



City of Las Vegas

Agenda Item No.: 26.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 28, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: **VAR-3695 - VARIANCE - PUBLISHING - APPLICANT/OWNER: SHARON ROTH** - Request for a Variance to Add Only FOUR PARKING SPACES WHERE NINE ARE REQUIRED on 0.15 acres at 708 South Jones Boulevard (APN 138-25-310-003), P-R (Professional Office/Store Parking) Zone, Ward 1 (Tarkanian)

C.C. 03/03/2010

PROTESTS RECEIVED BEFORE

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:

DENIAL

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 for Items 26 and 27

Motion made by KEEN ELLSWORTH to Hold in abeyance Items 26-28 to 2/25/2010

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

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

Minutes:

CHAIR TRUESDELL declared the Public Hearing open for Items 26-28.

For the Commission, DEPUTY CITY ATTORNEY JAMES LEWIS clarified with MARGO WHEELER, Director of Planning and Development, that the correct address is 708 North Jones Boulevard, not South Jones Boulevard. MS. WHEELER added that the notices were published correctly and were mailed to the correct residents with the correct parcel number. In addition, the item will be re-noticed, and a note will be placed on the item regarding the address prior to item being heard at City Council.

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STEVE GEBEKE, Planning and Development, indicated staff's recommendation for denial, as there is not adequate parking, and the requested waiver is due to a lack of buffering.

SHARON ROTH stated she purchased the property with the understanding of Professional Office (PR) zoning but believes there may be some confusion regarding the square footage and number of required parking spaces. She and her husband are the only employees, and she only sees one patient every two hours. MS. ROTH does not intend to occupy the garage but was open to using it as her parking space if necessary. BOB RANKIN, Planning and Development, explained that if the garage was occupied, it cannot be counted toward parking but the Commission could consider it as mitigation for the parking variance.

CHAIR TRUEDELL gave TODD FARLOW a brief account of what previously happened with this property, noting that the application has expired. The existing landscaping will remain, but MR. FARLOW believed landscaping was lacking and this site would be one bright.

COMMISSIONER QUINN visited the site and was displeased to see dead landscaping and the issue with traffic. She did not believe parking was sufficient and was delayed 20 minutes trying to exit the driveway. Although a neighborhood meeting was required, the Commissioner felt the applicant owed it to the neighbors to hold one. MS. ROTH informed the Commissioner that there is one handicap parking space, and this parking had to be situated in the front as the side alleys are not wide enough to accommodate parking.

COMMISSIONER TROWER recommended MS. ROTH to visit the area along Jones Boulevard, south of the 15 Freeway, where there are inconsistencies with conversions. He felt MS. ROTH could enhance the curbside appeal and take an opportunity to set the tone for this block.

MS. ROTH explained for COMMISSIONER EVANS that OMB is the licensed profession for acupuncture but she does not have the authority to prescribe pharmaceutical medications. The Commissioner was concerned that the applicant could sell the property and another owner could develop a more intense use. His ongoing concern has been with piece meal and developments that could hamper the city's vision. MS. ROTH clarified that she was not a part of the previous applications. A future easement may exist between her and the adjacent property owner. She does not plan to sell the property, but if it were to occur, she would be inclined to sell the business as well.

Given MS. ROTH's sincerity and everyone's willingness to work together, COMMISSIONER TRUEDELL suggested an abeyance, in hopes of alleviating the expressed concerns. MS. ROTH appreciated and accepted the abeyance.

CHAIR TRUEDELL declared the Public Hearing closed for Items 26-28.