



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 15, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-21507 - APPLICANT: LAMAR ADVERTISING - OWNER:
ROCK SPRINGS ROAD, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 1, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) 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.
2. 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.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. 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.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Five Year Review of an approved Special Use Permit (U-0061-92) which allowed a 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign adjacent to the southwest corner of West Lake Mead Boulevard and the Oran K. Gragson Highway.

This is the third review of the subject Off-Premise Advertising (Billboard) Sign. The subject Off-Premise Advertising (Billboard) Sign is not considered appropriate. The sign does not have building permits thus failing to comply with Code requirements. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/20/92 *	The City Council approved a Special Use Permit (U-0061-92) for a 40-foot high, 14-foot by 48-foot OffPremise Advertising (Billboard) Sign. The Board of Zoning Adjustment and staff recommended approval.
05/27/97	The City Council approved a required Five-Year Review [U-0061-92(1)] on an approved Special Use Permit (U-0061-92) for a 40-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign. The Board of Zoning Adjustment and staff recommended approval.
06/19/02	The City Council approved a required Five-Year Review [U-0061-92(2)] on an approved Special Use Permit (U-0061-92) for a 40-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign. The Planning Commission and staff recommended approval.
06/28/07	The Planning Commission voted 6-1/rt to recommend DENIAL (PC Agenda Item #49/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this request.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Field Check</i>	
05/30/07	A site inspection was conducted and photographs were taken.

Details of Application Request	
Site Area	
Net Acres	2.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
South	Undeveloped	M (Medium Density Residential)	U (Undeveloped)
East	US-95 Right of Way	US-95 Right of Way	US-95 Right of Way
West	Undeveloped	H (High Density Residential)	U (Undeveloped)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175-foot)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not located within the Exclusionary Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y

Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, 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.	672 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened	Y
Off-Premise Advertisement (Billboard)	At least 750 feet to another Off Premise Sign	930 feet to another Off Premise Sign	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	950 feet from R zoned property to the west.	Y
Other	All Off-Premise Advertising (Billboard) 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; located on strictly commercial property	Y

ANALYSIS

This is the third review of the subject Off-Premise Advertising (Billboard) Sign. The Off-Premise Advertising (Billboard) Sign does not have a building permit. The lack of a permit places the Off-Premise Advertising (Billboard) Sign out of compliance with Code requirements. The sign is in good condition and will not require any maintenance at this time. Conditions of approval have been added to ensure this signs condition remains good, if approved. It is also noted that the property to the south remains undeveloped at this time. Due to the failure to obtain a building permit, denial of this request is recommended.

FINDINGS

The subject Off-Premise Advertising (Billboard) Sign is not considered appropriate. The sign does not have building permits thus failing to comply with Code requirements. Denial of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 50 by City Clerk

APPROVALS 0

PROTESTS 2