

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GPA-4042 - APPLICANT: NEVADA STATE BANK - OWNER: SIDNEY & PAULA FRY FAMILY TRUST - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: O (OFFICE) on 3.88 acres adjacent to the northwest corner of Cheyenne Avenue and Fort Apache Road (APN: 138-07-801-011), Ward 4 (Brown).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 5/19/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 24 [GPA-4042], Item 25 [ZON-4043], Item 26 [SUP-4045] and Item 27 [SDR-4060].

KYLE WALTON, Planning and Development Department, explained that the proposed Office use is an appropriate transition between heavily trafficked intersection and the public facility to the west. The zoning is in keeping with the Office use. The drive-through request is in close proximity to residences, but the proposed landscape buffer would shield the drive-through from the residential uses west of this site. MR. WALTON also stated that the applicant requested changes on Conditions 7 and 8 of the Site Plan Review.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 24 – GPA-4042

MINUTES – Continued:

TIM MAY, 175 Carlsmith Camerons, appeared on behalf of the applicant and concurred with all conditions with the exception of Condition 4 of the site plan. The applicant agrees to provide additional trees, but asked that it not be Mondale Pines. Due to security reasons, he asked that it be a trunk tree.

MARK COLLINS, 9308 Fresh Spring Drive, resides across from the proposed development and expressed concern about the height of the building and the proposed sign. CHAIRMAN TRUESDELL verified with MR. MAY that the building would be single-story with parapets.

SHARON COLLINS, 9308 Fresh Spring Drive, asked if there will be a monument sign. DAN HOLT, Nevada State Bank, 750 East Warm Springs Road, replied that it would be a pylon sign as allowed by Code. MR. WALTON added that the maximum height would be 16 feet. MR. HOLT continued by stating that the sign is designed as a rectangular panel with two supports at each end. The sign will be located at the corner of Fort Apache Road and Cheyenne Avenue. It will be of low intensity light and will not affect the adjacent residents.

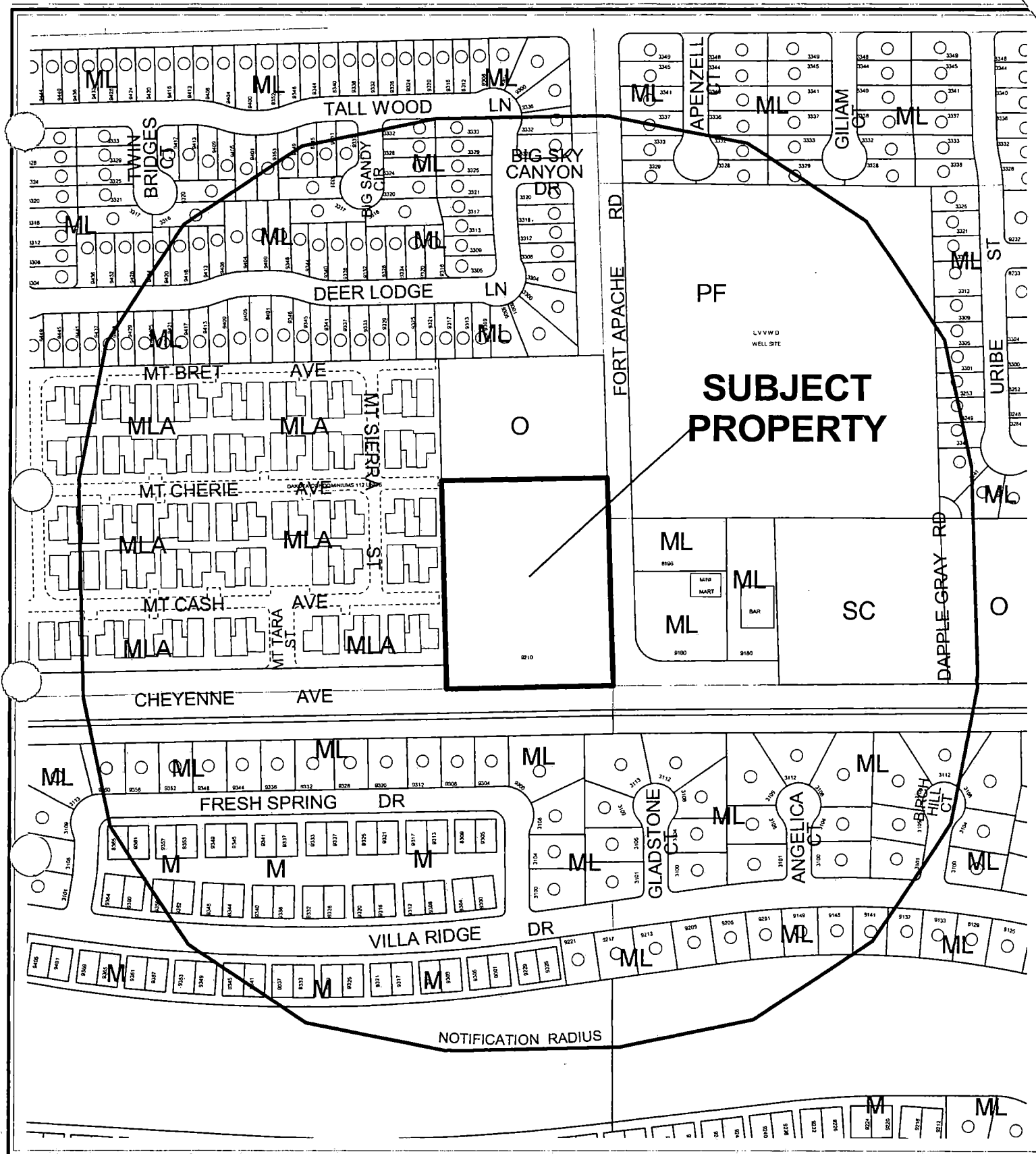
COMMISSIONER EVANS commented that the applicant brought up a legitimate issue about security regarding the type of tree. He asked that staff work with the applicant on the intention of the screening and at the same time deal resolve the security issues. MR. MAY replied that screening along the west property line will be provided with Mondale Pines. MR. WALTON suggested that Condition 4 be amended to refer only to Mondale Pines. He also suggested that the last sentence of Condition 8 be changed to four five-gallon and four 1-gallon shrubs along the west side property lines, and along the rights-of-way of the entire parcel. MR. MAY reiterated that the homeowners association to the west was concerned what would be against their property; thus, they a buffer will be provided to screen those residences. MR. HOLT asked that a canopy tree is needed near the drive through to prevent somebody from hiding behind it. MR. MAY asked that the word "Mondale Tree" be removed and replaced with "a suitable tree" for the drive through. COMMISSIONER EVANS asked that staff work with the applicant in finding suitable language to meet the needs of both staff and the applicant.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 24 [GPA-4042], Item 25 [ZON-4043], Item 26 [SUP-4045] and Item 27 [SDR-4060].

NOTE: All discussion for Item 24 [GPA-4042], Item 25 [ZON-4043], Item 26 [SUP-4045] and Item 27 [SDR-4060] was held under Item 24 [GPA-4042].

(6:55 – 7:13)

1-2128



CASE: GPA-4042

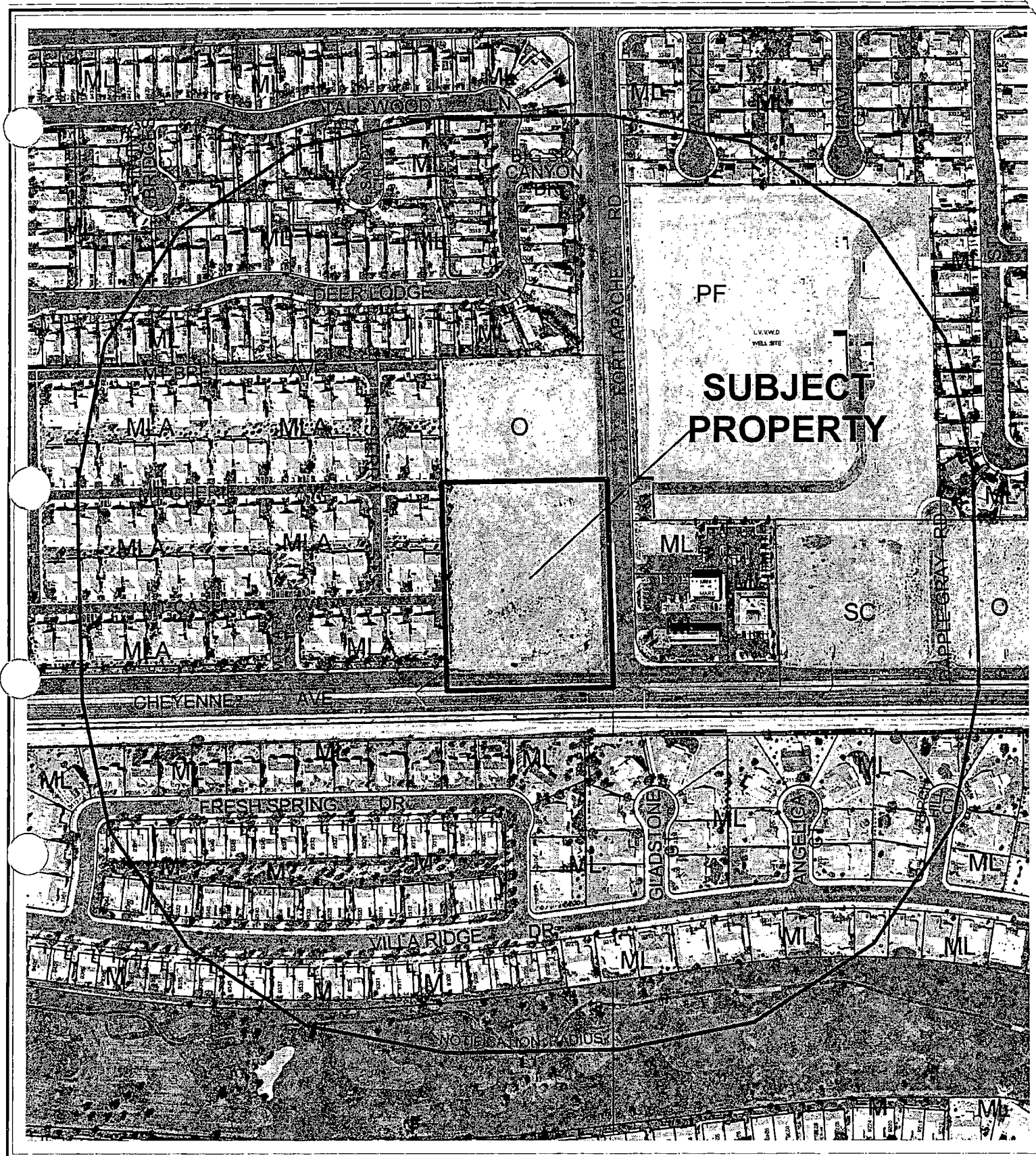
RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

ML (MEDIUM LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)



CASE: GPA-4042

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

ML (MEDIUM LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-4042 - APPLICANT: NEVADA STATE BANK - OWNER:
SIDNEY & PAULA FRY FAMILY TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from ML (Medium-Low Density Residential) TO: O (Office) on 3.88 acres adjacent to the northwest corner of Cheyenne Avenue and Fort Apache Road. A Rezoning (ZON-4043), Special Use Permit (SUP-4045) and a Site Development Plan Review (SDR-4060) for a proposed Financial Institution, General with drive through and for a Waiver of the Parking Lot Landscaping requirements will be considered as companion agenda items.

The applicant's justification letter states the present land use for the property, Medium Low (ML) Density Residential, renders a GPA (General Plan Amendment) and zone change necessary to support the proposed office development requiring and Office (O) zoning designation. The request for a General Plan Amendment remains consistent with the goals and objectives of the City of Las Vegas and Title 19.18 and shall promote the public health, safety and welfare.

BACKGROUND DATA:

- | | |
|----------|--|
| 08/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for R (Rural Density Residential 0-3 du/ac) land uses (if residential) with a maximum density of three dwelling units per acre. |
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. |
| 05/24/99 | The City Council approved the Centennial Hills Sector Map (GPA-0001-99) of the City of Las Vegas General Plan, which replaced the Northwest Sector Map. |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan. |
| 2/19/03 | The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for ML (Medium Low Density Residential) land uses, with a maximum density of eight dwelling units per acre. |

GPA-4042 - Staff Report Page Two
April 22, 2004 - Planning Commission Meeting

DETAILS OF APPLICATION REQUEST

Site Area: 3.88 Gross Acres

EXISTING LAND USE

Subject Property Undeveloped
North Undeveloped
South Single Family Residential Development
East Commercial, Convenience Store
West Condominiums

PLANNED LAND USE

Subject Property ML (Medium-Low Density Residential)
North O (Office)
South ML (Medium-Low Density Residential)
East ML (Medium-Low Density Residential)
West MLA (Medium-Low Attached)

EXISTING ZONING

Subject Property U (Undeveloped) [ML (Medium Low Density Residential) General Plan Designation]
North U (Undeveloped) [ML (Medium Low Density Residential) General Plan Designation] under resolution of intent to O (Office)
South P-C (Planned Community)
East C-1 (Limited Commercial)
West R-PD8 (Residential Planned Development – 8 Dwelling Units per Acre)

<i>SPECIAL DISTRICTS/ZONES</i>	<i>Yes</i>	<i>No</i>
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

DEFINITIONS

ML (Medium Low Density Residential)(5.6 to 8 dwelling units/per gross acre.) This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

O (Office) The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

INTERAGENCY ISSUES

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

Pursuant to Ordinance No. 5477, this proposed General Plan Amendment and its companion items would not meet the definition of a Project of Regional Significance as defined in the ordinance.

ANALYSIS

The site will be accessed from Cheyenne Avenue and Fort Apache Road, both 100-foot Primary Arterials. Adjacent to the site an approved Office (ZON-2576) development to the north, the Del Webb Sun City Summerlin residential community to the south, a convenience store to the east, and a condominium development to the west.

The Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan designates the site as ML (Medium Low Density Residential). This application proposes to change the land use designation of approximately 3.88 gross acres to O (Office). A 4,400 square foot one-story financial institution (SDR-4060) is proposed on the south portion of the project site, while a future office building is proposed on the north end of the site. The financial institution building will be located at the southeastern portion of the site with parking located to the south, east and west of the building.

FINDINGS

Title 19 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 O (Office) General Plan designation allows for small lot office conversions as a transition, along primary and secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations. The proposed O (Office) designation is an appropriate transition between the O (Office) designated property to the north, the ML (Medium Low Density Residential) designated parcels the south and east, and the MLA (Medium-Low Attached) properties to the west.

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

The proposed zoning of O (Office) would permit the proposed 4,112 square foot financial institution on the south end of the site and the future 17,000 square foot office building on the north portion of the site. This zoning designation is compatible with the existing O (Office) property to the north, the P-C (Planned Community) designated lands to the south, the C-1 (Limited Commercial) zoning classification to the east and the R-PD 8 (Residential Planned Development – 8 Units per Acre) to the west. The proposed zone change to O (Office) is compatible with the requested General Plan land use designation of O (Office).

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

There are adequate transportation, recreation, utility, and other facilities to accommodate the proposed office project. The Southwest Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at the 9850 West Cheyenne (located at the northwest corner of Cheyenne and Metro Academy Way, west of Grand Canyon). Fire Station #42, located at 7331 West Cheyenne Avenue (located west of Tenaya Way) is the closest city facility to the site.

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

There are no other adopted plans or policies that apply to this application.

GPA-4042 - Staff Report Page Five
April 22, 2004 - Planning Commission Meeting

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/16/04 There were five persons that attended the meeting, which had the following comments:

- Make sure there's adequate landscaping along western property line
- Shield the lights to avoid light pollution and trespass onto adjacent properties

None of the residents voiced opposition to the General Plan Amendment.

NOTICES MAILED: 294 [Mailed with ZON-4043, SUP-4045 & SDR-4060]

APPROVALS: 0

PROTESTS: 0



Case Number: **GPA-4042** APN: 138-07-801-011

Name of Property Owner: Fry Sidney & Paula Family Trust and Fry Sidney Allen & Paula F TRS

Name of Applicant: Nevada State Bank

Yes **X** No

City Official:

Partner(s): _____

APN: _____

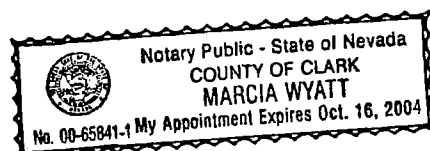
Signature of Property Owner/Authorized Agent: Sidney Allen Fry Trustee
Paula F. Fry Trustee

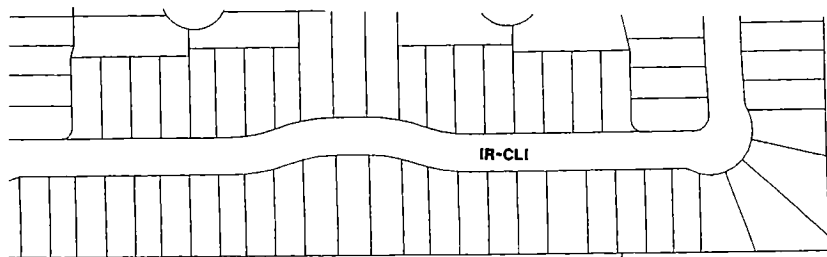
Print Name: SIDNEY ALLEN FRY TRUSTEE
PAULA F. Fry Trustee

Subscribed and sworn before me

This 19 day of February, 2004

Notary Public in and for said ~~County and State~~





138-07-817-000
(R-PD8)

138-07-801-010
(U101)

138-07-801-011
(U(ML))

FT. APACHE RD

138-08-401-030
(C-1)

138-08-401-029
(C-1)

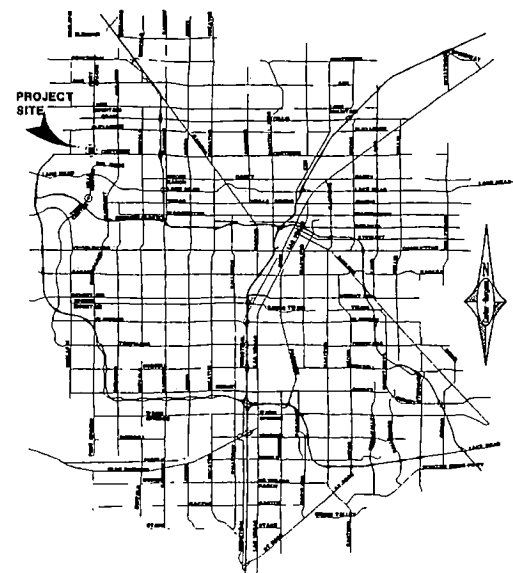
138-08-401-031
(C-1)

138-08-401-013
ROI IN-SI

138-08-401-011
(U1PF1)

CHEYENNE AVE

IP-C1



VICINITY MAP



GRAPHIC SCALE

1 inch = 90 ft

OWNERS

FRY, SIDNEY AND ALLEN
8001 NEWCOMBE STREET
LAS VEGAS, NEVADA 89123

DEVELOPER

NEVADA STATE BANK
780 EAST WARM SPRINGS ROAD
LAS VEGAS, NEVADA 89125

ENGINEER:

Carter::Burgess

Consultants in Engineering, Planning and the Environment
3880 BERMUDA ROAD LAS VEGAS, NV 89119
702/370-5400 Fax 702/370-5454

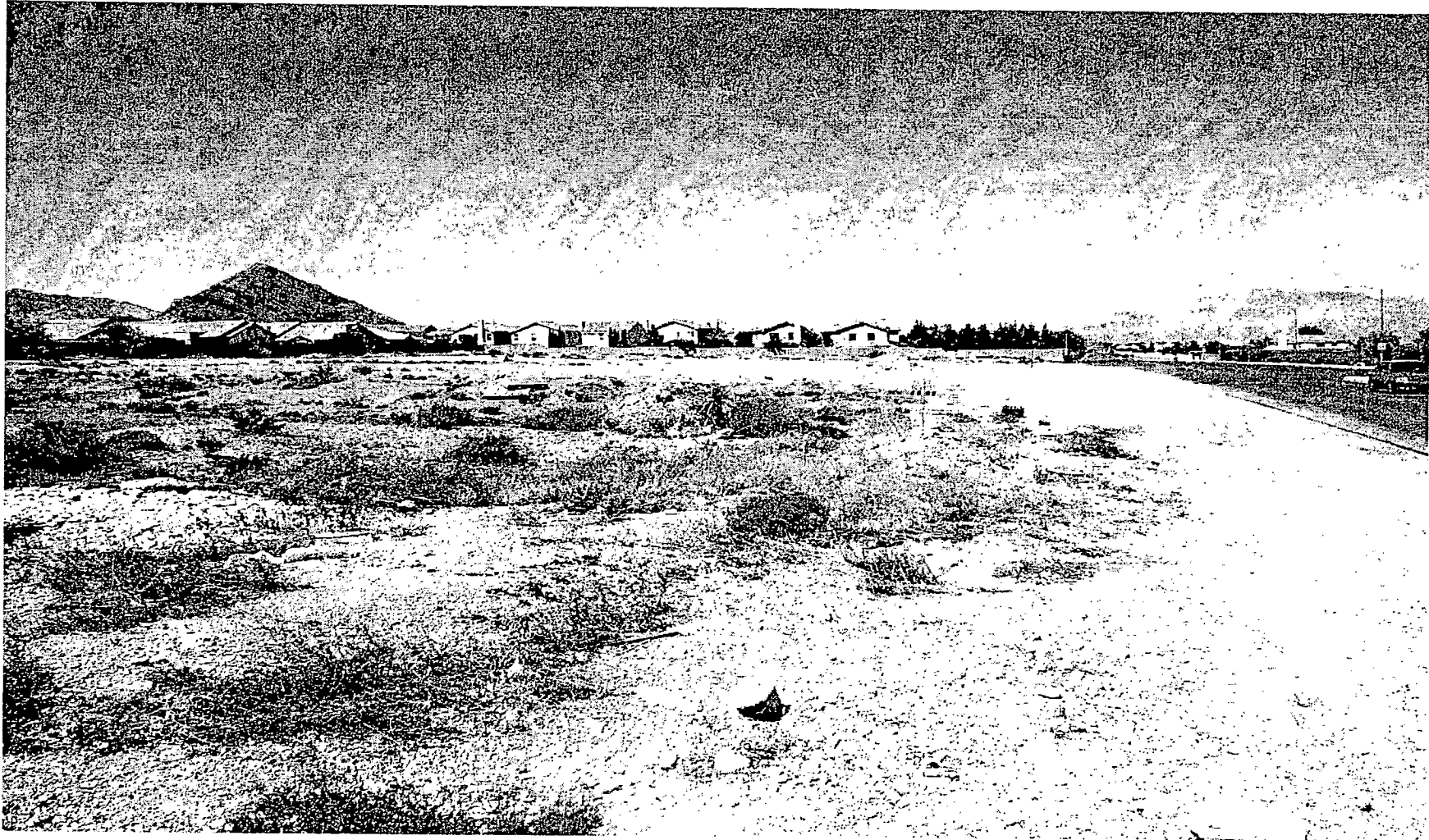
REVISIONS	
No.	Date

DESIGNED: MKG	DATE: 1/25/04
DRAWN: MKG	DATE: 1/25/04
CHECKED: MKG	DATE: 1/25/04
DATE: 1/25/04	DATE: 1/25/04

Carter::Burgess
Consultants in Engineering, Planning and the Environment
3880 BERMUDA ROAD LAS VEGAS, NV 89119
702/370-5400 Fax 702/370-5454

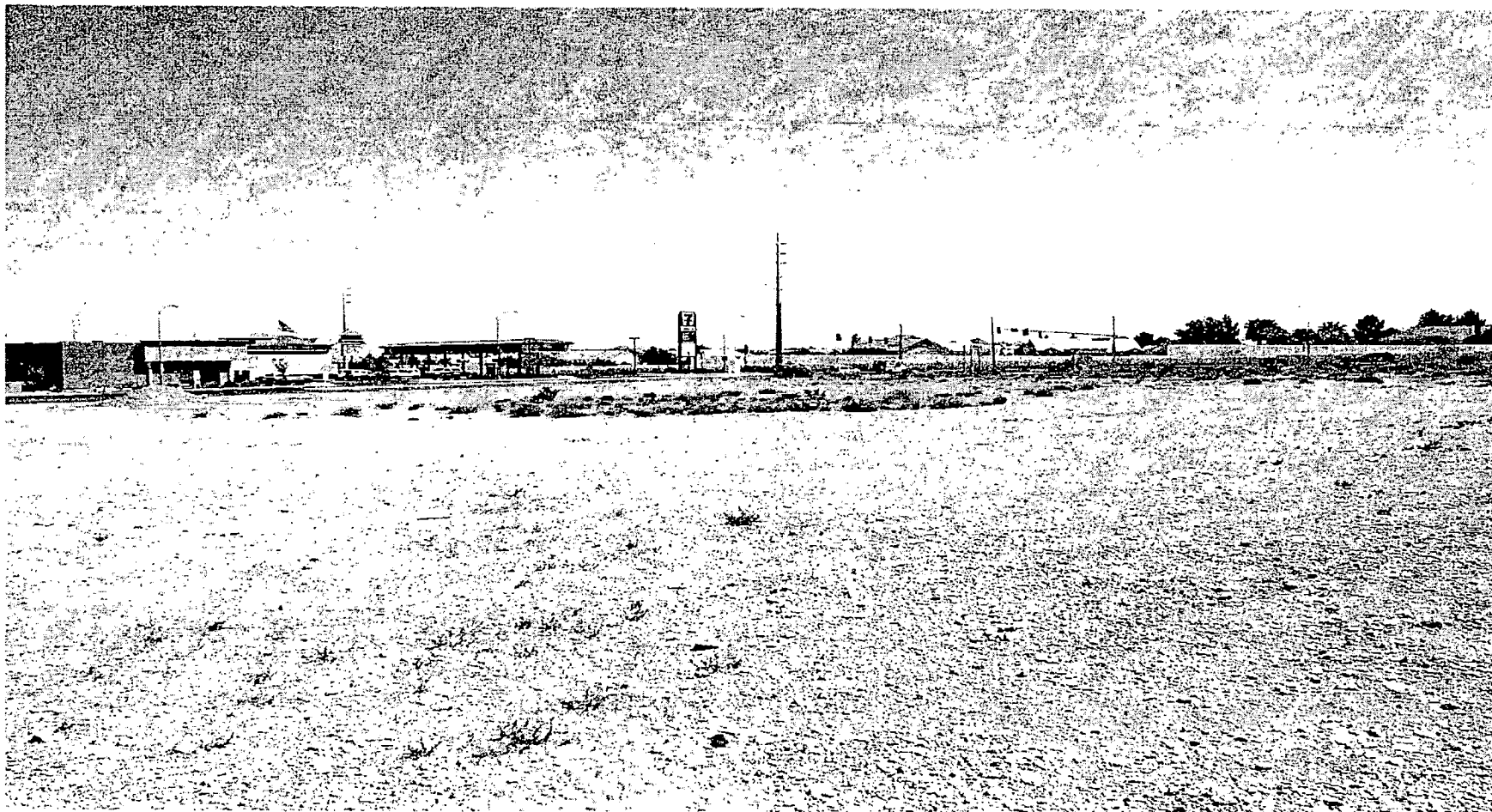
PROJECT: NEVADA STATE BANK • CHEYENNE / FT. APACHE	LOCATION MAP
DESCRIPTION:	
SHEET: 1	OF 1

GPA-4042
4-22-04 PC



GPA-4042 - APPLICANT: NEVADA STATE BANK - OWNER: SIDNEY & PAULA FRY FAMILY TRUST
NORTHWEST CORNER OF CHEYENNE AVENUE AND FORT APACHE ROAD
APRIL 22, 2004 PLANNING COMMISSION

4/9/04



GPA-4042 - APPLICANT: NEVADA STATE BANK - OWNER: SIDNEY & PAULA FRY FAMILY TRUST
NORTHWEST CORNER OF CHEYENNE AVENUE AND FORT APACHE ROAD
APRIL 22, 2004 PLANNING COMMISSION

4/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ZON-4043 - APPLICANT: NEVADA STATE BANK - OWNER: SIDNEY & PAULA FRY FAMILY TRUST - Request for a Rezoning FROM: U (UNDEVELOPED) [ML (MEDIUM-LOW DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: O (OFFICE) on 3.00 acres adjacent to the northwest corner of Cheyenne Avenue and Fort Apache Road (APN: 138-07-801-011), Ward 4 (Brown).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – **UNANIMOUS** with McSwain excused

To be heard by the City Council on 5/19/2004

MINUTES:

NOTE: See Item 24 [GPA-4042] for all related discussion.
(6:55 – 7:13)

1-2128

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4042) to an O (Office) land use designation approved by the City Council.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 25 – ZON-4043

CONDITIONS – Continued:

2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-4060) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

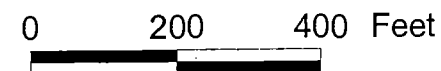
4. Dedicate 50 feet of right-of-way adjacent to this site for Cheyenne Avenue, 50 feet for Fort Apache Road, and a 54-foot radius at the northwest corner of Cheyenne Avenue and Fort Apache Road prior to the issuance of any permits.
5. Construct half-street improvements on Cheyenne Avenue and Fort Apache Road adjacent to this site concurrent with development of this site. Also complete the traffic signal system on the northwest corner of Cheyenne Avenue and Fort Apache Road adjacent to this site concurrent with development of this site. 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.
6. If not already constructed at time of development, extend sanitary sewer past the northern boundary of this site in Fort Apache Road to a location and depth acceptable to the City Engineer concurrent with development of this site.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 25 – ZON-4043

CONDITIONS – Continued:

may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

8. 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, submittal of any construction drawings or the recordation of a Map subdividing this site, 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. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

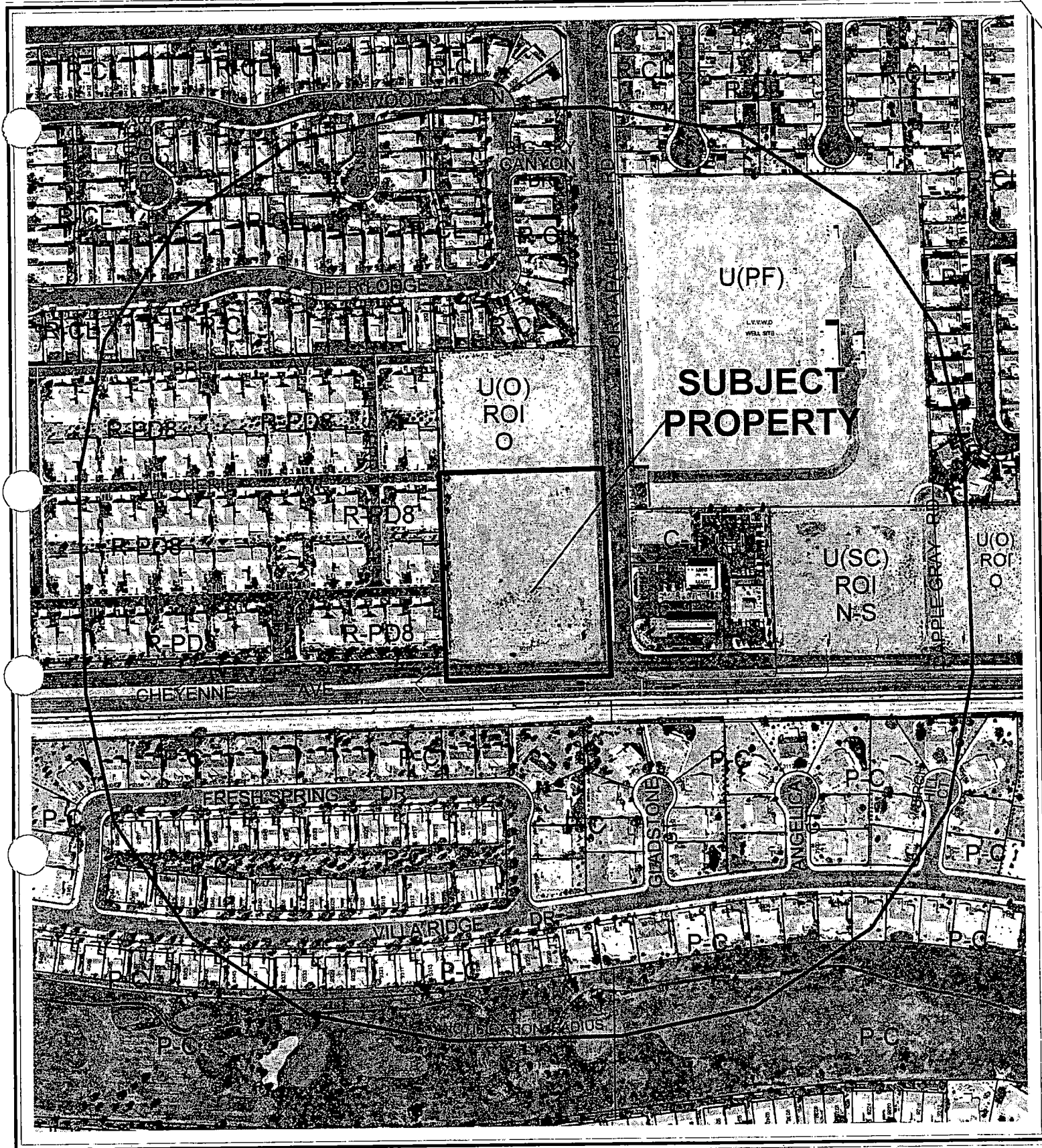


ADIUS: 750 FT

U (UNDEVELOPED) [ML (MEDIUM DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

O (OFFICE)





CASE: **ZON-4043**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) [ML (MEDIUM DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

O (OFFICE)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-4043 - APPLICANT: NEVADA STATE BANK - OWNER:
SIDNEY & PAULA FRY FAMILY TRUST**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-4042) to an O (Office) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-4060) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate 50 feet of right-of-way adjacent to this site for Cheyenne Avenue, 50 feet for Fort Apache Road, and a 54-foot radius at the northwest corner of Cheyenne Avenue and Fort Apache Road prior to the issuance of any permits.
5. Construct half-street improvements on Cheyenne Avenue and Fort Apache Road adjacent to this site concurrent with development of this site. Also complete the traffic signal system on the northwest corner of Cheyenne Avenue and Fort Apache Road adjacent to this site concurrent with development of this site. 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.
6. If not already constructed at time of development, extend sanitary sewer past the northern boundary of this site in Fort Apache Road to a location and depth acceptable to the City Engineer concurrent with development of this site.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site.

ZON-4043 - Conditions Page Two
April 22, 2004 - Planning Commission Meeting

The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

8. 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, submittal of any construction drawings or the recordation of a Map subdividing this site, 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. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from U (Undeveloped) [ML (Medium Low Density Residential) General Plan Designation] to O (Office) on 3.00 acres adjacent to the northwest corner of Cheyenne Avenue and Fort Apache Road. A General Plan Amendment (GPA-4060), a Special Use Permit (SUP-4045), and a Site Development Plan Review (SDR-4060) for a proposed Financial Institution, General with drive through and for a Waiver of the Parking Lot Landscaping requirements will be considered as companion agenda items.

B) Applicant's Justification

The applicant's justification letter states the present land use for the property, Medium Low (ML) Density Residential, renders a GPA (General Plan Amendment) and zone change necessary to support the proposed office development requiring and Office (O) zoning designation.

The proposed zone change presents a comfortable transition from commercial parcels to the east to the high density residential to the west. The northern two acres immediately adjacent to the site currently exists as Office (O) zoned property [138-07-801-010] further reinforcing the appropriateness of the zone change request with frontage on two significant rights-of-way, Cheyenne and Fort Apache.

BACKGROUND INFORMATION

A) Previous Actions

There are no previous actions that pertain to this site.

B) Pre-Application Meeting

02/25/04 The following issues were discussed:

ZON-4043 - Staff Report Page Two
April 22, 2004 - Planning Commission Meeting

- An eight-foot perimeter buffer with 24-inch box trees is required along the west property line.
- A fifteen-foot buffer between the street and parking lot with 24-inch box trees 30 feet on center is required.
- The gated and roofed trash enclosures shall be a minimum of 50 feet from residential to the west.
- Parking lot finger islands with 24-inch box trees is required for each six parking spaces.
- Each tress shall have four 5-gallon and four 1-gallon shrubs.
- Parking:
 - Office building: 1-space/300 square feet of building.
 - Bank: 1 space/200 square feet
- O (Office) or C-1 (Limited Commercial) zoning: SUP required for the bank in O (Office) zoning.
- Office building to close to residential to the west according to residential adjacency requirements.

C) Neighborhood Meetings

03/16/04 A neighborhood meeting is not required for this Rezoning application. Five persons attended the meeting per the General Plan Amendment with the following comments:

- Make sure there's adequate landscaping along western property line.
- Shield the lights to avoid light pollution and trespass onto adjacent properties.

None of the residents voiced opposition to the General Plan Amendment.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.88 acres
Net Acres: 3.0 acres

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Single Family Residential Development
East: Commercial, Convenience Store
West: Condominiums

April 22, 2004 - Planning Commission Meeting

C) Planned Land Use

Subject Property: ML (Medium-Low Density Residential)
North: O (Office)
South: ML (Medium-Low Density Residential)
East: ML (Medium-Low Density Residential)
West: MLA (Medium-Low Attached Density Residential)

D) Existing Zoning

Subject Property: U (Undeveloped) [ML (Medium Low Density Residential) General Plan Designation]
North: U (Undeveloped) [ML (Medium Low Density Residential) General Plan Designation] under Resolution of Intent to O (Office)
South: P-C (Planned Community)
East: C-1 (Limited Commercial)
West: R-PD8 (Residential Planned Development – 8 Units Per Acre)

E) General Plan Compliance

The Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan designates the site as ML (Medium Low Density Residential). The Medium Low Density Residential allows up to 5.6 to 8 dwelling units/per gross acre. This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. A related General Plan Amendment (GPA-4042) application seeks to change land use designation to O (Office), which would support the proposed zoning to O (Office). The O (Office) category designation allows for small lot office conversions as a transition, along primary and secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Any special plan areas or districts do not affect this site.
ZON-4043 - Staff Report Page Four

April 22, 2004 - Planning Commission Meeting

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The Development Standards associated with the development request for this parcel will be addressed in the related Site Development Plan Review (SDR-4060) application.

B) General Analysis and Discussion

The zone change to O (Office) zone will be consistent with the proposed General Plan Amendment (GPA-4042) to O (Office). The O (Office) District is designed to provide for the development of office uses, supporting service uses and low intensity commercial uses performing administrative, professional and personal services. These may be small office buildings developed in a cluster with an internal traffic circulation system or one larger office building. This district may be used as a buffer between residential and more intense retail/commercial uses. The O (Office) District is consistent with the Office category of the General Plan.

The proposed O (Office) zoning designation is compatible with the existing O (Office) under Resolution of Intent zoning classification to the north, the P-C (Planned Community) designated lands to the south, the C-1 (Limited Commercial) zoning classification to the east and the R-PD8 (Residential Planned Development – 8 Units per Acre) to the west.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The site is currently designated as ML (Medium Low Density Residential) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan. A related General Plan Amendment application (GPA-4042) proposes to amend the land use designation to O (Office). The zone change to O (Office) zone will be consistent with the proposed General Plan Amendment to O (Office).

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.”

ZON-4043 - Staff Report Page Five
April 22, 2004 - Planning Commission Meeting

The proposed zoning of O (Office) would permit the proposed financial institution with drive-through building and future office development on the site. This zoning designation is compatible with the surrounding zoning classifications, including O (Office) to the north, the P-C (Planned Community) designated lands to the south, C-1 (Limited Commercial) zoning classification to the east, and the R-PD8 (Residential Planned Development – 8 Units Per Acre) to the west. The proposed zone change to O (Office) will be compatible with the surrounding land uses and zoning districts.

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

The proposed financial institution and future office building represents an opportunity for infill development of the site. The land is currently designated for medium-low residential use, however the development of single family residential is not suitable due to the location of the site adjacent to two primary arterials, Cheyenne Avenue and Fort Apache Road and the proximity of the surrounding land uses, including the office and commercial. The proposed O (Office) zoning classification and the financial institution and future office building will still be compatible with the surrounding land uses.

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.”

The site is accessed via Cheyenne Avenue and Fort Apache Road, both 100-foot Primary Arterials. The rights-of-way provide adequate access to the site.

NOTICES MAILED 249 [Mailed with GPA-4042, SUP-4045 & SDR-4060]

APPROVALS 0

PROTESTS 0



Case Number: **ZON-4043** APN: **138-07-801-011**

Name of Property Owner: **Fry Sidney & Paula Family Trust and Fry Sidney Allen & Paula F TRS**

Name of Applicant: **Nevada State Bank**

Yes **X** No

City Official: _____

Partner(s): _____

APN:

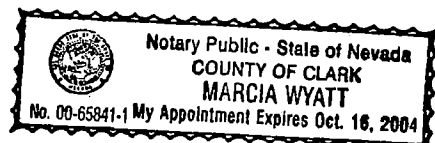
Signature of Property Owner/Authorized Agent:

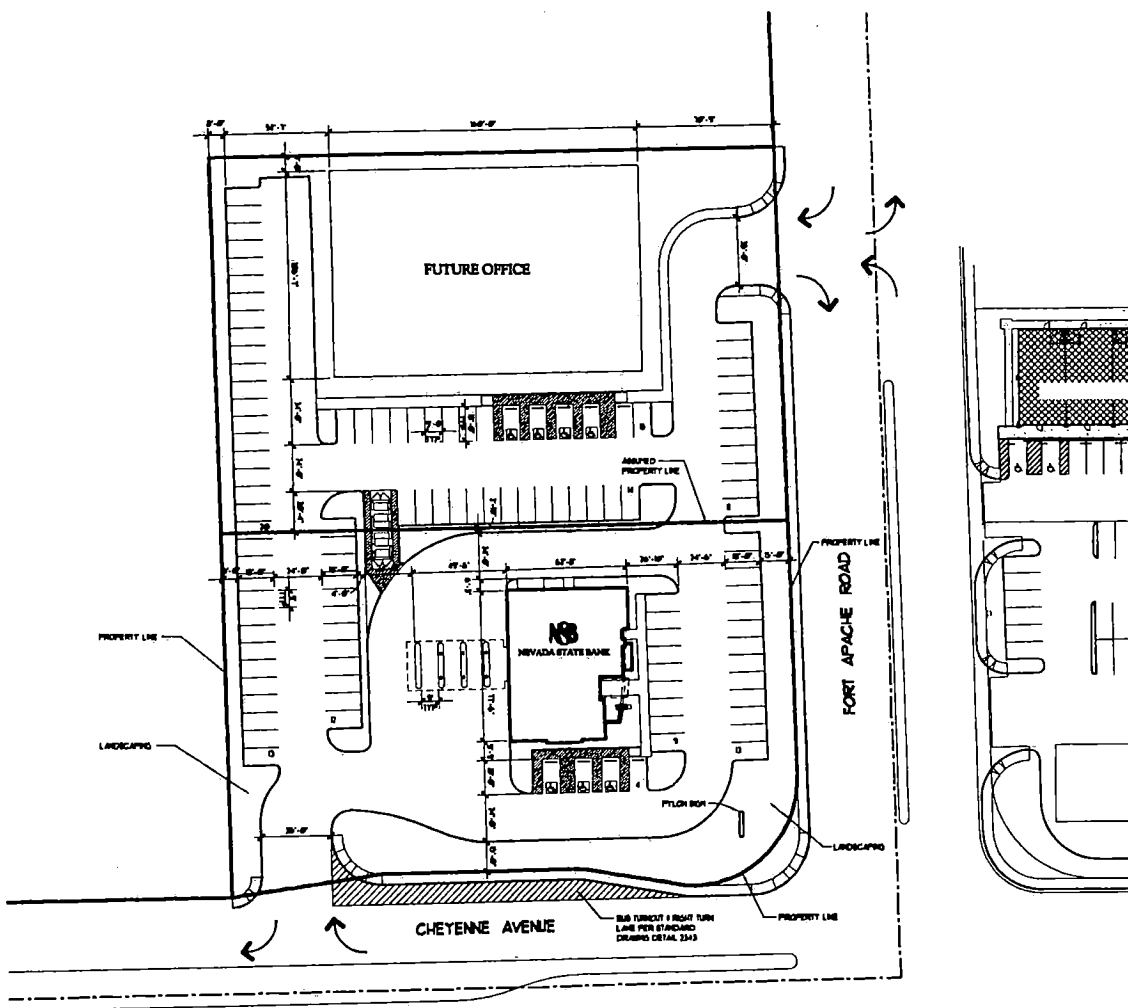
Print Name:

Subscribed and sworn before me

This 19 day of February, 2004

Notary Public in and for said County and State





SITE PLAN
SCALE: 1" = 30'-0"

BASIS OF DESIGN	
PROPOSED BANK	
SITE AREA:	51,536 SF. (1.31 ACRES)
FLOOR AREA:	
BANK AREA:	4,410 SF.
FLOOR/LOT RATIO:	
BANK (BANK):	1 : 8.9 (4,410 SF. / 51,536 SF.)
BUILDING HEIGHT:	
NUMBER OF STORES:	1 STORY
HEIGHT:	22'-0"
SETBACKS:	
FRONT YARD:	10 FEET
SIDE YARD:	8 FEET
REAR YARD:	8 FEET
PARKING:	
BANK:	REQUIRED: 33
(1 SPACE PER 200 G.S.P.)	PROVIDED: 51
ACCESSIBLE PARKING:	PROVIDED: 3
FUTURE OFFICE	
SITE AREA:	56,211 SF. (1.28 ACRES)
FLOOR AREA:	
OFFICE AREA:	11,800 SF.
FLOOR/LOT RATIO:	
OFFICE (OFFICE):	1 : 3.3 (11,800 SF. / 56,211 SF.)
BUILDING HEIGHT:	
NUMBER OF STORES:	1 STORY
HEIGHT:	20'-0"
SETBACKS:	
FRONT YARD:	10 FEET
SIDE YARD:	8 FEET
REAR YARD:	8 FEET
PARKING:	
OFFICE:	REQUIRED: 57
(1 SPACE PER 300 G.S.P.)	PROVIDED: 60
ACCESSIBLE PARKING:	PROVIDED: 4
VICINITY MAP	



PROJECT NUMBER: 0633-04-001

NEVADA STATE BANK
CHEYENNE/FORT APACHE

CITY OF LAS VEGAS, NEVADA

MARCH 5, 2004

SCALE: 1" = 30'-0"

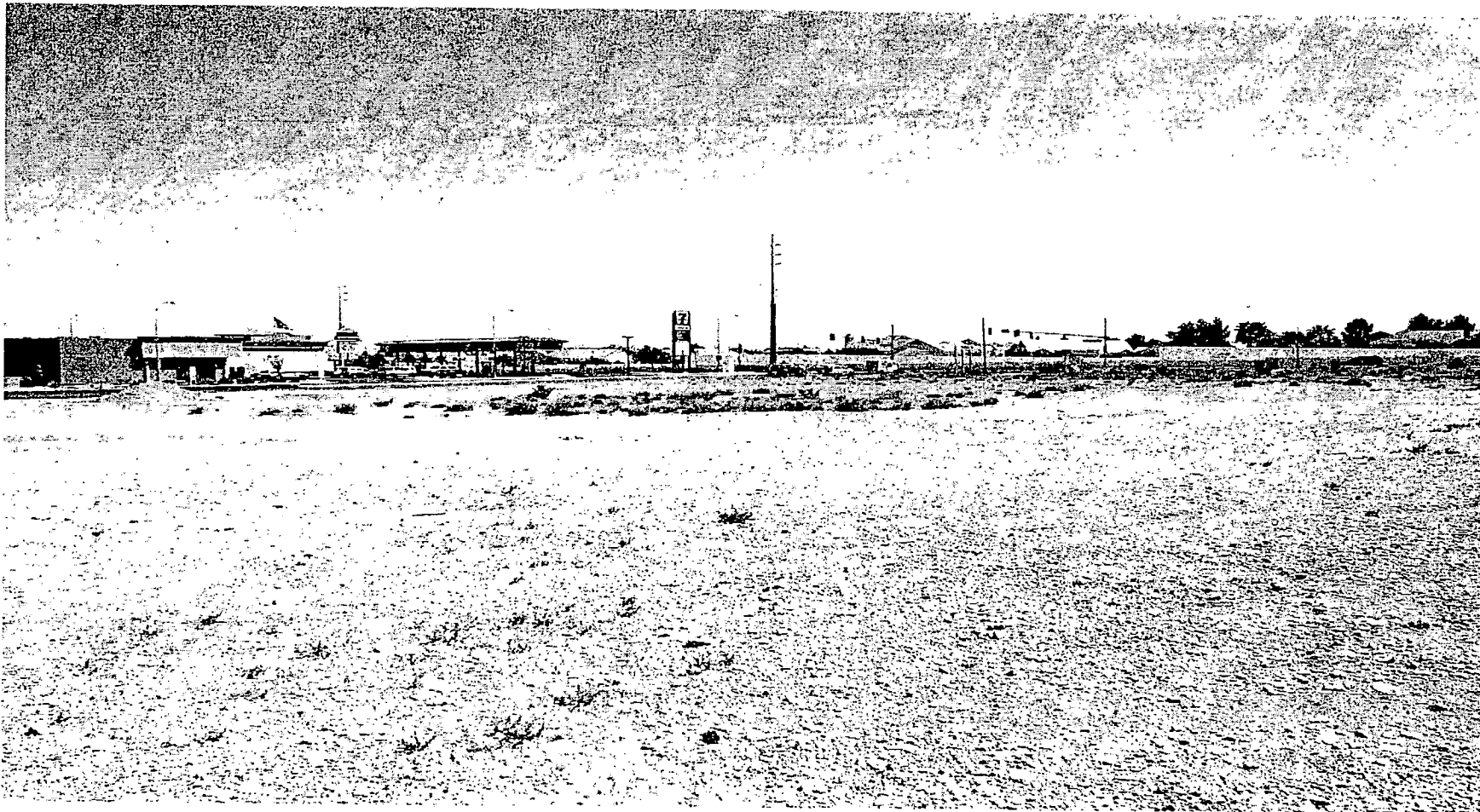


ZON-4043
4-22-04 PC



ZON-4043 - APPLICANT: NEVADA STATE BANK - OWNER: SIDNEY & PAULA FRY FAMILY TRUST
NORTHWEST CORNER OF CHEYENNE AVENUE AND FORT APACHE ROAD
APRIL 22, 2004 PLANNING COMMISSION

4/9/04



ZON-4043 - APPLICANT: NEVADA STATE BANK - OWNER: SIDNEY & PAULA FRY FAMILY TRUST
NORTHWEST CORNER OF CHEYENNE AVENUE AND FORT APACHE ROAD
APRIL 22, 2004 PLANNING COMMISSION

4/9/04

8. AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-4045 - APPLICANT: NEVADA STATE BANK - OWNER: SIDNEY & PAULA FRY FAMILY TRUST - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, GENERAL WITH DRIVE THROUGH TO BE LOCATED ON PROPERTY ADJACENT TO A RESIDENTIAL USE on 3.00 acres adjacent to the northwest corner of Cheyenne Avenue and Fort Apache Road (APN: 138-07-801-011), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] [PROPOSED: O (Office)], Ward 4 (Brown).

IF APPROVED: C.C.: 05/19/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with McSwain excused

To be heard by the City Council on 5/19/2004

MINUTES:

NOTE: See Item 24 [GPA-4042] for all related discussion.

(6:55 – 7:13)

1-2128

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 26 – SUP-4045

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Financial Institution with Drive-Through use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4043) and Site Development Plan Review (SDR-4060).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. A Waiver is granted to allow drive-throughs on property adjacent to residential uses and without separation from residential properties by an intervening building.
6. Drive-throughs shall not have access to local residential streets.
7. Stacking lanes for drive-through service windows shall accommodate at least six cars per lane, and shall be screened per Title 19.12.040 (C).



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-4045 - APPLICANT: NEVADA STATE BANK - OWNER:
SIDNEY & PAULA FRY FAMILY TRUST**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Financial Institution with Drive-Through use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4043) and Site Development Plan Review (SDR-4060).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. A Waiver is granted to allow drive-throughs on property adjacent to residential uses and without separation from residential properties by an intervening building.
6. Drive-throughs shall not have access to local residential streets.
7. Stacking lanes for drive-through service windows shall accommodate at least six cars per lane, and shall be screened per Title 19.12.040 (C).

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for Drive Throughs for a Proposed Financial Institution, General with Drive Through to be located on property adjacent to a residential use on 3.00 acres adjacent to the northwest corner of Cheyenne Avenue and Fort Apache Road.

B) Applicant's Justification

The applicant's justification letter states the property to the west is designated ML (Medium Low Density Residential). Therefore a Special Use Permit is required to satisfy one of three conditions pursuant to Title 19, Section 19.04.040 Conditional Uses

Three related items were filed with this request: A General Plan Amendment (GPA-4060) from ML (Medium-Low Density Residential) to O (Office); A Rezoning (ZON-4043) from U (ML) to O (Office); and a Site Development Plan Review (SDR-4060) for a proposed Financial Institution.

BACKGROUND INFORMATION

A) Previous Actions

There are no previous actions that pertain to the site.

B) Pre-Application Meeting

02/25/04 At the pre-application meeting the following issues discussed included:

- An eight-foot perimeter buffer with 24-inch box trees is required along the west property line.
- A fifteen-foot buffer between the street and parking lot with 24-inch box trees 30 feet on center is required.
- The gated and roofed trash enclosures shall be a minimum of 50 feet from residential to the west.
- Parking lot finger islands with 24-inch box trees is required for each six parking spaces.
- Each tress shall have four 5-gallon and four 1-gallon shrubs.

SUP-4045 - Staff Report Page Two
April 22, 2004 - Planning Commission Meeting

- Parking:
 - Office building: 1-space/300 square feet of building.
 - Bank: 1 space/200 square feet
- O (Office) or C-1 (Limited Commercial) zoning: SUP required for the bank in O (Office) zoning.
- Office building to close to residential to the west according to residential adjacency requirements.

C) Neighborhood Meetings

03/16/04 A neighborhood meeting is not required for this Special Use Permit application. Five persons attended the General Plan Amendment meeting with the following comments:

- Make sure there's adequate landscaping along western property line.
- Shield the lights to avoid light pollution and trespass onto adjacent properties.

None of the residents voiced opposition to the General Plan Amendment.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.88 acres
Net Acres: 2.5 acres

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Single Family Residential Development
East: Commercial, Convenience Store
West: Condominiums

C) Planned Land Use

Subject Property: ML (Medium-Low Density Residential)
North: O (Office)
South: ML (Medium-Low Density Residential)
East: ML (Medium-Low Density Residential)
West: MLA (Medium-Low Attached)

SUP-4045 - Staff Report Page Three
April 22, 2004 - Planning Commission Meeting

D) Existing Zoning

Subject Property: U (Undeveloped) [ML (Medium Low Density Residential) General Plan Designation]
North: U (Undeveloped) [ML (Medium Low Density Residential) General Plan Designation] under Resolution of Intent to O (Office)
South: P-C (Planned Community)
East: C-1 (Limited Commercial)
West: R-PD8 (Residential Planned Development – 8 Units Per Acre)

E) General Plan Compliance

The Centennial Hills Interlocal Land Use Plan of the General Plan designates the site as ML Medium Low Density Residential). The Medium Low Density Residential allows up to 5.6 to 8 dwelling units/per gross acre. This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. A related General Plan Amendment (GPA-4042) application seeks to change land use designation to O (Office), which would support the proposed zoning to O (Office). The O (Office) category designation allows for small lot office conversions as a transition, along primary and secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Special Overlay District		X
Trails		
Study Area		X
Rural Preservation Neighborhood		
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		
Project of Regional Significance		X

There are not any special plan areas or districts that affect this site.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

SUP-4045 - Staff Report Page Four
April 22, 2004 - Planning Commission Meeting

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution	4,412 SF.	1/200 GFA	22	1	48	3

The proposal exceeds the parking requirements of Title 19.

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.08, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Trash Enclosure	50 Feet from Residential Property Line.	Yes, 75 Feet from Residential Property Line.

The proposal exceeds the separation requirement for trash enclosures to be located at least 50 feet from residential property line, per the requirements of Title 19.

B) General Analysis and Discussion

- Zoning**

A Financial Institution with Drive Through is a permitted use in the O (Office) zoning category as a Conditional Use. If certain conditions cannot be met, than a Special Use Permit approval is required to allow for the deviation. The conditions for a Financial Institution with Drive Through relate to the location of the drive-through on property adjacent to residential development; drive through with access to local streets; and required stacking lanes for the drive through.

- Use**

The proposed drive-through use for a financial institution requires the approval of Special Use Permit in the O (Office) District, if adjacent to residential uses. This provision is intended to protect residential uses from the nuisance of potentially noxious and disturbing uses, such as drive-through facilities. The drive-through is proposed on the west side of the financial institution, the side nearest to residential uses, approximately 95 feet from the residential property line. A condition is recommended for a Waiver to allow drive-throughs on property adjacent to residential uses and without separation from residential properties by an intervening building, if the site plan is revised to relocate the financial institution drive through to the north or east side of the financial institution building, or other suitable location.

