



City of Las Vegas

Agenda Item No.: 21.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 24, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
GPA-2839 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT: KRAFT AND COMPANY, LP, ET AL - Request to Amend a portion of the
Northwest Sector of the Central Las Vegas Master Plan FROM: O (OFFICE) TO: SC (SERVICE
COMMERCIAL) on the address on the west side of Rainbow Boulevard, approximately 150 feet
north of Red Coach Lane (APNs 138-03-510-011, 012 and 013), Ward 4 (Brown)

C.C.: 08/20/08

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

| | | | |
|--------------------------|---|--------------------------|---|
| Planning Commission Mtg. | 2 | Planning Commission Mtg. | 1 |
| City Council Meeting | 0 | City Council Meeting | 0 |

RECOMMENDATION:
DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard
7. Submitted after Final Agenda Protest Postcards for Items 21 and 22

Motion made by SAM DUNNAM to Deny

Failed For: 3; Against: 3; Abstain: 1; Did Not Vote: 0; Excused: 0
SAM DUNNAM, STEVEN EVANS, VICKI QUINN; (Against-DAVID STEINMAN, BYRON GOYNES, GLENN TROWBRIDGE); (Abstain-RICHARD TRUESDELL); (Did Not Vote-None); (Excused-None)

NOTE: An initial motion by STEINMAN to Approve failed with TRUESDELL abstaining and EVANS, DUNNAM and QUINN voting NO. A subsequent motion by DUNNAM to Deny failed with TRUESDELL abstaining and GOYNES, TROWBRIDGE and STEINMAN voting NO. As a result of the failure to obtain a statutorily required super majority, this item will go forward to City Council with a Denial recommendation.

PLANNING COMMISSION MEETING OF: JULY 24, 2008

NOTE: COMMISSIONER TRUESDELL abstained on Items 21-27 as he has a business partner who owns an adjacent property.

Minutes:

CHAIR GOYNES declared the Public Hearing open for Items 21-27.

PETER LOWENSTEIN, Planning and Development Department, stated that the proposed development is not compatible with the surrounding area as evidenced by the numerous variance and waiver requests. He recommended denial of all applications.

LIZ SOROKAC, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and noted the project's proximity to the project addressed in Items 16-20. She explained that this project was for mini-storage and boat and recreational vehicle (RV) storage. Regarding the parking variance, she acknowledged that providing 5 parking spaces where 16 were required seemed inadequate, but suggested that the proposed parking would be sufficient and noted that tenants would be allowed to use any vacant RV parking spaces. MS. SOROKAC stated the required landscaping would be provided along Rainbow Boulevard. Even though the drive aisles would be narrowed as a result, she argued that the aisles would be wide enough to allow tenants to parallel-park next to their units.

MS. SOROKAC suggested that the properties to the north and south of the subject site would be developed as office or other commercial uses and the requested landscape waivers and setback variances would not impact eventual development. She explained that meeting the setback requirements would prohibit any development since the requirement would render 25 percent of the property unusable. MS. SOROKAC stated that the landscape buffer and the roof covering the RV storage area would provide an adequate buffer for the neighbors. She noted that a neighborhood meeting had been held and stated that the bridge path remained an issue with the neighbors preferring that the bridge path remain in its current state. She explained that the applicant would like to vacate the bridge path and pointed out Public Works supported that request. She concluded by respectfully requesting approval.

BOB EAGLE, 4686 Balsam Street, stated the actions of the Commissioners and the City Council had created the transitional nature of the neighborhood and he thanked COMMISSIONER EVANS for his support of the neighbors. He stated he was not opposed to the project, but observed that the applicant appeared to be attempting to overbuild the site. He also requested the bridge path not be vacated.

TODD FARLOW, 240 North 19th Street, agreed with MR. EAGLE and suggested that the bridge path should not be vacated unless all the neighbors supported that request.

COMMISSIONER TROWBRIDGE observed that several homes in the area appeared to be operating businesses illegally. He noted that the zoning maps do not always reflect how properties are being used and suggested that the Commissioners formalize what is already happening in some neighborhoods.

PLANNING COMMISSION MEETING OF: JULY 24, 2008

COMMISSIONER EVANS disclosed that he had met with MS. SOROKAC, STEPHANIE ALLEN and TONY CELESTE with Kummer Kaempfer Bonner Renshaw & Ferrario regarding this project and the project discussed in Items 16-20 and stated their presentation was substantially the same as the presentation given by MS. SOROKAC.

COMMISSIONER STEINMAN expressed concern with the parking variance and the narrowed drive aisles, noting tenants will be parking and unloading their vehicles. He suggested that some of the RV parking be converted to dedicated unloading. MS. SOROKAC went over the building elevation in detail for COMMISSIONER STEINMAN, noting the storage facility would have stucco walls and a metal roof.

COMMISSIONER STEINMAN questioned the need to vacate a portion of the bridle path rather than the entire bridle path and suggested it should not be a part of this project. MS. SOROKAC displayed a photo of the bridle path and pointed out a property owner who had fenced off the bridle path adjacent to his property. COMMISSIONER DUNNAM observed that the public could not physically use the bridle path, but they had the legal right to do so. MS. SOROKAC suggested that the neighbors do appear to use the bridle path for horses and vehicular access to their properties. She stated that the applicant would only use 10 feet of the bridle path and stated the land would be used for a landscape buffer.

COMMISSIONER EVANS suggested that the applicant was requesting the vacation to obtain land to meet the landscaping requirements and observed that the applicant was attempting to overbuild the site. He stated that the applicant has the burden of proof to prove that this project would not have an adverse impact on the area and that the use is appropriate and noted that the applicant had not proved the case. While he agreed that the parking waiver was appropriate, he expressed his concern with the landscape waivers and concurred with MR. EAGLES concerns.

After the failure of the motions for item 20 to obtain a super majority for approval or denial, DEPUTY CITY ATTORNEY JAMES B. LEWIS confirmed that Item 21, the General Plan Amendment (GPA), would be forwarded to the City Council with a Denial recommendation. While he acknowledged that the project would not be allowed to move forward without the approval of the GPA, he informed the Commissioners that they were required to take action on the remaining applications.

MS. WHEELER informed the Commissioners that their comments would be included in the application's staff report which would be submitted to the City Council. She assured COMMISSIONER STEINMAN that his concerns regarding the parking spaces, landscaping, and corrugated metal roof would be included in the report.

CHAIR GOYNES declared the Public Hearing closed for Items 21-27.