



*City of Las Vegas*

Agenda Item No.: 29.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: OCTOBER 9, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

**SUBJECT:** PAR-2965 - VARIANCE - PUBLIC HEARING - APPLICANT: SIEGEL COMPANIES, INC. - OWNER: PARADISE SOLAR LLC - Request for a Variance TO ALLOW SIX FREESTANDING SIGNS (ONE 3'-00" FREESTANDING AND FIVE FIVE-FOOT TALL FREESTANDING SIGNS) WHERE TWO ARE ALLOWED; TO ALLOW A ONE-FOOT SETBACK FOR THE FIVE-FIVE-FOOT FREESTANDING SIGNS WHERE FIVE FEET IS THE MINIMUM REQUIRED; TO ALLOW FOR A 50-FOOT TALL, 504 SQUARE-FOOT FREESTANDING SIGN WHERE 12 FEET IN HEIGHT AND 48 SQUARE FEET IN AREA IS THE MAXIMUM ALLOWED; TO ALLOW A DISTANCE SEPARATION OF LESS THAN 100 FEET BETWEEN FREESTANDING TO MONUMENT SIGN, AND FREESTANDING TO FREESTANDING SIGN WHERE 100 FEET IS THE MINIMUM REQUIRED; AND TO ALLOW AN EXISTING 9.5-FOOT TALL MONUMENT SIGN WHERE 8 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.66 acres at 2000 Paradise Road (APN 162-03-411-012), R-5 (Apartment) Zone, Ward 3 (Reese)

C.C.: 11/05/2008

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

|                          |   |                          |   |
|--------------------------|---|--------------------------|---|
| Planning Commission Mtg. | 2 | Planning Commission Mtg. | 1 |
| City Council Meeting     | 0 | City Council Meeting     | 0 |

**RECOMMENDATION:**

**DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after Final Agenda Protest/Support Postcards and Photos

Motion made by RICHARD TRUESDELL to Approve subject to conditions and adding the following conditions as read for the record:

- A. The existing 9-1/2 foot high monument sign will remain in its current location.
- B. Approval of a new 12-foot high/48 square feet free standing sign on the St. Louis frontage, the location to be approved by the Planning and Development Department.

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C. Only four amenity signs will be allowed. Location to be approved by the Planning and Development Department.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0  
SAM DUNNAM, BYRON GOYNES, GLENN TROWBRIDGE, RICHARD TRUESDELL,  
STEVEN EVANS, DAVID STEINMAN, VICKI QUINN; (Against-None); (Abstain-None);  
(Did Not Vote-None); (Excused-None)

NOTE: COMMISSIONER TRUESDELL disclosed that he owns property along Paradise Road but since it is outside of the notice area, he would vote on the application.

Minutes:

CHAIR GOYNES declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development Department, explained that there are six deviations related to the Variance, five of which pertain to existing illegal signs. He stated the request is the result of self-imposed hardship and recommended denial.

TABITHA FIDDYMENT, 3800 Howard Hughes and MARK WHITEHOUSE, UltraSigns, appeared on behalf of the applicant. MS. FIDDYMENT concurred with staffs remarks but explained that the applicant had purchased the neglected property and completely renovated the site. She stated that the applicant did considerable repairs to both the interior and exterior of the apartment complex, replacing equipment and performing extensive pest eradication.

With regard to the sign requests, MS. FIDDYMENT noted that the applicant needs to advertise in order to attract clientele. She provided a detailed description of each sign request which included amenity, monument and freestanding signs. She alluded to receiving support from the Beverly Green Neighborhood Association who were appreciative of the renovations and were not opposed to the current or proposed signage.

TODD FARLOW, 240 North 19th Street, commented on the illegal signs and stated that the apartment along with all the signs should be demolished.

COMMISSIONER EVANS was grateful for the internal improvements to the building; however, he expressed concern regarding the signage, particularly the banner advertisements. He suggested the applicant continue the improvements to include adequate parking and attractive landscaping. COMMISSIONER EVANS noted that he has frequently worked with the Beverly Green Neighborhood Association and would like to see proof in writing of their support of the project. In latter discussion, COMMISSIONER EVANS remarked that there is a definite need for rental housing and believed that excessive signage was not the way to attract potential residents. He strongly advised, that had this Variance been heard for any other ward in the City, it would not be approved.

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MS. FIDDYMENT recognized that the banners on the southern side of the building and those facing the St. Louis side of the building are illegal and stated they would be removed.

COMMISSIONER TROWBRIDGE stated that although the content of the signs could not be controlled, he believed that the number of requested signs was excessive. He called attention to the proposed 50-foot high sign proposed for the northwest corner of the building and considered it extreme, considering the height of the building is 35 feet. COMMISSIONER STEINMAN agreed with COMMISSIONER TROWBRIDGE'S comments, stating that the size of the 80-foot billboard located near the property was intrusive.

Responding to COMMISSIONER STEINMAN'S comments, MR. WHITEHOUSE stated that if the 50-foot sign was reduced, it would in turn proportionally reduce the square footage of the advertisement.

With regard to the 50-foot sign, COMMISSIONER TRUESDELL also agreed that it was inappropriate. Relative to the amenity signs, although appropriate for apartments, he stated that there was discussion on the legality of using the term, free, on signage. ASSISTANT CITY ATTORNEY BRYAN SCOTT acknowledged that Las Vegas Municipal Code regulates certain statements on outdoor signs. He felt it would be necessary to further research the issue before making a statement.

Hearing the comments regarding the excessive signage, MS. FIDDYMENT suggested that perhaps the Commission would be willing to support some of the variances.

MS. FIDDYMENT accepted the condition modifications as clarified by MARGO WHEELER, Director of the Planning and Development Department.

CHAIR GOYNES declared the Public Hearing closed.