

**AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: JANUARY 22, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-31822 - APPLICANT/OWNER: JOHN P. AND SHARYN TOMAN FAMILY TRUST

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Special Use Permit (U-0300-94), if approved.
2. This Special Use Permit shall be placed on an agenda closest to January 18, 2012 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 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.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (U-0300-94) 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Required Review of an approved Special Use Permit (U-0300-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3720 West Desert Inn Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/18/95	The City Council approved a request for a Special Use Permit (U-0300-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3720 West Desert Inn Road. The Board of Zoning Adjustment recommended approval on 12/27/94.
03/01/00	The City Council approved a request for a Required Review [U-0300-94(1)] of an approved Special Use Permit (U-0300-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 3720 West Desert Inn Road. The Planning Commission recommended approval on 01/27/00.
05/01/02	The City Council approved a request for a Required Review [U-0300-94(2)] of an approved Special Use Permit (U-0300-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 3720 West Desert Inn Road. The Planning Commission recommended approval on 03/28/02.
<i>Related Building Permits/Business Licenses</i>	
10/18/94	A building permit (94352391) was issued for a Non-Work Certificate of Occupancy at 3720 West Desert Inn Road. The permit was finalized on 10/19/94.
02/02/95	A building permit (95365772) was issued for the installation of an Off-Premise Sign (Billboard) at 3720 West Desert Inn Road. The permit was finalized on 03/22/95.
10/10/08	A building permit (125929) was issued for the investigation for a repair garage at 3720 West Desert Inn Road. The permit was finalized on 11/06/08.
10/24/08	A building permit (126983) was issued for a Non-Work Certificate of Occupancy at 3720 West Desert Inn Road. The permit was finalized on 11/20/08.
<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.	

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Field Check	
01/05/09	Staff conducted a field inspection of the site with the following observations: <ul style="list-style-type: none"> • The subject billboard had no embellishments, animated signage, or electronic displays. • All structural elements have been properly screened. • The sign and supporting structure appeared in good condition and does not require repainting or bird deterrents.

Details of Application Request	
Site Area	
Gross Acres	0.45

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Repair	LI//R (Light Industry/Research)	M (Industrial)
North	Warehouse/Office	LI/R (Light Industry/Research)	M (Industrial)
South	Sexually Oriented Business	CT (Commercial Tourist)- Clark County	M-1 (Light Manufacturing)- Clark County
East	Warehouse/Office	LI/R (Light Industry/Research)	M (Industrial)
West	Pawn Shop	LI/R (Light Industry/Research)	M (Industrial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
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

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DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located in public right-of-way.	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is located within an M (Industrial) 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.	Structural elements of the sign are screened from public view.	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	Sign is not located along US-95 or I-15, and is at least 300 feet from another billboard sign.	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any R or U zoned districts.	Sign is at least 300 feet to the nearest property line of a lot zoned for residential use.	Y
Other	All Off-Premise 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 use.	Y

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ANALYSIS

This is the third Required Review of an approved Special Use Permit (U-0300-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3720 West Desert Inn Road. A research of building permit activity revealed that permit #95365773 was issued for the installation of a billboard sign, and received final inspection on 03/22/95 under the address of 3720 West Desert Inn Road. Since the initial installation of the sign, there has been no significant development or land use changes in the surrounding area. Staff conducted a field inspection of the site and found the sign and supporting structure in good condition with no discrepancies noted.

FINDINGS

The sign is located within the M (Industrial) zoning district and is not within the Off-Premise Sign Exclusionary zone. A permit was issued and finalized for the Off-Premise Sign (Billboard). The sign is in good condition, and there have been no significant development or land use changes in the surrounding area; therefore, staff is recommending approval, subject to an additional review in three (3) years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 10

SENATE DISTRICT 7

NOTICES MAILED 40

APPROVALS 0

PROTESTS 0