



*City of Las Vegas*

Agenda Item No.: 34.

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

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

☐ Consent ☒ Discussion

**SUBJECT:** VAR-38582 - A VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ANN AND NED BUSCH - Request for a Variance to add two accessory structures (CLASS II) (PRIVATE HORSE STABLE AND BARN) FOR A TOTAL OF 7,983 SQUARE-FEET WHERE 1,300 SQUARE FEET IS THE MAXIMUM FLOOR AREA ALLOWED on 2.48 acres approximately 200 feet east of Campbell Drive and approximately 700 feet north of Charleston Boulevard (APNs 159-32-405, 008, 009, 011, and 012), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

**C.C.: 09/01/2010**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**3**

**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**8**

**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps - VAR-38582 and SUP-38573
2. Conditions and Staff Report - VAR-38582 and SUP-38573
3. Supporting Documentation
4. Photo - VAR-38582 and SUP-38573
5. Justification Letter - VAR-38582 and SUP-38573
6. Protest/Support Postcards, Support Petition and Protest Letter by Mark Hawkins VAR-38582 and SUP-38573

Motion made by VICKI QUINN to Approve subject to conditions

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

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

NOTE: CHAIR TRUESDELL abstained from voting, as he is currently working with the applicant on projects.

NOTE: COMMISSIONER QUINN disclosed that she went to school with the sister of the applicants representative, who is related to former Planning Commissioner Michael Buckley, but she believed she could be fair and voted on the item.

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Minutes:

VICE CHAIR ELLSWORTH declared the Public Hearing open for Items 34 and 35.

DOUG RANKIN, Planning and Development, paraphrased a portion of staff's report while explaining the proposal. He pointed out that the proposed horse corral has a total of 7,983 square feet of accessory structure, which exceeds 50 percent of the proposed primary structure. In addition, the Special Use Permit does not meet all of the Conditional Use Regulations within Title 19. However, staff recommended approval, as the proposed accessory structures are in context in use and scope with the overall proposed single-family development. If denied, the applicant would have to resubmit plans showing accessory structures that are, cumulatively, less or equal to 50 percent of the primary structure.

ANN and NED BUSCH were present with BRYAN BARSON, 9901 Covington Cross Drive, who appeared on behalf of the applicant. They accepted all of the conditions and asked for approval.

TED AGERTON, Lochsa Survey, 3645 South Jones Boulevard, showed engineering plans on the overhead and explained to the Commission the desire is to delete the paved handicapped parking spaces, since this will be a private barn and not for commercial use. MR. RANKIN and MARGO WHEELER, Director of Planning and Development, explained to MR. AGERTON that since this is not commercial development, there are no parking standards.

MS. BUSCH relayed to the Commission their efforts in informing the residents, as well as speaking with COUNCIL MEMBER MARK KANIAN, to ensure concerns were addressed and mitigated, such as fly management and manure control. She believed their due diligence has warranted an appropriate development with the least impact on the residents.

An audience member informed TODD FARLOW where a Catholic school was situated relative to the subject site.

MARK HAWKINS, 300 South Fourth Street, preferred the BUSCHS request be denied. Although he agrees that the BUSCHS have done a great job in speaking with the residential community, he did not feel that they had done their due diligence in speaking with members of their large office complex. Their property line runs along the BUSCHS property, and this proposal will have the most impact upon their office and tenants. If approved, there will be 12 horses on the property, so manure and pest control are valid concerns. He asked that a neighborhood meeting be held to address concerns prior to any vote.

BOB BURKEY, KYLE CARTER and VIVIAN GOMEZ all wanted to be good neighbors and support the project but they were concerned with the scale of the proposal, smell of manure in dumpsters waiting to be picked up, and if the BUSCHS intends to use the horses for profit.

JUANITA CLARK, Charleston Neighborhood Preservation, stood in support and liked the idea of having mixed-use development in this neighborhood.

## PLANNING COMMISSION MEETING OF: JULY 29, 2010

Upon COMMISSIONER EVANS query, MR. HAWKINS informed him that he was just informed of this application the day before this meeting.

COMMISSIONER GOYNES noted that staffs backup indicated one objection and 17 supports. MS. WHEELER added that the Code allows up to 12 horses.

COMMISSIONER EVANS remained this area as originally being zoned as horse property. He believed the concerns expressed were valid and wondered if additional discussions with the residents would satisfy those concerns. He found it interesting that Professional development was allowed in the middle of horse-zoned properties and how such commercial development objects to this proposal. The area has a great rural feel in the heart of the city, and he would hate to see the character and equestrian element removed or forgotten. He was optimistic in that this proposal was one the community will end up supporting.

Upon visiting the site, COMMISSIONER QUINN was in awe of the make up of the property and the applicants sincerity in wanting to build a first-class operation for their family who loves horses. He has spoken with other colleagues, who are just as excited about this proposal and how it will enhance the area. MS. BUSCH addressed the Commissioners query regarding lighting in that they do not intend to install lighting so that they do not ride the horses at night. In addition, the BUSCHs have already provided measures to reduce dust.

Regarding the wall situated along the BUSCHS and the commercial section, MS. BUSCH addressed COMMISSIONER GOYNES and explained that the entire wall was sprayed and the graffiti was eliminated. They would like to work with the adjacent property owners to possibly increase the wall height for safety and to cease kids from jumping over the wall from the commercial development. She reiterated that these horses are for their familys personal use, and they do not intend to run a business. In addition, there is a pesticide mister system in the barn that sprays every hour and is on high.

VICE CHAIR ELLSWORTH declared the Public Hearing closed for Items 34 and 35.