



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: AUGUST 1, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ZON-13854 - APPLICANT/OWNER: WILLIAM LYON HOMES**

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

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

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

**APPLICATION REQUEST**

This is a request for a Rezoning from U (Undeveloped) [RNP (Rural Neighborhood Preservation) General Plan Designation] and U (Undeveloped) [RNP (Rural Neighborhood Preservation) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre) to R-PD2 (Residential Planned Development - 2 Units Per Acre) on 24.8 acres at the southwest corner of Horse Drive and Coke Street. This item, along with companion items ZON-13854 and VAR-13853, were tabled at the 09/07/06 Planning Commission meeting at the request of the applicant in anticipation of the city's plans to grade the adjacent property for a proposed stormwater detention facility at Floyd Lamb State Park. The plan is being brought back to the table with no revisions.

The requested rezoning is in conformance with the General Plan. However, the accompanying site plan request provides no open space. For this reason, staff cannot support this request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
01/21/04	The City Council approved a Petition to Annex (ANX-3103) property generally located on the southwest corner of Horse Drive and Coke Street, containing approximately 4.8 acres. The Planning Commission and staff recommended approval. The effective date was 01/30/04.
01/04/06	The City Council approved a request for a Rezoning (ZON-9926) from U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation) General Plan Designation] to R-PD2 (Residential Planned Development - 2 units per acre) and a Site Development Review (SDR-9927) for an eight-lot single family subdivision on 5.93 acres on the northwest corner of Horse Drive and Coke Street. The Planning Commission and staff recommended denial. These approvals will expire on 01/04/08.
01/12/06	The Planning Commission approved a Tentative Map (TMP-10525) for the proposed eight-lot Horse and Coke Subdivision on 5.93 acres encompassing Assessors Parcel Numbers 125-09-702-001 and 125-09-702-002. Staff recommended approval. No final map based on this tentative map has been recorded on this site. The approval expires 01/12/08.
04/19/06	The City Council approved a Petition to Annex (ANX-11001) property generally located on the southwest corner of Horse Drive and Coke Street, containing approximately 16 acres. The Planning Commission and staff recommended approval. The effective date was 04/28/06.

09/07/06	This and associated items ZON-13854 and VAR-13853 were tabled at the applicants request.
02/07/07	The City Council approved Ordinance No.5891, clarifying and standardizing the provisions governing the expiration and termination of zoning-related applications and approvals. The ordinance specifies, in part, that a public hearing item that is tabled at the request of the applicant shall expire six months after the last announced public hearing date. As the ordinance was adopted after this and related items were tabled, these items are not subject to the six-month expiration.
04/18/07	The City Council approved a Petition of Vacation (VAC-13850) to vacate public rights-of-way generally located west of the intersection of Horse Drive and Coke Street. This vacation has not yet been recorded.
06/28/07	<a href="#">The Planning Commission recommended approval of companion items VAR-18353 and SDR-13852 concurrently with this application.</a>  <a href="#">The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #26/ss).</a>
<b><i>Related Building Permits/Business Licenses</i></b>	
At this time, there are no building permits or business licenses related to the subject site.	
<b><i>Pre-Application Meeting</i></b>	
04/24/06	A pre-application meeting was held detailing the requirements for submittal of an R-PD (Residential Planned Development), which included the following: <ul style="list-style-type: none"> <li>a. Approval of Annexation (ANX-11001)</li> <li>b. A Variance for Open Space will be needed</li> <li>c. Public Works requested rural improvements along Coke Street</li> </ul>
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required as part of this application request, nor was one held.	
<b><i>Field Check</i></b>	
06/05/07 -- The site is undeveloped. Large, single-family lots are located to the north, south and east of the subject site. Property to the north has a rural character with dense landscaped buffers around the perimeter. This area is primarily flat.	
<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	24.8

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	RNP (Rural Neighborhood Preservation)	U (Undeveloped) and U (Undeveloped) under Resolution of Intent to R-PD2 (Residential Planned Development 2 Units Per Acre)
North	Single Family Residential	RNP (Rural Neighborhood Preservation)	Clark County
South	Undeveloped	RNP (Rural Neighborhood Preservation)	Clark County
	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single Family Residential	PCD (Planned Community Development)	R-PD3 (Residential Planned Development 3 Units Per Acre)
West	Floyd Lamb Park undeveloped	PR-OS (Parks/Recreation/Open Space)	R-E (Residence Estates)

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

\* A Multi-use Non-Equestrian Trail is required on the west side of this proposed development (Conough Lane). However, it is wholly within the boundaries of Floyd Lamb State Park and not a part of this proposal.

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.06, development standards for residential planned developments are established by an approved site development plan. The following standards are proposed for this project:*

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	14,581 SF
Min. Lot Width	97 feet
Min. Setbacks <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> <li>• Patio Cover</li> </ul>	18 feet to garage 15 feet to dwelling 5 feet 10 feet 25 feet 14.5 feet to face of overhang 14 feet to face of post
Max. Building Height	20 feet

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
U (Undeveloped)	2.0 du/ac	39 (19.8 acres)
U (Undeveloped) under Resolution of Intent to R-PD2 (Residential Planned Development 2 Units Per Acre)	2.49 du/ac	12 (5 acres)
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-PD2 (Residential Planned Development 2 Units Per Acre)	2.49 du/ac	61
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
RNP (Rural Neighborhood Preservation)	2.0 du/ac	49

*Per Title 19.06, the following open space standards apply to the subject proposal:*

<i>Open Space</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
24.8	1.98 du/ac	0.0165	3.26%	35,293 SF	0%	0 SF	N

## ANALYSIS

The existing General Plan designation of the subject site is RNP (Rural Neighborhood Preservation), which allows a density of up to 2.0 dwelling units per acre. The proposed rezoning to R-PD2 (Residential Planned Development - 2 Units per Acre), at the current density of 1.98 dwelling units per acre, is consistent with the current General Plan designation.

Per Title 19.06, the R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities; efficient utilization of open space; the separation of pedestrian and vehicular traffic; and homogeneity of land use patterns. The proposed development does not provide for any enhanced residential amenities or open space; therefore, staff cannot support this Rezoning request.

## **FINDINGS**

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

**1. The proposal conforms to the General Plan.**

The existing General Plan designation of the subject site is RNP (Rural Neighborhood Preservation), which allows a density of up to 2.0 units per acre. The proposed rezoning to R-PD2 (Residential Planned Development - 2 Units Per Acre), at the current density of 1.98 dwelling units per acre, is consistent with the current General Plan designation.

**2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

The R-PD (Residential Planned Development) District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities; efficient utilization of open space; the separation of pedestrian and vehicular traffic; and homogeneity of land use patterns. This application does not provide for any open space and does not provide for any enhanced residential amenities.

**3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

Although the Rezoning of this site is appropriate for this area of the city, staff cannot support the Rezoning due to the lack of open space.

**4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

Access to the site is from a 53-foot private street that takes access from Coke Street (a 60-foot public right-of-way). Coke Street will be adequate in size to meet the requirements of the proposed zoning district.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 218 by Planning Department

**APPROVALS** 0

**PROTESTS** 2