

VORNSAND CONSULTING

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August 10, 2009

RE: Justification Letter - Request for Extension of Time for SDR-22674 and VAR-22675 -
APN 140-29-510-017, 018 - Multi-family complex @ Owens & Nellis

The applicant is requesting an Extension of Time for a previously approved multi-family complex consisting of 32 dwelling units on 1.97 gross acres located on the South side of Owens Avenue approximately 400 feet West of Nellis Boulevard. Construction has not commenced on the project due to the state of existing economic conditions of the apartment market. The owners feel that given additional time, demand for apartments will increase in the future and construction will commence. The approved apartment development remains compatible in this area as the area has not changed since the time of the original approval. There has been no new development in the vicinity since the time of the original approval. The owners respectfully request additional time to commence the project.

The overall density of the project is at 16.2 du/per gross acre. The project consists of four, two-story buildings containing eight, two bedroom, two bath units in each building. Each unit contains a gross floor area of 1,251.3 square feet with 1,129 square feet of actual living space. An accessory structure containing laundry and mail rooms is also proposed. At the rear of the accessory structure is a covered ramada with seating areas and BBQ.

Landscaping is provided along the East, West and South property lines at a depth of 6 feet in accordance to Title 19A.12 standards. A ten foot deep landscape buffer is provided along the Owens Avenue frontage. The landscape buffer provided by this project is far in excess of and superior to other existing multi-family developments in this area. In addition, a decorative CMU landscape wall and wrought iron fence is proposed at the rear of the front landscape area. A total of 62 parking spaces are provided as required by Code consisting of 42 standard spaces, 12 compact spaces and 3 handicapped stalls. Thirty-two of the spaces are covered with carports. A 32 foot wide driveway provides access to the site from Owens Avenue. The buildings are frame and stucco with a sand finish. Color palates are submitted with this application. The overall heights of buildings are 27 feet. The roofs will be concrete tile with a slate profile. The accessory structure is at a height of 15 feet and architecturally similar to and constructed of the same materials as the other buildings.

The applicant is also requesting a Variance to allow a reduction of the residential adjacency setback to 22 feet where 75 feet is required to meet the 3:1 Proximity Slope Standard per Section 19.08.060 of the City Code. The adjacent property to the rear is presently zoned R-E and is vacant. A six foot block wall will be constructed at the rear property line and the 22 foot setback area will be entirely landscaped including 24" box trees along the rear property line. A 75 foot rear setback would require moving the buildings forward on the property and relocating parking along the rear property line. Moving the

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buildings forward would result in placing the residential units closer to Owens Avenue, a 100 foot wide major street. The proposed front setback is 65 feet which results in a more desirable streetscape than placing the buildings at the minimum 20 foot front setback. The existing rear setback for the apartment project adjacent to the West is also at a similar setback.. In the past, an additional 10 feet of right of way was taken for Owens Avenue reducing the available lot depth shown on the original plat of Happy Valley Ranchos. This reduction in lot depth, coupled with the residential adjacency setback, creates a hardship and practical difficulties with creating a viable, well designed project. The property owner to the rear is also in agreement with the reduction of the rear setback..

SINCERELY

A handwritten signature in black ink, appearing to read 'John Vornsand', with a stylized, overlapping loop at the end.

John Vornsand, AICP