



*City of Las Vegas*

Agenda Item No.: 35.

**AGENDA SUMMARY PAGE - PLANNING  
PLANNING COMMISSION MEETING OF: MAY 14, 2013**

DEPARTMENT: PLANNING  
DIRECTOR: FLINN BAGO

Consent  Discussion

**SUBJECT:** VAR-4877 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: THM INTERPRISES, LLC - For possible inclusion in a request for a Variance TO NOT INSTALL REQUIRED OFFSITE IMPROVEMENTS INCLUDING SIDEWALKS AND STREETLIGHTS WHERE SUCH IMPROVEMENTS ARE REQUIRED on 2.5 acres generally located on the southeast corner of Julio Road and Pecos Avenue (APN 138-05-801-006), U (Undeveloped) Zone [RE (Residential Estates) General Plan Designation], Ward 4 (Anthony). Staff recommends DENIAL.

C.C.: 06/19/2013

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	8	Planning Commission Mtg.	2
City Council Meeting	0	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 Postcards
7. Submitted after Final Agenda Protest/Support Postcards

Motion made by TODD L. MOODY to Approve subject to conditions and adding the following condition as read for the record:

A. The approval shall be for no streetlights only.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0  
TRINITY HAVEN SCHLOTTMAN, VICKI QUINN, BYRON GOYNES, GUS FLANGAS,  
TODD L. MOODY, RICHARD TRUESDELL, RICHARD P. BONAR; (Against-None);  
(Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR FLANGAS declared the Public Hearing open.

**PLANNING COMMISSION MEETING OF: MAY 14, 2013**

PETER LOWENSTEIN, Planning, read the staff report and stated staff recommended denial as there is no reason for not providing sidewalks and other off-site improvements.

TOM McCORMICK, representing the application, stated that since the application was submitted, the southerly neighbor installed sidewalks; therefore, he requested withdrawal of the variance request for sidewalks. However, he would like the approval of the streetlights variance, as the area does not have streetlights because it is surrounded by Clark County property, where there are no streetlights.

TODD FARLOW, Las Vegas resident, suggested requiring the conduit for installation of streetlights in the future.

PAUL MIKKO, adjacent property owner, agreed with not having streetlights.

COMMISSIONER BONAR verified with MR. McCORMICK that all other required improvements will be met.

CHAIR FLANGAS agreed that the area does not warrant streetlights, but requested the opinion of LUCYEN PAET, Public Works, who stated that although streetlights in the area are not customary, staff has included Condition 3, which requires improvements for future installation of streetlights.

MR. McCORMICK expressed concern with the bases and requested the ability to give the homeowners association a vote on the way for the streetlights, if the City requires them at a future date. CHAIR FLANGAS conferred with ASSISTANT CITY ATTORNEY BRYAN SCOTT that such a request could not be made a condition. MR. PAET stated that typical streetlight infrastructure installation does not require bases, but rather a pull box that can later be pulled out, so the area will still be flat. MR. McCORMICK accepted the conditions.

After the recess, FLINN FAGG, Planning Director, reported that this matter would go to City Council 6/19/2013 and would not be final action, as he had previously announced, pursuant to Title 13.

CHAIR FLANGAS declared the Public Hearing closed.

RECESS: 7:57 - 8:19 P.M.