



City of Las Vegas

Agenda Item No.: 129.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF NOVEMBER 5, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
VAR-2897 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JOHN MOSS -
Request for a Variance TO ALLOW AN EXISTING 13-FOOT HIGH, 2,080 SQUARE-
FOOT ACCESSORY STRUCTURE, CLASS II (BATTING CAGE) WHERE AN 18-FOOT
HIGH, 1,785 SQUARE FOOT ACCESSORY STRUCTURE IS ALLOWED on 1.05 acres at
5100 Grand Terrace (APN 125-12-801-025), R-E (Residence Estates) Zone, Ward 6
(Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends
APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	4	Planning Commission Mtg.	4
City Council Meeting	4	City Council Meeting	7

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard
7. Submitted after Final Agenda Protest/Support Postcards
8. Submitted at Meeting Plot and Elevations Plans
9. Backup Referenced from the 09-25-2008 Planning Commission Meeting Item 14

Motion made by STEVEN D. ROSS to Hold in abeyance to 12/3/2008

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:
MAYOR GOODMAN declared the Public hearing open.

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JOHN MOSS apologized for not submitting the landscape plan prior to the meeting. MARGO WHEELER, Director of Planning and Development, stated she had not seen the plan.

JOHN SHOEMAKER, 5101 Elvis Presley Court, stated that he would be the most impacted in the neighborhood by this unsightly structure, of which he showed a picture. No landscaping could shield the structure, which can be seen from his backyard.

MR. MOSS explained to COUNCILMAN ROSS that the batting cage is for his personal use. Although he lets other people and baseball players use it, he is not using it for commercial use. The structure is well lit and built high for safety reasons.

COUNCILMAN ROSS noted that he received opposition postcards, as well as some in support. He discussed with MS. WHEELER the landscaping plan requirements and some modifications for shielding. He confirmed with MR. MOSS that he would be willing not to use the batting cage after 9:30 p.m. In response to concern about the noise when the bat hits the ball, MR. MOSS explained that he uses a specialized rubber ball that does not make a lot of noise.

COUNCILMAN BROWN observed that the batting cage is the size of one used commercially and added that the standard height of a batting cage is approximately 11 feet.

COUNCILMAN ROSS recommended that the size of the batting cage be reduced saving MR. MOSS a substantial amount of money because so many trees would not be necessary. MR. MOSS said he had not pulled the permit, so he agreed to a reduction in size. COUNCILMAN ROSS opted for abeyance.

MAYOR GOODMAN declared the Public hearing closed.