



City of Las Vegas

Agenda Item No.: 54.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: SEPTEMBER 12, 2017**

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD, ACTING

☐ Consent ☒ Discussion

SUBJECT:

VAR-71086 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: DCB, INC. - For possible action on a request for a variance to ALLOW A 10-FOOT TALL BLOCK WALL WITH CHAIN LINK FENCE AND RAZOR WIRE WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED ALONG THE WEST PERIMETER; AN 11-FOOT TALL BLOCK WALL WITH CHAIN LINK FENCE WITH RAZOR WIRE WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED ALONG THE NORTH PERIMETER; AN 11-FOOT TALL CHAIN LINK FENCE WITH RAZOR WIRE WHERE FIVE FEET IS THE MAXIMUM HEIGHT ALLOWED ALONG THE EAST PERIMETER; A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR AN EXISTING SHADE STRUCTURE WITH RAZOR WIRE; AND RAZOR WIRE ON INTERIOR SCREEN WALLS on 0.23 acres at 47 30th Street (APN 139-36-414-004), M (Industrial) Zone, Ward 3 (Coffin) [PRJ-69816]. Staff recommends DENIAL.

C.C.: 10/18/2017

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

11

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL, if approved, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - VAR-71086 and VAR-71449 [PRJ-69816]
2. Conditions and Staff Report - VAR-71086 and VAR-71449 [PRJ-69816]
3. Supporting Documentation - VAR-71086 and VAR-71449 [PRJ-69816]
4. Photo(s) - VAR-71086 and VAR-71449 [PRJ-69816]
5. Justification Letter - VAR-71086 and VAR-71449 [PRJ-69816]
6. Support Postcard - VAR-71086 and VAR-71449 [PRJ-69816]
7. Submitted after Final Agenda Concern Letter by Williams and Associates and Support Comment Form for VAR-71086 and Support Postcards for VAR-71086 and VAR-71449 [PRJ-69816]

Motion made by SAM CHERRY to Deny

Passed For: 4; Against: 3; Abstain: 0; Did Not Vote: 0; Excused: 0

TRINITY HAVEN SCHLOTTMAN, SAM CHERRY, CHRISTINA ROUSH, LOUIS DE SALVIO; (Against-DONNA TOUSSAINT, CEDRIC CREAR, VICKI QUINN); (Abstain-None); (Did Not Vote-None); (Excused-None)

PLANNING COMMISSION MEETING OF: SEPTEMBER 12, 2017

NOTE: For Items 54 and 55, COMMISSIONER QUINN stated that she had never met ATTORNEY DONALD WILLIAMS, who disclosed that in the past he represented Precision Construction, which is owned by STEVE QUINN, who is married to COMMISSIONER QUINN. However, this was a long time ago, and ATTORNEY WILLIAMS does not know COMMISSIONER QUINN personally.

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 54 and 55.

SCOTT RUEDY, Sr. Management Analyst, reported that this application is a result of a Code Enforcement case. The applicant is requesting variances for wall/fence heights along with razor wire, as well as a structure and outside storage within the required setbacks. No evidence of a unique or extraordinary hardship to justify their request has been presented. Therefore, staff recommended denial.

ATTORNEY DONALD WILLIAMS, appeared representing the applicant/owner, who is his brother, WILLIAM WILLIAMS, who was present. ATTORNEY WILLIAMS commented that his brother is a little off.

Referring to a site plan, MR. WILLIAMS explained that the walls in question have been in place since the property was purchased by his parents in 1980. He is simply asking for permission for what exists on his property and on almost every other business on the street. He offered to show pictures of people attempting to walk over the wall and commented that the area is drug infested. People have even tried to walk over his neighbors wall, which has razor wire. He said he does not want to start having issues with thieves, especially because he intends to get back into the plumbing business.

CHAIR SCHLOTTMAN agreed with staff's issue about the razor wire, but had no issue with the storage containers. He said he would like the area improved.

COMMISSIONER ROUSH wondered if MR. WILLIAMS was singled out, because when she drove the area she saw a lot of properties with razor wire walls. PETER LOWENSTEIN, Planning Section Manager, replied that Code Enforcements visit was case driven, so the applicant was not being singled out, and Code Enforcement is not sweeping the area.

COMMISSIONER ROUSH said that none of the properties on the street look good and that perhaps some of the properties without razor wire have alarm systems instead. As a downtown property owner, she respected the struggles of this applicant; however, there is debris and numerous inconsistencies with the heights of the fencing and appearance of the property. It would be nice if the applicant had a cohesive plan. ATTORNEY WILLIAMS interjected that the conditions of the property have been in place for many years and commented that the Planning Commission granted a request for razor wire to another applicant about a month ago.

Additionally, the City's own golf course is also protected by razor wire. He insisted that his brother is trying to protect his business from the people behind the property and in the area from

PLANNING COMMISSION MEETING OF: SEPTEMBER 12, 2017

jumping the fence. He insisted that he could not offer a better solution and requested approval.

COMMISSIONER ROUSH appreciated the issues and the fact that this is a pre-existing condition. Nevertheless, staff has advised that the Planning Commission has the ability to enforce the Code, which states that this property is not in compliance. She could not support the request, because she wants properties in the City to be improved, which will never happen if variances are repeatedly approved. She felt obligated to keep with the Code, given that she could not see a hardship.

DEPUTY FIRE MARSHAL DAVID KLEIN advised COMMISSIONER CHERRY that razor wire presents danger for firefighters. COMMISSIONER CHERRY then agreed with the comments of CHAIR SCHLOTTMAN and COMMISSIONER ROUSH regarding the razor wire, but not the setback.

COMMISSIONER CREAR recalled that a solution may be to place the razor wire along the inside of the wall to help aesthetically. CHAIR SCHLOTTMAN pointed out that this pertains to an open wall.

CHAIR SCHLOTTMAN declared the Public Hearing closed for items 54 and 55.

