



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 25, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-34515 - PUBLIC HEARING - APPLICANT/OWNER: THE CITY OF LAS VEGAS

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-18755), and Site Development Plan Review (SDR-18751) shall be required, if approved.
2. Freestanding sign shall be no higher than 37 feet and have a surface area no greater than 505 square feet.
3. 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Variance to allow a proposed 37-foot tall freestanding sign where 12 feet is the maximum height allowed; and a Variance to allow for the proposed 37-foot tall freestanding sign to have 505 square feet of sign surface area where 48 square feet is the maximum allowed on 2.10 acres at the northeast corner of Las Vegas Boulevard and McWilliams Avenue. This project is a component of the Neon Museum and would be located within the Neon Boneyard Park portion of the complex. Staff is recommending approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/07/04	The City Council approved a Rezoning (ZON-3256) and a related Site Development Plan Review (SDR-3257) application for a portion of the subject site. The Planning Commission and staff both recommended approval of the requests. The Site Development Plan Review application (SDR-3257) expired in January 2006, as no building permits were submitted; however, the subject properties have since been hard zoned to C-V (Civic).
02/21/07	The City Council approved a Rezoning application (ZON-18755) from C-1 (Limited Commercial) to C-V (Civic) for a site located on the east side of Las Vegas Boulevard, north and south of McWilliams Avenue.
02/21/07	The City Council approved a Site Development Plan Review (SDR-18751) for a 2,768 square-foot museum and park for a site located on the east side of Las Vegas Boulevard, north and south of McWilliams Avenue
<i>Pre-Application Meeting</i>	
05/13/09	A pre-application conference was conducted with the applicant; issues were discussed regarding the need for a sign variance and the need for the sign to meet the Las Vegas Boulevard Scenic Byway signage standards for neon and/or animation.
<i>Neighborhood Meeting</i>	
N/A	A neighborhood meeting is not required for this application request, nor was one held.

<i>Field Check</i>	
05/19/08	Field visit was conducted. The site was found to be a fenced lot. The lot was vacant in front with storage of historic neon signs in the rear.

YK

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.10 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Museum (storage facility); Undeveloped	PF (Public Facilities)	C-V (Civic)
North	Parking Lot (Cashman Center)	PF (Public Facilities)	C-V (Civic)
South	Museum	PF (Public Facilities)	C-V (Civic)
East	Single-Family Use; Multifamily Residential Use	MXU (Mixed-Use)	R-1 (Single Family Residential); R-3 (Medium-Density Residential)
West	Cultural Facility (Reed Whipple Center); Undeveloped	PF (Public Facilities); MXU (Mixed-Use)	C-V (Civic); C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	Y		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
C-V (Civic) District	Y		Y
A-O (Airport Overlay) District	Y		Y
Las Vegas Boulevard Scenic Byway Overlay District	Y		Y
Trails	Y		Y
Rural Preservation Overlay District		N	Y
Development Impact Notification Assessment		N	Y
Project of Regional Significance		N	Y

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DEVELOPMENT STANDARDS

Freestanding Signs: [type in sign reference]		
Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total	1 / Street frontage 1 total
Maximum Area	48 SF.	505 SF.
Maximum Height	12 Feet	37 Feet
Minimum Setback	5 Feet	12 Feet
Illumination	Internal and/or Direct External	Internal/L.E.D. Animated/Chasing Pattern

ANALYSIS

The proposed sign is for the Neon Boneyard Park which is a component of the Neon Museum complex located at 770 North Las Vegas Boulevard. The sign is also located within both the Cultural Corridor and the Las Vegas Boulevard Scenic Byway. Staff has reviewed the sign for conformance with the standards outlined within the Scenic Byway Signage Overlay District and found that it is within those standards. Although the sign is using L.E.D. lighting instead of neon, the fact that the letters will be animated and set up in a chasing pattern meets the standards established. The sign, as proposed, will be an asset to the Scenic Byway program.

The sign requires the variance because the C-V (Civic) zoning designation only permits signs to be 12 feet tall with a surface area of 48 square feet. The oversized sign is being requested as a vital part of the overall Neon Museum complex. The sign is 37 feet high and 18 feet wide featuring a lattice surface area. Attached to the lattice are replicas of historic neon lettering spelling out the word neon. The letters will be animated and light up in a chasing pattern from top to bottom. An atomic star will be off set to the right of the lettering. The lighting proposed is L.E.D. instead of neon due to the reduced maintenance costs associated with it over time. The sign will be supported by a six foot wide, 27- 9 high concrete pylon with smooth cement plaster finish in a vista sandalwood color.

The proposed sign would be an asset to the Las Vegas Boulevard Scenic Byway and since the park is a civic asset the visibility is needed. Since the sign was addressed in the Site Development Review report and only material changes are being made to the overall sign, staff is recommending approval.

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:

YK

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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.

This sign was addressed in the Site Development Review process. However, due to the material change needed for the sign, a variance is required. The proposed sign will be an asset to the Scenic Byway program and be an added feature for the Cultural Corridor for visibility of the new park. Staff recommends approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 6

SENATE DISTRICT 10

NOTICES MAILED 168

APPROVALS 0

PROTESTS 0

CONCERNS 1