

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 29, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:

WVR-24873 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: GREATER EVERGREEN MISSIONARY BAPTIST CHURCH - Request for a Waiver of Title 18.12.130 TO ALLOW AN EXISTING PUBLIC STREET TO CONTINUE TO TERMINATE WITHOUT THE REQUIRED CUL-DE-SAC on 4.01 acres at 1915 Lexington Street (APN 139-21-704-002), R-1 (Single Family Residential) Zone, Ward 5 (Barlow)

C.C.: 01/09/08

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

**RECOMMENDATION:
DENIAL**

BACKUP DOCUMENTS:

1. Location and Aerial Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after final agenda Support Post cards for Items 44 and 45

Motion made by BYRON GOYNES to Approve subject to conditions

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

GLENN TROWBRIDGE, DAVID STEINMAN, STEVEN EVANS, LEO DAVENPORT, BYRON GOYNES, SAM DUNNAM; (Against-RICHARD TRUESDELL); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIRMAN DAVENPORT declared the Public Hearing open for Items 44 and 45.

STEVE SWANTON, Planning and Development Department, stated the physical characteristics of the site do not warrant the waiver of Title 18 standards or the deferral of half-street improvements. He recommended denial of both applications.

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DR. WELTON T. SMITH, III, Pastor of Greater Evergreen Missionary Baptist Church, explained that the church was trying to subdivide the property and asked that the development of a cul-de-sac on Doolittle Street not be required at this time. He stated the four residential homes had no need for service vehicles and opening Doolittle Street would cause traffic problems. He explained the subdivision was needed to finance other projects and strengthen the church's credit portfolio.

GRENELL MARTIN, 3673 San Hill Road, appeared on behalf of the applicant and requested approval.

TOM McGOVERN, Las Vegas resident, TODD FARLOW, 240 North 19th Street, and TEDDY RUSSELL, Las Vegas resident, expressed their support.

In response to COMMISSIONER STEINMAN'S questions regarding the required half-street improvements, SINA VENGLASS, Public Works Department, explained that subdividing the property would require the development of the half-street improvements because the City loses the ability to get those in the future. She noted the Commissioners have greater discretion than staff who are required to look at Code as written and she recommended denial. She added that whenever the other undeveloped parcels come forward for development, they would be required to improve the half-streets at that time.

COMMISSIONER DUNHAM stated that Doolittle Avenue is currently used by children and vehicles. He stated the City needs half-street improvements and stressed that the property owners are responsible for those improvements when they develop.

COMMISSIONER GOYNES stated the church is in a mature neighborhood and suggested it might be inappropriate to bring Doolittle Avenue out to Martin Luther King Boulevard at this time. He expressed his support of the applicant's request.

MS. VENGLASS informed CHAIRMAN DAVENPORT that the Martin Luther King widening project is currently underway and would pass the subject property. She also noted a condition of approval addressed future improvements along Doolittle Avenue adjacent to the site.

COMMISSIONER TRUESDELL observed that the arguments of the church only benefit the church and that West Las Vegas churches are granted numerous waivers while other developers are required to comply with the Code. He stated that the approval of the many waivers has created problems in the area and hindered the neighborhood's improvement.

DR. SMITH emphasized his church's commitment to the community and stressed their desire to improve the neighborhood.

In response to COMMISSIONER TROWBRIDGE'S question, DR. SMITH confirmed that the four affected property owners supported delaying the development of the required cul-de-sac. COMMISSIONER TROWBRIDGE observed that the value of the land would be reduced by the

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cost of the improvements, resulting in a net loss for the applicant.

In response to CHAIRMAN DAVENPORT'S questioning, MR. MARTIN explained that a lender was willing to accept the subdivided parcel as collateral for the pastor's house.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Items 44 and 45.

