



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 21, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: LAS VEGAS BILLBOARDS - OWNER:
WESTLAND ENTERPRISES, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SDR-42728	Staff recommends DENIAL, if approved subject to conditions:	None

** CONDITIONS **

SDR-42728 CONDITIONS

Planning

1. Conformance to the conditions of approval of the Special Use Permit (SUP-26774), Required Review (RQR-40724), and all other site related actions as required by the Department of Planning and Department of Public Works.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is currently occupied by a vacant building with previous approval for a 35-foot tall, 14-foot by 48-foot Off-Premise Sign to be erected at 4510 North Tenaya Way. Although a building permit has been issued for the off-premise sign, it has not yet been constructed. A request for a Minor Site Development Plan Review (SDR-42728) was submitted to convert the north facing side of the previously approved Off-Premise Sign to a Digital Display Unit (LED) capable of brightly lit and animated messages that are meant to be seen from great distances. This request was administratively denied by the Department of Planning as it would have a negative visual impact on, and be incompatible with, the surrounding residential homes to the north.

ISSUES

- If approved, conformance to the Conditions of Approval from the previously approved Special Use Permit (SUP-26774) shall be required, including a requirement for additional landscaping along the north perimeter of the site to include 24" box size trees at 20 feet on center.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/15/93	The City Council approved a request for Rezoning (Z-0105-93) from N-U (Non-Urban) to C-1 (Limited Commercial) of approximately 22 acres generally located at the northeast corner of Craig Road and Tenaya Way for a proposed retail shopping center. The Planning Commission recommended approval.
11/10/97	The City Council denied a request of an appeal of a denial by the Planning Commission for a Special Use Permit (U-0095-97) to allow an Off-Premise Sign (Billboard) at 4500 North Tenaya Way.
01/11/99	The City Council withdrew an appeal of a denial by the Planning Commission for a request for a Special Use Permit (U-0134-98) to allow an Off-Premise Sign (Billboard) at 4500 North Tenaya Way.
11/15/00	The City Council struck a request for an appeal of a denial by the Planning Commission for a Special Use Permit (U-0152-00) to allow an Off-Premise Sign (billboard) at 4500 North Tenaya Way
04/17/08	The City Council approved a request for a Special Use Permit (SUP-26774) for a 35-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 4510 North Tenaya Way. The Planning Commission and staff recommended approval.

04/06/11	The City Council approved a request for a Required Review (RQR-40724) of a previously approved Special Use Permit (SUP-26774) for a 35-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 4510 North Tenaya Way. The Planning Commission and staff recommended approval.
08/17/11	The Department of Planning denied a request for a Minor Site Development Plan Review (SDR-42728) for the conversion of a previously approved 14-foot by 48-foot, 35-foot tall Off-Premise Sign (north facing side only) to a Digital Display Unit (LED) at 4510 North Tenaya Way.

Most Recent Change of Ownership

06/29/11	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

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 for one-year for an Off-Premise Sign at 4510 North Tenaya Way. The Off-Premise Sign has not been constructed as of yet.
02/16/11	A building permit (08000290) was extended for six-months for an Off-Premise Sign at 4510 North Tenaya Way. The Off-Premise Sign has not been constructed as of yet.
08/04/11	A building permit (08000290) was extended for six-months for an Off-Premise Sign at 4510 North Tenaya Way. The Off-Premise Sign has not been constructed as of yet.

Pre-Application Meeting

A pre-application meeting was not required, nor was one held.

Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.
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Details of Application Request

<i>Site Area</i>	
Gross Acres	9.88

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Retail Establishment with a Billboard on Property	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family Residences	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
South	Undeveloped Land	SC (Service Commercial)	C-1 (Limited Commercial)
	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	ROW (Right-of-Way)	ROW (Right-of-Way)	ROW (Right-of-Way)
West	Single Family Residences	L (Low Density Residential)	R-CL (Single-Family 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

ANALYSIS

A Special Use Permit (SUP-26774) was approved in 2008 for a 35-foot tall, v-shaped, double-faced off-premise sign. The sign faces were oriented to the north and south, with each sign face to be 14 feet by 48 feet. A building permit was issued in August of 2008, thereby exercising the entitlement; however, the sign has not yet been constructed, and the building permit has been extended through February of 2012.

The applicant subsequently submitted a Minor Site Development Plan Review (SDR-42728) for the northern sign face to be a digital (LED) display, capable of brightly lit and animated messages that are meant to be seen from great distances. For comparison purposes, the sun can be measured at 6,500 nits (a nit is a unit of luminous intensity equal to one candela per square meter). During the daytime, a digital sign can be set at over 10,000 nits, and the Virginia Tech Transportation Institute found that digital billboards can be ten times brighter than the surrounding area, and three times brighter than a traditional billboard. Objective 2.2 of the Las

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Vegas 2020 Master Plan is “To ensure that low density residential land uses within mature neighborhoods can exist in close proximity to higher density residential, mixed-use, or non-residential land uses by mitigating adverse impacts where feasible.” The change to a digital display would result in a negative visual impact on the adjacent residential development to the north, and would therefore not be compatible or harmonious with the surrounding development. The Department of Planning administratively denied the application for this reason, and the applicant has appealed that decision.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. The proposed development is compatible with adjacent development and development in the area;

The proposed off-premise sign would have a negative visual effect on the adjacent residential properties to the north, and will not be compatible or harmonious with the surrounding development.

2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

The proposed digital display is not consistent with Objective 2.2 of the Las Vegas 2020 Master Plan.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic as the access required for this use is minimal.

4. Building and landscape materials are appropriate for the area and for the City;

Building materials are appropriate as previously approved by Special Use Permit (SUP-26774). The addition of a digital (LED) display is not appropriate for the area due to the proximity to residential development to the north.

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5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed change to a digital (LED) display would be unsightly, and would not be compatible or harmonious with development in the area.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Construction of the sign will be subject to building permit review and inspection approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

NOTICES MAILED

324 (By Planning)

APPROVALS

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PROTESTS

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