



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 21, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-27196 - APPLICANT: LAMAR OUTDOOR ADVERTISING
- OWNER: BOYS CLUBS OF CLARK COUNTY, INC.

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (U-0041-95) shall be required.
2. 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.
3. All development shall be in conformance with the site plan and building elevations, date stamped 3/10/08, except as amended by conditions herein.
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 Sign (Billboard).
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 Sign (Billboard).
6. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
7. The structural elements exposed on the southern face of the billboard shall be screened from view
8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review to raise an existing 63-foot tall Off-Premise Sign (billboard) to a height of 80 feet on property located at 2800 Marlin Avenue. The applicant is seeking approval to raise the sign approximately 17 feet due to the installation of the 13.5-foot tall soundwalls located along US-95.

Staff recommends approval of the following request as there is no anticipated impact to the surrounding area from raising the existing sign an additional 17 feet in height.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
4/24/63	The City Council approved a Rezoning (Z-0062-63) to R-4 (High Density Residential) on this site.
7/19/95	The City Council approved the Special Use Permit (U-0041-95), which allowed the 14-foot x 48-foot off-premise adverting (billboard) sign on this site, subject to a Five-Year Review.
9/06/00	The City Council approved a Required Five-Year Review [U-0041-95(1)] of a Special Use Permit (U-0041-95) for a 14-foot x 48-foot Off-Premise Sign (Billboard) on this site, subject to a Two-Year Review.
11/06/02	The City Council approved a Required Two-Year Review [U-0041-95(2)] of a Special Use Permit (U-0041-95) for a 14-foot x 48-foot Off-Premise Sign (Billboard) on this site, subject to a Two-Year Review. Planning Commission and staff recommended approval on 11/26/02.
11/17/04	The City Council approved a Required Two-Year Review (RQR-5170) of a Special Use Permit (U-0041-95) for a 14-foot x 48-foot Off-Premise Sign (Billboard), subject to a Two-Year Review. Planning Commission and staff recommended approval on 10/21/04.
04/24/08	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #17/mh).
<i>Related Building Permits/Business Licenses</i>	
10/11/95	A #225 Final Inspection was completed for Permit #95-878388, under Plan Check #L-3092-95 for this billboard.
<i>Pre-Application Meeting</i>	
3/05/08	A pre-application meeting was held with staff to discuss the requirements for submitting a Site Development Plan Review of a billboard Per Title 19.14.100(G)1 as the sign exceeds the 65-foot height limit.

<i>Neighborhood Meeting</i>
A neighborhood meeting is not required for this type of application, nor was one held.

<i>Field Check</i>	
4/03/08	A field check was carried out by staff with the following observations: <ul style="list-style-type: none"> • Sign located in the rear portion of a playground at a recreational center. • Existing bird-nuisance with pigeons roosting in the sign structure. • Structural elements of the billboard are exposed at the south face.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.17 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Playground	M (Medium Density Residential)	R-4 (High Density Residential)
North	ROW (US-95)	ROW (US-95)	ROW (US-95)
South	Boys & Girls Club	M (Medium Density Residential)	C-1 (Limited Commercial)
East	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

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

DEVELOPMENT STANDARDS

Per Title 19.14.100, the following sign standards apply to the Off-Premise Sign (Billboards):

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	The existing sign is not located within the public right-of-way or the Off-Premise Sign Exclusionary Zone.	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	R-4	N
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 shown or proposed	Y
Height	No more than 45 feet above the noise abatement improvement project from the tallest point of the improvement project to the top of the sign and no higher than 65 feet from grade at the point of construction	80 feet	N
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	The structural elements of the sign are exposed at the southern face.	N
Off-Premise Advertisement (Billboard)	At least 750 feet from another Off Premise Sign	965 feet from closest 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.	0 feet (sign located on R zoned property)	N
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.	Property zoned R-4 (High Density Residential) but is not used for residential purposes	Y

ANALYSIS

This sign was originally approved by Special Use Permit (U-0041-95) for a Off-Premise Sign (billboard) located at 2800 Marlin Avenue. The non-conforming sign was originally installed at 2801 Stewart Avenue but was re-located to 2800 Marlin Avenue due to the freeway widening. The existing sign is non-conforming as it is located on R-4 (High Density Residential) zoned property and is immediately adjacent to residentially-zoned property where a 300 foot separation is required. Although this sign in review has been found in non-conformance, per Title 19.14.100(G)4 a sign approved by the City Council under this paragraph (4) shall maintain any nonconforming status it had immediately before such approval.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The development proposal is to raise the existing billboard to a total height of 80 feet. There are no other proposals to relocate or modify the sign in such a manner that would increase the signs impact on the surrounding neighborhood. The existing sign is a legal, non-conforming sign as the sign was originally approved on the R-4 (High Density Residential)-zoned lot prior to the requirement forbidding the installation of a billboard on property that maintains a residential use.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The existing sign does not meet the zoning requirement for a C-1 (Limited Commercial) zoning designation or greater, nor does it meet the minimum separation distance from residentially zoned property per Title 19.14.100(G)4; however, a sign approved by the City Council under this paragraph (4) shall maintain any nonconforming status it had immediately before such approval.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

This existing Off-Premise Sign (Billboard) is located within a playground on a separate lot adjacent to the back portion of a recreational center. With exception to the construction period to raise the sign, site access and circulation of the subject lot or the adjacent property will remain unaffected.

4. Building and landscape materials are appropriate for the area and for the City;

The structural materials for the proposed raising of the existing Off-Premise Sign (Billboard) are typical of billboards found throughout the valley and are appropriate for the immediate area and the city. There are no proposed modifications, either an LED conversion, moving parts, or embellishments to the existing billboard itself other than the height-raising.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The current sign does not adequately screen the structural elements that are exposed on the billboards south face. In addition, the billboard will require bird-deterrent devices as a bird-nuisance was discovered during the 4/03/08 field check. Approval of this review has been conditioned to remedy these two issues.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The billboard in review has previously completed a building permit with a final inspection completed in 1995. This sign will require new building permits, which will be subject to compliance with the 2006 IBC and will require a Third-Party Special Inspections report to be filed by a professional engineer licensed with the State of Nevada prior to the final inspection being completed by the Building and Safety Department.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 55 by Planning Department

APPROVALS 0

PROTESTS 0