



REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
April 12, 2012

To: Members of the Planning Commission

Subject: Pell Circle Billboard Modification (P12-009). A request to modify an existing double-face billboard sign by increasing the billboard height by approximately 10 feet. The billboard is located in the Light Industrial Plan Review (M-1-R) zone.

A. Environmental Determination: Categorical Exemption pursuant to CEQA Guidelines Section 15301.

B. Variance to increase the height of an existing 45 foot tall double-face billboard to approximately 55 feet.

Location/Council District:

3961 Pell Circle, Sacramento, CA

Assessor's Parcel Number: 237-0400-016-0000

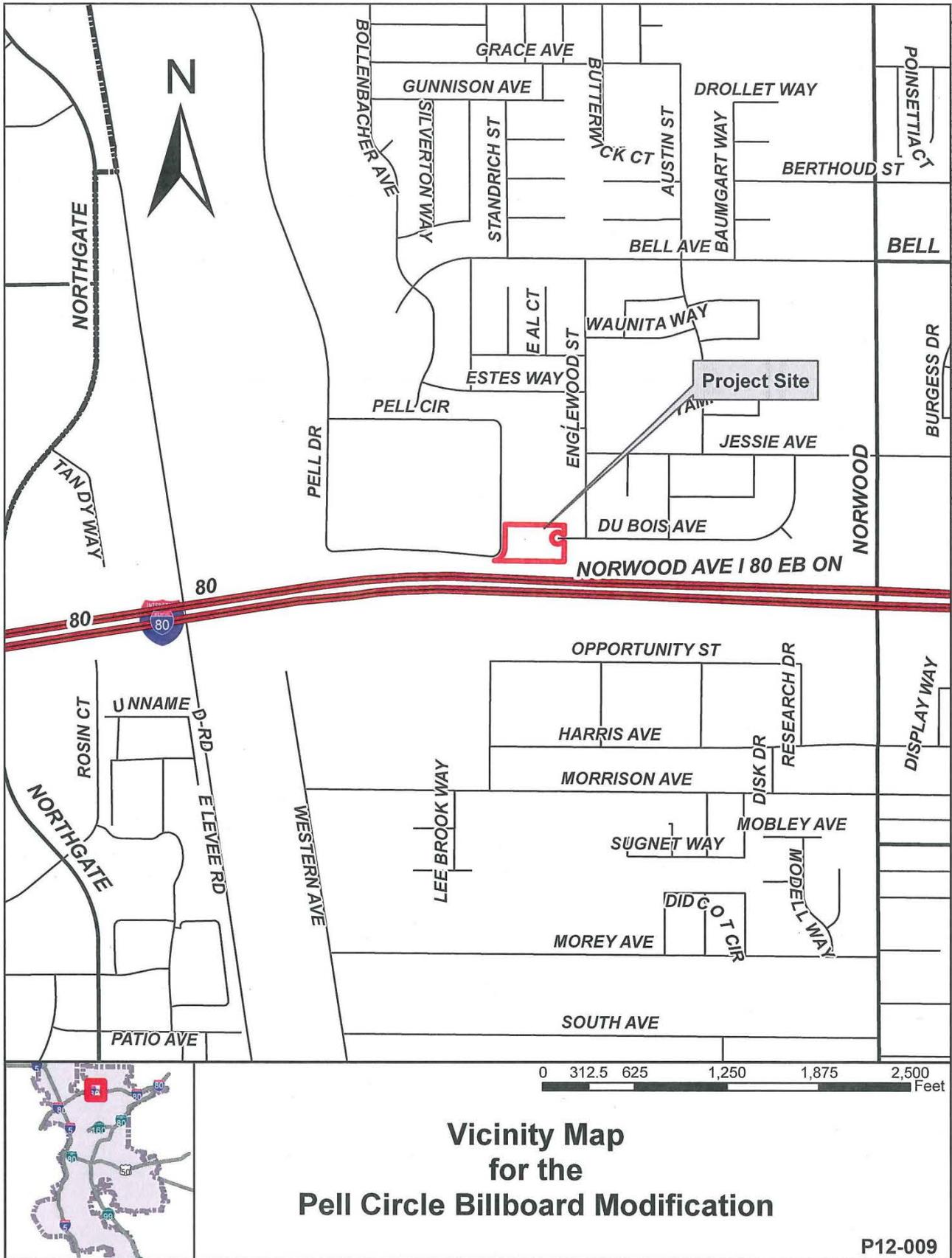
Council District 2

Recommendation: Staff recommends the Commission approve the request based on the findings and subject to the conditions of approval listed in Attachment 1. The Commission has the final approval authority over items A and B above and its decision may be appealed to the City Council. Staff is not aware of any outstanding issues and the project is not considered to be controversial.

Contact: Kimberly Kaufmann-Brisby, Associate Planner, 808-5590, Lindsey Alagozian, Senior Planner, (916) 808-2659.

Applicant: David Nybo, Iron Point Media LLC .*, 5409 Rogers Street, Davis, CA 95618, (916) 275-3669 (* LLC partners-David Nybo and Matthew Rogers)

Owner: Alan T. Stahl and Christy L. Stahl, et al, 3961 Pell Circle, Sacramento, CA 95838



Summary: The applicant is requesting to increase the height of an existing 45-foot tall double-face billboard sign by approximately 10 feet to an overall height of approximately 55 feet. Since the billboard was constructed in 2011, the construction of a ten-foot tall sound wall running parallel to and along westbound Interstate Highway 80 (I-80) has begun. Though the sound wall terminates some 260' southeast of the billboard, because the roadway at the wall terminus is lower than the sound wall and the sign, the view corridor for the east sign face will be obscured if left at the current height of 45'.

The project is not considered to be controversial.

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| Table 1: Project Information |
| General Plan designation: Employment Center Low Rise |
| Existing zoning of site: Light Industrial Plan Review (M-1-R) |
| Existing use of site: Light Industrial (Viking Pools showroom and offices). |