SUP-4045 - Staff Report Page Five
April 22, 2004 - Planning Commission Meeting

- Conditions

Pursuant to Title 19.04, the following Conditions apply to the subject proposal:

Standards	Code Requirement	Provided
Financial Institution with Drive Through	Drive-throughs shall not be located on property adjacent to residential uses. Drive-throughs shall be separated from residential properties by an intervening building.	No
Financial Institution with Drive Through	Drive-throughs shall not have access to local residential streets.	Yes
Financial Institution with Drive Through	Stacking lanes for drive-through service windows shall accommodate at least six cars per lane, and shall be screened per Section 19.12.040 (C).	Yes

The proposed development does not conform to the minimum standards contained in Title 19.04 for Financial Institution with Drive Through. This proposal includes a drive through adjacent to residential uses, therefore a waiver of that requirement is also part of this application.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

The proposed financial institution will be appropriate for its location on Cheyenne Avenue and Fort Apache Road. The proposed financial institution will serve as an infill development and function as a transition between the residential uses to the west and south to the office and commercial uses to the north and west, respectively, and will be harmonious with surrounding land uses.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

SUP-4045 - Staff Report Page Six
April 22, 2004 - Planning Commission Meeting

The subject site is an urban infill site, and is appropriate to support the financial institution and proposed future office development.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Cheyenne Avenue will provide the principal vehicular access to the parking associated with the structure, and have sufficient capacity to serve the additional traffic that will be generated by the development.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The subject site will be subject to City Business License requirements and periodic City inspections for code compliance, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED 249 [Mailed with GPA-4042, ZON-4043 & SDR-4060]

APPROVALS 0

PROTESTS 0



Case Number: SUP-4045 APN: 138-07-801-011

Name of Property Owner: Fry Sidney & Paula Family Trust and Fry Sidney Allen & Paula F TRS

Name of Applicant: Nevada State Bank

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes **X** No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s):

APN:

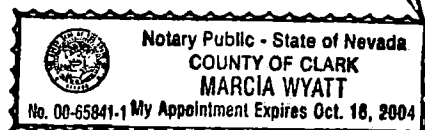
Signature of Property Owner/Authorized Agent:

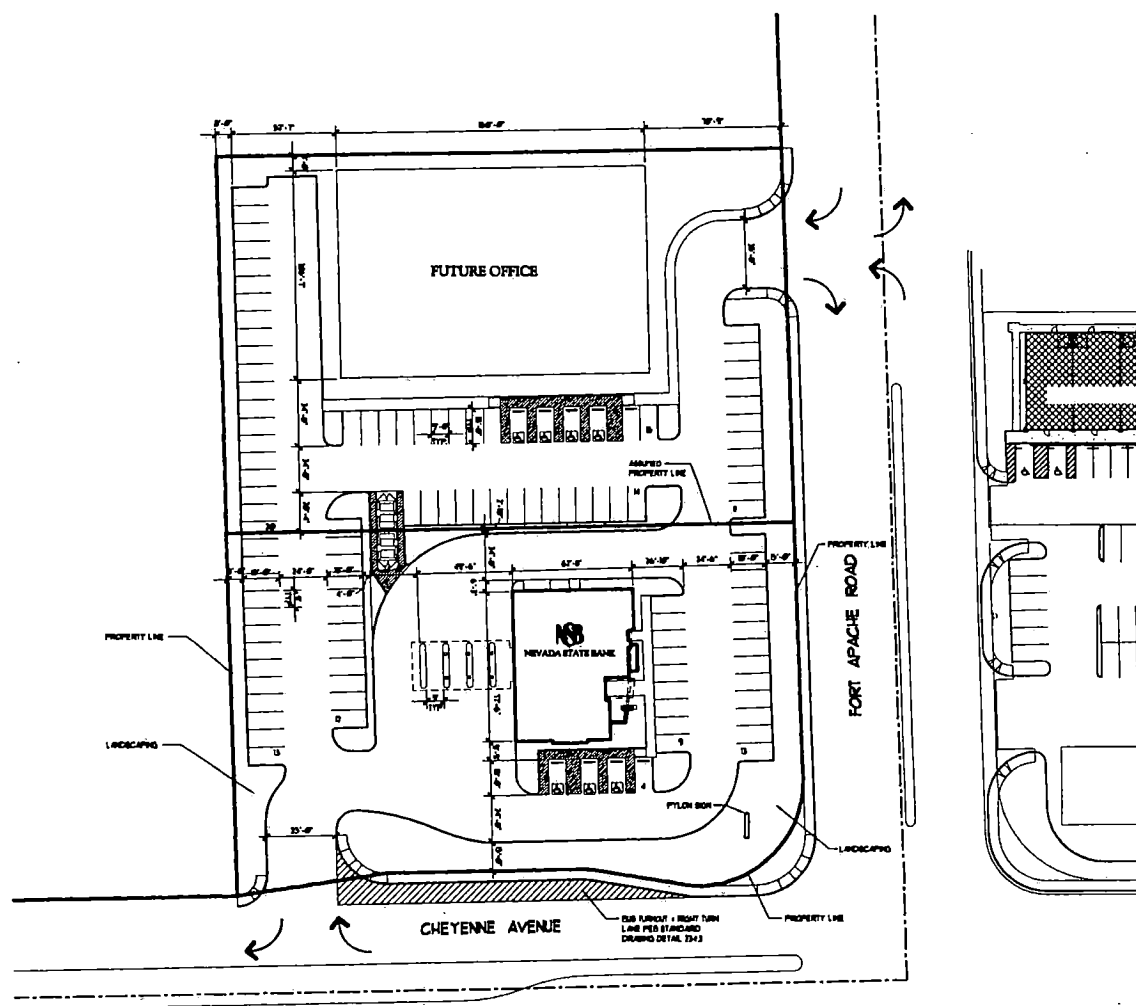
Print Name: _____

Subscribed and ~~sworn~~ before me

This 19 day of February, 2004

Notary Public in and for said County and State





SITE PLAN
SCALE: 1" = 30'-0"

BASIS OF DESIGN	
PROPOSED BANK	
SITE	
SITE AREA:	92336 SF. (121 ACRES)
FLOOR AREA	
BANK AREA:	4,412 SF.
FLOOR/LOT RATIO	
BANK / BANK:	1 : 20 (4,412 SF. / 92336 SF.)
BUILDING HEIGHT	
NUMBER OF STORIES:	1 STORY
HEIGHT:	22'-6"
SETBACKS	
FRONT YARD:	15 FEET
SIDE YARD:	8 FEET
REAR YARD:	8 FEET
PARKING	
BANK:	REQUIRED: 22
(1 SPACE PER 100 G.S.P.)	PROVIDED: 31
ACCESSIBLE PARKING:	PROVIDED: 3
FUTURE OFFICE	
SITE	
SITE AREA:	56,211 SF. (129 ACRES)
FLOOR AREA	
OFFICE AREA:	17,800 SF.
FLOOR/LOT RATIO	
OFFICE / BANK:	1 : 33 (17,800 SF. / 56,211 SF.)
BUILDING HEIGHT	
NUMBER OF STORIES:	1 STORY
HEIGHT:	26'-0"
SETBACKS	
FRONT YARD:	15 FEET
SIDE YARD:	8 FEET
REAR YARD:	8 FEET
PARKING	
OFFICE:	REQUIRED: 51
(1 SPACE PER 300 G.S.P.)	PROVIDED: 60
ACCESSIBLE PARKING:	PROVIDED: 4
VICINITY MAP	
PROJECT LOCATION	



PROJECT NUMBER: 0033-04-001

NEVADA STATE BANK CHEYENNE/FT. APACHE

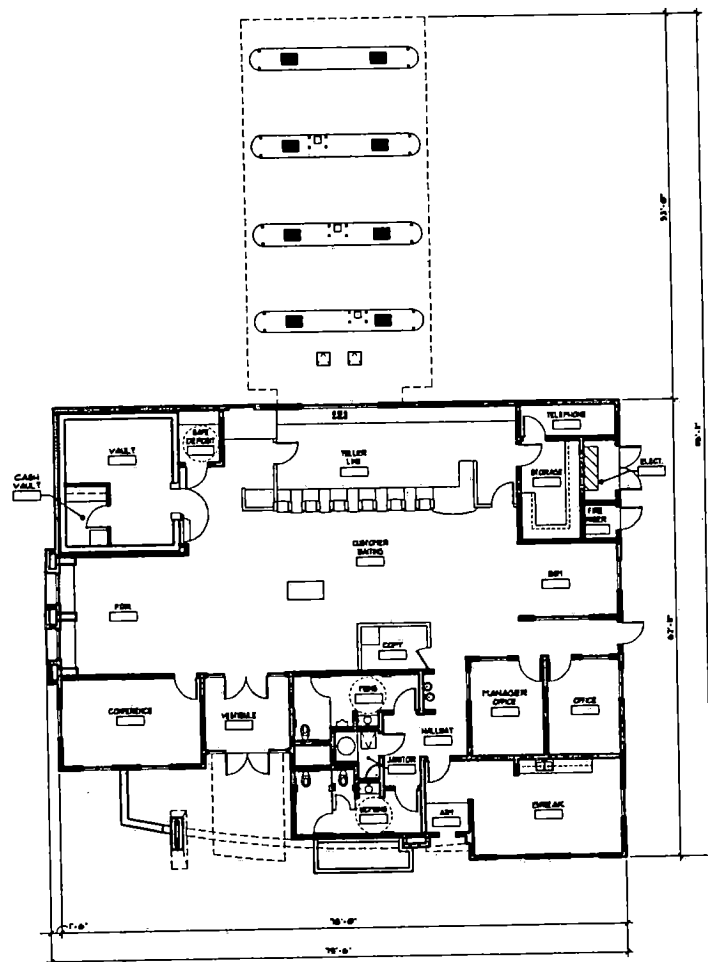
CITY OF LAS VEGAS, NEVADA

MARCH 5, 2004

SCALE: 1" = 30'-0"



SUP-4045
4-22-04 PC



FLOOR PLAN
SCALE: 1/8" = 1'-0"



PROJECT NUMBER: 0033-04-001

NEVADA STATE BANK
CHEYENNE/EL APACHE

CITY OF LAS VEGAS, NEVADA

MARCH 5, 2004

SCALE: 1" = 8'-0"

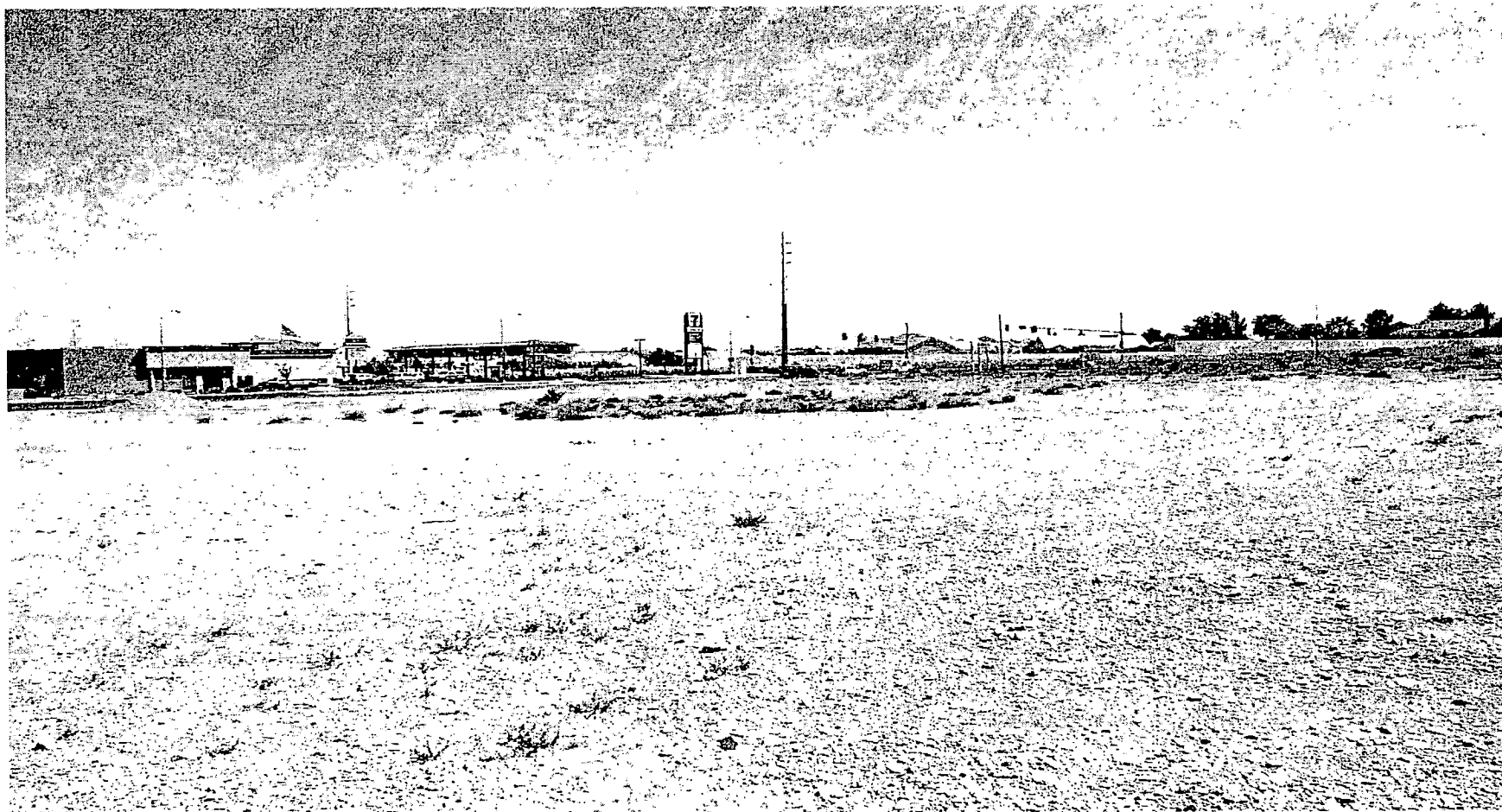


SUP-4045
4-22-04 PC



SUP-4045 - APPLICANT: NEVADA STATE BANK - OWNER: SIDNEY & PAULA FRY FAMILY TRUST
NORTHWEST CORNER OF CHEYENNE AVENUE AND FORT APACHE ROAD
APRIL 22, 2004 PLANNING COMMISSION

4/9/04



SUP-4045 - APPLICANT: NEVADA STATE BANK - OWNER: SIDNEY & PAULA FRY FAMILY TRUST
NORTHWEST CORNER OF CHEYENNE AVENUE AND FORT APACHE ROAD
APRIL 22, 2004 PLANNING COMMISSION

4/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-4060 - APPLICANT: NEVADA STATE BANK - OWNER: SIDNEY & PAULA FRY FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED FINANCIAL INSTITUTION, GENERAL WITH DRIVE THROUGH AND FOR A WAIVER OF THE PARKING LOT LANDSCAPING REQUIREMENTS on 3.00 acres adjacent to the northwest corner of Cheyenne Avenue an Fort Apache Road (APN: 138-07-801-011), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] [PROPOSED: O (Office)], Ward 4 (Brown).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions and deleting the words “Mondale Pines or other suitable screen tree” and replace with “(24-inch box trunk-type canopy tree)” in Condition4; amending Condition 7 by inserting the words “*pad site and associated landscape and parking areas*” after the words “future office building”; and amending the last sentence of Condition 8 to state “*four five-gallon and four 1-gallon shrubs along the west side property lines, and along the rights-of-way of the entire parcel*”

– UNANIMOUS with McSwain excused

To be heard by the City Council on 5/19/2004

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 27 – SDR-4060

MINUTES:

NOTE: See Item 24 [GPA-4042] for all related discussion.

(6:55 – 7:13)

1-2128

CONDITIONS:

Planning and Development

1. A Rezoning ZON-4043) to an O (Office) Zoning District and a Special Use Permit (SUP-4045) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped May 19, 2004, except as amended by conditions herein.
4. The site landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to provide additional trees (Mondel Pines or other suitable screen tree), spaced minimum of fifteen feet (15') on center in the five-foot wide landscape planter between the parking area and drive through teller/ATM lanes.
5. Noise, including beeping sounds from ATM teller services and bank teller/customer transactions (conversations) shall not be audible from the west (residential) property line.
6. The northern portion of the subject parcel shall be subject to a Site Development Plan Review.
7. Paving is required for the entire site, with the exception of the proposed future office building, which shall be covered with a suitable material in order to mitigate dust. If access is to be provided via Fort Apache Road to the Nevada State Bank site, then the access drive must be paved.
8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect parking lot landscape finger islands and the provision of the minimum required 24-inch box trees spaced 20 foot on center with four 5-gallon and four 1-gallon shrubs along the side and rear property lines, and along the rights-of-way for the entire parcel.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 27 – SDR-4060

CONDITIONS – Continued:

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
10. A revised landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building, including the bank teller and ATM drive-through. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. New condition: "Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services."
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the west and north boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 27 – SDR-4060

CONDITIONS – Continued:

18. A recorded Joint Access Agreement between this site and the adjoining proposed future parcel to the north shall be provided when the future parcel is created.
19. Landscape and maintain all unimproved rights-of-way on Cheyenne Avenue and Fort Apache Road adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements located in the Cheyenne Avenue and Fort Apache Road public rights-of-way adjacent to this site prior to occupancy of this site.
21. Site development to comply with all applicable conditions of approval for ZON-4043 and all other subsequent site-related actions.



O (OFFICE)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4060 - APPLICANT: NEVADA STATE BANK - OWNER:
SIDNEY & PAULA FRY FAMILY TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Rezoning ZON-4043) to an O (Office) Zoning District and a Special Use Permit (SUP-4045) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped May 19, 2004, except as amended by conditions herein.
4. The site landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to provide additional trees (Mondel Pines or other suitable screen tree), spaced minimum of fifteen feet (15') on center in the five-foot wide landscape planter between the parking area and drive through teller/ATM lanes.
5. Noise, including beeping sounds from ATM teller services and bank teller/customer transactions (conversations) shall not be audible from the west (residential) property line.
6. The northern portion of the subject parcel shall be subject to a Site Development Plan Review.
7. Paving is required for the entire site, with the exception of the proposed future office building, which shall be covered with a suitable material in order to mitigate dust. If access is to be provided via Fort Apache Road to the Nevada State Bank site, then the access drive must be paved.
8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect parking lot landscape finger islands and the provision of the minimum required 24-inch box trees spaced 20 foot on center with four 5-gallon and four 1-gallon shrubs along the side and rear property lines, and along the rights-of-way for the entire parcel.

SDR-4060 - Conditions Page Two
April 22, 2004 - Planning Commission Meeting

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
10. A revised landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building, including the bank teller and ATM drive-through. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. New condition: "Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services."
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the west and north boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
18. A recorded Joint Access Agreement between this site and the adjoining proposed future parcel to the north shall be provided when the future parcel is created.

SDR-4060 - Conditions Page Three
April 22, 2004 - Planning Commission Meeting

19. Landscape and maintain all unimproved rights-of-way on Cheyenne Avenue and Fort Apache Road adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping and private improvements located in the Cheyenne Avenue and Fort Apache Road public rights-of-way adjacent to this site prior to occupancy of this site.
21. Site development to comply with all applicable conditions of approval for ZON-4043 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a Proposed Financial Institution, General with Drive Through and for a Waiver of the Parking Lot Landscaping Requirements on 3.00 acres adjacent to the northwest corner of Cheyenne Avenue and Fort Apache Road.

Three related items were filed with this request: A General Plan Amendment (GPA-4060) to O (Office); A Rezoning (ZON-4043) to O (Office); and a Special Use Permit (SUP-4045) for a Drive Through for a Proposed Financial Institution.

B) Applicant's Justification

The applicant's justification letter states consisting of approximately 2.5 net acres, the proposed development shall include 1.34 acres for a Nevada State Bank building and 1.16 acres to accommodate a future single story office building. Both the bank building and the office building have been designed in a contemporary, desert style with E.I.F.S. finish and stone accents consistent with the architectural theme expressed at other Nevada State Bank locations throughout the Las Vegas Valley.

BACKGROUND INFORMATION

A) Previous Actions

There are no previous actions that pertain to this site.

B) Pre-Application Meeting

2/25/04 At the pre-application meeting the following issues were discussed:

- An eight-foot perimeter buffer with 24-inch box trees is required along the west property line.
- A fifteen-foot buffer between the street and parking lot with 24-inch box trees 30 feet on center is required.
- The gated and roofed trash enclosures shall be a minimum of 50 feet from residential to the west.

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April 22, 2004 - Planning Commission Meeting

- Parking lot finger islands with 24-inch box trees is required for each six parking spaces.
- Each tress shall have four 5-gallon and four 1-gallon shrubs.
- Parking:
 - Office building: 1-space/300 square feet of building.
 - Bank: 1 space/200 square feet
- O (Office) or C-1 (Limited Commercial) zoning: SUP required for the bank in O (Office) zoning.
- Office building too close to residential to the west according to residential adjacency requirements.

C) Neighborhood Meetings

3/16/04 A neighborhood meeting is not required for this Site Development Plan Review application. Five persons attended the General Plan Amendment meeting with the following comments:

- Make sure there's adequate landscaping along western property line.
- Shield the lights to avoid light pollution and trespass onto adjacent properties.

None of the residents voiced opposition to the General Plan Amendment.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.88 acres
Net Acres: 2.5 acres

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Single Family Residential Development
East: Commercial, Convenience Store
West: Condominiums

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April 22, 2004 - Planning Commission Meeting

C) *Planned Land Use*

Subject Property: ML (Medium-Low Density Residential)
 North: O (Office)
 South: ML (Medium-Low Density Residential)
 East: ML (Medium-Low Density Residential)
 West: MLA (Medium-Low Attached – 8.1 to 12 Units Per Acre)

D) *Existing Zoning*

Subject Property: U (Undeveloped) [ML (Medium Low Density Residential) General Plan Designation]
 North: U (Undeveloped) [ML (Medium Low Density Residential) General Plan Designation] under Resolution of Intent to O (Office)
 South: P-C (Planned Community)
 East: C-1 (Limited Commercial)
 West: R-PD8 (Residential Planned Development – 8 Units Per Acre)

E) *General Plan Compliance*

The Centennial Hills Interlocal Land Use Plan of the General Plan designates the site as ML (Medium Low Density Residential). The Medium Low Density Residential allows up to 5.6 to 8 dwelling units/per gross acre. This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. A related General Plan Amendment (GPA-4042) application seeks to change land use designation to O (Office), which would support the proposed zoning to O (Office). The O (Office) category designation allows for small lot office conversions as a transition, along primary and secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

There are not any special plan areas or districts that affect this site.

PROJECT DESCRIPTION

- Site Plan

The site plan indicates a rectangular shaped parcel that will be developed into two separate lots. This site development plan review is for a 4,412 square foot financial institution, Nevada State Bank, on the southern half of the project site. The primary access to the Nevada State Bank site is Cheyenne Avenue, a 100-foot Primary Arterial. A secondary access will be located off of Fort Apache Road via the project site to the north. The bank building will be located towards the southeastern portion of the site with parking located to the east, west and south of the building. Three handicap-parking stalls are located on the south side of the bank. A trash enclosure at the northwest corner of the project limits, adjacent to a parking row, approximately seventy-five feet (75') from the residential property line. A pylon sign (height not specified) is proposed at the Cheyenne Avenue and Fort Apache Road.

- Landscape Plan

The landscape plan indicates perimeter landscaping on the entire site, including the proposed separate lot to the north. Landscaping will also be provided around the bank building and around the drive-through. Perimeter landscaping includes minimum fifteen-foot (15') wide planters along the street frontages, Cheyenne and Fort Apache. The side and rear landscape planters are shown as eight-foot (8') wide landscape planters. Internal landscape planters are shown as four-foot (4') wide landscape planters. Landscape planter islands are indicated at the end of parking rows only.

The perimeter landscaping along Cheyenne and Fort Apache indicates twenty-four inch box Southern Live Oak, Texas Honey Mesquite, and Redbud trees spaced twenty feet to seventy feet on center with intermittent 15-gallon Chaste trees, an assortment of five-gallon shrubs (including Yellow Bird of Paradise, Regal Mist, Cherry Red Sage, Fortnight Lily, Red Yucca, Angelita Daisy, and Texas Sage Compact), 1-gallon Prostrate Rosemary and gravel mulch ground cover. The side and rear planters consist of 24-inch box Mondel Pines spaced forty feet on center with an assortment of five-gallon shrubs (listed above). Internal landscape planters consist of much of the same desert landscape palette.

- Building Elevations

The one-story 4,412 square foot financial institution will be constructed in a contemporary desert style with E.I.F.S. desert tone (light tan, silvery gray, gray brown, and dark brown palette) finish with two-tone dark blue and brown textured slate stone accents. The flat "mocha" colored metal roof will be compliment the desert palette. The drive-through will consist of a gray brown E.I.F.S finish with two-tone dark blue and brown textured slate stone support columns. The architectural theme for Nevada State Bank will be similar to other locations throughout the valley.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	56,277 SF *	N/A
Min. Lot Width	100 Feet	177 Feet *	Yes
Min. Setbacks			
• Front	25 Feet	87 Feet*	Yes
• Side	10 Feet	33 Feet*	Yes
• Corner	15 Feet	65 Feet*	Yes
• Rear	15 Feet	97 Feet*	Yes
Max. Lot Coverage	30 %	8.5 %*	Yes
Max. Building Height	2 Stories / 35 Feet	22' - 6"	Yes
Max. Drive-Through Hgt.		14' - 0"	
Trash Enclosure	Yes, Screened	Yes	Yes
Loading Zone	No	No	Yes
Mech. Equipment	Screened	Yes	Yes
Other ...	N/A	N/A	N/A

**Project site only, does not include entire parcel.*

This application meets the provisions of Title 19.

A2) Residential Adjacency Standards

This proposal complies with the City's Residential Adjacency Standards.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution	4,412 SF.	1/200 GFA	22	1	48	3

The proposal exceeds the requirement for on-site parking in the Zoning Code.

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The Department of Public Works had the following comments: Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the west and north boundaries of this site prior to construction of hard surfacing (asphalt or concrete); and a recorded Joint Access Agreement between this site and the adjoining proposed future parcel to the north shall be provided when the future parcel is created.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal.

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree / 6 Spaces	9 Trees	5 Trees
Buffer:			
• Min. Trees (adjacent to rights-of-way)	1 Tree per Linear 20 Feet	27 Trees	11 Trees (24") 7 Trees (15 gal)
• Min. Trees (adjacent to residential)	1 Tree per Linear 20 Feet	20 Trees	10 Trees
• Min. Trees (adjacent to other properties)	1 Tree per Linear 30 Feet	10 Trees	7 Trees
• Min. Zone Width (adjacent to ROW)	15 Feet		15 Feet
• Min. Zone Width (side and rear property lines)	8 Feet		8 Feet
• Wall height	6 Feet		Existing wall

The proposed project does not meet the minimum landscape standards as required by Title 19 and the Las Vegas Urban Design Guidelines and Standards. The project is deficient in the amount of required 24-inch box trees along the side and rear property lines and the rights-of-way, as well as the required parking lot landscape finger islands. A waiver was not specifically requested to waive the amount of perimeter trees, but a waiver was requested for the parking lot landscaping requirements.

A5) Sign Standards

Pursuant to Title 19.14, the following Sign Standards apply to the subject proposal:

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Freestanding Signs: O (Office) Zoning District

Standards	Allowed	Provided
Maximum Number	1 per Street frontage 2 total	1 total indicated at the corner of Fort Apache Rd and Cheyenne Ave.
Maximum Area	75 SF.	Information not provided
Maximum Height	16 Feet	Information not provided
Minimum Setback	5 Feet	Information not provided
Illumination	Internal or Direct Internal Illumination	Information not provided

Wall Signs: O (Office) Zoning District

Standards	Allowed	Provided
Maximum Number	1 per building elevation/tenant facing a street/on-site parking 4 total	1 per frontage 4total
Maximum Area	10% of building elevation	Information not provided
Maximum Projection	2 Feet	Information not provided
Illumination	Internal or Direct Internal Illumination	Information not provided

The application submittal did not include specific information regarding the indicated freestanding (pylon) and wall signs. Pursuant to Title 19.14, the Sign Standards for the O (Office) shall apply to the subject proposal.

B) General Analysis and Discussion

- Zoning

The proposed financial institution (Nevada State Bank) project will be a permitted use within the O (Office) zoning district, upon the approval of a related Rezoning (ZON-4043) and a Special Use Permit (SUP-4045) for the drive through.

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- **Site Plan**

The site plan provides a suitable layout for the rectangular shaped site. The bank building is oriented towards the southeast corner of the project limits, so the building's impact is minimal to the nearby condominium development. The provided parking exceeds Code requirements by 26 parking spaces (54%). There is concern with the bank's drive-through, which is located on the west side of the structure, closest to residential property (condominiums), in particular the concern is with noise and light associated with the drive-through teller and ATM operations. Glare cast from overhead canned lights on the underside of the drive-through canopy can affect nearby residential. Noise, including Automatic Teller Machine (ATM) beeper prompts and related sounds while utilizing drive-up teller services, in particular bank teller conversations with customers, and transaction capsule vacuum noises should be alleviated. To mitigate these concerns the following conditions are recommended: to provide additional trees (Mondel Pines or other suitable screen tree), spaced minimum of fifteen feet (15') on center in the five-foot wide landscape planter between the parking area and drive through teller/ATM lanes; noise, including beeping sounds from ATM teller services and bank teller/customer transactions (conversations) shall not be audible from the west (residential) property line; and utilize wallpack lighting using 'shoe-box' fixtures and downward-directed lights on the proposed building, including the bank teller and ATM drive-through to reduce light pollution.

The site plan indicates that the northern portion of the site will be developed for a future office development and therefore is not evaluated as part of this application. A condition is recommended that any development on the northern portion require a Site Development Plan Review. Also a condition is recommended to pave the entire site and/or cover the northern portion with a suitable material for dust abatement. If access is to be provided via Fort Apache Road to the Nevada State Bank site, then the access must be paved.

- **Waivers**

Pursuant to Section 19.08.045 of the Zoning Code, there are a number of requirements for commercial developments. The applicant requested a waiver of the parking lot landscaping requirements and to allow the development of building on a corner lot to be located off of the back of curb. No justification was offered for either waiver request.

In regard to the parking lot landscape waiver, it is noted that the site is overparked by nearly 54% (26 parking spaces) and therefore the waiver request for parking lot landscaping should not be granted. A condition is recommended to provide landscape planter islands with 24-inch box trees for every six parking spaces.

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In regard to the waiver to allow the financial institution building to be located off the back of curb in lieu of placement adjacent to the corner, the waiver is justifiable in that a majority of the parking is set back from the corner curb and less visible to the street.

- **Landscape Plan**

The landscape plan depicts perimeter and parking lot landscaping that meets only a portion of the intent of Title 19 and the Las Vegas Urban Design Guidelines and Standards to provide adequate buffering and to break up the continuity of parking lots. A landscape waiver was not requested as part of this application and is not justified. Therefore a condition is recommended to revise the landscape plan to indicate parking lot landscape finger islands and provide the required number of trees spaced appropriately along the side and rear property lines, and along the rights-of-way. All landscape materials should meet the minimum requirements of Title 19 and the Las Vegas Urban Design Guidelines and Standards.

- **Elevation**

The submitted elevations are appropriate for the area and depict the high quality of development.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

The proposed development is appropriate with the adjacent land uses and the development of the area. Conditions have been listed that will ensure that this development has minimal impact on neighboring residences.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

The proposed financial institution development will be consistent with Title 19, and with the intent of the Design Standards Manual, and the Landscape, Wall and Buffer Standards with the exception of requested waivers for building placement and perimeter and parking lot landscape requirements. Conditions are recommended to revise the site plan and landscape plan to comply with Title 19 standards for perimeter and parking lot landscaping.

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3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

The site is accessed via Cheyenne Avenue and Fort Apache Road, both 100-foot Primary Arterials. The rights-of-way provide adequate access to the site and will not negatively impact adjacent roadways or neighborhood traffic.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The proposed building materials and colors are compatible with the desert environment and are appropriate. The proposed landscape palette materials will provide an aesthetically pleasing environment, however a condition is listed to provide minimum number of trees in the perimeter landscape planters and in the parking lots as required by Title 19 and other landscaping shall adhere to the requirements of the Las Vegas Urban Design Guidelines and Standards.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

The building elevations are appealing and are compatible with the development in the area, and will foster an aesthetic environment that is compatible with the nearby commercial and residential uses.

6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**

The proposed development will be subject to permits and final inspection for a Certificate of Occupancy, and therefore will not compromise the health, safety and general welfare.

NOTICES MAILED 294 [Mailed with GPA-4042, ZON-4043, & SUP-4045]

APPROVALS 0

PROTESTS 0



Case Number: **SDR-4060** APN: **138-07-801-011**

Name of Property Owner: **Fry Sidney & Paula Family Trust and Fry Sidney Allen & Paula F TRS**

Name of Applicant: **Nevada State Bank**

Yes **X** No

City Official: _____

Partner(s): _____

APN: _____

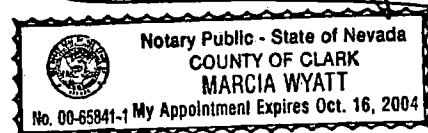
Signature of Property Owner/Authorized Agent:

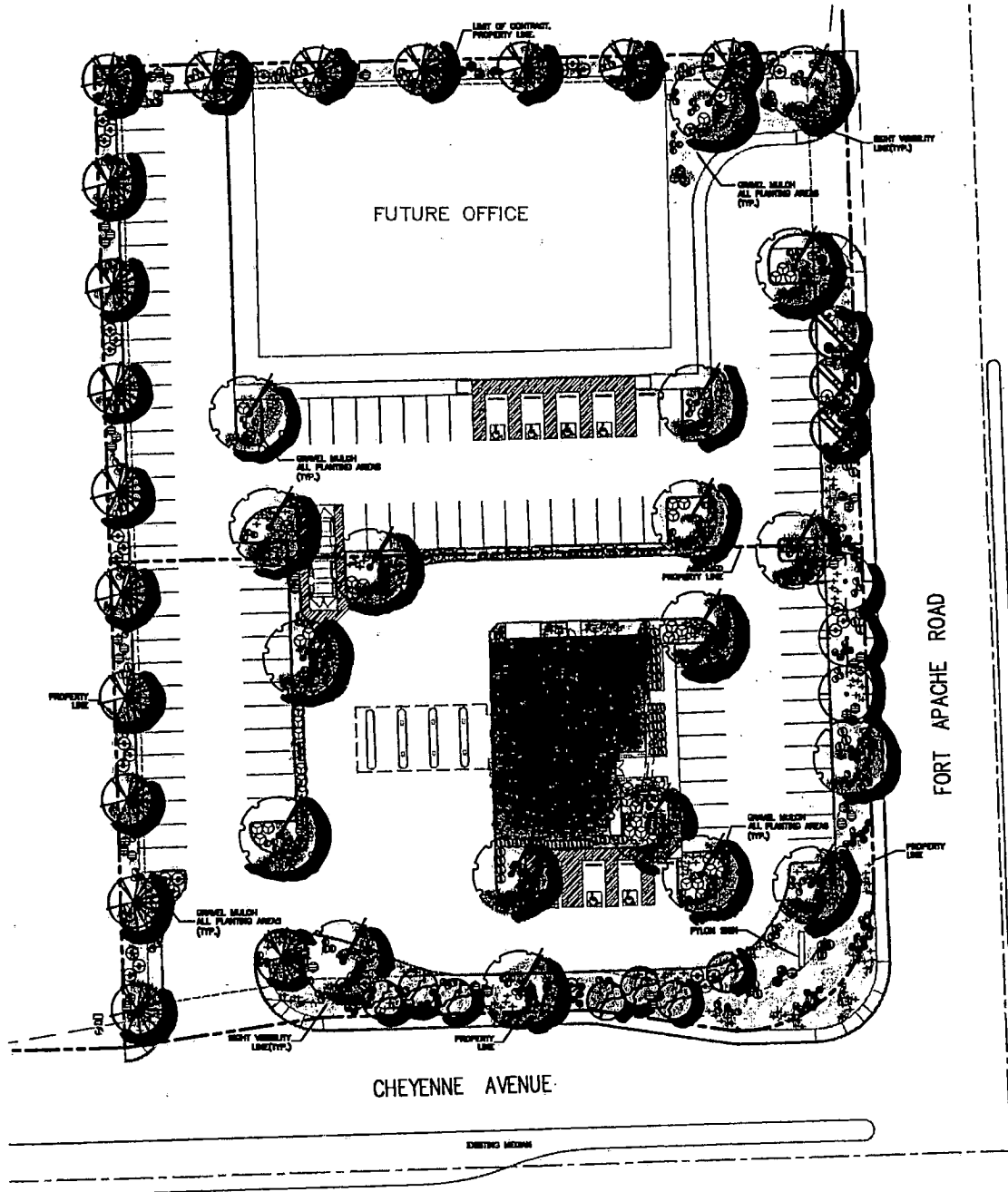
Print Name: Alexander

Subscribed and sworn before me

This 19 day of February, 2004

Notary Public in and for said County and State





PLANT LEGEND

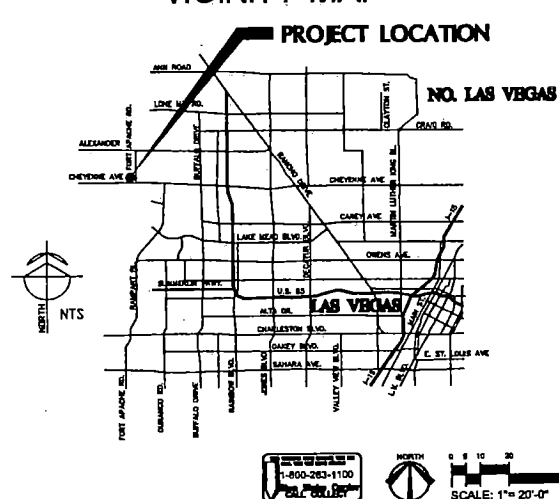
TREE SYMBOL	SYMBOL NAME	COMMON NAME	SIZE	QTY.	NOTES
1A	PAVE	MINDEL PINE	10' HGT. 4.5' DIA.	17	10' HGT. 4.5' DIA. 2" CALIPER
1B	PAVE	MINDEL PINE	10' HGT. 3.5' DIA.	3	10' HGT. 3.5' DIA. 1.5" CALIPER
1C	PAVE	MINDEL PINE	10' HGT. 4.5' DIA.	3	10' HGT. 4.5' DIA. 1.5" CALIPER
1D	PAVE	MINDEL PINE	10' HGT. 4.5' DIA.	10	10' HGT. 4.5' DIA. 1.5" CALIPER
1E	PAVE	MINDEL PINE	10' HGT. 4.5' DIA.	7	10' HGT. 4.5' DIA. 0.75" CALIPER

SHRUB SYMBOL	SYMBOL NAME	COMMON NAME	SIZE	QTY.	NOTES
2A	PAVE	MINDEL PINE	10' HGT. 4.5' DIA.	88	PER PLAN
2B	PAVE	MINDEL PINE	10' HGT. 3.5' DIA.	61	PER PLAN
2C	PAVE	MINDEL PINE	10' HGT. 4.5' DIA.	110	PER PLAN
2D	PAVE	MINDEL PINE	10' HGT. 4.5' DIA.	70	PER PLAN
2E	PAVE	MINDEL PINE	10' HGT. 4.5' DIA.	60	PER PLAN
2F	PAVE	MINDEL PINE	10' HGT. 4.5' DIA.	100	PER PLAN
2G	PAVE	MINDEL PINE	10' HGT. 4.5' DIA.	64	PER PLAN
2H	PAVE	MINDEL PINE	10' HGT. 4.5' DIA.	80	PER PLAN

GRASS MULCH, MATCH COLOR/TEXT. ALL PLANTING AREAS. SUPPLEMENT EXISTING PLANTING AREAS AS REQUIRED.

NOTES:
1) ALL PLANTING DETAILLED WITH THIS PHASE OF THE PROJECT WILL HAVE AN AUTOMATED IRRIGATION SYSTEM. THE TREES AND SHRUBS WILL BE ON SEQUENCE IRRIGATION VALVES.
2) NO PLANTING IS ANTICIPATED WITH THIS PHASE OF THE PROJECT.
3) BEST QUALITY WILL BE USED ON TREES PLANTED WITHIN 1' OF THE RIGHT-OF-WAY.

VICINITY MAP



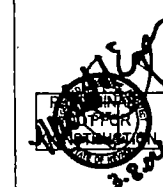
SDR-4060
4-22-04 PC

Cartier & Bergman
Landscape Architects
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Las Vegas, NV 89101
Tel: 702.735.1100
Fax: 702.735.1101
www.cartierbergman.com

PRELIMINARY FOR REVIEW ONLY
These documents are for Design Review and not intended for Construction Bidding or Permit Purposes. They were prepared by, or under supervision of,

LANDSCAPE ARCHITECT
1000 S. LAS VEGAS
702.735.1100

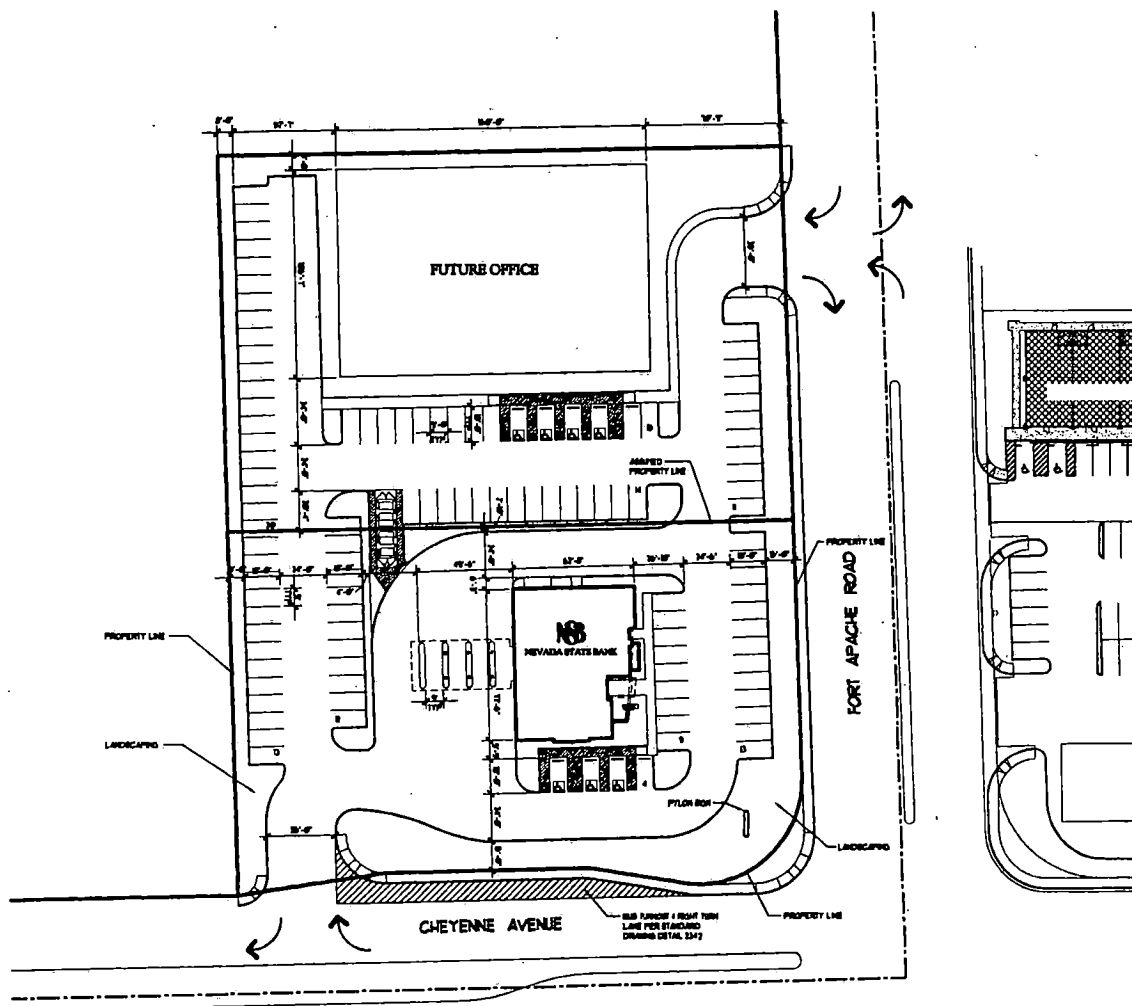
Nevada State Bank at Cheyenne / Ft Apache Phase I
City of Las Vegas, Nevada



DATE ISSUED: 03/08/04
CITY SUBMITTAL:
ISSUES/REVISIONS:

PROJECT CONTENTS
Conceptual Landscape Plan

SHEET NUMBER
1 OF 1



SITE PLAN
SCALE: 1" = 30'-0"

BASIS OF DESIGN	
PROPOSED BANK	
SITE	
SITE AREA:	93,336 SF. (131 ACRES)
FLOOR AREA	
BANK AREA:	4,410 SF.
FLOOR AREA RATIO	
BANK (BANK):	1: 8.0 (4,410 SF. / 93,336 SF.)
BUILDING HEIGHT	
NUMBER OF STORIES:	1 STORY
HEIGHT:	37'-0"
SETBACKS	
FRONT YARD:	0 FEET
SIDE YARD:	0 FEET
REAR YARD:	0 FEET
CHARGES	
BANK:	REQUIRED: 23
(1 SPACE PER 300 GSF.)	PROVIDED: 14
ACCESSIBLE PARKING:	PROVIDED: 3
FUTURE OFFICE	
SITE	
SITE AREA:	96,371 SF. (139 ACRES)
FLOOR AREA	
OFFICE AREA:	17,000 SF.
FLOOR AREA RATIO	
OFFICE (OFFICE):	1: 3.3 (17,000 SF. / 96,371 SF.)
BUILDING HEIGHT	
NUMBER OF STORIES:	1 STORY
HEIGHT:	30'-0"
SETBACKS	
FRONT YARD:	0 FEET
SIDE YARD:	0 FEET
REAR YARD:	0 FEET
CHARGES	
OFFICE:	REQUIRED: 81
(1 SPACE PER 300 GSF.)	PROVIDED: 56
ACCESSIBLE PARKING:	PROVIDED: 4
VICINITY MAP	



PROJECT NUMBER: 9833-04-001

NEVADA STATE BANK
CHEYENNE / FORT APACHE

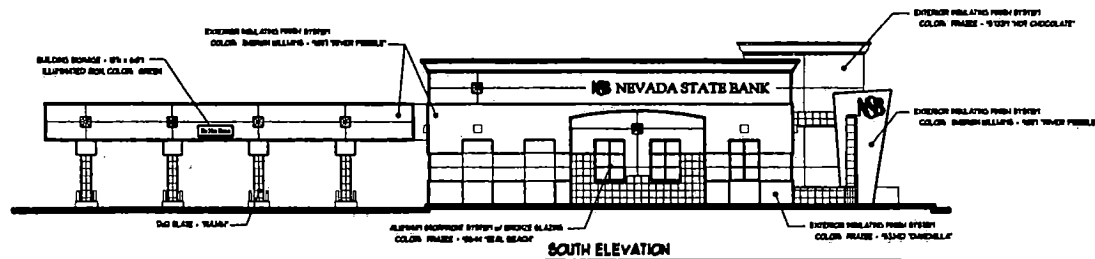
CITY OF LAS VEGAS, NEVADA

MARCH 5, 2004

SCALE: 1" = 30'-0"

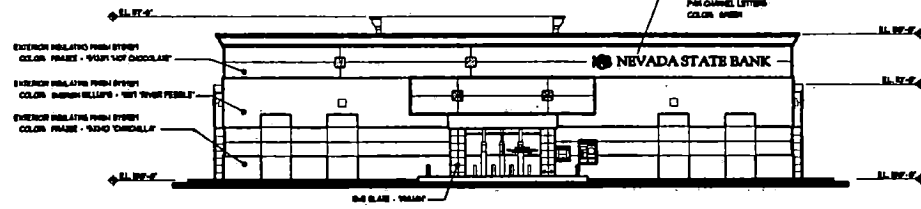


SDR-4060
4-22-04 PC



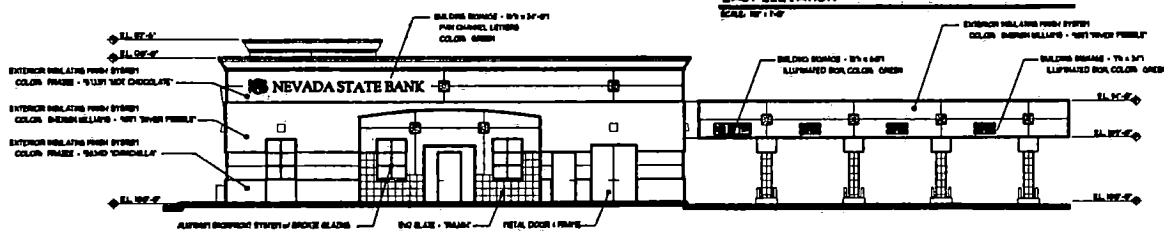
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



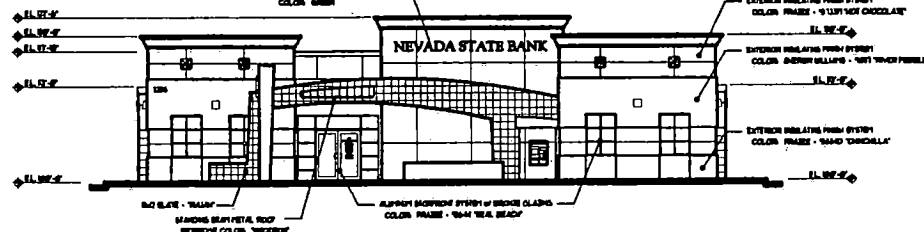
EAST ELEVATION

SCALE: 1/4" = 1'-0"



NORTH ELEVATION

SCALE: 1/4" = 1'-0"



WEST ELEVATION

SCALE: 1/4" = 1'-0"



PROJECT NUMBER: 0023-04-001

**NEVADA STATE BANK
CHEYENNE/EE APACHI**

CITY OF LAS VEGAS, NEVADA
MARCH 5, 2004



SCALE: 1/4" = 1'-0"

SDR-4060
4-22-04 PC



MARCH 5, 2004

SCALE: 1" = 100'

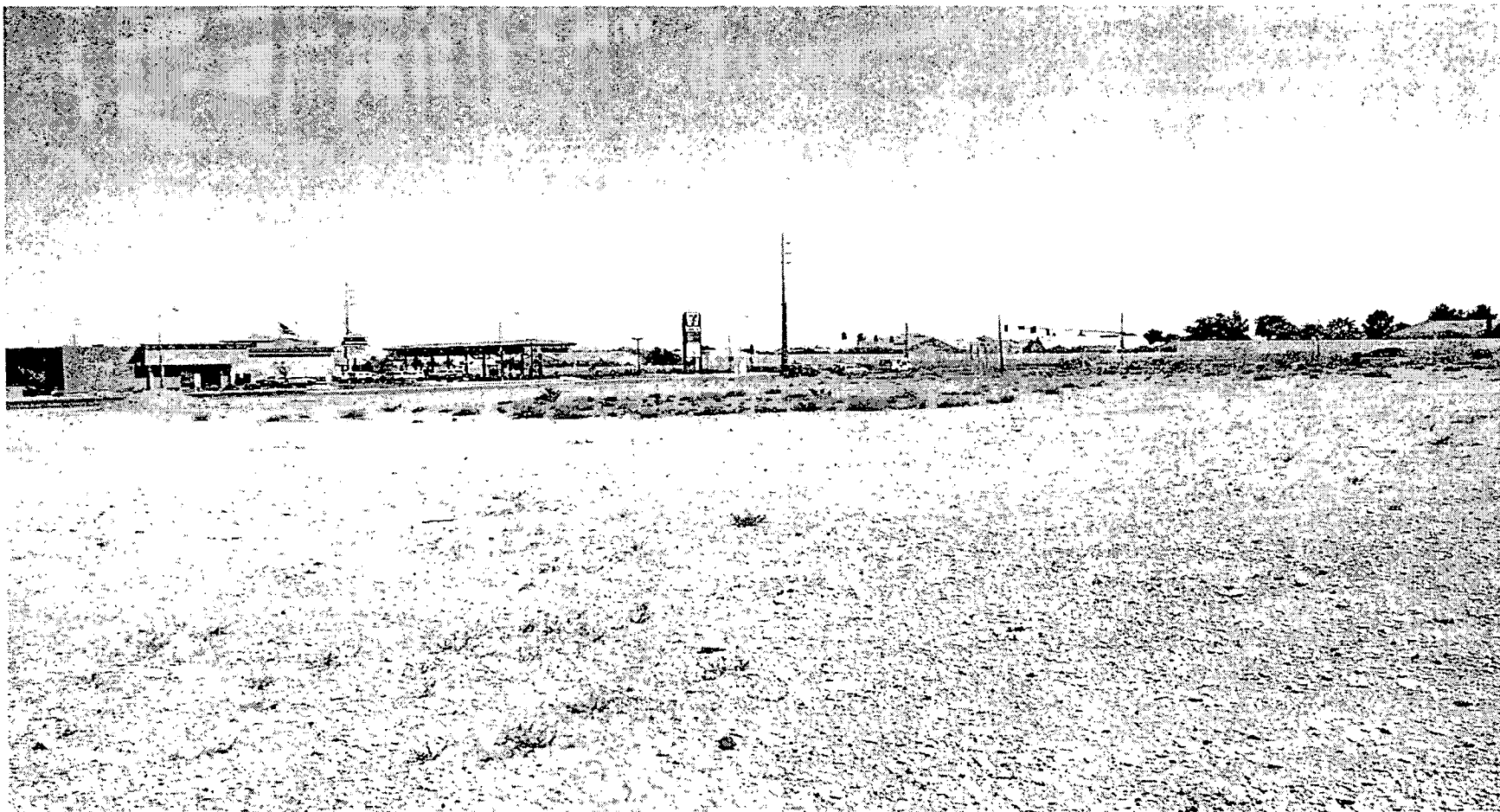


SDR-4060
4-22-04 PC



SDR-4060 - APPLICANT: NEVADA STATE BANK - OWNER: SIDNEY & PAULA FRY FAMILY TRUST
NORTHWEST CORNER OF CHEYENNE AVENUE AND FORT APACHE ROAD
APRIL 22, 2004 PLANNING COMMISSION

4/9/04



SDR-4060 - APPLICANT: NEVADA STATE BANK - OWNER: SIDNEY & PAULA FRY FAMILY TRUST
NORTHWEST CORNER OF CHEYENNE AVENUE AND FORT APACHE ROAD
APRIL 22, 2004 PLANNING COMMISSION

4/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-4044 - APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT - Request to amend a portion of Map 10 of the Centennial Hills Sector Plan TO REALIGN POWERLINE CORRIDORS WITHIN THE CLIFF'S EDGE MASTER PLAN AREA, Ward 6 (Mack).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN excused

To be heard by the City Council on 5/19/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, explained that the request will allow for a more orderly development of Cliffs Edge. Secondly, the power line corridor will be incorporated into the trail system as it goes down Grand Teton. Staff recommended approval.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 28 – GPA-4044

MINUTES – Continued:

ATTORNEY MARK FIORENTINO, Kummer Kaemper Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the master developer together with CALVIN CHAMPLIN of the Cliffs Edge community. This is a joint application with the Nevada Power Company to move the alignment off of Farm Road onto Grand Teton Drive. Its current alignment, not only conflicts with future residential, but with a park and an elementary school sites. ATTORNEY FIORENTINO concurred with all staff's recommendations.

COMMISSIONER EVANS asked if the alignment is to accommodate the power lines and poles and if there are any provisions they will be placed underground. ATTORNEY FIORENTINO replied they will be above ground. They are high transmission lines and they will be incorporated in multi-use trails in both instances.

CRAIG DAVIS, 9373 Arrowhead Bluff Avenue, did not object to the applicant's proposal, but asked that they continue down Grand Canyon. Originally they were to go all the way down Farm Road, but they are meandering around the Focus property.

JEWEL PECK, 9392 Arrowhead Bluff Avenue, stated that the 150-foot transmission lines will be in her backyard. She supported the applicant's request, but asked that they be removed from Farm Road and placed down Grand Teton Drive, as originally planned. Nevada Power Company is willing to move them for major developers, but not for the existing residents.

PETER and MARGARET NAPTHINE, 9367 Arrowhead Bluff Avenue, concurred with the previous speaker's comment and added he learned about the proposed power lines after he moved into his home. Nevada Power should consider moving the power lines for the residents of this area as well.

MICHAEL SPURGIN, 9388 Arrowhead Bluff Avenue, stated that the request is to move the power lines from the existing Farm Road corridor to Grand Teton Drive. All of the speakers happen to reside on Farm Road. The lines would be better served continuing down Grand Teton Drive. He asked that the item be held in abeyance for further negotiations with the homeowners and that Nevada Power Company consider moving them from Farm Road and continue down Grand Teton Drive.

MARK BARRIER, 9395 Arrowhead Bluff Avenue, agreed with his neighbors' comments and stated he is considering selling his home because of the power lines. He asked that the power lines be realigned.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 28 – GPA-4044

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, asked if the power lines will be placed along the trail system.

ATTORNEY FIORENTINO clarified that the request is to move the approved power line alignment on Farm Road to Grand Teton Drive. He does not disagree with the residents' comments, but the applicant does not have any control over that. The applicant is trying to avoid that exact situation. He believes it is difficult for Nevada Power to move those lines because of engineering and right-of-way issues. However, approving this request will not impact those residents.

COMMISSIONER STEINMAN verified with ATTORNEY FIORENTINO that a vacant land along the new alignment is owned by the Bureau of Land Management (BLM) and is planned for a trail. Everything north of the trail is all BLM land. This is an opportunity to appropriately plan because the master plan has not been done yet. He also verified that people will eventually buy knowing the existence of the power lines.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(7:13 – 7:26)
1-2793

CONDITIONS:

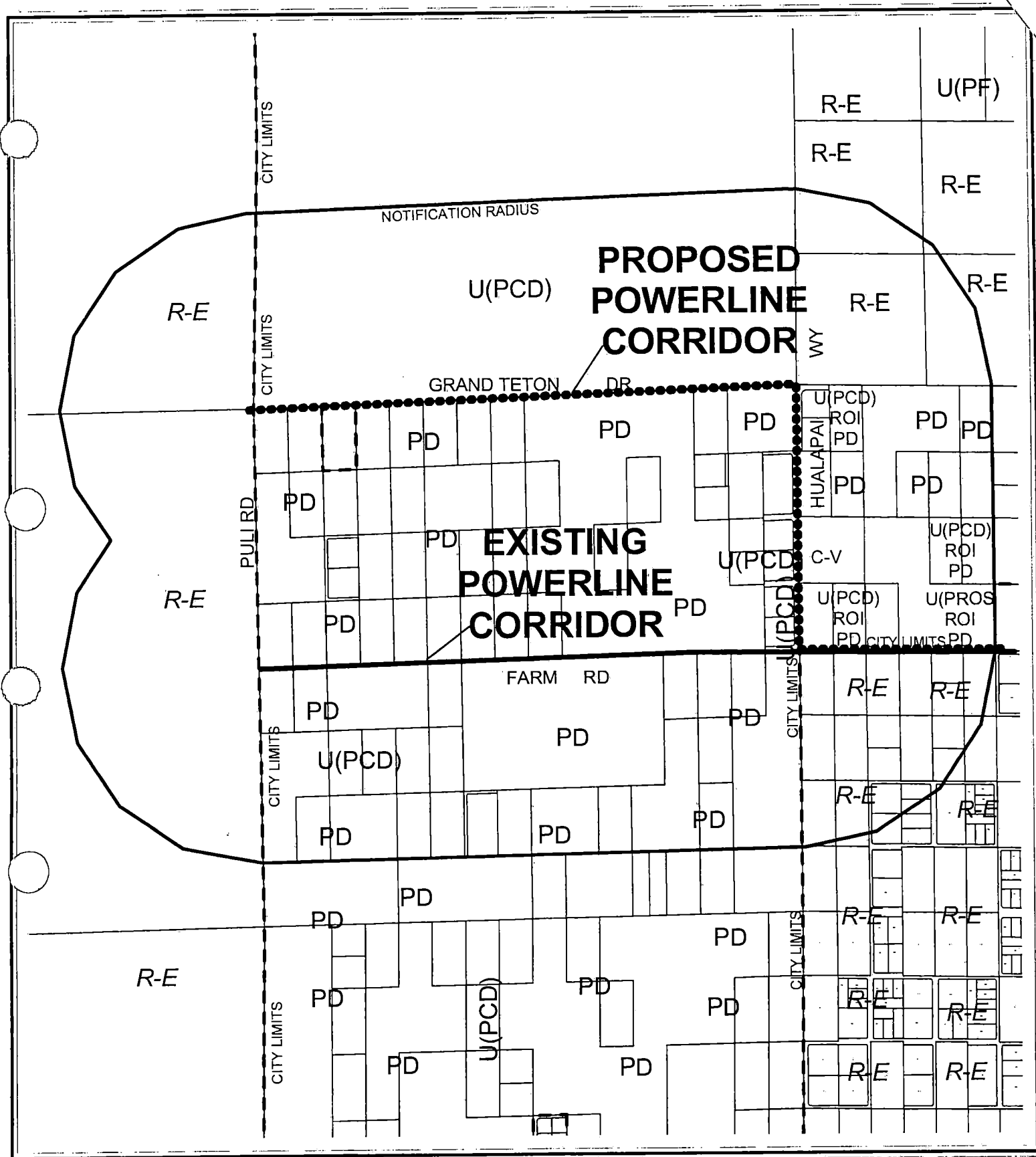
Public Works

1. Meet with the Flood Control Section of the Department of Public Works to coordinate the location of overhead power corridors and underground conduit locations to minimize potential conflicts with the proposed Clark County Regional Flood Control District drainage facility located at the intersection of Grand Teton Drive and Hualapai Way prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Comply with recommendations made by the Flood Control Section and Clark County Regional Flood Control District.
2. Coordinate with the City of Las Vegas Department of Public Works regarding locations of proposed roadway intersections so that power poles may be located to maintain sight visibility and to account for variations in roadway width where 80-foot or 100-foot rights-of-way intersect 100-foot rights-of-way (Clark County Uniform Standard Drawings 201.1 and 234.1). Power pole foundations shall be located to avoid future traffic signal infrastructure/equipment. Overhead power lines shall be designed to maintain clearance

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 28 – GPA-4044

CONDITIONS – Continued:

with future street lights, traffic signal luminaries, and traffic signal mast arms as set forth by the National Electrical Safety Code section on clearance requirements for construction and maintenance. Clearances shall be designed without deviating from standard heights for streetlights and traffic signals as set forth in Clark County Uniform Standard Drawings. Should traffic barriers be deemed necessary, such barriers shall be provided and installed by Nevada Power upon request by the City of Las Vegas.



