

ORDINANCE NO. 10-725

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT ON ASSESSOR'S PARCEL NUMBER (APN) 306-33-003S TO ALLOW A FREE STANDING MONUMENT SIGN WHICH INCLUDES A LIGHT EMITTING DIODE (LED) MESSAGE READER BOARD FOR THE MAVERIK STORE

WHEREAS, Matt Wren with Yesco Sign Company, has filed an application with the Town of Chino Valley requesting a Conditional Use Permit for APN 306-33-003S to allow a free standing monument sign which includes a light emitting diode (LED) message reader board for the Maverik Store located on the Southwest corner of S. State Route 89 at W. Road 2 South and addressed as 1060 S. State Route 89; and

WHEREAS, the requested Conditional Use Permit was noticed in conformance with the applicable State and Local Statutes and Local Ordinance; and

WHEREAS, a "neighborhood meeting" was held in conformance with the requirement set forth in the Unified Development Ordinance; and

WHEREAS, the Planning Commission ("Commission") conducted a Public Hearing on December 3, 2009, during which testimony was presented by Town staff and the property owner's agent and surrounding property owners; and

WHEREAS, subsequent to the Public Hearing and discussion, the Commission elected by a 4-0 vote (Vice Chair Sloan and Commissioners Owen and Schmidt absent) to forward the application to the Town Council with the recommendation for approval with certain Findings and Stipulations; and

WHEREAS, at their regular meeting of January 14, 2010, the Town Council confirmed the recommendation of the Commission by electing to adopt this Ordinance and thereby approve the requested Conditional Use Permit with the Findings and Stipulations cited in Section 1 of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA:

Section 1. That a Conditional Use Permit is hereby issued to Assessor's Parcel Number 306-33-003S, located on the Southwest corner of S. State Route 89 at W. Road 2 South and addressed as 1060 S. State Route 89, with the following Findings and Stipulations:

FINDINGS:

1. That the Citizen Participation protocols and Notice as prescribed by the Unified Development Ordinance (UDO) have been complied with; and
2. That as conditioned, the authorization of a Conditional Use Permit (CUP) to allow the Maverik store to construct a freestanding monument sign on the SR 89 frontage that utilizes a Light Emitting Diode (LED) Message Reader Board will not be materially detrimental to persons residing or working in the vicinity of the property or the motoring public; and
3. That the proposed CUP to allow a LED Message Reader Board is reasonably compatible with uses and other signs that have been permitted in the surrounding area.

STIPULATIONS:

1. That the luminous intensity of the LED Reader Board shall have a brightness rating of 9, 782 nits (9 rating) which is similar to the luminosity associated with a fluorescent lit sign.
2. That the LED Reader Board will consist of a fixed digit display that does not scroll or flash but will remain constant for a period of not less than thirty (30) seconds.
3. That the monument sign shall be constructed as shown on the submitted drawings (the LED Reader Board portion of the sign shall not exceed six (6) square feet (**Exhibit "A"**)).

Section 2. This Ordinance repeals any prior enactment by the Town of Chino Valley, which is inconsistent herewith.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Unified Development Ordinance adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 14th day of January, 2010.

