

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 22, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: RQR-31809 - APPLICANT/OWNER: CAROL PAPPAS**

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**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: DENIAL.** If approved, subject to:**Planning and Development**

1. Conformance to the conditions for Special Use Permit (U-0319-94), if approved.
2. Payment of the required application and notification fees totaling \$800.00 and the applicable documents within 10 days of City Council.
3. This Special Use Permit shall be placed on an agenda closest to February 15, 2012 at which time the City Council may require the Off-Premise Sign (Billboard) 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 (Billboard) is removed.
4. The Off-Premise Sign (Billboard) 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 (Billboard).
5. If the existing Off-Premise Sign is voluntarily demolished, this Special Use Permit (U-0319-94) 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.
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 is a Required Review for an approved Special Use Permit (U-0319-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) located at 840 North Rancho Drive.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
03/17/71	The Board of City Commissioners denied a request for Rezoning (Z-0007-71) from C-1 (Limited Commercial) to C-2 (General Commercial) of property generally located on the east side of Tonopah Highway, 150 feet south of Washington Avenue. The Planning Commission recommended denial on 03/11/71.
05/26/88	The Board of Zoning Adjustment denied a request for a Variance (V-0050-88) to allow a used car sales operation, where such is not permitted on property located at 840 North Rancho Drive.
02/15/95	The City Council approved a request for a Special Use Permit (U-0319-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 840 North Rancho Drive. The Board of Zoning Adjustment recommended approval on 01/25/95.
11/28/95	The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0141-95) for a Minor Automotive Repair in conjunction with a proposed Auto Service Mall.
06/22/99	The Planning and Development Department approved a request for a Minor Site Development Plan Review (SD-0010-99) for a proposed 2,547 square-foot Restaurant on property located at 840 North Rancho Drive,
04/05/00	The City Council approved a request for a Required Review [U-0319-94(1)] of an approved Special Use Permit (U-0319-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 840 North Rancho Drive. The Planning Commission recommended approval on 02/24/00.
10/20/03	A Code Enforcement case (5747) was processed for the sale of vehicles on a dirt lot. The case was closed on 12/16/03.
05/25/04	There were a total of thirty-five (35) Vehicle Infraction cases processed for assorted vehicles for sale at different times on the dirt lot at 840 North Rancho Drive.
02/12/05	A Temporary Commercial Permit (TCP-6054) was issued to allow the sale of flowers for Valentines Day. The permit was valid from 02/12/05 to 2/14/05.

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02/12/06	A Temporary Commercial Permit (TCP-11198) was issued to allow the sale of flowers for Valentines Day. The permit was valid from 02/12/06 to 2/14/06.
02/12/07	A Temporary Commercial Permit (TCP-19149) was issued to allow the sale of flowers for Valentines Day. The permit was valid from 02/12/07 to 2/14/07.
<b><i>Related Building Permits/Business Licenses</i></b>	
03/17/95	A building permit (95370641) was issued for an Off-Premise Sign (Billboard) at 840 North Rancho Drive. The permit was finalized on 06/09/95.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting was not required, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	

<b><i>Field Check</i></b>	
01/05/09	Staff conducted a field inspection of the site with the following observations: <ul style="list-style-type: none"> <li>• The subject billboard had an embellishment on the display facing north with graffiti visible from the opposite sign face.</li> <li>• There is graffiti on the base portion of the sign structure.</li> <li>• The sign faces were in good condition.</li> </ul>

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	1.38

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Vacant land	SC (Service Commercial)	C-1 (Limited Commercial)
North	Retail Establishments	LI/R (Light Industry/Research)	C-1 (Limited Commercial)
	Single-Family Residential	ML (Medium Low Density Residential)	R-PD8 (Residential Planned Development-8 Units per Acre)
South	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
East	Fire Station	M (Medium Density Residential)	C-1 (Limited Commercial)
West	Retail Establishment	SC (Service Commercial)	C-1 (Limited Commercial)

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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>	X		Y
Las Vegas Redevelopment Plan	X		Y
West Las Vegas Plan	X		Y
<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 (105 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	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 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
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

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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 (Billboard)	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 not along US-95 or I-15 and is more than 300 feet from another Off-Premise Sign.	Y
Off-Premise Sign (Billboard)	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.	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

### ANALYSIS

This is the second Required Review since the initial approval of the Special Use Permit (U-0319-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 840 North Rancho Drive. A research of building permit activity found that the billboard was constructed under sign permit #95370641, and received a final inspection on 06/09/95 under the address of 840 North Rancho Drive. Staff conducted a field inspection and found the sign faces in good condition, but there was graffiti on the base portion of the structure. Additionally, the sign facing north has an embellishment, which did not appear to meet Title 19.14 requirements, but the size could not be verified since the owner/applicant has not submitted the required paperwork for the Required Review.

### FINDINGS

The sign is located in a C-1 (Limited Commercial) zoning district and is not within the Off-Premise Sign (Billboard) Exclusionary Zone. The sign faces were in good condition, but there was graffiti on the base portion of the structure and on the back of the embellishment, which was on the sign facing north. The embellishment did not appear to meet Title 19.14 requirements restricting the size, but verification of the actual dimensions could not be accomplished due to the owner/applicant failing to submit the required documents for the Required Review; therefore, staff is recommending denial.

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**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 20

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 216

**APPROVALS** 1

**PROTESTS** 0