



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 19, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-30641 - REQUIRED ONE YEAR REVIEW - PUBLIC
HEARING APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: CITY
PARKWAY IVA, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (U-0238-91).
2. This Special Use Permit (U-0238-91) shall be reviewed in three (3) years unless superseded by subsequent action at which time the City Council may require the Off-Premise Sign (Billboard) to be removed.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) be removed.
3. The property owner shall keep the property properly maintained and graffiti free at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-premise Sign (Billboard).
4. The Off-Premise Sign (Billboard) and the supporting structures 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 signs (Billboards).
5. If the existing Off-Premise Sign is voluntarily demolished, the Special Use Permit 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Two-Year Required Review of an approved Special Use Permit (U-0238-91), which allowed a 14-foot by 48-foot Off-Premise Sign (Billboard) on the south side of Oran K. Gragson Highway (US-95) between F Street and Main Street.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/20/92	The City Council approved a request for a Special Use Permit (U-0238-91) to allow a 14-foot by 48-foot Off-Premise Sign (Billboard) on the south side of Oran K. Gragson Highway (US-95) between F Street and Main Street. The Board of Zoning Adjustment recommended approval on 10/24/91.
05/20/92	The City Council granted the Appeal, thereby approving a Variance (V-0046-92) to allow a 14-foot by 48-foot Off-Premise Illuminated Sign (Billboard) and to allow the sign to be 690 feet from another existing Off-Premise Sign (Billboard), where 750 feet is the minimum separation required on property located on the north side of Oran K. Gragson Highway (US-95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Board of Zoning Adjustment recommended denial on 04/28/92.
05/27/97	The City Council approved a Five-Year Required View [V-0046-92(1)] on an approved Variance (V-0046-92) to allow a 14-foot by 48-foot Off-Premise Illuminated Sign (Billboard) and to allow the sign to be 690 feet from another existing Off-Premise Sign (Billboard), where 750 feet is the minimum separation required on property located on the north side of Oran K. Gragson Highway (US-95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Board of Zoning Adjustment recommended denial on 05/06/97.
05/27/97	The City Council approved a request for a Five-Year Required Review [U-0238-91(1)] on an approved Special Use Permit (U-0238-91) to allow a 14-foot by 48-foot Off-Premise Sign (Billboard) on the south side of Oran K. Gragson Highway (US-95) between F Street and Main Street. The Board of Zoning Adjustment recommended approval on 05/06/97.
06/28/99	The City Council approved a request for a Two-Year Required Review [U-0238-91(2)] on an approved Special Use Permit to allow a 14-foot by 48-foot Off-Premise Sign (Billboard) on the south side of Oran K. Gragson Highway (US-95) between F Street and Main Street. The Board of Zoning Adjustment recommended approval on 05/27/99.

