



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-17040 - APPLICANT: LAMAR OUTDOOR ADVERTISING
- OWNER: RANCHO AIR CENTER, INC.

** CONDITIONS **

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. The subject billboards shall comply with condition of approval number four (4) from Site Development Plan Review (SDR-10806), which stated The two existing billboards located on the subject property shall be removed prior to the time application is made for a building permit.
2. The Special Use Permit shall be reviewed in one (1) year if no building permits have been issued on the subject site. 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 Advertising (Billboard) Sign is removed.
3. The Off-Premise Advertising (Billboard) 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 Advertising (Billboard) Sign.
4. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, and (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a required One-Year Review of an approved Special Use Permit (U-0059-01) which allowed two (2) 14-foot x 48-foot Off-Premise Advertising (Billboard) Signs at the northeast corner of Smoke Ranch Road and Decatur Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/88	The City Council approved a Special Use Permit (U-0157-88) for two 40-foot tall, 12-foot by 24-foot Off-Premise Advertising (Billboard) Signs on the subject site, subject to review in five years. The Board of Zoning Adjustment and staff recommended approval.
06/21/89	The City Council approved a Special Use Permit (U-0054-89) to allow an additional Off-Premise Advertising (Billboard) Sign on this site. The Board of Zoning Adjustment and staff recommended approval.
08/21/91	The City Council approved a Variance (V-0081-91) to allow a three-sided Off-Premise Advertising (Billboard) Sign on this site. This Variance was never exercised. The Board of Zoning Adjustment took no action due to a tie vote. Staff recommended approval.
01/19/94	The City Council approved a Five Year Review [U-0157-88(1)] of an approved Special Use Permit, which allowed two 40-foot tall, 12-foot by 24-foot Off-Premise Advertising (Billboard) Signs on the subject site, subject to review in five years. The Board of Zoning Adjustment and staff recommended approval.
07/20/94	The City Council approved a Five Year Review [U-0054-89(1)] on an approved Off-Premise Advertising (Billboard) Sign on this site. The Board of Zoning Adjustment and staff recommended approval.
09/20/95	The City Council approved a Special Use Permit (U-0092-95) for two (2) 12-foot by 24-foot Off-Premise Advertising (Billboard) Signs on this site. The Board of Zoning Adjustment and staff recommended approval.
02/16/00	The City Council approved the appeal of the Planning Commission denial of a Five Year Review [U-0157-88(2)] of an approved Special Use Permit, which allowed two 40-foot tall, 12-foot by 24-foot Off-Premise Advertising (Billboard) Signs on the subject site, subject to review in two years. Staff had recommended denial.
11/01/00	The City Council accepted the Withdrawal of a Five-year Review [U-0092-95(1)] for two (2) Off-Premise Advertising (Billboard) Signs on this site. The Planning Commission and staff had recommended approval.

08/01/01	The City Council approved an appeal of the Planning Commission denial of a Special Use Permit (U-0059-01) to allow six (6) 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Signs on this site. The approval was amended to five off-premise signs by the City Council, subject to review in two years. Staff recommended approval.
05/21/03	The City Council approved a Two Year Review (RQR-1994) of an approved Special Use Permit (U-0059-01), which allowed five 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Signs on the subject site, subject to review in one year. The Planning Commission and staff recommended approval on 04/24/03.
07/07/04	The City Council approved a Required Review (RQR-4239) of an approved Special Use Permit (U-0059-01) for five (5) 14-foot x 48-foot Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended approval on 05/27/04.
09/07/05	The City Council approved a Required Review (RQR-6794) of an approved Special Use Permit (U-0059-01) for two (2) 14-foot x 48-foot Off-Premise Advertising (Billboard) Signs adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission and staff recommended denial of the request 07/28/05.
03/01/06	The City Council approved a General Plan Amendment (GPA-10799) to amend a portion of the Southeast Sector Plan of the Master Plan from L-I/R (Light Industrial/Research) to M (Medium Density Residential); Rezoning (ZON-10803) from C-M (Commercial/Industrial) to R-PD16 (Residential Planned Development - 16 Units per Acre); and a Site Development Plan Review (SDR-10806) for a 513 unit Condominium Development; 33.70 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. The Planning Commission recommended approval, but staff recommended denial on 01/26/06.
03/23/06	The Planning Commission approved a Tentative Map (TMP-11703) for a 513-unit condominium subdivision on 33.70 acres adjacent to the east side of Decatur Boulevard, approximately 900 feet north of Smoke Ranch Road. Staff recommended approval of the request.
11/16/06	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #2/bts).
<i>Related Building Permits/Business Licenses</i>	
12/10/01	Two building permits were issued on 10/17/01 and finalized on 12/10/01. The permit numbers are L-4947-01 and L-5158-65.
<i>Pre-Application Meeting</i>	
	A pre-application meeting is not required for the subject required review.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for the subject required review.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	30.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped (Approved Site Development Plan Review (SDR- 10806))	M (Medium Density Residential)	C-M (Commercial/Industrial) under Resolution of Intent to R-PD16 (Residential Planned Development 16 Units Per Acre)
North	Office	LI/R (Light Industrial/Research)	C-M (Commercial/Industrial)
South	Undeveloped/Offices	LI/R (Light Industrial/Research)	C-M (Commercial/Industrial)
East	North Las Vegas	North Las Vegas	North Las Vegas
West	Post Office/Multi- tenant retail	SC (Service Commercial) M (Medium Density Residential)	C-1 (Limited Commercial) R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
A-O (Airport Overlay) District	X		Y
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance	X		Y

