



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-29149 - APPLICANT: BOB TAYLOR'S RANCH HOUSE -
OWNER: FLETCHER JONES SR. TRUST

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit [U-0035-93(1)] if approved.
2. This Special Use Permit shall be reviewed in five (5) 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. Only one advertising sign is permitted per sign face.
6. 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.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a required five-year review of an approved Special Use Permit [U-0035-93(1)] which allowed for the relocation of a 40-foot high, 12.5-foot by 17.5-foot Off-Premise Sign (Billboard) on the southeast corner of the intersection of Rancho Drive and Ann Road. The sign was originally addressed as 5554 North Rancho Drive but was readdressed as 5501 Drexel Road in 1996 due to the widening of US-95 and the completion of the nearby Ann Road off-ramp.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/21/93	The City Council approved Special Use Permit (U-0035-93), to keep the subject sign in its original location prior to the US-95 construction. The Board of Zoning Adjustment recommended approval.
12/20/95	The City Council approved a Special Use Permit and Review of Condition [U003593(1)] which allowed the relocation and height increase to 40 feet of the subject sign, subject to a five year review. The Board of Zoning Adjustment recommended approval.
02/07/01	The City Council approved a five-year review of an approved Special Use Permit [U-0035-93(2)] which allowed a 40 foot high, 12-foot 6-inch by 17-foot 6-inch Off-Premise Sign (Billboard), subject to a two year review. The Planning Commission recommended approval.
10/01/03	The City Council approved a two-year review (RQR-2814) of an approved Special Use Permit [U003593(1)], subject to a five year review.
09/25/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/mh).
<i>Related Building Permits/Business Licenses</i>	
12/27/95	Building permit #95-885436 issued against plan check #L-4130-95 for an Off-Premise Sign (Billboard) located at 5524 N. Rancho Drive. This billboard received a final inspection on 01/04/96.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application request, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application request, nor was one held.	

Field Check	
09/02/08	A field check was performed by staff with the following observations: <ul style="list-style-type: none"> • The existing sign consists of a vinyl/fabric panel that wraps both sides of the sign. • There are no embellishments or moving parts on the sign. • The sign appeared to be in very good condition with no signs of bird nuisance or graffiti.

Details of Application Request	
Site Area	
Gross Acres	9.46 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
North	Commercial Retail Center	TC (Town Center)	T-C (Town Center) [SC -TC (Service Commercial) -Town Center Land Use Designation]
South	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
East	Commercial Retail Center	SC (Service Commercial)	P-D (Planned Development)
West	ROW (US-95 North)	ROW (US-95 North)	ROW (US-95 North)

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

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 exempt from the Off-Premise Sign Exclusionary Zone	Y
Zoning	Off-Premise Sign (Billboard) are permitted in the C-1, C-2, C-V, C-M and M Zoning Districts only	Sign is in C-2 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.	220 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.	Structural elements screened from view.	Y
Off-Premise Advertisement (Billboard)	At least 750 feet to another Off Premise Sign	Over 750 Feet	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	Approximately 500 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-2 (Limited Commercial) zoned property.	Y
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ANALYSIS

This is the third review for the Special Use Permit [U003593(1)] that allowed the 55-foot tall, 220 square-foot, Off-Premise Sign (Billboard) at 5501 Drexel Road. A site inspection carried out on 09/02/08 by staff found the subject sign to be in good condition and has been properly maintained in regards to graffiti, bird nuisance abatement and structural screening. The original sign permit was approved for an address of 5524 North Rancho Drive on 01/04/96, but has since been addressed as 5501 Drexel Road due to the widening of the US-95 and the construction of the east-bound onramp for Ann Road.

Although located within the Off-Premise Sign Exclusionary Zone established by Title 19.14.100(E), this Off-Premise Sign (Billboard) is within 660 feet of, and oriented toward, the right-of-way line of U.S. Highway 95. Because of this arrangement the subject billboard is exempt from the Exclusionary Zone. This 220 square-foot sign is also not creating an adverse visual impact on any residential neighborhood as the nearest U (Undeveloped) or R (Residential) zoning district is 500 feet.

FINDINGS

The sign complies with the previous conditions of approval from Special Use Permit [U003593(1)] and is in good condition with no graffiti or bird nuisance. The sign has minimal impact on the residentially-zoned property 500 feet to the northeast as the elevated portion of the Ann Road overpass provides additional screening for the relatively small (220 square feet) billboard. Therefore staff is recommending approval of the required review, subject to an additional review in five (5) years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 406 by City Clerk

APPROVALS 1

PROTESTS 1