



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 21, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-24332 - APPLICANT: LAMAR OUTDOOR ADVERTISING
- OWNER: BARTSAS MARY 1, L L C

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1/ds vote) recommends APPROVAL, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in **three (3)** years 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 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 Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit 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.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required One Year Review of an approved Special Use Permit (U-0260-94) for a 40-foot tall 14-foot x 48-foot Off Premise Advertising (Billboard) Sign at the northwest corner of Cheyenne Avenue and Rancho Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/22/94	The City Council, on an appeal of a denial by the Board of Zoning Adjustment, approved a Special Use Permit (U-0260-94) for a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign on the subject site. Staff recommended approval.
03/24/97	The City Council adopted a new Zoning Code (Title 19A), which created the Airport Overlay District and the Off-Premise Sign Exclusionary Zone.
02/16/00	The City Council approved a required Five-Year Review [U-0260-94(1)] on the above-noted approved Special Use Permit. The Planning Commission and staff recommended approval.
02/01/02	A Two Year Required Review was not scheduled because the applicant was unsure if the sign would remain on the property.
10/05/05	The City Council approved a required Two-Year Review (RQR-6792) of an approved Special Use Permit for a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign on the subject site. The Planning Commission recommended approval. Staff recommended denial.
10/25/07	The Planning Commission voted 4-1/ds to recommend APPROVAL (PC Agenda Item #48/ng).
<i>Related Building Permits/Business Licenses</i>	
02/02/95	A building permit (#95365774) was issued for the subject Off-Premise Advertising (Billboard) Sign. A final inspection was conducted on 02/06/95.
06/14/00	A building permit (#11491) was issued for electrical service to the subject Off-Premise Advertising (Billboard) Sign. A final inspection was conducted on 06/22/00.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

Field Check	
09/21/07	A site inspection was conducted and photographs were taken. The sign was found to be in good structural condition and no issues were noted.

Details of Application Request	
Site Area	
Net Acres	0.50

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Restaurant	GC (General Commercial)	C-2 (General Commercial)
North	Commercial	GC (General Commercial)	C-2 (General Commercial)
South	Restaurant	SC (Service Commercial)	C-2 (General Commercial)
East	Convenience Store	GC (General Commercial)	C-2 (General Commercial)
West	Undeveloped	GC (General Commercial)	C-2 (General Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (35-Foot)	X		Y *
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

* The sign is located in the Airport Overlay District 35-foot notification zone. However, the sign was constructed on the subject property prior to the creation of the Airport Overlay District.

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Located in the Exclusionary Zone	N
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-2 (General Commercial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs 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.	672 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	Screened	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	325 feet to another Off Premise Sign	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	485 feet from R zoned property to the west.	Y

Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y
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ANALYSIS

This is the third review of the subject Off-Premise Advertising (Billboard) Sign. The sign was found to be in good structural condition upon inspection. The area immediately surrounding the subject site has not changed substantially since the last review of the Special Use Permit allowing the off-premise advertising (billboard) sign. However, the billboard is located within the Off-Premise Sign Exclusionary Zone and exceeds the 35-foot height restriction as determined by the North Las Vegas Airport Overlay Zone. Due to the sign being located on the site prior to the establishment of the Airport Overlay District a Special Use Permit shall not be required. Off-Premise Advertising (Billboard) Signs are now prohibited in the Exclusionary Zone and; therefore, denial of this request is recommended.

FINDINGS

Off-Premise Advertising (Billboard) Signs are now prohibited in the Exclusionary Zone and; therefore, denial of this request is recommended. If approved, the sign shall be subject to conditions and an additional review in five years.

PLANNING COMMISSION ACTION

The Planning Commission changed the review period from five to three years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 105 by City Clerk

APPROVALS 0

PROTESTS 1