

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MARCH 27, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - RQR-26303 - APPLICANT: CLEAR CHANNEL****OUTDOOR - OWNER: KARR JERRY K AND JAMES N**

---

**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. This Special Use Permit shall be reviewed in five (5) 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. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
6. Building permits and a final inspection must be complete within 30 days of final approval by the City of Las Vegas.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**RQR-26303 - Staff Report Page One**  
**March 27, 2008 - Planning Commission Meeting**

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This application request is for a required Five-Year Review of an approved Special Use Permit (U-0110-97), which allowed a 40-foot tall, 288 square-foot, double-faced Off-Premise Advertising (Billboard) Sign at 2111 Western Avenue. This is the second Five-Year Required Review.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
1/12/98	The City Council approved a Special Use Permit (U-0110-97) for a 40-foot tall, 12-foot by 24foot Off-Premise Advertising Sign (Billboard) on this site, subject to a five-year review. The Planning Commission and staff recommended approval (12/04/97).
2/19/03	The City Council approved a Five-Year Review (RQR-1365) of Special Use Permit (U-0110-97) for an Off-Premise Advertising Sign (Billboard). 01/23/03 Planning Commission and staff recommend approval.
<b><i>Related Building Permits/Business Licenses</i></b>	
3/11/98	Building permit #98005004 was issued for a 288 square-foot, double-faced Off -Premise Advertising Sign (Billboard) located at 2113 Western Avenue, under Plan Check #L-1153-98. There is no record of this building permit receiving a final inspection nor is there record of a required third-party Special Inspection Report.
<b><i>Pre-Application Meeting</i></b>	
No meeting was required nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
No meeting was required nor was one held.	

<b><i>Field Check</i></b>	
02/01/08	An Off-Premise Advertising Sign (Billboard) was located at the front of the subject site with no visible rust, no embellishments, and one advertising sign installed per face (double-faced). The sign will require bird abatement measures as numerous pigeons were witnessed roosting on and within the sign.

**RQR-26303 - Staff Report Page Two**  
**March 27, 2008 - Planning Commission Meeting**

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	.69

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office, shops	LI/R (Light Industry/Research)	M (Industrial)
North	Shops and offices	LI/R(Light Industry/Research)	M (Industrial)
South	Offices and Truck Rentals	LI/R(Light Industry/Research)	M (Industrial)
East	Union Pacific Railroad, Shops and Offices	LI/R(Light Industry/Research)	M (Industrial)
West	Shops, Offices, Service Station, Sexually Oriented Business	LI/R(Light Industry/Research)	M (Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Redevelopment Plan Area	X		Yes
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>	X		Yes
Downtown Overlay District	X		Yes
G-O (Gaming Enterprise Overlay) District	X		Yes
A-O (Airport Overlay) District	X		Yes
<b>Trails</b>		N	N/A
<b>Rural Preservation Overlay District</b>		N	N/A
<b>Development Impact Notification Assessment</b>		N	N/A
<b>Project of Regional Significance</b>		N	N/A

## DEVELOPMENT STANDARDS

*Per Title 19.14.100, the following sign standards apply:*

<b>Standards</b>	<b>Code Requirement</b>	<b>Provided</b>	<b>Compliance</b>
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 within Exclusionary Zone or Public Right-of-Way.	Yes
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Currently the property and surrounding area is zoned M (Industrial)	Yes
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.	The surface area of the sign is 576 square feet. There were no embellishments observed on the sign during the field check.	Yes
Height	No higher than 40 feet from grade at the point of construction	The sign is 40 feet tall	Yes
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	No additional screening required.	Yes

**RQR-26303 - Staff Report Page Four**  
**March 27, 2008 - Planning Commission Meeting**

f-Premise Advertisement (Billboard)	At least 750 feet to another Off Premise Sign	There are three off premise advertising billboard signs within 615 feet of the sign. A sign 360 feet northeast, one 610 feet west and another 615 feet east of the subject billboard.	No
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	Nearest residential is over 800 feet away	Yes
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.	The sign is a free standing sign in a commercial office complex parking lot	Yes

### ANALYSIS

This is the second review of the subject Off-Premise Advertising (Billboard) Sign. This Off-Premise Advertising (Billboard) Sign is located in the parking lot of an office complex near I-15 and the Union Pacific Railroad right-of-way, which is M (Industrial) zoned. During the site visit pigeons were observed on the interior of the sign, creating a pigeon feces problem in the parking lot below the sign.

This billboard sign is located approximately 35 feet from the access point on the southwest portion of the site and is approximately 616.53 feet from the east right-of-way line of Interstate-15. The 40-foot tall, 288 square-foot sign is oriented towards the north and south bound traffic of Western Avenue.

The nearest residentially zoned property is approximately 670 feet to the west, across I-15. Also there are no records of proper building permits or a final inspection of the sign.

There are three Off-Premise Advertising (Billboard) signs within 750 feet of the subject sign: one billboard located 360 feet northeast of the subject billboard, a second billboard located approximately 640 feet west of the subject billboard and the third billboard located approximately 635 feet east of the subject billboard.

**RQR-26303 - Staff Report Page Five**  
**March 27, 2008 - Planning Commission Meeting**

**FINDINGS**

According to a review of city records, a final inspection was not performed on the building permit issued for the Off-Premise Advertising Sign (Billboard). There is also no record of a Third-Party Special Inspection Report being completed and filed for this sign. There is also need for the pigeon abatement measures on the sign.

As there is no record of a final inspection related with expired building permits and there are three signs within the 750-foot separation requirement for this sign, staff recommends denial of this request.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 15

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 106

**APPROVALS** 2

**PROTESTS** 0