



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 6, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - RQR-17661 - APPLICANT: CLEAR CHANNEL
OUTDOOR - OWNER: NEVADA COMMERCE BANK

THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 16, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE COUNCIL.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-2/ds/ld vote) recommends APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) 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.
2. 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.
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 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.
6. Before the City Council hearing, the applicant will receive approval of the final inspection from the Building and Safety Department by getting a letter from a registered professional engineer in the State of Nevada.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Required Two Year Review of an approved Special Use Permit (U-0023-95) which allowed a 40-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 3200 Valley View Boulevard.

This is the fourth review of the subject Special Use Permit (U-0023-95). A final inspection was never completed, which may pose as a potential public safety issue. Therefore, staff is recommending denial of the Required Review with an additional review within two years, if approved.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/19/95	The City Council approved a Special Use Permit (U-0023-95) for one 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign on this site, subject to a five year review. The Board of Zoning Adjustment and staff recommended approval on 03/28/95.
06/07/00	The City Council approved a Required Five-Year Review on an approved Special Use Permit [U-0023-95(1)] for one 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign on the site, subject to a two-year review. The Planning Commission and staff recommended approval. The Planning Commission and staff recommended approval on 04/27/00.
08/07/02	The City Council approved a Required Two-Year Review on an approved Special Use Permit [U-0023-95(2)] for one 40-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign on the site, subject to a two-year review. The Planning Commission and staff recommended approval. The Planning Commission and staff recommended approval on 06/27/02.
10/06/04	The City Council approved a Required Two Year Review (RQR-4664) of an approved Special Use Permit (U-0023-95) which allowed a 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 3200 Valley View Boulevard. The Planning Commission and staff recommended denial on 08/26/04.
04/12/07	The Planning Commission voted 4-2/ds/ld to recommend APPROVAL (PC Agenda Item #39/ng).

Related Building Permits/Business Licenses	
03/29/96	A building permit was issued on the indicated date, but expired on 03/22/97. The subject billboard has not received proper building permits.

Details of Application Request	
Site Area	
Gross Acres	0.85

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Bank	LI/R (Light Industrial/ Research)	C-1 (Limited Commercial)
North	Offices	LI/R (Light Industrial/ Research)	C-1 (Limited Commercial)
South	Offices	LI/R (Light Industrial/ Research)	C-1 (Limited Commercial)
East	Retail	LI/R (Light Industrial Research)	M (Industrial)
West	Clark County	Clark County	Clark County

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the fourth review of the subject Special Use Permit (U-0023-95). A building permit for the subject sign was issued on 03/29/96, but was never finalized. The applicant has not complied with Condition Number Six (6) which stated All City Code requirements and design standards of all City Departments shall be satisfied. Since the applicant has never received a final inspection from the Building Department, staff cannot support the subject Required Review. Therefore, staff is recommending denial of the subject Required Review.

Previous Conditions of Approval from Required Review (RQR-4664)

1. The Special Use Permit shall be reviewed in two (2) 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 advertising (billboard) sign is removed.
2. 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.
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. Only one advertising sign is permitted per sign face.
5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising 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, or (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.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

FINDINGS

The continued use of the existing Off-Premise Advertising (Billboard) Sign is not appropriate at its subject location; since the billboard does not comply with all City Code requirements. A final inspection was never completed, which may pose as a potential public safety issue. Therefore, staff is recommending denial of the Required Review with an additional review within two years, if approved.

PLANNING COMMISSION ACTION

The Planning Commission added condition #6 to which the applicant agreed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 10

SENATE DISTRICT 7

NOTICES MAILED 54 by City Clerk

APPROVALS 0

PROTESTS 0