



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 17, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ROC-32322 REVIEW OF CONDITION APPLICANT/OWNER:**  
**CS 4015, LLC**

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

**STAFF RECOMMENDATION: APPROVAL**

**Planning and Development**

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-21992) and all other subsequent related cases and as required by the Planning and Development Department and department of Public Works.

**Public Works**

2. Original Condition #22 of SDR-21992 shall be revised to read as follows: A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

In lieu of compliance with the Traffic Signal Contribution requirements of the Lone Mountain West Master Traffic Impact Analysis, this site shall comply with the Traffic Impact Fees requirements of Las Vegas Municipal Code Title 4.32.



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

**PROJECT DESCRIPTION**

Request for a Review of Condition to amend Condition Number 22 of an approved Site Development Plan Review (SDR-21992), which required a traffic impact analysis prior to the issuance of permits and to allow traffic impact fees to be in accordance with Title 4.32 for an approved 9,663 square-foot commercial shopping center on 2.00 acres adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.

This site is part of a Master Planned community that was originally entitled prior to the adoption of Title 4.32, at a time when the City did not have a specific Traffic Impact Fee procedure in place. Since that time, the City has adopted a formal Traffic Impact Fee procedure. Approval of this Review of Condition will enable this site to develop in compliance with current Traffic Signal Impact Fee requirements. Since both of these methods are legitimate ways of meeting Traffic Signal requirements, Public Works has no objection to this request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
06/14/99	The City Council approved a request for Rezoning (Z-0024-99) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) for a proposed mixed-use development on property located west of the proposed Beltway between Cheyenne Avenue and Lone Mountain Road. The Planning Commission recommended approval on 05/13/99.
11/01/00	The City Council voted to strike from the agenda a request to Amend the Northwest Sector Plan of the General Plan (GPA-0042-99) for properties located on the south side of Lone Mountain between Barden Road and Shaumber Road. The Planning Commission recommended denial on 10/21/99.
11/01/00	The City Council approved a request for Rezoning (Z-0067-99) from U (Undeveloped) to C-1 (Limited Commercial) and R-PD22 (Residential Planned Development- 22 Units per Acre) on property located adjacent to the southeast corner of the Lone Mountain Road and Shaumber Road intersection. The Planning Commission recommended denial on 10/28/99.
09/18/02	The City Council approved a request for a Major Modification to the Lone Mountain West Master development Plan [Z-0024-99(44)] to add approximately five acres to the Plan and to designate the northern half VC (Village Commercial) and the southern half as ML (Medium-Low Density Residential) adjacent to the southwest corner of Lone Mountain Road and Cliff

	Shadows Parkway. The Planning Commission recommended approval on 07/25/02.
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09/18/02	The City Council approved a request for a Site Development Plan Review [Z-0067-99(2)] for a Convenience Store with Gasoline Pumps and a Tavern on approximately two acres adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway. The Planning Commission recommended approval on 08/22/02.
09/18/02	The City Council approved a request for a Special Use Permit (U-0081-02) for the Sale of Packaged Liquor for Off-Premise Consumption in conjunction with a proposed Convenience Store adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway. The Planning Commission recommended approval on 07/25/02.
09/18/02	The City Council approved a request for a Special Use Permit (U-0082-02) for Gasoline Sales in conjunction with a proposed Convenience Store at the southwest corner of Lone Mountain Road and Cliff Shadows Parkway. The Planning Commission recommended approval on 07/25/02.
09/18/02	The City Council approved a request for a Special Use Permit (U-0083-02) for a Tavern adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway. The Planning Commission recommended approval on 07/25/02.
10/06/04	The City Council approved a request for an Extension of Time (EOT-5064) of an approved Special Use Permit (U-0081-02) for the Sale of Packaged Liquor for Off-Premise Consumption in conjunction with a proposed Convenience Store adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.
10/06/04	The City Council approved a request for an Extension of Time (EOT-5066) of an approved Special Use Permit (U-0082-02) for Gasoline Sales in conjunction with a proposed Convenience Store at the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.
10/06/04	The City Council approved a request for an Extension of Time (EOT-5070) of an approved Site Development Plan Review [Z-0067-99(2)] for a proposed Tavern and Convenience Store with Fuel Pumps at the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.
10/06/04	The City Council approved a request for an Extension of Time (EOT-5068) of an approved Special Use Permit (U-0083-02) for a Tavern adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.
09/20/06	The City Council approved a request for an Extension of Time (EOT-15958) of an approved Site Development Plan Review [Z-0067-99(2)] for a proposed Tavern and Convenience Store with Fuel Pumps at the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.
09/20/06	The City Council approved a request for an Extension of Time (EOT-15961) of an approved Special Use Permit (U-0083-02) for a Tavern adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.
09/20/06	The City Council approved a request for an Extension of Time (EOT-15962) of an approved Special Use Permit (U-0082-02) for Gasoline Sales in conjunction with a proposed Convenience Store at the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.

