



*City of Las Vegas*

Agenda Item No.: 120.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
CITY COUNCIL MEETING OF: AUGUST 15, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

SUBJECT  
REZONING

ZON-22673 PUBLIC HEARING - APPLICANT/OWNERS: CARDINAL GLOBAL HOLDING CORP. DHR HERITAGE LLC - Request for a Rezoning FROM: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 1.97 acres on the south side of Owens Avenue, approximately 570 feet west of Nellis Boulevard (APNs 140-29-510-017 and 018), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	2	Planning Commission Mtg.	0
City Council Meeting	1	City Council Meeting	0

**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda Revised plans for Items 120-122
6. Backup referenced from the 07-12-07 Planning Commission Meeting Item 38

Motion made by GARY REESE to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0  
RICKI Y. BARLOW, LOIS TARKANIAN, 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 for Items 120-122.

JOHN VORSAND, 2564 Wigwam Parkway, appeared on behalf of the applicant. He gave a brief overview of the proposed project, which has an overall density of 16.2 dwelling units per gross acre. All of the units are two bedrooms/two baths, 1,130 square feet each, with a front

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setback at 65 feet and an 80-foot setback on the westernmost building. There will be a ramada with a seating and barbeque area. He noted that the owner of the vacant RE property has expressed opposition to a 22-foot rear setback. To resolve the owner's concern, the applicant proposed an intense landscape buffer along the rear and awnings on buildings to buffer the second floor windows. Another solution was an eight-foot block wall as opposed to the six-foot block wall along the property line. An agreement could not be reached, as the owner preferred a larger setback. MR. VORSAND respectfully requested the Council's approval as proposed.

LIH-NAN (TOM) LIAO, 7697 Keating Circle, owner of the adjacent property, opposed the variance, as he felt the power lines would intrude into the units and may cause damage if high winds occur. He would be willing to support a reduced setback from 22 feet to 30 feet. He requested denial of the current request.

COUNCILWOMAN TARKANIAN confirmed with MR. VORSAND that the Planning Commission requested the applicant meet with the adjacent owner regarding window treatments and intense buffers, and the Commission expressed support, not knowing what the end result would be from that meeting. MR. VORSAND added that the property is already tight due to the turning radii and fire department access to these units. He explained that the building could not be moved forward without changing the entire project. The parking lot would have to be placed along the entire rear property line and would be more detrimental. The units would also decrease in size to one-bedroom units.

COUNCILMAN REESE stated that Van Burin Street has residential estate properties, and many are horse properties. In addition, the property to the south of the subject site is vacant, and there are no current plans for development. As a result, there is no impact and felt that the request to increase the setback to 30 feet was inappropriate. He believed this was a good project and there is a need for rental properties. Since the site is close to Nellis Air Force Base, there will be airmen looking for places to live. He would also be willing to support a single row and not a staggered row of trees.

COUNCILMAN REESE informed COUNCILWOMAN TARKANIAN that MR. LIAO is the adjacent owner, but his property is vacant. To the west, the horse properties exist, so there is very little concern for buffering.

MR. LIAO noted that he purchased the land to build four lots on a cul-de-sac. He has an architectural degree and an advance degree in engineering. In addition, he has spoken with a realtor and another architect, who all believe the plans could be changed. He stands firm in believing that the power lines and the future growth of trees will impact the units.

MS. WHEELER confirmed with COUNCILMAN REESE that Condition 4 would be deleted, and there would be an amendment to Condition 3 to reflect the plans submitted 8/14/2007. Both amendments would be reflected on Item 122, to which MR. VORSAND concurred.

MAYOR GOODMAN declared the Public Hearing closed for Items 120-122.