



City of Las Vegas

Agenda Item No.: 14.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MAY 10, 2011**

**DEPARTMENT: PLANNING
DIRECTOR: FLINN BACCH, Acting**

☐ Consent ☒ Discussion

SUBJECT: BEYANCA - VAR-41060 - VARIANCE PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES. Request for a Variance TO ALLOW A ZERO-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED on 0.54 acres at 4944 Vegas Drive (APN 138-24-06000 C- (limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

C. C.: 06/15/2011

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

Planning Commission Mtg.

3

City Council Meeting

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City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - VAR-41060, VAR-41216 and SDR-41059
2. Conditions and Staff Report - VAR-41060, VAR-41216 and SDR-41059
3. Supporting Documentation
4. Photos - VAR-41060, VAR-41216 and SDR-41059
5. Justification Letter - VAR-41060 and SDR-41059
6. Protest/Support Postcards, Protest E-Mail for VAR-41060 and VAR-41216 and Support Letters for VAR-41060, VAR-41216 and SDR-41059
7. Submitted at Meeting Photos by David Dwyer for VAR-41060, VAR-41216 and SDR-41059

Motion made by BYRON GOYNES to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

CHAIR EVANS declared the Public Hearing open for Items 14-16.

DOUG RANKIN, Planning, commented the site houses a church, which requires a parking variance before the Certificate of Occupancy can be issued. The applicant also seeks to install a modular building. Staff feels the proposed church use is too intense for the parcel, and the

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waivers and variances being requested illustrate that the site is inappropriate for the use. Staff recommended denial of Items 14-16.

DAVID DWYER, Dwyer Engineering, accompanied by PASTOR SULLIVAN CAUSEY SR., commented that some of the landscaping is already in place. He showed before and after photos of the church, noting that a request was made for exclusion of the landscaping variance along the eastern property line, as the applicant intends to provide landscaping in that area, and there is landscaping on the western side and the front of the church. There is supplemental parking on Fairhaven Street. He requested approval and concurred with the conditions.

TODD FARLOW, Las Vegas resident, indicated that he visited the site twice and saw approximately 1,600 people working very hard to install landscaping. He pointed out the parking would be sufficient because the church uses a bus to pickup people. MR. RANKIN indicated for MR. FARLOW that the horse trail is located in the County.

COMMISSIONER GOYNES stated that he visited the church and he was impressed with its congregation. Nevertheless, the Planning Commissioners and staff have to ensure that even churches comply with the codes. This site has been site specific; it is small and parking is limited, and will be even more limited with the landscape requirements. The parcel to the east was being considered for purchasing or leasing, but that is no longer possible, given that the owner is not amenable either. Staff has indicated that parking is allowed on both sides of Fairhaven Street; therefore, he does not have a problem with the parking. However, the Commissioner questioned the variances near the boundary to the north. MR. DWYER explained that one of those two parcels is abandoned and was mapped to become right-of-way 50 years ago, but it was never dedicated. The church is acquiring it through adverse possession, as the church is paying taxes on it. The listed owner of the parcel went defunct years ago. The property will have to be acquired through the courts, and he believes it can be done within a year.

Regarding Item 16, COMMISSIONER GOYNES expressed concern about the amount of space the modular buildings will require and their aesthetics. He would prefer that the landscaping on the western boundary not be installed because it will erode the parking and impede access to the handicapped, but he was convinced that the church leaders and members can pull together to improve the site until the other parcel is acquired. MR. DWYER indicated the modular will resemble a regular building.

COMMISSIONER QUINN insisted on ramps being made available for the school in order to accommodate the handicapped. MR. DWYER assured the Councilwoman that it will be ADA accessible.

COMMISSIONER TROWBRIDGE confirmed with PASTOR CAUSEY that the modular will be used for traditional Sunday school activities.

COMMISSIONER MOODY asked if the four air conditioning units would still be necessary with the modular buildings being merged into one. MR. DWYER indicated that he could not

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answer that because he is not an engineer, but he would be happy to remove as many units as possible to conserve energy.

FLINN FAGG, Acting Director of Planning, crafted an amendment to Condition 4 and additional conditions for Item 16.

CHAIR EVANS declared the Public Hearing closed for Items 14-16.

