



**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 15, 2006**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
GENERAL PLAN AMENDMENT

CPA-14304 ABEYANCE ITEM PUBLIC HEARING - APPLICANT/OWNER: BRUCE A. AND JULIE WILKINS-ELIZADEGAN Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM R (RURAL DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 3.52 acres at 5300 North Rainbow Boulevard (APN 125-35-201-006) Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL of MLA (Medium Low Attached Density Residential)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	120	Planning Commission Mtg.	0
City Council Meeting	209	City Council Meeting	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest from Bruce Gardella and protest petition and letters with 208 signatures
6. Backup referenced from the 09-07-06 Planning Commission Meeting Item 13

Motion made by STEVEN D. ROSS to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0
LAWRENCE WEEKLY, LARRY BROWN, LOIS TARKANIAN, STEVE WOLFSON, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-OSCAR B. GOODMAN); (Did Not Vote-None); (Excused-None)

NOTE: MAYOR GOODMAN abstained from voting on Items 82, 83 and 84, as he and ATTORNEY JAY BROWN own property on West Charleston Boulevard.

Minutes:

MAYOR PRO TEM REESE declared the public hearing open.

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ATTORNEY JAY BROWN, 520 South Fourth Street, along with MIKE ANDERSON, Architect, 921 American Pacific Drive, Henderson, NV appeared on behalf of the applicant. ATTORNEY BROWN stated that two neighborhood meetings have taken place. Hearing the residents' concerns, the applicant is now proposing 36 units per acre and the density has been reduced by 50 percent.

MR. ANDERSON showed diagrams of the parcel, which fronts on Rainbow Boulevard, has one entry that is gated and is secured around the perimeter. The open space is located in the middle of the development with a pool, clubhouse and a park with playground area. Because all units have been pulled to the interior of the project, there is an overabundance of parking available. The trash enclosures are also located within the interior of the project.

BRUCE and CHERYL GARDELLA, 6513 Echo Crest Avenue, appeared and MRS. GARDELLA believed that the proposed project is out of character, incompatible and best suited away from rural density. The residents prefer development that is consistent with the current Master Plan and zoning requirements. She stated she was informed by a representative of the Earnest May Elementary School that the Parent Teacher Association (PTA) is in opposition as well, as it will overload their class sizes. MRS. GARDELLA continued by stating that the streets and parks in the subject area were not designed to handle the increased traffic that this development will generate nor is the project affordable housing.

MRS. GARDELLA referenced COUNCILMAN ROSS' campaign flyers that spoke of elected representatives having the courage to stand by the Master Plan. She added there is a petition with 208 signatures from residents who oppose the development and urged the Council to deny the applications. MR. GARDELLA emphasized that future residents would clearly see into their backyards and the daycare center. He is also concerned with the proposed parking along the rear wall, as individuals currently climb on top of the existing block wall to get to the school. He has also experienced robberies at another property with similar development and did not want this to happen again.

BILL MILLER, 6504 Echo Crest Avenue, agreed with the GARDELLA'S and opposed the project.

SERGE MILLER, 6441 Rancho Sante Fe Drive, concurred with the previous residents' comments. He was displeased at the Planning Commission allowing applicants to deviate from the Master Plan.

ATTORNEY BROWN believed that the petition referenced by MRS. GARDELLA was signed prior to the revisions made and the current proposal. He did not believe there would be an impact on the school with the proposed development. In addition, he believed the applicant has made strong efforts in alleviating the residents' issues. With that, he accepted all conditions and asked for approval on all applications.

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COUNCILMAN ROSS outlined the history of this application and emphasized that the site is a challenging infill parcel. He detailed how the applicant revised the proposed development to alleviate the residents' concerns. He was not aware of the Parent/Teacher Association (PTA) regulating student population in elementary schools; it was reviewed and verified by the Clark County School District that Earnest May Elementary School could in fact handle the population. He pointed out that the counted 96 signatures of opposition, with some being duplicates, to the 68-unit project. He was displeased by a comment made indicating this type of project results in increased crime and does not belong in single-family neighborhoods. However, he strongly believed that the proposed development is an opportunity to fill the parcel and create homes with reasonable price points for others to live in. The Councilman concluded by saying he appreciated the residents meeting with the applicant and commended all who participated in listening and addressing the residents' concerns.

MAYOR GOODMAN declared the public hearing closed.