07/12/99	The City Council approved a request for a Two-Year Required Review [V-0046-92(2)] of an approved Variance (V-0046-92) to allow a 14-foot by 48-foot Off-Premise Illuminated Sign (Billboard) and to allow the sign to be 690 feet from another existing Off-Premise Sign (Billboard), where 750 feet is the minimum separation required on property located on the north side of Oran K. Gragson Highway (US-95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Board of Zoning Adjustment recommended approval on 06/01/99.
12/20/00	The City Council approved a request for a Sixteen Month Required Review [V-0046-92(3)] of an approved Variance (V-0046-92) to allow a 14-foot by 48-foot Off-Premise Illuminated Sign (Billboard) and to allow the sign to be 690 feet from another existing Off-Premise Sign (Billboard), where 750 feet is the minimum separation required on property located on the north side of Oran K. Gragson Highway (US-95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks.
02/21/01	The City Council approved a request for a One-Year Required Review [U-0238-91(3)] on an approved Special Use Permit (U-0238-91) to allow a 14-foot by 48-foot Off-Premise Sign (Billboard) on the south side of Oran K. Gragson Highway (US-95) between F Street and Main Street.
04/03/02	The City Council approved a request for a Five-Year Required Review [U-0238-91(4)] on an approved Special Use Permit (U-0238-91) to allow a 14-foot by 48-foot Off-Premise Sign (Billboard) on the south side of Oran K. Gragson Highway (US-95) between F Street and Main Street. The Planning Commission recommended approval on 02/28/02.
04/03/02	The City Council approved a request for a One-Year Required Review [V-0046-92(4)] of an approved Variance (V-0046-92) to allow a 14-foot by 48-foot Off-Premise Illuminated Sign (Billboard) and to allow the sign to be 690 feet from another existing Off-Premise Sign (Billboard), where 750 feet is the minimum separation required on property located on the north side of Oran K. Gragson Highway (US-95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Planning Commission recommended approval on 02/28/02.
05/21/03	The City Council approved a request for a One-Year Required Review (RQR-1993) on an approved Special Use Permit (U-0238-91) to allow a 14-foot by 48-foot Off-Premise Sign (Billboard) on the south side of Oran K. Gragson Highway (US-95) between F Street and Main Street.
06/04/03	The City Council approved a request for a One-Year Required Review [RQR-1909] of an approved Variance (V-0046-92) to allow a 14-foot by 48-foot Off-Premise Illuminated Sign (Billboard) and to allow the sign to be 690 feet from another existing Off-Premise Sign (Billboard), where 750 feet is the minimum separation required on property located on the north side of Oran K. Gragson Highway (US-95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Planning Commission recommended approval on 05/08/03.

07/06/05	The City Council approved a request for a Two-Year Required Review (RQR-6252) on an approved Special Use Permit (U-0238-91) to allow a 14-foot by 48-foot Off-Premise Sign (Billboard) on the south side of Oran K. Gragson Highway (US-95) between F Street and Main Street.
07/06/05	The City Council approved a request for a One-Year Required Review [RQR-6345] of an approved Variance (V-0046-92) to allow a 14-foot by 48-foot Off-Premise Illuminated Sign (Billboard) and to allow the sign to be 690 feet from another existing Off-Premise Sign (Billboard), where 750 feet is the minimum separation required on property located on the north side of Oran K. Gragson Highway (US-95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks.
06/08/06	The Planning and Development Department approved an Administrative Review (DIR-14084) to allow an electronic message unit to be installed within an existing Off-Premise Sign adjacent to the north side of the Oran K. Gragson Highway (US-95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks.
08/16/06	The City Council approved a request for a One-Year Required Review [RQR-13616] of an approved Variance (V-0046-92) to allow a 14-foot by 48-foot Off-Premise Illuminated Sign (Billboard) and to allow the sign to be 690 feet from another existing Off-Premise Sign (Billboard), where 750 feet is the minimum separation required on property located on the north side of Oran K. Gragson Highway (US-95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Planning Commission recommended approval on 07/13/06.
10/30/06	A Code Enforcement case (47515) was processed for waste being dumped on the vacant lot and graffiti on the building at 418 West Mesquite Avenue. The case was closed on 11/17/06.
11/15/06	The City Council approved a request for a Two-Year Required Review (RQR-13989) on an approved Special Use Permit (U-0238-91) to allow a 14-foot by 48-foot Off-Premise Sign (Billboard) on the south side of Oran K. Gragson Highway (US-95) between F Street and Main Street. The Planning Commission recommended approval on 07/27/06.
04/25/07	A Code Enforcement case (52600) was processed for illegal billboards at 301 West Mesquite Avenue. The case was closed on 07/31/07.
07/11/07	The City Council accepted a Withdrawal for a request of a Review of Condition (ROC-18260) to Condition Number 1 of an approved Required Review (RQR-13616) to remove the condition requiring the applicant to obtain building permits and call for a final inspection by the Building and Planning Department within thirty (30) days of approval by the City Council for an existing billboard adjacent to the north side of Oran K. Gragson Highway (US-95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks.
01/28/08	A Code Enforcement case (61831) was processed for a white and blue boat located directly under the freeway on private property near the railroad tracks. The case was closed on 02/07/08.

