



## AGENDA MEMO

**CITY COUNCIL MEETING DATE: JUNE 6, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ABEYANCE - RQR-18626 - APPLICANT: REAGAN**  
**NATIONAL ADVERTISING - OWNER: COG III, LTD**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 16, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE COUNCIL.***

### **\*\* CONDITIONS \*\***

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

#### **Planning and Development**

1. This Special Use Permit shall be reviewed in five (5) 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. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
7. There shall be no LED on this.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a required One Year Review of an approved Special Use Permit (SUP-2758) which allowed a 40-foot tall, 14-foot x 48-foot off-premise advertising (billboard) sign at 1110 South Rainbow Boulevard.

The subject off-premise advertising (billboard) sign is not considered appropriate for this location. Due to the configuration of the site the off-premise advertising (billboard) sign cannot be positioned in a manner in which it will not overhang the building. The overhang is considered a potential safety hazard. Denial of this request is recommended.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
11/12/91	The Board of Zoning Adjustment accepted a request to withdraw a Special Use Permit (U-0249-91) to allow a 14-foot by 48-foot Off-premise Advertising (Billboard) Sign at 6809 West Charleston Boulevard.
02/23/95	The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0074-86(1)] for a retail/commercial center on the subject site. Staff recommended approval.
05/03/95	The City Council denied an appeal of the Board of Zoning Adjustment denial of a Special Use Permit (U-0027-95) for a proposed 14-foot by 48-foot Off-premise Advertising (Billboard) Sign at 6651 West Charleston Boulevard. Staff recommended approval.
07/05/95	The City Council rescinded the earlier denial action of U-0027-95 and reheard the item, approving the proposed 14-foot by 48-foot Off-premise Advertising (Billboard) Sign, subject to review in five years. (This site is approximately 1,050 feet from the subject site.) Staff recommended approval.
07/19/95	The City Council denied an appeal of the Board of Zoning Adjustment denial of a Special Use Permit (U-0063-95) to allow a 14-foot by 48-foot Off-premise Advertising (Billboard) Sign on property located at 1080 South Rainbow Boulevard. Staff recommended approval.
06/23/97	The City Council granted the appeal of the Board of Zoning Adjustment denial of a Special Use Permit (U0005-97) for a proposed 40-foot tall, 14-foot by 48-foot Off-premise Advertising (Billboard) Sign on property located at 1080 South Rainbow Boulevard, subject to review in five years. (This site is approximately 315 feet from the subject site.) Staff had no position.

09/06/00	The City Council approved a Required Five Year Review [(U-0027-95(1))] of an approved Special Use Permit which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 6651 West Charleston Boulevard, subject to review in two years. The Planning Commission and staff recommended approval.
08/21/02	The City Council approved a Required Five Year Review [(U-0005-97(1))] of an approved Special Use Permit which allowed a 40 foot high, 14 foot by 48 foot Off-premise Advertising (Billboard) Sign on property located at 1080 South Rainbow Boulevard, subject to review in four years. The Planning Commission and staff recommended approval.
11/06/02	The City Council approved a Required Two Year Review [(U-0027-95(2))] of an approved Special Use Permit which allowed a 40-foot tall, 14-foot by 48-foot off-premise advertising sign at 6651 West Charleston Boulevard, subject to review in two years. The Planning Commission and staff recommended approval.
10/01/03	The City Council granted the appeal of the denial of the Planning Commission of a Special Use Permit (SUP-2758) for a proposed 40-foot tall, 14-foot by 48-foot Off-premise Advertising (Billboard) Sign at 1110 South Rainbow Boulevard, subject to review in two years. Staff recommended approval.
11/17/04	The City Council granted the appeal of the Planning Commission denial of a Required Two Year Review (RQR-5169) of an approved Special Use Permit which allowed a 40-foot tall, 14-foot by 48-foot off-premise advertising sign at 6651 West Charleston Boulevard, subject to review in two years. Staff recommended approval.
12/07/05	The City Council approved a Required Two year Review (RQR-8789) an approved Special Use Permit (SUP-2758), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 1110 South Rainbow Boulevard. The Planning Commission recommended approval. Staff recommended denial.
12/16/05	The City Council denied the appeal of the denial of the Planning Commission of a Special Use Permit (SUP-2848) for a proposed 40-foot tall, 14-foot by 48-foot Off-premise Advertising (Billboard) Sign on the subject property. Staff recommended denial. The off-premise sign was to face Rainbow Boulevard.
08/02/06	A Special Use Permit (SUP-13381) for a proposed 40-foot, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 1110 South Rainbow Boulevard was withdrawn without prejudice.
03/08/07	A site inspection was conducted and photographs were taken.
04/12/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #75/ng).
<b><i>Related Building Permits/Business Licenses</i></b>	
10/31/00	A building permit was issued for the subject off-premise advertising (billboard) sign. Final inspections were conducted on 01/30/01.

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

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	3.03

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Offices	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>		X	N/A
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>		X	N/A
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

**DEVELOPMENT STANDARDS**

<b>Standards</b>	<b>Code Requirement</b>	<b>Provided</b>	<b>Compliance</b>
Location	No off-premise 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 south of the Charleston Boulevard right-of-way. Not located within the Exclusionary Zone	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y
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.	Each face is 672 square feet. The sign contains no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is approximately 230 feet from the right-of-way line of the intersection of Charleston Boulevard and Rainbow Boulevard.	Y

Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened from view; in addition, the support pole is covered to match the on-premises building design	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.	Permanently secured to ground; located on strictly commercial property	Y

**ANALYSIS**

This is the second review of the subject off-premise advertising (billboard) sign. The proposed off-premise advertising (billboard) sign overhangs the building on the property. This is considered a potential safety hazard. The subject off-premise advertising (billboard) sign cannot be located on the subject property near the street without hanging over the existing building due to the configuration of the site. Therefore, the subject off-premise advertising (billboard) sign is not considered appropriate for this location. Denial of this request is recommended.

**FINDINGS**

The subject off-premise advertising (billboard) sign is not considered appropriate for this location. Due to the configuration of the site the off-premise advertising (billboard) sign cannot be positioned in a manner in which it will not overhang the building. The overhang is considered a potential safety hazard. Denial of this request is recommended.

**PLANNING COMMISSION ACTION**

The Planning Commission amended condition #1 and added #7 as shown.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

7

**ASSEMBLY DISTRICT** 3

**SENATE DISTRICT**            3

**NOTICES MAILED**            433 by City Clerk

**APPROVALS**                    0

**PROTESTS**                     0