



City of Las Vegas

Agenda Item No.: 44.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 14, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
UP-2861 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
EGP MEADOWS MALL LLC - Request for a Major Amendment to an approved Special Use Permit (U-010-00) FOR A 55,014 SQUARE-FOOT EXPANSION OF AN EXISTING 178,080 SQUARE-FOOT FOOD DEALER INVENTORY STORAGE LOT at 4300 Meadows Lane (APNs 139-31-111 and 139-31-510-019), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian)

C.C.: 09/17/2008

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="5"/>	Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>	City Council Meeting	<input type="text" value="0"/>

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 and Protest Letter
7. Submitted after Final Agenda Protest Postcard

Motion made by STEVEN EVANS to Deny

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3
SAM DUNNAM, DAVID STEINMAN, BYRON GOYNES, STEVEN EVANS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICHARD TRUESDELL, GLENN TROWBRIDGE, VICKI QUINN)

Minutes:
CHAIR GOYNES declared the Public Hearing open.

DOUG RANKIN, Planning and Development, reported that the requested use and the expanded use are compatible with the surrounding area and recommended approval of the SUP and the RQR applications. However, he could not support the SDR due to lack of landscaping and the

PLANNING COMMISSION MEETING OF: AUGUST 14, 2008

use of razor wire, which is prohibited material. MR. RANKIN recommended denial of the SDR.

CINDY STANLEY-LEE, 4719 Dinero Avenue, stated that the plants were replaced on this ten-acre lot and rather than putting in 24-inch box trees, the owner would like to increase the size of the trees, but reduce the number.

TODD FARLOW, 240 North 19th Street, asked if the property is being properly maintained, which was promised by the applicant at the time the variance was approved.

MR. RANKIN stated that a citation was issued for dying plants by Code Enforcement Officers during an inspection in February 2008. CHAIR GOYNES pointed out that a field check was done July 16, 2006.

MR. RANKIN informed COMMISSIONER STEINMAN that a citation was not issued for the use of razor wire, but assured him that he would relay that concern to the Code Enforcement Officers.

COMMISSIONER EVANS asked MS. STANLEY-LEE if the applicant was seeking to expand the amount of storage for automobiles. MS. STANLEY-LEE agreed that the automobile storage area was expanded a few years ago, however, the new owner could not find any record of it.

COMMISSIONER EVANS read the variance application, and expressed concern with the applicant's failure to appear during the required review period to ensure compliance. He emphasized that the applicant agreed to mitigate the conditions for approval of the Variance, but he did not hold up to his end of the bargain and was now seeking an expansion in addition to the review.

COMMISSIONER EVANS remarked that he wants the Meadows Mall to succeed, but the pictures in the backup show that it is becoming a slum. He understood that maintaining a property is expensive, but it is part of the cost of doing business.

CHAIR GOYNES agreed with the comments of COMMISSIONER EVANS, adding that the request was basically for more vehicle storage.

MS. STANLEY-LEE explained that the expanded area has existed for some time and that the two-year renewal was not sought because the new management was unaware of the expansion. She asserted that an expansion was not being sought at this time. However, MARGO WHEELER, Director of Planning and Development, noted that the applicant was seeking an expansion, stating that a portion of the existing condition was never permitted, as far as the City was concerned.

MS. WHEELER pointed out that the pavement is Chat, which is a permitted surface, and clarified that the applicant was also requesting a zero-foot landscape buffer along the northern property line, installation of 15-gallon trees instead of 24-inch box trees and chain-link fencing

PLANNING COMMISSION MEETING OF: AUGUST 14, 2008

with barbed wire along the north perimeter of site. She also noted that 48 trees that were required as part of the approval were missing.

MS. STANLEY-LEE pointed out that the land adjacent to the property along the north is basically raw property with asphalt. CHAIR GOYNES emphasized that the intent was to develop the property in the future.

COMMISSIONER DENNAM observed that ownership of the property had not changed as the property owner sold the property to himself, therefore, he had to be aware of what was occurring. MS. STANLEY-LEE said it was her understanding that it was under different ownership.

CHAIR GOYNES declared the Public Hearing closed.

