



City of Las Vegas

Agenda Item No.: 91.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF OCTOBER 15, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT: VAR-2902 - ABEYANCE ITEM VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: HARMON 12, LLC, ET AL - Request for Variance TO ALLOW 43,996 SQUARE FEET OF OPEN SPACE WHERE 50,094 SQUARE FEET ARE REQUIRED FOR A 70-LOT RESIDENTIAL DEVELOPMENT DIVISION of a 0.52 acre site on the east side of Tonkinese Avenue and Hualapai Way (APNs 75-13-6112-001 through 068), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Section 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="0"/>	Planning Commission Mtg.	<input type="text" value="2"/>
City Council Meeting	<input type="text" value="7"/>	City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards
7. Submitted after Meeting Protest/Support Postcards and Recordation Notices of City Council Action and Conditions of Approval for Items 91 and 92
8. Backup Referenced from the 08-28-2008 Planning Commission Meeting Item 28

Motion made by STEVEN D. ROSS to Approve subject to conditions and adding the following condition as read for the record:

A. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP fund in the amount of \$24,392 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to the Land Development Division prior to approval of the final map otherwise the developer is required to comply with the open space requirement in accordance with Title 19.

CITY COUNCIL MEETING OF: OCTOBER 15, 2008

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 91 and 92.

ATTORNEY JAY BROWN, 5100 South Fourth Street, appeared on behalf of the applicant and thanked COUNCILMAN ROSS for taking the time to look at the site and the surrounding area.

COUNCILMAN ROSS added a condition regarding a fee in lieu of the variance for the open space. MARGO WHEELER, Director of Planning and Development, read into the record the condition. ATTORNEY BROWN agreed to the added condition.

Regarding Item 92, COUNCILMAN ROSS verified with MARGO WHEELER, Director of Planning and Development Department, that by following the Planning Commission's recommendation for approval of the new site plan, there will be exterior/interior sidewalks.

MAYOR GOODMAN declared the Public Hearing closed for Items 91 and 92.

