



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**CITY COUNCIL MEETING DATE: JULY 17, 2024**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT: ROBERT R. BLACK, SR. - OWNER: REBEL  
LAND & DEVELOPMENT, LLC**

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>24-0236-RQR1</b>	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      28

**NOTICES MAILED**                      868

**PROTESTS**                      0

**APPROVALS**                      0

**\*\* CONDITIONS \*\***

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**24-0236-RQR1 CONDITIONS**

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**Planning**

1. Conformance to the Conditions of Approval for Variance (V-0043-96).
2. This Variance shall be reviewed in five (5) year(s), 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 Variance shall be expunged and a new Off-Premise Sign shall not be permitted in the same location unless the applicable entitlements are 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 request for a previously approved Variance (V-0043-96) for an Off-Premise Sign at 901 North Buffalo Drive.

**ISSUES**

- There have not been any significant changes in development of 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 five-year review.
- A related entitlement, Site Development Plan Review (24-0236-SDR1) request to convert the billboard faces to a Digital (LED) display is scheduled for the June 18, 2024 Planning Commission. Staff does not support the request.

**ANALYSIS**

This is the fourth Required Review of a previously approved Variance (V-0043-96) that allowed an existing non-conforming Off-Premise Sign to be relocated from 280 feet to 130 feet from a residential zoning district where 300 feet is the minimum distance required. Additionally, Variance (V-0001-98) was previously approved to allow an existing legal non-conforming Off-Premise Sign to be raised to a height of 55 feet. The subject Off-Premise Sign is located within the Billboard Exclusionary Zone, but was approved and built prior to the adoption of the Billboard Exclusionary Zone. Staff conducted a field check of the subject site and found the sign and supporting structures were in good condition with no issues noted. There have been no significant changes in development or land use since the previous Required Review (RQR-53826). Therefore, staff is recommending approval of this review with conditions.

**FINDINGS (24-0236-RQR1)**

Staff finds no adverse impact regarding the continued use of the Off-Premise Sign and is recommending approval of this request, subject to a five-year review.

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**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
03/18/87	The City Council approved a request for Rezoning (Z-0010-87) from N-U (Non-Urban) to C-1 (Limited Commercial) on property located at the northwest corner of Buffalo Drive and Washington Avenue. The Planning Commission and staff recommended approval.
01/20/93	The City Council approved a request for a Variance (V-0172-92) to allow a 40-foot tall, 21-foot by 32-foot Off-Premise Sign within 660 feet of the nearest right-of-way line of Summerlin Parkway where such use is prohibited. The Board of Zoning Adjustment and staff recommended denial.
	The City Council struck from the agenda a request for a Special Use Permit (U-0238-92) to allow a 21-foot by 32-foot Off-Premise Sign located at the northwest corner of North Buffalo Drive and West Washington Avenue. The Board of Zoning Adjustment recommended denial.
10/20/93	The City Council approved Special Use Permit (U-0194-93) to allow the sale of beer and wine within a proposed convenience store; and to allow a tavern in conjunction with a proposed restaurant on property located at the northwest corner of Buffalo Drive and Washington Avenue.
10/19/94	The City Council approved a request for an Extension of Time [U-0194-93(1)] of a previously approved Special Use Permit (U-0194-93) to allow the sale of beer and wine within a proposed convenience store; and to allow a tavern in conjunction with a proposed restaurant on property located at the northwest corner of Buffalo Drive and Washington Avenue.
11/15/95	The City Council approved a request for an Extension of Time [U-0194-93(2)] of a previously approved Special Use Permit (U-0194-93) to allow the sale of beer and wine within a proposed convenience store; and to allow a tavern in conjunction with a proposed restaurant on property located at the northwest corner of Buffalo Drive and Washington Avenue.