09/20/06	The City Council approved a request for an Extension of Time (EOT-15963) of an approved Special Use Permit (U-0081-02) for the Sale of Packaged Liquor for Off-Premise Consumption in conjunction with a proposed Convenience Store adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.
09/05/07	The City Council approved a request for a Site Development Plan Review (SDR-21992) for a proposed 9,663 square-foot commercial Shopping Center with a 3,500 square-foot Tavern and 3,000 square-foot Convenience Store with waivers of Lone Mountain West landscape standards and waivers to allow zero-foot perimeter landscape buffer on a portion of the north property line where 15 feet is required; a three-foot perimeter landscape buffer on a portion of the east property line where 15 feet is required; a zero-foot perimeter landscape buffer on a portion of the south property line where eight feet is required; and a four-foot perimeter landscape buffer on a portion of the west property line where eight feet is required on 2.0 acres at the southwest corner of Lone Mountain Road and Cliff Shadows Parkway. The Planning Commission recommended denial on 06/28/07.
09/05/07	The City Council approved a request for a Variance (VAR-21993) to allow 123 parking spaces where 134 spaces are required for a proposed 16,663 commercial Shopping Center on 2.0 acres at the southwest corner of Lone Mountain Road and Cliff Shadows Parkway. The Planning Commission recommended denial on 06/28/07.
09/05/07	The City Council approved a request for a Variance (VAR-22100) to allow a 27.2-foot high retail building to be 20 feet from residential property where Residential Adjacency Standards require an 81.6-foot setback on 2.0 acres at the southwest corner of Lone Mountain Road and Cliff Shadows Parkway. The Planning Commission recommended denial on 06/28/07.
04/02/08	The City Council approved a request for a Petition to Vacate (VAC-26442) a 20-foot public drainage easement at 10591 West Lone Mountain Road. The Planning Commission recommended approval on 02/28/08.
04/21/08	The Planning and Development Department approved a request for a Parcel Map Technical Review (PMP-27288) for reversion to acreage of approximately 2.0 acres located at the southwest corner of Lone Mountain Road and Cliff Shadows Parkway. The Mylar was released for recordation on 06/26/08.
10/15/08	The City Council approved a request for an Extension of Time (EOT-29763) of an approved Special Use Permit (U-0083-02) for a Tavern adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.
10/15/08	The City Council approved a request for an Extension of Time (EOT-29764) of an approved Special Use Permit (U-0082-02) for Gasoline Sales in conjunction with a proposed Convenience Store at the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.
10/15/08	The City Council approved a request for an Extension of Time (EOT-29765) of an approved Special Use Permit (U-0081-02) for the Sale of Packaged Liquor for Off-Premise Consumption in conjunction with a proposed Convenience

	Store adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.
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<b>Related Building Permits/Business Licenses</b>	
05/11/05	A building permit (05003074) was issued for retaining/screen walls at Lone Mountain Road and Cliff Shadows Parkway. The work is still in progress.
<b>Pre-Application Meeting</b>	
<b>Neighborhood Meeting</b>	
A neighborhood meeting is not required for this type of application, nor was one held.	

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	2.0

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)[VC (Village Commercial) Lone Mountain West Master Planned Community Land Use designation]
North	Undeveloped	PCD (Planned Community Development)	( Undeveloped)[PCD (Planned Community Development) General Plan Designation]
South	Single Family Residential	PCD (Planned Community Development)	PD (Planned Development)[ML (Medium-Low Density Residential) Lone Mountain West Master Planned Community Land Use designation]
East	Townhomes	MLA (Medium-Low Density Attached Residential)	R-PD12 (Residential Planned Development- 12 Units per Acre)
West	Single Family Residential)	PCD (Planned Community Development)	PD (Planned Development)[ML (Medium-Low Density Residential) Lone Mountain West Master Planned Community Land

			Use designation]
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>	X		Y
Lone Mountain West	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>	X		Y
PD (Planned Development) District	X		Y
<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

**ANALYSIS**

This is a request for a Review of Condition Number 22 of an approved Site Development Plan Review (SDR-21992), which required a traffic impact analysis prior to the issuance of permits and to allow traffic impact fees to be in accordance with Title 4.32 for an approved 9,663 square-foot commercial shopping center on 2.0 acres adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      N/A

**ASSEMBLY DISTRICT**                      N/A

**SENATE DISTRICT**                      N/A

**NOTICES MAILED**                      315

**APPROVALS**                      0

**PROTESTS**                      0