

STAFF REPORT FOR PLANNING COMMISSION MEETING OF OCTOBER 26, 2011

FILE NO: SUP-11-059

AGENDA ITEM: H-1

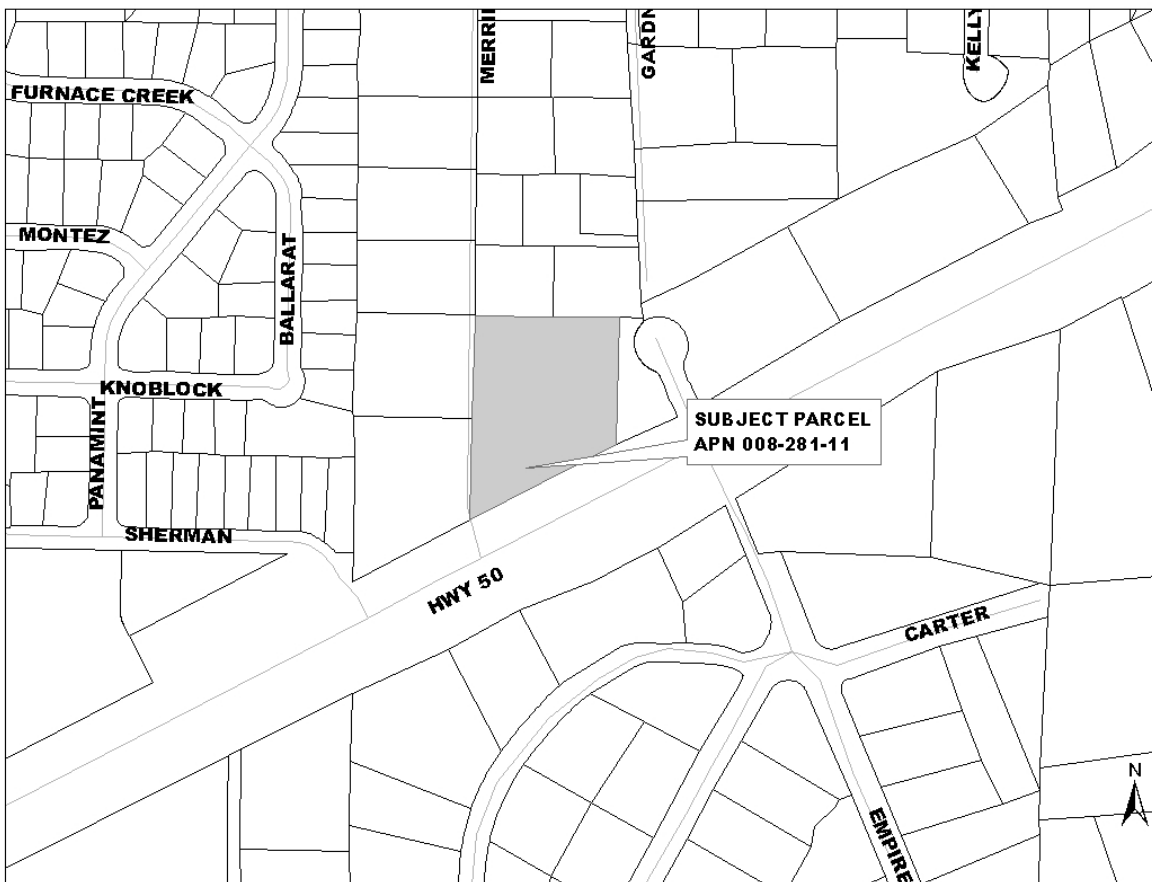
STAFF AUTHOR: Kathe Green, Assistant Planner

REQUEST: Special Use Permit to allow the continued use of an off-premises double faced advertising (billboard) sign with an overall height of no more than 28 feet with dimensions of 10.5 feet by 36 feet or 378 square feet on property zoned General Commercial (GC).

OWNER/APPLICANT: Herman Bauer/Danny Schulte YESCO

LOCATION/APN: 4440 Highway 50 East /008-281-11

RECOMMENDED MOTION: “I move to approve SUP-11-059, a Special Use Permit request from Herman Bauer and Danny Schulte of YESCO to allow the continued use of a double faced, maximum 28 feet high, 10.5 feet by 36 feet or 378 square feet off-premises (billboard) sign, on property zoned General Commercial located at 4440 Highway 50 East, Assessor’s Parcel Number 008-281-11 based on the findings and subject to the conditions of approval contained in the staff report.”



RECOMMENDED CONDITIONS OF APPROVAL:

1. The applicant must sign and return the Notice of Decision for conditions for approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item will be rescheduled for the next Planning Commission meeting for further considerations.

