

City of Las Vegas

Agenda Item No. 120

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING RELATED TO GPA-43-99 - PUBLIC HEARING - Z-66-99 - OWENS EQUITIES LIMITED LIABILITY COMPANY - Request for a Rezoning on property located at 4093 East Owens Avenue, FROM: R-E (Residence Estates) TO: R-3 (Medium Density Residential), PROPOSED USE: 96 UNIT APARTMENT COMPLEX, Size: 5.29 Acres, Ward 3 (Reese), APN: 140-30-503-001. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:**Planning Commission****Board of Zoning Adjustment****City Council****APPROVALS RECEIVED BEFORE:****Planning Commission****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application-
3. Staff Report

MOTION:

REESE - Hold Item 119 [GPA-43-99] and Item 120 [Z-66-99] in ABEYANCE to 1/5/2000 - UNANIMOUS with L. McDONALD excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

LYNN AFLEX, Civil Engineer, appeared representing the applicant, concurred with the conditions and requested approval.

COUNCILMAN REESE initially moved for denial because the applicant did not take the time to meet with anybody and because the too-high density could set a precedent for the area. MR. AFLEX requested an opportunity to meet and discuss the matter with COUNCILMAN REESE.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:29 - 3:33)

3-1685

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 120 - Z-66-99

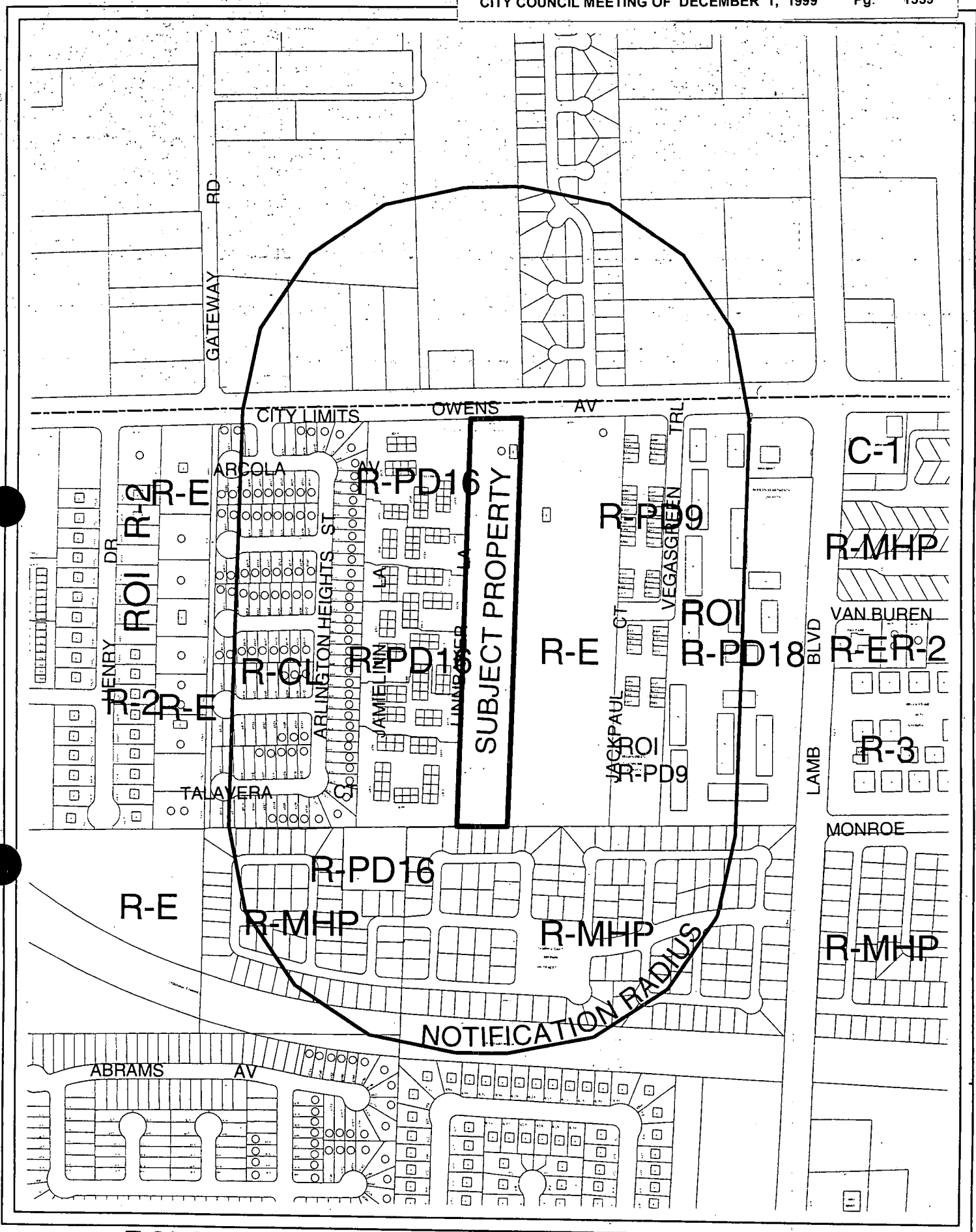
CONDITIONS:

1. A Resolution of Intent.
2. A Site Development Plan Review application shall be approved by the Planning Commission prior to issuance of any permits, any site grading, and all development activity for the site.
3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site as required by the Department of Public Works.
4. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.
5. A Traffic Impact Analysis shall be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 120 - Z-66-99

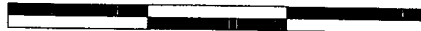
CONDITIONS - Continued:

6. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
7. A Drainage Plan and Technical Drainage Study shall be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.

CASE: **Z-66-99**

RADIUS: 750 FT

0 300 600 900 Feet



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: Z-66-99 - Owens Equities, Limited Liability Company**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. A Resolution of Intent.
2. A Site Development Plan Review application shall be approved by the Planning Commission prior to issuance of any permits, any site grading, and all development activity for the site.
3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site as required by the Department of Public Works.
4. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.
5. A Traffic Impact Analysis shall be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if

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December 1, 1999 City Council Meeting

recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

6. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
7. A Drainage Plan and Technical Drainage Study shall be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.

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December 1, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

The request is for a Rezoning of 5.29 acres of property located at 4093 Owens Avenue. The request is to rezone from R-E (Residential Estates) to R-3 (Medium Density Residential) zone. The proposed development is a 96-unit 16-building apartment complex.

BACKGROUND DATA:

10/21/99 The Planning Commission recommended approval of a General Plan Amendment (GPA-43-99) from ML (Medium-Low Density Residential) to M (Medium-Low Density Residential) designation of this site.

DETAILS OF APPLICATION REQUEST:

Site Area:	5.29	Acres
Residential Buildings:	16	
Residential Units	96	
Residential Density	18.15	Units Per Acre

ZONING AND LAND USE OF ADJACENT PROPERTIES:

North	Clark County	Undeveloped; Single Family Residential
South	R-MHP (Residential Mobile Home Park)	Mobile Home Park
East	R-E (Residence Estates)	Undeveloped
West	R-5 (Apartment)	Multi-Family Residential

ANALYSIS AND FINDINGS:

GENERAL PLAN:

The subject site is currently designated ML (Medium Low Density Residential) on the Southeast Sector Map of the Las Vegas General Plan. The applicant has requested an amendment to the Southeast Sector Map to M (Medium Density Residential) on the subject site. The requested Rezoning of the entire site to R-3 (Medium Density Residential) will be consistent with the requested General Plan designation. Staff has found the requested General Plan amendment to be

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appropriate for the site and has recommended approval because the request will result in a residential density compatible with existing and planned residential development in the surrounding area.

REZONING:

Staff finds the proposed rezoning to R-3 (Medium Density Residential) on this site will allow a residential density lower than the density of 50+ units per acre allowable on the adjacent site to the west. The density of 18 units per acre with the proposed apartment project on this site will be comparable to the maximum of 11 units per acre allowed under existing zoning adjacent to the south.

FINDINGS:

In order to approve a Rezoning application, pursuant to Las Vegas Municipal Code Section 19A.18.040(K) the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The subject site is currently designated ML (Medium Low Density Residential) on the Southeast Sector Map of the Las Vegas General Plan. The applicant has requested an amendment to the Southeast Sector Map to M (Medium Density Residential) on the subject site. The requested Rezoning of the site to R-3 (Medium Density Residential) will be consistent with the requested General Plan designation for the site.

2. "The uses which would be allowed on the subject property by approving the Rezoning will be compatible with the surrounding land uses and zoning districts."

Staff finds that the type of uses potentially allowable under the R-3 (Medium Density Residential) zone will be compatible with newer adjacent development. The proposed Rezoning will provide a transition in allowable densities between existing adjacent R-5 (Apartment) and R-MHP (Residential Mobile Home Park) zones. Staff finds the proposed use of the site will be a comparable density to the adjacent residential land uses and zoning district to the south, and will be substantially lower allowable density than the zoning district to the west.

3. "Growth and development factors in the community indicate the need for or appropriateness of the Rezoning."

Staff finds that the proposed rezoning for multi-family residential uses will meet a need for larger rental housing uses in the surrounding neighborhood. Significant residential development at various densities already exists in the surrounding area, and the proposed

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project will provide a housing type not currently provided in the immediate vicinity. Therefore, staff finds the requested rezoning will be responsive to identified needs in the community.

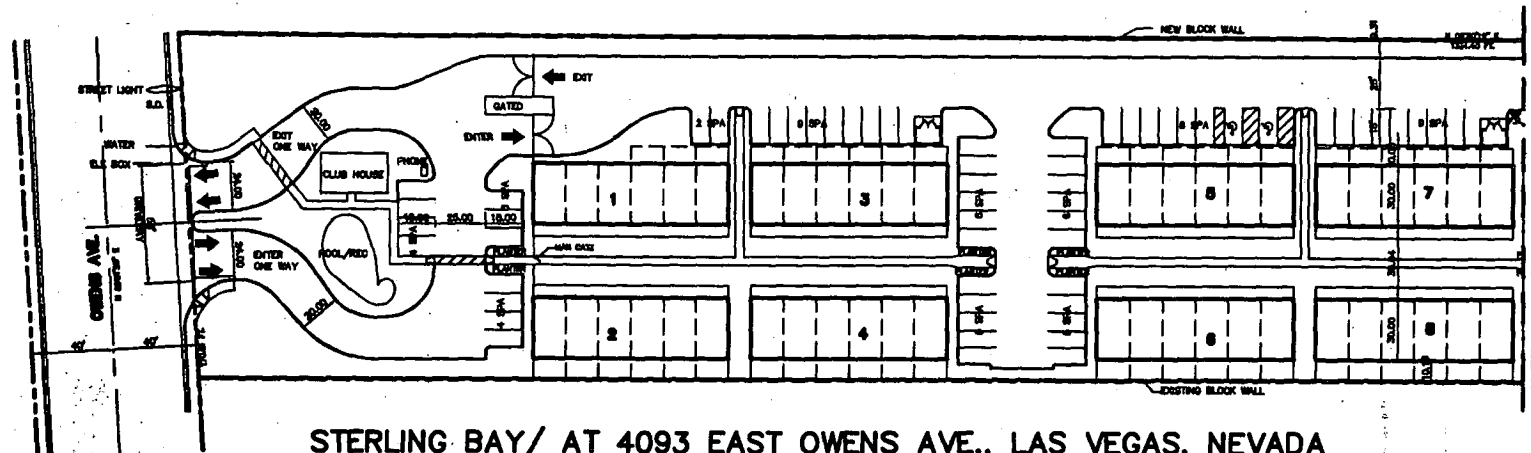
4. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."**

Staff finds the existing streets to provide access to the subject site are larger streets intended for commercial traffic, and will be appropriate for the proposed Rezoning.

PC NOTICES MAILED: 815

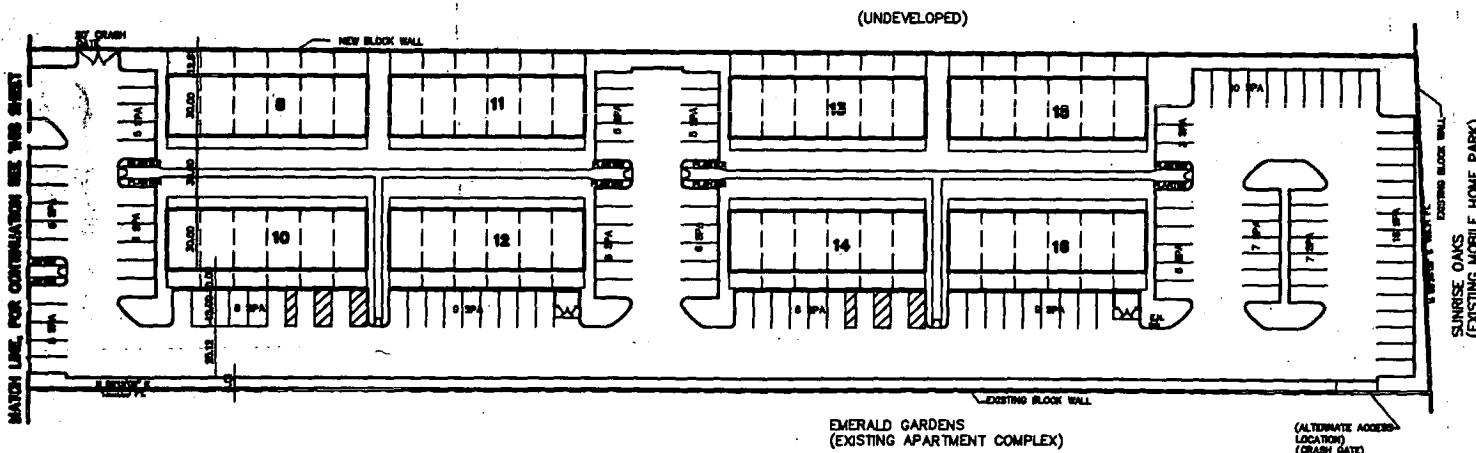
APPROVALS: 0

PROTESTS: 0



STERLING BAY/ AT 4093 EAST OWENS AVE., LAS VEGAS, NEVADA

A PROPOSED 96 UNIT TOWNHOME/APARTMENT DEVELOPMENT

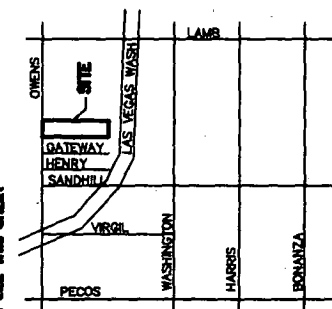


EMERALD GARDENS
(EXISTING APARTMENT COMPLEX)

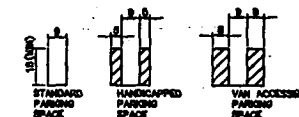
(ALTERNATE ACCESS
(GRASS GATE))

STAFF Z-66-99

11-18-99 PC



VICINITY MAP
NO SCALE



RESIDENTIAL SITE INFORMATION

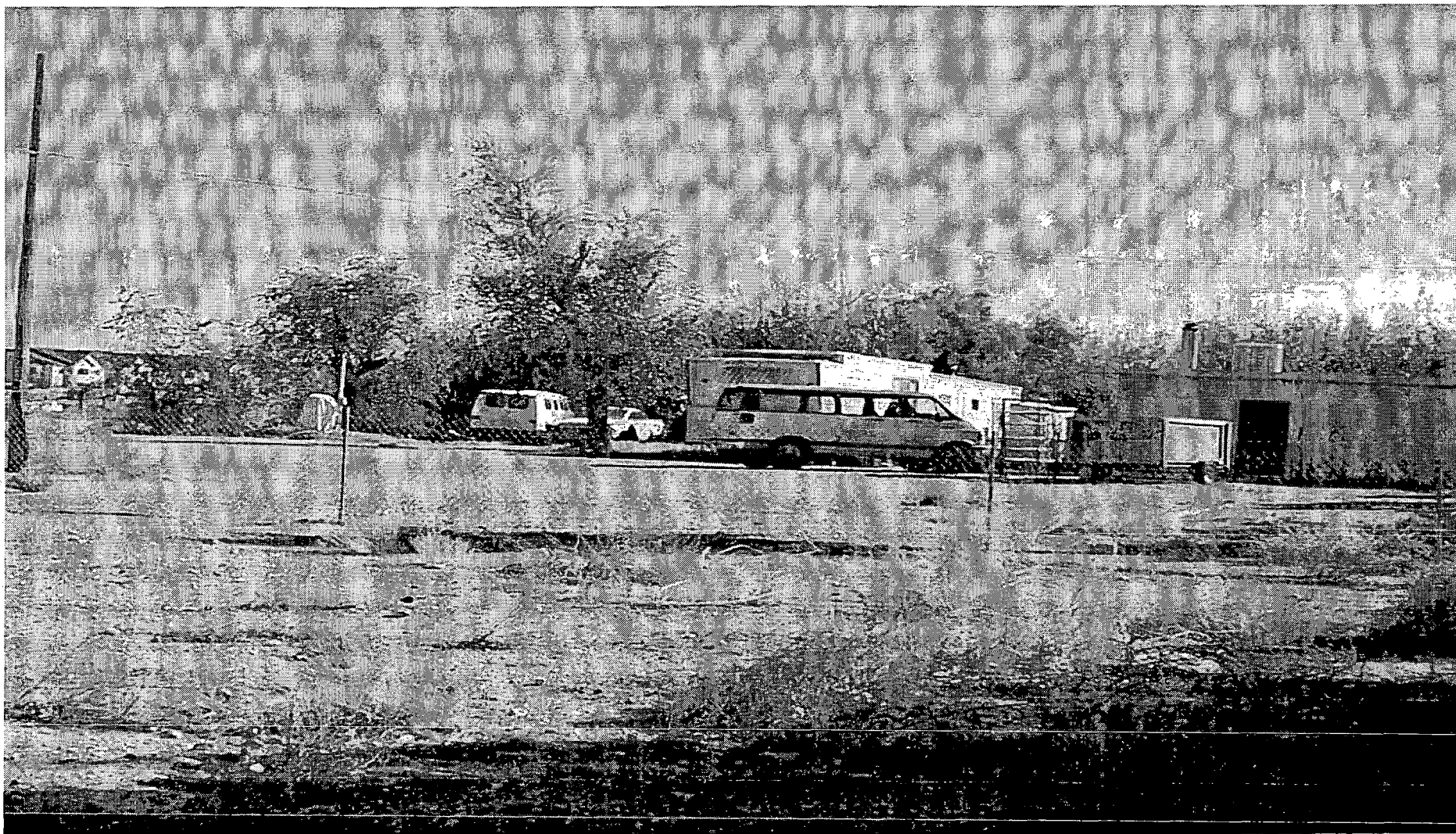
APN 140-30-003-001
ZONING - CITY OF LAS VEGAS
R-3 (MASTER PLANNED M.L.)
AREA
GROSS AREA = 0.29 ACRES
NET AREA = 0.19 ACRES
BUILDINGS
16 FLEX BUILDINGS = 16
2 BEDROOM UNITS = 68 UNITS
DENSITY = 18 UNITS PER ACRE
PARKING
CODE REQUIRED = 1.75 PER UNIT
PROVIDED = 108
RATIO PROVIDED = 1.88 PER UNIT
H.C. REQUIRED = 6
H.C. PROVIDED = 6
SETBACKS
FRONT = 25 FT.
REAR = 20 FT.
SIDE = 10 FT.
CORNER = 10 FT.
BUILDING HEIGHT
ALLOWED = 2 STORIES OR 20 FT.
PROVIDED = 2 STORIES, 22 FT.
LANDSCAPING
MINIMUM = 10%
PROPOSED (APPROX.) = 63900 SQ.FT. = 53%

SITE PLAN

STERLING BAY TOWNHOUSE APTS.
4093 EAST OWENS AVE.
FOR N2 NE4 SEC 30, T20S, R00E, M0M

CITY COUNCIL MEETING OF DECEMBER 1, 1999

Pg. 1565



Z-66-99 AND Z-66-99(1) - OWENS EQUITIES LIMITED LIABILITY COMPANY
4093 EAST OWENS AVENUE
NOVEMBER 18, 1999 PLANNING COMMISSION

City of Las Vegas

Agenda Item No. 121

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-26-99 - CALVIN OWENS AND LAMB OF GOD LUTHERAN CHURCH - Request to Amend a portion of the Northwest Sector Plan of the General Plan on property located between Azure Drive and the proposed Beltway, approximately 630 feet east of Jones Boulevard, From: R (Rural Density Residential) To: L (Low Density Residential), Ward 4 (Brown), APN: 125-25-101-003 and 008. Staff recommends APPROVAL. The Planning Commission (4-1-1 vote) recommends DENIAL.

PROTESTS RECEIVED BEFORE:**Planning Commission****Board of Zoning Adjustment****City Council****APPROVALS RECEIVED BEFORE:****Planning Commission****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

Staff recommends APPROVAL.

The Planning Commission (4-1-1 vote) recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application- Not Applicable
3. Staff Report

MOTION:**BROWN - APPROVED - UNANIMOUS with L. McDONALD excused****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY BILL CURRAN, Curran & Parry, 601 South Rancho Drive, appeared representing PASTOR WAYNE CONICK, Lamb of God Lutheran Church, who was present. ATTORNEY CURRAN pointed out 33 individuals and a representative from Pulte Homes in the audience in support of the application. The Church sits on the south side of the proposed Beltway. The County condemnation of the property created a problem by cutting off access to a small adjacent parcel of land. City staff contacted MR. OWENS after it discovered the problem to arrange a meeting, at which representatives from Pulte Homes were present and made a proposal. Several months of discussion took place before the Church determined if it could do without the land.



Agenda Item No. 121

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 121 - GPA-26-99

MINUTES - Continued:

Mr. Curran presented a site plan reflecting the incorporation by Pulte Homes of the additional property into its development. Pulte Homes intends to redesign and submit a new plan after the sale is completed. He concurred with the conditions imposed on Item 122 [Z-58-99].

COUNCILMAN BROWN wished PASTOR CALVIN OWENS, Lamb of God Lutheran Church, who came forward, good luck on his upcoming retirement in January of 2000.

DAVID PETROVICH, Planning and Development Department, recommended deletion of Condition No. 1 on Item 122 since the GPA carries no conditions.

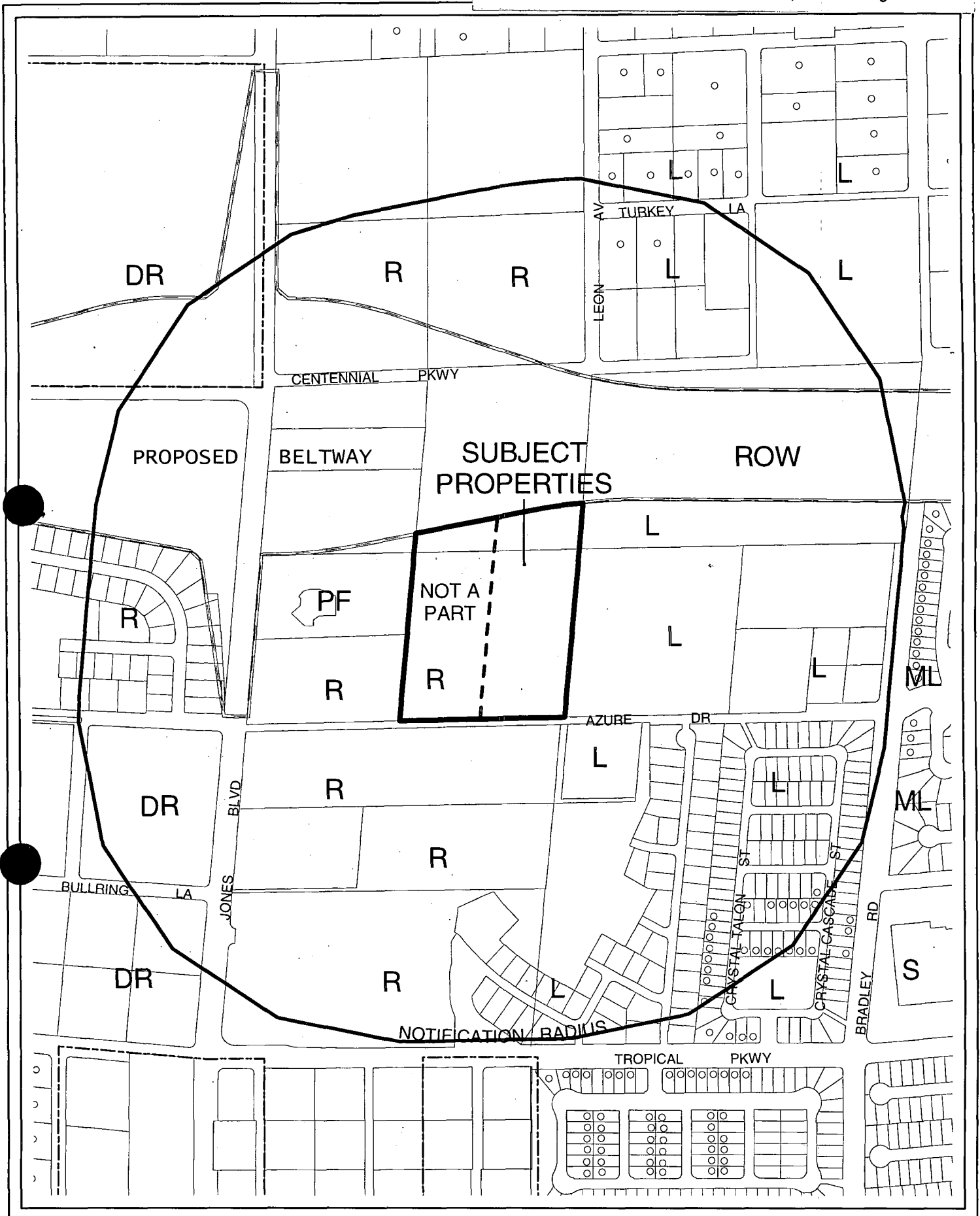
No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:33 - 3:39)

3-1830

CASE: **GPA-26-99**

RADIUS: 1320 FT

0 500 1000 Feet



121

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: GPA-26-99 - Calvin Owens and Lamb of God Lutheran Church

**** CONDITIONS ****

The Planning Commission (4-1-1 vote) recommends DENIAL.

Staff recommends APPROVAL.

GPA-26-99 - Page Two
December 1, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This amendment to the Northwest Amendment to the General Plan from R (Rural) to L (Low Density Residential) was filed for the purpose of accommodating the development of single family homes. The applicant justified the request for the following reasons:

1. It is the developer's intention to incorporate this area into the existing Eagle Creek II residential development to the east.
2. The proposed land use will be compatible with surrounding properties and will lower the overall density of the Eagle Creek II project.
3. The application will facilitate the amalgamation of two parcels and eliminate access restrictions to the smaller parcel.

BACKGROUND DATA:

- 08/12/68 The Coordinated General Plan for the Las Vegas Valley is approved, and designates the subject parcels as Rural.
- 05/26/77 The Land Use Element of the Regional Comprehensive Plan is approved and designates the subject parcels as Rural Density Residential (up to 0.5 DUA).
- 08/07/85 The General Plan for the City of Las Vegas is approved, and designates the subject parcels, in Community Profile 12, as Rural Density Residential (0-3 DUA).
- 04/01/92 The City of Las Vegas General Plan was adopted by City Council. In this Plan, the subject parcels were designated for Rural Residential land uses (up to 3.96 SFUE).
- 12/13/96 An Annexation Ordinance is approved for approximately 17 acres of the parcel to the south of the subject site.
- 05/23/97 An Annexation Ordinance is approved for the remaining 42.8 acres of the parcel to the south of the subject site.
- 05/27/97 City Council approves a request for Rezoning of the parcel to the south of the subject site from N-U (Non-Urban) to R-PD3 (Residential Planned Development - 3 DUA), for the development of 208 single family dwellings.

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- 01/28/98 City Council approves a request for Rezoning of a parcel to the west of the subject site from R-E (Residence Estates) to C-V (Civic), for the development of a communication monopole tower.
- 09/14/98 City Council approves a request for Rezoning of the adjacent 18.7 acre parcel to the east of the subject site from R-E (Residence Estates) to R-PD5 (Residential Planned Development - 5 DUA), for the development of 99 single family dwellings.
- 07/09/99 The Northwest Sector Plan, which amended the City's General Plan, was adopted by City Council. In this Plan, the designation of the subject parcels remained Rural Density Residential, but the allowable density ranges changed to between 2.1 and 3.5 DUA.

DETAILS OF APPLICATION REQUEST:

Site Area: 12.5 Acres

EXISTING LAND USE:

Subject Properties: Vacant land
North: Vacant land
South: Vacant land
East: Vacant land
West: Vacant land and church

PLANNED LAND USE:

Subject Properties: Rural
North: right-of-way (Proposed Beltway)
South: Rural
East: Low (3.6 to 5.5 DUA)
West: Rural

EXISTING ZONING:

Subject Properties: R-E (Residence Estates)
North: None (right-of-way)
South: U (R) ROI to R-PD3
East: R-E (Residence Estates) ROI to R-PD5
West: R-E (Residence Estates)

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December 1, 1999 City Council Meeting

ANALYSIS:

Definitions:

Rural Density Residential (R) - (2.1 to 3.5 DUA) The Rural Density Residential category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a life-style much like that of the Desert Rural, but with a smaller allowable lot size.

Low Density Residential (L) - (3.6 to 5.5 DUA) This category permits single family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

The subject site is currently vacant, as are the abutting sites to the west and south. To the north of the site is vacant land which is intended to form a portion of the right-of-way for the future Beltway limited access highway. To the east and south of the subject parcel are vacant lands approved, subject to conditions, for the development of single family residential development. There is an existing single family residential development to the southeast of the site. Further west of the subject site is an existing church (Lamb of God Lutheran Church) and a 75 ft. high monopole communications tower. Southwest of the subject site is an existing Nevada Power substation.

With the exception of the future Beltway right-of-way to the north of the subject site, the site does not abut any existing or proposed roads which are designated as a Primary Roadway (100 ft.) or as a Secondary Roadway (80 ft.), on the Master Plan of Streets and Highways.

The stated intent of the applicant is to use the subject site for the development of single family housing similar in character to that development approved for the abutting site to the east. The subject site is located within the Northwest Sector Plan of the City's General Plan. This Plan was most recently amended by City Council in July, 1999. The Plan currently designates the subject site as Rural.

The subject site is located in a newly developing area of the City where utilities and services are not currently in place and available to this site. The site is approximately two miles northwest of Fire Station No. 9 at 4747 North Rainbow Boulevard, and is about seven miles north of the Northwest Area Command at Jones Boulevard and U.S. 95. The site will be about six miles east of the future Northwest Area Command/Training Facility location on Cheyenne Avenue west of Fort Apache Road. The site is approximately three miles from the Elkhorn/Durango Ballfields at Elkhorn Road and U.S. 95, the Children's Memorial Park at Gowan Road and Torrey Pines Drive, and Bunker Family Park at Alexander Road and Tenaya Way.

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Chapter 19A.18.030.I of the Las Vegas Zoning Code requires the following four conditions to be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or designations;
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan designation; and
4. The proposed amendment conforms to other applicable adopted plans and policies.

With regard to "1" above, the proposed land use category allows for activities which are compatible with those which are proposed for the adjacent lands to the east and south.

With regard to "2" above, the subject site will require rezoning, probably to the R-PD (Residential Planned Development) District to implement the L land use category. The entire area surrounding the subject site can be expected to be redesignated and rezoned for low density residential uses, out to the Jones Boulevard/Beltway intersection in the future.

With regard to "3" above, local infrastructure can be extended to service the proposed development from adjacent sites.

With regards to "4" above, there are no additional policies and procedures that would be applicable.

Per policy set forth in the City of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 21 days of the closing date of the application. In accordance with the above, on 09/14/99, a neighborhood meeting, sponsored by the applicant, was held at the Lied Community School, 5350 W. Tropical Parkway. There were two interested parties in attendance. Concerns expressed by these residents included the location and design of open space being provided as part of the project, and the type of street lighting to be provided in the development.

FINDINGS:

Staff finds this amendment appropriate for the following reasons:

1. Although the Northwest Sector Plan designates this site, as well as the adjacent lands to the west and south, for Rural uses, designation of the site in question for Low Density Residential uses would allow for the westward expansion of the approved Low Density Residential area to the immediate east of the subject site. With the exception of the existing church site to the west, this change would allow for a logical expansion of low density residential land uses westward through this area.

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December 1, 1999 City Council Meeting

2. The site abuts lands approved for or intended for residential development of similar density to that proposed on the subject site.
3. This application meets the requirements of Section 19A.18.030.I of the City of Las Vegas Zoning Code regarding subsections 1, 2, 3 and 4.

AGENCY COMMENTS:

This application was circulated on 9/3/99 to the departments and agencies listed below, for comments by 9/29/99. As of this date, the following comments have been received:

Department of Public Works - We have no comment on the request to amend a portion of the Northwest Sector of the General Plan for property located between Azure Drive and the proposed Beltway, approximately 630 feet east of Jones Boulevard, From: R (Rural Density Residential) To: L (Low Density Residential). Upon development, appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required.

Permits/Inspections - No Comment received

Fire Prevention - No Comment received

Metro (Intergovernmental Services) - No Comment received

PC NOTICES MAILED: 46

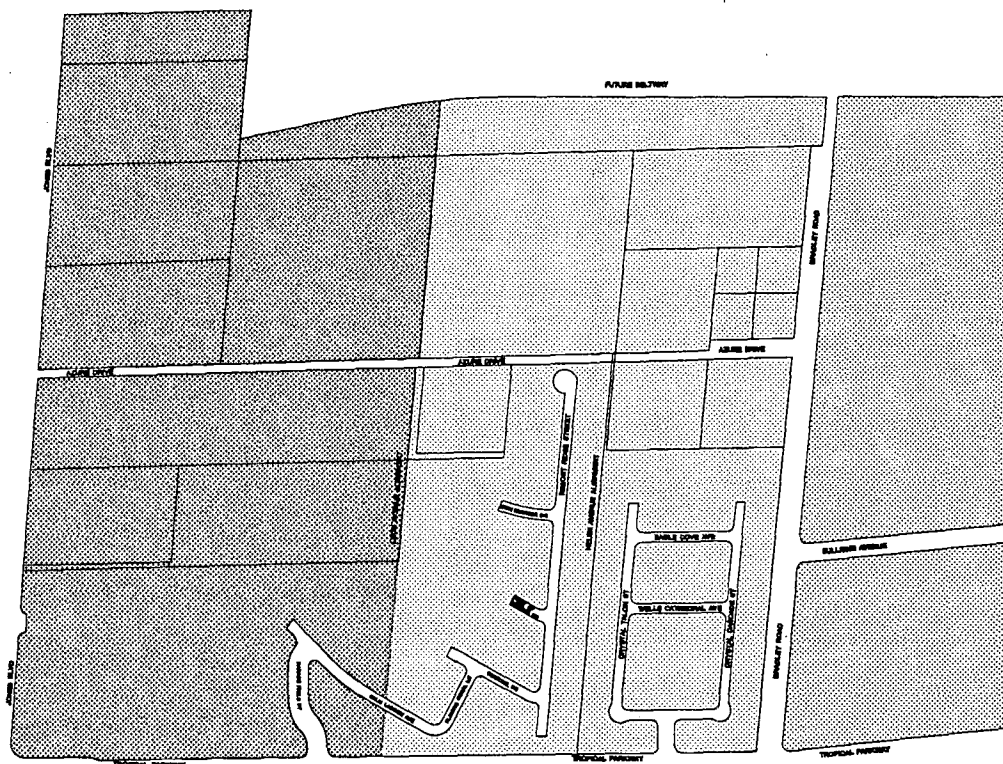
APPROVALS: 0

PROTESTS: 1

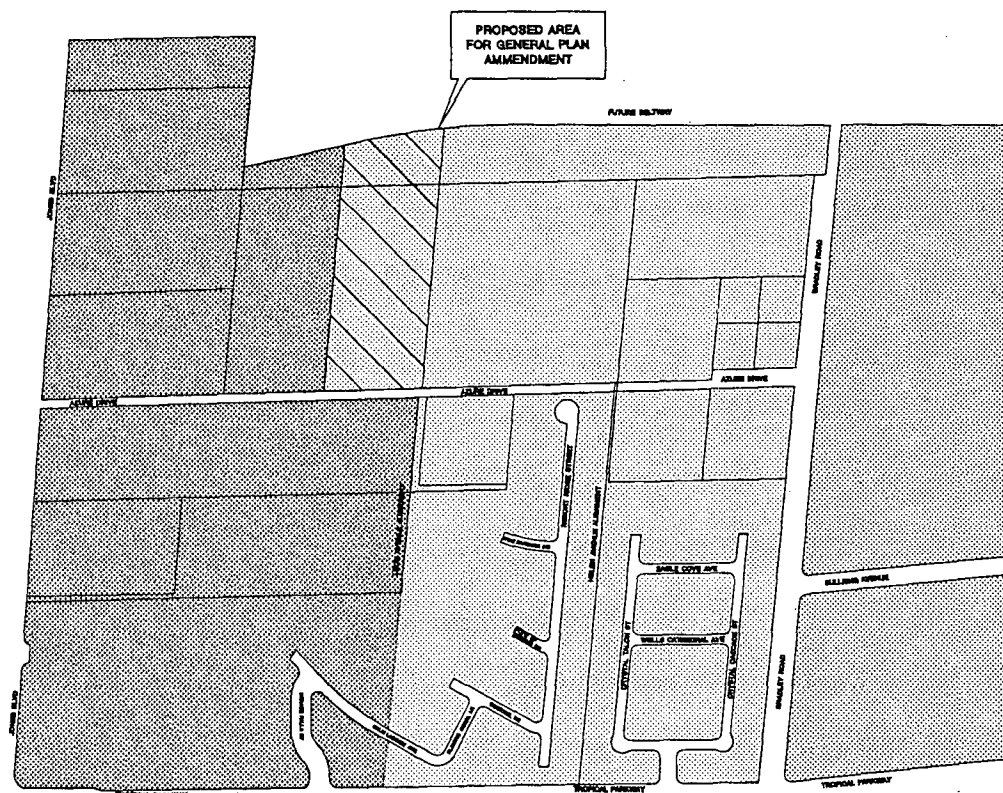
[One public comment was received in opposition for reasons that the existing R (Rural) designation can accommodate expansion of the approved subdivision to the east.]

[Note: The Commission determined that both the existing and planned development pattern in the area respects Leon Avenue as a boundary between higher density L (Low) designations to the east and lower density R (Rural) designations to the west; therefore, the proposed L (Low) designation west of Leon crosses this established line.]

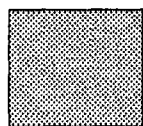
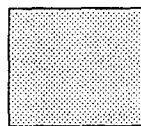
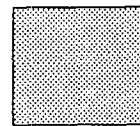
EXISTING



PROPOSED



LEGEND

RURAL
(2.1-3.5)LOW
(3.6-5.5)MEDIUM-LOW
(5.6-8.0)

LAND USE

Carter Burgess
 Consultants in Planning, Engineering, Architecture,
 Construction Management, and Related Services
 8055 Bermuda Road
 Las Vegas, Nevada 89119
 (702) 938-6400 Fax (702) 938-6454

DESIGNED: JEB
 DRAWN: JEB
 CHECKED: JEB
 JOB NO.: 81776-01
 SCALE: 1"=100'
 DATE: 5/28/99

EXHIBIT-A

GPA-26-99
 10-21-99 QPC

City of Las Vegas

Agenda Item No. 122

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING RELATED TO GPA-26-99 - PUBLIC HEARING - Z-58-99 - LAMB OF GOD LUTHERAN CHURCH - Request for a Rezoning on property located adjacent to the north side of Azure Drive approximately 1,345 feet west of Bradley Road FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development - 5 Units Per Acre), PROPOSED USE: 35 LOT SINGLE FAMILY SUBDIVISION, Size 6.88 Acres, Ward 4 (Brown), APN: 125-25-101-003 and 008. Staff recommends APPROVAL. The Planning Commission (5-1 vote) recommends DENIAL.

PROTESTS RECEIVED BEFORE:**Planning Commission****0****Board of Zoning Adjustment****City Council****APPROVALS RECEIVED BEFORE:****Planning Commission****0****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (5-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application-
3. Staff Report

MOTION:

BROWN - APPROVED subject to conditions and deleting Condition #1 - UNANIMOUS with L. McDONALD excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY BILL CURRAN, Curran & Parry, 601 South Rancho Drive, appeared representing PASTOR WAYNE CONICK, Lamb of God Lutheran Church, who was present.

No one appeared in opposition.

See Item 121 [GPA-26-99] for related discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:33 - 3:39)

3-1830

City of Las Vegas

Agenda Item No. 122

CITY COUNCIL MEETING OF DECEMBER 1, 1999 PLANNING & DEVELOPMENT ITEM 122 - Z-58-99

CONDITIONS:

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment GPA-26-99.
2. A Site Development Plan Review must be submitted and approved by City Council prior to the submittal of a Tentative Map as required by the Planning and Development Department.
3. Coordinate with the City Surveyor to determine whether appropriate other maps shall record prior to the recordation of any maps on this site as required by the Department of Public Works.
4. Dedicate 30 feet of right-of-way adjacent to this site for Azure Drive as required by the Department of Public Works.
5. Construct half-street improvements including appropriate overpaving on Azure Drive adjacent to this site concurrent with development of this site as required by the Department of Public Works. Also, construct a minimum of two lanes of paving on Azure Drive extending from the west edge of this site westward to tie into existing improvements on Jones Boulevard concurrent with development of this site; "Goecke" paving may be allowed for this extended paving requirement, unless already constructed on the south side at the time of this development.
6. Extend public sewer in Azure Drive to the west edge of this development along an alignment and to a location acceptable to the City Planning Engineer as required by the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. All active access drives shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 122 - Z-58-99

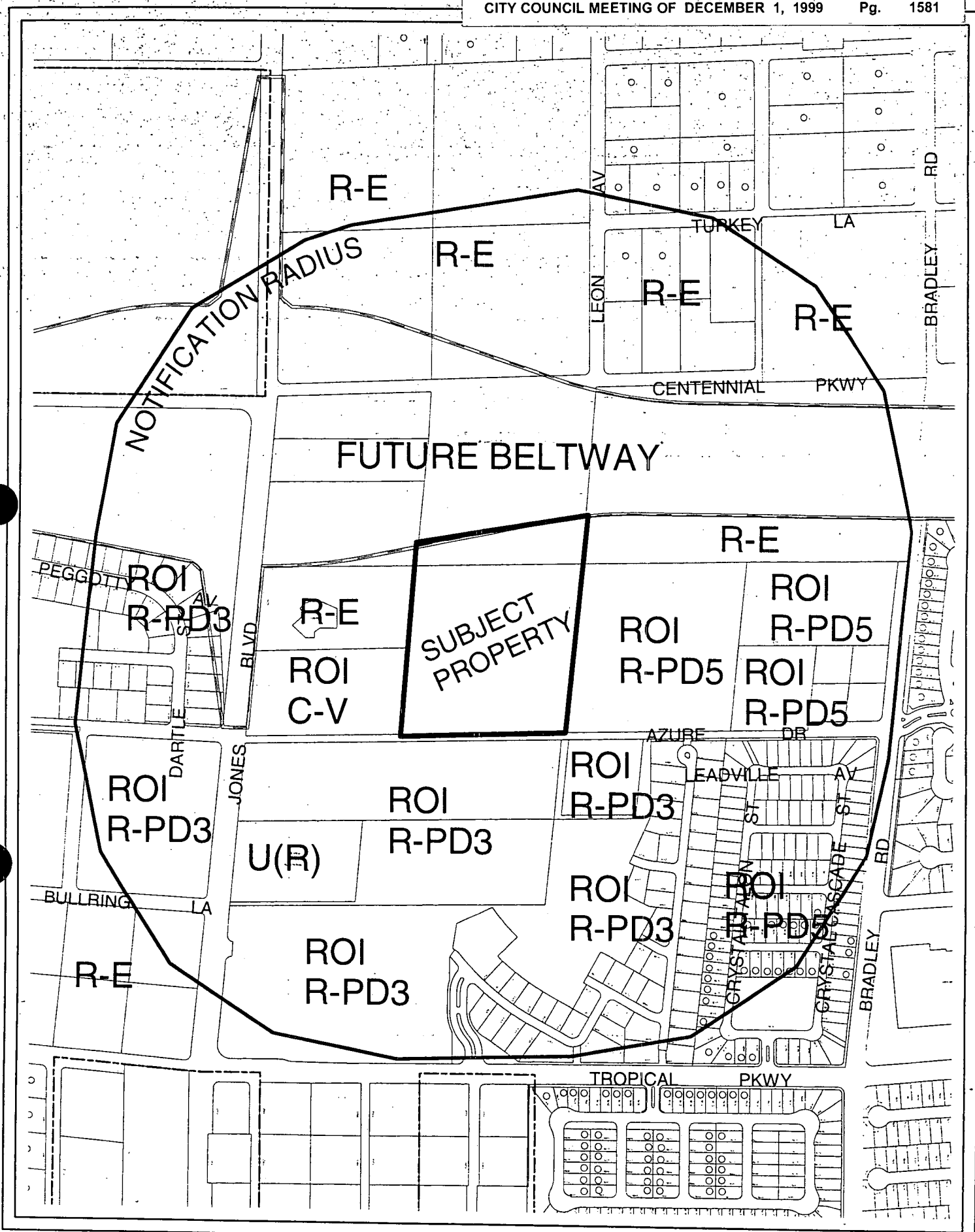
CONDITIONS - Continued:

8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to both the applicant and the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City reserves the right to utilize the contributed traffic monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.
9. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 122 - Z-58-99

CONDITIONS - Continued:

11. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
12. A Resolution of Intent with a twelve month time limit.

CASE: **Z-58-99**

RADIUS: 1320 FT

0 300 600 900 Feet



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: Z-58-99 - Lamb of God Lutheran Church**

**** CONDITIONS ****

The Planning Commission (5-1 vote) recommends DENIAL.

Staff recommends APPROVAL, subject to:

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment GPA-26-99.
2. A Site Development Plan Review must be submitted and approved by City Council prior to the submittal of a Tentative Map as required by the Planning and Development Department.
3. Coordinate with the City Surveyor to determine whether appropriate other maps shall record prior to the recordation of any maps on this site as required by the Department of Public Works.
4. Dedicate 30 feet of right-of-way adjacent to this site for Azure Drive as required by the Department of Public Works.
5. Construct half-street improvements including appropriate overpaving on Azure Drive adjacent to this site concurrent with development of this site as required by the Department of Public Works. Also, construct a minimum of two lanes of paving on Azure Drive extending from the west edge of this site westward to tie into existing improvements on Jones Boulevard concurrent with development of this site; "Goecke" paving may be allowed for this extended paving requirement, unless already constructed on the south side at the time of this development.
6. Extend public sewer in Azure Drive to the west edge of this development along an alignment and to a location acceptable to the City Planning Engineer as required by the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. All active access drives shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

Z-58-99 - Page Two

December 1, 1999 City Council Meeting

8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to both the applicant and the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City reserves the right to utilize the contributed traffic monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.
9. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.
11. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
12. A Resolution of Intent with a twelve month time limit.

Z-58-99 - Page Three
December 1, 1999 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST:

This request is for a Rezoning on property located on the north side of Azure Drive, approximately 1,345 feet west of Bradley Road from R-E (Residence Estates) to R-PD5 (Residential Planned Development - 5 Units Per Acre).

BACKGROUND DATA:

10/21/99 The Planning Commission recommended denial of a request for a General Plan Amendment (GPA-26-99) from R (Rural Density Residential) to L (Low Density Residential).

DETAILS OF APPLICATION REQUEST:

The applicant is proposing to develop a 35 lot single-family subdivision on a 6.88 acre parcel. The density for this project will be 5.09 dwelling units per acre. The applicant must submit a Site Development Plan Review for review and approval to establish the layout of the proposed subdivision which will include lot sizes, open space provision, street layout, setbacks, landscaping and building elevations.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	Future Northern Beltway	
South	R-PD3 (Residential Planned Development - 3 Units Per Acre)	Unimproved
East	R-PD5 (Residential Planned Development - 5 Units Per Acre)	Apartments
West	R-E (Residence Estates)	Nevada Power
		Substation
	C-V (Civic)	Church

Z-58-99 - Page Four
December 1, 1999 City Council Meeting

ANALYSIS AND FINDINGS:

GENERAL PLAN:

The subject site is currently designated as R (Rural Density Residential) on the Northwest Sector of the General Plan. The proposed rezoning is not consistent with the R General Plan Designation which would allow a maximum of 3.5 dwelling units per acre. The proposed General Plan Amendment to L (Low Density Residential) must be approved to make the R-PD5 (Residential Planned Development - 5 Units Per Acre) zoning consistent with the General Plan.

REZONING:

Staff finds the proposed R-PD5 (Residential Planned Development - 5 Units Per Acre) permits a density up to 5.49 dwelling units per gross acre. The same zoning, R-PD5 (Residential Planned Development - 5 Units Per Acre), has been approved for the property to the east of this site.

FINDINGS:

1. "The proposal conforms to the General Plan."

The subject site is designated R (Rural Density Residential) on Northwest Sector of the General Plan. As such, the proposed rezoning would not be consistent. However, the General Plan is proposed to be amended to L (Low Density Residential) on this site. The L designation allows a general density range up to 5.5 dwelling units per acre; therefore, staff finds the proposed the R-PD5 (Residential Planned Development - 5 Units Per Acre) at a density of 5.09 dwelling units per acre to be compatible subject to approval of the General Plan Amendment.

2. "The uses which would be allowed on the subject property by approving the Rezoning will be compatible with the surrounding land uses and zoning districts."

Staff finds that the proposed the R-PD5 (Residential Planned Development - 5 Units Per Acre) with a density of 5.09 dwelling units per acre to be higher than the density of proposed single-family development to the south of this site. However, staff finds that the proposed density is consistent and compatible with the development trends in the area, such as the approved single-family development to the east, and will be appropriate for the neighborhood.

3. "Growth and development factors in the community indicate the need for or appropriateness of the Rezoning."

Z-58-99 - Page Five
December 1, 1999 City Council Meeting

Staff finds that the proposed rezoning for single-family uses will meet identified needs in the community for detached single-family housing. Therefore, staff finds the requested rezoning and proposed project will be responsive to existing needs in the community.

4. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."**

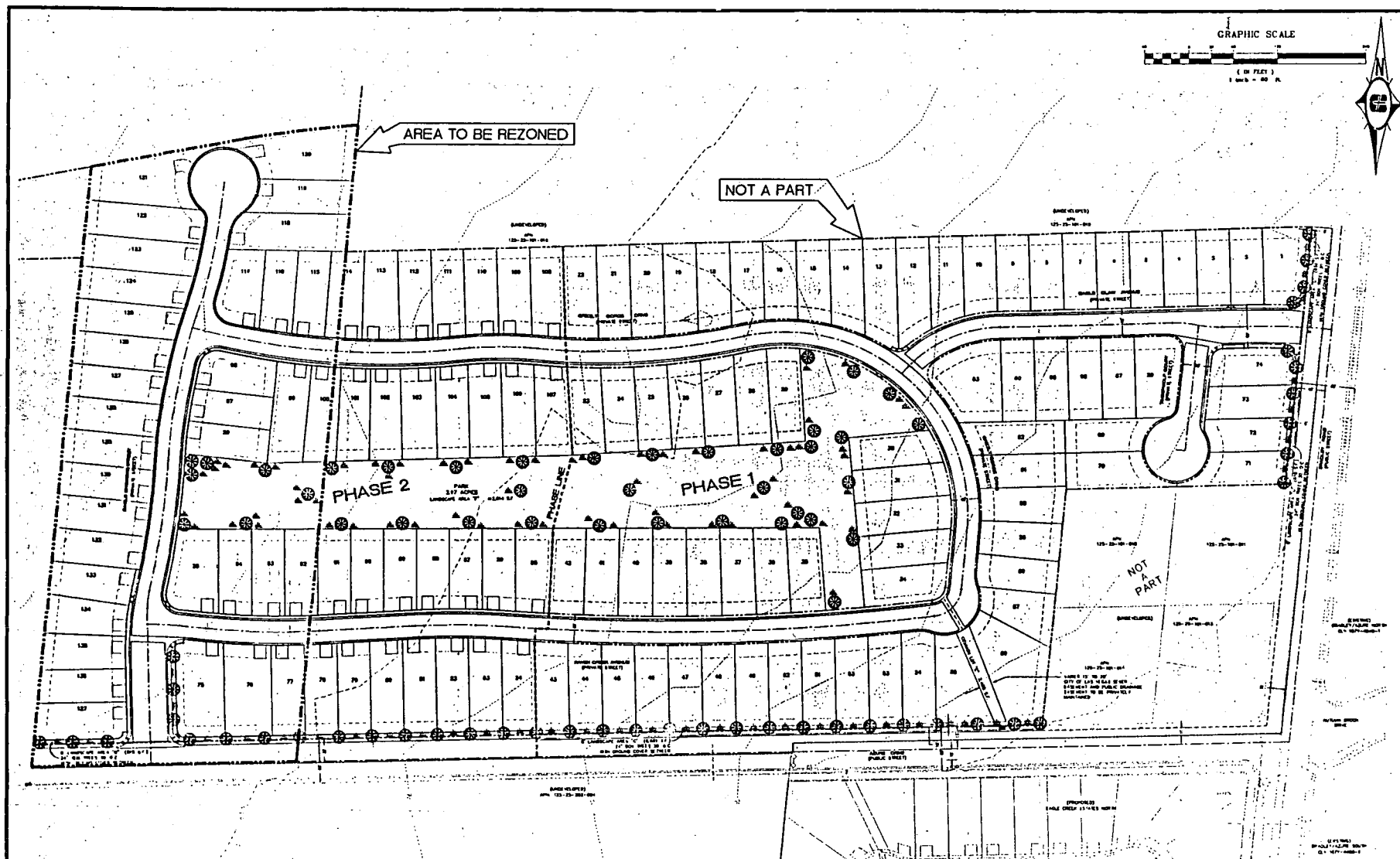
Staff finds the existing street system is not fully developed around the subject site; therefore, construction of Azure Drive will be necessary to have adequate capacity to accommodate traffic generated by the proposed development of this site.

PC NOTICES MAILED: 59

APPROVALS: 0

PROTESTS: 0

[Note: The Planning Commission denial was in accord with the Commission's denial on the related GPA-26-99 on October 21, 1999.]



