



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 15, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-33270 - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: SIMON/CHELSEA LAS VEGAS DEVELOPMENT LLC

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-10134) and Variance (VAR-10409).
2. The owner of this Off-Premise Sign (Billboard) shall, within 30 days obtain either a construction inspection and approval by the City, or structural certification, as those items are described in Title 19.14.100(D), paragraph six, subsection a or b. Failure to secure the required final inspection may result in fines and/or removal of the Off-Premise Sign (Billboard).
3. This Special Use Permit shall be placed on an agenda closest to February 15, 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.
4. 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).
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (SUP-10134) 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 application is in response to a Required Review of an approved Special Use Permit (SUP-10134) for a 50.5-foot tall, 20-foot by 60-foot Off-Premise Sign (Billboard) adjacent to the east side of Interstate Highway 15, approximately 1,100 feet south of Bonneville Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/15/92	The City Council approved a request for a Special Use Permit (U-0315-91) to allow a 14-foot by 48-foot Off-Premise Sign (Billboard) on the east side of Interstate 15, approximately 1,270 feet north of Charleston Boulevard. The Board of Zoning Adjustment recommended approval on 01/28/92.
05/27/97	The City Council approved a request for a Required Review [U-0315-91(1)] of an approved Special Use Permit (U-0315-91) for a 14-foot by 48-foot Off-Premise Sign (Billboard) on the east side of Interstate 15, approximately 1,270 feet north of Charleston Boulevard. The Board of Zoning Adjustment recommended approval on 05/06/97.
11/23/98	The City Council approved a request for a Rezoning (Z-0100-97) from M (Industrial) to P-D (Planned Development) for a future mixed-use project on approximately 222.66 acres located along the east side of Interstate 15 between Charleston Boulevard and Interstate 95 (Union Pacific property). The Planning Commission recommended approval on 05/28/98.
06/14/99	The City Council approved a request for a Development Standard and Master Plan Review [Z-0100-97(1)] of Lot 1 of the Parkway Center Planned Development on property located on the south side of Bonneville Avenue between Interstate 15 and Grand Central Parkway for a proposed mixed-use development. The Planning Commission recommended approval on 06/10/99.
02/07/01	The City Council approved a request for a Required Review [Z-0100-97(2)] for 13 existing Off-Premise Signs (Billboards) on property bounded by US-95, I-15, and Grand Central Parkway. The Planning Commission recommended approval on 11/16/00.
05/16/01	The City Council approved a request for a Site Development Plan Review [Z-0100-97(3)] for a proposed 1,000,000 square-foot commercial development and for a waiver of the off-street parking requirements on approximately 36.11 acres at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway. The Planning Commission recommended approval on 03/22/01.

09/19/01	The City Council approved a request for a Major Modification to amend the Parkway Center Development Plan [Z-0100-97(4)] to add Non-Restricted Gaming and Casino/Hotel as an allowable use on property located along the east side of the Interstate 15 between Charleston Boulevard and Interstate 515 (I-515/US-95) also known as 100 Grand Central Parkway. The Planning Commission recommended approval on 08/09/01.
11/07/01	The City Council approved a request for a Major Modification [Z-0100-97(5)] to amend or delete certain provisions of the Master Development Plan for Lot 1 of Parkway Center, generally located on the southwest corner of Bonneville Avenue and Grand Central Parkway. The Planning Commission recommended approval on 08/09/01.
11/07/01	The City Council approved a request for a Site Development Plan Review [Z-0100-97(6)] for a proposed 478,028 square-foot Retail Mall on 39.20 acres on the southwest corner of Bonneville Avenue and Grand Central Parkway. The Planning Commission recommended approval on 08/09/01.
04/03/02	The City Council approved a request for a Required Review [Z-0100-97(7)] for 12 existing Off-Premise Signs (Billboards) on property bounded by US-95, I-15, and Grand Central Parkway. The Planning Commission recommended approval on 02/28/02.
09/26/02	The Planning Commission approved a request for a Master Sign Plan (MSP-0007-02) for an approved 478,028 square-foot Outlet Mall (Las Vegas Premium Outlets) adjacent to the southwest corner of Grand Central Parkway and Bonneville Avenue.
12/04/03	The Planning Commission approved a request for a Special Use Permit (SUP-3268) for a proposed Restaurant Service Bar located at 775 S. Grand Central Parkway, Suite 1301.
04/24/03	The City Council approved a request for a Required Review (RQR-1974) for 12 existing Off-Premise Signs (Billboards) on property bounded by US-95, I-15, and Grand Central Parkway.
09/15/04	The City Council approved a request for a Water Feature Exemption (DIR-4831) to allow the operation of four water features for a commercial development located at 777 S. Grand Central Parkway.
11/15/05	The Planning Commission Architectural Review Committee (ARC-10223) approved a request for a Site Development Plan Review for the addition of a five-story parking garage totaling 500 spaces, a four-story parking garage totaling 1,115 spaces, and four retail buildings totaling 109,370 square feet to the existing Las Vegas Premium Outlet Mall on 34.53 acres at 979 S. Grand Central Parkway.
11/15/05	The Planning Commission Architectural Review Committee (ARC-10224) approved a request for an amendment to an approved Master Sign Plan (MSP-0007-02) for a proposed 109,370 square-foot expansion of the Las Vegas Premium Outlet Mall on 34.53 acres at 979 S. Grand Central Parkway.

