

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: RQR-30447 - APPLICANT: ORION OUTDOOR MEDIA -**  
**OWNER: W.H. BAILEY FAMILY TRUST**

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

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

**Planning and Development**

1. Conformance to the conditions for Special Use Permit (SUP-2467), if approved.
2. This Special Use Permit shall be placed on an agenda closest to 12/01/11 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 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. Only one advertising sign is permitted per sign face.
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (SUP-2467) 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.
6. 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 is a required review of an approved Special Use Permit (SUP-2467) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (billboard) at 208 East Sahara Avenue.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
12/16/70	The Board of City Commissioners approved a Rezoning (Z-0070-70) from P-R (Professional Office and Parking) to C-1 (Limited Commercial) on this site. The Planning Commission recommended approval on 12/10/70.
09/06/78	The Board of City Commissioners approved a Review of Condition Number 6 of the approved Rezoning and Plot Plan Review [Z-0070-70(1)] to allow a 14-foot by 48-foot Off-premise Sign (Billboard) on this site. Condition Number 6 stipulated that no off-premise signs shall be constructed on the property. The Planning Commission recommended approval on 08/10/78.
03/21/79	The City Council approved a Plot Plan review [Z-0070-70(2)] to allow modifications to the approved Off-Premise Sign (Billboard). The Planning Commission recommended approval on 02/27/79.
03/24/92	The Board of Zoning Adjustment approved a Variance (V-0026-92) to allow 30 parking spaces where 35 is the minimum required on the subject property.
03/27/93	The Board of Zoning Adjustment approved a One Year Required Review [V-0026-92(1)] of the approved parking Variance.
04/19/95	The City Council adopted a minimum distance separation of 300 feet from the nearest property line of any parcel having a zoning classification with an R prefix for any Off-premise Sign (billboard) through Ordinance No. 3884.
03/24/97	The City Council adopted Ordinance No. 4073, which adopted a new Zoning Code (Title 19A) that disallowed the ability to vary from any distance separation requirement.
07/17/02	The City Council approval the appeal of the denial of the Planning Commission of a Special Use Permit (U-0057-02) for a proposed 60-foot tall Wireless Communication Facility, Non-Stealth Design (monopole) at 2412 Santa Clara Drive. The Planning Commission recommended denial on 02/13/02.
08/06/03	The City Council approved a request for a Variance (VAR-2468) to allow a proposed Off-Premise Sign (Billboard) 253 feet from residentially zoned property, 160 feet from another Off-Premise Sign (billboard) to the west, and 276 feet from an Off-Premise Sign to the east, where a minimum of 300 feet is required. The Planning Commission recommended approval on 07/10/03.

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08/06/03	The City Council approved a request for a Special Use Permit (SUP-2467) for a 40-foot tall, 14-foot by 48-foot Off-premise Sign (Billboard) at 208 East Sahara Avenue. The Planning Commission recommended approval on 07/10/03.
09/07/05	The City Council approved a request for a Two-Year Required Review (RQR-6777) for a 40-foot tall, 14-foot by 48-foot Off-premise Sign (Billboard) at 208 East Sahara Avenue. The Planning Commission recommended approval on 8/11/05.
<b><i>Related Building Permits/Business Licenses</i></b>	
09/11/03	A building permit (3019648) was issued to demolish an existing Off-premise Sign at 208 east Sahara Avenue. The permit expired on 03/13/04 without a final inspection.
09/15/03	A building permit (3019895) was issued for an Off-Premise Sign (Billboard) at 208 East Sahara Avenue. The permit was finalized on 10/10/05.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required for this type of application, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	
<b><i>Field Check</i></b>	
10/29/08	Staff conducted a field check of the site with the following observations: <ul style="list-style-type: none"> <li>• The sign had only one face, which appeared in good condition.</li> <li>• The structure was free of graffiti, and did not require any repainting or bird deterrents.</li> <li>• There were no embellishments, moving parts, or electronic displays located on the signs.</li> </ul>

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	0.203

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Tavern	SC (Service Commercial)	C-1 (Limited Commercial)
North	Offices	L (Low Density Residential)	P-R (Professional Office and Parking)
South	Casino/Hotel	CT (Commercial Tourist- Clark County)	H-1 (Limited Resort and Apartments- Clark County)
East	Retail Establishments	SC (Service Commercial)	C-1 (Limited Commercial)
West	Restaurant	C (Commercial)	C-1 (Limited Commercial)

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

**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 located in public right-of-way nor is it in 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 located in a 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.	Surface area of each sign face does not exceed 672 square feet; the signs do not have 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.	The sign is 40 feet tall	Y

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Screening	All structural elements of an Off-Premise (Billboard) Sign to which the display panels are attached shall be screened from view.	Sign is adequately screened from public view	Y
Off-Premise Sign (Billboard)	The sign and all other off-premise signs not oriented towards US-95 shall be no closer than 300 feet in any direction to any other off-premise sign.	The sign is 160 feet from another sign to the west, and 276 feet to a sign to the east	N*
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	The sign 253 feet to a property line of a lot in any R zoned district.	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 and is not located on property used for residential purposes	Y

N\* The City Council approved a request for a Variance (VAR-2468) to allow an Off-Premise Sign (Billboard) 253 feet from residentially zoned property, 160 feet from another Off-Premise Sign (Billboard) to the west, and 276 feet from an Off-Premise Sign to the east, where a minimum of 300 feet is required.

## ANALYSIS

This is the first required review of an approved Special Use Permit (SUP-2467) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 208 East Sahara Avenue. The sign is located 253 feet south of property zoned R-1 (Single Family Residential). In addition, there is another Off-Premise Sign (Billboard) approximately 160 feet to the northwest, and another sign approximately 276 feet to the east.

During a site inspection the Off-Premise Sign (Billboard), there was only one sign face, which appeared in good condition. The sign had no embellishments, or need for bird deterrence. Research of building permit activity revealed that permit #3019895 was issued for the installation of an Off-Premise Sign, and finalized on 10/10/05.

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**FINDINGS**

The sign is located in a C-1 (Limited Commercial) zoning district and is not within the Off-Premise Sign Exclusionary Zone. Staff finds no adverse impact regarding the continued use of the Off-premise Sign (Billboard), 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** 11

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 445

**APPROVALS** 0

**PROTESTS** 2