



*City of Las Vegas*

Agenda Item No.: 17.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: NOVEMBER 8, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

**SUBJECT:**  
**TABLED RENOVATION OF 342 - SITE DEVELOPMENT PLAN REVIEW**  
**- PUBLIC HEARING - APPLICANT OWNER: CLABAD SOUTHERN NEVADA, INC.**  
- Request for Site Development Plan Review FOR A PROPOSED 84,276 SQUARE FOOT, 44-FOOT TALL PRIVATE SCHOOL AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW NO LANDSCAPING ALONG THE NORTH AND EAST PROPERTY LINES AND ALONG PORTIONS OF THE SOUTH AND WEST PROPERTY LINES WHERE A MINIMUM EIGHT FOOT WIDE BUFFER IS REQUIRED on 4.01 acres adjacent to the West side of Vista Drive, approximately 530 feet south of Charleston Boulevard (APNs 162-06-510-007, 008, 009, and 017), R-E (Residence Estates) and P-R (Professional Office and Parking) Zones, Ward 1 (Tarkanian) NOTE: THIS APPLICATION HAS BEEN AMENDED TO 77,881 SQUARE FOOT, 35-FOOT HIGH PRIVATE SCHOOL WITH NO LANDSCAPE WAIVERS REQUESTED

C.C.: 12/05/2007

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

**RECOMMENDATION:**  
**APPROVAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/support postcards
7. Submitted after final agenda Protest/support postcards
8. Submitted at meeting Proposed conditions by Jay Brown

Motion made by GLENN TROWBRIDGE to Approve subject to amended conditions

A. No high school shall be constructed or operated on the site.

## PLANNING COMMISSION MEETING OF: NOVEMBER 8, 2007

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

GLENN TROWBRIDGE, DAVID STEINMAN, LEO DAVENPORT, BYRON GOYNES, RICHARD TRUESDELL, SAM DUNNAM; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-STEVEN EVANS)

Minutes:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, explained that the application was previously tabled to enable the applicant to revise the site plan and reduce the intensity of the project. He noted that the project is in compliance with Title 19 and recommended approval.

JAY BROWN, 320 South 4th Street, stated that staff recommended approval of the Site Development Plan Review, there are no variance requests and if approved, the applicant is agreeable to having a traffic study as a condition. Additionally, he read and submitted copies of proposed conditions. MR. BROWN thanked the neighbors and noted that several people were prepared to provide their comments.

HOWARD PERLMA, 2230 Corporate Circle, explained that the applicant has been working with the neighbors for about a year and subsequently eliminated any variances by redesigning the site plan which now conforms to Code. Using the overhead, he pointed out the use for each section of the site plan. He noted that the proposed conditions read by MR. BROWN were requested by the neighbors.

TOM MCGOWAN, Las Vegas resident, questioned how many stories were planned, whether there was a community activity center and the ages of the children attending the school. He voiced his support by requesting the item be approved.

PAT MULHAUL, 4021 Mountain View Boulevard, observed that the project is very low density and for many years the residents have worked to keep their rural properties from being overdeveloped. He acknowledged that meetings were held; however, there was never a consensus. Because of the enormous size of the proposed building, MR. MULHAUL contended it was inappropriate and not compatible with the neighborhood and the traffic and parking would continue to be a major issue.

TOM BINGHAM, 1209 Vista Drive, stated that his neighborhood is in the Rural Preservation Area and consists of one-half to one-acre sized lots zoned for horses. He asked the Commission to disapprove the application. THOMAS McGRATH, 1413 Vista Drive agreed that traffic congestion and speed affect their neighborhood daily. GIB OSWALD, 4029 Mountain View Boulevard objected to having a huge two-story building in his neighborhood.

IRIS SALLEY, 1473 Tedington Court, stated her support saying schools should be included in communities and disagreed that the Chabad did not conform. SHERRY BITTERMAN, 4201

**PLANNING COMMISSION MEETING OF: NOVEMBER 8, 2007**

Mountain View Boulevard, stated that eventually this area will be built up and the vacant lots will be developed. MS. BITTERMAN perceived that eventually the City will begin growing upward versus outward and named a number of major cities that utilize that concept. She asked the Commission to approve the application.

SARAH SAHDI, 1236 Vista Drive, appeared in opposition, stating the proposed two-story building would obstruct the view of the residential homes and the traffic flow would increase tremendously. She offered an alternative plan that the building be one-story conducive with the residential homes in the area.

MR. BROWN finished his presentation by mentioning that the school has existed on the site for several years. In response to neighbor comments, he clarified that the applicant worked to reduce the size of the building eliminating the need for any variances and is more than willing to do a traffic study.

DEPUTY CITY ATTORNEY LEWIS noted the proposed condition that there will not be a high school located in the Desert Torah Academy. He stated that the law would limit the construction of a permitted use in the area and since the law allows a person to waive a legal right, he recommended that RABBI SHEA HARLIG as the authorized representative of Chabad Southern Nevada Inc. for the record, state his intention to waive his legal right to build a high school on this site. RABBI HARLIG agreed to waive his legal right to build a high school on the site and the condition was added.

COMMISSIONER GOYNES stated that despite the protests voiced, he noticed that in the backup documentation, there were several support documents from people living in close proximity to the project. He was impressed by some of the views expressed and stated he would support the project.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

