



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 28, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-26493 - APPLICANT/OWNER: 212 LAS VEGAS BLVD, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0100-64), and Special Use Permit (SUP-24482) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**VAR-26493 - Staff Report Page One
February 28, 2008 - Planning Commission Meeting**

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is to allow a 42 square-foot projecting sign with a zero-foot setback from back of curb where Title 19.14.060 allows for a 32 square-foot projecting sign with a setback of three feet from the back of curb at 212 South Las Vegas Boulevard. The subject property is planned for future renovations and was recently approved for use as a Pawn Shop. The proposed sign will enhance the façade of the building and will consist of at least 75% neon illumination, keeping in theme with the intentions of the Las Vegas Boulevard Scenic Byway Overlay District. The shape of the sign will be a modified boomerang with flashing bulbs at the perimeter of the sign, measure approximately 9.5 feet high and a maximum of 6 feet in width and will sit 14.5 feet above the existing sidewalk. As the proposed sign is in keeping with the goals and intentions of the Las Vegas Boulevard Scenic Byway Overlay District and will provide an overall enhancement to the neighborhood, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved a Rezoning (Z-0100-64) of multiple parcels in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
11/21/07	The City Council approved a Special Use Permit (SUP-24482) to allow a Pawn Shop and a Waiver of the distance separation to 544 feet where 1,000 is required from another Financial Institution, Specified at 212 South Las Vegas Boulevard. The Planning Commission recommended approval, staff recommended denial.
<i>Related Building Permits/Business Licenses</i>	
There are no Building Permits or Business Licenses associated with this property.	
<i>Pre-Application Meeting</i>	
01/03/08	A pre-application meeting was held with staff to discuss the Title 19.14 and Las Vegas Downtown Centennial sign standards.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

VAR-26493 - Staff Report Page Two
February 28, 2008 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.28

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Service Commercial	C (Commercial) Downtown Land Use Plan Area	C-2 (General Commercial)
North	Service Commercial	C (Commercial) Downtown Land Use Plan Area	C-2 (General Commercial)
South	Service Commercial	C (Commercial) Downtown Land Use Plan Area	C-2 (General Commercial)
East	Service Commercial	C (Commercial) Downtown Land Use Plan Area	C-2 (General Commercial)
West	Service Commercial	C (Commercial) Downtown Land Use Plan Area	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		No*
Redevelopment Plan Area	X		No*
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
Downtown Overlay District	X		No*
Live/Work Overlay District	X		No*
Las Vegas Boulevard Scenic Byway Overlay District	X		No*
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* The subject property is an existing non-conforming building.

VAR-26493 - Staff Report Page Three
February 28, 2008 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Projecting Signs: 19.14.060			
Standards	Allowed	Provided	Compliance
Maximum Number	1 per entrance	1 total	Yes
Maximum Area	32 square feet	42 square feet	No*
Maximum Height	1 foot above eave or rafter line, whichever is higher	Sign sits below the top of the roof parapet	Yes
Minimum Clearance	8 feet from the bottom of the ground to sign	14.5 feet from the bottom of the ground to sign	Yes
Minimum Setback	A projecting sign may project over the public right-of-way, provided the projecting sign maintains a minimum setback of three feet measured from the back of the curb and such signs do not project more than six feet from the building elevation to which they are attached.	Zero foot setback measured from the back of curb; sign will not project more than six feet from the face of the building	No*
Illumination	At least 75% of the total sign surface must consist of illuminated signage in the form of neon or animation per the Las Vegas Downtown Centennial Plan	Sign to be minimum 75% neon	Yes

* A request for a Variance has been submitted as part of this application.

ANALYSIS

The applicant is proposing to construct a 42 square-foot projecting sign at the subject property located at a setback of zero feet from the back of curb where Title 19.14.060 allows for a 32-square foot projecting sign set back three feet from the back of curb. The proposed sign will compliment the renovation of this property and will be in keeping with the requirements and intentions of the Las Vegas Boulevard Scenic Byway Overlay District. The sign will measure approximately 6 feet by 9.5 feet and be placed 14.5 feet above the sidewalk. The applicant has designed the sign to feature approximately 75% neon illumination covering the modified boomerang shape of the sign and feature flashing bulbs around the perimeter of the sign.

Development standards for signs are established in order to promote the goals of Title 19. Included in those goals is the improvement of the quality, visibility, and appearance of the City

VAR-26493 - Staff Report Page Four
February 28, 2008 - Planning Commission Meeting

thoroughfares and neighborhoods. As this sign fully satisfies the intentions of the Las Vegas Boulevard Scenic Byway Overlay District, the base of the sign will be well above the sidewalk and the encroachment of the sign to the back of curb is minimal, staff finds that the proposed projecting sign will not adversely impact the appearance of the streetscape and recommends approval of this request.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.

Additionally, Title 19.18.070L states:

Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.

The projection of this proposed sign along with the increase in square footage above the allowable restrictions listed in Title 19.14.060 is minor in nature. Granting this Variance will allow the applicant to construct the projecting sign without adverse impact to the appearance of the street.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 6

SENATE DISTRICT 3

NOTICES MAILED 104

APPROVALS 0

PROTESTS 1