



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 15, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-29270 - REVIEW OF CONDITION - PUBLIC HEARING -
APPLICANT: CLEAR CHANNEL OUTDOOR, INC - OWNER: BRIGHT PATH LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 17, 2008 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

1. Condition Five of Special Use Permit (SUP-4521) shall be deleted.
2. Conformance to all other Conditions of Approval of Special Use Permit (SUP-4521), if approved.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Review of Condition of an approved Special Use Permit (SUP-4521) to delete Condition Five which will allow the continuation of the two advertising signs (side-by-side posters) located on the north face. The existing Off-Premise Sign (Billboard) is located at 820 South Valley View Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/18/95	The City Council approved a Special Use Permit (U-0296-94) to allow an Off-Premise Sign (Billboard) at 820 South Valley View Boulevard. Board of Zoning Appeals had recommended approval.
02/16/00	The City Council approved a request for a required five-year review [U029694(1)] of an approved Special Use Permit (U-0296-94) to allow an Off-Premise Sign (Billboard) at 820 South Valley View Boulevard. This approval was subject to a one-year review. The Planning Commission and staff had recommended denial.
07/05/01	The City Council approved a one year review [U-0296-94(2)] of an approved Special Use Permit Special Use Permit (U-0296-94) to allow an Off-Premise Sign (Billboard) at 820 South Valley View Boulevard. This approval was subject to a one-year review. The Planning Commission and staff recommended denial.
07/25/02	The Planning Commission denied the third one year review [U-0296-94(3)] of the subject billboard. This was final action with no appeal filed within the time limit.
08/18/04	The City Council approved a Special Use Permit (SUP-4521) to allow a 14-foot x 48-foot, 40-foot tall Off-Premise Sign (Billboard) at 820 South Valley View Boulevard, subject to a five year review. The Planning Commission recommended approval on 07/22/04 with staff recommending denial.
<i>Related Building Permits</i>	
12/13/95	Building permit #95-884385 was issued under plan check #L-4087-95 for a billboard located at 820 South Valley View. This billboard received approval on a final inspection on 12/22/95.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application request, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application request, nor was one held.	

Field Check	
08/22/08	A field check was carried out by staff with the following observations: <ul style="list-style-type: none"> • The existing Off-Premise Sign contains two signs per face on the north-facing side of the billboard. • A single, 672 square-foot panel sign is mounted to the south-facing side of the billboard. • The supporting structure of the billboard is in generally good condition and has been clad in stucco surfacing to match the office building located on site as conditionally required.

Details of Application Request	
Site Area	
Gross Acres	0.34 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	SC (Service Commercial)	C-1 (Limited Commercial)
North	Office	SC (Service Commercial)	R-1 (Single Family Residential)
South	Service Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
East	Utility	PF (Public Facilities)	C-V (Civic)
West	Public School/ Public Park	PF (Public Facilities)/ PROS (Park/Recreation/Open Space)	C-V (Civic)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	NA
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay 175 feet	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

ANALYSIS

This is a request for a Review of Condition to remove Condition Five of an approved Special Use Permit (SUP-4521) in order to allow the continued use of having two signs located on the north face of the Off-Premise Sign (Billboard) located at 820 South Valley View Boulevard. The initial Special Use Permit (SUP-4521) was recommended for denial due to the close proximity to the Las Vegas Springs Preserve and the visual impact that the billboard would have on this cultural facility.

Conditions of Approval for Special Use Permit (SUP-4521) listed below:

1. An aesthetic enhancement covering to be placed around the column of the billboard that may consist of a stucco feature or some architectural feature that is compatible to the buildings on the property and to the area which is subject to the Planning and Development Department approval.
2. The Special Use Permit shall be reviewed in five (5) 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.
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. 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. Only one advertising sign is permitted per sign face.
6. 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.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

8. The offpremise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

If approved, the elimination of Condition Five will allow multiple signs to be located on the north and south facing sign face, but not to exceed 672 square feet of surface area. This has typically been done with two side-by-side 14-foot by 24-foot panel signs and is not prohibited by Title 19.14.100. Staff supports the original condition as approved by the City Council; therefore, denial of this request is recommended.

FINDINGS

The approval of this Review of Condition would be not in conflict with Title 19.14.100 and may not adversely affect the neighboring properties. However, the applicant has failed to comply to the condition of approval of the Special Use Permit (SUP-4521) for the Off-Premise Sign (Billboard) by displaying two signs per face. Therefore, staff recommends denial of this request based on the support of the condition as originally approved by the City Council.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 90 by Planning Department

APPROVALS 0

PROTESTS 0