

STAFF REPORT
CITY OF LAKE OSWEGO

PLANNING DIVISION

APPLICANT/ OWNER:

Lake Oswego School District

FILE NO:

SP 08-0013

TAX LOT REFERENCE:

Tax Lot 100 of Tax Map 21E 16

STAFF:

Jessica Numanoglu

LOCATION:

1235 Overlook Drive (Lakeridge High School)

DATE OF REPORT:

August 8, 2008

COMP. PLAN DESCRIPTION:

Public (P)

NEIGHBORHOOD ASSOCIATION:

Palisades

ZONING DESIGNATION:

Public Functions (PF)

I. APPLICANT'S REQUEST

The applicant is requesting approval of a Sign Variance to increase the maximum allowed size and height of the athletic scoreboard at the football field as follows:

- Increase the size from 64 square feet in area to 243 square feet in area.
- Increase the overall height from 15 feet to 23 feet.

II. DECISION

Approval of SP 08-0013, with conditions. The complete listing of conditions is provided on page 5 of this report.

III. APPLICABLE REGULATIONS

A. City of Lake Oswego Community Development Code [LOC Chapter 50]:

LOC 50.81.005 - 50.81.020	Review of Minor Development Applications
LOC 50.82.005 - 50.82.020	Review of Major Development Applications and Appeals of Minor Development Decisions
LOC 50.84.010	Filing of Appeals

B. Sign Code (LOC Chapter 47.12.500-Variances)

IV. FINDINGS

A. Background/Existing Conditions:

1. Lakeridge High School is a 33.91 acre complex located north of Overlook Drive, south of Cloverleaf Road, and west of Stafford Road (Exhibit E1).
2. The applicant recently received approval [LU 08-0007] to hold varsity football games on the football field located in the northeast area of the property near Cloverleaf Road. The proposed scoreboard would replace an existing scoreboard located at the west end of the football field (Exhibit E5).
3. The site is zoned PF- Public Functions zone. Surrounding land uses and zoning are as follows:
 - North: R-7.5 & PNA – Single-family lots; Lake Oswego Municipal Golf Course.
 - South: R-10 & R-15 – Single-family lots; two churches; Avamere Congregate Care Facility.
 - East: PNA & R-15 – Lake Oswego Municipal Golf Course; Hazelia Field; Single-family lots.
 - West: R-7.5 & R-10 – Single-family lots

V. PUBLIC NOTICE OF APPLICATION

A. Manner of Processing Application:

A request for variance to the Sign Code is to be processed in the same manner as a Class 1 variance and shall be regulated pursuant to the procedural provisions of LOC 50.81–50.84, with exceptions. [LOC 47.12.500(1)].

B. Neighborhood Meeting

No neighborhood meeting is required for a variance application.

C. Public Notice to Surrounding Area:

The City has provided adequate public notice and opportunity to comment on this application, as required by LOC 50.82.020. Twelve comments in opposition to the application were received during the comment period (Exhibits G500-G511). The comments all stated that it was inappropriate to issue a decision on the sign variance request for the larger scoreboard before the final decision for LU 08-0007 was issued, because if LU 08-0007 was not approved, the larger scoreboard would not be necessary. At the time that the public notice for SP 08-0013 was sent out, the application for LU 08-0007 (which is a conditional use modification request to allow varsity football games to be played at Lakeridge) was still pending. The decision on the sign variance is being issued after the decision on LU 08-0007, which was approved by the City Council on August 5, 2008.

VI. LOC 47.12.500 – Sign Variance

The applicant is requesting a variance to install a competition football, soccer and lacrosse scoreboard on the west side of the football field that is 243 square feet in area and 23 feet in height (Exhibits E3 and E4).

A request for a variance to the Sign Code must comply with the following criteria:

- a. *Strict application of the code requirement would deny the applicant a reasonable opportunity to communicate by sign in a manner similar to like persons or uses because of an unusual or unique circumstance relating to the property or the proposal, such as site or building location, building design, physical features on the property, or some other circumstance.*

Manner in Which Like Persons Or Uses May Communicate: Per LOC 47.06.205(6), rigid athletic field signs located on the outfield fence of athletic fields may be installed. The signs shall be no more than 32 square feet in area, shall not be more than eight feet above grade, and there shall not be more than 32 square feet of area for any eight linear feet of fence. One sign located at the end of the field visible to spectators shall not exceed 64 square feet and 15 feet in height.

Unusual or Unique Circumstance Relating to the Property or the Proposal: According to the applicant, the variance to increase the area and height of the athletic scoreboard is necessary because Lakeridge recently received approval to hold varsity football games on the football field [LU 08-0007] and the size limitations imposed by the Sign Code do not provide enough area to include the features that are necessary for a competition football game scoreboard. A competition football scoreboard requires “to go”, “ball on”, and “down” information in addition to the features that are provided on the existing scoreboard, which includes “score”, “time”, “possession”, and “quarter”, and must be of a size that is readable by the spectators (Exhibit F1). The applicant also argues that the proposed scoreboard would provide the same features as the scoreboard used at Lake Oswego High School (Exhibit E6). The Scoreboard at Lake Oswego High school is 10’ x 27’ (270 square feet) and was approved in 1987 (VAR 28-87).

