



City of Las Vegas

Agenda Item No.: 22.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 10, 2014**

**DEPARTMENT: PLANNING
DIRECTOR: FLINN RAGO**

☐ Consent ☒ Discussion

SUBJECT: BEYANET - MOD-53701 - MAJOR MODIFICATION - PUBLIC HEARING -
APPLICANT/OWNER: QUEENSRIDGE TOWERS, LLC - For possible action on a request for a
Major Modification of the Queensridge Towers Development Standards dated May 20, 2004 TO
AMEND DEVELOPMENT STANDARDS REGARDING LAND USE, BUILDING
SETBACKS AND SIDEYARDS, BUILDING HEIGHT AND PARKING on 20.10 acres on the
south side of Alta Drive approximately 410 feet west of Rampart Boulevard (APNs 138-32-213-
000, a portion of 138-32-210-005 and a portion of 138-31-713-002), PD (Planned Development)
Zone, Ward 12 (Beasly [PRJ-51869]). Staff recommends APPROVAL.

C.C.: 7/16/2014

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

62

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

6

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report - MOD-53701, VAR-53502 and SDR-53503 [PRJ-51869]
3. Supporting Documentation - MOD-53701, VAR-53502 and SDR-53503 [PRJ-51869]
4. Photos - MOD-53701, VAR-53502 and SDR-53503 [PRJ-51869]
5. Justification Letter - MOD-53701, VAR-53502 and SDR-53503 [PRJ-51869]
6. Queensridge Towers Development Standards - MOD-53701, VAR-53502 and SDR-53503 [PRJ-51869]
7. Protest and Support Postcards/Letters
8. E Comments in Opposition
9. Submitted after Final Agenda - Protest Letters and Protest E-mails for MOD-53701, VAR-53502 and SDR-53503 and Protest Postcard
10. Submitted at Meeting Support Letter for MOD-53701, VAR-53502 and SDR-53503

Motion made by RICHARD P. BONAR to Approve subject to condition

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

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Minutes:

CHAIR FLANGAS declared the Public Hearing open for Items 22-24.

PETER LOWENSTEIN, Planning, presented staffs report recommending approval.

ATTORNEY CHRIS KAEMPFER, Kaempfer, Crowen, Benschaw, Gronauer and Fiorentino, and GREG BORGEL appeared on behalf of the applicant. MR. KAEMPFER presented a series of exhibits, explaining that originally four towers were to be built; however after two were built, the developer subsequently determined it was not economically feasible to build the remaining two towers. As such, a third larger tower, relocated from the original approved plan, was being proposed.

MR. KAEMPFER stated as the number of units would remain exactly the same, any land use impacted by density, such as parking and traffic, would remain unchanged. He read into the record a letter of appreciation from one of the residents of Queensridge Towers who supported the new proposed location. He displayed an overlay exhibit showing the existing towers as approved and the new tower as modified. Even though the proposed tower is a little longer, MR. KAEMPFER read staff comments that the change proposed by applicant would reduce the intensity of the development and its impact to neighboring residential properties.

MR. KAEMPFER further stated the City's legal counsel made it clear that views were not a protectable zoning interest. He read into the record the written public offering statement which shows that no assurances were given as to building size, location or views. Additionally, he read provisions from the Declaration of Condominium document which the neighbors received and stated the developer has done everything possible to fairly and reasonably minimize any impact on the existing towers and neighbors to the west.

MR. BORGEL corrected for the record the tower height, as the notices that went out stated 310 feet when they should have stated 266 feet. He also pointed out that staffs report included 73 parking spaces for the existing club house; however, the clubhouse is not part of this development.

LARRY SADOFF, Las Vegas resident, appeared in opposition stating the proposed tower would overshadow the surrounding neighborhood and that he would like to see a shadow, wind and traffic analysis done.

FRANK PANKRATZ, Las Vegas resident, appeared in opposition, stating his greatest concern was with the significantly increased length and height of the proposed tower, making this a massive, single structure. He commented he would like to see the tower rotated.

GREG BIGLER, Las Vegas resident, appeared in opposition, stating he does not know of anyone who supports this project. He also expressed concern over the developers financial stability completing this project.

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DAVID HOROWITZ, Las Vegas resident, appeared in opposition, agreeing with the points made by the other residents who had already spoken.

LOREN PEITERSON, Las Vegas resident, also appeared in opposition, stating the proposed building was not proportionate with the rest of the neighborhood and asked the Commission to consider the neighbors.

KEVIN KEATING, Las Vegas resident, appeared in opposition, requesting further studies be done on the impact and long-term effects relating to wind tunnels, shadowing, views and traffic.

