

## AGENDA MEMO

**CITY COUNCIL MEETING DATE:       JANUARY 3, 2007**  
**DEPARTMENT:       PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SDR-17698 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES**

---

### **\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend DENIAL.

#### **Planning and Development**

1. Conformance to the conditions for Rezoning (ZON-17697), if approved.
2. Rezoning (ZON-5174) and companion Site Development Review (SDR-5175) applications are hereby expunged.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the landscape plan, building elevations, and floor plans date stamped 10/23/06, and the site plan date stamped 11/13/06, except as amended by conditions herein.
5. The standards for this development shall include a Minimum lot size of 7,283 square feet and Building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, nine feet on the side, nine feet on the corner side, and 20 feet in the rear. The setbacks for the casitas shall be a minimum six feet to main structure, five feet to side property line, and three feet to the rear property line.
7. Lots 8, 9, 30, and 31 as shown on the submitted site plan dated 11/13/06 will have front setbacks of 19 feet.
8. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a tentative map, to reflect five-foot wide sidewalks connecting all lots with the three common lots.

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
12. Air conditioning units shall not be mounted on rooftops.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

16. Copper Harbor Court shall not be gated.
17. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
18. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
19. A Homeowners Association shall be established to maintain all, private roadways, landscaping and common areas created with this development. All private improvements and landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON17697, WVR-5331 and all other applicable siterelated actions.
21. 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, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. 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.

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

**PROJECT DESCRIPTION**

This application is a request for a Site Development Plan Review for a 32-lot residential development on 10.30 acres adjacent to the northeast and northwest corners of Ann Road and Mustang Road. The development is located on two, separate parcels at the northeast and northwest corners of Ann Road and Mustang Road. Lots 1 through 28 will be accessed via a drive from Mustang Road, and lots 29 through 32 will receive access via a drive from Ann Road. Internal circulation is provided by 37-foot wide private streets. The plans depict a six-foot landscape buffer provided along El Campo Grande Avenue and Mustang Road, and a 15-foot landscape buffer along Ann Road. Three common lots providing a total of 23,000 square feet of open space are located in the western portion of the development with no open space accommodations shown on the eastern portion. The applicant proposes one and two-story detached, single-family residential dwellings.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |   |
|---|---|
| 10/20/04  | The City Council approved Annexation (ANX-4957) for the subject site, generally located on the north side of Ann Road, east and west of Mustang Road. Staff and the Planning Commission recommended approval on September 3, 2004.    |
| 10/21/04  | The Planning Commission approved a related General Plan Amendment (GPA-5172), Title 18 Waiver (WVR-5331), and Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres.. Staff recommended denial. |
| 12/15/04  | The City Council approved General Plan Amendment (GPA-5172), Title 18 Waiver (WVR-5331); Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres.   |
| 12/07/06  | The Planning Commission recommended denial of companion item ZON-17697 concurrently with this application.<br><br>The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #13/mh).                                      |
| <b><i>Related Building Permits/Business Licenses</i></b>                  |   |
| NA  | NA  |
| <b><i>Pre-Application Meeting</i></b>                                     |   |
| 10/23/06  | A pre-application conference was held with staff to discuss the requirements to have a Rezoning and Site Development Plan Review resubmitted for a R-PD3 on 10.3 acres.   |
| <b><i>Neighborhood Meeting</i></b>  |   |

|    |   |
|----|---|
| NA | A neighborhood meeting was not required nor was there one held. |
|----|---|

| <b>Details of Application Request</b> |      |
|---------------------------------------|------|
| <b>Site Area</b>                      |      |
| Gross Acres                           | 10.3 |
| Net Acres                             | 9.73 |

| <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)                     | R-PD3  |
| North                       | Single Family Residential | RNP (Rural Residential)                           | R-E (Rural Estates Residential Clark County Designation) |
| South                       | Undeveloped               |   | R-E  |
| East                        | Single Family Residential | RNP (Rural Residential)                           | R-E (Rural Estates Residential Clark County Designation) |
| West                        | Single Family Residential | RNP (Rural Neighborhood Preservation Residential) | R-E (Rural Estates Residential Clark County Designation) |

