



City of Las Vegas

Agenda Item No.: 14.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MAY 22, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
**BEYANEE - RENOVICATION - 138-27-801-004 - 27135 - GENERAL PLAN AMENDMENT -
PUBLIC HEARING- APPLICATION - TAPESTRY GROUP, INC. - OWNER: CITY
OF LAS VEGAS, ET AL - Request to amend a portion of the Southwest Sector Plan of the
General Plan (ZONING, RIGHT OF WAY) AND PF (PUBLIC FACILITIES) TO: M
(MEDIUM DENSITY RESIDENTIAL) AND PF (PUBLIC FACILITIES) on 15.25 acres
adjacent to the north side of Westcliff Drive, approximately 595 feet east of Tenaya Way (APNs
138-27-801-004 and 138-27-802-006). Ward 1 (Tarkanian)**

C.C.: 06/18/08

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="129"/>	Planning Commission Mtg.	<input type="text" value="1"/>
City Council Meeting	<input type="text" value="0"/>	City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Neighborhood Services Letter
6. Justification Letters
7. Protest/Support Postcards and Protest Letters
8. Submitted After Final Agenda Protest Postcards for Items 14 and 15, Protest Postcard, Protest Letters, Email Protest and Tapestry Group Affordable Housing Proposal Update for Items 14-17
9. Submitted at Meeting Protest Petition and Protest Postcards for Items 14 17 by Jim McFadden

Motion made by STEVEN EVANS to Approve

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

PLANNING COMMISSION MEETING OF: MAY 22, 2008

Minutes:

CHAIR GOYNES declared the Public Hearing open for Items 14-17.

DOUG RANKIN, Planning and Development Department, stated the proposed zone change and land use change are compatible with the surrounding area and he recommended approval of both requests. With regards to the site development review, he noted the requested waiver was minor in nature and recommended approval.

RICHARD BRYAN, 300 South Flamingo Street, and LUCY STEWART, 856 East Sahara Avenue, appeared on behalf of the applicant. MR. BRYAN gave a brief history of the Tapestry Group and explained that the applicant is a 501(c)(3) non-profit entity. He clarified that the applicant proposes workforce housing and not Section 8 housing and described the differences between the two types. MR. BRYAN stated that the City had been working with the applicant for several years to develop the subject parcel, previously controlled by the Bureau of Land Management (BLM), for affordable housing.

MR. BRYAN noted the differences in the way the planning process works in the County and the City and suggested that the process may have led to some misunderstandings by the neighbors. He stated the neighbors believed that the land was being purchased as a park and that they had been told that there would be no overpasses at Teray Way.

MS. STEWART briefly described the site plan, stating the community would be gated with townhouses adjacent to the existing residential areas and the apartment buildings adjacent to the public right-of-way. She noted the property would have on-site management and 24-hour security and pointed out potential tenants would be subjected to credit and criminal background checks.

JIM McFADDEN, 304 Fig Court, appeared in opposition and spoke on behalf of his neighbors. He read from an opposition petition which he also submitted for the record. He expressed concern with noise pollution, population density and the traffic impacts from this development and stated it would negatively impact the neighborhood's quality of life. MR. McFADDEN stated the applicant was attempting to mislead the Commissioners and the neighbors and stated the project was intended for low-income housing and not affordable housing. He requested that the subject parcel be used as green space rather than the proposed project.

BONITA SMITH, 216 Crosswind Way, appeared in opposition and suggested the applicant develop this project in other jurisdictions.

TODD QUANEY, 100 Huntly Road, appeared in opposition and stated the surrounding streets could not handle any increase in traffic.

CINDY McALEXANDER, 8428 Chapman Ravine, appeared on behalf of Westcore Properties, owners of the Bank of America building, and expressed their opposition, stating this project

PLANNING COMMISSION MEETING OF: MAY 22, 2008

significantly affected the building and its value. She also submitted protest postcards and expressed concern with the notification process.

GARY HOGGER, 711 Underhill Court, wondered how the applicant obtained the subject parcel so cheaply. CHAIR GOYNES explained that the Commissioners evaluate the project from a land use perspective and stated that how the applicant acquired the property is not considered.

JOE PANIKO, 101 Luna Way, appeared in opposition. He stated this project would increase the crime rate in the area and would negatively impact his quality of life.

