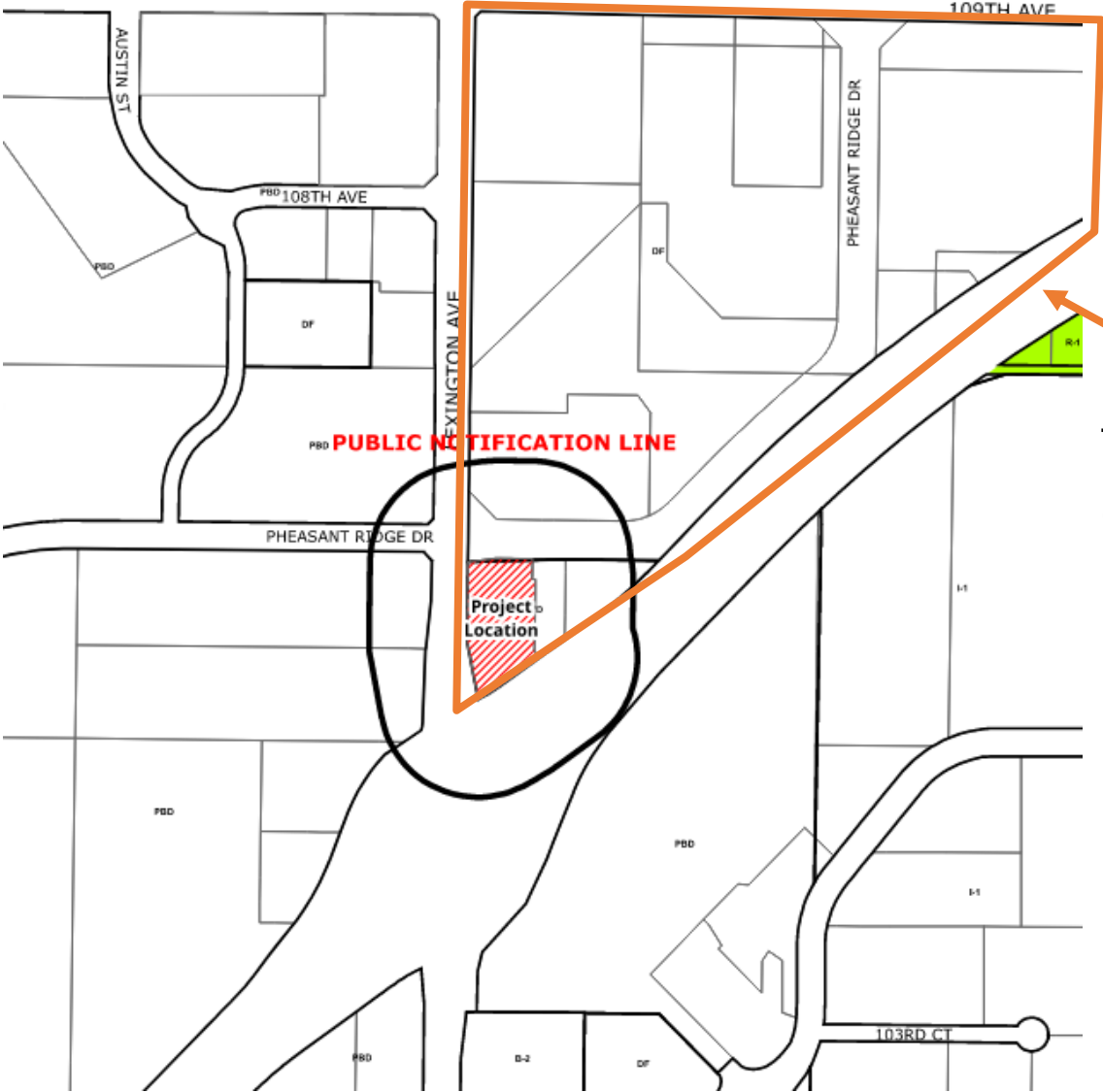


Outfront Media

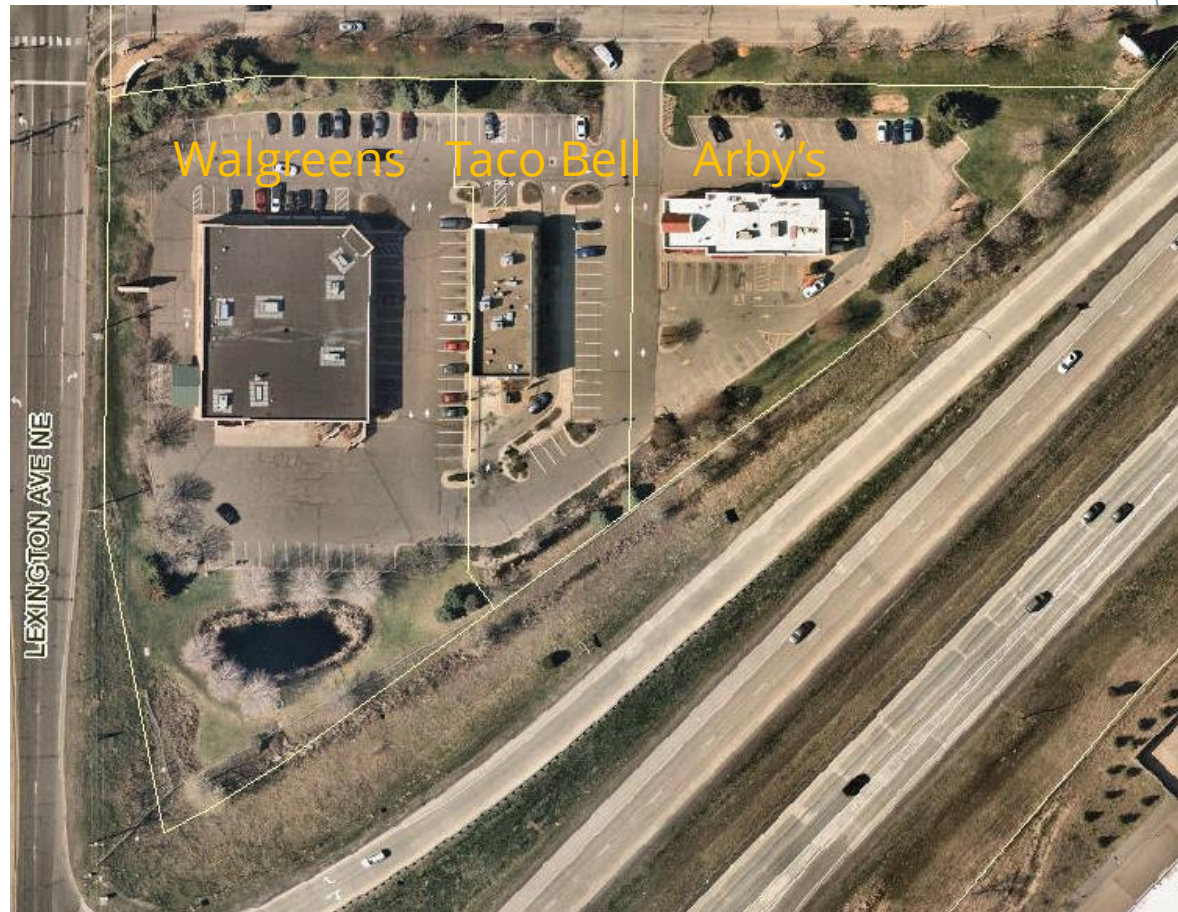


The Village of Blaine Shopping Center

Existing Conditions



- ▶ Zoned PBD
- ▶ Guided Planned Industrial/Planned Commercial
- ▶ Located in the Village of Blaine
- ▶ Currently occupied by Walgreens



Project Details

- ▶ Applicant is proposing a 75 foot tall dynamic billboard
- ▶ Located on the southeastern corner of the existing Walgreens
- ▶ Design and location meet code requirements



Height Restrictions



- ▶ Billboards limited to 50 feet in height
- ▶ Height up to 65 feet allowed with a CUP when needed to be seen over a soundwall or bridge
- ▶ Applicant is requesting 75 feet to be seen over the Lexington Avenue bridge

Variance Analysis

Variances may be granted

- ▶ **When they are in harmony with the general purposes and intent of the ordinance**
 - ▶ The purposes of the code are listed in 23.01 of the zoning ordinance. One purpose is “Conserving the natural, scenic beauty, and attractiveness of Blaine.”
 - ▶ A billboard that is 75 feet tall has a greater impact on the beauty and attractiveness of the City and when the Council considered billboard heights in 2010, they determined that 65 feet was the maximum flexibility to the height limit to address sound walls and bridges while balancing the attractiveness of the city.
- ▶ **When the variances are consistent with the comprehensive plan.**
 - ▶ The requested variance is consistent with the Comprehensive Plan.



