



Agenda Item No.: 39.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 21, 2010**

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

☐ Consent ☒ Discussion

SUBJECT:
GPA-39489 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT:
SEQUOIA ELECTRIC - OWNER: RACON RUSH PROPERTY VENTURES, LLC - Request for
a General Plan Amendment FROM: S2 (SERVICE COMMERCIAL) TO: LI/R (LIGHT
INDUSTRY/RETAIL) ON 1.27 Acres at 4485 North Rainbow Boulevard (APN 138-03-602-
013) Ward 4 (Attachment) Staff recommends DENIAL.

C.C.: 11/17/2010

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

5

Planning Commission Mtg.

2

City Council Meeting

0

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report - GPA-39489, ZON-39490, VAR-39492 and SDR-39491
3. Supporting Documentation
4. Photos -GPA-39489, ZON-39490, VAR-39492 and SDR-39491
5. Justification Letter - GPA-39489, ZON-39490, VAR-39492 and SDR-39491
6. Protest/Support Postcards - GPA-39489 and ZON-39490
7. Submitted at Meeting Proposed Conditions, Support E-mail from Bob Fitzpatrick and Site Plan by Richard Gallegos for GPA-39489, ZON-39490, VAR-39492 and SDR-39491

Motion made by GUS FLANGAS to Deny

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

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

NOTE: CHAIR TRUESDELL abstained because his partner owns property in the construction area.

Minutes:

VICE CHAIR EVANS declared the Public Hearing open for Items 39-42.

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DOUG RANKIN, Planning and Development, described the current site and the proposed use. He noted the use and zoning requested are not compatible with the surrounding land uses, would further erode the C-1 zoning along Rainbow Boulevard and are not compatible buffers to C-1 residential to the east of the site. Staff recommends denial of the General Plan Amendment and Rezoning, as well as of the Variance request, as it is due to a self-imposed hardship, and the Site Development Plan Review.

RICHARD GALLEGOS, 3005 West Horizon Ridge Parkway, and TABATHA CHAVEZ appeared on behalf of the applicant. MR. GALLEGOS thanked staff for its time and efforts in this matter, as well as the neighbors for attending the two neighborhood meetings that were held. He described the site and the commercial uses surrounding it, including a fire station, place of worship, Terrible Herbst Convenience Store and the Santa Fe Casino. Some of the concerns of the neighbors are the hours of operation and the nature of the use. He submitted and went over a list of conditions that were reached between the applicant and the neighbors at the neighborhood meeting, emphasizing that Item 9 lists the uses that would not be considered for the site. He described the proposed business as being more like a boutique equipment rental establishment, and he submitted a plan depicting the type and quantity of equipment, which is made a part of the backup documentation. He noted that every piece of equipment includes an operator.

VICE CHAIR EVANS confirmed with DEPUTY CITY MANAGER JAMES LEWIS that agreed-to conditions between the applicant and residents on the Site Development Plan Review cannot be enforced. MR. GALLEGOS offered to have them as deed restrictions, adding that as a good neighbor, the applicant would assure the surrounding residents of his intentions.

MR. GALLEGOS indicated for VICE CHAIR EVANS that Title 19 does not address the use of boutique equipment, and Sequoia Electric carries equipment that various establishments have expressed interest in using, so the applicant decided to offer them for rent. One of the neighbors directly across the site is in support, but could not be present.

JOE THOMPSON, nearby resident, objected to this proposed establishment, which he considers to be an industrial development. There are several schools of different grade levels in the area. The current use would create unwanted traffic for this residential neighborhood, which is not industrial in nature, given that recent development has been apartments and residential uses.

MS. CHAVEZ pointed out that behind this property is a mini-storage facility and Sequoia Electric is doing a job for the Nevada Department of Transportation, so there will be heavy equipment and construction on Rainbow Boulevard and Craig Road.

MR. GALLEGOS insisted that the area predominantly consists of commercial and 24-hour uses. It used to be rural 25 years ago. The most impacted neighbors are directly across the street, and they are not opposed.

COMMISSIONER FLANGAS stated that he met with MR. GALLEGOS to discuss this matter, and he has struggled greatly with it. Although he likes the concept of the project and that the

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heavy equipment will be covered in the rear, he is concerned about industrial zoning with the residential neighborhood to the east. At one point, the intent was to make it a commercial stretch, but industrial zoning is problematic, because if this developer cannot finish the project, the residents will be stuck with the zoning. For these reasons, he could not support the project.

COMMISSIONER GOYNES shared the concerns of COMMISSIONER FLANGAS, adding that the concept of a boutique sounded nice until the type of equipment that would be rented was described.

VICE CHAIR EVANS could not support it either because a future owner might not be as considerate to the neighbors.

See Item 2 for related backup.

VICE CHAIR EVANS declared the Public Hearing closed for Items 39-42.

