



City of Las Vegas

Agenda Item No.: 14.

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

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
BEYANT - VAR-28974 - VARIANCE PUBLIC HEARING - APPLICANT/OWNER:
JOHN MOSS - Request for a Variance to ALLOW AN EXISTING 23-FOOT HIGH, 2,080
SQUARE-FOOT ACCESSORY STRUCTURE, CLASS II (BATTING CAGE) WHERE AN
18 FOOT HIGH 1,335 SQUARE FOOT ACCESSORY STRUCTURE IS ALLOWED on
1.05 acres at 5100 and Teton Drive (APN 125-12801-025), R-E (Residence Estates) Zone,
Ward 6 (Ross)

C.C.: 11/05/2008

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="4"/>	Planning Commission Mtg.	<input type="text" value="4"/>
City Council Meeting	<input type="text" value="0"/>	City Council Meeting	<input type="text" value="0"/>

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
7. Submitted at meeting Support Letters by John Moss

Motion made by RICHARD TRUESDELL to Approve subject to conditions and adding the following conditions as read for the record:

- A. One-year administrative review of all conditions.
- B. A landscape plan shall be submitted prior to the City Council meeting showing 36-inch box trees with automated irrigation system. Type and number of trees are subject to approval of the Department of Planning and Development.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
SAM DUNNAM, BYRON GOYNES, GLENN TROWBRIDGE, RICHARD TRUESDELL,
STEVEN EVANS, DAVID STEINMAN, VICKI QUINN; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

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Minutes:

CHAIR GOYNES declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, explained that this item had been held in order to allow the applicant an opportunity to meet with his neighbors. He stated the request is a self-imposed hardship and recommended denial.

JOHN MOSS was present and submitted support signatures. He stated that he would like to keep the batting cage at its current height and displayed a tentative landscape plan. He informed MARGO WHEELER, Director of the Planning and Development Department, that staff had not yet reviewed his plan and expressed his willingness to use any trees suggested by the Commissioners. He added that he had been working with COUNCILMAN MOSS Office, which had contributed to the delays with his application.

MR. MOSS informed COMMISSIONER EVANS that the City had vacated the land adjacent to his property and assured him that he had the ability to landscape that area. COMMISSIONER EVANS suggested that MR. MOSS submit any landscape plan to staff before they make a recommendation to the Commissioners and the City Council. He also suggested adding a condition requiring a three-year period to ensure compliance with all conditions.

COMMISSIONER STEPHENSON observed that 30-inch x trees would be needed to adequately screen the batting cage. COMMISSIONER TROWBRIDGE suggested that five trees would be sufficient and suggested adding a condition requiring adequate watering. COMMISSIONER EVANS agreed that ten trees may be more than was needed and recommended that MR. MOSS use Mondale Pines as they are relatively drought tolerant. MR. MOSS stated he would use whichever tree was most cost-efficient.

COMMISSIONER DUNNAM stated he would support the application if the adjacent neighbors were in support and MR. MOSS informed COMMISSIONER DUNNAM that he had the support of his neighbors to the west and north.

MS. WHEELER assisted COMMISSIONER TRUESDELL in the wording of the added conditions during the crafting of the motion. MR. MOSS agreed to all conditions.

CHAIR GOYNES declared the Public Hearing closed.