

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: SEPTEMBER 25, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-29275 - APPLICANT: CONNELL COMPANY - OWNER:  
RANCHO OASIS, LP**

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**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: APPROVAL, subject to:****Planning and Development**

1. Conformance to the Conditions of Approval for Variance (V-0023-95) if approved.
2. This Variance shall be reviewed in five (5) years at which time the City Council may require the Off-Premise Signs (Billboards) 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 signs (billboards) are removed.
3. The Off-Premise Signs (Billboards) and the supporting structures 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 (billboards) signs.
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 advertising sign.
5. If the existing off-premise signs are removed, this Variance shall be expunged and new Off-Premise Signs (Billboards) 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 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.
6. Only one advertising sign is permitted per sign face.
7. Bird deterrent devices shall be installed on both signs within 30 days of final approval by the City of Las Vegas.
8. 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 five-year review of an approved Variance (V-0023-95) which allows two, 40-foot tall, 672 square-foot Off-Premise Signs (Billboards) at 2951 and 2991 North Rancho Drive.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
04/19/95	The City Council approved an appeal of a Variance (V-0023-95) to allow two OffPremise Signs (Billboard), subject to a five-year review and the apartments shall be changed to a motel. The Board of Zoning Adjustment denied the request.
12/18/96	The City Council approved a request for a Special Use Permit (U-0128-96) for an automated car wash; and to allow the off-premise sale of beer and wine in conjunction with a convenience store. The review included the review for the store. The Board of Zoning Adjustment recommended approval.
02/23/98	The City Council approved an Extension of Time of a Special Use Permit [U0128-96(1)] for an automated car wash; and to allow the off-premise sale of beer and wine in conjunction with a convenience store. The review included the review for the store. The Planning Commission recommended approval.
02/08/99	The City Council approved an Extension of Time of a Special Use Permit [U0128-96(2)] for an automated car wash; and to allow the off-premise sale of beer and wine in conjunction with a convenience store. The review included the review for the store. The Planning Commission recommended approval.
05/17/00	The City Council approved a five-year required review [V002395(1)] of a Variance to allow two Off-Premise Signs (Billboards), subject to a three-year review. The Board of Zoning Adjustment recommended approval.
10/01/03	The City Council approved a three-year Required Review (RQR-2785) Required Three Year Review of an approved Variance (V-0023-95) which allows two 14-feet by 48-feet Off-Premise Signs (Billboards) at 2951 North Rancho Drive, subject to a five year review.

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<b>Related Building Permits/Business Licenses</b>	
06/13/95	Building permit #95-873717 issued for a 40-foot tall, 672 square-foot billboard under plan check #L-1868-95. This sign is located at 2951 North Rancho Drive and received a final 225 inspection on 09/15/95.
08/23/95	Building permit #95-385566 issued for a 40-foot tall, 672 square-foot billboard under plan check #L-2575-95. This sign is located at 2991 North Rancho Drive and received final 240 inspection on 09/28/95
<b>Pre-Application Meeting</b>	
A pre-application meeting is not required for this type of application request, nor was one held.	
<b>Neighborhood Meeting</b>	
A neighborhood meeting is not required for this type of application request, nor was one held.	

<b>Field Check</b>	
08/22/08	<p>A field check was performed by staff with the following observations:</p> <ul style="list-style-type: none"> <li>• The both signs are located on the same property but are separately addressed as 2951 and 2991 North Rancho Drive.</li> <li>• There is an embellishment on the south facing panel of the billboard located at 2991 North Rancho Drive that conforms to code.</li> <li>• Both signs appeared to be in good condition but require bird deterrent devices as the signs are located over parking spaces and have signs of a bird nuisance.</li> </ul>

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	2.0 acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Convenience Store/Car wash	M (Medium Density Residential)	C-2 (General Commercial)
North	Undeveloped	LI/R (Light Industrial/Research)	C-M (Commercial/Industrial)/ North Las Vegas
South	Apartments	M (Medium Density Residential)	R-PD20 (Residential Planned Development 20 Units per Acre)
East	North Las Vegas (NLV Airport)	North Las Vegas (NLV Airport)	North Las Vegas (NLV Airport)
West	Single Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)

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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District 35 feet	X		N
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

### DEVELOPMENT STANDARDS

<b>Standards</b>	<b>Code Requirement</b>	<b>Provided</b>	<b>Compliance</b>
Location	No Off-Premise Sign (Billboard) may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Signs are not in right-of-way and are not located within the Off-Premise Sign Exclusionary Zone	Y
Zoning	Off-Premise Sign (Billboard) are permitted in the C-1, C-2, C-V, C-M and M Zoning Districts only	Signs are in C-2 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 square feet (the billboard located at 2991 N. Rancho Dr. maintains an embellishment that conforms to code)	Y
Height	No higher than 40 feet from grade at the point of construction; may be raised to maximum of 55 feet with approval of City Council if significantly obscured from view of travel lanes	Both signs are at 40 feet in height.	N

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Screening	All structural elements of an Off-Premise Sign (Billboard) to which the display panels are attached shall be screened from view.	Structural elements screened from view.	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to another Off Premise Sign	Approximately 356 feet from billboard to the northeast	Y
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	Approximately 416 feet from closest residentially-zoned property.	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.	The billboards are permanently secured to the ground on C-2 (Limited Commercial) zoned property.	Y

### ANALYSIS

This is the third review of the Variance (V-0023-95) application approved in 1995 to allow two Off-Premise Signs (Billboards) on property that was originally zoned as residential with 37 apartments units at the time of the request. Since the approval of this Variance (V-0023-95) the applicant converted the apartments to a motel, rezoned the property to the C-2 (General Commercial) zoning district, and redeveloped the property by subdividing the commercial lot to accommodate a convenience store with an ancillary car wash on the southern half of the property. The Variance approval negated the need to file for a Special Use Permit for these two signs.

Both signs are also non-conforming structures in that they are built at a 40-foot height but are located within the 35-foot height limitation portion of the Airport Overlay District - North Las Vegas Airport. It is important to note that there are two 35-foot tall billboards located across Rancho Drive on the North Las Vegas Airport property to the east of the subject billboards that provide shielding.

The applicant indicates the signs are compatible with this site and with the existing off-premise signs immediately to the north and across Rancho Drive, to the east, where Decatur Boulevard intersects. The North Las Vegas Airport is located to the east of this property.

**FINDINGS**

The two signs comply with the previous conditions of approval of the Variance (V-0023-95) and subsequent reviews, in particular Required Review (RQR-2785). The last review required the removal of signage related to the operations of the convenience store on site in this case advertising for propane. The signs are good condition with no graffiti but have been conditioned to install bird deterrent devices as there is a potential nuisance with the sign located over available parking spaces. Both signs have minimal impact on the residentially-zoned property 500 feet to the west as the billboards are relatively low in height. Therefore staff is recommending approval of the required review, subject to an additional review in five (5) years.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      2

**ASSEMBLY DISTRICT**                      7

**SENATE DISTRICT**                      4

**NOTICES MAILED**                      172

**APPROVALS**                      0

**PROTESTS**                      1