



City of Las Vegas

Agenda Item No.: 29.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 25, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
DR-3446 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT/OWNER: CARDINAL HILL NORTH, LLC - Request for a Major Amendment to an approved Site Development Plan Review (SDR-4551) FOR THE ADDITION OF VEHICLE ENTRY AND PARKING SPACES; PARKING LOT SHADE STRUCTURES; FACADE RENOVATIONS; AND TWO PORTE COCHERES ADJACENT TO THE SOUTH AND EAST SIDES OF THE BUILDING AT AN EXISTING MOTOR VEHICLE SALES (NEW) FACILITY on 4.01 acres at 5550 West Sahara Avenue (APN 163-01-404-022), C-2 (General Commercial) and U-1 (Professional Office and Parking) Zones, Ward 1 (Tarkanian)

C.C.: 08/05/2009

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after Final Agenda Protest Postcards
7. Submitted at Meeting Site Photos by Bill Marion

Motion made by STEVEN EVANS to Hold in abeyance to 8/13/2009

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

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

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open.

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STEVE GEBEKE, Planning and Development, reported that the request is a site modification to an existing motor vehicle sales facility, which includes placing vehicle display parking spaces with enhanced paving within the existing parking, seven shade structures within the sales area, facade renovations and two porte cocheres along the south and east sides of the building. Title 19 requirements are met, and staff recommended approval.

ATTORNEY RICHARD SCHONFELD, 520 South 4th Street, appeared with MARK PETSCH, Vedelago-Petsch Architects, on behalf of the applicant. ATTORNEY SCHONFELD appreciated staff's recommendation and concurred with the conditions. He had previously spoken to MR. RANKIN and confirmed that none of the recommended conditions have any impact on the previous flag pole issue with the late DAN TOWBIN, in which the issue is pending litigation. This project is important for his family, and they would like to continue going forward with it.

GARY SYLVESTER showed and submitted various photos depicting no vegetation and lack of a buffer to the property line, which were previously agreed to. He expressed that the applicant has yet to fulfill his commitment and continues to disregard some of the conditions. In addition, a tree that existed years ago is no longer in existence, so there is a vacant area along one of the property walls. He also showed a photo depicting a view from his home, where there are 13 power poles and 16 lines, which is intrusive. He asked that the applicant be required to comply with the original site plan regarding the north wall, as well as not continue parking vehicles in the buffer zone. This is a direct violation of the Code, it is a public safety issue. The applicant should not be approved at this time, which he apparently is not complying with the existing conditions.

TODD FARLOW agreed with MR. SYLVESTER and stressed that the applicant needed to commit to the conditions regarding the landscaping and no vehicles parked in the buffer zones. He questioned whether or not Code Enforcement has been involved with this issue.

ATTORNEY SCHONFELD assured the Commission he would follow up with his client to ensure his concurrence with the Code, but that issue should not have an impact on the requested modifications. The subject dealership will no longer sell Hummer vehicles.

CHAIR TROWBRIDGE recognized the fact that there is an ongoing violation of the Code, and the issue was not with MR. TOWBIN'S character. He questioned whether or not the applicant would follow through on the conditions for this application when they are not following some of the current ones.

MARGO WHEELER, Director of Planning and Development, pointed out that staff's report clearly indicates an inspection was done in May, in which the Code was violated regarding parked vehicles in buffer zones and landscaping. She informed COMMISSIONER EVANS that the previous site development plan review application required the landscaping, and non-compliance existed before the subject application. The Commissioner would not support the request until the applicant rectified his non-compliance.

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ATTORNEY SCHONFELD suggested an abeyance to allow his client to follow through on what was previously agreed to. COMMISSIONER GOYNES also confirmed that the applicant will remove the graffiti from the wall shown in the photos and that maintenance will occur on a regular basis.

For the record, ASSISTANT CITY ATTORNEY BRYAN SCOTT clarified that the applicant agreed to comply with the previous conditions in which all vehicles in the buffer zones shall be removed and landscaping will be completed.

CHAIR TROWBRIDGE declared the Public Hearing closed.

