



## **AGENDA MEMO**

**CITY COUNCIL MEETING OF: SEPTEMBER 16, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: RQR-34682 - APPLICANT: CLEAR CHANNEL OUTDOOR, LLC  
- OWNER: BRIGHT PATH, LLC**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 2, 2009 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

### **\*\* CONDITIONS \*\***

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

#### **Planning and Development**

1. Conformance to the conditions for Special Use Permit (SUP- 4521).
2. This Special Use Permit (SUP-4521) shall be placed on an agenda closest to August 18, 2012 at which time the City Council may require the Off-Premise 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 Sign be removed.
3. The Off-Premise 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 Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (SUP-4521) 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**

The subject site currently has a single building for Office use, along with a previously approved Special Use Permit (SUP-4521) that allowed a 14-foot by 48-foot, 40-foot tall Off-Premise Sign to be located in the parking lot at 820 South Valley View Boulevard. The sign faces and supporting structure of the Off-Premise Sign are in good condition with no discrepancies noted. A research of the building permit activity found that permit #95884385 was issued for the installation of a billboard sign under the address of 820 South Valley View Boulevard, which received a final inspection on 12/26/95. There have been no recent changes in land use or new development in the surrounding area since the approval of the Special Use Permit (SUP-4521). If the application is denied, the Off-Premise sign will have to be removed. Staff recommends approval of this request with a three-year review.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc. and Property Sales</i></b> |                                                                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 01/18/95                                                                                     | The City Council approved a request for a Special Use Permit (U-0296-94) for a 14-foot by 48-foot Off-Premise Sign located at 820 South Valley View Boulevard. The Board of Zoning Adjustment recommended approval on 12/27/94.                                                |
| 02/16/00                                                                                     | The City Council approved a request for a Required Review [U-0296-94(1)] of a previously approved Special Use Permit (U-0296-94) for a 14-foot by 48-foot Off-Premise Sign located at 820 South Valley View Boulevard. The Planning Commission recommended denial on 01/13/00. |
| 07/05/01                                                                                     | The City Council approved a request for a Required Review [U-0296-94(2)] of a previously approved Special Use Permit (U-0296-94) for a 14-foot by 48-foot Off-Premise Sign located at 820 South Valley View Boulevard. The Planning Commission recommended denial on 02/22/01. |
| 07/25/02                                                                                     | The Planning Commission denied a request for the Required Review [U-0296-94(3)] of a previously approved Special Use Permit (U-0296-94) for a 14-foot by 48-foot Off-Premise Sign located at 820 South Valley View Boulevard.                                                  |
| 04/21/04                                                                                     | A Code Enforcement case (#13373) was processed for the removal of an Off-Premise Sign due to zoning violation. Code Enforcement closed the case on 06/29/04.                                                                                                                   |
| 08/14/04                                                                                     | The City Council approved a request for Special Use Permit (SUP-4521) for a 14-foot by 48-foot, 40-foot tall Off-Premise Sign at 820 South Valley View Boulevard. The Planning Commission recommended approval on 07/22/04.                                                    |

|                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/15/08                                                                                   | The City Council approved a request for a Review of Condition (ROC-29270) to delete Condition Number Five of a previously approved Special Use Permit (SUP-4521) that limited one advertising sign per face at 820 South Valley View Boulevard.                                                                                                                                                                        |
| 07/23/09                                                                                   | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #23/ds).                                                                                                                                                                                                                                                                                                                                       |
| <b>Related Building Permits/Business Licenses</b>                                          |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12/13/95                                                                                   | A building permit (#95884385) was issued for an Off-Premise Sign at 820 South Valley View Boulevard. The permit was finalized on 12/26/95.                                                                                                                                                                                                                                                                             |
| <b>Pre-Application Meeting</b>                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| A pre-application meeting was not required for this type of application, nor was one held. |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Neighborhood Meeting</b>                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| A neighborhood meeting was not required, nor was one held.                                 |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Field Check</b>                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 06/18/09                                                                                   | <p>Staff conducted a field inspection of the site with the following observations:</p> <ul style="list-style-type: none"> <li>• The subject billboard has no embellishment, animated signage, or electronic displays.</li> <li>• All structural elements have been properly screened.</li> <li>• The sign and supporting structure is in good condition and does not require repainting or bird deterrents.</li> </ul> |

