

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: RQR-29719 - APPLICANT/OWNER: LILLIAN HILDE LIVING TRUST**

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

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

***Planning and Development***

1.      The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign 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 (billboard) sign 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.      Only one advertising sign is permitted per sign face.
5.      Bird abatement measures shall be installed within thirty days of this review, if approved.
6.      A new display surface panel sign shall have a new advertising message or uniformly painted surface within 30 days of this review, if approved.
7.      If the existing Off-Premise Sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising 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 Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code 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.
8.      All City Code requirements and design standards of all City Departments shall be satisfied.

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

**PROJECT DESCRIPTION**

This application is the request for a Required Six Month Review of an approved Special Use Permit (U0029-87), which allowed a 75-foot tall, 14-foot by 48-foot OffPremise Sign (Billboard) for property located at 2421 Stewart Avenue.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
06/03/87	The City Council approved a Special Use Permit (U-0029-87) for a 75-foot high, Off-Premise Sign (Billboard) at 2421 Stewart Avenue. The Board of Zoning Adjustment voted to deny the request.
07/15/92	The City Council approved a Five Year Review [U-0029-87(1)] of an approved Special Use Permit for a 75-foot high, Off-Premise Sign (Billboard) at 2421 Stewart Avenue. The Board of Zoning Adjustment recommended approval.
08/25/97	The City Council approved a Five Year Review [U-0029-87(2)] of a Special Use Permit for a 75-foot high, Off-Premise Sign (Billboard) at 2421 Stewart Avenue, subject to a five-year review. The Planning Commission voted to deny the request.
09/18/02	The City Council approved a Five Year Review [U-0029-87(3)] of a Special Use Permit for a 75-foot high, Off-Premise Sign (Billboard) at 2421 Stewart Avenue, subject to a six-month review. The Planning Commission voted to deny the request.
05/07/03	The City Council granted an appeal for the denial of a Six Month Review (RQR -1793) of an approved Special Use Permit (U-0029-87), which allowed a 75-foot high, 14-foot x 48-foot Off-Premise Sign (Billboard) at 2421 Stewart Avenue. The subject sign is oriented to the elevated U.S. Highway 95 located north of the subject site. The Planning Commission recommended denial on 03/27/03.
<b><i>Related Building Permits/Business Licenses</i></b>	
09/09/97	Sign permit #97-018549 issued against plan check L-3851-97 for a sign certificate. This document was issued for the verification of a sign permit after the second review [U-0029-87(2)] of the billboard located at 2421 Stewart Avenue.
<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.	

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<i>Field Check</i>	
09/12/08	A field check was performed by staff with the following observations: <ul style="list-style-type: none"> <li>• The 75-foot tall billboard is located on commercial property and overhangs a portion of the garage.</li> <li>• There are signs of bird nuisance problems visible on the sign and the adjacent garage located below.</li> <li>• There are no embellishments, animated parts, or light displays on the existing sign.</li> <li>• The west facing display panel requires new advertising or uniformly painted panels.</li> </ul>

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.31 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Shop	M (Medium Density Residential)	C-1 (Limited Commercial)
North	US-95 Right-of-Way	US-95 Right-of-Way	US-95 Right-of-Way
South	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

<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>		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

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**DEVELOPMENT STANDARDS**

<b>Standards</b>	<b>Code Requirement</b>	<b>Provided</b>	<b>Compliance</b>
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 the C-1 (Limited Commercial) 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.	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 75 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 US-15	The sign is not located within 750 feet from another sign located along US-95	Y
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 48 feet of property zoned for residential use.	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.	Sign is permanently secured to the ground on	Y

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**ANALYSIS**

This is the fifth review of a Special Use Permit (U0029-87), which allowed a 75-foot tall, 14-foot by 48-foot OffPremise Sign (Billboard) at 2421 Stewart Avenue since its approval on 06/03/87. Since the approval of the Special Use Permit and subsequent review periods, there has been no change in land use in the surrounding area. Upon a field inspection completed on 09/12/08, staff found the sign to be in need of some bird abatement measures as there were visible signs of a bird nuisance on both the supporting structure and the adjacent building below.

In addition to the bird nuisance, staff found the billboard is in need of repainting and a new panel sign will need to be installed within 30 days of this review, if approved.

**FINDINGS**

The billboard is in moderately good condition but will require some minor repainting, the installation of a new surface display panel sign or uniformly painted surface, and the installation of bird deterrent devices should this review be approved. Staff recommends approval of this review, subject to another review of Special Use Permit (U-0029-87) to be completed in five (5) years.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED                      8**

**ASSEMBLY DISTRICT                      11**

**SENATE DISTRICT                      10**

**NOTICES MAILED                      122**

**APPROVALS                      0**

**PROTESTS                      0**