



City of Las Vegas

Agenda Item No.: 128.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 12, 2006**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
WAIVER

VWR-13843 PUBLIC HEARING - APPLICANT: TABITHA KEETCH - OWNER: COPPER PALMS HOMEOWNERS ASSOCIATION - Request for a Waiver from Section VI(A) of the City of Las Vegas Naming and Address Assignment Regulations, as adopted by Title 13.28, TO ALLOW AN ALTERNATE ADDRESSING PATTERN TO THE STANDARD COUNTER CLOCKWISE DIRECTIONAL REQUIREMENT for an existing 248-unit condominium development of 14.91 acres adjacent to the east side of Buffalo Drive, approximately 650 feet north of Washington Avenue (APN 138-27-219-001 thru 324), R-PD14 (Residential Planned Development - 14 Units per Acre) Zone, Ward 2 (Wolfson). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	3	City Council Meeting	0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report For This Application
3. Support Documentation
4. Justification Letter
5. Submitted after final agenda Kummer Kaempfer Bonner Renshaw & Ferrario outline of proposed resolution
6. Submitted at Meeting - Additional maps by Mayor Goodman
7. Submitted at Meeting - Letter by Prudence Crane

Motion made by STEVE WOLFSON to Hold in Abeyance to 8/2/2006

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

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ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared on behalf of herself as the applicant and her client, Chicago Title. She explained that the complex was built in 1996 and mapped as condo units but the original owner maintained ownership of all units and rented the complex as apartments. For an unknown reason the building and unit numbering did not match the recorded plat map or the address matrix submitted to the Assessor's Office. Because there was only one owner who was assessed appropriately, there was not a problem. In 2004 Copper Palms Realty acquired the buildings and began selling the units individually as condominiums. A site map was thus created based on the physical addresses of the units as they currently exist and purchase agreements were completed based upon that map. ATTORNEY KEETCH referenced a map indicating the numbering scheme as shown on the plat map and the Assessor's parcel map, which is inconsistent with the site map used to create the purchase agreements. This problem must be rectified in order for individual homeowners to properly pay taxes on the units in which they own. She requested approval as this would be the simplest way to resolve the matter efficiently and address the concerns affecting current homeowners.

COUNCILMAN WOLFSON thanked ATTORNEY KEETCH and ATTORNEY CHRIS KAEMPFER for beginning this process that is definitely a confusing issue. He expressed misunderstanding since he thought that ATTORNEY KEETCH would not proceed with the waiver and instead redo the numbering. Granting the waiver could allow for a potential fire safety problem that he would rather avoid.

ATTORNEY KEETCH clarified that the buildings are numbered apart from unit numbers. Previous discussion was to leave the unit numbers as they are and renumber the buildings; however the City requires both sets of numbers be in a counterclockwise fashion. She stated that DAVID CLINE, Las Vegas Fire and Safety Inspection Supervisor, confirmed that as the complex currently stands, there is no fire hazard. ATTORNEY KEETCH indicated that she is willing to abide by either procedure in order to correct this situation.

COUNCILMAN WOLFSON replied that he had received contradictory information from the Fire Department staff. DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed that staff of the Fire Department had communicated concern pertaining to the current numbering of the units.

JUDY LAMBERTI, 1150 North Buffalo Drive, thanked Councilman and his staff for addressing this concern. She confirmed that the buildings are numbered incorrectly and she explained how the complex is currently arranged. MS. LAMBERTI stated that because the Assessor's Office and the title company have the same conflicting information, and all homeowners currently pay taxes for the wrong parcel. This situation has refrained MS. LAMBERTI from being able to sell her unit or even refinance her mortgage. She indicated that there are two title companies involved. MS. LAMBERTI recollected the conversation with the fire inspector who confirmed that the emergency response team responds to the legal plat map and she has witnessed a disturbing situation where the response was to the wrong location. MS. LAMBERTI insisted to note that the homeowners association has not kept its residents updated with this matter and has been evasive when questioned. There are 240 families affected and she requested the matter be rectified.

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MAYOR GOODMAN assured MS. LAMBERTI that the Council is convinced of this extremely serious issue and would see that the matter be resolved as it is not insurmountable.

EDWINA STRANAHAN appeared with her daughter PRUDENCE CRANE. MS. STRANAHAN stated she is affected by this problem and was most surprised that the title company has known of this situation as they continued with sales of the units. She has not obtained a response from the title company and has only been proposed to sign a quick claim deed. Through her frustrations, she has lost trust in any of the title company's efforts to correct the matter. MS. CRANE stated that this waiver is very rare. This notice is the only response the homeowners have received regarding the matter and she asked that the numbers be corrected to match the units, deeds and insurance policies. She thanked COUNCILMAN WOLFSON for meeting with them and asked that the Council find a doable way to address this issue.

COUNCILMAN WOLFSON commented that in order to achieve total accuracy with all documented maps, this issue would not be resolved quickly. He requested that ATTORNEY CHRIS KAEMPFER not impose any consequences or any further inconvenience upon the property owners. DEPUTY CITY ATTORNEY BRUCE W. TAYLOR explained the Code with regard to unique addressing and acknowledged that the situation is the beginning of a few necessary steps to correct the matter. DEPUTY CITY ATTORNEY SCOTT confirmed that the County Recorder agreed re-record the corrected deeds and the County Assessor will allow those who have over paid their taxes to be reimbursed while those who have not paid enough begin the next cycle.

COUNCILMAN WOLFSON requested ATTORNEY KAEMPFER to return before Council to the first meeting in August to present a list of the course of events to correct the matter and further requested he incorporate the concerns raised by the residents present. ATTORNEY KAEMPFER concurred to the sensitivity of this issue and agreed to the abeyance. He assured the Council that he would speak with the ladies present and any concerned residents.

MAYOR GOODMAN suggested to MS. LAMBERTI that she contact SENATOR SNEIDER, who could assist and protect their rights as homeowners, since association issues are his priority.

MAYOR GOODMAN declared the Public Hearing closed.