



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-30599 - REQUIRED REVIEW - PUBLIC HEARING
APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: GGP MEADOWS MALL, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (SUP-4808).
2. This Special Use Permit (SUP-4808) shall be placed on an agenda closest to 12/01/13 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-4808) 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a required review of an approved Special Use Permit (SUP-4808) for a 51-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 4190 Meadows Lane.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
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. The Board of Zoning Adjustments 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 Facility (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 tall, 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 tall, 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 tall, 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.

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.
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.
07/20/06	A Temporary Commercial Permit (TCP-15343) was issued for new car sales at 4300 Meadows Lane from 07/20/06 through 07/22/06.
10/13/06	A Temporary Commercial Permit (TCP-17457) was issued for a promotional car event from 10/13/06 through 10/14/06.
10/13/06	A Temporary Sign Permit (TSP-17458) was issued for a banner sign for a car event at 4300 Meadows Lane from 10/13/06 through 10/14/06.
05/07/08	A Temporary Commercial Permit (TCP-27979) was issued for new auto/truck/boat sales event at 4300 Meadows Lane from 05/07/08 through 05/11/08.
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.
11/06/08	The Planning and Development Department approved a request for a Minor Site Development Plan Review (SDR-31313) to convert an existing 51-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) to a Digital Display (LED) at 4190 Meadows Lane.
Related Building Permits/Business Licenses	
04/18/06	A building permit (63763) was issued for a temporary generator for a sign at 4190 Meadows Lane. The permit was finalized on 05/10/06.
06/27/08	A building permit (05001858) was issued for a billboard sign at 4190 Meadows Lane. The permit was finalized on 08/19/08.
Numerous business licenses have been issued for tenants within the Meadows Mall.	
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application, nor was one held.	

Field Check	
11/06/08	Staff conducted a filed inspection of the subject site with the following observations: <ul style="list-style-type: none"> • There was no graffiti or bird nuisance present on the support structure or the display panels of the signs. • One sign facing had an embellishment, which met Title 19.14.100 size restrictions • All structural elements were properly screened

Details of Application Request	
Site Area	
Gross Acres	24.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail Mall	SC (Service Commercial)	C-1 (Limited Commercial)
North	US-95 Freeway	ROW (Right-of-Way)	ROW (Right-of-Way)
	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)

South	Retail Establishments	SC (Service Commercial)	C-1 (Limited Commercial)
East	Retail Establishments	SC (Service Commercial)	C-1 (Limited Commercial)
West	US-95 Freeway	ROW (Right-of-Way)	ROW (Right-of-Way)
	Retail Establishments	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		Y
A-O (Airport Overlay) District (140 feet)	X		Y
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

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 750 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 more than 300 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

* On 12/01/04, the City Council approved a Special Use Permit (SUP-4808) for a 51-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 4300 Meadows Lane.

ANALYSIS

This is the first required review since the approval of the Special Use Permit (SUP-4808) for a 51-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 4190 Meadows Lane. During the site inspection, staff found the Off-Premise Sign and structure in good condition with no bird nuisance problems. 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 #05001858, and received final inspection on 08/19/08 under the address of 4190 Meadows Lane.

The Planning and Development Department approved a request for a Minor Site Development Plan Review (SDR-31313) on 11/06/08 for the conversion of the existing Off-Premise Sign (Billboard) to a Digital Display (LED) sign, both faces. On 11/12/08, a building permit (128086) has been processed for the sign conversion, but not issued.

FINDINGS

The sign is located in 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 use of the Digital Display (LED) sign, as there have been no significant changes in development or land use in the surrounding area since the initial installation of the Off-Premise Sign (Billboard). Therefore, staff recommends approval, subject to a five-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 355

APPROVALS 0

PROTESTS 0