



AGENDA MEMO

CITY COUNCIL MEETING OF: OCTOBER 7, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-34974 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: Z J & R PROPERTIES

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL

Planning and Development

1. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require that 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 be removed.
2. 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.
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 (Billboard) Sign.
4. 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.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site contains two 55-foot tall, 14-foot by 48-foot Off-Premise Signs, along with a 48,440 square-foot commercial development at 3920 West Charleston Boulevard. This is the seventh Required Review of the subject sign, which is located on the southwestern corner of the subject parcel. If this request is denied, the subject sign must be removed and Special Use Permit (U-0043-94) will be expired.

ISSUES

- Staff can support the request as the sign faces and supporting structure of the Off-Premise Sign are in good condition with no discrepancies noted; therefore, staff is recommending approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
04/20/94	The City Council approved a Special Use Permit (U-0043-94) for two 55-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Signs on property located at 3900 and 3920 West Charleston Boulevard. The Board of Zoning and Adjustment recommended approval of the request.
05/24/99	The City Council approved the Required Review [U-0043-94(1)] on an approved Special Use Permit (U-0043-94) which allowed two 55-foot high, 14-foot by 48-foot Off Premise Sign (Billboard) on property located at 3900 and 3920 West Charleston Boulevard. The Planning Commission recommended approval of the request.
07/05/01	The City Council approved the Required Review [U-0043-94(2)] on the approved Special Use Permit (U-0043-94) which allowed two 55-foot high, 14-foot by 48-foot Off Premise Sign (Billboard) on property located at 3900 and 3920 West Charleston Boulevard. Subject to a one-year review for the billboard located at 3900 West Charleston Boulevard, and a two-year review for the billboard located at 3920 West Charleston Boulevard. The Planning Commission recommended denial of the request.

08/21/02	The City Council approved the Required Review [U-0043-94(3)] on the approved Special Use Permit (U-0043-94) which allowed two 55-foot high, 14-foot by 48-foot Off Premise Sign (Billboard) on property located 3920 West Charleston Boulevard; and the Required Review [U-0043-94(4)] on the approved Special Use Permit (U-0043-94) which allowed two 55-foot high, 14-foot by 48-foot Off Premise Sign (Billboard) on property located 3900 West Charleston Boulevard. The Planning Commission recommended denial of the request.
11/05/03	The City Council approved the Required Review (RQR-2860) of the approved Special Use Permit (U-0043-94) which allowed a 55-foot high, 14-foot by 48-foot Off Premise Sign (Billboard) on property located 3900 West Charleston Boulevard; and Required Review (RQR-2861) of the approved Special Use Permit (U-0043-94) which allowed a 55-foot high, 14-foot x 48-foot Off Premise Sign (Billboard) on property located 3920 West Charleston Boulevard. The Planning Commission recommended denial of the request.
03/02/05	The City Council approved the Required Review (RQR-5168) of the approved Special Use Permit (U-0043-94) which allowed a 55-foot high, 14-foot by 48-foot Off Premise Sign (Billboard) on property located 3920 West Charleston Boulevard. The Planning Commission recommended denial of the request.
05/18/05	The City Council approved the Required Review (RQR-5171) of the approved Special Use Permit (U-0043-94) which allowed a 55-foot high, 14-foot by 48-foot Off Premise Sign (Billboard) on property located 3900 West Charleston Boulevard. The Planning Commission recommended denial of the request.
06/07/06	The City Council approved the Required Review (RQR-12172) of the approved Special Use Permit (U-0043-94) which allowed a 55-foot high, 14-foot by 48-foot Off Premise Sign (Billboard) on property located 3900 West Charleston Boulevard. The Planning Commission recommended denial of the request.
08/01/07	The City Council approved the Required Review (RQR-21510) of the approved Special Use Permit (U-0043-94) which allowed a 55-foot high, 14-foot by 48-foot Off Premise Sign (Billboard) on property located 3920 West Charleston Boulevard. The Planning Commission recommended denial of the request.
08/27/09	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #6/jb).

<i>Related Building Permits/Business Licenses</i>	
06/02/94	A building permit (#94334347) was issued for an Off-Premise Sign (Billboard) at 3920 West Charleston Boulevard. A final sign inspection was conducted on 06/24/94.
07/18/94	A building permit (#94340573) was issued for the electrical work on the subject Off-Premise Sign (Billboard) at 3920 West Charleston Boulevard. A final sign inspection was conducted on 10/04/94.

<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
07/23/09	During a routine site inspection, staff observed a well maintained Off-Premise Sign.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.06

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Offices	SC (Service Commercial)	C-1 (Limited Commercial)
	Park	PR/OS (Parks/Recreation/Open Space)	C-V (Civic)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Offices	PF (Public Facilities)	C-V (Civic)
West	Shopping Center	SC (Service Commercial)	C-2 (General 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			
A-O (Airport Overlay) District (175-foot)	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
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DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located within a public right of-way	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is located within a 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	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.	The sign is 55 feet tall per approved Special Use Permit (U-0043-94)	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	The structural screening of the Off-Premise Sign does not require repainting to match the structural supports	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 (if not along US-95)	There are no Off-Premise Signs located within 300 feet of the subject sign.	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" or "U" zoned districts.	There are no "R" or "U" zoned districts within 300 feet	Y
Other	All Off-Premise 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 (Limited Commercial) zoned property.	Y

ANALYSIS

This is the Required Review of the approved Special Use Permit (U-0043-94) which allowed two 55-foot tall, 14-foot by 48-foot Off-Premise Signs (Billboards) at 3920 West Charleston Boulevard. During a field check of the site, staff found the sign and supporting structure in good condition. There has been no significant change in development or land use since the previous Required Review (RQR-21510). The subject Off-Premise Sign has been issued a building permit and has received a final inspection. Therefore, staff is recommending approval of the subject Required Review

FINDINGS

This is the seventh review of an Off-Premise Sign (Billboard) that was constructed in 1994. The sign is located in a C-1 (Limited Commercial) zoning district and is not within the Off-Premise Sign Exclusionary zone. Since the area surrounding the sign has not experienced any significant development or land use changes, staff recommends approval of this review, subject to a required review in three years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 34

SENATE DISTRICT 11

NOTICES MAILED 68 by City Clerk

APPROVALS 0

PROTESTS 0