



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 1, 2015

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER:
MILFORD MARK AND LORILYN TRUST

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
RQR-57983	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

RQR-57983 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Special Use Permit (SUP-4169).
2. This Special Use Permit 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 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.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
July 1, 2015 - City Council Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a Required Review of a previously approved Special Use Permit (SUP-4169) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign located at 1615 North Decatur Boulevard. Research of building permit activity found that a permit (04021719) was issued on 12/07/04 for the installation of a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 1615 North Decatur Boulevard. The permit was renewed on 10/06/05 and was finalized on 10/26/05. 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>	
11/20/90	The Board of Zoning Adjustment approved a Variance (V-0132-90) to allow an Automotive Repair Garage, where such use is not permitted Sign at 1615 North Decatur Boulevard. The Department of Planning staff recommended denial.
03/24/92	The Board of Zoning Adjustment approved a Required Review [V-0132-90(1)] of an approved Variance (V-0132-90) to allow an Automotive Repair Garage, where such use is not permitted Sign at 1615 North Decatur Boulevard. The Department of Planning staff recommended approval.
05/20/92	The City Council approved an appeal of a denial from the Board of Zoning Adjustment of a Variance (V-0043-92) to allow an outside automobile lift, where all equipment and service are required to be within an enclosed building at 1615 North Decatur Boulevard. The Department of Planning staff recommended denial, as there is no exceptional or extraordinary circumstance to warrant the granting another Variance for this property.
06/01/94	The City Council approved a Required Review [V-0043-92(1)] of an approved Variance (V-0043-92) to allow an outside automobile lift, where all equipment and service are required to be within an enclosed building at 1615 North Decatur Boulevard. The Department of Planning staff recommended approval.
10/24/95	The Board of Zoning Adjustment approved a Plot Plan and Building Elevation Review [V-0132-90(2)] on an approved Variance (V-0132-90) to allow an automotive repair garage addition at 1615 North Decatur Boulevard. The Department of Planning staff recommended approval.

Staff Report Page Two
July 1, 2015 - City Council Meeting

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/19/96	The City Council approved a Required Review [V-0043-92(2)] of an approved Variance (V-0043-92) to allow an outside automobile lift, where all equipment and service are required to be within an enclosed building at 1615 North Decatur Boulevard. The Department of Planning staff recommended approval.
07/07/04	The City Council approved an appeal of a denial from the Planning Commission of a Special Use Permit (SUP-4169) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 1615 North Decatur Boulevard. The Department of Planning staff recommended approval.
09/06/06	The City Council approved a Required Review (RQR-14371) of a previously approved Special Use Permit (SUP-4169) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 1615 North Decatur Boulevard. The Planning Commission and staff recommended approval.
06/23/08	A code enforcement case (66976) was processed for a damaged canopy over fuel pumps at 1615 North Decatur Boulevard. The case was resolved on 07/10/08.
12/17/08	The City Council approved a Required Review (RQR-30332) of a previously approved Special Use Permit (SUP-4169) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 1615 North Decatur Boulevard. The Planning Commission and staff recommended approval.
08/13/10	A code enforcement case (93636) was processed for multiple vehicles on property at 1615 North Decatur Boulevard. The case was resolved on 08/17/10, with no violations noted.
09/05/12	The City Council approved a Required Review (RQR-45463) of a previously approved Special Use Permit (SUP-4169) for an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 1615 North Decatur Boulevard. The Department of Planning staff recommended approval.
05/09/12	A code enforcement case (114070) was processed for graffiti on the building at 1615 North Decatur Boulevard. The case was resolved on 05/14/12, with no violations noted.
05/14/13	A code enforcement case (128690) was processed for a vehicle stored more than 45 days, weeds and grass over eight inches tall at 1615 North Decatur Boulevard. The case was resolved on 05/30/13.

<i>Most Recent Change of Ownership</i>	
09/29/94	A deed was recorded for a change in ownership.

Staff Report Page Three
July 1, 2015 - City Council Meeting

<i>Related Building Permits/Business Licenses</i>	
c.1964	The building at 1615 North Decatur Boulevard was constructed.
12/21/90	A business license (A60-00032) was issued for an Automotive Garage, Major at 1615 North Decatur Boulevard. The license remains active at this location.
12/19/95	A building permit (95884882) was issued for a 2,100 square-foot pre-engineered metal building at 1615 North Decatur Boulevard. The permit was finalized on 07/22/96.
12/07/04	A building permit (04021719) was issued for the installation of a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 1615 North Decatur Boulevard. The permit was renewed on 10/06/05 and was finalized on 10/26/05.
03/09/09	A business license (A45-00586) was issued for Automobile Detailing at 1615 North Decatur Boulevard. The license remains active at this location.
04/21/10	A business license (O07-00029) was issued for Open Air Vending at 1615 North Decatur Boulevard. The license remains active at this location.
08/02/10	A business license (O07-00029) was issued for Open Air Vending at 1615 North Decatur Boulevard. The license remains active at this location.
02/15/12	A business license inspection (110690) for an unlicensed car wash was conducted at 1615 North Decatur Boulevard, with no violations noted. The case was closed on 02/15/12.
09/13/12	A business license inspection (119606) of the Open Air Vending was conducted at 1615 North Decatur Boulevard, with no violations noted. The case was closed on 12/19/12.
01/24/13	A business license inspection (124181) for an Automobile Detailing business operating outside of the scope of the business license at 1615 North Decatur Boulevard, with no violations noted. The case was closed on 06/01/13.
03/27/14	A business license inspection (139351) of the Open Air Vending was conducted at 1615 North Decatur Boulevard, with the following violations noted. Expired health card, city business license not posted and vending carts not in compliance with the approved site plan at 1615 North Decatur Boulevard. The case was closed on 04/16/14.

<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.

Staff Report Page Four
July 1, 2015 - City Council Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.51

<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 Repair Garage, Major/Off-Premise Sign	SC (Service Commercial)	C-1 (Limited Commercial)
North	Tavern/Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
South	General Retail Store, Other than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
East	General Retail Store, Other than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
West	Car Wash, Self-Service	SC (Service Commercial)	C-1 (Limited Commercial)

<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 (105 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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

Staff Report Page Five
July 1, 2015 - City Council Meeting

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 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.	The sign is located 276 feet from property designated "R" to the northwest.	Y*
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

**At the time SUP-4169 was approved for the subject Off-Premise Sign the property 276 feet to the northwest was under Resolution of Intent (ROI) from R-E (Residence Estates) to C-1 (Limited Commercial). The ROI expired and the property reverted back to R-E (Residence Estates) zoning designation.*

Staff Report Page Six
July 1, 2015 - City Council Meeting

ANALYSIS

This is the fourth Required Review of a previously approved Special Use Permit (SUP-4169) which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign located at 1615 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. A final inspection on the Off-Premise Sign was completed on 10/26/05. Staff is recommending approval of this review, with conditions.

FINDINGS

This is a Required Review of an Off-Premise Sign that was constructed in 2005. 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

13

NOTICES MAILED

57 (By Planning)

APPROVALS

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PROTESTS

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