



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-37490 - APPLICANT: CBS OUTDOOR - OWNER: 305 LAS VEGAS, LLC

**** CONDITIONS ****

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to the conditions for Special Use Permit (U-0008-96).
2. This Special Use Permit shall be placed on an agenda closest to April 3, 2013 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 Special Use Permit (U-0008-98) 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 Required Review is for a previously approved Special Use Permit (U-0008-96) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign located at 330 East Charleston Boulevard. Though the Special Use Permit was approved for a 14-foot by 48-foot sign, the actual size of the sign is only 14 feet by 24 feet. The sign is located on property shared with offices, retail establishments, and a parking lot. Building permit #96013641 was issued for the installation of the billboard sign, which received an approved final inspection on 09/17/96. The sign faces and supporting structure are in good condition. There are new entitlements approved for the subject site and properties in the surrounding areas that include a mixed-use development for the subject site and parcel to the west, and a Hotel- Residence (extended stay) to the east.

Staff finds that though the sign is in good condition and has an approved final inspection, the location of the sign is not conducive to the redevelopment and revitalization proposed for the property and surrounding area; therefore, is recommending denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/95	The City Council approved a request for Rezoning (Z-0037-94) from R-1 (Single Family Residential) to C-1 (Limited Commercial) of property generally located at the southwest corner of Charleston Boulevard and 4 th Street. The Planning Commission recommended approval on 04/28/94.
04/03/96	The City Council approved a request for a Special Use Permit (U-0008-96) for a 14-foot by 48-foot Off-Premise Sign at the southwest corner of Charleston Boulevard and 4 th Street. The Board of Zoning Adjustment recommended denial on 02/02/96.
10/01/03	The City Council approved a request for a Site Development Plan Review (SDR-2784) for a 12,103 square-foot Office Building on a portion of 2.18 acres adjacent to the southwest corner of Charleston Boulevard and 4 th Street. The Planning Commission recommended approval on 08/28/03.
05/16/07	The City Council approved a request for a Rezoning (ZON-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial) and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and 4 th Street. The Planning Commission recommended approval on 04/26/07.
	The City Council approved a related request for a Special Use Permit (SUP-20519) for a 12-story mixed use development including 58,000 square feet of commercial space and 1,100 residential condominium units.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/16/07	The City Council approved a related request for a Petition to Vacate (VAC-20522) a 20-foot service alley and access easement generally located east of 3 rd Street commencing approximately 137 feet south of the southeast corner of 3 rd Street and Charleston Boulevard.
	The City Council approved a related request for a Site Development Plan Review (SDR-20502) for a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units.
11/05/08	The City Council approved a request for a Petition to Vacate (VAC-29235) an alley and a public access easement at 300 and 330 East Charleston Boulevard. The Planning Commission recommended approval on 09/25/08.
04/15/09	The City Council approved a request for an Extension of Time (EOT-33725) of a previously approved Rezoning (ZON-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial) and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and 4 th Street.
	The City Council approved a related request for an Extension of Time (EOT-33724) of a previously approved Special Use Permit (SUP-20519) for a 12-story mixed use development including 58,000 square feet of commercial space and 1,100 residential condominium units.
	The City Council approved a related request for an Extension of Time (EOT-33726) of a previously approved Site Development Plan Review (SDR-20502) for a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units.
05/20/09	The City Council approved a request for a Required Review (RQR-32942) of a previously approved Special Use Permit (U-0008-96) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 330 East Charleston Boulevard. Note: Sign is 14-foot by 24-foot.
05/28/09	The Planning and Development Department approved a request for a Minor Site Development Plan Review (SDR-34113) that allowed a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units at the southwest corner of Charleston Boulevard at 4 th Street.
12/11/09	The Planning and Development Department approved a request for an Extension of Time (EOT-36621) of a previously approved Vacation (VAC-29235) which vacated the alley and a public access easement at 300 and 330 East Charleston Boulevard.
<i>Related Building Permits/Business Licenses</i>	
07/09/96	A building permit (96013641) was issued for the installation of a billboard sign with electric at 330 East Charleston Boulevard. The permit was finalized on 09/17/96.
08/20/96	A business license (M01-05281) was issued for a Cleaning Service (Aquariums) at 330 East Charleston Boulevard, Ste 201. The license is still active.

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04/18/97	A building permit (97007816) was issued for service for a billboard at 330 East Charleston Boulevard. The permit was finalized on 04/28/97.
<i>Related Building Permits/Business Licenses</i>	
09/19/06	A business license (P27-00381) was issued for Registration Services at 330 East Charleston Boulevard, Ste 201. The license is still active.
08/15/07	A business license (Q13-00786) was issued for a Law Firm at 330 East Charleston Boulevard, Ste 204. The license is still active.
04/14/09	A business license (B20-01626) was issued for Business Support Services at 330 East Charleston Boulevard, Ste 202. The license is still active.
06/24/09	A business license (Q13-01225) was issued for a Law Office at 330 East Charleston Boulevard. The license is still active.
11/19/09	A business license (Q01-00931) was issued for a Real Estate Broker at 330 East Charleston Boulevard, Ste 204. The license is still active.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application, nor was one held.	

<i>Field Check</i>	
Staff conducted a filed check of the subject site with the following observations:	
• The subject billboard had no embellishments, animated signage or electronic displays. • The sign faces and supporting structure appeared in good condition. • All structural elements have been properly screened from public view.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.66

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Offices, Retail Establishments, and parking	C (Commercial)	C-1 (Limited Commercial)
North	Retail Establishments and Apartments	C (Commercial)	C-2 General Commercial
South	Offices	C (Commercial)	C-1 (Limited Commercial)
East	Mini Storage Facility	C (Commercial)	C-2 (General Commercial)

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West	Retail Establishment and Restaurant	C (Commercial)	C-1 (Limited Commercial)
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan (Arts District)	X		N
Las Vegas Redevelopment Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
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

ANALYSIS

This is the second Required Review of a previously approved Special Use Permit (U-0008-96) for a 40-foot tall, 14-foot by 24-foot Off-Premise Sign located at 330 East Charleston Boulevard. The sign is positioned on property shared with offices, retail establishments, a parking lot, and is located within the Downtown Centennial Plan, Arts District. A research of the building permit activity revealed that a sign permit (96013641) was issued for the installation of the billboard sign, which received an approved final inspection on 09/17/96 under the address of 330 East Charleston Boulevard. Staff conducted a field check of the subject site and found the sign faces in good condition and supporting structure free of graffiti and bird feces.

Since the approval of the Special Use Permit (U-0008-96) for the Off-Premise Sign, new entitlements (SUP-20519, VAC-20522, VAC-29235, SDR-20502, and SDR-34113) have been approved for the subject site that include a proposed 12-story mixed-use development with subsequent Extension of Times (EOT-33724, EOT-33725, EOT-33726, and EOT-36621).

FINDINGS

The sign is located in a C-1 (Limited Commercial) zoning district within the Downtown Centennial Plan, Arts District. The Arts District permits Off-Premise Signs with a Special Use Permit, and in addition to the requirements of Title 19, Off-Premise Signs shall be directly mounted to and flush with the wall of a structure and shall not be freestanding, mounted on top

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of a roof, or project past the walls or roof of a building. Staff finds that though the sign is in good condition and has an approved final inspection, the sign does not conform with the Downtown Centennial Plan, Arts District requirements and is not conducive to the redevelopment and revitalization proposed for the property and surrounding areas; therefore, staff is recommending denial of this request.

NOTICES MAILED 421 (By Planning)

APPROVALS 0

PROTESTS 0