



City of Las Vegas

Agenda Item No.: 83.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF DECEMBER 3, 2008**

**DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

SUBJECT: MOD-259 - TABLED ITEM - PUBLIC HEARING - APPLICANT/OWNER: NORTHWEST STATES, INC. ET AL - Request for a Minor Modification to the Lone Mountain West Plan TO AMEND THE LAND USE DESIGNATION FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO MULTIFAMILY MEDIUM RESIDENTIAL) AND TO AMEND TABLES ONE THROUGH FIVE (5) OF THE MASTER DEVELOPMENT PLAN on 16.4 acres at the southeast corner of Lone Mountain Road and Puli Road (APNs 137-01-101-001 and 009; 137-01-201-001 and 002), PD (Planned Development) Zone [ML (Medium-Low Density Residential) Lone Mountain West Special Land Use Designation], Ward 4 (Brown) The Planning Commission (4-3 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

79

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-3 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Backup referenced from the 02-14-08 Planning Commission Meeting Item 22

Motion made by LARRY BROWN to Approve

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 2; Excused: 0

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 83 and 84.

DAVE BROWN, 6554 Polished Jade Court, stated that the application for this project was submitted over a year ago, and many meetings were held with the residents that resulted in a better project the Council could support.

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He explained that the original plan was for blended density without the need for a major modification, but since the revised project includes attached units on 64 acres, a different plan had to be requested for multi-family medium residential. In August 2008, an agreement was made with the neighbors to hold the project until the Lone Mountain West Plan on this agenda was completed.

MR. BROWN described the final plan, stating that the three-story buildings would consist of two - and three-bedroom units. He noted that the parking requirements would be exceeded, no waivers were being requested, and the project met the requirements of the Lone Mountain West Standards.

MR. BROWN pointed out that measures were taken to address the issue of some of the third-story tenants being able to see down into the existing residents' yards. Regarding traffic volume, he commented that a traffic study showed that existing traffic in the neighborhood would have to wait an extra seven seconds, which is acceptable for the area. Also, a lift station that complies with water distribution standards would be built in order to assist with the problems of water pressure in the area. By doing this, 60 homes in the adjacent Lamar subdivision would have improved water pressure.

LISA CZAJKA, 4323 Walleys Hill, appeared in opposition. She stated that more neighbors would have been present had it not been for the City's inadequate notification system. She thanked MR. BROWN for e-mailing the residents about the many neighborhood meetings that were held, in conjunction with COUNCILMAN BROWN. However, she stated that despite all the applicants' efforts, the residents were adamantly opposed to multi-family housing at the subject location, including the Richmond American Home development.

She pointed out that the area is not conducive to more traffic, with Clint Shadows being the only road. Although the developer indicated he would work with the Bureau of Land Management (BLM) to try and alleviate this problem, he could not guarantee it would be addressed. She felt that the traffic study was unreliable because it was conducted by positioning people at various locations to do a vehicle count. Lastly, given the weak economy, she did not believe intended luxury development, which would be surrounded by a gravel pit, could be successful. She pointed out that other multi-housing developments in the area are vacant and under foreclosure.

TOM McGOWAN, Las Vegas resident, verified with MR. BROWN that the units would be leased and asked why staff recommended denial. MARGO WHEELER, Director of Planning and Development, replied that staff had an issue with the modification request, because staff does not like to go against policies adopted by the Council without obvious reasons for change. In this case, staff did not find a justifiable need for a modification. MR. McGOWAN recommended the Council enforce its policies and deny the item.

COUNCILMAN BROWN confirmed with staff that a revised site plan did not have to be submitted, but rather an updated landscape plan at the time the applicant pulls the permits.

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COUNCILMAN BROWN said that when Lone Mountain West was approved, there was a lot of uncertainty amongst the residents of the Cliff Shadows development regarding the beltway and the interchange. Around that time, a lot of commercial zoning was rezoned to residential, which he did not mind because it was driven by the market with the community's support. He noted that although greatly desired, it would be unrealistic to expect a single-family product on this property given the market.

COUNCILMAN BROWN commented that he would support the application, because the owner indicated a desire to develop the property and not leave it vacant. He stated that he is not opposed to apartment complexes, condominiums, or multi-family residential developments as long as they were properly done and as part of a master plan. But he stressed that he would not like the property flipped and have it become a problem for his successor. Therefore, COUNCILMAN BROWN noted that he would require that should market conditions pose obstacles, the applicant would have to start over with his successor.

Regarding the residents' concerns that the approval would allow a higher density, COUNCILMAN BROWN pointed out that during this meeting a resolution was adopted to lower the overall density of the entire Cliff Shadows community. The remaining 10 acres to the south and the 15 acres to the east of this project should be developed at or less than seven units an acre.

COUNCILMAN BROWN stated that he did not want any freestanding 30-foot poles along the eastern portion of the property. Regarding the half street improvements, COUNCILMAN BROWN confirmed with BARRY ANDERSON, Public Works, that the southern half of Lone Mountain is located within the City and the northern half is owned by BLM. COUNCILMAN BROWN questioned the type of access that would be on Peaceful Dawn. MR. BROWN indicated that the intent was to use Peaceful Dawn as a secondary access, should access be denied off Lone Mountain. But if the City would prefer, MR. BROWN indicated he would agree to a condition requiring a crash gate. MR. ANDERSON stated that access off Stange Avenue and Lone Mountain should suffice and Peaceful Dawn could be used for emergency access only, if approved by the fire department.

COUNCILMAN BROWN noted that he was aware that the developer wanted to build a quality project, for which he had two years. Should the project not be completed within two years due to financing issues and market conditions, this application shall be nullified and the applicant would have to start over. ASSISTANT CITY ATTORNEY SCOTT pointed out that approval of this application would require any new builder to build this project. A different project would require approval by the Council. But this applicant could request an extension, as allowed by the Code. COUNCILMAN BROWN stressed that he would be adamantly opposed to an extension, but his successor could make the final decision.

COUNCILMAN BROWN advised MR. BROWN that the expectations were high for this development because it would set the precedent for the remaining 35 acres.

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For Item 84, MS. WHEELER recommended and read additional language for the end of Condition 9 to address COUNCILMAN BROWNS concern about the light poles. MR. ANDERSON read an added condition.

MAYOR GOODMAN declared the Public Hearing closed for Items 83 and 84.

