



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: SEPTEMBER 5, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SDR-22253 - APPLICANT: WAGNER HOMES - OWNER: DAY STAR VENTURES, LLC**

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

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

#### **Planning and Development**

1. Conformance to the conditions for Rezoning (ZON-4623), Site Development Plan Review (SDR-4626) and Waiver (WVR-22255), if approved.
2. 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.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped May 29, 2007, except as amended by conditions herein.
4. A Waiver from 18.12.160 is hereby approved, to allow 210 feet between street intersections where 220 feet is the minimum distance separation required.
5. The standards for this development shall include a Minimum lot size of 5,200 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 18 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, five feet on the side, 10 feet on the corner side, and 15 feet in the rear.
7. 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.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

9. 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.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

15. Install a crash gate at the north end of Aqua Ridge Street.
16. The onsite street shall be labeled as a private street, be designated as a common lot and shall be labeled as a private street, public utility easement (P.U.E.), public sewer easement and public drainage easement to be privately maintained by the Homeowners Association on the Final Map for this site.
17. 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.
18. Landscape and maintain all unimproved rights-of-way, if any, on adjacent to this site.
19. 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.

20. Site development to comply with all applicable conditions of approval for ZON-4623, WVR-22255, and all other applicable site-related 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. Approval of this Site Development Plan does not constitute approval of any deviations.
22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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

**PROJECT DESCRIPTION**

This is a request for a Major Amendment to an approved Site Development Plan Review (SDR-4626) for a 19-lot single-family residential development on 5.35 acres adjacent to the northeast corner of Haley Avenue and Hualapai Way. Originally the primary access to the subdivision was shown and approved per SDR-4626, on Dorrell Lane, located on the north side of the subdivision. A revision of the plan has resulted in the entrance being moved to the south end of the parcel with access on Haley Avenue. Staff is recommending denial of this request.

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i> |  |
|--|--|
| 08/04/2004   | The City Council approved an Annexation (ANX-4451) petition to annex property located on the southeast corner of Hualapai Way and Dorrell Lane, containing approximately 5.0 acres.  |
| 01/19/2005   | The City Council approved a request for a Site Development Plan (SDR-4626) for a 19-lot single-family residential development, a Rezoning (ZON-4623) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development 3 Units Per Acre), and a Variance (VAR-5377) to allow no Open Space where 13,633 square feet is the minimum required. The Planning Commission recommended approval, while staff recommended denial. |
| 01/19/2005   | The City Council approved a request for a Variance (VAR-5377) to allow no open space where 13,633 square feet is the minimum required for a proposed 19 lot single-family development on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane.   |
| 04/06/2005   | The City Council approved a request for a Waiver (WVR-6035) of Title 18.12.160 to allow 209 feet between street intersections where 220 feet is the minimum distance separation required for a single-family residential development on 5.35 acres adjacent to the southeast corner of Dorrell Lane and Hualapai Way.  |
| 06/09/2005   | The Planning Commission approved a request for a Tentative Map (TMP-6601) for a 19 lot single family residential subdivision on 5.36 acres on the southeast corner of Hualapai Way and Dorrell Lane.   |
| 02/02/2007   | The City Council approved a request for an Extension of Time (EOT-18954) of an approved Variance (VAR-5377) that allowed no open space where 13,633 square feet is the minimum required for a proposed 19 lot single-family development on 5.35 acres adjacent to the southwest corner of Hualapai Way and Dorrell Lane.   |

|                                       |  |
|---------------------------------------|--|
| 02/02/2007                            | The City Council approved a request for an Extension of Time (EOT-18955) of an approved Rezoning (ZON-4623) From: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] To: R-PD3 (Residential Planned Development - 3 Units Per Acre) on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane. |
| 02/07/2007                            | The City Council approved a request for an Extension of Time (EOT-18955) of an approved Rezoning (ZON-4623) From: U (UNDEVELOPED) [R (Rural Density Residential) General Plan Designation] To: R-PD3 (Residential Planned Development - 3 Units Per Acre) on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane. |
| 08/09/07                              | The Planning Commission recommended approval of companion item WVR-22255 concurrently with this application.<br><br>The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #24/lhm).  |
| <b><i>Pre-Application Meeting</i></b> |  |
| 5/23/07                               | Change of primary access from Dorrell Lane to Haley Avenue requires an application for a Major Amendment.  |
| <b><i>Neighborhood Meeting</i></b>    |  |
| N/A                                   | A neighborhood meeting is not required, nor was one held.  |
| <b><i>Field Check</i></b>             |  |
| 06/05/2007                            | Undeveloped lot with some fill.  |

|  |            |
|--|------------|
| <b><i>Details of Application Request</i></b> |            |
| <b><i>Site Area</i></b>                      |            |
| Net Acres                                    | 5.35 Acres |

| <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] under a Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre |
| North                       | Tree Lot / Undeveloped   | R (Rural Density Residential)         | Clark County   |
| South                       | Undeveloped              | R (Rural Density Residential)         | Clark County   |
| East                        | Undeveloped              | RNP (Rural Neighborhood Preservation) | Clark County   |

|      |              |  |                          |
|------|--------------|--|--------------------------|
| West | Multi Family | [PCD (Planned Community Development) Land Use Designation]<br>[Medium Density Residential Cliff's Edge Special Land Use Designation] | PD (Planned Development) |
|------|--------------|--|--------------------------|

***General Plan Compliance***

The Centennial Hills Sector Plan designated this site for R (Rural Density Residential) land uses, which allow up to 3.5 Units Per Acre. The RPD3 (Residential Planned Development 3 Units Per Acre) zoning district is permitted under the Rural designation.

