

AGENDA MEMO**PLANNING COMMISSION MEETING DATE: NOVEMBER 20, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-30360 - APPLICANT/OWNER: G G P IVANHOE II, INC.**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to the conditions for Special Use Permit (SUP-4807), 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. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (SUP-4807) 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a required two year review of an approved Special Use Permit (SUP-4807) for a 51-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 4300 Meadows Lane.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/28/77	The City Council approved a Plot Plan Review (Z-0102-73) for property located at the northeast corner of Decatur Boulevard and Meadows Lane.
04/19/95	The City Council approved a Special Use Permit (U-0021-95) for a Class III Secondhand Dealership to allow the sale of used records, tapes, and compact discs. The Board of Zoning Adjustment recommended approval on 03/28/95.
12/18/96	The City Council approved a request for a Special Use Permit (U-0132-96) for a Supper Club in conjunction with a proposed Restaurant at 4300 Meadows Lane, Suite 2430. The Board of Zoning Adjustment recommended approval on 11/26/96.
05/02/01	The City Council approved a request for a Special Use Permit (U-0030-01) for Auto Dealer Inventory Storage at 4300 Meadows Lane. The Planning Commission recommended approval on 03/22/01.
09/19/01	The City Council approved a request for a Special Use Permit (U-0110-01) for 60-foot tall Wireless Communications Monopole at 4300 Meadows Lane. The Planning Commission recommended approval on 08/09/01.
11/03/04	The City Council approved a request for a Special Use Permit (SUP-4807) for a 51-foot high, 14-foot by 48-foot Off-Premise Sign (Billboard) at 4300 Meadows Lane. The Planning Commission recommended approval on 08/26/04.
12/01/04	The City Council approved a request for a Special Use Permit (SUP-4808) for a 51-foot high, 14-foot by 48-foot Off-Premise Sign (Billboard) at 4300 Meadows Lane. The Planning Commission recommended approval on 08/26/04.
12/01/04	The City Council approved a request for a Special Use Permit (SUP-4809) for a 40-foot high, 14-foot by 48-foot Off-Premise Sign (Billboard) at 4300 Meadows Lane. The Planning Commission recommended approval on 08/26/04.
01/19/05	The City Council approved a request for a Special Use Permit (SUP-5578) for a proposed General Business Related Gaming Establishment at 4300 Meadows Lane. The Planning Commission recommended approval on 12/16/04.

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01/19/05	The City Council approved a request for a Special Use Permit (SUP-5580) for a proposed Supper Club and Waiver of the 400-foot minimum distance separation requirements from a school at 4300 Meadows Lane. The Planning Commission recommended approval on 12/16/04.
04/06/05	The City Council approved a request for a Special Use Permit (SUP-5908) for a proposed Massage Establishment and a Waiver of the required 400-foot distance separation from residential property and a school at 4300 Meadows Lane. The Planning Commission recommended approval on 02/24/05.
06/09/05	The Planning Commission accepted the applicants request to Withdraw Without Prejudice a request to amend a portion of the Southeast Sector Plan of the General Plan (GPA-6221) from SC (Service Commercial) to GC (General Commercial) on 10.38 acres adjacent to the northwest corner of Valley View Boulevard and Meadows Lane.
08/17/05	The City Council approved a request for a Special Use Permit (SUP-6876) for a proposed Tavern and a Waiver from the 400-foot distance separation requirement from an existing school at 4300 Meadows Lane. The Planning Commission had to recommendation on 07/14/05.
09/21/05	The City Council approved a request for a Review of Condition (ROC-7694) to Condition Number 1 and 10 of an approved Special Use Permit (SUP-4808) to allow a height of 51 feet where 40 feet was required and a flag mount where a center mount was required for an existing 14-foot by 48-foot Off-Premise Sign (Billboard) at 4300 Meadows Lane.
12/07/05	The City Council approved a request for a Three-Month Required Review (RQR-9718) of an approved Special Use Permit (SUP-6876) that allowed a Tavern and a Waiver from the required 1,500-foot distance separation from an existing school at 4300 Meadows Lane.
09/17/08	The City Council approved a request to Strike the Two-Year Required Review (RQR-29073) of an approved Special Use Permit (U-0030-01) for Auto Dealer Inventory Storage Lot at 4300 Meadows Lane. The Planning Commission recommended denial on 08/14/08.
09/17/08	The City Council accepted the Withdrawal Without Prejudice request for a Major Amendment to an approved Special Use Permit (SUP-28619) for a 55,014 square-foot expansion of an existing 178,080 square-foot Auto Dealer Inventory Storage Lot at 4300 Meadows Lane. The Planning Commission recommended denial on 08/14/08.
09/17/08	The City Council accepted the Withdrawal Without Prejudice Request for a Site Development Plan Review (SDR-28618) for an existing Auto Dealer Inventory Storage Lot with a Waiver to allow a zero-foot landscape buffer along the north property line where eight feet is required at 4300 Meadows Lane.
<i>Related Building Permits/Business Licenses</i>	
03/25/05	A building permit (05001857) was issued and later renewed for a billboard at 4120 Meadows Lane. The permit was finalized on 09/05/08.
06/27/08	A building permit (05001858) was issued for a billboard at 4190 Meadows Lane. The permit was finalized on 08/19/08.

