



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JUNE 17, 2015

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER:
FOSTER DAY CORPORATION

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
RQR-57980	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

RQR-57980 CONDITIONS

Planning

1. Conformance to the conditions of approval for Special Use Permit (U-0036-95).
2. This Special Use Permit (U-0036-95) shall be reviewed in three (3) years, at which time the City Council may require the Off-Premise 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 Sign be removed.
3. The Off-Premise 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 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. If the Off-Premise Sign is voluntarily demolished, this Special Use Permit (U-0036-95) 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.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a Required Review of a previously approved Special Use Permit (U-0036-95) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2401 North Decatur Boulevard. Research of building permit activity found that a permit (95875444) was issued on 07/26/95 for the installation of a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2401 North Decatur Boulevard; the permit was finalized on 09/12/95. There have not been any significant changes in development or land use in the surrounding area; therefore, staff finds no adverse impact regarding the continued use of the Off-Premise Sign and is recommending approval of this request, subject to a three-year review.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/21/95	The City Council approved an appeal of a denial from the Board of Zoning Adjustment for a Special Use Permit (U-0036-95) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2401 North Decatur Boulevard. The Department of Planning staff recommended approval.
08/02/00	The City Council approved a Required Review [U-0036-95(1)] of a previously approved Special Use Permit (U-0036-95) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2401 North Decatur Boulevard. The Planning Commission and staff recommended approval.
09/18/02	The City Council approved an appeal of a denial from the Planning Commission of a Required Review [U-0036-95(2)] of a previously approved Special Use Permit (U-0036-95) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2401 North Decatur Boulevard. The Department of Planning staff recommended denial as the Off-Premise Sign is located within 70 feet of residentially zoned property to the north. Additionally, Off-Premise Signs are generally not conducive to economic revitalization as they are more typically associated with declining commercial and industrial areas.
10/20/04	The City Council approved an appeal of a denial from the Planning Commission of a Required Review (RQR-4959) of a previously approved Special Use Permit (U-0036-95) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2401 North Decatur Boulevard. The Department of Planning staff recommended denial as the Off-Premise Sign is located within 80 feet of residentially zoned property. Additionally, the Off-Premise Sign is 40 feet tall and located in the A-O (Airport Overlay) District (35 feet).

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
07/11/07	The City Council approved a Required Review (RQR-17764) of a previously approved Special Use Permit (U-0036-95) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2401 North Decatur Boulevard. The Planning Commission recommended approval and staff recommended denial as the Off-Premise Sign is located within 80 feet of residentially zoned property. Additionally, the Off-Premise Sign is 40 feet tall and located in the A-O (Airport Overlay) District (35 feet).
04/21/10	The City Council approved a Special Use Permit (SUP-37301) to relocate an existing 36 square-foot Auto Smog Check on the same lot at 2401 North Decatur Boulevard. The Planning Commission recommended approval and staff recommended denial as the existing structure is not adequate to provide the smog check services and is not compatible with the residentially zoned property to the west.
07/21/10	The City Council denied a request for a Review of Condition (ROC-38439) of a previously approved Special Use Permit (SUP-37301) to either delete Condition #4 or extend the time limit from 30 days to two-years for the issuance of a building permit and receipt of an approved final inspection for a relocated Smog Testing Facility at 2401 North Decatur Boulevard. The Department of Planning staff recommended denial, as the complete permit process for the structure could be accomplished well within the initial timeframe specified by City Council.
08/15/12	The City Council approved a Required Review (RQR-45363) of a previously approved Special Use Permit (U-0036-95) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2401 North Decatur Boulevard. The Department of Planning staff recommended approval.

<i>Most Recent Change of Ownership</i>	
01/31/94	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
c.1981	The building at 2401 North Decatur Boulevard was constructed.
07/26/95	A building permit (95875444) was issued for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2401 North Decatur Boulevard. The permit was finalized on 09/12/95.
01/09/96	A business license (C02-00026) was issued for a Car Wash at 2401 North Decatur Boulevard. The license remains active at this location.
03/13/07	A business license (A55-00172) was issued for a Smog Testing Facility at 2401 North Decatur Boulevard. The license marked out of business on 02/01/13.

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<i>Related Building Permits/Business Licenses</i>	
09/01/09	A building permit (146651) was issued to replace damaged 100 amp service on an Off-Premise Sign at 2401 North Decatur Boulevard. The permit was finalized on 09/10/09.
02/25/13	A business license (A55-00508) was issued for a Smog Testing Facility at 2401 North Decatur Boulevard. The license remains active at this location.

<i>Pre-Application Meeting</i>
A pre-application meeting was not required, nor was one held.

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required, nor was one held.

Field Check	
05/14/15	Staff conducted a field check of the subject site and found the sign and supporting structures were in good condition with no discrepancies noted.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.63

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Auto Smog Check/Car Wash, Self-Service/Off-Premise Sign	SC (Service Commercial)	C-1 (Limited Commercial)
North	Auto Repair Garage, Minor	SC (Service Commercial)	C-1 (Limited Commercial)
South	Office, Other than Listed/ Auto Repair Garage, Minor	SC (Service Commercial)	C-1 (Limited Commercial)

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
East	Office, Other than Listed/General Retail Store, Other than Listed/ Auto Repair Garage, Minor/General Personal Service	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
West	Undeveloped	RN (Rural Neighborhood – Clark County)	R-E (Rural Estates Residential – Clark County)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (35 Feet)	X		N*
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

*Special Use Permit (U-0036-95) was approved by the City Council with an overall height of 40 feet. A letter was received from North Las Vegas Airport representatives stating they did not have an objection to the height of the Off-Premise Sign.

DEVELOPMENT STANDARDS

Standards	Code Requirements	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	The sign is not in public right-of-way, nor is it in the Off-Premise Exclusionary Sign Zone.	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is in a C-1 (Limited Commercial) zoning district.	Y

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Standards	Code Requirements	Provided	Compliance
Area	No Off-Premise Sign 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.	Sign is 672 square feet in size and has no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 40 feet tall.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	All structural elements of the sign are screened from public view.	Y
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	Sign is more than 300 feet from another Off-Premise Sign (not along US-95).	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is more than 300 feet from any property line zoned either "R" or "U."	N*
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached to the ground and is located on property zoned C-1 (Limited Commercial).	Y

* Special Use Permit (U-0036-95) was submitted prior to the adopted standards.

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ANALYSIS

This is the sixth required review of a previously approved Special Use Permit (U-0036-95) which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2401 North Decatur Boulevard. Staff conducted a field check of the subject site and found the sign and supporting structures were in good condition with no discrepancies noted. The sign is located within the 35-foot Airport Overlay and was approved by City Council with an overall height of 40 feet. The applicant received a letter from North Las Vegas Airport representatives stating they did not have an objection to the height of the Off-Premise Sign. Additionally, the sign is located approximately 80 feet from property zoned R-E (Residence Estates) though the use on the property is commercial (Mortuary), which makes the sign legally nonconforming. A final inspection on the Off-Premise Sign was completed on 09/12/95. Staff is recommending approval of this review, with conditions.

FINDINGS

This is a Required Review of an Off-Premise Sign that was constructed in 1995. The sign is located in a C-1 (Limited Commercial) zoning district and is not within the Off-Premise Sign Exclusionary Zone. Staff recommends approval of this review, subject to a Required Review in three-years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

NOTICES MAILED

154 (By Planning)

APPROVALS

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PROTESTS

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