

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-35792 - APPLICANT: LAS VEGAS BILLBOARDS, LLC -****OWNER: JONATHAN PARK, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. Conformance to the conditions for Special Use Permit (SUP-4811).
2. The owner of this Off-Premise Sign shall within 30 days, obtain either construction inspection and approval by the City, or structural certification, as those items are described in Title 19.14.100(D), Paragraph 6. Failure to secure the required final inspection may result in fines and/or removal of the Off-Premise Sign.
3. This Required Review shall be placed on an agenda closest to October 6, 2012, 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 is removed.
4. 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.
5. If the existing 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 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site contains an existing 12-foot by 24-foot Off-Premise Sign at 3319 Meade Avenue. This is the first Required Review of the subject sign. The applicant has paid the required fees, but the subject sign has not received final building permits. Since the subject billboard has not received its final inspection, denial of this request is recommended. If this request is denied, the subject sign will be required to be removed from the property.

ISSUES

- The subject billboard was approved through a Special Use Permit (SUP-4811), which was approved by City Council on 10/06/04, subject to a five-year review.
- The subject billboard has not received its final building permit inspection.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
08/13/96	A deed was recorded for a change of ownership at 3311 Meade Avenue.
10/06/04	The City Council approved a Special Use Permit (SUP-4811) for a 40-foot high, 12-foot by 24-foot Off-Premise Sign at 3311 Meade Avenue. The Planning Commission and staff recommended approval of the request.
<i>Related Building Permits/Business Licenses</i>	
10/14/05	A Building Permit (#5007292) was issued for a billboard at 3319 Meade Avenue. The permit expired on 04/15/06.
<i>Pre-Application Meeting</i>	
A pre-application meeting was not required for this type of application, nor was one held.	
<i>Neighborhood Meeting</i>	
A pre-application meeting was not required, nor was one held.	

<i>Field Check</i>	
09/17/09	Staff conducted a field check of the subject site with the following observations: • Staff identified the subject sign, which is in good condition without graffiti or debris around the subject sign. • There were no embellishments at the time of the inspection.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.32 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Warehouse/Off-Premise Sign	LI/R (Light Industrial / Research)	M (Industrial)
North	Office/Mini-Warehouse Facility	LI/R (Light Industrial / Research)	M (Industrial)
South	Storage	LI/R (Light Industrial / Research)	M (Industrial)
East	Auto Repair Garage (Major) and Mini-Warehouse Facility	LI/R (Light Industrial / Research)	M (Industrial)
West	Retail and Mini-Warehouse Facility	LI/R (Light Industrial / Research)	M (Industrial)

<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			
A-O (Airport 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

Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in a M Zoning District	Y
Off-premise sign area (max.)	672 SF	288 SF	Y

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Separation distance from other off-premise sign (min.)	300 Feet	545+ Feet	Y
Separation distance from U or R zoning district	300 Feet	385+ Feet	Y
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	500+ feet	Y

ANALYSIS

This is the first Required Review of an approved Special Use Permit (SUP-4811) for a 40-foot high, 12-foot by 24-foot Off-Premise Sign. A site visit was conducted by staff on 09/17/09. The proposed Off-Premise Sign meets all of the requirements set forth by Title 19.14.100. The sign is located within an M (Industrial) zoning district and is not within the Off-Premise Exclusionary Zone. The site inspection revealed that the sign and support structure were in good condition. The subject billboard lacks a final inspection. A condition of approval has been added, which requires that the applicant obtain proper building permits.

FINDINGS

There is no adverse impact regarding the continued use of the sign at this time, but the subject billboard lacks a final inspection; therefore, staff is recommending denial subject to a three year review, if approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED

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APPROVALS

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PROTESTS

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