



City of Las Vegas

Agenda Item No.: 95.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 7, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
VARIANCE

VAR-26447 VARIANCE ITEM # 116710 HEARING - APPLICANT/OWNER: DFA, LLC
Appeal filed for final approval by the Planning Commission of a request for a Variance TO ALLOW A 1200 SQUARE FOOT OFF-PREMISE DIGITAL (BILLBOARD) SIGN FLUSH WITH THE WALL OF THE PARKING STRUCTURE WHERE 672 SQUARE FEET IS PERMITTED AND TO ALLOW THE OFF-PREMISE DIGITAL (BILLBOARD) SIGN TO BE ERECTED 58 FEET ABOVE THE ELEVATION OF THE FREEWAY WHERE 30 FEET ABOVE THE ELEVATION OF THE FREEWAY IS THE MAXIMUM ALLOWED on 2.61 acres at the southwest corner of Bonanza Road and Martin Luther King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="0"/>	Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="1"/>	City Council Meeting	<input type="text" value="1"/>

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal Letter filed by The Groesbeck Group
7. Protest/support postcards
8. Submitted after Final Agenda Revised Elevations for Items 95 and 96
9. Submitted after Meeting Recordation Notice of Council Action and Conditions of Approval for Items 95 and 96

Motion made by RICKI Y. BARLOW to Approve subject to conditions and adding the following conditions as read for the record:

- A. No Variance to exceed a maximum billboard size is required nor granted.



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B. The applicant shall provide sectional drawings signed by a surveyor licensed by the State of Nevada depicting the finished grade of the US 95 Freeway adjacent to and south of the subject site. The sectional drawing shall show the height of proposed sign not to exceed 58 feet above the finished grade of US 95.

C. The billboard shall be flush mounted in location.

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

MICKI Y. BARLOW, LOIS TARKANIAN, LARRY B. BARLOW, OSCAR B. GOODMAN, MARY REES, STEVE WOLFSON, STEVE COOPER (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN closed the Public Hearing open for Items 95 and 96.

ATTORNEY ROBERT GROESBECK, 115 East Reno Avenue, appeared on behalf of the applicant and stated that the previous proposal was for a 20x60 foot sign, but the Code allows for a 14x48 foot sign. The height was revised, there will be a two-faced sign each face limited to the 14x48 feet. He approved and asked that the sign on the east side be allowed to cantilever about eight degrees out to allow for sufficient advertising to traffic heading over the freeway going north. The west side will be flush and sufficient for advertising. He agreed with all conditions.

ANTHONY HODGES, 123 Sir David Way, noted staff and Planning Commission's difference in recommendations.

TEDDY RUSSELL, Las Vegas resident, noted he will support COUNCILMAN BARLOW'S decision whether for or against.

JOE MAVIGLIA, Las Vegas resident, appeared and questioned the purpose of the application.

MARGO WHEELER, Director of Planning and Development, clarified for COUNCILWOMAN TARKANIAN that, if approved with the new revised site plan, conditions would be added to address the two faces of a single billboard, each not to exceed 672 square feet. Also the applicant must provide sectional drawings signed by a license surveyor in order to comply with the variance as requested. MS. WHEELER also recommended a condition to indicate that the board be flush mounted in location. While there was some previous discussion about cantilevering, part of staffs suggestion was to do a two-face billboard flush mounted in order to meet the Code without requiring a variance for the size. With the size of the billboard, COUNCILMAN BARLOW was unsure how much advertisement would be seen by traffic traveling south towards Martin Luther King Boulevard. It was his understanding that both billboards will be flush, and he would prefer to see the billboard remain flush. ATTORNEY GROESBECK deferred to the Councilman's final decision.

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MS. WHEELER noted that Condition 4 on Item 96 needs to be revised to reflect the site plan, date stamp of 2/5/2008 and 5/7/2008.

COUNCILMAN ROSS complimented the building as beautiful and verified with ATTORNEY GROESBECK that the goal is to have completion within the two year timeframe as previously agreed upon. The Councilman looks forward to seeing this building in this area, as COUNCILWOMAN TARKANIAN concurred.

COUNCILMAN BARLOW thanked ATTORNEY GROESBECK and MR. AHERN for working with him and staff. He believes this is a great project into West Las Vegas. He noted there will be the upcoming groundbreaking for Bank of America on Washington Avenue, and he looks forward to this project coming to fruition.

MAYOR GOODMAN stated that during one of his Town Hall meetings he received a call from a gentleman who had been a victim of drugs and alcohol and asked for help. The Mayor called MR. AHERN to ask for assistance, who in turn hired this gentleman. Upon speaking with MR. AHERN, the Mayor found out that the gentleman is a great employee. He asked ATTORNEY GROESBECK to convey this message to MR. AHERN.

ATTORNEY GROESBECK thanked MS. WHEELER for accommodating his paperwork. She is an asset to staff.

MAYOR GOODMAN declared the Public Hearing closed for Items 95 and 96.