



City of Las Vegas

Agenda Item No.: **67.**

AGENDA SUMMARY PAGE - PLANNING
CITY COUNCIL MEETING OF NOVEMBER 2, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN RAGO

☐ Consent ☒ Discussion

SUBJECT:
MOD-41437 - ABEYANCE ITEM - MAJOR MODIFICATION - PUBLIC HEARING -
APPLICANT/OWNER: NEW VISTA COMMUNITY, INC. - For possible action on a request for a
Major Modification of previously adopted Rezoning (ZON-16580) TO AMEND THE
MASTER DEVELOPMENT PLAN AND DEVELOPMENT STANDARDS on 15.05 acres at
7875 North Rainbow Boulevard (APN 125-15-501-002), PD (Planned Development) Zone, Ward
6 (Ross). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

6

City Council Meeting

44

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

17

City Council Meeting

56

RECOMMENDATION:

The Planning Commission (7-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - MOD-41437, ROC-40981 and SDR-40980
2. Conditions and Staff Report - MOD-41437, ROC-40981 and SDR-40980
3. Supporting Documentation - MOD-41437, ROC-40981 and SDR-40980
4. Photos
5. New Vista Community Master Development Plan and Development Standards
6. Justification Letter MOD-41437, ROC-40981 and SDR-40980
7. Protest/Support Postcards
8. Correspondence and Support Petition by Pam Bailey from the October 19, 2011 City Council Meeting
9. Submitted at Meeting Protest Postcards, Copy of Staffs Report, Facsimile Transmittal Sheet, Letter from Neil G. Galatz and Associates, and Photos by Carol Peek for MOD-41437, ROC-40981 and SDR-40980
10. Backup referenced from the September 13, 2011 Planning Commission Meeting Items MOD-41437, ROC-40981 and SDR-40980

Motion made by STEVEN D. ROSS to Approve

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

LOIS TARKANIAN, STEVE WOLFSON, CAROLYN G. GOODMAN, STAVROS S.
ANTHONY, STEVEN D. ROSS, BOB COFFIN; (Against-None); (Abstain-None); (Did Not
Vote-None); (Excused-RICKI Y. BARLOW)



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Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 67-69.

ATTORNEY CHRIS KAEMPFER, appearing on behalf of the applicant with ATTORNEY TABITHA FIDDYMENT, reviewed the background of the items. He thanked COUNCILMAN ROSS and staff for their involvement, approval and support, and thanked the neighbors for their involvement and suggestions.

ANTHONY HENRI, Las Vegas resident, voiced his support for the applicant.

JOE MAVIGLIA, Executive Director of H and E Training Schools, stated any time there is a project needing qualified, certified workers he can provide them.

CAROL PECK, Las Vegas resident, submitted documents and stated her opposition to the project. She voiced concerns on subjects such as the safety of neighborhood children, commercial uses, increased traffic and the numerous special events that will be held throughout the year.

RUEL WESTOVER, Las Vegas resident, stated his support and approval for the applicant.

MARIO VICCHIULLO, Las Vegas resident, voiced his support for the applicant and thanked them for working with community residents.

JACK LAFLESH, Las Vegas resident, voiced his opposition.

COUNCILMAN WOLFSON stated, in response to public comments, he does not come to the Council meetings with predetermined outcomes in mind because he waits to hear all of the presentations before making his final decision.

ATTORNEY KAEMPFER clarified that he made every effort to involve the community and reach out to them for their feedback.

ATTORNEY FIDDYMENT stated that these projects are subject to a development agreement specifically prohibiting the property owner from engaging in commercial activities.

COUNCILWOMAN TARKANIAN received confirmation from ATTORNEY KAEMPFER that no offices will be rented out to third parties and will only be occupied by the organization. In response to the Councilwoman's question, KELLY DEGUZMAN, CEO, stated the founders of New Vista Ranch are JUNE and DICK HERRMANN. The Councilwoman discussed her personal experience with the founders and discussed the history of the organization.

COUNCILMAN COFFIN stated it is important these children have adequate supervision that requires a number of offices and spaces to provide such services as counseling. He also reminded the public that the record will reflect what the City is imposing and that the matter can



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be brought back before the Council should the applicant fail to abide by set conditions.

COUNCILMAN ROSS stated to MR. WESTOVER he received 73 approvals letters. He told MR. LAFLUSH that nothing is a done deal. He explained to MS. PECK, as a resident of this neighborhood, he will never approve commercial or liquor licenses in residential areas.

ATTORNEY FIDDYMENT stated the two neighborhood meetings that noticed 1,200 resulted in the second meeting having approximately 750 in attendance. She personally spoke to or emailed numerous neighbors and explained that community members also had opportunities to be heard at Planning Commission meetings. She clarified that many concerns raised by the public were addressed and revisions made based on those concerns. COUNCILMAN ROSS wanted the record to clearly reflect her efforts.

COUNCILMAN ROSS received clarification from ATTORNEY FIDDYMENT the project has six phases beginning with residential homes and is expected to span 20 years. The Councilman stated he wanted the public to be clear on the funding and the process. PAUL KENNER, appearing on behalf of the applicant, explained the property was designed in phases with residential homes being built one at a time over a five or six year period. In his opinion, the only impact to the neighborhood is the beautification of the property. ATTORNEY KAEMPFER interjected that the public should know it is designed to be built over several years and that increases in traffic will be gradual. MR. KENNER hopes the first phase will be begin in the next 18 months.

BART ANDERSON, Engineering Project Manager, confirmed the right of way on Grand Teton Road is 120 feet.

FLINN FAGG, Director of Planning, confirmed for COUNCILMAN ROSS there are no additions or corrections to the conditions of approval.

COUNCILMAN WOLFSON received confirmation from ATTORNEY KAEMPFER that his law firm, Kaempfer, Crowell, Renshaw, Gronauer and Fiorentino is representing the client at no cost.

MAYOR GOODMAN declared the Public Hearing closed for Items 67-69.