BASIS OF BEARING

NORTH BEARING: S+11 BEING THE CENTERLINE OF AZURE DRIVE
AS SHOWN ON RECORDS OF SURVEY FILE 52 PAGE 70 AND FILE
80 PAGE 11 IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY
NEVADA

BENCHMARK

CITY OF LAS VEGAS BENCHMARK: 823 11502204 BEING AN ALCP
ON REAR AT THE CENTERLINE INTERSECTION OF CENTRAL PARK
AND BRADLEY ROAD
NAD83 ELEVATION: 2302.17 = 701.885 METERS

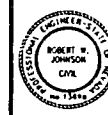
Z-58-99
STAFF 10-28-99 PC

- RAYWOOD ASH
24" BOX TREES 30' O.C.
- ▲ CAZABA
5 GAL - 50% MINIMUM COVERAGE

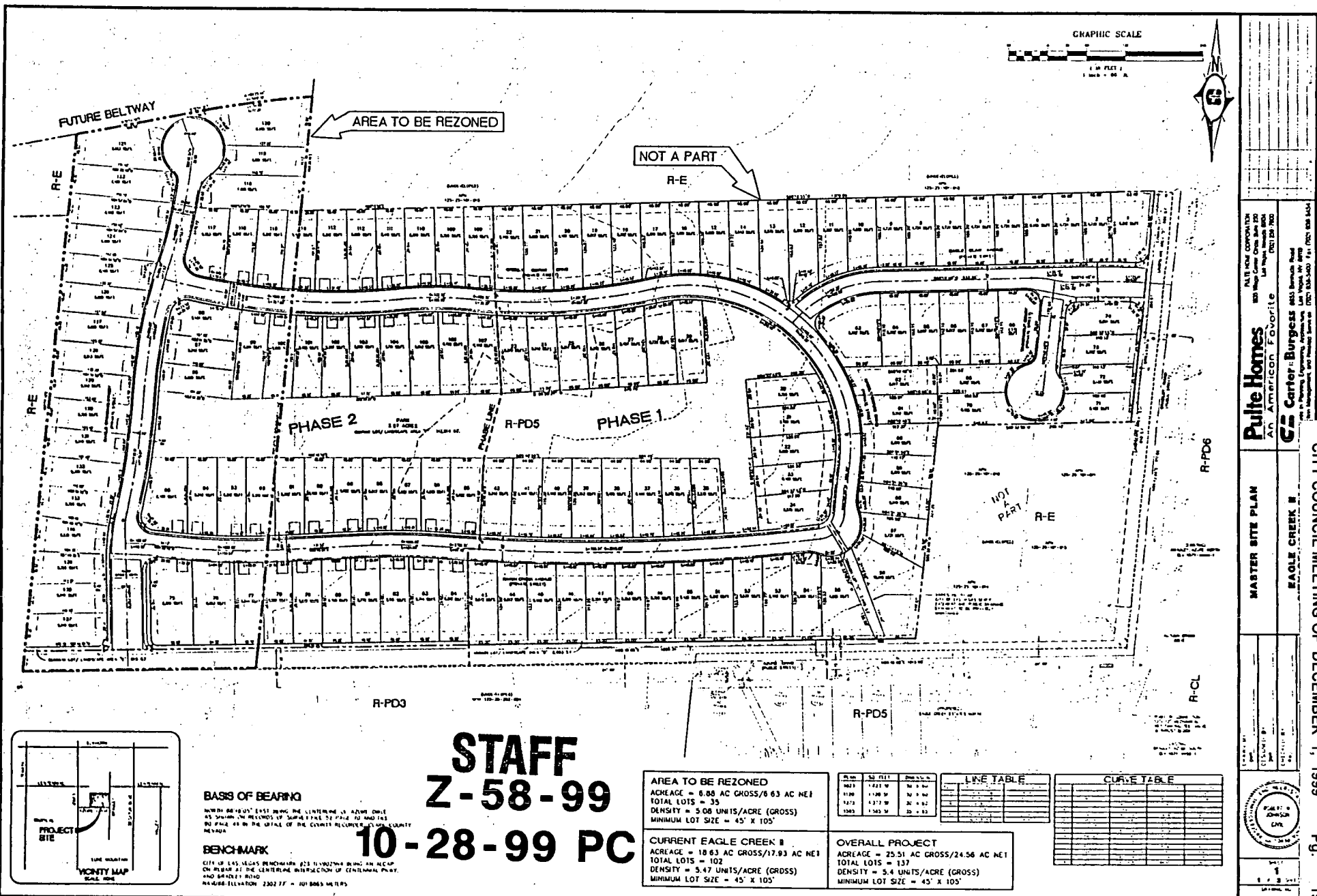
Pulte Homes
An American Favorite
Pulte Homes Corporation
800 West Center Circle, Suite 200
Las Vegas, Nevada 89104
(702) 251-7000

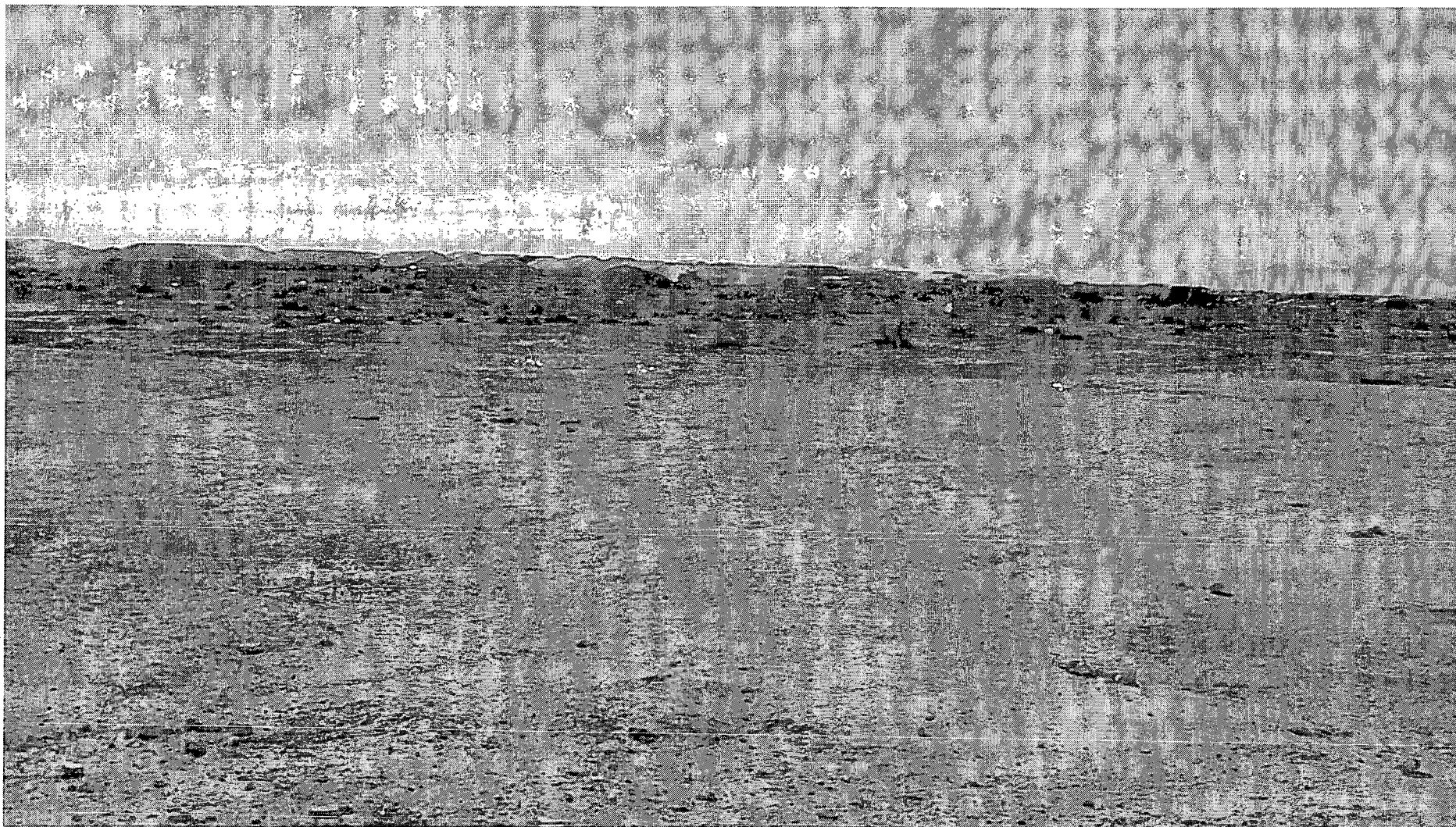
Carter Burgess
6000 Riverside Blvd.
Las Vegas, NV 89119
(702) 808-5400 Fax: (702) 808-5400

LANDSCAPE PLAN
Z-58-99
PHASE 1 & 2



SHEET
2
OF 2 SHEETS
DRAWING NO.





Z-58-99 - LAMB OF GOD LUTHERAN CHURCH
ADJACENT TO THE NORTH SIDE OF AZURE DRIVE, APPROXIMATELY 1,345 FEET WEST OF BRADLEY ROAD
OCTOBER 28, 1999 PLANNING COMMISSION

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 1, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: WILLARD TIM CHOW

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-40-99 - LV VEGAS JONES, LIMITED LIABILITY COMPANY ON BEHALF OF USA PROPERTIES FUND - Request to Amend a portion of the Southwest Sector Plan of the General Plan on property located on the northwest corner of Jones Boulevard and Vegas Drive, From: ML (Medium-Low Density Residential) To: M (Medium Density Residential), Size: 8.32 Acres, Ward 4 (Brown), APN: 138-23-801-003. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission

0

Board of Zoning Adjustment

City Council

APPROVALS RECEIVED BEFORE:

Planning Commission

1

Board of Zoning Adjustment

City Council

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application- Not Applicable
3. Staff Report

MOTION:

BROWN - APPROVED - UNANIMOUS with L. McDONALD excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared representing the applicant and concurred with the conditions that resulted from recommendations made by staff and discussions held with the neighbors. The neighbors assisted in the design of the project and are in support.

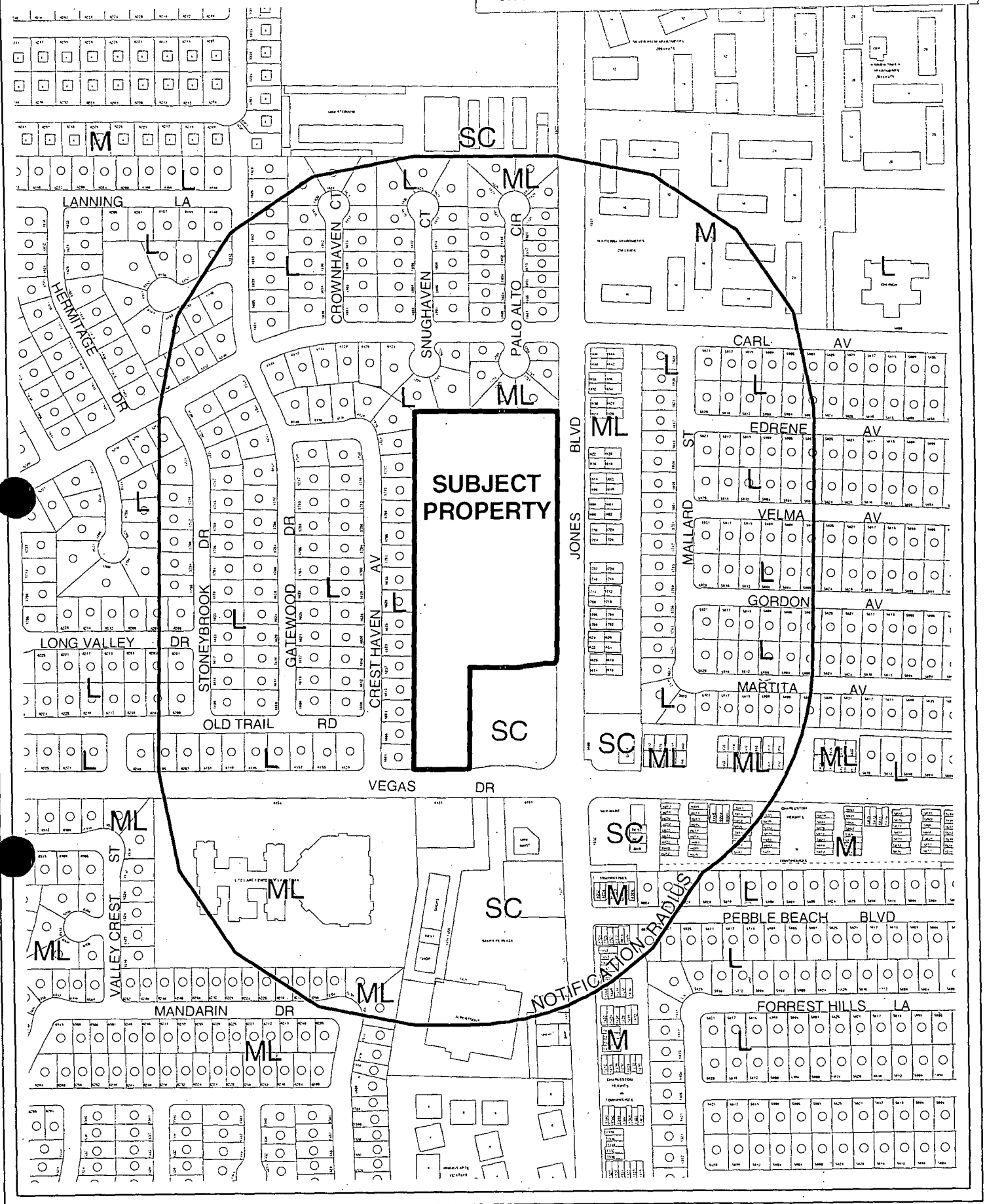
No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:39 - 3:42)

3-2045



CASE: GPA-40-99

RADIUS: 750 FT

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

**ITEM DESCRIPTION: GPA-40-99 - LV Vegas Jones, Limited Liability Company
on behalf of USA Properties Fund**

**** CONDITIONS ****

Staff recommends DENIAL.

The Planning Commission (6-0 vote) recommends APPROVAL.

GPA-40-99 - Page Two
December 1, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This amendment to the Southwest Sector of the General Plan from ML (Medium-Low Density Residential) to M (Medium Density Residential) was filed for the purpose of accommodating a senior apartment facility on the 8.32 acre parcel. The applicant justified the request for the following reasons:

- 1 This area of the city has been growing steadily and the proposed change will allow a use compatible with development pattern in the area.
2. Each of the other corners of the intersection of Jones Blvd. and Vegas Dr. are developed with either commercial or, as in the proposed development, multi-family uses.
3. The proposed development will promote the goals and policies of the General Plan that call for a mix of housing types, densities and uses within the planned area.

BACKGROUND DATA:

- 08/12/68 The Clark County Regional Planning Council adopted a Coordinated General Plan for the Las Vegas Valley. On this plan, the subject properties were designated for L (Low Density Residential) land uses, with a maximum density of 3 - 6 dwelling units per acre (DUA).
- 05/26/77 The Clark County Regional Planning Council adopted a Regional Comprehensive Plan. On this plan, the subject properties were designated for L (Low Density Residential) land uses with a maximum density of 3 - 6 DUA.
- 08/10/98 The Las Vegas City Council denied a request (GPA-23-98) to amend the land use for this site from ML (Medium Low Density Residential) to M (Medium Density Residential).
- 08/18/99 The Las Vegas City Council adopted the Southwest Sector map of the City of Las Vegas General Plan. On this plan, the subject properties were designated for Low Density Residential land uses, with a maximum density 4.5 dwelling units per acre.
- 08/18/99 The Las Vegas City Council approves GPA-23-99, which amends the density range for the Low Density Residential land use category city wide to allow a maximum of 5.5 dwelling units per acre (DUA), Medium Low Density Residential to allow up to 8 DUA, and Medium Density Residential up to 25 DUA.

GPA-40-99 - Page Three
December 1, 1999 City Council Meeting

DETAILS OF APPLICATION REQUEST:

Site area: 8.32 Acres

EXISTING LAND USE:

Subject Properties: Vacant
North: Single-family dwellings
South: Commercial
East: Multi-family dwellings
West: Single Family Dwellings

PLANNED LAND USE:

Subject Properties: ML (Medium Low Density Residential)
North: L (Low Density Residential), ML (Medium Low Density Residential)
South: SC (Service Commercial)
East: ML (Medium Low Density Residential)
West: ML (Medium Low Density Residential)

EXISTING ZONING :

Subject Properties: R-1 (Low Density Residential), R-E (Residence Estate)
North: R-1 (Low Density Residential), R-CL (Residential Compact Lot)
South: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), U (SC) [Undeveloped (Service Commercial)] under resolution of intent to C-1 (Limited Commercial)
East: R-E (Residence Estates) under Resolution of Intent to R-PD10 (Residential Planned Development 10 units per acre)
West: R-1 (Low Density Residential)

ANALYSIS:

Definitions:

Medium Low Density Residential(ML)-(5.6 to 8 dwelling units/per gross acre.) This density range permits single family compact lots and zero lot lines; manufactured home parks and residential planned development.

GPA-40-99 - Page Four

December 1, 1999 City Council Meeting

Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. This category includes a variety of multi-family units such as townhouses, condominiums, and low density apartments. It is also an appropriate transitional use.

Medium Residential (M)-(The density range is from 12.1 to a maximum of 25 dwelling units/gross acre.) The medium Residential category permits a higher density variety of multifamily unit types, up to three stories in height.

The parcel is located on the northwest corner of Vegas Drive and Jones Boulevard, secondary collectors (minimum right-of-way of 80 feet) as classified by the adopted Master Plan of Streets and Highways. It is surrounded on two sides, the west and north, by Low Density and Medium Low density housing. To the west, across Jones Boulevard, is a Medium Low Density development and immediately to the south is Service Commercial, both adjacent to the site and across Vegas Drive. The maximum density of the Medium Low Density developments can be 8 units per acre.

The proposed project is to be a one and two story affordable housing development which will serve elderly residents 55 and older. The housing will consist of 112 one-bedroom and 78 two-bedroom units. With a 8.32 acre lot size, the density of the development will be 22.83 units per acre. The maximum allowed density of Medium Density Residential is 25 units per acre. At the maximum, the 8.32 acre site could allow 208 units.

All utilities are available in the vicinity of the parcel. The nearest fire station is about 1 mile from the proposed location. A hospital is located about 2 miles away and the closest metro substation is approximately 1 mile away. All the utilities and other public service uses are available to this parcel.

Chapter 19A.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or designations;
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan designation; and
4. The proposed amendment conforms to other applicable adopted plans and policies.

With regard to "1" above, the proposed land use categories allows for densities of up to 25 DUA. Such a density would be incompatible with those which allow densities between 5.5 to 8 DUA on the adjacent lands.

With regard to "2" above, the zoning designations of the proposed development is incompatible with the existing adjacent land uses.

GPA-40-99 - Page Five
December 1, 1999 City Council Meeting

With regard to "3" above, existing and proposed local infrastructure is adequate for the proposed project as the property is surrounded on all sides by development.

In regards to "4" above, the application does not conform with the City of Las Vegas General Plan. There are no other plans or policies which are applicable to this site.

Per policy set forth in the City of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 21 days of the closing date of this application. In accordance with the above, on 9/23/99 a neighborhood meeting sponsored by the application was held at Culley Elementary School, 1200 North Mallard. Primary concerns of the neighbors pertained to the two story buildings, parking lots next to the perimeter of the property, access limited to only Jones, buffering techniques, and additional traffic on Jones.

FINDINGS:

Staff finds this amendment inappropriate for the following reasons:

1. The General plan amendment application GPA-23-98 requested the same land use of M (Medium Density Residential) a year ago. It was denied because the density requested was incompatible with the adjacent uses. The conditions for the area have not changed in the ensuing months. An increase in the intensity of use of the land is not warranted by the previous decision.
2. Program C1.4 of the General Plan requires multi-family developments to be compatible with adjoining single family uses through building design and height standards. The two story buildings of the project would be incompatible with the single story low and medium low density residential to the north and west.
3. Program B2.2 of the General Plan requires that infill properties should be developed with consideration of adjacent properties. The proposal is not compatible to adjacent property per #2 above.
4. Objective C of the General Plan states that the balance of land uses within the City is to be achieved by the City providing appropriate and compatible locations for all land uses. As there are other locations within the City that allow for this density of residential, the project would be more appropriate in those areas.
5. This application does not meet the requirements of section 19A.18.030.I of the City of Las Vegas Zoning Code regarding subsections 1, 2, and 4.

GPA-40-99 - Page Six
December 1, 1999 City Council Meeting

AGENCY COMMENTS:

This application was circulated on 9/3/99 to the departments and agencies listed below, for comments by 9/29/99. As of this date, the following comments have been received.

Department of Public Works - We have no comment on the request to amend a portion of the **Southwest Sector Plan of the General Plan on property located on the northwest corner of Jones Boulevard and Vegas Drive, From: ML (Medium-Low Density Residential) To: M (Medium Density Residential).** Upon development, appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required.

Permits/Inspections - No Comments received.

Fire Prevention - No Comments received.

Metro (Intergovernmental Services) - No Comments received.

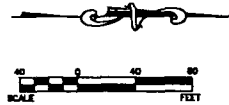
PC NOTICES MAILED: 394

APPROVALS: 1

PROTESTS: 0

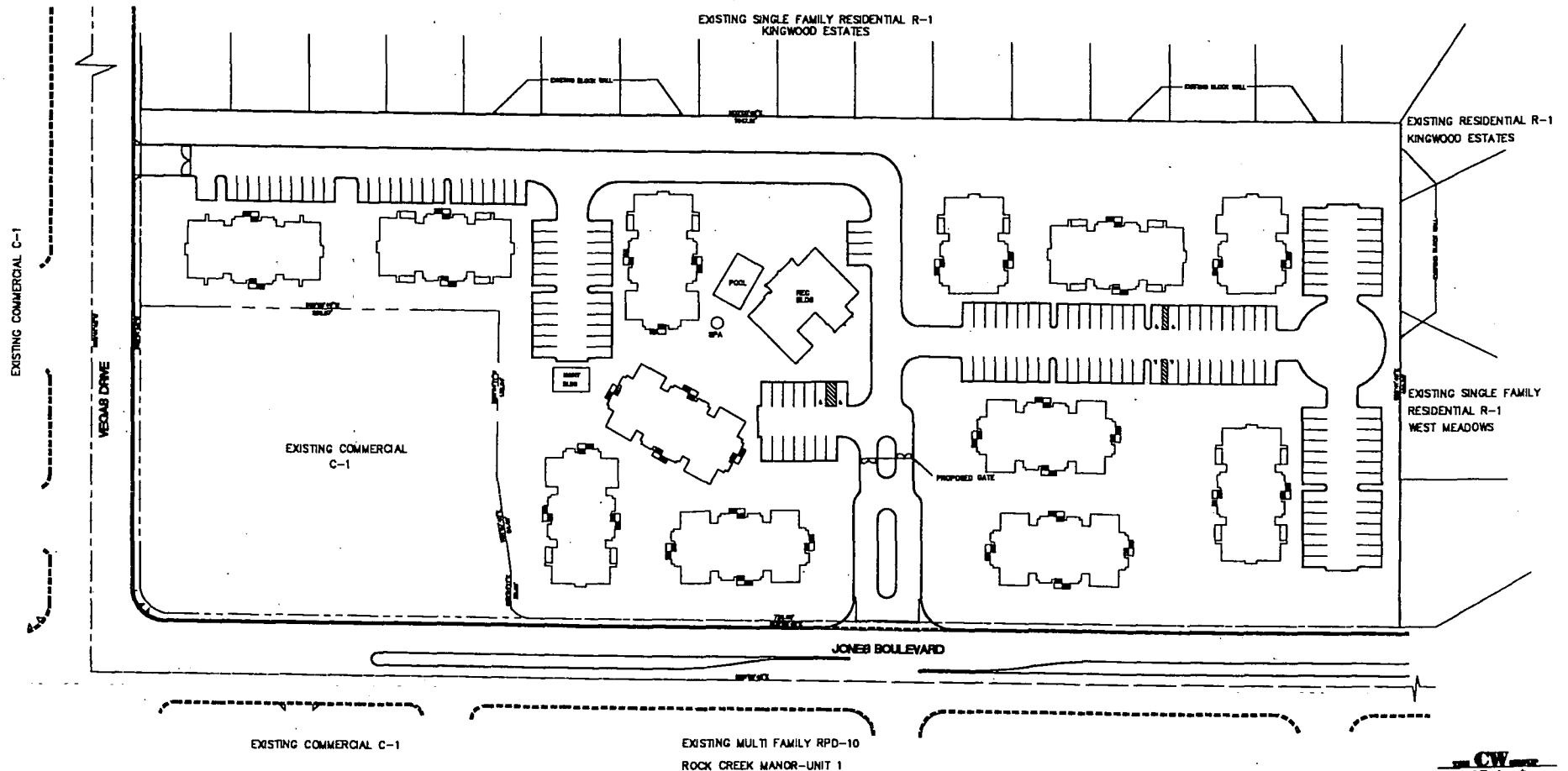
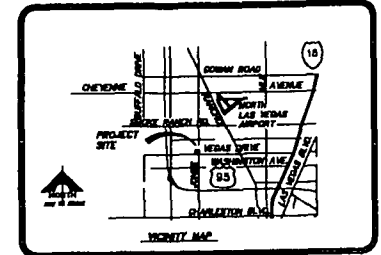
[Note: The Commission determined that development of the site for needed senior citizen housing warrants the higher density proposed.]

VINTAGE DESERT ROSE SENIORS



SITE DATA

NUMBER OF UNITS: 208
ACREAGE: 8.32 ACRES
DENSITY: 25 UNITS/ACRE



CW
Civil Engineering
and Surveying
1000 S. GILBERT
(702) 735-0000

City of Las Vegas

Agenda Item No. 124

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING RELATED TO GPA-40-99 - PUBLIC HEARING - Z-61-99 - LV
 (VEGAS/JONES) LIMITED LIABILITY COMPANY - Request for a Rezoning on property located adjacent to the west side of Jones Boulevard and the north side of Vegas Drive FROM: R-E (Residence Estates) and R-1 (Single Family Residential) Zones TO: R-3 (Medium Density Residential), PROPOSED USE: 190 UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT, Size: 8.32 Acres, Ward 4 (Brown), APN: 138-23-801-003. Staff recommends DENIAL. The Planning Commission (4-0-2 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:**Planning Commission****Board of Zoning Adjustment****City Council****APPROVALS RECEIVED BEFORE:****Planning Commission****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

Staff recommends DENIAL.

The Planning Commission (4-0-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application-
3. Staff Report

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS with L. McDONALD excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared representing the applicant.

No one appeared in opposition.

See related Item 123 [GPA-40-99] for discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:39 - 3:42)

3-2045

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 125 - Z-61-99

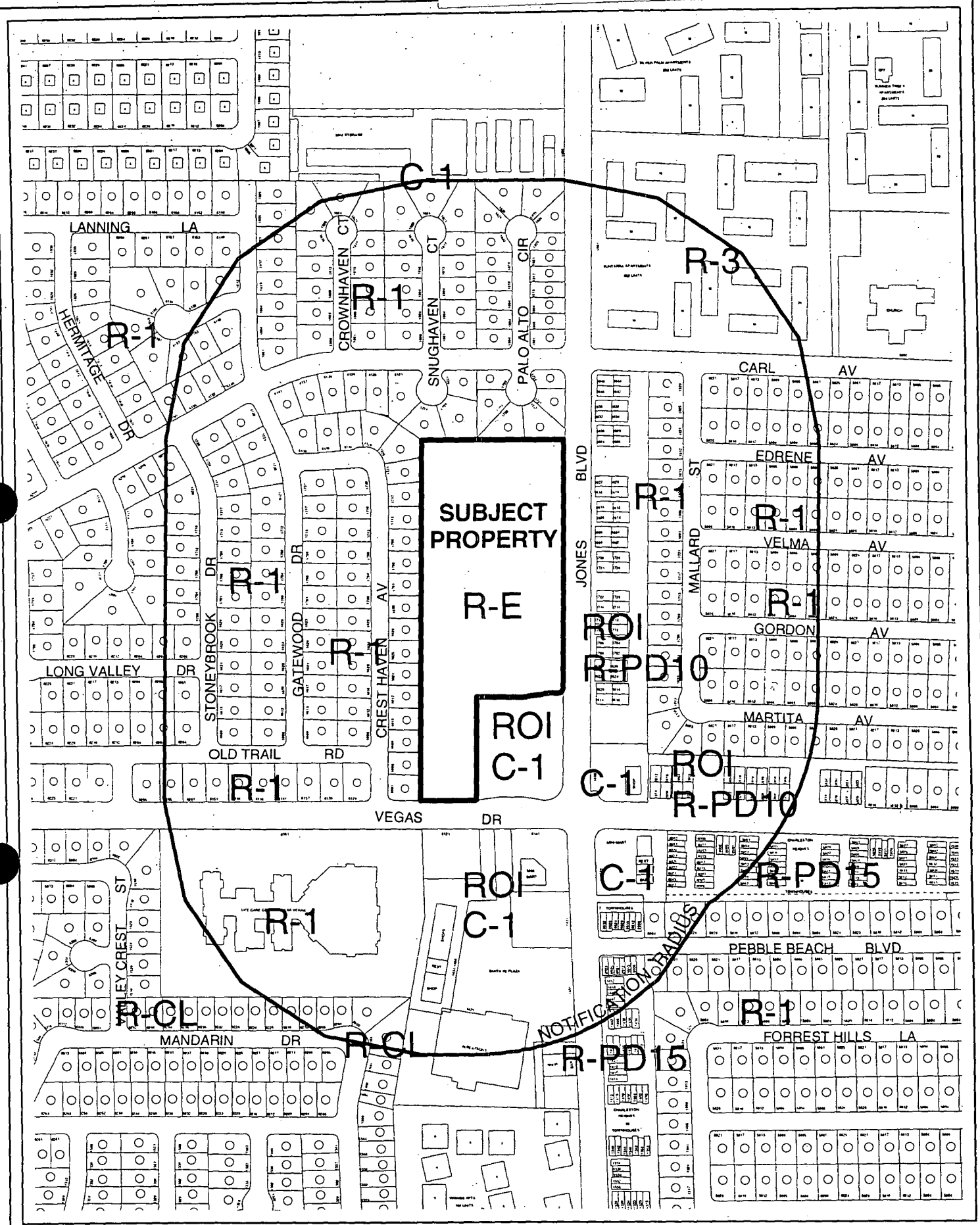
CONDITIONS:

1. A Resolution of Intent.
2. A Site Development Plan Review application shall be approved by the Planning Commission prior to issuance of any permits, any site grading, and all development activity for the site.
3. The applicant shall record a perpetual deed restriction ensuring that the subject property will only be used as a senior apartment community for residents age 55 and older.
4. An update to the approved Vegas/Jones Rite Aid Store Traffic Impact Analysis including an Access Analysis Letter shall be submitted to and approved by the Department of Public Works prior to the issuance of any permits or the recordation of a map subdividing this site, whichever may occur first. The Access Analysis Letter shall determine the adequacy of a single active access servicing this site. Information provided in the approved Traffic Impact Analysis update shall be used by the City to determine traffic signal contribution requirements for this site. Comply with the recommendations of the approved updated Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
5. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.
6. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
7. Submit an application for an Occupancy Permit for all private improvements (driveways) in the Jones Boulevard public right-of-way adjacent to this site prior to the issuance of any permits as required by the Department of Public Works.

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 124 - Z-61-99

CONDITIONS - Continued:

8. A Drainage Plan and Technical Drainage Study shall be submitted to and approved by the Department of Public Works prior to the issuance of any permits or the recordation of a map subdividing this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.



CASE: Z-61-99

RADIUS: 750 FT

0 300 600 Feet



124

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: Z-61-99 - LV (Vegas/Jones), Limited Liability Company**

**** CONDITIONS ****

Staff recommends DENIAL.

The Planning Commission (4-0-2 vote) recommends APPROVAL, subject to:

1. A Resolution of Intent.
2. A Site Development Plan Review application shall be approved by the Planning Commission prior to issuance of any permits, any site grading, and all development activity for the site.
3. The applicant shall record a perpetual deed restriction ensuring that the subject property will only be used as a senior apartment community for residents age 55 and older.
4. An update to the approved Vegas/Jones Rite Aid Store Traffic Impact Analysis including an Access Analysis Letter shall be submitted to and approved by the Department of Public Works prior to the issuance of any permits or the recordation of a map subdividing this site, whichever may occur first. The Access Analysis Letter shall determine the adequacy of a single active access servicing this site. Information provided in the approved Traffic Impact Analysis update shall be used by the City to determine traffic signal contribution requirements for this site. Comply with the recommendations of the approved updated Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
5. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.
6. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
7. Submit an application for an Occupancy Permit for all private improvements (driveways) in the Jones Boulevard public right-of-way adjacent to this site prior to the issuance of any permits as required by the Department of Public Works.

Z-61-99 - Page Two

December 1, 1999 City Council Meeting

8. A Drainage Plan and Technical Drainage Study shall be submitted to and approved by the Department of Public Works prior to the issuance of any permits or the recordation of a map subdividing this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.

Z-61-99 - Page Three
December 1, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This request is for a Rezoning of a 9.30 acre site adjacent to the west side of Jones Boulevard, approximately 300 feet north of Vegas Drive. The request is to Rezone from R-1 (Single Family Residential) to an R-3 (Multi Family Residential) zone. The proposed use for the site is a 190-unit senior citizen apartment complex.

BACKGROUND DATA:

- 08/10/98 The City Council denied a request for a General Plan Amendment (GPA-23-98) from ML (Medium-Low Density Residential) to M (Medium Density Residential) on this site.
- 10/21/99 The Planning Commission recommended approval of a request for a General Plan Amendment (GPA-40-99) from ML (Medium-Low Density Residential) to M (Medium Density Residential) designation of this site.

DETAILS OF APPLICATION REQUEST:

Site Area:	9.3	Acres
Residential Total:	190	Units
Density:	20.43	Units per Gross Acre
Proposed Buildings:	13	(Including a Recreation Building)
Building Height:	19.5	Feet (2 stories)

ZONING AND LAND USE OF ADJACENT PROPERTIES:

North	R-1 (Single Family Residential)	Single Family Residential
South	R-E (Residence Estates) ROI to C-1 (Limited Commercial); U (Undeveloped) ROI to C-1 (Limited Commercial)	Retail Retail
East	R-1 (Single Family Residential) ROI to R-PD10 (Residential Planned Development - 10 Units Per Acre)	Multi- Family Residential
West	R-1 (Single Family Residential)	Single Family Residential

Z-61-99 - Page Four
December 1, 1999 City Council Meeting

ANALYSIS AND FINDINGS:

GENERAL PLAN:

The subject site is currently designated from ML (Medium-Low Density Residential) on the Southwest Sector Map of the Las Vegas General Plan. The applicant has requested an amendment to the Southwest Sector Map to M (Medium Density Residential) on the subject site. The requested Rezoning of the site to R-3 (Multi Family Residential) will be consistent with the requested General Plan designation. However, staff has found the requested General Plan amendment to be inappropriate for the site and has recommended denial for the following reasons:

1. The requested M (Medium Density Residential) will provide for a density range of 12.1 to 25 units per acre, which is incompatible with the existing adjacent single family residential uses (maximum of 6.7 units per acre), particularly those to the north and west.
2. The two-story buildings proposed will be incompatible with adjacent single-story residences to the north and west.

REZONING:

Staff finds the proposed Rezoning of this comparatively large site to an R-3 (Multi Family Residential) zone will allow substantially higher density of residential uses on site than the current R-1 (Single Family Residential) zone. The development proposed with this request will result in a density of more than 20 units per gross acre, 95 percent higher than the allowable 10.49 units per gross acre of the R-PD10 (Residential Planned Development - 10 Units Per Acre) zone to the east, and 305 percent higher than the allowable density under the adjacent R-1 (Single Family Residential) zone.

Although the Planning Commission has recommended approval of the General Plan Amendment for this site, staff finds that the requested R-3 (Multi Family Residential) zone will represent 'spot' zoning, in that there are no contiguous parcels with the same zoning. This zoning would allow substantially more density of residential uses on this site than allowable on any surrounding parcel. Staff finds that the residential densities potentially allowed on this site with the requested Rezoning are not compatible with the existing, adjacent residential uses, and recommends denial of this request.

FINDINGS:

In order to deny a Rezoning application, pursuant to Las Vegas Municipal Code Section 19A.18.040(L) the Planning Commission or City Council must affirm the following:

"The proposed rezoning is inconsistent with other elements of the General Plan or is incompatible with the surrounding development in the area."

Z-61-99 - Page Five

December 1, 1999 City Council Meeting

Staff finds this request will result in a substantially higher residential density than the current residential zoning on this site and in the site vicinity. The requested Rezoning will therefore provide for density of residential uses less compatible with adjacent single family residences than is the existing zone.

In order to approve a Rezoning application, pursuant to Las Vegas Municipal Code Section 19A.18.040(K) the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The subject site is currently designated from ML (Medium-Low Density Residential) on the Southwest Sector Map of the Las Vegas General Plan. The applicant has requested an amendment to the Southwest Sector Map to M (Medium Density Residential) on the subject site. While the requested Rezoning of the site to R-3 (Multi Family Residential) will be consistent with the requested General Plan designation for the site, Staff has found the requested General Plan amendment to be inappropriate and has recommended denial. For the same reasons of incompatibility between the proposed density on the subject site and the density of surrounding residential uses, and because of the spot zoning nature of this request, staff finds the requested Rezoning inappropriate and recommends denial.

2. "The uses which would be allowed on the subject property by approving the Rezoning will be compatible with the surrounding land uses and zoning districts."

Staff finds that the density of residential uses as proposed and as potentially allowable under the R-3 (Multi-Family Residential) zone will be substantially more dense than the density allowed with the existing zoning. Staff therefore finds the proposed density will not be compatible with the residential land uses and zoning districts adjacent to the west, north and east.

3. "Growth and development factors in the community indicate the need for or appropriateness of the Rezoning."

Staff finds that the applicant has not demonstrated a need for senior apartment uses in the site vicinity. Therefore, staff finds the requested rezoning will not be responsive to an identified existing need in the community.

4. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."

Z-61-99 - Page Six

December 1, 1999 City Council Meeting

Staff finds Jones Boulevard, which will provide access to the subject site, is a collector street intended for traffic levels higher than local streets, and will be appropriate for the proposed Rezoning.

PC NOTICES MAILED: 394

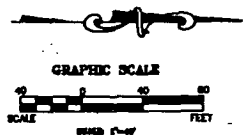
APPROVALS: 1

[The single public comment received was in favor for reasons that all neighborhood suggestions for modifying the project have been incorporated into the proposal by the applicant.]

PROTESTS: 1

[Note: The Planning Commission determined that development of the site for needed senior citizen housing warrants the higher R-3 (Medium Density) Zoning proposed and voted in accord with the Commission's approval on the related GPA-40-99 on October 21, 1999.]

VINTAGE DESERT ROSE SENIORS APARTMENTS

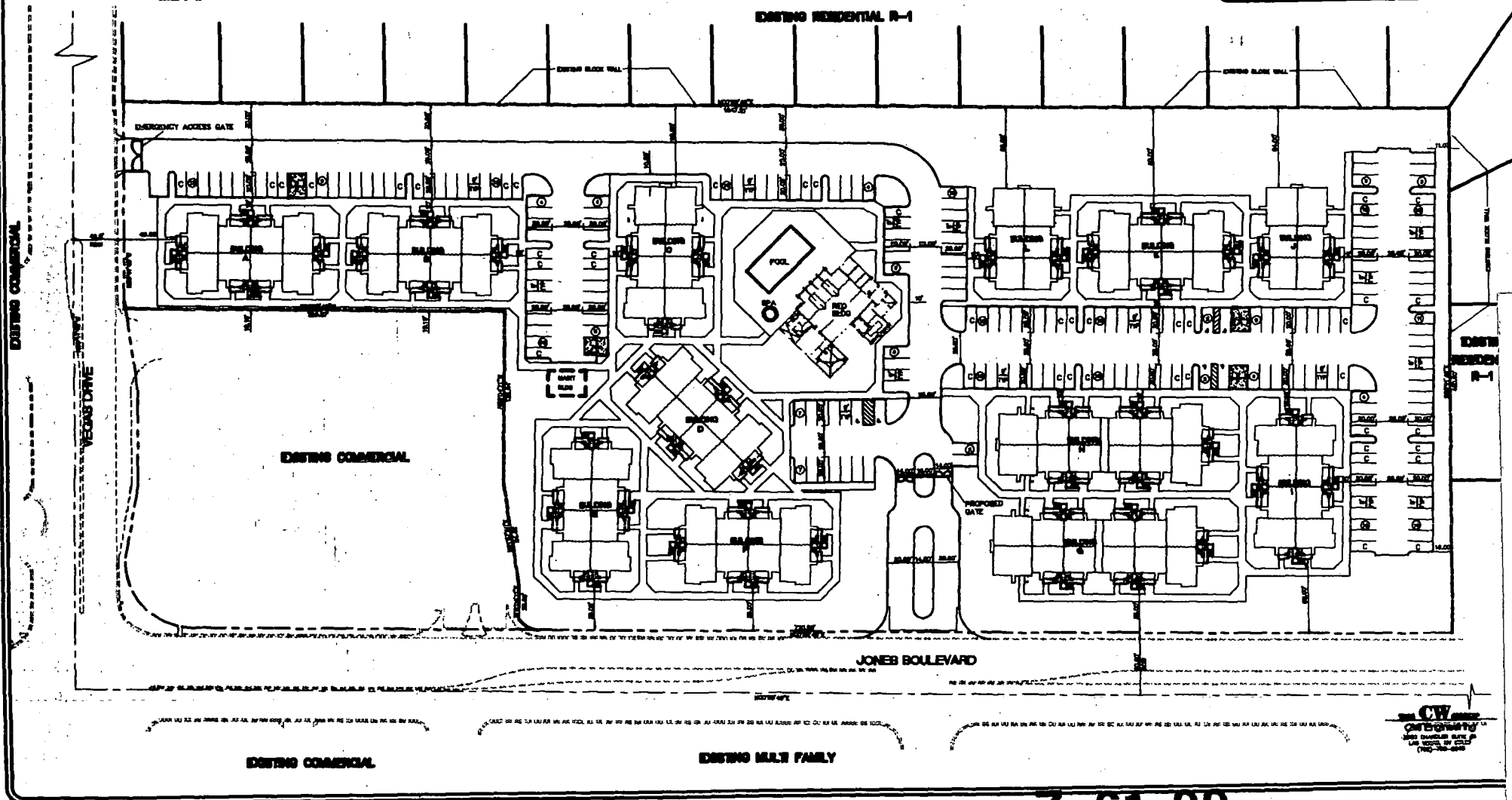
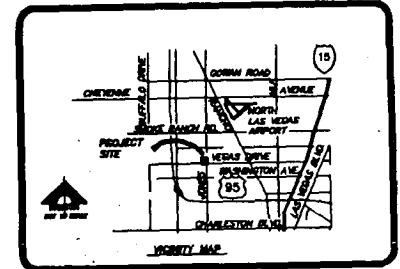


SITE DATA

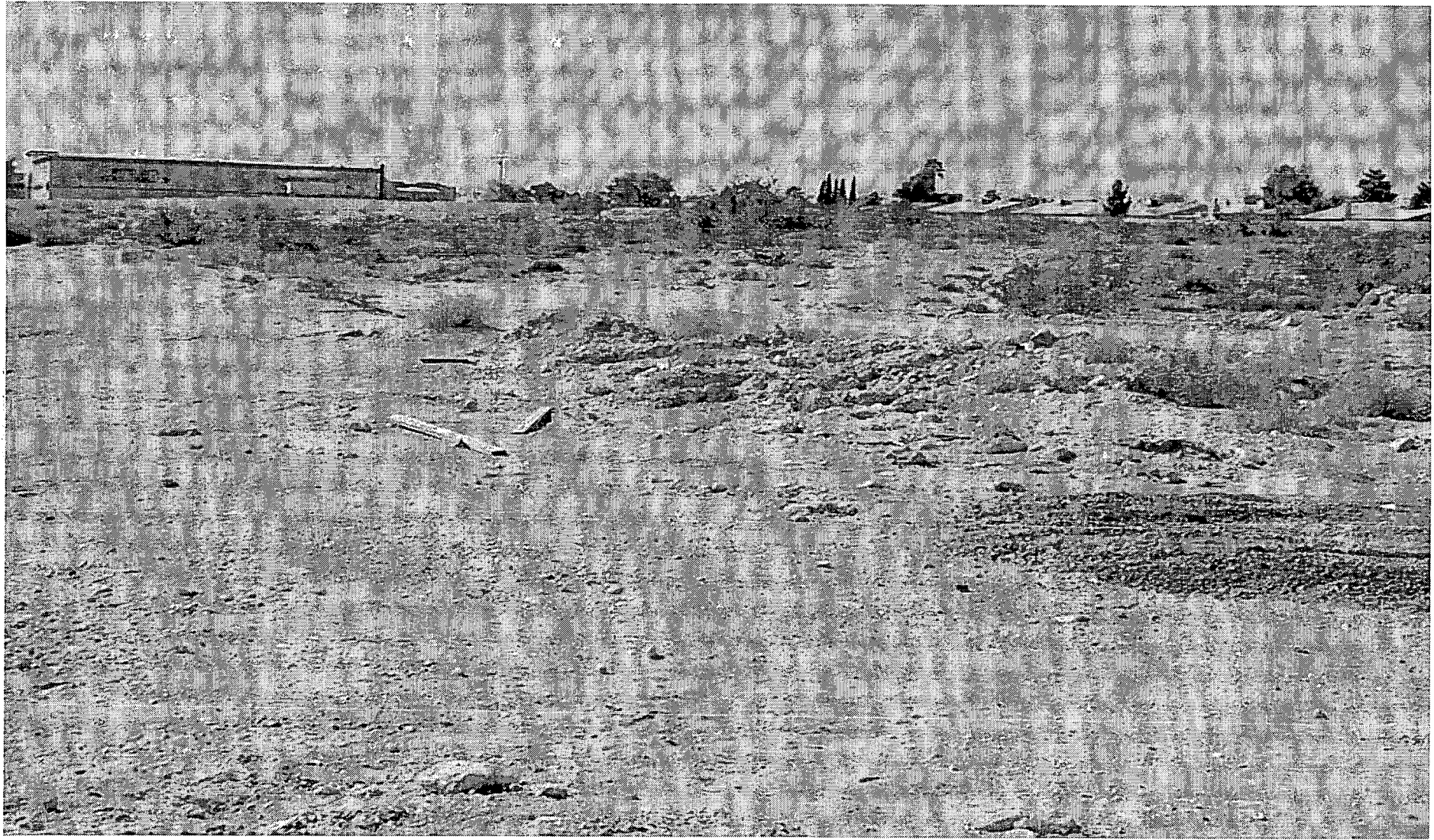
NUMBER OF UNITS: 180
ACREAGE: 8.31 NET ACRES
8.30 GROSS ACRES
DENSITY: 22.84 UNITS/ACRE

PARKING DATA

STANDARD STALLS - 178
COMPACT STALLS - 43
ACCESSIBLE STALLS - 8
VAN ACCESSIBLE STALLS - 1
TOTAL - 228



Z-61-99
STAFF 10-28-99 PC



Z-61-99 AND Z-61-99(1) - LV (VEGAS/ JONES) LIMITED LIABILITY COMPANY
ADJACENT TO THE WEST SIDE OF JONES BOULEVARD AND NORTH SIDE OF VEGAS DRIVE
OCTOBER 28, 1999 PLANNING COMMISSION

City of Las Vegas

Agenda Item No. 125

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-30-99 - CENTENNIAL RANCH, LIMITED LIABILITY COMPANY AND CENTENNIAL 95 LIMITED PARTNERSHIP ON BEHALF OF MONTECITO EAST, LIMITED LIABILITY COMPANY AND CLIFFORD AND DONNA FINDLAY TRUST - Request to Amend a portion of the Northwest Sector Plan on property located on the southeast corner of Buffalo Drive and the proposed Beltway, From: R (Rural Density Residential) To: TC (Town Center); and a request to Amend a portion of the Town Center Land Use Plan, From: M-TC (Medium Density Residential - Town Center) To: SX-TX (Suburban Mixed Use) (portion of site) and From: SX-TC (Suburban Mixed Use) To: GC-TC (General Commercial - Town Center) (portion of site), Size: 63.69 Acres, Ward 4 (Brown), APN: Multiple. Staff recommends DENIAL of the request from R (Rural) to TC (Town Center); APPROVAL of the request from M-TC to SX-TC; DENIAL of the request from SX-TC to GC-TC. The Planning Commission (5-0-1 vote) recommends APPROVAL of the portion of the request to amend a portion of the Town Center Land Use Plan From: M-TC (Medium Density Residential - Town Center) To: SX-TX (Suburban Mixed Use); and voted to recommend DENIAL of the remaining portions.

PROTESTS RECEIVED BEFORE:**Planning Commission****115****Board of Zoning Adjustment****City Council****APPROVALS RECEIVED BEFORE:****Planning Commission****1****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

Staff recommends DENIAL of the request from R (Rural) to TC (Town Center); APPROVAL of the request from M-TC to SX-TC; DENIAL of the request from SX-TC to GC-TC. The Planning Commission (5-0-1 vote) recommends APPROVAL of the portion of the request to amend a portion of the Town Center Land Use Plan From: M-TC (Medium Density Residential - Town Center) To: SX-TX (Suburban Mixed Use); and voted to recommend DENIAL of the remaining portions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application- Not Applicable
3. Staff Report

MOTION:

BROWN - APPROVED subject to accepting the **WITHDRAWAL** of that portion of the request from SX-TC to GC-TC - motion carried with M. McDONALD voting NO, L. McDONALD excused and GOODMAN abstaining on the advice of counsel to avoid any possible conflict since his partner spoke on the subject matter when it was considered by the Planning Commission

City of Las Vegas

Agenda Item No. 125

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 125 - GPA-30-99

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes, including a verbatim excerpt from Item 93.

NOTE: MAYOR GOODMAN indicated that he would be abstaining on the advice of counsel to avoid any possible conflict since his partner spoke on the subject matter when it was considered by the Planning Commission.

NOTE: COUNCILMAN BROWN disclosed that TOM SKANCKE, an advocate for the applicant, was a non-paid volunteer on his campaign in 1997, but that he did not feel that would impede his vote. DEPUTY CITY ATTORNEY GEORGE opined that there was no conflict of interest.

NOTE: COUNCILMAN McDONALD disclosed that he worked for ROBERT SCHULMAN, owner of Alexis Park, in 1984.

NOTE: COUNCILMAN BROWN disclosed that his wife worked at Alexis Park as a secretary in 1981.

MAYOR PRO TEM McDONALD declared the Public Hearing open.

APPEARANCES:

ATTORNEY BILL CURRAN, Curran & Parry, 601 S. Rancho, representing the applicant
ATTORNEY JOHN T. MORAN, JR., Moran & Associates, 630 S. Fourth Street, #400, representing JEFF GALE, JANIE GREENSPUN GALE, MICHAEL GAUGHAN, and other members of the neighborhood in opposition

DEPUTY CITY ATTORNEY WILLIAM HENRY, Sr. Litigation Counsel

FRANK NIELSEN, Technical Advisor, Montecito East, LLC, 2901 El Camino Avenue

MARSHA DUNBYER, Vice President, Summer Hills II Condominium Association, 7565 Durham Hall Avenue, appeared representing 134 homeowners and accompanied by DAVE GOODMAN and MIKE HARTINSTEIN

City of Las Vegas

Agenda Item No. 125

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 125 - GPA-30-99

MINUTES - Continued:

MICHAEL REISS, 4485 South Pecos Road
CAROL LeDUC, 7575 Rome Boulevard
DEPUTY CITY ATTORNEY STEVE GEORGE
JUDY KAPPERT, 7401 Hickory Hills Drive
SENATOR MARK JAMES, 3773 Howard Hughes Parkway, appeared on behalf of his friend
JOE SCALA
JEFFREY GALE, 6722 North Rainbow Boulevard
DENNIS PERRY, 7290 Elkhorn Road
CRAIG PREMISTEIN, 91 S. Cimarron
LOUISE RUSKAMP, 8500 Log Cabin Way
JAY FISHER, 7528 Maiden Run Avenue
SCOTT FURNEY, 7328 Young Doe Avenue
EVADNEY PAULUSSEN, 8208 Fawn Brook Court
JAMES INGRAHAM, Ranch House Estates
FRANK MARTIN, 5720 Taj Mahal Drive
JOE MAVIGLIA, 5422 Indigo Hills
MANUEL ARIAS, 8237 Fawn Heather Court
JANIE GREENSPUN GALE, 6722 North Rainbow Boulevard

MAYOR PRO TEM McDONALD declared the Public Hearing closed.

NOTE: A count was taken of 12 people in the audience in support, as well as a count of 9 people in opposition.

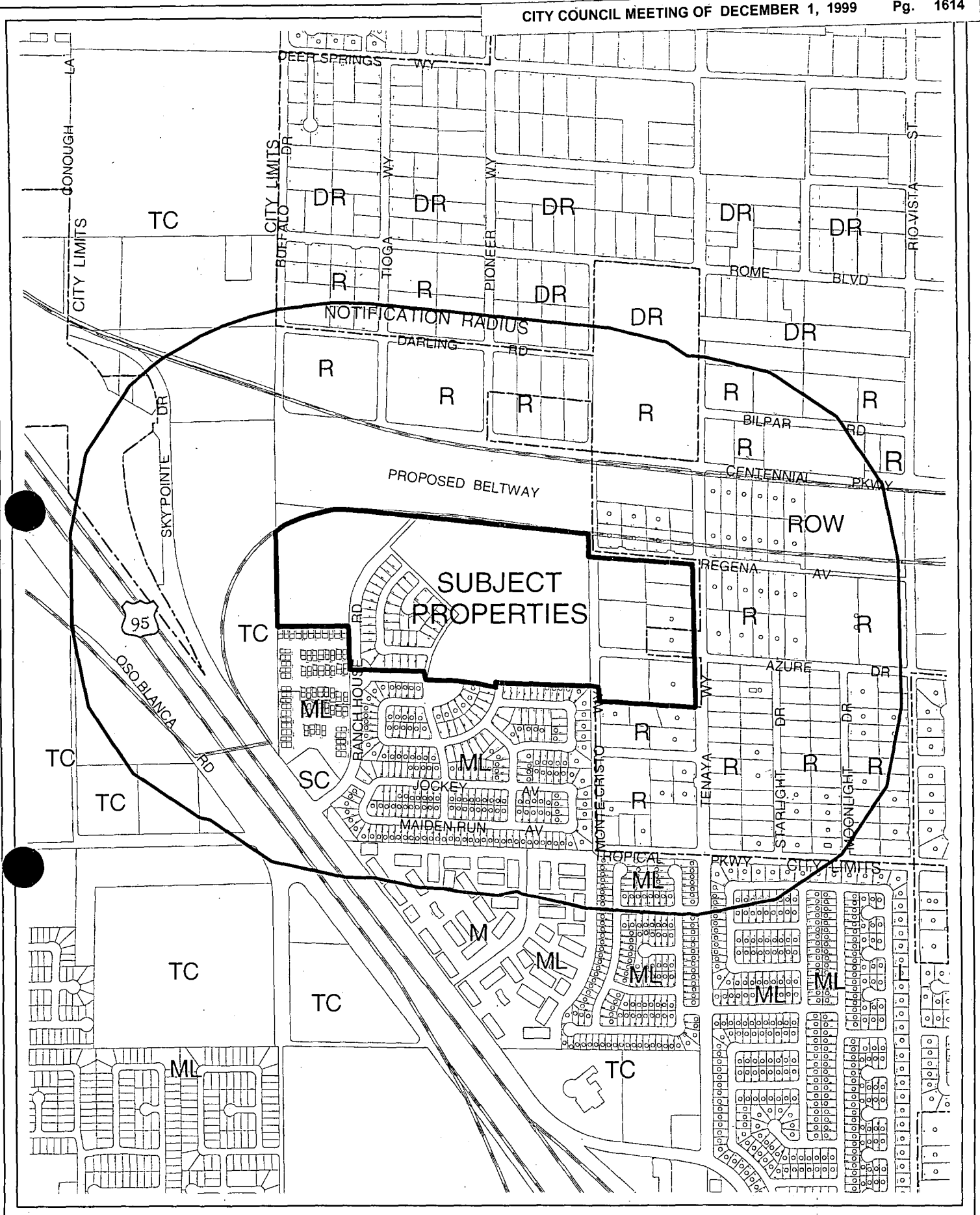
NOTE: Items submitted at the Council meeting included the following:

MS. DUNBYER submitted for the record documentation outlining changes agreed to by the developer. COUNCILMAN BROWN submitted for the record two letters from Mass Media - one with 38 signature cards in support and another with a 44-signature petition in support. MR. PERRY submitted a drawing of the designated Beltway. MS. RUSKAMP submitted her written comments and a trail map which are made a part of the Final Minutes. MR. FURNEY submitted a 20-signature petition in opposition.

(1:11 - 1:17/4:54 - 7:17)

2-1/3-2201/4-1495/5-1

RECESS: 5:04 - 5:15 P.M./6:26 - 6:34 P.M.



CASE: GPA-30-99

RADIUS: 1320 FT

0 500 1000 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: GPA-30-99 - Centennial Ranch, Limited Liability Company and Centennial 95 Limited Partnership on behalf of Montecito East, Limited Liability Company and Clifford and Donna Findlay Trust

**** CONDITIONS ****

Staff recommends DENIAL of the request from R (Rural) to TC (Town Center); APPROVAL of the request from M-TC to SX-TC; DENIAL of the request from SX-TC to GC-TC.

The Planning Commission (5-0-1 vote) recommends APPROVAL of the portion of the request to amend a portion of the Town Center Land Use Plan From: M-TC (Medium Density Residential - Town Center) To: SX-TX (Suburban Mixed Use; and voted to recommend DENIAL of the remaining portions.

GPA-30-99 - Page Two
December 1, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This amendment to the Northwest Sector Plan and the Town Center Land Use Plan was filed by the applicant, Centennial Ranch LLC and Centennial 95 LP on behalf of Montecito East, LLC, for the purpose of expanding the boundaries of the Town Center; amending a portion of the subject property from Medium Density Residential (M-TC) to Suburban Mixed-Use (SX-TC), and; amending a portion of the subject property from Suburban Mixed-Use (SX-TC) to General Commercial (GC-TC). The applicant justified the request for the following reasons:

1. They believe that there has been unanticipated growth and development of the community surrounding the Montecito East development that was not specifically considered when the General Plan was adopted. Although it was known that the beltway was proposed for the general area, a five level interchange is currently planned immediately adjacent to the development.
2. The proposed GPA will allow zoning classifications that impose burdens similar to or less than those burdens imposed by the classification currently provided for under the General Plan
3. The site is adjacent to a five-level interchange. When completed, this interchange will be the second largest in the state.
4. There will be no direct vehicular access from the interchange to this proposed development.
5. No industrial uses are proposed here. Many other major intersections in the state do have already existing industrial uses in close proximity to them. Of the five system-to-system interchanges in Nevada, this will be the only one that will have no industrial uses. Our proposed uses are much less intense.
6. General Commercial and Suburban Mixed Use will be a good balance for this site.
7. General Commercial is a compatible use next to the heavy traffic of the freeway system.
8. Suburban Mixed-Use, as defined by the Town Center guidelines, is a good buffer adjacent to residential, however, it is not a compatible use next to a system-to-system interchange.
9. In keeping with the spirit of the Town Center, those properties which are under the jurisdiction of the City of Las Vegas, and directly adjacent to this interchange, generally are zoned GC (General Commercial).

GPA-30-99 - Page Three

December 1, 1999 City Council Meeting

10. Prior to the formation of the Town Center, some of the property in the southeast quadrant of Centennial and 95 was zoned C-2. The State took the commercially zoned property and used it for the Beltway. We believe the General Commercial currently proposed is very similar to the original intended use of the property in this area.
11. The proposed Beltway and interchange facilities present severe physical constraints on the ability of this site to be developed.

BACKGROUND DATA:

- 08/12/68 The Clark County Regional Planning Council adopted a Coordinated General Plan for the Las Vegas Valley. On this plan, the subject properties were designated for Rural Density Residential land uses, with no stated density limits.
- 05/26/77 The Clark County Regional Planning Council adopted a Regional Comprehensive Plan. On this plan, the subject properties were designated for Rural Density Residential land uses with a maximum density of .5 dwelling units per acre.
- 08/07/85 The Las Vegas City Council adopted Community Profiles of the City of Las Vegas General Plan. On this plan, the subject properties were designated for Medium, Medium Low, and Low Density Residential land uses with a maximum density of twenty (20) dwelling units per acre.
- 03/12/92 The Las Vegas City Council adopted the Northwest Sector map of the City of Las Vegas General Plan. On this plan, the subject properties were designated for Service Commercial, Medium Low Density Residential (maximum of 9 dwelling units), and Rural Residential (maximum of 3.96 dwelling units per acre) land uses.
- 12/18/96 The Las Vegas City Council adopts the Northwest General Plan Amendment to the City of Las Vegas General Plan. Within this plan, the subject properties are designated for Town Center and Rural Density Residential land uses (maximum density of 3.5 dwelling units per acre). A portion of the subject property is also designated as future expansion area of the Town Center.
- 11/9/98 The Las Vegas City Council adopts the Town Center Land Use Plan. Within this plan, the majority of the subject properties are designated for Suburban Mixed-Use (SX-TC) and Medium Density Residential (M-TC) land uses. A portion of the remaining property is designated Rural Density Residential (with a maximum density of 3.5 dwelling units per acre), and is included as future expansion area of Town Center. The remainder of the subject property is also designated Rural Density Residential, but is not included within the future Town Center expansion area.