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<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
06/19/96	The City Council approved a request for a Variance (V-0043-96) to allow an existing non-conforming Off-Premise Sign to be relocated from 280 feet to 130 feet from a residential district where 300 feet is the minimum distance separation required at 911 North Buffalo Drive. The Board of Zoning Adjustment recommended approval.
11/20/96	The City Council approved a request for an Extension of Time [U-0194-93(3)] of a previously approved Special Use Permit (U-0194-93) to allow the sale of beer and wine within a proposed convenience store; and to allow a tavern in conjunction with a proposed restaurant on property located at the northwest corner of Buffalo Drive and Washington Avenue.
	The City Council approved a request for a Plot Plan and Building Elevation Review [U-0194-93(4)] for a proposed tavern with a proposed restaurant in an approved retail shopping center at 903 North Buffalo Drive. The Board of Zoning Adjustment recommended approval.
05/11/98	The City Council approved a request for a Variance (V-0001-98) to allow an existing 40-foot tall, legal non-conforming Off-Premise Sign within the Off-Premise Exclusionary Zone to be raised to a height of 55 feet where such is not allow at 901 North Buffalo Drive. The Board of Zoning Adjustment recommended approval.
08/15/01	The City Council approved a request for a Required Review [V-0043-96(1)] of an approved Variance (V-0043-96) that allowed an existing non-conforming Off-Premise Sign to be relocated from 280 feet to 130 feet from a residential zoning district where 300 feet is the minimum distance required at 911 North Buffalo Drive.
10/16/08	A Code Enforcement case (70714) was processed for a Physical Therapist office chaining a sign to a streetlight at the corner of Buffalo Drive and Washington Avenue. The sign blocks the southwest corner-owner asked to remove the sign and they refused. The case was resolved on 10/20/08.
04/16/09	A Code Enforcement case (76944) was processed for graffiti on the back of a Gas Station at 901 North Buffalo Drive. The case was resolved on 04/28/09.

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<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
08/05/09	The City Council approved a request for a Required Review (RQR-33738) of a previously approved Variance (V-0043-96) that allowed an existing non-conforming Off-Premise Sign to be relocated from 280 feet to 130 feet from a residential zoning district where 300 feet is the minimum distance required at 921 North Buffalo Drive. The Planning Commission and staff recommended denial.
08/20/14	The City Council approved a request for a Required Review (RQR-53826) of an approved Variance (V-0043-96) for a 55-foot tall, 14-foot by 48-foot off-premise sign at 921 North Buffalo Drive. Staff recommended approval.
09/14/21	The Planning Commission approved Special Use Permit (21-0419-SUP1) request for a proposed Auto Smog Check use at 901 North Buffalo Drive. Staff recommended approval.

<b><i>Most Recent Change of Ownership</i></b>	
12/23/15	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
04/03/98	A building permit (98007014) was issued for a 5,300 square-foot convenience store at 901 North Buffalo Drive. The permit was finalized on 10/20/98.
04/03/98	A building permit (98007015) was issued for fuel island canopies at 901 North Buffalo Drive. The permit was finalized on 10/20/98.
04/22/98	A building permit (98008342) was issued for a new building at 901 North Buffalo Drive. The permit was finalized on 10/06/98.
07/27/98	A building permit (98015204) was issued for a pole sign with electric at 901 North Buffalo Drive. The permit was finalized on 10/02/98.
08/13/98	A building permit (98016548) was issued for a water feature at 901 North Buffalo Drive. The permit was finalized on 10/02/98.
09/15/98	A building permit (98018674) was issued to raise an existing Off-Premise Sign to a height of 55 feet at 911 North Buffalo Drive. The permit was finalized on 10/09/98.
12/23/15	Business License (#G63-08701) was issued for a Convenience Store use at 901 North Buffalo Drive. The license remains active.
01/24/18	Business License (#G65-08901) was issued for an Automotive Fuel Service Station use at 901 North Buffalo Drive. The license remains active.

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***Pre-Application Meeting***

A pre-application meeting was not required, nor was one held.

***Neighborhood Meeting***

A neighborhood meeting was not required, nor was one held.

***Field Check***

05/09/24	Staff conducted a routine field check and found an existing billboard adjacent to a convenience store. No issues were noted.
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***Details of Application Request***

***Site Area***

Net Acres	0.90
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<b><i>Surrounding Property</i></b>	<b><i>Existing Land Use Per Title 19.12</i></b>	<b><i>Planned or Special Land Use Designation</i></b>	<b><i>Existing Zoning District</i></b>
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
South	City Park	PF (Public Facilities)	C-V (Civic)
		PR-OS (Park/Recreation/Open Space)	
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)

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<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
Las Vegas 2050 Master Plan Area: Summerlin North	Y
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
No Applicable Special Area or Overlay Districts	N/A
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

**DEVELOPMENT STANDARDS**

<b>Standards</b>	<b>Code Requirements</b>	<b>Provided</b>	<b>Compliance</b>
Location	No Off-Premise Sign may be located within public right-of-way and shall be prohibited within the Off-Premise Sign Exclusionary Zone	The sign is not in public right-of-way. This is a legal non-conforming Off-Premise Sign located within the Off-Premise Exclusionary 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

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<b>Standards</b>	<b>Code Requirements</b>	<b>Provided</b>	<b>Compliance</b>
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 55 feet tall.	N*
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)	The sign is more than 300 feet from another Off-Premise 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.	Sign is more than 300 feet from any property line zoned either "R" or "U."	N**
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

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