CASE: **GPA-4044**

RADIUS: 2000 FT

POWERLINE CORRIDOR REALIGNMENT

0 800 1600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-4044 - APPLICANT: NEVADA POWER COMPANY -

OWNER: BUREAU OF LAND MANAGEMENT

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Public Works

1. Meet with the Flood Control Section of the Department of Public Works to coordinate the location of overhead power corridors and underground conduit locations to minimize potential conflicts with the proposed Clark County Regional Flood Control District drainage facility located at the intersection of Grand Teton Drive and Hualapai Way prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Comply with recommendations made by the Flood Control Section and Clark County Regional Flood Control District.
2. Coordinate with the City of Las Vegas Department of Public Works regarding locations of proposed roadway intersections so that power poles may be located to maintain sight visibility and to account for variations in roadway width where 80-foot or 100-foot rights-of-way intersect 100-foot rights-of-way (Clark County Uniform Standard Drawings 201.1 and 234.1). Power pole foundations shall be located to avoid future traffic signal infrastructure/equipment. Overhead power lines shall be designed to maintain clearance with future street lights, traffic signal luminaries, and traffic signal mast arms as set forth by the National Electrical Safety Code section on clearance requirements for construction and maintenance. Clearances shall be designed without deviating from standard heights for streetlights and traffic signals as set forth in Clark County Uniform Standard Drawings. Should traffic barriers be deemed necessary, such barriers shall be provided and installed by Nevada Power upon request by the City of Las Vegas.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to amend a portion of Map 10 of the General Plan to realign power line corridors within the Cliff's Edge Master Plan Area.

BACKGROUND DATA:

- 12/18/96 The City Council adopted the Northwest General Plan Amendment to the City of Las Vegas General Plan, which was later amended on December 5, 1997. This plan had an electrical services subchapter entitled "Electrical Distribution".
- 12/15/99 The City Council approved a request to Amend the Northwest Sector Plan to add Subchapter 11, Electrical Power Distribution, as a new subchapter in the Northwest Sector Plan (GPA-35-99).
- 02/19/03 The City Council approved a request to amend the Centennial Hills Sector Plan by adding the 2002 Interlocal Land Use Plan. This Amendment included a map, which detailed existing and proposed locations for power substations and power line corridors.

DETAILS OF APPLICATION REQUEST

This request is to Amend Map 10 the Centennial Hills Sector Plan by relocating the proposed power line corridor from the Farm Road alignment between Puli Drive and Hualapai Way to the north side of Grand Teton Drive between Puli Drive and Hualapai Way and the east side of Hualapai Way between Farm Road and Grand Teton Drive.

The applicant indicates the granting of this Amendment will ensure quality, visual continuity, and consistency of design throughout the Cliff's Edge Plan and adjacent areas.

FINDINGS

This request will allow the Farm Road area of the Cliff's Edge planned development to develop in an orderly and consistent manner, and that the relocated power line corridor can be integrated into the proposed equestrian and multi-use trails along Grand Teton Drive and Hualapai Way.

GPA-4044 - Staff Report Page Two
April 22, 2004 - Planning Commission Meeting

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/15/04 Seven people attended the meeting with no objections. In accordance with the above, on March 15, 2004 a neighborhood meeting sponsored by the applicant was held at the Mountain Crest Community Center. Seven people attended and had no objection to this request.

NOTICES MAILED: 35

APPROVALS: 0

PROTESTS: 0



STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-4044** APN: 126-12-000-001 et al

Name of Property Owner: Bureau of Land Management, etal

Name of Applicant: Nevada Power Company

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

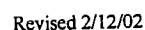
Applicant
Signature of Property Owner/Authorized Agent: John C. Zeltinger

Print Name: John C. Bell

Subscribed and sworn before me

This 4th day of march, 2004

Michelle J. Kelly
Notary Public in and for said County and State

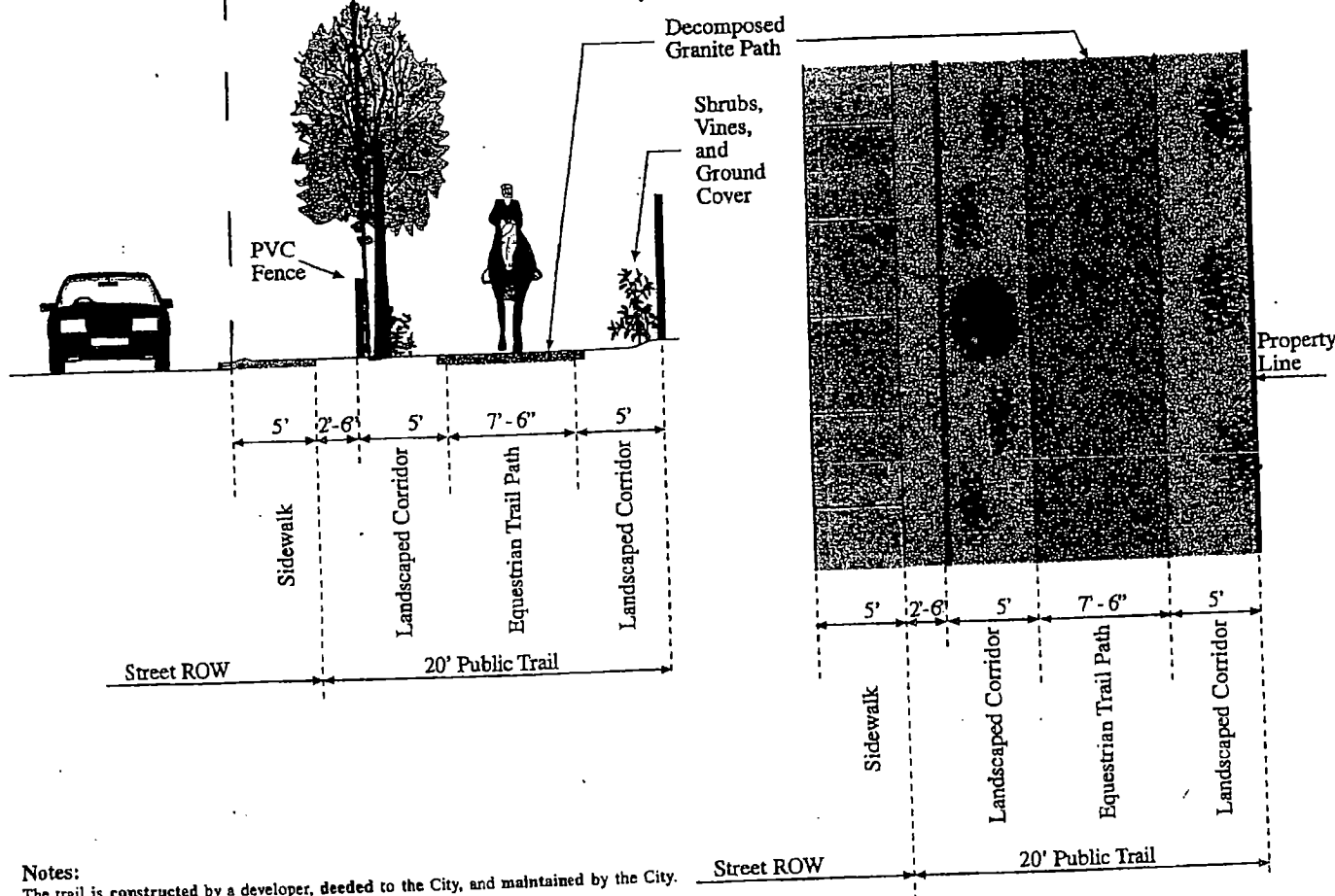


PROPOSED NEW TRANSMISSION STEEL TOWER LOCATION.
 CENTER OF STRUCTURE $\pm 8'$ FROM BACK OF CURB (NOTCH PVC FENCE).
 POLE LOCATIONS AND EASEMENTS ARE APPROXIMATE
 ONLY AND MAY BE MODIFIED TO AVOID
 EXISTING OVERHEAD & UNDERGROUND FACILITIES.
 SEE DETAIL #1 FOR TYPICAL STRUCTURE
 FRAMING/SPACING.

City of Los Angeles
 Recreation
 Trails Element

Exhibit 1
 Equestrian Trail

**PRELIMINARY
 DO NOT USE
 FOR CONSTRUCTION**



Notes:
 The trail is constructed by a developer, deeded to the City, and maintained by the City.

Street ROW 20' Public Trail

Adopted January 16, 2002
 Exhibit #1 Trails Element Version 1.11-12-01

*STRUCTURES MAY BE OFFSET MORE THAN 8' AT INTERSECTIONS
 TO SATISFY SIGHT VISIBILITY REQUIREMENTS.

**GPA-4044
 4-22-04 PC**



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**PLANNING COMMISSION MEETING OF: APRIL 22, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

GPA-4063 - APPLICANT: PULTE HOMES - OWNER: LAURA SOMMER - Request to amend the Town Center Land Use Plan of the Centennial Hills Sector Plan FROM: SX-TC (SUBURBAN MIXED USE - TOWN CENTER) TO: M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER) on 20.73 acres adjacent to the east side of Sky Pointe Drive, approximately 1,100 feet north of Cimarron Road (APN: 125-21-202-002 and 003), Ward 6 (Mack).

C.C.: 05/19/04**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

4**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

NIGRO – DENIED – Motion for approval failed with TRUESDELL abstaining because the notification radius involves Timberlake and it affects a property owner that he represents, but with no economic value, EVANS voting No and McSWAIN excused

To be heard by the City Council on 5/19/2004**MINUTES:**

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 29 [GPA-4063], Item 30 [SUP-4065], and Item 31 [SDR-4064].

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 29 – GPA-4063

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development Department, indicated that the single-family homes and the R-CL to the north are approximately 4500 square feet in area. The R-PD6 lots to the northeast corner are in the 6500 square foot range. Staff recommended denial of the General Plan based on the concern of the continuing loss of mixed use and commercial properties to residential property. If this would be converted to residential, then the parcel to the south would be also, as well as the lot to the corner. The site plan for the 310-unit condominium project meets all the standards of Town Center and of the Code, in terms of parking, landscaping and building height. MR. CLAPSADDLE outlined some of the conditions to be complied with, if the application is approved. The fence along the north property line should be constructed of wrought iron. The multi-use trail needs also to be shown along the east property line and the site plan would need to be amended whenever the applicant applies for the civil plans. Pedestrian access to the trail is required and a redesign needs to be submitted showing the pedestrian access from this project to the trails. The applicant needs to meet with fire protection and obtain a master streetlight plan. The proposed condominium project is proposed in the wrong place. Staff recommended denial of all applications.

ATTORNEY JENNIFER LAZOVICH, Kummer, Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of Pulte Homes. She explained that the project is located along US95, Sky Pointe Drive, and Cimarron Road. There are homes along the east and north boundaries, and she has met with members of those communities. Approximately 18 people attended the neighborhood meeting, and the overwhelming response was they would rather see residential than commercial. Contrary to staff's contention that this project would reduce commercial in Town Center, she opined that residential is more appropriate in this location because most of the commercial is coming across US95. She pointed out that once the regional mall is approved, it will be placed across from the proposed project. A lot of commercial tends to locate near off ramps and the proposed project is not near an off-ramp. If there were to be commercial, it would make sense to have the access come on to Sky Pointe Road. However, Sky Pointe Road is too narrow, thus putting traffic on to Cimarron Road.

ATTORNEY LAZOVICH reiterated that the neighbors were pleased to see residential. She presented elevations depicting one, two and three bedroom units, all with a garage. The project exceeds the open space requirement by two acres. The building height will not exceed 35 feet, but they will buffer the homes on the north boundary by pulling away the condos so that there will be an internal circulation. There will be a trail along the northern boundary and along the east side along Cimarron Road. She asked that a condition be imposed that a wrought iron fence be placed along the north and east property boundary. The neighbors did not want an alley effect created to their ground property wall.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 29 – GPA-4063

MINUTES – Continued:

TODD FARLOW, 240 North 19 Street, stated that the proposed project does not fit with the concept of Town Center. Gated communities are an oxymoron. There should be more mixed use developments and have residential above commercial. Residents from the proposed projects will not be able to walk to stores because of the freeway.

JAMES MANNING, 8117 Esperides Avenue, stated that his home borders on the north side of the proposed project. His concern is that the trail will create an alley effect. It should be properly lit and open enough as not to create hiding areas. Putting condominiums at this location will add to the existing traffic. Currently, it is difficult to access US95 and the traffic flow should be improved.

AL LONG, 8017 Esperides Avenue, stated he attended the neighborhood meeting and prefers condominiums than commercial. However, he is concerned about the trail system. He understands the applicant will provide landscaping along the perimeter wall for screening. He asked if the applicant will provide a wrought iron fence, low density lighting and whether the project will be paved. He asked if the City will be incorporating a maintenance plan or will the homeowners association be responsible for the maintenance of the trails.

ELIZABETH MANNING, 8117 Esperides Avenue, did not oppose the condominiums, but expressed concern about the trail system. Children might use the trail to jump over the walls along the trail.

ATTORNEY LAZOVICH replied that they intentionally put all the traffic onto Sky Pointe Drive to mitigate the traffic situation. The trails located on the north boundary, in terms of what the Town Center requirements are, is a 24-foot wide trail with a 10-foot wide path and five feet of landscaping on either side. She was not aware of the specific concerns that the neighbors had, but it appears they do not want the trails, yet under the Town Center Standards the developer is required to provide the trails. She believes the homeowners association would maintain the landscaping within the trail area.

ROBERT GENZER, Director, Planning and Development Department, explained that that particular trail is a requirement of the Trails Element of the 2020 Master Plan. To change the trail alignment, whether to relocate or completely eliminate it, would take an amendment to the master plan for that particular element. It is a section of a much larger trail. In order to move it, staff would have to look at the entire area and determine if there was any place else that it could be moved. Staff will research this issue before this item goes to City Council. He verified for VICE CHAIRMAN NIGRO that the trail would be required even for an office complex.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 29 – GPA-4063

MINUTES – Continued:

COMMISSIONER STEINMAN stated that he does not find the Town Center concept conducive to walking from residential. There is an abundance of existing commercial on the other side of the freeway, and if the regional mall is developed into that area, there will be additional commercial. More applications are moving from the commercial designation to residential due to the value of land, as it relates to residential land in the Valley. He believes this is a proper use given the fact of the existing commercial and what might be developed as commercial on the other side of the freeway.

COMMISSIONER EVANS pointed out that consideration should be given to what the Town Center goal is at its build out. He felt that a substantial portion of the Town Center Plan was to be pedestrian oriented, but that has not been the case. Each application should be looked individually and decided on its own merit. A tremendous amount of time was spent on developing a plan that is meaningless if each and every time an application comes forward a just cause is found to approve that application. He believes there is some merit to the application, but approving it will destroy the integrity of the Town Center concept.

VICE CHAIRMAN NIGRO commented that the Town Center Plan has a great deal of integrity, but in certain instances, a look needs to be taken at the surrounding uses and where property lines fall. When a site like this comes forth that has residential on a couple of sides and has limited access because of its irregular shape and fronts onto one road that parallels the freeway, he is not sure if those neighbors around this site will be best served by zoning it commercial. He opined that on this particular site, it represents a decent compromise given the circumstances that surround it. Applications need to be looked at individually with specific circumstances.

MR. CLAPSADDLE clarified that Condition 2 of Item 31 [SDR-4064] requires that the fence wall on the north property line has to be of wrought iron and provide pedestrian access, which will alleviate some of the concerns raised by the residents about the creation of an alley effect. The trail is a 10-foot sidewalk with landscaping on both sides. ATTORNEY LAZOVICH commented that they were required to provide the trail on the east boundary and asked that Condition 2 be amended to include the fence along the north and east property line be wrought iron. MR. CLAPSADDLE requested that the condition not be changed because he would like to discuss that with the applicant.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 29 – GPA-4063

MINUTES – Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT advised that the Commission approve the site plan and include the wrought iron in the location where the applicant and staff agree with, and then work with the applicant on any additional issues relative to the wrought iron and the trail.

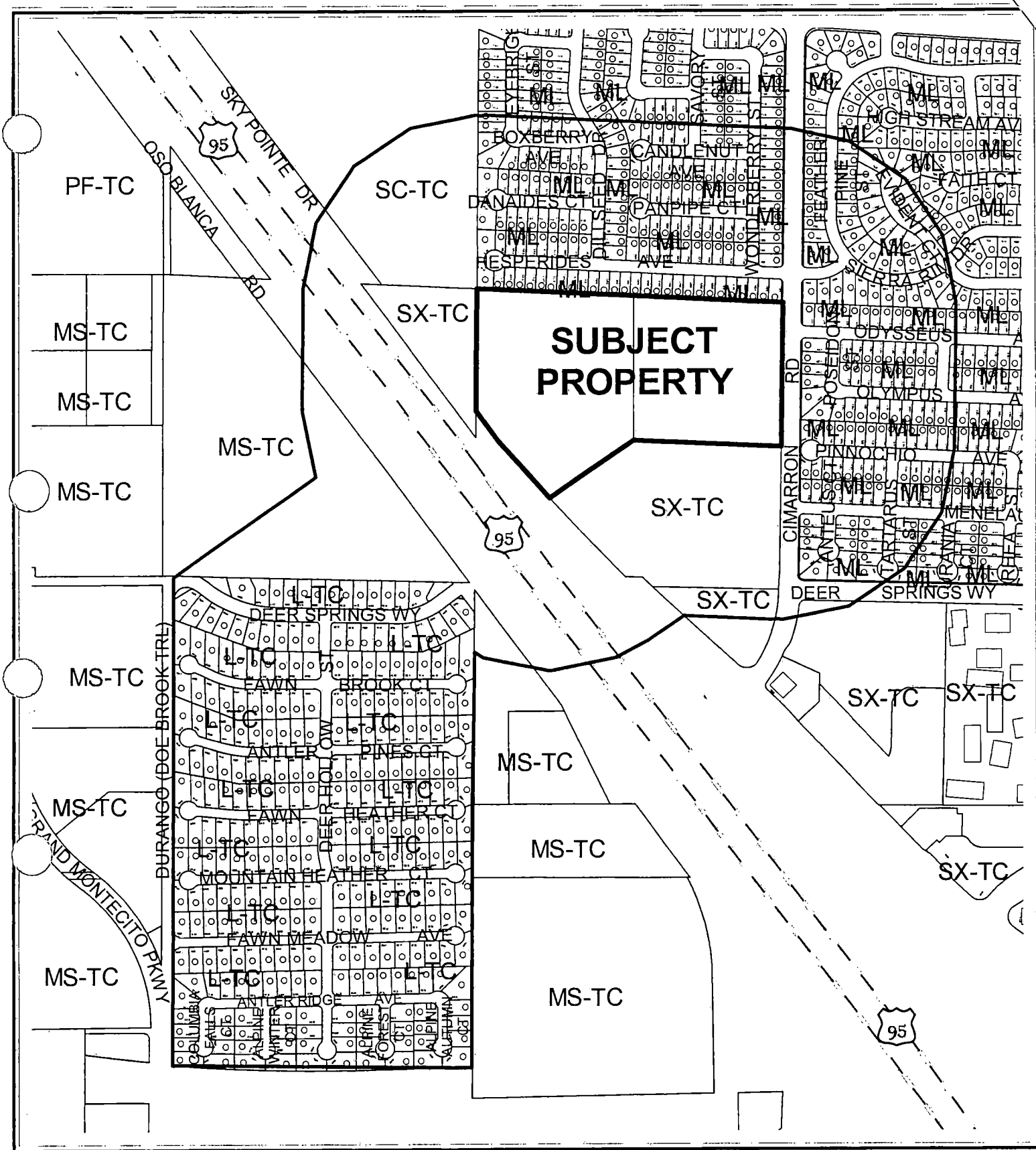
COMMISSIONER STEINMAN moved to approve Item 31 [SDR-4064] and directed staff to work with the applicant regarding the fencing along the east property line.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 29 [GPA-4063], Item 30 [SUP-4065], and Item 31 [SDR-4064].

NOTE: All discussion for Item 29 [GPA-4063], Item 30 [SUP-4065], and Item 31 [SDR-4064] was held under Item 29 [GPA-4063].

(7:26 – 7:55)

1-3471/2-1



CASE: GPA-4063

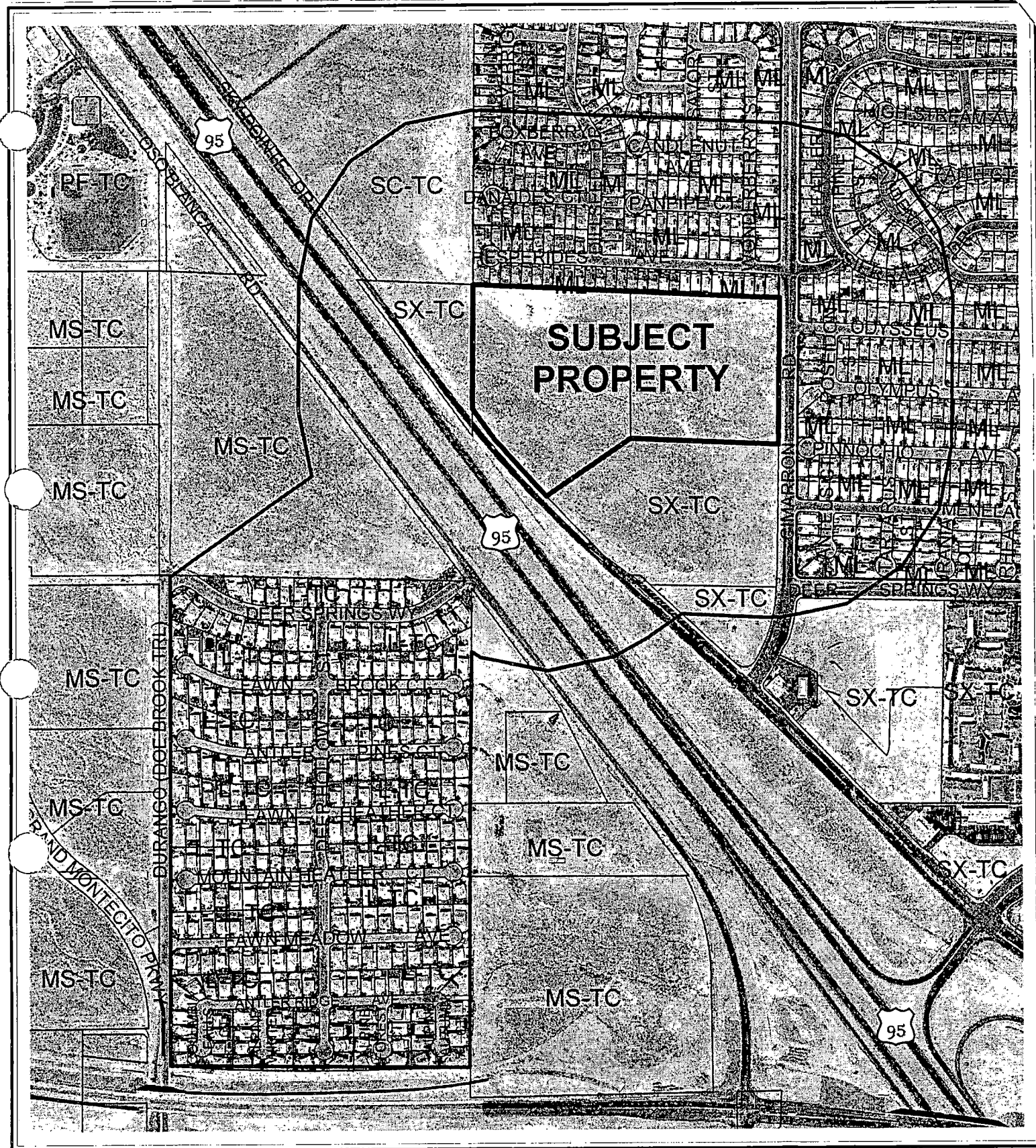
RADIUS: 750 FT + SPECIAL

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

SX-TC (SUBURBAN MIXED USE - TOWN CENTER)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER)



CASE: GPA-4063

RADIUS: 750 FT + SPECIAL

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

SX-TC (SURBAN MIXED USE - TOWN CENTER)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-4063 - APPLICANT: PULTE HOMES - OWNER: LAURA SOMMER

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located on the east side of Sky Pointe Drive, approximately 1,100 feet north of Cimarron Road from SX-TC (Suburban Mixed Use - Town Center) to M-TC (Medium Density Residential - Town Center). A Site Development Plan Review (SDR-4064) for a 316-unit condominium development and a Special Use Permit (SUP-4065) for a gated community with private streets have been submitted in conjunction with this application.

BACKGROUND DATA:

- | | |
|----------|---|
| 08/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Residential land uses with a maximum density of three dwelling units per acre. |
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. The Northwest Sector Plan designated these parcels as R (Rural). |
| 05/24/99 | The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map. On this plan, the parcels were designated as SX-TC (Suburban Mixed Use - Town Center) |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan. |
| 11/07/01 | The City Council approved the Town Center Development Standards Manual through Bill No. 2001-100. |
| 02/19/03 | The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for SX-TC (Suburban Mixed Use - Town Center). |

GPA-4063 - Staff Report Page Two
April 22, 2004 - Planning Commission Meeting
DETAILS OF APPLICATION REQUEST

Site Area: 20.63 Acres

EXISTING LAND USE

Subject Property Undeveloped
 North Single Family Dwellings
 South Undeveloped
 East Single Family Dwellings
 West U.S. 95

PLANNED LAND USE

Subject Property SX-TC (Suburban Mixed-Use)
 North ML (Medium-Low Density Residential)
 South SX-TC (Suburban Mixed-Use)
 East ML (Medium-Low Density Residential)
 West U.S. 95

EXISTING ZONING

Subject Property TC (Town Center)
 North R-CL (Single Family Compact Lot)
 South TC (Town Center)
 East R-CL (Single Family Compact Lot)
 West US 95

SPECIAL DISTRICTS/ZONES	Yes	No
<i>Special Area Plan</i>	X	
<i>Town Center</i>		
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Clark County Notification		X
Project of Regional Significance		X

DEFINITIONS

TC (Town Center) The Town Center category is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; medium to high density residential uses; planned business; office and industrial parks; and recreational uses. The TC (Town Center) suffix to land use designations denotes that stricter design criteria will be used for project approval.

INTERAGENCY ISSUES

SPECIAL PLAN AREA

The subject site is located within the Town Center area. The effect of this Special Plan Area on this application and the area affected by this application is that it strongly discourages amendments that would reduce the amount of commercially designated land in Town Center. The Centennial Hills Sector Plan is based on the premise of concentrating commercial uses in Town Center so that residential areas will be preserved. Converting commercially planned land to residential will lead to the need for commercial uses at other locations thus degrading the Town Center concept.

ANALYSIS

Special Area Plans, such as the Town Center area, are created to address issues that are unique to a limited geographical area. The Town Center area was initiated in 1996 by the City Council's adoption of the Northwest Area General Plan Amendment, which made provisions for a Town Center. Under that direction, a planning process commenced that resulted in the Town Center Development Standards Manual, an implementation plan establishing detailed regulations, standards, conditions and land uses designations for the Town Center Area. The Plan sought to achieve a balance of land uses and the plan area was intended to be the principle employment center for the Northwest as a mixed-use development category.

Since The Plan's adoption, amendments have been approved that obscure the precise balance of land uses. Approximately 266 acres of land have been removed from the commercial land use designations and 414 acres have been added to residential land use designations. The area intentionally planned as an employment center for the Northwest is experiencing a loss of commercial acreage that threatens not only future employment opportunities in the area, but also the goal of economic diversity, as identified by Goal #4 in the Master Plan 2020. Each alteration to the Town Center area obfuscates the original approved document and allows for development in the area to proceed with an unplanned approach.

FINDINGS

Title 19.18.030.I 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,

GPA-4063 - Staff Report Page Four
April 22, 2004 - Planning Commission Meeting

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or 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
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to "1":

The proposed General Plan Amendment could result in development that is compatible with surrounding designations in terms of the direct impact of its adjacency. On a larger scale, however, development of the site at a significantly lower intensity than planned will have a negative impact on the immediate area. Town Center must maintain an adequate amount of land for each of the specified land use areas if it is to support the commercial needs of the northwest. It would be inappropriate and premature to assume that the subject parcels are not needed for that at this time.

In regard to "2":

The Town Center area is proposed to come under the general zoning designation of Town Center as well. Therefore, the zoning designation supported by this General Plan Amendment request is appropriate.

In regard to "3":

This property is in an area of the city where all utilities, fire and police services are currently in place and available to the site. The Northwest Area Command of the Las Vegas Metropolitan Police services the site. Fire Station # 41, located approximately one mile away at Elkhorn Road and Buffalo Road is the closest city facility to the site. The Elkhorn/Durango Ball field is the closest city park to the site.

In regard to "4":

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

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/22/04 A neighborhood meeting sponsored by the applicant was held at the Silverstone Golf Club. The applicant introduced the project to the residents as a 310-unit condominium project, roughly 15 units per acre. The buildings will be 22' high, and 66' from the property line of adjoining residences to the north. The units will be for sale, and have attached garages. They also have a 20' trail along the northern boundary. Eighteen people attended and had the following questions/issues:

- Will the trail have lighting? Yes.
- Will the CC&Rs restrict investor's from purchasing blocks of units for rentals? Most likely. Pulte currently restricts sales to homeowners only in all of its active subdivisions.
- What is the price range? \$200 - \$250+
- What is the unit size? 1,250 to 1,500 sq ft
- What is the time frame? Approx. 18 months to begin building, then another 18 months to build out.
- What is the earliest hour construction can begin? 7:00 AM by city ordinance
- Can you begin building the units along the northern border first, then work forwards? Probably.

There was no opposition voiced about the General Plan Amendment. However, the Trails element requires a trail along the north property line, which generated a lot of discussion at the neighborhood meeting. The builder intends to wall off its northern border of the trail, leaving a 20-foot alley between the two properties. The residents have concerns with crime in 20-foot wide trail between this development and the development to the north.

NOTICES MAILED: 627 [Mailed with SDR-4064 & SUP-4065]

APPROVALS: 0

PROTESTS: 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-4063** APN: 125-21-202-002 & 125-21-202-003

Name of Property Owner: Laura Sommer

Name of Applicant: Pulte Homes Inc.

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes

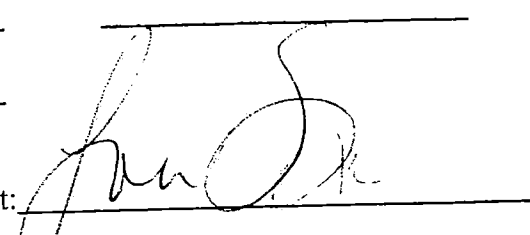
 X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

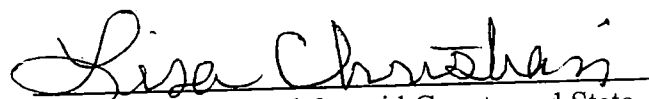
APN: _____

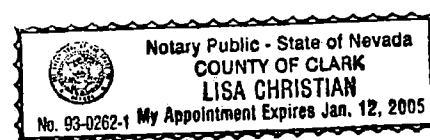
Signature of Property Owner/Authorized Agent: 

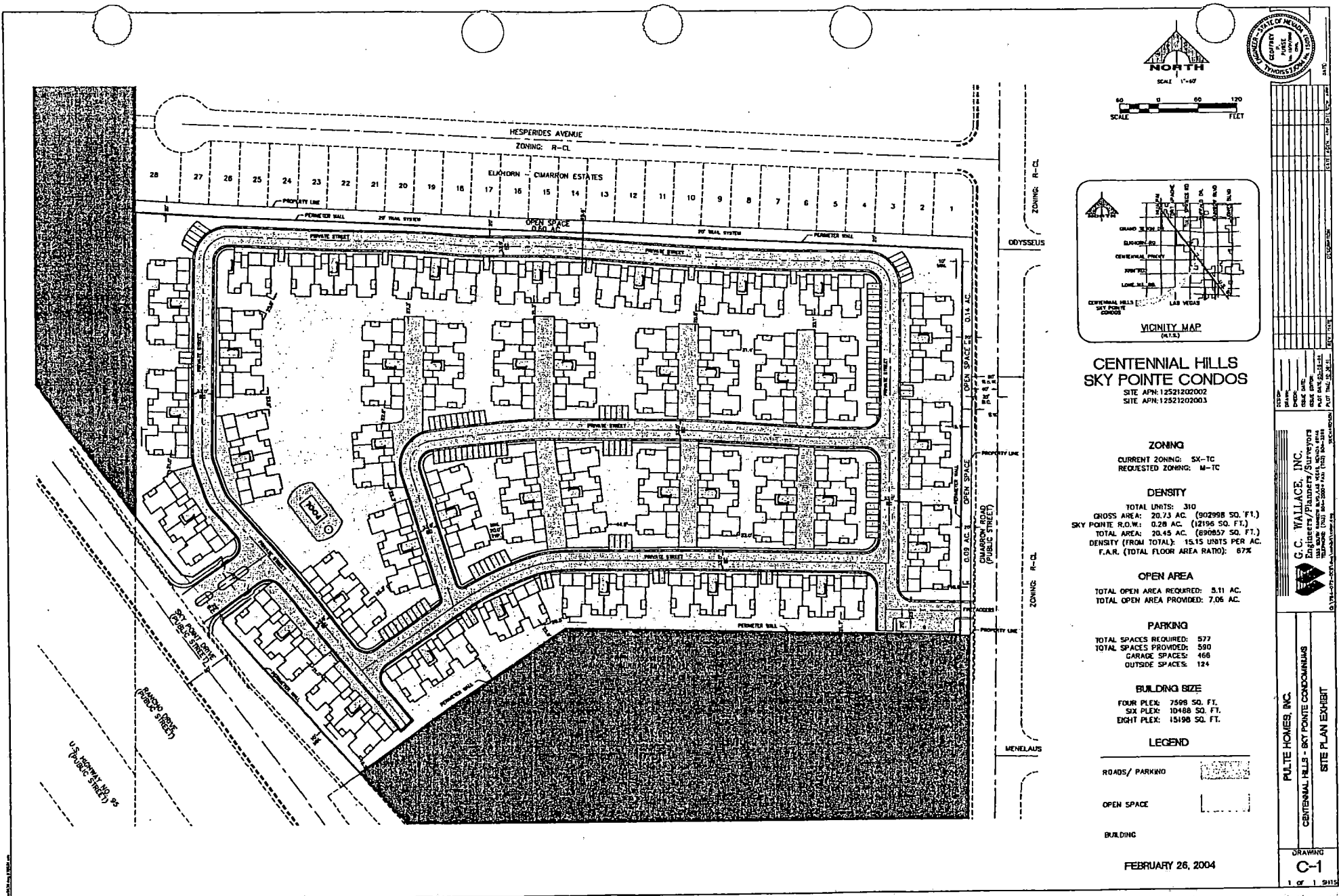
Print Name: Laura Sommer

Subscribed and sworn before me

This 4 day of March 2004


Notary Public in and for said County and State





GPA-4063
 4-22-04 PC



GPA-4063 - APPLICANT: PULTE HOMES - OWNER: LAURA SOMMER
EAST SIDE OF SKY POINTE DRIVE, APPROXIMATELY 1,100 FEET NORTH OF CIMARRON
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-4065 - APPLICANT: PULTE HOMES - OWNER: LAURA SOMMER - Request for a Special Use Permit FOR A GATED COMMUNITY WITH PRIVATE STREETS adjacent to the east side of Sky Pointe Drive, approximately 1,100 feet north of Cimarron Road (APN: 125-21-202-002 and 003), T-C (Town Center) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 05/19/04

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining because the notification radius involves Timberlake and it affects a property owner that he represents, but with no economic value, **EVANS** voting No and **McSWAIN** excused

To be heard by the City Council on 5/19/2004

MINUTES:

NOTE: See Item 29 [GPA-4063] for all related discussion.

(7:26 – 7:55)

1-3471/2-1

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 30 – SUP-4065

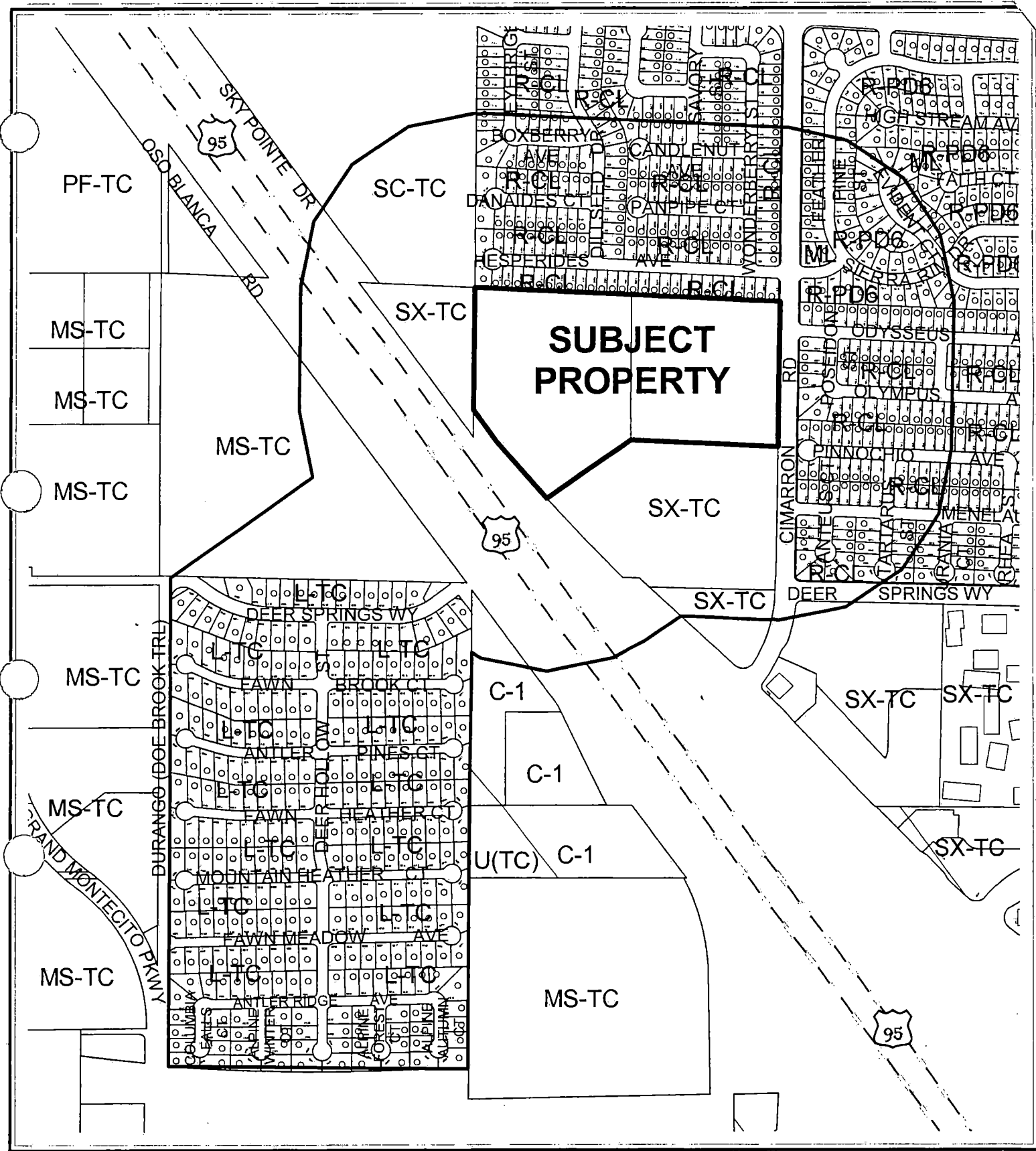
CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-2123), and Site Development Plan Review (SDR-4064) and all other subsequent site-related actions.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The private streets shall be subject to Title 19.04.050(B) for Private Streets and to Section E.G. of the Town Center Development Standards Manual.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Consideration must be given to previously approved grading plans and drainage studies, where such plans exist, to assure minimum impact to existing and future developments in the surrounding area.

Public Works

6. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
8. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping 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.
9. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-2123, Site Development Plan Review SDR-4064 and all other subsequent site-related actions.



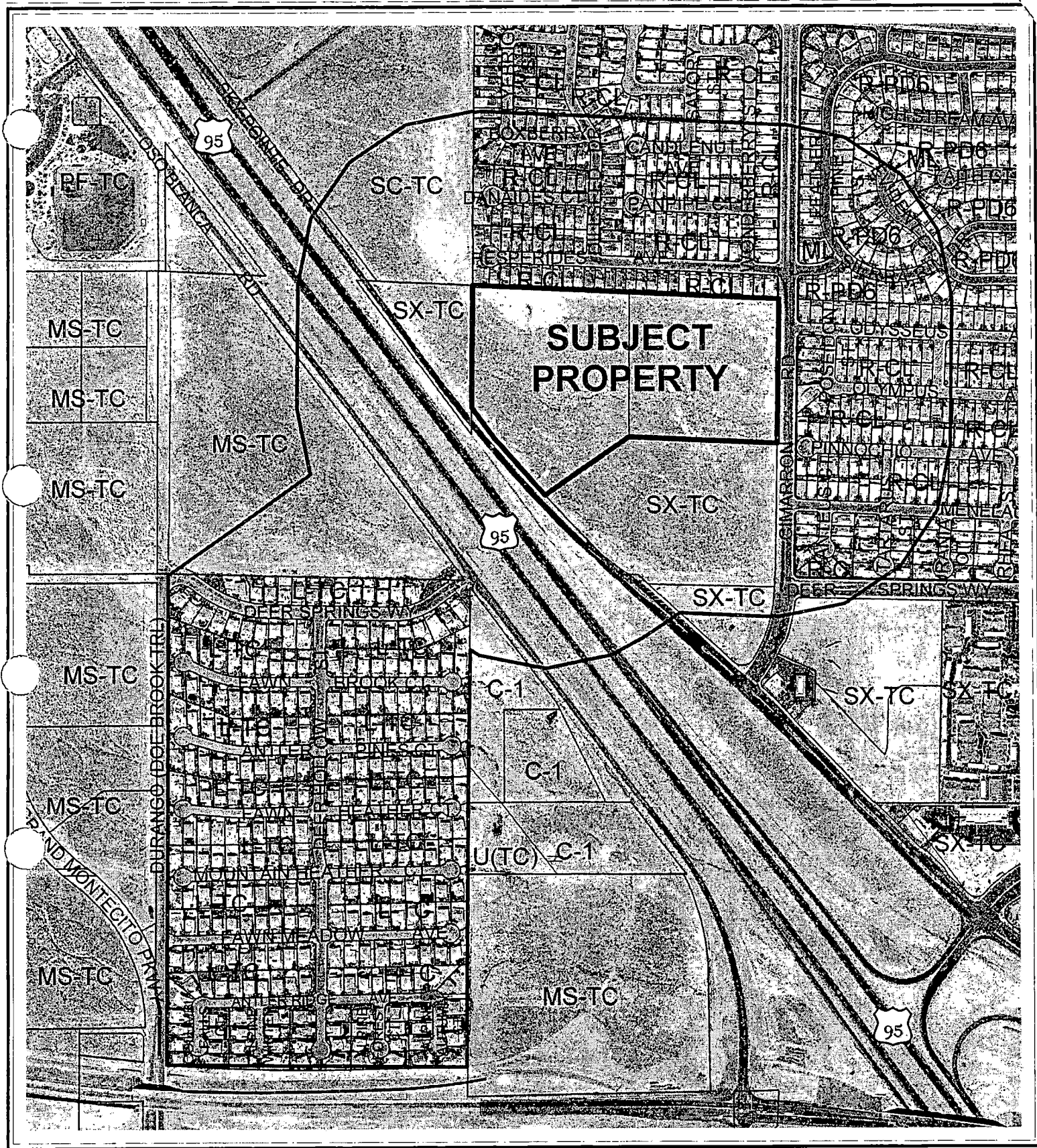
CASE: SUP-4065

RADIUS: 750 FT + SPECIAL

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet





CASE: SUP-4065

RADIUS: 750 FT + SPECIAL

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-4065 - APPLICANT: PULTE HOMES - OWNER: LAURA SOMMER

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-2123), and Site Development Plan Review (SDR-4064) and all other subsequent site-related actions.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The private streets shall be subject to Title 19.04.050(B) for Private Streets and to Section E.G. of the Town Center Development Standards Manual.
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9. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-2123, Site Development Plan Review SDR-4064 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit for a gated community with private streets within a proposed 316-unit condominium development adjacent to the east side of Sky Pointe Drive, approximately 1,100 feet north of Cimarron Road

B) Applicant's Justification

The applicant feels that the gating of the subdivision will enhance the privacy and security as well as control access to the open space.

BACKGROUND INFORMATION

Neighborhood Meetings

03/22/04 A neighborhood meeting sponsored by the applicant was held at the Silverstone Golf Club. The applicant introduced the project to the residents as a 310-unit condominium project, roughly 15 units per acre. The buildings will be 22' high, and 66' from the property line of adjoining residences to the north. The units will be for sale, and have attached garages. They also have a 20' trail along the northern boundary. Eighteen people attended and had the following questions/issues:

- Will the trail have lighting? Yes.
- Will the CC&Rs restrict investor's from purchasing blocks of units for rentals? Most likely. Pulte currently restricts sales to homeowners only in all of its active subdivisions.
- What is the price range? \$200 - \$250+
- What is the unit size? 1,250 to 1,500 sq ft
- What is the time frame? Approx. 18 months to begin building, then another 18 months to build out.
- What is the earliest hour construction can begin? 7:00 A.M by city ordinance
- Can you begin building the units along the northern border first, then work forwards? Probably.

SUP-4065 - Staff Report Page Two
April 22, 2004 - Planning Commission Meeting

There was no opposition voiced about the General Plan Amendment. However, the Trails element of the 2020 Master Plan requires a trail along the north prop line, which generated a lot of discussion at the neighborhood meeting. The builder intends to wall off its northern border of the trail, leaving a 20-foot alley between the two properties. The residents have concerns with crime in 20-foot wide trail between this development and the development to the north.

DETAILS OF APPLICATION REQUEST

Site Area: 20.63 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	Single Family Dwellings
South	Undeveloped
East	Single Family Dwellings
West	U.S. 95

PLANNED LAND USE

Subject Property	SX-TC (Suburban Mixed-Use)
North	ML (Medium-Low Density Residential)
South	SX-TC (Suburban Mixed-Use)
East	ML (Medium-Low Density Residential)
West	U.S. 95

EXISTING ZONING

Subject Property	TC (Towncenter)
North	R-CL (Single Family Compact Lot)
South	TC (Towncenter)
East	R-CL (Single Family Compact Lot)
West	US 95

E) General Plan Compliance

The proposed development is with the Town Center area as defined by the Centennial Hills Sector Plan. The Town Center Development Standards manual provides policy direction for development within the Town Center area.

SUP-4065 - Staff Report Page Three
April 22, 2004 - Planning Commission Meeting

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Town Center		
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Clark County Notification		X
Project of Regional Significance		X

The subject site is located within the Town center Plan area. The Town Center area is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; medium to high density residential uses; planned business; office and industrial parks; and recreational uses.

ANALYSIS

A) Zoning Code Compliance

The existing T-C (Town Center) zoning allows development of this property in accordance with the Town Center Development Standards manual. The development standards will be addressed as part of the related Site Development Plan Review (SDR-4064).

B) General Analysis and Discussion

- Zoning

The proposed gated community with private streets is permitted in Town Center with approval of a Special Use Permit by City Council.

- Use

Title 19.04.050 states the Planning Commission may deny the creation of any private street if, in the Commission's judgment, the private street would have any of the following effects:

- Negatively affect traffic circulation on public streets;
- Impair access to property either on-site or off-site to the subdivision;
- Impair access to or from public facilities including schools, parks and libraries; or
- Delay the response time of emergency vehicles.

The proposed private streets will not negatively affect the public streets or access to the subdivision. In addition, the private streets will not impair access to or from public facilities, nor delay the response time of emergency vehicles.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

The proposed condominium development could result in development that is compatible with surrounding uses in terms of the direct impact of its adjacency. On a larger scale, however, development of the site at a significantly lower intensity than the SX-TC (Suburban Mixed Use - Town Center) that is planned for this site will have a negative impact on the immediate area. Town Center must maintain an adequate amount of land for each of the specified land use areas if it is to support the commercial needs of the northwest. It would be inappropriate and premature to assume that the subject parcels are not needed for that at this time.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

The subject parcel is undeveloped and appears to have no major constraints to development.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

The subject site will have a gated vehicular access at Sky Pointe Drive, a Town Center Loop (90-foot) Street, which will provide adequate access to the site. Internal circulation is to be provided by a network of private streets ranging 33 feet in width, which is adequate for the circulation and parking requirements that can be expected to be generated by this development.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

SUP-4065 - Staff Report Page Five
April 22, 2004 - Planning Commission Meeting

The proposed residential development will be subject to regular City and County inspections and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 627 [Mailed with GPA-4063 & SDR-4064]

APPROVALS 0

PROTESTS 0



Case Number: **SUP-4065** APN: 125-21-202-002 & 125-21-202-003

Name of Property Owner: Laura Sommer

Name of Applicant: Pulte Homes Inc.

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes ~~X~~ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]

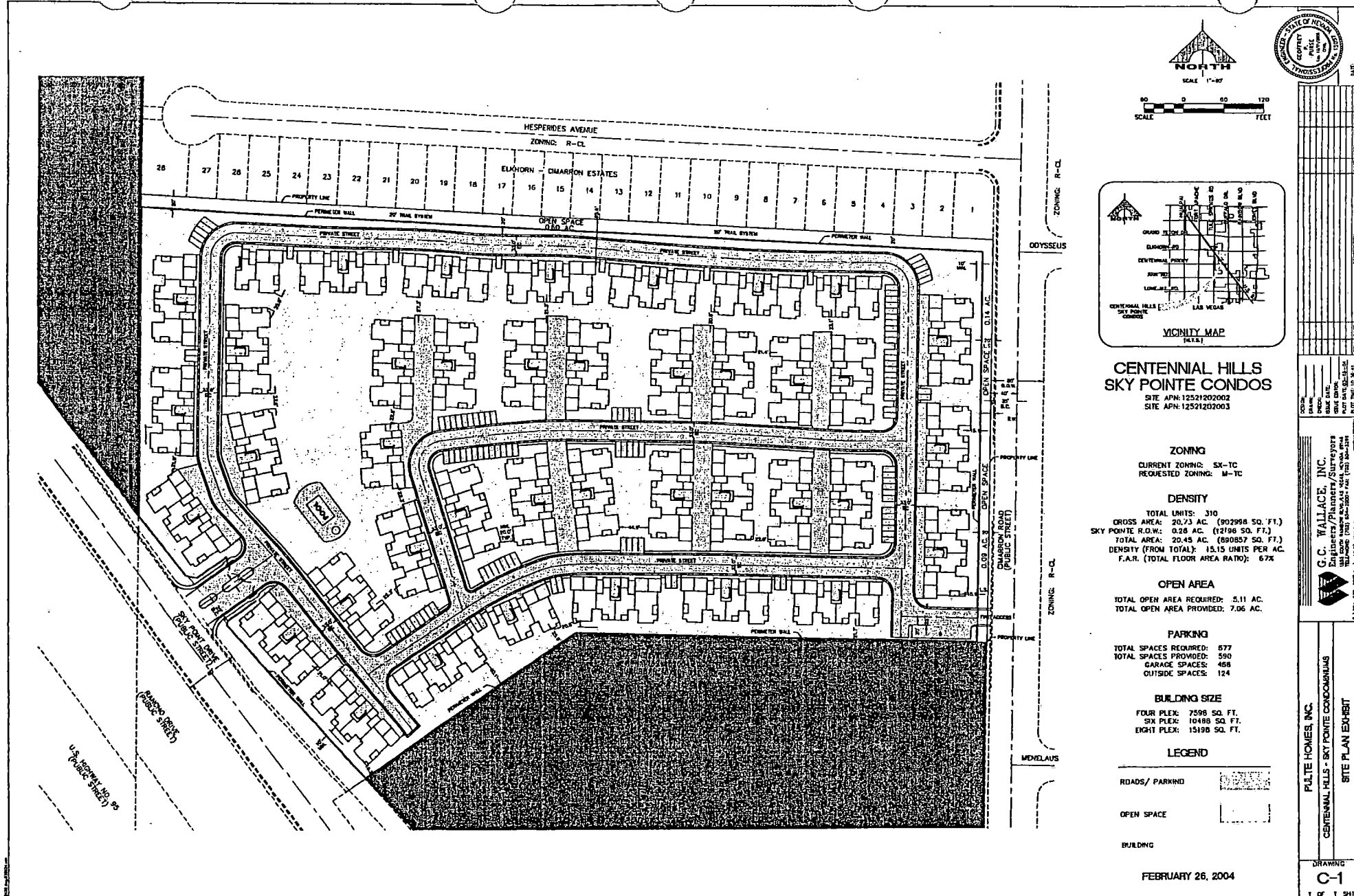
Print Name: Laura Sommer

Subscribed and sworn before me

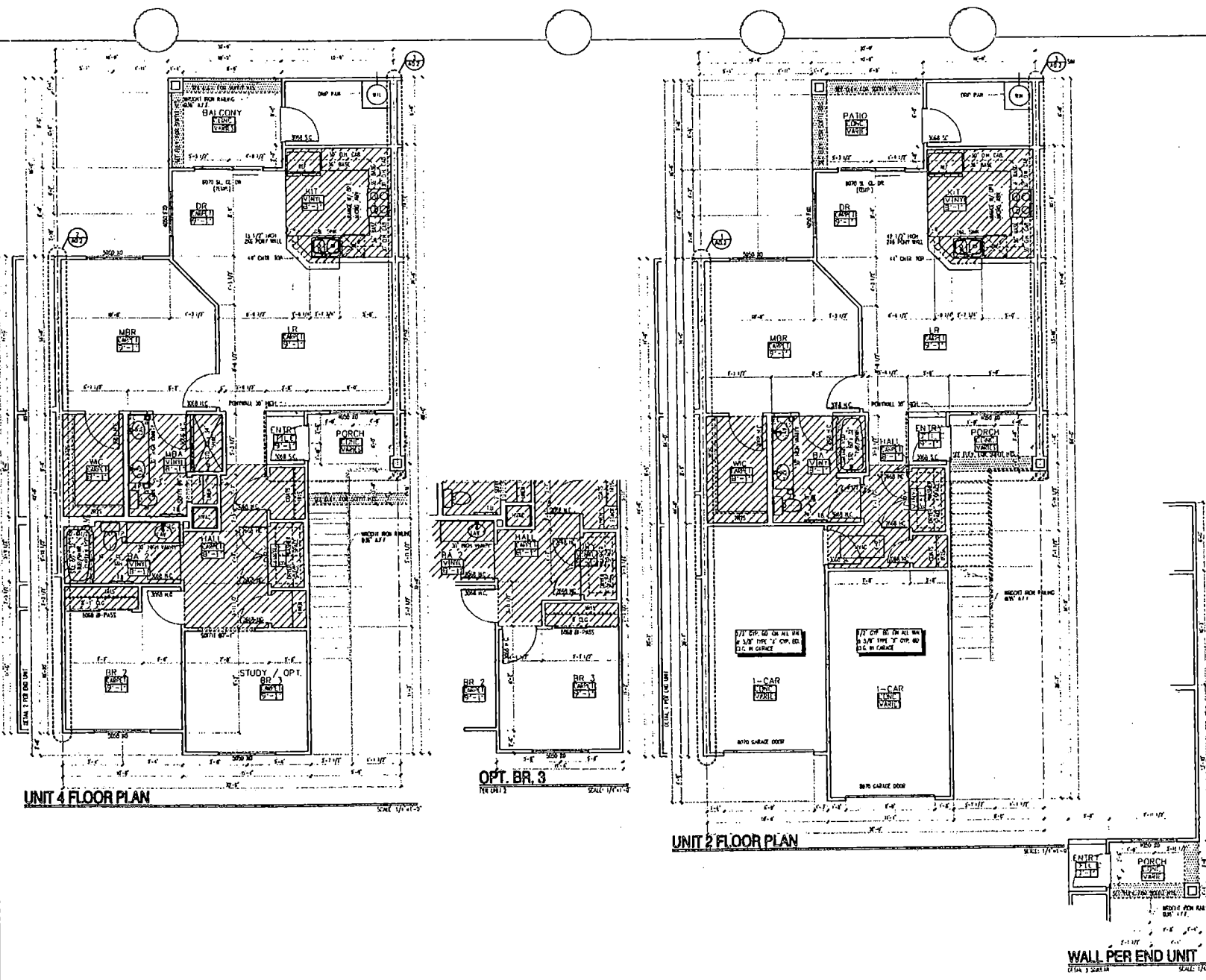
This 4 day of March 2004

Lisa Christian
Notary Public in and for said County and State





SUP-4065
4-22-04 PC



- GENERAL CONS. NO. 100**
FLOOR PLAN
- 1. LEGEND**
WALL SYSTEM
 2x4 STUD WALL, SEE STRUCT. FOR SPECIFICATION
 2x4 STUD WALL, SEE STRUCT. FOR SPECIFICATION
 EXTERIOR FINISH:
 1. COAT STUCCO SYSTEM OVER FOAM BD. SEE GEN. SPEC. ON SHEET A-100
 INTERIOR FINISH:
 1/2" GYP. BOARD UNDO, TAPE, TEXTURED AND PAINTED, USE WATER RESISTANT GYP. BD. AROUND SHOWER AND TUB AREA USE 5/8" TYPE "X" FOR ALL WALLS ABOVE GARAGE.
- PLAN LEGEND**
 PLUMBING SHEET / SLOPE SEE PLAN FOR HEIGHTS
 FURRED CEILING (TYP. CLC. (UNDO))
 ROOM NAME - ROOM NAME
 FLOOR FINISHES
 CEILING TYPE OR HEIGHT
- 2. ALL EXTERIOR WALLS OF GARAGE SHALL BE ONE LAYER 5/8" TYPE "X" GYP. BD. (SHEAR, TYPED AND PAINTED).**
3. 4" DIA. DRYER VENT PIPING WALL OR ROOF SHALL NOT EXCEED 16" (2) 90° ELBOWS W/ DAMPER @ END.
4. ALL DOOR AND WINDOW GLAZING SHALL MEET THE REQUIREMENTS OF THE 2003 IBC, SECTION 703.1. ALL GLAZING IN HAZARDOUS AREAS SHALL BE PER SECTION 703.4.
5. ALL EXTERIOR WALLS AROUND LIVABLE FLOOR SPACE AND SEPARATING WALL BETWEEN GARAGE AND LIVABLE FLOOR SPACE SHALL RECEIVE R-19 BLOWN INSUL. (U.N.D.)
6. ALL WOOD KITCHEN SPACE OVER LIVABLE FLOOR AREA SHALL RECEIVE R-20.41 BLOWN INSUL. (U.N.D.)
7. REFRIGERATION SHALL BE PRE-PLANNED FOR KITCHEN.
8. CEILING AT COVERED ENTRY SHALL BE STUCCO OVER METAL LATH PER IBC 2003, SECTION 703.4 AND TABLE 703.1.
9. ALL FOUNDATION AND SOLE PLATES OR SILL AND SLEEPERS ON VASCONITE OR CONCRETE SLABS IN DIRECT CONTACT WITH EARTH SHALL BE TREATED WOOD OR FOUNDATION GRADE REDWOOD.

