



City of Las Vegas

Agenda Item No.: 22.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: BEYANET - SUP-38623 - SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICANT/OWNER: FRICTOR RAMALZHO - Request for a Special Use Permit FOR A
PROPOSED MOTOR VEHICLE SALES (USED) USE at 4561 East Bonanza Road, Suite #130
(APN 140-32-0010) C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends
DENIAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards and Telephone Protest/Approval Log

Motion made by STEVEN EVANS to Table

Passed For: 5; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 1
VICKI QUINN, GLENN TROWBRIDGE, RICHARD TRUESDELL, BYRON GOYNES,
STEVEN EVANS; (Against-TODD L. MOODY); (Abstain-None); (Did Not Vote-None);
(Excused-GUS FLANGAS)

Minutes:

CHAIR TRUESDELL declared the Public Hearing open.

After trailing the item, DOUG RANKIN, Planning and Development, informed CHAIR TRUESDELL that staff was unable to contact the applicant. He then explained that the applicant is proposing to convert 2,000 square feet of an existing 16,250 square-foot auto repair garage into a motor vehicle sale use. Placing an additional use on the subject property creates an overly

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developed site and will negatively impact the surrounding neighborhood. Per Title 19.04 Minimum Special Use Permit (SUP) Requirement for the Auto Repair Garage, Major use, no vehicles may be parked on the premises for the purposes of repairing the vehicle for sale. Approval of this Special Use Permit request would circumvent this requirement of the previously approved SUP-3223. Therefore, staff recommended denial. If the application is denied, the existing repair garage major building and use for storage will remain.

GODD FARLEW, Las Vegas resident was friendly with the applicant and does not support the request. Code enforcement has dealt with the applicant repeatedly and an approval should not be granted until compliance is done on compliance. The application should be approved until he complies.

COMMISSIONER EVANS did not want to deny the item given the fact that the applicant was given numerous opportunities. He suggested tabling the item and the applicant could reactivate the application if he chose to do so.

In response to CHAIR TRUESDELLS query regarding the applicant's non-compliance issues, ASSISTANT CITY ATTORNEY BRYAN SCOTT replied that the applicant has to have the opportunity to be heard, but the Commission has the ability to deny the application. The applicant was noticed and chose not to show up.

CHAIR TRUESDELL remarked that the applicant is trying to take advantage of the neighbors and the good nature of the City. There are also serious hazardous issues on site with three rebar sticking out. MR. RANKIN confirmed that there are multiple Code Enforcement complaints on the property, and Code Enforcement and the City Attorney are involved with pending issues.

COMMISSIONER EVANS stated that staff's report is compelling and the findings are there. He agreed with ASSISTANT CITY ATTORNEY SCOTT that the applicant should be heard and did not want to see potential litigation.

ASSISTANT CITY ATTORNEY BRYAN SCOTT explained the steps in the cease and desist process, upon COMMISSIONER GOYNES' inquiry.

CHAIR TRUESDELL declared the Public Hearing closed.