GPA-30-99 - Page Four
December 1, 1999 City Council Meeting

DETAILS OF APPLICATION REQUEST:

Site Area: 63.69 Acres

EXISTING LAND USE:

Subject Properties: Undeveloped
North: Undeveloped, Beltway right-of-way
South: Single Family Detached Residential, Condominiums
East: Single Family Detached Residential, Undeveloped
West: U.S. 95 Freeway, Undeveloped

PLANNED LAND USE:

Subject Properties: Suburban Mixed Use, Medium Density Residential, Rural Density Residential
North: Beltway
South: Medium Low Density Residential, Rural Density Residential
East: Rural Density Residential
West: U.S. 95 freeway, Suburban Mixed-Use

EXISTING ZONING OF ADJACENT PROPERTIES:

Subject Properties: TC (Town Center), U (Undeveloped)
North: Beltway
South: R-PD7 (portion), Clark County (portion)
East: Clark County
West: TC (Town Center), R-PD7

ANALYSIS:

Definitions:

Suburban Mixed-Use (SX-TC) - The Suburban Mixed-Use District can be characterized as being similar to the Service Commercial District with the addition of medium density residential being a permitted use. It is intended to enable development with imaginative adjacency standards. Building and site designs which reflect a mixture of compatible land uses having either a vertical or horizontal character will maximize employment and housing opportunities. This district is also more reflective of suburban development than the Urban Center Mixed Use category. With exception to the area adjacent to the Beltway/U.S. 95 interchange, development will typically be no more than two (2) stories in height. Projects adjacent to the Beltway and/or U.S. 95 may

GPA-30-99 - Page Five
December 1, 1999 City Council Meeting

construct up to one story higher than the street infrastructure to which it is adjacent. Single story offices are recommended to be used as a land use buffer when adjacent to single family dwelling units.

General Commercial (GC-TC) - The General Commercial District allows all types of retail, service, office and other general business uses of a more intense commercial character. These uses will normally require a Special Use Permit and will commonly include limited outdoor display of product, lights, and/or other characteristics not generally compatible with the adjoining residential areas without significant transition. Examples include hotels, motels, and tourist commercial uses such as resorts and recreational facilities. When adjacent to the Beltway, these uses may exceed the height of the Beltway by one story, otherwise development within the GC-TC land use area is restricted to two (2) stories in height.

Medium Density (M-TC) - The Medium Density Residential District has a density range from 12 to 25 units per gross acre. Projects within the M-TC district shall place an emphasis of maximizing usable common open space. As in Low Density Residential district, local supporting public and quasi-public uses are permitted.

This amendment request basically involves a series of proposed changes to both the overall Northwest Sector Plan (specifically Map Three), and the specific Town Center Land Use Plan, which is a chapter of the Northwest Sector Plan. The proposal breaks down as follows:

- The first aspect is the redesignation (on Map Three of the Northwest Sector Plan) of the eastern most portion of the site from the current designation of Rural Density Residential (R) to Town Center (TC). This part of the proposal involves properties that have been designated within the Northwest Sector Plan as "future expansion area of Town Center" (a total of 3.96 acres), and parcels that had not be targeted for inclusion within the Town Center at the time of adoption (a total of 4.04 acres).
- The second aspect would be an amendment to the Town Center Land Use Plan, changing the southern portion of the site (south of the realigned Tropical Parkway) from Medium Density Residential (M-TC) to Suburban Mixed-Use (SX-TC). This portion of the amendment would also apply the Suburban Mixed-Use (SX-TC) land use category to those parcels added to the Town Center as part of the first aspect of this application (described above).
- The final aspect of this application proposes a General Commercial (GC-TC) land use designation for a part of the northwestern portion of the subject site (north of the realigned Tropical Parkway). Currently, this portion of the overall subject parcel is designated for Suburban Mixed-Use (SX-TC).

GPA-30-99 - Page Six
December 1, 1999 City Council Meeting

The subject properties are located in the vicinity of U.S. 95 and the proposed Beltway, both of these roadways are designated on the Master Plan of Streets and Highways as Freeway/Expressway. Tenaya Way, which runs along the eastern edge, is designated as a Secondary Collector with a minimum right-of-way of 80 feet. Tropical Parkway, with a designed realignment that will bisect this property, and connect with Azure Lane at Tenaya Way, has a minimum right-of-way of 80 feet.

Section 19A.18.030.I of the City of Las Vegas Zoning Ordinance (Title 19A) requires the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designation.
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or designations.
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan designation.
4. The proposed amendment conforms to other applicable adopted plans and policies.

With regards to "1" above, the Town Center Land Use Plan, which is very site specific and detailed in use of land projected for each parcel, was designed in such a manner to provide a certain level of protection to the more vulnerable land uses (such as Low Density residential) from the more intense land use classifications such as Urban Center Mixed-Use. This logic was developed in order to minimize land use conflicts as the Town Center evolves into a mixed use environment. Therefore, the specifics of this application, pertinent to land use, and how they relate to the overall Town Center concept are as follows:

- **RURAL DENSITY (R) TO TOWN CENTER (TC)** - As a result of this application, the Town Center (TC) land use category will be adjacent to Rural Density (R) Development. This situation occurs in other areas of Town Center. Staff believes that a compatible blend of land uses could result, if adequate buffering to protect and enhance the viability of these adjacent low density residential properties is provided. This allows for more intense land uses to be located adjacent to the less intense and more vulnerable land uses. The higher density land uses conform with the Town Center concept of providing commercial services in the Northwest in a compact area.

The timing of this amendment is of primary concern. Staff believes that it is premature to allow any expansion to occur at this stage in the development of Town Center. Currently, the overall development of the Town Center area is minimal (with the exception of the Timberlake subdivision, and in the vicinity of Ann Road/Tenaya Way). This particular application would expand the boundaries of Town Center to include areas designated for future expansion and areas not previously considered for inclusion. Staff believes that there is no basis for expansion

GPA-30-99 - Page Seven
December 1, 1999 City Council Meeting

at this time, and does not support the request from Rural Density Residential (R) to Town Center (TC) at this time. The provision of proper buffering protects the intensity of the existing "rural" development in conformance with the Town Center purpose.

- MEDIUM RESIDENTIAL (M-TC) TO SUBURBAN MIXED-USE (SX-TC) - This application is requesting to replace the Medium Density (M-TC) land use recommendation, south of the realigned Tropical Parkway, with Suburban Mixed Use (SX-TC) land use designation. The Medium density land use designation was designed as a land use transition for that part of Town Center immediately adjacent to the single family development to the south (Ranch House Estates) and the planned commercial development, adjacent to interchange, to the north. Staff believes that the Suburban Mixed Use development adjacency standards and the provision of additional buffering adjacent to the Ranch House Estates area could result in an appropriate land use transition in place of the Medium Density residential concept. Adequate buffering should be determined as part of the proposed development on a case-by-case basis and dependent upon the intensity of land use proposed south of Tropical Parkway. This buffering should include an appropriate width greenbelt of heavily landscaped area including a pedestrian path and open space amenities. Staff has already stated that the expansion of Town Center to the east is not appropriate at this time and therefore this discussion relates only to the Medium Density area currently within the Town Center designation.
- SUBURBAN MIXED-USE (SX-TC) TO GENERAL COMMERCIAL (GC-TC) - The final aspect of this amendment would result in the placement of a General Commercial (GC-TC) land use designation adjacent to a Suburban Mixed Use designation and a limited access highway. While overall, it is generally accepted that these commercial classifications are compatible and allow similar uses, and are most appropriate and suited for locations along the edges of limited access highways, staff has a concern about the rising use of GC in recent development proposals to permit car dealerships. Staff doesn't believe that the intent of Town Center was to allow this type of development throughout and create a proliferation of car dealerships (or other intense General Commercial Uses). We also have reservations about the excess of such uses and are skeptical of this General Commercial land use classification amendment. Staff believes that the General Commercial (GC-TC) was specifically confined to the southwest quadrant of Town Center to avoid the proliferation of intense General Commercial uses, such as car dealerships, from occurring throughout all of Town Center, just as the Main Street Mixed-Use (MS-TC) and the Urban Center Mixed-Use (UC-TC) were specifically confined to the northwest quadrant, as development in that quadrant was specifically intended to be the most intense urban center development. Therefore, staff does not support the request for the amendment to General Commercial (GC-TC) from Suburban Mixed-Use (SX-TC).

With regards to "2" above, according to the Las Vegas Zoning Ordinance, the Town Center land use category has one (1) related zoning designation; T-C (Town Center). This zoning designation

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December 1, 1999 City Council Meeting

was specifically adopted as an implementation mechanism to facilitate the development of the Town Center area of the City. As such, the Town Center zoning district is very broad and is able to accommodate a variety of land uses, each of which could be complimentary to existing and adjacent development patterns/uses. Thus, a Town Center zoning designation would be compatible with existing or proposed land uses that are adjacent.

With regards to "3" above, the parcels in question are located in an area of the City where all utilities are currently in place and available to this site. The site is serviced by the Northwest Area Command of the Las Vegas Metropolitan Police Department with a substation approximately seven (7) miles to the south at Jones Boulevard and U.S. 95. Fire Station #9, which is approximately 2 miles to the south at Rainbow Boulevard and Lone Mountain Road, is the closest city facility to this site. The Elkhorn Durango Ballfields (at Elkhorn and U.S. 95) is the closest park to this site. Planning for the northwest quadrant of Town Center contemplates the development of a civic use element that would include a new Metropolitan Police Department substation.

With regards to "4" above, the Northwest Sector Plan encourages the use of several land use designations as land use buffers. Staff believes that the intent of this statement is to protect existing residential development from more intense commercial development. In addition to the land use buffer concept, staff believes that the protection of these residential areas could be accomplished through the provision of a significant amount of the required open space/landscaped areas (minimum of 20 percent of gross property area as per Chapter 19A.06.110.E of the Las Vegas Zoning Ordinance) is adjacent to the existing residential development. Staff would encourage the development of a greenbelt along the perimeter of the Town Center, including those areas contained within the designated expansion area (at such a time the development of these parcels is appropriate). This concept (consisting of an appropriately sized, heavily landscaped greenbelt, containing pedestrian paths and other open space amenities) would act as a buffer to adjacent residential development; provide an alternative transportation opportunity for the movement of people within Town Center; increase recreational opportunities for residents, and; discourage any future expansion of Town Center outside of the established boundaries (including established expansion areas).

This particular application is important for the future of Town Center. Staff projects that numerous applications similar to this one (requesting expansion of the Town Center into areas not previously considered) are imminent. There is a real need to be conscious of adjacent residential development (existing or planned) and to protect and enhance the viability of these adjacent residential properties. One manner of accomplishing this is by avoiding the expansion of Town Center beyond those areas identified as potential expansion areas. While the current amendment process certainly may discourage some from considering expansion, staff believes that this system may not be enough, and this goal may be further accomplished by requiring buffering along the periphery of Town Center. By requiring a graduated buffer along the periphery (applicable throughout all of Town Center, and based on adjacent residential densities), adjacent residential properties should notice less impacts from development within Town Center. A graduated buffer will clearly

GPA-30-99 - Page Nine

December 1, 1999 City Council Meeting

delineate the perimeter of Town Center, by creating an open space barrier that would essentially "cut-off" the additional expansion possibilities other than those identified for the existing Town Center development. Staff would encourage the creation of a development standard that would be applicable throughout all of Town Center.

Per policy set forth in the City of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. In accordance with this policy, a neighborhood meeting, sponsored by the applicant, was held on September 27, 1999 at 6:30 p.m. at Integrity Dodge (Ann Road at U.S. 95). This meeting was attended by approximately 30 interested persons. While a majority, of those in attendance appeared to be impartial on the request (not overwhelming in favor or against the proposal), there were some in attendance who were in favor of the request, and some very vocal opponents.

FINDINGS:

Regarding the Request from Rural Density Residential (R) to Town Center (TC), staff finds this portion of the amendment inappropriate for the following reason:

Staff believes that it would be premature and contradictory to good planning principles to allow unwarranted expansion to occur at such an early stage in the development of Town Center.

Regarding the request from Medium Residential (M-TC) to Suburban Mixed-Use (SX-TC), staff finds this portion of the amendment appropriate for the following reason:

The application does meet the requirements of Section 19A.18.030.I of the City of Las Vegas Zoning Code regarding subsections "1", "2", "3" and "4".

Regarding the request from Suburban Mixed-Use (SX-TC) to General Commercial (GC-TC), staff finds this portion of the amendment inappropriate for the following reason:

The application does not meet the requirements of Section 19A.18.030.I of the City of Las Vegas Zoning Code regarding subsection "4".

AGENCY COMMENTS:

This application was circulated on 9/3/99 to the departments and agencies listed below, for comments by 9/29/99. As of this date, the following comments have been received.

Department of Public Works - No comments received

Permits/Inspections - No comments received

Fire Prevention - No comments received

Metro (Intergovernmental Services) - No comments received

GPA-30-99 - Page Ten
December 1, 1999 City Council Meeting

PC NOTICES MAILED: 355

APPROVALS: 1

PROTESTS: 115

[There was significant public testimony in opposition for reasons that the car dealerships proposed under the GC (General Commercial) designation would be incompatible with the adjacent rural residential development, that such development is too intense, and that any development of this area is premature at this time.]

November 30, 1999

Councilman Larry Brown
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Re: City Council Item #125, Montecito East

Dear Councilman Brown:

Enclosed is a copy of the petition from the homeowners of the Ranch House Estates in support of Item 125 on the December 1, 1999 City Council Agenda. I have submitted the original to the City Clerk's office so that it may be submitted into the Public Record.

I ask that you view these signatures as a reflection of the voices that cannot be heard at City Council as it pertains to their quality of life. One of the most important factors I would like you to consider as you cast your vote, is that all of these signatures were obtained within the past three weeks. I was privy to the living rooms of these residents and consider this to be a true measurement of the neighborhood that exists today and is respectful to the neighbors of tomorrow.

Thank you for your time and consideration and please feel free to contact my office with any questions or concerns that you may have.

Sincerely,



Elizabeth Trospen
Community Affairs

Cc: Mayor Oscar Goodman
Councilman Michael J. McDonald
Councilman Gary Reese
Councilman Lynette B. McDonald
Barbara Ronemus, City Clerk
Bob Genzer, City Planning Department

1999 NOV 30 P 2:32

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Appeal To The Masses

6216 S. SANDHILL ROAD, 2ND FLOOR • LAS VEGAS, NEVADA 89120 • (702) 433-4331 • FAX (702) 433-4566

#125 GPA-30-99

Montecito East, LLC

2901 El Camino Ave., #202
Las Vegas, NV 89102

Contact: Elizabeth Trosper
MassMedia Public Relations
Phone: (702) 433-4331 X 111
Fax (702) 433-4566

RESIDENTS PETITION

We the Undersigned support the Montecito East Project with the following addendums:

To amend a portion of the Northwest Sector plan on property located on the southeast corner of Buffalo Drive and the proposed Beltway, from R (Rural Density Residential) to TC (Town Center); and a request to amend a portion of the Town Center Land Use Plan, from: M-TC (Medium Density Residential - Town Center) To: SX-TX (Suburban Mixed Use) (portion of site) and From: SX-TC (Suburban Mixed Use) To: GC-TC (General Commercial Town Center) (portion of site) Size 63.69 Acres, Ward 4.

Name	Address
Roger M. Thuraw	6013 Pebblegray Lane, LV., NV. 89130
John P. McCarthy	7533 Maiden Run
Shawn Marion	7529 Maiden Run
VASON MARTIN	7532 Maiden Run
Terry Fawcett	7428 Maiden Run
Sammy Peterson	7325 Maiden Run
Tony Condon	7321 Maiden Run
Una Reef	7329 Jockey Ave
Joseph M. Wroblewski	7316 Maiden Run Ave
Bob A. La	7416 Jockey Ave
Linda J. Jallant	7429 Jockey Ave
Melinda L. Jallant	7429 Jockey Ave
Josephson	7513 Jockey Ave
Billy Finn	7500 Jockey Ave
Sharon Justice	7504 Jockey Ave

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1999 NOV 30 P 2:33

Montecito East, LLC

2901 El Camino Ave., #202
Las Vegas, NV 89102

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Name	Address
Deuter Billingsley	7508 Hickory Hills Drive
Judith L. Kappert	7401 Hickory Hills Drive
Tall Pomeroy	7413 Hickory Hills Drive
John M. Meltzer	7501 Hickory Hills Dr
Andriana E. Miralock	7509 Bowler Dr.
Stephen H. Galloway	7300 Youngs Doe Avenue
Carl Simon	6116 Breeders Cup St.
Elizabeth Carlos Kappel	7325 Youngs Doe
Michelle Calver	6109 NBreeders Cup St
David K. Kinsler	7400 Maiden Bun
Gerard Switzer	7336 Backstretch
Hope Sandy	6001 Crown Jewel St
H Steve Hopp	6000 Crown Jewel St
Tom Bryant	6105 Breeders Cup

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NOV 30 12:33 PM '99

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Name	Address
CARL SIMON	6116 BREEDERS CUP
AMBER SIMON	same as above
HARRY ROME	Same as above
JERRY LAVOIE	7300 YOUNG DOE AVE
Juan Espinoza	7509 HICKORY HILLS
DOM ANZEVINO	7400 MAIDEN RUN AVE
JIM DAVIS	6024 BARDSTOWN
Jim Davis	6029 BARDSTOWN DR
Bill Kappert	7401 HICKORY HILLS
Richard Kappert	7332 BACKSTRETCH DR.
John	7328 BACKSTRETCH DR.
Zoe Escobedo	7316 BACKSTRETCH DR.
Patricia L. Combs	7301 BACKSTRETCH DR.
John L. Stetler	7317 BACKSTRETCH AVE.
Benedictte Manning	7401 EXOTIC BLVD.

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CITY CLERK

1999 NOV 30 PM 2:33

Louise Ruskamp
8500 Log Cabin Way

GPA 30-99
Montecito East, LLC

I would like to express my support to approve the GPA portion designated Medium Density to Suburban Mixed Use. I was pleased to hear one of Mr. Shulman's representatives state at a meeting that he has no intention of putting apartments at this site. I think the neighbors on all sides agree this is not an appropriate use.

However, I would like to protest the other two portions. The main concerns that the people of the Northwest have about his proposed project before you today are the expansion of the General Commercial District, the addition of areas designated future expansion or rural, and the lack of adequate and appropriate buffering to the existing residents.

The Town Center currently has 163 acres of General Commercial on the southwest corner of US 95 and the Beltway. If we add these 16-18 acres that are proposed we would be expanding that area to the southeast side of the intersection. I believe that the GC was confined to the west of the highway for a reason. The intent that the uses on the east side of 95 would be less intensive Service Commercial and Suburban Mixed Use helped illicit support from the residents of the Northwest for the Town Center concept. To approve this request would not only go against the wishes of the residents this center is to serve, but would violate the intent.

As stated in the Northwest Area General Plan Amendment, **3.4.2 Commercial Land Uses:** "The commercial districts ... are intended to serve both the day to day and long range retail needs of the residents of the Northwest." Now the question comes to mind of just how many cars can 300,000 people possibly purchase to necessitate the addition of three more auto dealerships? Was the intent of the Town Center to have this area be the "Auto Mall II"? I think not.

The people expect and demand a better product in the Town Center, we desire that every project be a "show case" project. There is no doubt in my mind that Mr. Finlay intends to make this a beautiful project. The opposition is of what these uses make the Town Center become. I ask that you deny this portion of the GPA.

The second opposition is to the "future expansion area" and the addition of the rural areas. Future is defined as the time that is to be or to come. If you believe that today is the future, I guess that this area will be included. I, like many here today, would disagree. If you decide to approve these areas, I would like to propose that these areas be included in the Town Center, designated as park areas.

There are a number of reasons why this is a viable solution. I do not feel that any new areas not already added to the Town Center should be included. Most in Las Vegas would agree that there is a real need for parks in the city. If you look at the Northwest area, one can see that this is particularly true.

Show map Parks and Trails and submit as Exhibit A

If the future expansion area of 4 acres along Tenaya Way and the additional 4 acres at the southeast corner of the project would be added as a park, it could satisfy ~~not~~ ~~only~~ the need for a park in this area. Additionally, it would provide for essential buffering of the existing Rural Density Development to the east and southeast.

#125

The Northwest Area General Plan Amendment gives several alternatives on how to achieve a buffer:

2.8 GOALS, OBJECTIVES, POLICIES AND PROGRAMS FOR THE NORTHWEST

"Protect and enhance existing residential neighborhoods while providing essential goods and services to the residents...Promote a mix of land uses that are appropriate and compatible with existing development."

Program B3.3 "Buffering of adjacent single-family development should be done according to the City's adopted Landscape, Wall and Buffer Standards."

Program B5.2 "Employment center development should be buffered from residential development by using other less intense land uses such as office or parks." Have we met these requirements? A park would.

3.4.1 Land Use

"Other land uses include Low Density Residential (L), Medium Residential (M), and Public Facilities (PF). Where possible these uses should be used as land use buffers as well."

The legitimate concern that the residents of the area have is that with the addition of this project, Tenaya will become commercial on both sides. We now are hearing that the east boundary of Town Center will be Tenaya Way. What assurances do we have that this will be the case? Can you guarantee to enforce the intent of the TC as described in the **Forward section 3.2?**

"The intent of the Town Center is to prevent the sprawl of commercial and office projects into developing residential neighborhoods that exist in the Northwest General Plan area... This concentration of economic activities will accomplish three key objectives:

- a) The Town Center will aid in the preservation of the lifestyle that exists in most of the residential neighborhoods located in the Northwest planning area.

I would like to present to you a quick view of what has happened to this eastern boundary over the past two years. In August and December of 1997 it stopped at Buffalo. In July of 1998 it had been pushed to Tenaya Way, then when the Town Center was adopted, it was pushed back a bit and designated as future expansion.

Show City of Las Vegas Maps (Northwest Town Center Concept 8-13-97, Town Center Future Land Use January 15, 1998, Proposed Town Center Land Use July 6, 1998 and September 22, 1998) Exhibit B

If we are going to hold the line at Tenaya and not encourage additional commercial development along this 80foot arterial you must use a buffer that would do this. The second point in the Forward 3.2 states that the Town Center will reduce stress on existing as well as the future infrastructure systems impacting the Northwest planning area."

Currently there is no reason for Tenaya Way to become a major arterial in this area. Just akw miles from this intersection it **ends** at the Mountain Spa development. Would putting commercial along Tenaya force additional traffic upon it and adversely affect the rural horse properties existing there?

Therefore, I ask that you deny the request for the GPA from Rural to SX-TC, but rather accept these areas into the Town Center and designate them as park ~~instead~~.

The final concern residents have is of the height of the buildings along the beltway. As explained earlier, where Buffalo dissects the Beltway the roadway is almost at grade. At Pioneer it is below grade and continues to drop as the beltway heads east to Tenaya Way.

Show Northern & Western Las Vegas Beltway map UA-9 (Exhibit C)
The guidelines of the Northwest Area General Plan Amendment dictate:

General Commercial (GC-TC):

"When adjacent to the beltway, these uses may exceed the height of the beltway by one story, otherwise development within the GC-TC land use area is restricted to two stories in height."

Suburban Mixed Use (MS-TC)

"Projects adjacent to the Beltway and/or Highway 95 may construct up to one story higher than the street infrastructure to which it is adjacent. Single story offices are recommended to be used as a land use buffer when adjacent to single family dwelling units."

No one is saying that at the intersection of US 95 and Centennial there will be ^{N²} multi-story buildings. We do however know that three story structures are not allowed in the Suburban Mixed Use, and ask that the applicant change the height for the parking structure.

Concurring with staff, I oppose the request from R (Rural) to TC (Town Center), support the request from M-TC (Medium Density Town Center) to SX-TC (Suburban Mixed Use Town Center), and oppose the request from SX-TC to GC-TC (General Commercial Town Center). I ask that the additional acreage of designated future Town Center areas and the rural be included as park sites.

Thank you!

Northwest Area Residents Opposed to GPA 30-99

Applicant: Centennial 95 Limited Partnership
 Location: So. of Beltway Between Tenaya and Buffalo

Name:	Address:	Phone:
<u>Russell W. Wore</u>	<u>9390 W Helena 89129</u>	<u>655-0302</u>
<u>Alexander Frando</u>	<u>9390 W Helena 89129</u>	<u>655-0302</u>
<u>Mary Lacker</u>	<u>6065 N. Tenaya Hwy</u>	<u>658-8861</u>
<u>Robert P. Lacker</u>	<u>6065 N. TENAYA WAY</u>	<u>658-8861</u>
<u>Jim D. King</u>	<u>5211 N. BONITA VISTA</u>	<u>645-0113</u>
<u>14291 Wore</u>	<u>3640 Horn Blvd.</u>	<u>658-0277</u>
<u>Louise Ruskamp</u>	<u>8500 LOG CABIN WAY</u>	<u>656-0385</u>
<u>Cindy & Cliff Kahle</u>	<u>9920 HOMESTEAD Rd.</u>	<u>658-7959</u>
<u>Karen & Jeff Hennessy</u>	<u>8670 Brocken Ave.</u>	<u>396-4202</u>
<u>Bill & Bennie Shoring</u>	<u>8500 Rocky Ave</u>	<u>645-6542</u>
<u>G. R.</u>	<u>8221 Bluff Creek</u>	<u>655-0521</u>
<u>Beverly Blasky</u>	<u>8020 Bradley Rd</u>	<u>655-3475</u>
<u>Non Mince</u>	<u>8500 LOG CABIN WAY</u>	<u>656-0385</u>
<u>Gail Shields</u>	<u>7180 W. Azure Dr</u>	<u>658-5385</u>
<u>Charles H. Shields</u>	<u>7180 W. AZURE DR</u>	<u>658-3385</u>

Northwest Area Residents Opposed to GPA 30-99

Applicant: Centennial 95 Limited Partnership
Location: So. of Beltway Between Tenaya and Buffalo

Name:Address:Phone:Doug Catman7280 W. Regena656-5622McKee Malone3660 Thorn Blvd.658-0277Stephen Reilly7000 Steeple Ct655-6339Rance Hamilton8524 Magic Av656-2736

Northwest Area Residents Opposed to GPA 30-99

Applicant: Centennial 95 Limited Partnership

Location: So. of Beltway Between Tenaya and Buffalo

Name:Address:Phone:

Bonnie + Bill Shoning

8500 Rocky Ave

645-6542

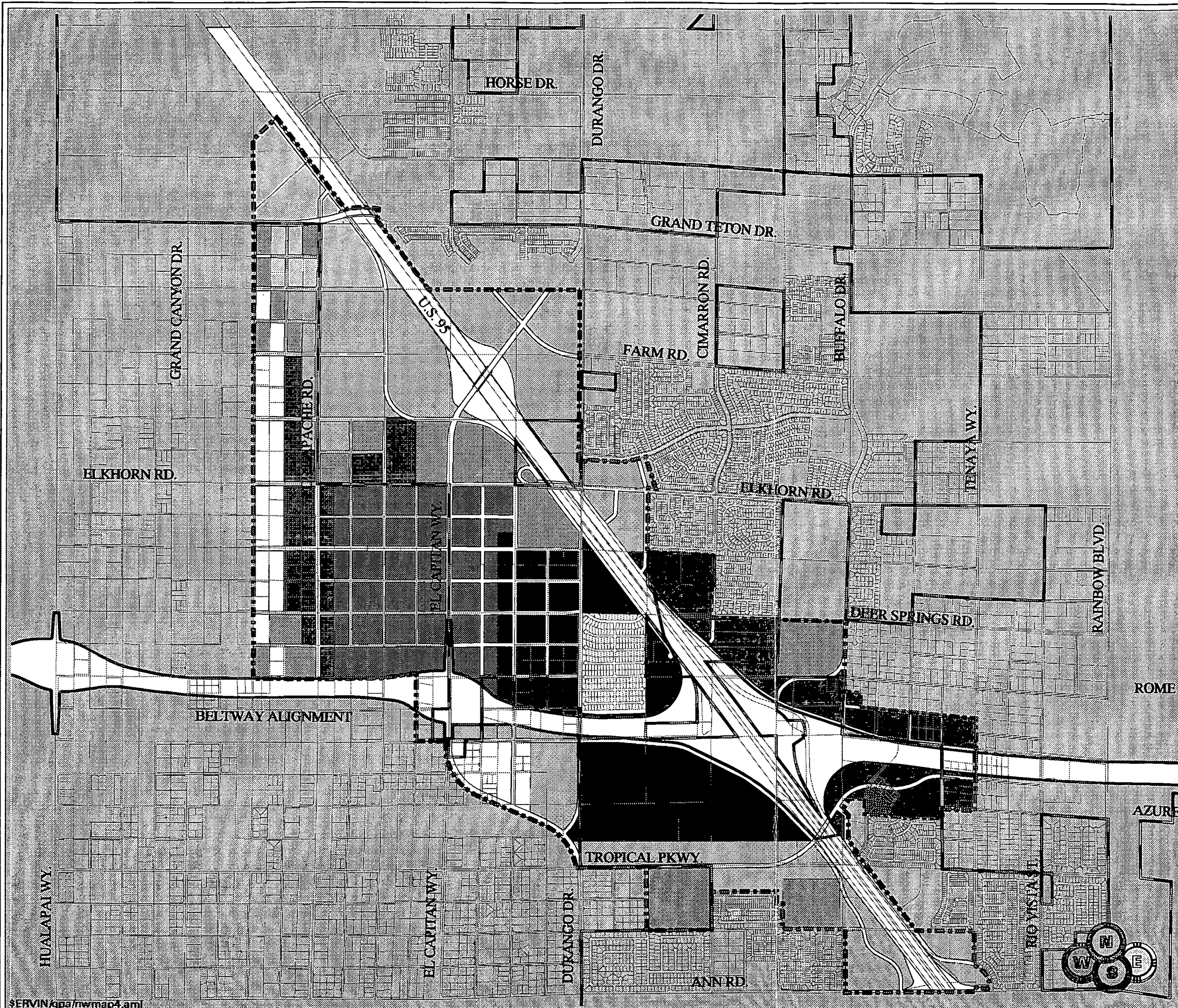
MAP FOUR

City of Las Vegas

NORTHWEST AREA

Proposed Town Center Land Use

-  General Commercial (GC-TC)
-  Service Commercial (SC-TC)
-  Urban Center Mixed-Use (UC-TC)
-  Suburban Mixed-Use (SX-TC)
-  Main Street Mixed-Use (MS-TC)
-  Employment Center Mixed-Use (EC-TC)
-  Low Residential (L-TC)
-  High Residential (H-TC)
-  Public Facility (PF-TC)
-  Town Center



July 06, 1998



GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Comprehensive Planning
229-6022



MAP FOUR

City of Las Vegas

NORTHWEST AREA

Proposed Town Center
Land Use

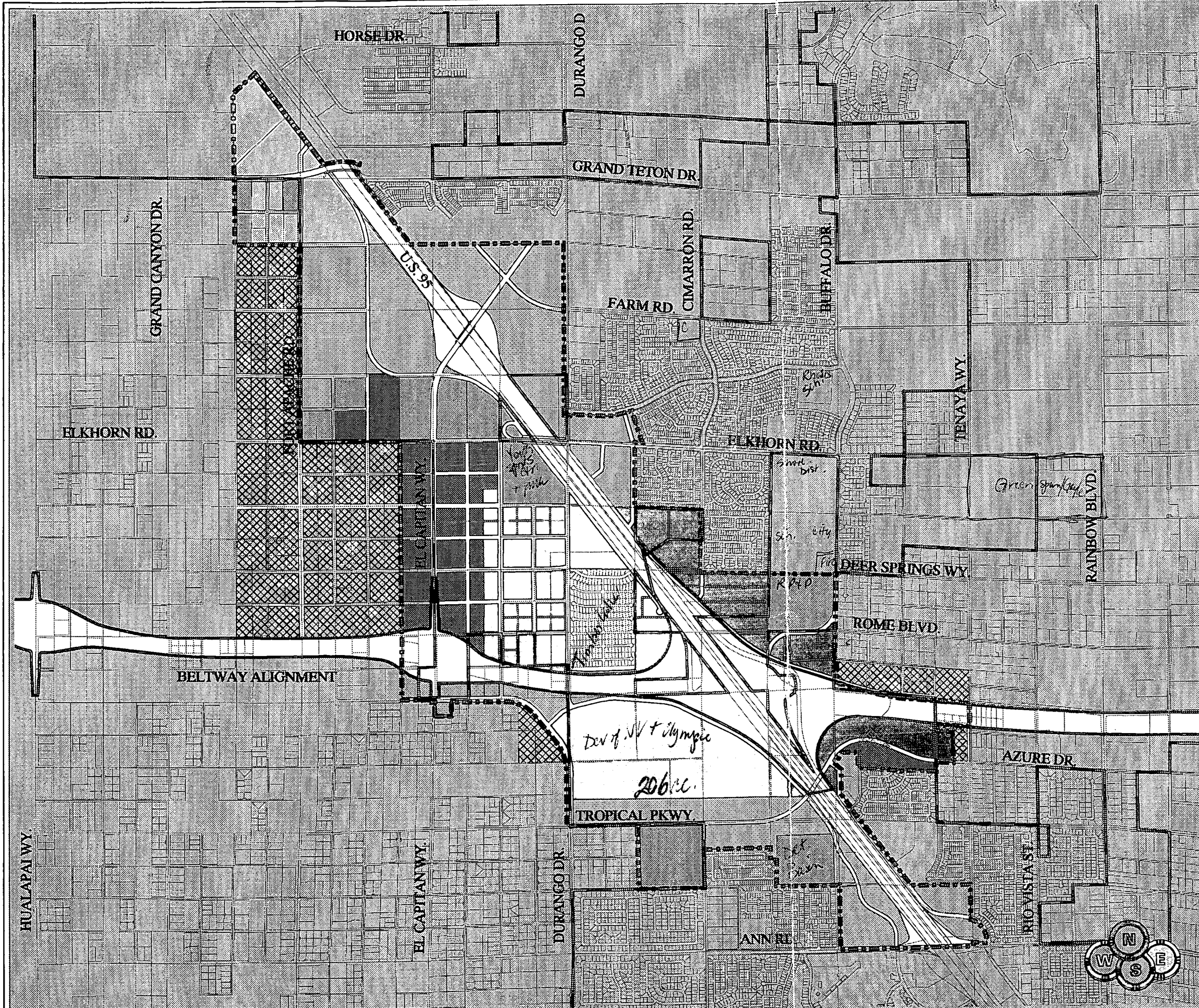
- General Commercial (GC-TC)
- Service Commercial (SC-TC)
- Urban Center Mixed-Use (UC-TC)
- Suburban Mixed-Use (SX-TC)
- Main Street Mixed-Use (MS-TC)
- Employment Center Mixed-Use (EC-TC)
- Low Residential (LTC)
- Medium Residential (MTC)
- Public Facility (PF-TC)
- Town Center
- Future Town Center Expansion Area (See MAP THREE)

SOURCE: City of Las Vegas, Department of Comprehensive Planning

September 22, 1998



GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Comprehensive Planning
702-229-6022



City of Las Vegas

Town Center Future Land Use as of December 2, 1997

Future Land Use

- Regional Retail
- Village Center Commercial
- Main Street Mixed Use
- Town Center Mixed Use
- Medium-Low Density Residential
- Parks
- Public Right of Way



January 15, 1998



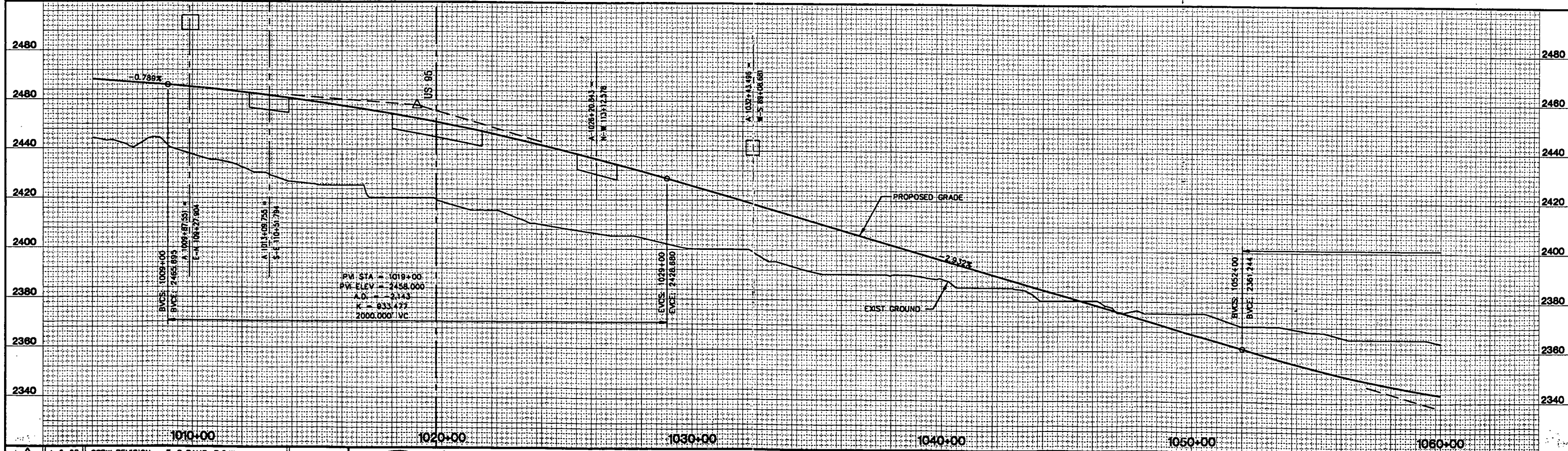
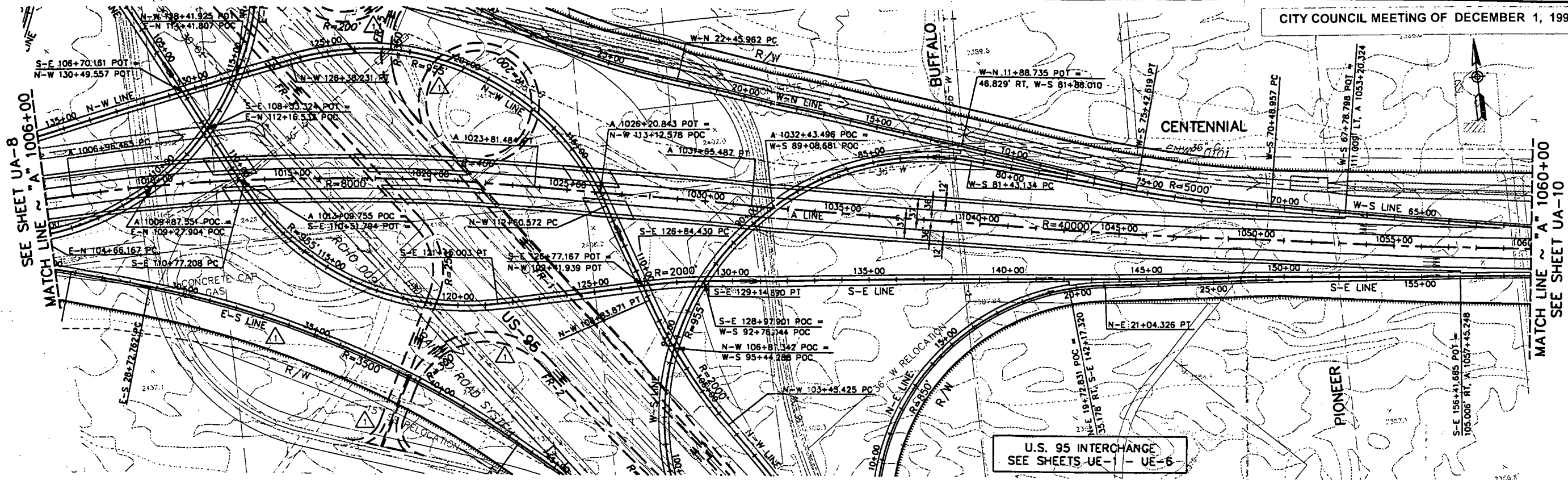
GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity, this map is for reference only.
Geographic Information System
Comprehensive Planning
229-6032



2251 N. Rampart Blvd., Suite 315 • Las Vegas, NV 89128
Phone: (702) 396-5631
Fax: (702) 341-7552
Fax: (702) 396-5381

Exhibit c

KEY'S
TIMBER
TOP-BB
ALT-1C
DRWACA
EXU TL
PT-ROB-A
20 UTIL
ULT UTIL
BND-BW



10-12-1998 15:15

REV NO	DATE	DESCRIPTION	APPROVED
4-6-98		CCPW REVISION - E-S RAMP, R.O.W., HOOK RAMP, N-W LOOP RAMP	



NORTHERN & WESTERN LAS VEGAS BELTWAY

PLAN AND PROFILE

ULTIMATE FACILITY AND RIGHT-OF-WAY

CLARK COUNTY, NEVADA, DEPARTMENT OF PUBLIC WORKS

PRELIMINARY
NOT FOR CONSTRUCTION

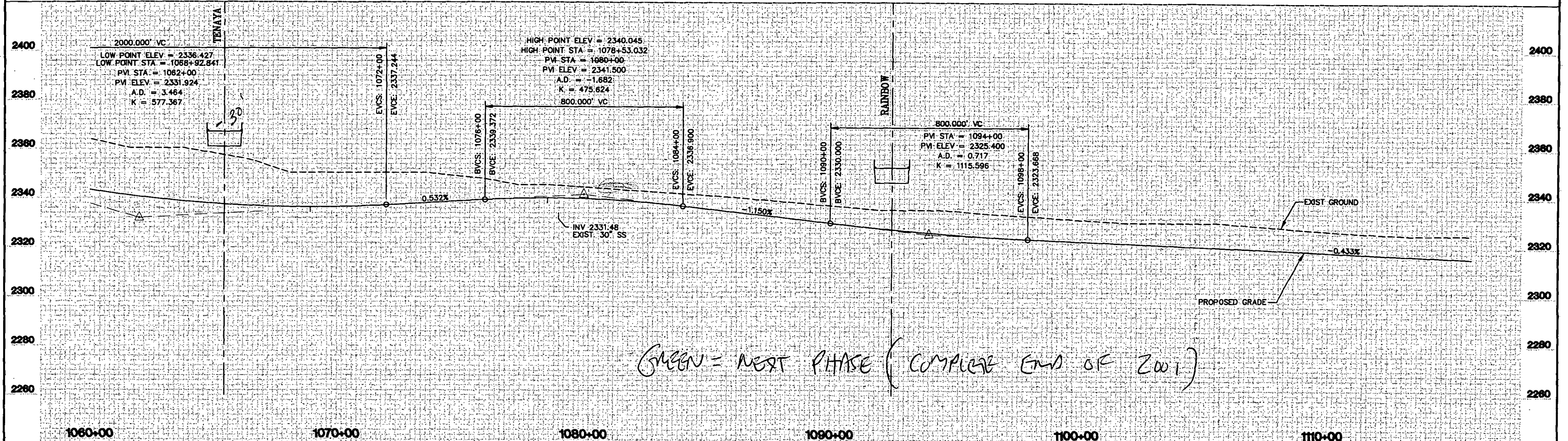
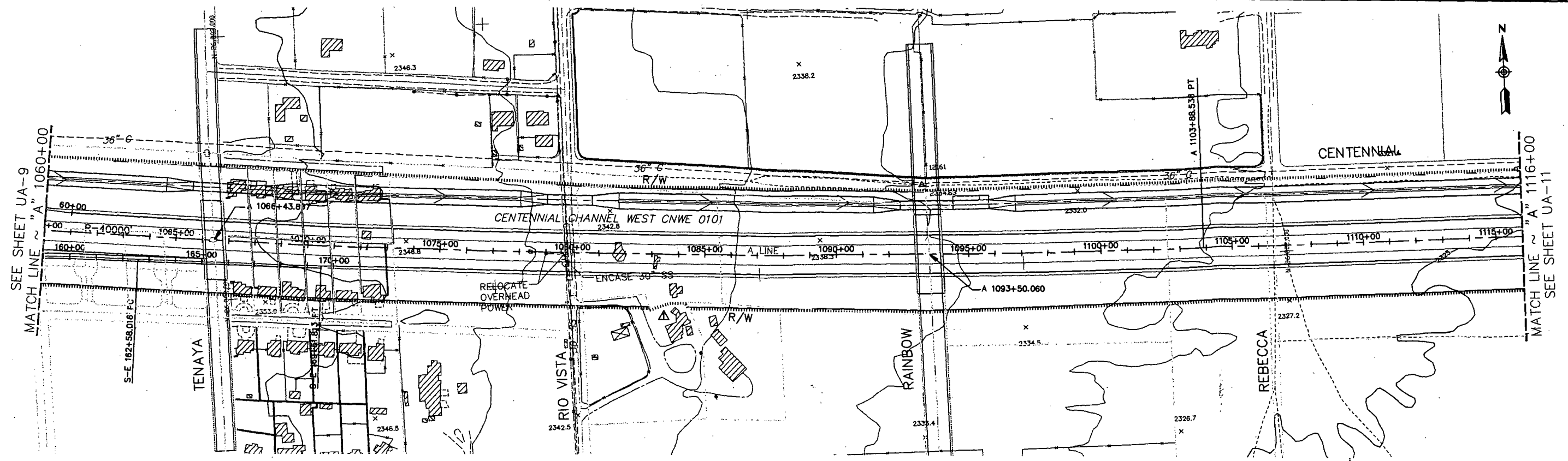
DESIGNED BY: DUA CHECKED BY: LGH
DRAWN BY: GSN APPROVED BY: SWT
DATE:
PARSONS BRINCKERHOFF
LAS VEGAS, NEVADA

SCALE
HORIZ: 1" = 200'
VERT: 1" = 20'
FIELD BOOK NONE

SHEET No
UA-9
42 OF 90

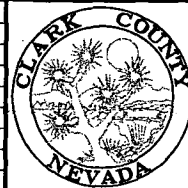
#125

XREF'S
 TMBOR
 TMBGRD
 ALT-1C
 TOP-10
 PAR-INF
 ALT-1C
 DRWFACA
 EXUTIL
 FT-PRN-A
 20_UTIL
 ULT_UTIL
 BND-INF



GREEN = NEXT PHASE (COMPLETE END OF 2001)

NORTHERN & WESTERN LAS VEGAS BELTWAY
 PLAN AND PROFILE
 ULTIMATE FACILITY AND RIGHT-OF-WAY
 CLARK COUNTY, NEVADA, DEPARTMENT OF PUBLIC WORKS



PRELIMINARY
 NOT FOR CONSTRUCTION

DESIGNED BY: DUA CHECKED BY: LGM
 DRAWN BY: GSN APPROVED BY: SWT
 DATE: _____
PP PARSONS BRINCKERHOFF
 LAS VEGAS, NEVADA

SCALE
 HORIZ: 1" = 20'
 VERT: 1" = 20'
 FIELD BOOK NONE
 SHEET No
UA-10
 20 OF 90

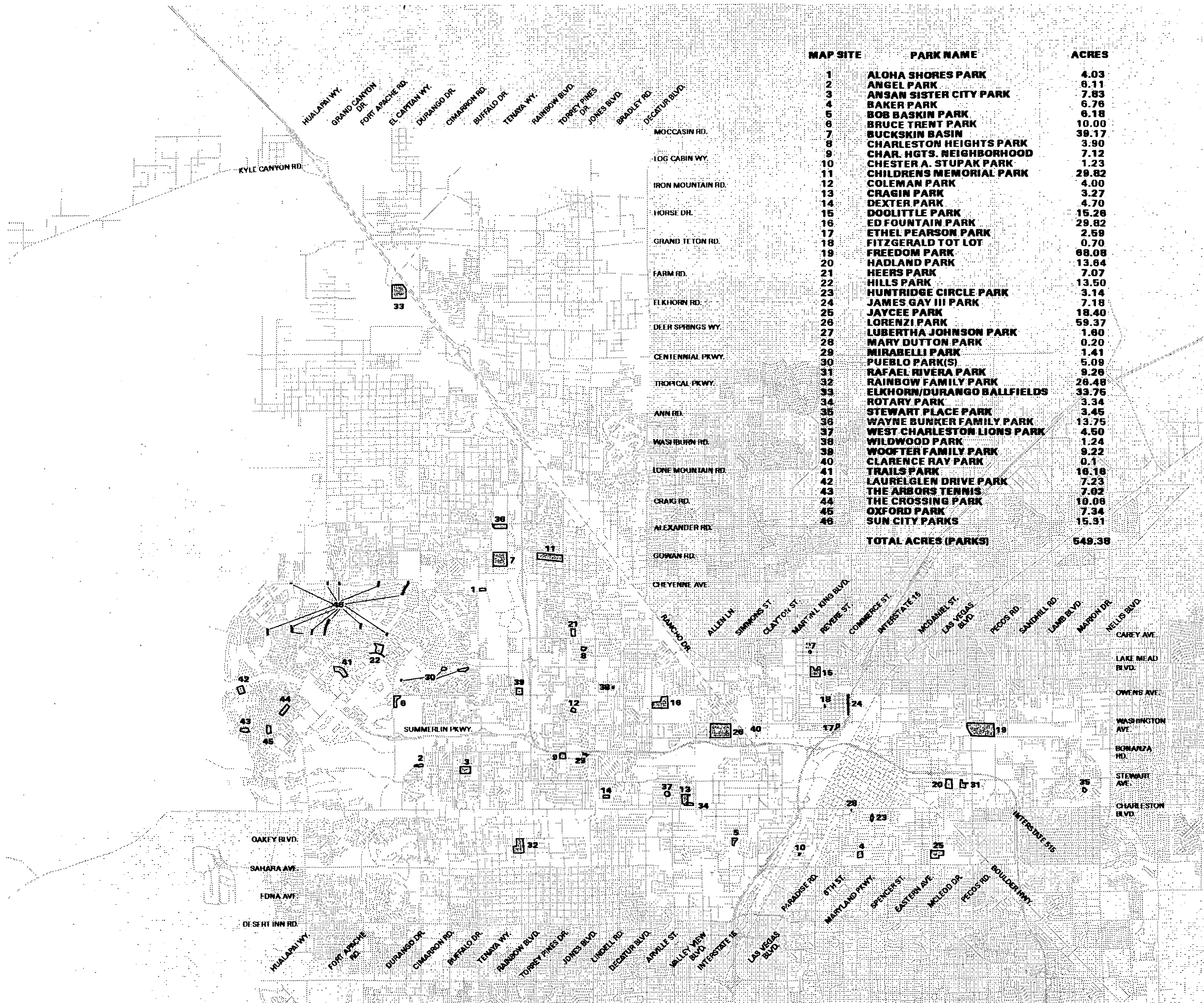
#125

City of Las Vegas

Parks & Trails

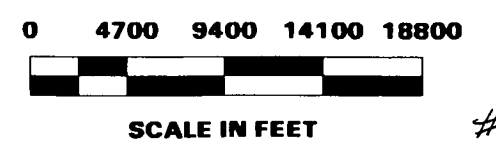
Existing Parks

- City Owned
- City Maintained
- Public Access Privately Built and Maintained



MAP SITE	PARK NAME	ACRES
1	ALOHA SHORES PARK	4.03
2	ANGEL PARK	6.11
3	ANSAN SISTER CITY PARK	7.83
4	BAKER PARK	6.76
5	BOB BASKIN PARK	6.18
6	BRUCE TRENT PARK	10.00
7	BUCKSKIN BASIN	39.17
8	CHARLESTON HEIGHTS PARK	3.90
9	CHAR. HGTS. NEIGHBORHOOD	7.12
10	CHESTER A. STUPAK PARK	1.23
11	CHILDRENS MEMORIAL PARK	29.82
12	COLEMAN PARK	4.00
13	CRAGIN PARK	3.27
14	DEXTER PARK	4.70
15	DOOLITTLE PARK	15.26
16	ED FOUNTAIN PARK	29.82
17	ETHEL PEARSON PARK	2.59
18	FITZGERALD TOT LOT	0.70
19	FREEDOM PARK	68.08
20	HADLAND PARK	13.64
21	HEERS PARK	7.07
22	HILLS PARK	13.50
23	HUNTRIDGE CIRCLE PARK	3.14
24	JAMES GAY III PARK	7.18
25	JAYCEE PARK	18.40
26	LORENZI PARK	59.37
27	LUBERTHA JOHNSON PARK	1.60
28	MARY DUTTON PARK	0.20
29	MIRABELLI PARK	1.41
30	PUEBLO PARK(S)	5.09
31	RAFAEL RIVERA PARK	9.26
32	RAINBOW FAMILY PARK	26.48
33	ELKHORN/DURANGO BALLFIELDS	33.76
34	ROTARY PARK	3.34
35	STEWART PLACE PARK	3.45
36	WAYNE BUNKER FAMILY PARK	13.75
37	WEST CHARLESTON LIONS PARK	4.50
38	WILDWOOD PARK	1.24
39	WOOFER FAMILY PARK	9.22
40	CLARENCE RAY PARK	0.1
41	TRAILS PARK	16.18
42	LAURELGLEN DRIVE PARK	7.23
43	THE ARBORS TENNIS	7.02
44	THE CROSSING PARK	10.06
45	OXFORD PARK	7.34
46	SUN CITY PARKS	15.91
TOTAL ACRES (PARKS)		549.38

Map Created: July 28, 1999
Map Revised: July 28, 1999
Map Printed: September 03, 1999



GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Comprehensive Planning
702-729-6022

September 03, 1999



MASS MEDIA

PUBLIC RELATIONS • ADVERTISING

November 30, 1999

Councilman Larry Brown
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Re: City Council Item #125, Montecito East

Dear Councilman Brown:

Enclosed is a copy of the petition from the homeowners of the Ranch House Estates in support of Item 125 on the December 1, 1999 City Council Agenda. I have submitted the original to the City Clerk's office so that it may be submitted into the Public Record.

I ask that you view these signatures as a reflection of the voices that cannot be heard at City Council as it pertains to their quality of life. One of the most important factors I would like you to consider as you cast your vote, is that all of these signatures were obtained within the past three weeks. I was privy to the living rooms of these residents and consider this to be a true measurement of the neighborhood that exists today and is respectful to the neighbors of tomorrow.

Thank you for your time and consideration and please feel free to contact my office with any questions or concerns that you may have.

Sincerely,



Elizabeth Trospen
Community Affairs

Cc: Mayor Oscar Goodman
Councilman Michael J. McDonald
Councilman Gary Reese
Councilman Lynette B. McDonald
Barbara Ronemus, City Clerk
Bob Genzer, City Planning Department

Appeal To The Masses

Montecito East, LLC

2901 El Camino Ave., #202
Las Vegas, NV 89102

Contact: Elizabeth Trosper
MassMedia Public Relations
Phone: (702) 433-4331 X 111
Fax (702) 433-4566

RESIDENTS PETITION

We the Undersigned support the Montecito East Project with the following addendums:

To amend a portion of the Northwest Sector plan on property located on the southeast corner of Buffalo Drive and the proposed Beltway, from R (Rural Density Residential) to TC (Town Center); and a request to amend a portion of the Town Center Land Use Plan, from: M-TC (Medium Density Residential - Town Center) To: SX-TX (Suburban Mixed Use) (portion of site) and From: SX-TC (Suburban Mixed Use) To: GC-TC (General Commercial Town Center) (portion of site) Size 63.69 Acres, Ward 4.

Name	Address
Roger M. Thuraw	6013 Pebblegray Lane, LV., NV. 89150
John P. McCarthy	7533 Maiden Run
Shawn Marion	7529 Maiden Run
JASON MARTIN	7532 Maiden Run
Terry Fawcett	7428 Maiden Run
Jimmy Peterson	7325 Maiden Run
Doug Condon	7321 Maiden Run
Uma Reiff	7329 Jockey Ave
Madeline M. W. Groffman	7316 Maiden Run Ave
Blair A. J. J.	7416 Jockey Ave
Lucy T. Jallent	7429 Jockey Ave
Melinda L. Jallent	7429 Jockey Ave
Josephson	7513 Jockey Ave
Billy Jinn	7500 Jockey Ave
Sharon Justice	7504 Jockey Ave

Contact: Elizabeth Trosper
MassMedia Public Relations
Phone: (702) 433-4331 X 111
Fax (702) 433-4566

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Name	Address
CARL Simon	6116 Breeders Cup
Ambler Simon	Same as above
Harry Rome	Same as above
JERRY LAVOIE	7300 YOUNG DOE AVE
Guillermo Espinoza	7509 Hickory Hills
Dom Anzevino	7400 MAIDEN RUN AVE
JIM DAVIS	6024 BARDSTOWN
John R.	6029 BARDSTOWN DR.
Bill Kappert	7401 Hickory Hill DR
John Kappert	7332 Backstretch Dr
John	7328 BACKSTRETCH DR.
John Enchena	7316 BACKSTRETCH DR.
Patricia L. Comby	7301 Backstretch Dr
John L. Stetler	7317 Backstretch ave.
Benedicta Whitting	7401 EXOTIC BLVD

Contact: Elizabeth Trosper
MassMedia Public Relations
Phone: (702) 433-4331 X 111
Fax (702) 433-4566

RESIDENTS PETITION

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Name	Address
Deuter Billingsley	7508 Hickory Hills Drive
Judith L. Kappert	7401 Hickory Hills Drive
Tall Foman	7413 Hickory Hills Drive
John M. Meltzer	7501 Hickory Hill Dr
Andriana E. Miroslaw	7509 Bowler Dr.
Stephen H. Galloway	7300 Young Doe Avenue
Paul J. Jansen	6116 Breeders Cup St
Elizabeth A. Hoyer-Kayser	7325 Young Doe
Melinda Calumby	6109 N Breeders Cup St
Carla Klengauer	7400 Maiden Bun
Gerard Switzel	7336 Backstretch
Hope Sandy	6001 Crown Jewel St
H. Steve Hopp	6000 Crown Jewel St
Tom Bryant	6105 Breeders Cup

❖ MONTECITO EAST, LLC

2901 EL CAMINO AVE., #202
LAS VEGAS, NV 89102
PHONE: (702) 737-6822
FAX: (702) 892-7784

November 24, 1999

Summerhill Home Owners Association
ATTN: Mike Hartenstein
6125 Daisy Petal, #201
Las Vegas, NV 89130

Dear Mr. Hartenstein:

On behalf of Montecito East, LLC, I would like to respond to your request regarding our GPA application that is being heard by the City Council on December 1, 1999.

It was requested by the residents of Summerhill II Homeowners Association that the developer move the gas station and car wash to another location within the 63 acre site. Currently the car wash and gas station are planned on approximately 3 acres located adjacent to and directly north of the Summerhill II condominiums. As the developer of the Montecito East project, we agree to work with the Association on a new location for the car wash and gas station somewhere else within the Montecito East master plan.

Having developed in Las Vegas for over 20 years, we know how important it is to preserve the integrity of neighborhoods and to work with the surrounding residents. Upon passage of the GPA application presented to City Council on December 1, 1999, we guarantee that the car wash and gas station will be relocated within our 63 acre master planned site to preserve the quality of life for the Summerhill II residents.

