City of Las Vegas

Agenda Item No.: **32.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 5, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐Consent ☒ Discussion

SUBJECT:
ABEYANCE - VAR-35758 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BUSTAN FAMILY REVOCABLE LIVING 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 (APN 162-05-511-008), C-D (Designed Commercial) Zone, Ward 1 (Tarkanian)

C.C.: 12/02/2009

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**18**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
DENIAL

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Letter/Postcards and Support Postcards

Motion made by VICKI QUINN to Hold in abeyance Items 32-34 to 12/3/2009

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
KEEN ELLSWORTH, VICKI QUINN, BYRON GOYNES, GLENN TROWBRIDGE, RICHARD TRUESDELL, STEVEN EVANS, GUS FLANGAS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:
CHAIR TROWBRIDGE declared the Public Hearing open for Items 32-34.

STEVE GEBEKE, Planning and Development, explained that the existing building will be demolished and replaced by a 4,999 square foot office. Because of the increase in size, the applicant has requested several variances to include increased lot coverage, reduced site parking, and reduced landscaping. With the various waivers and exceptions, staff determined that the site is overbuilt and not compatible with the surrounding developments. He recommended denial of all requests.

Introducing the applicants, MR. and MRS. DAVID BUSTAN, DOUGLAS LEEN, 5520 South Fort Apache Road, briefly described the proposed facility. He explained that the applicants are proprietors of Celebrity Home Healthcare and have facilities in California and Arizona. He remarked that the use is conforming to the medical area.

MR. LEEN stated that the applicant worked with staff on the issues dealing with the lot coverage, the required parking, the waiver of the trees, handicap parking and the one-way in and on-way out access. He concurred with the conditions of approval and asked for approval.

COMMISSIONER QUINN, having driven by the property, noticed that there are no parked vehicles fronting the property on the street side of Charleston Boulevard. With regard to the trash enclosure, she asked where it would be located. MR. RANKIN interjected, noting that the applicant indicated it would be curb pickup. On the positive side, the Commissioner commended the applicant for having a building that is aesthetically pleasing.

Referring to the site plan that was dated stamped 10/21/2009, MR. RANKIN stated that the site is still deficient for trees, indicating that the requirement is for 30 trees and the applicant intends to provide only four.

CHAIR TROWBRIDGE mentioned that one the protest letters suggested raising the wall height. Because the adjacent businesses have six-foot walls, COMMISSIONER QUINN suggested the applicant heighten his wall to match that of the neighboring properties. MR. BUSTAN agreed.

With regard to the trash enclosure, MR. LEEN offered to reduce the parking stalls to 15 in order to accommodate the trash enclosure. With various issues still unresolved, COMMISSIONER QUINN recommended Items 32 through 34 be held in abeyance. At the suggestion, MR. LEEN asked whether Items 32 and 33, the Parking Variance and the Site Development Plan Review, could be approved. MARGO WHEELER, Director of Planning and Development, replied that because the trash enclosure remains an issue, there may be an issue with the parking; therefore all items need to be held.

CHAIR TROWBRIDGE declared the Public Hearing closed for Items 32-34.