



City of Las Vegas

Agenda Item No.: 22.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013**

DEPARTMENT: PLANNING
DIRECTOR: FLINN BAGO

☐ Consent ☒ Discussion

SUBJECT: BEYANES - VAR-48827 - MAJIA E. PUBLIC HEARING - APPLICANT: CONCRETE SOLUTIONS - OWNER: JAMIE LOPEZ AND REFUGIO ESPINOZA LOPEZ - For possible action on a request for a Variance to ALLOW A 14-FOOT SIDE YARD SETBACK WHERE 50 FEET IS REQUIRED ADJACENT TO RESIDENTIAL DISTRICTS on 0.61 acres at 4515 Baham Street (APN: 03-602-007), M (Industrial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

P.C.: FINAL ACTION Unless Appeared Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - VAR-48827, VAR-48828 and SDR-48826
2. Conditions and Staff Report - VAR-48827, VAR-48828 and SDR-48826
3. Supporting Documentation
4. Photos - VAR-48827, VAR-48828 and SDR-48826
5. Justification Letter
6. Protest/Support Postcards VAR-48827 and VAR-48828

Motion made by BYRON GOYNES to Approve subject to conditions

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 1

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

NOTE: COMMISSIONER TRUESDELL abstained on Items 22-24 because one of his business partners owns property adjacent to this property.

Minutes:

CHAIR FLANGAS declared the Public Hearing open for Items 22-24.

PLANNING COMMISSION MEETING OF: JUNE 11, 2013

DOUR RANKIN, Planning, read the staff report and stated staff recommended denial of the three applications because the subject site fails to comply with Title 19 requirements. It appears the screening wall is located on residential property instead of the industrial site. These are considered self-imposed hardships.

DAVID TURNER, Baughman and Turner Engineering, appeared on behalf of the applicant described the applications and indicated that MR. LOPEZ purchased this property and would like to locate a small concrete business on this site. MR. LOPEZ has invested a substantial amount of money as he was under the understanding that he had a legal lot. MR. TURNER explained the requested variances and waivers, and stated that landscaping planters already exist in the front and will install a planter in the back and adjacent to parking stalls, as well as an additional landscape strip along the southern property line. He asked for a waiver for the landscape requirement along the north property line. He had no problem with signing deed restrictions for off-site improvements and landscaping in the future. He requested approval.

TODD FARLOW, Las Vegas resident, stated that it is important for the residents to approve the development. He then pointed out that allowing double walls will only create an area to catch debris.

CHAIR FLANGAS said that after viewing the property, he agrees with the applicant's requests because of the surrounding businesses. The R-E property to the north has moved the property about 30 feet and he has no objection to this application.

LUCIEN PAET, Public Worker, stated that the applicant is requesting to waive the off-site improvements but an application was never submitted. CHAIR FLANGAS stated that the Commission cannot require deed restrictions but could impose a condition regarding off-site improvements. CITY ATTORNEY BRAD JERBIC indicated that it would be difficult to enforce. If the Commission wants the street done, then it should impose such a condition. FLINN FAGG, Planning Director, stated that if the intent is to defer the street improvement, it should be done through a condition, as conditions are recorded. CHAIR FLANGAS recommended a two-year review. MR. FAGG suggested requiring street improvements done in two years and a review at that time. MR. TURNER requested to have them waived temporarily and have a review in three years, and if at that time the improvements are required, they will comply with the request. MR. FAGG reiterated that if they are waiving the off-street improvements, that needs to be a separate application. If they are deferring them, they need to be deferred to a date certain. MR. PAET offered to amend Condition 13 for Item 24, and read it into the record.

CHAIR FLANGAS asked CITY ATTORNEY JERBIC if a two-year review could be required. CITY ATTORNEY JERBIC responded that it would be best to require it be done within two years, and if in two years, during the review, it is found that it is not needed, they can then be given a two-year extension.

CHAIR FLANGAS declared the Public Hearing closed for Items 22-24.