

**AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: AUGUST 28, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-28937 - APPLICANT: LAMAR OUTDOOR ADVERTISING
- OWNER: REBEL OIL COMPANY, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (U000597), if approved.
2. This Special Use Permit shall be reviewed in three (3) 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.
3. 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.
4. 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.
5. 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.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a required two-year review of an approved Special Use Permit (U000597) for a 40-foot high, 14-foot by 48-foot OffPremise Sign (Billboard) on property located at 1080 South Rainbow Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/14/97	The City Council approved a Special Use Permit (U-0005-97) to allow a 40-foot high 14-foot x 48-foot high Off-Premise Advertising (Billboard) Sign at 1080 S. Rainbow Boulevard. The Board of Zoning Adjustment recommended denial, but staff recommended approval on 02/25/97.
08/21/02	The City Council approved a Required Five Year Review [U-0005-97(1)] of an approved Special Use Permit (U-0005-97) which allowed a 40-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 1080 South Rainbow Boulevard. The Planning Commission and staff recommended approval on 07/25/02.
09/14/06	A request for a Off-Premise Sign Modification (DIR-16647) was administratively approved to permit a tri-vision component of the sign within the existing overall sign on one face for an existing billboard located at 1080 S. Rainbow Blvd.
09/20/06	The City Council approved a Required Five Year Review (RQR-14207) of an approved Special Use Permit (U-0005-97) which allowed a 40-foot high, 14-foot x 48-foot Off-Premise Sign (Billboard) at 1080 South Rainbow Boulevard. The Planning Commission and staff recommended approval on 07/25/02.
<i>Related Building Permits/Business Licenses</i>	
10/21/97	Building permit # 97-015354 was issued for the subject billboard against plan check #L-3051-97 on 07/28/97. The billboard received a #225 final inspection on 10/21/97.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this application.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	

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Field Check	
08/08/08	<p>A field check was carried out by staff with the following observations:</p> <ul style="list-style-type: none"> • The subject billboard had no embellishments, animated signage, or electronic displays. • All structural elements have been properly screened. • The sign and supporting structure is in relatively good condition and does not require any repainting or bird deterrents. • There is no visible indication of a tri-vision (shuttered panel) component currently being used.

Details of Application Request	
Site Area	
Gross Acres	0.56 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	Office Complex	SC (Service Commercial)	C-1 (Limited Commercial)
South	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
East	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	NA
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	NA
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

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DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign (Billboard) may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Sign is not in right-of-way and is not located within the Off-Premise Sign Exclusionary Zone	Y
Zoning	Off-Premise Sign (Billboard) are permitted in the C-1, C-2, C-M and M Zoning Districts only	Sign is in C-1 Zoning District	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 square feet with no embellishments	Y
Height	No higher than 40 feet from grade at the point of construction; may be raised to maximum of 55 feet with approval of City Council if significantly obscured from view of travel lanes	40 feet	Y
Screening	All structural elements of an Off-Premise Sign (Billboard) to which the display panels are attached shall be screened from view.	The billboard is adequately screened	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	Approximately 330 Feet	Y

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Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	Approximately 470 feet from closest residentially-zoned property.	Y
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.	The billboard is permanently secured to the ground on C-1 (Limited Commercial) zoned property.	Y

ANALYSIS

This is the third required review since the initial approval of Special Use Permit (U-0005-97) for an Off-Premise Sign (Billboard) at 1080 South Rainbow Boulevard. There have been no significant changes in the surrounding land use since the installation of the sign. A research of the building permit activity found that the billboard was constructed under sign permit #97-015354 and received a final inspection on 10/21/97 under the address 1080 South Rainbow Boulevard. This billboard received administrative approval for a tri-vision panel that consisted of three shutter panels that display different signage on a rotating basis. Upon a site inspection on 8/08/08, staff found the subject sign was in good condition with no graffiti and proper structural screening in place but there was no indication of the tri-vision panel being used.

FINDINGS

This sign is located within a C-1 (Limited Commercial) zoning district and is not located within the Off-Premise Sign Exclusionary Zone. Staff finds that there is no adverse impact regarding the continued use of this sign at this time, as there have been no significant changes in development or land use in the surrounding area since the installation of the sign. Therefore, staff recommends approval, subject to a three-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT

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SENATE DISTRICT

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NOTICES MAILED 275

APPROVALS 0

PROTESTS 3