



## **AGENDA MEMO**

**CITY COUNCIL MEETING OF: OCTOBER 7, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: RQR-34975 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: GES FAMILY, LP**

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

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

#### **Planning and Development**

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Off-Premise Sign use.
2. Conformance to the conditions for Special Use Permit (U-0065-92), if approved.
3. This Special Use Permit shall be reviewed in 3 year(s) at which time the City Council may require that 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 be removed.
4. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. 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.
6. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
7. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (U-0065-92) 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.
8. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The is a request for a Required Review for an approved Special Use Permit (U-0065-92) to allow a 55-foot tall, 14-foot by 48-foot Off-Premise Sign to continue to be located on a vacant lot at 1459 Rock Springs Drive. This is the fourth Required Review of the subject sign which is located on the northeastern corner of the subject parcel. If this request is denied, the subject sign must be removed and Special Use Permit (U-0065-92) will be expired. Staff can support the request as the sign faces and supporting structure of the Off-Premise Sign are in good condition with no discrepancies noted; therefore, staff is recommending approval with a three-year review.

**ISSUES**

There is a small amount of graffiti on the base portion of the supporting structure; a condition has been added to require repainting of the base to match the supporting structure.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc. and Property Sales</i></b> |                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/21/84                                                                                     | The City Council approved a request for a Rezoning (Z-0074-84) from N-U (Non-Urban) to C-1 (Limited Commercial) on the property located at 1459 Rocks Springs. The Planning Commission recommended approval of the request.                                                                                             |
| 05/20/92                                                                                     | The City Council approved a request for a Special Use Permit (U-0065-92) to allow a 55-foot high, 14-foot by 48-foot Off-Premise Advertising (Billboard) sign on the property located at 1459 Rocks Springs. The City Council recommended approval of the request.                                                      |
| 05/27/97                                                                                     | The City Council approved a request for a Five-Year Review on an approved Special Use Permit [U-0065-92 (1)] for a 55-foot high, 14-foot by 48-foot Off-Premise Advertising (Billboard) sign on the property located at 1459 Rocks Springs. The Board of Zoning Adjustment recommended denial of the request.           |
| 06/19/02                                                                                     | The City Council approved a request for a Five Year Review of an approved Special Use Permit [U-0065-92 (2)] which allowed a 55-foot high, 14-foot by 48-foot Off-Premise Advertising (Billboard) sign on the property located at 1459 Rock Springs Drive. The Planning Commission recommended approval of the request. |

|                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/01/07                                                           | The City Council approved a request for Required Review (ROC-21508) of an approved Special Use Permit [U-0065-92 (2)] which allowed a 55-foot high, 14-foot by 48-foot Off-Premise Advertising (Billboard) sign on the property located at 1459 Rock Springs. The Planning Commission recommended approval of the request.                                                                                                        |
| 08/27/09                                                           | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #7/ao).                                                                                                                                                                                                                                                                                                                                                   |
| <b>Related Building Permits/Business Licenses</b>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 07/29/92                                                           | A building permit (#92154741) was issued for the subject sign located at 1459 Rock Springs Drive. The permit expired on 02/20/93.                                                                                                                                                                                                                                                                                                 |
| 11/13/92                                                           | A building permit (#92167042) was issued for illumination the subject sign located at 1459 Rock Springs Drive. The permit expired on 05/29/93.                                                                                                                                                                                                                                                                                    |
| <b>Pre-Application Meeting</b>                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| A pre-application meeting was not required, nor was one conducted. |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Neighborhood Meeting</b>                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| A neighborhood meeting was not required, nor was one conducted.    |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Field Check</b>                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 07/23/09                                                           | Staff conducted a field check of the subject site with the following observations: <ul style="list-style-type: none"> <li>• The subject billboard had no embellishments, animated signage, or electronic displays and the sign faces appeared in good condition.</li> <li>• All the structural elements have been properly secured.</li> <li>• There is graffiti on a small portion on the base of the sign structure.</li> </ul> |