| Property area: 2.3 Acres |

Background Information: On February 22, 2011, the Sacramento City Council approved the Pell Circle Billboard Relocation project (P10-065, Resolution 2011-108). The project eliminated three existing billboards (four billboard sign faces) and then located a new double-face billboard on the southwest portion of a property on the north side of and facing Interstate 80 as allowed Ordinance No. 2007-079 (Interim Ordinance Establishing Restrictions on New Offsite Signs).

Ordinance No. 2007-079 prohibits the construction and operation of new offsite signs within city limits, but allows the City to enter into billboard relocation agreements under Cal. Business and Professions Code section 5412 and City Code section 15.148.815, which provide for the construction and operation of new offsite signs, such as billboards, in exchange for the permanent removal of existing billboards, resulting in a net reduction of both the number and total square footage of billboards then lawfully allowed. Included in the previous Pell Circle project approval were: a variance to exceed the allowed height by 10 feet over the 35 foot maximum; a rezone from Light Industrial Special Plan Review (M-1-S-R) to Light Industrial Plan Review (M-1-R) to allow the billboard; and a Relocation Agreement.

Subsequent to the billboard construction in 2011, the California Department of Transportation (Caltrans) began construction of a 10-foot tall sound wall located parallel to and along Interstate 80. Upon completion, the sound wall will terminate approximately 260 feet southeast of the existing sign. The applicant has indicated they did not receive any notice of the pending wall construction. In response to the anticipated westbound view corridor incursion, the applicant filed this application to increase the billboard height in March of this year.

Public/Agency Outreach and Comments: The proposed project was routed to the Robla Park Community Association, as well as to landowners within a 500 foot radius of the project site. At the time of writing this report, staff has received no comments and staff is not aware of any opposition to the project.

Because the billboard sign is adjacent to I-80 project information was sent Caltrans for review. Caltrans staff have determined the proposed billboard height increase is allowed and have approved the proposal.

Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this project and determined it is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15301, Existing Facilities. The project consists of the minor alteration of an existing private structure involving a negligible expansion of the use beyond that which currently exists.

Policy Considerations: The project site is designated Employment Center Low Rise on the 2030 General Plan Land Use & Urban Form Diagram. As a compatible ancillary special use the sign is consistent with the land use designation. As a visual advertising vehicle, the sign will not produce loud noise or noxious fumes but may, through the advertising messages, generate employment opportunities consistent with the Employment Center Low Rise land use designation.

Land Use

Project Design: The site is an industrially developed 2.3 acre property currently occupied by a swimming pool installation business. The site is zoned Light Industrial Plan Review (M-1-R), is located on Pell Circle, and is north of and adjacent to Interstate Highway 80 (I-80). To the north and west is industrial development. Single-family residences are located east of the project site.

Billboard Design: The double-face billboard sign is located in the southwest portion of the site. The sign is currently 45 feet tall supported by a 3.5 foot diameter pole. The billboard's "V" shape design allows for each sign face to be viewed by the oncoming east and west bound I-80 traffic. The east sign face comprises an area of 480 square feet (12' by 40') and the west sign face area is 672 square feet (14' by 48') for an overall sign display area of 1,152 square feet.

Variance:

Section 15.148.160.B.4 of the Sign Code (Chapter 15.148) permits a maximum height of 35 feet for any offsite sign in the M-1 zone. Section 15.148.1010 affords the opportunity to vary certain provisions of the Sign Code through the Planning Commission. The applicant is requesting variance to extend the signs overall height to approximately 55 feet in order for the sign to be visible above the I-80 sound wall (currently under construction) particularly for westbound travelers viewing the east billboard face.

The initial height variance to extend the billboard height to 45 feet was needed because the project site is located east of the elevated I-80 bridge which spans the Natomas

East Main Drainage canal and the additional sign height was necessary to provide greater billboard visibility to the eastbound lanes of Interstate 80.

In order to grant a sign code variance, the following findings must be made per Section 15.148.1040(A) (B) and (C) of the Sign Ordinance:

1. That exceptional or extraordinary circumstances or conditions apply that do not apply generally in the same district and the enforcement of the regulations of the Sign Code would have an unduly harsh result upon the utilization of the subject property;

Exceptional circumstances do apply in that the construction of the ten foot tall sound wall and the associated view corridor obstruction was not anticipated when the billboard sign was constructed. A portion of the westbound highway billboard view corridor is a low point along the highway so the addition of the sound wall obscures a significant portion of the sign by creating a more acute angle at which the billboard would be viewed from the roadway, limiting the full viewing duration which previously was not obscured.

2. The variance will not result in a special privilege to one individual property owner and that the variance would be appropriate for any property owner facing similar circumstances;

No special privilege is being extended to one individual property owner in that the variance would be appropriate for any owner facing similar circumstances where, in order for the westbound billboard sign face to be viewed to the same extent as was possible prior to the construction of the sound wall, the height increase of approximately 10 feet is necessary.

3. That the requested variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood, and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood;

The requested variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood, and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood in that the billboard sign is internally illuminated, is located adjacent to the freeway in an industrial area with the closest residential use located more than 300' east of the sign.

Conclusion

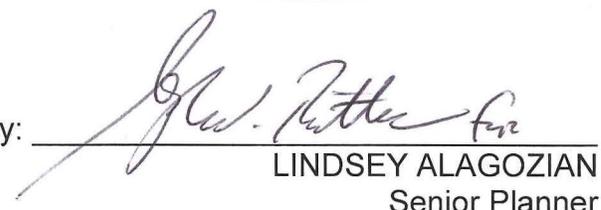
Staff is in support of the proposal because exceptional circumstances do apply in this case, no special privilege is being extended to one individual property owner, and the increased billboard height should have minimal impact on the nearby residences. Therefore, staff recommends the Commission approve items A and B.

