

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: NOVEMBER 7, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: WVR-23813 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC.**

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***THE APPLICANT IS REQUESTING THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE.***

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

The Planning Commission (5-1/sd vote) and staff recommend DENIAL.

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Waiver (WVR-4833) and Site Development Plan Review (SDR-4832) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

**PROJECT DESCRIPTION**

This is a request for a Waiver of the Town Center Development standards to allow existing non-standard streetlights for an approved 70-lot single-family residential development on 12.11 acres at the northwest corner of Cimarron Road and Deer Springs Way. As this request is a self-imposed hardship, staff recommends denial.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
05/17/95	The City Council approved Annexation (A-0004-95) of 12.8 acres of land. The Annexation became effective on 05/29/95.
12/07/98	The City Council approved a Rezoning (Z-0076-98) of 1,468 acres of unimproved land to T-C (Town Center District). Planning Commission and staff recommended approval on 11/05/98.
10/20/04	The City Council approved a request for a Waiver (WVR-4833) and a Site Development Plan Review (SDR-4832) on 11.3 acres adjacent to the northwest corner of Cimarron Road and Deer Springs Way. The request was for a Waiver to Title 18.12.160 to allow approximately 90 feet between street intersections where 220 feet is the minimum distance separation required. The Site Development Plan Review was for a 70-lot single family subdivision on 12.11 acres. The Planning Commission recommended approval, while staff recommended denial on 09/23/04.
09/27/07	The Planning Commission voted 5-1/sd to recommend DENIAL (PC Agenda Item #38/jm).
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting was not held with the applicant.	
<b><i>Field Check</i></b>	
08/23/07	A field check was made on site. The majority of the subdivision lots have been developed while non-standard streetlights per the Town Center Development Standards have been installed and are in use.
<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	12.11

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Single Family Residential	SX-TC (Suburban Mixed Use Town Center)	T-C (Town Center)
North	Undeveloped	SX-TC (Suburban Mixed Use Town Center)	T-C (Town Center)
South	Undeveloped	SX-TC (Suburban Mixed Use Town Center)	T-C (Town Center)
East	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single-Family Compact Lot Residential)
West	US-95	US-95	T-C (Town Center)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>	X		Y
T-C Town Center District	X		Y
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>		X	N/A
<b>Trails</b>	X		Y
<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

**ANALYSIS**

The applicant is requesting a Waiver to allow a non-standard streetlight per the Town Center Development Standards. At the time of applying for a certificate of occupancy, the applicant requested that non-standard streetlights would be installed with the intent that at a later time the non-standard lights would be removed and replaced with standard streetlights per Town Center Development Standards. On 07/10/07, the applicant requested an appeal with Public Works regarding the non-standard streetlight poles constructed within the project. The appeal was denied. As this request is a self-imposed hardship, staff recommends denial.

**FINDINGS**

The objective of Policy B2 of the Town Center Land Use Plan is to implement Town Center street standards to govern the paving, design and use of roads and sidewalks to sustain pedestrian activity within the mixed use areas, where applicable, to connect to the Beltway Trail System and available open space. The applicant has placed in a non-standard light pole that is not consistent with the intent or the objectives of the Town Center Plan. Since no evidence of a unique or extraordinary circumstance has been presented, this request is a self-imposed hardship.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 6

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 590 by Planning Department

**APPROVALS** 0

**PROTESTS** 1