



## AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 5, 2007  
DEPARTMENT: PLANNING AND DEVELOPMENT  
ITEM DESCRIPTION: RQR-21345 - APPLICANT: CLEAR CHANNEL OUTDOOR -  
OWNER: W M C III ASSOCIATES, LLC

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### **\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

#### **Planning and Development**

1. This application shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) Signs 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. All of the supporting structure of signs (A, E, F, and G) shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. Sign D shall be removed within 60 days of approval of this application.
4. The Off-Premise Advertising (Billboard) Signs 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.
5. 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) Signs.
6. If the existing off-premise signs are voluntarily demolished, this application 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.
7. 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 One Year Review of an approved Rezoning (Z-0100-97) which approved the existing Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15 and Grand Central Parkway.

This is the seventh review of the subject Off-Premise Advertising (Billboard) Signs. There are currently six signs remaining on the site. Five of these signs are part of this review. As part of this review it is determined that Sign D is not appropriate. This sign shall be removed within 60 days. All other signs shall remain, subject to review. The supporting structures of signs A, E, F, and G shall be re-painted. Approval of this request is recommended.

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i> |  |
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| 11/23/98*  | The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject property. Included in that approval was the ability to maintain the existing OffPremise Advertising (Billboard) Signs, subject to a two-year review.   |
| 02/07/01   | The City Council approved a Required Review [Z-0100-97(2)] on an approved Rezoning which included the 13 existing OffPremise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15, and Grand Central Parkway, subject to a one year review. The Planning Commission recommended approval.  |
| 05/16/01   | The City Council approved a Site Development Plan Review [Z-0100-97(3)] for a proposed 1,000,000 square-foot commercial development (Furniture Mart) on approximately 36.11 acres at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway. The Planning Commission recommended approval. The Site Review is to expire on 05/16/03 unless permits are issued or an extension of time is granted. |
| 11/07/01   | The City Council approved a Site Development Plan Review [Z-0100-97(6)] for a proposed 478,028 square-foot outlet mall (Chelsea) on 39.20 acres on the southwest corner of Bonneville Avenue and Grand Central Parkway and a Major Modification [Z-0100-97(5)] to amend or delete certain provisions of the Master Development Plan for Lot 1 of Parkway Center. The Planning Commission recommended approval.                     |
| 04/03/02   | The City Council approved a Required Review [Z-0100-97(7)] on an approved Rezoning which included the 12 existing OffPremise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15, and Grand Central Parkway, subject to a one year review. The Planning Commission recommended approval.  |

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| 09/26/02   | The Planning Commission approved a Master Sign Plan (MSP-0007-02) for the Chelsea outlet mall site. The billboards on that site were included as part of the application review. The billboards were approved to be relocated on the site and must be rebuilt per the approved billboard elevations.   |
| 05/21/03   | The City Council approved a Required One-Year Review (RQR-1974) for 12 existing OffPremise Advertising (Billboard) Signs the overall Parkway Center site subject to a one-year review. The Planning Commission and staff recommended approval on 04/24/03.   |
| 10/06/04   | The City Council approved a Site Development Plan Review (SDR-4841) for a 345,670 square-foot temporary exhibit space on the World Market portion of the site. The Planning Commission and staff recommended approval on 08/26/04.   |
| 04/20/05   | The City Council approved a Required Review (RQR-5683) of eight OffPremise Advertising (Billboard) Signs. Staff and the Planning Commission recommended approval on 03/24/05.  |
| 07/06/05   | The City Council approved a Site Development Plan Review (SDR-6593) for a 1,619,219 square-foot commercial center (World Market Center Phase II). Staff and the Planning Commission recommended approval on 06/09/05.  |
| 06/07/06   | The City Council approved a request is for a Required One-Year Review (RQR -11403) for eight existing OffPremise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15 and Grand Central Parkway. The Planning Commission and staff recommended approval.   |
| 06/07/06   | The City Council approved a request for a Review of Condition Number 9 of an approved Site Development Plan Review (SDR-6593) to remove a condition that required that the off-premise advertising (billboard) signs on the property shall be removed prior to the issuance of a certification of occupancy for the phase II building for a proposed 1,619,219 square foot commercial center on 7.21 acres adjacent to the northeast corner of I-15 and Bonneville Avenue. Staff recommended denial. |
| 08/09/07   | <a href="#">The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #5/ng).</a>  |
| <b><i>Related Building Permits/Business Licenses</i></b> |  |
| 04/29/99   | A building permit (#99008210) was issued for Sign A. The permit expired on 10/30/99. A final inspection was not conducted.   |
| 04/29/99   | A building permit (#99008202) was issued for Sign D. The permit expired on 10/30/99. A final inspection was not conducted.   |
| 04/29/99   | A building permit (#99008206) was issued for Sign E. A final inspection was conducted on 01/11/00.   |
| 04/29/99   | A building permit (#99008205) was issued for Sign F. A final inspection was conducted on 01/11/00.   |

