

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-34844 - APPLICANT: CBS OUTDOOR - OWNER: WMC III ASSOCIATES, LLC**

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

1. 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.
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. The Off-Premise Advertising (Billboard) sign shall be removed prior to the issuance of building permits for any new development on this site.
6. 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

The subject site contains an 80-foot tall, 14-foot x 48-foot Off-Premise Sign (Billboard) along with a 345,670 square foot temporary exhibit space on property bounded by U.S. 95, I-15 and Grand Central Parkway. This is the sixth Required Review of the subject sign. If this request is denied, the subject sign must be removed.

ISSUES

- Staff can support the request as the sign has a building permit with an approved final inspection, and the 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.</i>	
11/23/98	The City Council approved a Rezoning (Z-0100-97) from M (Industrial) to PD (Planned Development) zoning designation for this site as part of an action on a 222-acre site located along the east side of Interstate 15 between Charleston Boulevard and Interstate 95. The Planning Commission recommended approval of the request.
02/07/01	The City Council approved a Required Review [Z-0100-97(2)] of 13 existing OffPremise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15, and Grand Central Parkway. The Planning Commission recommended approval of the request.
05/16/01	The City Council approved a Site Development Plan Review [Z-0100-97(3)] for a proposed 1,000,000 square foot commercial development on approximately 36.11 acres at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway. The Planning Commission recommended approval of the request.
05/21/03	The City Council approved a Required Review (RQR-1974) of twelve Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.
10/06/04	The City Council approved a Site Development Plan Review (SDR-4841) for a 345,670 square foot temporary exhibit space at 495 South Grand Central Parkway. The Planning Commission recommended approval of the request.
04/20/05	The City Council approved a Required Review (RQR-5683) of eight Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.

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04/20/05	The City Council approved a Required Review (RQR-6003) of one Off-Premise Advertising (Billboard) Sign on property bounded by U.S.-95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.
05/18/05	The City Council approved a request for a Review of Condition (ROC-6466) to allow required landscaping to be installed in phases and to change the location of a required trail at 495 South Grand Central Parkway.
06/07/06	The City Council approved a Required Review (RQR-11403) of eight Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.
06/07/06	The City Council approved a Required Review (RQR-12065) of one Off-Premise Advertising (Billboard) Sign on property bounded by U.S.-95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.
08/15/07	The City Council approved a Required Review (RQR-21496) of one Off-Premise Advertising (Billboard) Sign on property bounded by U.S. 95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.
09/05/07	The City Council approved a Required Review (RQR-21345) of multiple Off-Premise Advertising (Billboard) Signs on property bounded by U.S. 95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.
10/17/07	The City Council approved a request for a Site Development Plan Review (SDR-23606) for a proposed 2,495,091 square-foot commercial center with a Waiver of Downtown Centennial Plan build-to-line standards to allow a 206-foot front setback and the expansion of an approved parking garage located adjacent to the southwest corner of Grand Central Parkway and Discovery Drive, and a 2,306 space temporary parking lot located adjacent to the northwest corner of Grand Central Parkway and Discovery Drive. The Planning Commission recommended approval of the request.
03/18/09	The City Council approved a request for a Street Name Change (SNC-32359) from Discovery Drive to Symphony Park Avenue between Martin Luther King Boulevard and Grand Central Parkway. The Planning Commission recommended approval of the request.
<i>Related Building Permits/Business Licenses</i>	
04/29/99	A building permit (#99008207) was issued for the subject billboard at 203 South Grand Central Parkway. A final sign inspection was approved on 01/11/00.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application.	

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Field Check	
07/09/09	During a routine site inspection, staff observed a well maintained Off-Premise Sign (Billboard).

Details of Application Request	
Site Area	
Gross Acres	17.97

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Temporary Exhibit Space and two Off-Premise Signs	MXU (Downtown Mixed-Use)	PD (Planned Development)
North	ROW (US 95)	ROW (US 95)	ROW (US 95)
South	Trade Center/Wholesale and Retail Showroom	MXU (Mixed-Use)	PD (Planned Development)
East	Undeveloped (Symphony Park)	MXU (Mixed-Use)	PD (Planned Development)
West	ROW (US 15)	ROW (US 15)	ROW (US 15)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay District -175 Feet	X		Y
Trails	X		Y
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 public right-of-way	Sign is not located within a public right of-way or the Off-Premise Sign Exclusionary Zone	Y

JB

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Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is located within a PD (Planned Development) zoning district	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	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 80 feet tall per approved Rezoning (Z-0100-97)	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)	The sign is located 700 feet from another Off-Premise Sign along U-95	N*
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 PD zoned property.	Y

*The sign was approved as a non-conforming use in its current location in its current location by rezoning (Z-0100-97)

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ANALYSIS

This is the sixth review of the approved Rezoning (Z-0100-97) which allowed a non-conforming 80-foot tall, 12-foot x 24-foot Off-Premise Advertising Sign (Billboard) to remain on property bounded by U.S. 95, I-15 and Grand Central Parkway. During a field check of the site, staff found the sign and supporting structure in good condition. The sign has a building permit and has received a final inspection. There has been no significant change in development or land use since the previous Required Review (RQR-21496). Therefore, staff is recommending approval of the subject Required Review.

FINDINGS

Approval of this request is recommended, subject to a required review in three years. The Off-Premise Advertising (Billboard) Sign shall be removed prior to commencement of construction of new development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 48

APPROVALS 0

PROTESTS 0