



City of Las Vegas

Agenda Item No.: 37.

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: OCTOBER 11, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN BAGO

☐ Consent ☒ Discussion

SUBJECT: BEYANET - DIR-42266 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT: CARWINA ADVISORS, LLC, OWNER: KYLE CANYON PROPERTY, LLC - For possible action on a request regarding the amending of the Development Agreement for the Kyle Canyon Development on approximately 111.652 acres at the Southwest corner of Fort Apache Road and Moccasin Road (APNs 125-06-101-001 and 002; 125-06-301-001 and 002; 125-06-401-001 and 005; 125-06-501-001; 125-06-701-001; 125-07-301-001, 004, 005 and 006; 125-07-201-001 and 002; 125-07-301-001 and 002; 125-07-401-001 and 002; 125-07-501-005; 125-07-602-001, 003, 004 and 005; 126-12-000-001), Ward 6 (Res.). Staff has NO RECOMMENDATION.

C.C.: 11/16/2011

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff has NO RECOMMENDATION.

BACKUP DOCUMENTATION:

1. Staff Report
2. Supporting Documentation
3. Development Agreement for the Kyle Canyon Development
4. Justification Letter
5. Protest Letter

Motion made by TODD L. MOODY to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

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

Minutes:

Under Item 16, CHAIR TROWBRIDGE declared the Public Hearing closed for Items 16, 17 and 37.

DOUG RANKIN, Planning, stated that after many meetings with the applicant, staff is bringing forward an amendment to the Kyle Canyon Agreement. MR. RANKIN outlined the proposed amendments and recommended approval.

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ATTORNEY BOB GRONAUER appeared with MIKE ROSS on behalf of the property owner and provided a background history on the Kyle Canyon Development Agreement, which was adopted in 2007. Today the development agreement is not applicable and they have been working with staff for two years to get through this development agreement. Staff has been very professional in handling this situation. ATTORNEY GRONAUER explained that most of the significant amendments to the agreement entail reduced density, increased acreage for schools, and the plan exceeds the 2020 Master Plan for parks requirements. The applicant will be making a financial contribution for a Metro sub station, provide two and-a-half acres for a regional transportation center located within the master planned community, and relocate the Sheep Mountain Parkway from the north to its original location.

ATTORNEY GRONAUER pointed out that there is no requirement to have a neighborhood meeting; however, they sent out over 2,000 notices for neighborhood meetings. During one of those meetings focus was given to one particular area, Horse Drive and 1595. The concern was regarding commercial interference with elementary students and to mitigate that concern, an amendment was added into the development agreement specifically for standards and guidelines. A traffic study has been done for the existing development agreement with access onto Brent Lane and the applicant agreed not to provide egress onto Brent Lane. With respect to the development to the north, an eight-foot high decorative wall with topiary and landscaping along Brent Lane will increase to 30 feet in width with either a double row of Mondale Pine trees, space of 15 feet on center for similar trees that would be required at the site development plan review stage. ATTORNEY GRONAUER outlined a list of prohibitive uses, as any application coming forward on this property would require a site development plan review at a public hearing. The applicant believes that the master planned community is far superior than the one approved in 2007. This project is the future of the City of Las Vegas.

MR. FAGG submitted for the record an email he received from TODD SCHWARTZ, Board President for Spring Mountain Ranch Master Association.

TODD FARLOW, Las Vegas resident, stated that this was going to be the supreme development. He recalled that during a charette meeting for the original development, discussion included different types of housing, and he expressed concern that with the reduction of the units, the housing developments will be removed from the plan. He was pleased to see the inclusion of the trails.

CHAIR TROWBRIDGE asked if the development would address all income levels. MR. ROSS indicated that the charette resulted in a resolution approved by the City Council for 16,000 residential units for this development. The 9,000 cap is close to the result of the original charette. There is flexibility within the design standards which will allow for the development of all price points of new housing.

COMMISSIONER TRUESDELL referenced planned communities such as Desert Shores and The Lakes, whereby development started with higher density and ultimately ended up being smaller, as the market and demand for housing changed. The current proposal is based on the market and overall economy and the development will keep the original intent of the original charette. This property has gone through financial turmoil but owners still see the value in creating a good development.

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CHAIR TROWBRIDGE referred to the email sent by MR. SCHWARTZ asking for restrictions on liquor sales and gaming and asked if the proposed development has restrictions against off-premise liquor sales. ATTORNEY GRONAUER replied that there is no way of knowing what will be developed; therefore it would be premature to impose restrictions to prospective uses. MR. ROSS confirmed for CHAIR TROWBRIDGE that the landscaping has not been addressed, but the applicant is willing to add landscaping in the area between Sky Pointe Drive and Fort Apache Road.

COMMISSIONER MOODY stated that he reviewed MR. SCHWARTZ'S written comments and that most of his concerns were addressed. Access to Brent Lane can have a lower wall without creating a fortress. The Commissioner likes the progress made and could support the request. COMMISSIONER BRUESDELL agreed with COMMISSIONER MOODY's comments but does not support an eight-foot wall that may be out of scale for the overall neighborhood.

COMMISSIONER GOYNES verified with ATTORNEY GRONAUER that a citizens' advisory committee was never formed. The Commissioner noted that at the neighborhood meetings, there was not a large presence opposing the development. He was impressed that the amenities will remain the same even with lesser units and complimented the developer on doing a great job in moving forward with his plan. He believes that having a dialogue within communities is a discussion worth having in the future.

COMMISSIONER SCHOTTSMAN verified with ATTORNEY GRONAUER that the alcohol related uses were reversed to special use permits and that each property would have to have its own site development plan. ATTORNEY GRONAUER responded that those conditions are specific to the 13.77 acre parcels. The other two parcels have the restriction on the prohibited uses due to constraints on slopes and the egress/ingress issue. COMMISSIONER GOYNES also verified that any kind of retail in the north of Brent Lane will require a site development plan review (SDR), which means that residents will have an opportunity to make comments. DEPUTY CITY ATTORNEY JAMES LEWIS added that the city does not have the ability to use a SDR to deny the use but rather use it to address things such as aesthetics and egress/ingress of the site.

COMMISSIONER FLANGAS suggested removing the condition requiring an eight-foot high wall along Brent Lane. ATTORNEY GRONAUER replied that they could construct a minimum six-foot high decorative wall so with future development, the condition will not restrict a higher wall if it was deemed necessary.

See Item 16 for related discussion.

Under Item 16, CHAIR TROWBRIDGE declared the Public Hearing closed for Items 16, 17 and 37.