



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: AUGUST 1, 2012

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER:
TLC PROPERTIES, INC.

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
RQR-45113	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

RQR-45113 CONDITIONS

Planning

1. Conformance to the applicable Conditions of Approval for Special Use Permit (U-0033-88) shall be required.
2. This Special Use Permit shall be reviewed in five (5) 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.
3. 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.
4. If the existing Off-Premise Sign is voluntarily demolished, this Special Use Permit (U-0033-88) 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.
5. 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 is a Required Review of an approved Special Use Permit (U-0033-88) for an existing 60-foot tall, 14-foot by 48-foot Off-Premise Sign at 650 East Bonanza Road. This is the third review of the existing off-premise sign since its construction in 1988. The sign is nonconforming with respect to separation distance from residentially zoned properties. However, conditions in the area have not changed in such a way as to warrant removal of the signs. Staff therefore recommends approval. If denied, the existing Off-Premise Sign must be removed.

ISSUES

- The sign is legally nonconforming, as Ordinance 3884, adopted on 04/19/95, required Off-Premise Signs to have a minimum distance separation of 300 feet from property zoned for residential use.
- The existing sign is allowed to be 60 feet tall and 30 feet above the elevated portion of U.S. 95 per Title 19.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
04/20/88	The City Council approved a request for a Special Use Permit (U-0033-88) for a 60-foot tall, 14-foot by 48-foot Off-Premise Sign at the southwest corner of Bonanza Road and 7th Street. The Board of Zoning Adjustment and staff recommended approval.
05/19/93	The City Council approved a Required Review [U-0033-88(1)] of a previously approved Special Use Permit (U-0033-88) for a 60-foot tall, 14-foot by 48-foot Off-Premise Sign at 650 East Bonanza Road. The Board of Zoning Adjustment and staff recommended approval.
09/18/02	The City Council approved a request for a Rezoning (Z-0045-02) from R-4 (High Density Residential) to C-2 (General Commercial) on approximately 0.81 acres adjacent to the southwest corner of Bonanza Road and 7th Street. The Planning Commission and staff recommended approval. The approval was amended to C-1 (Limited Commercial). The Resolution of Intent expired on 09/18/04.
04/15/09	The City Council approved a Required Review (RQR-32716) of a previously approved Special Use Permit (U-0033-88) for a 60-foot tall, 14-foot by 48-foot Off-Premise Sign at 650 East Bonanza Road. The Planning Commission and staff recommended approval.

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<i>Most Recent Change of Ownership</i>	
02/07/07	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
05/16/88	A building permit was issued for an off-premise sign at 650 East Bonanza Road. A final inspection was not completed.
03/03/09	A final-only permit (134645) was issued for an existing off-premise sign at 650 East Bonanza Road that was constructed in 1988. A final inspection was approved 03/09/09.

<i>Pre-Application Meeting</i>	
A pre-application meeting was not required for this application, nor was one held.	

<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Field Check</i>	
05/03/12	A field inspection was conducted at the subject site. The off-premise sign is in good condition and does not contain any bird nuisance, illumination, embellishments or moving parts. The property is otherwise undeveloped.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.21

<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	Off-Premise Sign	MXU (Mixed Use)	C-2 (General Commercial)
North	Apartments	MXU (Mixed Use)	C-2 (General Commercial)
South	Undeveloped	MXU (Mixed Use)	R-4 (High Density Residential)
East	Undeveloped	MXU (Mixed Use)	R-4 (High Density Residential)
West	Apartments	MXU (Mixed Use)	C-2 (General Commercial)

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<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Downtown North Plan	X		Y
<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 Feet)	X		Y
Trails (Pedestrian Path)	X		Y
Rural Preservation Overlay District			N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.12.120, the following standards apply:

<i>Standards</i>	<i>Code Requirement</i>	<i>Provided</i>	<i>Compliance</i>
Location	No Off-Premise Sign may be located within the public ROW. May not be located within the Off-Premise Sign Exclusionary Zone, except in exempted areas.	Sign is not in ROW or exclusionary zone	Y
Zoning	Permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only	Site is zoned C-2	Y
Area	Maximum surface area of 672 SF, except that an embellishment of up to 128 SF is allowed to extend up to 5 feet from the rectangular surface of the sign	672 SF with no embellishments	Y
Height	No higher than 40 feet from grade at the point of construction or 30 feet above the height of an elevated freeway, if located within 150 feet of the freeway	60 feet tall, 30 feet above U.S. 95	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	Sign is 145 feet from the right-of-way line of the intersection of Decatur Blvd. and Madre Mesa Dr.	Y

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Off-Premise Sign Separation	At least 300 feet to the nearest off-premise sign	The nearest off-premise sign is approx. 1,800 feet from the subject sign and 2,260 feet from the nearest off-premise sign along the north side of U.S. 95.	Y
	At least 300 feet to the nearest property line of a lot in any "R" zoned district	50 feet to property zoned R-4	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.	Detached and permanently secured to ground on undeveloped property	Y

ANALYSIS

This is the third review of the Special Use Permit for this Off-Premise Sign. The sign was approved at a height of 60 feet pursuant to Title 19.12.120(C), which allows signs located within 150 feet of the right-of-way line of an elevated freeway (in this case U.S. 95) to be erected 30 feet above the elevated roadway surface nearest the sign. The sign is located on commercial property approximately 50 feet (as measured from the point on the ground directly beneath the sign structure) from property zoned R-4 (High Density Residential). The distance separation requirement from residentially zoned properties was adopted by ordinance after this off-premise sign was approved; the sign is therefore legally nonconforming. The sign otherwise meets all Title 19 requirements for this use. There has not been any development activity on the surrounding parcels during this most recent review period.

The sign is located on property designated as part of the Downtown North Plan. No significant land use changes on surrounding parcels are anticipated by the Plan, nor does the Plan specifically address development in the area that would affect the appropriateness of the off-premise sign at this location. The sign is well maintained and does not contribute to blight within the Redevelopment Area.

FINDINGS (RQR-45113)

Conditions surrounding the location have not changed since the Off-Premise Sign was approved, and continued use of the sign will not negatively affect the surrounding adjacent uses.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 156 (By Planning)

APPROVALS 0

PROTESTS 0