Variance Analysis



a) The property owner proposes to use the property in a reasonable manner not permitted by the zoning code

- ▶ A 75-foot tall billboard may or may not be seen as a reasonable use of the property.
- ▶ Billboards are not intended to be located on all properties within the City, as evidenced by the requirement that billboards be at least 550 feet from one another.
- ▶ The property is already being utilized as a Walgreens store.

b) The plight of the landowner is due to circumstances unique to the property not created by the land owner

- ▶ The plight of the landowner is due to the location of the Lexington Avenue bridge.
- ▶ This circumstance has been contemplated by the zoning code and an additional fifteen feet (65 feet total) of height is permitted with a CUP as relief for this condition. Therefore, this is not a unique circumstance.
- ▶ The applicant contends that the relief offered by the zoning code (65 feet) is not sufficient for the relative location of the billboard and bridge.

Variance Analysis



- c) **The variance, if granted will not alter the essential character of the locality**
 - ▶ The property is located within a Class A shopping center. A 75 foot tall billboard may be seen as altering the essential character of the shopping center.
- d) **Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.**
 - ▶ The applicant did not provide a response to the economic considerations criterion. The billboard in the location proposed could be seen fully by southbound traffic and with the requested CUP could be seen partially by northbound traffic. The improved visibility from northbound traffic makes the billboard more profitable.
- e) **The variance requested is the minimum variance which would alleviate the unique circumstances.**
 - ▶ The applicant has provided sightline analysis to demonstrate that the requested variance is the minimum necessary to allow the billboard to be fully seen at 2057 feet
 - ▶ The billboard would be visible at 65 feet at a distance of approximately 3000 feet

Planning Commission



- ▶ Planning Commission voted 5-1 to recommend denial of both the CUP and variance
- ▶ No written comments or comments at the public hearing

Recommendation - CUP



- ▶ **Staff recommends approval of the CUP to allow a 65 foot tall billboard with 2 conditions.**

- ▶ **The Planning Commission recommends denial of the CUP with the following findings**
 - ▶ The 65-foot-tall billboard will not be located or designed in a manner that is compatible with the adjoining properties and existing character of the of the area. The area consists of high finish commercial buildings and the additional proposed height of the billboard would detract from the aesthetic quality of the commercial properties directly adjacent that are one-story commercial buildings.
 - ▶ A 65-foot-tall billboard is not reasonably related to the needs of the city and existing land use within the area.
 - ▶ The appearance of a 65-foot-tall billboard would be in conflict with the purpose of the PBD zoning district to “encourage more attractive and enduring business neighborhoods” The billboard is located in close proximity to an established and cohesive shopping center, which would be in conflict with the billboard.

Recommendation - Variance



- ▶ **Staff and the Planning Commission recommend denial of the variance with the following rationale**
 - ▶ The location of the proposed billboard in relation to the bridge is not a unique circumstance because the code contemplates the potential for bridges and soundwalls to impede the visibility of billboards and identified a maximum height of 65 feet as the maximum appropriate form of relief for that circumstance.
 - ▶ The requested variance serves to make the billboard more profitable, by improving visibility, which is an economic consideration. Economic considerations do not constitute practical difficulties.
 - ▶ The subject property is located within a high finish shopping center and a 75-foot-tall billboard would alter that essential character.
 - ▶ The requested variance is not consistent with the purpose of the zoning code to conserve the natural, scenic beauty, and attractiveness of Blaine.

Council Consideration

- ▶ Deny CUP for billboard up to 65 feet in height
- ▶ Deny variance for increased height
- ▶ CUP to allow a billboard up to 65 feet in height
- ▶ Deny Variance for increased height
- ▶ CUP to allow a billboard up to 65 feet in height
- ▶ Variance to allow a billboard up to 75 feet

