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December 13, 2023

Casey Ryan
Rainbow Creek, LLC
3457 Lupine Bush Court
Las Vegas, Nevada 89135

**RE: 23-0466 [ZON1, VAR 1 THRU VAR8, AND TMP1]
PLANNING COMMISSION MEETING OF DECEMBER 12, 2023**

Dear Applicant:

The Planning Commission at a regular meeting held on *December 12, 2023* voted to recommend **APPROVAL** of the following Land Use Entitlement project requests on 2.83 acres on the east side of Rainbow Boulevard, approximately 500 feet north of Azure Avenue (APN 125-26-101-004), Ward 6 (Brune). Staff recommends APPROVAL on the Land Use Entitlement project.

ABEYANCE - 23-0466-ZON1 - REZONING - FROM: R-3 (MEDIUM FAMILY RESIDENTIAL) TO: R-TH (SINGLE FAMILY ATTACHED)

ABEYANCE - 23-0466-VAR1 - VARIANCE - TO ALLOW 59 PARKING SPACES WHERE 63 SPACES ARE REQUIRED

ABEYANCE - 23-0466-VAR2 - VARIANCE - TO ALLOW A STUB STREET TERMINUS WHERE A CUL-DE-SAC OR HAMMERHEAD IS REQUIRED, A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED, AND TO ALLOW A PRIVATE STREET WITHOUT A GATE TO NOT MEET PUBLIC STREET STANDARDS

ABEYANCE - 23-0466-VAR3 - VARIANCE - TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 18 FEET IS REQUIRED TO THE FRONT GARAGE ENTRY (LOT 1)

ABEYANCE - 23-0466-VAR4 - VARIANCE - TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 18 FEET IS REQUIRED TO THE FRONT GARAGE ENTRY (LOT 2)

ABEYANCE - 23-0466-VAR5 - VARIANCE - TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 18 FEET IS REQUIRED TO THE FRONT GARAGE ENTRY (LOT 3)

ABEYANCE - 23-0466-VAR6 - VARIANCE - TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 18 FEET IS REQUIRED TO THE FRONT GARAGE ENTRY (LOT 4)

ABEYANCE - 23-0466-VAR7 - VARIANCE - TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 18 FEET IS REQUIRED TO THE FRONT GARAGE ENTRY (LOT 5)

ABEYANCE - 23-0466-VAR8 - VARIANCE - TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 18 FEET IS REQUIRED TO THE FRONT GARAGE ENTRY (LOT 6)

ABEYANCE - 23-0466-TMP1 - TENTATIVE MAP - RAINBOW CROSSING - FOR A 29-LOT SINGLE FAMILY ATTACHED RESIDENTIAL SUBDIVISION

This approval is subject to the following amended conditions:

23-0466-VAR1 CONDITIONS:

Planning

1. A Variance (23-0466-VAR1) is hereby approved to allow 59 parking spaces where 63 spaces are required.
2. Approval of and conformance to the Conditions of Approval for Tentative Map (23-0466-TMP1) and Variance (23-0466-VAR2) shall be required, if approved.
3. This approval shall be void four 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.
4. 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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0466-VAR2 CONDITIONS:

Planning

1. A Variance (23-0466-VAR2) is hereby approved to allow a stub street terminus where a cul-de-sac or hammerhead is required, a connectivity ratio of 1.00 where 1.30 is required, and to allow a private street without a gate to not meet public street standards.
2. Approval of and conformance to the Conditions of Approval for Tentative Map (23-0466-TMP1) and Variance (23-0466-VAR1) shall be required, if approved.

3. This approval shall be void four 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.
4. 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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0466-VAR3 CONDITIONS:

Planning

1. A Variance (23-0466-VAR3) is hereby approved to allow a 10-foot front yard setback where 18 feet is required to the front garage entry (Lot 1).
2. Approval of and conformance to the Conditions of Approval for Tentative Map (23-0466-TMP1) and Variances (23-0466-VAR1 and VAR2) shall be required, if approved.
3. This approval shall be void four 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.
4. 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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0466-VAR4 CONDITIONS:

Planning

1. A Variance (23-0466-VAR4) is hereby approved to allow a 10-foot front yard setback where 18 feet is required to the front garage entry (Lot 2).
2. Approval of and conformance to the Conditions of Approval for Tentative Map (23-0466-TMP1) and Variances (23-0466-VAR1 and VAR2) shall be required, if approved.

3. This approval shall be void four 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.
4. 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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0466-VAR5 CONDITIONS:

Planning

1. A Variance (23-0466-VAR5) is hereby approved to allow a 10-foot front yard setback where 18 feet is required to the front garage entry (Lot 3).
2. Approval of and conformance to the Conditions of Approval for Tentative Map (23-0466-TMP1) and Variances (23-0466-VAR1 and VAR2) shall be required, if approved.
3. This approval shall be void four 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.
4. 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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0466-VAR6 CONDITIONS:

Planning

1. A Variance (23-0466-VAR6) is hereby approved to allow a 10-foot front yard setback where 18 feet is required to the front garage entry (Lot 4).
2. Approval of and conformance to the Conditions of Approval for Tentative Map (23-0466-TMP1) and Variances (23-0466-VAR1 and VAR2) shall be required, if approved.

