



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MAY 10, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: OASIS LAS VEGAS, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>
SUP-41200	Staff recommends DENIAL, if approved subject to conditions:

** CONDITIONS **

SUP-41200 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
3. This Special Use Permit shall be reviewed in three years, 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. 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 Sign.

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6. Only one advertising sign is permitted per sign face.
7. 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.
8. Bird deterrent devices shall be installed on the sign.
9. 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 applicant is requesting to reestablish an Off-Premise Sign which was removed on 02/16/11. In order to reestablish the Off-Premise Sign a new Special Use Permit is required. The subject Off-Premise Sign is proposed to be constructed 50 feet from an entitled Off-Premise Sign (120 North Jones Boulevard) and approximately 260 feet from a property line of a lot which is zoned R-1 (parcel number 138-26-815-007). The minimum spacing requirements cannot be varied per Title 19.18.070.B.1. As such the requested Special Use Permit for an Off-Premise Sign cannot be approved.

ISSUES

- Per Title 19.14.C.5 and 19.14.C.11 no Off-Premise Signs may be closer than 750 Feet from the nearest Off- Premise sign readable from Oran K. Gragson Highway and no Off-Premise Sign shall be allowed within 300 feet from the nearest property line of a lot in the “U” zoning district or any “R” zoning district. The subject Off-Premise Sign cannot be established at the proposed location.
- The minimum spacing requirements cannot be varied per Title 19.18.070.B.1. As such the requested Special Use Permit for an Off-Premise Sign cannot be approved.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
01/22/97	The City Council approved a Special Use Permit (U-0107-96) for a 50-foot tall, 14-foot by 48-foot (672 square feet each side) Off-Premise Sign at 110 North Jones Boulevard, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval.
02/20/02	The City Council approved a Required Two-Year Review [U-0107-96(1)] of an approved Special Use Permit (U-0107-96), which allowed an Off-Premise Sign at 110 North Jones Boulevard. The Planning Commission and staff recommended approval.
07/07/04	The City Council approved a Required Two-Year Review (RQR-3686) of an approved Special Use Permit (U-0107-96), which allowed an Off-Premise Sign at 110 North Jones Boulevard. The Planning Commission and staff recommended approval.

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09/06/06	The City Council approved a Required Two-Year Review (RQR-13987) of an approved Special Use Permit (U-0107-96), which allowed an Off-Premise Sign at 110 North Jones Boulevard. The Planning Commission and staff recommended approval.
10/01/08	The City Council approved a Required Two-Year Review (RQR-28940) of an Approved Special Use Permit (U-0107-96), which allowed an Off-Premise Sign at 110 North Jones Boulevard. The Planning Commission and staff recommended approval.
02/16/11	Demolition permit #181582 issued for Off-Premise Sign located at 110 North Jones Boulevard. Permit received final inspection on 02/24/11.
03/01/11	Building Permit #182465 Denied by the Planning Department for an Off-Premise sign.

Most Recent Change of Ownership

08/25/06	A deed was recorded for a change in ownership to Oasis Las Vegas LLC.
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Pre-Application Meeting

03/15/11	A Pre-application meeting was held with the owner of the property, the sign company and a representative of the owner. All present were informed of the distance separation requirements for an Off-Premise Sign from a Parcel Zoned "R" residential.
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Neighborhood Meeting

	A meeting was not held nor was one required.
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Field Check

03/31/11	The site is a paved parcel.
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Details of Application Request

Site Area

Net Acres	0.19
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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	Vacant parcel	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	ROW (Right of Way)	None	None
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Residential	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>
Master Plan Area		X
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>
Special Purpose and Overlay Districts	X	
Airport Overlay District (max height 175 feet)	X	
Trails		X
Rural Preservation Overlay District		X
Las Vegas Redevelopment Plan Area		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

DEVELOPMENT STANDARDS

<i>Off-Premise Sign</i>		
<i>Standards</i>	<i>Allowed</i>	<i>Provided</i>
Maximum Area	672 SF.	672 SF.
Maximum Height	55 Feet	50 Feet
Minimum Setback	10 Feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present rights-of way of any two public roads, streets or highways.	30 feet from right-of-way and 135 feet from the intersection of Jones and US-95 west bound off ramp
Distance from nearest property line of a lot in the "U" zoning district or any "R" zoning district	300 Feet	Approximately 260 Feet

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Distance from nearest Off -Premise sign readable from Oran K. Gragson Highway	750 Feet	50 Feet (Sign approved at 120 North Jones Boulevard SUP- 39432- Building Permit #84961)
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ANALYSIS

Per title 19.14.100.A Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. A Special Use Permit is required.

The subject Off-Premise Sign is proposed to be constructed 50 feet from an entitled Off-Premise Sign (120 North Jones Boulevard) and approximately 260 feet from a property line of a lot which is zoned R-1 (Assessor's parcel number 138-26-815-007). Per Title 19.14.C.5 and 19.14.C.11, no Off-Premise Signs may be closer than 750 Feet from the nearest Off-Premise sign readable from Oran K. Gragson Highway and no Off-Premise Sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district. The subject Off-Premise Sign cannot be established at the proposed location.

The minimum spacing requirements cannot be varied per Title 19.18.070.B.1. As such the requested Special Use Permit for an Off-Premise Sign cannot be approved.

FINDINGS (SUP-41200)

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.

The proposed Off-Premise Sign fails to meet the distance separation requirements of Title 19.14.100.C.5 and Title 19.14.100.11. As such the use is not harmonious nor is it compatible with existing surrounding land uses.

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

The subject site is not suitable for the intensity of land use as the proposed Off-Premise Sign fails to meet the distance separation requirements of Title 19.14.100.C.5 and Title 19.14.100.11.

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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 site has internal access through an adjacent existing shopping center which is served by Jones Boulevard, a 100 foot right of way. Access is adequate for the proposed use.

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.

Title 19.14.100.C.5 requires Off-Premise Signs along Oran K. Gragson Highway to be located 750 feet from another Off-Premise Signs. The Proposed sign is 50 feet from an approved Off-Premise Sign. In addition Title 19.14.100.11 requires that no off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the “U” zoning district or any “R” zoning district. The proposed sign is located 271 feet from an “R” zoning district. As such an approval of the proposed Off-Premise Sign would not be a consistent application of the City’s Sign Code and would fail to meet Policy 2.4.8 of the Las Vegas 2020 Master plan. Policy 2.4.8 requires the City improve the quality and appearance of signage through consistent application of its Sign Code.

5. The use meets all of the applicable conditions per Title 19.04.

The proposed Off-Premise Sign fails to meet the separation requirements from another Off-Premise Sign and the separation requirements from a property in the “R” zoning district. As such the proposed Off-Premise Sign does not meet the minimum Special Use requirements of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED

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APPROVALS

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PROTESTS

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