

City of Las Vegas

AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: APRIL 8, 2025

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: LAS VEGAS CLARK-COUNTY LIBRARY DISTRICT

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
25-0059-VAR1	Staff recommends DENIAL, if approved subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 203

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

25-0059-VAR1 CONDITIONS

Planning

1. A Variance is hereby approved to allow an animated wall sign in the C-PB (Planned Business Park) district where such is prohibited.
2. A Variance is hereby approved to allow a wall sign to cover 15 percent of the eastern elevation where 10 percent is the maximum allowed.
3. A Variance is hereby approved to allow an animated sign within 100 feet of property planned or zoned for residential use where 200 feet is required..
4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
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 Variance request to allow a proposed animated wall sign that fails to comply with Title 19 maximum size and residential protection standards on 2.54 acres at 1861 North Martin L King Boulevard.

ISSUES

- A Variance is requested to allow an animated wall sign in the C-PB (Planned Business Park) district where such is prohibited. Staff does not support the request.
- A Variance is requested to allow a wall sign to cover 14.3 percent of the eastern elevation where 10 percent is the maximum allowed. Staff does not support the request.
- A Variance is requested to allow an animated sign within 100 feet of property planned or zoned for residential use where 200 feet is required. Staff does not support the request.
- An approval letter has been provided by the Las Vegas Enterprise Park Architectural Review Committee.

ANALYSIS

The subject site is zoned C-PB (Planned Business Park) and subject to Title 19 development standards. It is currently under construction for the West Las Vegas Library. The applicant requests a Variance to allow an animated wall sign that fails to comply with Title 19 maximum size and residential protection standards.

The submitted plans depict a 1,060 square-foot animated wall sign located on the eastern façade of the subject building. Per Title 19, an animated sign is defined as, “Any sign that uses any of the following: animation or movement; mechanical devices such as spinning, rotating, revolving or oscillating mechanical or structural components; flashing, sequential or oscillating lights; lighting that moves from bright to dim and back to bright; or other similar continuously automated methods or dynamic devices, such as steam, fog, misting, or change of lighting or message, to depict action or create a special effect or alternating scene that results in movement, the appearance of movement, or the changing of sign image or message. The term includes any sign or portion thereof with characters, letters or illustrations, that can be changed or rearranged manually or electronically without altering the face or the surface of the sign. The term does not include a sign on which the only copy that changes is the electronic indication of time, temperature, or both.”

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The applicant requests the following Variances for the proposed sign:

- To allow an animated wall sign in the C-PB (Planned Business Park) district where such is prohibited;
- To allow a wall sign to cover 14.3 percent of the eastern elevation where 10 percent is the maximum allowed; and
- To allow an animated sign within 100 feet of property planned or zoned for residential use where 200 feet is required.

The subject site is located within 100 feet of an undeveloped R-1 (Single Family Residential) zoned property adjacent to the east. Martin L King Boulevard separates the properties. Per Title 19, "Electronic message units, animated signs and flashing signs are prohibited within 200 feet of property planned or zoned for residential use unless the design of the sign or its location and orientation ensure that the electronic message unit, animated or flashing portion of the sign, or any other light from the sign will not be visible from the property planned or zoned for residential use." While an existing landscaped median within Martin L King Boulevard will provide some buffering for the proposed sign, it will still be visible from the residentially zoned property.

Staff finds the Variance request to be a self-imposed hardship and thereby recommends denial of the request. If approved, it will be subject to conditions.

FINDINGS (25-0059-VAR1)

In accordance with the provisions of Title 19.16.140(B), the 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 19.16.140(L) 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."

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No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing an animated wall sign that fails to comply with Title 19 development standards. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
10/29/94	The City Council approved a request to rezone (Z-136-94) from R-E (Residence Estates) to C-PB (Planned Business Park) on the west side of Martin L. King Boulevard, between Lake Mead Boulevard and Vegas Drive.
11/05/03	The City Council approved a request for a Site Development Plan Review (2908-SDR) for a 71,323 square foot sound stage and a 53,287 square foot corporate office building on 5.89 acres adjacent to the west side of Martin Luther King Boulevard, approximately 330 feet north of Wheeler Peak Drive. Planning Commission and staff recommended approval.
	The City Council approved a Special Use Permit (2909-SUP) for a recording studio and television broadcasting & other communication services adjacent to the west side of Martin Luther King Boulevard, approximately 330 feet north of Wheeler Peak Drive. Planning Commission and staff recommended approval.
02/15/23	The City Council approved Site Development Plan Review (22-0579-SDR1) for a proposed two-story, 40,430 square-foot community library located on the west side of Martin L King Boulevard approximately 400 feet south of Mount Mariah Drive. The Planning Commission and Staff recommended approval.

<i>Most Recent Change of Ownership</i>	
10/31/22	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
04/11/24	Building Permit #C23-03841 was issued for a library building at 1861 North Martin L King Boulevard. The permit remains active.
12/17/24	Building Sign Permit #C24-03869 was denied by Planning due to the need for the subject Variance.

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Pre-Application Meeting	
02/04/25	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed sign Variance.

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

Field Check	
02/27/25	Staff conducted a routine field check and found a building under construction. No issues were noted.

Details of Application Request	
Site Area	
Net Acres	2.54

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	LI-R (Light Industrial/Research)	C-PB (Planned Business Park)
North	Office, Medical or Dental	LI-R (Light Industrial/Research)	C-PB (Planned Business Park)
South	Post Office, Local Service	LI-R (Light Industrial/Research)	C-PB (Planned Business Park)
East	Undeveloped	TOC-2 (Transit Oriented Corridor - Low)	R-1 (Single Family Residential)
	Church/House of Worship		R-3 (Medium Density Residential)
West	Government Facility	LI-R (Light Industrial/Research)	C-PB (Planned Business Park)

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Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: West Las Vegas	Y
Enterprise Park	Y
West Las Vegas Plan	Y
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District (105 Feet)	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area - Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Martin L King Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	100 Feet	Y

Wall Signs:			
Standards	Allowed	Provided	Compliance
Maximum Number	1 sign per tenant or per building elevation, which faces a street or on-site parking area	1 sign	Y
Maximum Area	The total amount of wall signage allowed per building elevation is equivalent to 10% of the building elevation. (742 SF)	15% (1,060 SF)	N*
	A wall sign shall not extend more than 12 inches above top of wall, marquee or parapet to which it is attached	Below top of wall	Y

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Wall Signs:			
Standards	Allowed	Provided	Compliance
Maximum Height	N/A	N/A	N/A
Maximum Projection	A wall sign shall not project more than 24 inches from the structure to which it is attached; where a wall sign projects from a building elevation, there shall be no additional message on the additional horizontal surface created by the projection	7 inches	Y
Illumination	Internal and or direct external illumination, except on a building elevation facing and located within two hundred feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use. Animated and electronic message unit signs are prohibited	Animated	N*