



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-31281 - APPLICANT/OWNER: KAFOURY ARMSTRONG
& CO PROFIT SHARING PLAN AND TRUST, ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-16609), Variance (VAR-19019) and Site Development Plan Review (SDR-16611) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued 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 an Extension of Time for an approved Variance (VAR-19019) to allow zero square feet of open space where 15,137 square feet is required for a proposed 21-unit single-family residential subdivision on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive. Staff has no objection to the request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/04/04	City Council tabled a request for a Site Development Plan Review (SDR-3284) and a Variance (VAR-3360) to allow a 27-foot side yard setback where residential adjacency standards require a minimum setback of 78 feet for a proposed private school, primary on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road.
06/22/06	City Council tabled a request to Amend (GPA-12373) a portion of the Centennial Hills Sector Plan of the Master Plan from DR (Desert Rural Density Residential to L (Low Density Residential); a Rezoning (ZON-12377) from R-E (Residence Estates) to R-1 (Single Family Residential); and a Special Use Permit (SUP-12376) for a private streets in conjunction with a proposed single-family residential development on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive. Staff recommended denial on all requests.
10/19/06	Planning Commission held in abeyance at the request of the applicant a request for a General Plan Amendment (GPA-16538), a Rezoning (ZON-16609), a Site Development Plan Review (SDR-16611), and a Waiver (WVR-16610) to the 11/02/06 Planning Commission meeting.
12/20/06	City Council approved requests for a General Plan Amendment (GPA-16538) from Dr (Desert Rural Density Residential) to R (Rural Density Residential); a Rezoning (ZON-16609) from R-E (Residence Estates) to R-PD3 (Residential Planned Development - 3 Units per Acre) and a Site Development Plan Review (SDR-16611) for a 21-unit single-family residential subdivision. A Waiver (WVR-16610) to Title 18.12.160 to allow approximately 173 feet between street intersections where 220 feet is the minimum distance separation required was withdrawn without prejudice by the applicant. Planning Commission recommended approval of GPA-16538, ZON-16609 and SDR-16611, but recommended denial of WVR-16610. Staff recommended approval on all requests.

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02/22/07	Planning Commission approved a request for a Variance (VAR-19019) to allow zero square feet of open space where 15,137 square feet is required for a proposed 21-unit single-family residential subdivision on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses associated with the subject site.	
<i>Pre-Application Meeting</i>	
A pre-application meeting was neither required nor held for this request.	
<i>Field Check</i>	
10/29/08	A field check was performed by staff. The site was noted as undeveloped and vacant, with a chain link fence partially enclosing the site. The fence has not been permitted.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	7.02 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single-Family Residential	DR (Desert Rural Density Residential)	R-PD3 (Residential Planned Development 3 Units per Acre)
West	Vacant	DR (Desert Rural Density Residential)	R-E (Residence Estates)

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

**The subject site is located within a Rural Preservation Overlay District, as defined by LVMC Title 19.06.150. The intent of the Rural Preservation Overlay District is to:*

- 1. Ensure that the rural character of each rural preservation neighborhood is preserved;*
- 2. Unless a rural preservation neighborhood is located within three hundred thirty feet of an existing or proposed street or highway that is more than ninety-nine feet wide, maintain the rural character of the area developed as a low density residential development;*

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3. Provide adequate buffer areas, adequate screening and an orderly and efficient transition of land uses, excluding raising or keeping animals commercially or non-commercially;
4. Establish a basis for the modification of standards for the development of infrastructure to maintain the rural character of the rural preservation neighborhood.

The subject site is in compliance with the intent of the Rural Preservation Overlay District.

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.040, development standards for R-PD districts are established by the approval of a Site Development Plan Review (SDR-16611):

<i>Standard</i>	<i>Provided</i>
Minimum Lot Size	10,000 SF
Setbacks	
• Front	20 Feet
• Side	5 Feet
• Corner	15 Feet
• Rear	20 Feet
Max. Building Height	30 Feet

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	2.18 du/ac for a total of 15.30 units	R-PD3 (Residential Planned Development 3 Units Per Acre)	3.59 du/ac for a total of 25.20 units	R (Rural Density Residential)	3.59 du/ac a total of 25.20 units

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer: Min. Trees	1 Tree/20 Linear Feet	46 Trees	46 Trees	Y
TOTAL		46 Trees	46 Trees	Y
Min. Zone Width		6 Feet	6 Feet	Y
Wall Height		6 Feet	6 Feet	Y

Open Space R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
7.02	2.99	1.65	4.93	15,086	0	0	Y*

* A Variance (VAR-19019) was approved to allow zero square feet of open space where 15,086 square feet is required.

ANALYSIS

This is the first request for an Extension of Time for the subject Variance (VAR-19019), which was approved by City Council on 02/22/07. The applicant has submitted additional requests for Extensions of Time (EOT-31284 and EOT-31287) for ZON-16609 and SDR-16611, respectively, which will be heard by City Council on 12/20/08. The applicant indicates that the property recently went through foreclosure proceedings, and that they are currently seeking a developer/builder to build out the property per the approved entitlements.

FINDINGS

The subject site remains vacant and undeveloped, and no civil improvement plans have been submitted. There have been no notable changes to the surrounding land uses since the Variance was originally approved, and the applicant has also requested Extensions of Time for the approved Rezoning (ZON-16609) and Site Development Plan Review (SDR-16611). Approval of this request will allow the applicant more time to find a builder/developer to complete the project. Staff has no objection to this request for an Extension of Time.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0