



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 13, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: WILLOCK INVESTMENTS, INC.

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
RQR-43801	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

RQR-43801 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Special Use Permit (U-0176-90).
2. This Special Use Permit shall be reviewed in three (3) 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 is removed.
3. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
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

This request is in response to a three-year Required Review of an approved Special Use Permit (U-0176-90) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 575 North Pecos Road. This is the second review of the Special Use Permit for this Off-Premise Sign since it was constructed in 1990. The Off-Premise Sign meets all provisions of Title 19 except for the distance separation requirement from a residentially zoned parcel. Conditions in the area have not changed significantly since the previous approval; therefore, staff recommends approval with conditions. If denied, the Off-Premise Sign would have to be removed.

ISSUE

- The Off-Premise Sign was issued a building permit under the address of 575 North Pecos Road in 1990. Since then, the parcel has been subdivided with numerous addresses assigned. Although the Off-Premise Sign has not moved, the address of the parcel where it is located has changed several times. The addresses that have been used for this Off-Premise Sign include 3551 and 3591 East Bonanza Road as well as 575 North Pecos Road. The address that is legally associated with this Off-Premise Sign is 575 North Pecos Road.
- The existing Off-Premise Sign is legally nonconforming for the minimum 300-foot distance separation from a residentially zoned property.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
11/02/77	The Board of City Commissioners approved a request for Rezoning (Z-0080-77) from R-3 (Medium Density Residential) and R-E (Residence Estates) to R-1 (Single Family Residential) and C-1 (Limited Commercial) of property generally located on the south side of Bonanza Road, between Pecos Road and the Park Bonanza East Townhouses. The Planning Commission recommended approval on 10/13/77.
10/17/90	The City Council approved a request for a Special Use Permit (U-0176-90) to allow one 14-foot by 48-foot Off-Premise Sign; and one 12-foot by 24-foot Off-Premise Sign on property located on the south side of Bonanza Road approximately 600 feet east of Pecos Road, and on the east side of Pecos Road approximately 450 feet south of Bonanza Road. The Board of Zoning Adjustment denied the request on 09/27/90.

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01/03/96	The City Council denied a request for a Required Review [U-0176-90(1)] of an approved Special Use Permit (U-0176-90) for a 12-foot by 24-foot Off-Premise Sign on the east side of Pecos Road, approximately 165 feet south of Bonanza Road; while approving the Required Review for a 14-foot by 48-foot Off-Premise Sign on the south side of Bonanza Road, approximately 255 feet east of Pecos Road. The Board of Zoning Adjustment denied the request on 10/24/95.
03/02/05	The City Council approved a request to amend a portion of the Southeast Sector Plan of the General Plan (GPA-5082) from L (Low Density Residential) to SC (Service Commercial) on 1.58 acres and to MLA (Medium Low Attached Density Residential) on 4.4 acres south of Bonanza Road and east of Pecos Road. The Planning Commission recommended approval on 10/07/04.
04/15/09	The City Council approved a request for a Required Review (RQR-32902) of an approved Special Use Permit (U-0176-90) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 3551 East Bonanza Road. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
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07/03/06	A deed was recorded for a change in ownership.
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<i>Related Building Permits/Business Licenses</i>	
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10/25/90	A building permit (90086985) was issued for two (2) billboard signs, one on Bonanza Road, and one on Pecos Road. The permit has an address of 575 North Pecos Road. The permit was finalized for both signs on 02/13/91.
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<i>Pre-Application Meeting</i>	
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No pre-application meeting was required for this application, nor was one held.	
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<i>Neighborhood Meeting</i>	
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No neighborhood meeting was required, nor was one held.	
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<i>Field Check</i>	
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11/10/11	Staff visited the site and found a well maintained property with one Off-Premise Sign. The Off-Premise Sign was clean and free of graffiti. However, there was a considerable amount of bird waste beneath the sign.
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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.14

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Offices	SC (Service Commercial)	C-1 (Limited Commercial)
North	Retail Establishment with Fuel Pumps	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family Residences	MLA (Medium Low Attached Density Residential)	R-PD9 (Residential Planned Development- 9 Units per Acre)
East	Restaurant	L (Low Density Residential)	C-1 (Limited Commercial)
West	Retail Establishment and Offices	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		X	
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

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.	The Off-Premise Sign is not in the right-of-way.	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	The Off-Premise Sign is in the C-1 (Limited Commercial) zoning district.	Y

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<i>Standards</i>	<i>Code Requirement</i>	<i>Provided</i>	<i>Compliance</i>
Area	No Off-Premise Signs shall have a surface area greater than 672 square feet.	The Off-Premise Sign is 672 square feet in size.	Y
Height	No higher than 40 feet from grade at the point of construction; may be raised to 55 feet with City Council approval.	The Off-Premise Sign is 40 feet tall.	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	The nearest "R" zoned district is 250 feet to the south.	N
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.	The Off-Premise Sign is secured to the ground on a non-residential property.	Y

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Bonanza Road	Primary Arterial	Master Plan of Streets and Highways	100	Y

ANALYSIS

This is the second required review since the initial approval of Special Use Permit (U-0176-90) for an Off-Premise Sign at 575 North Pecos Road. There have been no significant changes in the surrounding land use since the previous review. The Off-Premise Sign is 250 foot away from a residentially zoned parcel which does not meet the 300 foot distance separation requirement. The residential neighborhood was developed after the Off-Premise Sign was installed; therefore, it is considered a legal nonconforming use.

This sign is located within a C-1 (Limited Commercial) zoning district and is not located within the Off-Premise Sign Exclusionary Zone. A condition has been added to require a bird deterrent device to address the waste issue under the sign. A research of the building permit activity found that the Off-Premise Sign was constructed under sign permit #90086985 and received a final inspection on 02/13/91. Upon a site inspection on 11/10/11, staff found the subject sign was in good condition with no graffiti and proper structural screening in place.

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FINDINGS (RQR-43801)

There is no adverse impact regarding the continued use of this sign at this time, as there have been no significant changes in development or land use in the surrounding area since the installation of the sign. Therefore, staff recommends approval, subject to a three-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 34

NOTICES MAILED 253

APPROVALS 0

PROTESTS 0