



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 6, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ZON-16609 - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-1/se vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. A General Plan Amendment (GPA-16538) and Waiver (WVR-16610) approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-16611) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

**Public Works**

4. Construct half-street improvements on Torrey Pines Drive and Azure Drive 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. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75% of the total units, or within 24 months of approval of construction drawings, whichever occurs first. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

5. 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.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Rezoning from RE (Residence Estates) to R-PD3 (Residential Planned Development 3 Units Per Acre) on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive. A related General Plan Amendment (GPA-16538), Waiver (WVR-16610), and Site Development Plan Review (SDR-16611) will be considered concurrently with this request.

As the majority of surrounding properties have been zoned to allow for low-density residential development, there is a clear indication that this rezoning is appropriate and compatible with the surrounding area. Therefore, staff recommends approval.

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |   |
|---|---|
| 02/04/04  | City Council tabled a request for a Site Development Plan Review (SDR-3284) and a Variance (VAR-3360) to allow a 27-foot side yard setback where residential adjacency standards require a minimum setback of 78 feet for a proposed private school, primary on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road.  |
| 06/22/06  | City Council tabled a request to amend a portion of the Centennial Hills Sector Plan of the Master Plan from DR (Desert Rural Density Residential to L (Low Density Residential), a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residential), and a Special Use Permit for a private streets in conjunction with a proposed single-family residential development on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive.                                |
| 10/19/06  | The Planning Commission abeyed at the request of the applicant an application for a General Plan Amendment (GPA-16538), a Rezoning (ZON-16609), a Site Development Plan Review (SDR-16611), and a Waiver (WVR-16610) to the 11/02/06 Planning Commission meeting.   |
| 11/02/06  | The Planning Commission recommended approval of companion items GPA-16538 and SDR-16611 and denied WVR-16610 concurrently with this application.<br><br>The Planning Commission voted 6-1/se to recommend APPROVAL (PC Agenda Item #22/jm).   |
| <b><i>Related Building Permits/Business Licenses</i></b>                  |   |
|   | There are none pertaining to this site.   |
| <b><i>Pre-Application Meeting</i></b>                                     |   |
| 08/21/06  | A pre-application meeting with the applicant was held and the following items were discussed. The applicant was given a variety of options regarding zoning possibilities for the site. Residential Planned Development open space requirements were discussed and the applicant was instructed that a Waiver of distance separation would be required. The applicant was then informed of the additional submittal requirements for the appropriate applications needed to develop the site. |

**BACKGROUND INFORMATION**

| <b>Neighborhood Meeting</b> |  |
|-----------------------------|--|
| 09/25/06                    | A neighborhood meeting was held at 6:00 pm at the Lied Community School, 5340 West Tropical Parkway. Eleven citizens attended the meeting. The attendees were concerned about the 2-story height, traffic issues on Azure Drive and Torrey Pines Drive and the perimeter wall height being the same as surrounding properties. They preferred rural streetlight standards and lot sizes. |

| <b>Details of Application Request</b> |      |
|---------------------------------------|------|
| <b>Site Area</b>                      |      |
| Gross Acres                           | 7.02 |
| Net Acres                             | 6.08 |

| Surrounding Property | Existing Land Use         | Planned Land Use                      | Existing Zoning  |
|----------------------|---------------------------|---------------------------------------|--|
| Subject Property     | Vacant                    | DR (Desert Rural Density Residential) | R-E (Residence Estates)                                  |
| North                | Single Family Residential | DR (Desert Rural Density Residential) | R-E (Residence Estates)                                  |
| South                | Single Family Residential | DR (Desert Rural Density Residential) | R-E (Residence Estates)                                  |
| East                 | Single Family Residential | DR (Desert Rural Density Residential) | R-PD3 (Residential Planned Development 3 Units Per Acre) |
| West                 | Vacant                    | DR (Desert Rural Density Residential) | R-E (Residence Estates)                                  |

| <b>Special Districts/Zones</b>                    | <b>Yes</b> | <b>No</b> | <b>Compliance</b> |
|---|------------|-----------|-------------------|
| <b>Special Area Plan</b>                          |            | <b>X</b>  | <b>Y</b>          |
| <b>Special Purpose and Overlay Districts</b>      |            | <b>X</b>  | <b>Y</b>          |
| <b>Trails</b>                                     |            | <b>X</b>  | <b>Y</b>          |
| <b>Rural Preservation Overlay District</b>        | <b>X</b>   |           | <b>Y</b>          |
| <b>Development Impact Notification Assessment</b> |            | <b>X</b>  | <b>Y</b>          |
| <b>Project of Regional Significance</b>           |            | <b>X</b>  | <b>Y</b>          |

