



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 1, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-21508 - APPLICANT: LAMAR ADVERTISING - OWNER: GES FAMILY, LP

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Five Year Review of an approved Special Use Permit (U-0065-92) which allowed a 55-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign on the west side of the Oran K. Gragson Highway (US-95), south of Vegas Drive.

This is the third review of the subject Off-Premise Advertising (Billboard) Sign. The subject Off-Premise Advertising (Billboard) Sign is not considered appropriate. The Off-Premise Advertising (Billboard) Sign does not have building permits and fails to meet distance separation requirements. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/20/92 *	The City Council approved a Special Use Permit (U-0065-92) for a 55-foot high, 672 square foot OffPremise Advertising (Billboard) Sign. The Board of Zoning Adjustment and staff recommended approval.
05/27/97	The City Council approved an appeal of a required Five-Year Review on an approved Special Use Permit [U-0065-92(1)] for a 55-foot high, 14-foot by 48-foot OffPremise Advertising (Billboard) Sign. The Board of Zoning Adjustment recommended denial. Staff recommended approval.
06/19/02	The City Council approved a required Five-Year Review on an approved Special Use Permit [U-0065-92(2)] for a 55-foot high, 14-foot by 48-foot OffPremise Advertising (Billboard) Sign. The Planning Commission and staff recommended approval.
06/28/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #6/ng).
<i>Related Building Permits/Business Licenses</i>	
07/29/92	A building permit (#92154741) was issued for the subject sign. The permit expired on 02/20/93.
11/13/92	A building permit (#92167042) was issued for illumination of the subject sign. The permit expired on 05/29/93.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	

06/05/07

A site inspection was conducted and photographs were taken.

Details of Application Request	
Site Area	
Net Acres	7.09

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	U (Undeveloped)
North	Multi-family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Multi-family Residential	M (Medium Density Residential)	R-PD14 (Residential Planned Development 14 Units Per Acre)
East	U.S. 95 Right of Way	U.S. 95 Right of Way	U.S. 95 Right of Way
West	Single Family Residential	ML (Medium-Low Density Residential)	R-CL (Single Family-Compact Lot)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175-foot)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Located within the Exclusionary Zone Exempted Area	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a U (Undeveloped) zoning district SC land use designation	Y

Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 55 feet from grade	N*
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened	Y
Off-Premise Advertisement (Billboard)	At least 750 feet to another Off Premise Sign	660 feet to another Off Premise Sign	N
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	220 feet from R zoned property to the north.	N
Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y

- The 55-foot height was approved through Special Use Permit (U-0065-92).

ANALYSIS

This is the third review of the subject Off-Premise Advertising (Billboard) Sign. The Off-Premise Advertising (Billboard) Sign does not meet several Code requirements. The applicant filed for building permits at the time of construction; however, these permits expired. The Off-Premise Advertising (Billboard) Sign does not meet the required separation distances from the R zoned property to the west or from another Off-Premise Advertising (Billboard) Sign. Due to the failure to comply with several Code requirements, denial of this request is recommended.

FINDINGS

The subject Off-Premise Advertising (Billboard) Sign is not considered appropriate. The Off-Premise Advertising (Billboard) Sign does not have building permits and fails to meet distance separation requirements. Denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 439 by City Clerk

APPROVALS 0

PROTESTS 0