

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 22, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-35793 - 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-4812).
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 be 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 3542 Sirius 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 approval of a final building inspection. 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-4812), 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>	
10/06/04	The City Council approved a Special Use Permit (SUP-4812), which allowed a 40-foot tall, 12-foot x 24-foot Off-Premise Sign. Planning Commission and staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
07/27/05	A building permit (#5005270) was approved by the Planning & Development Department for an Off-Premise Sign. The permit was issued by the Building & Safety Department on 08/02/05; however a final inspection never occurred; as a result, the permit expired on 02/04/06.
<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>	
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	2.09

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Warehouse	LI/R (Light Industry/Research)	M (Industrial)
North	Mini-Warehouse	LI/R (Light Industry/Research)	M (Industrial)
South	Office, Warehouse	LI/R (Light Industry/Research)	M (Industrial)
East	Office, Storage	LI/R (Light Industry/Research)	M (Industrial)
West	Office, Storage	LI/R (Light Industry/Research)	M (Industrial)

<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	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

<i>Standards</i>	<i>Code Requirement</i>	<i>Provided</i>	<i>Compliance</i>
Location	No Off-Premise Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	Not located within the public right-of-way or the Exclusionary Zone.	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.	Located within a M (Industrial) zoning district.	Y

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Area	No Off-Premise Sign 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.	288 SF with no embellishment	Y
Height	No higher than 40 feet from grade at the point of construction	40 Feet	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view	Screened	Y
Distance Separation	At least 750 feet to another Off-Premise Sign and at least 300 feet to the nearest property line of a lot in any R zoned district	850 Feet to nearest Off-Premise Sign and 1,250 Feet to nearest residentially zoned property	Y
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.	Permanently secured to ground. No residential uses on the site.	Y

ANALYSIS

This is the first Required Review of an approved Special Use Permit (SUP-4812) for a 40-foot tall, 12-foot by 24-foot Off-Premise Sign at 3542 Sirius Avenue. The Off-Premise Sign was constructed in 2005. The sign is located in an M (Industrial) zoning district and is not within the Off-Premise Exclusionary zone. During a field check of the site, staff found the sign and supporting structure in good condition. The Off-Premise Sign was issued a permit by the Building & Safety Department on 08/02/05; however, a final inspection never occurred. As a result, the permit expired on 02/04/06. A condition of approval has been added to require that the applicant obtain all required building permits and approval of a final inspection within 30 days of final action.

FINDINGS

Staff finds that 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.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 69

APPROVALS 0

PROTESTS 0