



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: SEPTEMBER 13, 2016

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/ OWNER: KULKA LAND, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
GPA-64786	Staff recommends APPROVAL.	
ZON-64787	Staff recommends APPROVAL.	GPA-64786
WVR-64788	Staff recommends DENIAL, if approved subject to conditions:	GPA-64786 ZON-64787
WVR-64789	Staff recommends DENIAL, if approved subject to conditions:	GPA-64786 ZON-64787
TMP-64790	Staff recommends DENIAL, if approved subject to conditions:	GPA-64786 ZON-64787 WVR-64788 WVR-64789

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 51

NOTICES MAILED 288 - GPA-64786 and ZON-64787
288 - WVR-64788 and WVR-64789
288 - TMP-64790

APPROVALS 1 - GPA-64786 and ZON-64787
3 - WVR-64788 and WVR-64789
1 - TMP-64790

PROTESTS 37 - GPA-64786
35 - ZON-64787
34 - WVR-64788
32 - WVR-64789
42 - TMP-64790

**** CONDITIONS ****

WVR-64788 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Tentative Map (TMP-64790) shall be required, if approved.
2. A Waiver of Title 19.02.240 to allow no street lighting on interior streets, where such is required, and to allow a 188-foot street intersection offset where 220 feet is required, is approved.
3. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

WVR-64789 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Tentative Map (TMP-64790) shall be required, if approved.
2. A Waiver of Title 19.04.070 to allow private streets to not meet minimum construction standards as public streets, where such is required is approved.
3. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

TMP-64790 CONDITIONS

Planning

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
2. Approval of GPA-64786, ZON-64787, WVR-64788 and WVR-64789 shall be required, if approved.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Dedicate 50-feet of right-of-way for Elkhorn Road, 40-feet for Grand Canyon Drive and 30-feet for Solar Avenue. Additionally, dedicate a 25-foot radius on the southwest corner of Solar Avenue and Grand Canyon Drive and a 30-foot radius with a Traffic Signal Chord Easement at the northwest corner of Grand Canyon Drive and Elkhorn Road on the Final Map for this site.
8. Grant pedestrian access easements for all public sidewalk located outside of the public right-of-way.
9. Construct half street improvements on Elkhorn Road and Grand Canyon Drive meeting complete street standards and construct Solar Avenue as shown on the approved site plan adjacent to this site concurrent with the development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
10. Private streets must be granted and labeled on the Final Map for this site as Public Utility Easements (P.U.E.), Public Sewer Easements, and Public Drainage Easements to be privately maintained by the Homeowner's Association.
11. Extend public sewer in Solar Avenue to the west edge of this site at a depth and location acceptable to the Sanitary Sewer Section of the Department of Public Works concurrent with the development of this site.
12. The proposed 40-foot easement at the south end of Street "A" shall also be a "Public Sewer Easement" and located entirely on a common lot.
13. The proposed 20-foot Public Sewer Easement located at the north end of Street "A" shall be located entirely on a common lot and centered over the sewer main which is to be located 5-feet east of Street "A".
14. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the "Rancho Road Storm Drain – Elkhorn/Fort Apache to Grand Canyon" project, and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

16. A working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required Improvements shall be constructed in accordance with Title 19.02.130.D.
17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or submittal of any construction drawings, or the recordation of a map, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.
18. As per Unified Development Code (UDC) 19.16.060.G, all requirements must be complied with or such future compliance must be guaranteed by an approved performance security method in accordance with UDC sections 19.02.130.C and 19.02.130.E.
19. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a proposed 12-lot residential subdivision on 5.00 acres of undeveloped land located at the northwest corner of Elkhorn Road and Grand Canyon Drive. Staff supports the requested General Plan Amendment and the Rezoning requests as being appropriate for the area and compatible with the surrounding residential uses; however, as a result of the requested Waivers, staff does not support the remaining three applications and recommends denial of the Waivers and Tentative Map.

ISSUES

- A Waiver (WVR-64788) is required to allow internal streets to not have required street lights. Staff does not support this request.
- A Waiver (WVR-64788) is required to allow a 188-foot street intersection offset where 220 feet is required. Staff does not support this request.
- A Waiver (WVR-64789) is required to allow proposed private streets to not be designed and constructed to public street standards as required. Staff does not support this request.

ANALYSIS

The applicant is requesting to amend the Centennial Hills Sector Plan land use designation from RNP (Rural Neighborhood Preservation) to R (Rural Density Residential) and has amended their request to rezone the property from R-E (Residence Estates) to R-D (Single Family Residential-Restricted) for a future single-family, detached residential subdivision on 5.00 acres of undeveloped land on the northwest corner of Elkhorn Road and Grand Canyon Drive. The proposed changes are appropriate and compatible with adjacent land uses. The R (Rural Density Residential) land use and corresponding R-D (Single Family Residential-Restricted) zoning district are appropriate buffering designations between the larger Clark County residential properties on the west and north with the higher density residential properties on the east and south side of the proposed site. Staff supports these requests.

