

CURRAN & PARRY
ATTORNEYS AT LAW

300 SOUTH FOURTH STREET
SUITE 1201
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN
STANLEY W. PARRY
SUSAN L. JOHNSON
JOSHUA H. REISMAN
MAREN PARRY

TELEPHONE
(702) 471-7000

FACSIMILE
(702) 471-7070

E-MAIL
curranparry@curranparry.com

March 14, 2006

Doug Rankin
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER
731 South 4th Street
Las Vegas, NV 89101

**RE: Caballos de Oro Estates/N. Side of Buckskin, 340' W. Of Cliff Shadows
APN 137-12-301-009**

Dear Mr. Rankin:

Caballos de Oro Estates, LLC, is seeking to construct thirty Townhomes within a loft-style, gated community on five acres of property located on the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows. The project is designed to complement the scenic backdrop provided by the hillside, and act as an architectural transition to the existing commercial and residential development to the east, and the civic district to the south. In order to develop a project which fits the area, the applicant respectfully requests that the Planning Commission and City Council consider and approve the deviations from the current code which are necessary to accomplish the proposed design in this unique area. Specifically, this includes a change in the property's current zoning from U(PCD) to PD (ZON 11031), a Major Modification (MOD 11027) and Site Development Plan Review (SDR 11034) to allow for the construction of attached residential units with 3-story elements, a Variance (VAR 11030) to allow the structures to exceed the 35-foot maximum allowed within the zone, a Vacation of government Patent Easement, and a Waiver of Title 18 to allow 24-foot streets where 37 feet are required.

The applicant requests that the zoning of the property be changed from U(PCD) to PD, and for a Major Modification to the Master Development Plan and Development standards to allow the construction of 3-story, attached, residential structures. The current U, or Undeveloped, Designation is designed to serve as a temporary zoning classification to be used until the property is ready for development into a more intense, and permanent use. The applicant's request that the property be rezoned to PD is a conforming classification within the property's PCD General Plan designation, and is the natural request for this area. The purpose of the Planned Development District is to permit and encourage comprehensively planned developments that will assist the City in achieving its development goals. Specifically in line with these goals, the proposed project provides for a creative, yet orderly, arrangement of land uses that are harmonious and beneficial to the community. The property's U designation is to prevent the haphazard and premature

WVR-12368

04/27/06 PC

Doug Rankin
Re: Caballos de Oro
March 14, 2006
Page 2

redevelopment of the property, and a change of this designation at this time to PD fulfills that purpose by encouraging comprehensively planned developments like the proposed project.

The land adjacent to the southern half of the property was recently rezoned from U(PCD) to PD, and a large portion of the property to the east of the proposed project has already been developed residentially under PD standards. The very nature of the U designation contemplates a change to a zoning classification which conforms to the General Plan, at a time when development is appropriate for the area. As development has essentially reached the borders of the property, the requested change promotes appropriate growth in a manner that allows the City to ensure that the project furthers its vision for the area. The property upon which the proposed project is located is at the base of a hill, and has an upward-sloping elevation. The use of attached units will allow for a more cohesive blend into the hillside, rather than dotted units separated by wasted space, and provide a less invasive disruption of the natural terrain. The 3-story element will complement the site's natural verticality and allow the development to blend into the varying elevations present in the hillside. As a residential development, the project is compatible with the nearby PD residences, yet is sympathetic and coordinated in its architectural style and construction materials with the hillside upon which it sits.

The Las Vegas community continues to grow at a rapid rate, necessitating development of land that in the past might have been overlooked because of slope or other natural impediments to traditional development; coping with these problems increases the cost of development significantly. The increasing cost of land and development have made higher-density residential developments a necessity. While the area is not completely built out, the necessary commercial support is, or will be available, prior to the completion of the project. In areas where infrastructure is currently in the development stages, it is essential to take advantage of available developable area, rather than in new areas where development will be established without the necessary support structure. The overall design for the project provides an attractive alternative to traditional detached residential development, and provides a unique buffer between the hillside and the nearby residential property. Further, in the event that nearby public land is eventually released for sale to the public, the proposed project will provide a pleasing buffer and precedent for growth.

The project is consistent with the intent of the General Plan, and only varies from the requirements of the Code in aspects where conformance would be detrimental to the appropriateness and attractiveness of the project in light of its unique placement and topography. In order to respect the character of the hillside, the applicant is requesting a variance to allow construction which exceeds the 35-foot maximum height established by the development code. For safety purposes, the Fire Marshall has requested that the height of certain structures be increased to allow for better access to the property by fire and emergency vehicles. While development may have been possible within the 35-foot standard prior to this request, to protect the welfare of the residents of the development, an extension of this height, and thus a Variance, is absolutely

WVR-12368
04/27/06 PC

Doug Rankin
Re: Caballos de Oro
March 14, 2006
Page 3

necessary for the protection of the welfare of the residents. The exceptional topographic conditions and drainage concerns which are attendant to hillside development give a peculiar result and make for exceptional practical difficulties if the zoning code is given strict adherence on this property. The intent of the height ordinance is to prevent looming structures which overshadow nearby residences, and which are detrimental to the overall aesthetics of the neighborhood. In this case, development *with* the Variance better satisfies the intent of the code by promoting safety, reducing the impairment of the natural hillside, and by providing a structure which better blends with the hillside view of the neighbors. There is no negative impact on any neighboring property, and the project adds to the beauty and diversity of the area.

The subject property is ideally located near the Cheyenne ramp of the Las Vegas Beltway, providing excellent access to all areas of Valley by way of the interstate, or access to major surface streets. The project's design provides for a circulation pattern which draws cars away from the exterior of the project and neighboring developments, and into an interior parking system. This system decreases the road width necessary to support the project, and allows the project to utilize more of the buildable area for the residences themselves, rather than for road, thus supporting a Waiver of Title 18 to allow 24-foot roads where 37 feet is required.

The applicant has met with the Planning Department regarding an ordinance which is now being prepared, and which will, once adopted, provide for standards which specifically relate to hillside development, and take into consideration the difficulties which are attendant to projects such as these. Although not yet adopted, the applicant has designed this development taking into account the intent and spirit of these proposals.

The applicant and property owner, Caballos de Oro Estates, LLC, looks forward to providing a unique and beautiful product which will enhance the overall quality of the surrounding area, and respectfully requests approval of its applications for Rezoning, Major Modification, Variance to increase height, Vacation, Waiver of Title 18 standards, and Site Development Plan Review. Should you have any questions or concerns about this project, please feel free to contact my office for more information.

Sincerely,

CURRAN & PARRY


Maren Parry

MP/wmj

WVR-12368
04/27/06 PC