



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**PLANNING COMMISSION MEETING DATE: APRIL 9, 2024**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT: BROCK OHLSON - OWNER: 6060 ELTON AVENUE, LLC**

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>24-0061-VAR1</b>	Staff recommends DENIAL, if approved subject to conditions:.	

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      21

**NOTICES MAILED**                      366

**PROTESTS**                      0

**APPROVALS**                      0

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

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**24-0061-VAR1 CONDITIONS**

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**Planning**

1. A Variance (24-0061-VAR1) is hereby approved, to allow two proposed signs on the eastern elevation where one sign is allowed.
2. A Variance (24-0061-VAR1) is hereby approved, to allow a 19 percent coverage of the eastern tenant space elevation where 10 percent is the maximum allowed.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
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 two proposed signs on the eastern tenant space elevation where one sign is allowed; and to allow a wall signage area of 19 percent on the building elevation where 10 percent is allowed at an existing office building located at 6060 Elton Avenue.

**ISSUES**

- A Variance (24-0061-VAR1) is requested to allow two signs on the eastern elevation, where one sign is allowed. Staff does not support this request.
- A Variance (24-0061-VAR1) is requested to allow the two proposed signs to cover 19 percent of the eastern tenant space elevation, where 10 percent is the maximum allowed. Staff does not support this request.

**ANALYSIS**

The subject property is located within the P-R (Professional Office and Parking) zoning district and is subject to the Archived Title 19 development standards. The site is currently developed as a law office that is surrounded by single-family residential dwellings on the east and south. To the west is the Mirabelli Community Center. The subject property is also bounded by U.S. Highway 95 to the north. Per Archived Title 19.14, wall signs within this commercial development are limited to one sign per tenant elevation which faces a street or on-site parking area. In addition, the maximum amount of signage area cannot exceed ten percent of the tenant space elevation.

The applicant is proposing to install two wall signs on the eastern elevation of the tenant space, which faces Jones Boulevard and the existing on-site parking lot where one sign is allowed. Additionally, the two proposed signs cover 19 percent of the eastern tenant space elevation, where 10 percent is the maximum allowed. No evidence of a unique or extraordinary circumstance has been presented. Staff has determined that the proposed signage is inconsistent with the intent of the Archived Title 19.14 sign development standards; therefore, staff recommends denial of this Variance (24-0061-VAR). If approved, the Variance will be subject to conditions.

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**FINDINGS (24-0061-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."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by requesting to install signage that exceeds the maximum allowed under the Archived Title 19.14 wall sign development standards for the P-R (Professional Office and Parking) zoning district. Alternative designs would allow conformance to the Title 19 requirements. 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**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
03/20/91	The City Council approved a request for reclassification of property (Z-0010-91) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on property located on the northwest corner of Elton Avenue and Jones Boulevard. The Planning Commission and staff recommended approval.
03/03/93	The City Council approved a request for a Plot Plan and Building Elevation Review [Z-0010-91(2)] of a proposed office building to be located on the northwest corner of Jones Boulevard and Elton Avenue. Staff recommended approval.

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<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
03/17/93	The City Council approved a request for an Extension of Time [Z-0010-91(1)] on property located on the northwest corner of Jones Boulevard and Elton Avenue. The Planning Commission and staff recommended approval.
06/01/94	The City Council approved a request for a Review of Condition [Z-0010-91(3)] to allow a two-story buildings on property located on the west side of Jones Boulevard, north of Elton Avenue. The Planning Commission and staff recommended approval.
02/13/18	The Planning Commission approved a Variance (VAR-72416) to allow two signs on the northern elevation where one sign allowed and to allow the two proposed signs to cover 19 percent of the northern tenant space elevation, where 10 percent is the maximum allowed.

<b><i>Most Recent Change of Ownership</i></b>	
03/22/16	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
08/29/95	A Building Permit (#95385982) was issued for a new building at 6060 Elton Avenue. The permit was finalized on 04/12/96.
03/24/16	A Business License (G64-01949) was issued for a law firm at 6060 Elton Avenue. The license is currently active.
04/02/18	A Building Permit (C17-02219) was issued to install two wall signs at 6060 Elton Avenue. The permit was finalized on 06/14/18.
01/10/24	A Building Permit (C24-00093) was submitted to remove one set of signs located on north building elevation and relocate them to the east building elevation. The Building Permit is waiting for resubmittal pending the results of this Variance.

<b><i>Pre-Application Meeting</i></b>	
01/31/24	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Variance.

<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	

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<b>Field Check</b>	
02/28/24	Staff conducted a routine field check of the subject site and observed an existing commercial office building. Nothing of concern was noted.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	0.24

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	Office, Other than Listed	O (Office)	P-R (Professional Office and Parking)
North	U.S. 95	ROW (Right-of-Way)	ROW (Right-of-Way)
South	Residential, Single Family Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Office, Other than Listed	SC (Service Commercial)	P-R (Professional Office and Parking)
West	Community Recreational Facility (Public)	PF (Public Facility)	C-V (Civic)

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: Charleston	N/A
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
A-O (Airport Overlay) District – 175 Feet	Y
<b>Other Plans or Special Requirements</b>	<b>Compliance</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

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## DEVELOPMENT STANDARDS

***Pursuant to Archived Title 19.14 Sign Standards, the following standards apply:***

<b><i>Standard</i></b>	<b><i>Required/Allowed</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
Maximum Number	1 Sign per Tenant Elevation	2 Signs per Tenant Elevation	N*
Maximum Area	10% (110.8 SF/sign)	18.58% (206.02 SF)	N*
Maximum Height	Shall Not Extend More Than 12 Inches Above Top Of Wall	Below Parapet	Y
Maximum Projection	2 Feet	4 Inches	Y
Illumination	Internal/External	Internal/External	Y

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