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06/27/08	A building permit (05001859) was issued for a billboard at 4490 Meadows Lane. The permit was finalized on 09/09/08.
There are numerous business licenses and additional building permits issued to the many occupants within the Meadows Mall.	

Pre-Application Meeting

A pre-application meeting was not required for this type of application, nor was one held.

Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.

Field Check

10/17/08	Staff conducted a field check of the site with the following observations: <ul style="list-style-type: none"> • The sign appeared in good condition • Graffiti was on the lower portion of the structure
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Details of Application Request

Site Area

Gross Acres	4.91
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail Mall	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
	Public School-Elementary	PF (Public Facilities)	C-V (Civic)
East	Natural Desert Preserve	PF (Public Facilities)	C-V (Civic)
West	Shopping Center	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		X	N/A
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

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DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within the public right-of-way	Sign is not in public right-of-way	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Sign is located in the C-1 (Limited Commercial) zoning district	Y
Area	No off-premise sign 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 in size. The sign does not have an embellishment.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 51 feet tall	Y*
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structure elements of the sign are adequately screened from public view	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95	The sign is approximately 770 feet from another Off-Premise Sign along US-95	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	Sign is approximately 309 feet from the nearest property line zoned for residential use.	Y
Other	All Off-Premise Signs (Billboards) shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The sign is secured to the ground on C-1 (Limited Commercial) zoned property.	Y

* The City Council approved a Special Use Permit (SUP-4807) to allow a 51-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard).

ANALYSIS

This is the first required review of the approved Special Use Permit (SUP-4807) for a 51-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 4300 Meadows Lane. Upon a site inspection on 10/17/08, staff noted graffiti on the lower portion of the structure, though the sign was in good condition. A research of the sign permit (05001859) revealed a final approval was received on 09/09/08 under the address of 4490 Meadows Lane. Since the initial approval of the Special Use Permit, there has been no tangible redevelopment within the surrounding area.

FINDINGS

The sign is located within the C-1 (Limited Commercial) zoning district and is not within the Off-Premise Sign Exclusionary Zone. Staff finds that there is no adverse impact regarding the continued use of this sign, as there have been no significant changes in development or land use in the surrounding area since the initial approval of the Special Use Permit.

The property owner needs to bring the sign into conformance to the condition of approval pertaining to properly maintaining the structure and sign by keeping it free of graffiti. A condition of approval has been added to bring the Off-Premise Sign (Billboard) into compliance; therefore, staff recommends approval, subject to a three (3) year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 28

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 267

APPROVALS 0

PROTESTS 0