

## AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 24, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-26970 - APPLICANT: CLEAR CHANNEL OUTDOOR -  
OWNER: RIVERPARK IV, LLC

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### \*\* CONDITIONS \*\*

**STAFF RECOMMENDATION:** DENIAL. If Approved, subject to:

#### *Planning and Development*

1. Conformance to the Conditions of Approval for Special Use Permit SUP-3115.
2. The owner of this Off-Premise Sign (Billboard), shall, within thirty days, obtain either construction inspection and approval by the City or structural certification, as those items are described in Title 19.14.100(D), paragraph six, subsection a or b. Failure to secure the required final inspection may result in fines and/or removal of the Off-Premise (Billboard) Sign.
3. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the Off-Premise Sign (Billboard) 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.
4. The Off-Premise Sign (Billboard) 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 (Billboard) Sign.
5. 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 (Billboard) Sign.
6. If the existing Off-Premise (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise (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.
7. All City Code requirements and design standards of all City departments must be satisfied.

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

**PROJECT DESCRIPTION**

This is a Required Two-Year Review of an approved Special Use Permit (SUP-3115) for a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 6122 West Sahara Avenue. This is the second review of the Special Use Permit since its initial approval.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
4/05/89	The City Council approved a request (Z-0008-89) to Rezone the subject property from N-U (Non-Urban) to C-1 (Limited Commercial). The proposal included two office buildings containing 37,400 square feet. The Planning Commission recommended approval on 02/28/89.
12/03/03	The City Council approved an appeal of the Planning Commissions decision to deny a Special Use Permit (SUP-3115) for a proposed Off-Premise Sign (Billboard) at 6122 West Sahara Avenue. Staff had recommended approval and the Planning Commission recommended denial on 11/06/03.
4/19/06	The City Council approved a required Two-Year Review (RQR-11402) of an approved Special Use Permit (SUP-3115) for a 40-foot tall, 14-foot x 48-foot Off-Premise Sign (Billboard) at 6122 West Sahara Avenue.  NOTE: The Billboard was addressed as 6118 West Sahara at the time of building permit review.
<b><i>Related Building Permits/Business Licenses</i></b>	
Building permit #04-006179 was issued on 3/18/04, under Plan Check #L-1034-04, and a final report of special inspections was received on 3/15/05 for an Off-Premise Sign (Billboard) at 6118 West Sahara. The building permit expired on 9/18/04 prior to any final inspection being received. This review has been recommended denial with a condition to complete action on this permit.	
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required for this type of application.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for this application, nor was one held.	

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	2.63 acres

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<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Office	SC (Service Commercial)	C-1 (Limited Commercial)
North	Office	O (Office)	P-R (Professional Office and Parking)
South	Unincorporated Clark County	Unincorporated Clark County	Unincorporated Clark County
East	Restaurant/Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Parking Lot	SC (Service Commercial)	C-1 (Limited Commercial)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>		X	NA
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<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:*

<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	Located north of the Sahara Avenue right-of-way, outside the Exempt Zone	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	C-1 zoning district	Y

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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 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 300 feet to another Off Premise Sign oriented along the same frontage (non-highway)	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.	Approximately 580 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 second review of the Special Use Permit SUP-3115. The Off-Premise Sign (Billboard) is located within the C-1 (Limited Commercial) zoning district, which is permitted, with approval of a Special Use Permit. The sign is not located within the Off-Premise Sign Exclusionary Zone. A visual inspection conducted on 4/03/08 of the billboard in review found the sign was in good condition, with no embellishments, graffiti, bird droppings, or additional signs per face. However, during research into the building permit history of the subject billboard, staff discovered that the permit expired prior to a final inspection taking place.

**FINDINGS**

The Off-Premise Advertising (Billboard) Sign is in relatively good condition and is in general compliance with the location and development provisions listed in Title 19.14.100. However, this Off-Premise Advertising (Billboard) Sign lacks a final inspection on the building permit for installation; therefore denial of this request is recommended. If approved, conditions of approval have been added to bring the Off-Premise Advertising (Billboard) Sign into compliance.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**            3

**ASSEMBLY DISTRICT**            5

**SENATE DISTRICT**            8

**NOTICES MAILED**            213

**APPROVALS**            0

**PROTESTS**            6