

**AGENDA MEMO - PLANNING**

PLANNING COMMISSION MEETING DATE: OCTOBER 11, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
GPA-41958	Staff recommends APPROVAL.	

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The Kyle Canyon Master Plan area consists of approximately 1,712 acres located at the southwest corner of Fort Apache Road and Moccasin Road. The site is undeveloped. When the current development agreement between the city and the developer was approved, the City Council approved the realignment of Sheep Mountain Parkway to a site north and west of the development. Subsequently, the property was foreclosed upon and the new owner was unable to acquire the properties necessary per the development agreement to provide for this alignment. The applicant requests to abandon the existing northern alignment of Sheep Mountain Parkway and return it to its original southern alignment, which will bisect the Kyle Canyon Master Plan area. A modified development agreement between the city and the current owners of the property will be based on the southern alignment of Sheep Mountain Parkway.

In addition, those streets that were added to the Master Plan of Streets and Highways throughout the Kyle Canyon Master Plan area are requested to be removed. New master planned streets will be added in this area once a new development agreement is recorded.

As the existing Sheep Mountain Parkway alignment is not feasible in its present alignment and any new land use plan for the Kyle Canyon Master Plan area will contain modified alignments of current master planned streets, staff recommends approval. If denied, the proposed changes could not be made to the Master Plan of Streets and Highways and the Las Vegas 2020 Master Plan, and the approved Sheep Mountain Parkway and master planned streets would remain in their current alignments.

ISSUES

- An amendment of the Master Plan of Streets and Highways and Map 2C of the Transportation and Streets and Highways Element of the Las Vegas 2020 Master Plan is necessary to realign Sheep Mountain Parkway to the south and to remove previously approved master planned streets from the Kyle Canyon Master Plan area.
- Right-of-way already exists for the Sheep Mountain Parkway Southern Alignment.
- The new alignment will bisect the Kyle Canyon Master Plan area.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/01/04	The City Council approved a Resolution (R-176-2004) adopting guidelines for development within the Kyle Canyon Gateway area.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
11/16/05	The City Council approved a request (GPA-9458) to amend the Land Use Element of the Las Vegas 2020 Master Plan to add the Traditional Neighborhood Development (TND) land use designation. The Planning Commission and staff recommended approval.
01/18/06	The City Council approved a request (GPA-9167) to amend a portion of the Centennial Hills Sector Plan of the General Plan to change land use designations from PCD (Planned Community Development), SC (Service Commercial) and PF (Public Facilities) to TND (Traditional Neighborhood Development) on 1,712 acres generally located north of Grand Teton Drive, between Puli Road and Fort Apache Road. The Planning Commission and staff recommended approval.
05/16/07	The City Council approved a request to amend the Master Plan of Streets and Highways (MSH-21013) to select the Northern Alternative Freeway/Expressway Alignment for Sheep Mountain Parkway and to remove the Southern Alternative Freeway/Expressway Alignment from the Master Plan of Streets and Highways. The Planning Commission and staff recommended approval.
	The City Council approved a Development Agreement (DIR-21605) between Kyle Acquisition Group, LLC and the city of Las Vegas on 1,712 acres at the southwest corner of Fort Apache Road and Moccasin Road for the development of the Kyle Canyon Master Plan. The Planning Commission and staff recommended approval. In a related item, the City Council voted to approve a Parks Agreement between Kyle Acquisition Group, LLC and the city of Las Vegas. Staff recommended approval.
	The City Council approved a request for a Rezoning (ZON-20543) from U (Undeveloped) [TND (Traditional Neighborhood Development) General Plan Designation] and R-E (Residence Estates) to T-D (Traditional Development) on 1,712 acres at the southwest corner of Fort Apache Road and Moccasin Road. The Kyle Canyon Development Standards and Design Guidelines were approved as part of this action. The Planning Commission and staff recommended approval.
06/20/07	The City Council adopted Ordinance No. 5910, thereby adopting the Development Agreement between Kyle Acquisition Group, LLC and the city of Las Vegas.
08/08/07	The Development Agreement between Kyle Acquisition Group, LLC and the city of Las Vegas was recorded in the Office of the County Recorder. The approved Parks Agreement was recorded together with the Development Agreement. This is the Effective Date of the Development Agreement.
08/15/07	The City Council approved a Major Modification (MOD-22589) of the Kyle Canyon Development Standards and Design Guidelines to realign Iron Mountain Road between Hualapai and Grand Canyon Drive, and to add street cross sections. The Planning Commission and staff recommended approval.

