

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-14877 - APPLICANT: NEW MARKET LAND COMPANY,
LLC - OWNER: NMG CAPITAL PARTNERS I, LLC

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all other conditions of approval of Rezoning (ZON-7290).

Public Works

2. Construct half-street improvements on Tee Pee Lane and construct full width street improvements for Oso Blanca Road (AKA Frontage Road) adjacent to this site concurrent with development, or alternatively, if allowed by the City Engineer, the developer may agree to participate in a public improvement project to construct the required improvements concurrent with the construction of the Horse Interchange project, with a participation amount equal to the cost of such improvements the developer would bear in the absence of a public improvement project. If this alternative is chosen, the developer shall construct temporary improvements acceptable to the City Engineer adjacent to this site concurrent with development of this site, and shall post a bond for all permanent improvements so deferred. If the public improvement project is not constructed within a reasonable time as determined by the City Engineer, the applicant, upon receipt of written notification by the City Engineer, shall then construct the full width street improvements within a time frame acceptable to the City Engineer. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the construction limits of this site prior to construction of hard surfacing (asphalt or concrete).

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Review of Condition Number 7 of an approved Rezoning (ZON-7290) to allow temporary transition pavement on Oso Blanca Road where full width street improvements were required on 5.05 acres adjacent to the northwest corner of Tee Pee Lane and Oso Blanca Road.

EXECUTIVE SUMMARY

The subject Rezoning (ZON-7290) was approved by the City Council on 09/21/05. The applicant is requesting temporary transition pavement on Oso Blanca Road where full width street improvements are required. Public Works does not usually support temporary transition pavement, but the City is in the design process for the Horse Drive interchange that includes the realignment of Oso Blanca Road. Construction for this interchange is anticipated to begin in approximately one year. Therefore, staff is recommending approval of the Review of Condition Number 7 as conditioned.

BACKGROUND INFORMATION

A) Related Actions

- 05/23/95 The Board of Zoning Adjustment approved a request for a Variance (V-0065-95) to allow a proposed 14-foot by 48-foot Off-premise Advertising (Billboard) Sign with a separation of 555 feet, where 750 feet is the minimum separation distance required, located on the west side of Rancho Drive, south of Horse Drive.
- 05/24/99 The City Council approved a General Plan Amendment (GPA-0001-99), which revised land use designations on a significant portion of the Northwest Sector north of Cheyenne Avenue, including the subject property, which was designated as PCD (Planned Community Development).
- 08/08/00 The Citys Hearings Officer denied a request for a Five-Year Review on a Variance [V-0065-95(1)] for an approved 14-foot by 48-foot Off-premise Advertising (Billboard) Sign located on the west side of Rancho Drive, south of Horse Drive. After an appeal by the applicant on 09/20/00, the City Council approved the request on 10/18/00, with a condition that the billboard must be removed by 10/31/04. Site inspection reveals that the billboard is no longer located on this site.

- 04/02/03 The City Council approved a request for a Rezoning (ZON-1364) from C-2 (General Commercial), R-E (Residence Estates), R-MHP (Residential Mobile/Manufactured Home Park), and U (Undeveloped), to C-2 (General Commercial), C-1 (Limited Commercial), O (Office), C-V (Civic), R-E (Residence Estates), R-1 (Single Family Residential), and U (Undeveloped) to GC (General Commercial), O (Office), PF (Public Facilities), ML (Medium-Low Density Residential) and DR (Desert Rural Density Residential) on property located on, or in close proximity to, both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road, including the subject site. The subject site, located in Segment 4 of the rezoning (from Ann Road to the northern city limit), was rezoned from C-2 (General Commercial) to U (Undeveloped). The Planning Commission recommended approval on 02/27/03.
- 09/21/05 The City Council approved a General Plan Amendment to amend a portion of the Centennial Hills Sector Plan of the General Plan (GPA-7289) from PCD (Planned Community Development) to SC (Service Commercial), a Rezoning (ZON-7290) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-1 (Limited Commercial), a Site Development Plan Review (SDR -7291) for a 27,980 square-foot Retail Center, a Variance (VAR-7992) for reduction in residential adjacency standards, and a Special Use Permit (SUP-7757) for a proposed Service Station will be heard concurrently with this request. The Planning Commission and staff recommended approval on 07/28/05.

