



*City of Las Vegas*

Agenda Item No.: 26.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: JULY 29, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

**SUBJECT:** GPA-38525 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: COMMUNITY BANK OF NEVADA, ET AL - Request for a General Plan amendment FROM: B19 (DESERT RURAL) TO: SC (SERVICE COMMERCIAL) on 1.93 acres at 3840 and 3850 North Jones Boulevard (APNs 138-12-111-003, 004, and 005). Ward 6 (Res.) Staff recommends APPROVAL.

C.C.: 02/01/2010

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

Planning Commission Mtg.

2

City Council Meeting

0

City Council Meeting

0

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report - GPA-38525 and SUP-38590
3. Supporting Documentation
4. Photo - GPA-38525 and SUP-38590
5. Justification Letter
6. Support Postcards GPA-38525 and SUP-38590

Motion made by BYRON GOYNES to Approve

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)

Minutes:

CHAIR TRUESDELL declared the Public Hearing open for Items 26 and 27.

STEVE GEBEKE, Planning and Development, gave a brief history of the site and its former use. The requested waivers are required based on the current Title 19 standards, which were not applicable at the time the facility was constructed. Because the operation was compatible with the surrounding uses, staff supported the waivers and recommended approval of the applications.

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ATTORNEY LISA LAVELLE, 8831 West Sahara Avenue, appeared on behalf of the applicant and clarified that one of the bays is coin operated, and there will be no modifications to the site.

TODD FARLOW questioned if the water would be recycled, and ATTORNEY LAVELLE responded that the property had foreclosed and the applicant is simply attempting to operate what has already been in existence. ASSISTANT CITY ATTORNEY BRYAN SCOTT added that it depends on the length of time a use has been abandoned to determine whether or not the use can continue as is or requirements be made to comply with the Code. CHAIR TRUESDELL pointed out that the Commission is addressing the land use; licensing and Code compliance issues will have to be addressed by staff and additional agencies such as the Las Vegas Valley Water District.

COMMISSIONER ELLSWORTH was informed by ATTORNEY TROY TOBLER, 7744 West Lake Mead Avenue, Suite 270, that the property is currently on the market and there is interest pending the potential approval of this application. The Commissioner pointed out that one of the applications is a general plan amendment and if approved, the use will then be conforming; yet, the new buyer may decide on a different operation/use. The site has been vacant for years and is in need of rehabilitation, but without a buyer intact. COMMISSIONER ELLSWORTH was uncomfortable in approving the request beforehand. ATTORNEY TOBLER noted that the buyer will be responsible for installing the equipment, which is easy to install and can be done within one week.

ATTORNEY LAVELLE stated that the Federal Deposit Insurance Company is involved, the process has taken longer. The site has been viable over the past years; rather than having the site remain in disarray, it only makes sense to continue such a use and avoid expenses of modifying the site.

Although COMMISSIONER TROY BRIDGES supported approving the General Plan Amendment to bring the site in conformance, he solicited the advice of ASSISTANT CITY ATTORNEY SCOTT or MARGO WHEELER, Director of Planning and Development concerning granting a special use permit when there is the question pending of whether or not the site was grandfathered in. MS. WHEELER answered that the special use permit would allow the applicant to begin the process of re-opening the car wash. Thereafter, the applicant has to apply for permits based upon the requirements, including those of other applicable agencies. ASSISTANT CITY ATTORNEY SCOTT included that there could be an existing condition dealing with licensing and water rules.

CHAIR TRUESDELL understood the applicants intentions and the concern of COMMISSIONER ELLSWORTH and felt it was appropriate to have a condition dealing with the timeframe on the approval. ATTORNEY TOBLER pointed out that the business has to be opened within two years or the use will expire. COMMISSIONER ELLSWORTH preferred to amend the timeframe to one year, so MS. WHEELER read the amended version for Condition 2 on Item 27, and ATTORNEY LAVELLE concurred.

CHAIR TRUESDELL declared the Public Hearing closed for Items 26 and 27.