



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-30595 - REQUIRED REVIEW - PUBLIC HEARING
APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: STEVEN A. & RAYNELL PHILLIPS

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (U-0027-95).
2. This Special Use Permit (U-0027-95) shall be placed on an agenda closest to 12/01/11 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 (U-0027-95) 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 (U-0027-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 6651 West Charleston Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/02/87	The City Council approved a request for Rezoning (Z-0073-87) from N-U (Non-Urban) to C-1 (Limited Commercial) on property located on the south side of Charleston Boulevard and the east side of Redwood Street. The Planning Commission recommended approval on 08/13/87.
09/07/88	The City Council approved a request for Rezoning (Z-0075-88) from N-U (Non-Urban) to C-1 (Limited Commercial) on property located on the southeast corner of Charleston Boulevard and Redwood Street for a proposed customer operated Car Wash. The Planning Commission recommended approval on 08/11/88.
02/15/95	The City Council approved a request for the Reclassification of Property (Z-0172-94) from N-U (Non-Urban) to C-1 (Limited Commercial) located at the southeast corner of Charleston Boulevard and Redwood Street. The Planning Commission recommended approval on 01/26/95.
07/05/95	The City Council approved a request for a Special Use Permit (U-0027-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 6651 West Charleston Boulevard. The Board of Zoning Adjustment recommended denial on 03/28/95.
09/06/00	The City Council approved a request for a Required Five Year Review [U-0027-95(1)] on an approved Special Use Permit (U-0027-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at the southeast corner of Charleston Boulevard and Redwood Street. The Planning Commission recommended approval on 07/27/00.
08/07/02	The City Council approved a request for a Site Development Plan Review (SD-0026-02) for site improvements in conjunction with temporary sales located at 6651 West Charleston Boulevard. The Planning Commission recommended denial on 07/11/02.

11/06/02	The City Council approved a request for a Required Two Year Review [U-0027-95(2)] for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at the southeast corner of Charleston Boulevard and Redwood Street. The Planning Commission recommended approval on 09/26/02.
02/12/04	A Temporary Commercial Permit (TCP-3927) was issued for the sale of Valentines Day Flowers from 02/12/04 through 02/14/04.
05/06/04	A Temporary Commercial Permit (TCP-4398) was issued for the sale of Mothers Day Flowers from 05/06/04 through 05/09/04.
10/06/04	The City Council approved a request for a Required Two Year Review (RQR-4910) of an approved Site Development Plan Review (SD-0026-02) for site improvements in conjunction with temporary sales at 6651 West Charleston Boulevard. The Planning Commission recommended approval on 08/26/04.
11/17/04	The City Council approved a Request for an Appeal by the Planning Commission of a Required Two Year Review (RQR-5169) of an approved Special Use Permit (U-0027-95) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 6651 West Charleston Boulevard. Staff recommended approval; the Planning Commission recommended denial on 10/21/04.
12/01/05	A Temporary Commercial Permit (TCP-10455) was issued for Christmas Tree sales at 6651 West Charleston Boulevard from 12/01/05 through 12/20/05.
12/01/06	A Temporary Commercial Permit (TCP-18300) was issued for the sale of Christmas Trees at 6651 West Charleston Boulevard from 12/01/06 through 12/20/06.
12/01/07	A Temporary Commercial Permit (TCP-25727) was issued for the sale of Christmas Trees at 6651 West Charleston Boulevard from 12/01/07 through 12/20/07.
<i>Related Building Permits/Business Licenses</i>	
09/25/95	A building permit (95878359) was issued for the installation of an Off-Premise Sign (Billboard) at 6651 West Charleston Boulevard. The permit was finalized on 04/15/96.
09/17/02	A building permit (02016912) was issued for a 340 x 6 foot chain link fence at 6651 West Charleston Boulevard. The permit was finalized on 09/24/02.
09/23/02	A building permit (02017256) was issued for electric power for a special event. The permit was finalized on 10/11/02.
There are no current business license issued for 6651 West Charleston Boulevard.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application, nor was one held.	

Field Check	
11/06/08	Staff conducted a field check of the subject site with the following observations: <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 appeared in good condition and does not require repainting or bird deterrents. • One side of the sign facing displayed two advertising panels

Details of Application Request	
Site Area	
Gross Acres	0.52

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning		
Subject Property	Apartments	SC (Service Commercial)	U (Undeveloped)[SC (Service Commercial) General Plan designation)		
North	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)		
South	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)		
East	Mini Storage Facility	SC (Service Commercial)	C-1 (Limited Commercial)		
West	School	M (Medium Density Residential)	C-V (Civic)		
Special Districts/Zones		Yes	No	Compliance	
Special Area Plan			X	N/A	
Special Districts/Zones		Yes	No	Compliance	
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	

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 U (Undeveloped) [SC (Service Commercial) General Plan designation)	N
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 40 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 or at least 300 feet to another Off-Premise Sign (Billboard)	The sign is not located along US-95 and is more than 300 feet from another Off-Premise Sign (Billboard)	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	The sign has a zero-foot separation from property zoned U. Additionally, there is residential property 100 feet to the north and south and 250 feet to the east.	N

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 and is not located on property used for residential purposes.	Y
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ANALYSIS

This is the fourth required review since the initial approval of Special Use Permit (U-0027-95) for an Off-Premise Sign (Billboard) at 6651 West Charleston Boulevard. A research of the building permit activity found that the billboard was constructed under permit #95878359, and received a final inspection on 04/15/96 under the address of 6651 West Charleston Boulevard. During a field check, staff found the sign in good condition, with no graffiti and proper structural screening in place.

Title 19.14.100 requires a minimum of 300 feet between an Off-Premise Sign (Billboard) and any property zoned R (Residential) or U (Undeveloped). The subject sign does not meet the minimum separation requirements as it is located on a parcel zoned U (Undeveloped) [SC (Service Commercial) General Plan designation). Additionally, it is positioned approximately 100 feet from property to the north and south, and approximately 250 feet from property to the east zoned R-3 (Medium Density Residential).

FINDINGS

The sign is located within a U (Undeveloped) [SC (Service Commercial) General Plan designation and is not located within the Off-Premise Sign Exclusionary Zone. The sign is a legal, non-conforming use on this property. Though the area surrounding the sign has not experienced any significant development or land use changes, it does not meet Title 19.14.100 minimum distance separation requirements from property zoned U (Undeveloped) or R (Residential); therefore, staff recommends denial of this request. On 11/17/04, the Planning Commission recommended denial of Required Review (RQR-6169); staff recommended approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 237

APPROVALS 0

PROTESTS 0