

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 24, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-27071 - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: MARTIN W. GREENWALD**

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**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to the Conditions of Approval for Special Use Permit U-0237-94.
2. This Special Use Permit shall be reviewed in three (3) 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.
3. The property owner shall remove any existing graffiti from the Off-Premise Advertising (Billboard) Sign within 30 days of final approval by the City of Las Vegas. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign. Thereafter, the sign its supporting structure shall be properly maintained and kept free of graffiti at all times.
4. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been 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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

This is a Required Two-Year Review of an approved Special Use Permit (U-0237-94) for a 40-foot tall, 14-foot x 48-foot Off-Premise Sign (Billboard) at 4850 North Rancho Drive. This is the fourth review since the initial approval of the Special Use Permit.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |   |
|---|---|
| 11/16/94  | The City Council approved an appeal of a Special Use Permit (U-237-94) for a for a 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 4850 North Rancho Drive. The Board of Adjustment recommended denial of this application on 10/25/94.   |
| 1/05/00   | The City Council approved an appeal of the Planning Commissions decision to deny a Required Five Year Review of an approved a Special Use Permit [U-237-94(1)] for a for a 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 4850 North Rancho Drive. Staff had recommended denial on 11/18/99. |
| 3/06/02   | The City Council approved a Required Two Year Review of an approved a Special Use Permit [U-237-94(2)] for a for a 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 4850 North Rancho Drive. The Planning Commission recommended approval and Staff recommended denial on 01/24/02.            |
| 4/02/03   | The City Council approved a request to amend the General Plan designation (GPA-1363) of the subject site to GC (General Commercial) as a part of a larger request. The Planning Commission and staff recommended approval on 02/27/03.  |
| 4/19/06   | The City Council approved a required Two Year Review (RQR-11404) of an approved a Special Use Permit [U-237-94] for a for a 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 4850 North Rancho Drive. The Planning Commission recommended approval and Staff recommended denial on 3/23/06.    |
| <b><i>Related Building Permits/Business Licenses</i></b>                  |   |
| 12/30/94  | A Final Inspection was issued for permit #94-359662, under Plan Check # L-3730-94 for an Off-Premise Sign (Billboard) located at 4850 North Road.   |

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| <b><i>Pre-Application Meeting</i></b>  |  |
| A pre-application meeting is not required for this application.                |  |
| <b><i>Neighborhood Meeting</i></b>   |  |
| A neighborhood meeting is not required for this application, nor was one held. |  |

|                           |   |
|---------------------------|---|
| <b><i>Field Check</i></b> |   |
| 4/03/08                   | A field check was carried out by staff with the following observations: <ul style="list-style-type: none"> <li>• Sign located on undeveloped lot.</li> <li>• Noticeable bird-nuisance with pigeons roosting in the sign.</li> <li>• No embellishments, moving parts, or electronic displays.</li> </ul> |

|  |            |
|--|------------|
| <b><i>Details of Application Request</i></b> |            |
| <b><i>Site Area</i></b>                      |            |
| Net Acres                                    | 4.81 acres |

| <b>Surrounding Property</b> | <b>Existing Land Use</b>  | <b>Planned Land Use</b>                             | <b>Existing Zoning</b>  |
|-----------------------------|---------------------------|---|---|
| Subject Property            | Undeveloped               | GC (General Commercial)                             | C-2 (General Commercial)  |
| North                       | Undeveloped               | MLA (Medium-Low Attached Density Residential)       | C-1 (Limited Commercial) under Resolution of Intent to R-PD11 (Residential Planned Development 11 Units Per Acre) |
| South                       | Auto Shop                 | GC (General Commercial)                             | C-2 (General Commercial)  |
| East                        | Single-Family Residential | GC (General Commercial)                             | C-2 (General Commercial)  |
| West                        | Hotel and Casino          | GC (General Commercial)/<br>SC (Service Commercial) | C-2 (General Commercial)  |

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

## DEVELOPMENT STANDARDS

*Per Title 19.14.100, the following standards apply:*

| <i>Standards</i> | <i>Code Requirement</i>   | <i>Provided</i>                         | <i>Compliance</i> |
|------------------|---|---|-------------------|
| 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  | Located within the Exempt Zone          | N                 |
| Zoning           | Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only  | C-2 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 square feet, with no embellishments | Y                 |
| Height           | No higher than 40 feet from grade at the point of construction  | Maximum 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                 |

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|                                       |   |  |   |
|---------------------------------------|---|--|---|
| Off-Premise Advertisement (Billboard) | At least 300 feet to another Off Premise Sign along the same frontage   | Approximately 320 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.  | More than 300 feet from R zoned property to the southeast.             | 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 fourth review Special Use Permit (U-0237-94) for a 40-foot tall Off-Premise Sign (Billboard) located within the C-2 (General Commercial) zoning district, at 4850 North Rancho Road. Upon a site inspection on 4/03/08 staff found the sign was in good condition, with no embellishments, graffiti, or additional signs per face. A bird-nuisance was discovered, however, and a condition of approval has been placed to install bird-deterrent devices. A research of the building permit history found that this sign received a final inspection

### FINDINGS

This sign complies with all development standards and is located on undeveloped land within the C-2 (General Commercial) zoning district. The Off-Premise Sign (Billboard) is located more than 300 feet from residentially-zoned property and more than 750 feet from the nearest Off-Premise Sign (Billboard). This sign is located within the Off-Premise Sign Exclusionary Zone which prohibits these types of signs within its boundaries. However, staff finds that there is no adverse impact regarding the continued use of this sign at this time since no significant changes in development or land use has occurred in the surrounding area since the initial installation of the sign. Therefore, staff recommends approval, subject to a three-year review.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT**      1

**SENATE DISTRICT**            6

**NOTICES MAILED**            230

**APPROVALS**                    1

**PROTESTS**                      6