



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-16947 - APPLICANT: AMERICAN OUTDOOR
ADVERTISING, LLC - OWNER: LDR-DMG MEADOW & DECATUR, LLC

**** CONDITIONS ****

The Planning Commission (5/2bg/gt vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. The billboard face shall consist of static vinyl panels, or a similar material as approved by the Planning and Development Department
2. Animated and electronic message unit signage is prohibited.
3. The billboard is limited to the exact height as specified in the public hearing notice. If the height of the adjacent freeway increases, the billboard is not entitled to any height increases allowed by Title 19 or Nevada Revised Statutes.
4. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. This Special Use Permit shall be reviewed in two 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.
6. 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.
7. Only one advertising sign is permitted per sign face.
8. 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.

9. The Off-Premise Advertising (Billboard) Sign supporting structure shall be redesigned to include finish materials that complement the existing on-site building. The entire face-area of both sides of the Off-Premise Advertising (Billboard) Sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
10. Bird deterrent devices shall be installed on the sign.
11. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

12. The proposed off-premise advertising (billboard) shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The billboard base shall not be located within existing or proposed public sewer or drainage easements.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is an appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit for a proposed off-premise advertising sign (billboard) at 4600 Meadows Lane. The site plan indicates that the 40-foot tall sign would be located north of existing retail buildings on the site, adjacent to U.S. 95.

This proposed use would be located in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district. This area is characteristic of commercial development, and is compatible with this proposed billboard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/02/06	The Planning Commission voted 5-2/bg/gt to recommend DENIAL. Staff recommends APPROVAL (PC Agenda Item #5/ar).
<i>Related Building Permits/Business Licenses</i>	
	None
<i>Pre-Application Meeting</i>	
07/27/06	The requirements of a Special Use Permit were discussed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, and one was not held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.34

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail shops	SC (Service Commercial)	C-1 (Limited Commercial)
North	U.S. 95	Right-of-way	Right-of-way
South	Retail shops	SC (Service Commercial)	C-1 (Limited Commercial)
East	Retail shops	SC (Service Commercial)	C-1 (Limited Commercial)
West	Retail shops	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

DEVELOPMENT STANDARDS

Pursuant to Title 19.04, the following standards apply to an off-premise advertising sign:

A1) Minimum Distance Separation Requirements

The Off-Premise Advertising (Billboard) Sign is subject to a minimum 750-foot separation from other off-premise advertising signs oriented toward US-95. There are no existing billboards within this separation distance.

The Off-Premise Advertising (Billboard) Sign is also subject to a minimum 300-foot separation from other off-premise advertising signs not oriented toward U.S 95. There are no existing billboards within this separation distance.

In addition, the sign cannot be located less than 300 feet from the nearest property line of a lot in a residential zoning district. The nearest R zoned property is located approximately 870 feet to the west of the proposed location.

A2) Off-Premise Sign Requirements

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise sign may be located within the public right-of-way	Located south of the U.S. 95 right-of-way.	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	The property is zoned C-1.	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet per sign face, 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.	The east and west faces are each 672 square feet.	Y

Height	40 Feet above grade	40 Feet above grade.	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is set back approximately 812 feet from the right-of-way line of the intersection of Decatur Boulevard and U.S. 95.	Y
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Not clearly indicated	Staff has included a condition of approval which addresses this issue
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.	Permanently secured to ground; no residential uses on site.	Y

The proposed Off-Premise Advertising (Billboard) Sign meets the provisions of the Title 19 sign code.

ANALYSIS

The subject site is zoned C-1 (Limited Commercial). An Off-Premise Advertising (Billboard) Sign is a permitted use in this district with the approval of a Special Use Permit. This sign is not located within the Off-Premise Sign Exclusionary Zone.

FINDINGS

The following findings must be made for a Special Use Permit:

1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.
2. The subject site is physically suitable for the type and intensity of land use proposed.
3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.
4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

In regard to 1:

This proposed use would be located in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district. This area is characteristic of commercial development, and is compatible with this proposed billboard.

In regard to 2:

There are no physical constraints to the location of the use on the subject site.

In regard to 3:

There are no requirements for access to a property containing an Off-Premise Advertising (Billboard) Sign.

In regard to 4:

If approved, the off-premise sign will be subject to regular inspection and will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 154 by City Clerk

APPROVALS 0

PROTESTS 0