



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 1, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-32901 - APPLICANT/OWNER: SUN INVESTMENTS, LLC

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Variance (V-0066-97).
2. This Variance (V-0066-97) shall be placed on an agenda closest to February 19, 2012 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 Variance (V-0066-97) 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 application is in response to a Required Review of an approved Variance (V-0066-97) that allowed an existing 55-foot tall Off-Premise Sign (Billboard) to be raised to a height of 85 feet, which is 60 feet above the freeway grade where 30 feet above the elevated grade is the maximum height allowed; and to allow the sign to be a distance of 250 feet from an existing Off-Premise Sign (Billboard) and 30 feet from an R designated zoning district where 750 feet and 300 feet are the minimum distance separations required at 616 H Street.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/17/81	The City Council approved a request for Rezoning (Z-0028-81) from R-3 (Medium Density Residential) to C-1 (Limited Commercial) on property located at 600 H Street. The Planning Commission recommended denial on 05/26/81.
07/23/81	The Board of Zoning Adjustment approved a request for a Variance (V-0040-81) to allow an Off-Premise Sign (Billboard) to an overall height of 60 feet where the maximum height of 40 feet is permitted at 600 H Street.
10/19/94	The City Council denied a request for a Variance (V-0138-94) to allow an existing Off-Premise Sign (Billboard) to be at 55 feet above an elevated freeway where 30 feet above grade is the maximum height allowed; and to allow a separation of 520 feet from an existing Off-Premise Sign (Billboard) where a minimum of 700 feet is required at 600 H Street. The Planning Commission recommended denial on 09/27/94.
09/08/97	The City Council approved a request for a Variance (V-0066-97) to allow an existing 55-foot tall Off-Premise Sign (Billboard) to be raised to a height of 85 feet, which is 60 feet above the freeway grade where 30 feet above the elevated grade is the maximum height allowed; and to allow the sign to be a distance of 250 feet from an existing Off-Premise Sign (Billboard) and 30 feet from an R designated zoning district where 750 feet and 300 feet are the minimum distance separations required at 616 H Street. The Board of Zoning Adjustment recommended denial on 08/05/97.

02/19/03	The City Council rescinded a previously denied request, thereby approving a request for a Required Review [V-0066-97(1)] that allowed an existing 55-foot tall Off-Premise Sign (Billboard) to be raised to a height of 85 feet, which is 60 feet above the freeway grade where 30 feet above the elevated grade is the maximum height allowed; and to allow the sign to be a distance of 250 feet from an existing Off-Premise Sign (Billboard) and 30 feet from an R designated zoning district where 750 feet and 300 feet are the minimum distance separations required at 616 H Street. The Planning Commission recommended approval on 09/26/02.
02/26/09	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #6/ds).
Related Building Permits/Business Licenses	
07/23/98	A building permit (98014945) was issued to extend the height of an existing billboard at 616 H Street. The permit was finalized on 01/12/99.
Pre-Application Meeting	
A pre-application meeting was not required, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
01/21/09	Staff conducted a field check on the subject site with the following observations: <ul style="list-style-type: none"> • All signs appeared in good condition and there was no sign of a bird nuisance problem. • The subject billboard had no embellishments, animated signage, or electronic displays. • All structural elements have been properly secured.

Details of Application Request	
Site Area	
Gross Acres	0.14

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Retail Establishments	MXU (Mixed Use)	C-1 (Limited Commercial)
South	Undeveloped Land	MXU (Mixed Use)	C-2 (General Commercial)
East	Undeveloped Land	MXU (Mixed Use)	R-3 (Medium Density Residential)
West	Offices	MXU (Mixed Use)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Las Vegas Redevelopment Plan	X		Y
West Las Vegas Plan	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 Sign may be located within public right-of-way	The 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 in C-1 (Limited Commercial) 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.	The sign is 672 square feet in size; no embellishment is attached to the sign.	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 85 feet tall, which is 60 feet above the elevated freeway grade.	N*
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)	The sign is only 520 feet from another Off-Premise Sign.	N*
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any R or U zoned districts.	The sign is only 30 feet from property zoned for residential use.	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 permanently secured to the ground and is located on property zoned C-1 (Limited Commercial)	Y

* The City Council approved a Variance (V-0066-97) to allow an 85-foot tall sign that results in a sign that is 60 feet above the elevated freeway grade; and to allow the billboard to be 520 from another Off-Premise Sign and 30 feet from property zoned for residential use.

ANALYSIS

This is the second request for a Required Review of an approved Variance (V-0066-97) that allowed an existing 55-foot tall Off-Premise Sign (Billboard) to be raised to a height of 85 feet, which is 60 feet above the freeway grade where 30 feet above the elevated grade is the maximum height allowed; and to allow the sign to be a distance of 250 feet from an existing Off-Premise Sign (Billboard) and 30 feet from an R designated zoning district where 750 feet and 300 feet are the minimum distance separations required at 616 H Street.

Staff conducted a field inspection of the site and found the sign and supporting structure in good condition. A research of building permit history found that a permit (98014945) was issued to extend the height of the existing billboard, which was finalized on 01/12/99.

FINDINGS

The Off-Premise Sign (Billboard) is located in a C-1 (Limited Commercial) zoning district and is not within the Off-Premise Sign Exclusionary Zone. The sign is located approximately 30 feet from property zoned for residential use and 250 feet from another Off-Premise Sign (Billboard); however since the initial approval of the Variance and subsequent review, there have been no tangible redevelopment in the surrounding area; therefore, staff is recommending approval of this request, subject to a three (3) year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 83 by City Clerk

APPROVALS 0

PROTESTS 0