

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: RQR-29609 - REQUIRED REVIEW - PUBLIC HEARING -**  
**APPLICANT/OWNER: WALL STREET NV HS LLC**

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**\*\* CONDITIONS \*\***

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

***Planning and Development***

1.      This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the Off-Premise Sign (Billboard) to 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 Sign (Billboard) is removed.
2.      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).
3.      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 sign.
4.      If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Sign (Billboard) shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, 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.      All City Code requirements and design standards of all City Departments shall be satisfied.

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

**PROJECT DESCRIPTION**

This application is for a required two year review of an approved Special Use Permit (U-0121-99) to allow an 80-foot tall, 14-foot x 48-foot Off-Premise Sign (Billboard) at 1197 Western Avenue.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
01/19/00	The City Council approved a request for a Special Use Permit (U-0121-99) for a proposed relocated 14-foot by 36-foot Off-Premise Sign (Billboard). The Planning Commission and staff recommended approval.
01/18/06	The City Council approved applications for a General Plan Amendment (GPA-8892) to Amend a portion of the Southeast Sector Plan of the General Plan from the LI/R (Light Industrial/Research) land use designation to the GC (General Commercial) land use designation; a Rezoning (ZON-8893) from the M (Industrial) zoning district to the C-2 (General Commercial) zoning district; a Vacation (VAC-8898) to vacate Wall Street east of Western Avenue and a portion of the alley located east of Western Avenue and north of Wall Street; a Special Use Permit (SUP-8897) to allow a proposed Mixed-Use Development; a Special Use Permit (SUP-8895) for a 950-foot tall building in the Airport Overlay District; and a Site Development Plan Review (SDR-8894) for a proposed 950-foot tall, 73-story, Mixed-Use Development containing 182,000 square feet of commercial space and 3,020 residential units and a Waiver to allow a 70% lot coverage where a 50% lot coverage is the maximum allowed on 7.84 acres adjacent to the southeast corner of Wall Street and Western Avenue. The Planning Commission and staff recommended approval.
05/17/06	The City Council approved a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed-Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area.  NOTE: The affected parcels of this proposed development were changed from the GC (General Commercial) land use designation to the MXU (Mixed-Use) land use designation.

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01/19/07	The request for an Extension of Time (EOT-19295) of an approved Vacation (VAC-8898) to vacate Wall Street east of Western Avenue and a portion of the alley located east of Western Avenue and north of Wall Street was approved administratively by the Department of Planning and Development.
03/05/08	The City Council approved an Extension of Time (EOT-26479) of an approved Rezoning (ZON-8893) from the M (Industrial) zoning district to the C-2 (General Commercial) zoning district; an Extension of Time (EOT-26483) of an approved Special Use Permit (SUP-8897) to allow a proposed Mixed-Use Development; a Special Use Permit (SUP-8895) for a 950-foot tall building in the Airport Overlay District; and an Extension of Time (EOT-26481) of an approved Site Development Plan Review (SDR-8894) for a proposed 950-foot tall, 73-story, Mixed-Use Development containing 182,000 square feet of commercial space and 3,020 residential units and a Waiver to allow a 70% lot coverage where a 50% lot coverage is the maximum allowed on 7.84 acres adjacent to the southeast corner of Wall Street and Western Avenue.
<b><i>Related Building Permits/Business Licenses</i></b>	
09/20/00	Sign permit #00-2801 issued against plan check L-1389-00 for the relocation of an 80-foot tall Billboard at 1197 Western Avenue. A 225 Final Sign Inspection was completed on 09/20/00.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not require for this type of application, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not require for this type of application, nor was one held.	
<b><i>Field Check</i></b>	
09/12/08	<p>A field check was performed by staff with the following observations:</p> <ul style="list-style-type: none"> <li>• The 80-foot tall billboard is located on property that has had all previous structures demolished.</li> <li>• There are no signs of graffiti or bird nuisance problems visible on the sign.</li> <li>• There are no embellishments, animated parts, or light displays on the existing sign.</li> </ul>

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	1.18 acres

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped w/ Billboard [Proposed: Mixed- Use Development]	MXU (Mixed-Use)	M (Industrial) Under a Resolution of Intent to C-2 (General Commercial)
North	Undeveloped	MXU (Mixed-Use)	M (Industrial) Under a Resolution of Intent to C-2 (General Commercial)
South	Undeveloped [Proposed: Mixed- Use Development]	MXU (Mixed-Use)	M (Industrial) Under a Resolution of Intent to C-2 (General Commercial)
East	Undeveloped [Proposed: Mixed- Use Development]	MXU (Mixed-Use)	M (Industrial) Under a Resolution of Intent to C-2 (General Commercial)
West	R.O.W. (US-95)	R.O.W. (US-95)	R.O.W. (US-95)

<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>			
A-O Airport Overlay District 200 feet	X		Y
<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**

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising 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 (Billboard) Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	Sign is in M (Industrial) zoning district Under a Resolution of Intent to C-2 (General Commercial)	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.	Sign is 672 square feet with no embellishments	Y
Height	An off-premise sign with 150 feet of the right-of-way of an elevated freeway may be erected 30 above the elevation of the roadway surface.	Sign is 80 feet in height	Y
Screening	All structural elements of an Off-Premise (Billboard) Sign to which the display panels are attached shall be screened from view.	The billboard is adequately screened.	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along I-15	The sign is located 650 feet from another sign located along I-15	N
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	The sign is not located within 300 feet of property zoned for residential use.	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.	Sign is permanently secured to the ground on M (Industrial) zoning district Under a Resolution of Intent to C-2 (General Commercial)	Y

### ANALYSIS

Since the initial approval of this Special Use Permit (U-0121-99), which relocated and raised an existing billboard due to a freeway widening, the surrounding property has been approved for a substantial Mixed-Use redevelopment proposal. As a condition of approval to the Site Development Plan Review (SDR-8894) for this related proposal, Condition Number 15 requires that the billboard in review be removed prior to any building permits being issued for the proposed Mixed-Use development. Although there has been substantial work regarding the demolition of the existing buildings, the applicant has not proceeded with development of the proposed Mixed-Use development in terms of building permits. The existing land use of the subject property currently remains undeveloped.

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**FINDINGS**

Staff finds that the existing Off-Premise Sign (Billboard) is in conformance with the existing land use and the continuation of the use will have no detrimental impact in the near future. However, if the property owners do not move forward with the approved Mixed-Use development plans, the billboard will be required to be removed prior to any building permits being issued in order to prevent the billboard from use from impacting the future development, if it is to occur.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 17

**ASSEMBLY DISTRICT** 10

**SENATE DISTRICT** 9

**NOTICES MAILED** 60

**APPROVALS** 0

**PROTESTS** 0