



*City of Las Vegas*

Agenda Item No.: 19.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: NOVEMBER 6, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

**SUBJECT:** VAR-3027 - VARIANCE - PUBLIC HEARING - APPLICANT: TOWER REALTY AND DEVELOPMENT, LLC - OWNER: BUBAL PLAZA, LLC - Request for a Variance TO ALLOW A PROPOSED 10-FOOT TALL, 45 SQUARE-FOOT ROOF SIGN WHERE AN EIGHT-FOOT TALL, 150 SQUARE FOOT ROOF SIGN IS THE MAXIMUM ALLOWED on 5.72 acres at 5831 Las Vegas Road (APN 138-01-317-002), C-1 (Limited Commercial) Zone, Ward 6 (Ross)

C.C.: 12/03/2008

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	9	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. Protest Postcards
7. Submitted after Final Agenda Protest Postcards

Motion made by KEEN ELLSWORTH to Hold in abeyance to 11/20/2008

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1  
STEVEN EVANS, VICKI QUINN, DAVID STEINMAN, BYRON GOYNES, GLENN TROWBRIDGE, KEEN ELLSWORTH; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICHARD TRUESDELL)

**Minutes:**

CHAIR GOYNES declared the Public Hearing open.

STEVE GEBEKE, Planning and Development Department, recommended denial of the Variance, stating that the applicant has created a self-imposed hardship by proposing a roof sign that exceeds the allowable height and area. MR. GEBEKE noted that additional protests were received.



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KELVIN HAYWOOD, Architect, appeared on behalf of the applicant. MR. HAYWOOD indicated on the site plan the location of the roof sign which would face Craig Road and Jones Boulevard. He emphasized that the sign would not be visible to the adjacent residents. On the overhead, MR. HAYWOOD pointed out the WalMart and Low's stores across the street to illustrate the building signs that are displayed and directly face the residences along Craig Road.

MR. HAYWOOD showed a photograph of that property reflecting the signage that the applicant wishes to replicate. Showing design elevations for the newer property, MR. HAYWOOD stated that the Variance is required because the configuration of the building cannot accommodate the proposed signage.

TEDDY RUSSO, resident of Las Vegas, stated that the applicants arguments are logical and compelling and recommended approval.

COMMISSIONER STEVEN WAIN remarked that erecting such a huge sign on the roof of this building would be unattractive and he would not be able to support it. He felt that the perfect solution would be to place the sign between the two columns.

COMMISSIONER EVANS read a letter of protest from residents stating that when the shopping complex was built, the original agreement stipulated that the maximum signage would not exceed 150 square feet and be no taller than eight feet. MR. HAYWOOD confirmed the stipulation to be correct, but he emphasized that this particular sign has no lighting on the back and does meet the distance requirements.

COMMISSIONER EVANS questioned whether the height is an issue and whether it would create a visibility problem. COMMISSIONER ELLSWORTH replied that the height would be visible to the neighbors who back up to the boundary of the shopping center.

COMMISSIONER ELLSWORTH asked MR. HAYWOOD whether the problem pertains to costs associated with modifying the front tower. In response, MR. HAYWOOD clarified that one of the stipulations of the original agreement relates to bracing the sign; therefore, he would need to determine whether it is viable. COMMISSIONER ELLSWORTH remarked that he can support this project if the sign is harmonious with the development even if it means shrinking the size of the signage or setting it lower. He suggested holding the item to allow the applicant to return with revised drawings. MR. HAYWOOD agreed to conduct a line-of-site study to determine whether there would be any impact on the adjacent residential area.

CHAIR GOYNES declared the Public Hearing closed.