



City of Las Vegas

Agenda Item No.: 12.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 26, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: BEYANEE - WVR-32158 - WAIVER - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SUNRISE HOMES V LLC - Request for a Waiver of Town Center Development Standards TO ASILG WA FOUR-FOOT SIDEWALK WITHOUT AN AMENITY ZONE AND A 40-FOOT AND A 50-FOOT PORTION OF DEER SPRINGS WAY WHERE A 40-FOOT SIDEWALK WITH A THREE-FOOT AMENITY ZONE IS REQUIRED on 0.21 acres adjacent to Deer Springs Way, approximately 400 feet east of Fort Apache Road (APNs 125-20-214-040, 041, 059 and 125-20-297-018), T-C (Town Center) Zone [ML-TC (Medium Low Residential - Town Center) Special Land Use Designation], Ward 6 (Ross)

P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted after Final Agenda Nevada Power Approved Plans and Civil Improvement Plans

Motion made by RICHARD TRUESDELL to Approve subject to conditions and adding the following conditions as read for the record: A. The applicant shall provide additional curbing concrete along the underside of the utility pad, along the south and east side of the pad, in order to fill in the hollow area.

B. The applicant will slope and repour an existing two-inch step along the west side of the utility pad making the existing step flush with the existing sidewalk.

C. The applicant shall provide a three foot by three foot landscape planter area on the northeast and northwest corners of the utility pad, planted with three, 5-gallon shrubs.

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D. The top edge of the transformer pad shall be notched with two-inch cuts at regular intervals, so as discourage the use of it for recreational means.

Passed For: 5; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 1

VICKI QUINN, STEVEN EVANS, GLENN TROWBRIDGE, RICHARD TRUESDELL, BYRON GOYNES; (Against-KEEN ELLSWORTH); (Abstain-None); (Did Not Vote-None); (Excused-MICHAEL E. BUCKLEY)

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development, stated the item was previously held in abeyance to allow the applicant time to meet with Nevada Power and address safety concerns. Staff could not support the waiver request and recommended denial.

BEN YOUNG, Royal Construction, confirmed a meeting took place with representatives from Nevada Power, City of Las Vegas Planning and Development, and Thomason Consulting Engineering. Discussions led to an agreement that on the west side of the switch gear, there is a concrete pad disjointed with the rest of the City sidewalk that would be removed and repoured into the sidewalk detail to provide continuity and compliance with the Town Center standards. CHAIR TROWBRIDGE noted this would also eliminate a tripping hazard. MR. YOUNG added that there is room for approximately three feet of landscaping in this area and in the back corner, particularly of vines, to help screen the wall behind the switch gear. The existing curbing in front of the switch gear would be repoured to give a uniform appearance. Pipe railing will be installed in front of the switch gear as a safety mechanism and prevent injury; however, it will be a removable assembly, as Nevada Power expressed concern regarding needing access to maintain equipment. Additional lush landscaping will be placed in various areas to screen the area.

MARGO WHEELER, Director of Planning and Development, confirmed that staff had conditions relative to MR. YOUNGS presentation.

After discussing the pipe railing, MR. RANKIN confirmed with BART ANDERSON, Public Works, that if required, staff prefers the railing to be located away from the curb line. If it has to be on the curb line, he prefers prior approval from the traffic engineer. For the record, MR. ANDERSON indicated that there may not be any railing acceptable to the traffic engineer.

CHAIR TROWBRIDGE noticed in the photos shown by MR. YOUNG, the front edge of the railing is typically used as a grind by skateboarders. Should a skateboard shoot out from under a skateboarder, it will fly directly into traffic. He suggested moving the railing closer on the inside or providing v-cuts every two inches in the front edge of the existing concrete slab, to discourage pedestrians on bicycles. MR. YOUNG was open to any of the Commissions suggestions and also supported placing a railing in both locations.

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COMMISSIONER ELLSWORTH stated he suggested both railings, as there is a landscape buffer between the road and the sidewalk up until the utility box, in which pedestrians would be forced onto the road and the goal is to protect them from traffic. He inquired about a traffic study.

COMMISSIONER QUINN agreed with the Commission as she was uncomfortable in that pedestrians, such as the elderly and mothers pushing their children in strollers, would have to walk onto the street just to bypass this box.

COMMISSIONER TROESDELL believed the applicant has made some efforts to mitigate the concerns; however, he and COMMISSIONER ELLSWORTH felt that having the railings would create more harm than good as skaters would hang out even more. He supported resurfacing the concrete and having landscaping.

COMMISSIONER EVANS recalled the history on this application and asked for clarification on what the Commission was voting on. In the future, he desired the applicant to present photos and additional information prior to the meeting so the Commission has time to review before the meeting. MR. RANKIN read the three conditions as previously referred to and two additional conditions staff recommended.

After further discussion with the Commissioners, conditions were agreed to concerning the curbing, repouring the concrete, landscaping and two-inch cuts on the transformer itself. Given the ongoing concerns with railings, it was agreed that no railings would be installed.

COMMISSIONERS EVANS and TROESDELL confirmed MR. YOUNGS concurrence with all conditions. Regarding the maintenance, MR. YOUNG informed COMMISSIONER QUINN that they have not received a letter release. A new landscape plan from Studio VBM has been submitted to staff for units 3 and 4. He confirmed that until the homeowners association accepts responsibility for maintenance of the area, they will continue to do so. COMMISSIONER QUINN appreciated their time and efforts and was convinced that with the conditions, this is the best solution to date.

CHAIR TROWBRIDGE declared the Public Hearing closed.