

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 23, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:

VAR-22985 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SY HOLDINGS I, LLC - Request for a Variance TO ALLOW EXISTING EXPOSED NEON TUBE TO BE 84 FEET FROM RESIDENTIAL ZONED PROPERTY WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED on 2.9 acres at 4343 North Rancho Drive (APN 138-02-701-004), C-2 (General Commercial) Zone, Ward 6 (Ross)

C.C.: 09/17/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTS:

1. Location and Aerial Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest postcards
7. Submitted after final agenda - Protest postcard

Motion made by DAVID STEINMAN to Deny

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

GLENN TROWBRIDGE, DAVID STEINMAN, STEPHEN EVANS, LEO DAVENPORT, BYRON GOYNES, RICHARD TRUESDELL, SAM DUNNAM; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIRMAN DAVENPORT declared the Public Hearing open.

ANDY REED, Planning and Development Department, stated the site has no hardship which requires the placement of exposed neon adjacent to residential homes and recommended denial.



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SYRUS VEEL, 4343 North Rancho Drive, appeared on behalf of the applicant. He explained the request was to allow neon to surround the entire building, including the portion facing the mobile home park, and stated that the lighting was needed for security.

COMMISSIONER EVANS suggested the applicant should consider down lighting rather than exposed neon lighting and MR. VEEL explained the neon would enhance the building. In response to COMMISSIONER EVANS' question regarding the property's Code violations, MR. VEEL stated the neon had been removed and this application was a request to put it back. MR. VEEL added that he had spoken to the neighbors and they supported this request.

TODD FARLOW, 240 North 19th Street, requested clarification of the applicant's request. When DOUG RANKIN, Planning and Development Department, explained that neon is a restricted light source only permitted in specific cases, MR. FARLOW stated that these regulations are ridiculous.

MARGO WHEELER, Director of Planning and Development Department, clarified that exposed neon is only prohibited when it is facing residential units.

COMMISSIONER DUNHAM stated he could not support exposed neon adjacent to the residential area and COMMISSIONER EVANS concurred. COMMISSIONER EVANS also noted that protest letters had been submitted and observed the justification letter did not state the reason for the request.

COMMISSIONER STEINMAN suggested that the applicant's request was not based on security and was intended to bring attention to the building. He also stated the neon light's impact on the neighborhood might be moderated by existing street and parking lights.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

