



City of Las Vegas

Agenda Item No.: **24.**

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

**DEPARTMENT: PLANNING
DIRECTOR: FLINN BACIG. Acting**

☐ Consent ☒ Discussion

SUBJECT: VAR-41385 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: UNITED BROTHER ENTERPRISES, INC. request for a Variance TO ALLOW 16 PARKING SPACES WHERE 25 SPACES ARE REQUIRED FOR A PROPOSED 2,600 SQUARE-FOOT COMMERCIAL BUILDING at 2324 Fremont Street (APN 139-35-805-001), C-2 (General Commercial) Zone, Map 3 (Reese). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 06/15/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - VAR-41385, VAR-41386, SUP-41384, SUP-41236 and SDR41235
2. Conditions and Staff Report -VAR-41385, VAR-41386, SUP-41384, SUP-41236 and SDR41235
3. Supporting Documentation - VAR-41385, VAR-41386, SUP-41384, SUP-41236 and SDR41235
4. Photos - VAR-41385, VAR-41386, SUP-41384, SUP-41236 and SDR-41235
5. Justification Letter - VAR-41385, VAR-41386, SUP-41384, SUP-41236 and SDR-41235
6. Support Postcard VAR-41385 and VAR-41386

Motion made by RICHARD TRUESDELL to Hold in abeyance Items 24-28 to 6/14/2011 (Note: Item 27 was Withdrawn without prejudice subsequent to this vote.)

Passed For: 5; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

CHAIR EVANS declared the Public Hearing open for Items 24-28.

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STEVE GEBEKE, Planning, described the four applications. The car wash facility will be replaced with an additional fuel canopy, office building and smog check facility. The proposal requires a parking variance, as well as waivers and exceptions to reduce required landscape buffer areas and planting materials. The applicant is also requesting waivers of the minimum special use requirements for the proposed financial institution and the smog check. The combination of building placement, proposed uses and the requested variance, waivers and exceptions will result in an overbuilt site. Circulation within the site is confusing. Additionally, the service area for the smog check is located in front of the trash enclosure, within the vehicular circulation area and may be a safety hazard. Staff recommends denial.

ATTORNEY MARK REISMAN, BILL BHATTI, Principal, United Brothers Enterprises, Inc., and JASPAL SIDHU, Ace Engineering, were present. ATTORNEY REISMAN requested withdrawal of Item 27 and explained that adding gas bays would increase profitability.

MR. BHATTI commented that he has owned the car wash for many years, but it is no longer profitable, and that is why he would like to demolish it and add gas bays, which would also improve traffic circulation.

TODD FARLOW, Las Vegas resident, asked if the car wash would be demolished in order to erect the bays. He was concerned about this project being done properly, in consideration of the nearby development.

MR. SIDHU described the existing structures on the property and the intended changes. The plan is to demolish the existing car wash, add four gas pumps and a D-shaped building to accommodate the retail component. This reconfiguration will add more parking and alleviate traffic congestion.

CHAIR EVANS commented that staff's assessment is that there is too much going on on this small site, with major egress and ingress issues. He had issues with traffic coming from all directions, which would create a public safety hazard. ECIEN PAET, Public Works, stated that when the applicant met with the Traffic Engineering Division, traffic flow was not an issue. He could not confirm that traffic is backing onto Charleston Boulevard. All the driveways force traffic right-in and right-out, so they have been designed as safe as possible.

In reviewing on-site circulation, DOUG RANKIN, Planning, remarked that staff is concerned that there is not enough access to or movement on the site while the pumps are being utilized, thus causing traffic to backup. The denial recommendation is because the proposed project creates egress and ingress traffic concerns.

CHAIR EVANS asked the applicant if a redesign of the site could be done to mitigate the public safety concerns. ATTORNEY REISMAN responded that adding the pumps would open up the site and provide greater traffic safety.

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COMMISSIONER TRUESDELL noted that the traffic congestion problem was created with the addition of the convenience store. He could not support the applications.

COMMISSIONER TROWBRIDGE stated that this is the entryway to south Fremont Street, and he would like to see a nicer, consistent architectural style.

CHAIR EVANS felt the applicant is only concerned about what makes good business sense and not the public's safety.

COMMISSIONER TRUESDELL opted for holding this matter in abeyance to allow the applicant to redesign the site for better traffic flow.

CHAIR EVANS declared the Public Hearing closed for Items 24-28.

