

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: NOVEMBER 16, 2022

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: SILVER CLOUD PROPERTIES, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
22-0556-RQR1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 149

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

22-0556-RQR1 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Special Use Permit (U-0126-94).
2. The applicant shall submit an application to the City of Las Vegas for a Required Review of this Special Use Permit in three (3) years, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for fees associated with the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be 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 (U-0126-94) 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 is a required five-year review of an approved Special Use Permit (U-0126-94) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2330 Industrial Road.

ISSUES

- This is the fifth required review of the approved Special Use Permit (U-0126-94) for the Off-Premise Sign use.
- A building permit was issued for the off-premise sign on 10/06/94. A final inspection was approved 11/14/94.
- There have not been any significant land use changes or developments in the vicinity of this sign since the previous review.
- An additional review of the Special Use Permit will be required in three years.

ANALYSIS

The subject off-premise sign is located within a parking lot associated with a banquet facility and Commercial Recreation/Amusement (Indoor and Outdoor) development zoned M (Industrial). Currently the sign displays advertising content that pertains to onsite activities.

The off-premise sign was approved in 1994 at a height of 40 feet. The sign is oriented toward the northbound and southbound lanes of Industrial Road, which is a major commercial and industrial corridor. The nearest "R"-zoned parcel is located 335 feet from the sign as measured from the center of the sign; however, there is a nonresidential use (Church/House of Worship) on that parcel.

During a recent field check of the site, staff noted the sign faces and pole were in good condition with no graffiti present on the structural pole. Bird deterrent devices were not visible during the field check; however, none have previously been required and no evidence of a bird nuisance related to this sign could be detected.

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FINDINGS – REQUIRED REVIEW (22-0556-RQR1)

Title 19.12.120(B) states that “After conducting a review, the City Council may require removal of [an Off-Premise] sign if it is demonstrated that conditions in the surrounding area have changed in such a manner that the sign no longer meets the standards established in LVMC 19.16.110(L).” The establishment of Redevelopment Area 1 has not significantly altered land use in the area so as to change the area’s character, which is commercial and industrial in nature. The site remains suitable for an Off-Premise Sign use, although the existing sign is currently being used for onsite advertising. A valid building permit was issued for the sign and all inspections have been completed. The sign is in compliance with Special Use Permit (U-0126-94) and remains compatible with the adjacent land uses. Therefore, staff recommends approval with conditions requiring a three-year review. If denied, the off-premise sign must be removed.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
07/20/94	The City Council approved a request for a Special Use Permit (U-0126-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2330 Industrial Road. The Board of Zoning Adjustment and staff recommended approval.
11/21/03	The City Council approved a Required Review (RQR-3023) of a previously approved Special Use Permit (U-0126-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2330 Industrial Road. The Planning Commission and staff recommended approval.
08/19/09	The City Council approved a Required Review (RQR-34323) of a previously approved Special Use Permit (U-0126-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2330 Industrial Road. The Planning Commission recommended approval; staff recommended denial.
08/15/12	The City Council approved a Required Review (RQR-45467) of a previously approved Special Use Permit (U-0126-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2330 Industrial Road. Staff recommended approval.
09/06/17	The City Council approved a Required Review (RQR-69717) of a previously approved Special Use Permit (U-0126-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2330 Industrial Road. Staff recommended approval.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
04/13/21	The Planning Commission approved a request for a Special Use Permit (21-0085-SUP1) for a proposed 22,869 square-foot Tavern-Limited Establishment use with a 36,529 square-foot outdoor plaza area at 2330 Industrial Road. Staff recommended denial.
	The Planning Commission approved a request for a Special Use Permit (21-0085-SUP2) for an Open Air Vending/Transient Sales Lot use at 2330 Industrial Road. Staff recommended denial.
	The Planning Commission approved a request for a Site Development Plan Review (21-0085-SDR1) for a proposed Commercial Recreation/Amusement (Indoor and Outdoor) development on 1.78 acres at 2330 Industrial Road. Staff recommended denial.