The following conditions are applicable throughout the life of the billboard:

2. The maximum permitted sign height is 28 feet in height from adjacent street elevation if sign is proposed to be changed.
3. Any modifications or additions of light fixtures, excluding the replacement of light bulbs, require Planning Division approval and may require a Building Permit. Such modifications may only be done in accordance with the lighting standards of the Carson City Municipal Code. Any proposed change of lighting of the billboard shall be shielded so as not to project light and/or glare onto adjacent properties or right-of-way. A detailed lighting plan, including light fixture details ("cut sheets") must be provided with the building permit application if a light fixture change is proposed.
4. The sign support structure must be mono-pole in design, as shown on the plans previously approved with this application, and must be painted an earth-tone color as approved by the Planning Division. Any change of color requires submission of proposed color samples for the pole with any building permit application for review and approval by the Planning Division.
5. This approval is for the continued use of the existing off-premise sign only. Replacement of the sign structure may only be done in accordance with the provisions of the Carson City Municipal Code for new off-premise signs, with the approval of a new Special Use Permit.
6. Without further notice, the subject special use permit shall expire the last day of October 2016 (five years from the originally approved date), unless a new special use permit to continue the use of the off-premise sign is acquired by that date. It is the applicant's responsibility to submit a complete special use permit application in sufficient time to be scheduled for review prior to the expiration date.
7. Carson City business license fees shall be paid for the billboard and kept current at all times.
8. All portions of the billboard structure shall be maintained free of graffiti. Failure to do so may constitute cause for revocation of a business license and Special Use Permit.

LEGAL REQUIREMENTS: CCMC 18.02.050 (Review); 18.02.080 (Special Use Permits); and Development Standards, Section 4.8 (Requirements for Billboards and Off-Premises Signs).

MASTER PLAN DESIGNATION: Commercial/Regional Commercial (C/RC)

ZONING: General Commercial (GC)

KEY ISSUES: Does the application meet the Development Standards regulations for off-premises (billboard) signs, and does the application continue to meet the required findings for approval of a special use permit? Is the proposed billboard still compatible with surrounding properties? Has the existing billboard caused material damage to surrounding properties in the past five years?

SURROUNDING ZONING AND LAND USE INFORMATION

NORTH: Single Family 12,000 (SF12)/ Single Family Residential

SOUTH: General Commercial (GC)/ Mixed-use Commercial

EAST: General Commercial (GC)/ Single Family Residential

WEST: General Commercial (GC)/ Mixed-use Commercial and Single Family Residential

SITE HISTORY

1. September 27, 2006 the Planning Commission denied an application for a new billboard.
2. November 2, 2006, the Board of Supervisors approved an appeal of the decision to deny the request by the Planning Commission.
3. The billboard was constructed under building permit #06-1893
4. This billboard is in compliance with the current billboard ordinance.

SITE DEVELOPMENT INFORMATION

1. PARCEL AREA: Two acres
2. EXISTING PRIMARY USE: Used Auto Sales
3. HEIGHT: Existing at approximately 28 overall above the existing grade. The distance from the bottom of the panel to the ground is 16.2 feet, with the top of the billboard being approximately 27 feet above the ground. The maximum allowed height for signs is 28 feet from street elevation. This billboard height is in compliance.
4. AREA: Double faced 10.5 feet by 36 feet, or 378 square feet, slightly less than the allowed maximum square footage of 400 square feet.
5. NUMBER OF FACES: Two
6. LIGHTING: The billboard has existing lighting. Documentation was submitted with the original building permit showing acceptable fixtures.

DISCUSSION: The subject parcel is located on the north side of Highway 50 east. An existing automobile sales business is also located on the parcel. The billboard is located at the front of the property on the southwest portion of the parcel, parallel with and just east of an existing building. The billboard has been at this location for five years. No known complaints or concerns have been registered regarding the location or existence of the billboard.

The following is a review of the billboard with regard to the specific standards of Division 4 8.3:

4.8.3 – Billboard Requirements

- a. Special Use Permit Required — Approval of a special use permit is required for a billboard. — The current special use permit will expire on November 2, 2011. The applicant is requesting a renewal for an additional five year period of time from the original review date, extending this time to the last day of October 2016.
- b. Permitted Streets — Billboards are permitted along US Highway 50 between Lyon County and US Highway 395 (Carson Street). This sign is located on U S Hwy 50 East.
- c. Height — The maximum permitted sign height is 28 feet from the adjacent “permitted street” elevation —The height is in compliance.
- d. Number of Sign Faces — One sign face per side (single or double-faced sign) is permitted — The subject billboard has a double sign face.
- e. Zoning of the Site — New billboards are only permitted within the General Commercial (GC) or

General Industrial (GI) zoning districts — The subject site is General Commercial zoning district. This site is in compliance for zoning. However, existing billboards that are being renewed are not required to meet this requirement.

