



City of Las Vegas

Agenda Item No.: **86.**
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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF AUGUST 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARCO VILLAR

Consent Discussion

SUBJECT:
WAIVER

WV2-13843 ABN - AGENDA ITEM - PUBLIC HEARING - APPLICANT: TABITHA KEETCH - OWNER: COPPER PALMS HOMEOWNER'S ASSOCIATION - Request for a Waiver from Section 4(A) of the City of Las Vegas Street Naming and Address Assignment Regulations, as adopted by the City of Las Vegas, TO ALLOW AN ALTERNATE ADDRESSING PATTERN TO THE STANDARD COUNTER CLOCKWISE DIRECTIONAL REQUIREMENT for an existing 248 -unit condominium development on 14.81 acres adjacent to the east side of Buffalo Drive, approximately 630 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.	<input type="text" value="0"/>	Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="3"/>	City Council Meeting	<input type="text" value="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 mMeeting Photographs by Mayor Goodman and letter by Prudence Crane

Motion made by STEVE WOLFSON to Approve Subject to Conditions and adding that approval is consistent with the proposal as contained in ATTORNEY CHRIS KAEMPFERS letter dated 8/1/2006

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)

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Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CHRIS KAEMPFER, 3800 Howard Hughes, appeared with ATTORNEY JOHN LEECH representative of the homeowners association. ATTORNEY KAEMPFER referenced a package that he provided to the Council reflecting their attempt to resolve the matter.

COUNCILMAN WOLFSON expressed his desire to discuss the matter and requested the packet be made part of the record to include all attached letters, and ATTORNEY KAEMPFER agreed. MR. LEECH confirmed the intent of the homeowners association is to properly resolve this matter and he acknowledged that this revision is appropriate and would resolve the matter.

ATTORNEY KAEMPFER noted Exhibit B reflects that the building numbering is inconsistent but, as a condition, the building numbers would change to match plat and assessor maps but all unit numbers would remain the same. He referenced the submittal to illustrate and summarize the letter which stated that the current addresses should not delay emergency respondents. DAVID KLINE, Fire Inspector Supervisor, was available to confirm the content of letter. ATTORNEY KAEMPFER noted all information would be transferred to the Assessors office and Treasures office and all inappropriate taxes will be the responsibility of the Title Company. COUNCILMAN WOLFSON confirmed that Chicago Title would not hold residents liable.

COUNCILMAN WOLFSON requested input from JUDY LAMBARTI, 1150 North Buffalo Drive. MS. LAMBARTI stated she was unaware of the proposal at which time ATTORNEY KAEMPFER briefly overviewed its contents.

MS. LAMBARTI stated MR. KAEMPFER has commented otherwise regarding the responsibility of this issue and she expressed frustration for the lack of acknowledgement of those who are responsible. COUNCILMAN WOLFSON recognized MS. LAMBARTI is currently pursuing a lawsuit regarding this matter but stated that any action today would not resolve any individual lawsuit.

MAYOR GOODMAN noted that the importance is that the emergency response teams are not delayed and that the matter be resolved. He recognized ATTORNEY KAEMPFER for his efforts.

MS. LAMBARTI questioned how rare this occurrence is and DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed that in his 10 years of experience with the City, this type of issue has never arisen. He noted that the map filed in 1996 is correct however the City does not normally visit each site to assure accuracy as it is normally done with precision. In response to MS. LAMBARTIS further query, DEPUTY CITY ATTORNEY SCOTT stated that the matter would be resolved when the building numbers are removed and properly placed according to the

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map.

MR. KLINE acknowledged MS. LAMBERTIS concern but assured her that in the interim, the Fire Department is aware of the situation and would be able to respond appropriately. COUNCILMAN WOLFSON stated this approach would be the quickest and best solution for the residents.

PRUDENCE CRANE, 1150 North Buffalo, indicated she spoke with the Senator and submitted a letter to that regard. There was not a title search conducted and is their reason that quick claim deeds were offered back to the sellers. MS. CRANE requested accountability but COUNCILMAN WOLFSON stated that the Council is not able to impose on the current litigation. MAYOR GOODMAN stated the Council has no intention to be involved with the current litigation but rather to correct the matter and assure safety.

EDWINA STRANAHAN stated that no one voluntarily agreed to pursue this matter. She expressed concern to have the title policies corrected in addition to the deeds. She informed the Council that she has a letter from her lender stating she has paid impounds but is now being billed for insufficient funds to keep her property from being assessed for the short fall. ATTORNEY KAEMPFER was unaware of that concern but confirmed that title policies and deeds would be updated and recorded correctly. He pointed out that many neighbors do support this application. MAYOR GOODMAN was grateful the matter could reach reasonable conclusion and most importantly that the matter is in the process of being rectified.

ATTORNEY KAEMPFER noted there is a fee associated with the change of each address but DEPUTY CITY ATTORNEY SCOTT confirmed that should not be a concern since only the building numbers would change.

COUNCILMAN WOLFSON thanked ATTORNEY KAEMPFER and pointed out the City's limited scope.

MAYOR GOODMAN declared the Public Hearing closed.