



*City of Las Vegas*

Agenda Item No.: 35.

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

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

**SUBJECT:** PAR-2973 - VARIANCE - PUBLIC HEARING - APPLICANT: TOWER REALITY AND DEVELOPMENT, LLC - OWNER: CLARK COUNTY CREDIT UNION - Request for a Variance TO ALLOW ZERO-FOOT SETBACKS WHERE A 20-FOOT FRONT YARD, A 10-FOOT SIDE YARD AND A 5-FOOT CORNER SIDE YARD AND A 20-FOOT REAR YARD SETBACK AREA IS REQUIRED AND TO ALLOW 100% LOT COVERAGE WHERE A MAXIMUM OF 50% IS PERMITTED at the southwest corner of Chef Andre Rochat Place and 7th Street (APNs 739-34-710-030 thru 033), R-3 (Medium Density Residential) Zone under Resolution of Interim Ordinance (Unincorporated Commercial), Ward 3 (Reese)

C.C.: 11/05/2008

**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 and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letters
6. Support Postcard
7. Submitted at meeting Support packet by Kelvin Haywood for Items 35-37

Motion made by SAM DUNNAM to Approve subject to conditions; the application will go forward with NO RECOMMENDATION

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

NOTE: An initial motion for denial by EVANS failed with GOYNES, STEINMAN and DUNNAM voting no and TROWBRIDGE abstaining. As the subsequent approval motion failed, the item will go forward to the City Council with no recommendation.

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NOTE: COMMISSIONER TROWBRIDGE abstained as he serves on the Board of Directors of the Clark County Credit Union (CCCU).

Minutes:

CHAIR GOYNES declared the Public Hearing open for Items 35-37.

DOUG RANKIN, Planning and Development Department, stated the requested waivers and variances indicated the applicants attempting to overbuild the site and recommended denial of all applications.

JEFF ALBREGTS, 400 South 4th Street, RICHARD KOHLER, 231 West Charleston Boulevard, and KELVIN HAYWOOD, 231 West Charleston Boulevard, appeared on behalf of the applicant. MR. ALBREGTS expressed the applicants familiarity and respect for the area and respectfully disagreed with staffs recommendation. He stated this project would improve the area and make the neighborhood around the Las Vegas Academy safer. He pointed out the lack of protests from surrounding property owners and noted this project met its parking requirements. He added that the project was within close proximity to the Downtown Centennial Plan where zero-foot setbacks were permitted.

MR. HAYWOOD submitted a support packet and briefly displayed the site plan using photographs displayed on the overhead. He echoed MR. ALBREGTS comment that this project would improve the area and would be consistent with the height and architecture of the neighboring buildings. He stated that the applicant was seeking LEED (Leadership in Energy and Environmental Design) certification noting the heat island effect would be reduced because 90 percent of the parking would be covered. MR. HAYWOOD suggested this project would further the goals of the City by bringing a mixed-use project to the area and added that, if this project had been located outside of this historic district, staff would not have had as many objections. He respectfully requested approval.

TODD FARLOW, 240 North 19th Street, expressed his opposition to tearing the existing homes down.

COMMISSIONER EVANS expressed his opposition to this project and stated this project did not maintain the historic character of the neighborhood. He expressed his disappointment in many of the comments made by the applicants representatives that the area is blighted. He observed that the applicant would like to demolish the original Pop Squires home, a historically significant structure, and replace it with an uninspired project that overbuilds the site.

MR. ALBREGTS stressed that the applicant wanted to redevelop the area and expressed the applicants willingness to donate or relocate the home. MR. KOHLER clarified that both houses are habitable and had been previously used as law offices, but were currently boarded up. He reiterated that this project was an attempt to make the area safer and pointed out his previous project had improved the neighborhood. MR. KOHLER pointed out that the Friends of the Las Vegas Academy, the parent/teacher association, also supported this project because it would

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improve the neighborhood. He noted the project included residential and retail components and an appropriate streetscape and argued the project was appropriate for the area.

COMMISSIONER EVANS summarized the applicants argument as saying that the area has large commercial development and that kind of development should be allowed on this property. He suggested the City had made mistakes in developing the neighborhood and pointed out these parcels had been used as residential homes and the applicant was changing the neighborhoods character by requesting a commercial design.

MR. HAYWOOD observed that the subject site was the only vacant parcel in the area and agreed that more art deco details could be included in the design. He argued that this project would benefit the school by providing ground level retail. MR. ALBREGTS stressed that this project had been designed to make it architecturally compatible with the area and he also welcomed any design recommendations from the Commissioners.

COMMISSIONER EVANS responded that the applicant was seeking several variances and had not established a sufficient argument to warrant them.

CHAIR GOYNES declared the Public Hearing closed for items 7.

