



City of Las Vegas

Agenda Item No.: **69.**

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 2, 2009**

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

☐ Consent ☒ Discussion

SUBJECT: GPA-3461 ABEYANCE ITEM 69-71 PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: FLO TV, INC. OWNER: UNITED STATES OF AMERICA - Request to Amend a portion of the Southwest Sector Part of the General Plan FROM: DR (DESERT RURAL DENSITY RECOMMENDATION TO: PUBLIC FACILITIES) on 10.89 acres located on the north side of Del Rey Ave. approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), Ward 2 (Wolfson) The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

11

City Council Meeting

53

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Grant Details Letter from U.S. Department of the Interior Bureau of Land Management
7. Protest Postcards
8. Submitted at Meeting Protest Petition with 43 signatures by Jorina Garetto for Items 69-71
9. Backup referenced from the July 23, 2009 Planning Commission Meeting Item 6

Motion made by STEVE WOLFSON to Hold in abeyance Items 69-71 to 10/7/2009

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 69-71.

ATTORNEY BOB GRONAUER, Kaempfer, Crowell, Renshaw, Gronauer & Fiorentino, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He requested these items be held

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in abeyance to October 7, 2009 to allow him an opportunity to meet with all parties and find a win-win situation for all involved.

COUNCILMAN WOLFSON stated that he had met with ATTORNEY GRONAUER on September 1, 2009, and learned that ATTORNEY GRONAUER had just joined the case. Recognizing the involvement of the Bureau of Land Management (BLM), the leaseholder of an existing, legal, non-conforming use and the property owners, he expressed his support of the abeyance request and acknowledged the delay was an inconvenience to the neighbors. He assured them that any action on this project would take place in a public hearing.

BENJAMIN BRUK, Las Vegas resident, expressed his opposition to the abeyance request and questioned how the meetings with ATTORNEY GRONAUER would be conducted. COUNCILMAN WOLFSON explained that ATTORNEY GRONAUER would arrange the meetings by collecting the information of those who wished to participate and providing his information to them.

TODD FARLOW, Las Vegas resident, observed that the property has never been included on the tax rolls and suggested that it be required to pay property taxes if this project is approved.

JORINA MARETTO, Las Vegas resident, submitted a protest petition with 46 signatures for the record. She confirmed that she had prepared two sets of petitions and explained that the second petition reflected the neighbors' desire for landscaping. She noted that the neighbors were united in their opposition to the zoning request.

ANTHONY HODGES, Las Vegas resident, suggested the neighbors should expect a fight if the BLM is not on their side.

MARY GREEN, President of the Neighborhood Alliance, expressed the Alliance's preference for the Desert Rural Zoning rather than the uncertainty of the requested Public Facilities Zoning. MR. BRUK concurred.

MAYOR GOODMAN declared the Public Hearing closed for Items 69-71.