With regard to ingress and egress to the Montecito East project. We have previously committed to councilman Brown and city planning staff provide for vehicular and pedestrian access to and from the Montecito East project for the local residents to the south. The access we have planned would be controlled and for the private use of the local residents only. The final approval for street closures and the controlled access point are subject to approval by the City of Las Vegas.

Following the December 1, 1999 City Council meeting we will have meetings with the homeowners to discuss and formulate a final design for street closures and a controlled access point between the two properties. We would welcome your participation and input at these meetings and I will personally see that you are informed of dates and times.

Thank you for your cooperation.



Frank Nielsen
Montecito East, LLC

FN:ns

 MONTECITO EAST LLC2001 E. MONTECITO AVENUE SUITE 200
LAS VEGAS, NV 89102PHONE (702) 734-4522
FAX (702) 734-7784

November 30, 1999

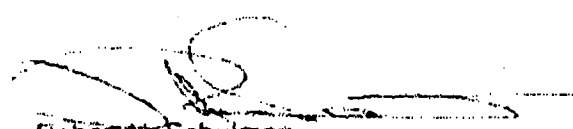
Summerid Home Owners Association
ATTN: Dave Goodman
6125 Daisy Petal #201
Las Vegas, NV 89130

Dear Mr. Goodman:

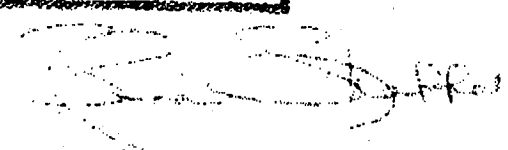
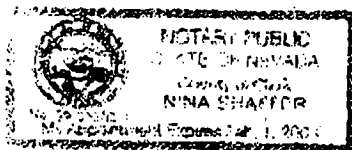
This letter shall verify that Frank Nielsen has full authority to sign on behalf of Montecito East LLC.

In particular, the attached letter was drafted and executed with my full knowledge in telephone communication with Frank Nielsen from New York on November 24, 1999.

Sincerely,
Montecito East LLC


Robert H. Schulman

RHS:ns



Nov-30-99 03:01P

P.04
- 02/02

**CERTIFICATE OF AMENDMENT
FOR A LIMITED PARTNERSHIP -
(NAME CHANGE)**

FILED
in the Office of the
Secretary of State of Texas
NOV 04 1997

Pursuant to Section 2.02 of the Texas Revised Limited Partnership Act,
Schulman/Nielsen Partnership, a Texas limited partnership, desires to amend
its Certificate of Limited Partnership on file with the Texas Secretary of
State as follows:
by changing its name to NPG Limited Partnership, a Texas Limited
Partnership.

Date:

11/03/97


Frank Nielsen
General Partner

P.05

Corporations Section
P.O. Box 13697
Austin, Texas 78711-2697



Antonio O. Garza, Jr.
Secretary of State

Office of the Secretary of State

November 5, 1997

**RE: NFG LIMITED PARTNERSHIP, A TEXAS LIMITED PARTNERSHIP
FORMERLY:
SCHULMAN/NIELSEN PARTNERSHIP, A TEXAS LIMITED PARTNERSHIP**

FILE DATE: NOVEMBER 4, 1997

FILE NUMBER: 000101274-10

It has been our pleasure to approve and place on record your amendment to certificate of limited partnership. The appropriate evidence is attached for your files, and the original has been filed in this office. Payment of the filing fee is acknowledged by this letter.

If we may be of further service, please let us know.

Sincerely yours,

Lorna Wassdorf

Lorna Wassdorf
Deputy Assistant Secretary
Statutory Filings Division

LSW: yd

Come visit us on the Internet @ <http://www.sos.state.tx.us/>

(512) 463-5555

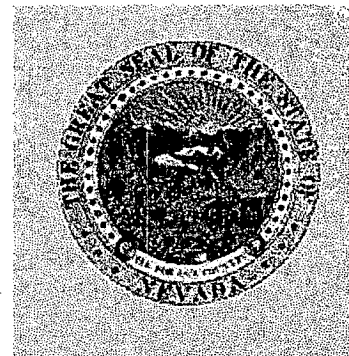
FAX (512) 463-5709

TDD (800) 735-2789

The Office of the Secretary of State does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.



Dean Heller
Nevada Secretary of State
Corporate Information



Name: MONTECITO EAST, LLC

Type: Limited Liability Company	File Number: 3432-1998	State: NEVADA	Incorporated On: June 22, 1998
Status: Current list of officers on file		Corp Type: Limited Liability Company	
Resident Agent:	J. MICHAEL OAKES, ESQ. (Accepted)		
Address:	520 SOUTH NINTH ST		
	LAS VEGAS	NV	89101
Manager or Member:	NFG LIMITED PARTNERSHIP, A TEXAS		
Address:	#202, 2901 EL CAMINO AVE		
	LIMITED PARTNERSHIP		
	LAS VEGAS	NV	89102

Return to search menu	Search for another Resident Agent
Search for another Officer	Search for another Corporation

[view selection]

8-5pm M-F Holly-

no officers

Managers or members

order a copy of list.

MASS MEDIA

PUBLIC RELATIONS • ADVERTISING

November 30, 1999

Councilman Larry Brown
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Re: City Council Item #125

Dear Councilman Brown:

Enclosed are postcards from the residents of **The Ranch House Estates** in support of Item 125 on the December 1, 1999 City Council Agenda. Not only do they support the Montecito East Project, but support the General Plan Amendments that need to occur in order for the plan to proceed as projected. I ask that these signatures serve as their voice, when you cast your vote on this most important project.

Please feel free to contact me with any questions or concerns that you may have.

Sincerely,



Elizabeth Trospen
Community Affairs

Appeal To The Masses

6216 S. SANDHILL ROAD, 2ND FLOOR • LAS VEGAS, NEVADA 89120 • (702) 433-4331 • FAX (702) 433-4566

Dear Councilman Brown,

I fully support the Montecito East Project complete with all proposed zoning changes. I urge you, Mayor Goodman and the other City Council members to vote in favor of this project on December 1, 1999.

Thank you,

Dom Anzevino

Name

7400 MAIDEN RUN AVE

Address

Dom Anzevino

Name

7400 Maiden Run

Address

ZENEN ESCALERA

Name

3716 BACKSTRETCH DR.

Address

Mrs James Orlando

Name

6109 N Breeders Cup St

Address

Las Vegas, NV 89130

Dear Councilman Brown,

I fully support the Montecito East Project complete with all proposed zoning changes. I urge you, Mayor Goodman and the other City Council members to vote in favor of this project on December 1, 1999.

Thank you,

JERRY & SUSAN LAVOIE

Name

7300 YOUNG DOE AVE

Address

Shauna Josephson

Name

7513 JOCKEY AVE, W NV 89130

Address

Todd Pomeroy

Name

7413 HICKORY HILLS DRIVE

Address

Betty Ingraham

Name

7500 - JOCKEY AVE

Address

Dear Councilman Brown,

I fully support the Montecito East Project complete with all proposed zoning changes. I urge you, Mayor Goodman and the other City Council members to vote in favor of this project on December 1, 1999.

Thank you,

GORDA SWITZEL
Name

7336 BACKSTREET DR.
Address

Sharon Justice
Name

7504 JOCKEY AVE
Address

Dexter Billingsley
Name

7508 HICKORY HILLS DRIVE
Address

JUDITH L. KAPPERT
Name

7401 HICKORY HILLS DR.
Address

Dear Councilman Brown,

I fully support the Montecito East Project complete with all proposed zoning changes. I urge you, Mayor Goodman and the other City Council members to vote in favor of this project on December 1, 1999.

Thank you,

John M DeHelean

Name

7501 Nickory Hills

Address

Andriana E. Mirolo

Name

7509 Bowels Dr.

Address

Freddie Mae Nordeen

Name

7316 Mader Can Avenue

Address

Robert A. Sand

Name

7416 Jockey Ave. Las Vegas

Address

NV
89130

Dear Councilman Brown,

I fully support the Montecito East Project complete with all proposed zoning changes. I urge you, Mayor Goodman and the other City Council members to vote in favor of this project on December 1, 1999.

Thank you,

Melynda A. Tallent
Name

7429 Jockey Ave.
Address L.V., NV. 89130

John S. Stalter
Name

7312 Backstreet AV
Address

Bernadette Manning
Name

7401 EXOTIC BLOOM
Address

DAVID KIMBAU
Name

7328 BACKSTREET DR.
Address

Dear Councilman Brown,

I fully support the Montecito East Project complete with all proposed zoning changes. I urge you, Mayor Goodman and the other City Council members to vote in favor of this project on December 1, 1999.

Thank you,

PATRICIA RAMER
Name

7301 BACKSTREET DR.
Address
LAS VEGAS 89130

Debra Perlin
Name

7332 BACKSTREET DR.
Address

William J. Koppert
Name

7401 Hickory Hills Dr.
Address

John R.
Name

6029 BARDSTOWN DR.
Address

Dear Councilman Brown,

I fully support the Montecito East Project complete with all proposed zoning changes. I urge you, Mayor Goodman and the other City Council members to vote in favor of this project on December 1, 1999.

Thank you,

Jim Davis

Name

6024 BARDSTOWN DR.

Address

Tracy Cordova

Name

7321 Maiden Run

Address

Lina Ray

Name

7329 Jockey Ave. LV. NV 89130

Address

Dammy Peterson

Name

7325 Maiden Run Ave

Address

Dear Councilman Brown,

I fully support the Montecito East Project complete with all proposed zoning changes. I urge you, Mayor Goodman and the other City Council members to vote in favor of this project on December 1, 1999.

Thank you,

Amber Simon

Name

6116 Breeders Cup St.

Address

Carl Simon

Name

6116 Breeders Cup St.

Address

Harry Rome

Name

6116 Breeders Cup

Address

Benny Sydnor

Name

27 7509 Hickory Hill

Address

Dear Councilman Brown,

I fully support the Montecito East Project complete with all proposed zoning changes. I urge you, Mayor Goodman and the other City Council members to vote in favor of this project on December 1, 1999.

Thank you,

Hope Sandy
Name

6001 Crown Jewel St
Address

Steve Hopp
Name

6000 Crown Jewell St
Address

Tom Bryant
Name

6105 Breeders Cup, LV. NV 89130
Address

Susan L. Lavoie
Name

7300 Young Doe Ave
Address

Dear Councilman Brown,

I fully support the Montecito East Project complete with all proposed zoning changes. I urge you, Mayor Goodman and the other City Council members to vote in favor of this project on December 1, 1999.

Thank you,

CARL SIMON

Name

6116 Breeders Cup St

Address

Dear Councilman Brown,

I fully support the Montecito East Project complete with all proposed zoning changes. I urge you, Mayor Goodman and the other City Council members to vote in favor of this project on December 1, 1999.

Thank you,

Carol & Edith Y. Young

Name

7325 Young Dr

Address

CITY COUNCIL MINUTES
MEETING OF
DECEMBER 1, 1999

Page 1

**VERBATIM TRANSCRIPT: ITEM 125 - GPA-30-99 - CENTENNIAL RANCH, LIMITED LIABILITY COMPANY
AND CENTENNIAL 95 LIMITED PARTNERSHIP ON BEHALF OF MONTECITO EAST, LIMITED LIABILITY
COMPANY AND CLIFFORD AND DONNA FINDLAY TRUST**

MAYOR GOODMAN

Good afternoon everybody. Any items from the afternoon session the Council, staff and/or the applicant wishes to be stricken or held in abeyance at this time to a future meeting, may be brought forwarded and acted upon.

COUNCILMAN McDONALD

Yes, Your Honor. We have several. We have Item 106. That's wish to be held in abeyance to 1/5/2000; request by the applicant.

MAYOR GOODMAN

Thank you.

COUNCILMAN McDONALD

We have Item 128, 129, 130, 131 and 132, which are all related, which is the GPA on Decatur and Alta. That is withdrawn without prejudice by request of the applicant.

MAYOR GOODMAN

Thank you.

COUNCILMAN McDONALD

I know we had neighbors here that were – here. James Dunn is one of 'em, and some neighbors from the neighborhood. Item 136 and 137, that's held in abeyance 'til 1/5/2000; request by the applicant. And Item 138, that's request to held abeyance 'til 1/5 by Councilwoman McDonald.

MAYOR GOODMAN

Thank you very much.

COUNCILMAN McDONALD

Are there any others? Mr. Moran.

ATTORNEY JOHN T. MORAN, JR.

Good afternoon, Council and Mayor. We're asking that Number 125 be considered as an abeyance item at the beginning of the meeting, so that if it is in fact held, it doesn't inconvenience any of the people that are here. And we'd like to be heard on that.

MAYOR GOODMAN

Fine. And do you have a preference as to when it would be abeyed?

ATTORNEY JOHN T. MORAN, JR.

We would like it heard after the holiday season when the Council is back at full strength. That's not too far off. And it give us an opportunity to look at this and perhaps meet with people who filed the application seeking a General Plan Amendment of the town board (sic).

COUNCILMAN McDONALD

Mr. Moran, every day up here is a holiday.

ATTORNEY JOHN T. MORAN, JR.

I understand. Well, if you like your job, it's good.

COUNCILMAN BROWN

Your – Honor, if – I may.

CITY COUNCIL MINUTES
MEETING OF
DECEMBER 1, 1999

Page 2

VERBATIM TRANSCRIPT: ITEM 125 - GPA-30-99 - CENTENNIAL RANCH, LIMITED LIABILITY COMPANY
AND CENTENNIAL 95 LIMITED PARTNERSHIP ON BEHALF OF MONTECITO EAST, LIMITED LIABILITY
COMPANY AND CLIFFORD AND DONNA FINDLAY TRUST

COUNCILMAN McDONALD

Councilman Brown's area.

COUNCILMAN BROWN

Mr. Moran, you're representing some neighbors?

ATTORNEY JOHN T. MORAN, JR.

I'm -- representing the neighborhood that is basically led by Janie Greenspun Gale, Michael Gaughan and a few other people on that, as well, that are not in favor of this and would like the opportunity to have their legal counsel look at it. And have the opportunity to have their people in the neighborhood, who because of holiday commitments, would not be able to be at this meeting and participate until after the first of the year.

MAYOR GOODMAN

On this particular matter, I'm awaiting a, an opinion from the City Attorney's office. I -- personally didn't see any problem with me sitting on this. However, I read this morning's paper and it appears that my law partner appeared in front of the Planning Commission and made comments. I'm -- not really sure what he said or what his position was. But, based on the unfortunate precedent of my good friend and colleague, Councilman Reese, who I believe did nothing wrong, made full disclosure, had no conflict, and yet ended up in front of the Ethics Committee, as a result of an aberrant ruling, as far as I'm concerned.

COUNCILMAN McDONALD

And how much fun is that? Let me tell you.

ATTORNEY JOHN T. MORAN, JR.

A lot.

MAYOR GOODMAN

I have -- I would prefer to, I have no problem with the abeyance, because I would hope that that matter will be resolved so I will be able to vote on this. So, I'll -- cede to Councilman Brown.

COUNCILMAN BROWN

There may be some concern with that.

ATTORNEY BILL CURRAN

If I may speak on this. Your Honor, I'm Bill Curran, of Curran & Parry, 601 South Rancho. And I'm appearing on behalf of the applicants. By prior arrangement, the group I represent is not going to appear until 4:30 today. I believe they're going to have a substantial number of citizens from the community who have arranged to take their time off work to come and be heard, because this is important to them. They're in favor of the project. I ask two things. First, that it not be abeyed, but secondly, that no decision be made on whether it can be, whether it is to be abeyed, until the people who are coming, and who I don't believe I have any chance of reaching at this point, can be here to be heard.

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MAYOR GOODMAN

I agree. Councilman Brown.

COUNCILMAN BROWN

And I – would support that. I think, working backwards for a moment is, just by the agenda in front of us, I think we're going to be pass the 4:30, Mr. Curran. And at that time, we'll – take the issue up, as far as any kind of abeyance.

ATTORNEY BILL CURRAN

Thank you.

COUNCILMAN BROWN

That would – be my recommendation to the Council; that we – that in order and make a decision as it comes us.

MAYOR GOODMAN

Okay.

CAROL LeDUC

May I speak?

MAYOR GOODMAN

No.

CAROL LeDUC

Okay. About an abeyance?

MAYOR GOODMAN

That, no, because it's already been resolved that we're going to wait until 4:30 when the matter is going be called in its natural order, and then we'll address it.

CAROL LeDUC

Okay.

MAYOR GOODMAN

Okay. And then you'll be, I'll be happy to hear from you.

CAROL LeDUC

Okay. Fine.

**END OF RELATED DISCUSSION - RESUMED RELATED
DISCUSSION**

MAYOR GOODMAN

Now, we've come to Item 125. I'm a little concerned because somebody this morning --

COUNCILMAN BROWN

Right --

MAYOR GOODMAN

-- indicated there's a 4:30 Time Certain.

COUNCILMAN BROWN

Your Honor, there's no, it's – not a time certain, but there was correspondence from the – neighborhood association just to the south of the project, and they asked if it could be heard at 4:30 or later. They were gonna try to get down. So I would ask if we could just trail number 125.

MAYOR GOODMAN

Very good. I'll make a note of that. We'll trail 125.

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END OF RELATED DISCUSSION - RESUMED RELATED
DISCUSSION

MAYOR GOODMAN

All right. I think the last item is Item 125. This is the one that I'm --

COUNCILMAN McDONALD

Is it 4:30?

MAYOR GOODMAN

It is past 4:30, so all the folks who're interested in this should be here. This is General Plan Amendment public hearing, GPA-30-99. Centennial Ranch, Limited Liability Company and Centennial 95 Limited Partnership on behalf of Montecito East, Limited Liability Company and Clifford and Donna Findlay Trust. Request to amend a portion of the Northwest Sector Plan on property located on the southeast corner of Buffalo Drive and the proposed Beltway, from R to TC. And a request to Amend a portion of the Town Center Land Use Plan from M-TC to SX-TX and from SX-TC to GC-TC. The staff recommends denial of the request from R to TC and approval of the request from M-TC to SX-TC, and the denial of the request from SX-TC to GC-TC. The Planning Commission recommends approval of the portion of the request to amend a portion of the Town Center Land Use Plan from M-TC to SX-TX and voted to recommend denial of the remaining portions. This is a public hearing. I now declare it open.

As I stated before, I -- find myself in a position that is unenviable, because I would like to participate in these proceedings. But I've been advised by the City Attorney that there's a conflict of interest because my law partner, at the Planning Commission, made a statement of position. And as I indicated this morning, based on Councilman Reese's situation on a prior matter, where I -- believe that there was no ethical impropriety whatsoever, there was a finding, which is now being litigated, as to the potential of an ethical impropriety, if in fact, somebody with whom you have a close relationship, even when you make full disclosure, even when you're advised by counsel, as Councilman Reese was, that what he was doing was appropriate, could still be a violation within this particular circumstance.

So, based on that, and as I said, I -- was prepared to go forward on this, based on the advice of the City Attorney, I have to abstain. So, I turn it over to Councilman Reese.

COUNCILMAN REESE

I'll take care of --

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DEPUTY CITY ATTORNEY STEVE
GEORGE

Mr. -- Mayor, with the abstention, we don't have a quorum.

COUNCILMAN BROWN

And, Councilman, when we begin this, if we could defer to Mr. Moran, as far as an earlier request for abeyance. Let's take the request first.

ATTORNEY JOHN T. MORAN, JR.

Councilman Brown and --, Okay, when we go on the record. Okay.

COUNCILMAN McDONALD

Hi.

ATTORNEY JOHN T. MORAN, JR.

Mr. Mayor, Council, John Moran, Jr., representing some of the homeowners in the area. I've had occasion to speak to Mr. Curran at this time. You know, we had previously asked, at 1:00 o'clock to have this held in abeyance. I'm getting involved in this fairly late in the process. And I wanted to have an opportunity to be able to prepare to represent my client, as well as work with Mr. Curran and the applicant to see if there's any middle ground that can be resolved, okay, with the neighbors in the area, and vis-a-vis this project, before we go forward with a full blown hearing.

Mr. Curran has indicated that he may be willing to do that and so I'm asking for an abeyance and I'd turn the mike over to him, at this time. If -- he wants to agree to a continuance after the first of the year, when the holidays are over, and meet with the, in the meantime, with some of the people I represent, to see if we can have a consensus on this project, maybe that would be the best to go. But, having said that, I'd turn over to Bill. Go ahead.

ATTORNEY BILL CURRAN

Again, it's Bill Curran. Curran & Parry, 601 South Rancho, appearing on behalf of the applicant. As Mr. Moran points out, we have discussed my client's reaction to his request for abeyance. We are prepared to agree to that. Mr. Moran has pledged to me that this is not just for the sake of delay. It is not to fight battles that are long since over, but that it's really a desire by neighbors to meet and be better informed on the project and to come to an understanding and to have input into the project.

We've had extensive meetings with the neighbors who are closest by. A number of those neighbors are present here today. We expected that they were going to provide testimony in support of the project. If there are other neighbors, who live in a more remote location, who want to be heard, we think that our application is meritorious. It will stand scrutiny by them. The same, as we hope, it will stand

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scrutiny by you. And if they have input that makes it more of a win-win for everybody, we want to be responsive to that.

So, if the suggestion is to hold this until after the holidays, to enable that to happen, we're prepared to go along with that. I would suggest it be the second meeting in January, rather than the first. And --

ATTORNEY JOHN T. MORAN, JR.

That would be fine. And we'll get together tomorrow or the next day, and set a time when we can all get together and plan a meeting.

COUNCILMAN McDONALD

Well, respectively, I think we should hear from the Councilman. It is his Ward.

COUNCILMAN BROWN

I'd, I've gotta lot of concerns about this, that's in front of us. So, I -- certainly want to hear from, either those that are in favor or those who are imposed, opposed to it. Cause I'm certainly going to make some comments on the record. I -- have no objections to holding this, I think, was suggested, to the second meeting in January. But, if there're people here that want to speak today and become part of the record, then I would certainly support that.

ATTORNEY JOHN T. MORAN, JR.

Can I address that, for just one moment. Although, there's -- probably people here on both sides. I've always found, in dealing with Commission and Councils, that if those people speak at the time that the item is actually going to be considered, the Council gets their live input at that time, as to what they're thinking at that time. You don't get into duplicitous testimony. You have a chance to get it live from the people after Bill and I schedule meetings to meet with them. Some of these people may change their mind on some, on theirs (sic) position before the next meeting, yet they've already spoke today. That's, that would, it seems like it'd take up a lot of time rather than passing it so we can all get together and try to work it out as a community.

COUNCILMAN BROWN

Mayor, if I may. Since I, I've been out in this area for two and a half years representing this place, and I've spent a lot of time on Town Center, and a lot of time with both the applicant -- those that are in favor and those that are opposed. But when I find out the morning of the meeting that someone is not only asking for abeyance, but then pretty much assuming it's gonna be abeyed, that would start getting me wondering why.

I'm gonna ask the Mayor, or the Mayor Pro Tem, in this case, if I could call a five minute recess.

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MAYOR PRO TEM McDONALD Before we do, could I see, who's here to speak in favor?
Opposed?

ATTORNEY JOHN T. MORAN, JR. One more.

MAYOR PRO TEM McDONALD Okay. Five-minute recess, please.

DEPUTY CITY ATTORNEY STEVE
GEORGE Mr. Mayor, for the record, I think there was about eight or
nine people that raised their hands in opposition.

MAYOR GOODMAN All right. And, Mr. George, before we take the recess. I'm
going to ask whether or not there's any way in the world that
Councilman Reese's matter can be expedited, so we can
get a determination as to whether or not I am in a position to
participate.

MAYOR PRO TEM McDONALD And I got a question for that, since I've been, since I'm part
of the Ethics Commission now. I keep getting parade before
them. Is because he, his law partner had testimony that this
has been brought forward, that he can't -- testify?

MAYOR GOODMAN No. The issue is that my law partner --

MAYOR PRO TEM McDONALD -- partner represent --

MAYOR GOODMAN -- appeared in front of the Planning Commission --

MAYOR PRO TEM McDONALD Right.

MAYOR GOODMAN -- made some comments. I don't even know what he said; I
wasn't there.

MAYOR PRO TEM McDONALD That's my point.

MAYOR GOODMAN And I'm being told that because of that I can't participate,
and that just seems plain wrong to me, but I have to abide
by counsel's advice.

DEPUTY CITY ATTORNEY BILL
HENRY, SR. LITIGATION
SPECIALIST As to the Mayor's question, Councilman Reese's matter is in
briefing. Councilman Reese has filed his brief. The Ethics
Commission has about another week to file their brief. The
matter's in the District Court. I -- don't really see any way to
expedite that. And quite frankly, even, without regard to how
the District Court rules, the Legislature changed the law in
the last Legislature, and so the advice that the City Attorney
has given the Mayor in this instance is -- based on the
current law, which speaks directly to the relationship
between someone who may seek to cast a vote and a
business partner.

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MAYOR PRO TEM McDONALD	In English.
MAYOR GOODMAN	Good. Thank you.
MAYOR PRO TEM McDONALD	You just can't vote?
DEPUTY CITY ATTORNEY BILL HENRY, SR. LITIGATION SPECIALIST	In English, the, there isn't a way to --
MAYOR PRO TEM McDONALD	-- expedite it.
DEPUTY CITY ATTORNEY BILL HENRY, SR. LITIGATION SPECIALIST	-- expedite, and the advice of the City Attorney remains the same.
MAYOR PRO TEM McDONALD	Okay. Five-minute recess.
COUNCILMAN REESE	Let's speak to Mr. James there.
DEPUTY CITY ATTORNEY STEVE GEORGE	Mr. Mayor, just for the record, too; on the second question, City Attorney's office is more than willing to re-review the rules that we have looked at to make that determination of the abstention --
MAYOR GOODMAN	I would appreciate that.
DEPUTY CITY ATTORNEY STEVE GEORGE	-- for Your Honor and come up with a decision.
MAYOR GOODMAN	I would appreciate it.
MAYOR PRO TEM McDONALD	Ladies and gentlemen, five-minute recess.
MAYOR GOODMAN	Thank you.

RECESS: 5:04 - 5:15 P.M.

COUNCILMAN BROWN	Hey, you -- have to recuse yourself and get the hell out. Can't even (inaudible) here.
COUNCILMAN REESE	Why don't you go home?
MAYOR PRO TEM McDONALD	Ladies and gentlemen, we'll call the meeting back to order.
COUNCILMAN REESE	You want a new drink?
MAYOR GOODMAN	No, thanks. (Inaudible)

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MAYOR PRO TEM McDONALD In one minute we'll call it back to order. Mr. Curran. Actually, Councilman Brown. I'm sorry.

COUNCILMAN BROWN Mayor Pro Tem, I would prefer and recommend to the Council that we hear this item today.

MAYOR PRO TEM McDONALD Proceed.

ATTORNEY BILL CURRAN Thank you again. I'm Bill Curran, Curran and Parry, 601 South Rancho, appearing on behalf of the applicant. Here, at the podium with me is Frank Nielsen who is sort of a technical advisor to help me with, answer questions you may have and help me with such things as displaying all the boards and materials that I have to display to you today.

Just before the break there was a question about how many people were here in support and how many were in opposition. I don't think the people here in support understood the question. I don't think that they indicated their presence. There is a substantial number of them here. If I could ask them to raise their hands at this time just so they can likewise be counted and indicate their support.

MAYOR PRO TEM McDONALD One, two, three, four, five, six, seven, eight, nine, ten.

COUNCILMAN BROWN Twelve.

MAYOR PRO TEM McDONALD Twelve?

ATTORNEY BILL CURRAN Twelve, I got.

I think, significantly, most of these individuals are people who are in the neighborhood itself, who are very nearby residents, people who are most directly affected by this.

I'm quite pleased to be here today to have the opportunity to present an exciting project that'll bring much more than just bricks and mortar to Las Vegas. We believe – that our project is going to bring a vision and a vitality, and become a showplace of good planning and upscale development, setting the tone for all of Town Center. For too long we Las Vegans have waited for other areas of our community to catch up with the world class facilities that we've provided to our tourists, but which have been lacking for those of us who live here.

Today, we offer a new lifestyle type of mixed-use urban center. I believe this project is gonna serve as a flagship that will set a tone for all of Town Center. We share the

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City's vision for what Town Center can do for our entire community. You've established a very high bar for any developer to reach with your design standards, but I'm proud to say that I believe this project is substantially above the Town Center Design Standards in every respect.

Before you, on the podium, is a artist rendering of the final look of our project after construction. There are a number of aspects of the overall plan to be discussed today, and I intend to walk you through the project piece by piece. But I start here – to show you what I believe is going to be the controversial aspect of the project. But I wanna emphasize that this piece is vital to the entire project, because, without it, the entire project may fail.

I start here again to put the real issue in this hearing squarely before you at the outset, and to negate any possible impression that the rest of this can be built without consideration of this crucial component. Further, I'm proud to put this piece before you first, because I think it also stands on its own merits as a beautiful addition to Town Center.

Before I turn to the presentation itself, though, I wanna emphasize one last piece of good news: This exciting project is not only something that is good for all of our community, but it's also something that the residents who live closest to the community support. In addition to the dozen people who have come here from their homes and jobs to express their support for the project, one of those people who's gonna speak to you is the president the homeowner, of the nearby homeowners association, who represents the 134 homeowners, and they are going to express their support for this project. Again, these are the people who live immediately nearby.

There is something of an ironic twist involved here, however, with the City staff not sharing our enthusiasm for the project, because in their view, it's not dense enough, and not intense enough. The staff's vision on this point is very contrary to the neighboring residents' views on this issue. Many – nearby residents are here today, and you'll hear directly from them their views on whether something much more intense should be built instead.

There's another very important group that plays a vital role in any development. They are not here, but they still speak in a very meaningful way, because they have to put their money on the line, and they are the financial institutions who will finance this development. Without the ability to be

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financed, any proposed development is simply not real. My clients have put their money where their proverbial amounts are and put together a project that can be financed and built. Those who wanna push for a much larger scale, more intense development are not taking into account the practical realities that those of us in business have to face when I, when they bring their projects to lenders. This project can and will be built. The more intense proposals do not fly with the neighbors, and they will not fly with the financial institutions. Unless we jerrypick the pieces out of the development with the highest return and build them out in ways that are not compatible with everybody's goals for Town Center.

I'm placing before you now our aerial photograph of Town Center area. I have superimposed in red the footprint of our 64-acre project. I've highlighted in yellow the frontage-road system. Highlighted in blue are the US95 Beltway and nearby area roadway systems. As you know, the Beltway will run along the northern edge of our property, with the US95 and interchange system to our west. We will sit in the shadow of the second largest highway system-to-system interchange in the State. Seventy feet or more in height with five separate levels of roadways. Our property's been negatively impacted for more than five years already by virtue of uncertainty over the placement of the Beltway and the interchange system.

At the suggestion of City officials, we purchased 11 acres on the western edge of our property to help the City get the frontage-road system developed. We had to pay an unprecedented price to acquire this property, but did so because we felt we were working hand-in-hand with the City in expediting the development of Town Center. According to one high-ranking City official, our acquisition of this parcel had the effect of saving the City approximately \$7 million. We also purchased a number of expensive homes on the east side of the property on Tenaya also at the suggestion of City officials, not because they were necessarily essential to our project, but because they enabled us to extend the Town Center to what the Council had previously noted as a natural boundary of Town Center, which is Tenaya. That has not only been reiterated time and again in a number of public hearings, but it was reiterated earlier today on another item.

This property could, previously could not be formally included in the Town Center boundary because until recently it was in the County. Annexation proceedings on this property have now been completed. So we have -

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applied to finally bring this property into Town Center, as previously – indicated to be appropriate by the Council. Adding this property at this time allows it to be properly integrated into the entire project. Delay in bringing it in could create orphan parcels with rental homes until such time as the only realistic type of developments – strip malls, and alike (inaudible), exactly what you're trying to avoid in Town Center. Delay would also be a betrayal of your previously expressed wishes. Stranding my client with rental houses he does not want, for which he had to pay a premium price, which he acquired at the request of City officials, and all to the natural boundary of Town Center as you've previously described it.

This shows the currently approved land use for the property involved in our application. In 1998, the City Council approved the layout you see illustrated here. The Town Center Development Standards allow office or apartment development to a height ten feet above the top of the freeway system. This would permit construction of a high-rise tower at this location.

I place before you at this time an illustration that was submitted with our application, in 1998, illustrating the high-rise tower that is the, that was proposed to be built on this location. This was approved by the City Council.

CAROL LeDUC (from the audience)

No, it was not.

MAYOR PRO TEM McDONALD

Let's hear his presentation, then we'll have the Councilmen and everybody else respond.

ATTORNEY BILL CURRAN

This could be developed into apartments, offices, and parking, and would be an appropriate use in the shadow of the five-level, 70-foot-high freeway interchange system. If developed into offices, this would yield an area of seven hundred and fifty to hundred thousand to one million square feet of office space. According to Kimley Horn and Associates, our traffic engineers, this office complex alone would generate more than 6,000 automobile trips per day to the complex. This kind of development would certainly produce the density that's been suggested but is also certainly contrary to the wishes of the nearby residents.

This is what we propose as an alternative. Each part of the project is part of an integrated whole, and the entire project, we submit, falls or stands as one. Just as you would not want us to jerry-pick the pieces that might have standalone viability right away and build only taverns or convenience stores, or something like that. Lopping off key pieces

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undermines the financial viability of the entire project and would mean that this integrated whole could not be built. It would also be a tremendous blow to the wishes of nearby neighbors who do not want high-rise buildings looming over their neighborhood.

After consultation with the neighbors, we are confident of the, that the requested suburban mixed use on the south side of Tropical Parkway is much more desirable than the currently approved multi-family and apartment-type uses. I'd be surprised to hear any objection to this part of the project. I do wanna note that one key aspect of our design is the closing off of Rancho House Road to prevent the use of Town Center for people taking shortcuts through the residential project to the south, which we think would be a nightmare to those residents.

We propose to buffer the homeowners to the south with a heavily landscaped 30-foot separation from construction on our property. Our development will, in fact, buffer this property from the major five-level interchange, Beltway, and more than a-hundred-foot-high power poles that will run along the north side of the property on the County's right-of-way for the Beltway.

First, let me just show how the project will appear, looking room the southeast towards the interchanges of the freeway system. As you can see, this is a Spaghetti Bowl No. 2. This is something that can and will rival the kinds of interchanges that place us in awe when we visit some of our Southern California neighbors. This is quite obviously a major problem for development of this property. But it's not the only problem. If I can superimpose onto it, with this Mylar, an illustration showing what these hundred-foot-plus-high power lines do to the parcel. These are not power lines that service our property. The, this is not the electrical service that comes in and powers the switch directly onto our property. These are major regional lines that we desperately wish could be placed somewhere else. They, in fact, are not on our property; they are on the County right-of-way. They simply are there. They are something that we can't do anything about, that we are gonna just have to live with the best we can and try to buffer for the protection of our own project and the protection of the neighbors who would otherwise have to look at them.

This board does illustrate how our project will be nestled into the shadow of this interchange, though. And I don't have a board for this, but I think you can use your imaginations to recall what similar kinds of interchanges are that currently

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exist in our community: The Spaghetti Bowl, the flyover on I-15 and Sahara, or the flyover on Tropicana and I-15. Certainly things we see in Southern California. You do not see new prime, retail, commercial, or residential development put into a, the curve of that kind of a system. What you more often see are industrial things like gravel piles, equipment storage, outside storage. If there's a residential use, it tends to be something that was there long before the freeways and is far from prime living kinds of circumstances.

I think I can submit, however, that our project converts a potentially huge negative into something that we can take pride in, something that's financially viable, and something that addresses the legitimate concerns of the neighbors.

Now we place before you our conceptual site plan for the project. Today, of course, we're only talking about the amendment to the Master Plan. The site plan will be visited more particularly at a later time. But I nonetheless want to put it before you to give you a sense of what we're proposing on this project. I've already outlined the suburban mixed use on the south side of Tropical Parkway, which incorporates both office and retail facilities. Working from east to west on the north side of the parkway, showing our anchor tenant supermarket and a neighborhood-retail-type space on the east over towards Tenaya. We think this'll be an effective buffer to the rest of the project, as a neighborhood-type of center for the nearby residents, which will be responsive to neighborhood input as to desired uses, density, and height restrictions.

The next, I wanna highlight this with – its own board. The next part is a real signature piece of our project. And as Frank indicates, it sits there sort of in the middle just to the west of the previously described area. This promises to be the most hip, upscale, desirable urban center in town; a place that creates a real sense of place. While the entire project will be a showcase, we think this is going to be the jewel in that showcase. It will draw people to congregate with an ample gathering space, open-air restaurants, coffee shops, fountains, heavy landscaping. Personally, it seems reminiscent of the spectrum in Irvine, California, which I'm sure many of you are familiar with. Although, this will be on a smaller scale, but I think it'll be something that is a real focal point and a real point of pride for all of us who live here.

This gathering space demands an appropriate streetscape, and we plan to create a frontage road that is superior to any

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streetscape in town. Hopefully, we'll create a roadway that will help people forget the second Spaghetti Bowl and the power lines in the background to the other side of our project. We certainly intend to do the best we can to utilize heavy landscaping to buffer these negative features. We'll also construct a large parking structure up against the Beltway to buffer those negative features, and to provide ample parking for the -- for this pedestrian -- friendly gathering space.

Finally, then, I wanna come back to where I started, which is the last piece of our proposal, roughly bounded where I show with my finger, which are the three auto village dealerships. These are the ones that are gonna be nestled in the shadow of this second Spaghetti Bowl. I've already shown you an office complex that could already be built at this location. The neighbors do not want this height; they do not want this density; they do not want the traffic that this complex would put into the area. What we propose to build instead is a complex of three new car dealerships to be developed by Clifford Findlay, a well-known local dealer with deep roots in our community. Mr. Findlay has agreed to control lighting to minimize its bleeding into surrounding neighborhoods. He's agreed not to install any outdoor loudspeaker-type of paging system, and will have his employees carry pagers instead. He will be sensitive to neighborhoods, to neighbors and to neighborhood concerns, and we believe that these will be neighborhood-friendly dealerships.

Our traffic engineers have also looked at typical traffic counts for these dealerships. They total eleven hundred and forty trips per day, which is more than five thousand fewer trips per day than the alternative office complex. We believe this is a substantial benefit.

This area is not amenable to other retail-type uses. It could be used for office space or for apartments, but it could never be prime space for either one. It would not draw, and would not draw desired upscale projects. It would end up looking like the other areas that are butted up to major highway interchanges, and this is exactly what you've been trying to avoid and exactly what we do not wanna have in our project.

Drawing this project together has not been easy, and it's not been cheap. I've already mentioned Mr. Findlay and his standing in our community. The development, the developer of the overall concept is Bob Schulman, also a well-known local businessman who's placed, who has developed such

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projects as the Alexis Park Hotel, the San Tropez Hotel, the City Bank Plaza on Paradise Road, and is only a few examples of tangible contributions he's made to our community.

Mr. Schulman started with a good idea of what – the City wanted in this area, and what he wanted to create. Let's take this down. Sort of spec 'em out for me. He relied on the statements of City officials in public meetings and on our, on your Design Standards. He sought out the assistance of a renowned architect, with a track record of creating nationally-recognized outstanding products. He was fortunate to be able to engage Robert Alteever of Alteever and Associates of San Diego. An architect and planner of national and international reputation who's done major projects in such areas as Colorado Springs, Irvine, New Port Beach, Palm Springs, Thousand Oaks, Malibu, Ventura, and San Diego. He's also done work throughout the US, in Canada, Mexico, and Asia. He is anxious to add Las Vegas to his list of showplace urban environments. I do have Alteever Associates' brochure with you as I put just a sampling of some of their existing projects on the board for your review. I think you'll find he is a most accomplished and creative architect who can bring much to Town Center, bring much to this project, and bring much to our community.

Now, I'm aware that the voices you most wanna hear are not mine, but the voices of the people who live in the neighborhood. I'd like to ask Mr. Mark Hartenstein to come and speak on behalf of Summer Hills II Homeowners Association. His board represents 134 homeowners.

MAYOR PRO TEM McDONALD

Question: Do we have representatives that are gonna speak for every individuals, or does everybody intend to come up? All those who intend to come up could you raise your hand on both sides. Okay. Thank you.

MARSHA DUNBYER

Marsha Dunbyer, Vice President of Summer Hills II Condominium Association, 7565 Durham Hall Avenue, and I have with me Dave Goodman and Mark Hartenstein. And we do represent 134 owners of the community, and we attended a presentation of the planned project. We asked the developer some important changes that would help our community. And he's agreed to this and provided these documents to us for changes that he would make to help our community, and I request that these be placed into public record. And, that as long as the terms of these documents are followed, that we support the development of the project.

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MAYOR PRO TEM McDONALD

Thank you very much.

ATTORNEY BILL CURRAN

The other -- two gentleman are also members of a homeowners association. Their comments would only be duplicative. There are others who wanna be heard as part of this --

COUNCILMAN REESE

Excuse me, do we -- get a copy of those conditions, the changes?

ATTORNEY BILL CURRAN

There are others who wanna be heard in support of this. They speak individually. If you wanna hear from them now, or if you wanna wait and hear from them in terms of overall community comments, I submit that to you.

MAYOR PRO TEM McDONALD

I think, with the magnitude, we should hear from -- both sides if we could now. We'll take pro and then con, and pro and con; that's the way the Mayor's been running it for the last six months. So, one opposed. Go ahead.

ATTORNEY JOHN T. MORAN, JR.

Thank you.

UNIDENTIFIED COUNCILMAN

Councilman, could we --

MAYOR PRO TEM McDONALD

How about -- could we do this in three-minute intervals, you think? Is it possible?

ATTORNEY JOHN T. MORAN, JR.

I -- don't know how long my presentation's gonna take; it might take longer than three minutes. I -- hope I can cover a lot of the points that other people may wish to raise.

MAYOR PRO TEM McDONALD

All right. I'll give you --

ATTORNEY JOHN T. MORAN, JR.

I'd -- like --

MAYOR PRO TEM McDONALD

Then we'll start it after you, so we can kinda go back and forth. Go ahead.

ATTORNEY JOHN T. MORAN, JR.

Okay. Thank you. Good evening, Mr. Mayor, Councilmen. My name's John Moran, Jr., for the record. And I represent various homeowners in the area, of which one is Jane Greenspun Gale, who's here present in the audience, and Jeff Gale, who is her husband with her, as well as people that have asked Jane and myself to speak on their behalf, which I understand is Mr. Michael Gauh and a few other people from that neighborhood.

First of all, as we know, and I'll, just very briefly for the record, and attorneys always like to make records; but for

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the record, we had had a request for a stipulated continuance and that obviously was -- not followed. Just so we all know the reason I was asking for that, was to give time for the neighbors to meet with the developer and the applicant to see if a common area could be reached, as well as, me getting in on this project on a very short notice, I wanted a chance to prepare and familiarize myself with the issue.

Having said that, the history of what's before you today did not start with the filing of the application. The history of what is before you today began way back in advance of November 9, 1998, when there was City action that in fact created and approved the adoption of the Town Center Land Use Plan. That was a year and twenty-two days ago. A year and twenty-two days ago there was City Council action that told the people in that area and the developers who had worked hard on trying to get certain pieces of property into a Town Center Plan that this is the way it's going to be in your neighborhood. And that was a give-and-take to the people that owned property in the area, developers who wanted to take advantage of vacant property in that area, and most importantly, the people who had their stake-hold interest and had their livelihood and homes in that area. So that when our City Council, through its staff and everybody else, got together and worked out this plan a year and twenty-two days ago, certain things had occurred and concessions and promises were made.

We have today, a year and twenty-two days later, before you an application seeking a General Plan Amendment. Seeking it before the town board (sic) concept has even been given much of a chance of being developed. Very little of it's been developed so far, but seeking an expansion of those borders, expansion and changes of that General Plan Amendment beyond what was contemplated by the people that attended those meetings, gave their time, and worked out deals on how this General Plan, this town board (sic) concept was going to be promulgated into the next few years. Not just that we're gonna change it every year and twenty-two days, because somebody has property and has an opportunity to develop that in a commercial sense and make some money.

Now. You don't see me very often talking on behalf of neighbors. Okay?

MAYOR PRO TEM McDONALD

That's true.

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ATTORNEY JOHN T. MORAN, JR.

I'm usually representing developers, and that's a given. But I am here today representing neighbors because I have a feeling, just like them, that when all that work and effort goes into a town board, (sic) a town concept plan, and it's approved, that they have a reasonable expectation to rely on that, but that's gonna be what's gonna happen for at least awhile, certainly longer than a year and twenty-two days.

Now, that gets me to Section 19-A.1(a).030, which is the City of Las Vegas Zoning Ordinance, Title 19-A, that says that the following conditions have to be met to justify a GPA. And there's in there, amongst other things, A, B, C, and D, which says that you have to consider density and there has to be proof of zoning designations that aren't gonna be, that are gonna be compatible with the proposed use. And there's gonna be adequate transportation or recreation and utilities and facilities. And there's gonna be, the proposed amendment conforms to other applicable adopted plans and policies.

Now, the own City Code says that if you're gonna go in and change something and amend a general plan that the people are put on notice that that's the way it's gonna be for awhile, that you have the burden, and I say burden to Mr. Curran; he has the burden, on behalf of his client, of showing you and demonstrating to you by clear proof that what he's asking you to change and modify and amend is in fact within the confines of that City Code Section. And I would subject, I would submit to you that he has not met his burden. His applicant has not met their burden of proof and have not satisfied Section 19-A.18.030 of the City's own Code. And, therefore, his request, in three distinct areas, for a General Plan Amendment, should be denied.

Now, let's talk about staff's recommendations. When I appear on behalf of applicants in the County, when the item is called, staff is allowed an opportunity to read into the record their recommendation, and what the recommendation is, and then the applicant and the proponents and the protesters can all have at it. But staff gets a chance to put into the record, at that public meetings, what their recommendations are. And I think that that's real important, and I think it's important in this case because staff, as my learned, professional person Mr. Curran has pointed out, okay, has taken a very strong, very strong stance against what Mr. Curran's client wants to do. They're against the application, and in their recommendation that I have a copy of, they clearly, concisely, succinctly, lawfully

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list each and every reason for their recommendation or lack thereof.

Now, Mr. Curran, when he got up here on behalf of his client, he said, this project will serve as a flagship for all town centers. Well, let's hope that in our Town Center that the name of the flagship isn't gonna be the Titanic. Okay? Because I'm telling you, staff, your own City staff that is paid and is charged with the function of making sure that applications are processed properly and are lawful and are in conformance with general plans; okay? They have said this one doesn't fit the bill. The ship is not seaworthy. Okay?

Now, why do they say that? Well, they say, let's look at the application, 'cause there's three parts of it: The first one they're asking to go from Rural Density to Town Center. Staff recommendation is no way. Why? Here's what they say. Your own staff tells you why they don't want to support that part of the application. They say that the timing of this amendment is of primary concern. Staff believes it is premature to allow any expansion to occur at this stage of the development of the Town Center. Number two, currently, the overall development of the Town Center area is minimal, just like I said a moment ago. We got a Town Center; we got a plan; we say what the parameters are; there's not a lot of development going on in there, but already this application would expand the boundaries of Town Center to include areas designated for future expansion and areas not previously considered for inclusion. Staff believes there's no basis for expansion at this time and does not support this request from rural intensity in conformance with the Town Center purpose. Those are pretty strong words of your own staff.

MAYOR PRO TEM McDONALD

Mr. Moran -- I don't mean to interject -- is, if you can kinda wrap the --

ATTORNEY JOHN T. MORAN, JR.

I'm gonna, because --

MAYOR PRO TEM McDONALD

You and I and Councilman Reese hold the record for the longest meeting in the history of the City Council.

ATTORNEY JOHN MORAN, JR.

I understand.

MAYOR PRO TEM McDONALD

I do not wish to go (inaudible).

ATTORNEY JOHN T. MORAN, JR.

I've got two more areas of the application and I agree with you, but I've got two more areas of the application. I agree with staff on this one and I'll tell you, the next one is their Medium Residential, Suburban Mixed Use. Staff says they

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could recommend that, but staff has already stated in their notes that the expansion of Town Center in the east is not appropriate at this time. So, they give and they take on the second request asking by the applicant to go from a Medium Residential to Suburban Mixed Use.

The third aspect of the application that the applicant has before you is to go from a Suburban Mixed Use to a General Commercial, but what does your own staff say about that. They say, no. They recommend no and they recommend that you not approve that application portion. Why? Staff has a concern about the rising use of GC in recent development proposals to permit car dealerships. Well, there's ten of them already out there. This will make 13. And they gotta expand outside the Town Center to get 13. How many more are going to be out there and how much more is the expansion of the Town Center going to be to accommodate dealerships. Staff doesn't believe that the intent of the Town Center was to allow this type of development throughout and create a proliferation of car dealerships. And they say right here that they – staff believes that it was specifically confined to the southwest quadrant of Town Center to avoid the proliferation of intense General Commercial uses, such as car dealerships from occurring throughout the – all of Town Center and they don't support the request.

Those are the three things that your own staff say about the applicant's three areas of his application. In a nutshell, staff, who is very familiar with this area, is very familiar with all the meetings that led up to the November 9, 1998 decision of the City Council adopting an approving a Town Center concept and plan, okay. They're the ones who are making a recommendation to you, as the City Fathers that are charged with the responsibility of protecting neighbors and neighborhoods with the function of turning down this application. Too many dealerships, too much of an intense use, too little time spent on thinking what the neighbors really are entitled to, and what they expected when they got the town board, (sic) they bought the Town concept that they bargained for.

In closing, in closing, I would have to agree with staff that this particular application that is before you today by my astute colleague, Mr. Curran, on behalf of his client, is in fact not proper, but it is important because if you allow it, as staff says, numerous applications similar to this one are just waiting to be considered and they are eminent. There is a real need to be conscious of adjacent residential development. And all I can tell you is turn down the

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expansion, follow your own findings of staff. They are on page 8 of its own recommendation and make the same determination your staff has made that this application is inappropriate.

Thank you for your time and thank you for what I anticipate to be your continued support of people in the neighborhoods and their protection from this type of expansion. Thank you.

MAYOR PRO TEM McDONALD

That was the best four minutes I've ever heard. For you sitting at home and in the audience, get a record of that. I've never seen him argue for his constituents, but. We need someone that's for this, if we can, please. Is there someone for this that would like to speak to keep this in fairness as the Mayor would like?

COUNCILMAN BROWN

Mayor Pro Tem McDonald, as this next speaker stands up. If they haven't been entered, I'd like to enter these two letters sent to my office. They may have not have made it to the Clerk's Office in time, but from Mass Media, and they have petitions from homeowners of the Ranch House Estates. We do have some backup. These are on post cards, so whether they are redundant or not, let's enter those in and those are in favor of fully supporting the project, if those could be placed in the record.

MICHAEL REISS

Michael Reiss, 4485 South Pecos. And as a landowner, the property located on the northwest corner of Tenaya and Tropical and a local resident for over thirty years, I'm in strong support of the applicant for the GPA change as requested. I feel this project will be a benefit to the area, the end of the whole valley. The applicant has put in extensive time in working with the neighbors; I've been to those meetings. They put in an extensive time with the neighbors to make this a viable and attractive project in addition to providing conveniences to the surrounding residents. The success of this project is essential for the success of the whole Town Center in my belief. Thank you.

MAYOR PRO TEM McDONALD

Thank you.

COUNCILMAN REISS

Excuse me just a moment, sir. I, just for clarification, there's not relationship between you and I.

MICHAEL REESE

No. It's spelled differently.

MAYOR PRO TEM McDONALD

For, or against, I'm sorry.

CAROL LeDUC

Against, be sure.

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MAYOR PRO TEM McDONALD

Against, I've got it. I lost track after that last.

CAROL LeDUC

Don't lose track, please.

MAYOR PRO TEM McDONALD

I would never.

CAROL LeDUC

Carol LeDuc, 7575 Rome Boulevard. Mayor Pro Tem, Council members. Last November, 1998, I'm not sure, 122 days a year, a year and twenty-two days, at the final action to adopt Town Center concept and land use we had Commissioners, County Commissioners Mary Kincaid and Lance Malone, and they joined with then, City Council members, Gary Reese, Mayor Jan Jones, Arnie Adamsen, Michael McDonald and Larry Brown and all the residents and we all plotted the compromise that we had achieved between the neighborhoods. And the County Commissioners, the City Council, to limit the boundaries of Town Center and we, they pledged to hold, remember I was standing there swinging our arms and saying, you know, we agree if you, and they promised to hold to the land use designations, General Plan, and not deviate from it.

So here we are, a year 22 days later, now over just a year later you are being pressured, lobbied, all of the above and some others, I won't say, to extend the boundaries into the future Town Center expansion area. Plus, in the case of Mr. Schulman, to add four acres that were never a part of the General Plan, ever, ever, not Town Center development, not future Town Center development, and add in General Commercial, which isn't supposed to be on this side of the Beltway.

If you look at this map that was adopted last year and you can see all the purple areas up here, down here. This is just south of the Beltway, the property we're talking about. The whole east side had Suburban Mixed Use classification category, whatever you want to call it. That was one of the lowest possible designations in Town Center simply because it was adjacent to rural properties, single family homes and on the other side the more commercial, the bright red was allowable because in most cases there wasn't anything near there. And so we bought into this plan based on the gentleman and Mary Kincaid's agreement. She's not a gentleman.

Okay, expansion area. Have we reached saturation that we need expansion area? Well, you know the answer is not.

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Has Town Center overgrown its boundaries? The answer is not. Already in your buildout, have we reached the buildout stage, the answer is not.

We ask you, our representatives, to consider the staff's recommendations, to concur with them, to deny this request for a General Plan Amendment and thus keep your word, those of you who were here, to your constituents. Now, I want to take just one second to speak to the eight story, ten story, office building that Mr. Curran alluded to and I'll ask Mr. Brown to testify in my behalf, if it's necessary. But at the time that that application came before the City Council it was never given, granted to them for that building use because they were just given the basic Town Center land use designation, primarily because of their donation of the right-of-way of Tropical and because they wanted to set that rule down. This was never adopted and approved by this Council, the Planning Board, or anyone else, am I right, Mr. Brown?

MAYOR PRO TEM McDONALD

Staff.

CAROL LeDUC

Am I right, staff? They weren't here.

MAYOR PRO TEM McDONALD

They're all new. Mr. George, do you want to take a stab at it?

CAROL LeDUC

Do you remember that? Wake up.

DEPUTY CITY ATTORNEY GEORGE

Sure. I'll take a stab at it, actually I wasn't asleep. What was approved, my recollection was, on that particular site, was the zoning of PD, which was an open ended zoning, which would come back at some future time for a specific designation on what would be appropriate and what would not be appropriate.

CAROL LeDUC

In other words, no ten story use, no eight story use, no six story use, nothing.

DEPUTY CITY ATTORNEY GEORGE

A use was not specified at that time, it's my recollection.

CAROL LeDUC

Thank you.

MAYOR PRO TEM McDONALD

Okay, Mrs. LeDuc. In favor.

JUDY KAPPERT

My name is Judy Kappert and I live at 7401 Hickory Hills. I don't have any notes. I don't know what's going on. I've been sitting up there like this because I'm almost deaf, but I would like to say that my husband and I retired here from Indiana to be close to our children and our grandchildren

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and we love the area we're in. Plans were presented to us that looked very nice. If they are implemented by the builder the way he states, they can only improve our life. I think we would enjoy being close to shopping and restaurants and being able to walk to the store, that's a big thing at my age. So, I would respectfully ask that the Council keep in mind that we do not want a lot of traffic on our streets. And that you consider Ranch House Drive as the access point because it's a natural boundary between the condos and the houses. Also, there is no houses on that street that face that street and it is a large street. It's all landscaped without any houses so there wouldn't be any children playing in the street there. Any of the other streets leading into that property have homes with children in them, and I thank you.

MAYOR PRO TEM McDONALD

Thank you. Welcome to Vegas. Opposed, Senator.

MARK JAMES

Thank you. Mark James, 3773 Howard Hughes Parkway. Mr. Mayor, Mr. Mayor Pro Tem, members of the Council, I don't get a chance to come here very often. I think it's been several years since I've been here, but a good friend of mine, Joe Scala, called me kind of at the last minute, so I'm at the last minute, just like John Moran, to come down and speak to this item.

I would just point out, since it's fresh in my mind that the lady who just previously spoke, if she likes to walk to the store, she'll be able to do that if we stick to the Town Center Plan. She'll just have to drive across the freeway to buy a car and that's the way it should be and that's the way it was planned.

The reason I agreed to come on short notice and speak on behalf of Joe and his Courtesy dealerships is because what is being proposed is fundamentally unfair. And I can shorten my speech because I think what John Moran presented to you was absolutely superb and I would associate myself with all of his remarks. He gave you the history of exactly how this was developed. It was a very deliberative process in which the whole city watched while the people who were affected, both those who are invested in the real property out there and the residents, all bought into a concept of a Town Center Plan and specific uses.

And I'm here today on behalf of one of those people who bought into that concept and that's the Auto Mall. And the zoning of the Master Plan says that is going to be in one specific place. And it's fundamentally unfair to change in the middle of the stream when we only have 3% of the property even developed out there and 13% in the planning

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stage before we've even gotten to where we're starting to develop the Town Center Plan to change it right now.

The Beltway segment has not been completed and without any of these things happening we're already in here changing the plan. This is just the kind of proposal that destroys people's faith in the planning process. And I want to analogize, if I could, because it's something that comes from my experience to what's happened with the neighborhood casinos, 'cause I was very involved in trying to get a bill through the Legislature that said where neighborhood casinos are going to be. We passed that bill in the 1997 session and the very next time we met several people came up and said we want to change it. We want to now add in sections that were not supposed to be for neighborhood casinos and put in neighborhood casinos and we had to say, no.

And I was very proud of what the Legislature did because, even though we had some of the same arguments that my colleague, who I have great respect for, Mr. Curran made when he said, this is a marquee project, it's going to be great for the area. We had all those kinds of arguments, but we had to say, no. There has to be some predictability in government. There has to be some kind of reliability that people, some faith that they can put in these processes that they participate in because, if they come as the speaker, two people ago, came and said, they were down here waving their hands saying, wow, this is great. We finally developed this Town Center concept we can believe in it. And, as John said, a year and 22 days later we're already ready to change it when we haven't even built anything out there already.

