



City of Las Vegas

Agenda Item No.: 53.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 21, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: VAR-3946 - VARIANCE - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: FROM DENIAL 10/14/10 - Request for a Variance TO ALLOW THE GARAGE SETBACK TO BE SEVEN FEET OR LESS WHERE FIVE FEET OR LESS IS REQUIRED; FRONT YARD, SECOND STORY SETBACK OF THREE FEET WHERE EIGHT FEET IS REQUIRED; AND REAR AND SIDE YARD SETBACKS OF 7 FEET WHERE 10 FEET IS REQUIRED ON LOTS 21 AND 103 on 20.9 acres adjacent to the southwest corner of Farm Road and Hualapai Way (APNs Multiple), PD (Planned Development) Zone, Ward 6 (Ross). Staff recommends DENIAL.

C.C.: 11/17/2010

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

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. Justification Letter
6. Protest Postcards

Motion made by TODD L. MOODY to Approve subject to conditions and adding the following condition as read for the record:

A. No more than 28 lots shall be allowed the first story setback; no more than 68 lots shall be allowed the second story setback; and no more than two lots shall be allowed the side and rear setback.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

GUS FLANGAS, VICKI QUINN, GLENN TROWBRIDGE, RICHARD TRUESDELL,
STEVEN EVANS, BYRON GOYNES, TODD L. MOODY; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

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Minutes:

CHAIR TRUESDELL declared the Public Hearing open for Items 53 and 54.

DOUG RANKIN, Planning and Development, described the requested Variance and indicated that staff recommends denial, as there is no compelling justification for a hardship. Staff is also recommending denial of the Review of Condition (ROC), which he described, because Las Vegas Fire and Rescue indicated that sprinklers are required due to the narrow streets.

ATTORNEY BOB GRONAUER, 8345 West Sunset Road, and BRIAN WALSH, Richmond American Homes, appeared representing the applicant. ATTORNEY GRONAUER referred to the overhead and gave some background. About four years ago, construction began on this development of single-family homes. Due to the anemic economy, the developer went bankrupt and the property was foreclosed upon, which left 12 developed lots. Unfortunately, the area has become desolate due to the unfinished, vacant lots. Richmond American Homes is the new developer that would like to finish the subdivision, but the challenge is that Richmond American Homes has to fit its homes on the vacant lots that have already been cut out.

He explained that the seven-foot setback would only apply to approximately 28 lots, as depicted on the lot plan shown on the overhead, because the four floor plans Richmond American Homes offered. He pointed out that all the floor plans include two-car garages.

Regarding the front yard secondary setback of three feet, ATTORNEY GRONAUER showed a second plan with 68 lots highlighted in yellow that will require the Variance and the applicant is willing to accept that as a condition.

The third part of the Variance includes lots 21 and 103, depicted in purple, which do not fit any of the four floor plans, thus they need for the Variance.

With respect to the fire sprinklers under the ROC, ATTORNEY GRONAUER explained that when the project was approved under the former developer, it was approved with the condition of three-foot side yard setbacks. But that condition is no longer necessary, because the home side yard setbacks are five feet. Also, there is no other similar development in the Providence Master Plan. However, highlighted in black on a plan he showed are homes that will still have fire sprinklers, because the lot widths are 33 feet where 35 feet is required.

TODD FARLOW, Las Vegas resident, asked if Richmond American Homes has developed anything similar to what is being proposed so that elevations could be shown.

JUANITA CLARK, Charleston Neighborhood Preservation, said that the membership does not understand how some homes might have sprinklers and some not. CHAIR TRUESDELL explained that any home requiring sprinklers would be built according to Code.

COMMISSIONER TROWBRIDGE further explained that the original idea was that homes on smaller lots on narrow streets would have sprinklers. Now the larger lots will not require sprinklers. The controlling factor is the distance between homes, which is included in the Code.

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COMMISSIONER TROWBRIDGE ascertained with staff that the necessary conditions would be included regarding the various lots that will be affected under the Variance.

COMMISSIONER MOODY asked if the condition prohibiting parking in the driveway will be disclosed, to which ATTORNEY GRONAUER replied that it would be required as part of the CC&R's. The development includes a homeowners association.

COMMISSIONER COYNE commended Richmond American Homes for finishing a development that would otherwise become a blighted area.

COMMISSIONER EVANS asked why Richmond American Homes could not complete the original development. MR. WALSH explained that a more standard product is more desirable and salable. The elevations and color schemes will be similar to the existing homes. He added that new homes are easier to purchase because of the mechanics and competition involved in buying a foreclosed home.

MARGO WHEELER, Director of Planning and Development, grafted an added condition, to which ATTORNEY GRONAUER agreed.

CHAIR TRUESDELL declared the Public Hearing closed on Items 53 and 54.

