

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: MARCH 2, 2005**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

CONSENT     DISCUSSION

**SUBJECT:**

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT

RQR-5682 - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: SYUFY ENTERPRISES - Appeal filed by the Applicant from the Denial by the Planning Commission of a Required Two-Year Review of an approved Special Use Permit (U-0136-90) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 5183 West Charleston Boulevard (APN 163-01-502-008), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

**RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Clear Channel Outdoor
5. City Council approval letter for U-0136-90
6. Submitted at Meeting - Letter of Support from Roger Anderson submitted by Rod Carter

**MOTIONS:**

**TARKANIAN - APPROVED subject to conditions and an added condition as read for the record as follows:**

**- The billboard shall be demolished prior to the issuance of the Certificate of Occupancy for new construction permitted by the Site Development Plan Review SDR-5556.**

**- UNANIMOUS with MACK abstaining because his company, Mack Consulting, is working with this particular applicant on behalf of his clients**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

MICHAEL OVERBO, 2880 Meade Avenue, appeared on behalf of Clear Channel Outdoor and stated the item was denied due to the structure no longer being compatible with the imminent commercial development. He pointed out the property was commercial before the structure was erected and will remain commercial after the new development. MR. OVERBO added that the sign is compatible with the retail center, and the billboard is appropriate for this area. They have been working with the property owner, who is also the developer of the property, and he supports the billboard remaining on the property. He submitted a support letter from the property owner. They have been in discussions with him in regards to upgrading the aesthetics of the sign to match the buildings' elevation and design, as well as the color. He asked for the City Council's approval with a future review. He believes that once the structure has been updated and the new development completed, the billboard will conform to

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**MINUTES - continued:**

the surrounding area.

ROD CARTER, 2880 Meade Avenue, Clear Channel Outdoor, indicated that the graffiti on the billboard depicted in the photograph has been cleaned.

MARGO WHEELER, Director, Planning and Development Department, explained that staff has been attempting to work with the applicants and various Council members regarding existing billboards in their Wards to find language that may be able to appropriately trigger the removal of the billboard upon time of the new construction occurring. The Certificate of Occupancy is the document that allows the actual occupancy of the new buildings. It is at that time that an applicant or developer begins to receive the rent from that on-going business. Therefore, she recommended a possible condition that the billboard shall be demolished prior to the issuance of the Certificate of Occupancy for new construction permitted by SDR-5556.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:25 - 4:30)

6-81

**CONDITIONS:**

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 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. 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 the Downtown Centennial Plan and 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.
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. All City Code requirements and design standards of all City Departments shall be satisfied.