



City of Las Vegas

Agenda Item No.: 21.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 9, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
GPA-3242 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT: OWNER: GARNOLD L. W. Request to Amend a portion of the Southeast Sector
Plan of the General Plan FROM: SE (SERVICE COMMERCIAL) TO: GC (GENERAL
COMMERCIAL) 0.5 acres at 401 West Charleston Boulevard (APN 162-06-510-004),
Ward 1 (Tarkanian)

C.C.: 05/06/2009

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="1"/>	Planning Commission Mtg.	<input type="text" value="2"/>
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 (Not applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcards
7. Submitted after Meeting Protest Postcard for Items 21 and 22

Motion made by VICKI QUINN to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
MICHAEL E. BUCKLEY, VICKI QUINN, STEVEN EVANS, GLENN TROWBRIDGE,
RICHARD TRUESDELL, BYRON GOYNES; (Against-None); (Abstain-None); (Did Not Vote
-None); (Excused-KEEN ELLSWORTH)

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open for Items 21 and 22.

PETER LOWENSTEIN, Planning and Development, stated the proposed general plan amendment is not compatible with the existing uses in the surrounding area and would precipitate an increase in intensity of land use. Staff's recommendation was for denial on both applications.

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FRED GARCIA, 1408 Baldosa Court, explained that he recently purchased the subject property with the understanding that minor and major repairs were allowed. Thereafter, it was clarified that only minor repairs were permitted, but he asked that along with minor repairs, he could be permitted to replace transmissions and engines as well. MR. GARCIA confirmed for TODD FARLOW, 240 North 19th Street, that the building is an existing one. He added that sometimes major repairs are determined upon looking at a vehicle during minor repairs.

MERRILL MALSBERY, 4221 West Charleston Boulevard, owns an adjacent property and pointed out that the building has been in existence for a long time and should be grandfathered in. He questioned the validity of zoning in accordance with the current uses within the entire area.

COMMISSIONER QUINN visited the site and was not concerned about the use; however, she was displeased with the current conditions relative to site maintenance, landscaping and the excessive amount of vehicles on site. During this decline of growth, efforts are being made to clean up some properties in Ward 1. She is aware that MR. MALSBERY runs an honest business and has good intentions, but she would like to see a landscape proposal before the Commission, one that makes them proud of this business. With that, she was open to an abeyance and asked for fewer vehicles on site and upgraded landscaping, especially along Charleston Boulevard. MR. GARCIA was happy to oblige.

COMMISSIONER BUCKLEY questioned if the request was denied, what limitations would be placed upon MR. GARCIA. MR. LOWENSTEIN replied that only minor auto repairs would be permitted. The Commissioner was concerned with this little island right in the middle of General Commercial on Charleston Boulevard, which is something he does not support.

If approved and upgrades are done, and the business was sold thereafter, COMMISSIONER EVANS questioned if other businesses within the General Commercial designation could legally do the same and how would the City be protected. MARGO WHEELER, Director of Planning and Development, and COMMISSIONER BUCKLEY both agreed that the City is not protected. MS. WHEELER added that minor repairs are allowed in C-1 zoning, which is the site's current zoning. If the General Plan and zoning is changed, it would permanently change the uses currently allowed on this site.

COMMISSIONER QUINN sympathized with MR. GARCIA and encouraged his success but emphasized that the Commission was cautious, in that this area is a vulnerable corner. If the property was sold, it is possible that an undesired use could seep into the area, and the Commission did not want to take that risk.

CHAIR TROWBRIDGE declared the Public Hearing closed for Items 21 and 22.