- f. Spacing Distance — Billboards may not be located within 1,000 feet of each other — This proposal does comply with this standard. However, existing billboards that are being renewed are not required to meet this requirement.
- g. Area of Sign — The maximum permitted sign area for billboards is 400 square feet per side — The billboard measures 10.5 feet by 36 feet 378 square feet) and is in compliance.
- h. Separation from Certain Uses and Zoning — A billboard sign may not be closer than 300 feet to a property zoned Agriculture (A), Conservation Reserve (CR), or any residential district — The billboard is not closer than 300 feet to such zoned property. The proposal, therefore, does comply with this standard. However, existing billboards that are being renewed are not required to meet this requirement.
- i. Downtown Redevelopment area — A billboard sign may not be within 1000 feet of a redevelopment area — The proposed location is greater than 1,000 feet of the nearest redevelopment area boundary and is in compliance with this standard. However, existing billboards that are being renewed are not required to meet this requirement.
- j. Prohibited Supporting Structures — A sign may not be attached to a roof or wall or other surface of a building. A sign must be a freestanding sign — This billboard is in compliance with this standard.
- k. Prohibited Characteristics and Materials — Signs cannot display three-dimensional objects, have movable reflective/lighted materials or beams, flash, be internally lit, have or simulate moving parts, nor may external lighting glare onto adjacent properties or rights-of-way —This billboard is in compliance with this standard.

PUBLIC COMMENTS: Public notices were mailed October 7, 2011 to 30 adjacent property owners within 319 feet of the subject site, pursuant to the provisions of NRS and CCMC. As of the writing of this report, no letters in support or opposition to this proposed have been submitted to staff from a property owner in the vicinity. Any comments that are received after this report is complete will be submitted prior to or at the Planning Commission meeting on October 26, 2011, depending on their submittal date to the Planning Division.

CITY DEPARTMENT / OUTSIDE AGENCY COMMENTS: The following comments were received from City departments.

BUILDING DIVISION COMMENTS: No concerns

FIRE DEPARTMENT COMMENTS: No concerns

ENGINEERING DIVISION COMMENTS: No concerns

HEALTH DEPARTMENT COMMENTS: No concerns

ENVIRONMENTAL CONTROL AUTHORITY COMMENTS: No concerns

PARKS AND RECREATION COMMENTS: No comments received

FINDINGS: Pursuant to CCMC 18.02.080 (Special Use Permits), this application is reviewed with reference to the required findings written for the record in the applicant's justification letter and reviewed below. The extension of time, if approved, would be for five years from the original approval date, to October 31, 2016.

1. The project will be consistent with the master plan elements. The continued use of the billboard is consistent with Chapter 3: A Balanced Land Use Pattern, providing employment opportunities, a diverse choice of housing, recreational opportunities and retail services.
 - Goal 1.1e,f: Does the project utilize sustainable building materials and construction techniques to promote water and energy conservation?

Sustainable materials were used in the construction of the billboard. It was manufactured with galvanized steel, and uses the most efficient lighting fixtures available to promote energy conservation.

- Goal 5.2a: Does the project encourage the development of regional retail centers?

The billboard promotes economic vitality by promoting Carson City products and services along the Hwy 50 East corridor.

2. The project will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.

The continued use of the billboard meets this finding in that it is an existing billboard, is located in a commercial area, and will have no negative economic impact to the surrounding commercial properties. The sign generates no significant noise, vibrations, fumes, odors, dust, glare or physical activity which could have an adverse impact on adjacent uses.

3. The project will have little or no detrimental effect on vehicular or pedestrian traffic. No additional vehicular and pedestrian traffic will be generated in conjunction with the existing sign that could adversely impact vehicular or pedestrian circulation in the subject area.
4. The project will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements. The existing sign will not require the extension or expansion of any public services, facilities and services.
5. The project meets the definition and specific standards set forth in Title 18 for billboards. The existing sign meets all the specific standards for the continued use of existing billboards set forth in Division 4.8 of the Carson City Development Standards.
6. The project will not be detrimental to the public health, safety, convenience and welfare. The existing sign meets all the requirements of the Carson City Municipal Code and will not be detrimental to the public health, safety, convenience, and welfare, and will cause no adverse impacts to surrounding properties.
7. The project will not result in material damage or prejudice to other property in the vicinity. The existing sign is located in a commercial or industrial area that is developed with other commercial or industrial uses. Therefore, the continued use of the sign will not result in material damage or prejudice to other property in the vicinity.