There has been a steady increase in the demand for single-family residential dwellings in the Centennial Hills Sector Plan area. In 2014, 1,118 new building permits were issued for single-family homes and in 2015, 1,194 permits were issued for the same. This was a 6.8 percent increase and this upward trend has continued into 2016. The demand for new housing permits

city wide, was even greater at over 11 percent. The proposed land use and zoning for this vacant, undeveloped 5.00 acre parcel will help meet this increased demand for new housing units in the northwest portion of the City.

The applicant is proposing private streets that are not designed to public street standards as required. This is problematic for the City if the proposed community should choose to turn the streets over to the City to maintain in the future. The required Waiver to allow this is not supported by staff.

In addition to proposing private streets that are not designed to public standards, the applicant is also requesting to not install required lights on these streets, and to allow a 188-foot street intersection offset where 220 feet is required. This does not foster a safe Walkable Community that is one of the City's goals. As a result, staff does not support this Waiver.

The submitted east/west cross sections depict maximum natural grade greater than 2% across this site. Per the Tables in Subdivision Code 19.06.050 a development with natural slope greater than 2%, is allowed a maximum 6-foot retaining wall. A 4.5-foot maximum retaining is shown on the east property line and no retaining is shown on the west property line.

The submitted north/south cross section depicts maximum natural grade less than 2% across this site. Per the Tables in Subdivision Code 19.06.050 a development with natural slope less than 2%, is allowed a maximum 4-foot retaining wall. A 3-foot maximum retaining wall is shown on the north property line and a 2-foot retaining wall is shown on the south property line.

The Clark County School District projects that approximately seven primary and secondary school students will be generated by this proposed development. Two of the three schools serving the area (Sandra L Thompson Elementary School and Arbor View High School) are over capacity for the 2015-16 school year. Edmundo Sr. Escobedo Middle School also serves the area, but has not reached capacity.

In summary, staff supports the requested General Plan Amendment and Rezoning requests as they are appropriate for the area. However, staff does not support the two requested Waivers or the associated Tentative Map and recommends denial of these applications.

FINDINGS (GPA-64786)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

- 1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

The proposed R (Rural Density Residential) General Plan designation is consistent with the adjacent larger lot single-family residential land uses surrounding the subject site on the north and west.

2.The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

The zoning designations allowed by the proposed amendment are compatible with the existing adjacent land uses and zoning districts.

3.There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

There are existing transportation, recreation, utility and other facilities that are adequate to accommodate the uses and densities permitted by the proposed General Plan Amendment.

4.The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

There are no other plans or policies that would be applicable to the site.

FINDINGS (ZON-64787)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1.The proposal conforms to the General Plan.

The proposed R-D (Single Family Residential-Restricted) zoning district conforms to the proposed General Plan Amendment related to this request.

2.The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The detached single-family residential use that will be allowed on the subject site is at an appropriate density with the surrounding properties and is therefore, compatible with the residential uses and zoning designations of these surrounding properties.

3.Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

GPA-64786, ZON-64787, WVR-64788, WVR-64789 and TMP-64790 [PRJ-64704]
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As the local economic conditions improve, the City is seeing an increased demand for new residential construction. New residential zoning districts at an appropriate density will help meet this demand.

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

Access to the property is provided off Grand Canyon Drive, identified as a 100-foot Primary Arterial on the Master Plan of Streets and Highways. This has adequate capacity to meet the traffic expected to be generated by this project.

FINDINGS (WVR-64788)

The requested Waiver to allow no streetlights on the interior streets of a proposed 12-lot residential subdivision, and to allow a street intersection offset of 188 feet where 220 feet is required does not further the goals of the City's Complete Street Standards or the Walkability of the neighborhood. Staff does not support this Waiver request.

FINDINGS (WVR-64789)

The requested Waiver to allow private streets to be developed to non-public street standards behind a gate is not supported by staff. The goal of the City's Complete Street Standard is not advanced by permitting residential streets to be narrowed.

FINDINGS (TMP-64790)

The proposed Tentative Map conforms to Nevada Revised Statutes. However, the project requires two Waivers from Title 19 Development Standards. Staff does not support these Waivers; as result, staff does not support the Tentative Map request and recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
03/16/16	The City Council approved Annexation (ANX-62934) for five acres located on the southwest corner of North Grand Canyon Drive and Solar Avenue. The effective date was 03/25/16.
07/12/16	Due to a notification error this item was not acted upon as a part of the 07/12/16 Planning Commission meeting and has been scheduled for a Special Planning Commission meeting date.

GPA-64786, ZON-64787, WVR-64788, WVR-64789 and TMP-64790 [PRJ-64704]
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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
08/09/16	The Planning Commission voted (7-0) to hold GPA-64786, ZON-64787, WVR-64788, WVR-64789 and TMP-64790 in abeyance to the 09/13/16 Planning Commission meeting at the request of the applicant.