02/15/06	The City Council approved a request for a Variance (VAR-10409) to allow a separation distance of 610 feet where 750 feet is the minimum separation distance required from an existing OffPremise Sign (Billboard); to allow a height of 50.5 feet where 40 feet is the minimum height allowed; and to allow a sign face area of 1,200 square feet where 672 square feet is the maximum area allowed for a proposed Off-Premise Sign (Billboard) adjacent to the east side of Interstate Highway 15, approximately 1,100 feet south of Bonneville Avenue. The Planning Commission recommended approval on 01/12/06.
02/15/06	The City Council approved a request for a Site Development Plan Review (SDR-10131) for a five-story parking garage with 500 parking spaces, a four-story parking garage with 1,115 parking spaces, and four one-story retail buildings with 109,370 square feet of commercial floor space added to an existing commercial center on 34.53 acres adjacent to the west side of Grand central Parkway, approximately 600 feet south of Bonneville Avenue. The Planning Commission recommended approval on 01/12/06.
02/15/06	The City Council approved a request for a Special Use Permit (SUP-10134) for a proposed 50.5-foot tall, 20-foot by 60-foot Off-Premise Sign (Billboard) adjacent to the east side of Interstate Highway 15, approximately 1,100 feet south of Bonneville Avenue. The Planning Commission recommended approval on 01/12/06.
02/15/06	The City Council approved a request for an amendment (MSP-10136) to an approved Master Sign Plan (MSP-0007-02) for a proposed 109,370 square-foot expansion of a commercial center on 34.53 acres adjacent to the west side of Grand Central Parkway, approximately 600 feet south of Bonneville Avenue. The Planning Commission recommended approval on 01/12/06.
03/21/06	The Planning Commission Architectural Review Committee (ARC-12214) approved a request for a Site Development Plan Review for the addition of a five-story parking garage totaling 1,306 spaces on the southern portion of 34.53 acres at 979 S. Grand Central Parkway.
04/27/06	The Planning Commission approved a request for a Major Amendment (SDR-12213) to an approved Site Development Plan Review (SDR-10131) to add an additional story and 191 additional parking spaces to parking deck A and the waiver of Parkway Center Development Standard 3.1.4 parking directly adjacent to buildings is prohibited on 34.53 acres adjacent to the west side of Grand Central Parkway, approximately 600 feet south of Bonneville Avenue.
05/17/06	The City Council approved a request for a Review of Condition Number 15 (ROC-12885) of an approved Site Development Plan Review (SDR-10131) to remove the condition that required a meeting with the Nevada Department of Transportation (NDOT) to determine additional right-of-way requirements for the future Bonneville/Alta Bridge structure, if any. Also, provide written proof that NDOT is satisfied prior to or concurrent with submittal of construction drawings for this site for an existing commercial development at 979 S. Grand Central Parkway.