| <b><i>SPECIAL DISTRICTS/ZONES</i></b>             | <b>Yes</b> | <b>No</b> |
|---|------------|-----------|
| <b>Special Area Plan</b>                          |            | <b>X</b>  |
| <b>Special Overlay District</b>                   |            | <b>X</b>  |
| <b>Trails</b>                                     |            | <b>X</b>  |
| <b>Study Area</b>                                 |            | <b>X</b>  |
| <b>Rural Preservation Neighborhood</b>            | <b>X</b>   |           |
| <b>County/North Las Vegas/HOA Notification</b>    | <b>X</b>   |           |
| <b>Development Impact Notification Assessment</b> |            | <b>X</b>  |
| <b>Project of Regional Significance</b>           |            | <b>X</b>  |

The project is located within the Rural Preservation Area buffer. It is the intent of the Rural Preservation District to ensure that the rural character of each rural preservation neighborhood is preserved and to provide adequate buffer areas along with an orderly and efficient transition of land uses. Clark County was notified of this request because adjacent properties are within the Clark County jurisdiction area of the Rural Preservation Area.

## DESCRIPTION

This request is for a 19-lot single-family subdivision at a density of 3.55 Units Per Acre. Access is provided to Haley Avenue with internal circulation provided by 37-foot wide private streets. An open space area of 0.19 acres is provided. A six-foot landscape planter is provided along the adjacent public rights-of-way.

## DEVELOPMENT STANDARDS

For R-PD (Residential Planned Development) developments, development standards are determined as part of the Site Development Plan Review.

| Standards      | Required | Provided     | Compliance |
|----------------|----------|--------------|------------|
| Min. Lot Size  | N/A      | 5,616 Sq Ft  | N/A        |
| Min. Lot Width | N/A      | 54 feet      | N/A        |
| Min. Setbacks  | N/A      | 15 to house  | Y          |
| • Front        |          | 20 to garage | Y          |
| • Side         |          | 5 feet       | Y          |
| • Corner       |          | 10 feet      | Y          |
| • Rear         |          | 15 feet      | Y          |

If the request is approved, these are acceptable standards for this type of single family residential project.

## Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

| Standards         | Required              |          | Provided |
|-------------------|-----------------------|----------|----------|
|                   | Ratio                 | Trees    |          |
| Parking Area      | N/A                   | N/A      | N/A      |
| Buffer:           |                       |          |          |
| • Min. Trees      | 1 Tree/30 Linear Feet | 49 Trees | 59 Trees |
| • Min. Zone Width | 6 Feet                |          | 6 Feet   |
| • Wall height     | 6 Feet                |          | 6 Feet   |

The landscape buffer area meets the requirements of the Las Vegas Urban Design Guidelines and Standards.

## ANALYSIS

### •Zoning

The proposed R-PD3 (Residential Planned Development 3 Units Per Acre) zoning designation provides for single-family homes up to 3.59 dwelling Units Per Acre. The adjacent properties to the east are zoned to allow development at two Units Per Acre. The subject parcels are part of a buffer area, which includes the land to the east, north and south.

The proposed lot sizes are not compatible with the adjacent existing and planned land uses and do not provide the buffer or transition needed between the higher density to the west and the established and future large lots to the east, north and south within the adjacent Rural Preservation area. The proposed project will degrade the buffering intended to be between the rural areas and the Cliffs Edge Master Planned Community.

### •Site Plan

The site plan depicts lot sizes ranging in size of 5,200 square feet to 8,706 square feet, fronting on 37-foot wide private streets. Located adjacent to the Rural Preservation area these lots are significantly smaller than what is intended for this area.

Access to the proposed subdivision is shown on Haley Avenue. Due to a lack of development on Haley Avenue, and because it provides access to the Rural Preservation neighborhood to the east, staff finds this street is not appropriate for the entrance to the subdivision. The originally approved access onto Dorrell Avenue would be the appropriate entrance location for the subdivision because of the development which is occurring on either side of the street. Also, the conflict caused by the offset intersection on Haley Avenue and Hualapai Way would no longer be an issue. The Department of Public Works has recommended denial of the Waiver (WVR-22255) for the offset intersection.

Open space is provided in an area along the boundaries of the site, containing approximately 0.19 acres.

### •Landscape Plan

The submitted landscape plan is conceptual only, but meets the requirements of Title 19 and the Las Vegas Urban Design Guidelines and Standards. Final landscape approval will be through the subdivision process.

- Elevations

Elevations depict one and two-story homes with two-car garages of design and materials typical to the valley.

## **FINDINGS**

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

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

The density and lot sizes proposed for this development are not compatible with the adjacent large lots to the east which are protected within the Rural Preservation area, either existing or planned.

**2. The proposed development is consistent with the General Plan, Title 19, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;**

The proposed development is not supported by the Centennial Hills Sector Plan as the proposed lots are substantially smaller than what exists in the Rural Preservation neighborhood.

**3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Access on Haley Avenue will negatively impact the neighborhood traffic patterns, causing traffic to increase on a street that provides access to a Rural Preservation neighborhood. Internal circulation has no negative impact on adjacent properties.

**4. Building and landscape materials are appropriate for the areas and for the City;**

The building and landscape materials proposed are typical of those used in similar developments and are appropriate in this area.

- 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;**

The building elevations and designs are typical of single-family subdivisions and are not undesirable or unsightly in appearance.

- 6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 1

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 35 by Planning Department

**APPROVALS** 0

**PROTESTS** 1