

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: EOT-17696 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC**

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

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. This Extension of Time will expire on December 15, 2007 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Rezoning (ZON-5174) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

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

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
12/15/04	The City Council approved a General Plan Amendment (GPA-5172) to Amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from RE (Rural Estates) to R (Rural Density Residential) on approximately 6.7 acres; Rezoning (ZON-5174) from U (Undeveloped) Zone [R (Rural Density Residential) and RE (Rural Estates) General Plan Designation] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 10.65 acres; and a Site Development Plan Review (SDR-5175) for a 32 lot residential subdivision on 10.65 acres. The Planning Commission recommended approval, but staff recommended denial on 11/18/04.
04/14/05	The Planning Commission approved a Tentative Map (TMP-6213) for a 32 lot single family residential subdivision on 10.65 acres. Staff recommended approval of the request.
12/07/06	The Planning Commission will consider a Rezoning (ZON-17697) and a Site Development Plan Review (SDR-17698) for a proposed 32 lot residential subdivision on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street. Staff is recommending denial of the subject cases.
<b><i>Related Building Permits/Business Licenses</i></b>	
08/31/06	Civil Improvement Plans (CIVIL-16430) were submitted on the indicated date, but will need to be resubmitted since a new Site Development Plan Review (SDR-17698) has been submitted.
09/14/06	A Final Map (FMP-16839) was submitted on the indicated date, but will need to be resubmitted since a new Site Development Plan Review (SDR-17698) has been submitted.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	10.65

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	R (Rural Density Residential)	U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development - 3 Units per Acre)

North	Single Family Dwellings	RNP (Rural Neighborhood Preservation) (Clark County)	Clark County
South	Undeveloped/Single Family Dwellings	R (Rural)/ L (Low Density Residential)	R-E (Residence Estates)/ R-E (Residence Estates) under Resolution of Intent to R-PD3 (Residential Planned Development 3 Units per Acre)/R-1 (Single Family Residential)
East	Single Family Dwellings	R (Rural Density Residential)/ RNP (Rural Neighborhood Preservation) (Clark County)	Clark County
West	Single Family Dwellings	R (Rural Density Residential)/ RNP (Rural Neighborhood Preservation) (Clark County)	Clark County

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

**PROJECT DESCRIPTION**

This is a request for an Extension of Time of an approved Rezoning (ZON-5174) from U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road.

## **ANALYSIS**

This is the first request for an Extension of Time for the subject Rezoning (ZON-5174), which was approved by the City Council on 12/15/04. The applicant has submitted a new Site Development Plan Review (SDR-17698), which will be heard by the Planning Commission on 12/07/06. The applicant has also submitted a new Rezoning (ZON-17697), which will also be heard by the Planning Commission on 12/07/06. A condition of approval has been added to the Rezoning (ZON-17697) and the Site Development Plan Review (SDR-17698), which will expunge Rezoning (ZON-5174) and Site Development Plan Review (SDR-5175), if approved. Staff has recommended denial of both the Site Development Plan Review and Rezoning applications. The applicant does not intend to change the current zoning designation on the subject property. The applicant has submitted the subject Extension of Time for the Rezoning (ZON-5174) as a precautionary measure if the new Rezoning (ZON-17697) is not approved. A rezoning is exercised by the recordation of a final map or by the commencement of actual construction. The Extension of Time can be supported as conditioned.

### **Previous Condition of Approval from Rezoning (ZON-5174)**

1. A General Plan Amendment (GPA-5172) to an R (Rural Density Residential) land use designation approved by the City Council.
2. A Site Development Plan Review (SDR-5175) and Title 18 Waiver (WVR-5331) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. A Resolution of Intent with a two-year time limit.
4. Dedicate 30 feet of right-of-way adjacent to this site for Mustang Road, where such does not exist, 30 feet for the south side of El Campo Grande Avenue and a 15-foot radius on the southwest corner of El Campo Grande Avenue and Mustang Road prior to the issuance of any permits.
5. Construct half-street improvements, including appropriate transitional paving, on Mustang Road, but deferring sidewalk improvements from the proposed entry drive northward to El Campo Grande Avenue; and construct rural improvements on El Campo Grande Avenue, adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total street width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of El Campo Grande Avenue; and 30-inch rolled curb on the development side of the street. On El Campo Grande Avenue, the exterior streetlighting will be stubbed out for later use but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Mustang Road and El Campo Grande Avenue. 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 boundaries of this site prior

to construction of hard surfacing (asphalt or concrete). 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.

6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
7. Extend public sewer in Mustang Road to the northern edge of this site at a depth and location 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. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
8. 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 drainage ways 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.

## **FINDINGS**

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. The Extension of Time will allow enough time for the applicant to obtain approvals for the revised Site Development Plan and Rezoning which were recently submitted. A condition of approval has been added which recommends that the extension be allowed for one year or until such time as another Extension of Time application is approved.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

N/A

**ASSEMBLY DISTRICT**      N/A

**SENATE DISTRICT**      N/A

**NOTICES MAILED**            N/A

**APPROVALS**                    0

**PROTESTS**                      0