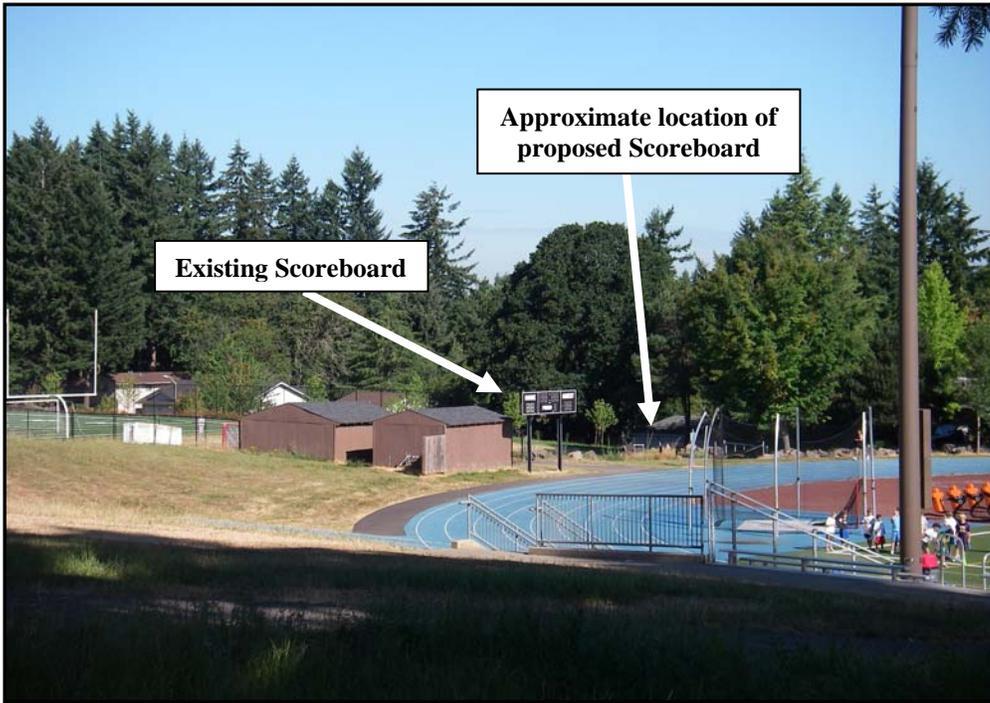
Staff finds that the requirements of a competition football scoreboard, which displays more information than other sporting events, denies the applicant a reasonable opportunity to communicate similar to other high schools that host varsity football games; however, staff finds that the applicant has not demonstrated that the additional panels above and below the actual scoreboard denies the applicant a reasonable opportunity to communicate by sign. The applicant has not adequately demonstrated that the additional sign panels are necessary for a competition football scoreboard at Lakeridge.

- b. *The sign which would result from the variance will not affect the surrounding neighborhood or other property affected by the request in a manner materially inconsistent with the purpose of the sign code.*

The purpose of the Sign Code is, in part:

- to protect the health, safety, property and welfare of the public,
- to provide the neat, clean, orderly and attractive appearance of the community,
- to improve the effectiveness of signs,
- to prevent proliferation of signs and sign clutter, and
- to minimize adverse visual safety factors to travelers on public highways and on private areas open to public travel.

The proposed location of the scoreboard is on the west side of the track surrounding the football field (see Exhibit E2 and photograph, below). While the proposed sign is located approximately 100 feet south of Cloverleaf Road and would not create a visual safety concern to travelers, the scoreboard is very large in size and would be in a prominent location visible to the residences along Cloverleaf Road (see Exhibit E5). The applicant discusses, and staff concurs, why alternative locations on the site are not feasible in the project narrative (Exhibits F1 and E5).



The large size of the scoreboard is due in large part to the top and bottom panels added to the actual scoreboard, which displays the name of the school and the mascot. Staff finds that these additional panels are unnecessary components of the scoreboard that add five feet of height and an

additional 90 square feet of signage to the scoreboard, which is very visible to and detracts from the appearance of the neighborhood – especially as viewed from residences located further east on Cloverleaf Road, which would perceive the full size of the sign from the back. If the height and area of the sign were reduced to 18 feet and 144 square feet, respectively, by removing the panels on top of and below the scoreboard, the visual (aesthetic) impact to the neighborhood would be greatly reduced. Additionally, the back of the scoreboard should be black in order to blend in better with the surrounding environment so that the sign appears less prominent. Staff finds that with these modifications, the proposed sign would be sufficiently minimized so as not to affect the surrounding neighborhood in a manner that is materially inconsistent with the purpose of the Sign Code.

c. The degree of the variance is limited to that reasonably necessary to alleviate the problem created by the unique or unusual circumstance identified above.

