



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: NOVEMBER 20, 2013

DEPARTMENT: PLANNING

**ITEM DESCRIPTION: APPLICANT/OWNER: STATE OF NEVADA
TRANSPORTATION**

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
RQR-50940	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

RQR-50940 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Special Use Permit (U-0121-99).
2. This Special Use Permit shall be reviewed in three (3) 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 is removed.
3. 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.
4. 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.
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 application is in response to a required five-year review of an approved Special Use Permit (U-0121-99) which allowed an 80-foot tall, 14-foot by 48-foot Off-Premise Sign at 1197 Western Avenue. Research of building permit activity found that permit (00002801) was issued on 02/18/00 for the installation of an Off-Premise Sign at 1197 Western Avenue; the permit was finalized on 09/20/00. The Off-Premise Sign is in compliance with code requirements and the sign remains compatible with adjacent land uses. Therefore, staff is recommending approval with conditions. If denied the Off-Premise Sign would have to be removed.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
01/19/00	The City Council approved a request for a Special Use Permit (U-0121-99) for a proposed relocated 14-foot by 48-foot Off-Premise Sign located on the southeast corner of Wall Street and Western Avenue. The Planning Commission and staff recommended approval.
01/18/06	The City Council approved a request for a General Plan Amendment (GPA-8892) to amend a portion of the Southeast Sector Plan of the General Plan from LI/R (Light Industry/Research) to GC (General Commercial) on 7.84 acres adjacent to the southeast corner of Wall Street and Western Avenue. The Planning Commission recommended denial on 12/01/05.
	The City Council approved a related request for Rezoning (ZON-8893) from M (Industrial) to C-2 (General Commercial) under Resolution of Intent on 7.84 acres adjacent to the southeast corner of Wall Street and Western Avenue. The Planning Commission recommended approval.
	The City Council approved a related request for a Special Use Permit (SUP-8895) for a 950-foot tall building in the Airport Overlay Zone adjacent to the southeast corner of Wall Street and Western Avenue.
	The City Council approved a related request for a Special Use Permit (SUP-8897) for a proposed Mixed-Use development on adjacent to the southeast corner of Wall Street and Western Avenue.
	The City Council approved a related request for a Petition to Vacate (VAC-8898) Wall Street east of Western Avenue and a portion of the alley located east of Western Avenue and north of Wall Street.
	The City Council approved a related request for a Site Development Plan Review (SDR-8894) for a proposed 950-foot, 73-story mixed use development containing 182,000 square feet of commercial space and 3,020 residential units with a Waiver to allow a 70 percent lot coverage where 50 percent lot coverage is the maximum allowed on 7.84 acres adjacent to the southeast corner of Wall Street and Western Avenue.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/17/06	The City Council approved a request to change the Future Land Use Designation (GPA-9219) to Commercial, Mixed Use, Industrial, or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission recommended approval on 04/13/06.
02/06/07	The Department of Planning approved a request for an Administrative Extension of Time (EOT-19295) of a previously approved Petition to Vacate (VAC-8898) Wall Street east of Western Avenue and a portion of the alley located east of Western Avenue and north of Wall Street.
03/05/08	The City Council approved a request for an Extension of Time (EOT-26479) of a previously approved Rezoning (ZON-8893) from M (Industrial) to C-2 (General Commercial) under Resolution of Intent on 7.84 acres adjacent to the southeast corner of Wall Street and Western Avenue
	The City Council approved a related request for an Extension of Time (EOT-26482) of a previously approved Special Use Permit (SUP-8895) for a 950-foot tall building in the Airport Overlay Zone adjacent to the southeast corner of Wall Street and Western Avenue.
	The City Council approved a related request for an Extension of Time (EOT-26483) of a previously approved Special Use Permit (SUP-8897) for a proposed Mixed-Use development adjacent to the southeast corner of Wall Street and Western Avenue.
	The City Council approved a related request for an Extension of Time (EOT-26481) of a previously approved Site Development Plan Review (SDR-8894) for a proposed 950-foot, 73-story mixed use development containing 182,000 square feet of commercial space and 3,020 residential units with a Waiver to allow a 70 percent lot coverage where 50 percent lot coverage is the maximum allowed adjacent to the southeast corner of Wall Street and Western Avenue.
10/20/08	A code enforcement case (70763) was processed for graffiti on a sign at 319 Wall Street. The case was resolved on 10/27/08.
11/19/08	The City Council approved a request for a Required Review (RQR-29609) on an approved Special Use Permit (U-0121-99) for an 80-foot tall, 14-foot by 48-foot Off-Premise Sign at 1197 Western Avenue.
01/16/09	The Department of Planning approved a request for an Administrative Extension of Time (EOT-26458) of a previously approved Petition to Vacate (VAC-8898) Wall Street east of Western Avenue and a portion of the alley located east of Western Avenue and north of Wall Street.
03/20/09	A code enforcement case (75883) was processed for tall weeds on property located at 319 Wall Street. The case was resolved on 04/07/09.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
04/27/10	A code enforcement case (89880) was processed for tall weeds, trash, graffiti and transient encampments at 319 Wall Street. The case was resolved on 05/14/10.
03/03/10	The City Council approved a request for an Extension of Time (EOT-37202) of a previously approved Special Use Permit (SUP-8897) for a proposed Mixed-Use development adjacent to the southeast corner of Wall Street and Western Avenue.
03/03/10	The City Council approved a request for an Extension of Time (EOT-37203) of a previously approved Rezoning (ZON-8893) from M (Industrial) to C-2 (General Commercial) under Resolution of Intent on 7.84 acres adjacent to the southeast corner of Wall Street and Western Avenue
03/03/10	The City Council approved a related request for an Extension of Time (EOT-37204) of a previously approved Site Development Plan Review (SDR-8894) for a proposed 950-foot, 73-story mixed use development containing 182,000 square feet of commercial space and 3,020 residential units with a Waiver to allow a 70 percent lot coverage where 50 percent lot coverage is the maximum allowed adjacent to the southeast corner of Wall Street and Western Avenue.