SALLY BIGHER, Las Vegas resident, appeared in opposition, voicing concern that the neighborhood was not properly noticed so she believes not all protests were received by the City. She further expressed concerns over parking and the egress/ingress.

JOHNNY ADAMS, Las Vegas resident, appeared in opposition, concurring with the concerns already expressed by the other residents.

NOAH GAGE, Las Vegas resident, commented the proposed structure currently there is an eyesore and asked the Commission to consider this.

STEPHEN SELKA, Las Vegas resident, appeared in opposition, stating his unit will be directly affected.

TERRY CHASE, Las Vegas resident, appeared in opposition, stating the two existing towers were well thought out and are optimal. However, he does not believe this to be the case with the proposed change to the new tower.

LEONARD SCHWIMMER, Las Vegas resident, appeared in opposition, expressing concerns with having just one entrance and asked staff to take the time to do a feasibility study of the wind and traffic.

ALAN DIAMOND, Las Vegas resident, appeared expressing the developer has been fair by holding two meetings in the building and does not believe that all of the residents are opposed.

FRANK MONTELLO, Las Vegas resident, appeared in opposition, stating his property values would depreciate with the proposed changes to the tower and asked that the Commission reconsider.

STEPHEN BELL, Las Vegas resident, appeared in opposition, stating while he was grateful the developer made some changes, he thought the view issue was being minimized as there was a premium required for some of the views, and he wanted that put on the record. He also felt communication was lacking with regard to the variance requests.

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COMMISSIONER BONAR briefly restated the original and proposed building layouts. He

stated view and wind studies would not be considered, but thought traffic had to be considered. However, since the unit count did not change, he did not foresee a significant traffic change. He also indicated due to the repositioning of the building there would be an update to the drainage. While he preferred the four tower concept, he said the developer had the right to request these amendments and it was the Commission's obligation to review those requested amendments. He then asked his fellow commissioners for their thoughts.

COMMISSIONER QUINN thanked everyone for their input and e-mails as they are taken very seriously. She stated owners purchase the space, not the view, and she believed the developer did the very best they could to ensure greater views were not lost. She agreed a traffic study should be done. MR. BORGE confirmed one had been done, but an update was expected.

In response to COMMISSIONER QUINN's question as to why some individuals knew about the meeting and some didn't, MR. BORGE explained originally they attempted to notify everyone. Subsequent meetings were held with specific groups that expressed an interest. TERRY MURPHY further summarized the residents who were noticed for the meeting held in October, and the meeting with neighbors to the west was subsequent to that. Following the requested changes to the proposed building, everyone in the towers was re-noticed, but not the neighbors to the west. In addition, many smaller meetings were held with the developer and herself as requested by individual neighbors. MS. MURPHY informed COMMISSIONER QUINN approximately 20 people from the west came to the meetings and no one expressed concerns. COMMISSIONER QUINN stated none of the 50-60 complaints she received were from the west residents.

After comparing the previously approved original four tower layout to the proposed layout, COMMISSIONER SCHOTTMAN commented that he did not see how the views would be affected.

COMMISSIONER GOYNES stated it has been established that views cannot be regulated. He believes the developer has done everything properly and if the residents continue to cooperate and go to the meetings, they will see a benefit five years down the road.

COMMISSIONER MOODY communicated appreciation for everyone's comments but agreed it came down to the view. He indicated this was a tough vote for him and hoped there would be some assurance the project would be completed in a timely manner to avoid it becoming an eyesore.

COMMISSIONER TRUESDELL commended the original development team as these two towers came together even though market conditions were not good. While there is concern the third tower may never be built, these developers have presented all of the right information. He stated the community is vibrant and the residents are engaged, but he does not believe their quality of life is less than what was expected. He said there should be on-going communication

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between the developer and the neighbors and that the developer is obligated to deal with any traffic and parking issues.

CHAIR FLANGAS agreed this was a close call as he has received many e-mails and has had many discussions. Although he could sympathize with the residents, he pointed out the Commission was a land use board and that views, wind tunnels and what the real estate company told the residents was not determined by them. Their responsibility was to decide if it was a viable project. He believed, if built properly, it would be a tremendous project. He reiterated traffic was a concern so he asked for clarification on the egress. MR. FORGEL stated there was always only one planned egress and there were no plans to change it. Although the density was not being increased, CHAIR FLANGAS encouraged the applicant to take another look at traffic since there already appears to be a problem during peak times. He also highly recommended continued talks and another meeting be held with residents to alleviate their concerns.

COMMISSIONER BONAR suggested deceleration lanes be considered to help alleviate some of the traffic issues. His hope is the same quality of design, construction, materials and implementation during the development stage be just as cautiously adjudicated as can possibly be done.

CHAIR FLANGAS declared the Public Hearing closed for 10:47:22-24.