LAS VEGAS DIVISION
 1635 VILLAGE CENTER CIRCLE, SUITE 200
 LAS VEGAS, NEVADA 89154 (702) 255-7900

Pulte Homes

FLOOR PLAN
UNITS 2 AND 4

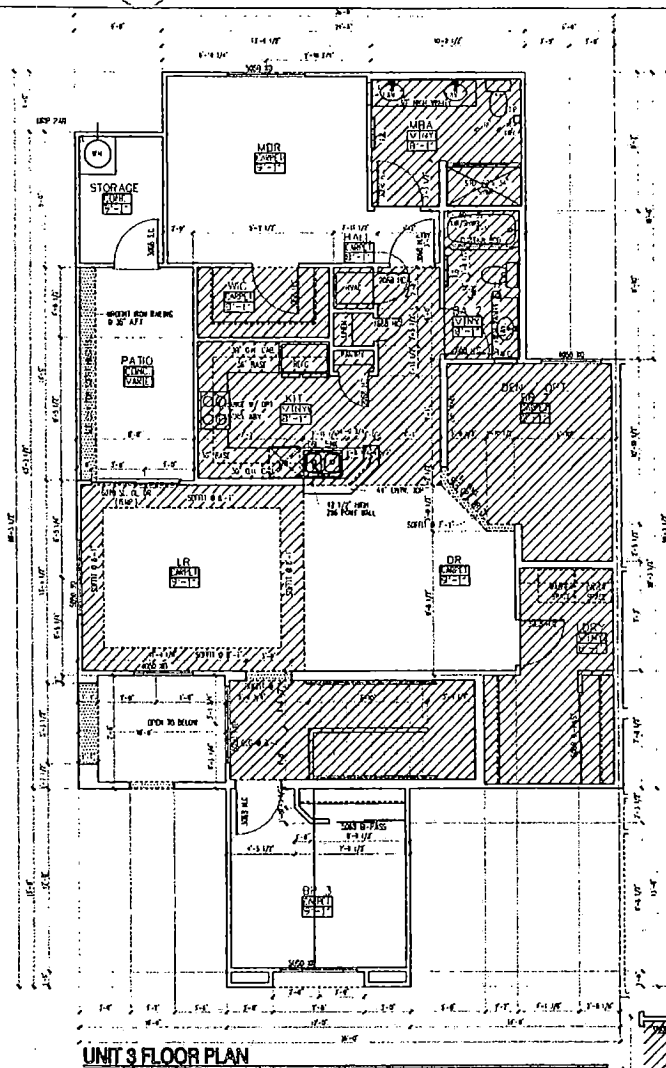
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DESIGN	1/28/04
CHECK	1/28/04
APPROVE	
DATE	
DESIGN	
CHECK	
APPROVE	

CONDO
TERRASIN

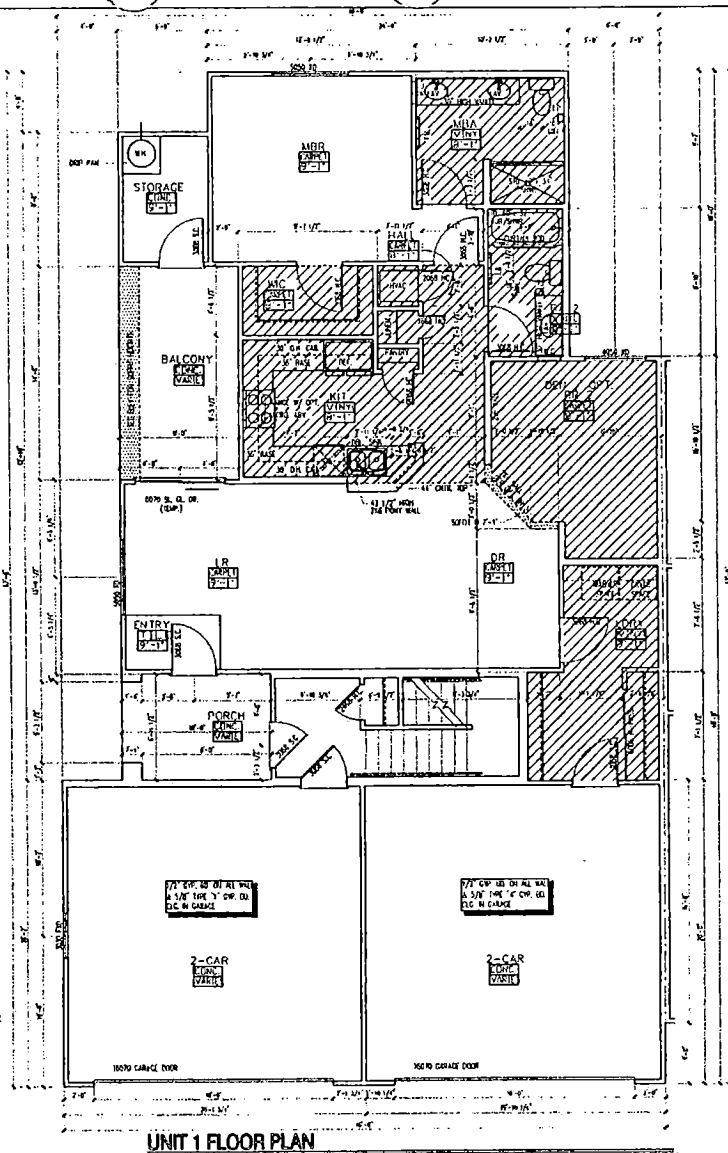
U 2&4

A0.2

SUP-4065
4-22-04 PC



OPT. BR. 2



GENERAL CONS. NOTES FLOOR PLAN

- LEGEND
HALL SYSTEM
2x6 STUD WALL, SEE STRUCT. FOR SPECIFICATION
2x4 STUD WALL, SEE STRUCT. FOR SPECIFICATION
- EXTERIOR FINISH
1. COAT STUCCO SYSTEM OVER FORM BO. SEE GEN. SPEC. ON SH. 1-01
WINDOOR FINISH
1/2" CYPRESS BOARD U.R.G., TAPED, FLEXTONE AND PAINTED. USE WATER RESISTANT COP. BO. AROUND SHOWER AND TUB AREA. USE 3/8" TYPE "B" FOR ALL WALLS W/DOOR GARAGE.
- PLAN LEGEND
PLANT SHADE / SCHEM. SEE PLAN FOR HEIGHT
TURNED CEILING
TYP. C.C. (11'x11')
- ROOM NAME
FLOOR FINISHES
CEILING TYPE OR HEIGHT
2. ALL CERAMIC WALLS OF GARAGE SHALL BE ONE LAYER 5/8" TYPE "C" COP. BO. (TAPED, REINFORCED AND PAINTED)
3. IF DOOR OVER VIEW TUBO WALL OR ROOF SHALL NOT EXCEED 11' & (3) 90° ELBOWS. W/ DAMPER @ END
4. ALL DOOR AND WINDOW CLADDING SHALL MEET THE REQUIREMENTS OF THE 2003 IBC, SECTION 703.05. WHETHER SPECIFICALLY IDENTIFIED OR NOT ON THE PLANS. ALL CLADDING IN HAZARDOUS AREAS SHALL BE FOR SECTION 703.04.
5. ALL EXTERIOR WALLS AROUND LIVABLE FLOOR SPACE AND SEPARATING WALL BETWEEN GARAGE AND LIVABLE FLOOR SPACE SHALL RECEIVE 2-1/2" GLOWN INSUL. (U.N.D.)
6. ALL ROOF ATIC SPACE OVER LIVABLE FLOOR AREA SHALL RECEIVE 2-1/2" GLOWN INSUL. (U.N.D.)
7. REFRIGERATOR SHALL BE PRE-PLUMBED FOR KITCHEN
8. CEILING AT COVERED ENTRY SHALL BE STUCCO OVER METAL LATH PER IBC 2003, SECTION 703.04 AND TABLE 702.1
9. ALL FOUNDATION AND SOLE PLATES OR SLIS AND SLEEPERS ON MASONRY OR CONCRETE SLABS IN DIRECT CONTACT WITH EARTH SHALL BE TREATED WOOD OR FOUNDATION GRADE INSULATED.

LAS VEGAS DIVISION
1635 VILLAGE CENTER CIRCLE, SUITE 250
LAS VEGAS, NEVADA 89134 (702) 256-7900

Pulte Homes

FLOOR PLAN
UNITS 1 AND 3

DATE	1/18/03
DESIGN	1/18/03
CHECK	
APPROVE	
DATE	
DESIGN	
CHECK	
APPROVE	
DATE	

CONDO
TERRASIN

U1&3

A01

SUP-4065
4-22-04 PC



SUP-4065 - APPLICANT: PULTE HOMES - OWNER: LAURA SOMMER
EAST SIDE OF SKY POINTE DRIVE, APPROXIMATELY 1,100 FEET NORTH OF CIMARRON
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-4064 - APPLICANT: PULTE HOMES - OWNER: LAURA SOMMER - Request for a Site Development Plan Review FOR A 316 UNIT CONDOMINIUM DEVELOPMENT on 20.73 acres adjacent to the east side of Sky Pointe Drive, approximately 1,100 feet north of Cimarron Road (APN: 125-21-202-002 and 003), T-C (Town Center) Zone, Ward 6 (Mack).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

4

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining because the notification radius involves Timberlake and it affects a property owner that he represents, but with no economic value, **EVANS** voting No and **McSWAIN** excused

To be heard by the City Council on 5/19/2004

MINUTES:

NOTE: See Item 29 [GPA-4063] for all related discussion.

(7:26 – 7:55)

1-3471/2-1

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 31 – SDR-4064

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. The fence along the north property line shall be constructed of wrought iron.
3. A multi-use trail shall be provided along the east property line. The trails along the east and north property lines shall be designed and constructed in compliance with the Trails Element of the 2020 Master Plan.
4. Approval of Special Use Permit (SUP-4065) to permit a gated community with private streets on this site.
5. Provide centrally located pedestrian access to the trail along the north property line and the trail along the east property line.
6. The maximum building height shall conform to the Residential Adjacency Standards and shall not exceed 2 stories or 35 feet, whichever is less.
7. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. 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.

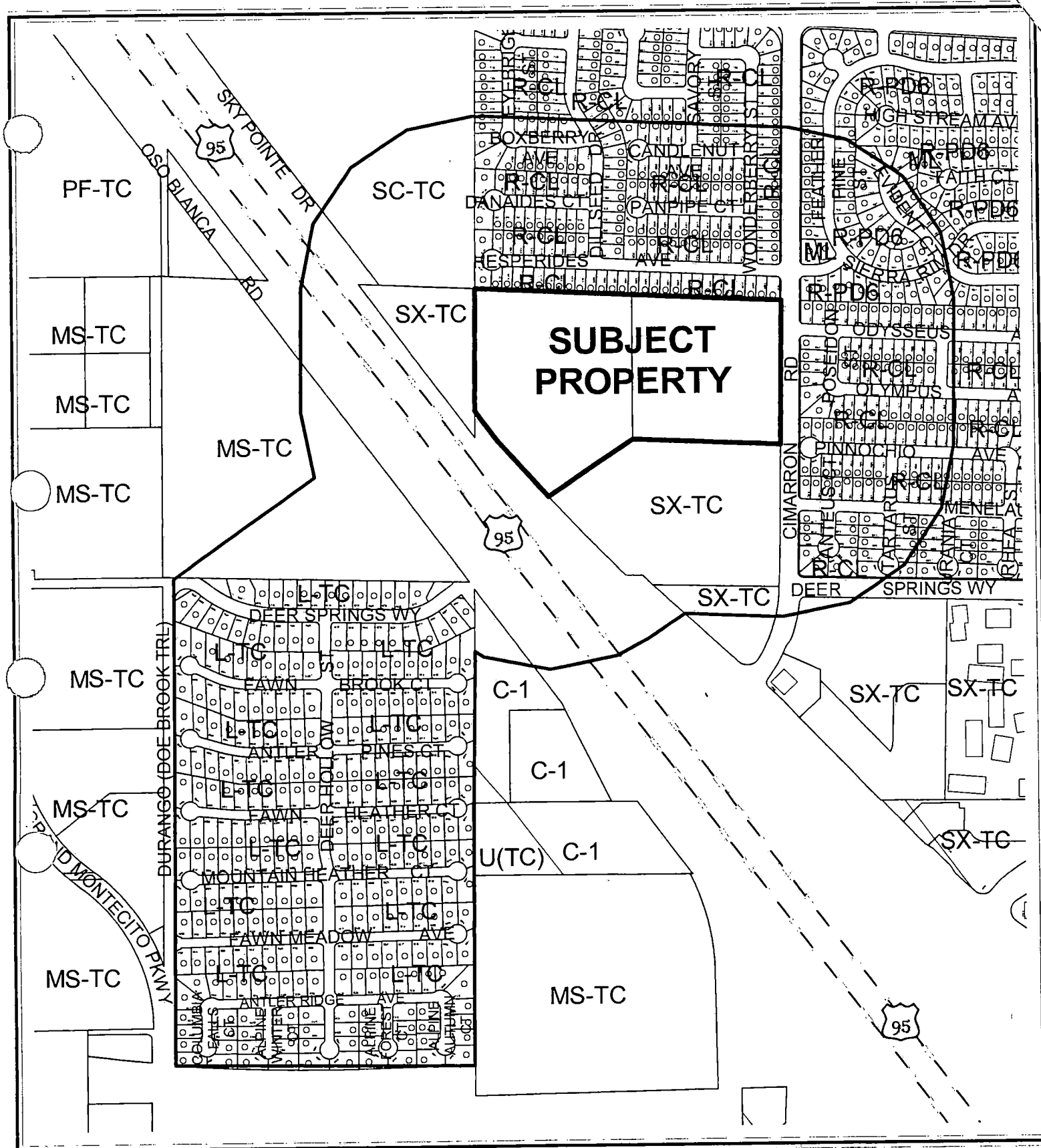
PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 31 – SDR-4064

CONDITIONS – Continued:

13. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
14. All City Code requirements and design standards of all City departments must be satisfied except as amended by conditions herein.

Public Works

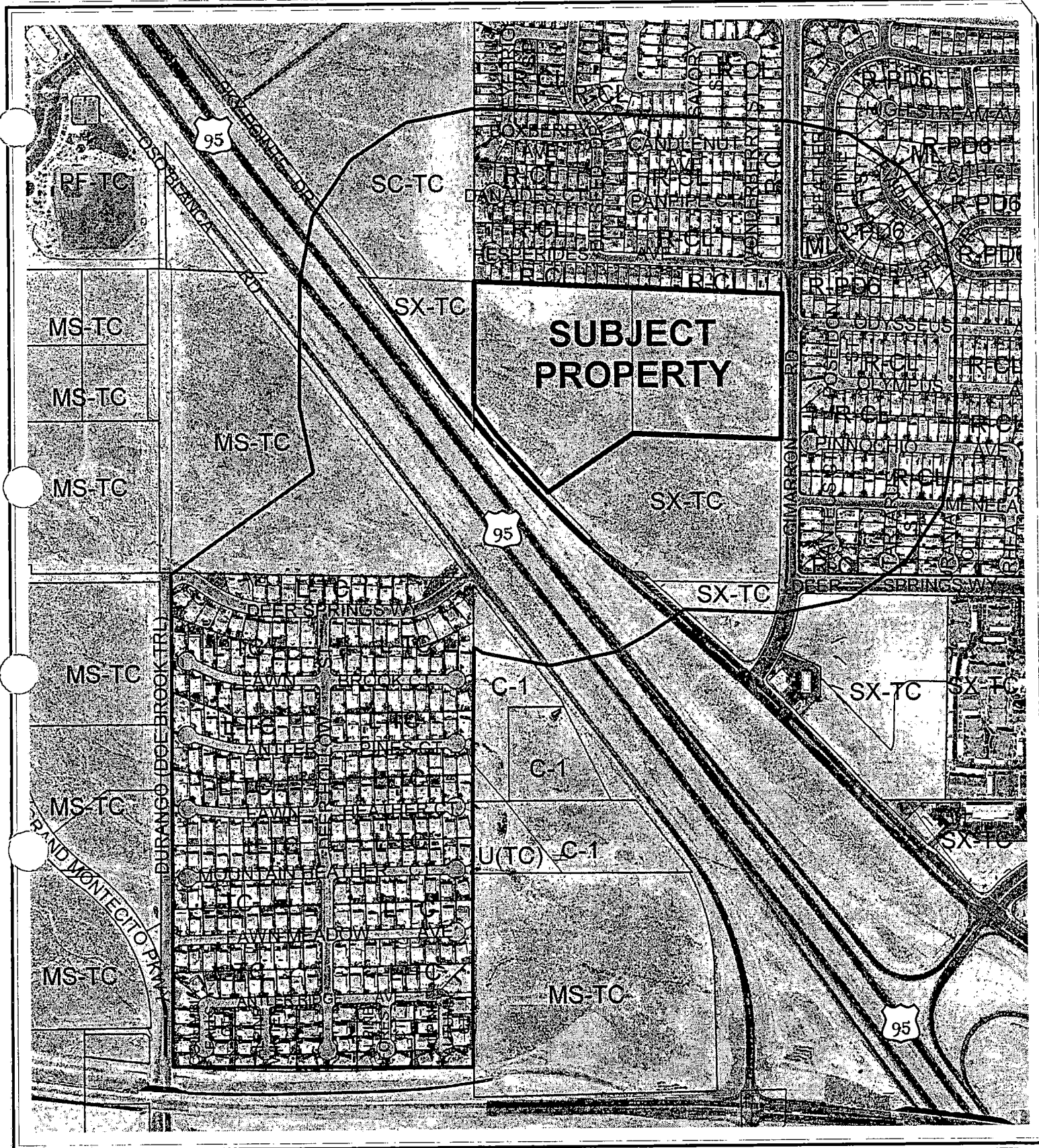
15. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-2123 and all other subsequent site-related actions.



CASE: **SDR-4064**

RADIUS: 750 FT + SPECIAL

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)



CASE: SDR-4064

RADIUS: 750 FT + SPECIAL

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4064 - APPLICANT: PULTE HOMES - OWNER: LAURA SOMMER

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. The fence along the north property line shall be constructed of wrought iron.
3. A multi-use trail shall be provided along the east property line. The trails along the east and north property lines shall be designed and constructed in compliance with the Trails Element of the 2020 Master Plan.
4. Approval of Special Use Permit (SUP-4065) to permit a gated community with private streets on this site.
5. Provide centrally located pedestrian access to the trail along the north property line and the trail along the east property line.
6. The maximum building height shall conform to the Residential Adjacency Standards and shall not exceed 2 stories or 35 feet, whichever is less.
7. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

SDR-4064 - Conditions Page Two
April 22, 2004 - Planning Commission Meeting

12. 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.
13. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
14. All City Code requirements and design standards of all City departments must be satisfied except as amended by conditions herein.

Public Works

15. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-2123 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a 316-unit condominium development on 20.73 acres adjacent to the east side of Sky Pointe Drive, approximately 1,100 feet north of Cimarron Road. The applicant indicates this request is justified because the proposed condominiums are compatible with the residential uses to the north and east. A General Plan Amendment (GPA-4063) for a 316-unit condominium development and a Special Use Permit (SUP-4065) for a gated community with private streets have been submitted in conjunction with this application.

BACKGROUND INFORMATION

Neighborhood Meeting

03/22/04 A neighborhood meeting sponsored by the applicant was held at the Silverstone Golf Club. The applicant introduced the project to the residents as a 310-unit condominium project, roughly 15 units per acre. The buildings will be 22' high, and 66' from the property line of adjoining residences to the north. The units will be for sale, and have attached garages. They also have a 20' trail along the northern boundary. Eighteen people attended and had the following questions/issues:

- Will the trail have lighting? Yes.
- Will the CC&Rs restrict investor's from purchasing blocks of units for rentals? Most likely. Pulte currently restricts sales to homeowners only in all of its active subdivisions.
- What is the price range? \$200 - \$250+
- What is the unit size? 1,250 to 1,500 sq ft
- What is the time frame? Approx. 18 months to begin building, then another 18 months to build out.
- What is the earliest hour construction can begin? 7:00 A.M by city ordinance
- Can you begin building the units along the northern border first, then work forwards? Probably.

SDR-4064 - Staff Report Page Two
April 22, 2004 - Planning Commission Meeting

There was no opposition voiced about the General Plan Amendment. However, the Trails element of the 2020 Master Plan requires a trail along the north prop line, which generated a lot of discussion at the neighborhood meeting. The builder intends to wall off its northern border of the trail, leaving a 20-foot alley between the two properties. The residents have concerns with crime in 20-foot wide trail between this development and the development to the north.

DETAILS OF APPLICATION REQUEST

Site Area: 20.63 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	Single Family Dwellings
South	Undeveloped
East	Single Family Dwellings
West	U.S. 95

PLANNED LAND USE

Subject Property	SX-TC (Suburban Mixed-Use)
North	ML (Medium-Low Density Residential)
South	SX-TC (Suburban Mixed-Use)
East	ML (Medium-Low Density Residential)
West	U.S. 95

EXISTING ZONING

Subject Property	TC (Towncenter)
North	R-CL (Single Family Compact Lot)
South	TC (Towncenter)
East	R-CL (Single Family Compact Lot)
West	US 95

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Town Center		
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Clark County Notification		X
Project of Regional Significance		X

The subject site is located within the Town center Plan area. The Town Center area is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; medium to high density residential uses; planned business; office and industrial parks; and recreational uses.

PROJECT DESCRIPTION

The submitted site plan indicates the 310-unit condominium development is proposed to be located on the west side of Cimarron Road, approximately 612 feet north of Deer Springs Way. Access to the site is to be provided by a gated driveway to Sky Pointe Drive. An emergency gate accesses Cimarron Road. A twenty-foot wide trail is shown along the north property line. A total of 7.06 acres of open space is shown. Parking is provided by 466 garage spaces and 124 outdoor spaces. Twenty-four inch box trees are shown along all property lines at a typical spacing of 20 feet on center. Common area amenities include a swimming pool and a volleyball court. The elevations depict stucco exteriors with concrete tile roofs. A stone veneer accent is shown along the base of the buildings.

ANALYSIS

A1) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The applicant has provided a drawing which indicates this project will comply with the proximity slope requirement.
- b) Building setback. The nearest building is shown at 65.6 feet from the north property line and meets the required setback from residential property.

SDR-4064 - Staff Report Page Four
April 22, 2004 - Planning Commission Meeting

A2) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	Quantity	Ratio	Required		Provided	
			Parking		Parking	
			Regular		Regular	Handicap
1 bedroom units	158	1.25 spaces per unit	198			
2 bedroom units	152	1.75 spaces per unit	266			
Guest spaces		1 space per 6 units	52			
TOTAL			516		590	

The proposed development exceeds the parking requirement.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1Tree/ 6 Spaces	33 Trees	34 Trees
Buffer:			
• Min. Trees	1Tree/ 20 Linear Feet (4030 total linear feet)	202 Trees	203 Trees
• Min. Zone Width	20 Feet		20 Feet
• Wall height	6 Feet		6 Feet

The proposed development meets the landscaping requirement.

• **Town Center Development Standards**

Pursuant to the Town Center Development Standards, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density		Required		Provided	
			Percent	Area	Percent	Area
20.73acres	15.15 du/ac		12 %	2.49 ac	34 %	7.06 acres

The proposed development meets the open space requirement.

B) General Analysis and Discussion

- Zoning

This development will be consistent with the T-C (Town Center) zoning designation, if the related rezoning is approved.

- Site Plan

The Trails element of the 2020 Master Plan indicates that two Multi-Use trails are to be provided adjacent to this site, one along the north property line and one along the east property line, adjacent to Cimarron Road. The submitted site plan depicts the trail along the north property line, but does not show a trail along the east property line. Staff has added a condition requiring the construction of this trail.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

The proposed condominium development could result in development that is compatible with surrounding uses in terms of the direct impact of its adjacency. On a larger scale, however, development of the site at a significantly lower intensity than the SX-TC (Suburban Mixed Use - Town Center) that is planned for this site will have a negative impact on the immediate area. Town Center must maintain an adequate amount of land for each of the specified land use areas if it is to support the commercial needs of the northwest. It would be inappropriate and premature to assume that the subject parcels are not needed for that at this time.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

The proposed residential development will be consistent with the General Plan and Title 19. The proposed residential development will be consistent with applicable plans, policies and the Town Center development standards, with implementation of the conditions of approval.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

The subject site will have a gated vehicular access at Sky Pointe Drive, a Town Center Loop (90-foot) Street, which will provide adequate access to the site. Internal circulation is to be provided by a network of private streets ranging 33 feet in width, which is adequate for the circulation and parking requirements that can be expected to be generated by this development.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The project as proposed is not unsightly or aesthetically unpleasing; taken in the context of many other locations in the city, it would represent an attractive development. This project is not, however, what has been planned for this portion of the Town Center area through the approved Town Center Development Standards Manual, and if developed, would not be compatible and harmonious with development that would comply with the approved policies for this area.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

The proposed residential development uses only two-story floor plans. While the individual designs and elevations of the proposed homes are satisfactory, the tight arrangement into clusters of six, eight or more units with little yard space may create a crowded urban environment that is aesthetically unpleasing, and which may not be compatible with the other residential uses in the area.

6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**

The proposed residential development will be subject to regular City and County inspections and will therefore not compromise the public health, safety, and welfare.

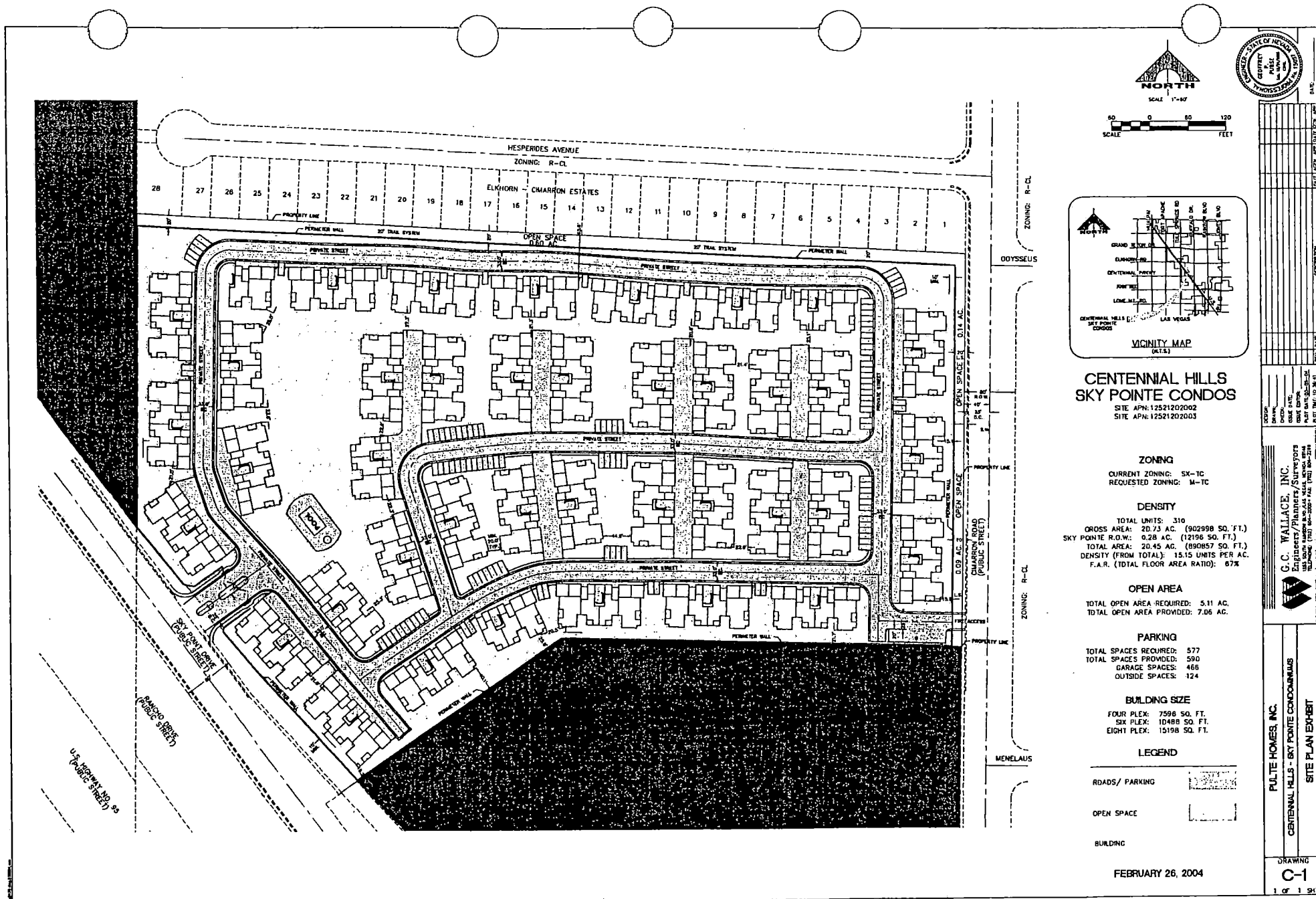
NOTICES MAILED 627 [Mailed with GPA-4063 & SUP-4065]

APPROVALS 0

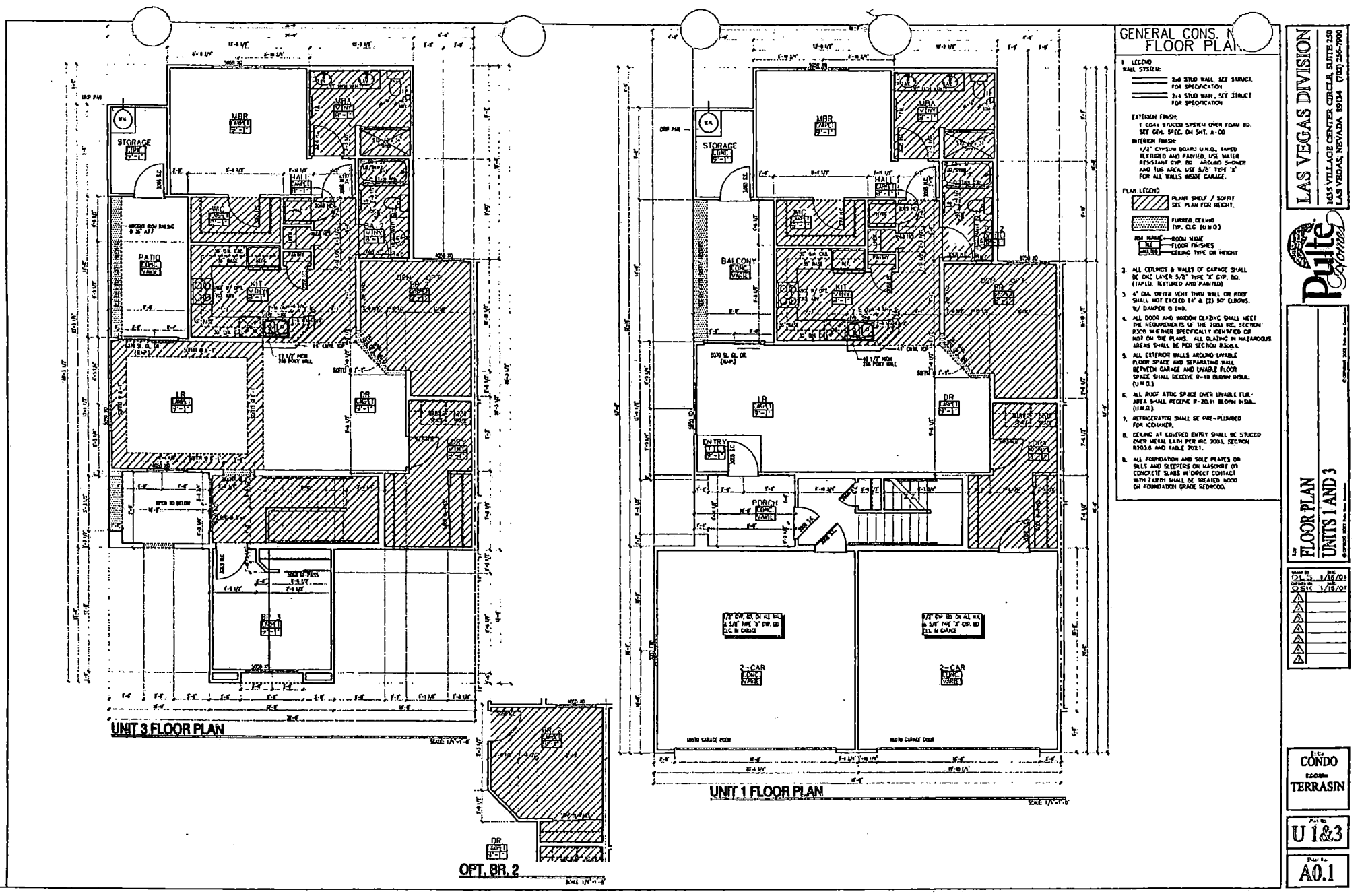
PROTESTS 0



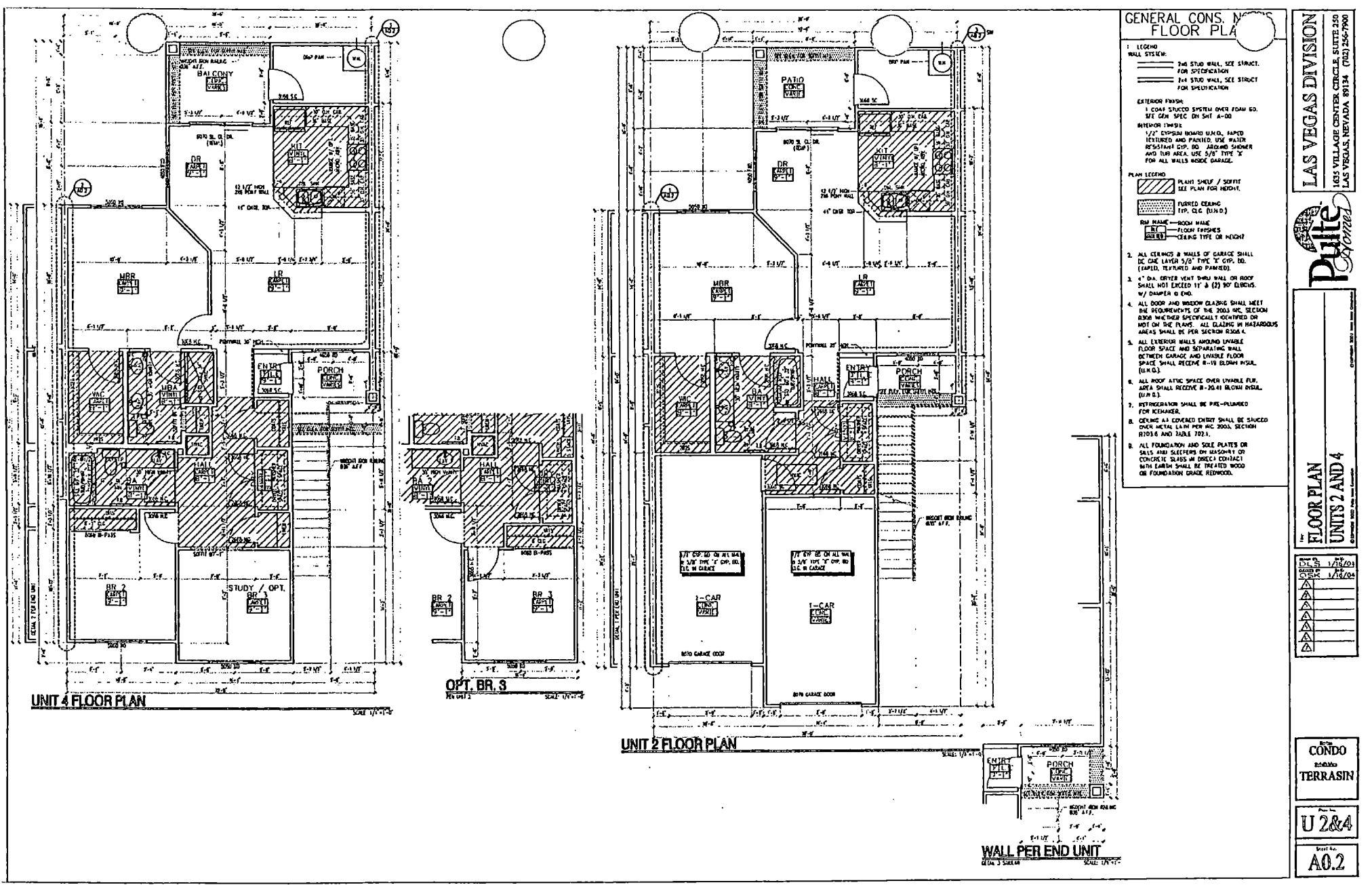
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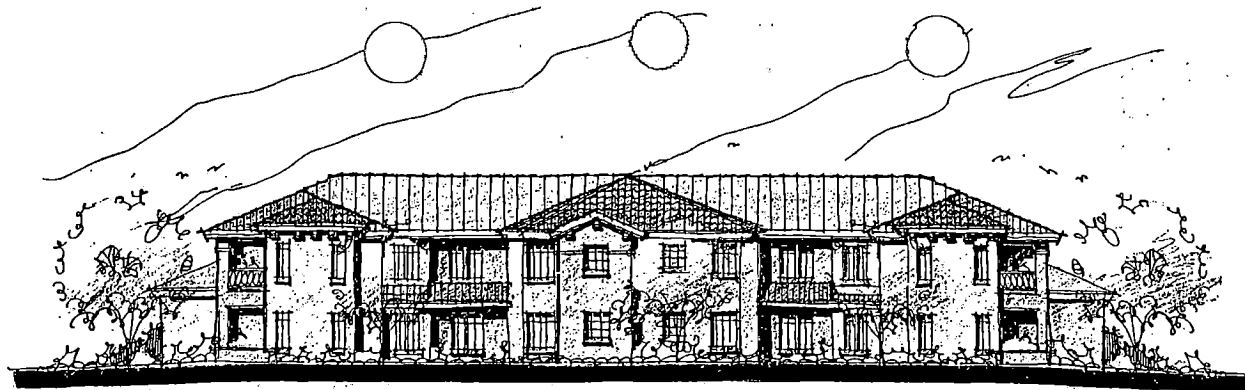
SDR-4064
4-22-04 PC



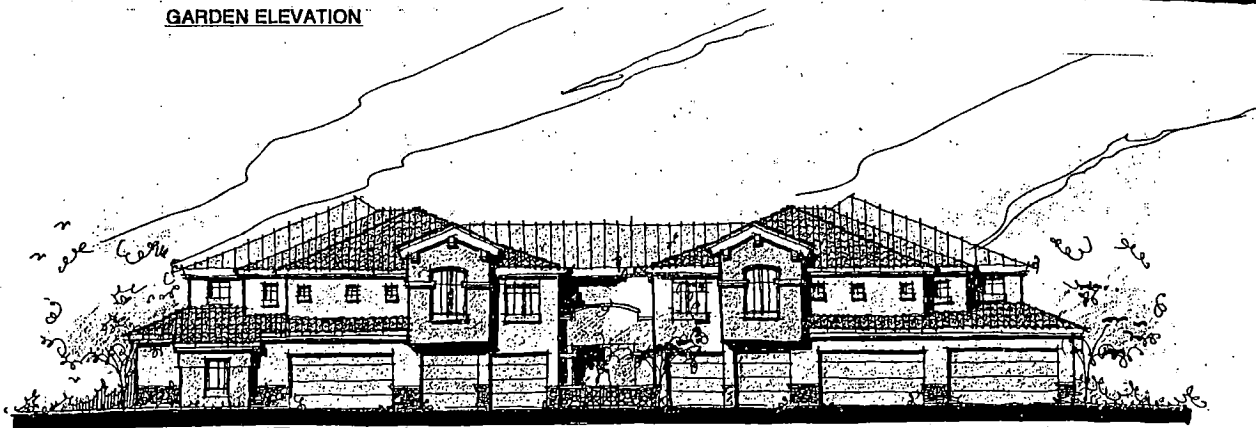
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4-22-04 PC



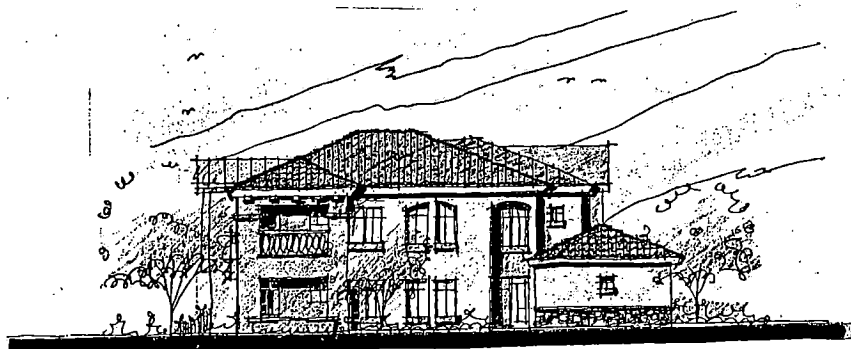
SDR-4064
4-22-04 PC



GARDEN ELEVATION



ENTRY ELEVATION



SIDE ELEVATION

SDR-4064
4-22-04 PC



SDR-4064 - APPLICANT: PULTE HOMES - OWNER: LAURA SOMMER
EAST SIDE OF SKY POINTE DRIVE, APPROXIMATELY 1,100 FEET NORTH OF CIMARRON
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

GPA-4072 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK K & KUSUM D DESAI - Request to amend the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan FROM: O (OFFICE) AND GC (GENERAL COMMERCIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 10.95 acres adjacent to the southwest corner of Lone Mountain Road and Torrey Pines Drive (APN: 138-02-102-002 and a portion of 138-02-102-012), Ward 6 (Mack).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 7 [MSH-3850], and HOLD IN ABEYANCE Item 20 [ZON-3884], Item 21 [SDR-3885], Item 32 [GPA-4072], to 5/13/2004 Planning Commission and Item 8 [GPA-3833], Item 9 [GPA-3933], Item 38 [GPA-4091], Item 39 [ZON-4093], Item 40 [VAR-4094], Item 41 [SDR-4095], Item 42 [GPA-4100], Item 43 [ZON-4101], Item 44 [SDR-4102] and Item 68 [VAC-4071] to 5/27/2004 Planning Commission – UNANIMOUS with GOYNES and McSWAIN excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 32 – GPA-4072

MINUTES – Continued:

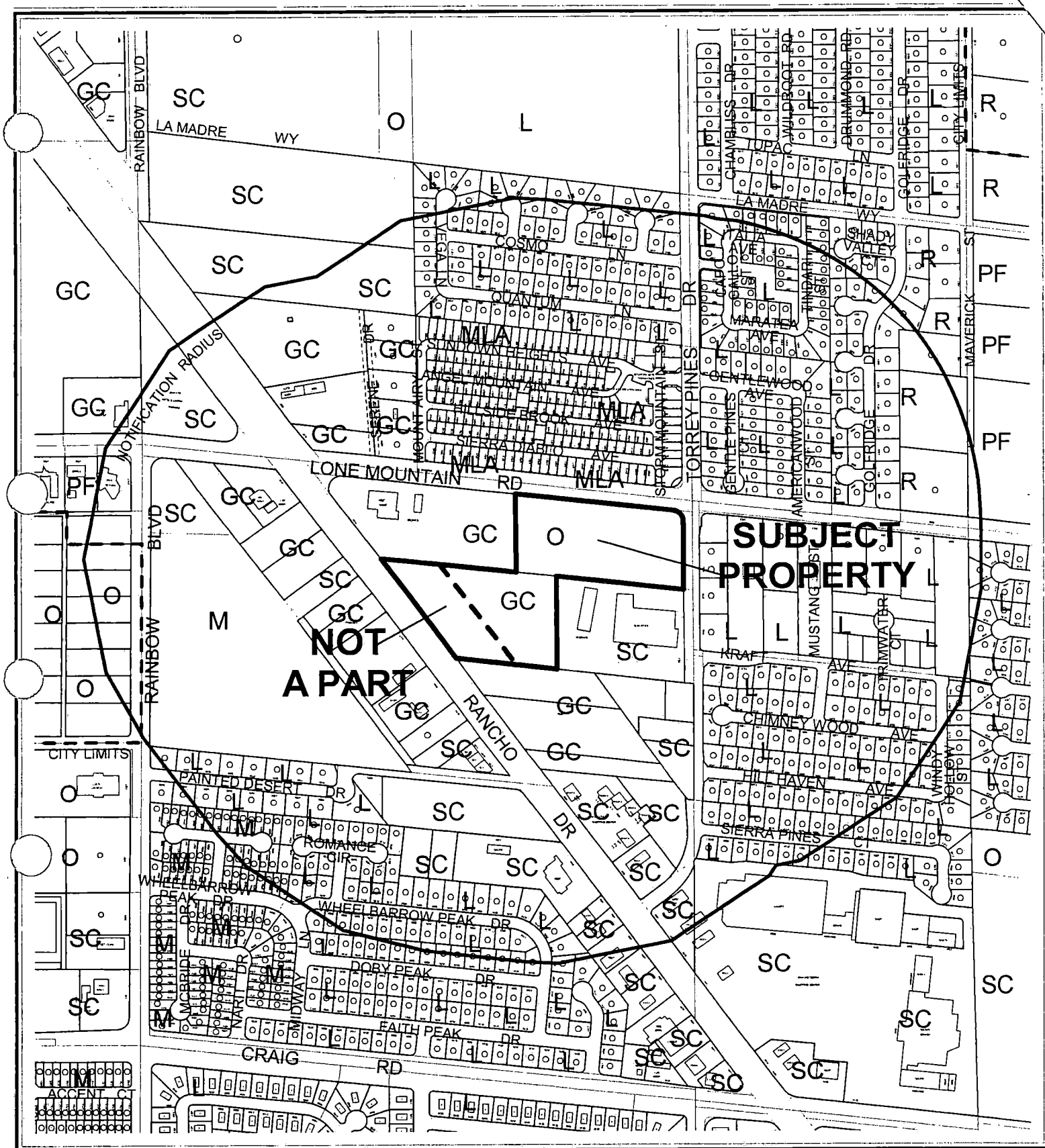
ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, indicated that a letter was sent on behalf of the applicant to hold in abeyance Item 32 [GPA-4072] to May 13, 2004. MR. CLAPSADDLE did not object to the request.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:02 – 6:11)

1-80



CASE: GPA-4072

RADIUS: 1320 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

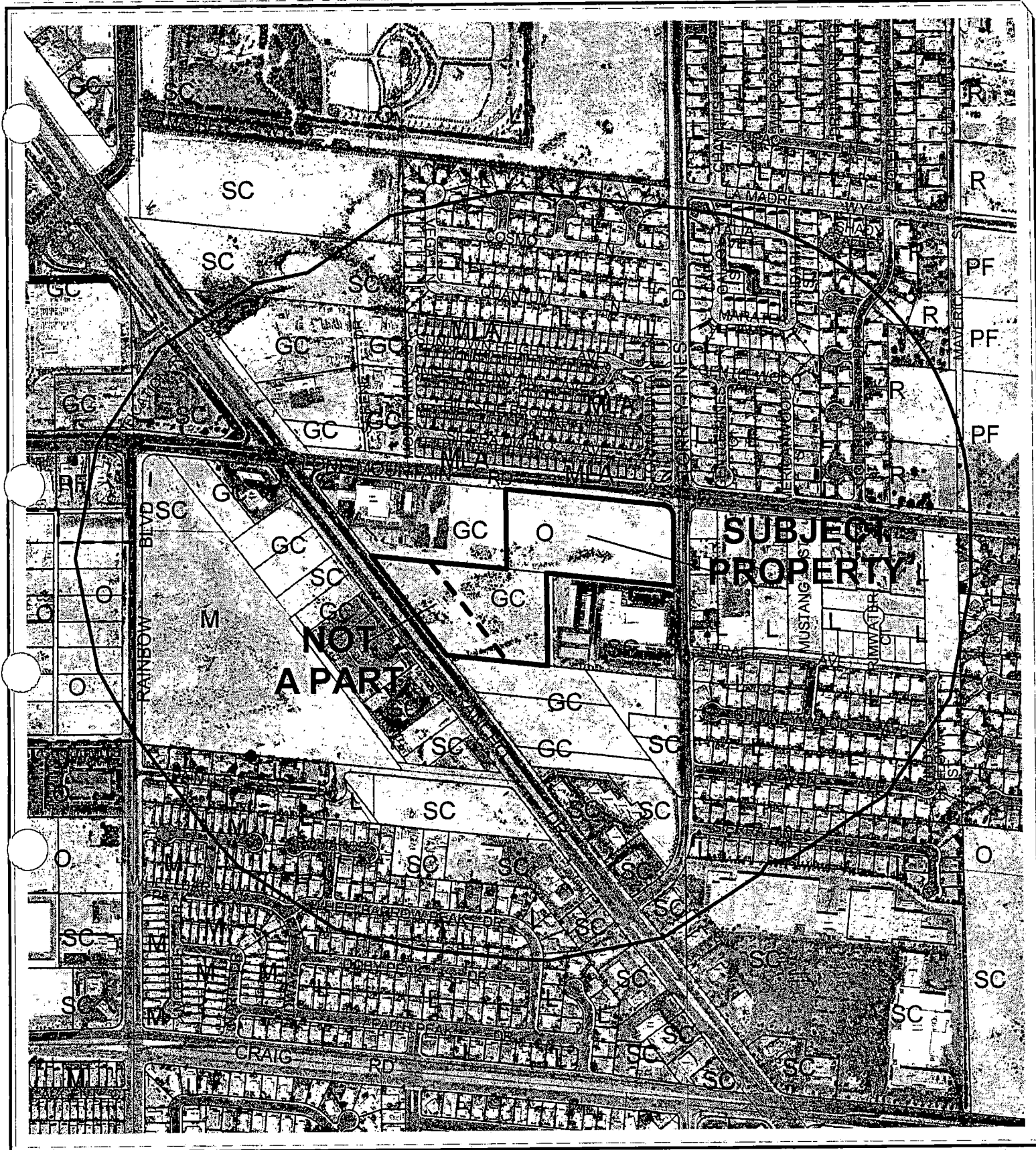
O (OFFICE) AND GC (GENERAL COMMERCIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

MLA (MEDIUM LOW ATTACHED RESIDENTIAL)

0 400 800 Feet





0 400 800 Feet

CASE: GPA-4072

RADIUS: 1320 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE) AND GC (GENERAL COMMERCIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

MLA (MEDIUM LOW ATTACHED RESIDENTIAL)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-4072 - APPLICANT: ROYAL CONSTRUCTION - OWNER:
DIPAK K & KUSUM D DESAI

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property adjacent to the southwest corner of Lone Mountain Road and Torrey Pines Drive from O (Office) and GC (General Commercial) to MLA (Medium-Low Attached Density Residential).

BACKGROUND DATA:

- 06/07/72 The Board of City Commissioners approved Z-0039-72, which rezoned the subject property from R-E (Residence Estates) to C-2 (General Commercial).
- 08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for General Commercial land uses.
- 06/20/90 The City Council approved Z-0059-90, which rezoned the subject property from R-E (Residence Estates) to C-1 (Limited Commercial).
- 03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan. The Northwest Sector Plan designated these parcels as SC (Service Commercial) and GC (General Commercial).
- 05/24/99 The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map. On this plan, the parcels were designated as SC (Service Commercial) and GC (General Commercial).
- 09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan.
- 02/19/03 The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for SC (Service Commercial) and GC (General Commercial) land uses.
- 04/02/03 The City Council approved GPA-1363, which amended one of the subject parcels from SC (Service Commercial) to O (Office).

DETAILS OF APPLICATION REQUEST

Site Area: 10.95 Acres

EXISTING LAND USE

Subject Property Undeveloped
 North Single family attached residential/ Commercial
 South Undeveloped/Office
 East Office/ Single family residential
 West Commercial/ Undeveloped

PLANNED LAND USE

Subject Property O (Office) and GC (General Commercial)
 North MLA (Medium Low Attached Density Residential)
 South GC (General Commercial) and SC (Service Commercial)
 East SC (Service Commercial); L (Low Density Residential)
 West GC (General Commercial)

EXISTING ZONING

Subject Property O (Office), R-E (Residence Estates) and C-2 (General Commercial)
 North R-PD10 (Residential Planned Development – 10 Units Per Acre)
 South C-1 (Limited Commercial) and C-2 (General Commercial)
 East C-1 (Limited Commercial); R-1 (Single Family Residential)
 West C-2 (General Commercial)

SPECIAL DISTRICTS/ZONES	Yes	No
<i>Special Area Plan</i>		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Clark County Notification		X
Project of Regional Significance		X

DEFINITIONS

MLA (Medium Low Attached Density Residential)(8.1 to 12 dwelling units/gross acre.) The Medium Low Attached Density Residential category permits a maximum of 12 dwelling units per gross acre. This category includes a variety of multi-family units such as plexes, townhouses, condominiums, and low-density apartments. This category is an appropriate use for the residential portion of a Village Center or Town Center Area. It is also an appropriate transitional use.

O (Office) The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

GC (General Commercial) General Commercial allows retail, service, wholesale, office, and other general business uses of a more intense commercial character. These uses include limited outdoor storage or display of products, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas with significant transition. Examples of General Commercial uses include: new and used car sales; recreational vehicles and boat sales; mortuaries; and other vehicle-oriented uses such as hotels, motels, apartment hotels, and similar uses. This category includes the Village and Town Center concept areas.

INTERAGENCY ISSUES

There are no interagency issues.

ANALYSIS

In 2003, the City of Las Vegas initiated a land use study of properties along Rancho Drive from approximately Vegas Drive to Moccasin Road in an effort to resolve conflicts between existing zoning districts and the land uses recommended by the General Plan. The Rancho Corridor study revealed that simply matching the zoning to the designation would lead to several instances of commercial zoning being directly adjacent to residential uses. Staff proposed clustering undeveloped GC (General Commercial) designated areas and C-2 (General Commercial) zoning districts in areas such as the northeast and southeast corners of Lone Mountain Road and Rancho Drive, where adequate transition zones (such as Office) and buffering can be provided between the intense commercial uses (such as major auto repair, auto sales lots, and hotel/motels) typical of the C-2 district, and residential uses. As a result, GPA-1363 amended the subject parcel on the southwest corner of Torrey Pines Drive and Lone Mountain Road from SC (Service Commercial) to O (Office).

Given the undeveloped General Commercial designated areas adjacent to the west and south of the subject parcels, the proposed amendment would result in the incompatibility of land uses that the Rancho Corridor Study sought to resolve. Additionally, residential development on the subject property would trigger residential adjacency standards including building height and setback requirements for future commercial development to the west and south of the subject property along Rancho Drive. The placement of a Medium Low Attached Density Residential designation at this location presents an unacceptable difference in intensity with the General Commercial uses to the south and west.

FINDINGS

Title 19.18.030.I 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 density and intensity of the proposed General Plan Amendment is not compatible with the existing commercial designations and is in conflict with previous actions to bring zoning and General Plan designations into conformance with appropriate buffering between residential and commercial land uses.

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 would not be compatible with the adjacent commercial 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.**

The parcels are near existing or approved development. The necessary transportation, recreation, utility, and other facilities needed to accommodate the uses and densities permitted by the proposed General Plan Amendment are in place or will be in the near future.

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

There are no other applicable adopted plans and policies.

GPA-4072 - Staff Report Page Five
April 22, 2004 - Planning Commission Meeting

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/22/04 The nine persons attending had the following comments:

1. They wanted access from Lone Mountain Road only.
2. There are too many units and some of them should be one-story.
3. There was concern about drainage and flooding.
4. There should be perimeter landscaping maintained by a Homeowner's Association.
5. They wanted to see elevations.