Yes, it's a high bar to develop in the Town Center and Mr. Scala and the other people who are doing development projects in the Town Center have met that high bar. They agreed to make that investment, but they agreed to make that investment in consideration of the fact that this is how it's going to be and it's not fair to -- engage in --. As I said, changing horses in the middle of the stream after these people have already relied on this. If you make this change today, which I sincerely hope you're not going to do, you're going to invite the exact kind of hodge podge developments; a car dealership here, one down here, one over there. You, we're trying to get away from with the Master Plan, with the Town Center Plan itself. To do this would defeat, it would eviscerate the entire concept of the Town Center Plan.

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You know, Mr. Curran made a very good presentation, but 90% of it was addressed at how wonderful this project is and 90% of the project could be built. But then he said the one, I guess it's a Catch 22, he said in order for us to build all this stuff, which is in compliance with the Master Plan, or the Town Center Plan, as it was adopted, we gotta change the Plan in this fundamental way and put these car, or these auto dealerships in. Three of them in a place where nobody thought they were going to be and nobody who really thought about it and understood this would want them to be, not at this time or any time in the future.

So with that, I would urge the Council to think back on this process. That they all, many of them engaged in and there's an institutional memory here. And to honor that process and to honor this very good planning concept that you've initiated with the Town Center. Hold to it. Stick to it, and don't let it be defeated by this today. This kind of thing, as John said, would open the floodgates because, if you approve this one, as bad as it is by itself, the next person's going to say, well, you did it there, you got to do it here, here, here and for all these other kinds of uses, not just auto dealerships. So, that's my speech. Was it under three minutes?

MAYOR PRO TEM McDONALD

Close.

MARK JAMES

Not quite. Thanks.

MAYOR PRO TEM McDONALD

Thank you, Senator. For, please. Anyone for wish to speak? Okay.

JEFF GALE

Hello, ladies and gentlemen. I am Jeff Gale and I live at 6722 North Rainbow and I agree with John Moran's speaking. He did a very good job to talk about what the homeowners feel about it being developed in this way.

But the one thing I have to disagree with John Moran is he said that this thing came into being a year and 22 days ago. This area of town, I disagree with that, this area in town became developed, or started to be developed in 77 years ago when the Gilcrease's moved out here. This is the only green belt in the whole county. This is a very environmentally sensitive area and we would like to keep it this way. We have, the people that I came in here today are large parcel owners. We could have developed this property. We have 10, 20, 50, a 100 acre pieces, but we don't want it developed in this way. We want to keep it rural for a reason, we love that lifestyle. And a couple of words

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that came out of Mr. Curran why this project is so good and why you should pass it is because it's financially viable, it's lender friendly. They can get the financing and they can do this project. But, what should be on your, paramount on your minds is the quality of life that the owners want out there. And I suggest that you consider what the people that have large parcels and have been there a long time, you know, have at stake and lifestyle they want, versus some people that he brought in to speak on behalf of the project that are condominium owners and have been there less than six months. So, that's my speech.

MAYOR PRO TEM McDONALD

Thank you, sir. Good afternoon.

DENNIS PERRY

My names id Dennis Perry. I live at --

MAYOR PRO TEM McDONALD

Could you swing the microphone over, for me? Thank you.

DENNIS PERRY

My name is Dennis Perry. I live at 7290 Elkhorn Road. A couple of things I want to actually say with this zoning address. Mr. Curran, the first thing I'll address is the depth of the freeway. His rendering, I don't know if you can zoom in on this and this, kind of hard to get the contiguous drawing, but the depth of the freeway that he showed in his rendering shows an elevated freeway system almost the entire span of this. These are the completed drawings from the County for the Beltway segment showing that this portion here where Buffalo crosses the Beltway, you're going to have the Beltway approximately eight feet above ground. As you go to Tenaya, Tenaya would be approximately -- the Beltway would go underneath Tenaya at a depth of approximately 30 feet. This provides sound continuation for the adjacent properties. One of the reasons that you have the sound continuation is to protect the neighbors.

In this particular instance, there seems to be this predicated idea that because you have a Beltway, because you have an interchange, or a frontage road system, that you should have commercial development. This depressed Beltway allows less intense development without impacting adjacent property owners. You have it all throughout the valley. You have it in Henderson. You have it in the County where they're developing along the Beltway and major interchanges.

The second thing is, bear with me here. You have situations throughout the County, again because this perception of the Beltway requires commercial development. This is an overall picture of your Town Center

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area showing here at El Capitan you have a major interchange which is identical to Cheyenne and 95. This allows every type of movement you have that you require to go north, south, east and west. You have these same types of interchanges at the intersection of Cheyenne and the Beltway where you're going to have the Summerlin and the whole area of Summerlin, you're going to have residential development next to these types of interchanges. At Jones you have the same type of interchange going in where you're going to have residential development. Granted those are more accommodating to that type of commercial development.

However, you still have residential development adjacent to them. It's not unfeasible to have less intense development. The difference here is this is known as a big huge interchange that's going to have mass quantities of people flying on and off of it. This is the ultimate buildout. You don't have a single movement on the east side of this Beltway off of this portion or this portion, except for one. You can come up north on 95 and get off on the frontage road and that's it. You have no other way to get on this Beltway, on or off on the east side, to accommodate this commercial development, unless you take all these turn movements to go and get over here. You're going to precipitate traffic throughout that residential area to accommodate this commercial development which is going to attract people to it. It's not going to accommodate the residences, it's going to attract people to it.

You have this system here on this side where you have the major thrust of the Town Center and you have every single conceivable movement for traffic to accommodate the flows to your Town Center. You don't over here. You have one. When you do get the people over here, if you're going to approve this more intense use, the only way to get them out is to bring them down Tenaya or to bring them across this, your new bridge loop, bringing it over to the east side. You have to make all these movements to come back on there. People are like electricity, they take the path of least resistance. They'll go through neighborhoods. They'll cut. They're not going to take all these turn movements to get back on. They're going to go through the residential neighborhoods. They're going to go down and up Tenaya to get back and forth and they're going to impact all the existing residences that front on Tenaya. You're going to impact tremendously the people that live on there.

I submit that the reason for these bridges was that the City realized they didn't have any way to get the people on the

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east side to the major thrust of the Town Center on the west side. They had to build these bridges here and at Elkhorn to get those people there. It was not done to bring mass quantities of people over here to a small commercial node that should be a neighborhood services, that should have a General Plan Amendment, that should not have a General Plan Amendment, that this is too premature to go ahead and do this at this time based upon this traffic.

Mr. Curran has said that this is going to generate all this traffic. All it's going to do is generate traffic into a pigeon hole with no way out and these are traffic generators. These are not neighborhood services that people will drive by and utilize. These are going to be destinations that people come to and utilize from other parts of the valley and it will impact it.

MAYOR PRO TEM McDONALD

Thank you, sir.

DENNIS PERRY

Thank you.

CRAIG PREMISTEIN

Excuse me, could I just interject and clarify one point? My name is Craig Premistein, 91 South Cimarron. I'm the engineer that's working on the project and I'd like to clarify one technical aspect of the interchange.

COUNCILMAN BROWN

Working on the project for the County or working on the project for Montecito.

CRAIG PREMISTEIN

For the developer, and the point would be that --

MAYOR PRO TEM McDONALD

Go to the overhead, please. Go ahead.

CRAIG PREMISTEIN

Okay. It is true that ultimately the Beltway does dip down at Tenaya, but at this location directly adjacent to this portion of the project, the height of this overpass is 70 feet. The movement that he's talking about are, some of the movements he's talking about is temporary. Ultimately, these flyovers are 70 feet above grade, which would allow under the Suburban Mixed Use that the permitted use for the building could be one story above that. So, technically the permitted use would allow for the high rises and, I just wanted to clarify the point for the elevation.

MAYOR PRO TEM McDONALD

Thank you.

DENNIS PERRY

Can I answer a few of his points he brought up?

MAYOR PRO TEM McDONALD

Do you want to answer them or not? Let's hear from one more then let's (inaudible) We heard your point.

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DENNIS PERRY

I can address them very quickly.

MAYOR PRO TEM McDONALD

We have to keep moving. We heard both points. You gave a great presentation. Ms. Ruskamp, do you want to use his map?

LOUISE RUSKAMP

Well, I have this.

MAYOR PRO TEM McDONALD

Okay.

LOUISE RUSKAMP

He needs to submit – do you want to submit those for the record?

MAYOR PRO TEM McDONALD

Do you want, yeah, do you have copies for the record?

DENNIS PERRY

Um, yeah.

MAYOR PRO TEM McDONALD

If you need to make copies of the original, we can do that for you as well.

LOUISE RUSKAMP

Louise Ruskamp, 8500 Log Cabin Way. I'd like to submit my comments to the record. First of all, I'd like to express my support to approve the General Plan Amendment portion that's designated Medium Density to Suburban Mixed Use. I was pleased to hear from one of Mr. Schulman's representatives at a meeting that he did not intend to put apartments at this site. However, I would like to protest the other two portions.

The main concerns of the people of the northwest have about this proposed project before you today are the expansion of the General Commercial district, the addition of areas designated Future Expansion or Rural, and the lack of adequate and appropriate buffering to the existing residents. I think Senator James described appropriately that this might be a situation where you open the floodgates. The Town Center currently has 163 acres of General Commercial on the southwest corner of U.S.95 and the Beltway. If we add these 16 to 18 acres that are proposed, we would be expanding the area to the southeast side of the intersection. I believe that the General Commercial was confined to the west of the highway for a reason. The intent that the uses on the east side of 95 would be less intensive Service Commercial and Suburban Mixed Use help elicit support from the residents of the northwest for the Town Center concept.

To approve this request would not only go against the wishes of the resident, but would clearly violate the intent.

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And then are we going to be looking at having a request on the northwest side for General Commercial and on the northeast side for General Commercial? I have a feeling we probably would.

But people expect a better product in the Town Center. We desire that every project be a showcase project. There's no doubt in my mind that Mr. Findlay or Mr. Schulman intend to make this a beautiful project; I don't think that's what the case is here. The opposition is of what these uses would make the Town Center become. Auto Mall Two is what comes to mind. I ask that you deny the portion of the General Plan Amendment that has the auto dealerships included in it.

Carol spoke to the expansion of the future expansion areas and earlier this afternoon we had a discussion. I'm just going to very briefly talk about that. Future is defined as the time that is to come, or the time that is to be, or to come. If you believe that today is the future, then I guess this area can be added. I, like many others here today, would disagree. If you decide to approve these areas, I would like to propose that these areas be included into the Town Center, but that they be designated as park areas.

There are a number of reasons why I feel this is a viable solution. I do not feel that any new areas not already added in the Town Center should be included. Most in Las Vegas would agree that we have a real need for parks in this city. If you look at the northwest area, this is particularly true, and here I have as Exhibit A a map of the parks and trails, if you could zoom in a little closer. The little gray squares are City-owned parks and if you look at -- right here is Cheyenne. If you look north of Cheyenne there are one, two, three, four parks.

If the future expansion area of the four acres along Tenaya and the additional four acres which is not right now included on the southeast corner of the project be added as a park, it could satisfy a need for parks in this area. Additionally, it would provide an essential buffering for the existing rural density development to the east and to the southeast.

The Northwest General Plan Amendment gives several alternatives as to how to achieve a buffer. 2.8 - Goals, Objectives, Policies, Programs for the Northwest. It says, quote, protect and enhance existing residential neighborhoods while providing essential goods and services

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to the residents, promote a mix of land uses that are appropriate and compatible with existing development, end quote.

Program B3.3 says: Buffering of adjacent single family development should be done according to the City's adopted landscape, wall and buffers standards.

Program B5.2 says: Employment center development should be developed with residential development by using other less intense land uses such as office or parks.

3.4.1 Land Use says: Other land uses include Low Density Residential, as Mr. Perry addressed, Medium Residential and Public Facilities. Where possible, these uses should be used as land use buffers as well, end quote.

Have we met these requirements? Are we looking at these alternatives? A park could meet those concerns. The legitimate concern that the residents of the area have is the addition of this project.

Tenaya will become commercial on both sides, as we discussed earlier today. We now are hearing that the east boundary of Town Center will be Tenaya Way. What assurances do we have that that's going to be the case? And, I realize we covered this earlier today, but I'd like to get this on the record. Can you guarantee to enforce the intent of the Town Center as described in the Forward Section 3.2? Quote. The intent of the Town Center is to prevent the spill of commercial and office projects into developing residential neighborhoods that exist in the Northwest General Plan area. This concentration of economic activities will accomplish three key objectives. The first one of which is, the Town Center will aid in the preservation of the lifestyle that exists in most of the residential neighborhoods located in the Northwest Planning area.

If we're going to hold the line at Tenaya and not encourage additional commercial development along this 80 foot arterial, you must use a buffer that would, you must use some kind of a buffer that would do this.

A second point in Forward 3.2 states that the Town Center will reduce stress on existing, as well as the future infrastructure systems, impacting the Northwest Planning area. Mr. Perry addressed this as well.

Currently, there is no reason for Tenaya Way to become a major arterial in this area. Just a few miles down the road it

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ends at the Mountain Spa Development. Would putting commercial along Tenaya force additional traffic upon it and adversely affect the rural horse properties existing there?

Therefore, I ask that you deny the request for the General Plan Amendment from Rural to Suburban Mixed Use, but rather accept these areas into the Town Center and designate them as park sites.

MAYOR PRO TEM McDONALD

Ms. Ruskamp, can you close?

LOUISE RUSKAMP

Yes.

MAYOR PRO TEM McDONALD

Thank you.

LOUISE RUSKAMP

The final concern the residents have is to the height of the buildings along the Beltway, and as Mr. Perry pointed out, what the heights are. You are allowed, when you are in the General Commercial area, no one is arguing that there's going to be multi-level buildings there. We know that's going to happen, but the buildings may be one floor above the elevated roadway. When you're in Suburban Mixed Use, which is where you have the three-story parking structure, you are instructed that projects adjacent to this area, the Beltway and 95, construct up to one story higher than the street infrastructure. In the area where that three-story parking garage is we're already at grade or heading below grade. Single story offices are recommended to be used as a land buffer when adjacent to single family dwelling units.

I concur with staff and their recommendations for how to vote on this, with the exception of naming those additional areas and the areas not included in Town Center as park sites.

MAYOR PRO TEM McDONALD

Are you submitting those for the record, your notes?

LOUISE RUSKAMP

Yes, I am.

MAYOR PRO TEM McDONALD

Okay.

LOUISE RUSKAMP

And I would like to submit these for the record. These are mentioned or have been referred to by other people in their presentations.

MAYOR PRO TEM McDONALD

Thank you.

LOUISE RUSKAMP

Thank you.

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MAYOR PRO TEM McDONALD

Next, please. If we can kind of stay in the realm of the time frame, I'd really appreciate it.

JAY FISHER

Oh, okay.

MAYOR PRO TEM McDONALD

Thank you.

JAY FISHER

My name is Jay Fisher and I live at 7528 Maiden Run Avenue. It's not just rural that's the thing here. It's also residential. You know, I live in a 6,000 square foot lot, I love it. I want a bigger lot, but I don't. And I don't particularly care to have commercial near my area, especially when it's going to be in my back yard, okay?

I am a member of the 234 members of Ranch House Estates, and in respect to Curran's client purchasing expensive properties, he made a gamble that money wins over quality of life, and he's got to deal with it. Purchases who are done for speculation, that's expensive and mainly for car dealerships. I really don't care to have lights in my back yard, you know. He hired a business consultant to divide our neighborhood association. Summerhills now is pegged against Ranch House now and we were all intertwined at one time. But due to them going ahead and coming in to try and divide us and promising things that won't happen, we're divided now. I want us to be together again against the project. I'm against commercial, but I'm not against office, okay, you know. So, this car dealerships I don't want, but the office is fine, you know, as long as it doesn't impact too much on the neighborhood. Let's see. If we have to deal with Mr. Curran's client, we would like deed restrictions put on the property and stuff like that to enhance our neighborhood so it doesn't affect us because if you approve it, which I have a funny feeling this will probably happen, because that's just the way it is in Vegas. You know, it's just, you know, we'd like restrictions to help our neighborhood, you know, because it is a fast-growing society, you know.

MAYOR PRO TEM McDONALD

Essentially Clark County, not just Las Vegas.

JAY FISHER

Yeah, yeah. Okay, and then the thing I have with those meeting cards that you were just brought up to, that was a meeting that we went to. Some of those people didn't know they were signing for the approval of it. Some of them just thought they were just going to the meeting and stuff like that. I never signed because I never sign anything unless it's submitted in writing and --

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COUNCILMAN BROWN

I appreciate that. I just submitted them for the record, that's what the letter had requested.

JAY FISHER

Okay, so basically that's all I have to say and I just hope you make a wise decision because I really do believe Town Center could be really good for the community, but it has to be done right and car dealerships is not what we have for the problem, so --

MAYOR PRO TEM McDONALD

Thank you. We can take a four minute recess, please. Will you please stay up here, we going to resume in about four minutes.

(RECESS)

MAYOR PRO TEM McDONALD

Three minutes. I think that we provide enough time. You will be cut off at the three minute mark dealing with the issues. Please try and stay within that parameter. So, please, sir, are you waiting patiently? I appreciate the indulgence during the break.

SCOTT FURNEY

That's all right. My name is Scott Furney. I live at 7328 Young Doe. I'm here, I'm one of the members of the Association for Ranch House. I do have these to submit to the Clerk for GPA-30-99, it's 20 more signatures opposing.

MAYOR PRO TEM McDONALD

Thank you.

SCOTT FURNEY

I just wanted to say I do not want Auto Mall in my back yard, you know, being, later on called Town Center Auto Mall. I would just basically like a 60 foot buffer on my back wall. I'm against the General Commercial. I want to keep the Suburban Mixed Use. That's pretty much all I have to say.

MAYOR PRO TEM McDONALD

Thank you very much, sir.

SCOTT FURNEY

Thanks.

MAYOR PRO TEM McDONALD

Good evening.

EVA PAULUSSEN

Good evening. My name is Eva Paulussen. I reside at 8208 Fawn Brook Court and I'm in the middle of Town Center. And we don't have large acreage. And I don't know about the people in the condominiums, but I think they're people too and their rights are just as important as large acreage. We don't have money for high flying attorneys to come and represent us. We are just simple folks who want our voices heard. And it upsets me that only the rural people should have a voice; the rural people with large

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acreage. As I was sitting there I could go either way, but having heard that said, I had to fly up because we don't have large acreage. The people by Ranch House they should consider what the group is saying. They don't have large acreage either. Their homes are smaller than the rural homes, probably and they're people too and their rights need to be taken into consideration. They're the ones more, that will be impacted more by this development than any of us. We will be impacted as well because we live in Town Center and whatever change is made to the GPA, and may I point out that there have been changes that are made to the GPA already, although it's a year and 22 days, whatever the count is. Okay, we have had the signage amended. It's not in front of the City Council yet.

We have had the Nevada Power as a GP as well, and there have been others, and there will always be GPA changes, let's put it this way, because we change with life. All right, there are how many thousands of people coming to Vegas every day, and what the rural people have to realize is that they're going to be more smaller lot people coming out there. And if they do not want this to happen, then they have to come together now and buy all the lands in Town Center or around them so that they can eliminate having this kind of problem, but you have to realize, there are two sides to the story. Again, because I live in Town Center, and we fought very hard, I don't have to refresh the Council's memory about us coming down here fighting for something that we think would be compatible to use as opposed to apartments. And because we got that, I think if the people on Ranch House or Summerhill would like that as well, so be it.

The Council was voted in to listen, or act on the behalf of the people on a whole and in situations like this I think you have to take the concerns of the immediate neighbors, or the people who are going to be affected. We're going to be affected by any kind of changes.

The Auto Mall, I question, because Town Center is going to be a Auto Mall. And we say precedent, setting precedent, precedent had been set before I even thought of moving to Vegas. Tom Saitta is there. I was thinking of coming to Vegas when that was there. Ford is there. Chevy is there. We just supported six Auto Malls. We didn't question anything more than their 90 foot signs. We embrace them and we are going to live there; we're the only homes there. So, please take that into consideration when you make your vote; the people that are going to be affected, not the people that live on the outskirts with the large lots.

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MAYOR PRO TEM McDONALD

Thank you.

EVA PAULUSSEN

Okay.

MAYOR PRO TEM McDONALD

Thank you very much. We're going to take two more speakers, then rebuttal by Mr. Currans. You going to speak?

UNIDENTIFIED GENTLEMAN

I've been waiting too long.

JAMES INGERHAM

I'm James Ingerham and I live in Ranch House Estates and I'm all in favor of it. I'm familiar what these people have done in Irvine and other places in California. I think it's a nice project and we need something like this. You can't fight growth and that's what we need in this. We don't have anything out here, so I'm all for it. I hope you'll vote for it. Thank you.

MAYOR PRO TEM McDONALD

Thank you, sir.

FRANK MARTIN

City Council, my name is Frank Martin. I live at 5720 Taj Mahal. I live less than a half a mile away from the area in question and I was actually raised for the larger part of my life less than a half a mile away to the north of the location.

I find it puzzling at best, bordering on comical, that the Council would even consider changing a plan that they haven't even seen in fruition yet. I don't believe that the City of Las Vegas would, or Clark County, would be able to understand or realize the benefits or the adverse affects of the Town Center Plan, being as how it's pretty well known in the business world that private sector outruns the public sector when it comes to development. I would encourage you to make sure that the Town Center portion is developed and completed first and maybe consider postponing entertaining this action. Thank you.

MAYOR PRO TEM McDONALD

Thank you. Mr. Maviglia.

JOE MAVIGLIA

Yeah, Joe Maviglia, 5422 Indigo Hills, North Las Vegas. I have spent probably 15, 20 years in this town. Raised my kids. I've attended City Council and County Commission meetings religiously and I've seen occurrences like this happen over and over and over, where an issue comes up, pro and con and if there's enough people that are interested in the pro and con, they show up and they vent their spleen on both sides. We are a fast-moving city that's growing by 4,000 people a month and the usage of the property in and around Las Vegas, in Summerlin I've seen it when it was all

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desert. I was here in 1947 in the military when it was all desert and if I had had a little hindsight I could have bought some, all this acreage for a dollar an acre and I wouldn't be sitting here, I could be home drinking gin and tonic and eating big thick steaks. Surprising, and you just woke him up.

What's interesting here is the fact that the individual that spoke on behalf, pro and con of this issue, was the two attorneys and they said the proper thing from the outset and that was negotiation, which they were willing to negotiate. Whether or not they can negotiate a amicable agreement to satisfy both sides, because something has to be eventually built out there, that's the reason that the people buy the property out there and then try to improve on it and build, whether it's supermarkets or auto dealerships or whatever. The auto dealership out there idea, really is a turnoff, simply because the people that built the Auto Mall were smart enough to realize that auto dealerships should be like they've built out in Henderson in the Auto Mall, which was a brilliant idea. Who the hell ever thought it up and it avoided congestion of the locals. The same thing happening on West Sahara where a church is built there and now Fletcher Jones wants to build a system and then it was capitulated on 100 parking spaces, how ridiculous. I'm halfway there.

Anyway, it gets back to, regardless of who's right or who's wrong, when an impasse situation happens and unfortunately our Mayor is avoided it, he can't participate, which I think is ridiculous, regardless. I think he's a responsible Mayor. I think he's a responsible person and I think he should be regardless of he may not be able to vote on an issue, but he certainly can bring forward his comments, pro or con, and how he feels. He's entitled to that, or should be, and I think it's ridiculous that he's denied that opportunity. Fortunately, enough guys like me can come here and make statements and go home and worry about the next issue. You guys are living with it every day.

I'm done because I can finish up on Citizens Participation, but it is a very simple situation. Let the two attorneys try to hash it out. Maybe they can come to an agreement that will satisfy everybody because something has to be built out there. I think the project has pretty good merits, except for the car dealerships.

COUNCILMAN REESE

Joe, if I could, I'd just like to speak for me and the Mayor.

JOE MAVIGLIA

Yeah.

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COUNCILMAN REESE

We would love to see this project down on East Fremont between the El Cortez and the Showboat.

JOE MAVIGLIA

Well, that would be my last comment. That fact that if you study the blighted areas around our country, Detroit where I came from. The west side of Detroit was a beautiful place and then everybody out to the wilderness and then the City's just depleted and that's what's going to happen to Las Vegas if we don't come to our senses along with the urban areas in fixing them up. We better get your idea and get downtown and start revitalizing the downtown area and make it a livable thing for all of us, for all the citizens. And I'll be back.

MANUEL ARIAS

Hi, my name is Manuel Arias. I live at 8237 Fawn Heather Court in Timberlake and I just wanted to say that I'm very disappointed in the people who live on the east side, mainly with the large acreage. I was very disappointed when one of them had the nerve to say to me, you shouldn't have bought your home in Timberlake. Well, I'm sorry. I'm very disappointed. You can talk to the 200 or 80-so residents there and say that too, but we live there. We know what's going to happen. We know we're going to fight for every little -- little thing that we can and the people who live in Ranch House and live in Summerhills, they will, they're going to fight and they're fighting for what they want. But these people in the rural area, back in that area on the east, far east part of it, they want all the General Commercial on our side of the freeway and it's always been like that. It's always been them wanting what they want.

They should listen to the people who live out in that area if they want that, who live near the, near this development, this property, they should be the ones. And that's what disappoints me because this is a thing about east versus west. Who's on the east side of the freeway, who's on the west side of the freeway, that's what this is about. That's what disappoints me. And I come to these meetings, I don't talk too often, but I was very disappointed when someone had the nerve to say that a person who owns a hundred acres has more say than a person who has a condominium, that is ridiculous. They all live in a home. They own that home and they should respect that and that ignorance is just disgusting. Thank you.

MAYOR PRO TEM McDONALD

Thank you.

JANE GREENSPUN GALE

Well said.

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MAYOR PRO TEM McDONALD

Jane, who else wishes to speak? Anybody else going to speak? Just one. Are you going to speak, ma'am?

UNIDENTIFIED WOMAN

No.

MAYOR PRO TEM McDONALD

Okay. We'll close the public hearing after this and then Mr. Curran's if you can rebutt, please?

JANE GREENSPUN GALE

My name is Jane Greenspun Gale. I live at 6722 North Rainbow. I just want to say if those of us with large acreage offended anyone that lives in a small home, we do apologize. That was not our intent. We are merely talking about something here that is really, really more valuable than all the money that the Schulman Group and everybody else had poured into this area. We have also poured a whole lot of money into this area trying to protect it.

My family has been in the development business for many, many years in Las Vegas. We've developed Green Valley. And we could have developed out where I am too, but we chose not to do that; it's rural. It's been rural and to say that those of us who don't live right next to this commercial property are not affected is nonsense. All of us in the northwest are affected by this and that's why the General Plan was adopted in the first place. That's why we went to the town board (sic) meetings. That's why we sat in on the discussions. We wanted to make sure that this last bashing of rural area was kept rural and we thought that that was what was going to be accomplished.

Mr. Curran's remarks about the urban center says it all. This is a rural area. This is not an urban center.

As far as having car dealerships and all that other kind of stuff, it is not compatible with our neighborhood. We don't want to go -- I had a discussion with Cliff Indy last night. He told me this was going to be the prettiest Auto Mall I've ever seen. I said, that's not the point, Cliff. Put it where Auto Malls belong. They don't belong in rural areas. It reminded me of former Governor of Texas, Ann Richards, when she said, you can take a pig and put a dress on her and call her Michelle. It's still a pig. That's how we feel about commercial development in our rural area. A car dealership, I know it has, they say it's not open on Sundays, but it's open from 9 to 9 every day; whereas, the Suburban Mixed Use office buildings are 9 to 5 and closed on weekends. So, if you have to put something there, please, please consider something much less intense. Thank you.

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MAYOR PRO TEM McDONALD

Thank you. Mr. Curran.

ATTORNEY BILL CURRAN

Thank you again. I'm happy and I felt privileged to participate in this demonstration of democracy. Citizens who rightfully feel that their homes are their castles provide valuable input to you, to those of us who try to bring about change, and I think we have tried and want to be respectful of their very legitimate concerns.

There are some things, however, that quite honestly we cannot change, that I have not, my client has not created. Tenaya is the major north/south street. Arguing that there shouldn't be traffic on Tenaya is, with all due respect, tantamount to arguing that the tide shouldn't come in. That decision has been made. There are realities there.

Similarly arguing that Town Center is ill-conceived, is ill-founded, should not exist at all, or certainly should not exist at this location, was a very legitimate area of discussion. It was hashed out in great detail over a long period of time. Many of you remember it very well, having participated in it. My client and I did not vote to place Town Center there. We are responding to the fact that a decision was made by the leaders of this community that was in our community's interest that to create a new Town Center. To do something that could be dynamic, do something that could provide a revitalization of our entire community, to put us at the forefront of other communities of the prestige and status that we have long provided to our tourists.

I want to respond to a couple of the particular comments, primarily those made by the other attorneys. Maybe first, however, though, I would like to, I think it would be helpful if your staff would point out, or would respond to the insinuation that high rise buildings could not be built on this property. I think Mr. Chris Knight is the appropriate person. I think that your design standards do indicate that the structures can be built to a level of one story above the top of the Beltway. That's what could potentially be done. That's not what we're arguing about, but I think it's significant to further this discussion that that be clarified.

MAYOR PRO TEM McDONALD

I looked to Chris earlier and he said he didn't know, so --

CHRIS KNIGHT, PLANNING AND
DEVELOPMENT

I know about the high rise or the height issue in Town Center. It states in the Suburban Mixed Use district that projects which are adjacent to the Beltway and/or U.S.95 may construct up to one story higher than the street infrastructure to which it is adjacent, so that would give you

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one story. If the Beltway interchange is 60 feet in the air, you could go one story above that 60 feet, so it does allow for that to happen.

Staff has a couple of other comments that we will save until after Mr. Curran is done for clarification on some of the issues in the Staff Report, but at their request I just wanted to read that into the record.

MAYOR PRO TEM McDONALD

Mr. George, your response to the question that was raised earlier.

DEPUTY CITY ATTORNEY GEORGE

Right. I think we're talking about two different issues. The issue that I was talking about was some prior City Council action on the particular piece of property prior to a lot of the Town Center issues being reviewed in the Town Center standards being adopted. I was dealing specifically with the rezone application, which I recall was the Miriam Shearing Revocable Trust application, which on that application the City Council took the action of just rezoning that particular piece of property to PD with no specific uses attached to that.

MAYOR PRO TEM McDONALD

Thank you. Mr. Curran.

ATTORNEY BILL CURRAN

Again, if I could show you your own design guidelines.

MAYOR PRO TEM McDONALD

Go to the overhead, please.

ATTORNEY BILL CURRAN

The photograph that I referred to previously is contained in those design guidelines. This isn't something that's been presented or created just for the sake of this presentation. This is, these are documents that were integral to the creation of Town Center.

Mr. Moran said that just because somebody has some property and the desire to make some money on it they shouldn't be permitted to seek to amend the expansion of the boundaries. Well, I don't want to beat up that point too long and I know that that was discussed this very afternoon at much length on another item north of us. I could site you to date the page and speaker and public records of discussions before the, this Council where it has been discussed really as it was originally conceived, that the Town Center was going to extend over to Tenaya. The reason it did not at our location was because that property on the east side of the property was not within the city limits. It was within the County. Since that time it has been annexed into the City. We bring it now into this project at the suggestion of City Officials who say that, and we agree,

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it is best to bring that in as part of an integrated project rather than to develop everything else and then, at some point in the future, have some orphan parcels that you're going to try to figure out what are you going to do with those. That is not what you want for Town Center.

We think that we're acting responsibly. We think that we're acting in reliance on the repeated statements of the City Council, members of the staff, about the natural boundary being Tenaya. Let me let that die.

There was -- Mr. Moran did reiterate, however, he read repeatedly from staff recommendations saying that it's premature to allow any expansion. The expansion is to Tenaya, that's the only expansion; is to go over to the natural boundary that we've been talking about here all day and on the earlier application and for the last two years.

I've mentioned that we recognize and respect the long time residents, many of whom have been long standing leaders in our community in a wide variety of context. We in no way denigrate them or their desired lifestyle, but the decision has been made; Town Center is going to exist. Our job is not to try to revisit that decision. It's how can we make the most of the opportunity that exists. What we feel we have submitted tries to make the most and serve all the goals that you've previously established.

A last thing. I think this is small, but I don't want to leave it unanswered. It was suggested that the letters and post cards of support were in some way fraudulent or false or misleading or something. I absolutely challenge that. We can provide testimony from the very person who went door to door, gathered those from the residents in the vast majority of cases, from people in their own homes talking one on one with the neighbors about the project, about their desires, gathering their input and at the end of those discussions they signed those cards indicating their support. These were not some kind of cards obtained under false pretenses.

I don't know how high I want to get on my proverbial horse arguing the point of whether land use regulation is appropriate as a way to try to circumvent competition in business. I certainly think that is inappropriate. I think that there is -- much of our discussion today has been conducted in code. The code has talked about everything except much of what really prompts some of what's been discussed today as it -- people who have some potential car dealerships do not want competition. Well, the American way is that

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businesses compete. Competition is regulated. Even unregulated businesses still are subject to some regulation. They're regulated in the marketplace. Is there too many? Well, the marketplace judges that. Is something going to be unviable? Well, there are financial institutions that regulate whether that is going to – whether there are too many and it's going to make some proposal unrealistic. Well, we face a more stern and unyielding kind of body just like yours when we go forward with financing. They are very hard fisted and very realistic, I assure you, in their assessment of whether something is realistic.

Now, I want to clear the air and be as candid as I can on this. We think that that area, nestled into this very large five different level 70 foot high freeway interchange, the Spaghetti Bowl Two, that the car dealerships are a very appropriate use, that the other uses are not neighborhood friendly. They are not financially viable. It is very, very difficult to conceive and come forward with a use that can make economic use of the property in a way that complies with all the goals you have set for the Town Center.

On the other hand, I want to be very candid with you and say, we realize that those are not going to be built this year. They're not probably going to even be built next year. These are plans, I mean, this is planning, that's what we're engaged in is planning. And we are trying to plan for the future. We are trying to allow people who are living in the area, who are buying homes in the area who are considering whether they should set, create their castles in this area, whether they should create their businesses there. They should know what's going to happen. We think that the car dealerships are a very responsible and good use.

The one criticism that could be offered, or could be leveled, it was not today, is that, sure, maybe those are good uses, but they're not – the time is not yet there. I will stand here and freely acknowledge that. If you agree with – that we'd ask you to approve the rest of the project. We humbly submit that perhaps that could be brought forward at some future date. We do not back off that that is a meritorious use. We say, if you'll look at that, if you'll look at the reality of what has happened elsewhere, the alternatives are something that the neighbors, the City, that the people who live across this entire valley do not want to have in this showcase area.

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We humbly ask for your approval at this time. If you want to defer that and approve the rest of it, I think we could perhaps live with that, but we're here in good faith with what we think is a good application and we ask for your approval.

MAYOR PRO TEM McDONALD

Mr. Curran's. Councilman Brown.

COUNCILMAN BROWN

You guys have any comments?

MAYOR GOODMAN

You've closed the public hearing?

MAYOR PRO TEM McDONALD

Yeah. I've closed, the public hearing is closed.

COUNCILMAN BROWN

Roni, is there a limit on that? Can I time myself? Why don't you - give me five. And when the yellow light hits, what does that mean, thirty seconds.

I appreciate everybody being here and certainly the comments. This has been perhaps one of the most lobbied projects in my two and a half years, but it's interesting because those that are here today, I'm going to make my only prediction of the day. The gentlemen that are involved in not only this application, but across the highway doing Centennial Center truly hold the vision of Town Center. We have Centennial Center, across the road where you have Gary Gullet, Wally Sterm, Joe Scala, developing the first major project of Town Center and certainly is going to set the standard, not only for the commercial development, but also for the frontage road and the landscaping and a lot of the setbacks that we're all hoping to have.

On this side, in this application you have Bob Schulman, Frank Nielsen, you have Cliff Findlay involved. Mr. Schulman's Group also owns a couple hundred acres in the northwest quadrant and his group has invested hundreds and thousands of dollars, not only purchasing the land, but in doing a lot of planning, hiring some of the best architects in the nation, to try to create what we're all hoping Town Center will become. And that is this vision of doing commercial and commercial is coming to this area, but doing commercial in a way that it hasn't been done in Southern Nevada. It's so important that you understand the principles involved in this application today truly hold the future of the success or failure of Town Center. And their track record speaks for itself, and yet, we're pushing them all to a new level. We really are.

The Town Center vision. I think we have to once again revisit the fact that U.S.95, if we had no Beltway, U.S.95 all

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the way to Kyle Canyon would pretty much develop like you've seen from the expressway on Rancho all the way up to the Santa Fe and beyond. You'd get a hodge podge of everything. And we certainly do on Rancho have a hodge podge of everything. But you drop in a Beltway and you have now created at least the opportunity to do things differently and that's what started Town Center in this area. We're looking at 2,000 acres. That's only, that's about a third of what normal commercial development would be out in the northwest; I've stated that before on the record. Full buildout, twenty years, 250,000 people, you'd have about 9% commercial development scattered all about. Scattered maybe a half a mile from Mrs. Greenspun's ranch and maybe a half a mile from some of these people that moved out there twenty years ago. We're forcing it into this Beltway expressway to protect.

I was somewhat humored to think what your father thought about when he first went out to Green Valley and looked and said, "Is this really a Metropolitan area?" I'm sure when he went out and built Green Valley, a lot of people thought that they were part of rural Nevada.

And we have to come to the realization that we are in a major metropolitan area and the best we can do is preserve and protect those treasures, those pockets of rural areas out in the northwest, and that's spoken to directly in our General Plan.

Town Center, if we keep the integrity of Town Center, is actually going to protect and preserve some of these true rural areas better than anything that we've ever done, at least in the City. And also understand that these rural pockets, although predominantly unincorporated County, are part of this northwest community and I heard a couple of people speak to it. There -- is no difference between those people that live in the condo and those people that live on a ten acre ranch. There is no difference, and there shouldn't be. If they don't feel like they belong to this northwest community, then we have bigger problems than what's before us today. I truly believe that and I feel very strongly that we have fought hard for everybody that's come before this Council, regardless of what house you live in or address you put on your shingle.

It comes down to what I feel again, we had an earlier application, the logical progression of Town Center, and there are certain components of this application that I am in fact going to support.

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I feel very strongly that Tenaya is going to be the natural boundary and I would encourage those that live out in the Gilcrease area on the County side to help us. Help us make sure that the County maintains the integrity of this plan.

So, I am going to support the expansion to Tenaya, and I'll get specific in my motion to follow what's listed. I also, with tremendous input from the neighbors, have gotten a clear message that they don't want the ability of apartments being built just north of their area.

Okay, Roni, I couldn't make it in five. Would you give me three more? Thanks. Shut it, no, shut it off. I'll be quick.

But the message is loud and clear that certainly they would prefer the Suburban Mixed Use, which gives us a lot more ability to manage what goes there than straight apartments, and I'm also going to support that component.

I am, however, going to oppose the General Commercial, and for many of the reasons that were stated on the record. Specifically, I'm not so sure that there may be some day a time where an auto dealership would be appropriate on this use. In fact, I've learned more about auto dealerships in the last three weeks than I want to ever learn again.

But we know in full buildout in twenty years we're going to need more than what's available in Town Center and they'll either bleed out along the Rancho corridor, maybe some day up at Kyle Canyon, maybe some day at the Paiute reservation. But just, history shows that there'll be more dealerships built than what is currently approved in Centennial Center, but it's not the right time.

We have power lines that are going to get approved and moved somewhere in that area. We have the overpass being built, the frontage road being built. And I think when people see all this vertical construction and get a sense of the Town Center is in fact a reality, I think that's the time to re-visit increasing the intensity with the General Commercial designation.

So, if there are no other comments and questions from the board.

ATTORNEY BILL CURRAN

Well, Councilman, with those comments in mind, on behalf of the applicant, and with his authority, I'll withdraw the request for the portion that would deal with the Auto Malls.

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COUNCILMAN BROWN

Staff, would that, thank you, Mr. Curran. Would that underlying zoning, the existing zoning today, would that be Suburban Mixed Use then?

CHRIS KNIGHT, PLANNING AND
DEVELOPMENT

That's correct, Councilman. It would leave the Suburban Mixed Use land use designation intact.

COUNCILMAN BROWN

One final note and I appreciate – one of the reporters asked me a question yesterday, so I wanted to since, in the spirit of disclosure. Apparently Mr. Skancke, Tom Skancke, who is, I certainly know that he has been an advocate for the applicant, but the person asked me as far as disclosure, and I'm going to disclose this relationship. Mr. Skancke was a non-paid volunteer on my campaign two and a half years ago. I'm not sure if he's in the room, but in talking to our City Attorney and going by the last session of the Legislature, commitment to a private capacity at the interest of others and the five criteria, I feel very comfortable and have indicated to him that understanding that Mr. Skancke did work as a non-paid volunteer on my campaign, I feel that I can be very independent in my decision-making today.

DEPUTY CITY ATTORNEY GEORGE

Also, Mayor Pro Tem, just for the record that I have had conversations with Councilman Brown on this issue and we also, the City Attorney's Office, feel very confident that there is no conflict of interest which would require a --

COUNCILMAN BROWN

Thank you. And my motion then would be to, and staff, help me if I go astray. There's five things in front of me, but the first is a request from Rural Density Residential to Town Center and a request to amend a portion of the Town Center Land Use Plan from M (Medium Density Residential) to Suburban Mixed Use on that appropriate portion of the site. Those are the two --

CHRIS KNIGHT, PLANNING AND
DEVELOPMENT

Councilman, I think that the Rural Density is a land use classification and it would be Rural Density to Suburban Mixed Use. And then the -- Medium Density to Suburban Mixed Use. And then the -- but, from the Rural Density to Suburban Mixed Use issue, should be preceded by the decision of whether or not to expand the Town Center.

COUNCILMAN BROWN

Yes. And I will support, here – I will state what I'm going to support and would you put it into a motion for me. The -- moving the entire boundary to Tenaya, including the six acres or four acres that wasn't listed as our future expansion. I'm also supporting that application. And then the Medium Residential to the Suburban Mixed Use, that's what I'd like to be placed in the motion, as far as approval.

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CHRIS KNIGHT, PLANNING AND
DEVELOPMENT

Yes. It's -- basically the portion of the application that is the expansion of Town Center, including that area amending the -- original boundaries of Town Center to include the four acres to the south, in Town Center. The designation of those expansion areas, from Rural Density to Suburban Mixed Use, and then the amendment of the land use Designation from Medium Density Residential to Suburban Mixed Use. And that would cover your intentions.

COUNCILMAN BROWN

And I would also include in that motion the applicant's withdrawal without prejudice the request for General Commercial.

CHRIS KNIGHT, PLANNING AND
DEVELOPMENT

Yes, Sir.

MAYOR PRO TEM McDONALD

Further comments? Okay. I also need to disclose that I was employed by Mr. Schulman back in '84 or '85, '86; '84, or '85. So, just point for clarifi -- now, is there any conflict, Mr. George?

DEPUTY CITY ATTORNEY STEVE
GEORGE

No, Councilman McDonald. And we've had that discussion with Councilman McDonald and find no conflict on that issue either.

COUNCILMAN BROWN

Well, now I'm going have to add something else, because my --, I didn't know Mr. Schulman at the time, but apparently my, well, I know, not apparently, my wife worked at Alexis Park as a secretary for two years. Let me put that for full disclosure there, in case anybody is wondering. Oh, back in '85, '86.

MAYOR PRO TEM McDONALD

'85.

COUNCILMAN BROWN

I'd have to go back and check. It was before kids. So, it was at least '85, '86.

MAYOR PRO TEM McDONALD

Okay. Did he employ you?

COUNCILMAN REESE

Yeah. Can I make a disclosure?

MAYOR GOODMAN

(inaudible)

MAYOR PRO TEM McDONALD

The question only I had to staff, I just asked Councilman Brown why this was all together. I mean, with the GPA, the rezoning, and the request to amend the portion. Is this normally like this? I mean, we do, all the other times we've done GPAs we've divided them.

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VERBATIM TRANSCRIPT: ITEM 125 - GPA-30-99 - CENTENNIAL RANCH, LIMITED LIABILITY COMPANY
AND CENTENNIAL 95 LIMITED PARTNERSHIP ON BEHALF OF MONTECITO EAST, LIMITED LIABILITY
COMPANY AND CLIFFORD AND DONNA FINDLAY TRUST

CHRIS KNIGHT, PLANNING AND
DEVELOPMENT

This is – not zoning, Councilman. The Town Center land use designation is unique, in that it is set up more like a Planned Community Development, in that the Master Plan, it is designated as Town Center, and within that Town Center designation, there are different land use districts that – make up the Master Plan for Town Center. So, those land use districts are not zoning. They are Master Plan Designations. So, they're land use categories and the zoning that needs to be applied to the properties that are being added into would be Town Center zoning. So, it is – what you're actually doing is, you're amending the General Plan to show it as Town Center, General Land Use classification and then amending the – Land Use Plan for Town Center to show those land use categories. So, it's – unique. It's not like anything else that you do, normally.

MAYOR PRO TEM McDONALD

That's what I just discussing with Councilman Brown. This seems to be the heated portion of – each agenda, is the expansion of this Town Center and what's going where.

COUNCILMAN BROWN

The – four acres that I'm bringing in that are not currently into future expansion, four acres out of over 2,000 in Town Center, to me is, in this particular spot on the map, is a logical progression. That's why we supported the annexation of this piece a few months back, because if not, then the decision on public policy is not ours. Again, I would not approve something that didn't make a logical progression, as far as the Town Center, and that was part of the reasoning. I'll let my motion stand.

MAYOR PRO TEM McDONALD

Okay. Well, we have a motion on the floor. Cast your votes. Post. Motion's approved. **(Motion carried with M. McDonald voting NO, L. McDonald excused, and Mayor Goodman abstaining on the advise of counsel to avoid any possible conflict since his partner spoke on the subject matter when it was considered by the Planning Commission.)**

MAYOR GOODMAN

Okay. Thank you, gentlemen.

ATTORNEY BILL CURRAN

Thank you.

END OF DISCUSSION

/gpb/lo/ac

City of Las Vegas

Agenda Item No. 126

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-37-99 - LOZZI ENTERPRISES INC. ON BEHALF OF THOMAS LOZZI - Request to Amend a portion of the Northwest Sector Plan on property located on the northeast corner of Buffalo Drive and Gowan Road, From: L (Low Density Residential) To: O (Office), Size: 2.5 Acres, Ward 4 (Brown), APN: 138-10-201-012. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:**Planning Commission****0****Board of Zoning Adjustment****City Council****APPROVALS RECEIVED BEFORE:****Planning Commission****0****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application- Not Applicable
3. Staff Report

MOTION:

BROWN - APPROVED - UNANIMOUS with L. McDONALD excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

TOM LOZZI, 2505 Mason Avenue, was present and requested approval.

ROBIN MANN, 7533 Grenfell Drive, indicated that she lives immediately behind the property in question. Although she did not oppose the project, she requested more information to ensure that it conforms with the neighborhood. Many other proposals have been made for the subject parcel. MAYOR GOODMAN advised that the request is only for a General Plan Amendment and that there are no specifics as to the intended project. ROBERT GENZER, Deputy Director of Planning and Development Department, clarified that while there have been many proposals made, they have been denied or withdrawn. MR. LOZZI has advised during several meetings

City of Las Vegas

Agenda Item No. 126

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 126 - GPA-37-99

MINUTES - Continued:

that he intends to build an office building on the site, which staff supports. MR. LOZZI will be required to apply for a rezoning application to be heard at a public hearing where all the details of the site development will be presented.

COUNCILMAN BROWN commented that approval of the GPA would enable the applicant to move forward with a project and proper notification will be required for a public hearing in the future.

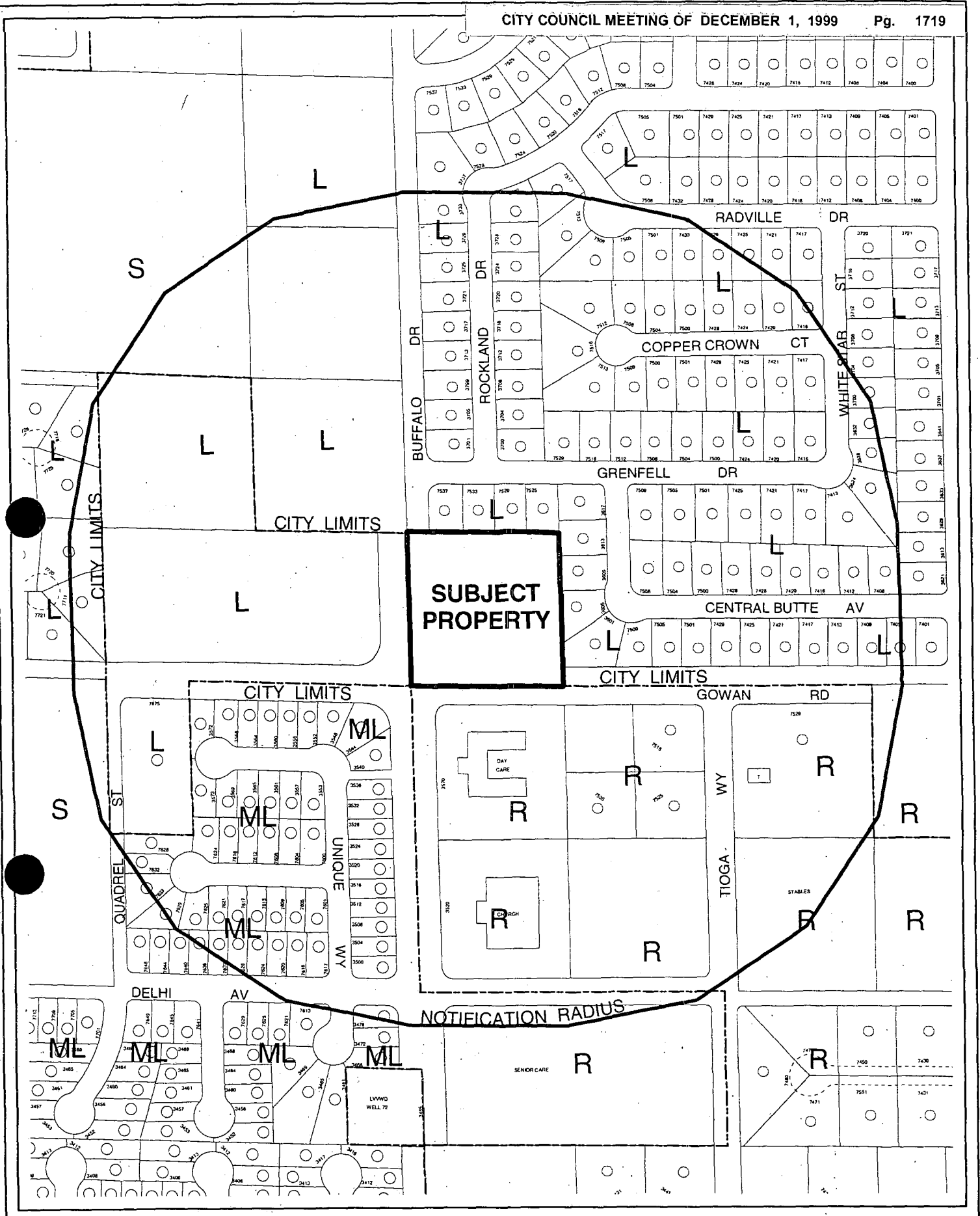
No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:42 - 3:45)

3-2203

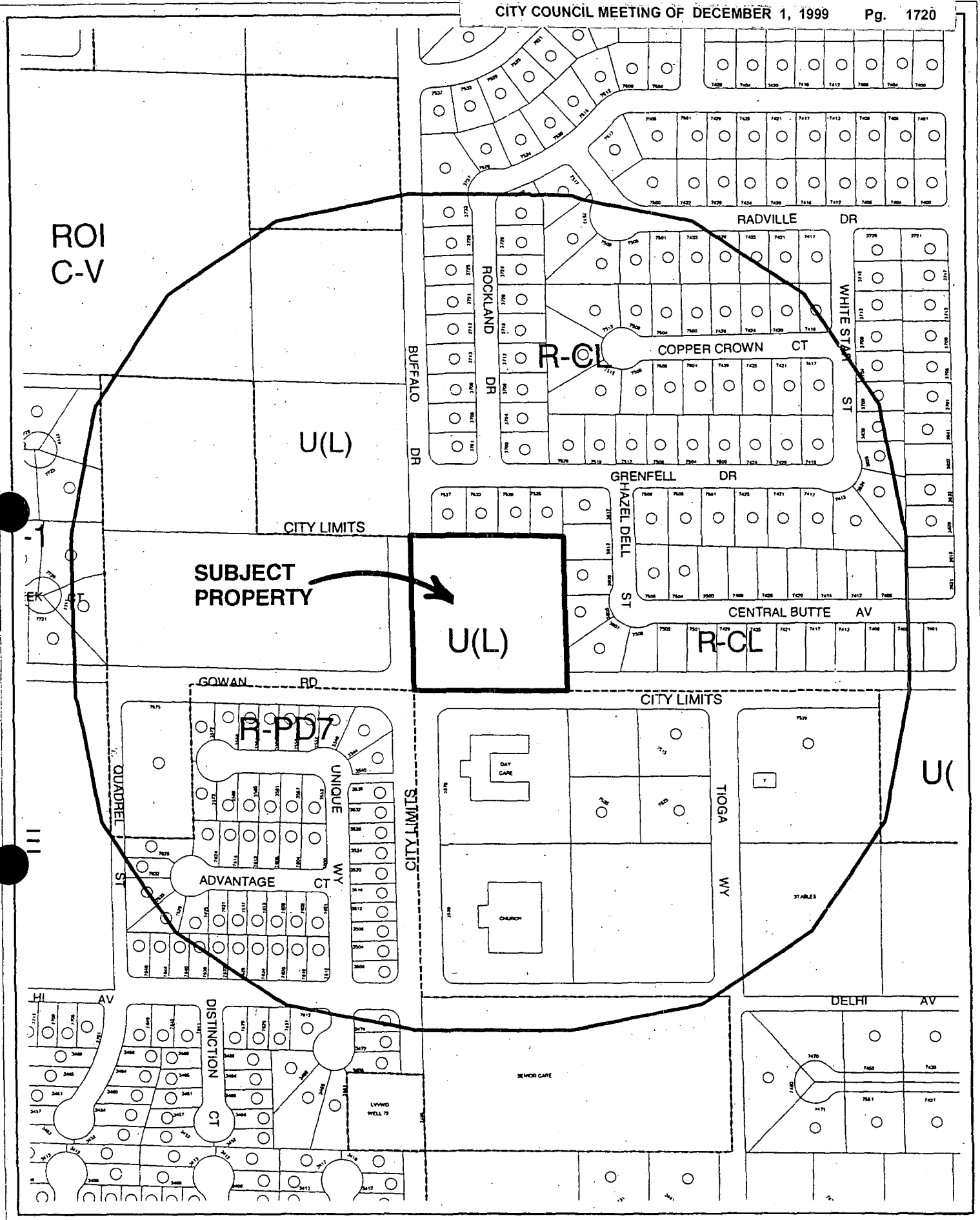


CASE: GPA-37-99

RADIUS: 750 FT

0 300 600 Feet





CASE:
NOTIFICATION RADIUS: 750 FT

GPA-37-99
10-21-99 QPC
STAFF

GPA-37-99



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: GPA-37-99 - Lozzi Enterprises, Inc. on behalf of Thomas Lozzi

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

GPA-37-99 - Page Two
December 1, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This amendment to the Northwest Sector Plan was filed by the applicant, Lozzi Enterprises, Inc. on behalf of Thomas Lozzi, for the purpose of constructing a single story office on the property. The applicant justified their request for the following reasons:

1. Gowan and Buffalo is a major intersection, which in the near future will have a traffic light. There is already a commercial development (daycare) on the southeast corner of this intersection.
2. This proposed use is conducive to the existing development along Buffalo. There are already a number of attractive professional buildings which have been built on Buffalo between Cheyenne and Gowan.
3. There is a need for professional office space as well as professional services, such as physicians and dentists, in this part of the city. Moreover, bringing more professionals into this area will have a very positive impact on the neighborhood.
4. Having the corner developed in a beautifully-designed professional building will enhance property values and create a better lighted corner which would be safer for neighboring homeowners and pedestrians at night.
5. In its undeveloped, raw state, the corner has been attracting unlicensed and unauthorized vendors, selling everything from used cars to clothing. Unfortunately, police resources in this area has been unable to eliminate this problem. These people pose a safety threat to the area and diminish resale home values.
6. After talking with several neighbors, we believe the neighborhood consensus is that most people would like the corner to be developed and would have no objections to a single-story office building on this corner.
7. A single-story professional building would be conducive to both the residential and existing business aspects of this neighborhood. It would be quiet at night, operating at essentially the same hours as the daycare center, which is already on the southeast corner.
8. The vacant desert is an eyesore, exacerbated by the commercial and political signs which are repeatedly placed on the property without the owner's permission.

GPA-37-99 - Page Three
December 1, 1999 City Council Meeting

BACKGROUND DATA:

- 08/12/68 The Clark County Regional Planning Council adopted a Coordinated General Plan for the Las Vegas Valley. On this plan, the subject property was designated for Rural Density Residential land uses, with no density limitations indicated.
- 05/26/77 The Clark County Regional Planning Council adopted a Regional Comprehensive Plan. On this plan, the subject property was designated for Low Density Residential land uses with a maximum density of seven (7) dwelling units per acre.
- 08/07/85 The Las Vegas City Council adopted Community Profiles of the City of Las Vegas General Plan. On this plan, the subject property was designated for Medium Low Density Residential (maximum of 12 dwelling units per acre) and Low Density Residential (maximum of 6 dwelling units per acre) land uses.
- 04/01/92 The Las Vegas City Council adopted the Northwest Sector map of the City of Las Vegas General Plan. On this plan, the subject property was designated for Low Density Residential land uses, with a maximum density 4.5 dwelling units per acre.
- 12/18/96 The Las Vegas City Council adopts the Northwest General Plan Amendment to the City of Las Vegas General Plan. Within this plan, the subject property was designated for Low Density Residential land uses (maximum density of 5.5 dwelling units per acre). A portion of the subject property is also designated as future expansion area of the Town Center.
- 11/10/97 The Las Vegas City Council accepts an applicant's request to withdrawal a request by Lozzi Enterprises, Inc. for a General Plan Amendment (GPA-36-97) for this property from L (Low Density Residential) to O (Office). The Planning Commission had recommended denial of this application on 9/25/97.