PATRICK KELLEY, 5700 Vegas Drive, appeared on behalf of the Twin Lakes Baptist Church and stated the church's opposition. He expressed concern with the project's impact on traffic.

MR. BRYAN acknowledged the neighbors' opposition, but pointed out staff's recommendation of approval. After speaking with the Clark County School District, he stated that the project would not cause overcrowding in neighborhood schools. MR. BRYAN explained that it was difficult to project what the rents would be, but noted that with the construction on the Strip there would be a need for affordable/workforce housing units. He further explained how the applicant was able to acquire the land at a very low cost from the BLM. MR. BRYAN empathized with the neighbors' concerns about crime, but argued that crime is not limited to specific neighborhoods. He added that the applicant is not responsible for public hearing notices and respectfully requested approval.

In response to COMMISSIONER TROWBRIDGE'S question regarding Boone County, GENE WILCZEWSKI, 2714 East Meridian Avenue, Development Coordinator for the applicant, gave a brief history of the applicant's experience in Boone County and explained that the project had failed because of insider politics. He stressed the applicant's willingness to open its books to anyone who would like to examine them.

COMMISSIONER TROWBRIDGE explained that BLM lands are sold cheaply because the developer has to accept a condition that the homes be affordable. He observed that the structures were attractive and three-story units would have little visual impact on the neighborhood.

MR. BRYAN informed COMMISSIONER EVANS that the applicant had been told that the City preferred the subject site for affordable housing. COMMISSIONER EVANS expressed concern regarding the management of the property and MR. BRYAN explained that the applicant was prohibited from selling the property for 50 years. MR. WILCZEWSKI added that the applicant has a history of improving the properties it manages. He noted that the applicant has a very low break-even point and stated the property's profits would be used to maintain the development.

COMMISSIONER QUINN observed that the neighbors enjoy a wonderful quality of life and expressed concern with the impact this project would have on the neighborhood's schools, traffic and crime. She stated she could not support the project but noted MS. STEWART had agreed to equip the pools with equipment which would allow access by disabled residents.

PLANNING COMMISSION MEETING OF: MAY 22, 2008

MS. STEWART informed COMMISSIONER QUINN that there would be 32 units that could be modified to accommodate disabled residents.

COMMISSIONER DUNNAM expressed his support, stating the project was appropriately located close to major roads, freeways and mass transit.

COMMISSIONER STEINMAN observed that the City has not been successful at making housing attainable in the City and stated action needed to be taken. He expressed his support, stating that workforce housing needed to be provided and the proposed location is appropriate.

MR. RANKIN informed COMMISSIONER TRUESDELL that there has been no planned park for the subject property. COMMISSIONER TRUESDELL observed that misinformation tends to arise on contentious issues and noted that the Tenaya Way overpass had been planned for many years. He pointed out the Planning Commission is not a political body and is charged with making difficult decisions. COMMISSIONER TRUESDELL stressed the differences in the traffic coming from an arena-style church and the traffic generated by this project. He expressed his support, stating that the City needs to support sustainable and attainable housing and this project is needed.

MS. STEWART informed CHAIR GOYNES that the applicants are open to working with the Regional Transportation Commission to encourage residents to use mass transit. CHAIR GOYNES stressed the importance of integrating workforce housing and transportation. He noted that the project was appropriately located with access to freeways and bus routes and expressed his support.

MARGO WHEELER, Director of the Planning and Development Department, assured COMMISSIONER TRUESDELL that the site plan strictly limited the density of the subject parcel and stressed that no other development be allowed a higher density if these items were approved. COMMISSIONER TRUESDELL expressed concern that the zoning and land use plan could be misunderstood and result in unforeseen consequences.

During the crafting of the motion for Items 17, COMMISSIONER EVANS suggested the inclusion of a condition regarding the property's maintenance and MR. BRYAN expressed the applicants willingness to accept any condition recommended by the Commissioners. DEPUTY CITY ATTORNEY JAMES LEWIS noted the City's Code Enforcement Department monitors properties to ensure they are being properly maintained and clarified that the applicants development agreement did not specifically address maintenance. MR. BRYAN promised to work with staff to incorporate the directions given by the Commissioners before the proposal was heard by the City Council, but DEPUTY CITY ATTORNEY LEWIS noted the possibility that no progress would be made on the project before the next hearing.

CHAIR GOYNES declared the Public Hearing closed for Items 14-17.