|                                       |            |
|---------------------------------------|------------|
| <b>Details of Application Request</b> |            |
| <b>Site Area</b>                      |            |
| Gross Acres                           | 7.09 acres |

| Surrounding Property | Existing Land Use        | Planned Land Use                    | Existing Zoning                                                         |
|----------------------|--------------------------|-------------------------------------|-------------------------------------------------------------------------|
| Subject Property     | Undeveloped              | SC (Service Commercial)             | U (Undeveloped) zone [SC (Service Commercial) General Plan Designation] |
| North                | Multi-Family Residential | M (Medium Density Residential)      | R-3 (Medium Density Residential)                                        |
| South                | Single-Family Residences | M (Medium Density Residential)      | R-PD14 (Residential Planned Development- 14 Units per Acre)             |
| East                 | U.S. 95 Right of Way     | U.S. 95 Right-of-Way                | U.S. 95 Right of Way                                                    |
| West                 | Single-Family Residences | ML (Medium-Low Density Residential) | R-CL (Single Family Compact-Lot)                                        |

| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
|---------------------------------------------------|-------------------|------------------|--------------------------|
| <b>Special Area Plan</b>                          |                   | X                |                          |
| <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>      | Y                 |                  |                          |
| A-O Airport Overlay District                      | Y                 |                  | 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>Standards</b> | <b>Code Requirement</b>                                                                                                                                                                                                                                          | <b>Provided</b>                                                                                               | <b>Compliance</b> |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------|
| Location         | No Off-Premise Sign may be located within public right-of-way                                                                                                                                                                                                    | Sign is not located within a 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 a U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation]              | 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                                                                                       | 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.                                                                     | The sign is 55 feet tall                                                                                      | Y*                |
| Screening        | All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.                                                                                                                                             | The structural screening of the Off-Premise Sign does not require repainting to match the structural supports | Y                 |

| Standards                       | Code Requirement                                                                                                                                  | Provided                                                                                                                                  | Compliance |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|------------|
| Off-Premise Sign<br>(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)                   | There is an Off-Premise Sign located within 665 feet of the subject sign.                                                                 | Y*         |
| Off-Premise Sign<br>(Billboard) | At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.                                                         | There are is an "R" zoned district within 225 feet North of the subject sign.                                                             | 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. | The billboard is permanently secured to the ground on a U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] property. | Y          |

\*As approved by Special Use Permit (U-0065). The sign is non-conforming for distance separation.

## ANALYSIS

This is the fourth Required Review of the approved Special Use Permit (U-0065-92) which allowed a 55-foot tall, 14-foot by 48-foot Off-Premise Sign. A research of the building permit activity found that permit #92154741 was issued on 07/29/92 for the installation of a billboard sign under the address of 1459 Rock Springs Drive, which received a final inspection on 11/24/92. The applicant filed for building permits at the time of construction, however, the permits had expired. There have been no recent changes in the land use or new development in the surrounding area since the approval of the previous Required Review (RQR-21508). The sign is located in a U (Undeveloped) zone [SC (Service Commercial) General Plan Designation] and is within the Off-Premise Sign Exempt zone.

## FINDINGS

The Off-Premise Sign meets Title 19.14.100 requirements, and is in good condition. During a field inspection of the site, the sign and the supporting structure were in good condition with no discrepancies noted, however, there is a small amount of graffiti on the base portion of the supporting structure; the base will require repainting to match the supporting structure. Staff finds that there is no adverse impact regarding the continued use of the sign, nor does the sign lack any history of acquiring a building permit or final inspection; therefore, staff is recommending approval.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

17

**ASSEMBLY DISTRICT**      34

**SENATE DISTRICT**      3

**NOTICES MAILED**      434 by City Clerk

**APPROVALS**      0

**PROTESTS**      2