DETAILS OF APPLICATION REQUEST:

Site Area: 2.5 Acres

EXISTING LAND USE:

Subject Properties:	Undeveloped
North:	Single Family Detached Residential
South:	Day Care (Fielday School)
East:	Single Family Detached Residential
West:	Undeveloped

GPA-37-99 - Page Four
December 1, 1999 City Council Meeting

PLANNED LAND USE:

Subject Properties: Low Density Residential
North: Low Density Residential
South: Rural Density Residential
East: Low Density Residential
West: Low Density Residential

EXISTING ZONING OF ADJACENT PROPERTIES:

Subject Properties: U (Undeveloped)
North: R-CL (Single Family Compact Lot)
South: Clark County (R-E)
East: R-CL (Single Family Compact Lot)
West: Clark County (R-E)

ANALYSIS:

DEFINITIONS:

Low Density Residential (L) (3.6 to 5.5 units/gross acre.) - This category permits single family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

Office (O) - The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

The property in question is located on the northeast corner of Buffalo Drive and Gowan Road. Buffalo Drive is designated on the Master Plan of Streets and Highways as a Primary Arterial with a minimum right-of-way width of 100 feet. Gowan Road is designated a Secondary Collector Street with a minimum right-of-way width of 80 feet.

Section 19A.18.030.I of the City of Las Vegas Zoning Ordinance (Title 19A) requires the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designation.

GPA-37-99 - Page Five
December 1, 1999 City Council Meeting

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or designations.
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan designation.
4. The proposed amendment conforms to other applicable adopted plans and policies.

With regards to "1" above, the applicant is proposing an office facility on the subject property. This office development is proposed adjacent to single family residential development, built to Low Density Residential standards, located north and east of the site (Pioneer Estates), and land designated for Rural Density Residential development south of the site (although one parcel, located within unincorporated Clark County and within this land use classification, was developed as a daycare facility). This "Office adjacent to Residential" situation is not unique to this particular section of the Buffalo Drive corridor (Cheyenne Avenue to Gowan Road), as recent development trends have included development patterns of this nature, particularly in the vicinity of Buckskin Avenue (1/4 of a mile to the south of the subject property). Office development adjacent to low density residential uses may be a compatible mix at the Buffalo/Gowan location. Clark County has approved two (2) high density care facilities in the vicinity of the subject property: In October 1997 (extension of time granted in November 1998), a one and two story congregate care facility on the northwest corner of Buffalo Drive and Gowan Road, containing 117 units (28.4 units per acre), and; In May 1996, a two story adult care facility on the southeast corner of Constantinople Avenue and Buffalo Drive, containing 128 units (51.2 units per acre). Although these two particular uses are residential in nature, these higher density residential care facilities could have a greater impact on the adjacent residential, than that of the proposed office use, due to number of units available, staffing needs, and potential 24 hour activity.

With regards to "2" above, according to the Las Vegas Zoning Ordinance, the Office land use category has two (2) related zoning designations; O (Office) and P-R (Professional Office and Parking). Although each of these zoning designations work well to buffer residential development from more intense land uses or heavily traveled roadways, the P-R zoning designation, was specifically designed for those areas that are predominantly residential, yet due to extenuating circumstances, such as traffic, make the continuation of low density residential development, no longer suitable. This situation particularly comes into play due to the location of the subject property at the intersection of a Primary Arterial (Buffalo Drive) and a Secondary Collector (Gowan Road). Thus, the zoning of this site to one of the specified zoning districts, particularly P-R, would enable a gradual transition from these roads (and their related traffic and other liabilities) to the residential development to the north and east. Thus, staff believes that the zoning districts permitted with an Office land use designation would be compatible and enhance the development patterns that have occurred in the vicinity of the subject property.

GPA-37-99 - Page Six
December 1, 1999 City Council Meeting

With regards to "3" above, the parcels in question are located in an area of the City where all utilities are currently in place and available to this site. The site is serviced by the Northwest Area Command of the Las Vegas Metropolitan Police Department, whose substation is approximately three and one-half (3 ½) miles to the south at Jones Boulevard and U.S. 95. Fire Station #42, which is approximately ½ of a mile to the southeast at Cheyenne Avenue and Tenaya Way, is the closest city facility to this site. Buckskin Basin Park (at Tenaya and Gowan), is the closest park to this site.

Staff believes that there is adequate infrastructure to handle the proposed development.

With regards to "4" above, there are no additional policies and procedures that would be applicable.

In a previous application, a similar application was submitted, at which time staff did not support. Since that time, a number of non-residential uses (although some of these may be considered residentially compatible) have been introduced to the Buffalo Drive corridor (both north and south of Gowan Road), including office, personal care facilities, and churches. An adjacent child care facility had been in existence at the time of application. Although each of these uses, may be considered residentially compatible, their intended service area, more than likely extends well beyond the immediate neighborhood, thus each of these uses may be introducing additional traffic to the neighborhood.

Within the vicinity of the subject site are two (2) elementary schools (Kahre and Eisenberg) and one (1) middle school (Molasky). While it would be appropriate to maintain the residential environment surrounding these institutions, to ensure full utilization of these infrastructure investments, and avoiding the construction of new schools due to improper infill development, the anticipated traffic along both Buffalo and Gowan, make low density residential development undesirable, particularly at the intersection of these roadways.

Per policy set forth in the City of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 21 days of the closing date of this application. In accordance with the above, on September 20, 1999 a neighborhood meeting, sponsored by the applicant, was held at 7:30 p.m. in the Building and Safety Building (City of Las Vegas West Yards), at which approximately 25 interested persons were in attendance. At this meeting, some people had some apprehension about office development, but there was not a clear consensus in favor or opposition to the proposal.

FINDINGS:

Staff finds this amendment appropriate for the following reason:

The application does meet the requirements of Section 19A.18.030.I of the City of Las Vegas Zoning Code regarding subsections "1", "2", "3" and "4".

GPA-37-99 - Page Seven
December 1, 1999 City Council Meeting

AGENCY COMMENTS:

This application was circulated on 9/3/99 to the departments and agencies listed below, for comments by 9/29/99. As of this date, the following comments have been received.

Department of Public Works - We have no comment on the request to amend a portion of the Northwest Sector Plan on property located on the northeast corner of Buffalo Drive and Gowan Road, From: L (Low Density Residential) To: O (Office). Upon Development appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required.

Permits/Inspections - No comments received

Fire Prevention - No comments received

Metro (Intergovernmental Services)- No Law Enforcement Issue

PC NOTICES MAILED: 167

APPROVALS: 0

PROTESTS: 0

City of Las Vegas

Agenda Item No. 127

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-41-99 - NEVADA RAINBOW LIMITED PARTNERSHIP, ET AL - Request to Amend a portion of the Northwest Sector Plan on property located on the north side of Centennial Parkway, between Buffalo Drive and Tenaya Way, From: R (Rural Density Residential [Town Center Expansion Area]) To: TC (Town Center); and to Amend a portion of the Town Center Land Use Plan to allow SX-TC (Suburban Mixed Use) development, Size: 39.00 Acres, Ward 4 (Brown), APN: 125-22-404-001, 125-22-405-001, 125-22-406-001, and 125-22-407-001 through 007. The Planning Commission (6-0 vote) and staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:**Planning Commission****21****Board of Zoning Adjustment****City Council****APPROVALS RECEIVED BEFORE:****Planning Commission****0****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application- Not Applicable
3. Staff Report

MOTION:

BROWN - APPROVED subject to added conditions as follows:

- 1) The applicant shall submit an Impact Statement with the Site Development Plan Review to achieve compliance with Nevada State Senate Bill 191. The City Council delegates to City staff the authority to evaluate, for approval or denial, both the Site Development Plan Review and the Impact Statement submitted for this development request.
- 2) The City Council delegates to City staff the authority to work out appropriate measures of mitigation to reduce the impact of the project on those elements of infrastructure that are identified in the Impact Statement.

UNANIMOUS with L. McDONALD excused

City of Las Vegas

Agenda Item No. 127

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 127 - GPA-41-99

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes:

MAYOR GOODMAN declared the Public Hearing open.

APPEARANCES:

JAMES VELTMAN, Veltman Consulting Services, 2801 North Tenaya Way, Suite B,
representing most of the property owners

JANIE GREENSPUN GALE, 6722 North Rainbow

CAROL LeDUC, 7575 Rome Boulevard

LOUISE RUSKAMP, 8500 Log Cabin Way

CHRIS KNIGHT, Manager of Comprehensive Planning, Planning & Development Department

DAVID PETROVICH, Current Planning Supervisor, Planning & Development Department

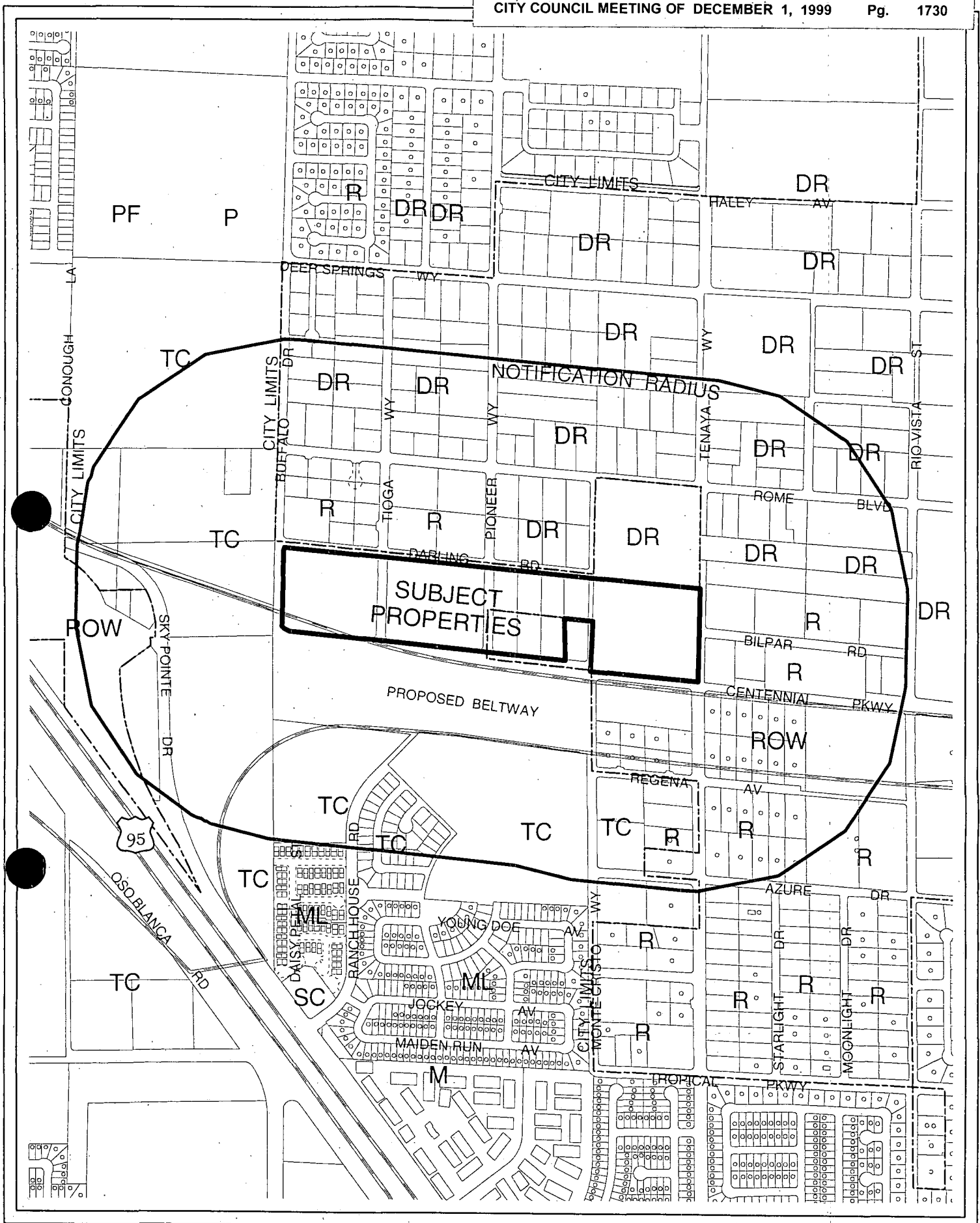
MAYOR GOODMAN declared the Public Hearing closed.

NOTE: The map presented by MR. VELTMAN was submitted and made a part of the Final Minutes.

NOTE: COUNCILMAN BROWN directed Planning staff to submit within the next two months language defining the buffering boundaries between Town Center and the abutting residential zones.

(3:45 - 4:16)

3-2338/4-1



CASE: GPA-41-99

RADIUS: 1320 FT

0 500 1000 Feet



127

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: GPA-41-99 - Nevada Rainbow Limited Partnership, Et Al

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend DENIAL.

GPA-41-99 - Page Two
December 1, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This amendment to the Northwest Sector Plan and the Town Center Land Use Plan was filed by the applicant, Nevada Rainbow Limited Partnership, Et Al, for the purpose of expanding the boundaries of the Town Center; and to allow SX-TC (Suburban Mixed Use) development. The applicant justified the request for the following reason

1. The owners of the property are beginning the development planning stage and require this parcel to be added to the Town Center with a SX-TC (Suburban Mixed Use) land use designation in order to proceed.

BACKGROUND DATA:

- 08/12/68 The Clark County Regional Planning Council adopted a Coordinated General Plan for the Las Vegas Valley. On this plan, the subject properties were designated for Rural Density Residential land uses, with no stated density limits.
- 05/26/77 The Clark County Regional Planning Council adopted a Regional Comprehensive Plan. On this plan, the subject properties were designated for Rural Density Residential land uses with a maximum density of 0.5 dwelling units per acre.
- 08/07/85 The Las Vegas City Council adopted Community Profiles of the City of Las Vegas General Plan. On this plan, the subject properties were designated for Rural Density Residential (maximum of three (3) dwelling units per acre) and Low Density Residential (maximum density of six (6) dwelling units per acre) land uses.
- 03/12/92 The Las Vegas City Council adopted the Northwest Sector map of the City of Las Vegas General Plan. On this plan, the subject properties were designated for Rural Residential (maximum of 3.96 dwelling units per acre) land uses.
- 12/18/96 The Las Vegas City Council adopts the Northwest General Plan Amendment to the City of Las Vegas General Plan. Within this plan, the subject properties are designated for Rural Density Residential (with a maximum density of 3.5 dwelling units per acre), and are included as a future expansion area of Town Center.
- 11/9/98 The Las Vegas City Council adopts the Town Center Land Use Plan. Within this plan, the subject properties are designated for Rural Density Residential (with a maximum density of 3.5 dwelling units per acre), and are included as a future expansion area of Town Center.

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December 1, 1999 City Council Meeting

03/05/99 The subject property was annexed to the City of Las Vegas.

DETAILS OF APPLICATION REQUEST:

Site Area: 39.0 Acres

EXISTING LAND USE:

Subject Properties: Undeveloped
North: Single Family Detached Residential, Undeveloped
South: Beltway right-of-way
East: Undeveloped
West: Undeveloped

PLANNED LAND USE:

Subject Properties: Rural Density Residential (Future Town Center Expansion)
North: Rural Density Residential
South: Beltway
East: Rural Density Residential
West: Suburban Mixed-Use

EXISTING ZONING OF ADJACENT PROPERTIES:

Subject Properties: U (Undeveloped)
North: Clark County R-E (Rural Estates)
South: Beltway
East: Clark County R-E (Rural Estates)
West: TC (Town Center)

ANALYSIS:

Definitions:

Suburban Mixed-Use (SX-TC) - The Suburban Mixed-Use District can be characterized as being similar to the Service Commercial District but with medium density residential also being a permitted use. It is intended to enable development with imaginative adjacency standards. Building and site designs which reflect a mixture of compatible land uses having either a vertical or horizontal character will maximize employment and housing opportunities. This district is

GPA-41-99 - Page Four
December 1, 1999 City Council Meeting

also more reflective of suburban development than the Urban Center Mixed Use category. With exception to the area adjacent to the Beltway/U.S. 95 interchange, development will typically be no more than two (2) stories in height. Projects adjacent to the Beltway and/or U.S. 95 may construct up to one story higher than the street infrastructure to which it is adjacent. Single story offices are recommended to be used as a land use buffer when adjacent to single family dwelling units.

This amendment request basically involves two proposed changes to both the overall Northwest Sector Plan (specifically Map Three), and the specific Town Center Land Use Plan, which is a chapter of the Northwest Sector Plan. The proposal breaks down as follows:

- The first aspect is the redesignation (on Map Three of the Northwest Sector Plan) of the subject site from the current designation of Rural Density Residential (R) to Town Center (TC). The property is designated within the Northwest Sector Plan as "future expansion area of Town Center".
- The second aspect would be an amendment to the Town Center Land Use Plan, to formally add the subject site with a designation of Suburban Mixed-Use (SX-TC).

The subject property is located in the vicinity of U.S. 95 and the proposed Beltway, both of which are designated on the Master Plan of Streets and Highways as Freeway/Expressway. Tenaya Way, which runs along the eastern edge, is designated as a Secondary Collector with a minimum right-of-way of 80 feet.

Staff believes that the overall intent of the Town Center expansion areas was to accommodate future growth and expansion of the Town Center at a time when expansion would be warranted. Currently, the overall development of the Town Center area is minimal (with the exception of the Timberlake subdivision, and in the vicinity of Ann Road/Tenaya Way), and staff believes that it would be premature to allow expansion to occur at such an early stage in the development of Town Center.

Section 19A.18.030.I of the City of Las Vegas Zoning Ordinance (Title 19A) requires the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designation.
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or designations.
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan designation.

GPA-41-99 - Page Five
December 1, 1999 City Council Meeting

4. The proposed amendment conforms to other applicable adopted plans and policies.

With regards to "1" above, the Town Center Land Use Plan, which is very site specific and detailed in use of land projected for each parcel, was designed in such a manner to provide a certain level of protection to the more vulnerable land uses (such as Low Density residential) from the more intense land use classifications such as Urban Center Mixed-Use. This logic was developed in order to minimize land use conflicts as the Town Center evolves into a mixed use environment. Therefore, the specifics of this application, pertinent to land use, and how they relate to the overall Town Center concept are as follows:

- RURAL DENSITY (R) TO TOWN CENTER (TC) - As a result of this application, the Town Center (TC) land use category will be adjacent to Rural Density (R) Development and Desert Rural Density (DR) development. This situation occurs in other areas of Town Center. Staff believes that a compatible blend of land uses could result, if adequate buffering to protect and enhance the viability of these adjacent low density residential properties is provided. This allows for more intense land uses to be located adjacent to the less intense and more vulnerable land uses. The higher density land uses conform with the Town Center concept of providing commercial services in the Northwest in a compact area.

The timing of this amendment is of primary concern. Staff believes that it is premature to allow any expansion to occur at this stage in the development of Town Center. Currently, the overall development of the Town Center area is minimal (with the exception of the Timberlake subdivision, and in the vicinity of Ann Road/Tenaya Way). This particular application would expand the boundaries of Town Center to include areas designated for future expansion and areas not previously considered for inclusion. Staff believes that there is no basis for expansion at this time, and does not support the request from Rural Density Residential (R) to Town Center (TC) at this time. The provision of proper buffering protects the intensity of the existing "rural" development in conformance with the Town Center purpose.

- DESIGNATING PARCELS AS SUBURBAN MIXED-USE (SX-TC) - The other aspect of this application would result in Suburban Mixed Use (SX-TC) designation being placed on the subject properties, adjacent to Rural Density and Desert Rural Density Residential. Again based on the number of similar existing occurrences that could be noted (again in the northeast and southeast quadrants), staff believes that a compatible blend of land use would result. Therefore staff could support an amendment designating the subject properties as Suburban Mixed-Use (SX-TC), provided that the timing of such a request is appropriate, and with a provision for adequate buffering. Again, staff believes strongly that it is premature to allow any expansion to occur at this stage in the development of Town Center.

GPA-41-99 - Page Six
December 1, 1999 City Council Meeting

With regards to "2" above, according to the Las Vegas Zoning Ordinance, the Town Center land use category has one (1) related zoning designation; T-C (Town Center). This zoning designation was specifically adopted as an implementation mechanism to facilitate the development of the Town Center area of the City. As such, the Town Center zoning district is very broad and is able to accommodate a variety of land uses, each of which could be complimentary to existing and adjacent development patterns/uses. Therefore, staff believes a Town Center zoning designation would be compatible with existing or proposed adjacent land uses. Once again, staff is of the opinion that when the timing is appropriate for the expansion of Town Center, the proposed zoning district will be compatible with the existing and proposed land uses.

With regards to "3" above, the parcels in question are located in an area of the City where all utilities are currently in place and available to this site. The site is serviced by the Northwest Area Command of the Las Vegas Metropolitan Police Department with a substation approximately seven (7) to the south at Jones Boulevard and U.S. 95. Fire Station #9, which is approximately 2 miles to the south at Rainbow Boulevard and Lone Mountain Road, is the closest city facility to this site. The Elkhorn Durango Ballfields (at Elkhorn and U.S. 95) is the closest park to this site. Planning for the northwest quadrant of Town Center contemplates the development of a civic use element that would include a new Metropolitan Police Department substation.

With regards to "4" above, Staff believes that part of the intent of the Town Center Land Use Plan is to protect existing residential development, in this particular case north of the subject site, from more intense commercial development. Staff believes that this could be accomplished provided that a significant amount of the required open space/landscaped areas (minimum of 20 percent of gross property area as per Chapter 19A.06.110.E of the Las Vegas Zoning Ordinance) is adjacent to the existing residential development. However, staff believes that it is premature for development to be contemplated within the expansion areas at this time. When the timing for the development of these parcels is more appropriate, staff would encourage the development of a greenbelt along the perimeter of the Town Center. This concept (consisting of an appropriately sized, heavily landscaped greenbelt, containing pedestrian paths and other open space amenities) would act as a buffer to adjacent residential development; provide an alternative transportation opportunity for the movement of people within Town Center; increase recreational opportunities for residents, and; discourage any future expansion of Town Center outside of the established boundaries (including established expansion areas).

This particular application is important for the future of Town Center. Staff projects that numerous applications similar to this one (requesting expansion of the Town Center into areas not previously considered) are imminent. There is a real need to be conscious of adjacent residential development (existing or planned) and to protect and enhance the viability of these adjacent residential properties. One manner of accomplishing this is by avoiding the expansion of Town Center beyond those areas identified as potential expansion areas. While the current amendment process certainly may discourage some from considering expansion, staff believes that this system may not be enough, and this goal may be further accomplished by requiring buffering along the periphery of Town Center. By requiring a graduated buffer along the

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periphery (applicable throughout all of Town Center, and based on adjacent residential densities), adjacent residential properties should notice less impacts from development within Town Center. A graduated buffer will clearly delineate the perimeter of Town Center, by creating an open space barrier that would essentially "cut-off" the additional expansion possibilities other than those identified for the existing Town Center development. Staff would encourage the creation of a development standard that would be applicable throughout all of Town Center.

Per policy set forth in the City of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. In accordance with this policy, a neighborhood meeting, sponsored by the applicant, was held on September 20, 1999 at 6:30 p.m. at the Building and Safety Division building (West Service Yards). At that meeting, nearby property owners had two main issues with this request. They were troubled about the lack of specific development plans provided by the applicant, and concerned that the applicant was proposing to develop the expansion area before substantial development had occurred in the Town Center area.

FINDINGS:

Staff acknowledges that this application meets the requirements of section 19A.18.030.I of the City of Las Vegas Zoning Code regarding subsections 1, 2, 3, and 4. However, staff believes that it would be premature and contradictory to good planning principles to allow unwarranted expansion to occur at such an early stage in the development of Town Center. Therefore, staff has no basis to support this request.

AGENCY COMMENTS:

This application was circulated on 9/3/99 to the departments and agencies listed below, for comments by 9/29/99. As of this date, the following comments have been received.

Department of Public Works - No comments received

Permits/Inspections - No comments received

Fire Prevention - No comments received

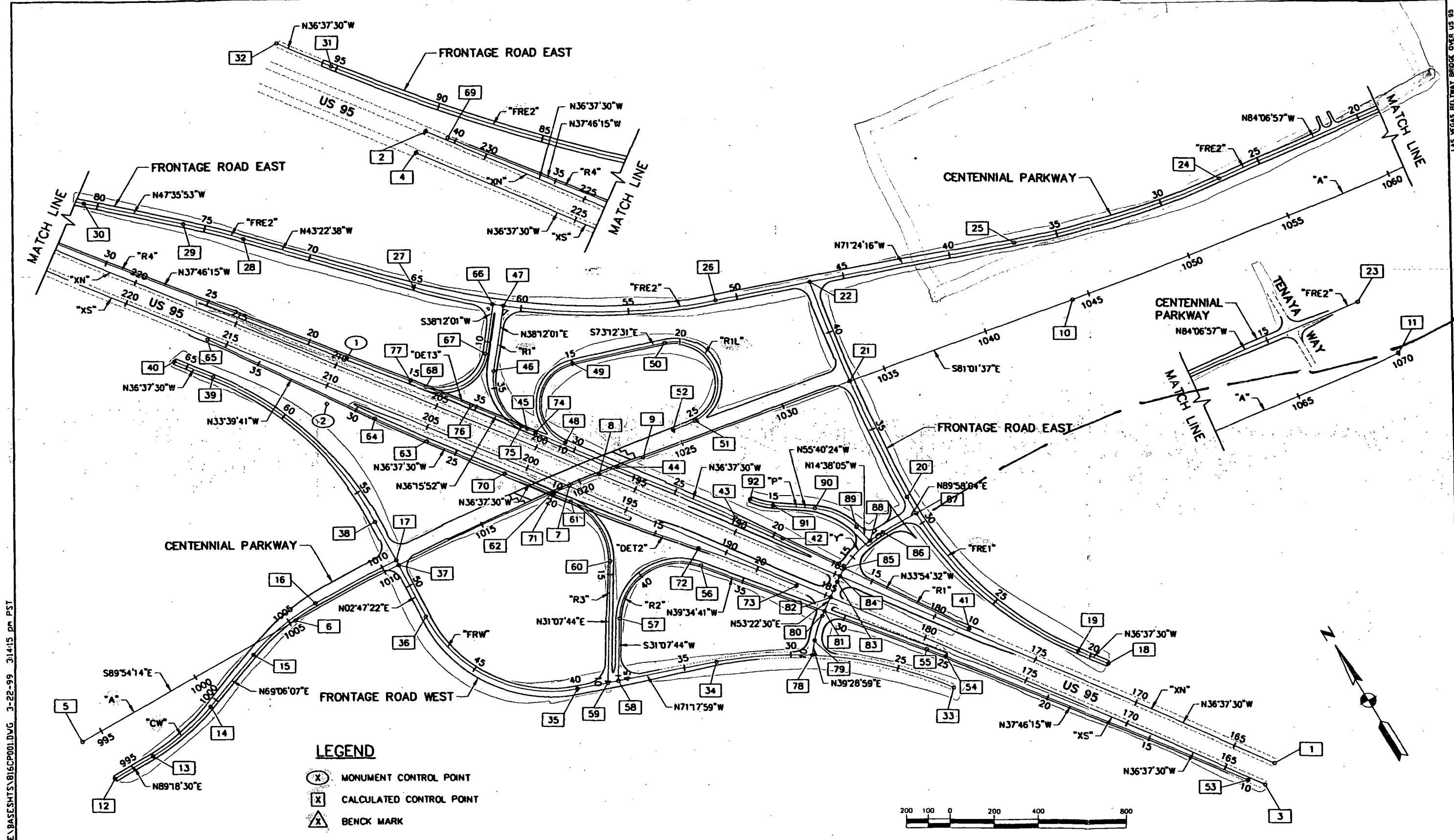
Metro (Intergovernmental Services) - No comments received

PC NOTICES MAILED: 225

APPROVALS: 0

PROTESTS: 21

[There was significant public testimony in opposition for reasons that development in this area would be premature at this time and incompatible with the existing rural neighborhoods in the area.]

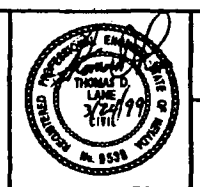


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REV. NO.	DATE	DESCRIPTION	APPROVED



LAS VEGAS BELTWAY BRIDGE OVER US 95
CONTROL POINTS
CLARK COUNTY, NEVADA, DEPARTMENT OF PUBLIC WORKS



PROJECT NO: 816 DRAWN BY: WSH
DESIGNED BY: IYL CHECKED BY: TDL
APPROVED BY: RJP
LOUIS BERGER & ASSOCIATES, INC.
LAS VEGAS, NEVADA

SCALE	DRAWING NO.
HORIZ: AS SHOWN	CP-1
VERT: NONE	3 of 326
FIELD BOOK	L-1594

#127

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VERBATIM TRANSCRIPT: ITEM 127 - GPA-41-99 - NEVADA RAINBOW LIMITED PARTNERSHIP, ET AL

MAYOR GOODMAN

Item 127, this is a General Plan Amendment. It's going to be a public hearing on GPA-41-99, Nevada Rainbow Limited Partnership. A request to amend a portion of the Northwest Sector Plan on property located --

COUNCILMAN BROWN

We're hearing this (inaudible)

MAYOR GOODMAN

-- on the north side of Centennial Parkway, between Buffalo Drive and Tenaya Way from R to TC. And to amend a portion of the Town Center Land Use Plan to allow SX-TC, which is a Suburban Mixed Use development, concerning some 39 acres. The Planning Commission and staff recommend denial. This is a public hearing. I now declare it open. Yes, Sir.

JAMES VELTMAN

My name is James Veltman with Veltman Consulting. And the, I represent all of the property owners, except one, in this area. This outline is the area that we are talking about. This is the edge of Town Center as currently approved. But I think a little history would be good, because the original plan, prior to the approval, was for these properties to be included in the, as a buffer zone to the Beltway, and to be part of the Town Center with the mixed use, Suburban Mixed Use, as the land use.

When it was decided to only approve that portion which was inside the City boundaries, the plan that was approved on September is, shows this as future Town Center because it was in the County. Since that time, we have annexed this into the City. We have agreed that we can live with all of the conditions of the General Plan, as originally set up. We have also gone, been asked by the City itself to begin to participate in a SID that includes all of this area, adjacent to the Beltway interchange. And have been dealing with the County on the actual design of the first phase of that interchange. That first phase recommended a road network, shows our property right here. And this is the service road that comes from Tenaya, all the way up and continues to Elkhorn.

That is where we are located and, if you take the actual construction drawings that had been let by the County to be build phase one of the interchange, this, everything in orange here, is the portion of the interchange that is under construction. And that includes the service road adjacent to our property. The bulldozers are out there, as late as this morning. Signs were going up of "coming soon shopping center" and the apartments are under construction here. The property adjacent to us is on the zoning agenda for tomorrow night. So, we think the property is extremely in -- need of being included in the General Plan. And -- for that

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reason, and here is the actual construction – drawings showing the edge of the property and the orange line that is in fact being built.

We don't think it's premature at all because the residential development is all on this side of the freeway. This is where all the rooftops are, and this is where the first phases of development will in fact occur. And as a result of that, that is why we are requesting your approval of this recommendation. And that would automatically put us into all the design standards for Town Center.

MAYOR GOODMAN

Thank you. Would anybody else like to be heard on this matter?

COUNCILMAN BROWN

Your Honor, if – Mr. Veltman, if --

JIM VELTMAN

Yeah.

COUNCILMAN BROWN

Would you mind submitting that map for the record or is that your --

JIM VELTMAN

Which one do you want?

COUNCILMAN BROWN

-- only -- and best, the orange one, the construct, the --

JIM VELTMAN

Oh, yeah. Yeah.

COUNCILMAN BROWN

-- the road phase one construction.

JIM VELTMAN

Yeah. I have plenty of these. Yeah. This contract's been let to, in fact, I'll give you the whole set, to American Asphalt.

MAYOR GOODMAN

Okay.

COUNCILMAN BROWN

City Clerk, if -- Roni, if I may take a quick look.

MAYOR GOODMAN

Be happy to hear from you.

JANIE GREENSPUN GALE

Good afternoon. I'm Janie Greenspun Gale. I live at 6722 North Rainbow, on the Gilchrist Ranch area. I spoke with Michael Gaughn, who is about a thousand feet from this area. He's very much opposed of this. He could not be here this afternoon because he's having surgery. However, all of my neighbors, most of whom will be here this afternoon, and those of us on this side of Tenaya, are, we agree with staff's recommendation that the future is not now and this does not need to be approved today. We're wondering what the rush is, since Town Center, by agreement, on the west side of the freeway is supposed to be 80% developed before it even starts on our side of the

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highway. And we're just wondering what the rush is. Thank you. We hope you deny this.

MAYOR GOODMAN

Would anybody else like to be heard?

CAROL LeDUC

Carol LeDuc, 7575 Rome Boulevard. I live right behind the property in question on Rome Boulevard. I'm showing you the Veltman map that Mr. Callister commissioned in 19', and it was approved in 1996, and the Town Center is shown in the pink. And as you can see Town Center, in it's original state, was never, never, never going to be on the other side of the, east of the rural areas, was never to be even Suburban Mixed Use, the lowest in Town Center. And it was like Pinocchio's nose and it kinda just grew and grew and grew.

And so that's one of the reasons we're here today, because last year, a year ago - and a month, we were here, a combination of the County and the City, debating over what we were gonna have in Town Center. And at the time the map was gonna come out there was some debate as to what it was gonna be called - future Town Center development or Town Center expansion.

In any event, we do think it's premature. I have most objection from the people who live closest to Tenaya; where, according to the next phase in the Site Plan, they plan on Tenaya a commercial shopping center, allowable in Suburban Mixed Use, kind of a strip, a little strip thing on ten acres, right adjacent to horse properties.

And, you know, this is General Plan Amendment, and it's not zoning, but the General Plan Amendment will bring into question these uses. I have no problem with the General Plan Amendment as it pertains to Mr. Romano and the sections behind my house, because I have a good-faith agreement with Mr. Romano that he's gonna give me a fair buffer. I do not have, or my neighbors don't have the same kind of relationship with Mr. Veltman's other clients, so I can't oppose the whole part of it. I can only oppose the parts that my neighbors oppose as a representative of the neighborhood, and say that so far as Mr. Romano's properties behind my house, I have no objection. Did you get that?

MAYOR GOODMAN

Yeap.

CAROL LeDUC

It was a little confusing. Sorry.

MAYOR GOODMAN

Nope. Very clear. Thank you. Anybody else?

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LOUISE RUSKAMP

Louise Ruskamp, 8500 Log Cabin Way. One of the things and I think we need to be very, very careful about – I'm not even gonna get into the issue of if the future is today or not – is that you need to look at this in that it's totally surrounded by Desert Rural. And when we're dealing with housing developments coming in adjacent to Desert Rural, we now have a rule that says that for 600 feet that you develop at a density that is equivalent. I'm wondering what kind of special buffering, and I really think this is a situation where we need something beyond what's in the Town Center guidelines, because you are buffering here horse ranches. You are buffering people that are on nothing less than a half of an acre. And I think you need some very, very special buffering, and may be the Site Development Review is the time to address that. But I want that on the record that we need some special type of buffering going along all of these properties because it is all Desert Rural.

Another concern that we have is putting the -- commercial on Tenaya is that you're going to increase the traffic along Tenaya when you really probably don't need to. Right now, at, in this point of Tenaya, it services people just fine. And if you go a little bit farther to the north, Tenaya stops and dead ends at Mountain Spa. It doesn't even enter into the project. It dead ends. So there's really no reason for Tenaya to be developed.

One of the options might be to create some kind of a park or open space here along Tenaya. The big concern of the people in this area is that if we allow commercial along Tenaya, along the west side, then we're gonna have commercial on the east side. And I think that's a very viable concern here. And I want some kind of a buffer that will let us know this is the edge of the Town Center and we will stop here. Because, as you've seen by the different maps, it has moved several times. And I'm willing to keep it at Tenaya, if it, if it's – I want it in stone that it's gonna stop at Tenaya. So we need some kind of buffer that does not encourage the properties over here or the properties on the east side of Tenaya to go commercial as well. Thank you.

MAYOR GOODMAN

Anybody else? Mr. Veltman, let me ask you a couple questions.

JAMES VELTMAN

Yes, Sir.

MAYOR GOODMAN

You were commissioned, were you not, to participate in the – boundaries of the Town Center concept?

JAMES VELTMAN

Oh, yes. Yes.

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MAYOR GOODMAN

And now you're -- coming before us and you're asking for us to expand those; is that correct?

JAMES VELTMAN

Right. But -- Yeah, but our plan continued out into the County and went all the way to Tenaya. You see this portion right here?

MAYOR GOODMAN

Yeah.

JAMES VELTMAN

Was, it was in the County. At the present time the loop road is coming through, coming around on Tenaya and coming back. And what we are being asked, as property owners in this area here, is to now build, not only two lanes, but four lanes of -- road as part of this service road --

MAYOR GOODMAN

No. I -- appreciate that. Where -- I'm having my difficulty, though, on the concept is, here, the Town Center is a, it's a new idea. It's supposed to really be a revolutionary idea as far as this community is concerned, and, I guess, it was put to paper about a year ago, and now already we're being asked to -- amend it, to expand it, and I don't know whether anybody could have any solace when there isn't any master plan --

JAMES VELTMAN

Well, the main reason it's being asked is because this has always been as part of overall plan of Town Center, and now we're being asked to build four-lane roads without any assurance that we are even gonna be included. We're also being asked to contribute to the Special Improvement District by the City and the Engineering Department.

COUNCILMAN McDONALD

Well, if your property abuts it, you have to do it anyway.

JAMES VELTMAN

Right. But when we have to do it --

COUNCILMAN McDONALD

So, regardless if you get commercial or not, you still got to pay --

JAMES VELTMAN

But when we do it, makes a lot of difference. And the key to the Town Center development is in fact the loop-road concept that is part of the Phase I construction.

MAYOR GOODMAN

All right. Staff, do you have any comments as far as this is concerned? I know you recommended denial. But as I said, I am concerned about the whole philosophy of what we're doing with the -- Master Plan, which is gonna be completed in -- June of 2000. And where -- are we going with this kind of constant revision that -- people can't rely on any kind of certainty here?

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CHRIS KNIGHT, PLANNING &
DEVELOPMENT DEPARTMENT

Your Honor, the, Chris Knight with the Planning and Development Department. Mr. Veltman has a point in that the staff's recommendations initially included this area. This area was removed by the Council and designated as future-expansion area. And when the staff looked at this request, we looked at the level of development that Town Center has -- come to to this point. There is about 3% of the land area that's actually. Another 13% has been approved on paper, so we have a total of about 16% of the land area in Town Center.

Following the wishes of the Council when they set these areas aside as future-expansion area, we felt that -- it was onerous on us, if we were gonna recommend approval of the expansion, that it would be at a time where expansion would make common sense from a development standpoint. That if you have areas reserved for future growth and development, you do that when you have fully developed.

The issue of the SID, I would have to defer to the Public Works Department, but as our, it was our understanding that the SID is not really based upon whether or not you're in Town Center; it's based on the development of infrastructure and the loop-center road, the loop road that is a part of the development of the interchange between US95 and the Beltway, and that that's a Federal Highway Administration requirement, not a Town Center requirement. And, thus, it really isn't related to Town Center, though it does go through Town Center. So that I'd have to defer to the Department of Public Works on.

COUNCILMAN McDONALD

With all due respect to Councilman Brown, this is his ward, I think the same concern that the Mayor had. If we put it, is this gonna be in stone? I mean, this is where it stops; I think, Louise brought that up. This area keeps getting larger, I mean, it doesn't but it does. I know Mr. Veltman was -- When did we start that? Late '95, early '96' when you were doing the study?

JAMES VELTMAN

Yeah, right.

COUNCILMAN McDONALD

And I understand the concept of -- Town Center. Believe me, over the years I've been briefed. Councilman Brown came in, worked his first six months, put his head in the books and really brought this to -- reality. But the question is, is this where we stop? I mean, not another one would come before us and say, okay, and this is now in purple, and this is gonna be in purple in two years, and in four years this is gonna be purple, or -- Because the neighbors, and I'm, again, this is Councilman Brown's ward, I'm not trying to interject. But I think we see the curve, and if this is

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supposed to be in Town Center, okay. We know it's gonna be in Town Center. You --commissioned the study, or we commissioned the study, you did the study. This is where we stop?

JAMES VELTMAN

Right. The only -- reason we took --

COUNCILMAN McDONALD

Is that in stone somewhere? Do we have that in paper?

CHRIS KNIGHT, PLANNING & DEVELOPMENT DEPARTMENT

I -- What you have in paper is -- the adopted plan for Town Center that shows the boundaries for Town Center as they exist today, plus, I think --

COUNCILMAN McDONALD

This was in the County and now it's brought into the City?

CHRIS KNIGHT, PLANNING & DEVELOPMENT DEPARTMENT

Yes.

JAMES VELTMAN

Right.

CHRIS KNIGHT, PLANNING & DEVELOPMENT DEPARTMENT

And there were -- four areas that were shown as future expansion, or three areas that were shown as future expansion for Town Center that as Town Center developed it would grow. Those were, if you will, cast in stone and from the standpoint that that's the plan that was adopted.

The zoning that was adopted for Town Center only is within the areas that are designated that have land-use designations under the General Plan. So this property is not zoned Town Center, neither are any of the other expansion areas zoned Town Center. So there is a zoning matter that goes with it as well.

In the staff report for the GPA, Ms. Ruskamp was mentioning about the -- buffering around that -- staff has recommended that we review and look at -- special buffering requirements to make that designation that this is the edge of Town Center and it will go no further --

JAMES VELTMAN

And the --

CHRIS KNIGHT, PLANNING & DEVELOPMENT DEPARTMENT

So those things are -- in the works. And, I think, yes, Sir, that would be the end of Town Center and all -- of --

COUNCILMAN McDONALD

And out of respect, this is, I got lost out there, so, looking at this, driving around, I was the one in the Corvette driving around -- the 1989 Corvette. So, for the record --

JAMES VELTMAN

So you were doing the dusting?

COUNCILMAN McDONALD

For the record, that keeps to get printed in the paper, it's 1989 Corvette. When I'm out there, I was the guy that was

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lost out in horse country. But I think there is a special kind of buffer that has to go in there, because, when I was out there, there's ranches, there's cows, steers with the horns, you know?

JAMES VELTMAN

Right. And all the -- owners have agreed to a major buffer along the north side of this property; I mean, all of them. In fact, one of the owners on the, the last owner here, he owns half of the land in the R, in the D-R area or in the half-acre area, and he's even agreed to do just half-acre lots there as a buffer to the commercial.

MAYOR GOODMAN

And I'd like the record to reflect that I got lost out there too in my 1976 Mercedes.

COUNCILMAN McDONALD

And let me point out, his '76 Mercedes is worth more than my 1989 Corvette.

JANE GREENSPUN GALE

Mac --

COUNCILMAN BROWN

Well --, wait a sec', with full disclosure here, I haven't got lost out there, but -- it's because I walk. I -- can't afford these

JANIE GREENSPUN GALE

And I took you.

COUNCILMAN BROWN

Yes, you did.

JANIE GREENSPUN GALE

May -- I say something?

MAYOR GOODMAN

Yes.

JANIE GREENSPUN GALE

This -- is a rural area, as all of you who've been lost or walked around the area know. I don't know what rooftops you're talking about, but most of us own at least half acre, --

COUNCILMAN McDONALD

Or more.

JANIE GREENSPUN GALE

-- some twenty, some a hundred, some eighty. There aren't the rooftops to support this. We all made a conscious decision when we moved out there, some twenty years ago, some ten years ago, some five years ago, that we didn't mind driving five miles to go to Smith's. We didn't mind driving across town to do our shopping. If I wanted to live near a shopping center, I'd live next to Neiman Marcus.

This does not, nobody wants to shop here. All this will do is bring traffic from the rest of the community out to our community, where we have no traffic. We have no smog. We have no graffiti. This just creates more traffic where there is none. It's the last rural area of Las Vegas, and I see no reason to turn it commercial.

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COUNCILMAN REESE If I could, Larry. I was out in the area; I didn't get lost either.

COUNCILMAN BROWN What were you driving?

COUNCILMAN McDONALD What kinda car you drive?

COUNCILMAN REESE A 19-something Jeep, Jeep Wrangler. Anyhow, I would like again, staff's findings states that the reason they are recommending denial is that they feel that this is premature, and I would just have, like the applicant, because there has to be some reason for us to have a GPA. And I've tried to listen. To me, there has not been any reason brought forth at this time for me to support a GPA on this location.

JAMES VELTMAN Well, they're asking us to participate in the SID and, in fact, to be build the -- remainder of the roads, and we just see no reason why we should do that as part of the loop-road system.

COUNCILMAN REESE But there again, though, there's But there again, though, there's -- other properties throughout the City of Las Vegas that had to participate on roads and street -- controlled devices, other properties throughout the City of Las Vegas that had to participate on roads and street -- controlled devices, --

JIM VELTMAN Right.

COUNCILMAN REESE -- and so on and so forth, and they're not building anything there either. So, you know, maybe when you develop this piece of property is when you'll have to come forth with this -- funding and stuff.

JAMES VELTMAN Well, how this property gets developed is a result of whether it's in or out of Town Center. And the four-lane road is already planned, already engineered, the bridge is under construction, the road is -- being put in, and in a year from now you'll be able to exit at Buffalo right at that point, right there, and take the service road to Tenaya --

COUNCILMAN BROWN If, let me --

JAMES VELTMAN -- whether you approve this or not.

COUNCILMAN BROWN Mayor, if I may.

MAYOR GOODMAN Go right ahead.

COUNCILMAN BROWN Pardon me, Mr. Veltman. Let me interject here. Without going too far back in history, there's some things that we need to understand. One is, I guess, the -- greatest concern

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of – the people out here is the Town Center plan, the boundaries, the encroachment, the bleeding out, and let me speak to that point first.

At least for the past two years, we have been very consistent with all commercial being pushed towards Town Center. Only in the County has there been some commercial approved outside Town Center in unincorporated County islands. Now, we've met with the County Commission, they seem to have bought in to this seamless Master Plan, and I think we're back on track with that.

Tenaya has become the natural boundary, not only of Town Center, but of the residential more urban residential development versus the half-acre and larger rural residential. And if you follow – Is that your map, Mr. Veltman, that I'm looking at? Yes.

JAMES VELTMAN

I think so. Yeah.

COUNCILMAN BROWN

If you could follow up Tenaya heading north. In fact, Mrs. Gale worked on Shanendoah project where Tenaya, and I think at Elkhorn, or somewhere up there, where they abandoned their 40 acres east of Tenaya and just built the urban subdivision west of Tenaya, there's a real natural boundary on Tenaya.

Now, as far as the rooftops, everyone has a real consensus on in the next twenty years there's gonna be close a quarter of a million people living out in this Northwest area. That decision is long past us. In fact, it was, again, Clark County on a normal arterial road network, master plan of streets and highways, Tenaya would not be anticipated to handle the volume of traffic as it now is, because in the past, probably five years, the County chose to abandon Rainbow, which kinda cuts through that area. Which may be even a better reason to preserve that Gilchrist and that whole rural area, because I agree, it's one of the last of its kind. But, because of that action, Tenaya now is gonna handle even more traffic on the north-south activity. And I feel comfortable that Tenaya is the natural boundary, not only of the residential urban versus residential rural, but down into the Town Center area.

That said, also the frontage road. I must disagree with staff just a little bit on this one. The frontage road is very much tied into Town Center. It has in many of the public meetings we've held, because it's an essential part of being able to keep commercial Town Center traffic within all four quadrants, to – preclude the bleeding out into residential areas of Town Center.

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JAMES VELTMAN

Right.

COUNCILMAN BROWN

So that in itself was – and is being designed as a Town Center function for the protection and preservation of the residential areas, especially those buffering. To me, again, I must respectfully disagree with some of the comments made. I think this is a logical progression. I think taking, just what's before us here, taking it to Tenaya at the current time is the best thing to do, and here's why:

I have found in two and half years that we do a far better job managing growth, both residential and commercial, when we have 100% of the authority on that policy decision. This does nothing more than incorporate what inevitably will be part of Town Center, be it half-acre ranches or high-rise buildings. That's not the issue. But it will be part of Town Center simply because of the frontage road at, the proximity to the Beltway, the interchange. It's going to happen. And I – agree with Mrs. Ruskamp that Tenaya is the logical end --

JAMES VELTMAN

I agree too. And I wouldn't have taken it if it was outside of Tenaya.

COUNCILMAN BROWN

I'm – I will move to approve, but just a couple other points. Now, one thing that I wanna make clear, that what the action before us today is simply to bring it into Town Center under the most protective commercial Town Center zoning, which, if I'm not mistaken, staff, speaks specifically to office development as the best buffer to half-acre residential areas. If I'm – not mistaken on that. I don't have it in front of me, but I remember that's there. So we're gonna have to engage in that battle somewhere down the road on that application.

There is some question, though, and again, I'd like to put it on the record. I'm not sure there's a difference between critically buffering a half-acre home and critically buffering a 6,000-square-foot residential lot. I mean, it, there's, I, and I've got into this debate with some of my constituents that are both horse owners and my constituents that live in smaller lots in some of the new urban growth. Our job is to make sure a residential detached home is appropriately buffered. This one is going to be heightened because of the proximity to that, but not – any different from when we go a mile up the road and – we get into Elkhorn Springs, which, likewise, is up against some Town Center boundaries. We're gonna have to be very, very diligent in our ability to best buffer all residential areas. Wanted to put that on the record.

**CITY COUNCIL MINUTES
MEETING OF
DECEMBER 1, 1999**

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VERBATIM TRANSCRIPT: ITEM 127 - GPA-41-99 - NEVADA RAINBOW LIMITED PARTNERSHIP, ET AL

This is, again, to me, I guess to sum up, would be a logical move as far as Town Center boundaries. We had this discussion a year and a half ago with the County. That's why it was designated as future. I have never put into conditions, or never have been a part of this it can't be part of Town Center until 80% or 40% or 50% – It becomes part of Town Center when – it's appropriate.

And there's also parts of Town Center that we're engaging in right now to look as far as shrinking the boundaries. On the western side there's some residential developers that want to take some of the Town Center commercial out and put it back to normal residential development.

So the boundaries and the size of Town Center I don't think will ever grow. I think there's opportunity – And I shouldn't say forever grow. I said right for now. I feel comfortable that the boundaries that are before us and the future boundaries that are before us will probably last for 10, 15 years. Hopefully, we'll have that mixture and intensity – that inside Town Center we're looking for.

But I, there's a lot – of things that we have ahead of us with challenges as far as Town Center. But this application to bring this particular piece into the Town Center boundaries, I think is not only appropriate, but as far as a timing issue, I think it is not premature, that it's best to get it in now, so we then can control what ultimately is built on that. With all that said --

MAYOR GOODMAN

Councilman, may I ask you a question?

COUNCILMAN BROWN

Please, please.

MAYOR GOODMAN

Is it your understanding then that that boundary at Tenaya is in cement as the boundary?

COUNCILMAN BROWN

I think it's in, yes. That's the short answer, and I think it's a natural boundary. It's not to say that 20 years from now someone might come. But, I think, in -- all of our dialogue the last two years in public hearings has talked about Tenaya being the eastern boundary of – We don't know what impact the Beltway's gonna have, but it's gonna have a tremendous impact. And no one on this Board had anything to do with the Beltway coming down the Centennial alignment. But people that understand it's coming understand it's going to change the character of this entire area and certainly along the Beltway alignment. Doesn't mean we can't protect and preserve what's out there, both in rural residential areas and – in more rural residential areas. But the whole character of this area has changed

**CITY COUNCIL MINUTES
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DECEMBER 1, 1999**

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VERBATIM TRANSCRIPT: ITEM 127 - GPA-41-99 - NEVADA RAINBOW LIMITED PARTNERSHIP, ET AL

and the decision that moved it towards that change was made five, six, seven years ago.

MAYOR GOODMAN

Thank you. Okay, any other questions or comments? Councilman Brown, was that a motion?

COUNCILMAN BROWN

Just looking at the numbers here, and thinking how I can get my hands on a '89 'Vet.

COUNCILMAN McDONALD

It only books at like 6,400, I think.

COUNCILMAN BROWN

No, I'm – My **motion for GPA-41-99 would be for approval, subject to staff conditions.**

COUNCILMAN McDONALD

Your Honor, – before we go forward, just a point of clarification then, I don't think I made it clear enough for Councilman Brown. The reason I said I was asking questions about the buffer is – When I was out there, I know that when you have horses and livestock, that's the buffering I was talking about, rather than residential adjacency.

The question was sometimes we see maybe some of our more-or-less common polite people tend to try and (inaudible) the livestock or throw something at the horses. That's the reason I was saying about the buffer. Asking questions about what the actual buffer would be. It was no disrespect to people that have the urban nature. To the same respect that we've done in Ward 3, 4, 2, and 1.

MAYOR GOODMAN

Thank you. All right, there's a motion. Vote on the motion, please. Post, please. Motion carries. **(Motion carried unanimously with L. McDONALD excused)**

DAVID PETROVICH, PLANNING &
DEVELOPMENT DEPARTMENT

Mayor, with your permission, staff, following the approval just voted, would like to establish for the record that development proposed under this GPA would most likely require a submittal and approval of an Impact Statement, pursuant to Nevada State Senate Bill 191. And staff would recommend that the applicant be put on notice that, to fulfill this requirement by submitting an Impact Statement with the Site Development Plan Review application, which, because of it's Town Center location, would become, would come before the City Council at a later date.

MAYOR GOODMAN

You understand that?

JAMES VELTMAN

Yes, Sir.

MAYOR GOODMAN

Very good.

**CITY COUNCIL MINUTES
MEETING OF
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VERBATIM TRANSCRIPT: ITEM 127 - GPA-41-99 - NEVADA RAINBOW LIMITED PARTNERSHIP, ET AL

COUNCILMAN BROWN

Your Honor, and if I may. I'd ask staff, because maybe this is the time to, to over the next month, two months, time permitting from – your standpoint, is to go along the buffers of Town Center, the edges that do abut existing residential homes, re-look the Town Center Suburban Mixed Use designations and let's start to really highlight what we will, from a policy standpoint, be demanding of those, and make sure, as Mrs. Ruskamp mentioned, maybe we need to elevate that standard, elevate that buffer language. So, if I could request that of staff, I'd appreciate it.

MAYOR GOODMAN

Very good.

(END OF DISCUSSION)

/ac/gpb

City of Las Vegas

Agenda Item No. 128

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-28-99 - HUFF 1993 TRUST, ET AL ON BEHALF OF LAURICH PROPERTIES, INC. - Request to Amend a portion of the Southeast Sector of the General Plan for properties located on the southeast corner of Decatur Boulevard and Alta Drive, From: L (Low Density Residential) and SC (Service Commercial) To: SC (Service Commercial), Size: 1.8 Acres, Ward 1 (McDonald), APN: Multiple. The Planning Commission (6-0 vote) and staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:**Planning Commission****116****Board of Zoning Adjustment****City Council****APPROVALS RECEIVED BEFORE:****Planning Commission****1****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application- Not Applicable
3. Staff Report

MOTION:

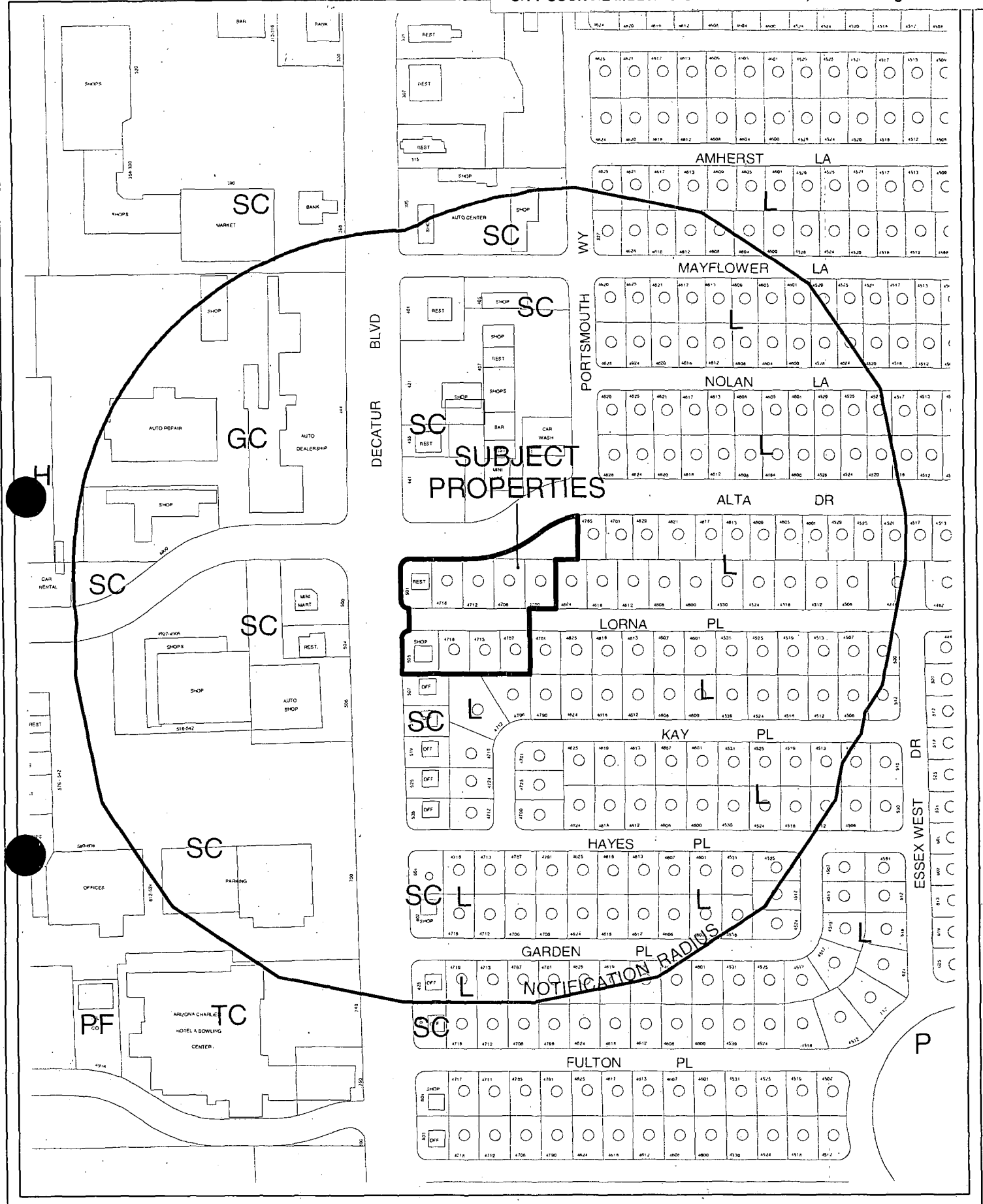
M. McDONALD - Motion to bring forward and **HOLD IN ABEYANCE** Item 106 [U-88-99], Item 107 [U-104-99], Item 136 [GPA-34-99], Item 137 [Z-60-99], and Item 138 [GPA-39-99] to 1/5/2000, and **ACCEPT WITHDRAWAL WITHOUT PREJUDICE** of Item 128 [GPA-28-99], Item 129 [Z-55-99], Item 130 [VAC-43-99], Item 131 [U-98-99], and Item 132 [Z-55-99(1)] - **UNANIMOUS**

MINUTES:

There was no related discussion.

