



City of Las Vegas

Agenda Item No.: **81.**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF DECEMBER 6, 2006**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

ZON-16915 PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERFI - Request for a Rezoning (FROM R-E (RESIDENTIAL ESTATES) TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda - Concern Letter from John and Margaret Rodriguez for Items 81 and 82
6. Backup referenced from the 11-02-06 Planning Commission Meeting Item 2

Motion made by LAWRENCE WEEKLY to Hold in Abeyance Items 81, 82, and 83 to 1/3/2007

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Item 81 [ZON-16915], Item 82 [VAR-16996] and Item 83 [SDR-16914].

THOMAS HELLUMS, 7330 Smoke Ranch Road, Suite B, appeared on behalf of the applicant.

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COUNCILMAN WEEKLY asked if he met with the residents. MR. HELLUMS replied in the affirmative and added that these items were approved three years ago. Since another buyer bought the property, they had to begin the process again. The project will be exactly as previously presented. COUNCILMAN WEEKLY pointed out that many residents have concerns about the project.

ELEANOR ALVORD, 5425 Tassara Way, President of the Smoke Ranch Villas Homeowners Association, expressed concern about its closeness to their development, its affect on parking, traffic and the size of the homes. MR. HELLUMS replied that the one-acre site will be developed with two-story homes. The access will be off of Smoke Ranch Road providing a good buffer between the condos on the west and R-E lots to the east. MR. HELLUMS added they comply with the setback requirements. MR. HELLUMS confirmed that the proposed homes will abut a portion of their development on the south side. MAYOR GOODMAN indicated the setback requirements are 15 feet from the front and 10 feet in the rear. The rear of the project will face the villas, where MS. ALVORD resides.

CLARA CENTRONE, 5424 Geneive Lane, expressed concern about the two-story units and asked if it would be possible to eliminate the windows in the back. The lot is too narrow for this type of development.

MARGARET and JUAN RAUL RODRIGUEZ, 5244 Smoke Ranch Road, reside on the other side of the subject parcel. MRS. RODRIGUEZ pointed out that a similar project was proposed three years ago. She and her husband do not support this plan because the two-story units will overlook into their backyard. Additionally, their only source of water comes from a well situated on the property proposed for the six units. MR. RODRIGUEZ added they cannot get water from the City because he does not own the land. There is a nine-foot access easement on his property but not an utility easement. MAYOR GOODMAN discussed with ASSISTANT CITY ATTORNEY BRYAN SCOTT that if it is a typical easement, it probably is a perpetual easement in favor of both parcels. MAYOR GOODMAN felt there are many unanswered questions.

COUNCILMAN WEEKLY moved to abey the items because not everyone was aware of the well and to address the concerns expressed by the adjacent residents. As these infill projects come forward, it is important to take into consideration the quality of life of the adjacent residents. MR. HELLUMS stated that the developer will be providing the municipal water and the hook up to MR. RODRIGUEZ'S parcel.

COUNCILMAN WEEKLY announced that the residents would be notified of a neighborhood meeting. ASSISTANT CITY ATTORNEY SCOTT asked MR. RODRIGUEZ to provide him with a copy of the easement.

MAYOR GOODMAN declared the Public Hearing closed on Item 81 [ZON-16915], Item 82 [VAR-16996] and Item 83 [SDR-16914].



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