Respectfully submitted,

DEVELOPMENT SERVICES, PLANNING DIVISION

Kathe Green

Kathe Green, Assistant Planner

Attachments:

- Application SUP-11-059
- Building Division comments
- Engineering Division comments
- Health Department comments
- Environmental Control Authority comments

Kathe Green - Re: SUP-11-059

RECEIVED

From: Kevin Gattis
To: Green, Kathe
Date: 10/13/2011 11:06 am
Subject: Re: SUP-11-059

OCT 13 2011

CARSON CITY
PLANNING DIVISION

No comments from building, sorry for the delay.

Kevin Gattis, C.B.O.
Building Official
Carson City Building & Safety
108 E. Proctor St.
Carson City, NV 89701
(775) 887-2310 Office
(775) 887-2202 Fax

>>> Kathe Green 10/13/2011 10:24 AM >>>

City comments were due on Monday and I need to give my staff report to Lee today. Do you have any comments on the renewal of the billboard at 4440 Hwy 50 East? Just a response to this e-mail of "no concerns" would be great. Thanks, Kathe

Kathe Green - Re: SUP-11-059 PC 10-26-11

From: Dustin Boothe
To: Kathe Green
Date: 10/13/2011 12:58 pm
Subject: Re: SUP-11-059 PC 10-26-11

RECEIVED

OCT 13 2011

CARSON CITY
PLANNING DIVISION

Kathe:

We have no concerns.

Dustin Boothe, MPH, REHS
Carson City Health and Human Services
900 E. Long St.
Carson City, NV 89706
(775) 887-2190 ext. 7220

Please Note I have a new E-Mail address.
dboothe@carson.org

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>>> Kathe Green 10/13/2011 11:44 AM >>>

Dustin, do you have any comments or concerns from the Health Department regarding the renewal of the billboard at 4440 Hwy 50 East? It's been there for five years. I need to get the staff report to Lee and needed comments regarding PC items on Monday. If you are OK with it, you can just respond to this e-mail with "no concerns". Thanks in advance, Kathe

RECEIVED

SEP 20 2011

CARSON CITY
PLANNING DIVISION

**Engineering Division
Planning Commission Report
File Number SUP 11-059**

TO: Planning Commission

FROM: Rory Hogen, E.I.

DATE: September 20, 2011

MEETING DATE: October 26, 2011

SUBJECT TITLE:

Action to consider an application for a Special Use Permit for the renewal of an existing billboard for Herman Bauer at 4440 Hwy. 50 E., apn 008-281-11.

RECOMMENDATION:

The Engineering Division has no preference or objection to the special use request.

DISCUSSION:

The Engineering Division has reviewed the conditions of approval within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080, Conditional Uses. Location of sign must not adversely affect sight distance from any roads entering into Hwy. 50 E.

CCMC 18.02.080 (2a) - Adequate Plans

The information submitted by the applicant is adequate for this analysis.

CCMC 18.02.080 (5a) - Master Plan

The request is not in conflict with any Engineering Master Plans for streets or storm drainage.

CCMC 18.02.080 (5c) - Traffic/Pedestrians

The proposal will have little effect on traffic or pedestrian facilities.

CCMC 18.02.080 (5d) - Public Services

Existing facilities are not impacted.

RECEIVED

September 16, 2011

SEP 16 2011

Major Project Review Committee

CARSON CITY
PLANNING DIVISION

Re: # SUP – 06-164

Dear Kathe,

After initial plan review the Carson City Environmental Control Authority (ECA), a Division of Carson City Public Works Department (CCPW), has the following requirements per the Carson City Municipal Code (CCMC) and the Uniform Plumbing Code (UPC) for the SUP – 06-164 at 4440 Hwy 50 East project:

1. ECA has no requirements or comments for the above mentioned project.

Please notify Mark Irwin if you have any questions regarding these comments, I can be reached at 775-283-7380.

Sincerely;

Mark Irwin
Environmental Control Officer 3

c: Kelly Hale, Environmental Control Supervisor
Ken Arnold, Public Works Environmental Manager



CARSON CITY FIRE DEPARTMENT

"Service with Pride, Commitment, Compassion"

MEMORANDUM

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SEP 22 2011

CARSON CITY
PLANNING DIVISION

TO: Community Development

FROM: Duane Lemons, Fire Inspector

DATE: September 21, 2011

SUBJECT: AGENDA ITEMS FOR OCTOBER 26, 2011 PLANNING COMMISSION MEETING.

We reviewed the agenda items for the October 26, 2011 Planning Commission Meeting and have the following comments:

- SUP-06-164 Herman Bauer, 4440 Hwy 50 East We have no concern with this request.
- ZCA-11-051 Planning Division We have no comment in regards to this request.

DL/llb