

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 1, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-22767 - APPLICANT: CLEAR CHANNEL OUTDOOR -
OWNER: REDROCK PLAZA, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Condition number one of Required Review (RQR-5682) shall be removed.
2. Conformance to all other conditions of approval for Required Review (RQR-5682) and all other site related actions shall be required.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Review of Condition to remove Condition Number One of an approved Required Review (RQR-5682) which stated that the billboard shall be demolished prior to the issuance of the certificate of occupancy for new construction permitted by the Site Development Plan Review SDR-5556 at 5191 West Charleston Boulevard.

The subject Off-Premise Advertising (Billboard) Sign is not considered appropriate. The sign is not in compliance with the requirements of Title 19.14, is no longer considered compatible with the property, and given its location could pose a potential safety hazard. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/19/90	The City Council approved a request for a Special Use Permit (U-0136-90) for a proposed 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a five-year review. The Planning Commission and staff recommended approval.
10/18/95	The City Council approved a Five-Year Review [U-0136-90(1)] of an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a five-year review. The Planning Commission and staff recommended approval.
12/06/00	The City Council approved a Five-Year Review [U-0136-90(2)] of an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a two-year review. The Planning Commission and staff recommended approval.
01/22/03	The City Council approved a Two-Year Review (RQR-1229) of an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard, subject to a two-year review. The Planning Commission and staff recommended approval.
02/16/05	The City Council approved a Site Development Review (SDR-5556) for a 42,160 square-foot retail center with associated waivers of the commercial development standards for reduced setbacks, and waiving foundation landscaping and screen wall requirements and a Variance (VAR-5557) to allow 179 parking spaces where a minimum of 234 spaces is required on the subject site. The Planning Commission and staff recommended denial.

03/02/05 *	The City Council approved an appeal of the Planning Commissions denial recommendation for a Required Two-Year Review (RQR-5682) of an approved Special Use Permit which allowed a 40-foot tall, 14-foot x 48-foot off-premise advertising (billboard) sign at 5183 West Charleston Boulevard. Staff recommended denial.
05/24/07	The Planning Commission tabled a required Two Year Review (RQR-19473) of an approved Special Use Permit (U-0136-90) which allowed a 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 5183 West Charleston Boulevard.
<i>Related Building Permits/Business Licenses</i>	
09/20/90	A building permit (#90083347) was issued for the subject sign. A final inspection was completed on 11/27/90.
01/28/91	A building permit (#91095545) was issued for illumination on the subject sign. A final inspection was completed on 02/07/91.
05/17/06	A Building Permit for a Tennant Improvement for a Certificate of Occupancy was issued for a business on the subject property. The project was completed on 11/16/06.
07/05/06	A Building Permit for a Tennant Improvement for a Certificate of Occupancy was issued for a business on the subject property. The project was completed on 01/03/07.
10/13/06	Business Licenses were issued for Tobacco Dealer (C05-02533), a Convention Hall (C20-02280), Restricted Gaming (G01-02281), and Food Sales (M06-02932) for a business on the subject property.
11/13/06	A Building Permit for a Tennant Improvement for a Certificate of Occupancy was issued for a business on the subject property. The project was completed on 02/13/07.
11/13/06	A Building Permit for a Tennant Improvement for a Certificate of Occupancy was issued for a business on the subject property. The project was completed on 02/26/07.
11/13/06	A Building Permit for a Tennant Improvement for a Certificate of Occupancy was issued for a business on the subject property. The project was completed on 03/08/07.
01/02/07	Business Licenses were issued for Notary Service (B20-01141) and a Mail Box Center (M09-00108) for a business on the subject property.
01/03/07	A Business License for a Clothing Store (C07-03630) was issued for a business on the subject property
01/25/07	A Non-Work Certificate of Occupancy was issued for a business on the subject property. The project was completed on 02/02/07.
02/22/07	A Business License for a Party Supplies store (G04-06412) was issued for a business on the subject property
03/19/07	Business Licenses for a Tobacco Dealer (C05-02521) and Gifts and Novelties (G04-06441) were issued for a business on the subject property.
04/12/07	A Business License for Carpet Sales (B10-02408) was issued for a business on the subject property.
04/19/07	A Business License for an Insurance Agent (I04-03424) was issued for a business on the subject property.

05/07/07	A Business License for a Nail Salon (B05-03045) was issued for a business on the subject property.
05/09/07	A Business License for a Restaurant (R05-00532) was issued for a business on the subject property.
05/24/07	A Non-Work Certificate of Occupancy was issued for a business on the subject property. The project was completed on 06/19/07.
05/30/07	A Business License for a Bakery (B02-00122) was issued for a business on the subject property.
06/09/07	A Business License for Auto Accessories (A39-00416) was issued for a business on the subject property.
<i>Pre-Application Meeting</i>	
06/04/07	A pre-application meeting was held. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.74

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shops/Storage	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shops	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (175 and 200-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

ANALYSIS

The subject property is now completely built out with active businesses within this shopping center and the subject sign is still on this location. Several Certificates of Occupancy and Business Licenses have been issued for establishments on the subject property. The restaurants drive-through lane, which is now open, passes directly beneath the subject sign, which poses a potential safety hazard. The easternmost building obstructs the view of the signs western face. The construction of the shopping center in 2006 is a substantial change from the vacant site in 1990 when the sign was approved and constructed. The sign is no longer considered compatible with the subject property.

It is further noted that the sign does not meet Title 19.14 requirements for separation from an R zoned property. Title 19.14 requires a minimum separation of 300 feet from a property with an R zone. The subject sign is located 270 feet from property that is zoned R-1 (Single Family Residential). The sign is not in compliance with the requirements of Title 19.14 and is no longer considered compatible with the property. Denial of this request is recommended.

FINDINGS

The subject Off-Premise Advertising (Billboard) Sign is not considered appropriate. The sign is not in compliance with the requirements of Title 19.14, is no longer considered compatible with the property, and given its location could pose a potential safety hazard. Denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 262

APPROVALS 0

PROTESTS 0