



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-17664 - APPLICANT/OWNER: D.R. HORTON, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The Temporary Real Estate Sales Office with an Unpaved Lot shall be removed within one year.
2. Conformance to all conditions of approval of Special Use Permit (SUP-9447) and all other subsequent related actions as required by the Planning and Development Department and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/06/91	The City Council approved a Rezoning (Z-0072-90) application for the Reclassification of Property to R-PD3 (Residential Planned Development 3 Units Per Acre), R-PD6 (Residential Planned Development 6 Units Per Acre), R-PD12 (Residential Planned Development 12 Units Per Acre), and C-1 (Limited Commercial). The Planning Commission recommended denial, but staff recommended approval.
01/13/94	The City Council approved a Rezoning (Z-0132-93) application for the Reclassification of Property located on the east side of Rancho Drive, between Ackerman Avenue and Iron Mountain Road, from C-2 (General Commercial) and R-E (Residence Estates), to R-PD3 (Residential Planned Development 3 Units per Acre), RPD6 (Residential Planned Development 6 Units per Acre), R-PD12 (Residential Planned Development 12 Units per Acre) and C-1 (Limited Commercial). The Planning Commission and staff both recommended approval.
11/04/04	The Planning Commission approved a request for a Tentative Map (TMP-4921) for a 100-lot single-family residential subdivision on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road. Staff recommended approval of the request.
09/01/05	The City Council approved a General Plan Amendment (GPA-4634) to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from SC (Service Commercial) to ML (Medium Low Density Residential); a Site Development Plan Review (SDR-4641) for a 100 lot residential development; a Variance (VAR-4642) to allow zero open space where 1.65 acres are required for a single family development; and a Rezoning (ZON-4640) from R-E (Residence Estates) and C-2 (General Commercial) to R-PD6 (Residential Planned Development - 6 Units per Acre). The Planning Commission and staff recommended approval of the above-mentioned cases.
09/21/05	The City Council approved a Review of Condition (ROC-8754) of Condition Number 6 of an approved Site Development Plan Review (SDR-4641) to allow a three-foot side yard setback where five feet was the minimum approved in conjunction with a 77-lot single-family residential development. Staff recommended approval of the request.
12/07/05	The City Council approved a Special Use Permit (SUP-9447) for a Temporary Real Estate Sales Office with an Unpaved Parking Lot and a Variance (VAR-9728) to allow zero parking spaces where five are required for a Temporary Real Estate Sales Office adjacent to the southwest corner of Horse Drive and Fort Apache Road. The Planning Commission and staff recommended denial on 11/03/05.

<i>Related Building Permits/Business Licenses</i>	
	There are no building permits or business licenses as they relate to the temporary unpaved parking lot.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.55

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Dwellings	ML (Medium Low Density Residential)	R-PD6 (Residential Planned Development 6 Units per Acre)
North	Undeveloped/City Park	SC (Service Commercial)	C-2 (General Commercial) under Resolution of Intent to C-1 (Limited Commercial)/R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
South	Right-Of-Way (US-95)	Right-Of-Way (US-95)	Right-Of-Way (US-95)
East	Single Family Dwellings	SC (Service Commercial)	R-PD12 (Residential Planned Development 12 Units per Acre)
West	Right-Of-Way (US-95)	Right-Of-Way (US-95)	Right-Of-Way (US-95)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
Spring Mountain Ranch	X		X
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

PROJECT DESCRIPTION

This is a Required One Year Review of an approved Special Use Permit (SUP-9447), which allowed a Temporary Real Estate Sales Office with an Unpaved Lot adjacent to the southwest corner of Horse Drive and Fort Apache Road.

ANALYSIS

This is the first Required Review on the subject site. The original Special Use Permit (SUP-9447) was approved by the City Council on 12/07/05. Condition of approval number one (1) required the use to be reviewed in one year. The parent Special Use Permit was previously recommended for denial by staff. Since the adoption of Ordinance 5859, the existing chat parking lot now complies with Title 19 requirements. A parking area is defined by Title 19.20 as a paved area, other than a public right-of-way, used for the parking of automobiles. A condition of approval has been added, which requires the removal of the Temporary Sales Trailer and the unpaved lot within one year. The applicant has agreed to this time frame, which will allow enough time for the project to be completely developed. Therefore, staff recommends approval of the subject Required Review.

Previous Conditions of Approval from Special Use Permit (SUP-9447)

1. The Special Use Permit shall be reviewed in one (1) year.
2. Conformance to all Minimum Requirements under Title 19.04.050 for a Temporary Real Estate Sales Office use.
3. Approval of and conformance to the Conditions of Approval for Variance (VAR-9728).
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. All temporary improvements associated with this site shall be removed at the time of termination of the temporary use.
7. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public works prior to the issuance of any construction drawings or any permits, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
8. Site development to comply with all applicable conditions of approval for ZON-4640 and all other applicable site-related actions.

FINDINGS

The unpaved parking lot is now consistent with Title 19 requirements due to the adoption of Ordinance 5859. This Ordinance allows certain types of surfaces in lieu of paving in parking areas used for temporary real estate offices. Therefore, staff can support the subject Required Review and recommends approval with no further reviews.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 298

APPROVALS 0

PROTESTS 0