(1:11 - 1:17)

2-1



CASE: GPA-28-99

RADIUS: 750 FT

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT

ITEM DESCRIPTION: GPA-28-99 - Huff 1993 Trust, Et Al on behalf of Laurich Properties, Inc.

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend DENIAL.

GPA-28-99 - Page Two
December 1, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This request is to amend a portion of the Southeast Sector of the General Plan to SC (Service Commercial), to provide for commercial retail development. The applicant justified the request based on the commercial development including a car dealership on the northwest corner of Decatur Boulevard and Alta Drive; and the commercial development on the northeast and southwest corners of Decatur Boulevard and Alta Drive.

BACKGROUND DATA:

- 08/12/68 The Clark County Regional Planning Council adopted a Coordinated General Plan for the Las Vegas Valley. Within this document, the subject parcel was designated Low Density Residential (3 - 6 dwelling units per acre).
- 05/26/77 The Clark County Regional Planning Commission adopted a Regional Comprehensive General Plan for the Las Vegas Valley. Within this document, the subject parcel was designated Low Density Residential (3 - 7 dwelling units per acre)
- 08/07/85 The Las Vegas City Council adopted Community Profiles: A component of the Short-Range Plan Phase of the General Plan. Within this document, the subject parcel was designated Low Density Residential (3 - 7 dwelling units per acre).
- 04/01/92 The Las Vegas City Council adopted the City of Las Vegas General Plan. On this plan, the subject site was designated Low Density Residential (less than 6.70 dwelling units per acre).

DETAILS OF APPLICATION REQUEST:

Site Area: 1.80 Acres

EXISTING LAND USE:

Subject Property:	Fast Food Restaurant (Philly Steak-Out, Office Building and Single Family Dwellings
North:	Retail Shopping Center
South:	Retail Shop
East:	Single Family Dwellings
West:	Convenience Store

GPA-28-99 - Page Three
December 1, 1999 City Council Meeting

PLANNED LAND USE:

Subject Property: L (Low Density Residential)
North: SC (Service Commercial)
South: L (Low Density Residential) and SC (Service Commercial)
East: L (Low Density Residential)
West: SC (Service Commercial)

EXISTING ZONING:

Subject Property: C-1 (Limited Commercial) and R-1 (Single Family Residential)
North: C-2 (General Commercial)
South: C-1 (Limited Commercial) and R-1 (Single Family Residential)
East: R-1 (Single Family Residential)
West: C-2 (General Commercial)

ANALYSIS:

Definitions:

Low Density Residential (R)

The Low Density Residential category allows a maximum of 4.49 dwelling units per acre, with lots sizes typically ranging from 6,500 to 7,000 square feet.

Service Commercial (SC)

The Service Commercial category allows low to medium density retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers and areas, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services.

The parcel is located on the southeast corner of Decatur Boulevard and Alta Drive. The Master Plan of Streets and Highways designates Decatur as a Primary Street (100 feet in width) and Alta Drive as a Secondary Collector (80 feet in width).

The proposed development is to be a 15,335 square foot drug store. All utilities are available at the site. The nearest fire station is approximately 0.75 miles away. The nearest police station is approximately 1.35 miles away.

GPA-28-99 - Page Four
December 1, 1999 City Council Meeting

Section 19A.18.030.I of the City of Las Vegas Zoning Ordinance (Title 19A) requires the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designation.
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or designations.
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan designation.
4. The proposed amendment conforms to other applicable adopted plans and policies.

With regard to "1" above, staff finds that the proposed amendment to SC (Service Commercial) is not compatible with the L (Low Density Residential) designation of the parcels that are immediately adjacent to the south and east. Staff notes that approval of this request and the associated rezoning will result in the demolition of seven single family homes. Additionally, approval of this request will cause three single family dwellings, constructed in 1955, to be directly adjacent to service commercial uses, where they had previously been adjacent to other single family dwellings.

With regard to "2" above, staff finds that potential uses (which include retail shops and restaurants) within the C-1 (Limited Commercial) zoning designation allowed by this proposed General Plan Amendment to be incompatible with the existing adjacent land uses or designations.. Additionally, staff notes that there are 23 office buildings (mostly single family conversions) located along the east side of Decatur Boulevard between Lorna Place and Charleston Boulevard. Staff believes approval of this request could lead to additional applications to change the use of those properties from office to commercial.

With regard to "3" above, staff finds that the existing and proposed infrastructure is adequate for the proposed development.

With regard to "4" above, staff finds this proposal does not conform to Objective C of the Land Use Element of the General Plan, which states that the City should achieve a compatible balance of land uses by providing appropriate and compatible locations for all land uses. The placement of a 1.80 acre Service Commercial land use immediately adjacent to existing single family use is neither appropriate or compatible.

Per policy set forth in the City of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 21 days of the closing date of this application. In accordance with the above, on September 30, 1999, the applicant held a neighborhood meeting regarding this application. No major issues were raised at that meeting.

GPA-28-99 - Page Five
December 1, 1999 City Council Meeting

FINDINGS:

Staff finds this amendment is not appropriate for the following reasons:

1. The proposed SC (Service Commercial) land use designation is not compatible with the L (Low Density Residential) designation of the parcels that are immediately adjacent to the south and east.
2. The uses permitted by the C-1 (Limited Commercial) zoning district are not compatible with the adjacent residential land uses.
3. The request is not in conformance with Objective C of the General Plan.
4. This application does not meet the requirements of section 19A.18.030.I of the City of Las Vegas Zoning Code regarding subsections 1, 2, and 4.

AGENCY COMMENTS:

This application was circulated on 9/3/99 to the departments and agencies listed below, for comments by 9/29/99. As of this date, the following comments have been received.

Department of Public Works -

Permits/Inspections - No Comments received.

Fire Prevention - No Comments received.

Metro (Intergovernmental Services)- No Comments received.

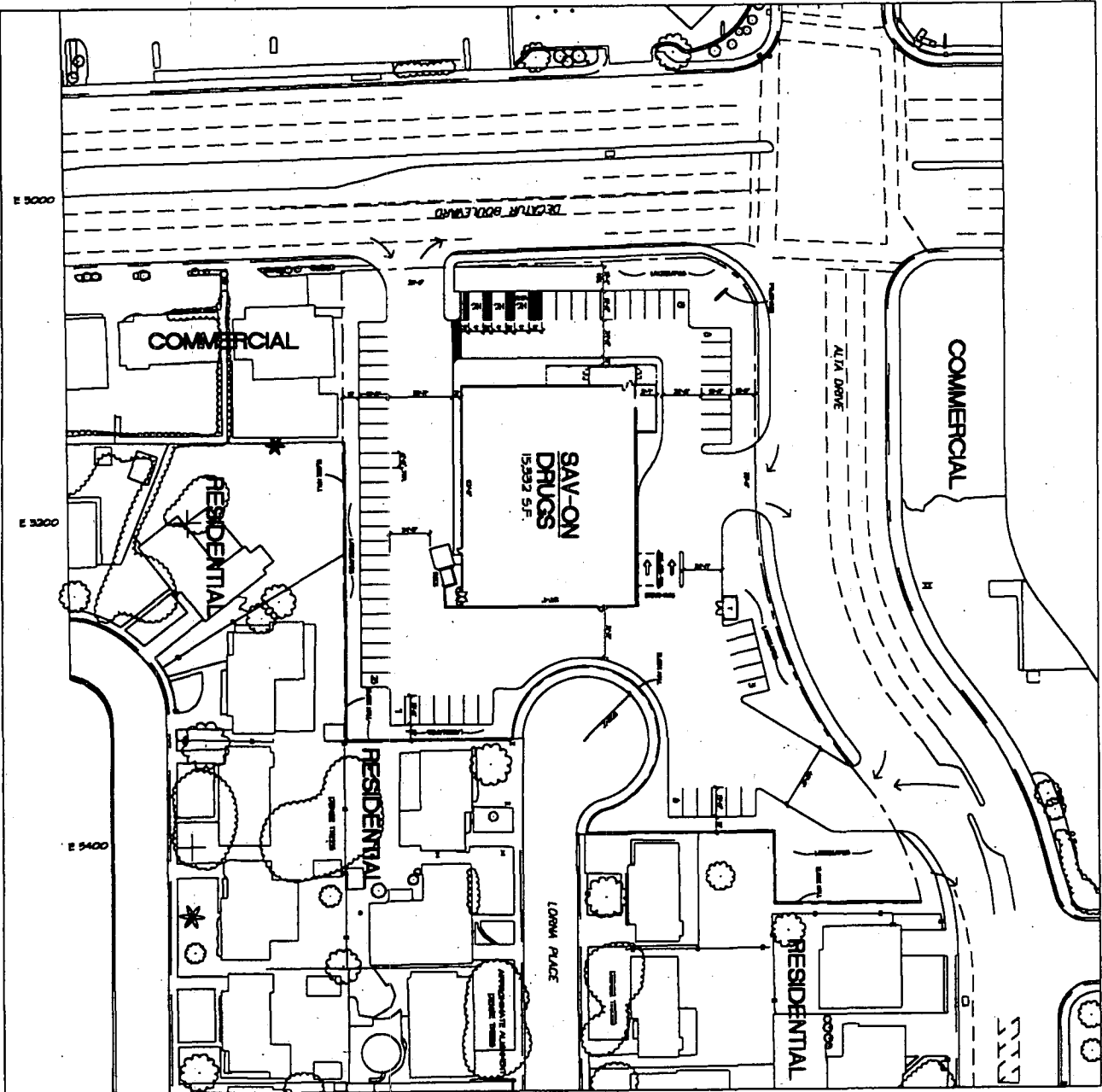
PC NOTICES MAILED: 188

APPROVALS: 1

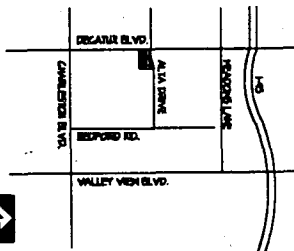
PROTESTS: 116

[Significant public testimony was received in opposition for reasons that the proposed SC (Service Commercial) designation would be an unwarranted intrusion into a stable neighborhood because other vacant commercial sites and buildings exist within close proximity to the subject site.]

PA-28-99
10-21-99 QPC
STAFF



VICINITY MAP



Summary

Land 2.04 acres 189,556 s.f.
 Building 15,352 s.f.
 Land / Building Ratio 484 / 1
 Site Coverage 7.1%
 Parking Required 62 Stalls
 Parking Provided 64 Stalls
 Parking Ratio 417 / 1000

SITE PLAN
SCALE: 1" = 20'-0"



Nadel

LAURICH PROPERTIES
SEC DECATUR AND ALTA
LAS VEGAS, NEVADA

SITE PLAN

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

JOHN C. RENSHAW
THOMAS F. KUMMER
CHRISTOPHER L. KAEMPFER
MICHAEL J. BONNER
KATHLEEN JANE ENGLAND
JOHN N. BREWER
GERALD D. WAITE
SHERWOOD N. COOK
SHARI CASSIN PATTERSON
JOHN C. JENSEN
MARK H. FIORENTINO
JOHN A. CURTAN

SEVENTH FLOOR
3800 HOWARD HUGHES PARKWAY
LAS VEGAS, NEVADA 89109-0907

(702) 792-7000
FAX: (702) 796-7181
E-MAIL: NVLAW@KKBR.COM

November 29, 1999

THOMAS D. AMICK
SEAN L. ANDERSON
NIKKI L. BAKER
L. JOE COPPIDGE
MADELINE L. DICICCO
GREGORY S. GILBERT
ROBERT J. GRONAUER
JEREMY B. HILSABECK
GAVIN C. JANGARD
ROBERT C. KIM
KURT C. LAMBETH
ANGELA TURRICIANO OTTO
ELIZABETH A. SAVAGE
LYSSA M. SIMONELLI
JAMES E. SMYTH II
GREGG R. VERMEYS
TROY A. WALLIN
ANTHONY A. ZMAILA

*LICENSED ONLY IN WASHINGTON

OF COUNSEL
H. GREGORY NASKY
JAMES H. BULBRAY
MICHAEL W. BRIMLEY

VIA FACSIMILE

382-4803

Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101

Re: GPA-28-99 #128
Z-55-99 #129
VAC-43-99 #130
U-98-99 #131
Z-55-99(1) #132

1999 NOV 29 P 3:40
RECEIVED
CITY CLERK

Dear Ms. Ronemus:

Our office represents the applicant on each of the above-referenced matters. We hereby request that the applicant be permitted to withdraw all of these items, without prejudice.

Thank you for your assistance. Please call if you have any questions or need anything else.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Mark H. Fiorentino
Mark H. Fiorentino

MHF/jf

cc: Hank Gordon (via facsimile)

SAMHFN\760.33\Ulon\opus 112122.doc

City of Las Vegas

Agenda Item No. 129

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING RELATED TO GPA-28-99 - PUBLIC HEARING - Z-55-99 - HUFF 1993 TRUST, ET AL - Request for a Rezoning on property located adjacent to the southeast corner of the intersection of Decatur Boulevard and Alta Drive, FROM: C-1 (Limited Commercial), P-R (Professional Office and Parking) and R-1 (Single-Family Residential), TO: C-1 (Limited Commercial), PROPOSED USE: 15,332 SQUARE FOOT DRUG STORE (SAV-ON), Size: 1.82 Acres, Ward 1 (McDonald), APN: 139-31-214-033, 139-31-310-001 through 005 and 130 through 133. The Planning Commission (5-0-1 vote) and staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:**Planning Commission****58****Board of Zoning Adjustment****City Council****APPROVALS RECEIVED BEFORE:****Planning Commission****1****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application-
3. Staff Report

MOTION:

M. McDONALD - Motion to bring forward and **HOLD IN ABEYANCE** Item 106 [U-88-99], Item 107 [U-104-99], Item 136 [GPA-34-99], Item 137 [Z-60-99], and Item 138 [GPA-39-99] to 1/5/2000, and **ACCEPT WITHDRAWAL WITHOUT PREJUDICE** of Item 128 [GPA-28-99], Item 129 [Z-55-99], Item 130 [VAC-43-99], Item 131 [U-98-99], and Item 132 [Z-55-99(1)] - **UNANIMOUS**

MINUTES:

There was no related discussion.

(1:11 - 1:17)

2-1

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 129 - Z-55-99

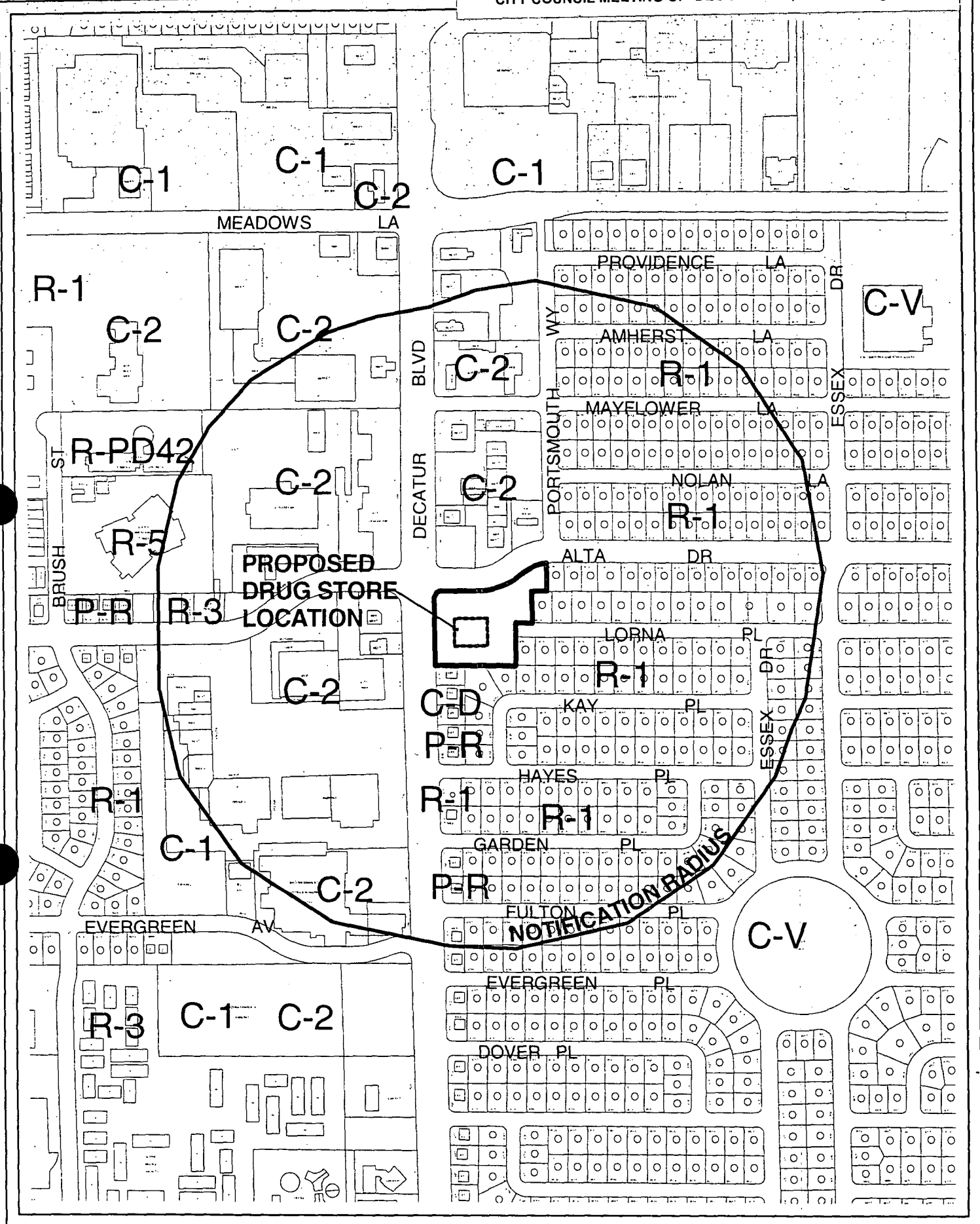
CONDITIONS:

1. A Resolution of Intent.
2. A Site Development Plan Review application shall be approved by the Planning Commission prior to issuance of any permits, any site grading, and all development activity for the site.
3. A Reversionary Map to revert the underlying lots to acreage shall record prior to the issuance of any building permits for this site as required by the Department of Public Works.
4. A Vacation Application (such as VAC-43-99), for the termination of Lorna Place, shall record prior to the issuance of any building permits for this site as required by the Department of Public Works.
5. Dedicate appropriate right-of-way for a total radius of 54 feet on the southeast corner of Alta Drive and Jones Boulevard prior to the issuance of any permits as required by the Department of Public Works.
6. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities as required by the Department of Public Works.
7. Coordinate with the Collection Systems Planning Section for the relocation of the existing Lorna Place sewer line as needed as required by the Department of Public Works. All required public sewer easements necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans as required by the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.
8. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 129 - Z-55-99

CONDITIONS - Continued:

9. A Traffic Impact Analysis shall be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. The Traffic Impact Analysis shall also address the possible need for median construction on Alta Drive adjacent to this site, and shall propose specific means to mitigate potential left turn conflicts to or from this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City reserves the right to utilize the contributed traffic monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.
10. A Drainage Plan and Technical Drainage Study shall be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.



CASE: Z-55-99

RADIUS: 1000 FT

0 300 600 900 Feet



129

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: Z-55-99 - Huff 1993 Trust, Et Al**

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend DENIAL. If approved, subject to:

1. A Resolution of Intent.
2. A Site Development Plan Review application shall be approved by the Planning Commission prior to issuance of any permits, any site grading, and all development activity for the site.
3. A Reversionary Map to revert the underlying lots to acreage shall record prior to the issuance of any building permits for this site as required by the Department of Public Works.
4. A Vacation Application (such as VAC-43-99), for the termination of Lorna Place, shall record prior to the issuance of any building permits for this site as required by the Department of Public Works.
5. Dedicate appropriate right-of-way for a total radius of 54 feet on the southeast corner of Alta Drive and Jones Boulevard prior to the issuance of any permits as required by the Department of Public Works.
6. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities as required by the Department of Public Works.
7. Coordinate with the Collection Systems Planning Section for the relocation of the existing Lorna Place sewer line as needed as required by the Department of Public Works. All required public sewer easements necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans as required by the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.
8. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

Z-55-99 - Page Two

December 1, 1999 City Council Meeting

9. A Traffic Impact Analysis shall be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. The Traffic Impact Analysis shall also address the possible need for median construction on Alta Drive adjacent to this site, and shall propose specific means to mitigate potential left turn conflicts to or from this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City reserves the right to utilize the contributed traffic monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.
10. A Drainage Plan and Technical Drainage Study shall be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.

Z-55-99 - Page Three
December 1, 1999 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST:

The request is for a Rezoning of 1.82 acres of property adjacent to the southeast corner of the Alta Drive and Decatur Boulevard intersection, abutting both the north and south sides of Lorna Place. The request is to rezone 1.451 acres from R-1 (Single Family Residential), 0.189 acres from P-R (Professional Office and Parking), and 0.179 acres from C-1 (Limited Commercial) to 1.819 acres C-1 (Limited Commercial) zone. The proposed development is a 15,332 square-foot drug store with drive-through.

BACKGROUND DATA:

- 10/21/99 The Planning Commission recommended denial of a General Plan Amendment (GPA-28-99) from L (Low Density Residential) and SC (Service Commercial) to SC (Service Commercial) designation of this site.
- 10/28/99 The Planning Commission will review Site Development Plan Review (Z-55-99(1) as Agenda Item B-8, a Vacation (VAC-43-99) as Agenda Item C-16, and a Special Use Permit (U-98-99) as Agenda Item C-17, all related to this Rezoning request.

DETAILS OF APPLICATION REQUEST:

Site Area:	1.82	Acres
Commercial Building:	15,332	Square Feet
Building Height:	22	Feet (1 Story)

ZONING AND LAND USE OF ADJACENT PROPERTIES:

North	C-2 (General Commercial)	Retail commercial, Undeveloped
South	R-1 (Single Family Residential)	Single Family Residential
	C-D (Designed Commercial)	Office
East	R-1 (Single Family Residential)	Single Family Residential
West	C-2 (General Commercial)	Retail commercial

Z-55-99 - Page Four
December 1, 1999 City Council Meeting

ANALYSIS AND FINDINGS:

GENERAL PLAN:

The subject site is currently designated L (Low Density Residential) and SC (Service Commercial) on the Southeast Sector Map of the Las Vegas General Plan. The applicant has requested an amendment to the Southeast Sector Map to SC [Service Commercial] on all of the subject site. The requested Rezoning of the entire site to C-1 (Limited Commercial) would be consistent with the requested General Plan designation. However, staff finds the requested General Plan Amendment to be inappropriate for the site and recommends denial for the following reasons:

1. The SC [Service Commercial] designation will provide for types and intensities of uses incompatible with the adjacent low density residential designation and uses to the east and south.
2. The SC [Service Commercial] designation will adversely impact the integrity of the single-family residential neighborhood by re-designating seven single family residential properties on a local neighborhood street to provide for commercial use, and will increase the potential of further commercial encroachment into an existing stable residential neighborhood.
3. Commercial use of the subject site will not provide any buffer between commercial and residential uses but will place potentially intense commercial uses directly adjacent to single family residences.

REZONING:

Staff finds the proposed C-1 (Limited Commercial) zone of this 1.819 acre site will allow substantially more intense commercial uses than the C-1 (Limited Commercial) zone currently on 0.179 acres of the site. This request will provide for uses that are substantially less compatible with the adjacent single-family residences than are the existing uses on the site. The proposed drug store development will be a 24-hour operation and will generate noise and lighting at night and early morning hours when residents are most sensitive to noise. The existing restaurant and office are not 24-hour operations.

Other potentially allowable uses in the requested zone include banks, offices, medical facilities such as a hospital, recreation facilities, clubs, and most types of personal service and retail businesses. The requested zone could not provide an appropriate transition between proposed commercial and the existing single family residences. Staff finds that the types of uses potentially allowed on this site with the requested Rezoning are not compatible with the existing, adjacent residential uses, and recommends denial of this request.

Z-55-99 - Page Five
December 1, 1999 City Council Meeting

FINDINGS:

In order to deny a Rezoning application, pursuant to Las Vegas Municipal Code Section 19A.18.040(L) the Planning Commission or City Council must affirm the following:

“The proposed rezoning is inconsistent with other elements of the General Plan or is incompatible with the surrounding development in the area.”

Staff finds this request will significantly enlarge the amount of commercial zoning in the site area, and will allow for commercial uses substantially more intense than allowed in the P-R (Professional Office and Parking) zone. The request will provide no buffer between the proposed commercial and the existing single family residential uses, and will be incompatible with single family residences.

In order to approve a Rezoning application, pursuant to Las Vegas Municipal Code Section 19A.18.040(K) the Planning Commission or City Council must affirm the following:

1. **“The proposal conforms to the General Plan.”**

The subject site is currently designated L [Low Density Residential] and SC [Service Commercial] on the Southeast Sector Map of the Las Vegas General Plan. The applicant has requested an amendment to the Southeast Sector Map to SC [Service Commercial] on all of the site. While the requested Rezoning of the entire site to C-1 (Limited Commercial) will be consistent with the requested General Plan designation for the site, staff has found the requested General Plan amendment to be inappropriate for reasons of incompatibility between existing residential uses and potential commercial uses of the site, and because of the substantial commercial encroachment into an existing residential neighborhood.

2. **“The uses which would be allowed on the subject property by approving the Rezoning will be compatible with the surrounding land uses and zoning districts.”**

Staff finds that the type of uses allowable under the C-1 (Limited Commercial) zone will be relatively intense in nature, and could operate 24 hours per day. Staff therefore finds these uses will not be compatible with the adjacent single-family residential land uses and zoning districts to the east and south.

3. **“Growth and development factors in the community indicate the need for or appropriateness of the Rezoning.”**

Z-55-99 - Page Six

December 1, 1999 City Council Meeting

Staff finds that the proposed rezoning for commercial uses will not meet any identified need for such uses in the surrounding neighborhood. As the applicant has indicated in their justification letter, significant commercial development already exists around the Alta Drive and Decatur Road intersection. Therefore, staff finds the requested rezoning will not be responsive to any identified needs in the community.

4. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."**

Staff finds the existing streets providing access to the subject site are larger streets intended for commercial traffic and are appropriate for the proposed Rezoning.

PC NOTICES MAILED: 289

APPROVALS: 1

PROTESTS: 58

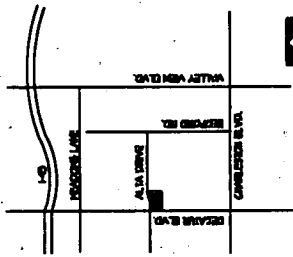
[All public testimony received was in opposition for reasons that the related request to sell alcohol is unnecessary because there are a sufficient number of existing retail outlets for alcohol in the area, that the project conflicts with the residents' efforts to upgrade their neighborhood, and that other property nearby is more suitable for a drug store.]

[Note: The Planning Commission denial of the requested C-1 (Limited Commercial) Zoning was in accord with the Commission's denial of the related GPA-28-99 on October 21, 1999.]

Nadel

LAUNCH PROPERTIES
REC. DECATUR AND ALTA
LAS VEGAS, NEVADA

SITE PLAN

SHEET
28 OF 44DATE
12/1/99BY
A

VICINITY MAP

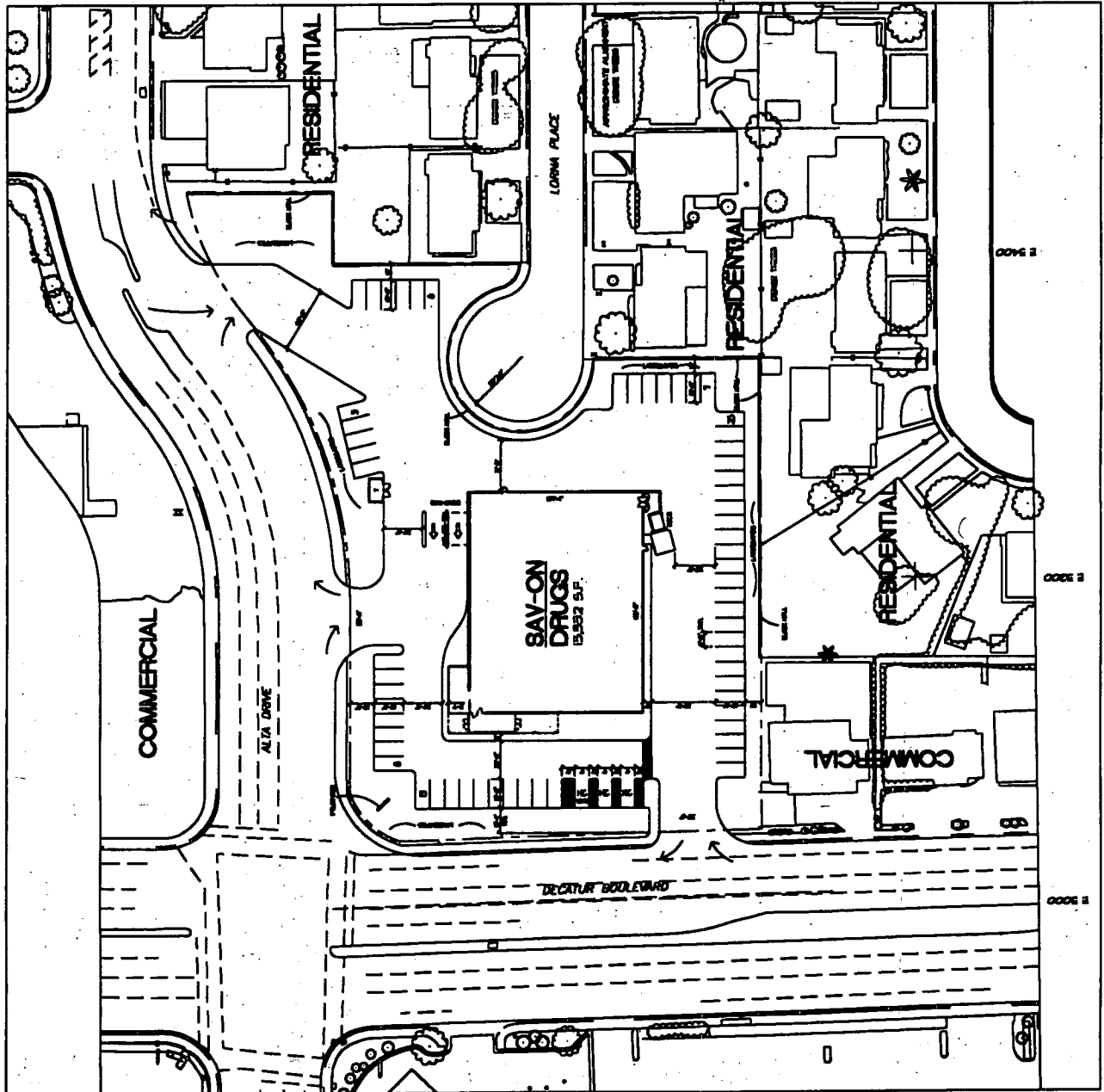
Summary

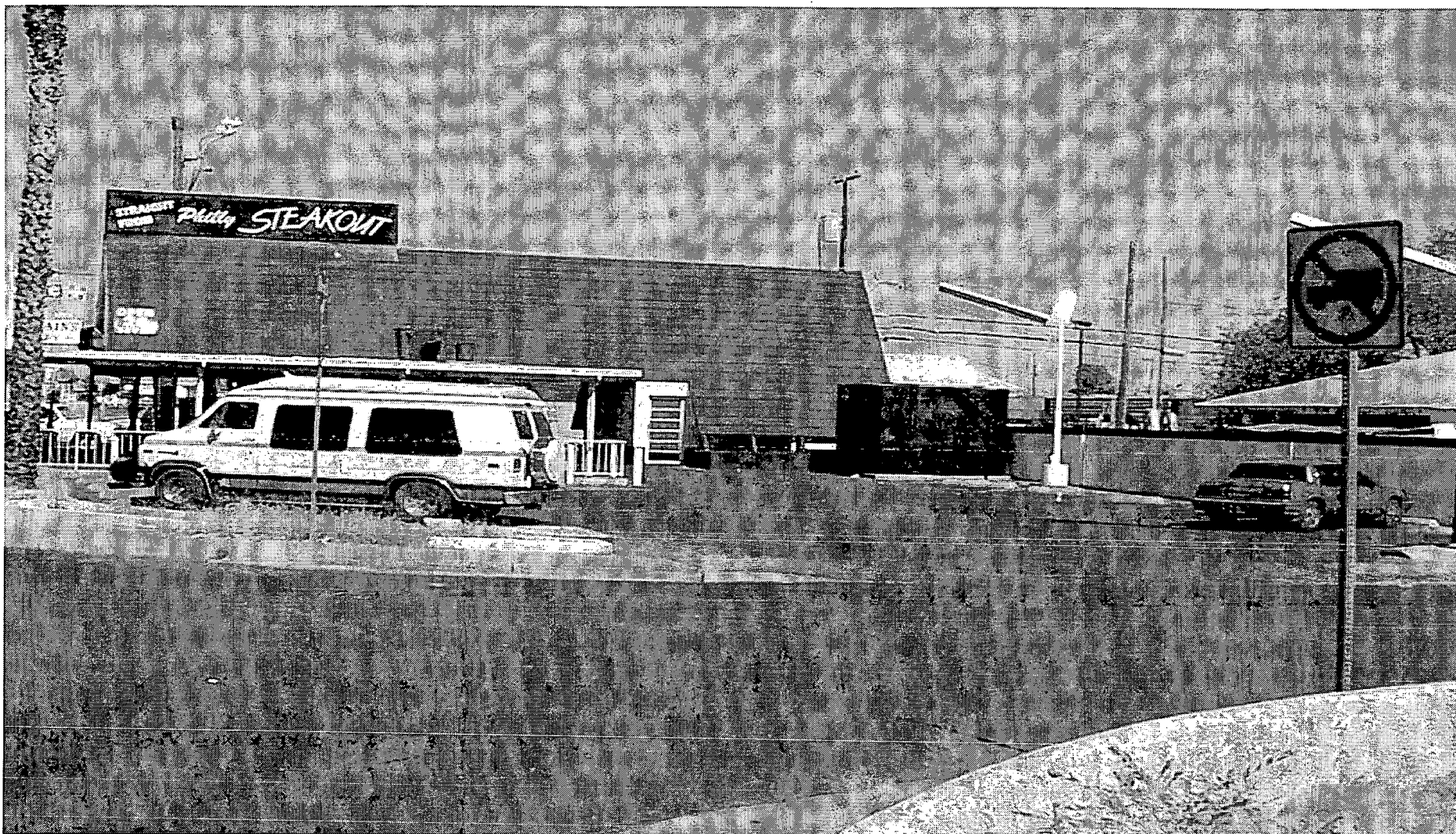
Land 2.04 acres 489,556 sq ft
 Building 15,332 sq ft
 Land / Building Ratio 484 / 1
 Site Coverage 17.12
 Parking Required 62 Stalls
 Parking Provided 64 Stalls
 Parking Ratio 417 / 1000

STAFF
Z-55-99
10-28-99 PC

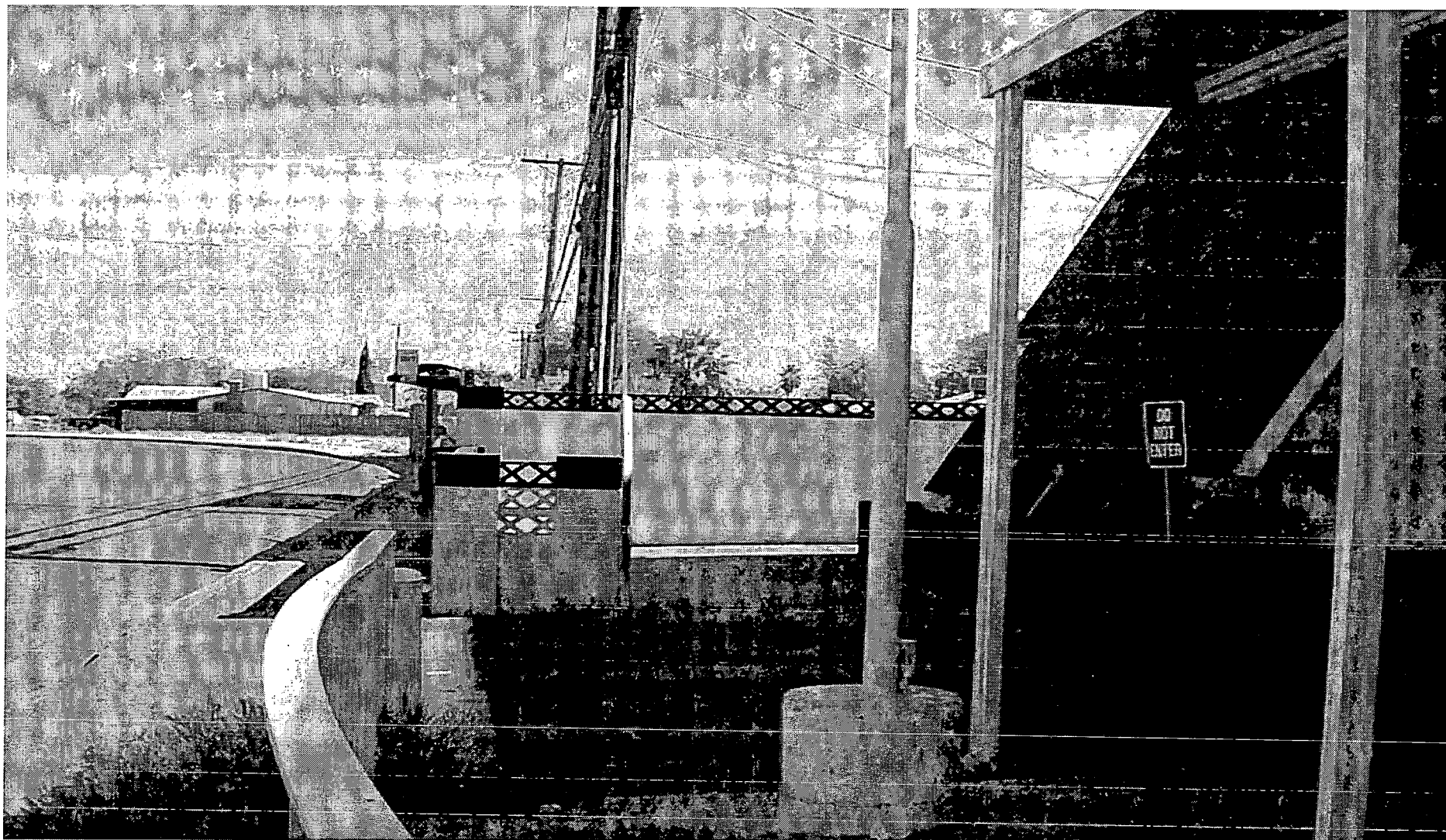


SITE PLAN
 SCALE: 1" = 50'-0"





Z-55-99 AND Z-55-99(1) - HUFF 1983 TRUST, ET AL
ADJACENT TO THE SOUTHEAST CORNER OF THE INTERSECTION DECATUR BOULEVARD AND ALTA DRIVE
OCTOBER 28, 1999 PLANNING COMMISSION



Z-55-99 AND Z-55-99(1) - HUFF 1983 TRUST, ET AL
ADJACENT TO THE SOUTHEAST CORNER OF THE INTERSECTION DECATUR BOULEVARD AND ALTA DRIVE
OCTOBER 28, 1999 PLANNING COMMISSION

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 1, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: WILLARD TIM CHOW

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VACATION RELATED TO GPA-28-99 - PUBLIC HEARING - VAC-43-99 - HUFF 1983 TRUST, ET AL - Petition to Vacate a portion of Lorna Place generally located south of Alta Drive, east of Decatur Boulevard, Ward 1 (McDonald). The Planning Commission (5-0-1 vote) and staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:

Planning Commission

181

Board of Zoning Adjustment

City Council

APPROVALS RECEIVED BEFORE:

Planning Commission

0

Board of Zoning Adjustment

City Council

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application-
3. Staff Report

MOTION:

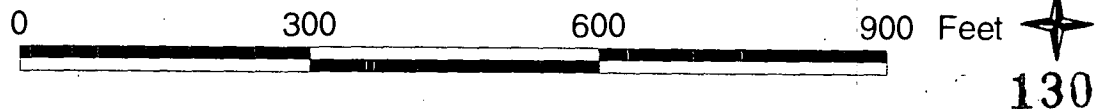
M. McDONALD - Motion to bring forward and HOLD IN ABEYANCE Item 106 [U-88-99], Item 107 [U-104-99], Item 136 [GPA-34-99], Item 137 [Z-60-99], and Item 138 [GPA-39-99] to 1/5/2000, and ACCEPT WITHDRAWAL WITHOUT PREJUDICE of Item 128 [GPA-28-99], Item 129 [Z-55-99], Item 130 [VAC-43-99], Item 131 [U-98-99], and Item 132 [Z-55-99(1)] - UNANIMOUS

MINUTES:

There was no related discussion.

(1:11 - 1:17)

2-1



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: VAC-43-99 - Huff 1993 Trust, Et Al**

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend DENIAL. If approved, subject to:

1. Approval of and conformance to the Conditions of Approval for Rezoning Z-55-99 and Site Development Plan Review Z-55-99(1).
2. Prior to or concurrent with the recordation of an Order of Vacation for this application, dedicate or obtain dedication of those portions of Lorna Place needed for the proposed terminating cul-de-sac in accord with current City standards as required by the Department of Public Works. This Vacation Application shall be modified as necessary to conform to the approved cul-de-sac design.
3. A public sewer relocation plan for the existing public sewer within Lorna Place shall be submitted to and approved by the City Planning Engineer prior to the recordation of this Vacation Application. The relocated public sewer line shall be constructed and in place, and all necessary public sewer easements required by such relocation plan, if any, shall be granted prior to or concurrent with recordation of the Order of Vacation for this site as required by the Department of Public Works.
4. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Division must be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Vacation for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the proposed Senior Housing Project site. The Traffic Impact Analysis or other information shall specifically address the impact of this vacation on pedestrian movements, particularly for students walking to and from neighborhood schools, and shall make specific recommendations to mitigate this impact. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site or the recordation of an Order of Vacation for the existing right-of-way. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. The Traffic Impact Analysis required with Z-55-99 may be used to fulfill this condition.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

VAC-43-99 - Page Two

December 1, 1999 City Council Meeting

6. All development shall be in conformance with code requirements and design standards of all City departments.
7. All public improvements adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation as required by the Department of Public Works.
8. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition No. 7 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
9. The Order of Vacation shall not be recorded until all of the above conditions have been satisfied.
10. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

VAC-43-99 - Page Three
December 1, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This request is to Vacate a portion of Lorna Place generally located south of Alta Drive, east of Decatur Boulevard. The applicant's justification letter indicates the right-of-way being vacated will be incorporated into the proposed development adjacent to this request.

BACKGROUND DATA:

10/21/99 The Planning Commission recommended denial of a request for a General Plan Amendment (GPA-28-99) to SC (Service Commercial) for the property adjacent to this request.

FINDINGS:

Staff finds the vacation of Lorna Place to be necessary to allow the proposed commercial development on the adjacent property. However, because staff does not support the proposed General Plan Amendment and Rezoning, staff cannot recommend approval of this request.

NOTICES MAILED: 48 by City Clerk

APPROVALS: 0

PROTESTS: 181

[All public testimony received was in opposition in keeping with the testimony received in opposition to the related Rezoning (Z-55-99).]

[Note: The Planning Commission denial was in accord with the Commission's denial of the related GPA-28-99 on October 21, 1999 and the Commission's denial of the related Rezoning (Z-55-99) on October 28, 1999.]



VAC-43-99 -- HUFF 1983 TRUST, ET AL
SOUTH OF ALTA DRIVE, EAST OF DECATUR BOULEVARD
OCTOBER 28, 1999 PLANNING COMMISSION

City of Las Vegas

Agenda Item No. 131

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT****DIRECTOR: WILLARD TIM CHOW**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO GPA-28-99 - PUBLIC HEARING - U-98-99 - HUFF 1993 TRUST, ET AL ON BEHALF OF LAURICH PROPERTIES, INC. - Request for a Special Use Permit on property located adjacent to the southeast corner of the intersection of Decatur Boulevard and Alta Drive FOR THE SALE OF PACKAGED LIQUOR IN CONJUNCTION WITH A PROPOSED 15,332 SQUARE FOOT DRUG STORE (SAV-ON), C-1 (Limited Commercial), P-R (Professional Office and Parking) and R-1 (Single-Family Residential) Zones, Ward 1 (McDonald), APN: 139-31-214-033, 139-31-310-001 through 005 and 130 through 133. The Planning Commission (5-0-1 vote) and staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:**Planning Commission****179****Board of Zoning Adjustment****City Council****APPROVALS RECEIVED BEFORE:****Planning Commission****1****Board of Zoning Adjustment****City Council****RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application-
3. Staff Report

MOTION:

M. McDONALD - Motion to bring forward and **HOLD IN ABEYANCE** Item 106 [U-88-99], Item 107 [U-104-99], Item 136 [GPA-34-99], Item 137 [Z-60-99], and Item 138 [GPA-39-99] to 1/5/2000, and **ACCEPT WITHDRAWAL WITHOUT PREJUDICE** of Item 128 [GPA-28-99], Item 129 [Z-55-99], Item 130 [VAC-43-99], Item 131 [U-98-99], and Item 132 [Z-55-99(1)] - **UNANIMOUS**

MINUTES:

There was no related discussion.

(1:11 - 1:17)

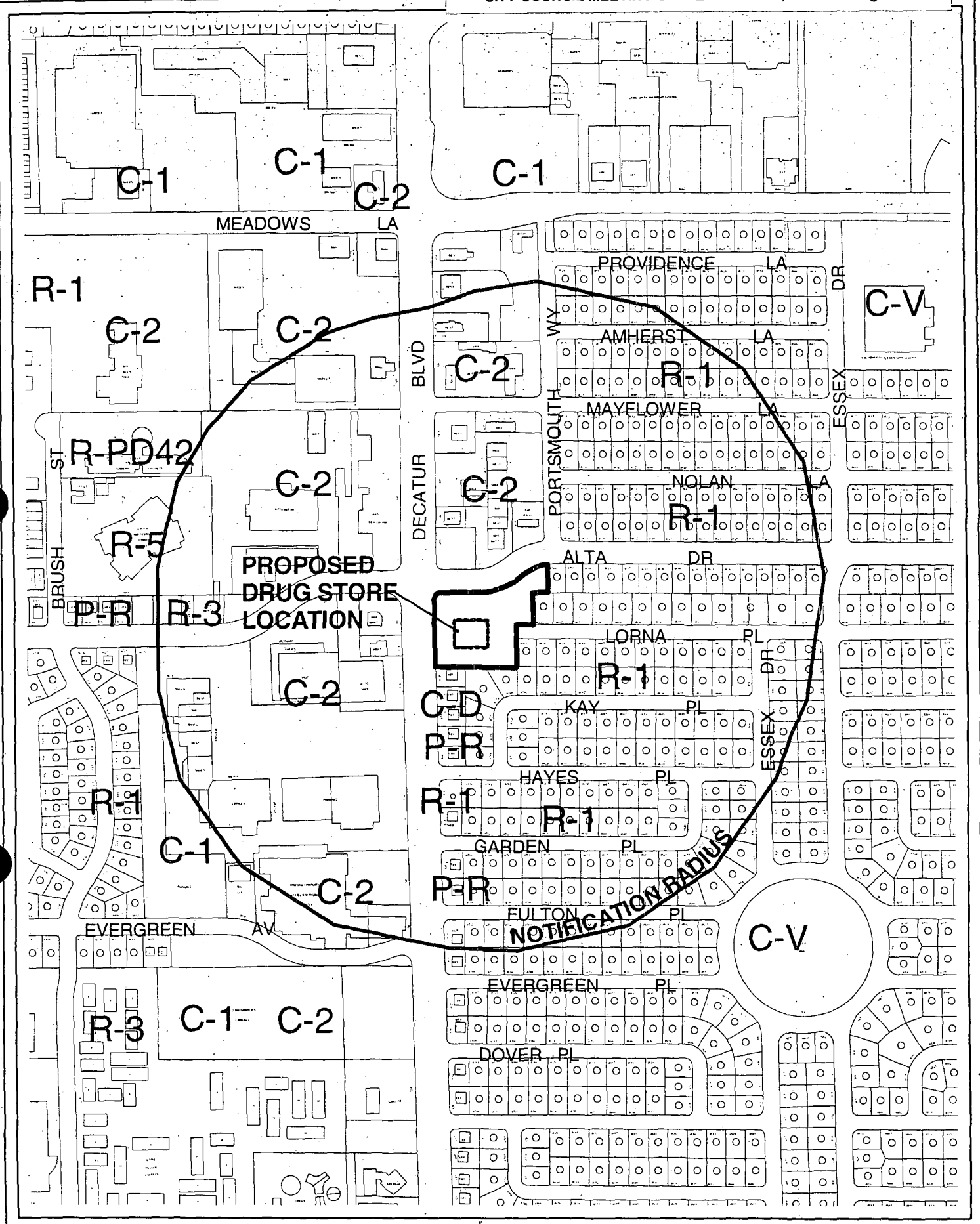


Agenda Item No. 131

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 131 - U-98-99

CONDITIONS:

1. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
2. All City Code requirements and all City departments' design standards shall be met.

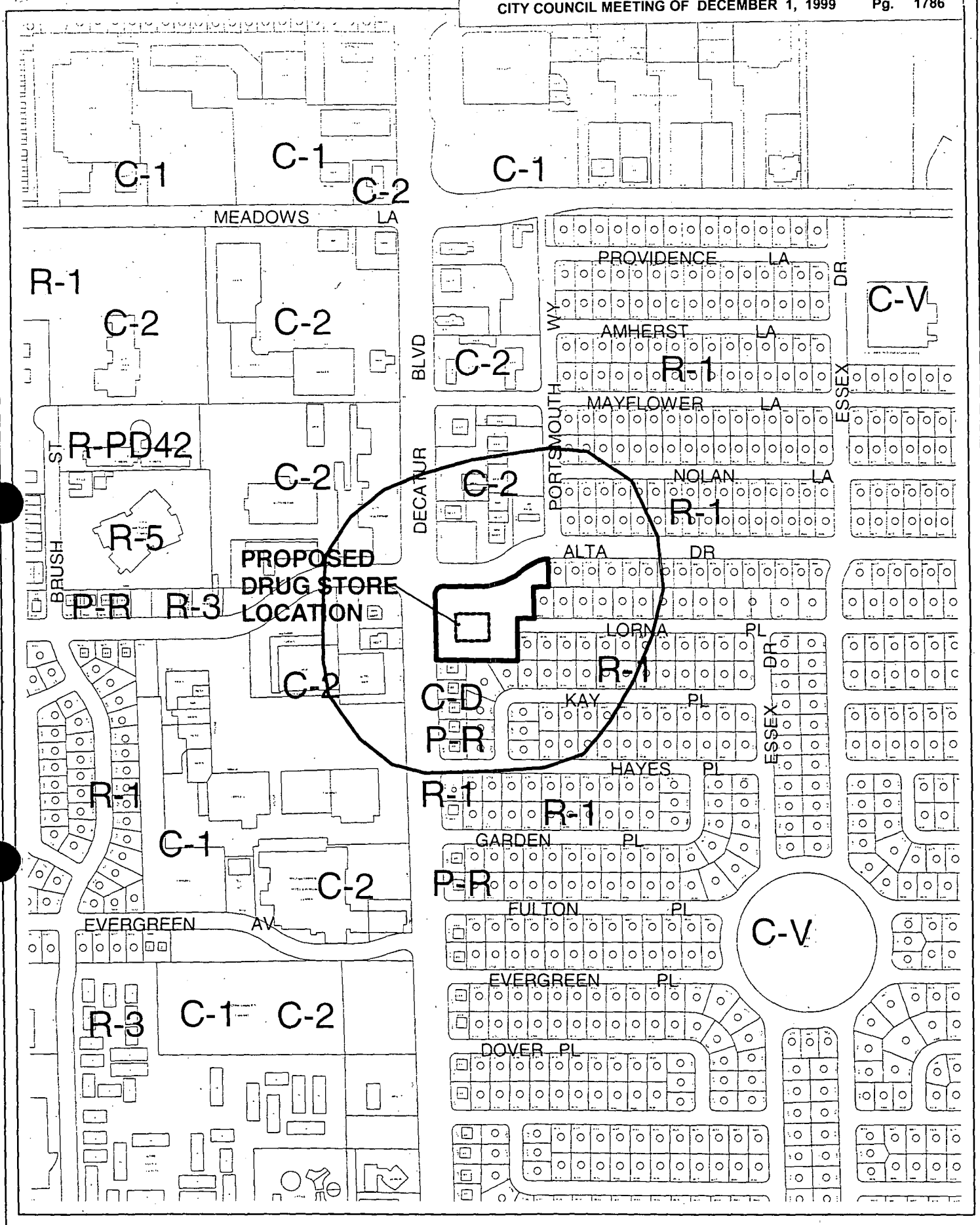


CASE: U-98-99

RADIUS: 1000 FT

0 300 600 900 Feet





CASE: U-98-99
SEPARATION RADIUS: 400 FT

0 300 600 900 Feet



*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: U-98-99 - Huff 1993 Trust, Et Al on behalf of Laurich Properties, Inc.**

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend DENIAL. If approved, subject to:

1. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
2. All City Code requirements and all City departments' design standards shall be met.

U-98-99 - Page Two
December 1, 1999 City Council Meeting

**** STAFF REPORT ****

APPLICATION REQUEST:

This is an appeal filed by Kummer Kaempfer Bonner & Renshaw of a request for a Special Use Permit by Huff 1993 Trust, Et Al on behalf of Laurich Properties, Inc. for the sale of packaged liquor in conjunction with a proposed 15,332 square foot drug store on a 1.82 acre site adjacent to the southeast corner of the Alta Drive and Decatur Boulevard intersection

BACKGROUND DATA:

10/21/99 The Planning Commission recommended denial of a request for a General Plan Amendment (GPA-28-99) from L (Low Density Residential) and SC (Service Commercial) to SC (Service Commercial) designation of this site.

DETAILS OF APPLICATION REQUEST:

Site Area:	1.82 Acres
Commercial Building:	15,332 Square Feet
Liquor Sales	870 Square Feet
Building Height:	22 Feet (1 Story)

The proposed drug store will include a drive-through window for the pharmacy, but will not sell other merchandise, including packaged liquor, in this manner.

ZONING AND LAND USE OF ADJACENT PROPERTIES:

North	C-2 (General Commercial)	Retail commercial, Undeveloped
South	R-1 (Single Family Residential)	Single Family Residential
	C-D (Designed Commercial)	Office
East	R-1 (Single Family Residential)	Single Family Residential
West	C-2 (General Commercial)	Retail Commercial

U-98-99 - Page Three
December 1, 1999 City Council Meeting

ANALYSIS AND FINDINGS:

REZONING:

The packaged liquor sales use is a component of a proposed drug store, pending a request for Rezoning of the project site to C-1 (Limited Commercial). Staff finds that the requested Rezoning of the entire site to C-1 (Limited Commercial) is an intrusion into the residential neighborhood. Therefore, this request for package liquor sales with the proposed drug store cannot occur on the site with the current zoning.

USE:

Staff finds that the packaged liquor sales use is compatible with the proposed drug store, because it represents the type and intensity of use characteristically found in larger drug store operations. However, staff finds the large drug store use in close proximity to a residential neighborhood, and consequently finds this proposed use to be inappropriate.

FINDINGS:

In order to approve a Special Use Permit application, pursuant to Las Vegas Municipal Code Section 19A.18.060(L) the Planning Commission or City Council must affirm the following:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

Staff finds that while the proposed packaged liquor use will be complimentary to the proposed drug store use on the site, the proposed 24-hour drug store will be too intense of a commercial use to be located directly adjacent to the existing single family residences.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

Staff finds there are no physical constraints to the location of the proposed packaged liquor use on the subject site. However, staff finds the proposed 24-hour drug store operation to be incompatible with adjacent residential land uses, and therefore recommends denial of this request as part of the larger request.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

Staff finds the proposed use will be one element of an overall drug store operation on the site, and there are no known constraints to site access from abutting streets.

U-98-99 - Page Four
December 1, 1999 City Council Meeting

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

Staff finds the proposed packaged liquor use will be subject to regular inspection by City and County regulatory agencies for permits and licensing, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED: 364 by City Clerk

APPROVALS: 1

PROTESTS: 179

[All public testimony received was in opposition in keeping with the testimony received in opposition to the related Rezoning (Z-55-99) and Vacation (VAC-43-99).]

[Note: The Planning Commission denial was in accord with the Commission's denial of the related GPA-28-99 on October 21, 1999 and the Commission's denial of the related Rezoning (Z-55-99) and Vacation (VAC-43-99) on October 28, 1999.]

