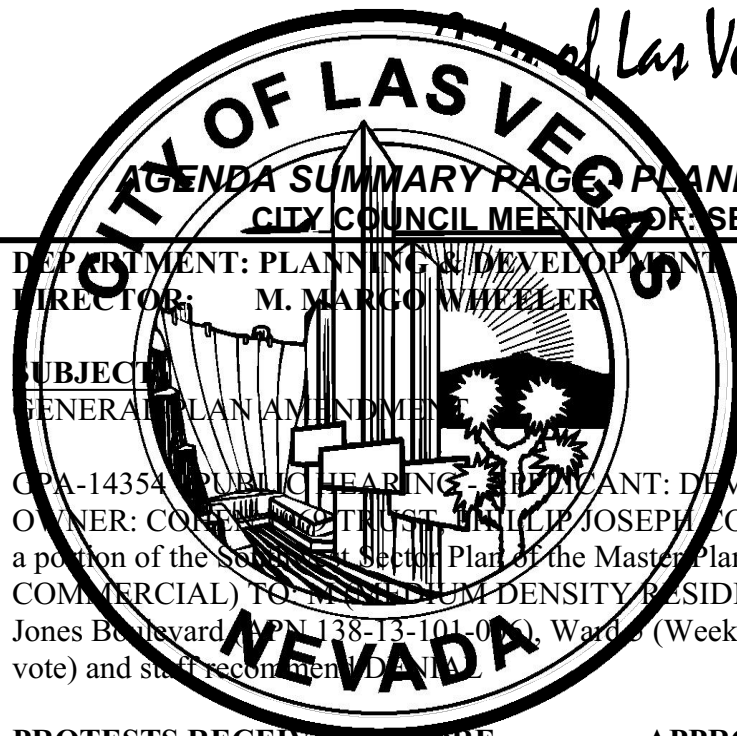




City of Las Vegas

Agenda Item No.: 133.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
GENERAL PLAN AMENDMENT

CPA-14354 - PUBLIC HEARING - APPLICANT: DEVELOPMENT FUNDING GROUP -
OWNER: CORRENT TRUST, PHILIP JOSEPH COHEN, TRUSTEE - Request to amend
a portion of the Southeast Sector Plan of the Master Plan FROM: SC (SERVICE
COMMERCIAL) TO: MEDIUM DENSITY RESIDENTIAL on 7.1 acres at 3132 North
Jones Boulevard, APN 138-13-101-000, Ward 5 (Weekly). The Planning Commission (4-1
vote) and staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting documentation
4. Justification Letter
5. Backup referenced from the 08-10-06 Planning Commission meeting Item 54

Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions

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

None; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

NOTE: MAYOR GOODMAN announced his need to abstain because ATTORNEY JAY BROWN is the representative for the items. MAYOR GOODMAN and ATTORNEY BROWN share a partnership interest and therefore, the Mayor must abstain. MAYOR GOODMAN requested further explanation about his need to abstain on items that ATTORNEY BROWN represents as there is no vested interest associated. He stated his independent judgment is not compromised because of their relationship. DEPUTY CITY ATTORNEY SCOTT replied that there is no way to confirm ATTORNEY BROWN'S monetary relationship with the client. The Ethics Committee may view the situation as an attempt for the Mayor to assist his partner in obtaining a favorable action.

CITY COUNCIL MEETING OF: September 06, 2006

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Item 133 [GPA-14354], Item 134 [ZON-14356], Item 135 [VAR-14880] and Item 136 [SDR-14352] and announced his abstention.

ATTORNEY JAY BROWN, 520 South Fourth Street, appeared with RICHARD MORENO on behalf of the applicant. ATTORNEY BROWN stated there were four neighborhood meetings where many concerns were discussed. He read from a list of suggested conditions which had been agreed upon by the applicant and the neighbors and requested their inclusion in the conditions of approval for these applications.

COUNCILMAN WEEKLY requested DONNA HOFMEISTER, 3093 Woods Drive, and VELMA MUND, 5916 Paseo Del Mar, to share their experience with the applicant. MS. HOFMEISTER appeared in opposition of the proposed three story development, though ATTORNEY BROWN has complied with all suggestions of the neighbors. While she is not completely satisfied with the proposal, she could support the application. MS. MUND expressed concern about setting a precedent for three-story developments in the area and inquired about necessary open space. She supported the project but was not content with three stories.

MR. MORENO acknowledged the aforementioned concerns and noted their attempt to find compromise through several neighborhood meetings. He detailed the revisions made so as to lessen the impact and reiterated conformance to the proposed additional conditions.

COUNCILMAN WEEKLY requested an explanation for the recommendation of denial. MARGO WHEELER, Director of Planning and Development Department, clarified that the applicant has not shown cause as to why the proposal cannot meet all requirements. The recommendation of approval for a Variance is usually based on a lot's physical limitations. MS. MUND pointed out the recommendation was also influenced by the lack of open space.

BART ANDERSON, Public Works Department, noted that the additional conditions present a conflict with existing Condition 6 of Item 134 [ZON-14356] and require a separate condition addressing an encroachment agreement. COUNCILMAN WEEKLY suggested amending Condition 6, as suggested, and to include two new conditions to satisfy the encroachment agreement and landscape maintenance in an effort to fulfill the neighbors' requests. MR. ANDERSON read the changes and ATTORNEY BROWN concurred with the amendments.

MS. WHEELER read a change to Condition 3 of Item 136 [SDR-14352] to reflect the date 7/27/06 and suggested the deletion of Condition 6 and 7. She added a condition requesting that the easternmost units be single story structures with a maximum height of 21 feet; all other buildings shall be restricted to a maximum height of 35 feet. From the list provided by ATTORNEY BROWN, MS. WHEELER read all additional conditions that she noted would be administered by staff. DEPUTY CITY ATTORNEY SCOTT requested clarification about the additional condition which references the Rowland Avenue and Haley Avenue fire hydrant. MR.



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MORENO explained the intent for the condition is to restrict use of the fire hydrant for construction purposes.

COUNCILMAN BROWN pointed out there was some information included as part of this application that was meant for another item.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 133 [GPA-14354], Item 134 [ZON-14356], Item 135 [VAR-14880] and Item 136 [SDR-14352].