<i>Most Recent Change of Ownership</i>	
02/01/12	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
02/18/00	A building permit (00002801) was issued for the subject sign at 1197 Western Avenue. The permit was finalized on 09/20/00.
03/02/00	A building permit (00003736) was issued for electrical service to an Off-Premise Sign at 1197 Western Avenue. The permit was finalized on 03/17/00.

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

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

<i>Field Check</i>	
10/29/13	Staff conducted a field check of the subject site and found the sign faces and supporting structures were in good condition, with mismatched paint on the pole to cover graffiti.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.28

<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	Undeveloped with an Off-Premise Sign	MXU (Mixed-Use)	M (Industrial)
North	Undeveloped	MXU (Mixed-Use)	M (Industrial)
<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>
South	Undeveloped	MXU (Mixed-Use)	M (Industrial)
East	Undeveloped	MXU (Mixed-Use)	M (Industrial)
West	R.O.W. (I-15)	R.O.W. (I-15)	R.O.W. (I-15)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Downtown Centennial Plan (Industrial Corridor District)	X		Y
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		Y
A-O (Airport Overlay) District (200 feet)	X		Y
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	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

Standards	Code Requirements	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	The sign is not in public right-of-way, nor is it in the Off-Premise Exclusionary Sign Zone.	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is in an M (Industrial) zoning district.	Y

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Standards	Code Requirements	Provided	Compliance
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.	The sign is 672 square feet and has no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	The sign is 80 feet tall.	N*
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	All structural elements of the sign are screened from public view.	Y
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	The sign is more than 300 feet from another Off-Premise Sign (not along US-95).	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is more than 300 feet from any property line zoned either "R" or "U."	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.	Sign is permanently attached to the ground and is located on property zoned M (Industrial).	Y

*The subject Off-Premise Sign was approved by City Council to a height of 80-foot tall.

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ANALYSIS

This is the second Required Review of a Special Use Permit (U-0121-99) which allowed an 80-foot tall, 14-foot by 48-foot Off-Premise Sign at 1197 Western Avenue. During a field check of the subject site, staff found the sign faces and supporting structures were in good condition, with mismatched paint on the pole to cover graffiti. A final inspection on the Off-Premise Sign was completed on 09/20/00. Staff is recommending approval of this review, with conditions.

FINDINGS

This is a Required Review of an Off-Premise Sign that was constructed in 2000. The sign is located in an M (Industrial) zoning district and is not within the Off-Premise Sign Exclusionary Zone. Staff recommends approval of this review, subject to a Required Review in three-years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

29

NOTICES MAILED

59

APPROVALS

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PROTESTS

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