**DEVELOPMENT STANDARDS**

| <b>Standard</b>      | <b>Provided</b> | <b>Compliance</b> |
|----------------------|-----------------|-------------------|
| Minimum Lot Size     | 7,647 SF        | Y                 |
| Setbacks             |                 |                   |
| • Front              | 20 Feet         | Y                 |
| • Side               | 5 Feet          |                   |
| • Corner             | 15 Feet         |                   |
| • Rear               | 20 Feet         |                   |
| Max. Building Height | 30 Feet         | Y                 |

| <i>Existing Zoning</i>  | <i>Permitted Density</i>              | <i>Proposed Zoning</i>                                   | <i>Permitted Density</i>              | <i>General Plan</i>           | <i>Permitted Density</i>          |
|-------------------------|---------------------------------------|--|---------------------------------------|-------------------------------|-----------------------------------|
| R-E (Residence Estates) | 2.18 du/ac for a total of 15.30 units | R-PD3 (Residential Planned Development 3 Units Per Acre) | 3.59 du/ac for a total of 25.20 units | R (Rural Density Residential) | 3.59 du/ac a total of 25.20 units |

| <i>Landscaping and Open Space Standards</i> |                       |              |                 |                   |
|---|-----------------------|--------------|-----------------|-------------------|
| <i>Standards</i>                            | <i>Required</i>       |              | <i>Provided</i> | <i>Compliance</i> |
|   | <i>Ratio</i>          | <i>Trees</i> |                 |                   |
| Buffer:<br>Min. Trees                       | 1 Tree/20 Linear Feet | 46 Trees     | 46 Trees        | Y                 |
| <b>TOTAL</b>                                |                       | 46 Trees     | 46 Trees        | Y                 |
| Min. Zone Width                             |                       | 6 Feet       | 6 Feet          | Y                 |
| Wall Height                                 |                       | 6 Feet       | 6 Feet          | Y                 |

| <i>Open Space R-PD only</i> |                |                 |                |             |                 |             |                   |
|-----------------------------|----------------|-----------------|----------------|-------------|-----------------|-------------|-------------------|
| <i>Total Acreage</i>        | <i>Density</i> | <i>Required</i> |                |             | <i>Provided</i> |             | <i>Compliance</i> |
|                             |                | <i>Ratio</i>    | <i>Percent</i> | <i>Area</i> | <i>Percent</i>  | <i>Area</i> |                   |
| 7.02                        | 2.99           | 1.65            | 4.93           | 15,086      | 4.99            | 15,260      | Y                 |

**ANALYSIS**

The subject proposal changes the zoning on the subject site from R-E (Residence Estates) to R-PD3 (Residential Planned Development 3 Units Per Acre). The surrounding properties are zoned R-E (Residence Estates) and R-PD3 (Residential Planned Development 3 Units Per Acre). The site is also within the 330-foot buffer area of the Rural Preservation Overlay District. Within these buffer areas, residential development density is limited to three units per acre, unless good cause is shown. The density of the proposal is 2.99 units per acre; therefore, this proposal will be consistent with the surrounding land uses and zoning districts.

In addition, the applicant is requesting a Waiver to Title 18.12.160 to allow approximately 173 feet between street intersections where 220 feet is the minimum distance separation required. The Public Works Department has no objection to the request.

**FINDINGS**

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

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

The applicant is requesting in a related application an Amendment to the General Plan (GPA -16538) to R (Rural Density Residential). The Rural Density Residential Category is a rural or semi-rural environment with a lifestyle much like that of the DR (Desert Rural Density Residential). The category allows up to 3.59 units per acre. The subject proposal is consistent with the Rezoning request to R-PD3 (Residential Planned Development 3 Units Per Acre).

**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.**

The surrounding land uses are DR (Desert Rural Residential). The surrounding zoning is R-PD3 (Residential Planned Development 3 Units Per Acre) and R-E (Residence Estates).

The site is also within the 330-foot buffer area of the Rural Preservation Overlay District. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown. The density of the proposal is 2.99 units per acre; therefore, this proposal will be consistent with the surrounding land uses and zoning districts.

**3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

As the majority of surrounding properties have been zoned to allow for low-density residential development, there is a clear indication that this rezoning is appropriate and compatible with the surrounding area.

**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.**

The site is served by Torrey Pines Drive, a Secondary Collector 80-feet in width. The addition of twenty-one residential lots will not negatively affect this thoroughfares ability to handle traffic flow.

**PLANNING COMMISSION ACTION**

Note: Condition #1 will be changed to delete the reference to the Waiver.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 9

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 186 by Planning Department

**APPROVALS** 0

**PROTESTS** 0