

**AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: AUGUST 28, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-28731 - APPLICANT: LAMAR OUTDOOR ADVERTISING
- OWNER: MER-CAR CORPORATION

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (SUP-2290), if approved.
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. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
4. 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.
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 Advertising (Billboard) Sign.
6. 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.
7. 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 application is in response to a required two-rear review of an approved Special Use Permit (SUP2290), for a 40-foot high, 14-foot by 48-foot Off-Premise Sign (Billboard) on property located at 4510 East Charleston Boulevard. This is the first review of the approved Special Use Permit for this Off-Premise Sign (Billboard) since it was constructed in 03/04/04.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/18/76	The Board of City Commissioners approved a Rezoning from R-1 (Single Family Residential) to C-1 (Limited Commercial) for this site as part of a larger request (Z-0068-75). The Planning Commission recommended approval.
09/27/88	The Planning Commission approved a Plot Plan Review [Z-0068-75(4)] for the expansion of an existing shopping center on property located on the north side of Charleston Boulevard and west side of Marion Drive. The expanded area includes the subject site. Staff recommended approval.
04/14/97	The City Council approved a request for a Plot Plan And Building Elevation Review [Z-0068-75(5)] for a proposed 50-foot Wireless Communication Facility, Non-Stealth Design on property located at 4510 East Charleston Boulevard. The Planning Commission and staff recommended approval. The tower was to be located approximately 45 feet north of the existing building on the subject site and contain mounted security lighting.
10/07/99	The City Council approved a request for a Special Use Permit (U-0083-99) to allow a 60-foot tall Wireless Communication Facility, Stealth Design (slim line) at 4480 East Charleston Boulevard. The Planning Commission and staff recommended approval.
08/06/03	The City Council approved the appeal of the Planning Commission denial of a request for a Special Use Permit (SUP-2290) for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 4510 East Charleston Boulevard. Staff recommended approval. The off-premise sign is subject to a review in 2008.
09/21/05	The City Council approved a request for a Special Use Permit (SUP-6690) for a proposed 80-foot tall Wireless Communication Facility, Stealth Design at 4480 East Charleston Boulevard. The Planning Commission and staff recommended approval. The City Council approval included a condition restricting the height of the facility to 65 feet with pine tree stealth design.

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Related Building Permits/Business Licenses	
03/04/04	Building permit #03-020398 issued on 09/23/03 for an Off-Premise Sign (Billboard) at 4506 East Charleston Boulevard. A #225 final inspection was completed on 03/04/04.
Pre-Application Meeting	
A pre-application meeting is not required for this application.	
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	

Field Check	
08/08/08	<p>A field check was carried out by staff with the following observations:</p> <ul style="list-style-type: none"> • The subject billboard had no embellishments, animated signage, or electronic displays. • All structural elements have been properly screened. • The sign and supporting structure is in good condition and does not require any repainting • There are signs of a minor bird nuisance that will require bird deterrents.

Details of Application Request	
Site Area	
Net Acres	1.48 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail (less than 25,000 SF total)	SC (Service Commercial)	C-1 (Limited Commercial)
North	Undeveloped/ Proposed Church House of Worship (SDR-21199)	SC (Service Commercial)	C-1 (Limited Commercial)
South	Undeveloped	CG (Commercial General Clark County)	C-2 (General Commercial Clark County)
East	Indoor Swapmeet	SC (Service Commercial)	C-1 (Limited Commercial)
West	Health Club, Retail and Commercial	SC (Service Commercial)	C-1 (Limited Commercial)

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<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		X	NA
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign (Billboard) may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Sign is not in right-of-way and is not located within the Off-Premise Sign Exclusionary Zone	Y
Zoning	Off-Premise Sign (Billboard) are permitted in the C-1, C-2, C-M and M Zoning Districts only	Sign is in C-1 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; may be raised to maximum of 55 feet with approval of City Council if significantly obscured from view of travel lanes	40 feet	Y

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Screening	All structural elements of an Off-Premise Sign (Billboard) to which the display panels are attached shall be screened from view.	The billboard is adequately screened	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	Approximately 860 Feet	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	Approximately 600 feet from closest residentially-zoned property.	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.	The billboard is permanently secured to the ground on C-1 (Limited Commercial) zoned property.	Y

ANALYSIS

This is the first review of the Special Use Permit (SUP-2290) for an Off-Premise Sign (Billboard) since the initial approval on 08/06/03. There have been no significant changes in the surrounding land use since the installation of the sign. A proposed Church/House of Worship was approved (SDR-21199) on property approximately 500 feet to the north of this sign on 06/20/07 by the City Council. There is no anticipated impact from the existing billboard on the proposed church due to its location and the visual screening provided by the existing commercial shopping center. A site inspection carried out on 8/08/08 by staff found the subject sign was in good condition. The sign has been properly maintained in regards to graffiti and structural screening. A condition has been placed in order to abate a developing bird nuisance problem. A research of the sign permit #03-020398 found that this sign received a final inspection on 03/04/04, under the address of 4506 East Charleston Boulevard. It is important to note that Condition Number Three of Special Use Permit (SUP-2290) required only one sign per face, which has been met since the initial approval.

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FINDINGS

This sign is located within a C-1 (Limited Commercial) zoning district and is not located within the Off-Premise Sign Exclusionary Zone. Staff finds that there is no adverse impact regarding the continued use of this sign at this time, as there have been no significant changes in development or land use in the surrounding area since the initial installation of the sign. Therefore, staff recommends approval, subject to a three-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 11

SENATE DISTRICT 20

NOTICES MAILED 259

APPROVALS 0

PROTESTS 1