



City of Las Vegas

Agenda Item No.: 9.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 24, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
**TABLED - RENOVATION - PA 625 - GENERAL PLAN AMENDMENT -
PUBLIC HEARING-APPLICATION- CITY OF LAS VEGAS - OWNER: USA - Request to
amend a portion of the Centennial High School Plan of the Master Plan FROM: PCD (PLANNED
COMMUNITY DEVELOPMENT) TO: PF (PUBLIC FACILITIES) on 131.7 acres at the
south west corner of [redacted] Road and the 215-Beltway (CPN 126-36-201-002), Ward 6 (Ross)**

C.C.: 08/20/08

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	14	Planning Commission Mtg.	1
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Protest/Support Postcards and Protest Letter
7. Submitted after Final Agenda Protest Postcard for Items 9 and 10

Motion made by DAVID STEINMAN to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
SAM DUNNAM, DAVID STEINMAN, RICHARD TRUESDELL, BYRON GOYNES,
GLENN TROWBRIDGE, STEVEN EVANS, VICKI QUINN; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

CHAIR GOYNES declared the Public Hearing open for Items 9 and 10.

TOM PERRIGO, Deputy Director of the Planning and Development Department, appeared on behalf of the applicant and briefly described the site. He explained that the City's General Plan Amendment (GPA) request would change the parcels General Plan designation to Public

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Facilities and the rezoning request would change the zoning designation to Civic (C-V). He stated the only question before the Commissioners is whether or not the land is appropriate for public facilities. He clarified that no use is currently planned for the site and that any use would have to go through the public hearing process for any site plan.

MR. PERRIGO explained that this process had started during the height of the boom when it was determined that there was an immediate need for public facilities in this area. He acknowledged that the growth pressures in the area have eased and stated that a booking facility or waste transfer site were being considered for the site. MR. PERRIGO noted that any other proposals were at least five years away and added that the Clark County School District was still interested in a site for a bus yard.

MR. PERRIGO stated that it would be prudent to set this land aside for future public facility needs. He pointed out the site has good freeway access which would keep traffic out of neighborhoods. He noted that the Bureau of Land Management (BLM) has limited land available for public use and added that this site is adjacent to an industrial use, the community pit area which will be in use for at least the next 20 years.

MR. PERRIGO explained that the process for obtaining the site is very complicated and noted that two potential applications have been made for the subject site that were not being advanced by the City. He also explained the leasing and development processes, noting that one step was the submission of a conceptual plan of development for the parcel to the BLM. He reiterated that the City would not know how the land would be used, but stressed that the City would need land for future public facilities.

MR. PERRIGO pointed out the City has a policy to seek out BLM land for future public facilities, as well as to collocate with other jurisdictions in order to reduce costs to taxpayers. He stated the projected growth of the area is anticipated to be an additional 200,000 people and recommended approval.

DENISE ARENCIBIA, 5265 Chinaman Street, appeared in opposition and stated that the efforts to inform the neighbors of this proposal were inadequate and insufficient. She requested more specifics on how the site would be used and noted her group, Citizens of the Northwest, had been successful in preventing the trash facility from being located on this site.

LELAND WILLIAMS appeared on behalf of Citizens of the Northwest. He noted that a representative from Republic Services and MARGO WHEELER, Director of the Planning and Development Department, had met with his group. He expressed concern with the City's apparent rush to move forward and requested that more time be taken to discuss and assess the true needs of the neighbors. He also suggested that the subject site would be inappropriate for use as a School District bus yard.

DON MACINTYRE, Galileo Drive, expressed his opposition and stated he had not been initially notified regarding these applications. He suggested that the review process is very complicated,

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complex and confusing to the citizens and requested that the project and the City's intentions be presented in their entirety.

In response to MR. MACINTYRES concerns, CHAIR GOYNES explained the requests and stressed that any site plan would have to go through the public hearing process. He stated that the Commissioners take a long-term approach to decisions and are required to consider what the City might need in 40 to 50 years. MR. MACINTYRE insisted that the City wait to zone the property for civic uses.

