



*City of Las Vegas*

Agenda Item No.: 162.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
CITY COUNCIL MEETING OF: JULY 11, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

SUBJECT:  
SPECIAL USE PERMIT

SUP-20497 PUBLIC HEARING - APPLICANT: LOVE'S COMPANIES, INC. - OWNER: CAROLINE'S PUBLIC - Request for a Special Use Permit FOR A BUILDING AND LANDSCAPE MAINTENANCE LUMBER YARD at the northwest corner of El Capitan Way and Durango Drive (APNs 125-17-001-012, 017 and 125-17-202-001), T-C (Town Center) Zone [SC -TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	0	Planning Commission Mtg.	1
City Council Meeting	4	City Council Meeting	3

**RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Returned postcard support
6. Submitted after final agenda Returned postcard protests and supports for Items 162-164
7. Submitted at meeting Letter from NDOT by Kummer Kaempfer Bonner Renshaw and Ferrario for Items 162-165
8. Backup referenced from the 06-14-07 Planning Commission Meeting Item 29

Motion made by STEVEN D. ROSS to Approve subject to conditions, deleting Condition 1 and adding a condition as read for the record:

A. The hours of operation are limited to 6:00 a.m. to 10:00 p.m. and delivery hours are limited to 6:00 a.m. to 10:00 p.m., Monday through Saturday.

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

## CITY COUNCIL MEETING OF: JULY 11, 2007

NOTE: COUNCILMAN BROWN verified that his vote should be reflected in the affirmative.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 162-165.

LAZELL PRAETOR, AMTI Engineers, 720 Susanna Way, Henderson, appeared on behalf of the applicant and noted the neighborhood meetings had garnered the support of the neighbors. He stated he had met with COUNCILMAN ROSS and agreed to the conditions.

TOM McGOWAN, Las Vegas resident, asked the reason for the overwhelming demand for variances. MARGO WHEELER, Director of Planning and Development Department, replied no variances are being requested. MR. PRAETOR added that the reason for the waiver is to comply with the pedestrian trail element.

ATTORNEY JENNIFER LAZOVICH appeared on behalf of the adjacent property owner of parcel APN 125-17-501-015 and requested an additional condition be added on Item 165 to ensure that the property would have access. MR. PRAETOR remarked that they working with ATTORNEY LAZOVICH and he has no objection to the condition as read. He asked that as part of this negotiation, the property owner agrees for permission to grade on their property and work on drainage as well. ATTORNEY LAZOVICH agreed.

ASSISTANT CITY ATTORNEY BRYAN WELLS suggested the addition of the word perpetual to ATTORNEY LAZOVICH'S suggested condition.

MS. WHEELER recommended the deletion of Condition 1 as added condition addressing the hours of operation and deliveries.

MR. PRAETOR agreed with the amended condition on Item 165, but asked if the hours of deliveries were prohibited on Sundays. COUNCILMAN ROSS replied that the residents do not want any deliveries on Sundays, and if this presents an issue, he would have to obey these applications. JACK MENDEL, Lowes, stated the weekends are their busy times and sometimes deliveries need to be accepted on Sundays. COUNCILMAN ROSS was adamant on not allowing deliveries on Sundays.

After discussing the issue of whether to obey Item 162, MS. WHEELER pointed out that all applications should be considered together. COUNCILMAN ROSS suggested the applicant agree to the added condition and they could come back with a review of condition on Item 162. MR. MENDEL was amenable to that suggestion.

MAYOR GOODMAN declared the Public Hearing closed for Items 162-165.