



City of Las Vegas

Agenda Item No.: 126.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF FEBRUARY 6, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
SPECIAL USE PERMIT

SUP-18347 - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - Request for a Special Use Permit FOR A PROPOSED 800 SQUARE FOOT CARWASH, FULL SERVICE on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-082-401-031), U [(Underdeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). NOTE: THIS APPLICATION HAS BEEN AMENDED TO A 960 SQUARE FOOT CARWASH, FULL SERVICE. Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

107

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

2

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1-1 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. Protest letter by Gary R. Kronenberg
6. Letter requesting hearing by Moran Law Firm
7. Protest/Support postcards
8. Submitted after final agenda Protest postcards for Items 126-128
9. Submitted at meeting Letter by Moran Law Firm, protests and documents from neighborhood meeting by Councilman Ross for Items 126-128
10. Submitted after meeting Protest/support postcards for Items 126-128
11. Backup referenced from the 02-08-07 Planning Commission Meeting Item 15

Motion made by STEVEN D. ROSS to Withdraw Without Prejudice Items 126-128

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

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

Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open for Items 126-128.

COUNCILMAN ROSS stated that this project has been frustrating for him and for residents of Ward 6. His direction was simple; the applicant was to work with the residents on the initial approval of this site. The applicant agreed to mitigate this site to get the tavern approved. The Councilman submitted a letter he received last night from the applicants attorney to the Mayor that they would be withdrawing these items. Thereafter, a message was received to disregard this letter. When his assistant called to confirm the withdrawal, the telephone call was never returned. This back and forth illustrates how this project has been since day one, and this is not acceptable. The residents deserve more than this. The Councilman also submitted protests regarding this project. Only two neighborhood meetings were held by the applicant, not five, as indicated by the applicants attorney, and no additional meetings since April, 2007. There has been much time and opportunity to make significant changes on the project.

The Councilman added that there is a long history to this site and he is surprised to see these items back before the City Council without the consideration promised to the residents. He gave a brief background on meetings to discuss the project and how to mitigate its impact on the residents. The original application has 293 protests and had to be set for time certain due to the numerous protests. Now, two years later, the applicant wants to go back from what was previously agreed to with the residents. COUNCILMAN ROSS also submitted a sign in sheet from the April, 2007 meeting, all opposing the project. The applicant indicated they were working with the residents, but sending an email to nine residents is not working with neighbors. The applicant has not mitigated the concerns of the residents in that neighborhood. He recognizes that not everyone can be satisfied. By allowing the withdrawal, the applicant will need to start from scratch. The residents expect to be notified of any new project and expect several neighborhood meetings. He stands by his commitment to residents to protect them and this neighborhood, and he has been consistent with every developer. The residents concerns need to be heard and mitigated.

Even though the applications were being withdrawn, MAYOR PRO TEM REESE gave the residents present the opportunity to speak.

TOM McGOWAN, Las Vegas resident, was pleased with COUNCILMAN ROSS' comments and asked to be added to the list of protestors.

CHAD BADGER, 7936 Quail Cap Street, stated that COUNCILMAN ROSS is knowledgeable of what is going on in his ward. He stated that all the residents' suggestions were not considered by the applicant, such as decreasing the intensity of the project. The developer only wants to

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maximize the use and his investment. The residents are willing to meet with the applicant to discuss a commercial use that is more beneficial for the entire neighborhood.

RICHARD RYCHTARIK, 8228 Weeping Springs Avenue, commented that the proposed development is too intense for this particular area. The residents need businesses that make sense, such as a gym. There are already two convenience stores and major shopping centers that provide services for area residents.

MARVIN MINUSHKIN, 8415 Willow Cabin Street, stated he has been involved in the quality of life issues for the northwest area. He asked that the City Council deny the applications and move forward toward a more acceptable project. MAYOR PRO TEM REESE clarified that the Councilman will move to withdraw all applications.

TED SEVRANSKY, 8025 Chablis Bay Street, indicated there are residential neighborhoods on all four sides and most residents have been there for approximately five years. Everyone is suffering from possible foreclosures and no one can afford to move. The developer has not worked with the community. This is not a neighborhood for a 24-hour convenience store. There are existing facilities that provide similar services. He questioned how and why the Planning Commission recommended approval when staff recommended denial.

LISA MAYO DeRISO, 8323 Jeeves Court, clarified with COUNCILMAN ROSS that the applicant requested that all applications be withdrawn without prejudice, which does not allow him to deny the applications. The applicant will have to come back to the neighborhood with a brand new project and go through the entire process, including notification to the neighborhood, Planning Commission and City Council meetings. Additionally, the applicant must hold neighborhood meetings. MS. DeRISO thanked the Councilman and his staff. SHEILA LAMBERT has been fabulous and wonderful to work with. She and the residents are very proud of the Councilman.

MAYOR PRO TEM REESE declared the Public Hearing closed for Items 126-128.