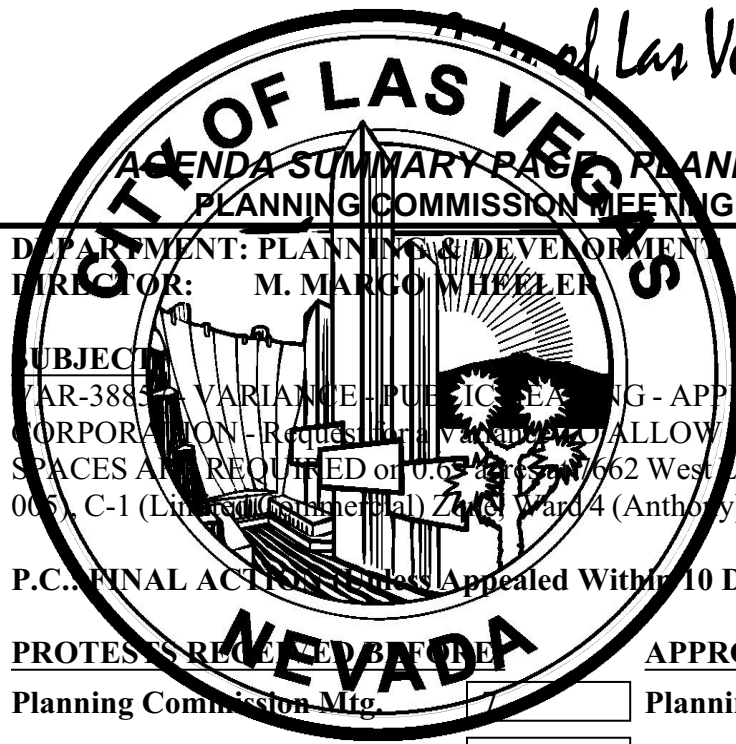




City of Las Vegas

Agenda Item No.: 25.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 26, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: VAR-38857 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: McDONALD'S CORPORATION - Request for a variance to ALLOW 57 PARKING SPACES WHERE 40 SPACES ARE REQUIRED on 0.65 acre site at 662 West Lake Mead Boulevard (APN 138-21-617-005), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

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

PROTESTS RECEIVED BEFORE

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - VAR-38857, VAR-38858 and SDR-38856
2. Conditions and Staff Report - VAR-38857, VAR-38858 and SDR-38856
3. Supporting Documentation
4. Photos - VAR-38857, VAR-38858 and SDR-38856
5. Justification Letter
6. Protest/Support Postcards VAR-38857 and VAR-38858
7. Recordation Notice of Council Action and Conditions of Approval for VAR-38857, VAR-38858 and SDR-38856

Motion made by GUS FLANGAS 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 on Items 25-27 due to his business relationship with McDonalds Corporation.

Minutes:

VICE CHAIR ELLSWORTH declared the Public Hearing open for Items 25-27.

PLANNING COMMISSION MEETING OF: AUGUST 26, 2010

DOUG RANKIN, Planning and Development, stated that staff recommends approval of the site plan and parking variances as they conform to the original approvals for parking and landscaping. However, staff recommends denial of the sign variance as the sign does not meet the height standards of Title 19.

KERRY SHAHAN, 8905 West Post Road, representing the applicant, agreed with the conditions and presented photographs of the existing and proposed signage. He pointed out for Item 25 that the number of parking spaces is 5, where 38 are required, not as represented in the subject matter of the Agenda Summary Page of 37, where 40 are required. MARGO WHEELER, Director of Planning and Development, indicated that staff would research the required parking spaces. She also indicated that staff's correct recommendation on Item 27 is approval, not denial as reflected in the Agenda Summary Page.

TODD FARLEY asked if McDonalds Corporation is adopting a new signage standard.

COMMISSIONER GOVINES strongly felt that an established fast-food restaurant such as McDonalds does not need any more signage, whether in the front or at the drive-thru. He also had issues with McDonalds going to a higher sign standard. He should comply with the City's standards. MS. WHEELER remarked that McDonalds Corporation can change the standard, but the City has ultimate discretion through the Variance process. In this case, the sign does not meet the requirements; therefore, staff is recommending denial.

MR. SHAHAN showed pictures of the typical signage and the proposed signage, explaining that the new sign will be eight feet tall, taller than the existing seven-foot sign. It is being heightened to improve visibility of the menu and the lanes are being reduced from two lanes to one in order to improve vehicular circulation.

KEVIN McAULEY, Area Construction Manager for McDonalds Corporation, referred to the pictures and explained that the new sign also includes an addition that will provide protection from the rain for drive-thru customers.

COMMISSIONER EVANS asked why the landscaping was being reduced, to which MR. McAULEY replied that it is due to the modification of the drive-thru and the addition of a loading pad. MR. SHAHAN added that four trees will actually be added.

COMMISSIONER EVANS thought there was a landscaping variance request. MS. WHEELER explained that the landscaping component is part of the modification of the site plan. The only variances are for the signage and the parking.

COMMISSIONER TROWBRIDGE stated that he is familiar with the area and did not feel the requested change in signage would be of detriment to the property and is more for the convenience of the customers.

PLANNING COMMISSION MEETING OF: AUGUST 26, 2010

After trailing Items 25-27 for staff to research the appropriate number of parking spaces permitted, MR. RANKIN noted that he verified that the actual Variance request is for three parking spaces, for a total of 35 where 38 are required. DEPUTY CITY ATTORNEY JAMES LEWIS indicated that the City Attorneys Office could reasonably defend any possible challenge of the Open Meeting Law, because the difference between the required amount and the requested amount is three spaces.

VICE CHAIR ELLSWORTH declared the Public Hearing closed for Items 25-27.