|                                       |     |
|---------------------------------------|-----|
| <b>Details of Application Request</b> |     |
| <b>Site Area</b>                      |     |
| Gross Acres                           | .33 |

| Surrounding Property | Existing Land Use                   | Planned Land Use        | Existing Zoning          |
|----------------------|-------------------------------------|-------------------------|--------------------------|
| Subject Property     | Offices                             | SC (Service Commercial) | C-1 (Limited Commercial) |
| North                | Offices                             | SC (Service Commercial) | C-1 (Limited Commercial) |
| South                | Retail Establishments               | SC (Service Commercial) | C-1 (Limited Commercial) |
| East                 | Las Vegas Water District Facilities | PF (Public Facilities)  | C-V (Civic)              |
| West                 | School                              | PF (Public Facilities)  | C-V (Civic)              |

| Special Districts/Zones          | Yes | No | Compliance |
|----------------------------------|-----|----|------------|
| <b>Special Area Plan</b>         |     |    |            |
| Rancho Charleston Land Use Study | X   |    | Y          |

| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
|---------------------------------------------------|-------------------|------------------|--------------------------|
| <b>Special Purpose and Overlay Districts</b>      |                   |                  |                          |
| A-O Airport Overlay District (175 feet)           | X                 |                  | Y                        |
| <b>Trails</b>                                     |                   | X                | N/A                      |
| <b>Rural Preservation Overlay District</b>        |                   | X                | N/A                      |
| <b>Development Impact Notification Assessment</b> |                   | X                | N/A                      |
| <b>Project of Regional Significance</b>           |                   | X                | N/A                      |

## DEVELOPMENT STANDARDS

| <b><i>Standard</i></b> | <b><i>Required/Allowed</i></b>                                                                                                                                                                                                                                   | <b><i>Provided</i></b>                                                    | <b><i>Compliance</i></b> |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|--------------------------|
| Location               | No Off-Premise Sign may be located within the public right-of way                                                                                                                                                                                                | Sign is not in public right-of way                                        | Y                        |
| Zoning                 | Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only                                                                                                                                                                                 | Sign is located in the 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. | Sign is 672 square feet in size. The sign does not have an embellishment. | Y                        |
| Height                 | No higher than 40 feet from grade t 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.                                                                                                                                             | Structure elements of the sign are adequately screened from public view   | Y                        |

| Standard                     | Required/Allowed                                                                                                                                               | Provided                                                                                 | Compliance |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|------------|
| Off-Premise (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 approximately 770 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" zoned district.                                                                             | Sign is approximately 330 feet from the nearest property line zoned for residential use. | Y          |
| Other                        | All Off-Premise Signs (Billboards) shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes. | The sign is secured to the ground on C-1 (Limited Commercial) zoned property.            | Y          |

## ANALYSIS

This is the first Required Review of an approved Special Use Permit (SUP-4521) for a 14-foot by 48-foot, 40-foot tall Off-Premise Sign located at 820 South Valley View Boulevard. The billboard had a previous Special Use Permit (U-0296-94) approved in January 1995. In July 2002, the Planning Commission denied a request for a Required Review for the billboard, thereby requiring the sign to be removed, which was never accomplished.

The applicant reapplied for a Special Use Permit (SUP-4521) for the Off-Premise Sign and received approval in August 2004. The sign complies with all Title 19.14.100 requirements. A building permit (95884385) was issued for the installation, which received a final inspection on 12/26/95. During a field inspection of the site, the sign and supporting structure were in good condition with no discrepancies noted.

## FINDINGS

The Off-Premise Sign meets Title 19.14.100 requirements, and is in good condition. There have been no significant changes in land use or new development since the approval of the Special Use Permit (SUP-4521) in August 2004; therefore, staff recommends approval, subject to a three-year review.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 19

**ASSEMBLY DISTRICT** 34

**SENATE DISTRICT** 11

**NOTICES MAILED** 80 by City Clerk

**APPROVALS** 0

**PROTESTS** 1