

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MAY 28, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-33828 - APPLICANT/OWNER: ANDREW FONFA**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**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 Sign (Billboard) to 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.
2. 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).
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 sign.
4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Sign (Billboard) shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. The metal screening material that covers the exposed portions of the offset billboard panels shall be refinished and painted to match the remaining supporting structure material.
6. All City Code requirements and design standards of all City Departments shall be satisfied, except as modified herein.

RQR-33828 - Staff Report Page One
May 28, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a Required Review of an approved Special Use Permit (U-0040-96) for a 50-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3641 West Sahara Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
11/19/69	The City Council approved a request to Rezone (Z-0012-67) property from R-1 (Single Family Residential) to R-2 (Two Family Residence), P-R (Professional Office), R-4 (Apartment Residence), and C-1 (Limited Commercial on property generally located on the south side of Sahara Avenue between Valley View and Richfield Boulevard. The Planning Commission recommended denial of the request.
07/17/96	The City Council approved a Special Use Permit (U-0040-96) for a 14-foot by 50-foot off-premise advertising (billboard) sign at 3641 West Sahara Avenue. The Board of Zoning Adjustment recommended approval of the request.
05/23/02	The Planning Commission accepted a Withdrawal Without Prejudice request for a Site Development Plan Review [Z-0012-67(2)] and a Reduction in the amount of Required Perimeter Landscaping for a proposed 1,900 square-foot retail building and a prefabricated water kiosk at 3641 West Sahara Avenue.
02/05/03	The City Council accepted a Withdrawal Without Prejudice request for a Variance (VAR-1337) to allow a zero-foot side setback where ten feet is the minimum required for a proposed restaurant with drive through adjacent to the south side of Sahara Avenue, approximately 160 feet east of Valley View Boulevard. The Planning Commission recommended denial of the request.
02/05/03	The City Council accepted a Withdrawal Without Prejudice request for a Site Development Plan Review (SDR-1338) for a proposed restaurant with drive through adjacent to the south side of Sahara Avenue, approximately 160 feet east of Valley View Boulevard. The Planning Commission recommended denial of the request.
<i>Related Building Permits/Business Licenses</i>	
10/17/96	A building permit (#96020918) was issued for a 50-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) sign at 3641 West Sahara Avenue. A 225 Final Sign Inspection was completed on 04/26/97.
<i>Pre-Application Meeting</i>	
A pre-application meeting was not required, nr was one held.	
<i>Neighborhood Meeting</i>	

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A neighborhood meeting was not required, nor was one held.

RQR-33828 - Staff Report Page Two

May 28, 2009 - Planning Commission Meeting

Field Check

04/21/09	A routine field check staff observed a well maintained Off-Premise Sign (Billboard).
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Details of Application Request

Site Area

Gross Acres	0.73
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
North	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
South	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
East	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District 200 Feet	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

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising Sign (Billboard) may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	Sign is not in right-of-way and is not located within the Off-Premise Sign Exclusionary Zone	Y

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RQR-33828 - Staff Report Page Three
May 28, 2009 - Planning Commission Meeting

Zoning	Off-Premise (Billboard) Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	Sign is in C-1 (Limited Commercial) Zoning District	Y
Area	No Off-Premise Advertising (Billboard) 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.	Sign is 672 square feet with no embellishments	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to maximum of 55 feet with approval of City Council if significantly obscured from view of travel lanes.	The sign received approval from the City Council (U-0040-96) to maintain a height of 50 feet	Y
Screening	All structural elements of an Off-Premise (Billboard) 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
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US -95	The billboard is located 340 feet to the southwest of the closest existing billboard and is oriented face towards Sahara Avenue	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	Sign is located 350 feet to the east from property located in the R-1 (Single Family Residential) zoning district.	Y

RQR-33828 - Staff Report Page Four
May 28, 2009 - Planning Commission Meeting

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.	The billboard is permanently secured to the ground on C-1 zoned property.	Y
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ANALYSIS

This is the second Required Review of an approved Special Use Permit (U-0040-96) for a 50-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3641 West Sahara Avenue. During a field check of the site, staff found the sign and supporting structure in good condition. There has been no significant change in development or land use since the installation of the sign

FINDINGS

The sign is located in a C-1 (Limited Commercial) zoning district and is not within the Off-Premise Sign Exclusionary zone. Since the area surrounding the sign has not experienced any significant development or land use changes, staff recommends approval of this review, subject to a required review in three years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 10

SENATE DISTRICT 3

NOTICES MAILED 124

APPROVALS 0

PROTESTS 0