| <b>Special Districts/Zones</b>                    | <b>Yes</b> | <b>No</b> | <b>Compliance</b> |
|---|------------|-----------|-------------------|
| <b>Special Area Plan</b>                          |            | X         |                   |
| <b>Special Districts/Zones</b>                    | <b>Yes</b> | <b>No</b> | <b>Compliance</b> |
| <b>Special Purpose and Overlay Districts</b>      |            |           |                   |
| R-PD Residential Planned Development District     | X          |           | N*                |
| <b>Trails</b>                                     |            | X         | NA                |
| <b>Rural Preservation Overlay District</b>        |            | X         | NA                |
| <b>Development Impact Notification Assessment</b> |            | X         | NA                |
| <b>Project of Regional Significance</b>           |            | X         | NA                |

\*The proposed R-PD3 development does not meet Title 19.06 requirements for 5-foot wide sidewalks connecting common open space.

**DEVELOPMENT STANDARDS**

*Pursuant to Title 19.06, the development standards shall be established upon the approval of the Rezoning and Site Development Plan Review for each Planned Development District.*

| <b>Standard</b>      | <b>Required/Allowed</b> | <b>Provided</b> | <b>Compliance</b> |
|----------------------|-------------------------|-----------------|-------------------|
| Min. Lot Size        | NA                      |                 | N/A               |
| Min. Lot Width       | NA                      | 7,283 sq ft     | N/A               |
| Min. Setbacks        |                         |                 |                   |
| • Front              | 20 feet                 | 20 feet         | Y                 |
| • Side               | 9 feet                  | 9 feet          | Y                 |
| • Corner             | 9 feet                  | 9 feet          | Y                 |
| • Rear               | 20 feet                 | 20 feet         | Y                 |
| Max. Building Height | 2 stories/ 35 feet      | 2 & 1 stories   | Y                 |

| <b>Existing Zoning</b> | <b>Permitted Density</b> | <b>Units Allowed</b> | <b>Proposed Zoning</b> | <b>Permitted Density</b> | <b>General Plan</b> | <b>Permitted Density</b> |
|------------------------|--------------------------|----------------------|------------------------|--------------------------|---------------------|--------------------------|
| R-PD3                  | 3.59 du/ac               | 36.97                | R-PD3                  | 3.59 du/ac               | R                   | 3.59 du/ac               |

*Please note the applicable code section here (Title 19.12)*

| <b>Landscaping and Open Space Standards</b> |                        |              |                 |                   |
|---|------------------------|--------------|-----------------|-------------------|
| <b>Standards</b>                            | <b>Required</b>        |              | <b>Provided</b> | <b>Compliance</b> |
|   | <b>Ratio</b>           | <b>Trees</b> |                 |                   |
| Buffer:                                     |                        |              |                 |                   |
| • Min. Trees                                | 1 Tree/ 30 Linear Feet | 17 Trees     | 74 Trees        | Y                 |
| • Min. Zone Width                           | 6 Feet                 | 6 Feet       | 6 & 15 Feet     | Y                 |
| <b>TOTAL</b>                                |                        |              |                 | Y                 |
| Min. Zone Width                             |                        | 6 Feet       | 6 & 15 Feet     | Y                 |
| Wall Height                                 |                        | 6 Feet       | 6 Feet          | Y                 |

| <b>Open Space R-PD only</b> |                |                 |                |              |                 |              |                   |
|-----------------------------|----------------|-----------------|----------------|--------------|-----------------|--------------|-------------------|
| <b>Total Acreage</b>        | <b>Density</b> | <b>Required</b> |                |              | <b>Provided</b> |              | <b>Compliance</b> |
|                             |                | <b>Ratio</b>    | <b>Percent</b> | <b>Area</b>  | <b>Percent</b>  | <b>Area</b>  |                   |
| 10.3 acres                  | 3.1 du/ac      | 1.65            | 5.12%          | 22,949 sq ft | 5.12%           | 23,000 sq ft | Y                 |

