



AGENDA MEMO

CITY COUNCIL MEETING OF: OCTOBER 7, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-35242 - APPLICANT: CLEAR CHANNEL OUTDOOR, LLC
- OWNER: O'ROURKE FAMILY, LP**

**** CONDITIONS ****

The Planning Commission (5-0-1/vq vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require 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 is removed.
2. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Off-Premise Sign use.
3. 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.
4. 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.
5. If the existing Off-Premise Sign is voluntarily demolished, this Variance 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 is a request for a Required Review of a previously approved Variance (V-0024-88) which allowed a 14-foot x 48-foot Off-Premise Sign at a height of 65 feet, where 40 feet is the maximum height allowed, and to allow the sign to be 730 feet from another Off-Premise Sign where 750 feet is the minimum distance separation required at 1716 South Highland Avenue. The sign is located on a parcel occupied by an office complex, and is zoned M (Industrial). There is no adverse impact regarding the continued use of the billboard, as there have been no significant changes in development or land use in the surrounding area; therefore staff is recommending approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
06/15/88	The City Council approved a Variance (V-0024-88) which allowed a 65-foot high, 14-foot x 48-foot Off-Premise Sign where 40-feet was the maximum height allowed and to allow the sign to be 730 feet from another Off-Premise Sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended denial.
07/21/93	The City Council approved a Required Review [V-0024-88(1)] of a previously approved Variance which allowed a 65-foot high, 14-foot x 48-foot Off-Premise Sign where 40-feet was the maximum height allowed and to allow the sign to be 730 feet from another off-premise advertising sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended approval.
07/27/98	The City Council approved a Required Review [V-0024-88(2)] of a previously approved Variance which allowed a 65-foot high, 14-foot x 48-foot Off-Premise Sign where 40-feet was the maximum height allowed and to allow the sign to be 730 feet from another off-premise advertising sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended approval.

04/16/03	The City Council approved a Required Review (RQR-1708) of a previously approved Variance (V-0024-88) which allowed a 65-foot high, 14-foot x 48-foot Off-Premise Sign where 40-feet was the maximum height allowed and to allow the sign to be 730 feet from another Off-Premise Sign on this site, subject to a five-year review. The Planning Commission recommended approval. Staff recommendation was for denial.
05/18/05	The City Council approved a Required Review (RQR-6152) of a previously approved Variance (V-0024-88) which allowed a 14-Foot X 48-Foot Off-Premise Sign at a height of 65 feet, where 40 feet is the maximum height allowed and to allow the sign to be 730 feet from another Off-Premise Sign where 750 feet is the minimum distance separation required at 1716 Highland Avenue. The Planning Commission recommended approval.
09/05/07	The City Council approved a Required Review (RQR-21348) of a previously approved Variance (V-0024-88) which allowed a 14-Foot X 48-Foot Off-Premise Sign at a height of 65 feet, where 40 feet is the maximum height allowed and to allow the sign to be 730 feet from another Off-Premise Sign where 750 feet is the minimum distance separation required. Planning Commission recommended approval. Staff recommended denial.
07/08/09	A Minor Site Development Plan Review (SDR-35120) to construct a 63.75 square foot embellishment was submitted. The applicant has requested this item be held, pending issuance of a building permit and approval of a final inspection for the Off-Premise Sign.
09/10/09	The Planning Commission voted 5-0-1/vq to recommend APPROVAL (PC Agenda Item #13/gk).
<i>Related Building Permits/Business Licenses</i>	
08/26/09	A building permit application (#144845) was issued for an existing Billboard sign. The permit was finalized on 08/28/09.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
08/06/09	Staff conducted a field check of the subject site with the following observations: The subject billboard and support structure were free of graffiti and bird droppings.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.29

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	LI/R (Light Industry/Research)	M (Industrial)
North	Office	LI/R (Light Industry/Research)	M (Industrial)
South	Warehouse	LI/R (Light Industry/Research)	M (Industrial)
East	Warehouse	LI/R (Light Industry/Research)	M (Industrial)
West	I-15 Right of Way	I-15 Right of Way	I-15 Right of Way

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District – 200 Feet	X		Y
Live/Work Overlay District	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

<i>Standards</i>	<i>Code Requirement</i>	<i>Provided</i>	<i>Compliance</i>
Location	No Off-Premise Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not located within the public ROW or the Exclusionary Zone	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a M (Industrial) zoning district	Y
Area	No Off-Premise Signs 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.	672 SF	Y

Height	No higher than 40 feet from grade at the point of construction	Maximum height of 65 feet from grade	N*
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Screened	Y
Distance Separation	At least 750 feet to another Off-Premise Sign	520 feet to another Off-Premise Sign	N*
Distance Separation	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	305 feet from "R" zoned property to the east.	Y
Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; No residential uses are present on the site.	Y

**Approved by Variance (V-0024-88).*

ANALYSIS

This is the sixth review of the subject Off-Premise Sign. The Off-Premise Sign received a building permit and a final inspection approval on 08/26/09. The sign is located on a parcel occupied by an office complex, and is zoned M (Industrial). There is no adverse impact regarding the continued use of the billboard, as there have been no significant changes in development or land use in the surrounding area.

FINDINGS

There is no adverse impact regarding the continued use of the billboard, as there have been no significant changes in development or land use in the surrounding area, and staff is recommending approval, subject to a three-year review.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions at the Planning Commission Meeting. Condition #1 must be changed to reference five.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 108 by City Clerk

APPROVALS 0

PROTESTS 3