



City of Las Vegas

Agenda Item No.: 137.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF FEBRUARY 6, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
REVIEW OF CONDITION

ROC-26396 PUBLIC HEARING - APPLICANTS: FAIRFIELD HUALAPAI, LLC AND GREENSTREET PARTNERS. OWNERS: PROVIDENCE VILLAGE, LLC AND FAIRFIELD HUALAPAI, LLC - Request for a Review of Condition to change Condition Number 5 of an approved Site Development Plan Review (SDR-18031) WHICH STATED THAT A CERTIFICATE OF OCCUPANCY FOR RETAIL BUILDINGS 1, 2, AND 3, SHALL BE OBTAINED PRIOR TO THE REQUEST FOR CERTIFICATES OF OCCUPANCY ON ALL RESIDENTIAL UNITS for an approved Mixed-Use Development with 218 residential units and 32,400 square-foot of retail on 15.69 acres at the southwest corner of Hualapai Way and Elkhorn Road (APNs 126-24-510-011 and 126-24-517-001), PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

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

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SDR-18031
6. Submitted after meeting Protest postcard

Motion made by STEVEN D. ROSS to Approve subject to conditions and amending Condition 1 as read for the record:

1. Sheet and shear inspection on retail Buildings 1 and 2 shall be completed by the Department of Building and Safety before the request for final Certificates of Occupancy on any residential units.

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

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

Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY CHRIS KAEMPFER, 3870 Howard Hughes Parkway, appeared on behalf of the applicant and stated that this is a perfect example of government and private enterprise working together to identify a problem and resolve that problem. A year ago, Condition 5 was imposed to ensure the commercial portion of a mixed use development was in fact developed. A year later, with the financial market as it is, this condition has prevented the residential portion from being developed and cannot get financial backing. ATTORNEY KAEMPFER read into the record the amendment to Condition 1.

MARGO WHEELER, Director of Planning and Development Department, clarified "any" and not "all" residential in Condition 1. ATTORNEY KAEMPFER agreed to "any" and asked for approval.

TOM McGOWAN, Las Vegas resident, urged the City Council to vote their conscience.

COUNCILMAN ROSS repeated this is a review of condition and appreciated ATTORNEY KAEMPFER'S and MS. WHEELER'S ability to work together as he understands the market has changed. He supports staff in working on mixed use development and knows they are doing the best they can to make this happen for the developer. He verified with MS. WHEELER that she was satisfied with the amendment as read by ATTORNEY KAEMPFER, as it accomplishes the requirement of the general plan and zoning.

MAYOR PRO TEM REESE declared the Public Hearing closed.