02/19/08	The Planning and Development Department approved an Administrative Review (SDR-26889) to modify an existing Off-Premise Sign (Billboard) for a digital display adjacent to the north side of Oran K. Gragson Highway (US-95) between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks.
05/22/08	The Planning and Development Department approved an Administrative Review for a Minor Site Development Plan Review (SDR-27695) for a Heavy Machinery Equipment Storage Lot and Waivers of parking lot and perimeter landscape requirements on 5.25 acres on the south side of Bonanza Road 500 feet east of D Street.
Related Building Permits/Business Licenses	
07/24/07	A building permit (7002364) was issued for a billboard at 301 West Mesquite Avenue. The permit was finalized on 07/24/07.
11/02/95	A building permit (95881339) was issued for electrical service for a billboard at 315 West Mesquite Avenue. The permit was finalized on 11/29/95.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application.	
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
10/14/08	A field check was made by staff with the following observations: - The existing Off-Premise Sign (Billboard) carries no moving parts, embellishments, or direct illumination - The sign was in good overall condition with no signs of a bird nuisance.

Details of Application Request	
Site Area	
Gross Acres	5.25

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	ROW (Right-of-Way)	ROW (Right-of-Way)
North	ROW (Right-of-Way)	ROW (Right-of-Way)	ROW (Right-of-Way)
	Heavy Machinery Equipment Storage Lot	MXU (Mixed Use)	M (Industrial)
South	ROW (Right-of-Way)	ROW (Right-of-Way)	ROW (Right-of-Way)
	Offices and Retail	MXU (Mixed Use)	PD (Planned Development)
East	Parking Lot	C (Commercial)	M (Industrial)

West	ROW (Right-of-Way)	ROW (Right-of-Way)	ROW (Right-of-Way)
	Retail Establishments	LI/R (Light Industry/Research)	M (Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Downtown North Land Use Plan	X		Y
Las Vegas Redevelopment Plan/Area	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

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, nor is it 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	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 50 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)	At least 750 feet to another Off-Premise Sign along US-95.	The sign is 690 feet from another Off-Premise Sign 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 more than at least 300 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

* The City Council approved the maximum height of the sign to 30 feet above the elevation of the adjacent freeway roadway surface. The sign is 20 feet above the elevation of the freeway road surface, with a total height of 50 feet.

** The City Council approved a request for a Variance (V-0046-92) to allow the sign to be 690 feet from another Off-Premise Sign, where 750 feet is the minimum distance separation required.

ANALYSIS

This is the eighth required review since the initial approval of the Special Use Permit (U-0238-91) for a 14-foot by 48-foot Off-Premise Sign (Billboard) located on the south side of Oran K. Gragson Highway (US-95) between F Street and Main Street. The sign is in good condition with proper maintenance in regards to graffiti, bird nuisance, abatement, and structural screening. Since the installation of the sign, there have been no significant changes in the surrounding land uses.

FINDINGS

The sign complies with the previous conditions of approval for the Required Review (RQR-13989), and Title 19.14.100 requirements for an Off-Premise Sign (Billboard). The appropriate permits were issued and finalized for the installation of the sign. The sign appears to be in good condition with no signs of a bird nuisance.

There are currently no requests for entitlements for the property located on the south side of US-95 between F Street and Main Street, though a Minor Site Development Plan Review (SDR-27695) was approved on 05/22/08, allowing a heavy machinery and equipment storage lot on the south side of Bonanza Road, 500 feet east of D Street. Staff is recommending approval of the required review subject to an additional review in three (3) years.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
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<u>ASSEMBLY DISTRICT</u>	N/A
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<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	51
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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