



Agenda Item No.: 53.

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 10, 2018

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERFIELD

☐ Consent ☒ Discussion

SUBJECT:

ZON-72785 - REZONING - PUBLIC HEARING - APPLICANT: NINETY-FIVE/TWO-FIFTEEN CENTER, LLC - OWNER: R. 952, LLC, ET AL - For possible action on a request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: T-C (TOWN CENTER) on 3.14 acres on the west side of Oquirrh Road, 600 feet south of Deer Springs Way (APN 125-21-301-003), Ward 6 (Fiore) [PRJ-72642]. Staff recommends APPROVAL.

C.C.: 5/16/2018

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

227

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps - ZON-72785 and SDR-72786 [PRJ-72642]
2. Conditions and Staff Report - ZON-72785 and SDR-72786 [PRJ-72642]
3. Supporting Documentation - ZON-72785 and SDR-72786 [PRJ-72642]
4. Photo(s) - ZON-72785 and SDR-72786 [PRJ-72642]
5. Justification Letter - ZON-72785 and SDR-72786 [PRJ-72642]
6. School Development Tracking Form from Clark County School District - ZON-72785 and SDR-72786 [PRJ-72642]
7. Protest E-Comment Log and Support Postcards for ZON-72785 and SDR-72786 [PRJ-72642]
8. Submitted After Final Agenda Protest EComment Logs and Protest/Support Postcards for ZON-72785 and SDR-72786 [PRJ-72642]
9. Submitted at Planning Commission Meeting Protest Petition by Dottie Miller for ZON-72785 and SDR-72786 [PRJ-72642]

Motion made by LOUIS DE SALVIO to Deny

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

CHRISTINA ROUSH, TRINITY HAVEN SCHLOTTMAN, SAM CHERRY, VICKI QUINN, DONNA TOUSSAINT, LOUIS DE SALVIO; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR CHERRY declared the Public Hearing open for Items 53 and 54.

PLANNING COMMISSION MEETING OF: APRIL 10, 2018

JONATHAN BOYLES, Sr. Planner, reported that the subject site is located within the Centennial Hills Sector Plan area and has a TC (Town Center) general plan designation. In addition, the subject site is located within the Town Center Master Plan area and has an MS-TC (Main Street Mixed Use - Town Center) special land use designation. The proposed T-C zoning district will bring the site into conformance with its existing TC General Plan designation; therefore, staff recommended support. However, the applicant has requested a waiver of the Town Center Edge Zone development standards to allow three-story structures where two stories is the maximum allowed, which are not oriented to the front building line and do not provide the required building setbacks. Also, a waiver from Town Center landscaping development standards is required to allow the proposed trees within the provided landscape buffers to be planted 30 feet off center, where 20 feet is the minimum allowed.

Additionally, the subject site is not currently located adjacent to the existing Oso Blanca Road roadway. Access to the site is provided through the adjacent parcel to the east of the subject site, which is currently designated as right-of-way. The applicant has indicated that the proposed Town Center streetscape improvements would be installed on the east perimeter of the adjacent right-of-way parcel at a later date once the parcel has been vacated and added to the subject site through a mapping action. Since these improvements are related to this proposed development on the subject site, the applicant requested a waiver from Town Center streetscape development standards to allow deferment of the installation of required streetscape improvements. The Department of Public Works has identified that Oso Blanca Road will be re-aligned to tie into Centennial Center Boulevard with a future Nevada Department of Transportation (NDOT) project. Preliminary design shows a slight shift of the Oso Blanca right-of-way to the west. As staff is not sure how much of the adjacent parcel will be needed for right-of-way, the applicant will need to work with NDOT to finalize those details before they can start construction.

As the development is inconsistent with TC development standards pertaining to the Town Center Edge Zone landscaping and streetscape, staff recommended denial of the SDR. Additional protest letters have been received since publication of the agenda.

DENNIS RUSK appeared on behalf of the applicant and indicated they are working with NDOT. Their principle design is for the multi-family component of their mixed use project. There is a future commercial area that will be part of a commercial subdivision for the entire site, which will be completed once the right-of-way parcel has been vacated and becomes part of the applicant's property. He requested approval of the residential component of their plan.

KENNETH REZENDES, member of his neighborhood's homeowners association board, expressed concern about quality of life and this development being near a gated community. It is also the site of the flyover work that is being done in the area, and Oso Blanca Road access will not be available at the end of 2018 as it will be shut down for construction. MR. REZENDES said that there is nothing else that is commercial in the area, and it will abut to 284 homes. He also commented this will be a visual eyesore.

PLANNING COMMISSION MEETING OF: APRIL 10, 2018

WARREN DEYAK, President of the Timberlake homeowners association, stated this project will create a traffic nightmare. He said that people already tailgate residents into the neighborhood to cut through to Highway 95 and the Clark County 215; this development will bring people in to do the same thing from the opposite end of their community. MR. DEYAK stated they met with NDOT regarding construction plans and discussed the route residents will have to take to enter the community as well as what residents of the proposed building would have to do.

DOTTIE MILLER, member of the Timberlake Board, submitted as backup a protest petition with approximately 25 signatures. She stated there has not been a neighborhood meeting with the developer and they do not know what the project will look like. The area is zoned for two-stories, and she was concerned about traffic. MS. MILLER thought medical offices would be much more compatible.

MARIA CALDIERAR-VAUGHT was concerned about traffic on Oro Blanco Road and stated it took her more than 20 minutes to get from Deer Springs Way to the Clark County 215, which is only one-quarter mile away. She was also concerned about additional lighting and noise pollution.

FRED MOHRKE was concerned that the apartment complex would provide views into the adjacent residential backyards.

COMMISSIONER DE SALVIO thanked for a slew of heads of people in the audience who were present to speak on this item. He said he would never support this project.

JOHNNY VAUGHT was in favor of the subject site being developed but not as shown.

PAT SHAW stated she saved a lot of money to live in this community, and she picked the community because of its safety. People cutting through their neighborhood has created problems they do not need.

STEPHEN RICKMAN concurs with the previous comments. They are a very cohesive community, and they are strongly opposed to this project.

JOANNE SCHWARTZ strongly opposed this and expressed concern about the traffic and the large buildings being built around their community.

MR. DUSK stated he was unaware of the opposition. He requested the opportunity to meet with the neighbors and show them the plan and their excellent product.

COMMISSIONER DE SALVIO stated that the applicant has not reached out to him, COUNCILWOMAN FIORE, the homeowners associations or the surrounding community. MR. RUSK stated he met with the Councilwoman before starting the project, and he called her office and left messages recently.

PLANNING COMMISSION MEETING OF: APRIL 10, 2018

COMMISSIONER DE SALVIO said he would not allow three-story apartments to be built in a neighborhood, and this project is not harmonious and compatible with the area.

CHAIR CHERRY noted that other people came to this meeting in opposition but did not come to the dais to speak and asked them to raise their hands. ASSISTANT CITY ATTORNEY BRYAN SCOTT explained they wished to count the number of people who were opposed. He noted that 17 people raised their hands.

See Item 54 for related backup.

CHAIR CHERRY declared the Public Hearing closed for Items 53 and 54.

