Transportation acquired through donation 19 feet of right-of-way for a turn lane into Estero Grande. Because of this, the Sprouts sign will be located further back from the US 41 travel lane than the Shoppes at Estero Grande identification sign and the Cayo de Estero sign. The sign will be set back over 74 feet from the US 41 travel lane and will be further back and in general alignment with the signs to the north and south.

Second, the location of the sign will be in the required landscape buffer if placed at the 15 foot setback. Even at a lesser setback 10 or 7 feet in lieu of 5 feet, it appears to interfere with the buffer.

Third, in order to comply with ADA requirements, the applicant will construct the sidewalk in a manner to provide access to the handicap parking spaces. A monument sign, if placed 10 to 15 feet from the US 41 right-of-way, would encroach upon the proposed ADA-compliant sidewalk.

In discussions with the applicant and review of the site plan, any placement of a sign on this site at 15 feet would be problematic because of the reasons described above.

The sign detail does not comply with Section 30-94(i) of the Land Development Code which requires landscaping for monument signs and other types of ground signs. This should be a condition of any approval.

A copy of the applicant's justifications is attached.

FINDINGS AND CONCLUSIONS

The following criteria listed in Section 34-145(3)(a-e) of the Land Development Code must be met before a variance can be granted:

- *There are exceptional or extraordinary conditions or circumstances that are inherent to the property in question and whether those exceptional or extraordinary conditions or circumstances create a hardship on the property owner.*
- *The exceptional or extraordinary conditions or circumstances are not the result of actions of the property owner taken subsequent to the adoption of the Ordinance.*
- *The variance granted is the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation to the property.*
- *The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*
- *The condition or situation of the specific piece of property, or the intended use of the property, for which the variance is sought is not of a general or recurrent nature so as to make it more reasonable and practical to amend the ordinance.*

RECOMMENDATION

While staff typically would not recommend approval of a reduction in setback to 5 feet, there are some extenuating circumstances in this particular case as described previously that would justify approval with conditions as contained in the Planning and Zoning Board Resolution.

ATTACHMENTS

- A. Site Plan Exhibit
- B. Variance Request Statement and Narrative
- C. Sprouts Farmers Market Site Plan Dated March 4, 2019