



## AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JUNE 3, 2015

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: ROBERT R. BLACK SR. - OWNER: SCHMONIES, LLC AND BAM HOLDINGS, LLC

### \*\* STAFF RECOMMENDATION(S) \*\*

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
RQR-57974	Staff recommends APPROVAL, subject to conditions:	N/A

### \*\* CONDITIONS \*\*

## RQR-57974 CONDITIONS

### Planning

1. Conformance to the Conditions of Approval for Special Use Permit (U-0074-95).
2. The applicant shall submit the proper applications for review and approval of the unpermitted Embellishment to the Department of Planning or be removed within 10 days of final approval.
3. 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 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.If the existing Off-Premise Sign is voluntarily demolished, this Special Use Permit (U-0074-95) 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.

7.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 Review of a previously approved Special Use Permit (U-0074-95) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 7200 West Lake Mead Boulevard. Research of building permit activity found that a permit (96012664) was issued on 06/21/96 for the installation of a 40-foot tall, 14-foot by 24-foot Off-Premise Sign at 7200 West Lake Mead Boulevard; the permit was finalized on 11/13/96. There have not been any significant changes in development or land use in the surrounding area; therefore, staff finds no adverse impact regarding the continued use of the Off-Premise Sign and is recommending approval of this request, subject to a three-year review.

**ISSUES**

- The subject Off-Premise Sign has an unpermitted Embellishment.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</i>	
11/21/84	The City Council approved a Rezoning (Z-0074-84) of properties generally located west of Lorenzi Boulevard, south of Smoke Ranch Road, north of Washington Avenue, and east of Buffalo Drive from N-U (Non-Urban) to C-1 (Limited Commercial), R-CL (Single Family Compact-Lot) and R-3 (Medium Density Residential). The Planning Commission and staff recommended approval.
04/02/86	The City Council approved a Plot Plan Review (Z-0074-84) for a proposed apartment project on property generally located on the north side of Vegas Drive between Rock Springs Drive and the Oran K. Gragson Highway. The Planning Commission and staff recommended approval.
04/01/87	The City Council approved a Plot Plan and Architectural Review [Z-0074-84(5)] of apartments proposed at the northeast corner of Rock Springs Drive and Vegas Drive. The Planning Commission and staff recommended approval.
08/02/88	The Board of Zoning Adjustment approved a Special Use Permit (U-0088-88) for Gasoline Sales in conjunction with a Convenience Store at the northwest corner of Lake Mead Boulevard and Rock Springs Road. The Department of Planning staff recommended approval.

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<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</i>	
09/28/89	The Board of Zoning Adjustment approved a Reinstatement and Extension of Time [U-0088-88(1)] of an approved Special Use Permit (U-0088-88) for Gasoline Sales in conjunction with a Convenience Store at the northwest corner of Lake Mead Boulevard and Rock Springs Road. The Department of Planning staff recommended approval.
07/26/90	The Board of Zoning Adjustment approved an Extension of Time [U-0088-88(2)] of an approved Special Use Permit (U-0088-88) for Gasoline Sales in conjunction with a Convenience Store at the northwest corner of Lake Mead Boulevard and Rock Springs Road. The Department of Planning staff recommended approval.
07/25/91	The Board of Zoning Adjustment approved an Extension of Time [U-0088-88(3)] of an approved Special Use Permit (U-0088-88) for Gasoline Sales in conjunction with a Convenience Store at the northwest corner of Lake Mead Boulevard and Rock Springs Road. The Department of Planning staff recommended approval.
07/28/92	The Board of Zoning Adjustment approved an Extension of Time [U-0088-88(4)] of an approved Special Use Permit (U-0088-88) for Gasoline Sales in conjunction with a Convenience Store at the northwest corner of Lake Mead Boulevard and Rock Springs Road. The Department of Planning staff recommended approval.
08/24/93	The Board of Zoning Adjustment approved an Extension of Time [U-0088-88(5)] of an approved Special Use Permit (U-0088-88) for Gasoline Sales in conjunction with a Convenience Store at the northwest corner of Lake Mead Boulevard and Rock Springs Road. The Department of Planning staff recommended approval.
09/28/93	The Board of Zoning Adjustment approved a Plot Plan and Elevation Review [U-0088-88(6)] for a proposed Convenience Store at the northwest corner of Lake Mead Boulevard and Rock Springs Road. The Department of Planning staff recommended approval.
06/05/96	The City Council approved a Special Use Permit (U-0074-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at the northwest corner of Lake Mead Boulevard and Rock Springs Road. The Board of Zoning Adjustment and staff recommended approval.
03/20/07	A code enforcement case (51448) was processed illegal signage on the sidewalk and grass at 7200 West Lake Mead Boulevard. The case was resolved on 03/23/07.
05/06/09	The City Council approved a Required Review (RQR-33332) of an approved Special Use Permit (U-0074-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 7200 West Lake Mead Boulevard. The Planning Commission recommended approval and staff recommended denial.
07/08/12	The City Council approved a Required Review (RQR-45300) of an approved Special Use Permit (U-0074-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 7200 West Lake Mead Boulevard. The Department of Planning staff recommended approval.

