

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: NOVEMBER 6, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-30162 - APPLICANT/OWNER: 1767 RANCHO, LLC**

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

1. Conformance to the conditions for Special Use Permit (U-0109-94), if approved.
2. This Special Use Permit shall be reviewed in three (3) 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.
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. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
5. 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.
6. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (U-0109-94) 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.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

This application is in response to a required five-year review of an approved Special Use Permit (U-0109-94), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 1767 North Rancho Drive.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
06/15/94	The City Council approved a request for a Special Use Permit (U-0109-94) for a 14-foot by 48-foot Off-Premise Sign (Billboard) on property located at 1767 North Rancho Drive.
07/26/99	The City Council approved a request for a Required Five Year Review [U-0109-94(1)] of an approved Special Use Permit (U-0109-94) that allowed a 14-foot by 48-foot Off-Premise Sign (Billboard) on property located at 1767 North Rancho Drive. The Planning Commission recommended approval on 06/24/99.
08/01/01	The City Council approved a request for a Required Two Year Review [U-0109-94(2)] of an approved Special Use Permit (U-0109-94) that allowed a 14-foot by 48-foot Off-Premise Sign (Billboard) on property located at 1767 North Rancho Drive. The Planning Commission recommended approval on 06/28/01.
11/05/03	The City Council approved a request for a Required Two Year Review (RQR-2891) of an approved Special Use Permit (U-0109-94) that allowed a 14-foot by 48-foot Off-Premise Sign (Billboard) on property located at 1767 North Rancho Drive. The Planning Commission recommended approval on 09/25/03.
<b><i>Related Building Permits/Business Licenses</i></b>	
07/26/94	A building permit (#94341608) was issued against Plans Check (L-1920-94) for a billboard sign at 1767 North Rancho Drive. The permit was finalized on 10/11/94.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required for this type of application.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	
<b><i>Field Check</i></b>	
09/30/08	During a field inspection, the subject site was found to have graffiti written on the pole, and excessive bird droppings down the structure, parking lot area surrounding the structure, and on the south face of the sign.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.46

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Thrift Store	GC (General Commercial)	C-2 (General Commercial)
North	Zoo	GC (General Commercial)	C-2 (General Commercial)
South	Retail Establishments	GC (General Commercial)	C-2 (General Commercial)
East	Mobile Home Park	GC (General Commercial)	C-2 (General Commercial)
	Tavern	GC (General Commercial)	C-2 (General Commercial)
West	Retail Establishments	GC (General Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>	X		Y
A-O Airport Overlay District (70 feet)	X		Y
<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		Y

## DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising 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.	Sign is not in right-of-way	Y
Zoning	Off-Premise (Billboard) Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	Sign is in C-2 (General Commercial) zoning district	Y

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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.	Sign is 672 square feet in size. The embellishment is five feet above the regular rectangular surface of the sign	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.	Sign is 40 feet tall	Y
Screening	All structural elements of an Off-Premise (Billboard) Sign to which the display panels are attached shall be screened from view.	Structure elements of the sign are adequately screened from public view	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95.	Sign is not located along US-95	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any R zoned district.	There is at least 300 feet to the nearest property line zoned for residential use.	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 billboard is secured to the ground on C-2 (General Commercial) zoned property	Y

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**ANALYSIS**

This is the fourth required review since the initial approval of the Special Use Permit (U-0109-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) located at 1767 North Rancho Drive. Title 19.14.100(C)(4), states an embellishment is permitted on a sign if it does not exceed five feet above the rectangular surface of the sign and is not more than 128 square feet in size. The subject embellishment is five feet above the surface of the sign and 120 feet in size, therefore meets Title 19.14.100 requirements.

Since the initial approval of the Special Use Permit and subsequent review periods, there has been no tangible redevelopment within the surrounding area. A visual inspection conducted on 9/30/08 of the billboard in review found graffiti on the pole, and excessive bird droppings on the south facing sign, pole structure, and parking lot area surrounding the subject site.

**FINDINGS**

The sign is located within the C-2 (General Commercial) zoning district and is not within the Off-Premise Sign Exclusionary Zone. Staff finds that there is no adverse impact regarding the continued use of this sign, as there have been no significant changes in development or land use in the surrounding area since the last review.

Pigeon abatement measures on the sign need to be provided to remedy the existing bird nuisance, in addition to the property owner conforming to the condition of approval pertaining to properly maintaining the structure and sign by keeping it free of graffiti. Conditions of approval have been added to bring the Off-Premise Sign (Billboard) into compliance; therefore, staff recommends approval, subject to a three-year review.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8**

**ASSEMBLY DISTRICT 6**

**SENATE DISTRICT 4**

**NOTICES MAILED 117**

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**APPROVALS**                      0

**PROTESTS**                        7