

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 20, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-21136 - APPLICANT: JAMES E. STROH, ARCHITECT, INC. - OWNER: DECATUR III, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review (SDR-6332) shall expire on June 1, 2009 unless another Extension of Time is approved.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-6332) and all other subsequent related cases and as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of approved Site Development Plan Review (SDR-6332) which allowed a proposed 124 lot single-family attached residential development on 12.00 acres adjacent to the southeast corner of U.S. 95 and Lone Mountain Road.

This is the first extension of time request for the subject Site Development Plan Review. The applicant is making progress on the project and has submitted a Tentative Map (TMP-21144) that shall be heard pending the results of this extension of time request. It is also noted that another related extension of time (EOT-21137) shall be heard concurrently with this application regarding applications related to this project. Approval of this request is recommended with a two year extension.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/16/05	The City Council approved a Petition to Annex (ANX-5100) property generally located on the east side of U.S. 95, south of Lone Mountain Road (APN 138-03-510-001, 002 and 031), containing approximately 7.02 acres. The effective date of this annexation was 2/25/05. Planning Commission recommended approval on 12/16/04. Staff had recommended approval.
03/02/05	The City Council approved a General Plan Amendment (GPA-5823) to MLA (Medium-Low Attached Density Residential), Rezoning (ZON-5827), and a Site Development Plan Review (SDR-5826) application for a proposed 78-lot single-family attached residential development on 7.8 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road. The Planning Commission recommended denial on 01/27/05. Staff recommended denial.
05/18/05	The City Council approved an Annexation (ANX-6060) application to Petition for the annexing of land generally located on the west side of Balsam Street, 270 feet south of Lone Mountain Road, containing approximately 2.4 acres. The Planning Commission recommended approval on 03/24/05. The effective date of this application was 05/27/05.

06/01/05 *	The City Council approved a General Plan Amendment (GPA-6321) to MLA (Medium-Low Attached Density Residential), a Rezoning (ZON-6327) to R-PD10 (Residential Planned Development - 10 units per acre), and a Site Development Plan Review (SDR6332) application for a proposed 124-lot single-family attached residential development on 12.0 acres adjacent to the southeast corner of U.S. 95 and Lone Mountain Road. This request included the area previously approved through SDR-5826 for a 78-lot subdivision, and incorporated additional lands into the overall design on 3.26 acres at 4705, 4723 and 4743 Balsam Street and on property adjacent to the southeast corner of Lone Mountain Road and Balsam Street. The Planning Commission considered this request on 04/28/05, but failed to reach a super majority on its vote, which is tantamount to a recommendation for denial. Staff had recommended approval.
07/28/05	The Planning Commission approved a request for a Tentative Map (TMP-7217) for a 124-lot single-family attached residential subdivision on 12.0 acres adjacent to the southeast corner of Lone Mountain Road and U.S. Highway 95. Staff recommended approval.
05/24/07	The applicant has submitted for a Tentative Map (TMP-21144) that is pending the results of this Extension of Time request.

Related Building Permits/Business Licenses

There are no permits or licenses related to this request.

Pre-Application Meeting

A pre-application meeting is not required, nor was one held.

Neighborhood Meeting

A neighborhood meeting is not required, nor was one held.

Details of Application Request

Site Area

Gross Acres	12.0
Net Acres	11.06

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Single Family Residential	MLA (Medium Low Attached Density Residential)	U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] Under Resolution of Intent to R-PD10 (Residential Planned Development 10 units per acre) R-E (Residence Estates) under Resolution of Intent to R-PD10 (Residential Planned Development 10 units per acre)

North	Hotel and Casino	GC (General Commercial)	C-2 (General Commercial)
South	Single Family Residential	O (Office) PF-CC (Public Facility Clark County)	Clark County
East	Single Family Residential	O (Office) PR/OS (Parks/Recreation/Open Space)	Clark County
West	US-95	ROW (Right of Way)	US-95

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (175-Foot and 200-Foot)	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The applicant states that the project was held up by threatened and actual litigation. This delay caused the original Tentative Map (TMP-7217) to expire and prevented the submittal of a Final Map. Thus the applicant is seeking the requested extension of time. The applicant states that the issues are nearing resolution and has also submitted for a new Tentative Map (TMP-21144) in an effort to get the project moving forward. Approval of this request is recommended with a two year extension.

Conditions of approval from SDR-6332:

1. A General Plan Amendment (GPA-6321) and Rezoning (ZON-6327) approved by the City Council.
2. Provide a multi-use trail to be constructed along the south right-of-way line of Lone Mountain Road, to meet the requirements of the Master Plan Transportation Trails Element, particularly with the specifications shown in Exhibit 1. Accordingly, a lighted trail with landscaping shall be provided along its entire length. Detailed construction drawings of the trail shall be submitted to and approved by the Planning and Development Department prior to the submittal of any development permits for this site. Additionally, the trail is to be integrated into the Lone Mountain Road overpass to create a seamless flow of the trail path.

3. This Site Development Plan Review date stamped 03/15/05 shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The applicant agrees that the emergency access gates from the project to Balsam and to Red Coach Avenue will only be used for emergency vehicles and will never be used for normal vehicular access.
5. The applicant agrees that the emergency access gate at Red Coach Avenue will be removed from the site plans if approved by the Fire Department.
6. The setbacks for this development shall be a minimum of 5 feet to the front of the house [with 1.5-foot allowable encroachment both architectural/livable (faces open space)], 3.5 feet on the side, 3.5 feet on the corner side, and 6 feet in the rear [with 2.5-foot allowable encroachment both architectural/livable (garage/private drive)].
7. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, depicting the integration of the multi-use trail and its integration into the overpass along the south right-of-way line of Lone Mountain Road; and depict eight-foot perimeter block walls instead of six feet.
8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four fivegallon shrubs for each tree within provided planters.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
11. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
12. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
13. Air conditioning units shall not be mounted on rooftops.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
15. Any property line wall shall be an eight feet tall decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

16. 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.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. All City Code requirements and design standards of all City departments must be satisfied.
19. Submit a Petition of Vacation for the 20-foot alley in both the City and Clark County jurisdictions for all rights-of-way in conflict with the proposed site plan. Orders of Vacation for both the City and County properties shall record concurrently and must be recorded prior to recordation of a Final Map for this site, and the Final Map must show the Recordors numbers of the Vacations.
20. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
21. The 24-foot drive isles shall be labeled as private drives on the Tentative Map and shall be defined as public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowners Association.
22. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All 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.
23. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
24. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5827, ZON6327 and all other applicable site-related actions.
25. 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. We note that this site plan has been designed without knuckles.

FINDINGS

Approval of the original Site Development Plan Review (SDR-6332) was granted on 06/01/05. This request for an extension of time is deemed appropriate given the circumstances currently occurring on the subject property. Approval of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0