



City of Las Vegas

Agenda Item No.: 9.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 25, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
VAR-2944 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Variance TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 15 FEET IS REQUIRED on 0.06 acres at 6785 Briarwood Bend (APN 125-27816-005), PERMITTED Residential Planned Development - 8 Units Per Acre) Zone, Ward 6 (Ross)

P.C. FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards
7. Submitted after Final Agenda Condition Confirmation Letter by Thomas Consulting Engineers and Protest Postcards
8. Submitted after Meeting Protest Postcard

Motion made by DAVID STEINMAN to Deny

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0
BYRON GOYNES, GLENN TROWBRIDGE, RICHARD TRUESDELL, STEVEN EVANS, DAVID STEINMAN; (Against-SAM DUNNAM, VICKI QUINN); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:
CHAIR GOYNES declared the Public Hearing open.

This item was under the One Motion/One Vote portion of the agenda and was brought forward at COMMISSIONER STEINMAN'S request.

PLANNING COMMISSION MEETING OF: SEPTEMBER 25, 2008

PETER LOWENSTEIN, Planning and Development Department, stated that the Variance request is limited to a single lot within an already mapped subdivision. He stated the proposed driveway meets the City's requirements and recommended approval.

PAUL CHAVES, 2439 High Vista Circle, appeared on behalf of the applicant and agreed to all conditions.

COMMISSIONER STEINMAN questioned MR. CHAVES regarding the placement of the home less than five feet from the front property line. MR. CHAVES explained that the City requires that a driveway be either less than five feet in length or greater than 18 feet in order to prevent cars from sticking out into the street. He noted that the remaining lots have 18-foot driveways.

COMMISSIONER STEINMAN expressed his opposition to the proposed driveway and suggested pushing the house back to allow for a 15-foot driveway. He observed that the development had very little on-street parking. MR. CHAVES noted that there is some on-street parking available within close proximity to the subject site.

MARGO WHEELER, Director of the Planning and Development Department, noted that the Commissioners have the discretion to require a 15-foot driveway, explaining that the driveway length rule is a policy and not a Code requirement. JOUARA, Planning and Development Department, pointed out that changing the driveway distance would require a review of condition on the original application which included the driveway rule.

COMMISSIONER EVANS commented that if a review of condition was required, it would have to be noticed which could have an essential impact on the project. MR. CHAVEZ stated that this Variance request pertains to one lot and changing the driveway length would delay the project.

BART ANDERSON, Public Works Department, noted the development has public streets and expressed concern with changing the driveway length, pointing out that someone could park in the driveway and block a public sidewalk. He supported a driveway of 18 feet or more in length.

COMMISSIONER TRUESDELL expressed his support of the driveway length policy, but concurred with COMMISSIONER STEINMAN that it would be more appropriate for this lot's driveway to match the driveways of the other homes. He expressed his support of a review of condition to allow that driveway length, stating it would benefit the neighborhood and the development.

COMMISSIONER STEINMAN pointed out the subject site is located on a half cul-de-sac with little vehicular traffic, but MR. CHAVEZ explained that the street was intended as a traffic turnaround as well and changing the driveway length could put vehicles parked there at risk.

PLANNING COMMISSION MEETING OF: SEPTEMBER 25, 2008

MR. ANDERSON clarified that if the development has private streets, a violation of the driveway length policy would be a concern because there might not be any sidewalks, forcing any pedestrians to walk on the street.

In response to COMMISSIONER TROWBRIDGES question, MR. CHAVES stated that the applicant had only one model which met all the City's setback requirements. MR. CHAVES also assured COMMISSIONER TROWBRIDGE that any potential homeowner would be informed that this home would have a shorter driveway than the other homes in the development. COMMISSIONER TROWBRIDGE suggested that the adjacent neighbors be informed of the setback difference as well.

CHAIR GOYNEES declared the Public Hearing closed.