Jim Bunker, Mayor

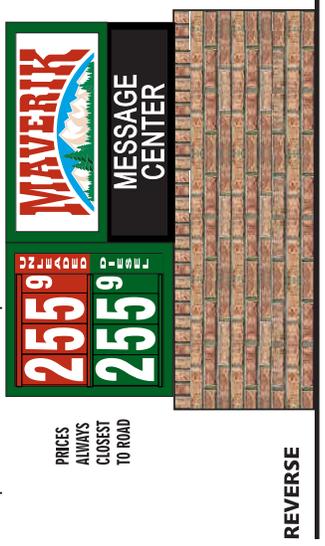
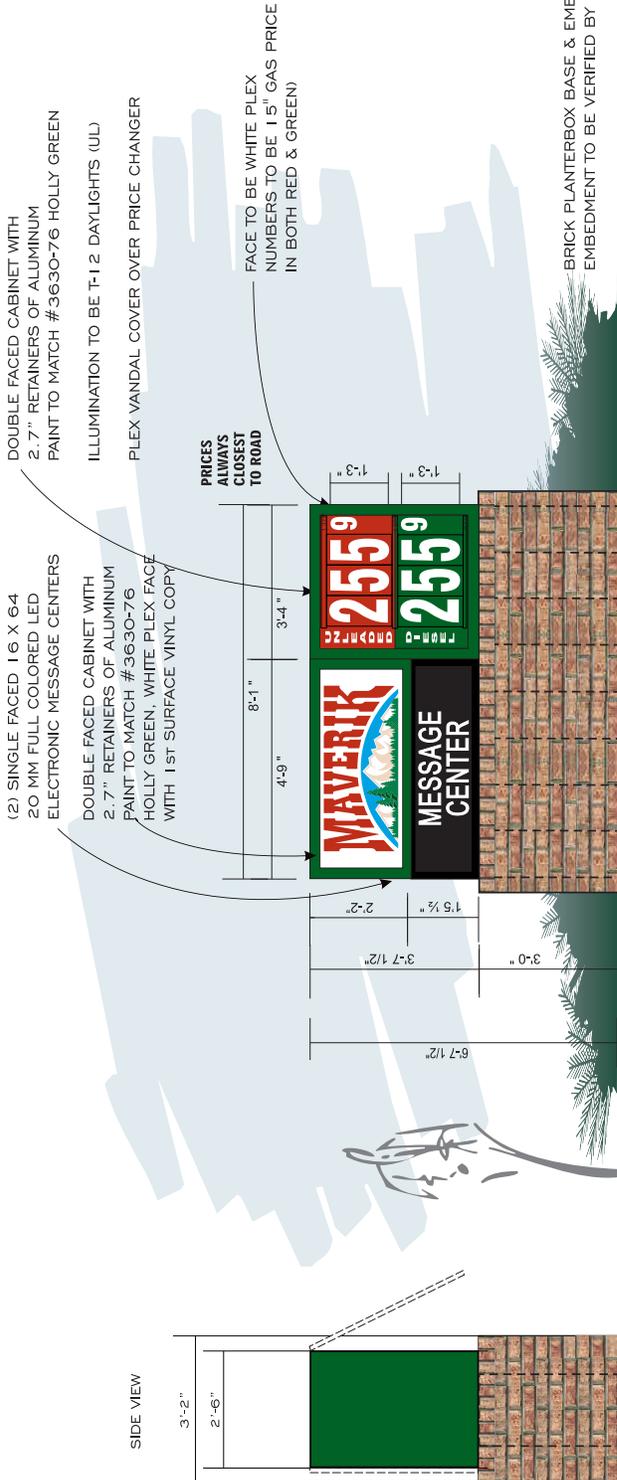
ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Musgrove Drutz & Kack, P.C.
Town Attorney

Exhibit A



COLOR LEGEND

	3630-76 HOLLY GREEN
	3630-126 DRK EMERALD GREEN
	3630-149 LT BEIGE
	3630-147 LT EUROPEAN BLUE
	3630-73 DRK RED
	3630-22 BLACK



DESIGN: 2009 ACTIVE/CLEWIS JOBS/MAVERIK/6003926 MAVERIK CHINO VALLEY AZ monument.cdi
OTHER CONTRACTOR LICENSE NO. 2228497-5501 • DODD CONTRACTOR LICENSE NO. C-3693-S • MONTANA CONTRACTOR LICENSE NO. 19189
NOTE: The colors depicted on this rendering may not match actual colors on finished display. Please refer to color callouts for approved color specifications.

OGDEN DIVISION
 2767 Industrial Drive
 Ogden, UT 84401
 801-621-4710
 801-399-9648 Fax

DRAWING/S	DATE	BY	FIRM NAME/LOCATION ADDRESS
Original Design	9/15/08	CTL	MAVERIK 189 W. ROAD 2nd SOUTH CHINO VALLEY, AZ
BRIEF DESCRIPTION OF PROJECT / REVISION			
MFG/INST D/F MONUMENT SIGN			

ACCOUNT EXEC: MATT WREN

6003926
FILE NO. 08040800000000000000
NO. NUMBER
THIS COMPANY'S POLICY IS TO NOT PROVIDE A PRICE FOR THIS PROJECT.

APPROVALS

I have studied the above design drawing and find it acceptable for the following:

() Copy of letter style
 () Colors
 () Dimensions

Client Signature • Date
 Landlord Signature • Date
 Sales Exec. Signature • Date