



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 14, 2017

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: DR HORTON - OWNER: GREENGALE PROPERTIES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
VAR-65290	Staff recommends APPROVAL, subject to conditions: .	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 249

APPROVALS 0

PROTESTS 2

**** CONDITIONS ****

VAR-65290 CONDITIONS

Planning

1. Conformance to the approved conditions of approval for Tentative Map (TMP-65275).
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
March 14, 2017 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The request is for a Variance to allow a 75-foot lot width where 80-feet is the minimum required for Lot 28 of a 95-lot residential subdivision located at the southeast corner of Elkhorn Road and Tenaya Way.

ISSUES

- This Variance was originally part of a larger request of 30 individual lot width Variances for a 95-lot single-family residential subdivision.
- The intent was for the Lot 28 Variance to be heard at the August 9, 2016 Planning Commission with its companion items; however, the Variance request was inadvertently omitted from the agenda.
- On August 9, 2016, the Planning Commission approved all of the requested lot width Variances associated with the residential development. Staff considers this to be a “clean-up” item and recommends approval of the request.

ANALYSIS

The subject site is zoned R-D (Single Family Residential – Restricted) which requires a minimum lot width of 80 feet. The request is for a Variance to allow a 75-foot lot width for Lot 28 of a previously approved 95-lot residential subdivision (TMP-65275). On August 9, 2016, the Planning Commission approved 29 companion lot width Variances associated with the residential development; however, the Variance request for subject lot (Lot 28) was inadvertently omitted from the agenda. The original intent was for the Lot 28 Variance to be heard at the August 9, 2016 Planning Commission with its companion items. Because all of the related lot width Variances were approved by the Planning Commission, Staff considers this to be a “clean-up” item and recommends approval of the request.

FINDINGS (VAR-65290)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

Staff Report Page Two
March 14, 2017 - Planning Commission Meeting

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature

Additionally, Title 19.16.140(L) states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

On August 9, 2016, the Planning Commission approved 29 related lot width Variances associated with a 95-lot residential development; however, the Variance request for the subject lot (Lot 28) was inadvertently omitted from the agenda. The original intent was for the Lot 28 Variance to be heard at the August 9, 2016 Planning Commission with its companion items. Because the related lot width Variances were approved by the Planning Commission, Staff considers this to be a “clean-up” item and recommends approval of the request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/15/16	The City Council approved a General Plan Amendment (GPA-63487) from DR (Desert Rural Density Residential) to R (Rural Density Residential) and a Rezoning (ZON-63488) from U (Undeveloped) to R-D (Single Family Residential – Restricted District). Staff and the Planning Commission had recommended approval.
08/09/16	The Planning Commission approved 29 lot-width Variances (VAR-65269, VAR-65277 through 65285, VAR-65289, VAR-65291 through VAR-65294, VAR-65302 through VAR-65304, VAR-65306 through VAR-65311, VAR-65313 through VAR-65316, VAR-65318, VAR-65326 and two setback Variances (VAR-65321 and VAR-65319) as a part of a larger request. Staff had recommended denial of the request.

Staff Report Page Three
March 14, 2017 - Planning Commission Meeting

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
10/19/16	The City Council approved a Variance (VAR-65326) to allow deviations from Complete Street Standards, Waivers (WVR-65331 and 65593) to allow a connectivity ratio of less than 1.3 and to allow overhead powerlines where they are required to be underground, and a Tentative Map (TMP-65275) for a 95-lot single-family residential subdivision. Staff had recommended denial and Planning Commission recommended approval on 08/19/16.

<i>Most Recent Change of Ownership</i>	
01/03/17	A deed was recorded for a change in ownership.

<i>Pre-Application Meeting</i>	
05/25/16	A pre-application meeting was held in conjunction with a larger request, and the need for lot width Variances for 30 lots, including the subject lot, was discussed.

<i>Neighborhood Meeting</i>	
07/26/16	The applicant held a voluntary neighborhood meeting at the Centennial Hills YMCA.

<i>Field Check</i>	
06/30/16	The site is undeveloped.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.27

Staff Report Page Four
March 14, 2017 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	10,000 SF	12,188 SF	Y
Min. Lot Width	80 Feet	75 Feet	N
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. Building Height	2 stories	2 stories	Y