



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 18, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-31931 - APPLICANT/OWNER: BELL REAL ESTATE LLC

**** CONDITIONS ****

The Planning Commission (6-0-1/gt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (U-0223-90).
2. This Special Use Permit shall be placed on an agenda closest to January 16, 2014 at which time the City Council may require the Off-Premise Sign (Billboard) 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) is removed.
3. The Off-Premise Sign (Billboard) 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 Sign (Billboard).
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (U-0223-90) 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.

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for a Required Review of an approved Special Use Permit (U-0223-90) for a 28-foot tall, 12-foot by 24-foot Off-Premise Sign (Billboard) at 1719 Industrial Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/19/72	The Board of City Commissioners approved a request for Rezoning (Z-0085-71) from R-4 (High Density Residential) to C-M (Commercial/Industrial) on property generally located on the southeast corner of New York Avenue and Industrial Road. The Planning Commission recommended approval on 01/13/72.
02/14/73	The Board of City Commissioners approved a request for Reinstatement and an Extension of Time for a Rezoning (Z-0085-71) from R-4 (High Density Residential) to C-M (Commercial/Industrial) on property generally located on the southeast corner of New York Avenue and Industrial Road. The Planning Commission recommended approval on 02/08/73.
07/17/74	The Board of City Commissioners approved a request for Reinstatement and an Extension of Time for a Rezoning (Z-0085-71) from R-4 (High Density Residential) to C-M (Commercial/Industrial) on property generally located on the southeast corner of New York Avenue and Industrial Road.
01/16/91	The City Council approved a request for a Special Use Permit (U-0223-90) for a 28-foot tall, 12-foot by 24-foot double faced Off-Premise Sign (Billboard) at 1719 Industrial Road. The Board of Zoning Adjustment recommended denial on 12/27/90.
03/20/96	The City Council approved a request for a Required Review [U-0223-90(1)] for a 28-foot tall, 12-foot by 24-foot double faced Off-Premise Sign (Billboard) at 1719 Industrial Road. The Board of Zoning Adjustment recommended approval on 02/27/96.
10/15/03	A Code Enforcement case (5628) was processed for trash at 1719 Industrial Road. The case was closed on 11/12/03.
09/27/06	A Code Enforcement case (46658) was processed for a business adding a cement stoop to the doorway in an alley, making it difficult to maneuver vehicles in and out of the alley. The case was closed on 10/05/06.
02/12/09	The Planning Commission voted 6-0-1/gt to recommend APPROVAL (PC Agenda Item #35/ds).
<i>Related Building Permits/Business Licenses</i>	
12/11/91	A building permit (91128775) was issued for a 28-foot tall, 12-foot by 24-foot billboard sign at 1719 Industrial Road. The permit was finalized on 06/03/92.

<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>	
01/08/09	Staff conducted a field check of the site with the following observations: • The subject billboard had no embellishments, animated signage, or electronic displays. • All structural elements have been property screened. • The sign and supporting structure appeared in good condition and does not require repainting or bird deterrent devices install.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.56

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant building	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
North	Tavern	MXU (Mixed-Use)	C-2 (General Commercial)
South	Retail Establishment and Office	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
East	Apartments	MXU (Mixed Use)	R-4 (High Density Residential)
	Print Shop	MXU (Mixed Use)	C-M (Commercial/Industrial)
West	Retail Establishment and Office	LI/R (Light Industry/Research)	M (Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<i>Special Area Plan</i>	X		Y
Downtown Centennial Plan	X		Y
Las Vegas Redevelopment Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<i>Special Purpose and Overlay Districts</i>	X		Y
A-O Airport Overlay District (200 feet)	X		Y
Live/Work Overlay District	X		Y
Downtown Overlay District (Northern Strip Gateway)	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 Sign may be located within public right-of-way	Sign is not located within public right-of-way.	Y
Zoning	Off-Premise Signs (Billboard) are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is located in the C-M (Commercial/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.	Off-Premise Sign is 288 square feet in size and has no 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 28 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 more than 300 feet from another Off-Premise 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 located zero feet from residentially zoned property.	N*

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 detached and permanently secured to the ground on C-M (Commercial/Industrial) zoned property.	Y
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* The City Council approved a Special Use Permit (U-0223-90) for the Off-Premise Sign (Billboard) with residential property located next to the commercially zoned property.

ANALYSIS

This is the second Required Review of an approved Special Use Permit (U-0223-90) for a 28-foot tall, 12-foot by 24-foot double-faced Off-Premise Sign (Billboard) at 1719 Industrial Road. The sign is located in the Downtown Centennial Plan, specifically within the Overlay District, which does not prohibit the use of Off-Premise Signs (Billboards). A research of the building permit activity found that permit #91128775 was issued for the installation of a billboard sign, which received a final inspection on 06/03/92 under the address of 1719 Industrial Road. Staff conducted a site inspection and found the sign (single-faced) and supporting structure in good condition and being properly maintained.

FINDINGS

The sign is located in a C-M (Commercial/Industrial) zoning district, within the Downtown Centennial Plan, and is not within the Off-Premise Exclusionary Zone. Staff finds that there is no adverse impact regarding the continued use of the Off-Premise Sign (Billboard), as there have been no significant changes in the development or land use in the surrounding area since the sign was installed; therefore, staff recommends approval, subject to a five-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 126 by City Clerk

APPROVALS 0

PROTESTS 0