NOTICES MAILED: 663

APPROVALS: 0

PROTESTS: 0

SENT BY: SUPER REALTY;

7027377966;

MAR-8-04 4:48PM;

PAGE 3/3

Mar 08 04 03:27p

Stephen B. Rizenberg

702-377-7111

p.3

MAR-08-2004 MON 02:36 PM TETRA TECH

FAX NO. 7022422100

P. 02



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-4072** APN: 138-02-102,012
Name of Property Owner: DESAI DIPAK K & KUSUM D 50 PARAMAHAMSA R TRUST 50
Name of Applicant: ROYAL CONSTRUCTION

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes

 No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: DIPAK DESAI

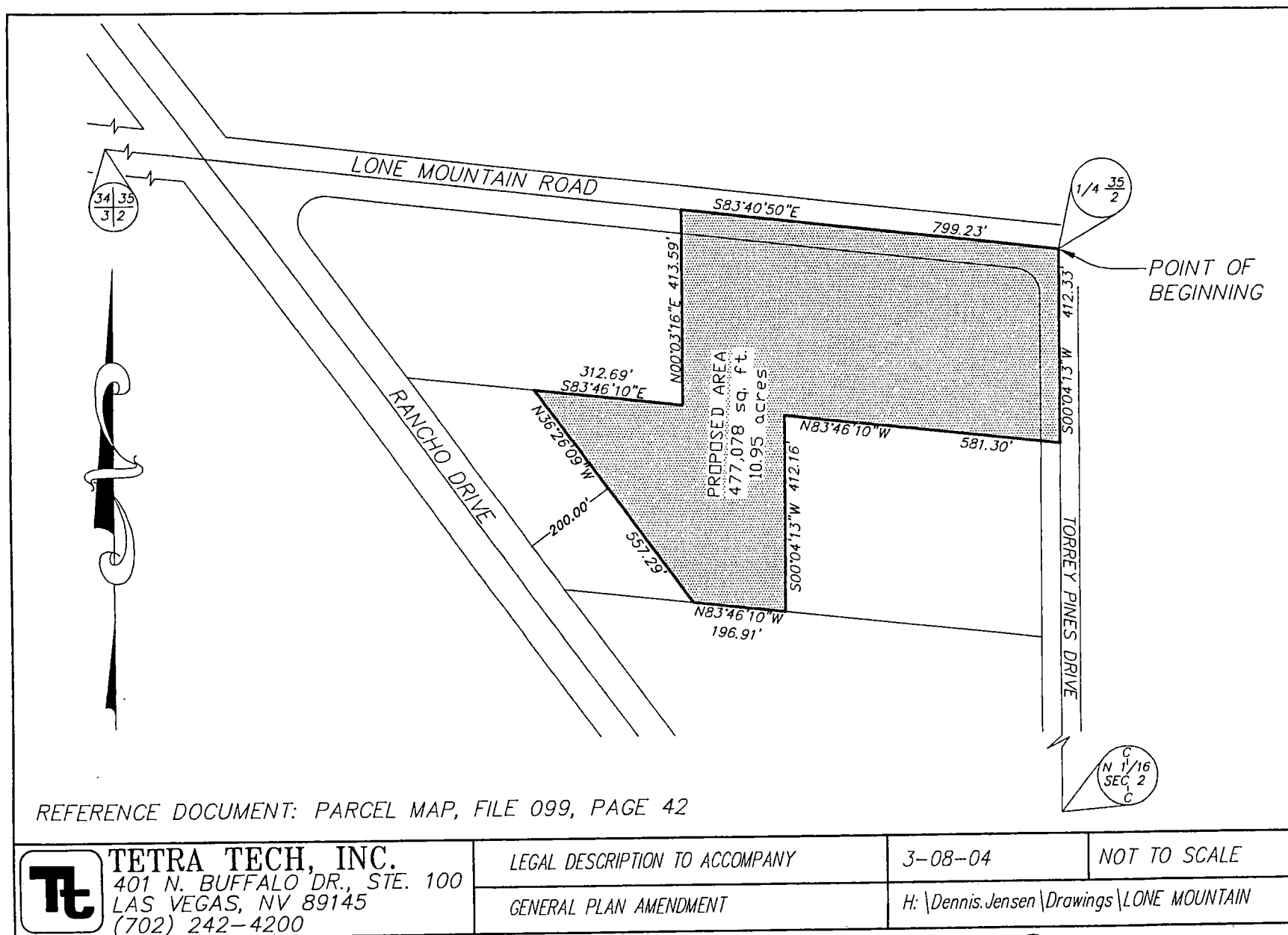
Print Name: DIPAK DESAI

Subscribed and sworn before me

This 8th day of March, 2004

Charlene Harrison
Notary Public in and for said County and State





GPA-4072
4-22-04 PC



GPA-4072 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK K & KUSUM D DESAI
SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND TORREY PINES DRIVE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GPA-4078 – APPLICANT/OWNER: QUALITY HOMES - Request to amend the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: O (OFFICE) on 2.87 acres adjacent to the southeast corner of Rainbow Boulevard and Buckskin Avenue (APN: 138-11-401-001), Ward 6 (Mack).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

6

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

3

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

GOYNES – DENIED – UNANIMOUS with TRUESDELL and McSWAIN excused

To be heard by the City Council on 5/19/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 33 [GPA-4078] and Item 34 [ZON-4080].

KYLE WALTON, Planning and Development Department, explained the site is surrounded by lands designated in the Centennial Hills Sector Plan as Desert Rural Land Uses. This site and the surrounding area to the east meet the criteria of a Rural Preservation Neighborhood. The application for Office use is not compatible with the very low-density rural residential uses that are protected by State law at their current densities. Therefore, staff recommended denial.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 33 – GPA-4078

MINUTES – Continued:

ATTORNEY ANDRAS BABERO, 6741 West Alexander Road, explained that the site has two dilapidated structures. The rear wall is being used as a palate for graffiti. The proposal is to develop the site with two medical office buildings to be used for billing purposes. A meeting was held with the neighbors and everyone agreed with the use.

ROBERT GENZER, Director, Planning and Development Department, indicated that since a site plan is not involved with these applications, the discussion should be confined only to the General Plan and the Zoning.

ATTORNEY BABERO recognizes that the surrounded uses are residential, but some of the surrounding areas are zoned C-1, C-V, P-R, and residential uses on both sides of Rainbow Boulevard. Residents immediately to the rear support this particular use because they do not like to see small homes on 2.86 acres. They would like something that would have less of an impact on the neighborhood. He believes that the applicant can provide a better landscaping buffer and a less intense use. He mentioned that one neighbor asked that speed bumps be installed and he would be amenable to providing those, if the Commission approves.

JOHN MARKIN, 6700 Willow Lake Court, resides across from the subject property and stated that commercial needs to stop at Atwood Avenue. The surrounding areas are designated rural. The increased traffic will be an impact on the school zone. Homes can be built at this site similar to those found on the cul-de-sac facing this site. MR. MARKIN pointed out that this property was once requested for a convalescent care facility and a medical building, but the residents objected to both applications.

MARIANNE ROBBINS, 6800 Atwood Avenue, opposes any commercial development on this property.

TODD FARLOW, 240 North 19th Street, concurred with MR. MARKIN'S comments.

RICK BERNI, 6701 Buckskin Avenue, supports this development because the area needs to be improved. Rainbow Boulevard is a heavily traveled road with a school zone and it would be very dangerous to put residences on this site with driveways exiting on Rainbow Boulevard. The applicant proposes to develop the property with an aesthetically pleasing building and asked that it be for daytime business only; the alternative would be to have an existing old barn with graffiti. The City installed a fence around the property to keep people from dumping trash on the property.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 33 – GPA-4078

MINUTES – Continued:

ELDON GRAUBERGER, 6701 Lost River Court, appeared in opposition and stated that three previous requests were submitted to develop this property, but the residents objected the requests. One of the proposals was for seven homes with access on Buckskin Avenue.

LINDA RODRIGUEZ, 6704 Shallow Creek Court, adamantly opposed to commercial on this property. Homes could be constructed on this site.

LINDA MARKIN, 6700 Willow Lake Court, opposed the project because the land should be used for homes. A commercial development would create additional traffic impacting the nearby school.

ANTONETTE SNYDER, 6690 Atwood Avenue, resides adjacent to the subject property and has dealt with the blight for nine years. She would like to see the property developed with something aesthetically pleasing.

LONI INCLON resides adjacent to the site and asked that something be developed to improve the property.

MR. BERNI pointed out that homes are not feasible on this site because they would end up being on five or six thousand square foot lots. The proposed commercial development is the best plan for this site.

ATTORNEY BABERO rebutted that the petition one resident referred to was for a different application. Only one person attended the neighborhood meeting. The applicant is trying to alleviate the blight with two new medical buildings that will benefit the neighborhood. There will not be any lighting spilling into the residents' backyards.

COMMISSIONER GOYNES asked ATTORNEY BABERO what process regarding the distance requirement he followed to schedule a neighborhood meeting. ATTORNEY BABERO replied that the names were provided by Planning staff. COMMISSIONER GOYNES commented that he does not see any other compatible zoning, even though there is Service Commercial to the south of Atwood Avenue. However, commercial is south of Cheyenne Avenue and Rainbow Boulevard cutting off at Atwood Avenue. This would set a precedent. Responding to the issue of a protest petition, COMMISSIONER GOYNES pointed out that MR. MARKIN was trying to establish a pattern over the years that no matter what type of development came at this location, the residents objected to anything other than Desert Rural designation. This area should remain consistent. Neighborhood Services should be contacted requiring the property owner clean the property and remove the graffiti.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 33 – GPA-4078

MINUTES – Continued:

ATTORNEY BABERO rebutted that the property owner has and will continue to clean the property. He reiterated that the site is not appropriate for residential homes.

COMMISSIONER EVANS indicated that two years ago staff, the Planning Commission and the City Council denied an application for an office use at this site. The site is surrounded by residential on all sides. He pointed out that a portion of this application is within the Rural Preservation Neighborhood and asked DEPUTY CITY ATTORNEY SCOTT what limitations does the Commission have in this regard. DEPUTY CITY ATTORNEY SCOTT replied that in accordance with NRS 278.0177, which defines the Rural Preservation Neighborhood, within the RPN the Commission would be prohibited from zoning it any greater than two residential dwelling units per acre. If it were in the RPN buffer area, which is the 330 feet outside of the RPN, the Commission would be allowed to go up to three dwelling units per acre, but could go to a greater zoning if there was just cause. COMMISSIONER EVANS felt the blight is not the issue because it can be rectified regardless of the zoning and the General Plan.

MR. WALTON clarified that the subject site and the four lots to the east of it are considered Rural Preservation area and the buffer referred to encompasses the area around it. VICE CHAIRMAN NIGRO verified that until May 31, 2004, it technically would be a violation of State law to approve it. DEPUTY CITY ATTORNEY SCOTT added that even after that time, the compatibility issues would need to be considered and decide whether commercial or office is compatible.

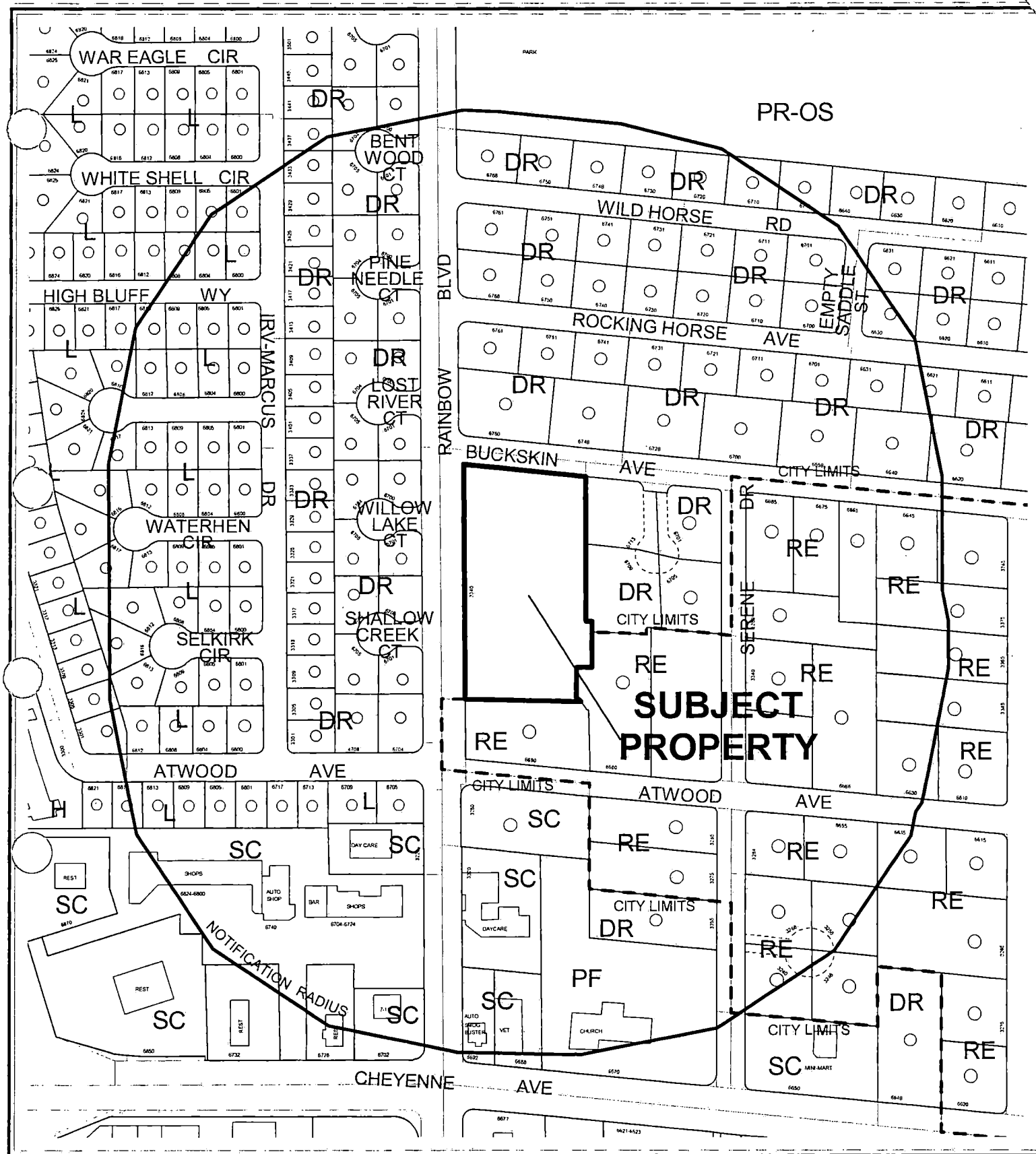
VICE CHAIRMAN NIGRO questioned the appropriateness of considering approval without a site plan to look at specific and detailed issues regarding ingress and egress. Therefore, he could not support the applications.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 33 [GPA-4078] and Item 34 [ZON-4080].

NOTE: All discussion for Item 33 [GPA-4078] and Item 34 [ZON-4080] was held under Item 33 [GPA-4078].

(7:55 – 8:21)
2-863



CASE: GPA-4078

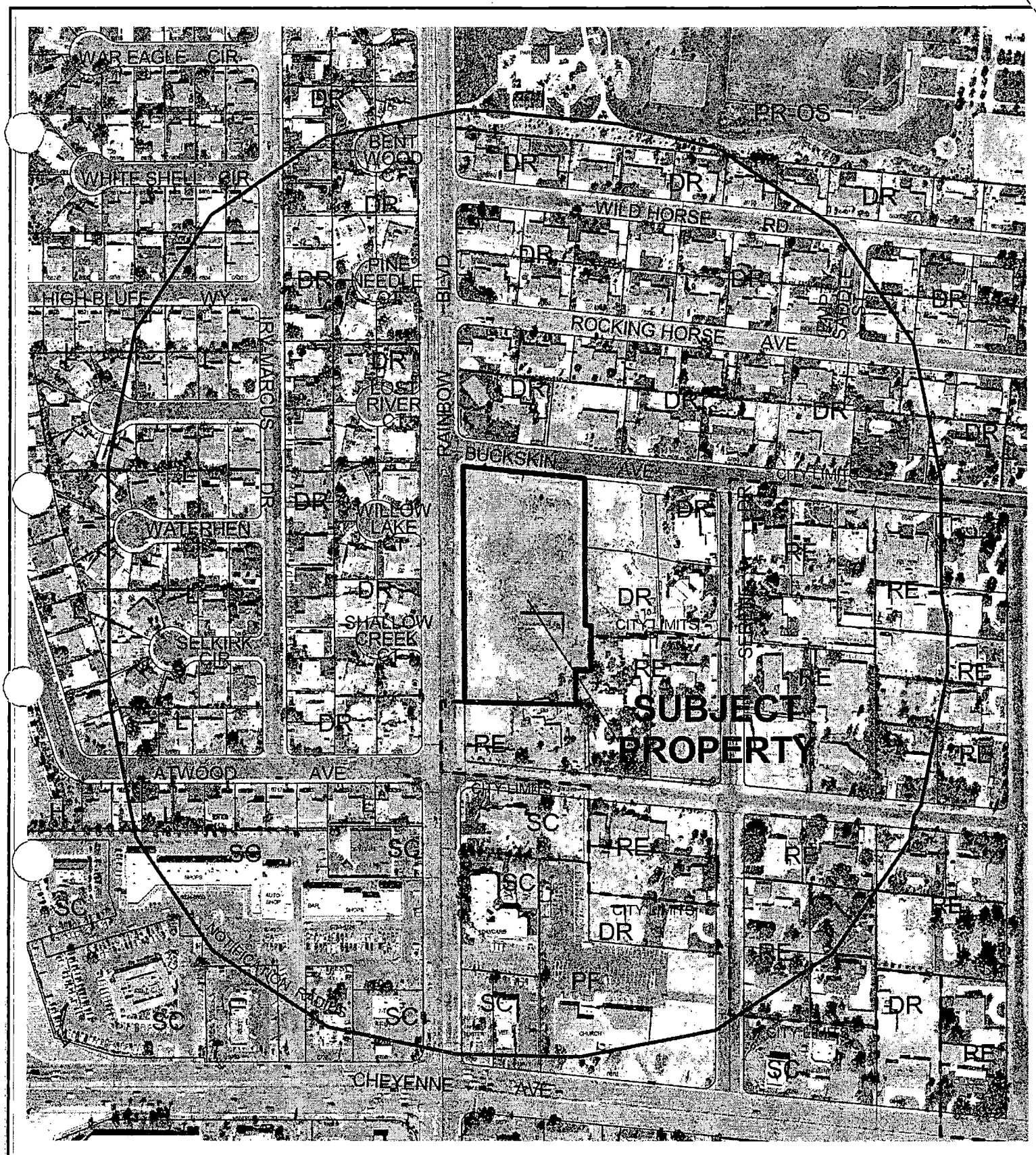
RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)



CASE: **GPA-4078**

ADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-4078 – APPLICANT/OWNER: QUALITY HOMES

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located at the southeast corner of Buckskin Avenue and Rainbow Boulevard from DR (Desert Rural) to O (Office). A companion rezoning application (ZON-4080) was filed with this proposed amendment.

The applicant has indicated that, in his view, the site is unsuitable for residential development due to the amount of frontage the parcel has on Rainbow Boulevard. The applicant also has cited changes in zoning for similar properties in the area, and has stated that the owner cannot realize the full economic value of the property without this land use change.

BACKGROUND DATA:

- | | |
|----------|--|
| 08/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for R (Rural Density Residential) Residential land uses (if residential) with a maximum density of three dwelling units per acre. |
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. |
| 05/24/99 | The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map. |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan. |
| 05/01/02 | The City Council denied a request (GPA-0048-01) to amend the Centennial Hills Interlocal Land Use Plan from DR (Desert Rural) to O (Office) at this location. The Planning Commission and Staff recommended denial. |
| 02/19/03 | The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for DR (Desert Rural) land uses, with a maximum density of 2.49 dwelling units per acre). |

GPA-4078 - Staff Report Page Two
April 22, 2004 - Planning Commission Meeting

DETAILS OF APPLICATION REQUEST

Site Area: 2.86 Acres

EXISTING LAND USE

Subject Property Single Family Residential
North Single Family Residential
South Single Family Residential
East Undeveloped and Single Family Residential
West Single Family Residential

PLANNED LAND USE

Subject Property DR (Desert Rural)
North DR (Desert Rural)
South Clark County/ DR (Desert Rural)
East Clark County/ DR (Desert Rural)
West DR (Desert Rural)

EXISTING ZONING

Subject Property R-E (Residence Estates)
North U (Undeveloped) [DR (Desert Rural) General Plan Designation]
South Clark County
East Clark County
West R-PD3 (Residential Planned Development – 3 Units Per Acre)

<i>SPECIAL DISTRICTS/ZONES</i>	<i>Yes</i>	<i>No</i>
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

DEFINITIONS

DR (Desert Rural Density Residential) (2.1 to 2.49 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2 dwelling units per gross acre.

The predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

O (Office) The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

INTERAGENCY ISSUES

RURAL PRESERVATION NEIGHBORHOOD

The site is within an area identified as a Rural Preservation Neighborhood. Chapter 278 of the Nevada Revised Statutes stipulates the conditions under which lands are identified as Rural Preservation Neighborhoods. Within these Rural Preservation Neighborhoods, residential development density is limited to two dwelling units per acre. Land is disqualified from status as a Rural Preservation Neighborhood if it is closer than 330 feet to a road greater than 99 feet in width. In the case of this application, the parcel is one of a group parcels that is designated as a RPN parcel. With this designation the greatest intensity allowed for this parcel will be a residential development with a density of no more than two dwelling units per acre.

ANALYSIS

The west property line of the subject parcel is along Rainbow Boulevard, an 80-foot Secondary Collector on the Master Plan of Streets and Highways. The site is surrounded on all four sides with existing residential. The density of development around the site is what is expected for DR (Desert Rural Residential Density) with large homes on large lots.

The proposed Office is totally inconsistent with the neighborhood. On May 1, 2002, the City Council denied a request to change the land use of the site from DR (Desert Rural Residential Density) to O (Office) because of the inappropriateness of the request. The conditions of the neighborhood have not changed so this request is also not appropriate.

FINDINGS

Title 19.18.030.I 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 site is completely surrounded by lands designated in the City's Centennial Hills Sector Plan as Desert Rural land uses. This site and the surrounding area to the east meet the criteria, established in Nevada State law, of a Rural Preservation Neighborhood. As such, an application for office uses is not compatible with the very low-density rural residential uses that are protected by State law at their current densities. Uses in such Rural Preservation Neighborhoods are limited to residential uses at densities of two units per acre or less.

There are lands to the south of the subject site, around the Rainbow Boulevard/Cheyenne Avenue intersection, that are designated for Service Commercial land uses, but these lands are not contiguous to the subject site, and are separated from the subject site by lands within Clark County. As a result, City approval of Office uses on the subject site would represent a commercial designation that would be inappropriate in the context of surrounding long-term, low-density rural land uses and result in "spot zoning".

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

The proposed Office land use designation would allow the O (Office) and the P-R (Professional Offices and Parking) zoning districts. These zoning districts would not be compatible with the existing zoning districts in place in the neighborhood surrounding the subject site, which are the U (Undeveloped), R-E (Residence Estates) and R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning districts. In terms of existing land uses, the zoning districts that would be allowed under an O (Office) land use designation would not be compatible with the very low-density, rural estate residential development that currently exists on sites adjacent to or nearby the subject site. There are vacant sites adjacent to the subject site that are designated and zoned for rural estate residential development.

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

GPA-4078 - Staff Report Page Five
April 22, 2004 - Planning Commission Meeting

The subject site is located in an area of the city where all utilities and services are currently in place and available to this site.

The traffic capacity of Rainbow Boulevard and Buckskin Avenue though may be exceeded because of the increase in traffic that will be due to the addition of a commercial use at the intersection of the two streets.

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

The subject site is located within the City's Centennial Hills Sector Plan area. This Plan proposes a Town Center concept, wherein all commercial and office uses in the Plan area must be located within the Town Center portion of the Plan. Section 1.2.1 of the Centennial Hills Sector Plan states that the intent of the Town Center concept is to prevent the sprawl of commercial and office projects into developing residential neighborhoods that exist in the Centennial Sector Plan area by centrally locating the Town Center around the Beltway/Highway 95 interchange. Commercial and employment opportunities are available without intruding into northwest residential neighborhoods.

Given the fact that the subject site is located outside the Town Center area, this application for office land uses does not comply with the policies of the Centennial Hills Sector Plan.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/23/04 Seven people attended the meeting. The topics of discussion were neighborhood construction, dust control, limited access to Rainbow Boulevard, lighting and two story buildings.

NOTICES MAILED: 179 [Mailed with ZON-4080]

APPROVALS: 0

PROTESTS: 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-4078** APN: 138-11-401-001

Name of Property Owner: Quality Homes

Name of Applicant: Quality Homes

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes

 X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: NA

Partner(s): NA NA

APN: NA

Signature of Property Owner/Authorized Agent: [Signature]

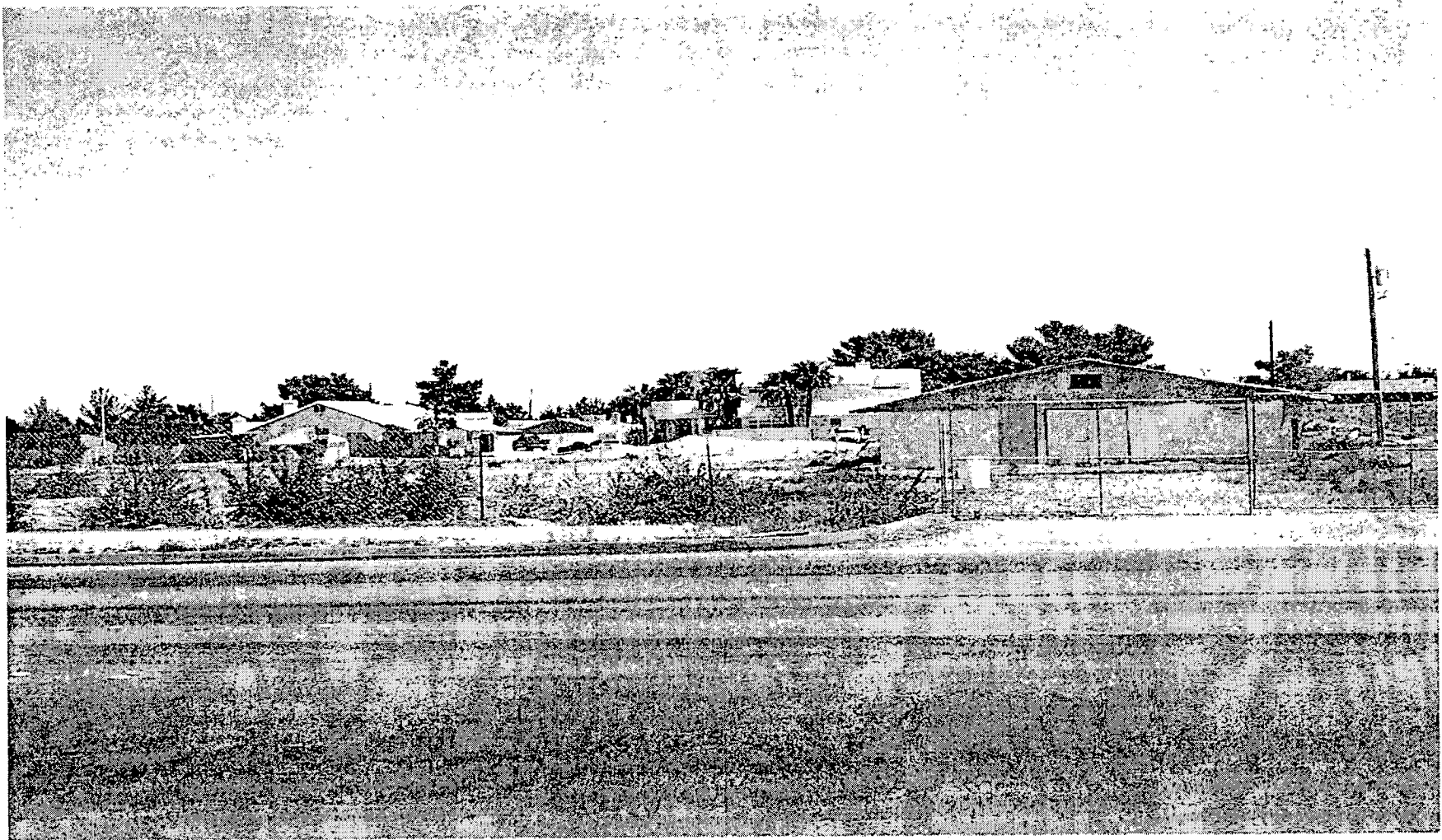
Print Name: ANDRÉS F. BABERO

Subscribed and sworn before me

This 13th day of February, 2004

[Signature]
Notary Public in and for said County and State





GPA-4078 - APPLICANT/OWNER: QUALITY HOMES
SOUTHEAST CORNER OF RAINBOW BOULEVARD AND BUCKSKIN AVENUE
APRIL 22, 2004 PLANNING COMMISSION

4/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ZON-4080 – APPLICANT/OWNER: QUALITY HOMES - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: O (OFFICE) on 2.87 acres adjacent to the southeast corner of Rainbow Boulevard and Buckskin Avenue (APN: 138-11-401-001), Ward 6 (Mack).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

6

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

3

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – DENIED – UNANIMOUS with TRUESDELL and McSWAIN excused

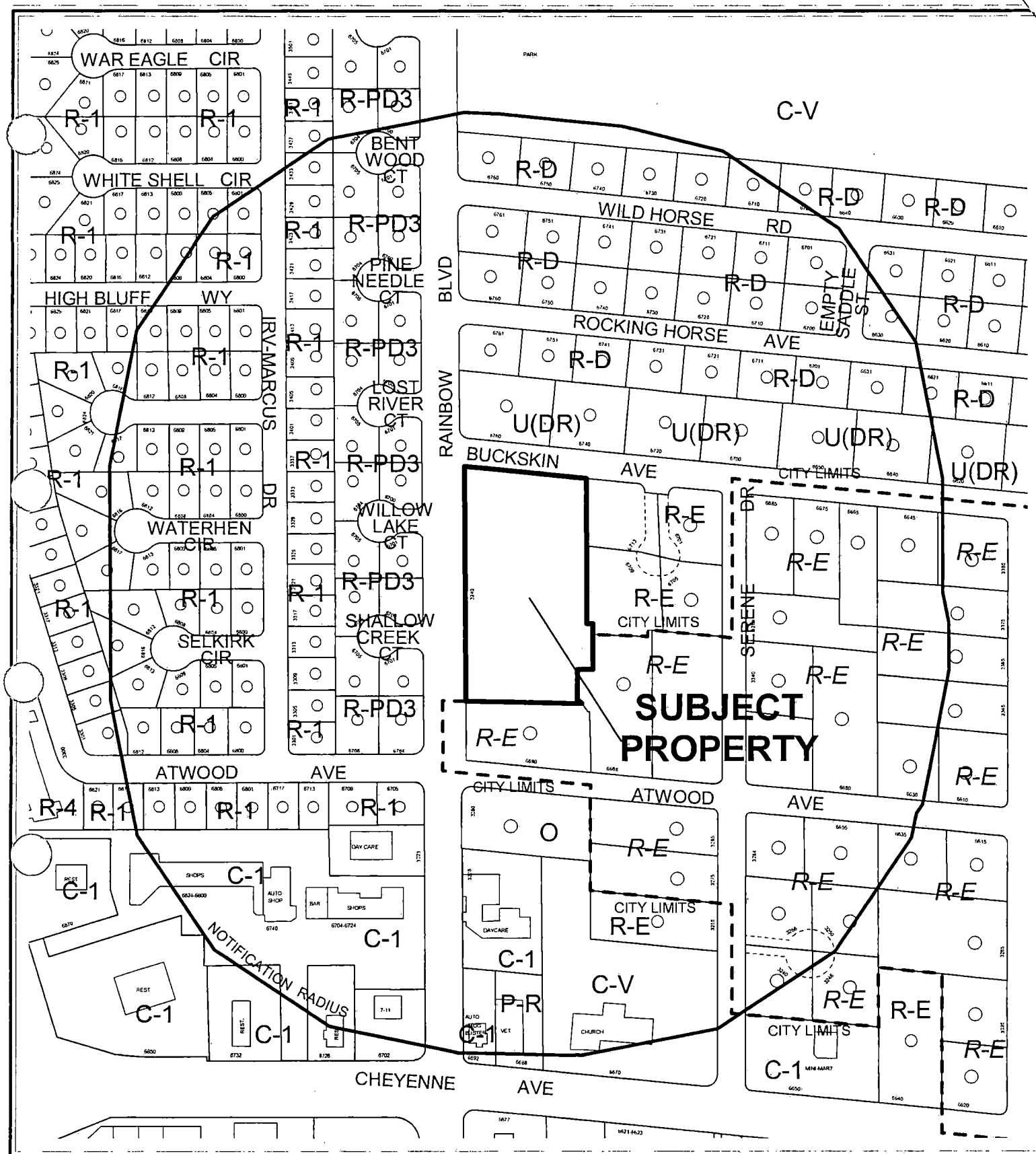
To be heard by the City Council on 5/19/2004

MINUTES:

NOTE: See Item 33 [GPA-4078] for all related discussion.

(7:55 – 8:21)

2-863



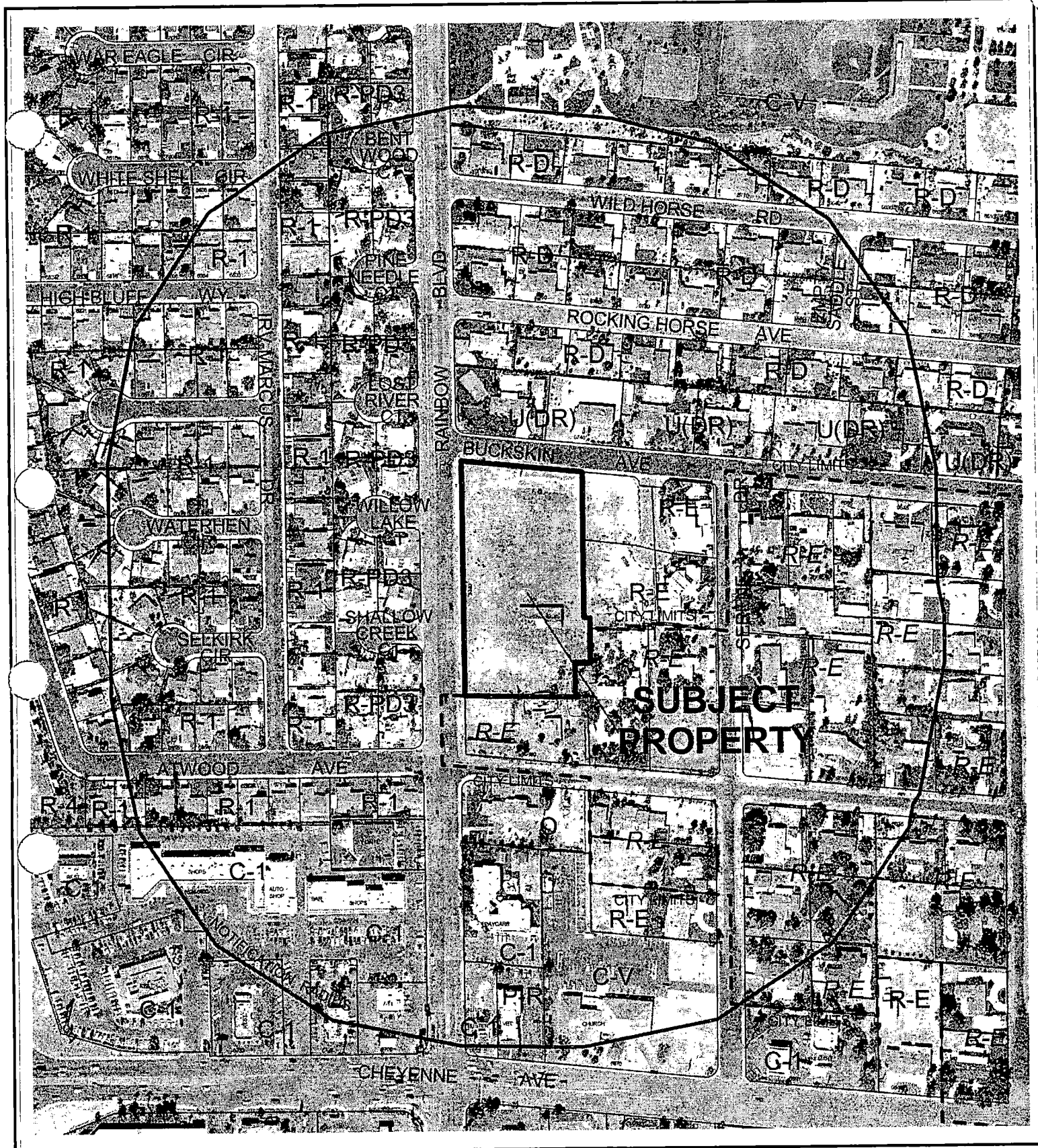
CASE: ZON-4080

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE)





CASE: ZON-4080

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE)





Case: ZON-4080

Rural Preservation Site Map

- | | |
|---|---|
|  City of L.V. RPN Buffer |  City of L.V. RPN Parcel |
|  Clark County RPN Buffer |  Clark County RPN Parcel |

- | |
|--|
|  City Boundary |
|  330 Buffer from Major Street |
|  Subject Area |

0.48 Parcel Size in Net Acres
2.88 Total Subject Area



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-4080 – APPLICANT/OWNER: QUALITY HOMES

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-4078) to an O (Office) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate a 25-foot radius on the southeast corner of Buckskin Avenue and Rainbow Boulevard prior to the issuance of any permits.
5. Construct all incomplete half-street improvements on Rainbow Boulevard and Buckskin Avenue adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. Remove all substandard public street improvements and unused driveway adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.
7. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map subdividing

ZON-4080 - Conditions Page Two
April 22, 2004 - Planning Commission Meeting

this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

9. 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 as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the Planning Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning from R-E (Residence Estates) to O (Office) on 2.86 acres located adjacent to the southeast corner of Rainbow Boulevard and Buckskin Avenue. A General Plan Amendment (GPA-4078), was filed as a companion application.

B) Applicant's Justification

The applicant has indicated that, in his view, the site is not suited for residential development due to the amount of frontage the parcel has on Rainbow Boulevard. The applicant also has cited changes in zoning for similar properties in the area, and has stated that the owner cannot realize the full economic value of the property without this land use change.

BACKGROUND INFORMATION

A) Previous Actions

02/22/99 The City Council denied a Special Use Permit (U-0156-98) for a proposed convalescent care facility at this location. The Planning Commission and Staff recommended denial.

05/01/02 The City Council denied a request (GPA-0048-01) to amend the Centennial Hills Interlocal Land Use Plan from DR (Desert Rural) to O (Office) at this location. The Planning Commission and Staff recommended denial.

B) Pre-Application Meeting

02/19/04 The following was discussed:

- General office or medical uses.
- Trash enclosures should be closer to the site access.
- Walls not required along Buckskin.
- Show the sidewalks along the streets.
- The trees along the east property line shall be spaced 20 feet OC.
- Speed bumps are possible if warrants indicate so.
- Driveway to conform to 222A standards.
- Radius corner needed at Buckskin.
- Show access to buildings.

ZON-4080 - Staff Report Page Two
April 22, 2004 - Planning Commission Meeting

C) Neighborhood Meetings

A neighborhood meeting is not required for a rezoning application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.86 Acres

B) Existing Land Use

Subject Property Single Family Residential
North Single Family Residential
South Single Family Residential
East Undeveloped and Single Family Residential
West Single Family Residential

C) Planned Land Use

Subject Property DR (Desert Rural)
North DR (Desert Rural)
South Clark County/ DR (Desert Rural)
East Clark County/ DR (Desert Rural)
West DR (Desert Rural)

D) Existing Zoning

Subject Property R-E (Residence Estates)
North U (DR) [Undeveloped (Desert Rural) General Plan Designation]
South Clark County - R-E (Residence Estates)
East R-E (Residence Estates) and Clark County - R-E (Residence Estates)
West R-PD3 (Residential Planned Development)

E) General Plan Compliance

Centennial Hills General Plan

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

ZON-4080 - Staff Report Page Three
April 22, 2004 - Planning Commission Meeting

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A		N/A
Min. Lot Width	100 Feet	261 Feet	Y
Min. Setbacks			
• Front	25 Feet	35 feet	Y
• Side	10 Feet	20 feet	Y
• Corner	15 Feet	20 feet	Y
• Rear	15 Feet	105 feet	Y
Max. Lot Coverage	30 %	20%	Y
Max. Building Height	2 Stories / 35 Feet	Not Shown	

The proposal meets the requirements of Title 19 for setbacks.

B) General Analysis and Discussion

The site is surrounded on all four sides with existing residential. The density of development around the site is what is expected for DR residential with large homes on large lots.

The proposed Office is totally inconsistent with the neighborhood. On May 1, 2002, the City Council denied a request to change the land use of the site from DR to O because of the inappropriateness of the request. The conditions of the neighborhood have not changed so this request is also not appropriate.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The site is completely surrounded by lands designated in the City's Centennial Hills Interlocal Land Use Plan for Desert Rural land uses. This site and the surrounding area to the east meet the criteria, established in Nevada State law, of a Rural Preservation Neighborhood. As such, an application for office uses is not compatible with the very low-density rural residential uses that are protected by State law at their current densities. Such Rural Preservation Neighborhoods are limited to residential uses at densities of two units per acre or less.

ZON-4080 - Staff Report Page Four
April 22, 2004 - Planning Commission Meeting

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 proposed Office land use designation would allow the O (Office) and the P-R (Professional Offices and Parking) zoning districts. These zoning districts would not be compatible with the existing zoning in place in the neighborhood surrounding the subject site, which are U (Undeveloped), R-E (Residence Estates) and R-PD3 (Residential Planned Development) zoning.

In terms of existing land uses, the zoning districts that would be allowed under an O (Office) land use designation would not be compatible with the very low-density, rural estate residential development that currently exists on sites adjacent to or nearby the subject site. There are vacant sites adjacent to the subject site that are designated and zoned for rural estate residential development.

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

The conditions of the neighborhood have not changed so this request is also not appropriate. The site is surrounded on all four sides with existing residential. The intensity of development around the site is what is expected for DR residential with large homes on large lots.

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.”**

Rainbow Boulevard, an 80 foot Secondary Collector on the Master Plan of Streets and Highways, and Buckskin Avenue are residential streets. They will not be able to handle the addition traffic that will be generated by the uses that are possible on the subject site.

NOTICES MAILED 179 [Mailed with GPA-4078]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-4080** APN: 138-11-401-001

Name of Property Owner: Quality Homes

Name of Applicant: Quality Homes

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes

 X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: NA

Partner(s): NA NA

APN: NA

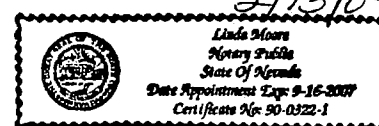
Signature of Property Owner/Authorized Agent: [Signature]

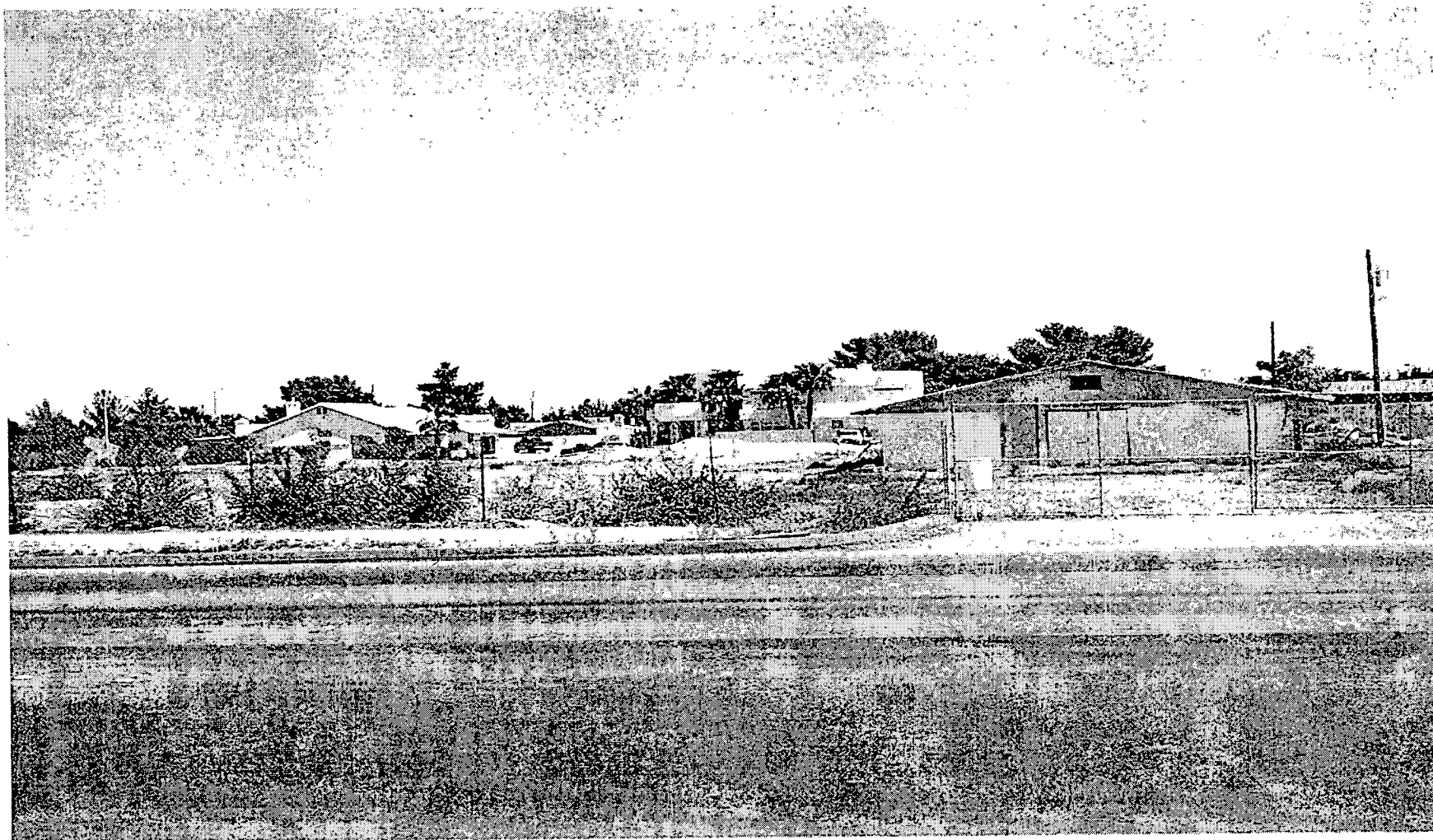
Print Name: ANDRAS F. BABERO

Subscribed and sworn before me

This 13th day of February, 2004

Linda Moore
Notary Public in and for said County and State





ZON-4080 - APPLICANT/OWNER: QUALITY HOMES
SOUTHEAST CORNER OF RAINBOW BOULEVARD AND BUCKSKIN AVENUE
APRIL 22, 2004 PLANNING COMMISSION

4/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GPA-4079 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: KHUSROW ROOHANI TRUST, MICHAEL AND MICHELLE BARNEY, DURANGO ELKHORN LIMITED LIABILITY COMPANY, WAYNE AND JOANNE SCHLEKEWY, SPARTAN PROPERTIES LIMITED LIABILITY COMPANY, AND MICHAEL AND CAROL BUBONOVICH - Request to amend the Town Center Land Use Plan of the Centennial Hills Sector Plan FROM: ML-TC (MEDIUM LOW DENSITY RESIDENTIAL - TOWN CENTER) AND UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) TO: M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER) on 15.19 acres between Elkhorn Road and Dorrell Lane, approximately 330 feet west of Durango Drive (APN: 125-20-101-007, 015 and 016), Ward 6 (Mack).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

6

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

STEINMAN – ABEYANCE to 5/13/2004 Planning Commission – UNANIMOUS with TRUESDELL and McSWAIN excused

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 35 [GPA-4079], Item 36 [ZON-4084] and Item 37 [SDR-4088].

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 35 – GPA-4079

MINUTES – Continued:

KYLE WALTON, Planning and Development Department, explained that if approved, the General Plan Amendment would allow for commercial to be lost within the heart of Town Center. Commercial and residential is allowed as a mix in the UC-TC District. Therefore, staff recommended denial on the General Plan Amendment. Regarding the zoning, the two parcels are appropriate because all the parcels in Town Center are zoned TC to allow the variety of mixed uses that are a potential in Town Center. Staff is recommending denial of the site plan because the request is for a residential product.

ATTORNEY JENNIFER LAZOVICH, Kummer Kaemper Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She stated that the majority of commercial in Town Center had been placed on the opposite side of the freeway. In this particular instance, the request is to amend to residential on the same side of the freeway where that commercial is located. There is a Kohl Center to the south, the proposed hospital to the north and the regional mall. The site is located on Durango Drive and Elkhorn Road, and a small area immediately to the east has been changed to commercial for an office and fast food restaurants. The request is for medium density residential for a project that Richmond American would be developing. ATTORNEY LAZOVICH presented a design depicting a three-story product. A similar product by Signature Homes was approved at Martin Luther King Boulevard and Alta Drive. The project will have a garage and a bonus room on the bottom layer. The stairs will lead to a second story where the kitchen and living room would be located. The third story level will have the other bedrooms. This three-story concept does not exceed the maximum height of 35 feet; however, they exceed the open space.

GABRIEL SANCHEZ, 8997 Dorrell Lane, stated that currently the site is zoned for Medium Low Density residential, which allows six homes per acre. He asked if the land would be zoned commercial if the applicant is not granted the request. VICE CHAIRMAN NIGRO clarified that staff's recommendation is that it be commercial and the applicant is requesting to change it to residential. MR. WALTON added that the five-acre parcel west to the "L" shaped development is ML. The rest of the two five-acre parcels along Durango Drive is UC district. The ML would remain if the request were denied. MR. SANCHEZ indicated that he supports commercial.

PAUL LAWRENCE, 8997 Old River Avenue, resides in a new community and would like the surrounding area to remain low density and prefers residential. His concern is that the proposed development would create additional traffic down his street. When he bought his home, he was told there would be no access on his street.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 35 – GPA-4079

MINUTES – Continued:

ROBERT GENZER, Director, Planning and Development Department, clarified that Medium Low Density Residential in Town Center allows between 5.6 and 8 dwelling units per gross acre. The Medium Density the applicant is requesting allows between 12.1 and 25 dwelling units per gross acre. The actual density of their proposal is 13.75 dwelling units per acre.

GARY HORNAN, 3509 Golden Sage Drive, opposes the development because of its density. He bought property west of this development on Antique Olive Street and was aware that at some point, there would either be commercial or houses but never imagined that the zoning could be changed to a higher density. He bought into this area because of its planned development and believing there would be no deviation from the Town Center Standards. It is not necessary to have a three-story house directly behind his home. If it were built as planned, he would be looking at a two-story above his block wall looking into his backyard.

CHRIS RUCKER, 9016 Old River Avenue, stated that she bought a home in a cul-de-sac so that her six-year old son could safely play outside. Her understanding was the street was never going to go through. She does not object to homes being developed but opposes opening the street and the three-story concept. There is already a similar project on the southwest corner.

TODD FARLOW, 240 North 19th Street, asked the percentage of commercial versus residential. The 2020 Master Plan and the Town Center Master Plan were to be open and pedestrian friendly with low density. This developer should raise the bar as Carina Homes has done and follow their standards.

BOB MARLOW, 9892 Barnwell Avenue, opposed the project because the density is too high.

RUSSELL SKEWS, Richmond American Homes, indicated that he was involved with the Town Center residential concept with Spinnaker Homes. The concept was to be pedestrian friendly and the street had to be connected so that each individual parcel would connect to provide walkable space. The existing street dead-ends and it has to continue on through their site in some manner. ATTORNEY LAZOVICH added that the site plan was designed with two accesses. This is an appropriate place for residential, given the Kohl Center, the regional mall and the hospital. She pointed out there is a density range and some parcels are planned for Urban Center Mixed Use, which means that in order to take advantage of that zoning district, mixed uses will be done and then the residential would not have a density cap.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 35 – GPA-4079

MINUTES – Continued:

COMMISSIONER GOYNES understood the applicant's point about providing access into that neighborhood to keep it pedestrian friendly, but it is not feeding into the concept of some commercial and residential because is all residential. People would have to come down Old River Street to get out to Dorrell Lane. He asked what is the setback for those homes against Antique Olive Street. MR. SKEWS answered that that needs to be addressed. There is a possibility that landscaping could be provided as a buffer along Antique Olive Street. He further clarified for COMMISSIONER GOYNES that side yards from the proposed development would be against the existing backyards along Antique Olive Street.

COMMISSIONER STEINMAN asked why they could not provide back-to-back cul-de-sacs. MR. SKEWS replied that currently there is no cul-de-sac but a dead-end street. COMMISSIONER STEINMAN recommended that they provide a cul-de-sac to stop the through traffic. He asked if there is potential of putting the density on the lot adjacent to the existing homes and keep it an eight density and give more density to the two lots that stack. They should try to keep the density close to what they have. Then the next buffer would be at a higher density and then that would move to a commercial zone, which is along Durango Drive to the east and still allow the commercial properties to remain within walking distance to service these properties. MR. SKEWS noted that that would need to be looked at how that would shift some of those lots. Some will come out and probably be closer to an eight range. ATTORNEY LAZOVICH pointed out that there are two issues needing to be addressed: the density and how they can best buffer the existing homes with the homes planned on this site. COMMISSIONER STEINMAN suggested that the applicant research and look at this plan differently. This project has potential if the density is kept similar to the existing homes, have different setbacks and then move higher density over with commercial in front.

VICE CHAIRMAN NIGRO commented that they could do side-by-side lots at a density that could get eight to the acre. They could get 12 lots there with a street in front backing up to that property line with a two-story height that has the same current visibility issues. He clarified with MR. GENZER that the street going through is a City requirement because the Town Center requires connectivity. If the Commission requires cul-de-sacs, it would have to be a specific condition because that would be against the Town Center requirement.

COMMISSIONER STEINMAN reiterated that ATTORNEY LAZOVICH take into consideration the Commission suggestions to potentially work out this project. The cul-de-sac concept is a good idea because he does not see the need for cars moving, but sees the need for people moving through there.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 35 – GPA-4079

MINUTES – Continued:

VICE CHAIRMAN NIGRO pointed out that if the applicant believes these issues could be resolved, it would make sense to hold the items in abeyance. ATTORNEY LAZOVICH indicated that she would be willing to meet with the residents before the City Council meeting to try to resolve these issues. However, if the Commission desires to hold this, she asked that it be a two-week abeyance and allow the application to move forward. MR. CLAPSADDLE emphasized that a two-week abeyance can be difficult.

COMMISSIONER EVANS opined that the abeyance might resolve the residents' issues, but some of those issues are mandated by the Town Center Plan and might not be able to be changed. VICE CHAIRMAN NIGRO pointed out that if the Commission feels that the General Plan Amendment is not justified then there is no reason to hold this because the issues relate to the site plan and not the GPA. MR. CLAPSADDLE indicated that staff would have to meet with the applicant as soon as possible to resolve those issues.

COMMISSIONER STEINMAN moved to hold all the items for two weeks for the applicant to attempt working out the access between the two subdivisions. Secondly, make an effort to keep the density that is up against that subdivision in the same category near to the eight max level on the western piece, and on the other two pieces that stack, take a density up in a range of a 13 or 14 mark leaving the commercial on the main street.

COMMISSIONER GOYNES pointed out that there might be other homeowners who have not yet moved into the area who might be interested in meeting with the applicant. He directed the applicant to make an effort to notify them as well. ATTORNEY LAZOVICH rebutted that she could not represent that they would be notified. She indicated that MR. SKEWS would take the names of those residents present at this meeting and for those residents to notify any of their neighbors in the process of moving in.

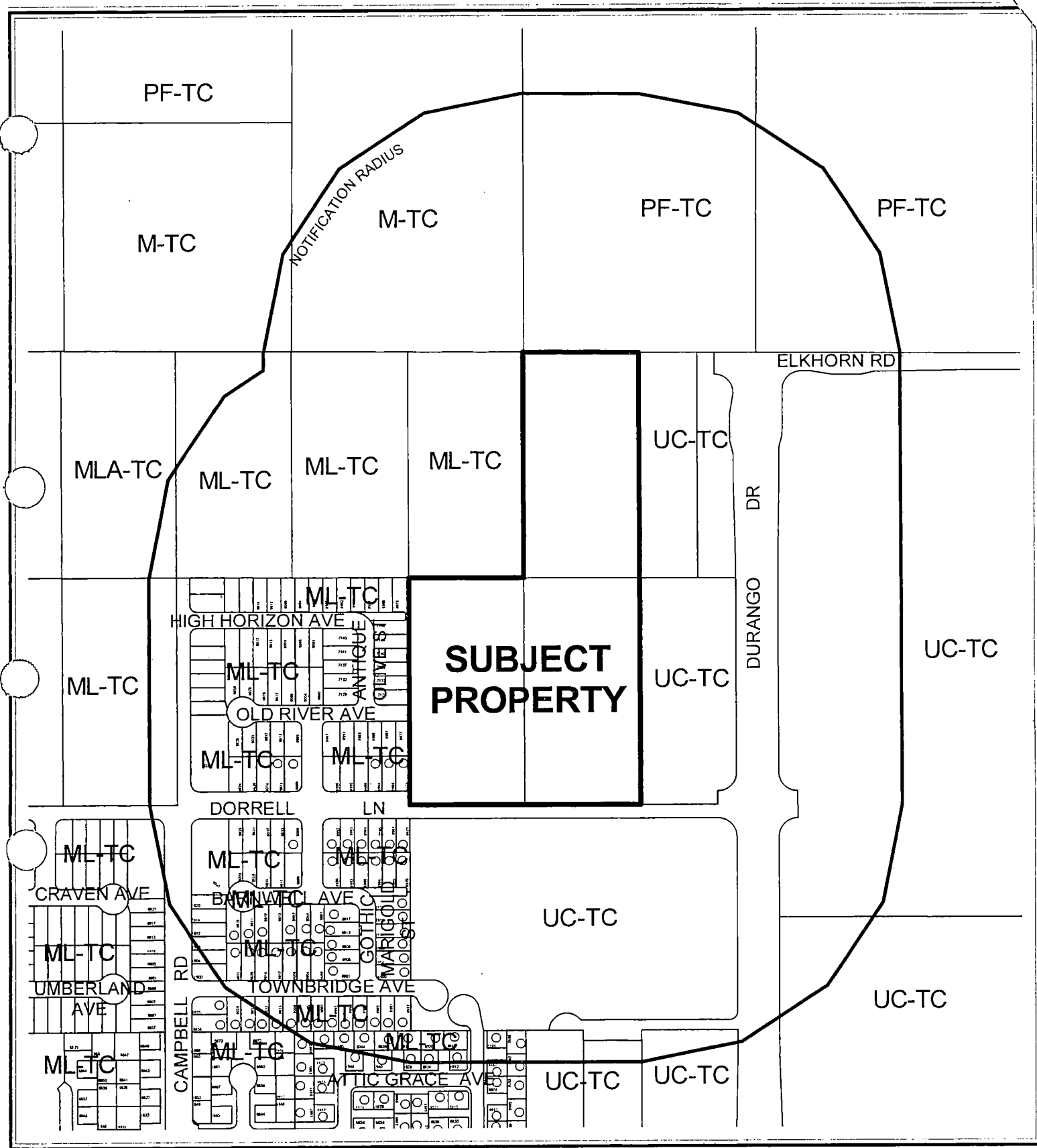
COMMISSIONER EVANS stated that he would support the abeyance only to follow COMMISSIONER STEINMAN'S lead in trying to resolve some of the mitigating issues for the homeowners. But he stated for the record that he does not believe this meets the burden to change the General Plan for Town Center and will likely be voting against it when it comes back.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 35 [GPA-4079], Item 36 [ZON-4084] and Item 37 [SDR-4088].

NOTE: All discussion for Item 35 [GPA-4079], Item 36 [ZON-4084] and Item 37 [SDR-4088] was held under Item 35 [GPA-4079].

