



City of Las Vegas

Agenda Item No.: 35.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010**

**DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

SUBJECT: SDR-3911 - MAJOR SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT: RICHMOND AMERICA HOMES - OWNER: RB HILLSIDE, LLC - Request
for a Major Amendment of a previously approved Site Development Plan Review (SDR-8635) TO
ADD ALTERED LOT LAYOUTS AND TO ALLOW AN EIGHT-FOOT GARAGE
SETBACK WHERE SIX FEET OR LESS OR 18 FEET OR GREATER IS REQUIRED at the
southwest corner of Alexander Road and Clark County 215 (APNs 137-12-114-001 thru 077,122
thru 126,158 thru 304,310 thru 371), PD (Planned Development) Zone [ML (Medium Low
Density Residential) Zone Mountain West Special Land Use Designation], Ward 4 (Anthony).
Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)**

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

6

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for SDR-8635
6. Justification Letter
7. Protest/Support Postcards and Support Letter
8. Recordation Notices of Planning Commission Action and Conditions of Approval

Motion made by BYRON GOYNES to Approve subject to conditions and amending Conditions
2 and 9 as read for the record:

2. This approval shall be void two years from the date of final approval, unless a building permit
has been issued for construction. An Extension of Time may be filed for consideration by the
City of Las Vegas.

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9. The developer shall disclose to potential buyers and shall post notice within each garage of all lots shown on the approved Site Plan in which the garage door is less than eighteen feet that parking in the driveway shall not be allowed.

Passed For: 4; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 1
RICHARD TRUESDELL, BYRON GOYNES, STEVEN EVANS, TODD L. MOODY;
(Against-VICKI QUINN, GLENN TROWBRIDGE); (Abstain-None); (Did Not Vote-None);
(Excused-GUY FLANGAS)

NOTE: Initial motion for denial by TROWBRIDGE with TRUESDELL, GOYNES, EVANS and MOODY voting NO and FLANGAS excused.

Minutes:

CHAIR TRUESDELL opened the Public Hearing open.

STEVE GEBEKE, Planning and Development, stated that the proposed garage setback of eight feet would encourage residents to park in the driveway, resulting in the blockage of sidewalks and streets. The approved, six feet or less discourages residents from parking in the driveway and 18 feet or greater can accommodate driveway parking without sidewalk or street obstruction. Staff recommended denial of the request due to concerns regarding the safety of pedestrians and the flow of vehicular traffic without supervision. If this application is denied, the subject lots can only be developed as previously approved.

BRIAN WALSH, Richmond American Homes, 7770 S. Dean Martin Drive, and JEFF BARCY, 97 Round Hill Road, Tiburon, California, were present. MR. WALSH explained that the Hillside Community is formerly an Astoria Homes development. There are about 80 residences and Richmond American Homes has an agreement with the current owner to continue development with their product. They are requesting eight-foot driveways, and he believes there is a hardship, as the lots are on excessively steep streets. If the driveway were 18 feet deep, it would prohibit them to build the product as designed.

MR. BARCY added that the request affects a small number of the lots. Regarding staff's concern about the impact on parking the cars in an 18-foot driveway, MR. BARCY pointed out that sidewalks are only on one side of the streets, and the residents fully support the design. The main concern from residents is seeing the community built out, and the homeowners association is willing to enforce and fine anyone parking in an eight-foot driveway and blocking the sidewalk. The project is contingent upon an approval, and it has the potential to bring employment and revenues to Las Vegas.

TODD FARLOW, Las Vegas resident, stated that the number represented is no small percentage and they do not want to follow the rules. He mentioned a similar project that does not have sidewalks where cars are parked into the streets, creating a safety issue for kids playing outside. This design potentially could create the same situation.

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COMMISSIONER TROWBRIDGE discussed with the applicant the locations of the sidewalks and the distance between the two driveways.

COMMISSIONER GOYNES asked what triggered this application. MR. WALSH replied that Richmond American Homes is going to build its own product. All the approvals on the site plan are specific to Astoria Homes. However, the lots colored in blue on the map shown, will have deeper driveways as there is over 90 feet of vertical drop.

CHAIR TRUESDELL recalled what happened with the previous development and because of the slope, there was a lot of compromise given the slope. These are two-story homes with a bigger base footprint requiring this driveway. He does not necessarily agree with the slope of the drive argument as he was concerned about Richmond American Homes wanting a bigger product than Astoria Homes had planned. This project was intricate when presented and what was previously agreed to look a lot easier with the concept of two-story homes and longer driveways. The potential problem with this plan is that vehicles will be sticking out into the streets. MR. WALSH replied that on those streets that are steep, the six and eight-foot driveway makes a difference on what is allowed in the homeowners association rules. The request is for eight feet on only 80 feet. When Astoria Homes had this problem with another development, they decided to build three-story homes and 10-foot driveways.

COMMISSIONER QUINN noted that moms with baby strollers or the handicap would have a hard time getting to the park with half sidewalks on both sides of the streets. The design is absolutely small for an average family. MR. WALSH responded that the community is already built with the exception of homes approved with eight feet driveways. MR. BARCY added that when they took over this community, they did all the on and off-site work and completed all water facilities that the previous developer did not finish.

CHAIR TRUESDELL pointed out that this is a good example of how a good plan could go from good to bad. He gives credit to the applicant for completing all the improvements.

COMMISSIONER EVANS verified with MR. WALSH that all units have two car garages. There are 291 vacant lots and approximately 80 driveways will be eight feet and the remaining will be the standard. In response to CHAIR TRUESDELL'S query, MR. WALSH responded they are amenable to having a disclosure indicating "no parking" that the homeowner must sign. LUCIEN PAET, Public Works, indicated that Condition 9 addresses that concern.

MR. WALSH asked that Condition 2 be amended, so the approval is not voided after two years, being that it will take longer than five years to complete the 291 lots. MR. GEBEKE read an amendment to Condition 2 to mitigate MR. WALSH'S concern.

COMMISSIONER TROWBRIDGE explained his motion for denial was due to the fact that the smaller homes tend to cause a creation of storage in garages rather than for vehicles. Eighteen feet of the 35-foot wide lot is consumed by the driveway, which leaves only 17 feet for a parking

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of a guest vehicle. Additionally, there will be areas for mailboxes and fire hydrants creating extremely restricted parking accessibility. This puts a greater burden on the homeowners association to enforce the parking violations.

MARCO WHEELER, Director of Planning and Development, expressed concern about Condition 9, which can cause the City be responsible for enforcement. She suggested removing the last sentence in Condition 9 so that the City is not in the position to enforce it. The developer would be required to disclose to potential buyers that a notice in the garages. The enforcement of the parking is separate and upon the homeowners association. MR. WALSH agreed with the amended condition.

CLAIR TRUESDELL declared the Public Hearing closed.