Respectfully submitted by:



KIMBERLY KAUFMANN-BRISBY
Associate Planner

Approved by:



LINDSEY ALAGOZIAN
Senior Planner

Recommendation Approved:



GREGORY BITTER, AICP
Principal Planner

Attachments:

- | | |
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| Attachment 1 | Recommended Findings of Fact and Conditions of Approval |
| Exhibit B-1 | Site Plan |
| Exhibit B-2 | Elevation |
| Exhibit B-3 | Photo Simulation-Before Billboard Sign Height Increase |
| Exhibit B-4 | Photo Simulation-After Billboard Sign Height Increase |
| Attachment 2 | Sound Wall Under Construction |
| Attachment 3 | Land Use and Zoning Map |

Attachment 1

**City Planning Commission Record of Decision
Recommended Findings of Fact and Conditions of Approval
Pell Circle Billboard Modification Project
3961 Pell Circle
APN: 237-0400-016
(P12-009)**

Findings of Fact

A. Environmental Determination: Exemption

Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning Commission finds that the Project is exempt from review under Section 15301, Existing Facilities of the California Environmental Quality Act, as follows: The project consists of the minor alteration of an existing private structure, involving a negligible expansion of the use beyond that which is existing.

B. Variance: The Variance to increase the height of an existing 45 foot tall double-face billboard to approximately 55 feet is approved subject to the following Findings of Fact:

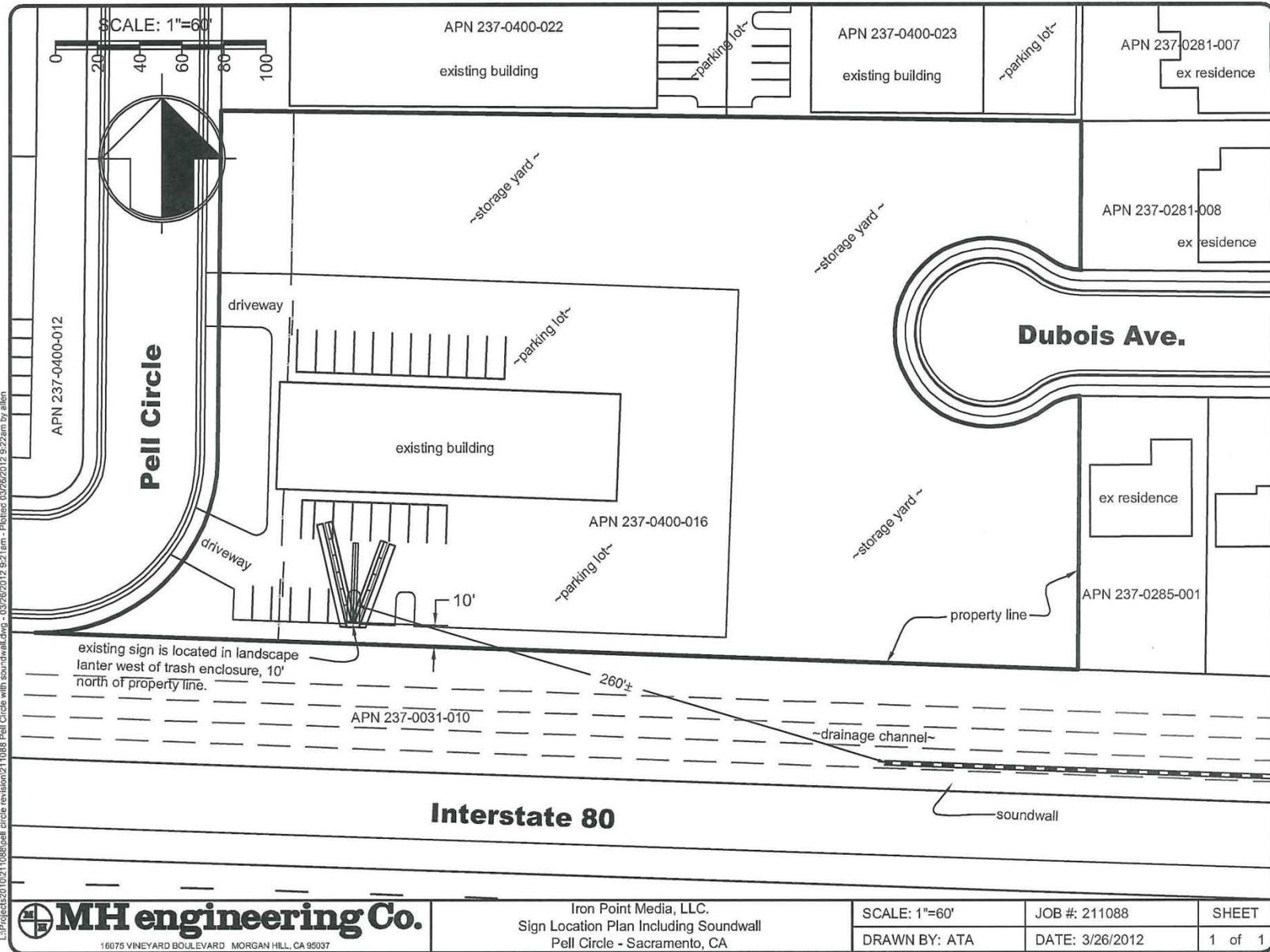
1. Exceptional or extraordinary circumstances or conditions apply that do not apply generally in the same district and the enforcement of the regulations of the Sign Code would have an unduly harsh result upon the utilization of the subject property in that the construction of the 10 foot tall sound wall and the associated view corridor obstruction was not anticipated when the billboard sign was originally designed and constructed. A portion of the westbound highway billboard view corridor is a low point along the highway so the addition of the sound wall obscures a significant portion of the sign by creating a more acute angle at which the billboard would be viewed from the roadway, limiting the full viewing duration which previously was not obscured.
2. No special privilege is being extended to one individual property owner in that the variance would be appropriate for any owner facing similar circumstances where, in order for the westbound billboard sign face to be viewed to the same extent as was possible prior to the construction of the sound wall, the height increase of approximately 10 feet is necessary.
3. The requested variance will not materially and adversely affect the health and safety of persons residing or working in the neighborhood, and will not be materially detrimental to the public welfare or injurious to property and improvements in the neighborhood in that the billboard sign is internally illuminated, is located adjacent to the freeway in an industrial area with the closest residential use located more than 300' east of the sign.

