

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-30483 - APPLICANT/OWNER: VALLEY BANK**

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

1. Conformance to the conditions for Special Use Permit (SUP-2537), 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-2537) 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.

**RQR-30483 - Staff Report Page One**  
**December 4, 2008 - Planning Commission Meeting**

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

**PROJECT DESCRIPTION**

This application is in response to a required one-year review of an approved Special Use Permit (SUP-2537) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 West Sahara Avenue.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
10/29/03	The City Council Struck the Appeal for a request for a Variance (VAR-2538) to allow a 50-foot tall, 14-foot by 48-foot Off-premise Sign (Billboard) where 40 feet is the maximum height permitted at 3500 West Sahara Avenue. The Planning Commission and staff recommended denial on 07/24/03.
10/29/03	The City Council approved a request for an Appeal for a Special Use Permit (SUP-2537) for a proposed 50-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 West Sahara Avenue (the City Council restricted the sign to a height of 40 feet). The Planning Commission recommended denial on 07/24/03.
11/16/05	The City Council approved a request for Required Two Year Review (RQR-8953) of an approved Special Use permit (SUP-2537) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 West Sahara Avenue. The Planning Commission recommended approval on 10/20/05.
<b><i>Related Building Permits/Business Licenses</i></b>	
04/13/04	A building permit (05008420) was issued and later renewed on 12/14/07 for a billboard sign at 3500 West Sahara Avenue. The permit was finalized on 12/20/07.
02/07/07	A business license (B03-00153) was issued for a Bank at 3500 West Sahara Avenue. The license is still active.
10/11/07	A building permit (99700) was issued for electrical work at 3500 West Sahara. The permit was finalized on 04/09/08.
<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.	

**RQR-30483 - Staff Report Page Two**  
**December 4, 2008 - Planning Commission Meeting**

<b>Field Check</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 and structure were in good condition, 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>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	0.62

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Bank	SC (Service Commercial)	C-1 (Limited Commercial)
North	Retail Establishment	SC (Service Commercial)	C-1 (Limited Commercial)
South	Retail Establishment	SC (Service Commercial)	C-1 (Limited Commercial)
East	Bank	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>	X		Y
Rancho Charleston Land Use Study	X		Y
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>	X		Y
A-O Airport Overlay District	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	N/A

**RQR-30483 - Staff Report Page Three**  
**December 4, 2008 - Planning Commission Meeting**

**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
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 at least 300 feet from another Off-premise Sign (Billboard) and is not located along US-95	Y

**RQR-30483 - Staff Report Page Four  
December 4, 2008 - Planning Commission Meeting**

Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	The sign at more than 400 feet to the nearest property line of a lot in any R zoned district	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 and is not located on property used for residential purposes	Y

**ANALYSIS**

This is the second required review of an approved Special Use Permit (SUP-2537) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 West Sahara Avenue. During a field check of the site, staff observed the sign and structure in good condition, with no embellishments, and proper maintenance in regards to graffiti, bird nuisance abatement, and structural screening. A research of building permit activity found that the billboard was constructed under sign permit #04008420, and received final inspection on 12/20/07 under the address of 3500 West Sahara Avenue.

**FINDINGS**

The sign is located in a C-1 (Limited Commercial) zoning district and is not within the Off-Premise Exclusionary Zone. Staff finds there is 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 original approval. Therefore, staff recommends approval, subject to a three-year review.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                    0

**ASSEMBLY DISTRICT**                    9

**SENATE DISTRICT**                    3

**NOTICES MAILED**                    121

**RQR-30483 - Staff Report Page Five**  
**December 4, 2008 - Planning Commission Meeting**

APPROVALS                      0

PROTESTS                        0