



City of Las Vegas

Agenda Item No.: **88.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 15, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-3341 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: GOOD EARTH ENTERPRISE, INC. - Request for an Extension of Time of an approved Variance (VAR-1295) TO ALLOW 35 PARKING SPACES WHERE 70 PARKING SPACES ARE REQUIRED FOR A PROPOSED 3-UNIT LIVING APARTMENT COMPLEX at 233 South 6th Street and 232 South 7th Street (APNs: 739-34-011-034, 036, 037, and 039), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg. **0**

City Council Meeting **0**

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg. **0**

City Council Meeting **0**

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for EOT-6046

Motion made by GARY REESE to Approve subject to conditions, Items 88 and 89, amending Condition 2 of Item 88 as follows and as read for the record:

2. This Variance (VAR-1295) shall expire on October 21, 2009 unless another extension of time is approved by the City Council.

and Condition 2 of Item 89 as follows and as read for the record:

2. This Special Use Permit (SUP-1531) shall expire on October 21, 2009 unless another extension of time is approved by the City Council.

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

RICKI Y. BARLOW, GARY REESE, STEVEN D. ROSS, DAVID W. STEINMAN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN)

Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open for Items 88 and 89.

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MARGO WHEELER, Director of Planning and Development, announced that the recommendations noted on the Agenda Summary Pages for Items 88 and 89 were erroneous and should correctly indicate staffs recommendation of denial for both applications. The applications had been approved six years ago and since that time, there have been multiple building code infractions and code enforcement complaints on this property.

DEVIN SMITH, Neighborhood Response Manager, detailed a number of infractions, including fire code violations, non-compliance, inadequate equipment and insufficient fire prevention/safety measures and noted that the building is currently under a Revised Order to Comply issued by Las Vegas Fire and Rescue. The owner has allowed the property to deteriorate and both of the buildings on the property are prime contenders for demolition. DEPUTY FIRE MARSHAL DAVID KLEIN, Las Vegas Fire and Rescue, added that the property owner has made little or no attempt to rectify the numerous violations over the past ten years.

Property owner, SONHIE LAU disagreed that the condition of the boarded-up former El Cid Hotel is deteriorating. She denied that the building was a public nuisance and revealed that she had complied with a number of notices issued by both Code Enforcement and Fire and Rescue. The building is secured at all times and that she employs a security guard to patrol the premises. MS. LAU stated that the requested extension was to convert the vacant premises into an assisted living home. MAYOR PRO TEM REESE noted that a previous extension granted four years ago was for the exact same reason. MS. LAU replied that if the extension is not granted, her only option would be to convert back to the hotel.

MAYOR PRO TEM REESE stated that he would allow a six-month extension of time to 10/21/2009, providing MS. LAU submits a report indicating her plan of action for resolving the numerous infractions and fire code violations.

Prior to the motion, MR. SMITH reiterated that no one will be allowed to occupy any portion of the property as specified in reports submitted by Fire and Rescue, the health department and Code Enforcement. He also emphasized that No Occupancy postings were located on all building structures and windows.

MS. LAU challenged that the security guard occupies a portion of a separate building annex and that reports of a fire in the annex were untrue. MAYOR PRO TEM REESE asked MR. SMITH to work with MS. LAU to determine the status of that situation.

MS. WHEELER confirmed the amendment of Condition 2 of Items 88 and 89.

See Item 81 for related discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed for Items 88 and 89.