



*City of Las Vegas*

Agenda Item No.: 32.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 27, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

**SUBJECT:** VAR-3783 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CRAIG 95, LLC - Request for Variance TO INCREASE THE HEIGHT OF AN EXISTING 14-FOOT BY 48-FOOT OFF-REMISE SIGN TO 47 FEET WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED on 0.512 acres at 1075 West Craig Road (APN 138-03-701-003), C-1 (Limited Commercial) Zone, Map 4 (Anthony). Staff recommends DENIAL.

**P.C.: FINAL ACTION (Unless Appealed Within 10 Days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

3

Planning Commission Mtg.

0

City Council Meeting

0

City Council Meeting

0

**RECOMMENDATION:**

Staff recommends 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 Meeting - Protest Postcard

Motion made by GUS FLANGAS to Deny

Passed For: 6; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0

GLENN TROWBRIDGE, VICKI QUINN, BYRON GOYNES, RICHARD TRUESDELL, KEEN ELLSWORTH, GUS FLANGAS; (Against-STEVEN EVANS); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR TRUESDELL declared the Public Hearing open.

DOUG RANKIN, Planning and Development, explained that a 41,097 square-foot shopping center is under construction at the subject site. Due to the position of the building, the off-premise sign visibility is partially obscured. Staff cannot support the request as this is a self-imposed hardship due to the site design of the project. If the application is denied, the off-p remise sign will remain at 40 feet in height. In the event the item should be approved, staff recommended an additional condition limiting the sign to 47 feet measuring from grade to the top of the sign.

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ALI KAVEH, 3824 South Jones Boulevard, appeared on behalf of the landlord and stated that the shopping center under construction is blocking the existing billboard. They are requesting to raise the billboard for visibility.

TODD FARLOW, Las Vegas resident, asked if the billboard is separate from the shopping center and part of the Master Sign Plan. MARGO WHITELER, Director of Planning and Development, replied that billboards are never part of the Master Sign Plan.

COMMISSIONER GOYNES discussed with MR. KAVEH that they want to raise the billboard to 47 feet. Pursuant to the Federal Emergency Management Agency (FEMA) request, the pad was raised by seven feet, for a total of 47 feet. The sign is only 36 feet high. Lamar, the owner of the billboard, is aware of this request.

COMMISSIONER EVANS verified that by raising the pad, the billboard now is obstructed by the proposed development.

CHAIR TRUESDELL stated the center was designed around the billboard and the property has always been in a flood zone. There is no justification for increasing the billboard height, and there is disregard to the code requirement. MR. KAVEH stated his architect considered the billboard by creating a angle for clearance for the billboard visibility. It can be seen from the Craig Road exit, but did not take into consideration the height of the building on the south end. CHAIR TRUESDELL pointed out that this billboard cannot be seen while driving north. So, it is not necessary to have visibility from the southerly point of view. He regarded the requested height as an aberration. MR. KAVEH showed pictures of various viewpoints and insisted on the desire to have visibility from Craig Road. Lamar removed all advertising from the billboard because of the obstruction.

COMMISSIONER GOYNES stated the billboard at 47 feet will cause visible clutter as well as set a precedent. MR. KAVEH discussed the different heights of the buildings, and that obstruction of the billboard was not considered from the south side. COMMISSIONER GOYNES thought the billboard would be removed and not built higher. MR. KAVEH replied the other solution would be to remove the building and redesign the site. Removing the billboard might not be an option since Lamar owns the billboard and might decide to file a lawsuit. CHAIR TRUESDELL stated that if the billboard is raised at the requested height, it will become one of the most contentious issues with regard to a commercial use. The adjacent residents would not have it in their back yard.

COMMISSIONER ELLSWORTH verified the request is for 14 feet higher; anything less, the billboard would still be blocked by the buildings.

COMMISSIONER FLANGAS asked if the billboard could be moved somewhere else on the site. MR. KAVEH replied that Lamar would have to agree.

CHAIR TRUESDELL declared the Public Hearing closed.