



City of Las Vegas

Agenda Item No.: 21.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 10, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARCO WHEELER

☐ Consent ☒ Discussion

SUBJECT: **CON-2832 - REZONING - PUBLIC HEARING - APPLICANT: WASHINGTONPECOS, LLC - OWNER: MADRE MESA, LLC** for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) Zone on 2.78 acres on the southeast corner of Washington Avenue and Pecos Road (APN 100-30-301-001), Ward 3 (Reese)

C.C. 08/06/2008

PROTESTS RECEIVED BEFORE

Planning Commission Mtg.

5

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted After Final Agenda - Protest Postcards for Items 21 and 22
8. Submitted at Meeting Support Letter by Bivins Construction Co., Inc. for Items 21-24

Motion made by DAVID STEINMAN to Hold in abeyance Items 21-24 to 8/14/2008

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

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

Minutes:

ACTING CHAIR TROWBRIDGE declared the Public Hearing open for Items 21-24.

DOUG RANKIN, Planning and Development Department, recommended approval of the rezoning application, as it was compatible and in conformance with the General Plan. However, he recommended denial of the variance, the special use permit and the site plan review due to the variance and the on-site circulation issues. He noted that meetings were held with the applicant

PLANNING COMMISSION MEETING OF: JULY 10, 2008

in an attempt to resolve the issues. The applicant was requested to make curb cuts on Pecos to allow better site access and to amend the drive-thru in proximity to the residential. The applicant did revise the elevations and lessened the intensity of the variance, but the site circulation remained at issue.

DAVE CRETE, 320 South Jones Boulevard, appeared representing the applicant and the land owner. He went over the project, pointing out that it will consist of an A-line structure with a convenience store/gas station, for which the special use permit was being sought, and two fast-food tenants.

Regarding the adjacency standards, MR. CRETE referred to an aerial photograph and explained that eight neighboring condominium lots have been vacant since the inception of the project, and MR. CRETE submitted a letter from the property owner expressing support. As part of the variance, the required 8-foot landscape buffer was reduced to approximately 6.8 feet to accommodate a 5-foot walkway, but the intensity of the landscaping will remain to ensure aesthetic satisfaction to the abutting residents.

As far as site access, which was of great concern to COUNCILMAN REESE and COUNCILMAN EVANS, MR. CRETE indicated that staff's traffic-circulation issue pertained to the two ingress/egress points that were too close to one another. In response, the developer relocated one of the ingress points to the south of the site and agreed to a condition prohibiting left-hand turn access into the northern most ingress point on Pecos. Relocation of the ingress would push the building northerly, thus eliminating the driveway adjacent to the residential use.

In an effort to assuage staff's concern about site circulation, MR. CRETE explained that the two interested fast-food tenants, Pollo Compadre and Checkers Hamburgers, are unlike traditional fast-food establishments. Pollo Compadre only has about 10 percent drive-thru business, and Checkers only does business through the drive-thru and on the passengers' side, thus requiring a second drive-thru to move traffic expeditiously and reduce potential vehicle stack ups.

TODD FARLOW, 240 North 19th Street, raised two problems. He suggested that COUNCILMAN REESE does not like properties with panhandles because the Las Vegas Metropolitan Police Department reported that those types of areas were popular for drug deals. Also, the intended loading areas would restrict access to the Fire Department.

MR. CRETE indicated the panhandle area would be designated for employee parking and the Fire Department would be provided the required 5-foot access way.

Regarding the variance, ACTING CHAIR TROWBRIDGE confirmed with MR. CRETE that a modification was made to the original request, making it less than what was originally published, and that the requested 6-foot landscape buffer waiver was being requested along the southern property line, adjacent to the residential area. MR. CRETE added that permits would be pulled to increase the landscape buffer to 8 feet.

PLANNING COMMISSION MEETING OF: JULY 10, 2008

COMMISSIONER STEINMAN found it difficult to believe that the Fire Department would approve a building sitting on the property line, with no access to fire equipment behind the building, or that delivery people would park in the panhandle area and carry goods along a 5-foot walkway full of debris. He stressed that the northern area of the property had insufficient parking. He found the design to be very dangerous with too many movements and suggested the applicant redesign the plan.

Although COMMISSIONER EVANS concurred that the proposed development is right for the surrounding area, he shared the concerns of COMMISSIONER STEINMAN regarding site circulation, adding that he had to rely on the recommendations of staff. He recommended further revisions.

ACTING CHAIR TROWBRIDGE suggested the applicant continue to work with staff on traffic circulation, stressing that the fast-food restaurants would be popular in the area because the intersection would be very busy.

MR. CRETE asked if the site development review could be held and action taken on the related matters. COMMISSIONER DUNNAM expressed his preference to hold all the items in abeyance.

MARGO WHEELER, Director of the Planning and Development Department, pointed out that a great deal of work had already been done by staff and the applicant to try to make the site design work. In staff's opinion, a reduction in square footage would be necessary to fit all the uses on this lot.

COMMISSIONER QUINN remarked that she could not support the project due to traffic safety issues.

ACTING CHAIR TROWBRIDGE declared the Public Hearing closed for Items 21-24.

