



City of Las Vegas

Agenda Item No.: 32.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: AUGUST 8, 2017**

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD, ACTING

☐ Consent ☒ Discussion

SUBJECT:

VAR-71044 - VARIANCE - PUBLIC SEASONING - APPLICANT: RODOLFO GONZALEZ - OWNER: THE LAW OFFICE OF RODOLFO GONZALEZ, LTD - For possible action on a request for a variance TO ALLOW A 15-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 102 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A TRASH RECEPTACLE 15 FEET FROM A RESIDENTIAL PARCEL WHERE 50 FEET IS THE MINIMUM SEPARATION DISTANCE REQUIRED FOR A PROPOSED OFFICE DEVELOPMENT on 0.38 acres at 877 North Eastern Avenue (APN 139-25-301-008), P-R (Professional Office and Parking Zone, Ward 3 (Coffin) [PRJ-70925]. Staff recommends DENIAL.

P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL, if approved, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - VAR-71044 and SDR-71076 [PRJ-70925]
2. Conditions and Staff Report - VAR-71044, VAC-71045 and SDR-71046 [PRJ-70925]
3. Supporting Documentation - VAR-71044, VAC-71045 and SDR-71046 [PRJ-70925]
4. Photo(s) - VAR-71044, VAC-71045 and SDR-71046 [PRJ-70925]
5. Justification Letter - VAR-71044, VAC-71045 and SDR-71046 [PRJ-70925]
6. Telephone Protest Log for VAR-71044, VAC-71045 and SDR-71046 [PRJ-70925]
7. Submitted after Final Agenda Support Postcard for VAR-71044 and SDR-71046 [PRJ-70925]

Motion made by SAM CHERRY to Approve subject to conditions

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

DONNA TOUSSAINT, LOUIS DE SALVIO, VICKI QUINN, TRINITY HAVEN

SCHLOTTMAN, SAM CHERRY, CHRISTINA ROUSH, CEDRIC CREAR; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 32-34.

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NICOLE EDDOWES, Planner II, reported that the applicant was requesting to vacate a public sewer easement that is no longer necessary. Staff supported this request and recommended approval of the Petition to Vacate only. The associated Variance and Site Development Plan Review (SDR) demonstrate the applicant's attempt to overbuild the subject site evidenced by the need for a residential adjacency Variance for the building and trash enclosure, as well as the requested Waivers and Exceptions of the landscape buffer widths and required landscaping materials. Staff recommended denial of the requested Variance and SDR. She noted that additional letters of support had been received since publication.

ATTORNEY RODOLFO GONZALEZ introduced his law partner, ATTORNEY EDGAR FLORES, and MICHAEL CROWE, architect. He referenced on 6/27/2016 the Commission approved a 12,247 square-foot project, and on 3/15/2016 a 20,038 square-foot building was already approved. He explained that his location was chosen as it is where most of his client base resides, and he and ATTORNEY FLORES believe their project will revitalize the Eastern Corridor.

ATTORNEY GONZALEZ started his law firm in 2013 by himself and realized there was a desire for a Spanish-speaking attorney in Las Vegas. Since he partnered with ATTORNEY FLORES and has seen an increase in clients, as Las Vegas is severely unrepresented with Spanish-speaking attorneys. He expressed the importance to cater to those clients in that area as research has found that 61 percent of people in that area speak Spanish and 38.4 percent only have a elementary education.

CHAIR SCHLOTTMAN asked ATTORNEY GONZALEZ if he had any comments to share on the proposed project.

MR. CROWE identified himself as the executive architect of the building and has worked for the City for 25 years. He believed the project should go forward.

Utilizing the site plan, MR. CROWE indicated where each of the buildings were setback by 20 feet. In addition, 16 parking spaces have been provided and the intersection is to be completed. He developed the proposed project by listening to the applicants speak to their clients. Because he was aware that 4,600 square feet was needed, the building was designed on the north/south access.

He displayed a rendering of the parking lot and property line. There is just enough space for a sidewalk by the building, two rows for parking and a 24-foot drive aisle. He felt it best to leave the retaining wall where it was. If the building was moved out to the eastern curb, the setback of 102 feet could be met. The compromise, according to MR. CROWE, was to build a two-story building setback from the street with ample parking. He stressed the need of the Variance for the distance from the residences.

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MR. CROWE believed in the City's requirements to enclose trash receptacles; however, the law office would be dealing mainly with paper waste which he felt would be shredded. Additionally, they wanted to ensure the trash enclosure was off of the thoroughfare of Washington Avenue and Eastern Avenue. It was also not practical to have an egress on Eastern Avenue as it is an extremely busy street. Lastly, MR. CROWE indicated three trees were left out of the site plan, but he would be happy to add them back in.

He showed a rendering of the proposed building.

ATTORNEY FLORES added that because the law office deals with a lot of confidential information, an independent third-party contractor must dispose of the waste; therefore, the receptacles on site are not utilized. Regarding its size, he asserted the law office could not be made any smaller, and he and ATTORNEY GONZALEZ want to ensure they bring professional services to the community.

COMMISSIONER DE SALVIO questioned whether the third-party contractor would need to back out into traffic. JUCIEN PAET, Engineering Project Manager, indicated that staff has not reviewed that yet, but it could be possible that the third-party contractor would come during an off-peak time and be able to maneuver the site.

COMMISSIONER ROUSH asked that no shredding be done on site during hours that would impact neighbors. ATTORNEY FLORES confirmed that they do not want the third-party contractor coming in during peak hours. COMMISSIONER ROUSH was curious why the dumpster was located where it was. If it was relocated because of a hardship. MR. CROWE acknowledged that by setting the trash enclosure into the lot, it causes a circulation problem.

However, he believed he could manipulate the radius of the loading zone to allow for a truck to be able to maneuver. He added that it was relocated because of a hardship as with a narrow lot, the only place left to put the parking spaces would have been along the northern boundary. This could have encroached upon the required view corridor along Washington Avenue and Eastern Avenue and could have also become very unsightly. He was aware of this weakness and would work on it.

COMMISSIONER CHERRY stated that he has been involved in a project in unison with Republic Services and things have worked out. He believed the applicant has put together a thoughtful site plan and would support the project. CHAIR SCHLOTTMAN agreed.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 32-34.