B) *Pre-Application Meeting*

A pre-application meeting is not required for a Review of Condition request.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for a Review of Condition request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 5.05

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Single Family Dwellings
East: US 95
West: Single Family Dwellings

C) Planned Land Use

Subject Property: SC (Service Commercial)
 North: PCD (Planned Community Development) [CC (Community Commercial) Grand Canyon Master Development Plan Special Land Use Designation].
 South: TC (Town Center) [MLA-TC (Medium-Low Attached Density Residential Town Center) Centennial Hills Town Center Special Land Use Designation]
 East: SC (Service Commercial)
 PF (Public Facilities)
 ML (Medium-Low Density Residential) across US 95
 West: PCD (Planned Community Development)
 ML (Medium-Low Density Residential)
 MFM (Multi-Family Medium) Grand Canyon Master Development Plan Special Land Use Designations]

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
 North: PD (Planned Development)
 South: T-C (Town Center)
 East: C-2 (General Commercial) under Resolution of Intent to C-1 (Limited Commercial)
 C-2 (General Commercial) under Resolution of Intent to R-PD6 (Residential Planned Development 6 units per acre)
 U (Undeveloped) across US 95
 West: PD (Planned Development)

E) General Plan Compliance

The current General Plan designation of the subject property is PCD (Planned Community Development). The land use designation on the site is SC (Service Commercial). The C-1 (Limited Commercial) zoning district conforms to the General Plan designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The site is not within any Special Area Plan, Overlay District and is not affected by any other specific City land use policy; it should be noted, however, that the site is bordered by lands (to the west) that are within the Grand Canyon Village master development plan, and (to the south) that are within the Centennial Hills Town Center.

ANALYSIS

A) General Analysis and Discussion

The Department of Public Works has no objection to the Request for a Review of Condition application related to Zoning Reclassification (ZON-7290), Condition No. 7 that requires full width street improvements be constructed on Oso Blanca Road. The City is in the design process for the Horse Drive interchange that includes realignment of Oso Blanca Road adjacent to the subject site. Construction for this interchange is anticipated to begin in approximately one year. The delays in the design and realignment for Horse Drive and Oso Blanca Road warrant the use of temporary transition pavement. Therefore, staff is recommending approval of the subject Review of Condition.

B) Conditions of Approval from Rezoning (ZON-7290)

Planning and Development

1. The applicant shall file a deed restriction on the property prohibiting tavern use to be recorded with Clark County
2. A General Plan Amendment (GPA-7289) to a SC (Service Commercial) land use designation approved by the City Council.
3. A Resolution of Intent with a two-year time limit.
4. A Site Development Plan Review (SDR-7291) application approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

5. Coordinate with the City Engineers Division to determine what impacts the proposed Horse Drive interchange may have on this site, including issues such as final right-of-way requirements and temporary construction easement locations.
6. Dedicate 10-feet of additional right-of-way for a total width of 80 feet for Oso Blanca Road (AKA Frontage Road) and a 20-foot radius on the northwest corner of the Frontage Road and Tee Pee Lane prior to the issuance of any permits. In addition, grant a traffic chord easement on the northwest corner of the Frontage Road and Tee Pee Lane.
7. Construct half-street improvements on Tee Pee Lane and construct full width street improvements for Oso Blanca Road (AKA Frontage Road) adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the construction limits of this site prior to construction of hard surfacing (asphalt or concrete).

8. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend the existing oversized public sewer in Tee Pee Lane to Oso Blanca Road (AKA Frontage Road) and continue the extension in Oso Blanca Road to the north edge of this site at a size, location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.
9. 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 submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the 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.
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, submittal of any construction drawings or the submittal 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.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 562

APPROVALS 0

PROTESTS 0