

**AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: AUGUST 28, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-28940 - APPLICANT: LAMAR OUTDOOR ADVERTISING
- OWNER: OASIS LAS VEGAS, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (U010796) and Required Review (RQR-13987), 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. 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.
4. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
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-year review of an approved Special Use Permit (U010796), which allowed a 50-foot high, 14-foot by 48-foot Offpremise (Billboard) Sign at 110 North Jones Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/19/94	The City Council approved a Variance (V-0044-94) to allow a 386 square-foot on-premise sign where 75 feet is the maximum area allowed and to allow a height of 60 feet where 24 feet is the maximum height allowed on property located at 110 North Jones Boulevard. The Board of Zoning Adjustment and staff recommended denial on 04/26/94.
01/22/97	The City Council approved a Special Use Permit (U-0107-96) to allow a 50-foot tall, 14-foot by 48-foot (672 square feet each side) Off-Premise Sign (Billboard) on this site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval on 11/26/96.
02/20/02	The City Council approved the Required Five-Year Review [U-0107-96(1)] of an approved Special Use Permit (U-0107-96) for a 14-foot by 48-foot (672 square feet each side) Off-Premise Sign (Billboard) on this site. The Planning Commission and staff recommended approval on 01/10/02.
07/07/04	The City Council approved a Required Two-Year Review (RQR-3686) of an approved Special Use Permit (U-0107-96), which allowed an Off-Premise Advertising (Billboard) Sign at 110 North Jones Boulevard. The Planning Commission and staff recommended approval on 05/27/04.
09/06/06	The City Council approved a Required Two-Year Review (RQR-13987) of an approved Special Use Permit (U-0107-96), which allowed an Off-Premise Advertising (Billboard) Sign at 110 North Jones Boulevard. The Planning Commission and staff recommended approval on 07/27/06.
<i>Related Building Permits/Business Licenses</i>	
07/10/08	Building permit #04-019099 was issued under plan check L-3214-04 to relocate the existing billboard due to the widening of US-95. The permit was re-issued on 07/10/08 and a letter from a Profession Engineer licensed with the State of Nevada was provided in lieu of a #225 Final Inspection per Title 19.14.100(D)6.b.

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

<i>Field Check</i>	
08/08/08	<p>A field check was carried out by staff with the following observations:</p> <ul style="list-style-type: none"> • There is no graffiti on the support structure or the display panels of the sign. • The sign has the appropriate screening panels in place. • There is only one advertising panel on per sign face. • There are signs of a developing bird nuisance problem.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.33 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
North	Commercial Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	R.O.W (US-95)	R.O.W (US-95)	R.O.W (US-95)
East	Commercial Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)

<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
A-O Airport Overlay District 175 feet	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

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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-V, 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	50 feet	N*
Screening	All structural elements of an Off-Premise Sign (Billboard) to which the display panels are attached shall be screened from view.	All structural elements screened from view	Y

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Standards	Code Requirement	Provided	Compliance
Off-Premise Sign (Billboard)	At least 750 feet to another Off Premise Sign along US-95	Approximately 830 Feet	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	Approximately 265 feet from closest residentially-zoned property (395 feet from the closest active residential 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.	The billboard is permanently secured to the ground on C-1 (Limited Commercial) zoned property.	Y

*The sign height was approved at 50 feet as a part of a Special Use Permit (U-0107-96).

**The subject sign was approved prior to changes to residential adjacency requirements for Off-Premise Advertising (Billboard) Signs. Since the freeway widening the closest property currently used for residential is approximately 390 feet to the west.

ANALYSIS

This is the fourth review for the Special Use Permit that allowed the 50-foot tall, 14-foot x 48-foot Off-Premise Sign (Billboard). The billboard under review was relocated in 2004 to accommodate the widening of northbound lanes of US-95. At the time of the initial approval, the billboard was located approximately 265 feet from residentially-zoned property. However, as part of the freeway widening the Nevada Department of Transportation has acquired the all residential property to the west of the sign within the 300-foot separation requirement. The closest property currently being utilized as residential property is 395 feet to the west of the billboard. A research of the building permit activity found that the billboard was relocated under sign permit #04-019099 under the address 110 North Jones Boulevard. The applicant has provided a letter to the Department of Building and Safety signed by a Professional Engineer attesting that the sign is structurally sound in lieu of completion of a final inspection as allowed

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by Title 19.14.100(D)6.b. The sign was determined to be in good shape with no graffiti present and all structural elements properly screened. Additionally, the applicant has met Condition Number Three of the last review (RQR-13987), which required that, Only one advertising sign is permitted per sign face. This review has been conditioned to address the presence of a growing bird nuisance by requiring the installation of bird deterrent devices within 30 days of final approval.

FINDINGS

Since the relocation of the existing Off-Premise Advertising (Billboard) Sign in 2004, there are no outstanding issues with the continuation of the Special Use Permit (U-0107-96). Therefore, staff recommends approval, subject to a three-year review. The existing billboard meets all requirements as listed by todays standards.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 273

APPROVALS 2

PROTESTS 1