(8:21/8:32 – 9:10)

2-1842/3-1910



CASE: GPA-4079

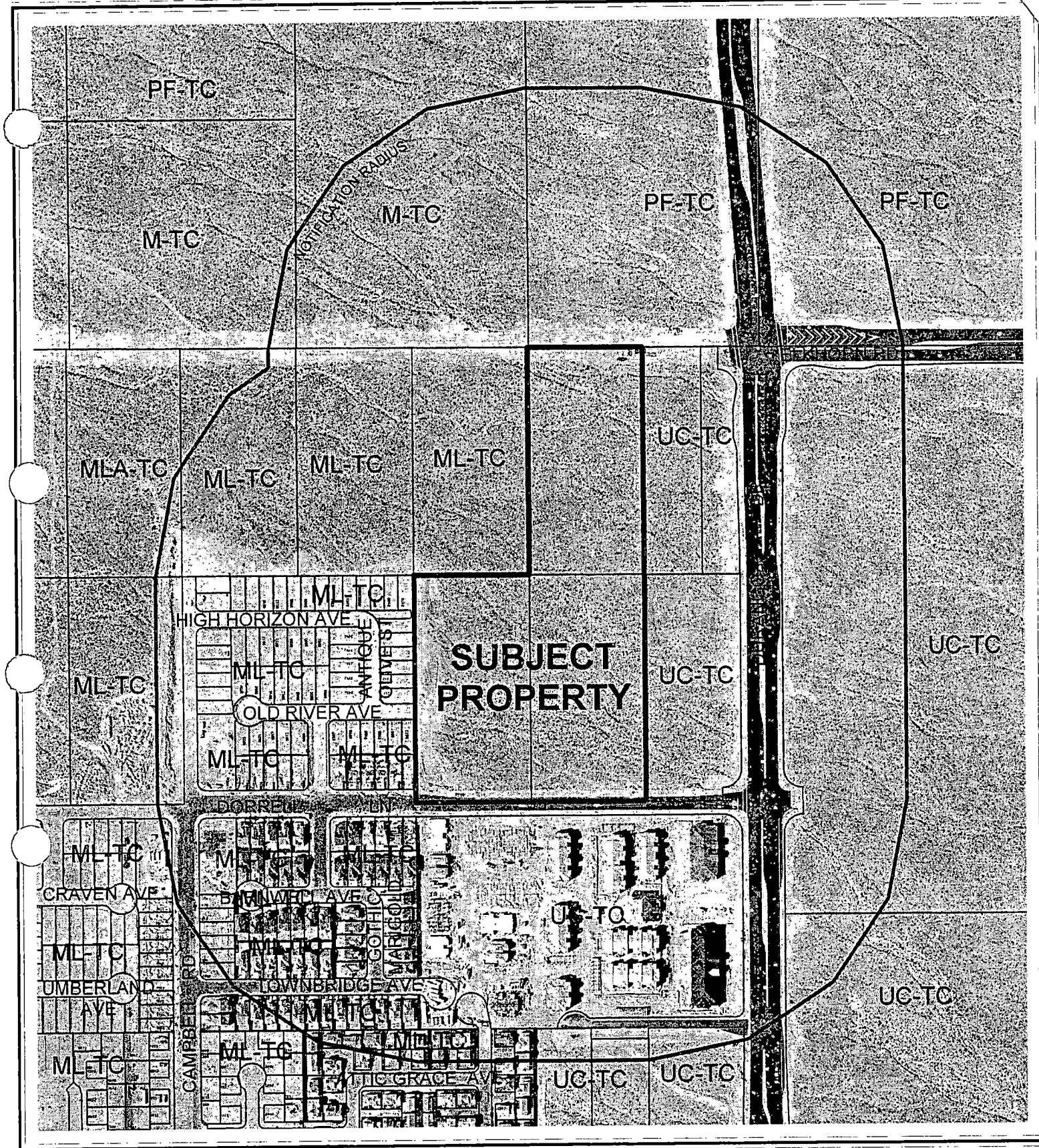
RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

ML-TC (MEDIUM LOW DENSITY RESIDENTIAL - TOWN CENTER) AND UC-TC (URBAN CENTER MIXED USE - TOWN CENTER)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER)



CASE: GPA-4079

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

ML-TC (MEDIUM LOW DENSITY RESIDENTIAL - TOWN CENTER) AND UC-TC (URBAN CENTER MIXED USE - TOWN CENTER)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-4079 - APPLICANT: RICHMOND AMERICAN HOMES -
OWNERS: KHUSROW ROOHANI TRUST, MICHAEL AND MICHELLE BARNEY,
DURANGO ELKHORN LIMITED LIABILITY COMPANY, WAYNE AND JOANNE
SCHLEKEWY, SPARTAN PROPERTIES LIMITED LIABILITY COMPANY, AND
MICHAEL AND CAROL BUBONOVICH

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located between Elkhorn Road and Dorrell Lane, approximately 330 feet west of Durango Drive from UC-TC (Urban Center Mixed Use – Town Center) and ML-TC (Medium Low Density Residential – Town Center) to M-TC (Medium Density Residential – Town Center). A rezoning application, ZON-4084, and a site plan review, SDR-4088, accompany this application.

BACKGROUND DATA:

- | | |
|----------|---|
| 08/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for R (Rural Density Residential) land uses with a maximum density of three dwelling units per acre. |
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. |
| 05/24/99 | The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map. |
| 08/18/99 | The City Council approved GPA-23-99, which amended the density range for the Medium Low Density Residential to allow up to 8 dwelling units per acre and for Medium Density Residential to allow up to 25 dwelling units per acre. |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the "Newly Developing Area" as described in the Plan. |
| 11/07/01 | The City Council approved the Town Center Development Standards Manual through Bill No. 2001-100. |
| 02/19/03 | The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for ML-TC (Medium Low Density Residential – Town Center) and UC-TC (Urban Center Mixed Use – Town Center) land uses. |

DETAILS OF APPLICATION REQUEST

Site Area: 15.19 acres

EXISTING LAND USE

Subject Property Undeveloped
 North Undeveloped
 South Undeveloped
 East Undeveloped
 West Undeveloped and single-family residential

PLANNED LAND USE

Subject Property ML-TC (Medium Low Density Residential – Town Center) and UC-TC (Urban Center Mixed Use – Town Center)
 North PF-TC (Public Facility – Town Center) and M-TC (Medium Density Residential – Town Center)
 South UC-TC (Urban Center Mixed Use – Town Center)
 East UC-TC (Urban Center Mixed Use – Town Center)
 West ML-TC (Medium Low Density Residential – Town Center)

EXISTING ZONING

Subject Property U (TC) [Undeveloped (Town Center) General Plan Designation] and TC (Town Center)
 North TC (Town Center)
 South U (Undeveloped)
 East U (TC) [Undeveloped (Town Center) General Plan Designation] and TC (Town Center)
 West TC (Town Center)

SPECIAL DISTRICTS/ZONES	Yes	No
<i>Special Area Plan</i>	X	
<i>Town Center</i>	X	
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

DEFINITIONS

ML (Medium Low Density Residential) This district permit from 5.6 to 8 dwelling units/per gross acre of single-family residential development. This density range permits single-family compact lots and zero lot line homes, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

M (Medium Density Residential) This district permit from 12.1 to 25 dwelling units/gross acre of residential development. This category includes a higher density and variety of multifamily unit types, up to three stories in height.

TC (Town Center) The Town Center category is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities; shopping centers and other retail facilities; medium to high density residential uses; planned business; office and industrial parks; and recreational uses. The TC (Town Center) suffix to land use designations denotes that stricter design criteria will be used for project approval.

INTERAGENCY ISSUES

None.

ANALYSIS

The General Plan designates the subject area and the larger area around it for UC-TC (Urban Center Mixed Use- Town Center) and ML-TC (Medium Low Density Residential- Town Center). Unless there are extenuating circumstances for altering the Plan, the proposed land use classification should be compulsory upon all present and future landowners. The onus is on the property owner to demonstrate why property cannot be developed in the manner in which it's classified.

GPA-4079 - Staff Report Page Four
April 22, 2004 - Planning Commission Meeting

In a letter submitted with the application, the applicant indicates that: (1) the need for single-family homes in this area of Town Center is far greater than the need for additional commercial developments, (2) the burdens imposed by the current zoning classifications are similar to those imposed by amending the plan to M, and (3) the M designation at this location will be a good transition between the ML and UC parcels adjacent to this site. While the applicant has stated his reasons for amending the plan, no basis is presented as to why the property cannot be developed in the manner in which it is classified.

The applicant's reasons for amending the plan also are not supported by any basis in fact. The Town Center plan was carefully conceived as an area for commercial development and in the least, a mixture of commercial and residential development, particularly with residential development located over ground floor commercial uses. The subject proposal does not support this effort. Furthermore, the M classification does not support single-family development with densities of development permitted at up to 25 dwelling units per acre. Finally, the Town Center Development Standards were adopted to address the compatibility issue between residential and commercial development. Mixed use developments of residential and commercial developments are encouraged, not discouraged.

FINDINGS

Title 19.18.030.I 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.**

Adjacent residential development to the west is designated ML-TC, which supports densities of development up to eight dwelling units per acre. A density of development of up to 25 dwelling units per acre in the M classification, three times the density of residential development permitted in the ML (Medium-Low Density Residential) district, raises greater compatibility issues than the present land use designations.

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

The same problem is exposed with the second condition as with the first condition. The M land use classification permits a residential zone that permits up to 25 dwelling units per acre.

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

The same transportation, recreation, utility and other facilities are present to support the same uses in an M district as for the UC-TC and ML-TC districts.

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

The Town Center Plan advocates mixed use developments for the subject area, not stand alone high-density residential development. The proposed development, therefore, is not consistent with the Town Center Plan.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/22/04 Three property representatives, and one City Council liaison were in attendance. There weren't any members of the public present. The revised site plan was submitted.

NOTICES MAILED: 107 [Mailed with ZON-4084 & SDR-4088]

APPROVALS: 0

PROTESTS: 0

GPA

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**

Case Number: **GPA-4079** APN: 125-20-101-015 & 016
Name of Property Owner: KHUSROW ROOHANI TRUST, KHUSROW ROOHANI TRS
Name of Applicant: RICHMOND AMERICAN HOMES

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes _____ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

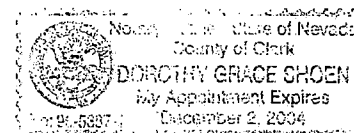
APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: KHUSROW ROOHANI, Trustee

Subscribed and sworn before me

This 19th day of February, 2004
Dorothy Grace Shoen
Notary Public in and for said County and State



**PLANNING & DEVELOPMENT DEPARTMENT**

VAR

STATEMENT OF FINANCIAL INTERESTCase Number: **GPA-4079** APN: 125-20-101-007Name of Property Owner: MICHAEL & MICHELLE BARNEY ETAL ETALName of Applicant: RICHMOND AMERICAN HOMES

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

YesNo

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

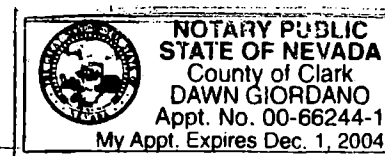
APN: _____

Signature of Property Owner/Authorized Agent: Michael BarneyPrint Name: Michael Barney Michelle Barney

Subscribed and sworn before me

This

day of

19 Feb 2004
Dawn Giordano
Notary Public in and for said County and State



STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-4079** APN: 125-20-101-007

Name of Property Owner: DURANGO ELKHORN LLC

Name of Applicant: RICHMOND AMERICAN HOMES

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes

No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

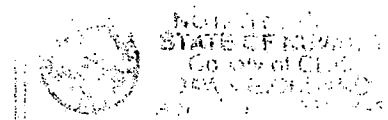
Signature of Property Owner/Authorized Agent: DA (MANAGER)

Print Name: Dean Lozankis

Subscribed and sworn before me

Subscribed and sworn before me
This 14 day of January, 2004

Notary Public in and for said County and State





Case Number: **GPA-4079** APN: 125-20-101-007

Name of Property Owner: WAYNE & JOANNE SCHLEKENY

Name of Applicant: RICHMOND AMERICAN HOMES

 Yes No

City Official: _____

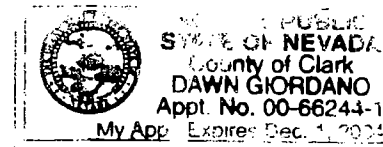
Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Wayne Schickewitz Jo Anne Schickewitz
Print Name: WAYNE SCHICKEWITZ JO ANNE SCHICKEWITZ

Subscribed and sworn before me

This 14 day of January, 2024
Dawn Grimmett
 Notary Public in and for said County and State





STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-4079** APN: 125-20-101-007

Name of Property Owner: SPARTAN PROPERTIES LLC

Name of Applicant: RICHMOND AMERICAN HOMES

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: RL (MANAGER)

Print Name: Dean LACARNEY

Subscribed and sworn before me

Subscribed and sworn before me
This 14 day of January, 2004
Dawn G. Mc
Notary Public in and for said County and State



STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-4079** APN: 125-20-101-007

Name of Property Owner: MICHAEL & CAROL HUBONOVICH

Name of Applicant: RICHMOND AMERICAN HOMES

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

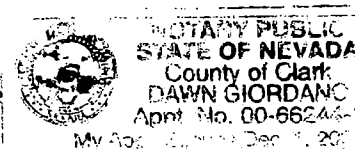
Signature of Property Owner/Authorized Agent: Nichol Behrall Carol Beckmovich

Print Name: MICHAEL BILANOWKA Carol Bilanowski

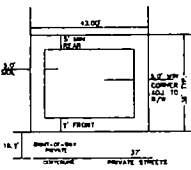
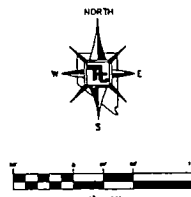
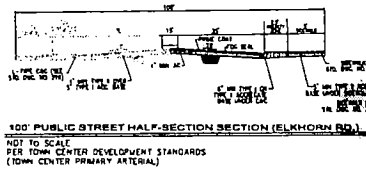
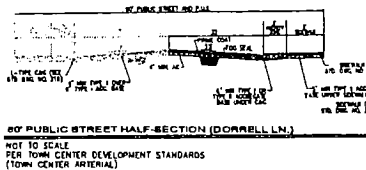
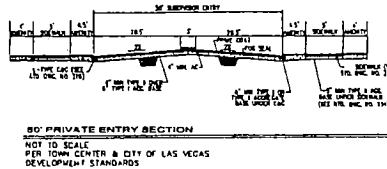
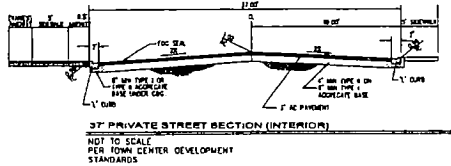
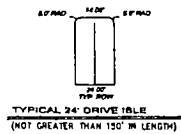
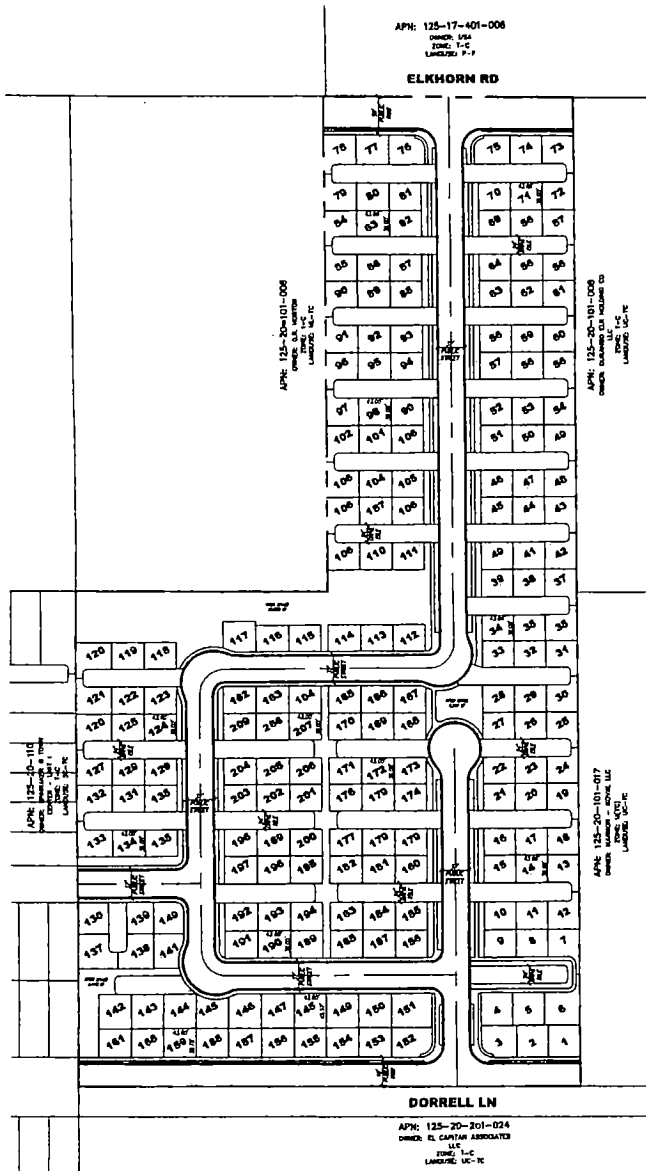
Subscribed and sworn before me

This 11 day of JANUARY 2004

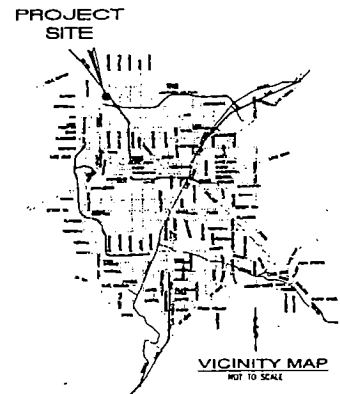
Notary Public in and for said County and State



DORRELL 15



LOT DETAIL (TYPICAL)
NOT TO SCALE
(MINIMUM LOT SIZE 2,405 SQ. FT. +/-)



DEVELOPER
RICHMOND AMERICAN MONIES
7250 WEST PEAR DRIVE
STE. 212
LAS VEGAS, NEVADA 89129

OWNERS
125-20-101-007
MICHAEL & CAROL DUBONOVICH
WAYNE & JOANNE SCHRENY
DURANGO ELPIDIO LLC
SPARTAN PROPERTIES
C/O COLETA REALTY
4787 W TROPICANA #704
LAS VEGAS, NV 89103

125-20-101-016 & 125-20-101-
KRYSTOF POCHANE FAMILY TRUST
3105 SPRING MOUNTAIN RD. #51
LAS VEGAS, NV 89102

**ASSESSORS PARCEL
NUMBER:**
125-20-101-007 & 125-20-101-018

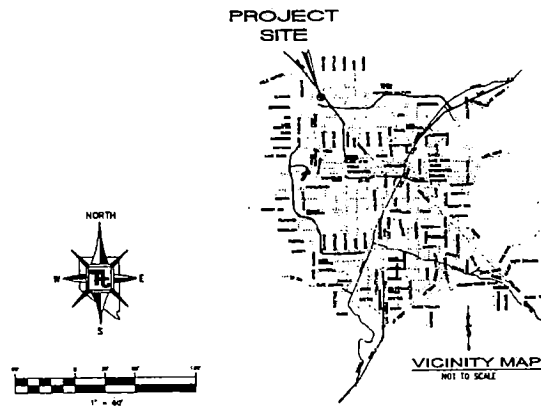
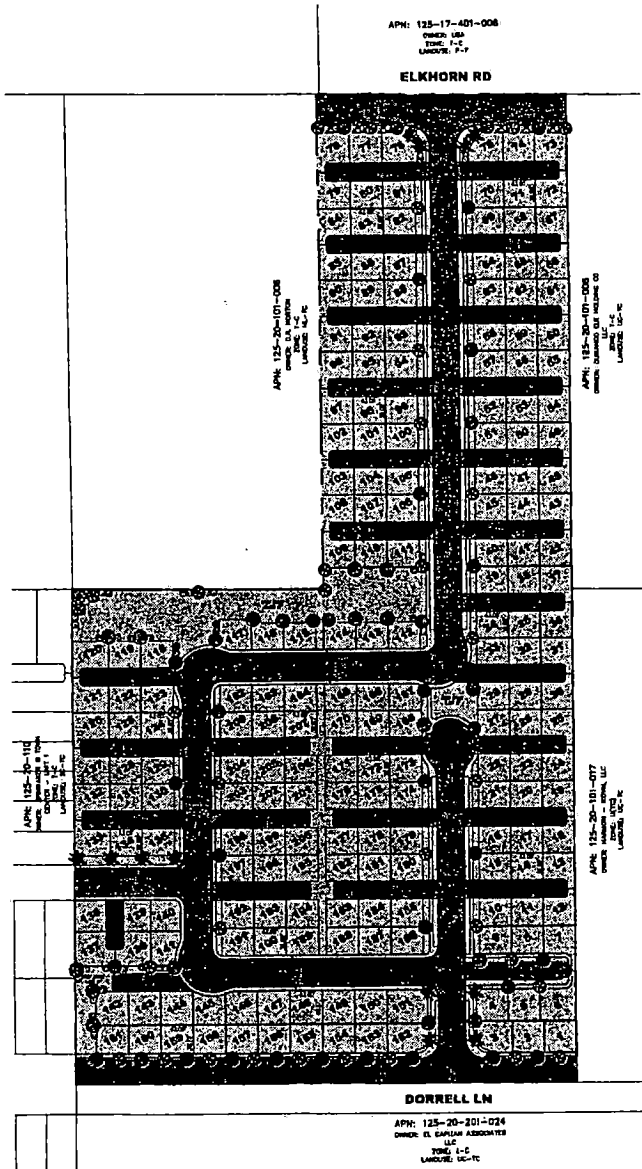
OVERALL TABULATIONS

EXISTING ZONING	10000 CENTER & 10000 CENTER
EXISTING LAND USE	URBAN CENTER MIXED-USE
PROPOSED LAND USE	MEDIUM RESIDENTIAL
GROSS ACREAGE	13.19 ACRES +/-
LOT COUNT	209
DENSITY	15.73 DUs +/-
OPEN SPACE REQUIRED	= 1.82 ACRES (79,279 SF)
OPEN SPACE PROVIDED	= 2.14 ACRES +/- (93,648 SF)

GPA-4079
4-22-04 PC

[illegible]

DORRELL 15



DEVELOPER
 RICHMOND AMERICAN HOMES
 7250 WEST PEAK DRIVE
 STE. 212
 LAS VEGAS, NEVADA 89128

OWNERS
125-20-101-007
MICHAEL & CAROL SUBBOWICH
WAYNE & JOHANN SCHLIENTY
DURANGO ELEVATOR LLC
SPARTAN PROPERTIES
C/O COLETA REALTY
6767 W. THOMPSON AVE
LAS VEGAS, NV 89103

125-20-101-018 & 125-20-101-
RUSSELL BOONMAN FAMILY TRUST
3305 SPRING MOUNTAIN RD. #51
LAS VEGAS, NV 89102

ASSESSORS PARCEL
NUMBER:

OVERALL TABULATIONS

EXISTING ZONING	TOWN CENTER & TOWN CENTER
EXISTING LAND USE	UNDEVELOPED & LOW-DENSITY
PROPOSED LAND USE	MEDIUM-DENSITY RESIDENTIAL
GROSS ACREAGE	13.16 ACRES +/-
LOT COUNT	209
DENSITY	1.59 DUA +/-
OPEN SPACE REQUIRED	1.62 ACRES (78,279 SF)
OPEN SPACE PROVIDED	3.14 ACRES +/- (93,848 SF)

TREE LEGEND

SYMBOL	BOTANICAL / COMMON NAME	SIZE	QTY.
	CHITALPA TASHMENTENSIS	24" BOX	99
	CHITALPA		
	PROSOPIS CLAUDUEA 'JAHVERON'	15" BOX	99
	THORNLESS TERAS MONKEY MESAOTE		
	QUERCUS VIRENDA 'HERITAGE'	15" BOX	99
	HERITAGE LIVE OAK		
	WASHINGTON ROBUSTA HYDRIS	20" HIGH	99
	MEXICAN FAN PALM		

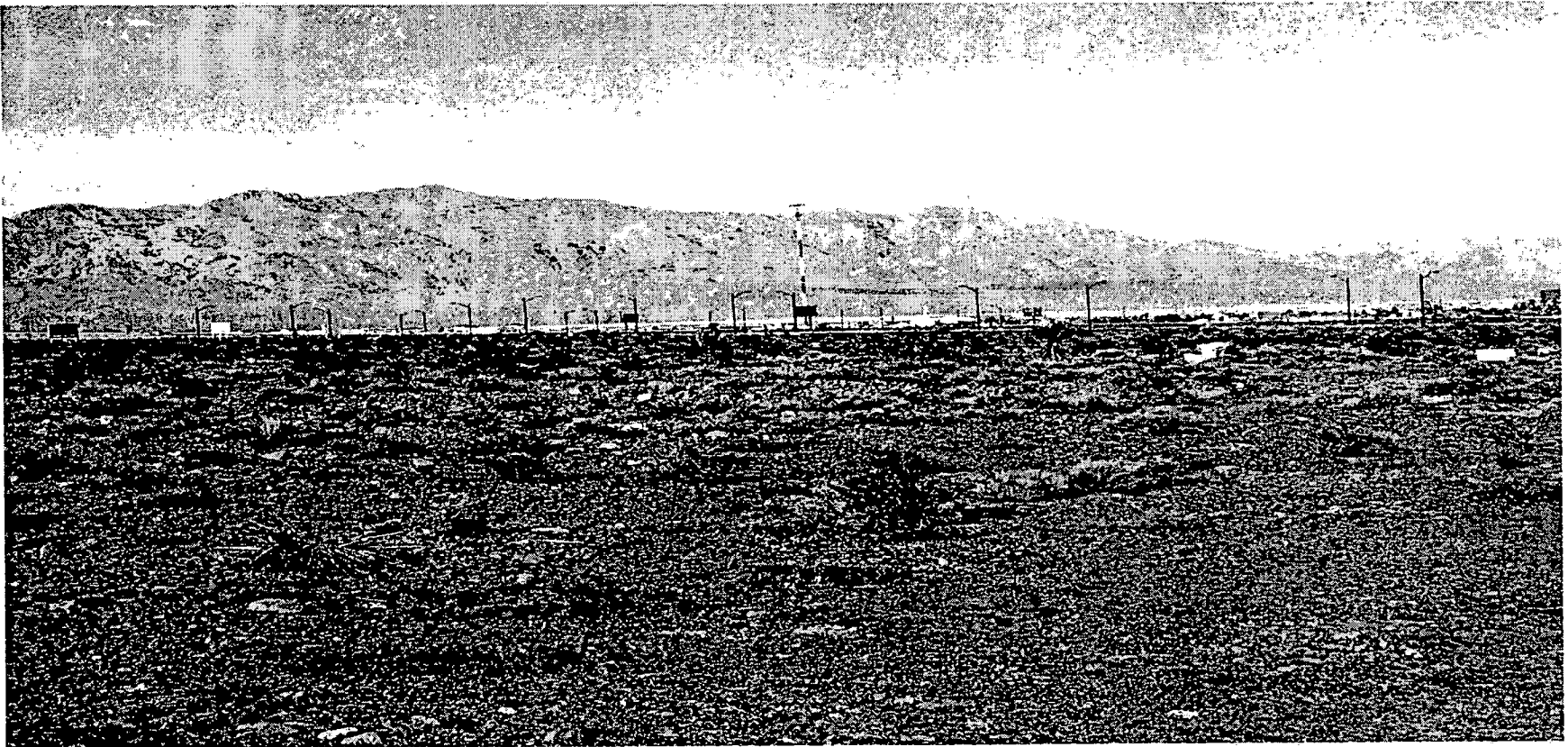
SUGGESTED SHRUB LIST

BOTANICAL/COMMON NAME	SIZE
ACACIA RETROFLEXA - SHEEPING ACACIA	1 CALSON
CASIA APTEROCARPA - FEATHERY CASIA	5 CALSON
CALLISTHOE EPHOEBIA - RUBY DUST	5 CALSON
CONVOLVULUS DECURVUS - FISH MORNING GLORY	5 CALSON
DALIA SPECIOSA - ROSE	5 CALSON
EPITHEA FARGESII - BUTTERFLY	5 CALSON
HEPERALOE PARVIFLORA - RED YUCCA	5 CALSON
LANTANA MONITORIOSA - TRAILING LANTANA	5 CALSON
LOPACHIA SPINOSA - SPINY MARIANNA SAGE	5 CALSON
MUNZINGERIA CAMPARIUS LACIN - RECAL MIST DEER GRASS	5 CALSON
ROSEMARINUS OFFICINALIS - ROSEMARY	5 CALSON
SALICIA CLEVELANDII - CHAMPANEL SAGE	5 CALSON
SALICIA CRUCIATA - ATLANTIC SAGE	5 CALSON
TEUCORIUM CHAMAEDRYF	5 CALSON
YUCCA PREGIA - RED MARIANA	1 CALSON

BOTANICAL/COMMON NAME

GPA-4079
4-22-04 PC

[illegible]



GPA-4079 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: KHUSROW ROOHANI TRUST, MICHAEL AND MICHELLE BARNEY, DURANGO ELKHORN LIMITED LIABILITY COMPANY, WAYNE AND JOANNE SCHLEKEWY, SPARTAN PROPERTIES LIMITED LIABILITY COMPANY, AND MICHAEL AND CAROL BUBONOVICH

ELKHORN ROAD AND DORRELL LANE, APPROXIMATELY 330 FEET WEST OF DURANGO DRIVE

APRIL 22, 2004 PLANNING COMMISSION

3/31/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☐

DISCUSSION

SUBJECT:

ZON-4084 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: KHUSROW ROOHANI TRUST - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: TC (TOWN CENTER) on 10.00 acres adjacent to the north side of Dorrell Lane, approximately 330 feet west of Durango Drive (APN: 125-20-101-015 and 016), Ward 6 (Mack).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

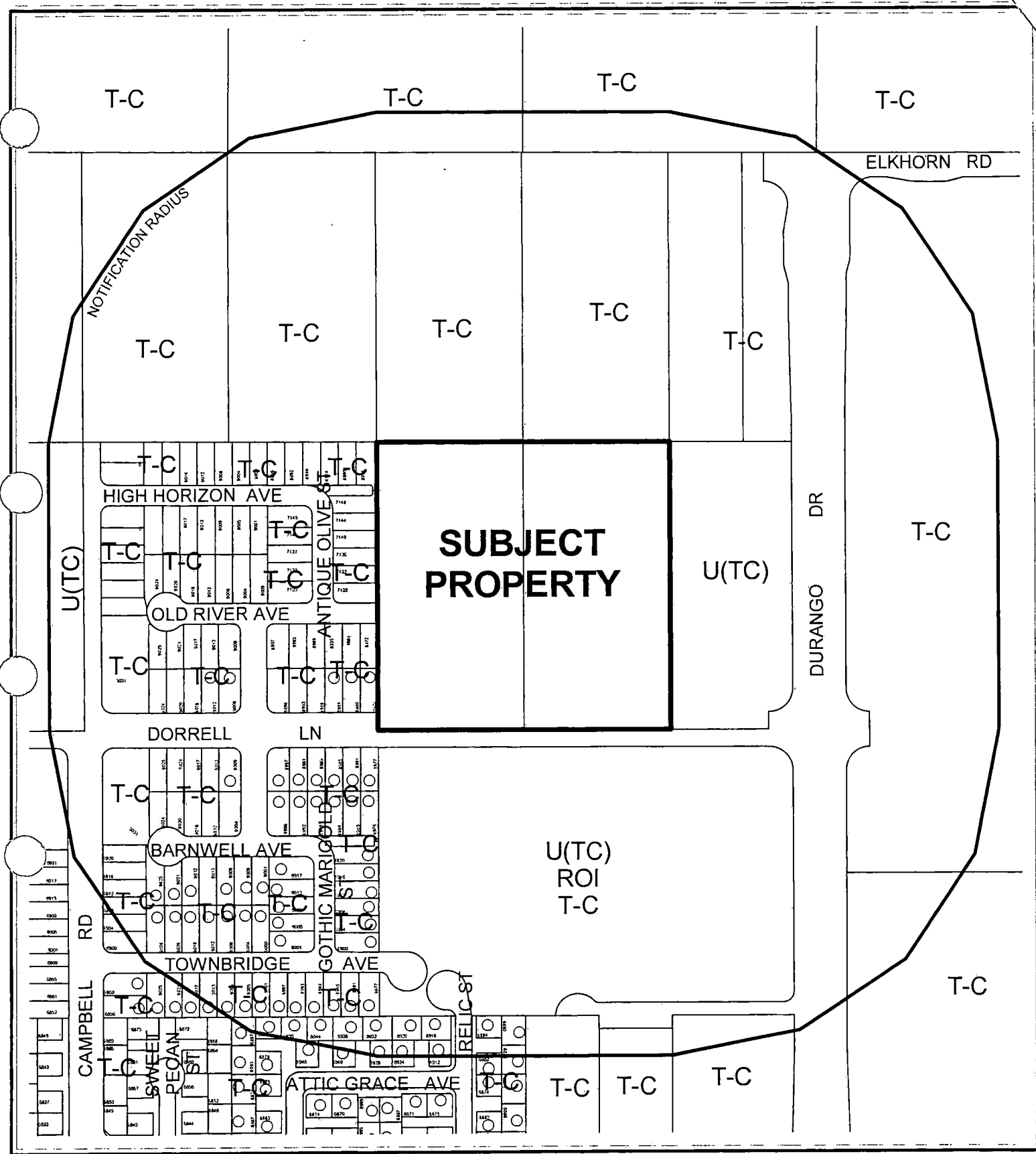
STEINMAN – ABEYANCE to 5/13/2004 Planning Commission – UNANIMOUS with TRUESDELL and McSWAIN excused

MINUTES:

NOTE: See Item 35 [GPA-4079] for all related discussion.

(8:21/8:32 – 9:10)

2-1842/3-1910



CASE: ZON-4084

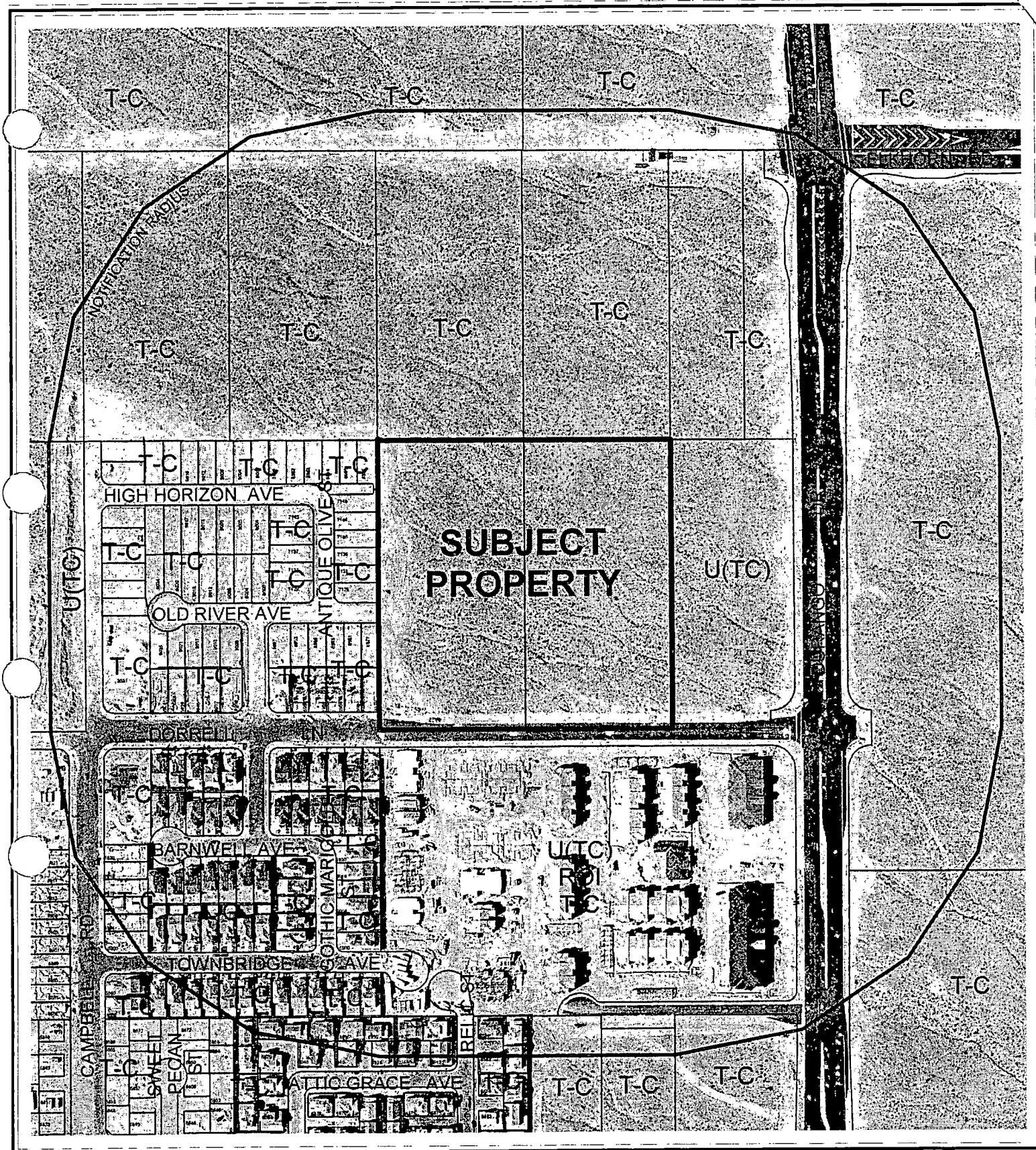
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)





CASE: ZON-4084

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-4084 - APPLICANT: RICHMOND AMERICAN HOMES -

OWNER: KHUSROW ROOHANI TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The TC (Town Center) zoning shall go direct to ordinance and not be subject to a Resolution of Intent.

Public Works

2. Dedicate 50 feet of right-of-way adjacent to this site for Elkhorn Road and 40 feet for Dorrell Lane prior to the issuance of any permits.
3. Construct half-street improvements including appropriate overpaving, if legally able, on Elkhorn Road and Dorrell Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and west boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
4. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such

ZON-4084 - Conditions Page Two
April 22, 2004 - Planning Commission Meeting

devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

5. 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, submittal of any construction drawings or the recordation of a Final Map for this site, 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 approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is to rezone, from U (Undeveloped) [TC (Town Center) General Plan Designation] to TC (Town Center), 10 acres adjacent to the north side of Dorrell Lane, approximately 330 feet west of Durango Drive.

B) Applicant's Justification

In a letter submitted with the application, the applicant indicates that: (1) the need for single-family homes in this area of Town Center is far greater than the need for additional commercial development, (2) the burdens imposed by the current zoning classifications are similar to those imposed by amending the plan to M, and (3) the M designation at this location will be a good transition between the ML and UC parcels adjacent to this site.

BACKGROUND INFORMATION

A) Previous Actions

None

B) Pre-Application Meeting

The pre-application details are listed in the related Site Development Plan Review (SDR-4088) report.

C) Neighborhood Meetings

3/22/04 The meeting was held at the Mountain Crest Community Center, 4701 N. Durango Drive. Three property representatives, and one City Council liaison were in attendance. There weren't any members of the public present. The revised site plan was submitted.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

15.19 acres

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped and single-family residential

C) *Planned Land Use*

Subject Property: ML-TC (Medium Low Density Residential – Town Center) and UC-TC (Urban Center Mixed Use – Town Center)
North: PF-TC (Public Facility – Town Center) and M-TC (Medium Density Residential – Town Center)
South: UC-TC (Urban Center Mixed Use – Town Center)
East: UC-TC (Urban Center Mixed Use – Town Center)
West: ML-TC (Medium Low Density Residential – Town Center)

D) *Existing Zoning*

Subject Property U (TC) [Undeveloped (Town Center) General Plan Designation] and TC (Town Center)
North TC (Town Center)
South U (Undeveloped)
East U (TC) [Undeveloped (Town Center) General Plan Designation] and TC (Town Center)
West TC (Town Center)

E) *General Plan Compliance*

This site is located within Town Center with a General Plan designation of Urban Center Mixed Use and Medium Low Density Residential. The request conforms to established City policy that all lands within Town Center, regardless of land use. Therefore, the request is conforming to the goals, objectives and policies of the General Plan.

ZON-4084 - Staff Report Page Three
April 22, 2004 - Planning Commission Meeting

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Inter-local Agreement Joint Land Use Planning Area	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

INTERAGENCY ISSUES

None

ANALYSIS

A) Zoning Code Compliance

The TC (Town Center) zoning conforms to the General Plan.

B) General Analysis and Discussion

Staff has no objection to the TC (Town Center) zoning, but has raised concerns regarding the General Plan Amendment and Site Development Plan applications. Those concerns have no affect on the zoning of the property.

FINDINGS

To approve a rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The TC (Town Center) conforms to the stated Goals, Objectives and Policies articulated in the Plan for this area of the City.

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."

ZON-4084 - Staff Report Page Three
April 22, 2004 - Planning Commission Meeting

The uses permitted in the TC (Town Center) zoning district can be compatible with the surrounding land uses and zoning districts, as all lands within Town Center should eventually be zoned TC (Town Center).

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

The growth and development factors in the community are all related to the Town Center concept.

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.”**

Streets are or will be adequate for the proposed zoning district.

NOTICES MAILED 107 [Mailed with GPA-4079 & SDR-4088]

APPROVALS 0

PROTESTS 0

REZONING



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

ZON-4084

Case Number: _____ APN: 125-20-101-015 & 016Name of Property Owner: KHUSROW ROOHANI TRUST, KHUSROW ROOHANI TRSName of Applicant: RICHMOND AMERICAN HOMES

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

____ Yes

____ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

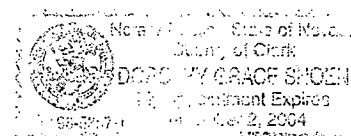
Partner(s): _____

APN: _____

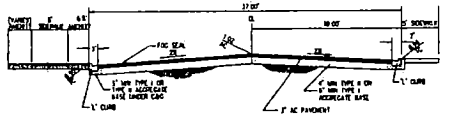
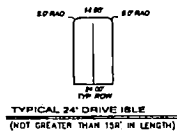
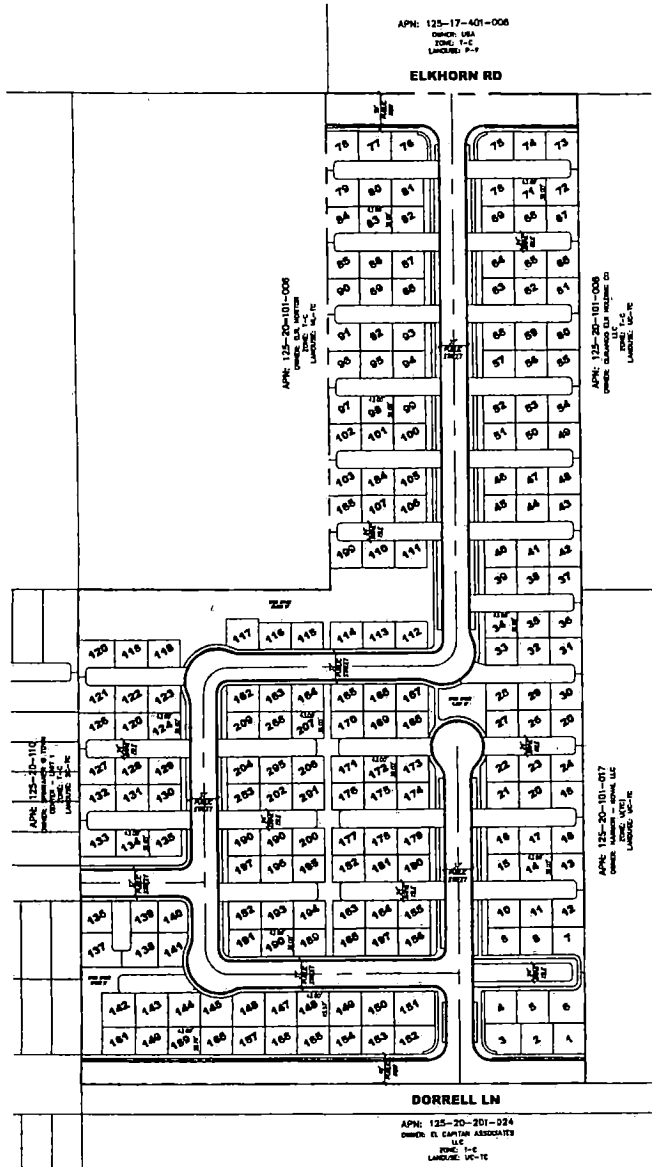
Signature of Property Owner/Authorized Agent: _____

Print Name: Khusrow Roohani, Trustee

Subscribed and sworn before me

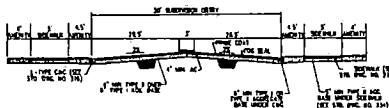
This 19th day of February, 2004Dorothy Grace Shoen
Notary Public in and for said County and State

DORRELL 15



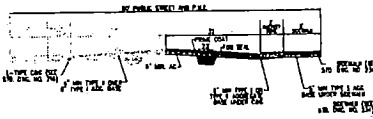
37 PRIVATE STREET SECTION (INTERIOR)

NOT TO SCALE
PER TOWN CENTER DEVELOPMENT
STANDARDS



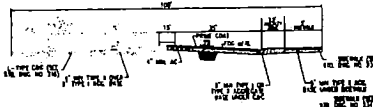
NO PRIVATE ENTRY SECTION

NOT TO SCALE
PER TOWN CENTER & CITY OF LAS VEGAS
DEVELOPMENT STANDARDS



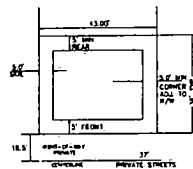
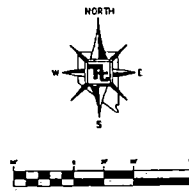
80' PUBLIC STREET HALF-SECTION (DORRELL LN.)

NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TOWN CENTER ARTERIAL)



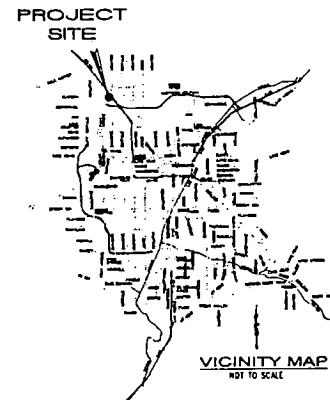
100' PUBLIC STREET HALF-SECTION SECTION (ELKHORN RD.)

NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TOWN CENTER PRIMARY ARTERIAL)



LOT DETAIL (TYPICAL)

NOT TO SCALE
(MINIMUM LOT SIZE 2,405 SQ FT. +/-)



DEVELOPER

RICHMOND AMERICAN HOMES
1230 WEST PEAK DRIVE
STE. 212
LAS VEGAS, NEVADA 89128

OWNERS

125-20-101-007
MICHAEL & CAROL BURBONOVICH
WAYNE & JOANNE SCHLERENY
DURANGO ELMHORN LLC
SPARTAN PROPERTIES
C/O COELTA REALTY
6767 W TROPICANA #204
LAS VEGAS, NV 89103

ASSESSORS PARCEL

NUMBER:
125-20-101-007 & 125-28-101-018

OVERALL TABULATIONS

EXISTING ZONING ——— TOWN CENTER & UNDEVELOPED TOWN CENTER
EXISTING LAND USE ——— URBAN CENTER MIXED-USE
PROPOSED LAND USE ——— MEDIUM RESIDENTIAL

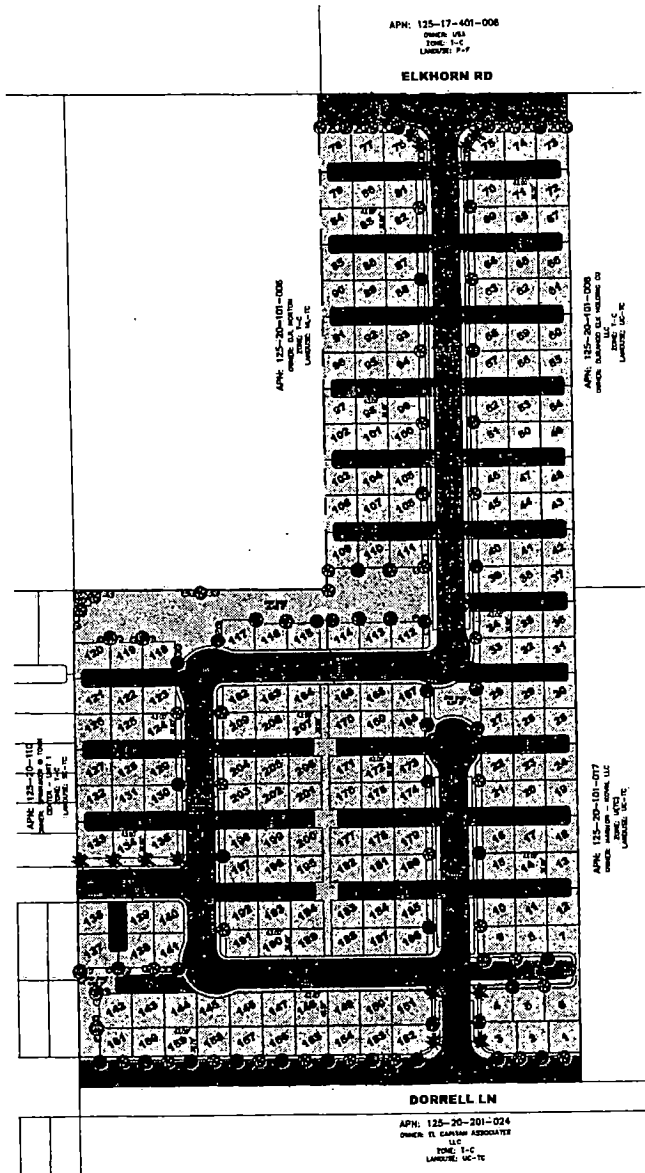
GROSS ACREAGE ——— 75.19 ACRES +/-
LOT COUNT ——— 209
DENSITY ——— 13.75 DUA +/-

OPEN SPACE REQUIRED — 1.87 ACRES (79,279 SF)
OPEN SPACE PROVIDED — 2.14 ACRES +/- (91,848 SF)

ZON-4084
4-22-04 PC

[illegible]

DORRELL 15



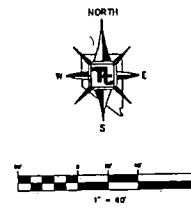
TREE LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY.
	CHITALPA LASWENTENSIS	24" DBH	77
	CHITALPA	15" DBH	77
	PROSOPIS CLAMMATA 'MAMMOTH'	15" DBH	77
	THORNLESS TEXAS HONEY MESQUITE	15" DBH	77
	QUERCUS URSINA 'HERITAGE'	15" DBH	77
	HERITAGE LIVE OAK	15" DBH	77
	WASHINGTON ROBUSTA HYBRID	25" DBH	77
	MEXICAN FAN PALM	25" DBH	77

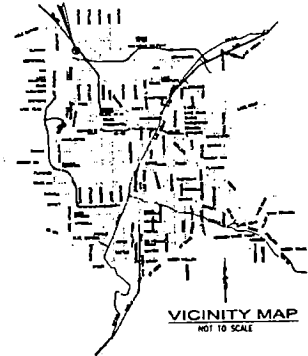
SUGGESTED SHRUB LIST

BOTANICAL/COMMON NAME	SIZE
ACACIA REDOLENS - CREEPING ACACIA	1 GALLON
CASSIA ANTILASCOIDES - FEATHERY CASSIA	3 GALLON
CALLIANDRA CHORIPHELA - FANNY DUSTIER	3 GALLON
CONVULSUS OREORARI - BUSH HORMING GLOVE	3 GALLON
BALEA GRECA - INDIGO BUSH	3 GALLON
ENETIA FANNOSA - BUTTERBUSH	3 GALLON
PROPERALDE PANTORIA - RED TUCCA	3 GALLON
LANTANA MONTEVIDEOS - TRAILING LANTANA	1 GALLON
LEUCOPHYLLUM LAEVEGATUM - CHRISTIANIAN SAGE	3 GALLON
MONSIEURICA LUMELARS 'REGAL MIST' - REGAL MIST DEER GRASS	3 GALLON
RUSCHAEUS OPTONALIS - ROSEMARY	3 GALLON
SALVIA CLEVERLAW - CHAMPAGNE SAGE	3 GALLON
SALVIA DRECCI - AUTUMN SAGE	3 GALLON
TEUCRARIUM CHAMMADIS	3 GALLON
VERBENA INDICA - INDIGO VERBENA	1 GALLON

BOTANICAL/COMMON NAME



PROJECT SITE



DEVELOPER
RICHMOND AMERICAN HOMES
2750 WEST PEAR DRIVE
SUITE 212
LAS VEGAS, NEVADA 89128

OWNERS
125-20-101-007
MICHAEL & CAROL RICHMOND
WILSON & JOHANN SCHERER
DURANGO ELKHORN LLC
SPARTAN PROPERTIES
C/O DELTA REALTY
8783 W. TROPICANA #204
LAS VEGAS, NV 89103
125-20-101-018 & 125-20-101-019
RICHMOND AMERICAN HOMES
1301 SPRING MOUNTAIN RD. #21
LAS VEGAS, NV 89102

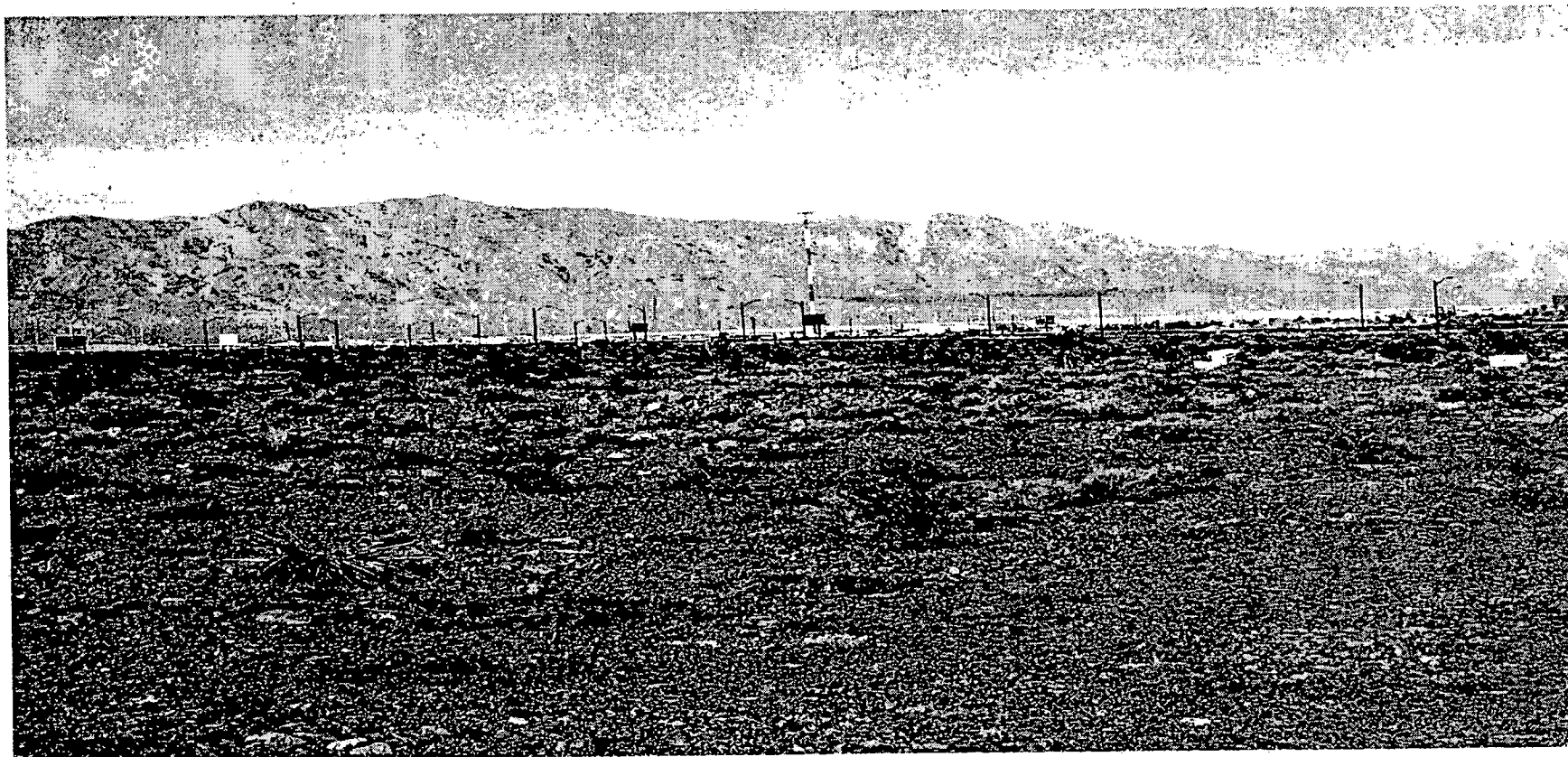
ASSESSORS PARCEL NUMBER:
125-20-101-007 & 125-20-101-018

OVERALL TABULATIONS

EXISTING ZONING: TOWN CENTER & URBAN CENTER
EXISTING LAND USE: URBAN CENTER MIXED-USE
PROPOSED LAND USE: MEDIUM RESIDENTIAL
GROSS ACREAGE: 15.18 ACRES +/-
LOT COUNT: 209
DENSITY: 13.75 DUA +/-
OPEN SPACE REQUIRED: 1.83 ACRES (79,379 SQ FT)
OPEN SPACE PROVIDED: 2.14 ACRES +/- (93,848 SQ FT)

ZON-4084
4-22-04 PC

RICHMOND AMERICAN HOMES		TETRA TECH, INC.	
2750 WEST PEAR DRIVE, SUITE 212 LAS VEGAS, NEVADA 89128 (702) 240-5800		2750 WEST PEAR DRIVE, SUITE 212 LAS VEGAS, NEVADA 89128 (702) 240-5800	
LANDSCAPE PLAN TO ACCOMPANY S.D.P.R. / S.U.P.		DORRELL 15 CITY OF LAS VEGAS, NEVADA	
DATE: 1/17/04	DRAWN BY: J. J. JONES	CHECKED BY: J. J. JONES	PROJECT NO. P02243
SCALE: 1/4" = 1'-0"	SCALE: 1/4" = 1'-0"	SCALE: 1/4" = 1'-0"	SCALE: 1/4" = 1'-0"
SHEET 1		SHEET 1	



ZON-4084 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: KHUSROW ROOHANI TRUST
NORTH SIDE OF DORRELL LANE, APPROXIMATELY 330 FEET WEST OF DURANGO DRIVE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-4088 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: KHUSROW ROOHANI TRUST, MICHAEL AND MICHELLE BARNEY, DURANGO ELKHORN LIMITED LIABILITY COMPANY, WAYNE AND JOANNE SCHLEKEWY, SPARTAN PROPERTIES LIMITED LIABILITY COMPANY, AND MICHAEL AND CAROL BUBONOVICH - Request for a Site Development Plan Review FOR A 209 LOT SINGLE RESIDENTIAL FAMILY DEVELOPMENT on 15.19 acres between Elkhorn Road and Dorrell Lane, approximately 330 feet west of Durango Drive (APN: 125-20-101-007, 015 and 016), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

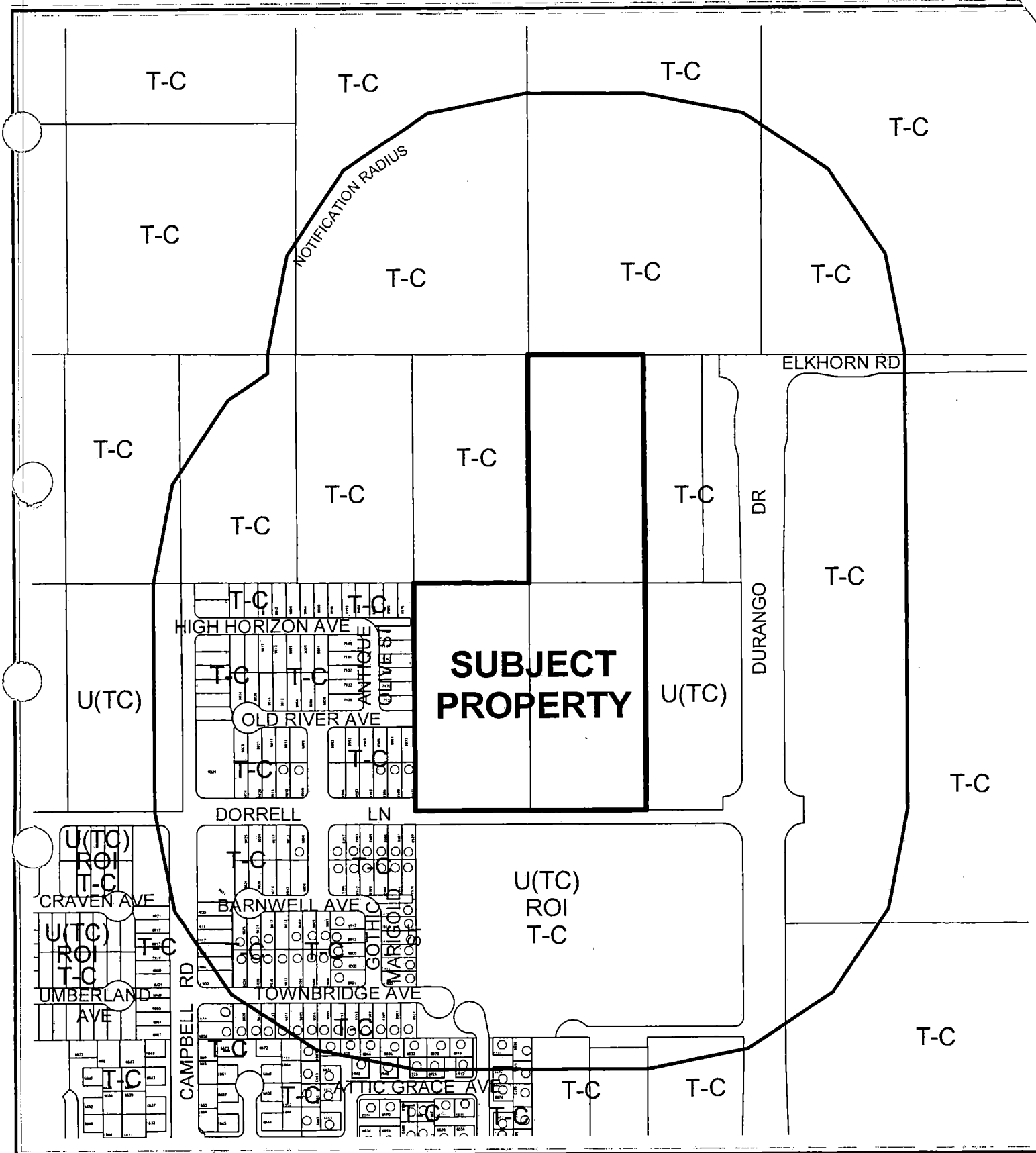
STEINMAN – ABEYANCE to 5/13/2004 Planning Commission – UNANIMOUS with TRUESDELL and McSWAIN excused

MINUTES:

NOTE: See Item 35 [GPA-4079] for all related discussion.

