



City of Las Vegas

Agenda Item No.: 22.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 23, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: ZON-3376 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: BASHIR AFZALI - Request for a Rezoning FROM R-1-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.18 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of West Sahara Avenue (APN 159-28-604-004), Ward 5 (Barlow)

C.C. 05/20/2009

PROTESTS RECEIVED BEFORE

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

Planning Commission Mtg.

1

City Council Meeting

0

City Council Meeting

0

RECOMMENDATION:

APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after Final Agenda Protest/Support Postcards

Motion made by GLENN TROWBRIDGE to Hold in abeyance Items 22-25 to 5/14/2009

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open for Items 22-25.

DOUG RANKIN, Planning and Development, stated that the rezoning is compatible with the General Plan and surrounding land uses and recommended approval. However, staff finds that the requested variance is a self-imposed hardship due to an improper design of the site plan and recommended denial. Staff also recommended denial of the site plan, as an alternate design would alleviate all variances and waivers.

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DON RODRIGUEZ, Empire Land and Development, 1115 Mariposa Way, Boulder City, stated that the zoning is applicable considering the commercial land designation and the improvements along Martin Luther King Boulevard. Additionally, there is no access to residential areas. The land use was designated to create the buffer between the residential areas. He would support the zone change to Limited Commercial.

TODD FARLOW, 240 North 19th Street, verified the location of the property.

SHONDRA SUMMERS-ARMSTRONG, 1931 Fair Avenue, expressed concern that the applicant did not provide renderings of the project. They recently reinstated their neighborhood association and are trying to become more active. The applicant did not come to their neighborhood meetings. The residents understand that the Martin Luther King Boulevard area is being developed as commercial but future developments must be compatible with existing businesses. She expressed concern about egress and ingress and the project does not seem to have sufficient space for unloading. The residents prefer a better design, one that is compatible with the existing development.

COMMISSIONER EVANS verified that the residents were contacted. MS SUMMERS-ARMSTRONG stated that MR. RODRIGUEZ is welcome to attend their neighborhood meeting to show the site plan.

CHAIR TROWBRIDGE echoed the Commissioner's concern and suggested holding the item in abeyance. MR. RODRIGUEZ stated that the original plan was more intense. The building height is 15 feet to mitigate the impact to the east with a 20-foot rear setback. The requirement of 35 feet in rear adjacent to the residential would cut the building in half. To achieve the two sides of parking required, they went 20 feet in attempt to recognize a 20-foot setback adjacent to residential with a maximum 15-foot height. The landscaping was spaced in the rear with 20-foot on center trees, 24-inch box tree and shrubs. He respects the residents wanting something aesthetically pleasing, as the goal is to provide development that will add to the community. Market rents have dropped and they must meet a certain debt service on the construction for the loan and an amount of square footage. He preferred moving forward with the rezoning and is willing to meet with the residents.

COMMISSIONER TRUESDELL pointed out a poorly designed project would further deteriorate a neighborhood. The proposed project is overbuilt and if it does not make economic sense, it would be a failure. Part of the plan is to work with the residents, and it does not make sense to vote only on the rezoning and not the site plan. MR. RODRIGUEZ stated he would make the necessary changes to warrant an approval, as well as meet with the residents.

COMMISSIONER TRUESDELL suggested the applicant look at the standards.

COMMISSIONER GOYNES concurred and suggested the applicant contact COOUNCILMAN BARLOW'S office as well.

CHAIR TROWBRIDGE declared the Public Hearing closed for Items 22-25.