



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 26, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER:
REISBORD PAUL AND HAYA TRUST**

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
RQR-38940	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

RQR-38940 CONDITIONS

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years, at which time the City Council may require the off-premise sign 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 be removed.
2. 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.
3. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
4. If the existing Off-Premise Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Sign structure 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 of the Las Vegas Municipal Code 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.

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5.All City Code requirements and design standards of all City Departments shall be satisfied.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Required Five Year Review of an approved Special Use Permit (U-0135-95) which allowed a 14-foot by 48-foot Off-Premise Sign at 1701 South Decatur Boulevard. This is a commercial property with two retail stores located in one structure. The Off-Premise Sign is located on the south side of the site and extends over the roof of the structure. The proposal meets all Title 19 requirements and therefore staff recommends approval with conditions. If denied, the Off-Premise Sign must be removed from the premise.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/20/95	The City Council approved a Special Use Permit (U-0135-95) to allow a 14-foot by 48-foot Off-Premise Sign at 1701 South Decatur Boulevard, subject to a five-year review. The Board of Zoning Adjustment recommended approval.
03/07/01	The City Council approved a Required Five-Year Review [U-0135-95(1)] to allow a 14-foot by 48-foot Off-Premise Sign at 1701 South Decatur Boulevard, subject to a two-year review. The Planning Commission and staff recommended approval.
05/07/03	The City Council approved a Required Two-Year Review (RQR-1791) to allow a 14-foot by 48-foot Off-Premise Sign at 1701 South Decatur Boulevard, subject to a two-year review. The Planning Commission and staff recommended approval.
08/03/05	The City Council approved a Required Two-Year Review (RQR-6149) to allow a 14-foot by 48-foot Off-Premise Sign at 1701 South Decatur Boulevard, subject to a five-year review. Staff recommended approval.

<i>Most Recent Change of Ownership</i>	
12/23/05	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
01/23/96	A sign permit (96001482) was issued for installation of an Off-Premise Sign with a final inspection date of 02/27/96.

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Pre-Application Meeting

A pre-application meeting is not required for this type of application.

Neighborhood Meeting

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

Field Check

07/22/10	Staff conducted a field check of the subject site. The Off-Premise Sign and property were found to be in good condition.
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Details of Application Request

Site Area

Net Acres	.51
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<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	General Retail Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Swap Meet	SC (Service Commercial)	C-1 (Limited Commercial)
East	Swap Meet	SC (Service Commercial)	C-1 (Limited Commercial)
West	General Retail Store	SC (Service Commercial)	C-1 (Limited Commercial)

<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 200-Foot	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

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ANALYSIS

The existing Off-Premise Sign is allowed in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit (U-0135-95).

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

<i>Standards</i>	<i>Code Requirement</i>	<i>Provided</i>
Off-Premise Sign	At least 300 feet from another Off-Premise Sign	YES The closest Off-Premise Sign is 380 feet to the northwest.
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	YES 370 feet from "R" zoned properties

The sign meets the minimum 300 foot distance separation requirement from another Off-Premise Sign and "R" zoned properties.

Title 19.14.100 allows the removal of an Off-Premise Sign if conditions in the surrounding area have changed such that the Off-Premise Sign no longer meets the standards of the Code. The continued use of the Off-Premise Sign on the subject site is appropriate, in that the vicinity has not changed substantially in the past five years and the continuation of the billboard use will be appropriate. Since the area has not changed substantially in the past five years and it does not appear the area will be changing, it is recommended that this Off-Premise Sign be subject to a review in five years.

On July 22, 2010 a site inspection was conducted and photos were taken. The inspection revealed the sign is maintained and in good condition. The conditions of approval have been met.

FINDINGS (RQR-38940)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

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Title 19.14.100 of the Las Vegas Municipal Code allows the removal of an Off-Premise Sign if conditions in the surrounding area have changed such that the Off-Premise Sign no longer meets the Code standards. The continued use of the Off-Premise Sign on the subject site is appropriate, in that the vicinity has not changed substantially in the past two years and the continuation of the billboard use will be appropriate for the next five years.

2.The subject site is physically suitable for the type and intensity of land use proposed.

There are no physical constraints to the continuation of the Off-Premise Sign use on this site.

3.Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.

The continuation of the Off-Premise Sign use will not generate any traffic effect to Decatur Boulevard and Oakey Boulevard, two fully developed streets adjacent to this request.

4.Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

The Off-Premise Sign will be subject to regular City inspections and will not compromise the public health, safety and welfare.

NOTICES MAILED 289

APPROVALS 0

PROTESTS 1