The applicant states that the size of the sign is the minimum necessary to provide all the information necessary to the spectators (Exhibit F1). While staff concurs with the applicant that the information contained on the actual scoreboard is the minimum necessary to alleviate the problem created by the unique requirements for a competition football scoreboard, staff finds that the panels on top of and below the scoreboard are not necessary components of the scoreboard and add unnecessary area and height. The additional information contained on these panels can be communicated in other ways and is not necessary to alleviate the problem created by the unique requirements for a competition football scoreboard (a competition scoreboard does not require that additional sign panels be included). While staff acknowledges that the scoreboard at Lake Oswego High School does have one panel above the scoreboard that reads “Lake Oswego District Stadium”, neither the name of the school nor the name of the mascot are included and the applicant has not established that additional sign panels above and below the scoreboard are necessary for a competition football scoreboard. Further, the scoreboard at Lake Oswego High School is located far from any residential lot and is entirely screened from the adjacent road and residential properties by trees and vegetation; therefore, the larger scoreboard has no impact on the surrounding neighborhood. The scoreboard at Lakeridge is in close proximity to residential lots, would be plainly visible from the neighbors north of Lakeridge High School, and as was discussed above, the additional five feet of height and 90 square feet of sign area would have a negative impact on the neighborhood. As a condition of approval, the applicant will be required to remove the top and bottom panels from the design and to shift the height of the scoreboard down by

two feet. The maximum overall height of the scoreboard shall be limited to 18 feet and the maximum area shall be limited to 144 square feet.

VIII. CONCLUSION

Based upon the materials submitted by the applicant and findings presented in this report, staff concludes that SP 08-0013 can comply with all applicable criteria by the application of certain conditions.

IV. ACTION TAKEN

Approval of SP 08-0013, subject to the following conditions:

- A. Approval of this application shall be valid for a 3-year period from the date of this approval and shall be void if no sign permit application is filed within that time period.**
- B. Prior to the Installation of the Scoreboard Sign, the Applicant/Owner Shall:**
 - 1. Apply for and obtain a sign permit. Submit final sign plans for the sign permit that are substantially similar to the design submitted in Exhibit E3, with the following modifications:
 - a. Remove the 3' x 18' and 2' x 18' panels from the top and bottom of the scoreboard and shift the height of the scoreboard down by two feet.
 - b. The back of the scoreboard shall be black.
 - c. The maximum height of the scoreboard shall be 18 feet and the maximum area shall be 144 square feet.

Note:

- 1. Plans review, permit approval, and inspections by the City of Lake Oswego Development Review Section are limited to compliance with the Lake Oswego Sign Code, and related code provisions. The applicants are advised to review plans for compliance with applicable state and federal laws and regulations that could relate to the development, i.e., Americans with Disabilities Act, Endangered Species Act. City staff may advise the applicants of issues regarding state and federal laws that the City staff member believes would be helpful to the applicants, but any such advice or comment is not a determination or interpretation of federal or state law or regulation.

Prepared by:

Jessica Numanoglu
Associate Planner

Date

Approved by:

EXHIBITS:

- A. Notice of Appeal:**
(No current exhibits; reserved for hearing use)
- B. Findings, Conclusions and Order:**
(No current exhibits; reserved for hearing use)
- C. Minutes:**
(No current exhibits; reserved for hearing use)
- D. Staff Report:**
(No current exhibits; reserved for hearing use)

E. GRAPHICS/PLANS

- E1. Tax Map
- E2. Site Plan
- E3. Sign Proposal
- E4. Photo Simulation of the sign at the proposed location
- E5. Photos of the site
- E6. Photos of Scoreboard at Lake Oswego High School

F. WRITTEN MATERIALS

- F1. Applicant's Narrative

G. LETTERS

Neither for nor Against: (G1-99)

None

Support: (G100-499)

None

Opposition: (G500+)

- G500. Email from Mignon Reynolds, dated May 9, 2008
- G501. Email from Jaliene Hollabaugh, dated May 12, 2008
- G502. Email from Patt Thomas, dated May 12, 2008
- G503. Email from Becky Salsburg, dated May 12, 2008
- G504. Email from Pam Andresen, dated May 12, 2008
- G505. Email from Cynthia J. Attinasi, dated May 12, 2008
- G506. Email from Robert Kroll, dated May 12, 2008
- G507. Email from Nancy Kroll, dated May 12, 2008
- G508. Email from Randy & Marlyn Lewis, dated May 13, 2008
- G509. Email from Chimei Shea, dated May 13, 2008
- G510. Email from Cindy Lewis, dated May 13, 2008
- G511. Email from Rosemary Mader, dated May 13, 2008