B. The Variance to increase the height of an existing 45 foot tall double-face billboard to approximately 55 feet is hereby approved subject to the following conditions of approval:

Planning

1. The applicant shall obtain all necessary building permits prior to commencing construction.
2. The overall billboard sign height may not exceed 55 feet.
3. The project shall substantially conform to the approved plans as shown on the attached exhibits and as conditioned. Any modification to the project shall be subject to review and approval by Planning staff (and may require additional entitlements) prior to the issuance of building permits.

Exhibit B-1 Site Plan

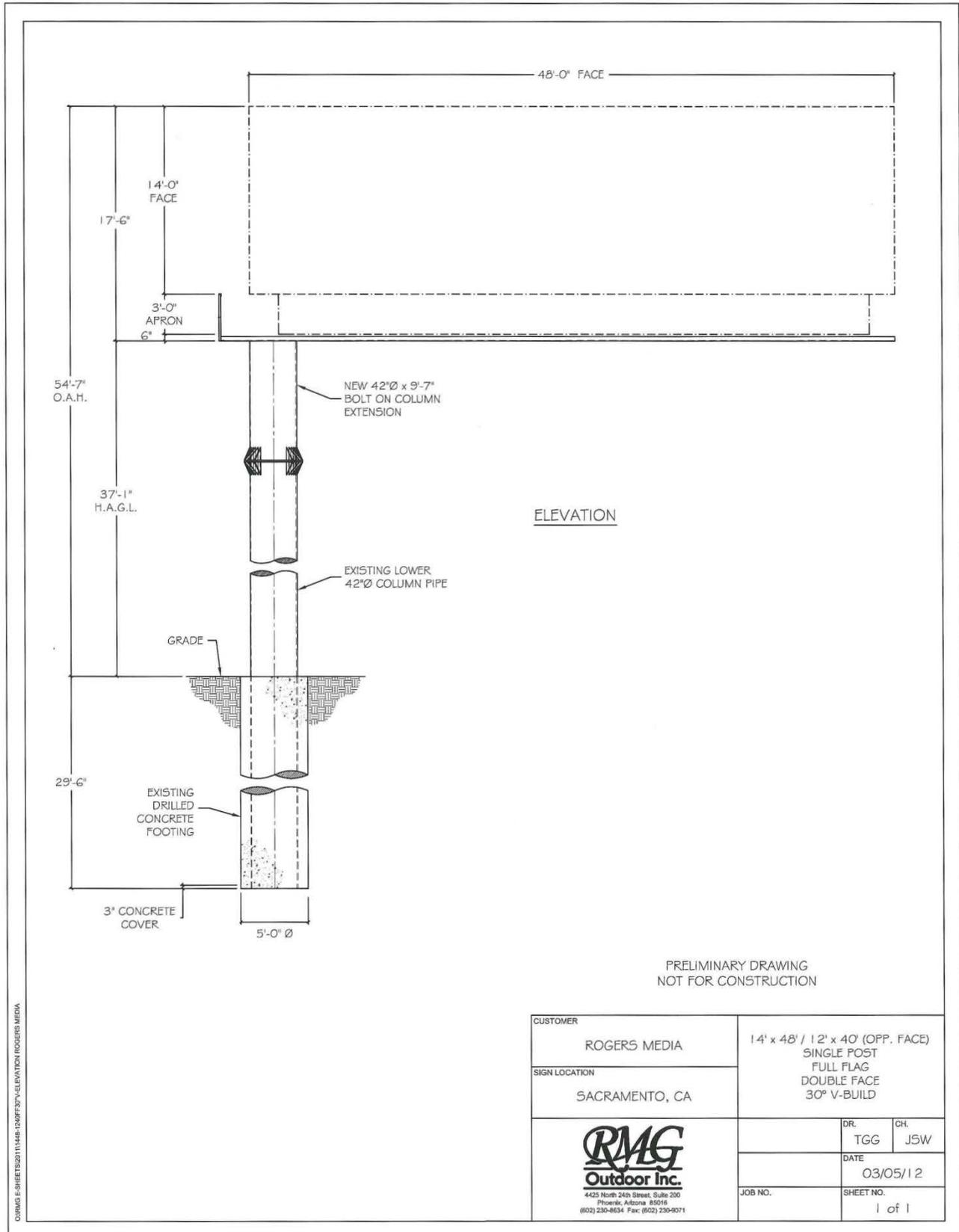


MH engineering Co.
 16075 VINEYARD BOULEVARD MORGAN HILL, CA 95037

Iron Point Media, LLC.
 Sign Location Plan Including Soundwall
 Pell Circle - Sacramento, CA

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|---------------|-----------------|--------|
| SCALE: 1"=60' | JOB #: 211088 | SHEET |
| DRAWN BY: ATA | DATE: 3/26/2012 | 1 of 1 |

