



City of Las Vegas

Agenda Item No.: 28.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 25, 2010**

**DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

SUBJECT: DR-3736 - SITE DEVELOPMENT - LAKEVIEW - PUBLIC HEARING -
APPLICANT/OWNER: THE FOUNDATION TRUST - Request for a Major Amendment to an
approved Site Development Plan Review TO ALLOW ZERO-FOOT LANDSCAPE BUFFERS
AND NO PLANTING MATERIALS ALONG THE NORTH AND EAST PERIMETERS
WHERE THREE AND FOUR FEET WERE PREVIOUSLY APPROVED, RESPECTIVELY on
2.81 acres at 3901 West Charleston Boulevard (APN 162-06-502-003), C-1 (Limited Commercial)
Zone, Ward 1 (Tarkanian)

P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards
7. Submitted after Final Agenda - Protest Postcards
8. Submitted after Meeting Recordation Notice of Planning Commission Action and Conditions of Approval

Motion made by VICKI QUINN to Approve subject to conditions and deleting Condition 2

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

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

NOTE: COMMISSIONER FLANGAS verified that ERNIE BECKER JR. is not associated with
this project.

Minutes:

CHAIR TRUESDELL declared the Public Hearing open.

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STEVE GEBEKE, Planning and Development Department, indicated that the subject site was approved via a building permit in 1979, along with approved site and landscaping plans depicting perimeter landscaping along both Valley View Boulevard and Charleston Boulevard. At some point, the landscaping materials were removed and the buffer areas were filled with concrete.

MR. GEBEKE stated that the request is to allow the concrete to remain. The landscape buffer area along Valley View Boulevard is sloped and located adjacent to a bus stop. Staff could support the request due to the topography of the buffer area and the damage to the buffer area from heavy foot traffic associated with the bus stop. However, staff could not support the request along Charleston Boulevard, as the applicant did not provide compelling justification for the removal of the required landscaping, and a condition of approval was added to require the landscape buffer and planting materials to comply with the approved plans. With this condition, staff recommended approval of this request. If denied, the site would have to be brought into compliance with the approved plans.

BARRY BECKER, 59 South Jones Boulevard, appeared on behalf of the applicant, and stated that the bus stop became more active and people were beginning to destroy the landscaping, and it has become a hardship. About 15 years ago the applicant wanted to move the landscaping, poured concrete and painted it red. Due to the shape of the building and the retaining wall at the corner, the lack of landscaping is not noticeable. It would be expensive to remove the concrete and add landscaping. Several of the original paint trees still exist on the Charleston Boulevard side. He asked that the site remain as is.

TODD FARLOW felt that some landscaping could be provided.

JUANITA CLARK, Charleston Neighborhood Association, agreed with MR. FARLOW'S comments, and asked that landscaping be provided to the north.

COMMISSIONER QUINN indicated that she drives by this particular corner and due to the amount of foot traffic at the bus stop, the landscaping will not survive. She asked that the applicant make sure the area is kept clean.

COMMISSIONER GOYNES indicated that the Regional Transportation Commission (RTC) spends millions of dollars to install bus shelters and the public will destroy them, including the landscaping. The Commissioner clarified with MR. BECKER that the RTC did not approach the applicant about installing bus cut-outs.

MARGO WHEELER, Director of Planning and Development, clarified that staff's recommendation is for approval with a condition requiring landscaping on Charleston Boulevard. If the Commission wishes to have no landscaping, then Condition 2 should be deleted.

CHAIR TRUESDELL stated the landscaping around buildings is important, but this building sits above grade and there is no area to provide the landscaping.

COMMISSIONER EVANS disagreed because there should be a way to provide some type of aesthetics. MR. BECKER replied that this corner is not unattractive and it has been like this for

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15 years.

COMMISSIONER ELLSWORTH was not pleased with the building as it looks worn out, dirty and installing some type of durable landscaping would make the area more aesthetically pleasing.

MS. WHEELER outlined staff proposed condition that the perimeter landscaping buffer along Charleston Boulevard be landscaped with trees and shrubs in conformance with the original site plan date stamped 2/12/79 and landscape plan dated 2/13/79.

COMMISSIONER EVANS verified with MR. BECKER that the site is not plumbed for irrigation. There are three palm trees and a raised walkway in front of the store. Installing irrigation at this point would be costly.

CHAIR TRUESDELL noted that the plans depict the building 20 feet back from the sidewalk; however he opined that that is not the case. MR. BECKER responded that Charleston Boulevard was widened. CHAIR TRUESDELL added that in such a small amount of space, no landscaping would survive.

COMMISSIONER ELLSWORTH suggested some forms landscaping to create a better look.

COMMISSIONER QUINN understood the Planning Commissioners' concerns but agreed that bringing irrigation would cost more than the building is worth.

COMMISSIONER EVANS discussed with MR. BECKER that the building is currently being leased by Nevada Legal Forms.

See Item 15 for related background.

CHAIR TRUESDELL declared the Public Hearing closed.

