



City of Las Vegas

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 13, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
BEYANET - RENDITION - ZON-25758 - REZONING - PUBLIC HEARING -
APPLICATION: SOUTHWEST DESERT EQUITIES, LLC - OWNER: KR LAND
COMPANY, LLC (Request for a Rezone FROM: U (UNDEVELOPED) [PCD
(PLANNED COMMUNITY DEVELOPMENT)] TO: PD (PLANNED DEVELOPMENT) on
23.62 acres at the southeast corner of Hualapai Way and Deer Springs Way (APNs 125-19-301-
001 through 005 and 013), Ward 6 (Ross)

CC: 04/17/2008

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg. 0
City Council Meeting 0

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:
DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Information Letter from Pinnacle Nevada
7. Protest letters, protest postcards, and telephone protests
8. Submitted at meeting Opposition packets by Brigitte Solvie and Denise Halvorson

Motion made by DAVID STEINMAN to Approve subject to conditions

Passed For: 6; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0
DAVID STEINMAN, BYRON GOYNES, RICHARD TRUESDELL, STEVEN EVANS,
VICKI QUINN, GLENN TROWBRIDGE; (Against-SAM DUNNAM); (Abstain-None); (Did
Not Vote-None); (Excused-None)

Minutes:

CHAIR GOYNES declared the Public Hearing open for Items 18-20.

ANDY REED, Planning and Development Department, stated staff could not support the applications. He noted that, although the parcel is within the excepted area of the interlocal

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agreement between Clark County and the City of Las Vegas which designates all excepted areas shall be maintained as rural, the size of the project is too intense and is not sensitive to the rural character. He recommended denial of all applications.

MARK FIORENTINO appeared on behalf of the applicant. Using the overhead, he displayed the location of the project site and the surrounding areas that have either planned or completed developments including a pump station, power substation and park designations. As Hualapai Way borders the property, MR. FIORENTINO explained that it is a right-of-way that will eventually connect to a future interchange.

MR. FIORENTINO showed sample elevations with architectural features designed to be compatible with the surrounding area. He briefly described the landscaping details and, with reference to the site plan, indicated that several significant changes were made as the result of neighbors' comments.

MR. FIORENTINO stated that he believed this location would be an appropriate location for rural densities and emphasized that the developer has made great strides to increase the landscaping and buffer.

In closing remarks, MR. FIORENTINO referenced a proposed change to the Site Development Plan Review relating to the vacation of the public right-of-way. MART ANDERSON, Public Works Department, accompanied the applicant with the revision of Condition 19 relative to a sewage easement.

RICHARD LYMAN, 9645 Haley Avenue, appeared in opposition. He described the history of the area including the rezoning applications, staff comments and reports.

TODD FARLOW, 240 North 10th Street, stated that the site is proper for a shopping center especially with the location close to the interchange. He supported the landscaping and indicated that he had no problem with exposed neon signs. Referencing the depressed drive, he questioned how drainage would be handled.

BRIGITTE SOLVIE, 7030 N. Conquistador Drive, submitted opposition packets for the Commission to review. She noted that there are a number of commercial sites with existing or currently being developed retail within a short traveling distance.

DENISE HALVERSON, 9840 Dorell Lane, stated that she chose her property specifically because of the density and its location within the Preservation area. She stated her opposition and had issues with the proposed fast food facility, the repetition of existing retail areas, delay in police response to crime, the potential for truancy and the negative impact on the horse uses in the area. She submitted opposition packets for the Commission to review.

LISA MAYER DORESO, Northwest Residents for Responsible Growth, appeared in opposition and pointed out that Hualapai Way is vacated to the west. Referencing Clark County future

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developments, she stated that there would be a precedent set as a result of the City of Las Vegas' decision and that could result in the County determining that various uses were compatible. MS. DORESO asked for a show of hands to reflect the number of people in the audience who opposed the project.

MICHELLE DISHON, 9690 Wing Avenue, appeared in opposition and concurred with previous speakers.

KATHLEEN BRUCE, 9880 Elkhorn Road, stated this project would negatively impact her property value and asked for denial.

CAROLE SQUIRES, 9685 Elkhorn Road, appeared in opposition.

BARBARA MANNING, 6970 North Jensen, opposed the project. She stated that she chose her property knowing it would not be bordered by tract homes, was content living in the rural preservation area, had immense acreage and would not be surrounded by a lot of commercial development. She remarked that there is adequate retail services available and did not see a need for additional commercial.

RON HOLMAN, 9660 Elkhorn Road, appeared in opposition. He felt that the proposed supermarket would not be able to compete with the large retail stores.

MR. FIORENTINO agreed there is a substantial amount of commercial in the area. Based on the potential number of residents and development, he believed the increase in population would greatly benefit from the commercial services proposed.

COMMISSIONER DUNNAN stated he met with the residents and he didn't believe there was any difference whether people live in the County or in the City. He remarked that from a global perspective, he believed MR. FIORENTINO's comments were correct and that eventually the I-215 will connect with the Hwy 95 and the existing right-of-way. He agreed that the project is appropriate and compatible for the area.

COMMISSIONER TRUESDELL remarked that this project is difficult as everyone is reminded of the history of the area developments and the compromises that have taken place over the years. He commented that neighborhood services are necessary and need to be addressed. He noted that a number of services are successful because the residents are patronizing them. COMMISSIONER TRUESDELL commended the applicant for working with the neighbors and making modifications to the site plans in order to incorporate their comments.

COMMISSIONER TROWBRIDGE acknowledged that the depressed streets would provide adequate buffering for the neighboring properties from light spillage as well as provide a buffer between the I-215 and the County developments to the north. He commended the applicant for doing an outstanding job of coordinating the architectural styling to be compatible with the area. Recognizing the addition of dense landscaping and reduced signage, COMMISSIONER

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TROWBRIDGE stated that these features encouraged his support.

Having visited the site, COMMISSIONER QUINN remarked that although it appeared that the residents were being eased out, she felt confident that the project was appropriate for the area.

COMMISSIONER STEINMAN observed that the neighborhood is surrounded by intense development. He stated that the location is proper and would support the requests.

CHAIR GOYNES agreed with the comments of his colleagues. He felt the decision would be difficult but questioned what other project could be placed at a freeway exit. He commended the developer for taking the time and effort to buffer the residents. Additionally, CHAIR GOYNES stated that the developer had done his due diligence and believed this would set a high precedent.

CHAIR GOYNES declared the Public Hearing closed for items 18-20.