| <b>Pre-Application Meeting</b>                               |  |
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| A pre-application meeting is not required, nor was one held. |  |
| <b>Neighborhood Meeting</b>                                  |  |
| A neighborhood meeting is not required, nor was one held.    |  |
| <b>Field Check</b>   |  |
| 05/30/07   | A site inspection was conducted and photographs were taken. It was noted that the structures of the signs were in need of re-painting. |

| <b>Surrounding Property</b> | <b>Existing Land Use</b> | <b>Planned Land Use</b> | <b>Existing Zoning</b>   |
|-----------------------------|--------------------------|-------------------------|--------------------------|
| Subject Property            | World Market Center      | MXU (Mixed Use)         | PD (Planned Development) |
| North                       | Right-of-Way             | Right-of-Way            | Right-of-Way             |
| South                       | World Market Center      | MXU (Mixed Use)         | PD (Planned Development) |
| East                        | Undeveloped              | MXU (Mixed Use)         | PD (Planned Development) |
| West                        | Right-of-Way             | Right-of-Way            | Right-of-Way             |

| <b>Special Districts/Zones</b>                    | <b>Yes</b> | <b>No</b> | <b>Compliance</b> |
|---|------------|-----------|-------------------|
| <b>Special Area Plan</b>                          |            |           |                   |
| Downtown Centennial Plan (Parkway Center)         | X          |           | Y                 |
| PD (Planned Development) District                 | X          |           | Y                 |
| Redevelopment Plan Area                           | X          |           | Y                 |
| <b>Special Districts/Zones</b>                    | <b>Yes</b> | <b>No</b> | <b>Compliance</b> |
| <b>Special Purpose and Overlay Districts</b>      |            |           |                   |
| PD (Planned Development) District                 | X          |           | Y                 |
| Downtown Overlay District                         | X          |           | Y                 |
| A-O (Airport Overlay) District (175-foot)         | X          |           | Y                 |
| Downtown Casino Overlay District                  | X          |           | Y                 |
| <b>Trails</b>                                     |            | X         | N/A               |
| <b>Rural Preservation Overlay District</b>        |            | X         | N/A               |
| <b>Development Impact Notification Assessment</b> |            | X         | N/A               |
| <b>Project of Regional Significance</b>           |            | X         | N/A               |

**ANALYSIS**

Sign A initially obtained a building permit; however, that permit expired. Sign A was the subject of a Review of Condition (ROC-13357). This Review of Condition allows the continued use of Sign A on the subject property subject to review requirements. The supporting structure of this sign shall be repainted.

Signs B and C have been removed as required by ROC-13357.



Sign D has a building permit that was final inspected. Sign D was initially required to be removed prior to the issuance of building permits for Phase II of the World Market Center project as part of the last Required Review (RQR-11403). As part of ROC-13357 there was a condition of approval (#4) that stated the review requirements of signs, including Sign D, shall remain in place. At this time the sign has not been removed. Sign D shall be removed within 60 days of approval of this application as originally required on the previous review RQR-11403.

Sign E has a building permit that was final inspected. The sign is on a parcel that at this time has not been a part of major construction. The supporting structure of this sign shall be re-painted. At this time Sign E shall be permitted to remain in place subject to future reviews.

Sign G does not have the proper building permits. The sign is on a parcel that at this time has not been a part of major construction. The supporting structure of this sign shall be re-painted. At this time Sign G shall be permitted to remain in place subject to future reviews.

As the phases of the World Market Center progress continued use of the Off-Premise Advertising (Billboard) Signs is considered inappropriate. Previously with Signs B, C, and D the removal of these signs was required prior to the issuance of building permits on the phase of construction affecting the property on which the signs were located. Sign D was then part of ROC-13357 and was conditioned to have a further review, which is being done as part of this application.

## **FINDINGS**

The signs on the subject property vary in their requirements. At this time the continued use of Sign D is deemed inappropriate. Removal of this sign shall be required. All other signs are considered appropriate at this time subject to conditions and future review. Approval of this request is recommended.

## **PLANNING COMMISSION ACTION**

The applicant requested removal of condition #3. The Planning Commission recommended it remain.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 23

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 60 by City Clerk

**APPROVALS** 0

**PROTESTS** 0