RICHARD CHRISTY, 5850 Boulder Brook Court, appeared in opposition and stated that there is no compelling or immediate near term use for this property. He suggested that moving forward without a specific plan would be imprudent and that the notification area did not represent the community. He concluded by adding that uses permitted in the proposed zoning would negatively impact the neighborhood.

COMMISSIONER TRUESDELL stated that comments that tend to exaggerate potential uses are not helpful. He explained that this application is part of a master-planning process, which is something that is expected, and pointed out that adequate efforts had been made to involve the neighbors.

MR. CHRISTY pointed out that different uses, such as the west transport facility and the booking facility, had gone away due to the neighbors' opposition.

COMMISSIONER DUNN argued that the City is attempting to gain control of land owned by the BLM by rezoning. He pointed out the neighbors could remain involved in the parcels development through the public hearing process. He noted that other parties are also interested in the land and that the land could be auctioned off by the BLM. He pointed out that a public auction might place the land under the control of a private party or force the City to use taxpayer money to purchase the property at market rates.

LIEUTENANT COLONEL BILL TRACY, 6103 Rockwell Man Circle, appeared in opposition to the applications because they would change the character of the neighborhood. He suggested the City could gain control of the property through other ways and asked the Commissioners to weigh the needs of the City and the residents in their decision.

DON FELSKE, 5845 Conquistador Street, appeared in opposition because it appeared that there was no room for negotiation and because the applications were not an adequate fit for the Master Plan. He also explained that the neighbors were opposing specific uses because those uses were mentioned at the neighborhood meeting held by COUNCILMAN ROSS and attended by Planning and Development Department staff.

DWAYNE LIBBY, 6640 Durango Drive, appeared in opposition because the applications could result in unwanted uses on the property. He requested a covenant restricting the uses permitted to protect the citizens.

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GREG McCABE, 6262 Galileo Drive, appeared in opposition, pointing out the property's proximity to conservation and rural areas. He also suggested the notification process was sneaky and had confused and misled the neighbors.

In response to CHAIR GOYNES questions regarding the notification area, MR. PERRIGO stated that three neighborhood meetings were held and noted that the notice area had exceeded all requirements, at the direction of COUNCILMAN ROSS. With regard to the placement of the notice sign, PETER LOWENSTEIN, Planning and Development Department, explained that the sign was required to be placed at a visible site on the subject property and could not be placed in the Nevada Department of Transportation (NDOT) right-of-way. MARCO WHEELER, Director of the Planning and Development Department, added that notices were sent to property owners of record within 1000 feet of the subject property as well as registered neighborhood associations within one mile, in accordance with Code.

ROBERT G. LEARY, 9190 Fisher Avenue, appeared in opposition, stating the property should not be rezoned without a commitment for its use. He also observed that Ann Road and Clark County 215 (CC 215) is a very dangerous intersection and suggested the City could obtain control of the parcel through a different zoning application. He also suggested the City leave the zoning as residential until the neighbors could reach a consensus on how the property should be used.

CHAIR GOYNES questioned staff regarding the ability of the City to control the parcel without the Civic zoning designation. MR. LOWENSTEIN described the permitted uses under the parcels current zoning, but stated that a CPA and rezoning would be needed to change the zoning to allow any of those uses on the site.

DEPUTY CITY ATTORNEY JAMES B. LEWIS explained that in order for the City to complete the BLM process and obtain the land, it was necessary for the City to obtain C-V zoning. MS. WHEELER added that the City has no intention to develop the site as a residential property and residential development is not the point of this process. MR. PERRIGO confirmed that the City cannot obtain a lease for the land for anything other than a public purpose and without the C-V zoning. He explained the C-V zoning would identify that the City has a need for the land for a public purpose.

LARRY RACACH, 6055 Eagan Crest, suggested that if the applications are approved, the notification area for future notices be substantially increased because any use on this site would have a substantial impact on his community. He added that he never received official notice for these applications.