<i>Most Recent Change of Ownership</i>	
08/22/18	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
10/06/94	A building permit (#94350903) was issued for the installation of an Off-Premise Sign at 2330 Industrial Road. The permit was finalized on 11/14/94.
07/25/16	A building permit (C-320027) was issued for a tenant improvement for change of occupancy from a business showroom to a banquet facility and event center at 2330 Industrial Road. The permit was finalized on 10/18/16.
10/11/16	A privilege business license (P64-00016) was issued for a Banquet/Event Establishment with Liquor at 2330 Industrial Road. The license was marked out of business 07/12/21 due to a change of ownership.
	A business license (G64-00372) was issued for a Banquet/Event Establishment at 2330 Industrial Road. The license was marked out of business 07/12/21 due to a change of ownership.
	A business license (L65-00038) was issued for a Banquet/Event Establishment with Liquor at 2330 Industrial Road. The license was marked out of business 07/12/21 due to a change of ownership.
07/12/18	A building permit (C18-02713) was issued for a tenant improvement interior remodel of a restroom and break room at 2330 Industrial Road. A final inspection was approved 08/01/18.

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Related Building Permits/Business Licenses	
07/23/19	A building permit (C19-03325) was issued for two 9-foot tall chain link manual swing gates at 2330 Industrial Road. A final inspection was approved 08/26/19.
07/12/21	A privilege business license (P69-00113) was issued for Full Alcohol On-Premise at 2330 Industrial Road. The license is active.
	A business license (G69-03713) was issued for a General Entertainment Establishment at 2330 Industrial Road. The license is active.
	A business license (L69-00139) was issued for a Full Alcohol On-Premise Establishment at 2330 Industrial Road. The license is active.
07/25/22	A building permit (C22-02936) was issued for an electrical service change at 2330 Industrial Road. A final inspection was approved 07/27/22.

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

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
10/10/22	The site contains a banquet facility/events center. The center-mounted off-premise sign is located at the southeast corner of the site facing Industrial Road. The sign and structural pole were in good condition with no bird droppings present. Bird deterrent devices were not detected.

Details of Application Request	
Site Area	
Net Acres	1.78

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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	Off-Premise Sign	LI-R (Light Industrial and Research)	M (Industrial)
	Commercial Recreation/Amusement (Indoor and Outdoor)		
	Alcohol, On-Premise Full		
North	Office, Other Than Listed	LI-R (Light Industrial and Research)	M (Industrial)
South	Off-Premise Sign	LI-R (Light Industrial and Research)	M (Industrial)
	General Retail Store, Other than Listed		
	Mini-Storage Facility		
East	Office, Other Than Listed	LI-R (Light Industrial and Research)	C-M (Commercial/Industrial)
	General Retail Store, Other than Listed		
West	Office, Other Than Listed	LI-R (Light Industrial and Research)	M (Industrial)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Downtown Las Vegas	Y
Vision 2045 Downtown Las Vegas Master Plan (Design District)	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (175 Feet)	Y
DTLV-O (Downtown Las Vegas Overlay) District – Area 1	Y
LW-O (Live/Work Overlay) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

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DEVELOPMENT STANDARDS

Pursuant to Title 19.12.120, the following standards apply:

<i>Standards</i>	<i>Code Requirements</i>	<i>Provided</i>	<i>Compliance</i>
Location	No off-premise sign may be located within public right-of-way.	Not located in public right-of-way	Y
Zoning	Permitted only in the C-1, C-2, C-M and M zoning districts, except permitted in the C-V district if the parcel is operated or controlled by an agency of local, state or federal government.	Located in M (Industrial) zoning district	Y
Setback	Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	Not adjacent to a freeway. More than 50 feet from any intersection	Y
Area	No off-premise sign shall have a surface area greater than 672 SF, except that an embellishment 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 area is 672 SF No embellishments	Y
Height	No taller than 40 feet from grade at the point of construction; may be raised a maximum of 30 feet above an adjacent elevated freeway or to 55 feet if a significant portion of the display surface is obscured from view from the travel lanes of the freeway.	Sign is 40 feet tall	Y

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<i>Standards</i>	<i>Code Requirements</i>	<i>Provided</i>	<i>Compliance</i>
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	All structural elements are screened	Y
Distance Separation	At least 750 feet to another off-premise sign along freeway frontage or at least 300 feet to another off-premise Sign (if not freeway)	Approximately 370 feet from the nearest off-premise sign	Y
	At least 300 feet to the nearest property line of a lot in any "R" or "U" zoned districts.	Approximately 330 feet to property zoned R-4 (High Density Residential)	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.	Detached, permanently secured to the ground, and located on property used for commercial purposes	Y