



City of Las Vegas

Agenda Item No.: 39.

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: DECEMBER 11, 2018

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐ Consent ☒ Discussion

SUBJECT:

VAR-74817 - VARIANCE - PUBLIC HEARING - APPLICANT: HAMID PANAH - OWNER: AMD UNIFIED HOLDINGS LLC. Possible action on a request for a Variance TO ALLOW ZERO ADDITIONAL PARKING SPACES WHERE 37 ADDITIONAL PARKING SPACES ARE REQUIRED FOR AN EXISTING PARKING IMPAIRED DEVELOPMENT on 1.17 acres at 5000 West Charleston Boulevard (APNs 138-36-804-002 and 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-74764]. Staff recommends DENIAL.

C.C.: 1/16/2019

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL, if approved, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - VAR-74817, VAR-75056, SUP-74818 and SDR-74819 [PRJ-74764]
2. Conditions and Staff Report - VAR-74817, VAR-75056, SUP-74818 and SDR-74819 [PRJ-74764]
3. Supporting Documentation - VAR-74817, VAR-75056, SUP-74818 and SDR-74819 [PRJ-74764]
4. Photo(s) - VAR-74817, VAR-75056, SUP-74818 and SDR-74819 [PRJ-74764]
5. Justification Letter - VAR-74817, VAR-75056, SUP-74818 and SDR-74819 [PRJ-74764]
6. Submitted after Final Agenda Protest Postcards VAR-74817 and VAR-75056 [PRJ-74764] and Documentation Not Vetted Protest (1) Comment Form for VAR-74817, VAR-75056, SUP-74818 and SDR-74819 [PRJ-74764]

Motion made by LOUIS DE SALVIO to Approve subject to conditions

Passed For: 4; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 1

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

Minutes:

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CHAIR CHERRY declared the Public Hearing open for Items 39-42.

STEVE GEBEKE, Planning Supervisor, reported that the applicant is proposing additional floor area for a new Auto Repair Garage, Minor use, at an existing commercial center. The additional floor area would require the approval of a Variance for the side and rear yard setback areas. A second Variance would be required to accommodate the increase in required parking due to the larger floor area and parking spaces lost to additional building area. The site is already considered to be parking impaired, which means that the existing parking provided on site met the requirement at the time of development, but no longer meets the requirements of the current code. The Auto Repair Garage, Minor use, requires the approval of a Special Use Permit in the C-1 (Limited Commercial) zoning district. A Site Development Plan Review is also required to address the changes, with a Waiver required to allow service bay doors to face a public right-of-way. Staff is recommending denial of all requested applications as the proposed alterations would result in an overdeveloped site, and there have been no unique or extraordinary circumstances presented to justify the requested Variances as other than a self-imposed hardship. MR. GEBEKE noted that additional letters of protest had been submitted since publication.

HAMID PANAHI, applicant, referenced the location of the project, noting that the project is essentially two buildings that stretch from property line to property line. With the first building, one of the sides sits on property lines, and the second building is to the east of the first building also sits on one side of the property line. MR. PANAHI stated that their concern is with the portion of the first building that sits on the northwest portion of the shopping center. This building is approximately 2,000 square feet, not leaseable, and currently being used as storage for one of the tenants. The applicant would like to convert the structure into a minor auto repair shop, so they kept about 500 square feet of the existing building on Alpine Place. This part of the structure sits on two sides of the property line and contains a lot of electrical connection for the entire site. They plan to demolish the remainder of the building and rebuild a 3,939 square-foot building. The shopping center is also in for a shop, but MR. PANAHI noted that the facelift for the building that was approved will begin soon, as they plan to raise the economy of the shopping center and make it a viable investment. Currently, the shopping center has 66 parking stalls; however, MR. PANAHI did not believe the mechanic shop would be adding much parking to the site since most of the cars will mainly be kept in the shop. He asked for approval for all applications, noting that they would like to have the Planning Commission's support in keeping the setback and parking according to their existing standard.

MIKE GANSON spoke in opposition to this request as he felt the mechanical shop did not fit the neighborhood's vision and was not compatible with the area.

MR. PANAHI added that they reached out to COMMISSIONER QUINNS office, but they were unable to reach her. They were successful in speaking to COUNCILWOMAN TARKANAN'S office and felt they received favorable reviews from her.

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COMMISSIONER ROUSH felt this was a tough situation as she would like to see redevelopment in the area. She conveyed that she spoke with COMMISSIONER QUINN, and they share the same concerns, which related to the request for a variance for zero additional parking where 31 additional spaces are required, and a zero setback where 10 feet is required. She felt this was a bit abusive from the standpoint that the applicant is in control of what gets built on the site and that this creates a high-intensity use, especially when it is automotive. She suggested that the applicant pare back their site plan and provide for more parking, traffic circulation around the building, and a setback from the neighbor and neighboring buildings. She shared that she was in support of the use; however, she was not in support of the variance for parking or the Variance for the setback. She wondered if the applicant could pare back the site if this would allow them to put the service bay doors in an area where they would not be facing the street. MR. PANAHİ stated that two of the service bay doors are single bays and face Alpine Place. The other service bay doors face east and are not visible from the street. He suggested changing the roll-up doors to the glass type, which would make the building look more attractive. He clarified that the reason they have it set on this scale is so that people will be able to see them from Charleston Boulevard as they pass by. COMMISSIONER ROUSH commented that she did not have a problem with the height as much as the expanse of maxing out the site.

CHAIR CHERRY agreed, noting that if sounder in the applicant was willing to work with the Commissioners and the Councilwoman to come up with some solutions, such as glass bay doors.

COMMISSIONER DE SALVO felt the stretch of property needed beautification. His issue was that he could not give up on the landscaping because he believes Charleston Boulevard needs it. He felt the applicant could put more in the aesthetics of the building. MR. PANAHİ affirmed that they could add more landscaping.

A discussion ensued between MR. GEBEKE, ROBERT SUMMERFIELD, Planning Director, COMMISSIONER DE SALVO, and ASSISTANT CITY ATTORNEY BRYAN SCOTT regarding how the landscaping condition should be noted for Item 42. Ultimately, it was determined that the applicant would meet with staff to update their landscape plan before the City Council meeting. Any amendments to the condition would then be handled at that meeting.

See Items 40-42 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 39-42.