Airport Overlay District

The subject property is directly across Rancho Drive from the North Las Vegas Airport and is in the 35-foot notification zone. The proposal calls for a maximum building height of 34 feet and is in compliance with this requirement.

Project of Regional Significance

The proposed development is deemed to be a Project of Regional Significance due to the project being a residential development consisting of more than 500 units. The applicant has completed the proper forms and is in compliance with the requirements pertaining to a Project of Regional Significance.

ANALYSIS

This is the fourth review for the subject Special Use Permit (U-0059-01). Building permits were issued for the subject billboards on 10/17/01 and finalized on 12/10/01. A Site Development Plan Review (SDR-10806) was recently approved by the City Council on 03/01/06. Condition of approval number four (4) stated The two existing billboards located on the subject property shall be removed prior to the time application is made for a building permit. No building permits have been issued on the subject site. A condition of approval has been included, which requires a review of the billboards in one year, if no permits have been issued on the subject site. Therefore, staff is recommending approval of the Required Review as conditioned.

CONDITIONS OF APPROVAL FROM REQUIRED REVIEW (RQR-6794)

1. Denial is recommended only for the Off-Premise Advertising (Billboard) Sign along Decatur Boulevard. A recommendation for approval is given for the Off-Premise Advertising (Billboard) Sign along Rancho Drive. This billboard shall be subject to review in one (1) year, at which time the City Council may require the Off-Premise Advertising (Billboard) 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 Advertising (Billboard) Sign be removed.
2. This Special Use Permit shall be reviewed in one (1) year, at which time the City Council may require the Off-Premise Advertising (Billboard) 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 Advertising (Billboard) Sign be removed.
3. All embellishments not in compliance with Title 19.14 and 19.20 on any sign shall be removed within 90 days of final approval.
4. Double sign faces shall be replaced by single advertisements within 30 days of final approval.
5. Bird deterrent devices shall be installed on the sign within 90 days of final approval.
6. The Off-Premise Advertising (Billboard) 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 Advertising (Billboard) Sign.
7. 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 Advertising (Billboard) Sign.

8. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
9. All City Code requirements and design standards of all City departments must be satisfied.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

Title 19.14.100 allows the removal of an Off-Premise Advertising (Billboard) Sign if conditions in the surrounding area have changed such that the offpremise sign no longer meets the standards of the Code. The continued use of the Off-Premise Advertising (Billboard) Sign on the subject site is appropriate; however, the site recently received approval for a 513 unit condominium development. The billboards have been conditioned to be removed upon issuance of building permits. Staff has recommended that this use be subject to a review again in one year if no permits are issued.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

The site is physically suitable for the proposed Off-Premise Advertising (Billboard) Signs use.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

The Off-Premise Advertising (Billboard) Sign use does not generate any additional traffic to this site and will not require provisions for additional access.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

The Off-Premise Advertising (Billboard) Sign use does not compromise the public health, safety, and welfare, as it is subject to the provisions of the Sign Code and the Uniform Building Code.

PLANNING COMMISSION ACTION

The Planning Commission made conditions changes as shown. There was one speaker in protest.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 249 by City Clerk

APPROVALS 0

PROTESTS 0