



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - ROC-13825 - APPLICANT: LENNAR COMMUNITIES NEVADA, LLC - OWNER: SOUTHWEST COMMUNITIES DEVELOPMENT, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 2, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Condition Number 4 of the Site Development Plan Review (SDR-2663) shall be amended to state The standards for this development shall include the following: minimum lot size of 2,200 square feet, minimum distance between buildings of 10 feet, and building height shall not exceed three stories or 35 feet, whichever is less.
2. Condition Number 5 of the Site Development Plan Review (SDR-2663) shall be amended to state The setbacks for this development shall be a minimum of 4 feet to the front of the house, 5 feet on the side, 5 feet on the corner side and 5 feet on the rear. Any driveway to a garage door shall either be less than five feet in length or more than 18 feet in length.
3. Conformance to all other conditions of approval of Site Development Plan Review (SDR-2663).

**** STAFF REPORT ****

APPLICATION REQUEST

This is a Request for a Review of Condition Numbers 4 and 5 of an approved Site Development Plan Review (SDR-2663) to allow three story homes where two story homes were required and to allow a four foot front yard setback where 10 feet was required for an approved residential subdivision on 10.30 acres adjacent to the northwest corner of Elkhorn Road and Campbell Road.

EXECUTIVE SUMMARY

The original Site Development Plan Review (SDR-2663) was approved on 09/17/03. Conditions Number 4 and 5 required a maximum two story home and a minimum ten foot setback. The applicant is requesting the subject Review of Condition to increase the height of the homes within the development to three stories and a four foot minimum setback. Staff cannot support the subject deviation as the applicant has created a self-imposed hardship by proposing housing plan, which is inconsistent with approved Site Development Plan Review (SDR-2663) or Title 19.

BACKGROUND INFORMATION

A) Related Actions

- 12/07/98 The City Council approved a request for a Rezoning from U (Undeveloped) Zone, R-E (Residence Estates), R-PD7 (Residential Planned Development - 5 Units per Acre), R-PD11 (Residential Planned Development - 5 Units per Acre), R-PD13 (Residential Planned Development - 5 Units per Acre), R-PD18 (Residential Planned Development - 5 Units per Acre), R-CL Residential - Compact Lot), C-1 (Limited Commercial), C-2 General Commercial), C-V (Civic), and P-D (Planned Development) to TC (Town Center) on 1,468 acres located within the area designated Town Center on the Northwest Amendment to the General Plan. The Planning Commission recommended approval on 11/05/98.
- 09/17/03 The City Council approved a request for a Site Development Plan Review (SDR-2663) for a proposed 100 lot single family residential development. A Variance (VAR-2665) was also approved to allow 0.76 acres of open space where 1.65 acres. Finally, a Special Use Permit (SUP-2666) was approved to allow private streets. The Planning Commission recommended approval, but staff recommended denial on 08/14/03.

B) Pre-Application Meeting

A pre-application meeting is not required for this application.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for this application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 10.3

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Single Family and Multi-Family Dwellings
East: Single Family Dwellings
West: Nevada Power Substation/Undeveloped

C) *Planned Land Use*

Subject Property: M-TC (Medium Density Residential - Town Center)
North: PF-TC (Public Facility - Town Center)
South: ML-TC (Medium-Low Density Residential - Town Center) and M-TC
(Medium Density Residential - Town Center)
East: M-TC (Medium Density Residential - Town Center)
West: PF-TC (Public Facility - Town Center)

D) *Existing Zoning*

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: T-C (Town Center)

E) *General Plan Compliance*

This site is located within the Town Center Plan Area of the Centennial Hills Sector Plan. The site is designated M (Medium Density Residential - Town Center) within the Town Center Land Use Map, which allow densities up to 25 dwelling units per acre. The Site Development Plan proposes a gross density of 10.5 units per acre, which is below the M-TC maximum density.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Town Center	X	
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

ANALYSIS

A) General Analysis and Discussion

The applicant is requesting the subject Review of Condition to allow a four foot front yard setback and three story homes. The applicant indicates that the review is needed due to a different housing product being offered. The proposed three story homes create a privacy issue for potential home owners within the development. Also, a three story housing product would be incompatible with the surrounding subdivisions. The Review of Condition cannot be supported as the applicant has created a self imposed hardship, which is a deviation from the approved Site Development Plan Review and Title 19 requirements.

- Conditions of Approval from Site Development Plan Review (SDR-2663).

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit [SDR-2666] and Variance (VAR-2665).
2. This Site Development Plan Review shall expire two years from date of final approval unless **it is** exercised **or** an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum lot size of 2,200 square feet, minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 5 feet on the side, 5 feet on the corner side and 5 feet on the rear. Any driveway to a garage door shall either be less than five feet in length or more than 18 feet in length.

6. A detailed landscaping plan shall be approved by the Planning and Development Department staff, prior to application for a building permit, that depicts the landscaping and hardscaped areas in the Campbell Road and Elkhorn Road Amenity Zones as shown in the Town Center Development Standards (TCDS). The landscape plan shall detail plant types, sizes and locations as required by the TCDS. On site trees shall conform to the landscaping standards Town Center. Palm trees shall be at least 25 feet in height. All other trees shall be 18 feet in height. The landscape plan shall include sufficient information to confirm conformance with spacing requirements.
7. The intersection of Campbell Road and Elkhorn Road shall comply with the design of Intersection Type B as specified by the TCDS.
8. The developer shall construct and landscape a 15-foot wide median within Elkhorn Road as required by the TCDS.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit. The developer shall be required to install the landscape requirements for the median in Elkhorn Road where adjacent to the subject site and assign the maintenance of such to the homeowners association.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent **contrasting** materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Dedicate 50 feet of right-of-way adjacent to this site for Elkhorn Road, 30 feet for Campbell Road, 40 feet for Solar Avenue, a 25-foot radius on the northwest corner of Elkhorn Road and Campbell Avenue, a 15-foot radius on the southwest corner of Campbell Road and Solar Avenue, and the area for a knuckle at the intersection of Solar Avenue and Dapple Gray Road prior to the issuance of any permits.
16. Construct half-street improvements including appropriate overpaving (if legally able) on Elkhorn Road, Campbell Road and Solar Avenue adjacent to this site concurrent with 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western and northern boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

17. The proposed 37 foot wide streets internal to this subdivision shall be constructed with L-Curb in accordance with Title 18 requirements, and the detail section shown on a Tentative Map for this site shall acknowledge such requirements. Alternatively, if rolled curb is desired, the internal streets shall be shown as 39 feet wide.
18. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.
19. 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, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation 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 or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rightsofway required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of onsite development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rightsofway are not required and Traffic Control devices are or may be proposed at this site outside of the public rightofway, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for 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.
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.
20. 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, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree 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 Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards, such as the proposed non-standard private street corners, shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
23. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 662 by the Planning Department

APPROVALS 0

PROTESTS 0