



City of Las Vegas

Agenda Item No.: 45.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JULY 12, 2011**

**DEPARTMENT: PLANNING
DIRECTOR: FLINN RAGO**

☐ Consent ☒ Discussion

SUBJECT: SUP-4188 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: DANNY ITZHAKI
OWNER: HOMER ITZHAKI - For no action on a request for a Special Use Permit FOR A
PROPOSED 4,162 SQUARE FOOT MOTORCYCLE/MOTOR SCOOTER SALES USE WITH
WAIVERS TO ALLOW OUTDOOR DISPLAY AND SALES AND FOR A BUILDING AREA
OF 4,162 SQUARE FEET WHERE 7,000 SQUARE FEET IS THE MINIMUM AREA
REQUIRED at 1820 South Rainbow Boulevard, Suites #100-104 (APN 163-02-313-015), C-1
(Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

C.C.: 08/17/2011

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

6

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

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/Support Postcards

Motion made by VICKI QUINN to Deny

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

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

Minutes:

CHAIR EVANS declared the Public Hearing open.

DOUG RANKIN, Planning, explained that the outside display is not consistent with the Service Commercial land use designation. Referring to the 20/20 Master Plan, he briefly described the differences between General Commercial land uses and Service Commercial land uses. Staff does not believe the proposed use can be conducted in a harmonious and compatible manner with existing land uses and recommended denial.

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SIGAL CHADA appeared with the applicant, DANNY ITZHAKI, in which MR. ITZHAKI explained that he is the landlord/owner, but his son would be managing this establishment. MS. CHADA explained that the property is in foreclosure, and half of the shopping center is currently vacant. Using a diagram, she showed the remaining businesses, whereby the proposed business will be behind Mr. Ds and Midas Autos. MR. ITZHAKI has owned the property for several years but continues to have difficulty in renting this unit.

CHAIR EVANS explained to MS. CHADA that, in his opinion, the issue is that the Code does not allow for the display of vehicles for sale or permitted parking on Rainbow Boulevard and Oakey Boulevard right-of-ways. With that, MS. CHADA rebutted that Midas Autos currently has autos for display on Rainbow Boulevard. Given that the subject business will be retail, she requested a waiver of the limitation referred to by CHAIR EVANS and asked, if approved, that a certain number of scooters be allowed on display for advertising purposes. She added that there will be no more than 20-30 scooters inside the establishment. MR. ITZHAKI explained his hardship in trying to rent the property while he continues to pay his taxes on the property. Given gasoline prices, he thought he could profit better by selling scooters. CHAIR EVANS reiterated the Code and ultimately MS. CHADA and MR. ITZHAKI agreed to not having scooters on display, if approved.

TODD FARLOW had previous experience working at a small dealership and knows that there needs to be a repair area as well as an assembling area for these scooters. He questioned where the scooters will be stored.

JUANITA CLARK, Charles Lee Neighborhood Preservation, supported allowing the applicant to have some scooters on display.

MR. ITZHAKI explained that he has another property at 5439 South Decatur Boulevard, where these scooters will be assembled. The subject site will be used strictly for selling the scooters.

COMMISSIONER QUINN commented that she visited the site and recognized the fact that even if scooters are placed in a parking space or behind the Midas Autos business, they will not be seen. She found that it would be difficult to advertise their product, aside from the doorway area. She could not support the request, as this site is not the appropriate place for such use.

For COMMISSIONER TROWBRIDGE, MS. CHADA explained the difference between motorcycles and motor scooters. MR. ITZHAKI informed the Commissioner that the scooters will be stored within the store, but two scooters will be on display in one of the parking spaces. The proposed hours of operation would be from 8:00 a.m. to 6:00 p.m., but he was open to suggestions.

See Item 11 for related backup.

CHAIR EVANS declared the Public Hearing closed.