



City of Las Vegas

Agenda Item No.: 147.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
VARIANCE

VAR-17299 PUBLIC HEARING APPLICANT: MICHAEL LAWSON - OWNER:
SANDCASTLE ENTERPRISES, INC. - Request for a Variance TO ALLOW 13 PARKING
SPACES WHERE THE MINIMUM REQUIRED ON 0.79 acres at
6565 Smoke Ranch Road (RN 138-23-110-031) C-1 (Limited Commercial) Zone, Ward 5
(Weekly) Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends
APPROVAL.

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 11-16-06 Planning Commission Meeting Item 33

Motion made by LAWRENCE WEEKLY to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Item 147 [VAR-17299] and Item 148 [SUP-17301].

RICHARD MORENO, 300 South 4th Street, appeared on behalf of the applicant and appreciated staff and COUNCILMAN WEEKLY'S support.

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ROBERT and CAROLYN PARKER, 2400 Golden Moon, stated the subject site is surrounded by residential and an elementary school. They and other neighbors have dogs, and adding additional dogs within close proximity, will only create a barking problem throughout the night. MR. PARKER indicated his mother lives next door to them at 2404 Golden Moon. He clarified that the applicant did not speak with residents residing within five feet of the kennel. Should problems arise, it is easier to contact other residents moreso than a kennel with dogs barking during the night. They asked that the application be denied.

MR. MORENO clarified that the Tanglewood residential development was not contacted but supported the proposal. He explained that the program is relatively new, whereby the dogs will be inside the facility with sufficient noise abatement. MAYOR GOODMAN could support the request, as MR. MORENO is an honorable man and he assured him the dogs would not be heard. MR. MORENO also supported a six-month or one-year review should that be the Council's desire.

COUNCILMAN WEEKLY stated the noise and any possible odor issues have been addressed in the conditions. He referred to a past approved similar item located adjacent to residential and there have not been any issues. MRS. PARKER was doubtful and disagreed, as the prior use on the subject site was a daycare facility. The site has a large backyard, and it is more than likely the dogs will be outdoors.

MAYOR GOODMAN suggested a 30-day review to address any problems, should some arise. MR. MORENO also suggested giving the residents the owner's cellular number, who is very responsive, should they need assistance with any problems.

COUNCILMAN WEEKLY stated that there has not been an overwhelming response of opposition from the adjacent residents; to his knowledge, MR. and MRS. PARKER are the first ones to oppose the proposal. The Councilman preferred to support the request, as similar projects within residential communities have been successful. He noted that residents can come back should there be disruptions to their quality of life.

COUNCILMAN BROWN encouraged MR. and MRS. PARKER to visit a kennel site on the northeast corner of Buffalo Drive and Gowan Road, which is surrounded by homes. The site has an outdoor area, but as a condition, the dogs are let out one at a time when needing to urinate. The facility has been opened for the past two months, and there have been no complaints.

MR. PARKER added that he is aware several residents of the Smoke Ranch neighborhood, who reside closest to the subject site, are extremely worried about a noise problem. He supported having a 30 or 60-day restriction.

MAYOR GOODMAN declared the Public Hearing closed for Item 147 [VAR-17299] and Item 148 [SUP-17301].