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02/06/08	The City Council approved a request (MSH-25695) to amend the Master Plan of Streets and Highways to rename Horse Drive west of Grand Canyon Drive to Kyle Heights Parkway; to realign a portion of the Iron Mountain Road alignment between Horse Drive and the Northern Beltway; to reclassify various streets as identified by the special design designations adopted as part of the Kyle Canyon Development Standards and Design Guidelines; and to add or remove various roadway segments. The Planning Commission and staff recommended approval.
	The City Council approved a Major Modification (MOD-25875) of the Kyle Canyon Development Standards and Design Guidelines to amend various street names and to clarify street cross section drawings within the Community. A subsequent Street Name Change application would be required prior to issuance of the first residential permit in the Community. The Planning Commission and staff recommended approval.
	The City Council tabled a Petition to Vacate a BLM right-of-way grant generally located north of Grand Teton Drive, south of Moccasin Road, between Puli Road and Fort Apache Road (VAC-23811). The area to be vacated was the original alignment of Sheep Mountain Parkway. The Planning Commission and staff had recommended approval. The Petition cannot record until "Section 1 Land," "Providence Land," and "On-Property Land" are dedicated to the city for creation of the right-of-way for the northern alignment of Sheep Mountain Parkway, pursuant to Subsection 7.05(a)(v) of the Development Agreement.
09/17/08	The owner of property within the Kyle Canyon Master Plan area became noncompliant with the terms of the Kyle Canyon Development Agreement for failure to commence construction of Indian Hills Park prior to 09/13/08.
09/23/08	Wachovia Bank, National Association, acting as the managing creditor of 41 distinct creditors, foreclosed on the Kyle Canyon property. A new entity called KAG Property, LLC was formed to assume ownership of the Kyle Canyon property.
07/12/11	The Planning Commission abeyed GPA-41958 to the 08/09/11 Planning Commission meeting at the applicant's request.
08/09/11	The Planning Commission abeyed GPA-41958 to the 09/13/11 Planning Commission meeting at the applicant's request.
09/13/11	The Planning Commission abeyed GPA-41958 to the 10/11/11 Planning Commission meeting at the applicant's request.

Most Recent Change of Ownership

09/25/08	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

There are no building permits or business licenses related to this request.

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<i>Pre-Application Meeting</i>	
A pre-application meeting was not required for this request, nor was one held.	

<i>Neighborhood Meeting</i>	
06/13/11	A neighborhood meeting was held at 5:30 p.m. in the Centennial Hills Community Center YMCA, located at 6601 North Buffalo Drive. Thirteen members of the public, one member of the Planning Commission, one member of the Council Office, two members of the Department of Public Works and one member of the Department of Planning were in attendance. The public's concerns included the following: • When will Kyle Canyon Master Plan be built? • When will the interchange be built? • Others indicated they would comment by e-mail or fax.

<i>Field Check</i>	
06/02/11	The subject site is undeveloped and free of trash and debris. A sign is posted near the intersection of Kyle Canyon Road and Oso Blanca Road informing passersby that the site is zoned for a hotel and casino.

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Kyle Canyon Master Plan	X		Y
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
G-O (Gaming Enterprise Overlay) District	X		N/A
T-D (Traditional Development) District	X		N/A
Trails	X		N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

Right-of-way still exists from the original alignment of Sheep Mountain Parkway that was prior to approval of the northern alignment through the Kyle Canyon Development Agreement. A Petition to Vacate this right-of-way was never approved, as the dedications necessary to provide for the northern alignment were never executed. This amendment considers only the realignment of Sheep Mountain Parkway and does not affect the classification, size or amenities of the roadway. Staff recommends approval, as it is not feasible to obtain the right-of-way necessary for construction of the northern alignment of Sheep Mountain Parkway as required by the current Kyle Canyon Development Agreement.

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The nine other master planned streets to be removed are not needed in their current alignments, as they will be altered by both the southern alignment of Sheep Mountain Parkway and the new master land use plan for Kyle Canyon Gateway. Staff therefore recommends their removal.

The following table summarizes the proposed changes to the Master Plan of Streets and Highways:

Street to be Removed	Classification	From	To
Sheep Mountain Parkway (Northern Alignment)	Freeway/Expressway	Grand Teton Drive	Fort Apache Road
Iron Mountain Road	Primary Arterial	Kyle Canyon Road	Egan Crest Drive
Hualapai Way	Primary Arterial	Grand Teton Drive	Horse Drive
Horse Drive	Primary Arterial	Hualapai Way	Grand Canyon Drive
Shaumber Road	Secondary Collector	Grand Teton Drive	Iron Mountain Road
Egan Crest Drive	Secondary Collector	Grand Teton Drive	Kyle Canyon Road
Hualapai Way	Secondary Collector	Horse Drive	Brighton Peak Lane
Kyle Village Avenue	Secondary Collector	Sky Pointe Drive	Tee Pee Lane
Log Cabin Way	Secondary Collector	Tee Pee Lane	Fort Apache Road
Tee Pee Lane	Secondary Collector	Iron Mountain Road	Brighton Peak Lane

Street to be Added	Classification	From	To
Sheep Mountain Parkway (Southern Alignment)	Freeway/Expressway	Grand Teton Drive	Fort Apache Road

NOTICES MAILED 1,665

APPROVALS 1

PROTESTS 3