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<b><i>Most Recent Change of Ownership</i></b>	
08/21/06	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
c.1990	The building at 7200 West Lake Mead Boulevard was constructed.
10/23/90	A business license (L16-00158) was issued for a Tavern at 7200 West Lake Mead Boulevard. The License is currently active.
	A business license (C08-01369) was issued for Coin Amusement Machines at 7200 West Lake Mead Boulevard. The License is currently active.
	A business license (G07-00001) was issued for Gaming Non-Restricted Limited at 7200 West Lake Mead Boulevard. The License is currently active.
	A business license (R09-00344) was issued for a Restaurant at 7200 West Lake Mead Boulevard. A business license (R09-00344) was issued for a Restaurant at 7200 West Lake Mead Boulevard.
06/21/96	A building permit (96012664) was issued for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 7200 West Lake Mead Boulevard. The permit was finalized on 11/13/96.

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

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

<b><i>Field Check</i></b>	
04/23/15	Staff conducted a field check of the subject site and found the sign and supporting structures were in good condition with the exception of an unpermitted Embellishment.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	0.88

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<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	Liquor Establishment (Tavern)/Off-Premise Sign	SC (Service Commercial)	C-1 (Limited Commercial)
North	Mini-Storage Facility	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Master Plan Area</b>		X	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District (175 Feet)	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Las Vegas Redevelopment Plan Area</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

#### DEVELOPMENT STANDARDS

<b>Standards</b>	<b>Code Requirements</b>	<b>Provided</b>	<b>Compliance</b>
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.	N*
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is in a C-1 (Limited Commercial) zoning district.	Y

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<b>Standards</b>	<b>Code Requirements</b>	<b>Provided</b>	<b>Compliance</b>
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.	Sign is 672 square feet in size and has embellishment.	N**
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.	Sign is 40 feet tall.	Y
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)	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 C-1 (Limited Commercial).	Y

\*Approved prior to the adoption of the above standards.

\*\*Unpermitted Embellishment.

**ANALYSIS**

This is the third Required Review of a previously approved Special Use Permit (U-0074-95) which allowed a 40-foot tall, 14-foot by 24-foot Off-Premise Sign located at 7200 West Lake Mead Boulevard. The subject Off-Premise Sign is located within the Billboard Exclusionary Zone, but was approved and built prior to the adoption of the Billboard Exclusionary Zone. Staff conducted a field check of the subject site and found the sign and supporting structures were in good condition with the exception of an unpermitted Embellishment. There have been no significant changes in development or land use since the previous Required Review (RQR-45300). The subject Off-Premise Sign has been issued a building permit and received a final inspection. Therefore, staff is recommending approval of this review with conditions.

**FINDINGS**

This is a Required Review of an Off-Premise Sign that was constructed in 1996. The sign is located in a C-1 (Limited Commercial) zoning district and located in the Billboard Exclusionary Zone. Since the area immediately surrounding the subject site has not changed since the last review of the Special Use Permit (U-0074-95) allowing the Off-Premise Sign. A condition has been added to address the unpermitted Embellishment. Staff recommends approval of this review, subject to a Required Review in three-years.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 29

**NOTICES MAILED** 68 (By Planning)

**APPROVALS** 0

**PROTESTS** 0