URSULA LUCHINGER, 6325 Grand Canyon Drive, appeared in opposition and questioned the City's need for such a large parcel.

COMMISSIONER DUNNAM explained that the City has a rare opportunity to gain control of the site and is doing what it can to obtain it. He stated that how the site would be used had not

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been determined, but the fact remained that there would be a definite need for City facilities on this site in the future.

In response to COMMISSIONER TROWBRIDGES question regarding any encroachment by the CC 215 on the parcel, BART ANDERSON, Public Works Department, explained that Clark County owns the right-of-way and plans a four lane facility with a full interchange at Ann Road and CC 215. He also stated he was not familiar with any particular land use proposed by Clark County in that area. MR. PERRIGO pointed out the drawings on the submitted maps reflected the planned alignment where construction was to begin soon.

COMMISSIONER TROWBRIDGE described his experience in acquiring land from the BLM eight years ago, noting that public entities are allowed to acquire federal land for recreation or public purposes. He explained that the federal government will accept ambiguous plans and that the plans become more specific through the development process. He suggested that the City needs as much land as possible and pointed out that the cost of obtaining federal land through this process is much cheaper for taxpayers than attempting to purchase at market rates. He compared this process to the development process for Clark County's shooting park, underscoring the length of time that has passed, the changes in the area, and the evolution of the project.

COMMISSIONER TROWBRIDGE expressed his support for the applications as well as the expansion of the notification area. He stated he was supporting the requests because they comprise the first step in allowing the City to acquire the land, which was good planning on the City's part. He assured the neighbors that the site would be used by the City to meet their needs.

COMMISSIONER EVANS commented that he does not generally support voting on General Plan amendments and rezoning applications without a site plan, but admitted there would be additional opportunity for further public hearings. He observed the proposal appeared to have a substantial amount of support, but acknowledged the neighbors concern. He suggested that a needs assessment that involves the neighbors be conducted.

COMMISSIONER EVANS requested clarification of the BLM land lease process and any possible consequences, should the City not move forward. DEPUTY CITY ATTORNEY LEWIS explained that if the City does not move forward with its application, the Clark County School District request would be considered next. He further explained that the land could also be auctioned. He concluded by stating that if the land is zoned as Civic and the City is successful in acquiring the lease, then the City could control the uses on the land.

COMMISSIONER EVANS also thanked the neighbors for taking the time to attend the meeting.

MR. PERRIGO clarified that the Public Lands Act has a process for disposal of federal lands which includes a joint selection process. He stated that if another agency requested a lease from the BLM, that agency would be required to provide a letter from the City supporting that request. He explained that the only way the City could stop another agency from acquiring the land is by proving that there was a public purpose need for the land. MR. PERRIGO noted that the City is

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first in line for a lease from the BLM, but he admitted there were some provisions for exceptions to this process.

COMMISSIONER STEINMAN disagreed with the comment that the City is not willing to compromise with the neighbors, noting the successful efforts by the neighbors to prevent unwanted uses on the site. He observed that the City has been unsuccessful in the past in providing needed services in developing areas and stated these applications are an effort by the City to anticipate what its citizens will need in the future. He sympathized with the neighbors concerns regarding the lack of plans for the site but stressed that these actions were necessary in order for the City to gain control of the land.

COMMISSIONER TRUESDELL pointed out that the City has tried to use advance planning in the Northwest to separate different uses for a better quality of public life. He suggested that if the City does not take control of the site, City services will be forced into inappropriate neighbors at a greater cost to the taxpayer. He suggested that the planning process works, even though it is not perfect. He expressed his support, stating this proposal is the most appropriate use of the City's planning process.

COMMISSIONER QUINN stated she had not initially supported the proposal, but after hearing the reasons why the City needed the parcel, she believed that it would be in the residents' best interest for the City to acquire this parcel. She observed that the neighbors would be involved in the planning process with COMMISSIONER DUNN and COUNCILMAN ROSS and that they would have to start over with another entity if the City did not acquire the land.

CHAIR GOINES declared the public hearing closed for Items 9 and 10.