04/25/07	A Code Enforcement case (52607) was processed for illegal billboards a 1 Parkway center. The case was closed on 08/06/07.
04/25/07	A Code Enforcement case (52610) was processed for an illegal billboard at 1 Parkway center. The case was closed on 08/06/07.
04/25/07	A Code Enforcement case (52611) was processed for an illegal billboard at 1 Parkway center. The case was closed on 08/06/07.
08/28/08	The Planning Commission approved a request for a Major Amendment (MSP-29008) to a Master Sign Plan (MSP-0007-02) for additional signage with a waiver of the Downtown Centennial Plan Standards to allow signage above the bottom of the second floor windowsill and in excess of two tenants per building elevation at 777 S. Grand Central Parkway.
03/12/09	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #29/ds).
<i>Related Building Permits/Business Licenses</i>	
07/01/03	A building permit (3013705) was issued for a 20-foot by 60-foot Off-Premise Sign (Billboard) at 679 S. Grand Central Parkway. The permit was finalized on 10/09/03.
07/01/03	A building permit (3013709) was issued for a 20-foot by 60-foot Off-Premise Sign (Billboard) at 779 S. Grand central Parkway. The permit was finalized on 10/09/03.
07/01/03	A building permit (3013706) was issued for a 20-foot by 60-foot Off-Premise Sign (Billboard) at 979 S. Grand Central Parkway. The permit was finalized on 10/09/03.
03/17/06	A building permit (6002147) was issued for the relocation of a 20-foot by 60-foot Off-Premise Sign (Billboard) approximately 434 feet north at 979 S. Grand Central Parkway. The permit was not finalized.
There are numerous building permits and business licenses issued for the Las Vegas Premium Outlet Mall.	
<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>	
02/25/09	Staff conducted a field check of the subject site with the following observations: • The sign facing south is blank • The sign facing north is tri-fold with both images in good condition. • The sign and supporting structure are in good condition and do not require repainting or bird deterrents.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	34.53

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail Establishments	MXU (Mixed Use)	PD (Planned Development)
North	Trade Center, Wholesale and Retail Showroom	MXU (Mixed Use)	PD (Planned Development)
South	Undeveloped land	MXU (Mixed Use)	PD (Planned Development)
East	Clark County Government Center	PF (Public Facilities)	C-V (Civic)
West	I-15 ROW (Right-of-Way)	ROW (Right-of-Way)	ROW (Right-of-Way)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Downtown Centennial 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
Downtown Overlay (Parkway Center)	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 in public right-of-way.	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only		
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 does not have an embellishment. The size of the sign is 1,200 square feet.	N*

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 50.5 feet tall.	N*
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structural elements 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 610 feet from another Off-Premise Sign along I-15.	N*
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 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 zoned for residential use.	Y

* The City Council approved a Special Use Permit (SUP-10134) and Variance (VAR-10409) that allowed the sign to be 1,200 square feet in size, 50.5 feet in height, and 610 feet from another Off-Premise Sign (Billboard) along I-15.

ANALYSIS

This is the first required review since the initial approval of Special Use Permit (SUP-10134) for the Off-Premise Sign (Billboard). Staff conducted a field check of the subject site and found the sign and supporting structure in good condition and the surrounding area clean and well maintained. A research of the building permit activity found that the billboard was initially constructed under permit #03013706, which received a final inspection on 10/09/03. The sign was later relocated approximately 434 feet north under permit #06002147, but lacks a final a inspection.

FINDINGS

The sign is located within a PD (Planned Development) zoning district and is not within the Off-Premise Sign Exclusionary zone. The sign and supporting structure are in good condition and the surrounding area is clean and being maintained. The sign originally had a permit issued and finalized, but when it was relocated, according to City records it lacks a final inspection on the building permit for installation; therefore, staff is recommending denial of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

ASSEMBLY DISTRICT 6

SENATE DISTRICT 3

NOTICES MAILED 89 by City Clerk

APPROVALS 0

PROTESTS 0