

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: NOVEMBER 20, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-30328 - APPLICANT/OWNER: SDL, INC.**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. This Special Use Permit (SUP-3269) 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.
2. 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.
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 (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (SUP-3269) 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.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RQR-30328 - Staff Report Page One
November 20, 2008 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a required two-year review of an approved Special Use Permit (SUP-3269), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 1205 East Sahara Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/28/93	The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0195-93) to allow a Minor Automotive Repair Facility (Smog Check Station) at 1205 East Sahara Avenue.
03/07/01	The City Council approved a request for a Special Use Permit (U-0204-00) for a Pawnshop at 1243 East Sahara Avenue. The Planning Commission recommended approval on 01/25/01.
08/28/03	A Code Enforcement case (1945) was processed and closed for grease being dumped into the dumpster that was leaking down the alley at 1205 E. Sahara Avenue.
10/20/03	A Code Enforcement case (5807) was processed for graffiti on a restaurant building at 1205 E. Sahara Avenue. The case was closed on 10/30/03.
05/25/04	A vehicle infraction (15519) was processed and closed for a vehicle for sale in the parking lot at 1205 E. Sahara Avenue.
06/28/04	A vehicle infraction (17287) was processed and closed for a gray Mazda for sale in the parking lot at 1205 E. Sahara Avenue.
07/28/04	A vehicle infraction (19376) was processed and closed for a vehicle for sale in the parking lot at 1205 E. Sahara Avenue.
08/03/04	A vehicle infraction (19677) was processed and closed for a blue Ford Ranger for sale in the parking lot at 1205 E. Sahara Avenue.
08/04/04	The City Council approved a request for an Appeal for a Special Use Permit (SUP-3269) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 1205 East Sahara Avenue. The Planning Commission denied the request on 12/04/03.
08/09/04	A vehicle infraction (19949) was processed and closed for a tan Ford camper for sale in the parking lot at 1205 E. Sahara Avenue.
09/16/04	A Code Enforcement case (21720) was processed and closed for an illegal vendor at 1205 E. Sahara Avenue.
09/08/04	A vehicle infraction (22175) was processed and closed for a white and brown Pontiac for sale in the parking lot at 1205 E. Sahara Avenue.

RQR-30328 - Staff Report Page Two
November 20, 2008 - Planning Commission Meeting

02/16/04	A Code Enforcement case (24533) was processed for vehicles displayed for sale in the parking lot at 1205 E. Sahara Avenue. The case was closed on 01/20/05.
05/04/05	A Code Enforcement case (29544) was processed for the installation of electrical and plumbing for a new bakery without a permit at 1205 E. Sahara Avenue. The case was closed on 01/23/06.
05/17/06	The City Council approved a request to change the Future Land Use designation (GPA-9219) to C (Commercial), MXU (Mixed Use), M (Industrial), or PF (Public Facilities) on various parcels located within the proposed Las Vegas Redevelopment Plan Area and within the proposed Redevelopment Expansion Plan. The Planning Commission recommended approval on 04/13/06.
09/06/06	The City Council approved a request for a Required Two Year Review (RQR-13595) of an approved Special Use Permit (SUP-3269) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 1205 East Sahara Avenue. The Planning Commission recommended denial on 08/10/06.
09/12/06	A Code Enforcement case (46156) was processed for a smelly dumpster behind a new store at 1205 E. Sahara Avenue. The case was closed on 09/26/06.
04/25/07	A Code Enforcement case (52614) was processed for an illegal billboard sign at 1205 E. Sahara Avenue. The case was closed 08/06/07.
07/02/08	The City Council approved a Required One Year Review (RQR-28265) of an approved Special Use Permit (U-0204-00) for a Pawnshop at 1237 East Sahara Avenue.
<i>Related Building Permits/Business Licenses</i>	
04/18/03	A business license (I04-02675) was issued for an Insurance Firm at 1205 E. Sahara Ave. The license is still active.
10/26/04	A building permit (04020852) was issued for the installation of an Off-Premise Sign (Billboard) at 1203 E. Sahara Ave. The final inspection was conducted in conjunction with permit #05000836.
02/14/05	A building permit (05000836) was issued for electrical work for the billboard sign at 1203 E. Sahara Ave. The permit was finalized 8/19/05.
<i>Pre-Application Meeting</i>	
A pre-application meeting was not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
10/14/08	A field check was conducted by staff with the following observations: <ul style="list-style-type: none"> • The sign and supporting structure appeared in good condition, was free of graffiti, and did not require repainting or bird deterrents. • There are no embellishments, moving parts, or electronic displays located on the sign.

RQR-30328 - Staff Report Page Three
November 20, 2008 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.68

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
North	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
	Two-Family Dwellings	ML (Medium-Low Density Residential)	R-2 (Medium-Low Density Residential)
South	Shopping Center	CG (Commercial General- Clark County)	C-2 (General Commercial- Clark County)
East	Two-Family Dwellings	O (Office)	R-2 (Medium-Low Density Residential)
	Retail Establishments	SC (Service Commercial)	C-1 (Limited Commercial)
West	Tavern	C (Commercial)	C-1 (Limited Commercial)
	Restaurant	C (Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Las Vegas Redevelopment Area/Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

RQR-30328 - Staff Report Page Four
November 20, 2008 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within the public right-of-way	Sign is not in public right-of-way	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Sign is located in the C-1 (Limited Commercial) zoning district	Y
Area	No off-premise sign 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 in size. The sign does not have an embellishment.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 40 feet tall	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structure elements of the sign are adequately screened from public view	Y
Off-Premise Sign (Billboard)	The sign and all other off-premise signs not oriented towards the same highway shall be no closer than 300 feet in any direction to any other off-premise sign.	Sign is approximately 310 feet from other Off-Premise Sign	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	The nearest property line zoned for residential is approximately 301 feet to the northeast	Y
Other	All Off-Premise Signs (Billboards) shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The sign is secured to the ground on C-1 (Limited Commercial) zoned property.	Y

**RQR-30328 - Staff Report Page Five
November 20, 2008 - Planning Commission Meeting**

ANALYSIS

This is the second required review since the initial approval of the Special Use Permit (SUP3269) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard). Upon a site inspection on 10/14/08, staff found the sign in good condition. A research of the sign permit (04020852 and 05000836) found that this sign received a final inspection on 08/19/05 under the address of 1203 East Sahara Avenue.

FINDINGS

This sign is located in a C-1 (Limited Commercial) zoning district. The sign is in good condition and complies with the provisions listed in Title 19.14.100. The area surrounding the sign has not changed significantly since the previous review; therefore, staff is recommending approval subject to a three (3) year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 220

APPROVALS 2

PROTESTS 0