***Pursuant to Title 19.10, the following parking standards apply:***

| <b><i>Parking Requirement</i></b>    |   |                             |                       |                            |                        |                            |                          |
|--------------------------------------|---|-----------------------------|-----------------------|----------------------------|------------------------|----------------------------|--------------------------|
| <b><i>Use</i></b>                    | <b><i>Gross Floor Area or Number of Units</i></b> | <b><i>Required</i></b>      |                       |                            | <b><i>Provided</i></b> |                            | <b><i>Compliance</i></b> |
|                                      |   | <b><i>Parking Ratio</i></b> | <b><i>Parking</i></b> |                            | <b><i>Parking</i></b>  |                            |                          |
|                                      |   |                             | <b><i>Regular</i></b> | <b><i>Handi-capped</i></b> | <b><i>Regular</i></b>  | <b><i>Handi-capped</i></b> |                          |
| Single Family Detached               | 32 units  | 2 per unit                  | 64                    |                            | 64                     |                            | Y                        |
| <b>SubTotal</b>                      |   |                             |                       |                            |                        |                            |                          |
| <b>TOTAL</b><br>(including handicap) |   |                             |                       |                            |                        |                            |                          |

## **ANALYSIS**

This Site Development Plan Review, and its companion application for Rezoning (ZON-17697), are re-submittals to the previously approved Rezoning (ZON-5174) and Site Development Plan Review (SDR-5175). The density, layout, and elevations are similar to the previous approval. There are, however, some changes in the open space accommodations. This proposal provides three common lots totaling the required 23,000 square feet of open space whereas the previous project was providing one mini-park. No access to the common lots are provided for the four lots on the separate parcel located to the southeast.

The applicant also mentions the possibility of casitas. As these structures are offered as an optional item and shown as a non-habitable accessory structure, no prior approval is required as they have met the conditional requirements for the non-habitable accessory structure.

## **FINDINGS**

The following findings must be made for an SDR:

1. The proposed development is compatible with adjacent development and development in the area;

2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;
3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4. Building and landscape materials are appropriate for the area and for the City;
5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;
6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

**In regard to 1:**

The proposed zoning for the subject site is R-PD3 (Residential Planned Development - 3 Units Per Acre). The proposed development is not consistent with the surrounding R-E Zoned parcels within both Clark County and the City of Las Vegas.

**In regard to 2:**

The proposed development is not in compliance with Title 19.06 as no accommodations have made to provide the separation of pedestrian and vehicular traffic. Per Title 19.06.040(G)5 there is the following requirement:

"A sidewalk system shall be provided to connect all residential areas to required open space and common recreational facilities. Easy and safe shortcut access to such facilities (or to any adjacent trail system, public park or public recreational facility) should be provided by means of alleyways or pathways that:

- (a) Are cleared and provide for the safe passage of pedestrians or bicycle traffic only, or both;
- (b) Are improved, either with or without paving;
- (c) Have minimum widths as follows:
  - (i) When lined on at least one side with a solid wall of a height not greater than forty-two inches, a minimum width of five feet;
  - (ii) In any other case in which the alleyway or pathway does not exceed one hundred sixty feet in length, a minimum width of ten feet; or
  - (iii) In the case of an alleyway or pathway that exceeds one hundred sixty feet in length, a minimum width of ten feet, plus one additional foot in width for each additional eight feet in length beyond one hundred sixty feet."

**In regard to 3:**

The site receives access via Mustang Road, a 60-foot Collector street, and from Ann Road, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. An approved Waiver to Title 18 (WAV-5331) for the reduction of intersection offset requirements was previously approved, and will be utilized for the offset intersection for this development. Site access should not negatively impact adjacent roadways or neighborhood traffic.

**In regard to 4:**

The proposed building and landscape materials are appropriate for the area and the City.

**In regard to 5:**

The proposed structures, as shown in the building elevations, are not unsightly, undesirable, or obnoxious in appearance, and are typical of single-family dwellings in the area.

**In regard to 6:**

The proposed use will be subject to regular City and County inspections and will; therefore, not compromise the public health, safety, and welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13**

**ASSEMBLY DISTRICT 13**

**SENATE DISTRICT 9**

**NOTICES MAILED 252 by Planning Dept**

**APPROVALS 0**

**PROTESTS 1**