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

JOHN C. RENSHAW
THOMAS F. KUMMER
CHRISTOPHER L. KAEMPFER
MICHAEL J. BONNER
KATHLEEN JANE ENGLAND
JOHN N. BREWER
GERALD D. WATTS
SHERWOOD N. COOK
SHARON CASSIN PATTERSON
JOHN C. JEPSEN
MARK H. FIORENTINO
JOHN A. CURTAS

OF COUNSEL
H. GREGORY NASKY
JAMES H. BURRAY
MICHAEL W. BRIMLEY

SEVENTH FLOOR
3400 HOWARD HUGHES PARKWAY
LAS VEGAS, NEVADA 89109-0907

(702) 792-7000
FAX: (702) 796-7181
E-MAIL: NVLAW@KKER.COM

November 1, 1999

THOMAS D. AMICK
SEAN L. ANDERSON
NIKKI L. BAKER
L. JOE COPPEDGE
GREGORY S. GILBERT
ROBERT J. GRONAUER
JEREMY B. HILLSARECK
GAVIN C. JANGARD
ROBERT C. KIM
KURT C. LAMBETH
ANGELA TURRICIANO OTTO
ELIZABETH A. SAVAGE
LYSSA M. SIMONELLI
JAMES E. SMYTH II
GREGG R. VERMEYS
ANTHONY A. ZMAILA

*LICENSED ONLY IN WASHINGTON

VIA FACSIMILE
382-4803

Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101

Re: Z-55-99(1) and U-98-99

Dear Ms. Ronemus:

Our office represents the applicant in the above-referenced matters. We hereby appeal the Planning Commission's action on these matters. Please schedule both for the December 1 City Council meeting so that they can be heard in conjunction with Z-55-99 and VAC-43-99, which are related.

Thank you for your assistance. Please call if you have any questions or need anything else.

Sincerely,

KUMMER KAEMPFER BONNER & RENSIIAW

Mark H. Fiorentino
Mark H. Fiorentino

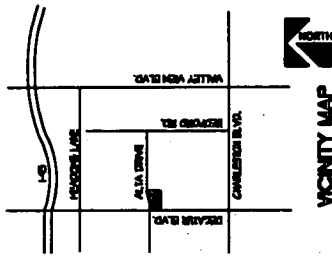
MHF/jf

RECEIVED
CITY CLERK
1999 NOV -2 A 8:04

Nadel

LAUNCH PROPERTIES
SEC DECATUR AND ALTA
LAS VEGAS, NEVADA

SITE PLAN

DATE: 10/28/99
DRAWN BY: JMS
SHEET: A

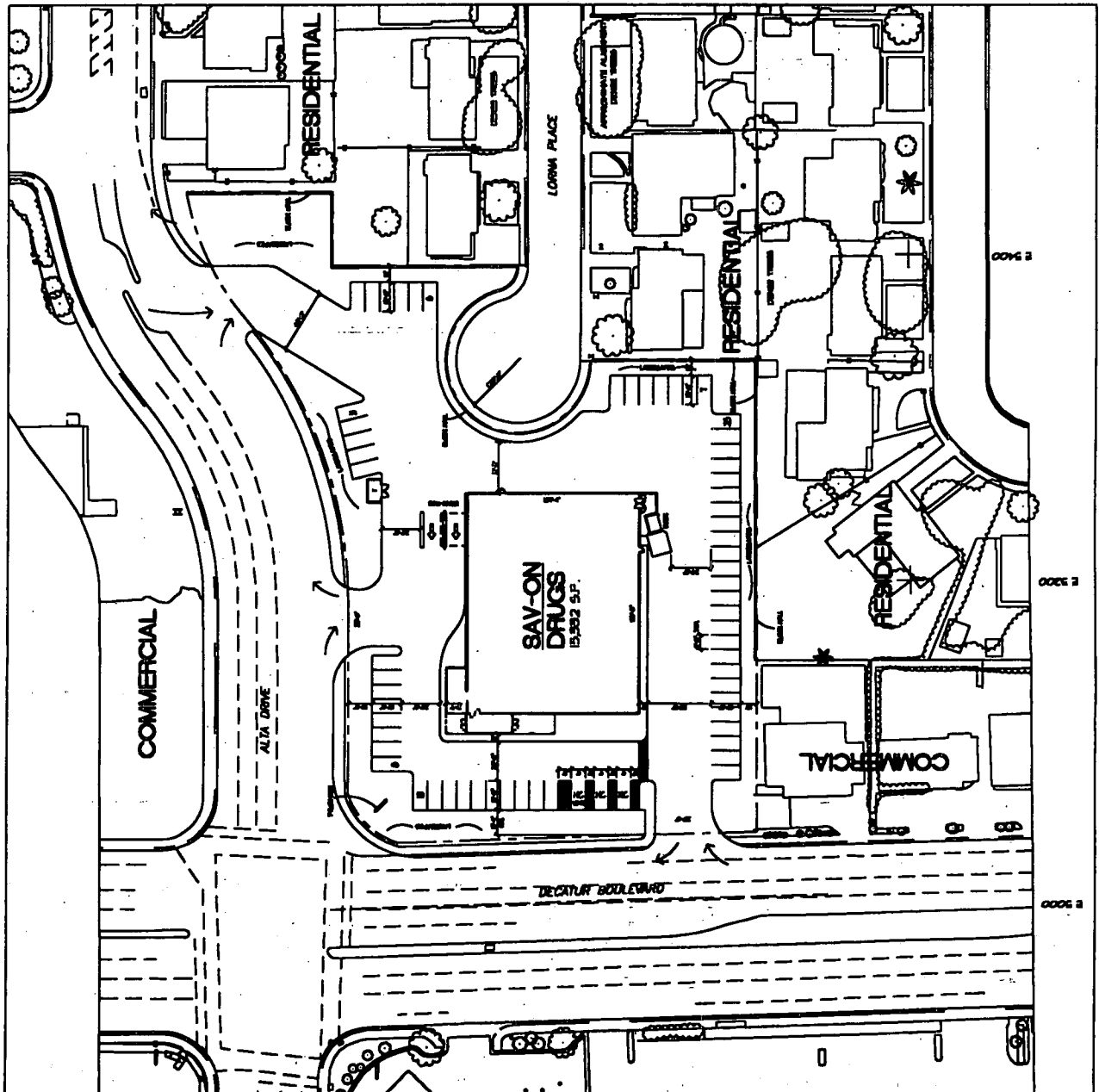
Summary

Land 32.04 acres 380,556 sq. ft.
 Building 15,302 sq. ft.
 Land / Building Ratio 4.84 / 1
 Site Coverage 17.1%
 Parking Required 82 Stalls
 Parking Provided 64 Stalls
 Parking Ratio 4.07 / 1000

STAFF
U-98-99
10-28-99 PC



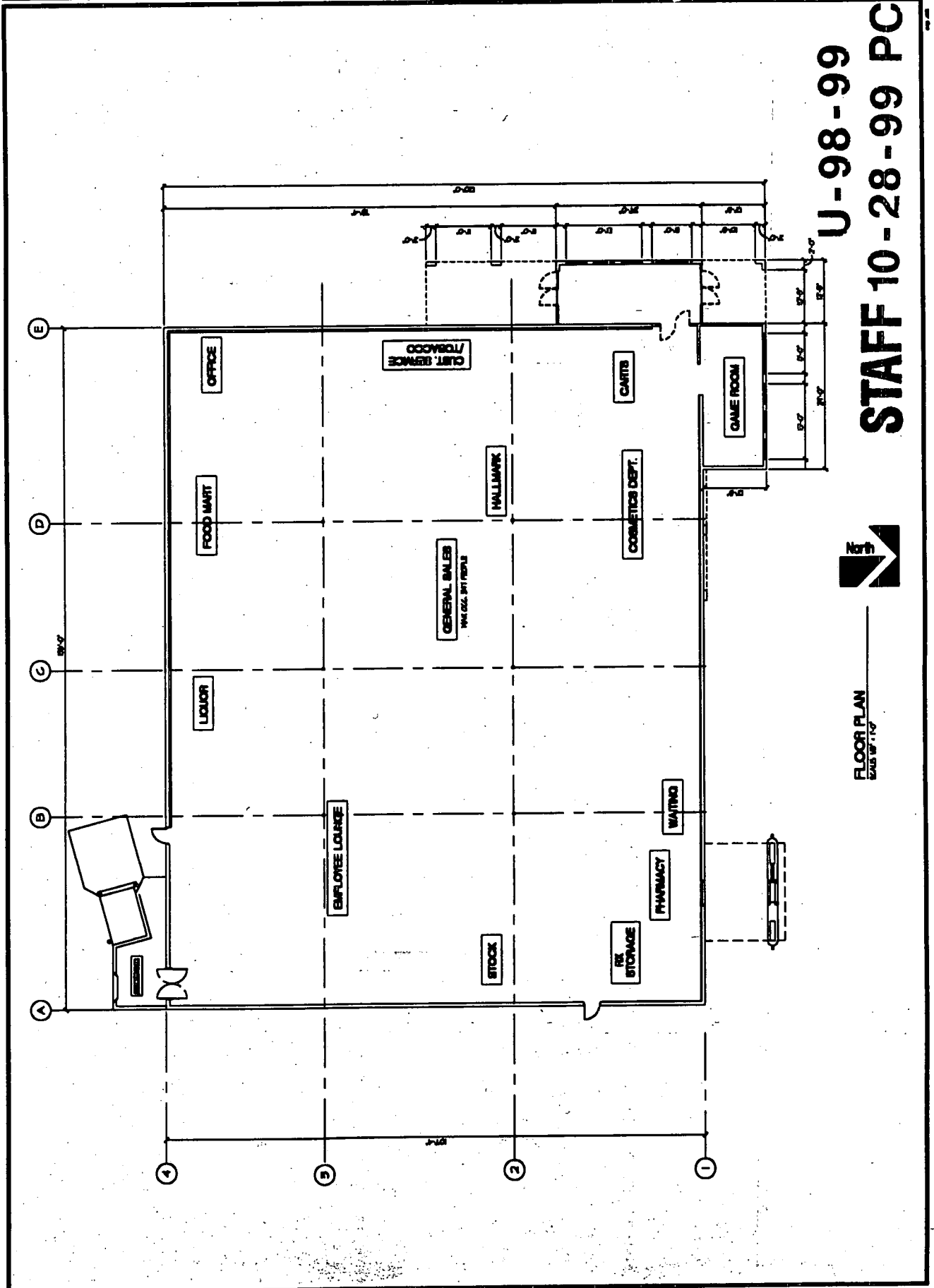
SITE PLAN
 SCALE: 1" = 50'-0"



Nadel

LAUNCH PROPERTIES
SEC DECATUR AND ALTA
LAS VEGAS, NEVADA

FLOOR PLAN

DATE: 12/1/99
BY: J. Nadel
PROJECT: U-98-99
SHEET: 01-01
B

22-98-44

174

Attached are 178 Signatures that are against the appeal filed by Kummer Kaempfer Bonner and Renshaw of the denial of Planning Commission on Special Use Permit concerning Packaged Liquor. The site of this is the North half of the Southwest Quarter of section 31, Township 20 south, Range 61 East, M.D.B. & M. and a portion of the South half of the Northwest Quarter of section 31, Township 20 south, Range 61 East, M.D. B. and M.

This in reference to a notice of Special Use Permit received for City Council on December 1, 1999 at 1:00p .PM.

Submitted by the
West Charleston Lions Park Neighborhood
Association.

RECEIVED
CITY CLERK

NOV 23 P 4:54

131

We the undersigned feel that the drugstore trying to move in on corner of Alta, Lorna Pl., and Decatur would not be harmonious or compatible with our neighborhood for the following reasons. The traffic on Decatur and Alta is already extremely heavy, Lorna Pl. would be closed off. They will be seeking special permits for liquor and gaming, we already have 2 convenience stores, a casino and several bars in this area we don't need anymore of these.

NAME	ADDRESS	PHONE
William M. Allen	4501 Nolan Lane	
Robert M. Allen	4501 Nolan Lane	
Robert Remington	4416 Nolan - City 89107	
Nevil Remington	4416 Nolan Ln. - LV, NV 89107	
Gabe Anderson	4304 Nolan Lane 89107	
Ray Sullivan	4204 Nolan Lane 89107	
Doc Stevens	4209 Nolan Ln 89107	
Frank P. Smith	4321 NOLAN LANE 89107	
Charles Baran	4405 Nolan Ln 89107	
Robert Baran	4405 Nolan Ln 89107	
Kenneth R. Shaddy	4509 Mayflower Ln 89107	
Dorothy Shaddy	4509 Mayflower Ln 89107	
James J. J. J.	4601 NOLAN LN 89107	
Lynette J. J.	4512 Mayflower Ln 89107	
Ernest R. Rydeman	4512 Mayflower Lane 89107	
Paul R. Rydeman	4516 Mayflower Lane 89107	
Harriet W. Capen	4516 Mayflower Lane 89107	
Raymond J. J.	4517 Mayflower Ln 89107	
William J. J.	4525 Mayflower Ln 89107	
Robert J. J.	4529 Mayflower Ln 89107	
Michael J. J.	4605 MAYFLOWER LANE 89107	
Henry J. J.	4605 Mayflower Ln 89107	
Joseph J. J.	4613 Mayflower Ln 89107	
Charles J. J.	4621 Mayflower Lane 89107	
Marion J. J.	4620 Mayflower Ln 89107	
Reynold J. J.	4620 Mayflower L. 89107	
Alan K. Bell	4604 Nolan Las Vegas 89107	
Donald R. Bell	4604 Nolan Las Vegas 89107	
Marion J. J.	4509 Nolan Lane Las Vegas 89107	
William J. J.	4509 Nolan Lane Las Vegas 89107	
Heidi Howard	4513 Nolan Lane LV NV 89107	
Christopher Howard	4513 Nolan Lane LV NV 89107	

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We the undersigned feel that the drugstore opening on the corner of Alta, Lorna Pl., and Decatur would not be harmonious or compatible with our neighborhood for the following reasons. The traffic on Decatur and Alta is already extremely heavy, Lorna Pl. would be closed off. They will be seeking special permits for liquor and gaming, we already have 2 convenience stores, a casino and several bars in this area we don't need anymore of these.

TO Essex D.
both sides
of street
Hay Place
Decatur Blvd to
Essex.

NAME ADDRESS PHONE

MARY GOODMAN	4506 LORNA PL LV NV 89107	878-3488
Mary Ansell	424 W Essex LV NV 89107	878-0485
Rosa Martinez	424 E. Essex LV, NV 89107	486-7858
Heather McKinnis	4507 Lorna Pl. LV NV 89107	878-1749
Willie M. Moore	4525 LORNA PL LV NV 89107	958-8903
ORNELAS. FAM.	4524 LORNA PL. 89107.	258-0856
ISABEL Lopez	4600 Lorna Pl 89107	259-8328
Sandra Detisch	4519 Lorna Pl 89107	870-4825
Sammy Con	4517 LORNA PL 89107	258-5688
Ray Helled	4445 LORNA PL 89107	258-0075
Adriana Rosales	4419 Lorna pl. 89107	817-9380
ALLEN AGERS	4407 LORNA PL. 89107	258-9880
Barrie Bagley	4401 LORNA Place	259-9013
Cl Falconer	4331 LORNA place	877-3143
Thomas George	4319 LORNA PLACE	870-5261
Heather George	4319 LORNA Place	870-5261
Ham Felt	4301 LORNA place.	870-1365
Paul	4301 LORNA Pl.	870-1365
Curcator Font	4301 LORNA Pl.	870-1365
Shirley Smith	4418 LORNA PL	878-1069
John Buttrick	4324 LORNA Pl.	258-1783
John	4318 LORNA Pl	878-6680
Esther Armas	4207 LORNA PL	878-1877
A. J. ADAMS	4213 LORNA Pl.	878-5995
Gordon Alvarado	4219 LORNA PL	878-3477
Michelle Alvaray	4219 LORNA Pl.	878-3932
Jonna Dunning	4306 LORNA Place	259-6463
Dale Witter	4312 LORNA PLACE	880-1018

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CITY COUNCIL MEETING OF DECEMBER 1, 1999 Pg. 1797

25

	CITY COUNCIL MEETING OF DECEMBER 1, 1999	Pg.	1798

14

Registered Voters

Signatures against Case Number GPA-28-99

We the undersigned feel that the Sav-on/Drugstore that is trying to move in on the corner of Alta, Decatur and Lorna Place would not be harmonious or compatible with our neighborhood for the following reasons. The traffic on Alta and Decatur is heavy now and will increase even more. The zoning will be changed from Low Density Residential to Commercial. Plus special use permits will be need for liquor and gaming. We already have two convenience stores, a casino and several bars in this area, we feel, we do not need any more. Also Lorna Place would be closed off.

Name

Address

Phone

Jutalee Fry	4507 Kay Place	878-3342
Viola Gail Reed	4519 Kay Place	878-4601
Brent A. Aday	4518 Kay Place	878-3252
Samona Welch	4504 Kay Place	258-0060
Norman M. Malloy	4600 KAY PLACE	878-4063
Bruce L. Malloy	4600 KAY PLACE	878-4063
Edmund Dean	4606 Kay place	878-3953
Christine D. Brown	4624 Kay Pl	820 2513
TO 2513	4624 Kay Pl	820 2513
Vera Murphy	4618 Kay Pl.	870-3877
Walter Roberts	4702 Kay Pl.	240-9512
Reana Westmoreland	4712 Kay Pl.	315-8516
James A. Brown	4530 Kay Pl.	8701489
George M. Keith	4531 Kay Pl.	8773341
Bruce W. Keith	4531 KAY PL	877-3341
Alan Keith	4531 Kay Place	877-3341
Rhonda Fairchild	4530 Kay Place	877-1112
Robert A. Pruitt	4512 Kay Pl	878 7190
Waldo A. Smith	4512 KAY PL.	878-7190
Chad Brown	4513 Kay Pl	870 8682
Cathy Briggs	4513 Kay Pl.	870-8682
DOUGLAS SCHLAGETER	512 ESSEX WEST DR	878-6985
TINA CRANDALL	4506 KAY PI	800-1256

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1999 NOV 23 P 4:54

Registered Voters

Signatures against Case Number GPA-28-99

We the undersigned feel that the Sav-on/Drugstore that is trying to move in on the corner of Alta, Decatur and Lorna Place would not be harmonious or compatible with our neighborhood for the following reasons: The traffic on Alta and Decatur is heavy now and will increase even more. The zoning will be changed from Low Density Residential to Commercial. Plus special use permits will need for liquor and gaming. We already have two convenience stores, a casino and several bars in this area, we feel, we do not need any more. Also Lorna Place would be closed off.

Name

Address

Phone

Miguel Perez 4521 Mayflower Line Rd Las Vegas NV 89104 259-0741
 Marie Perez 4521 Mayflower Line Rd Las Vegas NV 259-0741
 Duane Lutter 4500 Providence Ln Las Vegas 870-2905
 ALBERT J. ADAMS 4213 LORNA PL 89107 878-5999
 Raymond C. Lopez 4601 COPPER PL 870-5663
 William D. Dwyer 4207 FULTON PLACE 870-1539
 Walter David 4207 FULTON PL. 870-1539
 Bryan Bruno 616 CRAIG PARK DR. 870-9946
 ED SCHOTTES 6740 W FLAMINGO (OWNER 616 CRAIG PARK) 247-6276
 Donna Schell 6740 W Flamingo (owner 616 Craig Park) 247-6275
 Michael Bielop 4413 KAY PLACE LV NV 870-7252
 Karl Russell 4419 Kay Place LV NV 870-7252
 Jim Larkman 2905 Justice Lane 870-2700
 Arthur Moore, Jr and Janeyann Moore 4512 Providence Ln LV 878-0553
 Kenneth A. Hill 4608 Providence Lane, L.V., NV 870-1309
 Margaret A. Hill 4530 Craig Pl LV NV 898-3090
 Michael T. Dulan 531 W. ESSEX D. L.V. 877-1126
 Charles K. Kozak 4508 Amber Ln 89107 878-8134
 Dale & Ethel Smith 41012 LORNA 89107 L.V. NV 822-10531
 Bonnie Clutry 4518 Kay Pl 89107 878-3252

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1999 NOV 23 P 4:54

Registered Voters

Signatures against Case Number GPA-28-99

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Name

Address

Phone

James Pringle Sr	4531 Cary Pl. LV. NV 8902	878-9317
Deanna Bell	4530 Cary Pl. LV. NV 89107	878-2298
Harmon Brown	4601 Cary Pl. LV. NV 89107	870-5653
John Lee	4201 Del Rey L.V. NV 89102	258-5447

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K

We the undersigned feel that the drugstore trying to move in on corner of Alta, Lorna Pl., and Decatur would not be harmonious or compatible with our neighborhood for the following reasons. The traffic on Decatur and Alta is already extremely heavy, Lorna Pl. would be closed off. They will be seeking special permits for liquor and gaming, we already have 2 convenience stores, a casino and several bars in this area we don't need anymore of these.

NAME ADDRESS PHONE

John R Hanson	313 Bedford Rd. LV 89107	870-2990
Hazel Pennington	4416 Nolan Ln LV 89107	
DON Pennington	4416 Nolan Ln LV 89107	
Inez Snow	4412 Alta LV 89107	
JOHN SADOWNIK	4530 LORNA " 89107	878-7015
Barbara Aupperle	4705 DOVER PL LV 89107	870-5305
WALT LUTZIEY	333 BEDFORD RD LV 89107	876-507
Fate Frank Ambrosich	4200 Alta DR LV, NV 89107	878-1138
DAVID PROSS	338 Revere Dr. LV NV 89107	878-3776
John Miller	4501 Lorna Ln LV NV 89107	878-3444
John Miller	" " " " " "	" "
Thelma Lee	4318 Alta Dr.	870-4002
Deane Stille	333 Revere Dr	876-2173
Janet Lane	313 Revere Drive LV NV 89107	877-2990
Walter Taylor	4611 DOVER PL LAS VEGAS NV 89107	878-6758
Walter Taylor	" " " " " " " "	" "
Walter Taylor	4625 DOVER PL. LAS VEGAS, NV 89107	878-9227
Walter Taylor	4625 DOVER PL. LAS VEGAS, NV 89107	878-9227
Walter Taylor	4625 DOVER PL. LAS VEGAS, NV 89107	878-9227
Walter Taylor	4624 Dover Place LAS VEGAS, NV 89107	878-8646

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CITY CLERK

NON-Registered Voters

Signatures against Case Number GPA-28-99

We the undersigned feel that the Sav-on/Drugstore that is trying to move in on the corner of Alta, Decatur and Lorna Place would not be harmonious or compatible with our neighborhood for the following reasons. The traffic on Alta and Decatur is heavy now and will increase even more. The zoning will be change from Low Density Residential to Commercial. Plus special use permits will be need for liquor and gaming. We already have two convenience stores, a casino and several bars in this area, we feel, we do not need any more. Also Lorna Place would be closed off.

Names

Address

Phone

Names	Address	Phone
Elias Chavez	4612 Kay Pl	383 4981
Jesus Cavanah	4607 Kay Pl	UNREGISTERED

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1999 NOV 23 P 4:55

2.

NON-Registered Voters

Signatures against Case Number GPA-28-99

We the undersigned feel that the Sav-on/Drugstore that is trying to move in on the corner of Alta, Decatur and Lorna Place would not be harmonious or compatible with our neighborhood for the following reasons. The traffic on Alta and Decatur is heavy now and will increase even more. The zoning will be change from Low Density Residential to Commercial. Plus special use permits will be need for liquor and gaming. We already have two convenience stores, a casino and several bars in this area, we feel, we do not need any more. Also Lorna Place would be closed off.

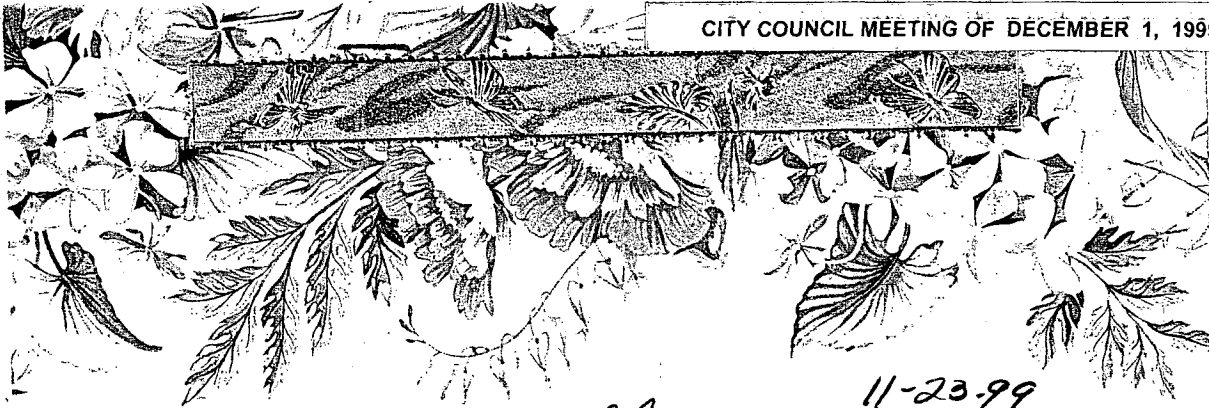
Names**Address****Phone**

Shelby Thoren

4512 Nolan Lane

259 8087

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1999 NOV 23 P 4:55



11-23-99

Gentlemen: 11-18-99

I do object to the special use permit for the sale of packaged liquor for the property described on the attached. This is a residential area with families residing & many children live close by. I see this as a danger to our immediate vicinity & do object.

Sincerely,

Dorlene Burnard
4605 Nolan Ln
Las Vegas, NV 89107

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1999 NOV 24 A 10:53

Protest

#131

City of Las Vegas

Agenda Item No. 132

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 1, 1999

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: WILLARD TIM CHOW

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-28-99 - Z-55-99(1) - HUFF 1993 TRUST, ET AL - Request for a Site Development Plan Review on property located adjacent to the southeast corner of Alta Drive and Decatur Boulevard FOR A PROPOSED 15,332 SQUARE FOOT DRUG STORE (SAV-ON), C-1 (Limited Commercial), P-R (Professional Offices and Parking) and R-1 (Single Family Residential) Zones, Size 1.82 Acres, Ward 1 (McDonald), APN: 139-31-214-033, 139-31-310-001 through 005 and 130 through 133. The Planning Commission (5-0-1 vote) and staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:

Planning Commission

0

Board of Zoning Adjustment

City Council

APPROVALS RECEIVED BEFORE:

Planning Commission

0

Board of Zoning Adjustment

City Council

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application-
3. Staff Report

MOTION:

M. McDONALD - Motion to bring forward and HOLD IN ABEYANCE Item 106 [U-88-99], Item 107 [U-104-99], Item 136 [GPA-34-99], Item 137 [Z-60-99], and Item 138 [GPA-39-99] to 1/5/2000, and ACCEPT WITHDRAWAL WITHOUT PREJUDICE of Item 128 [GPA-28-99], Item 129 [Z-55-99], Item 130 [VAC-43-99], Item 131 [U-98-99], and Item 132 [Z-55-99(1)] - UNANIMOUS

MINUTES:

There was no related discussion.

(1:11 - 1:17)

2-1

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 132 - Z-55-99(1)

CONDITIONS:

1. The site plan shall be revised to depict two loading spaces per the dimensional requirements of Section 19A.10.020(D).
2. The landscape plan shall be amended to depict 36 inch high berms within the 15 foot landscape planters along the entire Decatur Boulevard and Alta Drive frontages. In addition, the planter along the south and east sides shall be widened to at least 15 feet in width, and shall retain 24-inch box trees planted a minimum of 20 feet on-center, to enhance buffering of residential neighbors.
3. The elevations shall be revised to depict vertical elements such as columns or pillars, and all four elevations should provide comparable facade detailing.
4. The site plan shall be revised to depict a solid masonry wall, of at least ten feet in height, along the length of both freight loading spaces. The wall shall match the exterior facade of the main building in materials and colors.
5. The site plan shall be revised to depict one vehicular access driveways off of Alta Drive, and one access driveway off of Decatur Boulevard.
6. Free-standing signage shall be limited to one monument sign, with a maximum height of eight feet, adjacent to the main entrance at Decatur Boulevard. The sign shall utilize materials and colors reflecting the commercial buildings.
7. Exterior wall signage shall be limited to the store name only. Any wall signage on the east and south elevations shall be non-illuminated.
8. The existing off-premise sign (billboard) shall be removed, and no off-premise advertising shall be permitted on this site.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).
11. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

CITY COUNCIL MEETING OF DECEMBER 1, 1999
PLANNING & DEVELOPMENT
ITEM 132 - Z-55-99(1)

CONDITIONS - Continued:

12. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
13. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.
14. The applicant shall have constructed a six foot high decorative block wall, with at least 20 percent contrasting materials, along the entire east and south property boundaries.
15. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-55-99 and all other site-related actions as required by the Department of Public Works.

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: DECEMBER 1, 1999****DEPARTMENT: PLANNING AND DEVELOPMENT DEPARTMENT****ITEM DESCRIPTION: Z-55-99(1) - Huff 1993 Trust, Et Al**

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend DENIAL. If approved, subject to:

1. The site plan shall be revised to depict two loading spaces per the dimensional requirements of Section 19A.10.020(D).
2. The landscape plan shall be amended to depict 36 inch high berms within the 15 foot landscape planters along the entire Decatur Boulevard and Alta Drive frontages. In addition, the planter along the south and east sides shall be widened to at least 15 feet in width, and shall retain 24-inch box trees planted a minimum of 20 feet on-center, to enhance buffering of residential neighbors.
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7. Exterior wall signage shall be limited to the store name only. Any wall signage on the east and south elevations shall be non-illuminated.
8. The existing off-premise sign (billboard) shall be removed, and no off-premise advertising shall be permitted on this site.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).

Z-55-99(1) - Page Two

December 1, 1999 City Council Meeting

11. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
12. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
13. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.
14. The applicant shall have constructed a six foot high decorative block wall, with at least 20 percent contrasting materials, along the entire east and south property boundaries.
15. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-55-99 and all other site-related actions as required by the Department of Public Works.

Z-55-99(1) - Page Three
December 1, 1999 City Council Meeting

** STAFF REPORT **

APPLICATION REQUEST:

This is an appeal by Kummer Kaempfer Bonner & Renshaw of a request for a Site Development Plan Review by Huff 1993 Trust, Et Al for a 15,332 square foot retail project. The subject site is 1.82 acres generally adjacent to the southeast corner of the Alta Drive and Decatur Boulevard intersection.

BACKGROUND DATA:

- 10/21/99 The Planning Commission will denied a request for a General Plan Amendment (GPA-28-99) from L (Low Density Residential) and SC (Service Commercial) to SC (Service Commercial) designation of this site.
- 10/28/99 The Planning Commission will review Rezoning (Z-55-99) as Agenda Item C-15, a Vacation (VAC-43-99) as Agenda Item C-16, and a Special Use Permit (U-98-99) as Agenda Item C-17, all related to this Rezoning request.

DETAILS OF APPLICATION REQUEST:

Site Area:	1.82	Acres
Commercial Building:	15,332	Square Feet
Building Height:	22	Feet (1 Story)
Parking Required:	62	Spaces (15,332 / 250 = 62)
Accessible Required:	3	Spaces (including 1 van accessible)
Total Parking Provided:	64	Spaces
Accessible Provided:	3	Spaces (including 1 van accessible)
Loading Required:	2	Spaces
Loading Provided:	1	Space

Three vehicular access points are depicted, one off of Decatur Boulevard and two off of Alta Drive. Each of these accesses are depicted providing two-way vehicle movement.

The proposed building will be located in the center of the site, surrounded on all sides by asphalt parking and drive aisles. The site plan depicts a drive-through with two lanes on the north side of the building. Pedestrian entrances will be located in the northwest corner of the building, facing the intersection of the abutting streets. One freight loading space is depicted at the south side (rear) of the building.

Z-55-99(1) - Page Four
December 1, 1999 City Council Meeting

Site landscaping will be located within a 15 foot wide planter along the Decatur Boulevard and Alta Drive frontages, and eight-foot wide planters along the east and south site boundaries. Trees, consisting of a mixture of 24 inch box trees planted 20 feet on-center, will be provided in all depicted planters. Adjacent to the proposed cul-de-sac of Lorna Place will be located a six-foot tall solid wall within the approximate center of the eight-foot-wide planter, providing for landscaping on both sides of the wall.

The elevations submitted depict retail building facades with surface areas of stucco, and unrelieved facade planes on the south and east sides of the building. Window openings are depicted on the elevations at the pedestrian entrances on the northwest corner of the building.

Building signage is depicted as numerous wall signs utilizing individual letters, of various sizes, on all four sides of the building. The signs advertise the store name and also many of the functions of the business.

ZONING AND DEVELOPMENT OF ADJACENT PROPERTIES:

North	C-2 (General Commercial)	Retail commercial, Undeveloped
South	R-1 (Single Family Residential)	Single Family Residential
	C-D (Designed Commercial)	Office
East	R-1 (Single Family Residential)	Single Family Residential
West	C-2 (General Commercial)	Retail commercial

ANALYSIS AND FINDINGS:

ZONING:

Section 19A.08.060 of the Las Vegas Municipal Code (Title 19A) stipulates Residential Adjacency Standards for non-residential buildings in proximity to residential land uses, specifically including building height and setback requirements. These standards require a non-residential building over 15 feet in height to be set back from residential property lines three times the building height, or in this case 66 feet from the south and east property lines. The setbacks depicted on the site plan are a minimum of 68 feet.

LANDSCAPE PLAN:

Staff finds the proposed site plan depicts a relatively large commercial site with parking lots visible from the adjacent streets. If this request is approved, the landscape plan should be amended to depict 36 inch high berms within the 15 foot landscape planters along the entire Decatur Boulevard and Alta Drive frontages in order to soften the view of parking lots. In addition, the planter along the south and east sides should be widened to at least 15 feet in width to enhance buffering of residential neighbors.

Z-55-99(1) - Page Five

December 1, 1999 City Council Meeting

ELEVATIONS:

The elevations submitted depict retail building facades with expansive surface areas of stucco. Staff finds the elevations submitted depict elevations of little visual relief or articulation, particularly along the east and south walls facing single family residences. Minimal window openings are depicted on the elevations, occurring only at the pedestrian entrances on the northwest corner of the building. If this request is approved, the elevations should be revised to depict vertical elements such as columns or pillars, and all four elevations should provide comparable facade detailing.

If this request is approved, staff finds freight loading should be physically buffered from the single-family residences to reduce noise levels, via walls surrounding freight loading areas of a minimum of 10 feet in height to match the height of the main building's ground floor, and these walls should be finished in material type, texture and color to match the exterior walls on the ground floor.

SIGNAGE:

Although a Master Signage Plan was not submitted with this request, the submitted building elevations depict extensive wall signage. Staff finds that the wall signage on all sides of the building is excessive, and if this request is approved should be reduced to identify the store name only. The signage on the east and south sides of the building, facing residences, should be non-illuminated to reduce light visible from residential areas.

FINDINGS:

In order to approve a Site Development Plan Review application, Las Vegas Municipal Code Section 19A.18.050 requires the Planning Commission or City Council to affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area".**

The proposed drug store will be a retail use, at a more intense level with 24-hour operations, than most of the existing commercial uses in the area around the Alta Drive and Decatur Boulevard intersection. The proposed use will be considerably more intense than the commercial uses currently operating on two of the subject site's nine parcels.

Staff finds the proposed 24-hour retail use will generate noise during night and early morning hours when adjacent residents will be most sensitive to noise, and will not be appropriate for this location. While a six-foot wall will be built between this site and the residences, the wall will not be sufficient to block noise from trucks and cars driving around the site, car radios, and conversations.

Z-55-99(1) - Page Six
December 1, 1999 City Council Meeting

2. **"The proposed development is consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City plans, policies and standards".**

Staff finds the proposed project, as amended by conditions identified below regarding enhanced facade articulation, expanded landscape planters, limitations on wall signage, mechanical equipment screening, and exterior lighting be consistent with all applicable requirements of Title 19A, the Design Standards Manual, and the Landscape, Wall and Buffer Standards.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic".**

Staff finds that the site plan depicts two vehicular access driveways off of Alta Drive, and one access driveway onto Decatur Boulevard. Staff finds the two access points off Alta Drive to be too close to each other and excessive for site access, and recommends that one access to Alta Drive be eliminated if this project is approved. The site plan depicts no direct access into the adjacent residential area, and therefore project-generated traffic is not expected to add substantially to area roadways serving residential neighborhoods.

4. **"Building and landscape materials are appropriate for the area and for the City".**

Staff finds if the proposed project is approved, as amended by conditions identified below regarding enhanced facade articulation, expanded landscape planters, limitations on wall signage, mechanical equipment screening, and exterior lighting an appropriate appearance of the site will be provided from Alta Drive and Decatur Boulevard.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create and orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area".**

Staff finds the if the proposed project is approved the building elevations and site design as amended by conditions identified below regarding enhanced facade articulation, expanded landscape planters, limitations on wall signage and conditions regarding on-site lighting will provide an orderly and aesthetically pleasing environment.

6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare".**

Z-55-99(1) - Page Seven
December 1, 1999 City Council Meeting

The proposed drug store use will not utilize potentially hazardous materials or generate any potentially hazardous wastes, and will therefore not create a hazard to the public health, safety or welfare.

PC NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

[All public testimony received was in opposition in keeping with the testimony received in opposition to the related Rezoning (Z-55-99), Vacation (VAC-43-99), and Special Use Permit (U-98-99).]

[Note: The Planning Commission denial was in accord with the Commission's denial of the related GPA-28-99 on October 21, 1999 and the Commission's denial of the related Rezoning (Z-55-99), Vacation (VAC-43-99), and Special Use Permit (U-98-99) on October 28, 1999.]

**KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW**

JOHN C. RENSHAW
THOMAS F. KUMMER
CHRISTOPHER L. KAEMPFER
MICHAEL J. BONNER
KATHLEEN JANE ENGLAND
JOHN N. BREWER
GERALD D. WATIL
SHERWOOD N. COOK
SHARI CASSIN PATTERSON
JOHN C. JEFFSEN
MARK H. FIORENTINO
JOHN A. CURTAS

OF COUNSEL
H. GREGORY NASKY
JAMES H. BILBRAY
MICHAEL W. BRIMLEY

SEVENTH FLOOR
3800 HOWARD HUGHES PARKWAY
LAS VEGAS, NEVADA 89109-0907

(702) 792-7000
FAX: (702) 796-7181
E-MAIL: NVLAW@KKBR.COM

November 1, 1999

THOMAS D. AMICK
SEAN L. ANDERSON
NIKKI L. BAKER
L. JOE COPPEDGE
GREGORY S. GILBERT
ROBERT J. GRONAUER
JEREMY B. HILLSABECK
GAVIN C. JANGARD
ROBERT C. KIM
KURT C. LAMBETH
ANGELA TURRICIANO OTTO
ELIZABETH A. SAVAGE
LYSSA M. SIMONELLI
JAMES E. SMYTH II
GREGG R. VERMEYS
ANTHONY A. ZMAILA

*LICENSED ONLY IN WASHINGTON

VIA FACSIMILE

382-4803

Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101

Re: Z-55-99(1) and U-98-99

Dear Ms. Ronemus:

Our office represents the applicant in the above-referenced matters. We hereby appeal the Planning Commission's action on these matters. Please schedule both for the December 1 City Council meeting so that they can be heard in conjunction with Z-55-99 and VAC-43-99, which are related.

Thank you for your assistance. Please call if you have any questions or need anything else.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Mark H. Fiorentino
Mark H. Fiorentino

MHF/jf

RECEIVED
CITY CLERK
1999 NOV -2 A 8:04

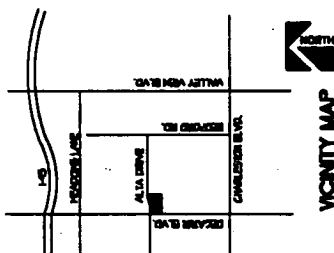
Nadel

LAURICH PROPERTIES
820 DECATUR AND ALTA
LAS VEGAS, NEVADA

SITE PLAN

DATE: 12/1/99
DRAWN BY: JAC
CHECKED BY: JAC
SCALE: 1" = 50'-0"

A

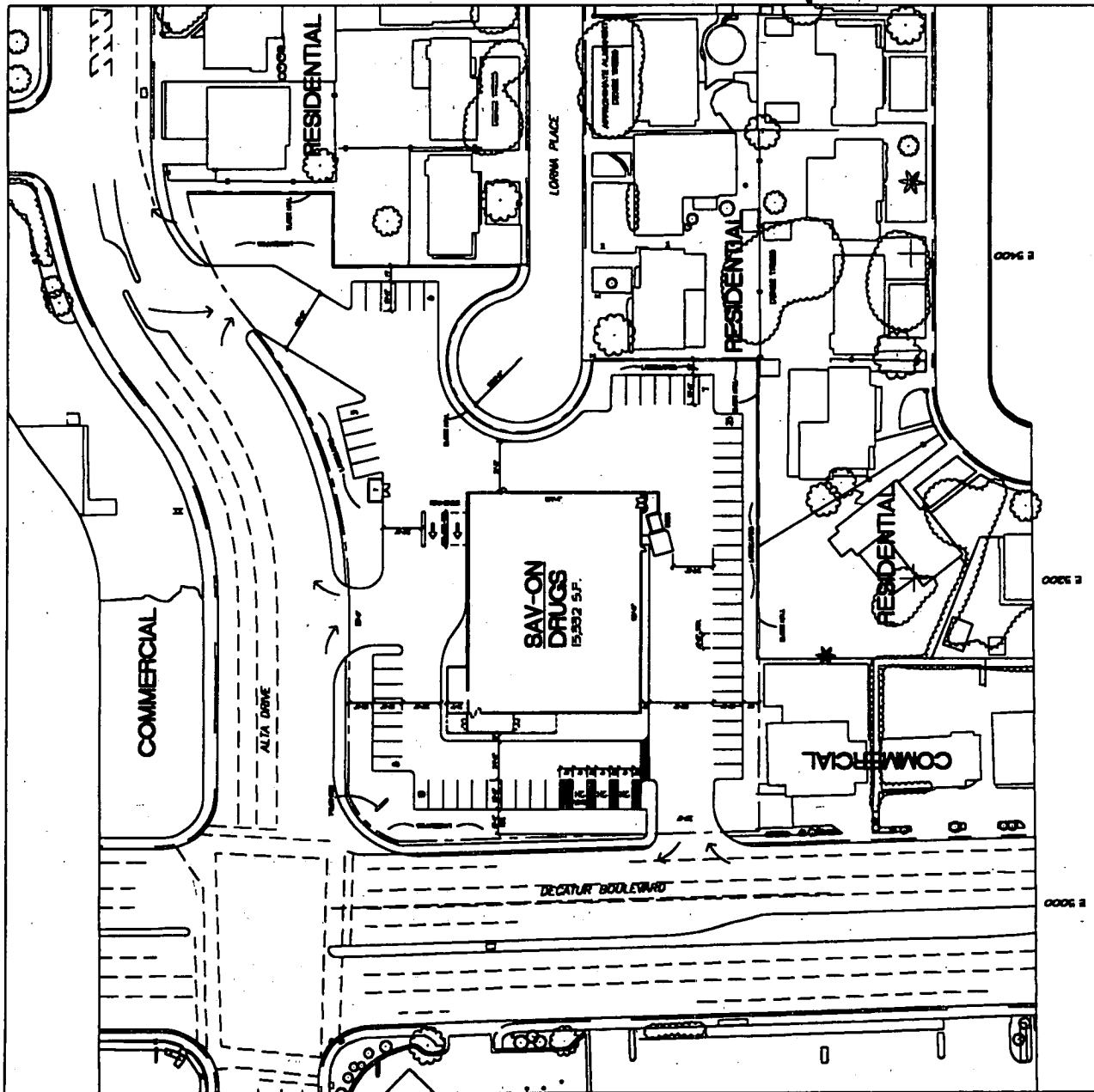


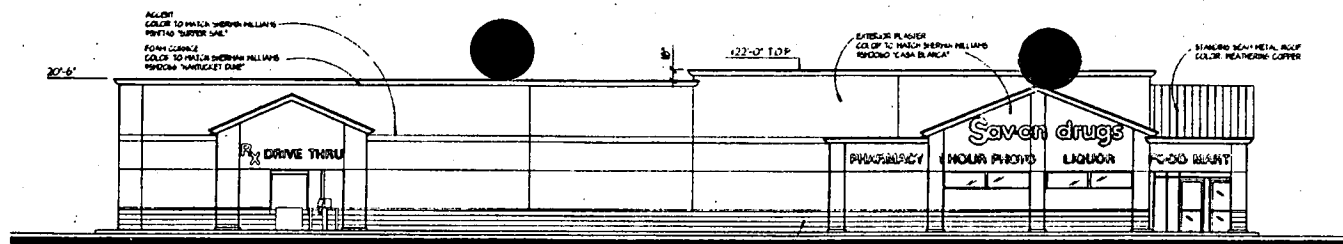
Summary
 Land: ±2.04 acres
 Building: 15,332 sq. ft.
 Land / Building Ratio: 484 / 1
 Site Coverage: 17.1%
 Parking Required: 62 Spaces
 Parking Provided: 64 Spaces
 Parking Ratio: 4.17 / 1000

STAFF
Z-55-99(1)
10-28-99 PC



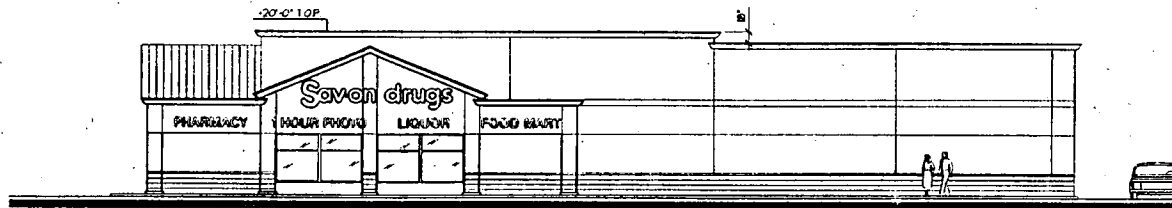
SITE PLAN
 SCALE: 1" = 50'-0"





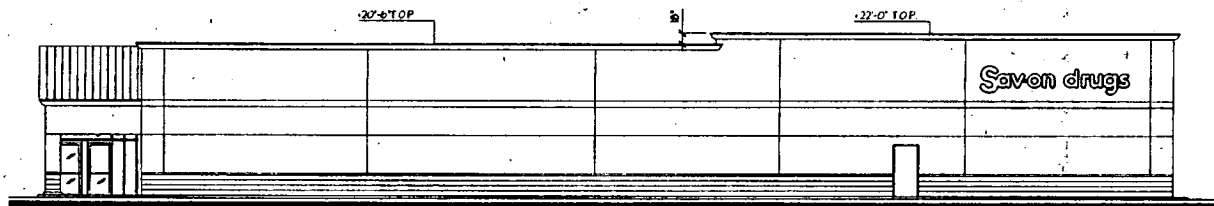
NORTH ELEVATION

SCALE: 1/8"=1'-0"



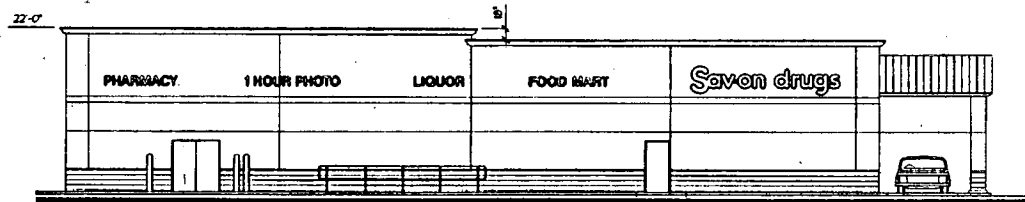
WEST ELEVATION

SCALE: 1/8"=1'-0"



SOUTH ELEVATION

SCALE: 1/8"=1'-0"



EAST ELEVATION

SCALE: 1/8"=1'-0"

444 E. Warm Springs Rd.
Suite 102
Las Vegas
Nevada 89115
702-885-2000

Architecture
Planning
Interiors

LAURICH PROPERTIES
SEC DECATUR AND ALTA
LAS VEGAS, NEVADA

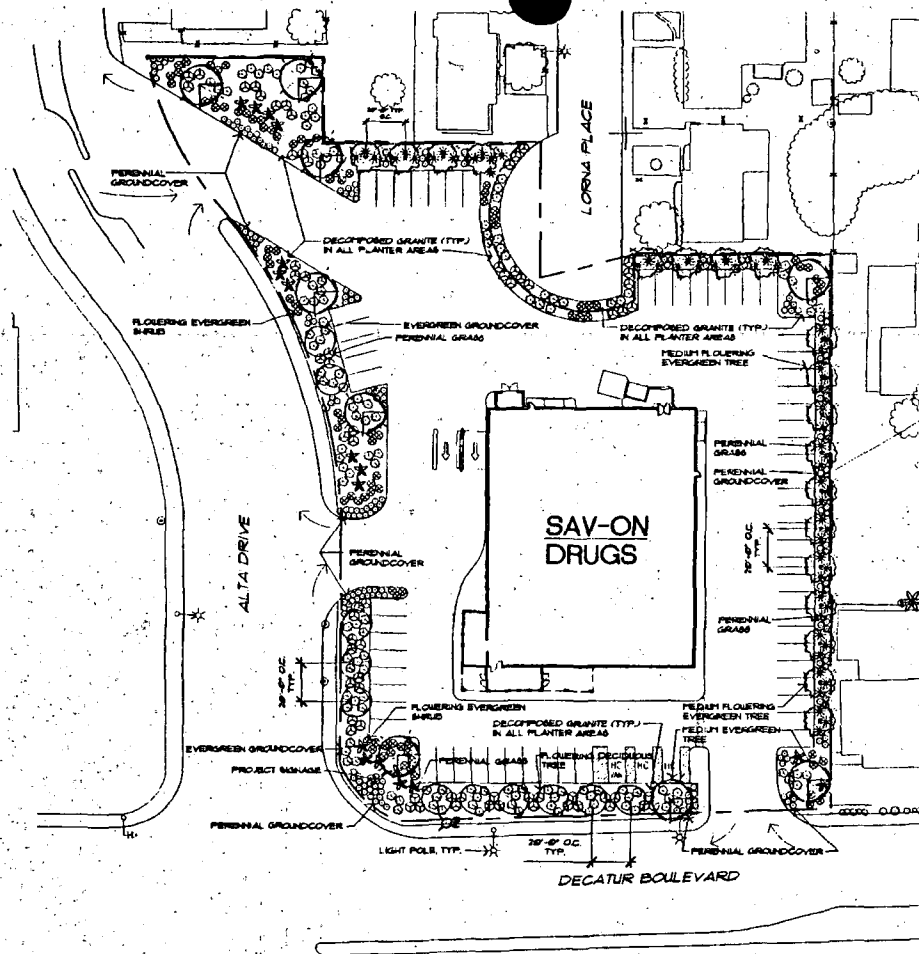
EXTERIOR ELEVATIONS

DATE: 1/27/99
JOB NO: 44-013
SHEET: 1 of 1

CITY COUNCIL MEETING OF DECEMBER 1, 1999

Pg. 1820

STAFF Z-55-99(1)
10-28-99 PC



PLANT SCHEDULE

SYMBOL	QTY	SIZE	BOTANICAL NAME	COMMON NAME	CONTENTS
TREES					
10	10-Gal	Chlorophytum bursifolium	Medicinal Plant	Medicinal Plant	1 to 2 inches w/ 1 to 2 inches
10	24"-Box	Varia chlorophytum	Tree Chlorophytum	Tree Chlorophytum	STD. 8' x 4' x 120 gal
1	24"-Box	Ligustrum lucidum	Glossy Privet	Glossy Privet	STD. 8' x 4' x 120 gal
5	24"-Box	Rosa laurina	African Bush	African Bush	STD. 8' x 4' x 120 gal
SHRUBS / GROUND COVER					
100	1-Gal	Baccharis pilularis	Deer cholla bush	Deer cholla bush	Plant 3' o.c.
100	1-Gal	Lamium New Gold	Lamium New Gold	Lamium New Gold	Plant 3' o.c.
200	5-Gal	Munrovia rigida	Deer grass	Deer grass	Plant 3' o.c.
200	5-Gal	Parthenocissus vitacea	Green fountain grass	Green fountain grass	Plant 3' o.c.
200	5-Gal	Reynoldsia indica	Indian Hawthorn	Indian Hawthorn	Plant 3' o.c.

MISCELLANEOUS

10253
DECOMPOSED GRANITE IN ALL PLANTING AREAS 2" DEPTH (TYP)
COLOR: PINK CORAL 3/4" SCREENED

DECOMPOSED GRANITE SOURCE
KALAMAZOO MATERIALS INC
4875 NORTH ORACLE ROAD
TUCSON AZ 85704
(520) 518-1801

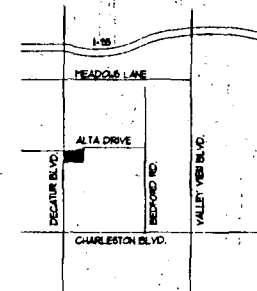
PLANT MATERIAL SOURCE
MOUNTAIN STATES NURSERY
10010 N. GLENDALE AVE
GLENDALE AZ 85301
(602) 241-6000

PLANTING SUMMARY

SIZE	QTY	CONTENTS
24"-Box	30	PLANTED 10' x 8' O.C.
10-Gal	10	FALTS
5-Gal	211	VARIETY
1-Gal	336	PLANTED 3' x 8' O.C.
GROUND COVER	10253 SF.	3/4" DECOMPOSED GRANITE

SITE SUMMARY

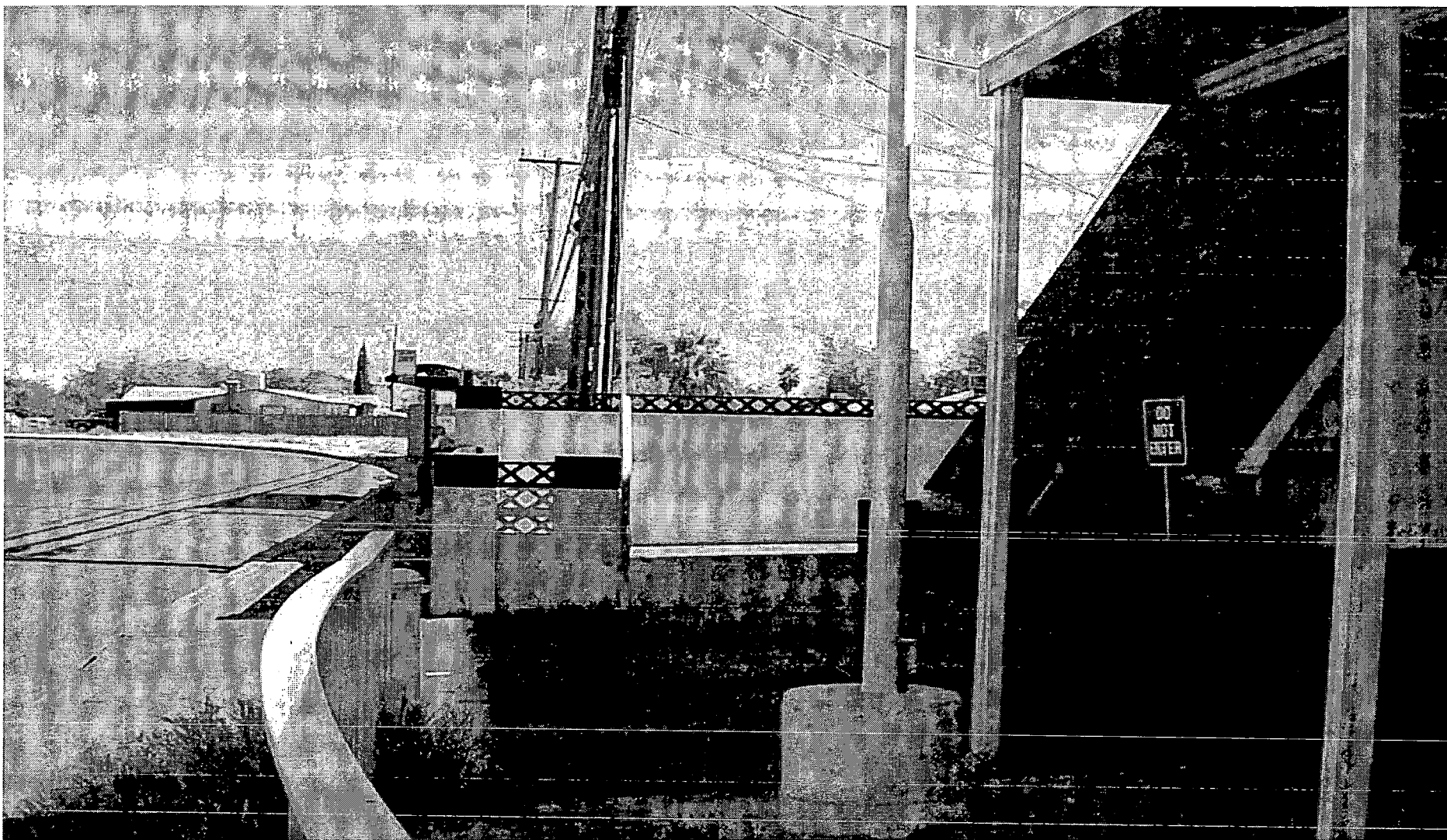
SITE:	85,556 SQ. FT. (2.04 ACRES)
BUILDING:	15,332 SQ. FT.
LAND/BLDG.:	4,841 (5.6% COVERAGE)
REQUIRED PARKING:	67 STALLS
PROVIDED PARKING:	66 STALLS
PARKING RATIO:	430/1000



VICINITY MAP

Call before you Dig.
1-800-227-2600
WLB
The WLB Group
Engineers & Architects
2901 N. Green Valley Way, Suite 200
HENDERSON, NV 89014
(702) 466-7900
FAX: (702) 466-7901

STAFF Z-55-99(1)
10-28-99 PC



Z-55-99 AND Z-55-99(1) - HUFF 1983 TRUST, ET AL
ADJACENT TO THE SOUTHEAST CORNER OF THE INTERSECTION DECATUR BOULEVARD AND ALTA DRIVE
OCTOBER 28, 1999 PLANNING COMMISSION



Z-55-99 AND Z-55-99(1) - HUFF 1983 TRUST, ET AL
ADJACENT TO THE SOUTHEAST CORNER OF THE INTERSECTION DECATUR BOULEVARD AND ALTA DRIVE
OCTOBER 28, 1999 PLANNING COMMISSION