



City of Las Vegas

Agenda Item No.: 181.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 6, 2006**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-11031, MOD-11027, WVR-12368, VAC-11030 AND VAC-12255

SLR-11034 7/21/06 ITEM - PUBLIC HEARING - APPLICANT: ERIC MILLER - OWNER: CABALLOS DE CO. REAL ESTATE, LLC Request for a Site Development Plan Review FOR A PROPOSED 30-UNIT ATTACHED SINGLE-FAMILY DEVELOPMENT on 5.0 acres west of the intersection of Cheyenne Avenue and the I-215 Beltway (APN 137-12-301-009), U (Undeveloped) Zone [PC] (Planned Community Development) Master Plan Designation] [PROPOSED: PD (Planned Development) Zone] [L (Low Density Residential) Special Land Use Designation], Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	8	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:

The Planning Commission (6-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report For This Application
3. Support Documentation
4. Justification Letter
5. Revised site plan dated 07-17-06
6. Submitted after final agenda Letter by Applicant, Protest letter and Revised site plans
7. Backup referenced from the 05/25/06 Planning Commission meeting Item 20

Motion made by LARRY BROWN to Approve Subject to Conditions and amending Conditions 1, 3, 4, 6, 7 and 23 as read for the record as follows:

1. Approval of and conformance to the Conditions of Approval for a Major Modification (MOD-11027), a Rezoning (ZON-11031), a Waiver of Title 18 (WVR-12368) and a Vacation (VAC-12255) shall be required.
3. All development shall be in conformance with the site plan as presented at the 8/14/2006 Planning Commission meeting, the landscape plan date stamped 04/20/2006, and the building elevations date stamped 08/14/2006, except as amended by conditions herein.

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4. There shall be no blasting on the site to construct the project, and the applicant agrees that the remainder of this site will be retained as passive open space with no future development phases allowed.

6. The application shall comply with the color palette prepared 11/30/2005 as presented on 05/25/2006 with changes to be allowed to further blend with the natural setting.

7. The maximum building height shall be three stories or 35 feet, whichever is less.

23. 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 improvements, shall be resolved prior to submittal of a Tentative map or construction drawings, whichever may occur first. Final plans shall as possible minimize the impact of the third level. No deviations from adopted City Standards 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.

Passed For: 0; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
None; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

MARION PERRY, 300 South Fourth Street, appeared on behalf of the applicant and stated the project would protect the integrity of the hillside, there would be no blasting and no future phases on the site. She met with concerned neighbors and has since moved unit 13 from one end of the site to the southwest end of the building to reduce the block feeling. The grading plan was altered to increase the front of the units and the color pallet would reflect the mountain side. MS. PERRY thanked all for their assistance and respectfully requested approval.

ATTORNEY RUSSEL ROWE, 3800 Howard Hughes Parkway, appeared on behalf of John Ridder and Focus Property Group. He listed many concerns raised by the neighbors but stated the design is not well liked primarily because it is a three-story development with attached units and there are waivers to the open space. When the matter was previously held in abeyance it was requested that the project be redesigned to no higher than two stories with a more appealing design. There have been very insignificant design changes and the project remains boxy, congested and flat which does not conform to the Lone Mountain Standards nor to what has previously been approved at Village 26.

COUNCILMAN BROWN noted that Village 26 offers five different products and it is unfair to make such comparisons. ATTORNEY ROWE depicted plans of the Village 26 Plan and emphasized that the site plan was previously held in abeyance so the applicant could specifically

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research and present something more suitable. ATTORNEY ROWE requested the Council follow the same standards and truly consider the residents over the applicant or owner.

KEITH ROBERTSON, 2595 South Cimarron Road, appeared on behalf of the applicant and confirmed that ATTORNEY ROWE did obtain an architect team from California who provided plans that were not acceptable. MR. ROBERTSON stated when the matter was previously heard, the height was 37'4 feet tall and now the proposal is for 35 feet.

COUNCILMAN BROWN noted there was a 12-story high rise proposed before on the same five acre parcel that never came to fruition. The aesthetics of this project have created the conflict and COUNCILMAN BROWN acknowledged that it is his decision to decide whether the design is well liked and compatible. He presented site plans to prove that the proposal is not terribly intruding and confirmed the price range would be based on \$300 per square feet. He requested the proposed height of 35 feet versus a three-story structure and complimented the project layout.

ATTORNEY ROWE pointed out the plans presented by COUNCILMAN BROWN do not fairly represent how the project would be viewed from up close. He argued that the current change proposed would further aggravate the very problem of congestion without addressing the lack of an aesthetically pleasing design.

COUNCILMAN REESE concurred with COUNCILMAN BROWN'S opinion that the design presented is not unattractive. ATTORNEY ROWE depicted a plan of the first proposal by Focus Group, which MR. RIDDER favored. He emphasized there are many design options and urged the Council to exercise their ability to request a design more pleasing to the community. MR. ROBERTSON stated that upon two neighborhood meetings, there was a positive response to the current design and noted the consensus that a Tuscan design would not blend with the hillside.

MARGO WHEELER, Director of Planning and Development Department, stated the need to change Condition 3 to reflect the date stamp of 8/14/2006 and an amendment to Condition 7 to reflect that the maximum building height shall be three stories or 35 feet, whichever is less. COUNCILMAN BROWN requested a portion of Condition 4 be deleted, an addition to Condition 6 addressing the color palette and Condition 7 amended to reflect 35 feet. Upon MS. WHEELER'S explanation, COUNCILMAN BROWN understood there would not need to be a change to Condition 8 and so he requested Condition 23 be modified to include that final plans shall as much as possible minimize the impact of the third level. MR. ROBERTSON agreed to all conditions.

MAYOR GOODMAN noted the applicant's interest in building something pleasing as they need to sell and profit from this development. He acknowledged and commended MR. RIDDER for his involvement in the community but concurred with COUNCILMAN BROWN'S opinion that the proposal is not unbearable and could easily benefit the area with success.

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COUNCILMAN BROWN explained to COUNCILWOMAN TARKANIAN that the land was master planned for a maximum of six units per acre. If the proposal were for single family homes, it would allow blasting of the hillside which was not something he supported. MS. WHEELER confirmed there is a hillside ordinance under preparation but currently a developer would be allowed to blast the hillside if desired.

MAYOR GOODMAN declared the Public Hearing closed.