



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: APRIL 6, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: WESTLAND ENTERPRISES - OWNER: FRED KAVLI

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
RQR-40724	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

RQR-40724 CONDITIONS

Planning

1. Conformance to the approved conditions for Rezoning (Z-0105-93), Special Use Permit (SUP-26774), and Site Development Plan Review (SDR-1326) if approved.
2. This Special Use Permit shall be reviewed in three (3) years, 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. 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 Sign.
5. If the Off-Premise Sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special is approved for a new structure by the City Council.

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6.All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Required Three Year Review of an approved Special Use Permit (SUP-26774) which allowed a 35-foot tall, 14-foot by 48-foot Off-Premise Sign at 4510 North Tenaya Way. This is the first Required Review since the initial approval of the Special Use Permit. The Special Use Permit has been exercised, but no sign has been constructed. The Off-Premise Sign as approved conforms to Title 19 requirements and conditions have not changed in the area; therefore, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/15/93	The City Council approved a Rezoning (Z-0105-93) from N-U (Non-Urban) to C-1 (Limited Commercial) for a proposed retail shopping center as part of a larger request. The Planning Commission recommended approval.
12/28/93	The Zoning Board of Adjustment approved a Variance (V-146-93) to allow outside storage in a C-1 (Limited Commercial) zoning district.
11/10/97	The City Council denied, on appeal of a denial by the Planning Commission, a request for a Special Use Permit (U-0095-97) to allow an Off-Premise Advertising (Billboard) Sign on this site.
01/11/99	The City Council withdrew, on appeal of a denial by the Planning Commission, a request for a Special Use Permit (U-0134-98) to allow an Off-Premise Advertising (Billboard) Sign on this site.
11/15/00	The City Council struck, on appeal of a denial by the Planning Commission, a request for a Special Use Permit (U-0152-00) to allow an Off-Premise Advertising (Billboard) Sign on this site.
01/09/03	The Planning Commission approved a Site Development Plan Review (SDR-1326) for an addition and remodel of an existing building. Staff recommended approval.
10/19/05	The City Council approved a request for a Special Use Permit (SUP-8697) for a proposed Building and Landscape Material / Lumber Yard in an existing building at 4500 North Tenaya Way. The Planning Commission and staff recommended approval.
04/16/08	The City Council approved a request for a Special Use Permit (SUP-26774) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 4510 North Tenaya Way, changing the maximum height to 35 feet. The Planning Commission and staff recommended approval.
03/08/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 11/rg).

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<i>Most Recent Change of Ownership</i>	
07/18/02	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
08/29/08	A building permit (#08000290) was issued for an Off-Premise Sign at 4510 North Tenaya Way. The Off-Premise Sign has not been constructed.
03/03/09	A building permit (#08000290) was extended for an Off-Premise Sign at 4510 North Tenaya Way. The Off-Premise Sign has not been constructed.
11/17/09	A building permit (#08000290) was extended for an Off-Premise Sign at 4510 North Tenaya Way. The Off-Premise Sign has not been constructed.
02/18/10	A building permit (#08000290) was extended one year for an Off-Premise Sign at 4510 North Tenaya Way. The building permit renewal was issued for one year. The Off-Premise Sign has not been constructed.
02/16/11	A building permit (#08000290) was extended six months for an Off-Premise Sign at 4510 North Tenaya Way. The building permit renewal was issued for one year. The Off-Premise Sign has not been constructed.

<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>	
01/26/11	A site visit by staff noted that there is a vacant building at the site and the Off-Premise Sign has not yet been installed at the proposed location.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	9.88

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Building and Landscape Material / Lumber Yard	SC (Service Commercial)	C-1 (Limited Commercial)

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North	Single-Family, Detached	ML (Medium-Low Density Residential)	R-CL (Single Family Residential – Compact Lot)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
	Restaurant with Drive Through		
	General Retail		
	Undeveloped		
East	U.S. Highway 95	ROW (U.S. 95)	ROW (U.S. 95)
West	Single-Family, Detached	L (Low Density Residential)	R-CL (Single Family Residential – Compact Lot)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District – 175 feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.14.100, the following standards apply:

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within the public right-of-way.	On Public Property	Y
	May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Within the Exempt Zone	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Currently the property and surrounding area is zoned C-1 (Limited Commercial)	Y

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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.	The surface area of the sign is 672 square feet.	Y
Height	No higher than 40 feet from grade at the point of construction	The sign is 35 feet tall as conditioned per SUP-26774	Y
Setback	Off-Premise Signs shall not be located closer than 10 feet to the ROW line of a freeway or closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The setback is greater than 10 feet from U.S. 95 ROW	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	No additional screening is necessary.	Y
Off-Premise Sign	Minimum 300-foot distance separation from any other Off-Premise Sign.	Greater than 300 feet.	Y
Off-Premise Sign	Minimum 300-foot distance separation from nearest property line of a lot in the "U" or any "R" zoning district.	Greater than 300 feet to residential property to the north	Y
Off-Premise Sign within 660 feet of right-of-way and which can be read from I-15, I-515, U.S. 95 or Oran K. Gragson Highway and is oriented toward these rights-of-way.	Minimum 750-foot distance separation from any other Off-Premise Sign along the same frontage.	Greater than 750 feet separation.	Y

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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 sign is a free standing sign on a commercial property	Y
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<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Tenaya Way	N/A	N/A	60	N/A

ANALYSIS

This is the first review of the subject Off-Premise Sign located at 4510 North Tenaya Way. The subject property is located within the Airport Overlay District, with a 175-foot height restriction. The previously approved Special Use Permit (SUP-26774) had a condition of approval that limited the height of the Off-Premise Sign to 35 feet; therefore, the proposed Off-Premise Sign conforms to the requirements of the Airport Overlay District. The sign will have to conform to other conditions of approval as imposed by the City Council, including landscaping. An approved building permit has been issued for the proposed Off-Premise Sign and will expire on August 16, 2011. A site inspection was conducted by staff on January 27, 2011 verifying that no Off-Premise Sign had been installed at the designated location as approved by the Site Plan under Special Use Permit (SUP-26774).

FINDINGS (RQR-40724)

Based on conformance to Title 19 requirements and the fact that the conditions have not changed in the area, staff recommends approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED

322 (By City Clerk)

APPROVALS

0

PROTESTS

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