3. This approval shall be void four 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.
4. 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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0466-VAR7 CONDITIONS:

Planning

1. A Variance (23-0466-VAR7) is hereby approved to allow a 10-foot front yard setback where 18 feet is required to the front garage entry (Lot 5).
2. Approval of and conformance to the Conditions of Approval for Tentative Map (23-0466-TMP1) and Variances (23-0466-VAR1 and VAR2) shall be required, if approved.
3. This approval shall be void four 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.
4. 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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0466-VAR8 CONDITIONS:

Planning

1. A Variance (23-0466-VAR7) is hereby approved to allow a 10-foot front yard setback where 18 feet is required to the front garage entry (Lot 6).
2. Approval of and conformance to the Conditions of Approval for Tentative Map (23-0466-TMP1) and Variances (23-0466-VAR1 and VAR2) shall be required, if approved.

3. This approval shall be void four 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.
4. 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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0466-TMP1:

Planning

1. [Street lights within the private street are not required.](#)
2. 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.
3. Approval of Rezoning (23-0466-ZON1) and Variances (23-0466-VAR1 and VAR2) shall be required, if approved.
4. Site Development Plan Review (21-0753-SDR1) is hereby expunged.
5. Roof top decks shall be prohibited.
6. Southern building elevations throughout the community shall be prohibited from including a balcony.
7. A shade structure shall be provided within Common Element A, which complies with the Single Family Attached (R-TH) zoning district development standards.
8. Street names must be provided in accordance with the City's Street Naming Regulations.

9. Overnight resident parking on private streets is prohibited. This condition shall be recorded against the property by way of recoding a Notice of Condition Affecting Property against each of the parcels specifically burdened by such condition(s) prior to the application for building permits to include the conditions affecting the parcel; or by recordation of the Covenants, Codes and Restrictions ("CC&R") that include the conditions affecting the respective parcels. Furthermore, the entity making application for a building permit on a parcel specifically burdened by the above condition(s) shall attach the Tentative Map conditions of approval to such building permit application, as well as the entity selling the single-family residence on the parcel that is burdened by the above condition(s) shall provide a disclosure of the above condition(s) to any prospective purchaser of a home on such parcel.
10. 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.
11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner. The landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - All trees and planting materials shall be drought-tolerant and consistent with the Southern Nevada Water Authority & Southern Nevada Regional Planning Coalition Regional Plant List.
 - Four 5-gallon shrubs are required for every required tree.
 - The trees shall be a minimum 36-inch box trees.
 - The tree species to be used within the landscape buffer along the southern property line shall be African Sumac.

12. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

13. Grant a minimum 20-foot wide Public Sewer Easement to be privately maintained for the public sewer within Common Element "A". No walls, signs, lights, parking area, buildings or other structures, or permanent landscaping having a mature height of greater than 3-feet shall be placed anywhere in any public sewer easement or in the vehicle ingress or egress pathways to such easements.
14. 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.
15. In accordance with Section 2.2 of the City's Vision Zero Action Plan, the sidewalk adjacent to this site shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant any Pedestrian Access Easement needed to complete this requirement.
16. Landscape and maintain all unimproved right-of-way adjacent to this site, including the full unimproved width of Rainbow Boulevard north of the cul-de-sac. 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.
17. Submit a License Agreement for landscaping and private improvements in the Rainbow Boulevard public right-of-way prior to the issuance of permits for these improvements. If requested by the City, the applicant shall remove property within the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Community Development (702-229-4836)
18. 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, 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.

19. 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.
20. 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.
21. Meet with the Traffic Engineering Section of the Department of Public Works to coordinate removal of those sections of tack on curb in Rainbow Boulevard that would interfere with turning movements for this site and construct a permanent median north of Azure Drive in Rainbow Boulevard along with appropriate lane designation modifications. Construction drawings shall comply with the recommendations of the Traffic Engineering Section.
22. The applicant shall post no parking signs along Rainbow Boulevard north of Azure Drive meeting the approval of the City Traffic Engineer.
23. The applicant shall perform a warrant analysis, acceptable to the City Traffic Engineer, for a 4-way stop at Azure Drive and Rainbow Boulevard prior to the issuance of permits for this site. Comply with the recommendations of the approved warrant study.

Fire & Rescue

24. 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.

This item will be considered by the City Council on January 17, 2024. This meeting will be held at 9:00 A.M. at the Council Chambers of City Hall, 495 South Main Street, Las Vegas, Nevada. ***The Council requires that you or your representative be present at this meeting.*** If you or your representative chooses not to attend, the City Council may act in your absence without your input.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicole Eddowes", written in a cursive style.

Nicole Eddowes
Community Development Coordinator
Case Planning Division

NE:bp

cc:

Jeff Lesnick
Beazer Homes
2490 Paseo Verde Parkway, Suite #120
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