<i>Most Recent Change of Ownership</i>	
12/28/15	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
There are no related permits or business licenses on file at this time.	

<i>Pre-Application Meeting</i>	
05/18/16	Staff met with the applicant and the owners of the property located on the northwest corner of Grand Canyon Drive and Elkhorn Drive for a proposed 17-lot residential subdivision. During this meeting, the owners agreed to design the project with no Variances or Waivers. However, if the new design still required them, they would be included in the justification letter with the application.

<i>Neighborhood Meeting</i>	
06/13/16	Start: 6:30 End: 7:40 Attendees: 1 – Applicant, 2 – CLV Staff, 34 – Members of the Public Residents present were not in favor of the proposed project. Several mentioned that no more than 10 lots should be allowed on the site. Specific points that were brought up more than once: • The project is too dense for the area; • The project isn't a good transition from the R-1 (Single Family Residential) on the east to the R-E (Residence Estates) on the west; • Keep the area as "rural" as possible; • Concerned that a Home Building isn't part of the project; • The proposed lots are not large enough for the area; • The applicant may agree to a condition to limit development to single-story, but would check with owner; • Many wondered why the owner wasn't present at the meeting. • The applicant indicated that they may hold another meeting if the proposed project changes.

GPA-64786, ZON-64787, WVR-64788, WVR-64789 and TMP-64790 [PRJ-64704]
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<i>Neighborhood Meeting</i>	
	The two most important concerns that were raised: What does the grading plan look like? Residents don't want the foundations of the homes to be higher than 18-inches from the centerline of the street; and The density proposed is too high and is not compatible with the rural County Island.

<i>Field Check</i>	
06/02/16	Staff visited the site and found an undeveloped parcel. No issues were noted at the time.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	5.00

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	RNP (Rural Neighborhood Preservation)	R-E (Residence Estates)
North	Single Family, Detached	RNP (Rural Neighborhood Preservation) Clark County	R-E (Rural Estate Residential District) Clark County
South	Undeveloped	RNP (Rural Neighborhood Preservation)	R-1 (Single Family Residential)
East	Single Family, Detached	R (Rural Density Residential)	R-1 (Single Family Residential)
West	Single Family, Detached	RNP (Rural Neighborhood Preservation) Clark County	R-E (Rural Estate Residential District) Clark County
	Undeveloped		

<i>Master Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A

YK/SG

<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
No Applicable Special Purpose or Overlay Districts	N/A
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.02 and 19.06.070, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	10,000 SF	10,342 SF	Y
Min. Lot Width	80 Feet	94 Feet	Y
Min. Setbacks			
• Front	25 Feet	25 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	30 Feet	30 Feet	Y
Max. Lot Coverage	N/A	N/A	Y
Max. Building Height	35 Feet	35 Feet	Y
Mech. Equipment	Screened	Screened	Y

<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
RNP (Rural Neighborhood Preservation)	2.00	10
<i>Proposed General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R (Rural Density Residential)	3.59	17
<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-E (Residence Estates)	2.00	10
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-D (Single Family Residential-Restricted)	3.59	17

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<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Grand Canyon Drive	Primary Arterial	Planned Streets and Highways Map	100	Y
Elkhorn Road	Primary Arterial	Planned Streets and Highways Map	100	Y
Solar Avenue	Minor Collector	Planned Streets and Highways Map	60	Y

19.04.040 Connectivity		
<i>Transportation Network Element</i>	<i># Links</i>	<i># Nodes</i>
Internal Street	1	
Intersection – Internal		
Cul-de-sac Terminus		1
Intersection – External Street or Stub Terminus		
Intersection – Stub Terminus w/ Temporary Turn Around Easements		
Non-Vehicular Path - Unrestricted	0.5	
Total		
	<i>Required</i>	<i>Provided</i>
Connectivity Ratio (Links / Nodes):	1.30	1.5

<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Elkhorn Road	Three-foot amenity area and a five-foot wide sidewalk.	Five-foot amenity area, five-foot wide sidewalk and a five-foot wide landscaped area	Y*
Grand Canyon Drive	Three-foot amenity area and a five-foot wide sidewalk.	Five-foot amenity area, five-foot wide sidewalk and a five-foot wide landscaped area	Y**
Solar Avenue – Minor Collector	Five-foot amenity area and a five-foot wide sidewalk.	Five-foot amenity wide sidewalk.	Y**

*PW has agreed to a deviation of the standards in order to match the existing conditions to the east of the project.

**PW has agreed to a deviation of the standards in order to match the existing conditions to the east of the project.

***PW has agreed to a deviation of the standards in order to transition to the Clark County right-of-way to the west of the project.

GPA-64786, ZON-64787, WVR-64788, WVR-64789 and TMP-64790 [PRJ-64704]
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Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family, Detached	12	2 per lot	24				
TOTAL SPACES REQUIRED			24		24		Y
Regular and Handicap Spaces Required			24	0	24	0	Y