(8:21/8:32 – 9:10)

2-1842/3-1910



CASE: SDR-4088

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

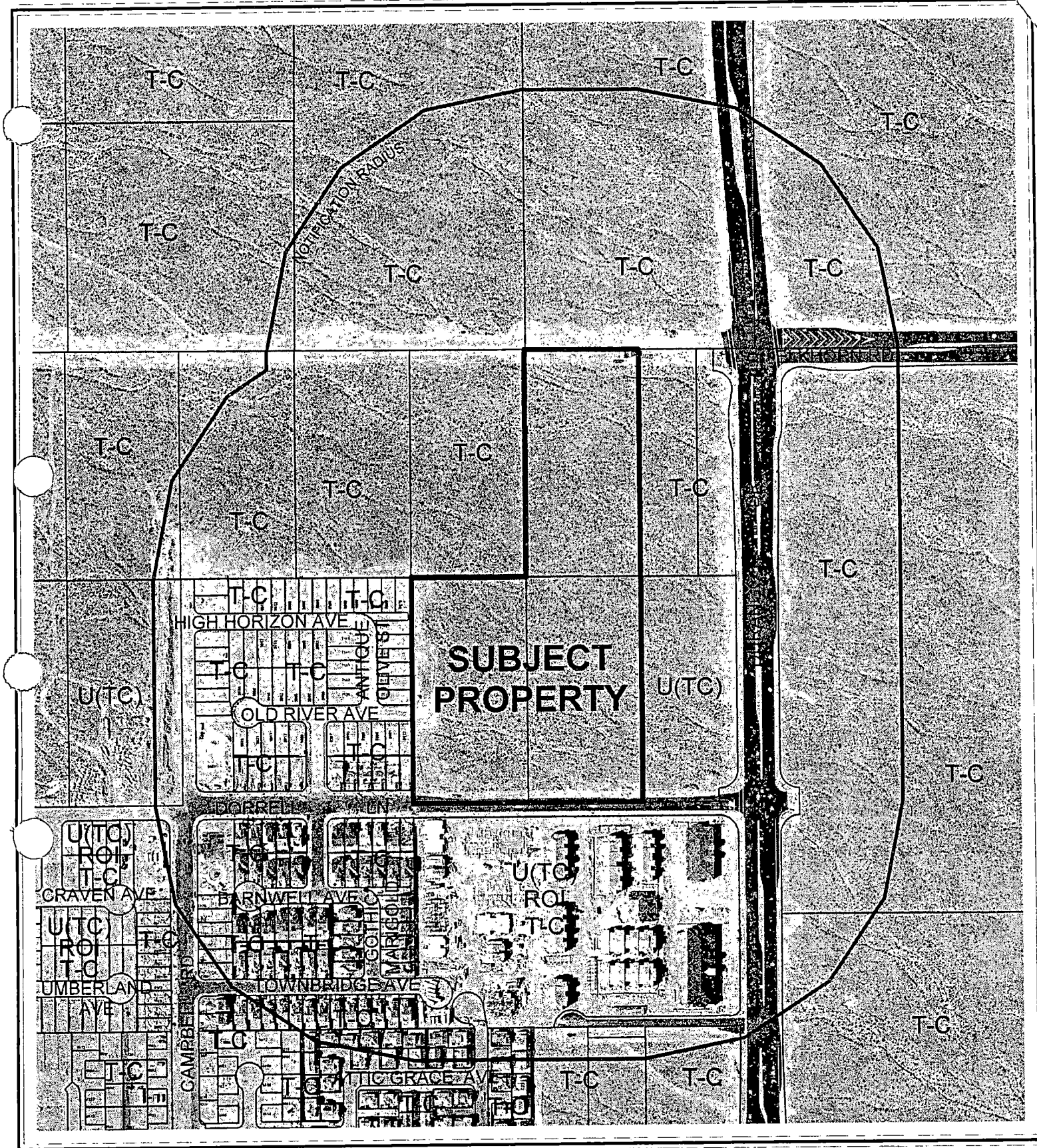
U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

0 200 400 Feet





CASE: SDR-4088

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-4088 - APPLICANT: RICHMOND AMERICAN HOMES -
OWNERS: KHUSROW ROOHANI TRUST, MICHAEL AND MICHELLE BARNEY,
DURANGO ELKHORN LIMITED LIABILITY COMPANY, WAYNE AND JOANNE
SCHLEKEWY, SPARTAN PROPERTIES LIMITED LIABILITY COMPANY, AND
MICHAEL AND CAROL BUBONOVICH**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. A Rezoning (ZON-4084) to TC (Town Center) approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations dated May 19, 2004, except as amended by conditions herein.
5. Maximum building height shall not exceed two stories or 35 feet, whichever is less.
6. Landscaping and a permanent underground sprinkler system for common open space areas shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
7. Air conditioning units shall not be mounted on rooftops.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 5 feet on the side, 5 feet on the corner side and 5 feet on the rear. Any driveway to a garage door shall either be less than five feet in length or more than 18 feet in length.

SDR-4088 - Conditions Page Two
April 22, 2004 - Planning Commission Meeting

11. A revised detailed landscaping plan shall be approved by the Planning and Development Department staff, prior to application for a building permit, that depicts the landscaping and hardscaped areas in the Dorrell Lane and Elkhorn Road Amenity Zones as shown in the Town Center Development Standards (TCDS). The landscape plan shall detail plant types, sizes and locations as required by the TCDS. On site trees shall conform to the landscaping standards Town Center. Palm trees shall be at least 25 feet in height. All other trees shall be 18 feet in height. The landscape plan shall include sufficient information to confirm conformance with spacing requirements.

12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. A Homeowner's Association shall be established to maintain all commonly owned perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping 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.
14. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. Site development to comply with all applicable conditions of approval for ZON-4084 and all other subsequent site-related actions.
16. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review for a 209 lot single-family residential development on 15.19 acres between Elkhorn Road and Dorrell Lane, approximately 330 feet west of Durango Drive. A general plan amendment (GPA-4079) and a rezoning (ZON-4084) application were submitted as companion items.

B) Applicant's Justification

In a letter submitted with the application, the applicant indicates that: (1) the need for single-family homes in this area of Town Center is far greater than the need for additional commercial development, (2) the burdens imposed by the current zoning classifications are similar to those imposed by amending the plan to M, and (3) the M designation at this location will be a good transition between the ML and UC parcels adjacent to this site.

BACKGROUND INFORMATION

A) Previous Actions

None

B) Pre-Application Meeting

03/15/04 The staff noted in the pre-application meeting that Town Center open space standards needed to be met. There was also a question whether there is sufficient space for guest parking.

C) Neighborhood Meetings

03/22/04 A required neighborhood meeting was held as part of the related General Plan Amendment application (GPA-4079).

DETAILS OF APPLICATION REQUEST

A) Site Area

15.19 gross acres

SDR-4088 - Staff Report Page Two
April 22, 2004 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped and single-family residential

C) Planned Land Use

Subject Property: ML-TC (Medium Low Density Residential – Town Center) and UC-TC (Urban Center Mixed Use – Town Center)
North: PF-TC (Public Facility – Town Center) and ML-TC (Medium Low Density Residential – Town Center)
South: UC-TC (Urban Center Mixed Use – Town Center)
East: UC-TC (Urban Center Mixed Use – Town Center)
West: ML-TC (Medium Low Density Residential – Town Center)

D) Existing Zoning

Subject Property: U (Undeveloped) and TC (Town Center)
North: TC (Town Center)
South: U (Undeveloped)
East: U (Undeveloped) and TC (Town Center)
West: TC (Town Center)

E) General Plan Compliance

The General Plan designates the subject area and the larger area around it for Urban Center Mixed Use and Medium Low Density Residential. In a letter submitted with the application, the applicant indicates that: (1) the need for single-family homes in this area of Town Center is far greater than the need for additional commercial developments, (2) the burdens imposed by the current zoning classifications are similar to those imposed by amending the plan to M, and (3) the M designation at this location will be a good transition between the ML and UC parcels adjacent to this site. While the applicant has stated his reasons for amending the plan, no basis is presented as to why the property cannot be developed in the manner in which it is classified.

The applicant's reasons for amending the plan also are not supported by any basis in fact. The Town Center plan was carefully conceived as an area for commercial development and in the least, a mixture of commercial and residential development, particularly with residential development located over ground floor commercial uses. The subject proposal does not support this effort. Furthermore, the M classification can support residential development with densities of up to 25 dwelling units per acre. Finally, the Town Center Development Standards were adopted to address the compatibility issue between residential and commercial development. Indeed, mixed use developments of residential and commercial are encouraged, not discouraged.

INTERAGENCY ISSUES

None

PROJECT DESCRIPTION

The applicant proposes to construct a 209 lot single-family residential subdivision at the subject location. The density intended is 13.75 dwelling units per acre. The applicant is providing 2.14 acres of open space. The minimum lot size intended is 2,405 square feet. The homes are proposed to be three stories in height and range in size from 1267 square feet to 1630 square feet. Each model offers two-car garages and a variety of architectural features.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Compliance
Min. Lot Size	2200 square feet	Y
Min. Setbacks		
• Front	10 feet to front of house	Y
• Front - garage	< 5 feet or > 18 feet	Y
• Side	5 Feet	Y
• Corner	5 Feet	Y
• Rear	5 feet	Y
Max. Building Height	2 Stories / 35 Feet	Y

There are concerns that the proposed development standards will not be adequate to foster a high standard of development. These include the lack of guest parking areas, which will encourage visitors to park on very narrow streets and the lack of open space.

A2) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

SDR-4088 - Staff Report Page Four
April 22, 2004 - Planning Commission Meeting

Uses	Required			Provided		
	Ratio	Parking		Parking		
		Regular	Handicap	Regular	Handicap	Guest
Single-Family Dwelling	2 Spaces/ Dwelling	418 Spaces	N/A	418 Spaces	N/A	None

The proposal provides the minimum number of on-site parking spaces listed in the Zoning Code, although all guest parking is relegated to on-street parallel parking. As a result, on-street parking congestion and the resultant negative effects of that congestion can be expected to occur.

A3) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Elkhorn Road	Primary Arterial – trees 35 ft on-center, alternating 2 palm trees and 1 shade tree (335 ft.)	16 trees (10 palm, 6 shade)	14 trees (6 palm, 8 shade)
Dorrell Lane	Town Center Residential Collector – single tree for each lot (7 lots)	7 trees	10 trees provided
	Town Center Collector –single trees 30 ft on-center, alternating flowering trees and shade trees (335 ft)	11 trees (6 flowering, 5 shade)	9 trees (4 flowering, 5 shade)
Intersections	2 accent trees per amenity zone at intersections (one at each corner)	4 trees	4 trees
Totals		35 trees	37 trees

A separate landscaping plan was submitted with this application. The plan appears to have the required number of trees within the required amenity zones. However, the distribution of trees does not appear to meet the spacing requirements (the number and location of plantings were indiscernible). On Elkhorn Road, two additional palm trees are required. Half of Dorrell Lane is identified as a Town Center Collector and half is a Town Center Residential Collector. For the Town Center Collector portion, one less flowering tree is provided than required.

Pursuant to subsection E of the Town Center Development Standards Manual (pg. 135), the residential development must provide the following Open Space Standards:

SDR-4088 - Staff Report Page Five
April 22, 2004 - Planning Commission Meeting

Total Acreage	Density	Required		Provided	
		Percent	Area	Percent	Area
15.9 acres	13.75	12 %	1.82 acres	13.5%	2.14 acres

The proposal meets the requirement for open space in the Zoning Code.

B) General Analysis and Discussion

- Zoning

The applicant proposes a M-TC (Medium Density Residential – Town Center) land use designation and the proposed TC (Town Center) zone. The proposed project would be allowed in this land use classification and zoning district. However, the staff is recommending against the General Plan amendment and the rezoning applications.

- Site Plan

The proposed site plan depicts a development that consists of 209 single-family lots on the 15.19-acre site. The majority of the units are accessed from 24-foot common private drives. Some streets will have on-street parking restrictions on one or both sides. A total of 2.14 acres of open space area is provided, which is above the 1.82 acres required by the Town Center Development Standards Manual.

- Waivers

None are proposed.

- Landscape Plan

The landscape plan illustrates the trees that are required for the development. Although the required number of trees has been provided, there appears to be a shortage in the number of palm trees.

- Elevation

The building elevations are typical of single-family residential developments and will be compatible with surrounding development

- Floor Plan

The floor plans are typical of single-family residential developments and will be compatible with surrounding development.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

With appropriate controls, the development can be made compatible with adjacent development.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

As discussed above, the development is not consistent with the General Plan. If the General Plan is amended as requested by the applicant, the development will comply. The development otherwise is expected to comply with all city ordinances, policies and standards.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

Subject to meeting the conditions of approval outlined above, the site access and circulation should not negatively impact adjacent streets.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The building and landscape materials are appropriate for this type of development.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

The building elevations are typical of single-family residential developments and will be compatible with surrounding development.

6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**



SDR-4088 - Staff Report Page Seven
April 22, 2004 - Planning Commission Meeting

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 107 [Mailed with GPA-4079 & ZON-4084]

APPROVALS 0



PROTESTS 0



SDR

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: **SDR-4088** APN: 125-20-101-015 & 016Name of Property Owner: KHUSROW ROOHANI TRUST, KHUSROW ROOHANI TRSName of Applicant: RICHMOND AMERICAN HOMES

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

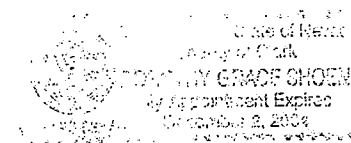
City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]Print Name: Khusrow Roohani, Trustee

Subscribed and sworn before me

This 19th day of February, 2004[Signature]
Notary Public in and for said County and State



STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4088** APN: 125-20-101-007

Name of Property Owner: MICHAEL & CAROL HUBONOVICH

Name of Applicant: RICHMOND AMERICAN HOMES

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes No X

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

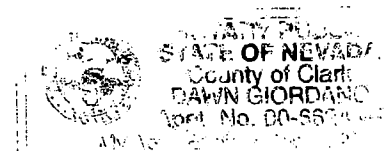
Signature of Property Owner/Authorized Agent: Michael B. Bahr

Print Name: MICHAEL BUBANOVICH. Carol Bubanovich

Subscribed, and sworn before me

This 14 day of January, 2004

Notary Public in and for said County and State



**PLANNING & DEVELOPMENT DEPARTMENT**

REZONING

STATEMENT OF FINANCIAL INTERESTCase Number **SDR-4088** APN: 125-20-101-007Name of Property Owner: MICHAEL & MICHELLE BARNEY ETAL ETALName of Applicant: RICHMOND AMERICAN HOMES

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

YesX No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

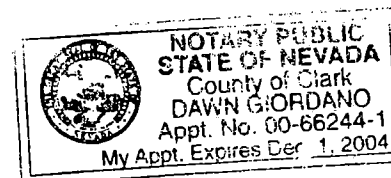
City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: *Michelle Barney*Print Name: MICHAEL BARNEY MICHELLE BARNEY

Subscribed and sworn before me

This 19 day of Feb, 2004*Dawn Giordano*
Notary Public in and for said County and State



STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4088** APN: 125-20-101-007

Name of Property Owner: WAYNE & JOANNE SCHLEKEY

Name of Applicant: RICHMOND AMERICAN HOMES

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes

No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

APN: _____

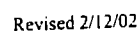
Signature of Property Owner/Authorized Agent: Jayne Sally Jo Anne Smith

Print Name: WAYNE SCHLEGEL JOANNE SCHLEGEL

Subscribed and sworn before me

This 14 day of April, 2004

Notary Public in and for said County and State





Case Number: **SDR-4088** APN: 125-20-101-007

Name of Property Owner: SPARTAN PROPERTIES LLC

Name of Applicant: RICHMOND AMERICAN HOMES

 Yes No

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: DL (MANAGER)

Print Name: DERIN WAZARAKIS

Subscribed and sworn before me

Subscribed and sworn before me
This 14 day of January, 2094

Notary Public in and for said County and State



STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4088** APN: 125-20-101-007

Name of Property Owner: DURANGO ELKHORN LLC

Name of Applicant: RICHMOND AMERICAN HOMES

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

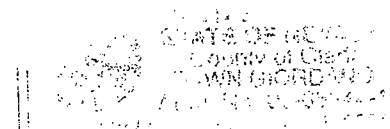
Signature of Property Owner/Authorized Agent: (MAURICE A)

Print Name: Dean Lazareis

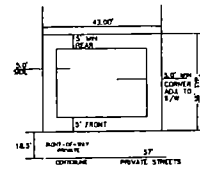
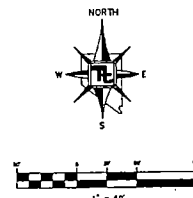
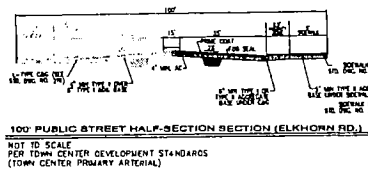
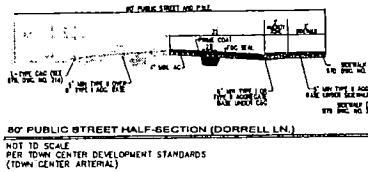
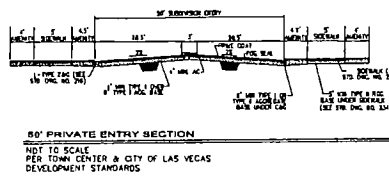
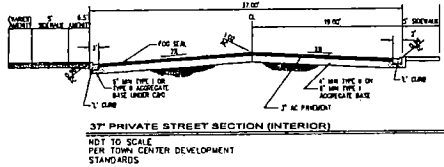
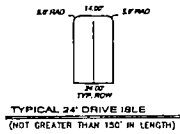
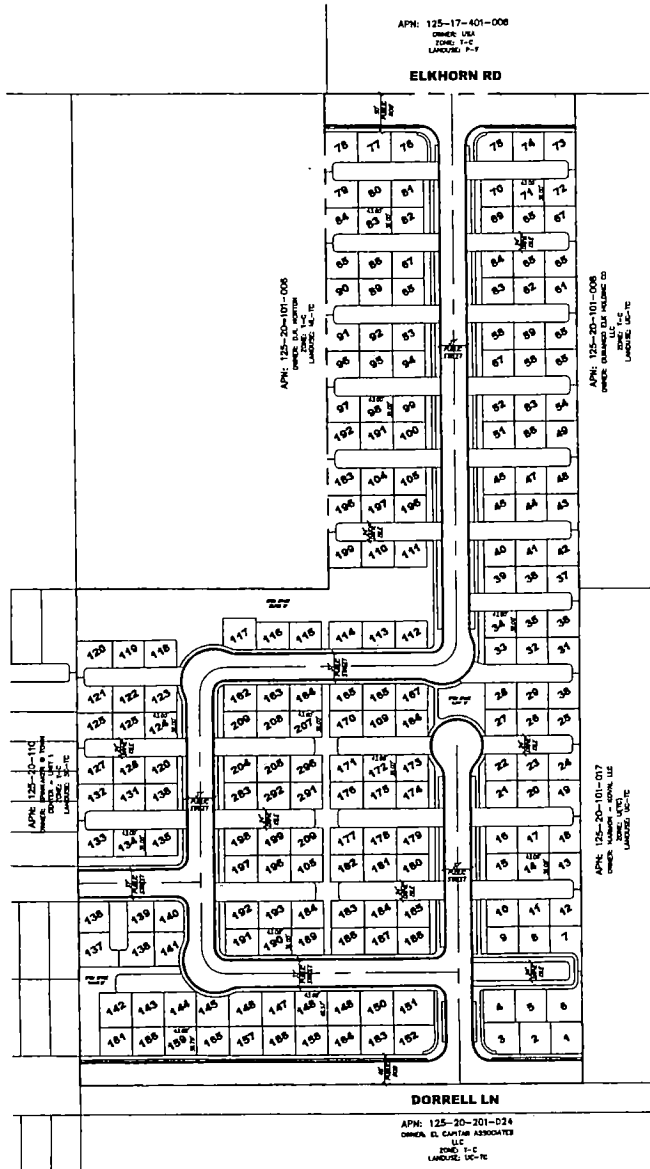
Subscribed and sworn before me

This 14 day of January, 2024

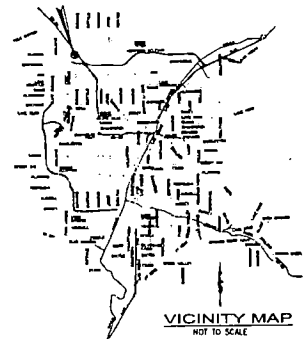
Notary Public in and for said County and State



DORRELL 15



LOT DETAIL (TYPICAL)
NOT TO SCALE
(MINIMUM LOT SIZE 2,405 SQ. FT. +/-)



DEVELOPER
RICHMOND AMERICAN HOMES
7250 WEST PEAK DRIVE
STE 212
LAS VEGAS, NEVADA 89178

OWNERS
125-20-101-007
MICHAEL & CAROL BUBONOVICH
WAYNE & JOANNE SCHLENY
DURANGO ELMHORN LLC
SPARTAN PROPERTIES
C/O COELIA REALTY
8787 W. THORNHAWK #204
LAS VEGAS, NV 89103

125-20-101-916 & 125-29-101
KHUSHROO ROOHANI FAMILY TRUS
JJOS SPRING MOUNTAIN RD. #51
LAS VEGAS, NV 89102

**ASSESSORS PARCEL
NUMBER:**

OVERALL TABULATIONS

EXISTING ZONING ----- TOWN CENTER & UNDEVELOPED TOWN CENTER
EXISTING LAND USE ----- URBAN CENTER MIXED-USE
PROPOSED LAND USE ----- MEDIUM RESIDENTIAL

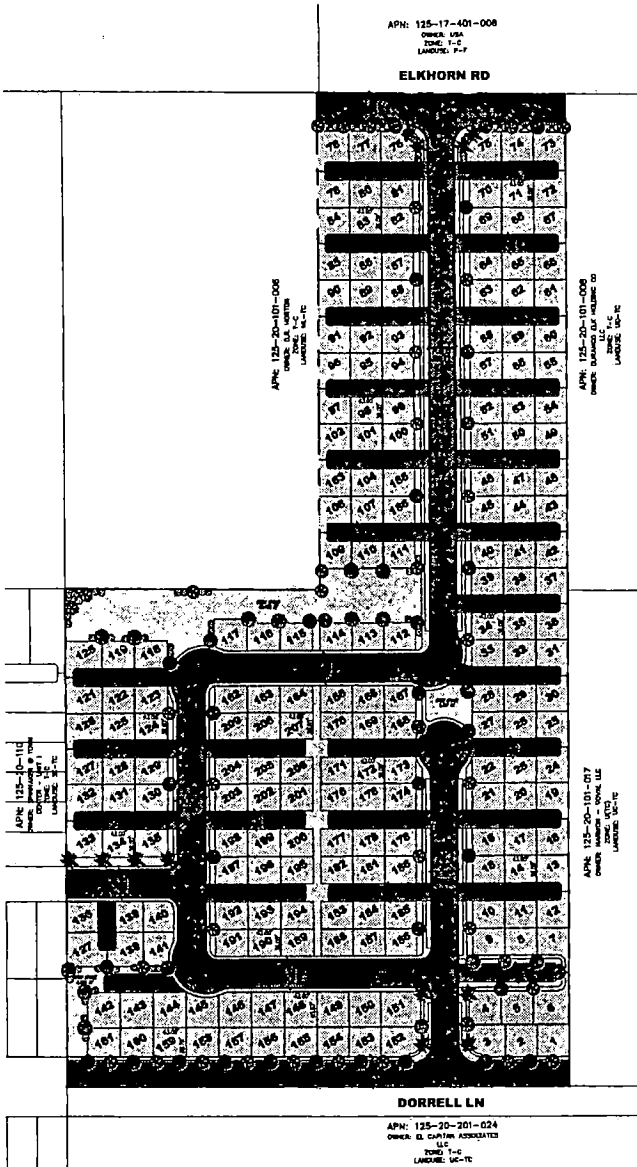
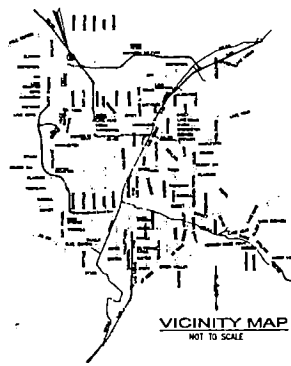
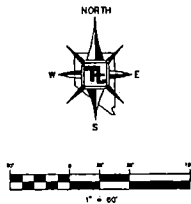
GROSS ACREAGE ----- 15.19 ACRES +/-
LOT COUNT ----- 209
DENSITY ----- 13.75 DUA +/-

OPEN SPACE REQUIRED ----- 1.92 ACRES (79,275 SF)
OPEN SPACE PROVIDED ----- 2.14 ACRES +/- (93,644 SF)

SDR-4088
4-22-04 PC

SHEET		1		OF 1	
DATE		1/1/2004		SCALE	
DRAWN BY		J. L. BROWN		CHECKED BY	
DESIGNED BY		J. L. BROWN		DATE	
PROJECT		P02243		SHEET	
TITLE		SITE PLAN TO ACCOMPANY S.D.P.R. / S.U.P.		SHEET	
CLIENT		RICHMOND AMERICAN HOMES		SHEET	
ADDRESS		7700 WEST PEGAS DRIVE, SUITE 212		SHEET	
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DORRELL 15

PROJECT
SITE

DEVELOPER

RICHMOND AMERICAN HOME
7250 WEST PEAK DRIVE
STE. 212
LAS VEGAS, NEVADA 89128

OWNERS

125-20-101-007
MICHAEL & CAROL BUBONOVIC
WAYNE & JOANNE SCHLERENY
OURANGD EINHORN LLC
SPARTAN PROPERTIES
C/O CDELT REALTY
6767 W. TROPICANA #204
LAS VEGAS, NV 89103

ASSESSORS PARCEL
NUMBER:

125-20-101-007 & 125-20-101-01

OVERALL TABULATIONS

EXISTING ZONING ----- TOWN CENTER &
UNDEVELOPED TOWN CENTER
EXISTING LAND USE ----- URBAN CENTER MIXED-USE
PROPOSED LAND USE ----- MEDIUM RESIDENTIAL

GROSS ACREAGE ----- 13.19 ACRES +/-
LOT COUNT ----- 209
DENSITY ----- 13.75 DUA +/-

OPEN SPACE REQUIRED ----- 1.83 ACRES (79,279 SF)
OPEN SPACE PROVIDED ----- 2.14 ACRES +/- (93,848 SF)

TREE LEGEND

SYMBOL	BOTANICAL / COMMON NAME	SIZE	QTY.
	CHITALPA TASHKENTENSIS CHITALPA	24" BOX	71
	PRIDOPSIS GLANDULOSA "BAMBERG" THORNLESS TEXAS HONEY MESQUITE	15" BOX	71
	QUERCUS WIRONIANA "HERITAGE" HERITAGE LIVE OAK	15" BOX	71
	WASHINGTON ROBUSTA HYBRID MERCAN FAN PALM	35" HIGH	71

SUGGESTED SHRUB LIST

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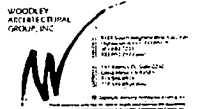
BOTANICAL / COMMON NAME

SDR-4088
4-22-04 PC

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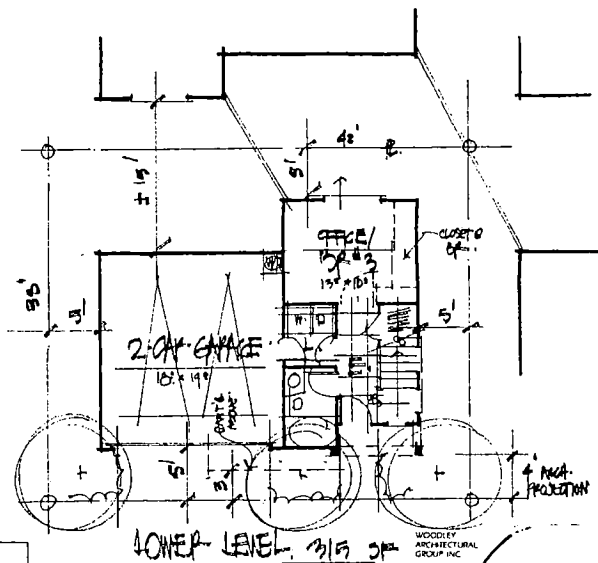
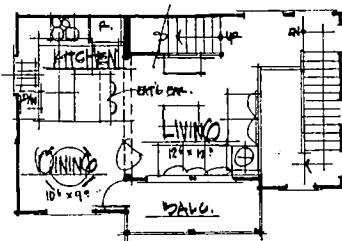
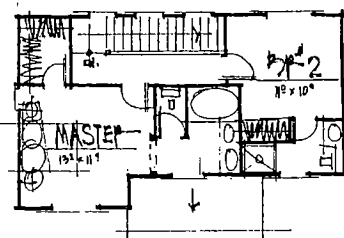


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 Richmond American Homes
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4-22-04 PC

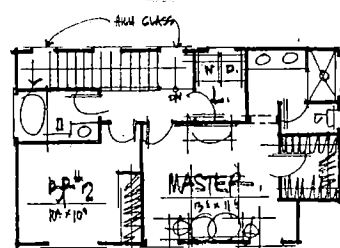
The Ivy Collection Richmond American Homes 1/8/2004



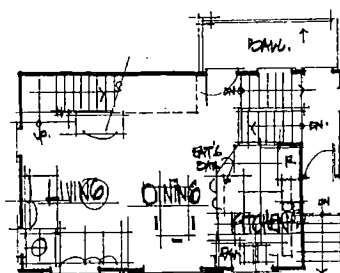
PLAN ONE	
LOWER LEVEL	315 SF
MID LEVEL	453 SF
UPPER LEVEL	499 SF
TOTAL	1267 SF

SDR-4088
4-22-04 PC

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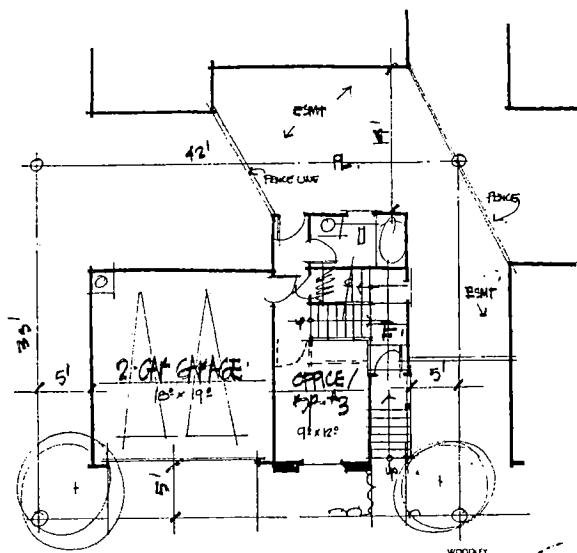


UPPER LEVEL 549 SF.



MID LEVEL 509 SF.

PLAN TWO	
LOWER LEVEL	310 SF
MID LEVEL	509 SF
UPPER LEVEL	549 SF
TOTAL	1338 SF

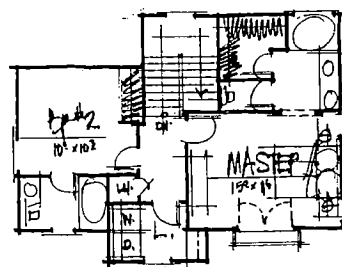


LOWER LEVEL 310 SF

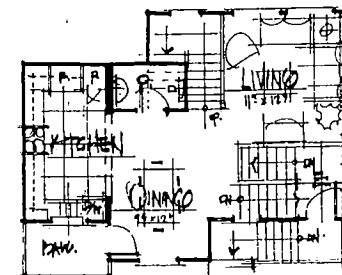
WOODLEY
 ARCHITECTURAL
 GROUP INC.
 11111 WOODLEY AVE
 SUITE 100
 WOODLEY, VA 22191
 TEL: 703/441-1111
 FAX: 703/441-1112
 WWW.WOODLEYARCH.COM

SDR-4088
4-22-04 PC

WOLFF &
KILPATRICK
GROUP, INC.



UPPER LEVEL 592 sq.



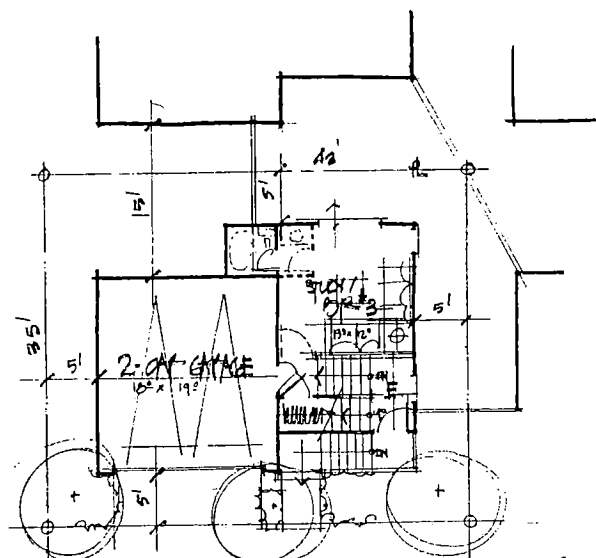
MID LEVEL 554 sq.

PLAN THREE	
LOWER LEVEL	323 SF
MID LEVEL	554 SF
UPPER LEVEL	592 SF
TOTAL	1469 SF

The Ivy Collection

Richmond American Homes

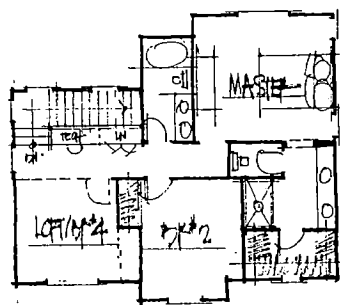
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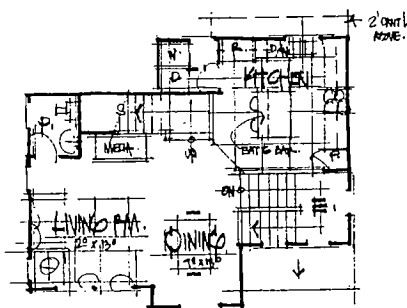
LOWER LEVEL 323 sq.

WICKLEY
ARCHITECTURAL
GROUP, INC.

SDR-4088
4-22-04 PC

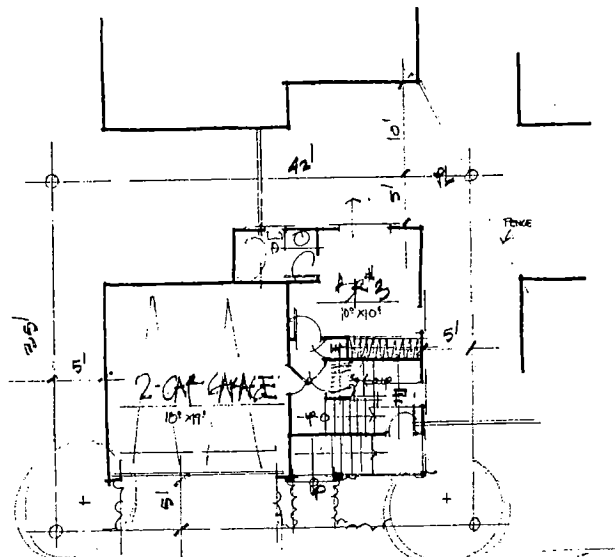


UPPER LEVEL 695 SF



MID. LEVEL 630 SF

The Ivy Collection Richmond American Homes 1/8/2004



LOWER LEVEL 305 SF

PLAN FOUR	
LOWER LEVEL	305 SF
MID LEVEL	630 SF
UPPER LEVEL	695 SF
TOTAL	1630 SF

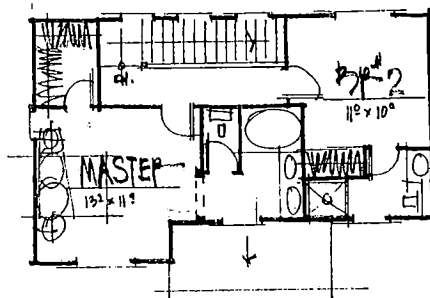
ARCHITECT
 ARCHITECTURAL
 GROUP INC.

SDR-4088
4-22-04 PC

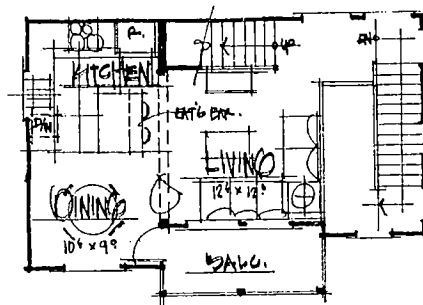
The Ivy Collection

Richmond American Homes

1/8/2004

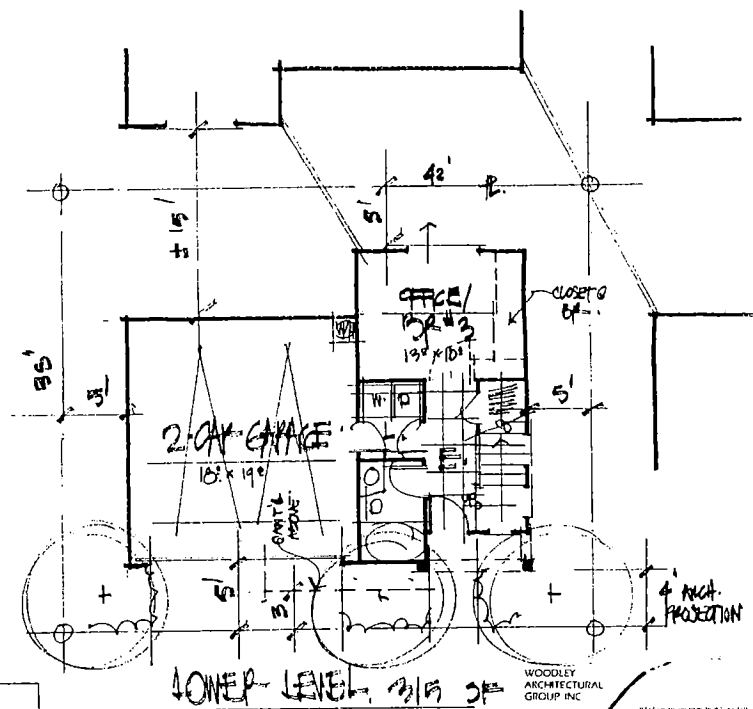


UPPER LEVEL 499 SF



MID LEVEL 453 SF

PLAN ONE	
LOWER LEVEL	315 SF
MID LEVEL	453 SF
UPPER LEVEL	499 SF
TOTAL	1267 SF



LOWER LEVEL 315 SF

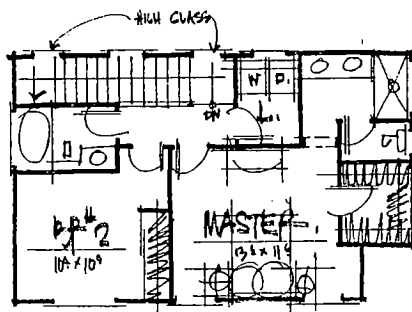
WOODLEY
ARCHITECTURAL
GROUP INC.

SDR-4088
4-22-04 PC

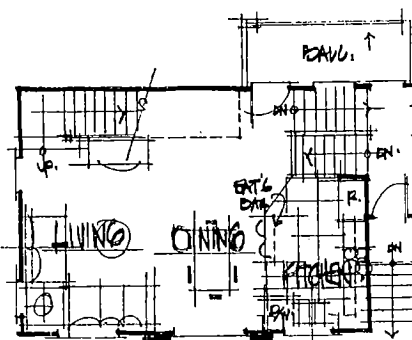
The Ivy Collection

Richmond American Homes

1/8/2004

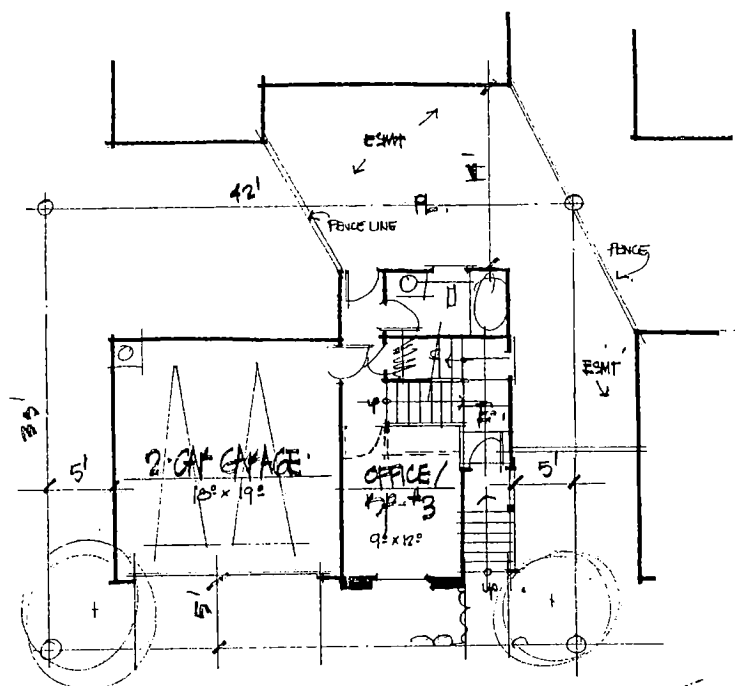


UPPER LEVEL 549 SF



MID LEVEL 509 SF

PLAN TWO	
LOWER LEVEL	310 SF
MID LEVEL	509 SF
UPPER LEVEL	549 SF
TOTAL	1338 SF



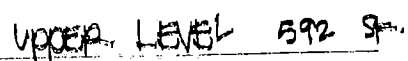
LOWER LEVEL 310 SF

WOODLEY
ARCHITECTURAL
GROUP, INC.

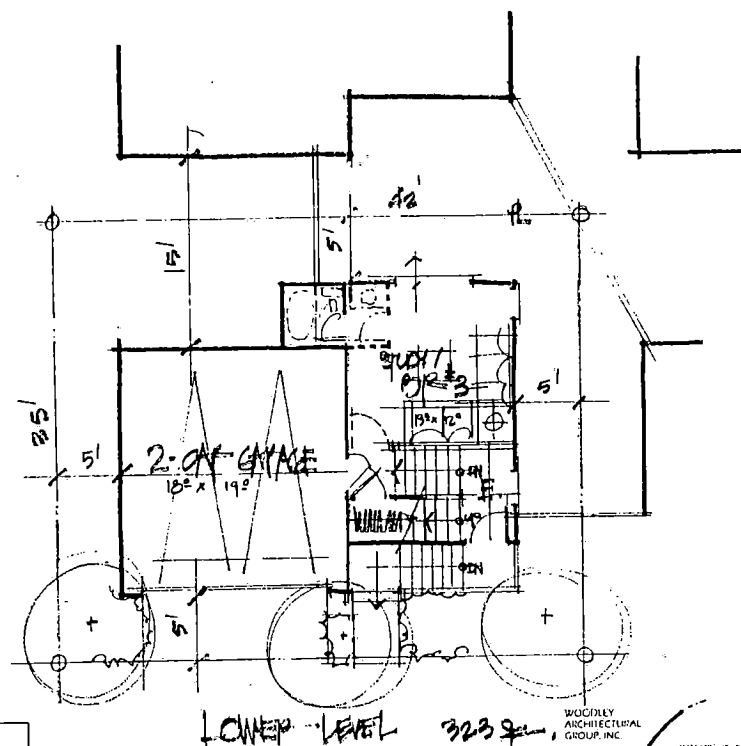
1. THIS PLAN IS THE PROPERTY OF WOODLEY ARCHITECTURAL GROUP, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF WOODLEY ARCHITECTURAL GROUP, INC.

SDR-4088
4-22-04 PC

1/8/2004



PLAN THREE	
LOWER LEVEL	323 SF
MID LEVEL	554 SF
UPPER LEVEL	592 SF
TOTAL	1469 SF

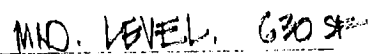
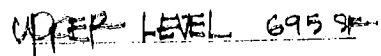


WOODLEY
ARCHITECTURAL
GROUP, INC.

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SDR-4088
4-22-04 PC

1/8/2004



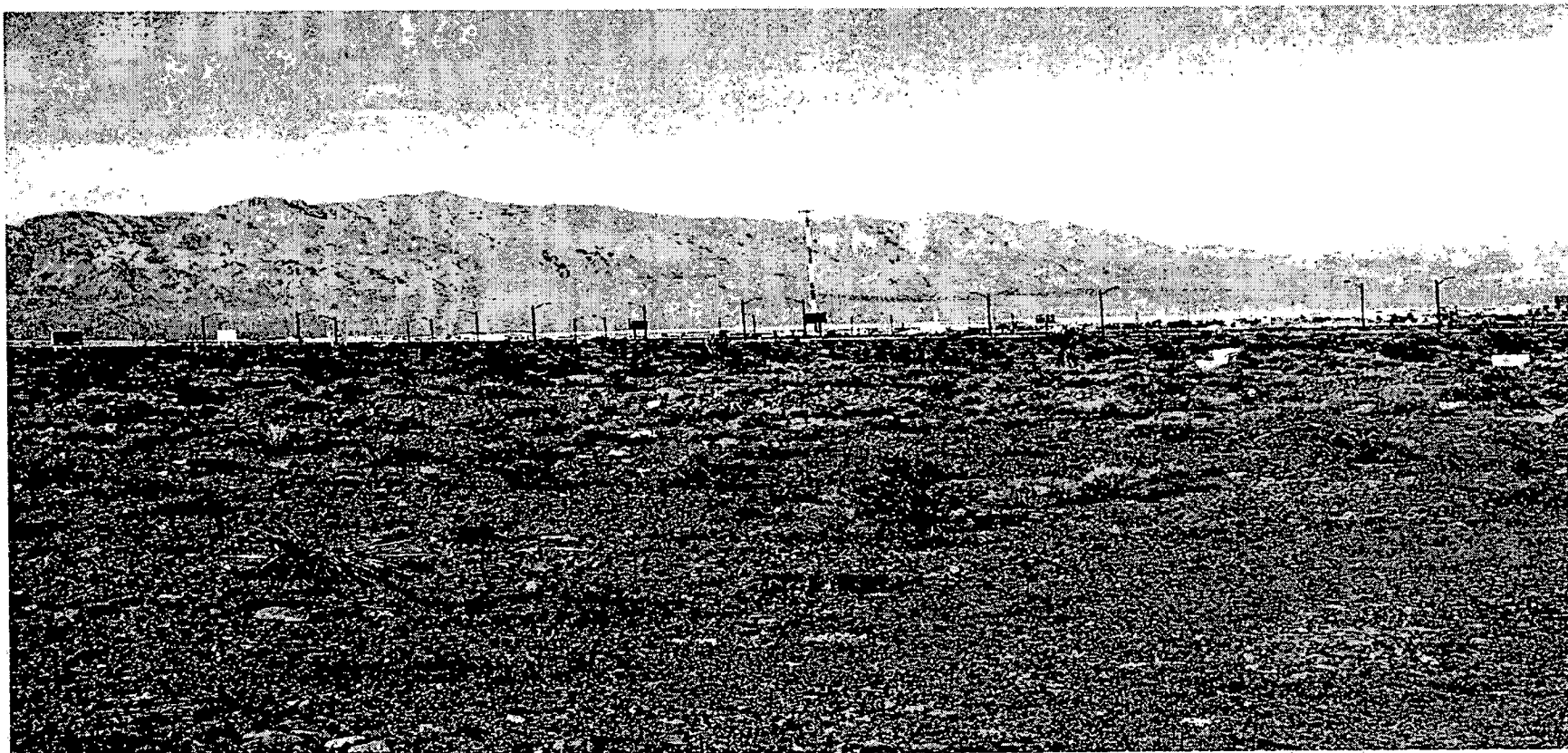
PLAN FOUR	
LOWER LEVEL	305 SF
MID LEVEL	630 SF
UPPER LEVEL	695 SF
TOTAL	1630 SF



WOODLEY
ARCHITECTURAL
GROUP, INC.

[illegible]

SDR-4088
4-22-04 PC



SDR-4088 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: KHUSROW ROOHANI TRUST,
MICHAEL AND MICHELLE BARNEY, DURANGO ELKHORN LIMITED LIABILITY COMPANY, WAYNE AND
JOANNE SCHLEKEWY, SPARTAN PROPERTIES LIMITED LIABILITY COMPANY, AND MICHAEL AND
CAROL BUBONOVICH
ELKHORN ROAD AND DORRELL LANE, APPROXIMATELY 330 FEET WEST OF DURANGO DRIVE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GPA-4091 – APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), Ward 6 (Mack).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

7

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 7 [MSH-3850], and HOLD IN ABEYANCE Item 20 [ZON-3884], Item 21 [SDR-3885], Item 32 [GPA-4072], to 5/13/2004 Planning Commission and Item 8 [GPA-3833], Item 9 [GPA-3933], Item 38 [GPA-4091], Item 39 [ZON-4093], Item 40 [VAR-4094], Item 41 [SDR-4095], Item 42 [GPA-4100], Item 43 [ZON-4101], Item 44 [SDR-4102] and Item 68 [VAC-4071] to 5/27/2004 Planning Commission – UNANIMOUS with GOYNES and McSWAIN excused

MINUTES:

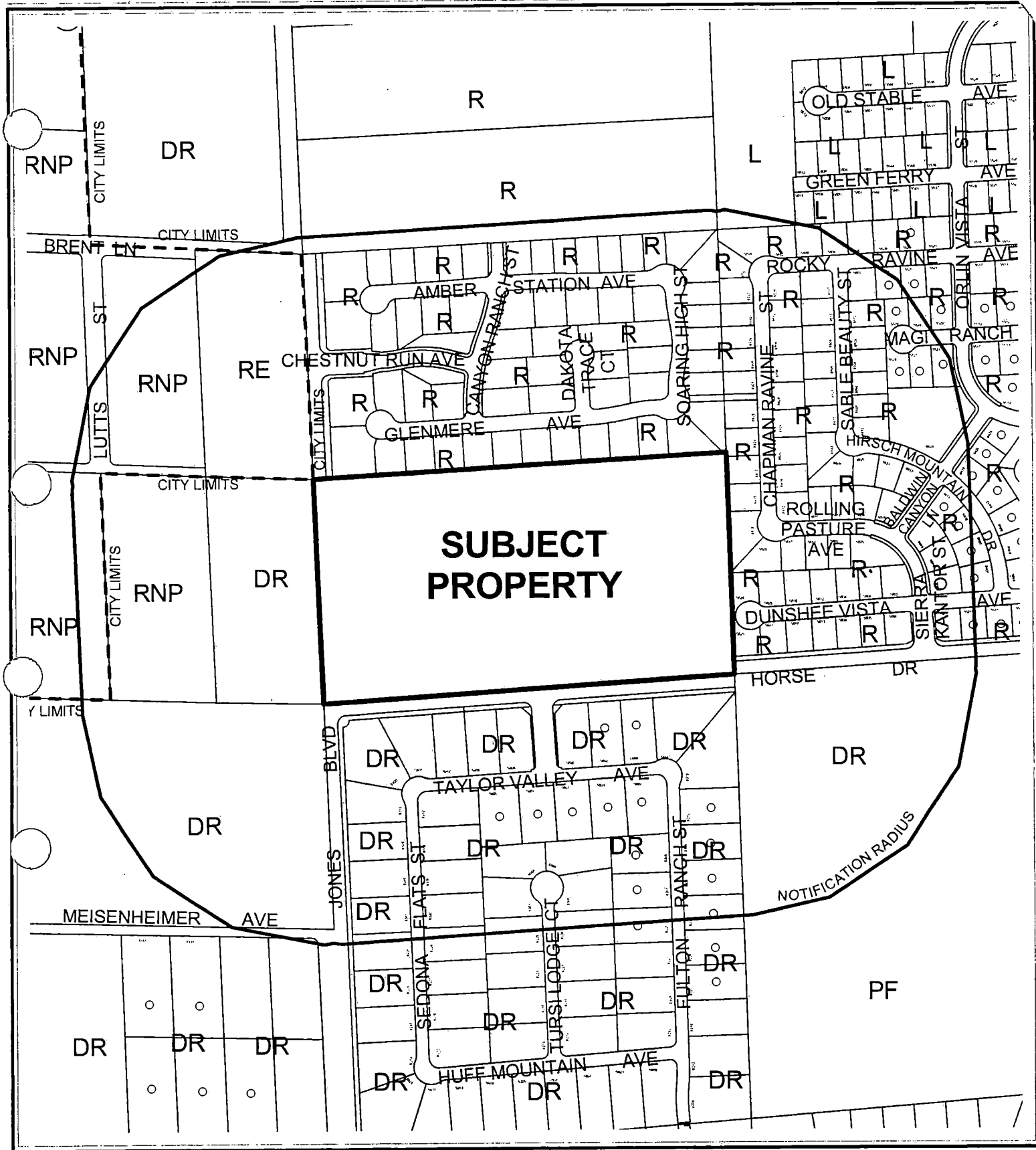
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:02 – 6:11)



0 200 400 Feet

CASE: **GPA-4091**

RADIUS: 750 FT

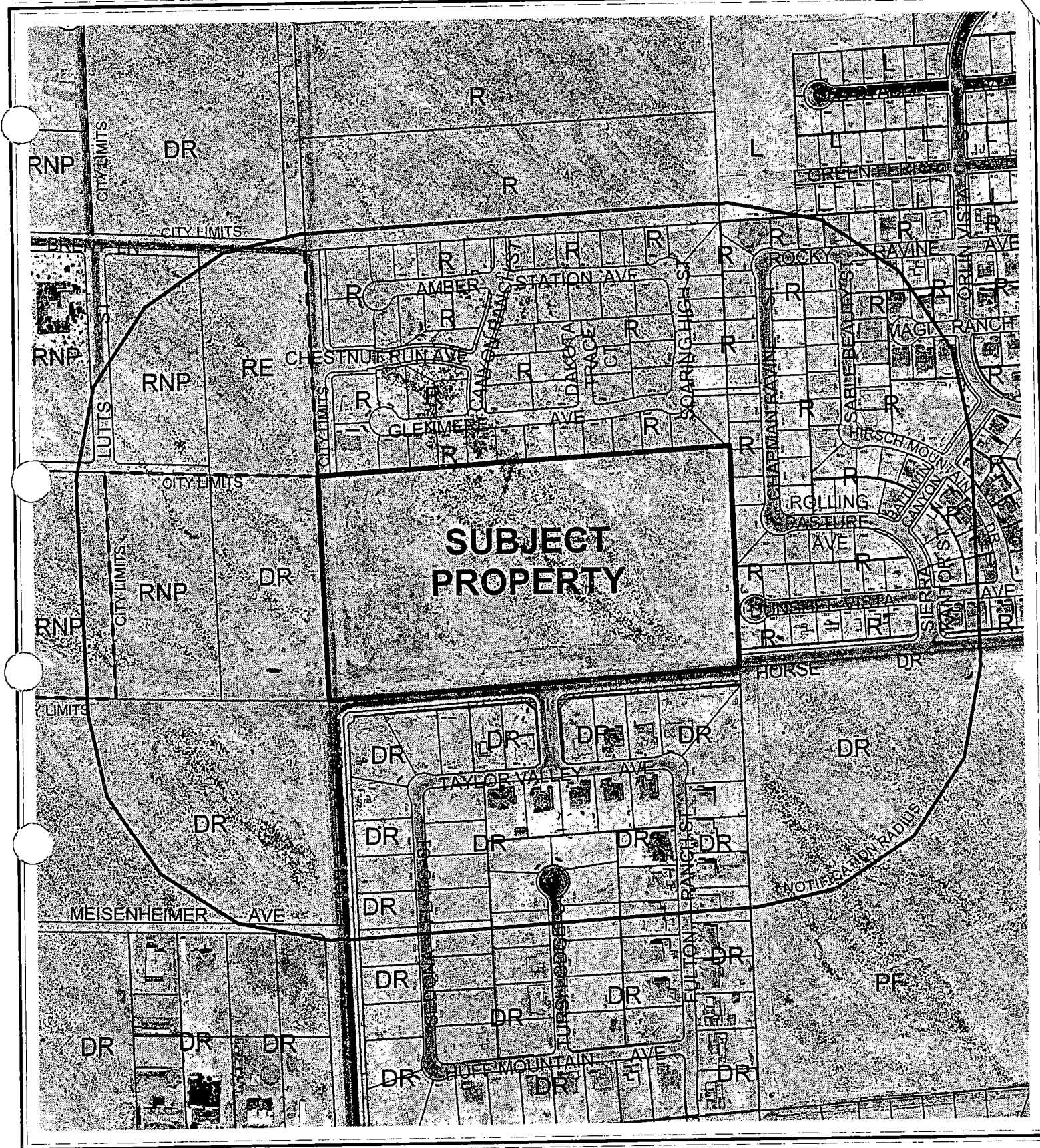
GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR(DESSERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

L(LOW DENSITY RESIDENTIAL)





0 200 400 Feet

CASE: GPA-4091

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR(DESSERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

L(LOW DENSITY RESIDENTIAL)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-4091 – APPLICANT/OWNER: UNIFIED CREDIT TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located at the northeast corner of Horse Drive and Jones Boulevard from DR (Desert Rural) to L (Low Density Residential). A companion rezoning application (ZON-4093), variance (VAR-4094), and site development plan review (SDR-4095) were filed with this proposed amendment.

