



City of Las Vegas

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 6, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
VAR-2525 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: STEVE AND JANINE APRES - Request for a Variance TO ALLOW A FIVE FOOT REAR YARD SETBACK WHERE EIGHT FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE on 0.27 acres at 104 South Jones Boulevard (APN 138-36-401-003), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 1 (Tartanian)

C.C.: 01/07/2008

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:
DENIAL

BACKUP DOCUMENTATION:

- 1. Location and Aerial Maps
- 2. Conditions and Staff Report
- 3. Supporting Documentation
- 4. Photos
- 5. Justification Letter
- 6. Protest/support postcards and support letters

Motion made by GLENN TROWBRIDGE to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
LEO DAVENPORT, GLENN TROWBRIDGE, DAVID STEINMAN, BYRON GOYNES, RICHARD TRUESDELL, STEVEN EVANS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-SAM DUNNAM)

Minutes:
CHAIRMAN DAVENPORT disclosed that he had a previous financial transaction on the subject property, but being as the applicants did not own the property at that time, he would vote on the matter.

CHAIRMAN DAVENPORT declared the Public Hearing open for Items 28 and 29.

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DOUG RANKIN, Planning and Development Department, stated that the requirement for an accessory structure on commercial property 8 feet as regulated by Title 19.10. The applicant is requesting 5 feet setback. He also noted that the drive aisle does not meet Title 19.

BOB GENZER, Genzer Consulting, explained that the applicants purchased the property in 2006 unaware that the proper permit had not been obtained by the previous owner. When they attempted to go forward with the conversion to commercial, they were informed by the City that the property did not comply with Code. MR. GENZER further explained that the driveway to the rear of the property is 10.5 feet where 12 feet is required. The applicants have contacted the adjacent property owner to obtain a joint access agreement to no avail. MR. GENZER also referenced letters from the adjacent owners that support this project. He noted that there would be landscaping throughout the property.

COMMISSIONER TROWBRIDGE recommended adding landscaping to soften the look of steel structure. COMMISSIONER EVANS agreed for the same reason. MR. GENZER remarked that the applicant would be willing to make the lot look more attractive.

COMMISSIONER SPAINMAN asked if there was variance for landscaping on the south portion of the property. He added that the applicant has a small area where something could be grown and made to look right. MR. RANKIN stated that if approved, the landscape plan would require a 5-foot landscape buffer; therefore, the applicant would have to cut out the concrete to accomplish this. MR. RANKIN also noted that the applicant addressed that subject in the plans submitted to the Planning Department. COMMISSIONER TROWBRIDGE commented that the trash container will be relocated to make the front more attractive.

MR. GENZER acknowledged that the applicant would be more than willing to work with landscapers to draw up a landscape plan. COMMISSIONER EVANS asked whether staff would be able to assist the applicant with the landscape plan. COMMISSIONER TROWBRIDGE replied that he would like some assurance that they would take care of the concerns and present an attractive package.

MARGO WHEELER, Director of the Planning and Development Department, stated that although the property is quite small, she was confident the applicant would be able to acquire an enhanced landscape plan prior to the applications being heard by the City Council.

DEPUTY CITY ATTORNEY JAMES LEWIS noted that the applications will go forward to the City Council for their review and most certainly the Councilperson will be very interested in the plan as well.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Items 28 and 29.