



City of Las Vegas

Agenda Item No.: 11.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: AUGUST 9, 2011**

**DEPARTMENT: PLANNING
DIRECTOR: FLINN RAGO**

☐ Consent ☒ Discussion

SUBJECT: BEYANET - GPA-41777 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: RANCH OF ROCKIES, LLC - For possible action on a request for a
General Plan amendment FROM: SDR-41779 and LIR (LIGHT INDUSTRY/RESEARCH) TO:
MC (MEDIUM DENSITY RESIDENTIAL) on 9.92 acres at 3000 North Michael Way (APN 138-
13-012-001), Ward 2 (Harlow). Staff recommends DENIAL.

C.C.: 09/07/2011

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

13

Planning Commission Mtg.

0

City Council Meeting

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report - GPA-41777, ZON-41778 and SDR-41779
3. Supporting Documentation
4. Photos - GPA-41777, ZON-41778 and SDR-41779
5. Justification Letter - GPA-41777, ZON-41778 and SDR-41779
6. Protest Postcards GPA-41777 and ZON-41778

Motion made by RICHARD TRUESDELL to Approve

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

RICHARD TRUESDELL, GLENN TROWBRIDGE, VICKI QUINN, TODD L. MOODY,
TRINITY SCHLOTTMAN; (Against-BYRON GOYNES); (Abstain-GUS FLANGAS); (Did
Not Vote-None); (Excused-None)

NOTE: COMMISSIONER FLANGAS abstained as he represented clients in extensive
litigations against Ernest Becker, Jr.

NOTE: COMMISSIONER SCHLOTTMAN disclosed he has the same architect; however, he
did not feel this would have any bearing on his voting. DEPUTY CITY ATTORNEY JIM
LEWIS added that COMMISSIONER SCHLOTTMAN'S relationship with this architect is
completed and voting on this item is acceptable.

PLANNING COMMISSION MEETING OF: AUGUST 9, 2011

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open for Items 11-13.

DOUG RANKIN, Planning, explained the items were held in abeyance to allow for the applicant to meet with Clark County Aviation Department (CCAD) to address their concerns. The location of this project is near the end of the primary runway at the North Las Vegas Airport and in the final approach path for aircrafts, which supports the current use designation of LI/R (Light Industry/Research). Staff recommends denial of all three applications as it is not compatible and harmonious with the surrounding land uses.

ATTORNEY RICHARD BRYAN, Lionel Sawyer and Collins, 300 South 4th Street, appeared with ERNEST BECKER, JR, and stated that the proposed 136-unit project will have 80 two-bedroom units and 56 three-bedroom units with ranging rent from \$995 to \$1,200. The project is similar to the apartment complex on Alexander Road and Martin Luther King Boulevard. The CCAD files objection to all applications requesting a change in uses, as with this case. A meeting was held with RANDY WALKER, CCAD, who authorized ATTORNEY BRYAN to state as a matter of policy, he would not support the project but the airport had no objection.

Using the diagram, ATTORNEY BRYAN showed the subject property and pointed out the main east/west area in which MR. BECKER'S property is on that particular flight path. The airport is located east of the highway, a considerable distance from residential. MR. BECKER'S project is in the periphery of the flight path. ATTORNEY BRYAN agreed with all conditions, including a condition suggested by MR. WALKER that prospective tenants be notified individually that they will be located within a flight path. Regarding the traffic concern, ATTORNEY BRYAN pointed out that an office complex would generate more traffic than the proposed residential complex.

DAVID COMPSON opposed the project as there are a large number of apartment complexes just north of this project, including one intersection that has one on every corner. One block north of his property, the noise is loud and crime is already substantial in the area. ATTORNEY BRYAN responded that the apartments MR. COMPSON referred to are a blight. The proposed property does not consist of R-1 (Residential) zoning. The proposed apartment project would provide approximately 50 construction jobs. The applicant has not completed the architectural drawings, since the application is pending approval, but is willing to move forward next year given the timeframe with permits.

COMMISSIONER QUINN commented that given the current economy, this is a time when apartments are needed, even though housing development would be the preference.

ATTORNEY BRYAN showed a map of the flight path for COMMISSIONER MOODY showing the minimal impact to this project versus the flight path area. This project is at the edge and does not pose a danger to aircrafts.

PLANNING COMMISSION MEETING OF: AUGUST 9, 2011

COMMISSIONER TRUESDELL stated rental housing is a critical part of the market and is needed. He believes any residential development near an airport could be impacted, but the flight path in comparison to this project has little impact.

COMMISSIONER GOYNES thanked MR. BECKER for meeting with the airport and the Federal Aviation Administration (FAA), and having visited the site, he does not believe that R-1 or single family housing would sell well. The project will be situated near two bus routes, which will help mitigate the traffic. However, given the number of protests he is aware of and with respect to the residents, he cannot support the project.

CHAIR TROWBRIDGE pointed out the applicant accepted a condition that he must obtain the FAA's approval. A higher-end type of development will have a positive impact on the adjacent neighborhood.

DEPUTY CITY ATTORNEY JAMES LEWIS indicated that if complaints are received from tenants that they were not notified about the airport adjacency, action could be taken against the property owner.

CHAIR TROWBRIDGE declared the Public Hearing closed for items 11-13.

