



City of Las Vegas

Agenda Item No.: 77.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF FEBRUARY 3, 2010**

**DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

SUBJECT: VAR-3575 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BUSTAN FAMILY REVOCABLE TRUST - Request for a Variance TO ALLOW 35% LOT COVERAGE WHERE 30% IS THE MAXIMUM ALLOWED on 0.33 acres at 2511 West Charleston Boulevard (PN# 62-0451-008), C-D (Designed Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

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. Protest Postcards
7. Submitted after Meeting Recordation Notice of the City Council Action and Conditions of Approval for Items 77-79
8. Backup referenced from the December 3, 2009 Planning Commission Meeting Item 7

Motion made by LOIS TARKANIAN to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

DOUG LEIN, 5420 South Fort Apache Road, appeared with the applicants DAVID BUSTAN and MRS. BUSTAN, who will be opening a new home health care facility. He thanked

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COUNCILWOMAN TARKANIAN for the time spent to make the project work. MR. LEIN stated that the variance is for only one parking space. The height of the wall will be increased to eight feet instead of six feet, with low-impact lighting that will not intrude on residents to the rear. He concurred with all conditions.

MR. BUSTAN indicated he intends to open a new facility that would generate, over the course of three years, approximately \$3 million and create about 45 to 50 jobs for the area. The home care facility specializes in providing care and services to the elderly. MRS. BUSTAN added that they are providing care in homes to prevent hospitalization, which is greatly supported by Medicare to help people stay home.

COUNCILWOMAN TARKANIAN verified with MR. LEIN that about 12 employees will be working at one time and will be processing medical billings. She thanked him for holding a neighborhood meeting, and noted that everybody at meeting was pleased that no doctors will be at this location.

Regarding the eight-foot wall, the Councilwoman stated she spoke to staff about adding a vine along the wall. She assumes the memorial sign will be tall enough as not to cause a problem. She verified that the hours of operation are from 12:00 p.m. to 5:30 p.m. and the one-story building will have low-impact lighting. There will be no dumpsters and deliveries will be made in the circular driveway. There were many who were against this proposal but their concern was about the parking. She asked that the applicant be cognizant of keeping to the number of workers represented.

Regarding Item 79, MARGO WHELAN, Director of Planning and Development, recommended amendments to conditions 5 and 6, which she read into the record and MR. LEIN agreed to.

MAYOR GOODMAN declared the Public Hearing closed.