Exhibit B-2 Elevation



CHANGE E-SHEET(S) 2011/1446-240FF370-ELEVATION ROGERS MEDIA

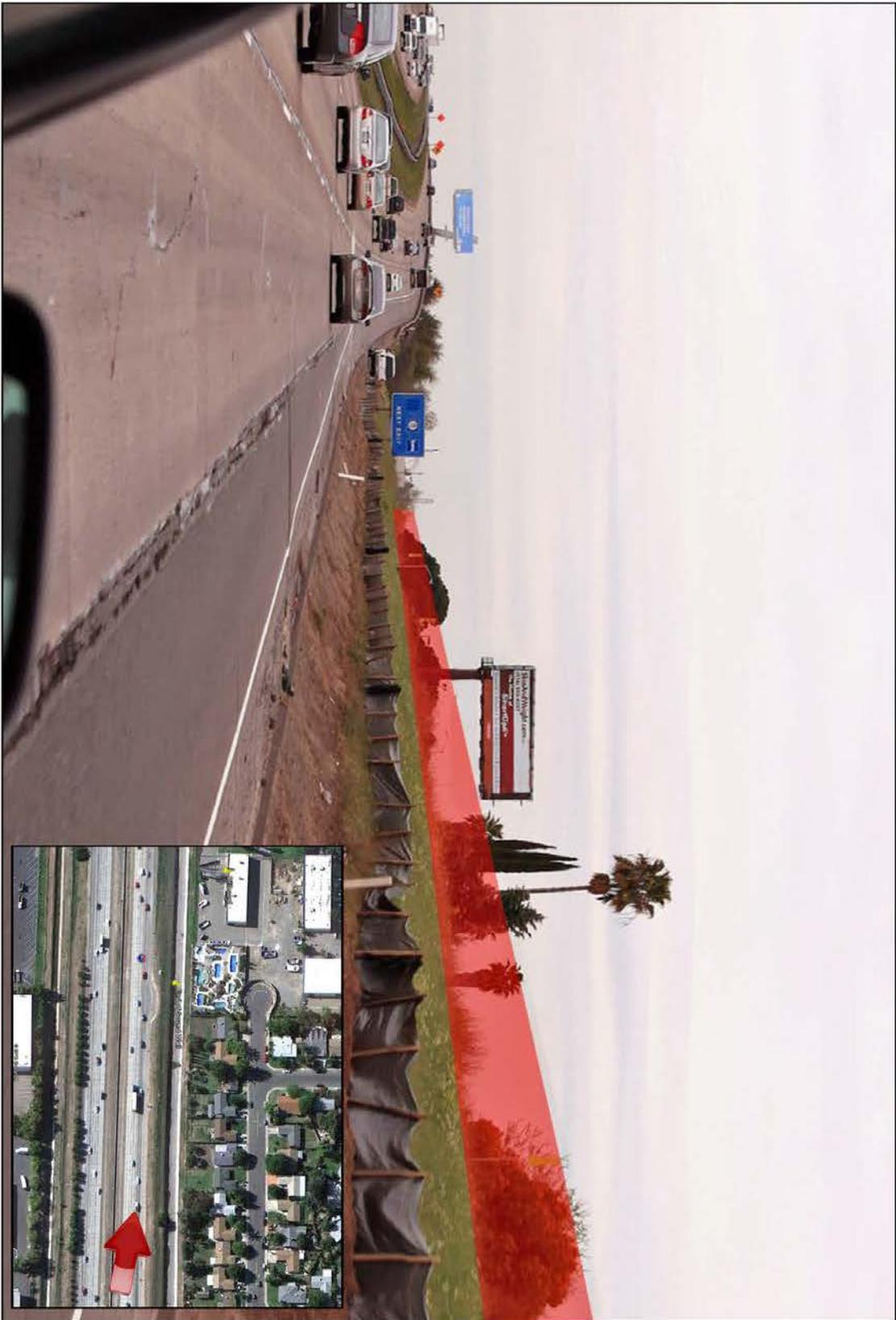
Exhibit B-3 Photo Simulation-Before Billboard Sign Height Increase

SIMULATED PHOTOGRAPH OF IMPACT OF I-80 SOUND WALL



P12-009; Billboard Relocation Modification
Iron Point Media, LLC.

Exhibit B-4 Photo Simulation-After Billboard Sign Height Increase



SIMULATED PHOTOGRAPH OF IMPACT OF I-80 SOUND WALL - AFTER

P12-009: Billboard Relocation Modification
Iron Point Media, LLC.

Attachment 2 Sound Wall Under Construction

PHOTOGRAPH OF I-80 SOUND WALL CONSTRUCTION SITE



P12-009; Billboard Relocation Modification
Iron Point Media, LLC.

Attachment 3 Land Use and Zoning Map

