

**AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-29528 - APPLICANT: CLEAR CHANNEL OUTDOOR -
OWNER: MINI MASTERS, INC

**** CONDITIONS ****

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

Planning and Development

1. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the Off-Premise Sign (Billboard) to 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 Sign (Billboard) is removed.
2. The Off-Premise Sign (Billboard) 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 Sign (Billboard).
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 sign.
4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Sign (Billboard) shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. Only one advertising sign is permitted per sign face.
6. The metal screening material that covers the exposed portions of the offset billboard panels shall be refinished and painted to match the remaining supporting structure material.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is the fourth required five year review of an approved Special Use Permit (U0298-94), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 6900 West Craig Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/17/91	The City Council approved a Rezoning (Z-0081-90) from N-U (Non-Urban) to C-1 (Limited Commercial) to allow a Mini Storage facility.
12/18/91	The City Council granted an appeal of the Board of Zoning Adjustment denial of a Variance (V-0142-91) to allow truck rentals from this property.
01/18/95	The City Council approved a Special Use Permit (U-0298-94) for the first 672 square foot (14-foot by 48-foot), 40-foot high Off-Premise Sign (Billboard) on the site, subject to a five year review. The Board of Zoning Adjustment recommended approval.
09/18/96	The City Council approved a Special Use Permit (U-0075-96) for a second 40 foot high, 14-foot by 48foot Off-Premise Sign (Billboard) on the northern parcel of the overall mini-warehouse project, subject to a five-year review. The Board of Zoning Adjustment recommended approval.
04/05/00	The City Council approved a five-year review [U-0298-94(1)] for a 672 square -foot (14 foot by 48 foot), 40 foot high Off-Premise Sign (Billboard) on the site, subject to a two-year review. The Planning Commission recommended approval.
11/07/01	The City Council approved a five-year review [U-0075-96(1)] of a Special Use Permit (U-0075-96) to allow a 40-foot tall, 14-foot by 48foot Off-Premise Sign (Billboard) on the northern parcel of the overall mini-warehouse project, subject to a two-year review. The Planning Commission recommended approval.
07/17/02	The City Council approved an appeal of a two-year review [U-0298-94(2)] of an approved Special Use Permit (U-0298-94) to allow a 672 square foot, 40 foot tall Off-Premise Sign (Billboard) on the site, subject to a one-year review and a condition that the advertising panels of the existing sign shall be brought to the same height level or provide adequate screening for the structural elements to which the display panels are attached. The Planning Commission recommended denial.
10/01/03	The City Council approved a one-year review (RQR-2790) of an approved Special use Permit (U-0298-94) which allowed a 14-foot by 48-foot Off-Premise Sign (Billboard) at 6900 West Craig Road. The Planning Commission recommended approval on 08/28/03.

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Related Building Permits/Business Licenses	
06/09/95	Sign permit #95-873583 issued against plan check L-1856-95 for the installation of a 40-foot tall Billboard at 6900 West Craig Road. A 225 Final Sign Inspection was completed on 06/20/95.
Pre-Application Meeting	
A pre-application meeting is not require for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not require for this type of application, nor was one held.	
Field Check	
09/02/08	<p>A field check was performed by staff with the following observations:</p> <ul style="list-style-type: none"> • Sign is arranged so that each panel is offset in regards to height and screening. • The materials used to screen the exposed structure of the opposing panels are rusted and in need of refinishing.

Details of Application Request	
Site Area	
Gross Acres	1.18 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Mini-Warehouse	SC (Service Commercial)	C-1 (Limited Commercial)
North	Mini-Warehouse	SC (Service Commercial)	C-1 (Limited Commercial)
South	Residential	M (Medium Density Residential)	R-CL (Single Family Compact-Lot)
East	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
West	R.O.W. (US-95)	R.O.W. (US-95)	R.O.W. (US-95)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	NA
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay District 175 feet	X		Y
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 Advertising 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 exempt from the Off-Premise Sign Exclusionary Zone requirements as the sign does not face towards US-95.	Y
Zoning	Off-Premise (Billboard) Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	Sign is in C-1 (Limited Commercial) 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.	Sign is 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.	The sign is 40 feet tall	Y
Screening	All structural elements of an Off-Premise (Billboard) Sign to which the display panels are attached shall be screened from view.	The structural screening of the Off-Premise Sign requires repainting to match the structural supports.	N
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95	The billboard is located 319 feet to the southeast of another existing billboard and is oriented face towards US-95	Y

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Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	Sign is located 185 feet to the north from property located in the R-CL (Single Family Compact-Lot) zoning district.	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.	The billboard is permanently secured to the ground on C-1 zoned property.	Y

ANALYSIS

The Off-Premise Sign (Billboard) is within the Off-Premise Sign Exclusionary Zone per Title 19.14.100 but does not qualify since the sign is oriented towards Craig Road and does not face toward US-95. There is an additional billboard located 319 feet to the north on the same property, which was approved by Special Use Permit (U-0075-96) in 1996 and is oriented towards US-95 and therefore exempt from the required 750-foot separation distance. Upon a field inspection carried out by staff on 09/02/08, it was discovered that the existing billboard in review will require the structural screening material to be painted to match the support work of the sign.

FINDINGS

Staff recommends approval of this review, subject to a required review in five years, and the repainting of the structural screening material within 30 days of approval of this review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 37

SENATE DISTRICT 4

NOTICES MAILED 193

APPROVALS 0

PROTESTS 1