



City of Las Vegas

Agenda Item No.: 6.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 11, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: SUP-3701 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CALVIN PETERSON - OWNER: KIM TARKENTSON et al. Request for a Special Use Permit FOR AN AUTO REPAIR GARAGE, MENOR WITH SERVICE BAY DOORS FACING THE PUBLIC RIGHT-OF-WAY on 4474 feet at 1501 West Carey Avenue (APN 139-21-102-004), C-1 (Limited Commercial Zone), Ward 5 (Barlow)

C.C.: 02/17/2010

IF DENIED, P.C. MAY APPEAL C.C. TO (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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

Motion made by BYRON GOYNES to Deny

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

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

Minutes:

CHAIR TRUESDELL declared the Public Hearing open.

DOUG RANKIN, Planning and Development, recommended denial because the chain-link fence is aesthetically incompatible with the surrounding neighborhood and the requested special use permit is inconsistent with the requirements for an auto repair garage due to the bay doors facing the public right-of-way.

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CALVIN PETERSON was present with ROBBIE FORTSON, one of the three owners, and he stated that auto repair is a necessary service that is lacking in the surrounding community. He explained that the chain-link fence is needed for security of the building and the entire property. He offered to cover the chain-link fence so as to screen the interior of the property from the public right-of-way.

TODD FARLOW asked if the existing building would be retained or demolished and rebuilt, to which CHAIR TRUESDELL answered that the existing facility would remain.

CHAIR TRUESDELL confirmed with MR. FRANKLIN that no paving or landscaping improvements were being required; the applicant is only being required to repair and maintain the chain-link fence.

COMMISSIONER GOYNES stated the structure was erected around 1970 and has since then operated as auto repair. He is concerned about it continuing to operate as such, especially in its current state, because nearby parcels to the east were approved as C-1 zoning and because he considers the location to be part of the gateway into the City of Las Vegas from North Las Vegas. Therefore, this is a transition area that should be used for a more viable use placed at this location. He did not feel a fresh coat of paint on the building would suffice to improve the property.

COMMISSIONER GOYNES strongly suggested the applicant meet with the surrounding residents to assess the needs and desires of the community in order to increase the opportunity for success of the use that is ultimately decided upon. He stressed that he could not support this request due to the bays facing the right-of-way and the poor condition of the chain-link fence.

COMMISSIONER GOYNES turned to CHAIR TRUESDELL for his expertise and opinion on the best development for this property. CHAIR TRUESDELL indicated that the market usually drives the best uses and noted that he could not support the application because no significant changes were being contemplated.

VICE CHAIR ELLSWORTH discussed with MR. PETERSON that the bays could be moved to the rear of the structure, but at a substantial cost, and then verified with COMMISSIONER GOYNES that he is concerned about the current use and the environmental study, because he does not believe the property is properly equipped to meet current code.

MS. FORTSON explained that the property was in trust in 2005 and she, along with her two sisters, bought it out, closed the business and evicted the previous owner because he was involved in shady activities, some of which took place on the property, which she had no control over.

MS. FORTSON indicated that she would like a commercial tenant for the property, but she had not been successful in her pursuit. She assured the Commission that she wants a viable use on the property, but, in the interim, she would like to rent it to MR. PETERSON so that the property

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does not sit vacant, as that would not serve the community well either. She indicated that she cares about the community, because she was raised there, and offered to submit the report from the bank indicating that the tanks were removed.

COMMISSIONER EVANS confirmed with MS. FORTSON that she would continue to seek a developer should this application be denied and that the term of the lease with MR. PETERSON would be for five years. MS. FORTSON added that she has discussed some other options with COMMISSIONER GOYNES, but all of them would take time.

MS. FORTSON informed COMMISSIONER QUINN that a soils report was conducted in 2007.

COMMISSIONER EVANS asked if the applicant is interested in exploring any of the suggested options. COMMISSIONER GOYNES interjected that he would continue to converse with MS. FORTSON about possible solutions. COMMISSIONER EVANS remarked that he was hoping the applicant would offer a better site plan that could be approved with a review period to ensure that the community's needs are being met. CHAIR TRUESDELL stated that once approved and money has been invested by the applicant, the application would be more difficult to deny.

CHAIR TRUESDELL declared the Public Hearing closed.