JUSTIFICATION LETTER

The applicant has indicated that it is their belief that the area in question would easily lend itself to slightly more intense residential development. While surrounded by very low density residential the increase in the cost of land since the General plan was adopted plays a mitigating role in the desire for increased density.

BACKGROUND DATA:

- | | |
|----------|--|
| 08/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for R (Rural Density Residential) Residential land uses (if residential) with a maximum density of three dwelling units per acre. |
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. |
| 05/24/99 | The City Council approved the Centennial Hills Sector Map (GPA-0001-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map. |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan. |
| 02/19/03 | The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for DR (Desert Rural) land uses, with a maximum density of 2.49 dwelling units per acre). |

DETAILS OF APPLICATION REQUEST

Site Area: 20.35 Acres

EXISTING LAND USE

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

PLANNED LAND USE

Subject Property DR (Desert Rural)
North R (Rural)
South DR (Desert Rural)
East R (Rural)
West DR (Desert Rural)

EXISTING ZONING

Subject Property U (Undeveloped) [DR (Desert Rural) General Plan Designation]
North U (Undeveloped) DR (Desert Rural) ROI R-PD3 under Resolution of Intent to Residential Planned Development - 3 Units Per Acre)
South R-PD2 (Residential Planned Development – 2 Units Per Acre)
East R-PD3 (Residential Planned Development – 3 Units Per Acre)
West U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)

<i>SPECIAL DISTRICTS/ZONES</i>	<i>Yes</i>	<i>No</i>
<i>Special Area Plan</i>		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

DEFINITIONS

DR (Desert Rural Density Residential) (2.1 to 2.49 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2 dwelling units per gross acre.

The predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

Low Density Residential (L) (3.6 to 5.5 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments and planned community developments.

Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

ANALYSIS

The west property line of the subject parcel is along Jones Boulevard and the south property line follows Horse Drive, both 80-foot Secondary Collectors on the Master Plan of Streets and Highways. The site is surrounded on all four sides with planned residential. The planned subdivision to north and east are approved for development with a density of three dwelling units per acre. The development approved to the south and west is approved for a density of two dwelling units per acre.

The proposed L (Low Density Residential Density) land use is totally inconsistent with the neighborhood. Jones Boulevard and Horse Drive have, historically, been a boundary between Rural Density Residential and Desert Rural Density development. Rural densities are developing north and east of Jones Boulevard and Horse Drive. Desert Rural is west of Jones and south of Horse. The closest Low Density Residential in this neighborhood to the subject parcel is at the southwest corner of Decatur and Horse, a quarter mile to the east of the subject parcel. The proposed development would result in a spot zoning. The conditions of the neighborhood have not changed so this request is also not appropriate.

FINDINGS

Title 19.18.030.I 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 site is completely surrounded by lands designated in the City's Centennial Hills Sector Plan for Desert Rural and Rural land uses. The change in land use designation to L (Low Density Residential) will allow uses, densities and intensities incompatible with the surrounding planned development.

Approval of Low Density Residential on the subject site would represent a "spot zoning" designation that would be inappropriate in the context of surrounding long-term, very low-density rural land uses.

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

The proposed L (Low Density residential) land use designation would allow the R-1 (Single Family Residential), R-MH (Manufactured Home) and R-PD (Residential Planned Development) with a density up to 5.49 dwellings unit per acre) zoning districts. These zoning districts would not be compatible with the existing zoning districts of the neighborhood surrounding the subject site, which are U (DR), R-PD3, U (DR) under resolution of intent to R-PD2 (Residential Planned Development – 2 Units Per Acre) and R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning districts.

In terms of existing land uses, the zoning districts that would be allowed under an L (Low Density residential) land use designation would not be compatible with the very low-density, rural estate residential development that currently exists on sites adjacent to or nearby the subject site.

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

The subject site is located in an area of the city where all utilities and services are currently in place and available to this site.

The traffic capacity of Jones and Horse is consistent with the very low density residential development as planned for the immediate area. The potential traffic generated by proposed density on the subject site will exceed that capacity.

GPA-4091 - Staff Report Page Five
April 22, 2004 - Planning Commission Meeting

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 support the proposed land use amendment.

By introducing a density potential of up to 5.49 dwelling units per acre where the greatest nearby planned density is 3.49 is nearby the application is in fact in conflict with the city policy of preserving the rural areas of the city.

The proposal is in conflict with Program C.1.2 of the General Plan which calls for the use of very low density, equestrian oriented, residential land use designated districts such as the subject parcel's Rural designation as a protection and enhancement of the existing rural development and established life-style.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/23/04 The meeting was held at the Silverstone Golf Club. Fourteen residents were in attendance, with concerns regarding the square footage of the homes, density, setbacks, gated entry, if there will be a home owners association and ground breaking in about 18 months. There was unanimous opposition to lots smaller than a quarter acre.

NOTICES MAILED: 51 [Mailed with ZON-4093, VAR-4095 & SDR-4095]

APPROVALS: 0

PROTESTS: 7

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-4091** APN: 125-12-202-001

Name of Property Owner: UNIFIED CREDIT TRUST

Name of Applicant: UNIFIED CREDIT TRUST

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

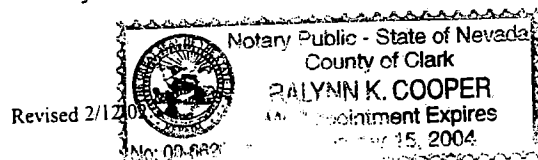
Signature of Property Owner/Authorized Agent _____

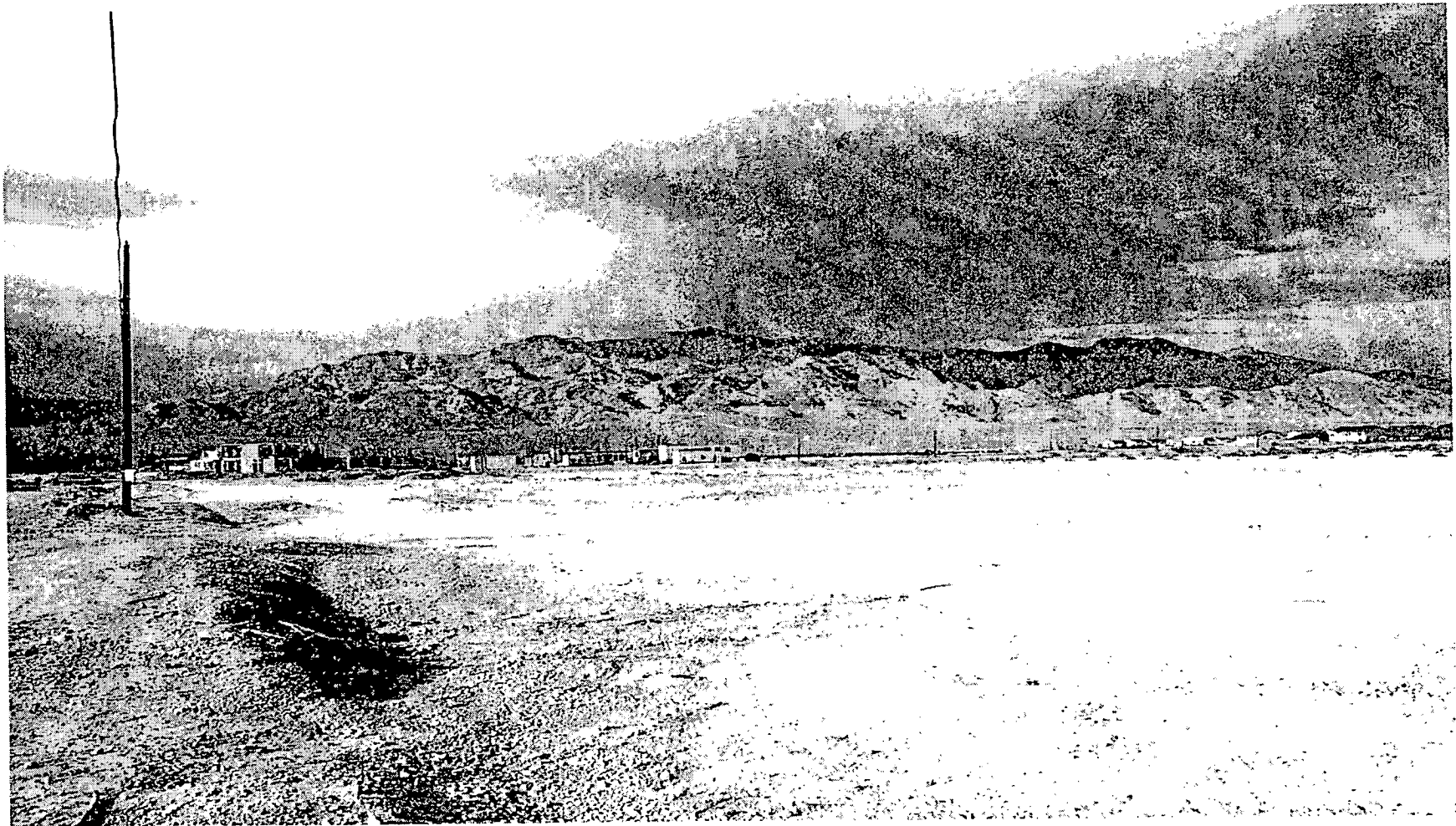
Print Name: SHARON MARCHIOLO

Subscribed and sworn before me

This 9th day of March, 2006

Notary Public in and for said County and State





GPA-4091 - APPLICANT/OWNER: UNIFIED CREDIT TRUST
NORTHEAST CORNER OF JONES BOULEVARD AND HORSE DRIVE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

Telephone Protest/ Approval Log

Meeting Date: 4-22-PC

Case Number: 20N-4093 ^{GPA-4091} ^{VAR-4094} ^{SAR-4095}

Date: 4-12-04
Name: ARTHUR VANDERHARDEN
Address: 8780 MAVERICK ST
Phone: 395-0213
☒ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: 4-12-04
Name: H.W.H. VANDERHARDEA
Address: 8775 LUTTS ST.
Phone: 658-5791
☒ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

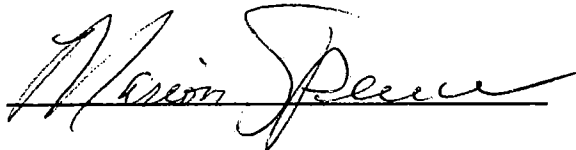
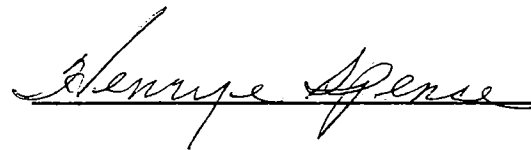
We are neighbors of the referenced property and object to the proposed changes to the General Plan, the Zoning and the Site Development Plan for the following reasons:

West of Jones - directly across from the referenced project - our neighborhood is designated Rural Preservation. The existing properties range from 1.1 acres net to nearly 10 acres net, including several working horse ranches. Even American Premier's La Cresenta, now under construction, (68 units - 40 acres -1.7 units per acre) is zoned for horses.

South of Horse the existing neighborhood is zoned RPD-2, east of the property the existing neighborhood is zoned RPD-3, as is the under construction neighborhood on the north side.

RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.



Address: 8301 Mustang St, Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
APR 19 PM 3:47
PLANNING DEPARTMENT

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
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Agenda items for April 22, 2004

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Please deny GPA-4091, ZON-4093 and SDR-4095.

James Marynow Linda Marynow
Address: 6280 Brent Lane, Las Vegas, NV 89131

cc: Councilman Michael Mack

APR 14 2004
14:31 PM
CITY OF LAS VEGAS

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
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N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

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Please deny GPA-4091, ZON-4093 and SDR-4095.

Erma L. Davis

Address: 8351 N. Mustang St., Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
APR 19 PM 3:46
GENERAL

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

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RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.

Melanie Alexander

[Signature]

Address: 8820 Maverick St., Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED

04 APR 19 PM 3:46

RECEIVED

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
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Agenda items for April 22, 2004

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Please deny GPA-4091, ZON-4093 and SDR-4095.

Jim Allen Jane Allen
Address: 6291 Meisenheimer Ave., Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
APR 19 PM 3:46
CITY OF LAS VEGAS

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ZON-4093 – APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Rezoning FROM: U (UNDEVELOPED) [D-R (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), Ward 6 (Mack).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

7

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 7 [MSH-3850], and HOLD IN ABEYANCE Item 20 [ZON-3884], Item 21 [SDR-3885], Item 32 [GPA-4072], to 5/13/2004 Planning Commission and Item 8 [GPA-3833], Item 9 [GPA-3933], Item 38 [GPA-4091], Item 39 [ZON-4093], Item 40 [VAR-4094], Item 41 [SDR-4095], Item 42 [GPA-4100], Item 43 [ZON-4101], Item 44 [SDR-4102] and Item 68 [VAC-4071] to 5/27/2004 Planning Commission – UNANIMOUS with GOYNES and McSWAIN excused

MINUTES:

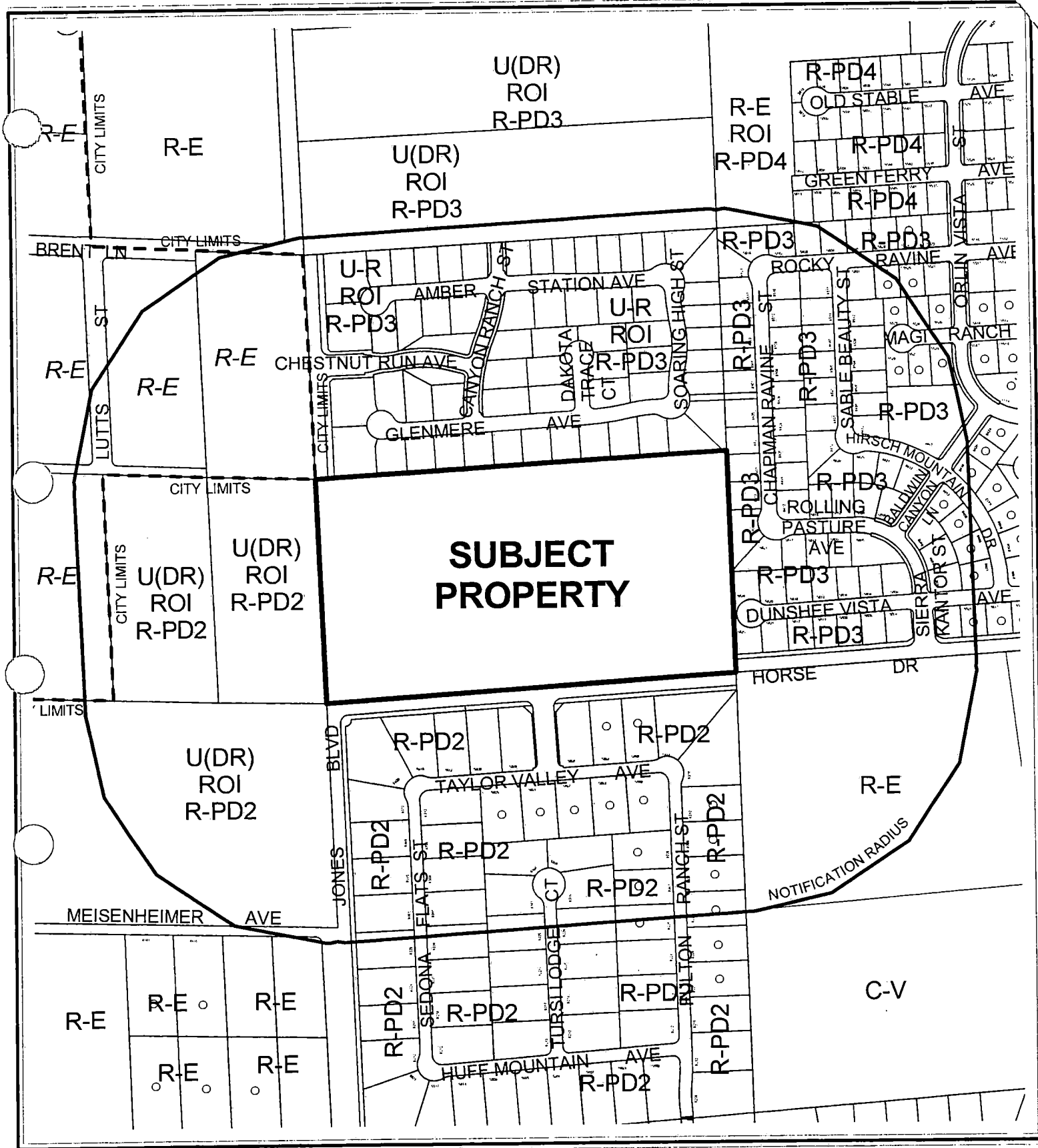
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:02 – 6:11)



CASE: ZON-4093

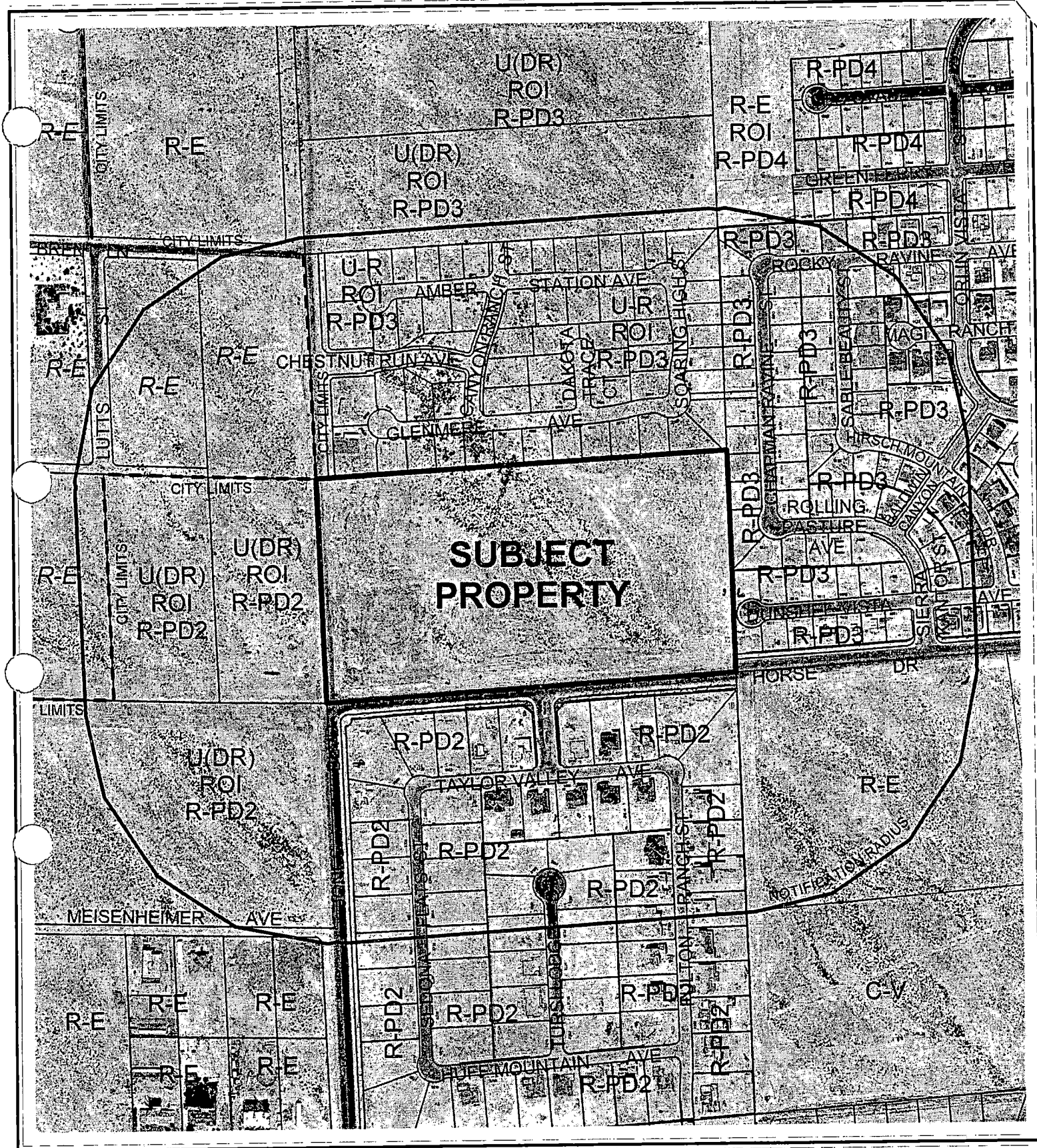
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)



CASE: ZON-4093

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-4093 – APPLICANT/OWNER: UNIFIED CREDIT TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

Public Works

2. Dedicate 40 feet of right-of-way adjacent to this site for Jones Boulevard, 40 feet for Horse Drive and a 54-foot radius on the northeast corner of Jones Boulevard and Horse Drive. Additional dedications in accordance with Standard Drawing #234.1 along Jones Boulevard shall also be provided unless otherwise allowed by the City Traffic Engineer.
3. Construct half-street improvements, including appropriate overpaving if legally able, on Jones Boulevard and Horse Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and west boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
4. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
5. 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, submittal of any construction drawings or the recordation of a Final Map for this site, 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 approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

ZON-4093 - Staff Report Page One
April 22, 2004 - Planning Commission Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning from U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] to R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone on 20.35 acres located adjacent to the northeast corner of Jones Boulevard and Horse Drive.

A companion General Plan Amendment application (GPA-4091), Variance (VAR-4094), and Site Development Plan Review (SDR-4095) were filed with this proposed amendment.

B) Applicant's Justification

The applicant has indicated that it is their belief that the area in question would easily lend itself to slightly more intense residential development. While surrounded by very low density residential the increase in the cost of land since the General plan was adopted plays a mitigating role in the desire for increased density.

BACKGROUND INFORMATION

A) Previous Actions

There are no background cases for the location in question.

B) Pre-Application Meeting

- 02/27/04 At the pre-application conference meeting the following was discussed:
- The lots along the north property line should match those planned in the subdivision to the north.
 - R-PD Open Space standards apply.
 - Trail on Jones not required.
 - Area for the streetscape to be shown as a common lot.
 - Landscaping in the common lot will be one 24-inch box tree spaced thirty feet on center.

ZON-4093 - Staff Report Page Two
April 22, 2004 - Planning Commission Meeting

C) Neighborhood Meetings

03/23/04 The required General Plan Amendment was held with 14 residents in attendance.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 20.35

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property DR (Desert Rural)
North R (Rural)
South DR (Desert Rural)
East R (Rural)
West DR (Desert Rural)

D) Existing Zoning

Subject Property U (Undeveloped) [DR (Desert Rural) General plan Designation]
North U (Undeveloped) [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development- 3 Units Per Acre)

South R-PD2 (Residential Planned Development – 2 Units Per Acre)
East R-PD3 (Residential Planned Development – 3 Units Per Acre)
West U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre)

E) General Plan Compliance

The site is located in the Centennial Hills Sector Plan area. The Centennial Hills Interlocal Land Use Plan designates this site as DR (Desert Rural). The density range for lands so designated is in the range of 0 to 2 units per acre. The Plan states that within such areas, "...the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities.

ZON-4093 - Staff Report Page Three
April 22, 2004 - Planning Commission Meeting

This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.” The proposed development is outside the density range allowed under this land use designation. The proposed zoning change to the R-PD5 (Residential Planned Development - 5 Units Per Acre) is not in conformance with the DR land use designation.

Special Districts/Zones	YES	NO
Special Area Plan		X
Special Overlay District		X
Study Area		X
Rural Preservation Neighborhood		X
DINA		X
Project of Regional Significance		X

B) General Analysis and Discussion

The site is surrounded on all four sides with planned residential. The planned subdivisions to north and east are approved for development with a density of three dwelling units per acre. The development approved to the south and west is approved for a density of two dwelling units per acre.

The proposed R-PD5 residential is totally inconsistent with the neighborhood. Jones and Horse are seen to be a boundary between Rural Density and Desert Rural development. Rural densities are also developing north and east of Jones Boulevard and Horse Drive. Desert Rural is west of Jones and south of Horse. The closest Low Density Residential in this neighborhood is at the southwest corner of Decatur and Horse, a quarter mile to the west of the subject parcel.

The proposed development would result in a spot zoning. The conditions of the neighborhood have not changed so this request is also not appropriate.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The site is completely surrounded by lands designated in the City's Centennial Hills Sector Plan for Desert Rural and Rural land uses. The change in land use designation L (Low Density Residential) will allow uses, densities and intensities incompatible with the surrounding planned development.

Approval of Low Density Residential on the subject site would represent a "spot zoning" designation that would be inappropriate in the context of surrounding long-term, very low-density rural land uses.

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 proposed L (Low Density residential) land use designation would allow the R-1 (Single family residential), R-MH (Manufactured Home) and R-PD (Residential Planned Development) with a density up to 5.49 dwellings unit per acre) zoning districts. The uses that are allowed in these zoning districts would not be compatible with the existing zoning districts in place in the neighborhood surrounding the subject site, which are U (Undeveloped) [DR (Desert Rural) General Plan Designation], R-PD3 (Residential Planned Development – 3 Units Per Acre), U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre) and R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning districts.

In terms of existing land uses, the zoning districts that would be allowed under an L (Low Density residential) land use designation would not be compatible with the very low-density, rural estate residential development that currently exists on sites adjacent to or nearby the subject site.

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

The proposed development would result in a spot zoning. The conditions of the neighborhood have not changed so this request is also not appropriate.

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."

ZON-4093 - Staff Report Page Five
April 22, 2004 - Planning Commission Meeting

The subject site is located in an area of the city where all utilities and services are currently in place and available to this site.

The traffic capacity of Jones and Horse is consistent with the development as planned (very low density residential) for the immediate area. The potential traffic generated proposed density on the subject site may exceed that capacity.

NOTICES MAILED 51 [Mailed with GPA-4091, VAR-4094 & SDR-4095]

APPROVALS 0

PROTESTS 7

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-4093** APN: 125-12-202-001

Name of Property Owner: UNIFIED CREDIT TRUST

Name of Applicant: UNIFIED CREDIT TRUST

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes

X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

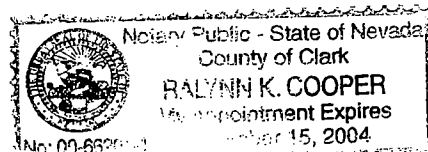
Signature of Property Owner/Authorized Agent: SITARON MARCHIGL

Print Name: _____

Subscribed and sworn before me

This 9th day of March, 2008

Notary Public in and for said County and State



TABULATION

APN 8 889-02-000-001
 EXISTING ZONING U
 PROPOSED ZONING RPD-0
 EXISTING LAND USE 20
 EXISTING LAND USE 20
 NUMBER OF LOTS 64
 ACREAGE 65.55 AC +/-
 AREA 6.36 +/-
 LOT SIZE
 MINIMUM LOT SIZE = 0.779 AC +/-
 MINIMUM LOT SIZE = 0.779 AC +/-

OWNERS

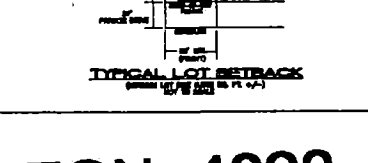
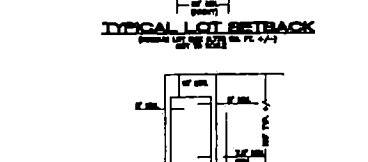
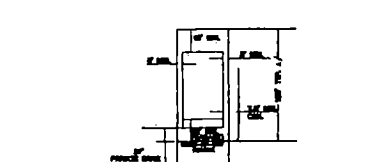
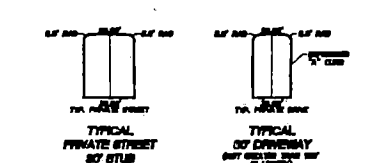
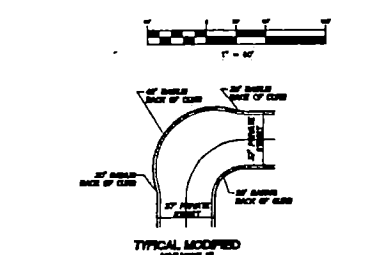
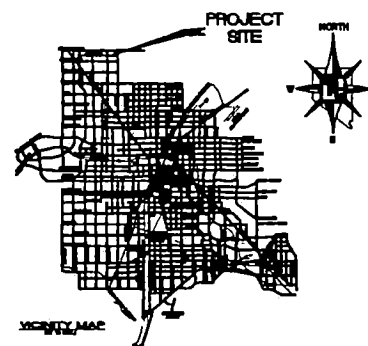
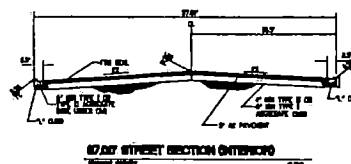
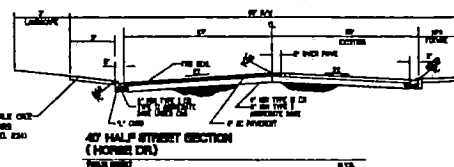
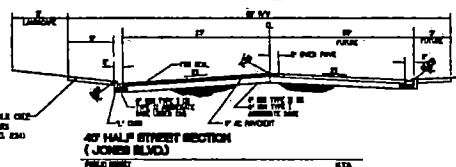
APN 125-12-000-001
 UNIFIED CREDIT TRUST
 JAMES H. HARRIS, JR.
 2000 S. ATCHAFALAYA, 20
 AUSTIN, TX 78746-0000
DEVELOPER
 APN 125-12-000-001
 UNIFIED CREDIT TRUST
 JAMES H. HARRIS, JR.
 2000 S. ATCHAFALAYA, 20
 AUSTIN, TX 78746-0000

OPEN SPACE TABULATION

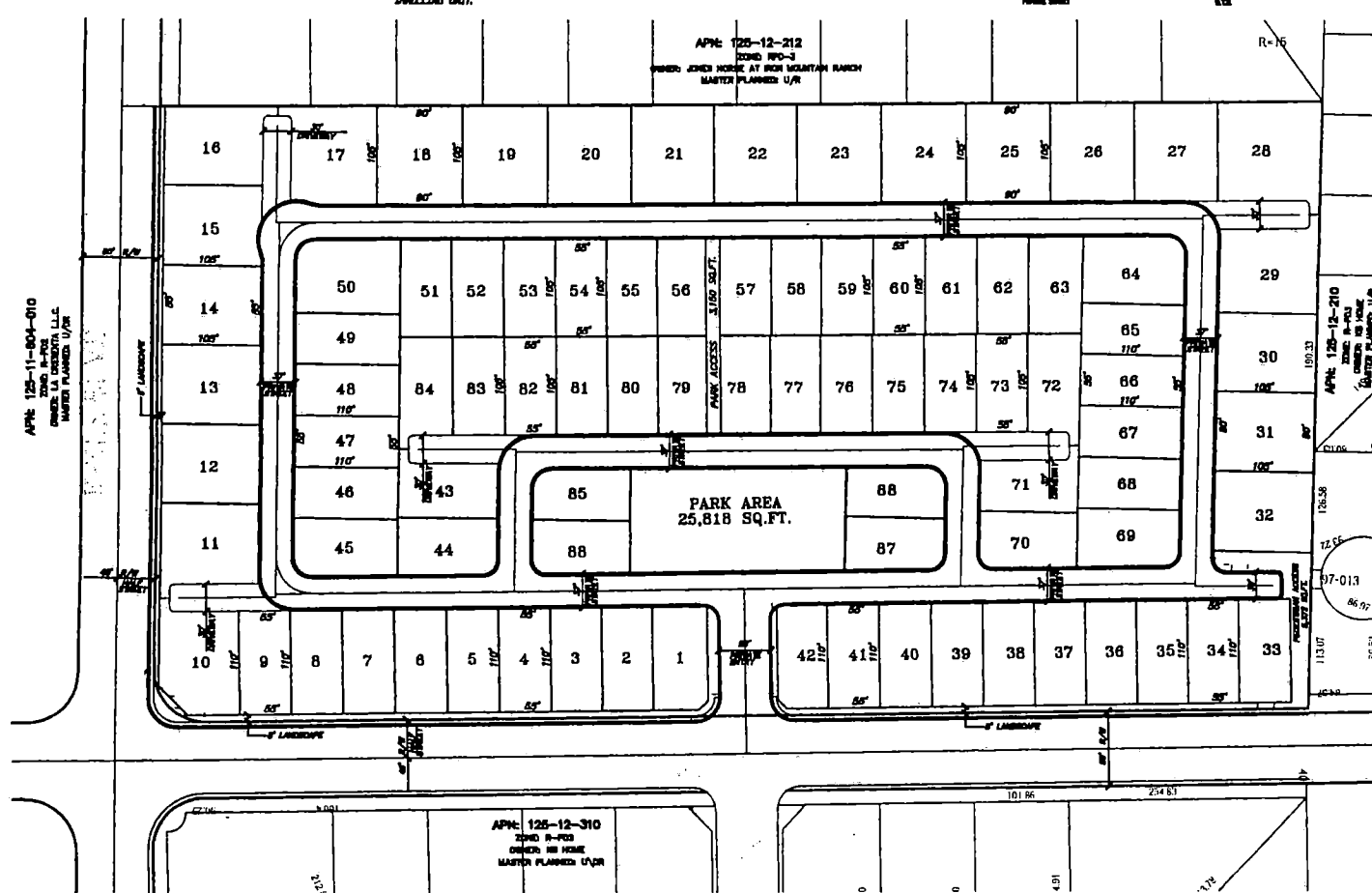
PARK AREA 25,818 SQ. FT.
 PARK ACCESS 3,150 SQ. FT.
 PERCEPTRIAL ACCESS 5,378 SQ. FT.
 TOTAL 34,346 SQ. FT.
 OPEN SPACE PROVIDED 34,346 SQ. FT. (52.7% AC. 35% OF REQUIRED)
 ACREAGE = AREA + ACREAGE = OPEN SPACE ACREAGE
 OPEN SPACE REQUIRED 65.563 AC. (0.70 AC.)
 0.651 = 4.32 + 0.033 = 4.35 ACREAGE

GENERAL NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 37' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.
5. THE PARKING ANALYSIS REQUIREMENTS ARE MET BY TWO CAR GARAGES, AVAILABLE PARKING IN THE DRIVEWAYS AND ON 37' FOOT STREETS, MEETING THE STANDARDS OF TWO PARKING SPACES PER DWELLING UNIT.



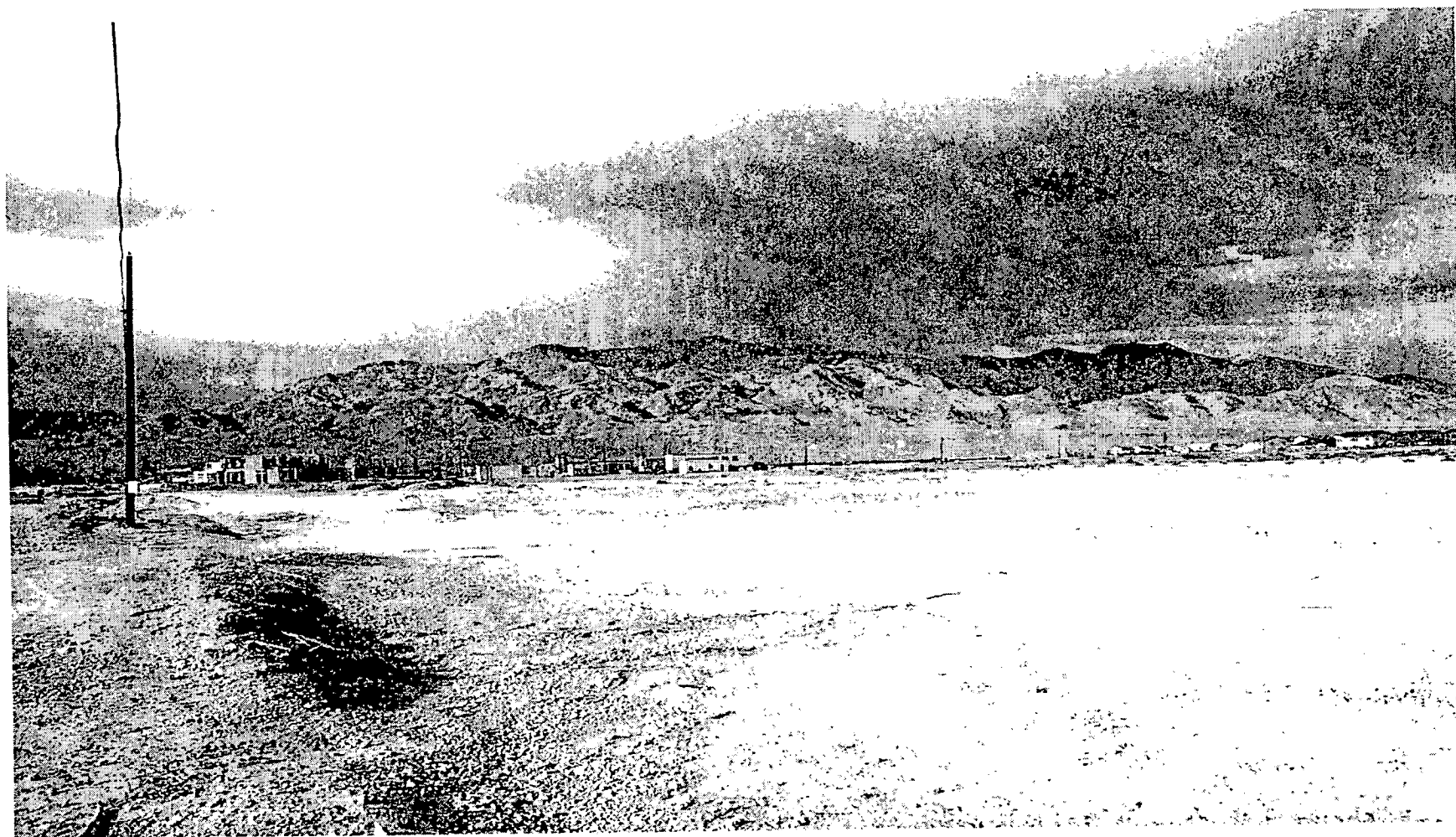
APN 125-11-804-010
 ZONING RPD-0
 EXISTING LAND USE 20
 MASTER PLANNED U/P



APN 125-12-310
 ZONING RPD-0
 EXISTING LAND USE 20
 MASTER PLANNED U/P

UNIFIED CREDIT TRUST		APN 125-12-000-001	
2000 S. ATCHAFALAYA, 20		AUSTIN, TX 78746-0000	
JAMES H. HARRIS, JR.		DEVELOPER	
CITY OF LAS VEGAS		PROJECT NO. 000004	
SITE PLAN		ACCOMPANY ZC/SDPR	
JONES/HORNE		FILE	
CITY OF LAS VEGAS		PROJECT NO. 000004	
1" = 1'		SCALE	

ZON-4093
4-22-04 PC



ZON-4093 - APPLICANT/OWNER: UNIFIED CREDIT TRUST
NORTHEAST CORNER OF JONES BOULEVARD AND HORSE DRIVE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

Telephone Protest/ Approval Log

Meeting Date: 4-22-PC

Case Number: ZON-4093 ^{GPA-4091} ^{VAR-4094} ^{SDR-4095}

Date: 4-12-04
Name: ARTHUR VANDERHARDEN
Address: 8780 MAVERICK ST
Phone: 395-0213
☒ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: 4-12-04
Name: H.W.H. VANDERHARDEN
Address: 8775 LUTTS ST.
Phone: 658-5791
☒ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

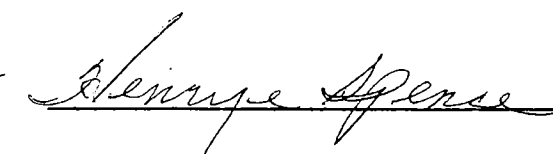
We are neighbors of the referenced property and object to the proposed changes to the General Plan, the Zoning and the Site Development Plan for the following reasons:

West of Jones - directly across from the referenced project - our neighborhood is designated Rural Preservation. The existing properties range from 1.1 acres net to nearly 10 acres net, including several working horse ranches. Even American Premier's La Cresenta, now under construction, (68 units - 40 acres -1.7 units per acre) is zoned for horses.

South of Horse the existing neighborhood is zoned RPD-2, east of the property the existing neighborhood is zoned RPD-3, as is the under construction neighborhood on the north side.

RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.



Address: 8301 Mustang St, Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
APR 19 PM 3:47
CITY OF LAS VEGAS

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

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Please deny GPA-4091, ZON-4093 and SDR-4095.

James Margrow

Linda Margrow

Address: 6280 Brent Lane, Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
APR 19 PM 3:47
CITY OF LAS VEGAS

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

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Please deny GPA-4091, ZON-4093 and SDR-4095.

Erma L. Davis
Address: 8351 N. Mustang St., Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
APR 19 PM 3:46
CITY OF LAS VEGAS

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

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Please deny GPA-4091, ZON-4093 and SDR-4095.

Melanie Alexander [Signature]

Address: 8820 Maverick St., Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED

04 APR 19 PM 3:46

03/18/04

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

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Please deny GPA-4091, ZON-4093 and SDR-4095.

Jim Allen Jane Allen

Address: 6291 Meisenheimer Ave., Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
APR 19 PM 3:46
CITY OF LAS VEGAS

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-4094 - APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Variance TO ALLOW 34,340 SQUARE FEET OF OPEN SPACE WHERE 63,363 SQUARE FEET IS REQUIRED FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 7 [MSH-3850], and HOLD IN ABEYANCE Item 20 [ZON-3884], Item 21 [SDR-3885], Item 32 [GPA-4072], to 5/13/2004 Planning Commission and Item 8 [GPA-3833], Item 9 [GPA-3933], Item 38 [GPA-4091], Item 39 [ZON-4093], Item 40 [VAR-4094], Item 41 [SDR-4095], Item 42 [GPA-4100], Item 43 [ZON-4101], Item 44 [SDR-4102] and Item 68 [VAC-4071] to 5/27/2004 Planning Commission – UNANIMOUS with GOYNES and McSWAIN excused

MINUTES:

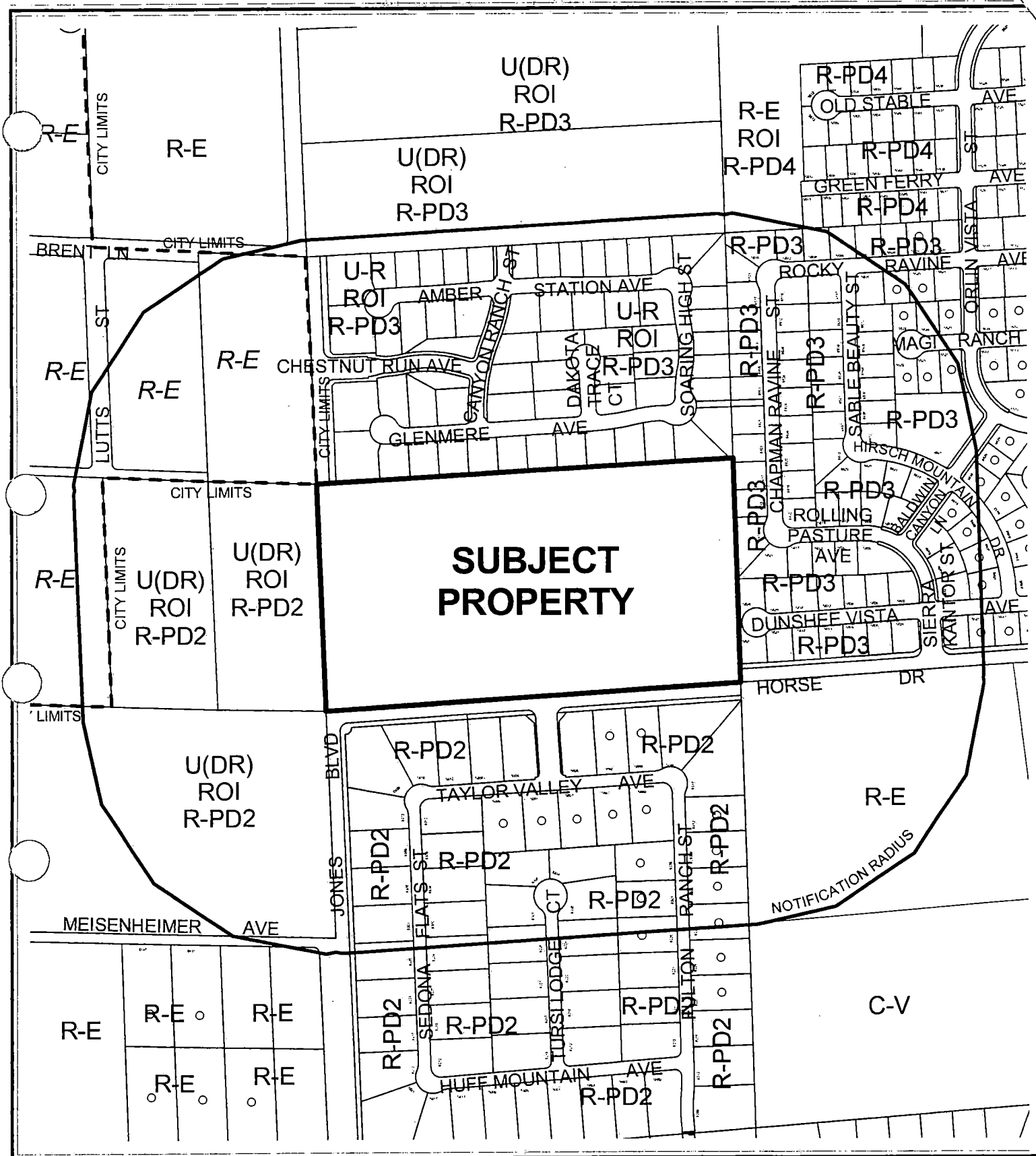
CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:02 – 6:11)



CASE: VAR-4094

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-4094 - APPLICANT/OWNER: UNIFIED CREDIT TRUST

** CONDITIONS **

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-4093) and Site Development Plan Review (SDR-4095).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$116,092 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a Variance to allow 34,340 square feet of open space where 65,363 square feet of open space is required for a 20.35 acre single family detached development adjacent to the northeast corner of Jones Boulevard and Horse Drive.

A companion general plan amendment application (GPA-4091), rezoning (ZON-4093), and site development plan review (SDR-4095) were filed with this proposed variance.

B) Applicant's Justification

It is the position of the applicant that providing larger lots for each of the homeowners is preferable to providing increased usable open space.

BACKGROUND INFORMATION

A) Previous Actions

There are no background cases for the location in question.

B) Pre-Application Meeting

02/27/04 At the pre-application conference meeting the following was discussed:

- The lots along the north property line should match those planned in the subdivision to the north.
- R-PD Open Space standards apply.
- Trail on Jones not required.
- Area for the streetscape to be shown as a common lot.
- Landscaping in the common lot will be one 24-inch box tree spaced thirty feet on center.

C) Neighborhood Meetings

03/23/04 A neighborhood meeting was held for the companion General Plan Amendment application. Fourteen residents attended the meeting.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 20.35 Acres

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property DR (Desert Rural)
North R (Rural)
South DR (Desert Rural)
East R (Rural)
West DR (Desert Rural)

D) Existing Zoning

Subject Property U (Undeveloped) [DR (Desert Rural) General Plan Designation]
North U (Undeveloped) [R (Rural) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre)
South R-PD2 (Residential Planned Development - 2 Units Per Acre)
East R-PD3 (Residential Planned Development - 3 Units Per Acre)
West U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre)

E) General Plan Compliance

The site is located on the Centennial Hills Sector Plan area. The Centennial Hills Interlocal Land Use Plan designates this site as DR (Desert Rural). The density range for lands so designated is in the range of 0 to 2 units per acre. The Plan states that within such areas, "...the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals." The proposed development is outside the density range allowed under this land use designation. The proposed zoning change to the R-PD5 (Residential Planned Development - 5 Units Per Acre) is not in conformance with the DR land use designation.

VAR-4094 - Staff Report Page Three
April 22, 2004 - Planning Commission Meeting

Special Districts/Zones	YES	NO
Special Area Plan		X
Special Overlay District		X
Study Area		X
Rural Preservation Neighborhood		X
DINA		X
Project of Regional Significance		X

A) Zoning Code Compliance

A1) Landscape and Open Space Standards: R-PD

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
20.35 acres	4.32 DUA	1.65	7.37 %	65,363 SF	3.87	34,340 SF

This application requests relief from this standard. The subject deviation is 31,023 square feet.

B) General Analysis and Discussion

The proposed development does not meet the open space requirement and includes a few areas that together do not qualify as open space. A total of three common lots for open space are shown. The applicant proposes a central park area located just inside of the subdivision. The park is connected to the interior street of the subdivision by a trail corridor. There is a pedestrian access shown that will be at the southeastern corner of the subdivision. The access will connect the interior of the subdivision to Horse Drive. The total area of 34,340 square feet (.79 acres) does not meet the required 65,363 square feet (1.5 acres) required by the Code.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

KCW

VAR-4094 - Staff Report Page Four
April 22, 2004 - 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 19.18.070L 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.”

No evidence of a unique or extraordinary circumstance has been presented. The applicant has created a self-imposed hardship by proposing too many lots within the subdivision. An alternative subdivision design that has fewer lots would allow conformance to the Title 19 requirements for open space.

In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 51 [Mailed with ZON-4093, GPA-4091 & SDR-4095]

APPROVALS 0

PROTESTS 2



STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-4094** APN: 125-12-202-001

Name of Property Owner: UNIFIED CREDIT TRUST

Name of Applicant: UNIFIED CREDIT TRUST

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent _____

Print Name: SHARON Marchiol

Subscribed and sworn before me

This 9th day of March, 2004

Notary Public in and for said County and State



APN # _____ 283-12-000-001
EXISTING ZONING _____ U
PROPOSED ZONING _____ APN-0
EXISTING LAND USE _____ 30
EXISTING LAND USE _____ L
NUMBER OF LOTS _____ 00
ACRES _____ 20.33 AC +/-
BLA _____ 4.92 +/-
LOT SIZE

DEVELOPER
APR 125-12-088-001
UNITED CREDIT TRUST
SHAWN MARCEL TRUST
3002 S. ATTENISON WAY, 63
ALBANY, CO 80604-0003

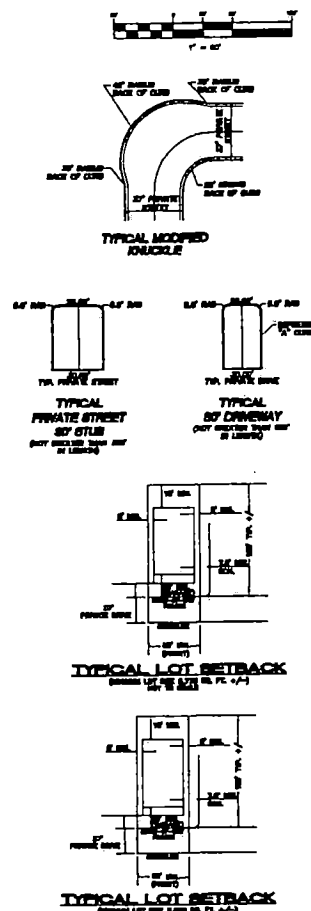
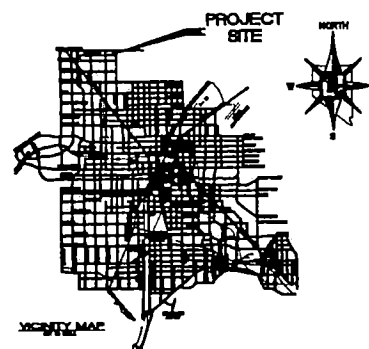
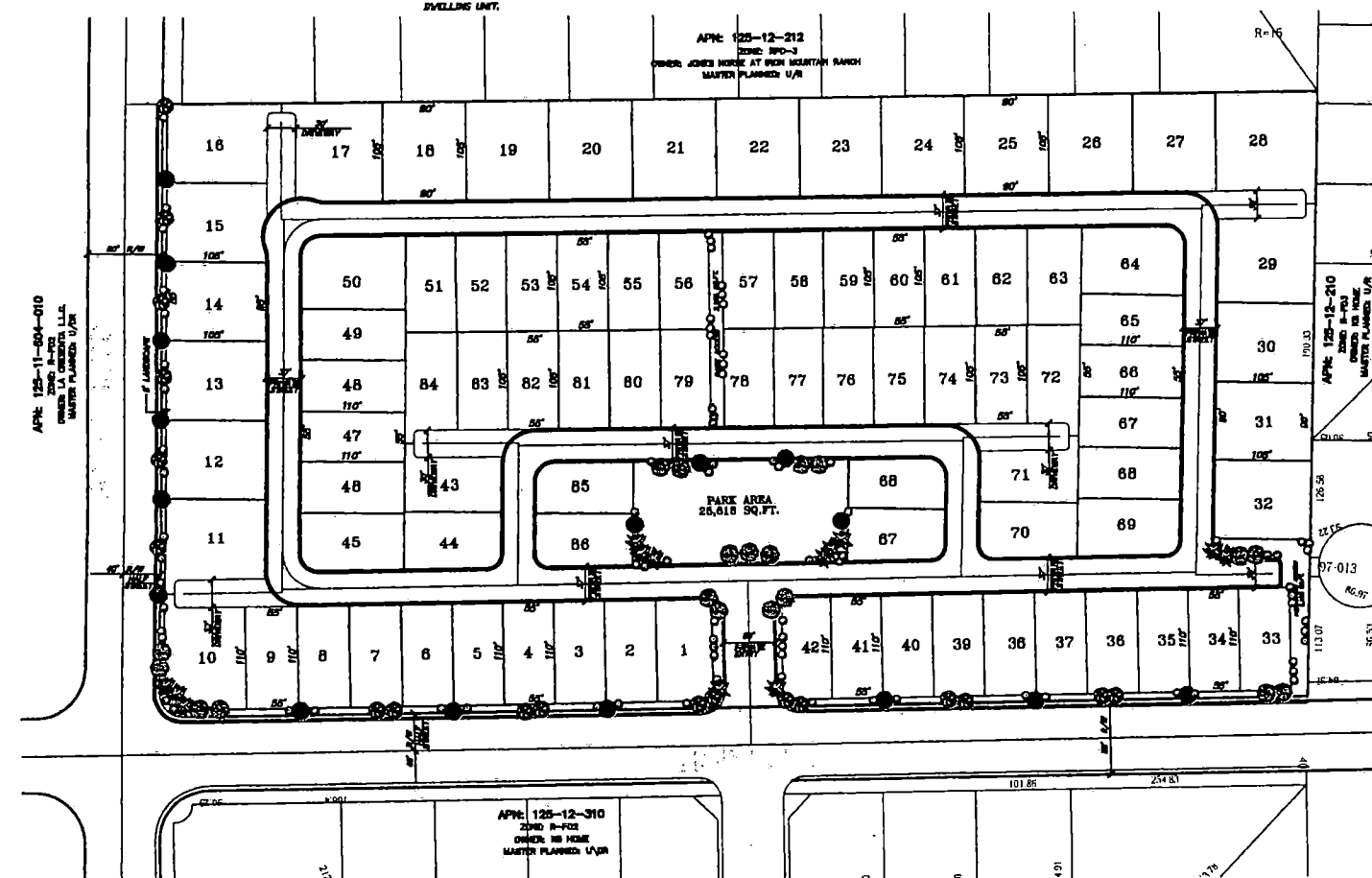
SYMBOL	BOTANICAL COMMON NAME	SIZE	QTY.
	OVERLUM CYPRESSUS OVERLUM	24" BOX	20
	FRONTIER GAMBELIA "MAYNARD" SHOULDER ROOM HONEY SCOUTS	16 GALLON	20
	SHEDD GAMBELIA "MAYNARD" MAYNARD LINE ONE	16 GALLON	20
	ROSE ELABOR MAYNARD	16" BOX	20

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 37' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREIN IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.
5. THE PARKING ANALYSIS REQUIREMENTS ARE MET BY TWO CAR GARAGES. AVAILABLE PARKING ON THE DRIVEWAY AND ON 37 FOOT STREETS, MEETING THE STANDARDS OF TWO PARKING SPACES PER DWELLING UNIT.

[illegible]

NOTE: SHIELDS SHALL COVER A MINIMUM OF 50% OF U.G. AREA AT MATURITY

5. THE SPREAD OF THIS 10" IS THE BALL, AND EXCEEDS IN THE EXTENT (UNDESIRABLE PLAYS)
6. OTHERS COULD BE SHOWN AND SUCH, BEING A GROUP OF FOUR GAMES, OF THE GAMES
7. OTHERS COULD BE SHOWN AND SUCH, BEING A GROUP OF FOUR GAMES, OF THE GAMES
8. OTHERS COULD BE SHOWN AND SUCH, BEING A GROUP OF FOUR GAMES, OF THE GAMES



UNIFIED CREDIT TRUST
1982 S. ARLINGTON WAY, RD.

LANDSCAPE PLAN
 ACCOMPANY ZC/BDPR

TETRA TECH, INC.

JONES/HORSE
CITY OF LAS VEGA

009109-0004

1

VAR-4094
4-22-04 PC

TABULATION

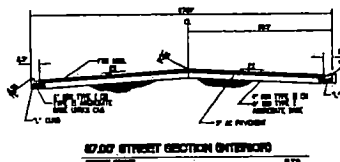
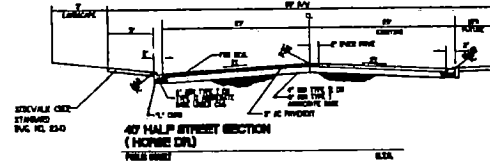
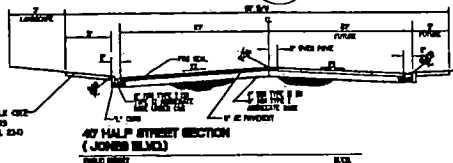
APN 8 125-12-000-01
 EXISTING ZONING U
 PROPOSED ZONING RPD-1
 EXISTING LAND USE RES
 EXISTING LAND USE L
 NUMBER OF LOTS 64
 ACREAGE 6.53 AC +/-
 AREA 4.38 AC +/-
 LOT SIZE
 MINIMUM LOT SIZE = 0.775 AC +/-
 MINIMUM LOT SIZE = 0.688 AC +/-

OWNERS

APN 125-12-000-01
 UNITED CREDIT TRUST
 DAREN RANCKEL TRUST
 SIDE 2, ATCHISON WAY, 60
 ALBUQUERQUE, NM 87102-1000

DEVELOPER

APN 125-12-000-01
 UNITED CREDIT TRUST
 DAREN RANCKEL TRUST
 SIDE 2, ATCHISON WAY, 60
 ALBUQUERQUE, NM 87102-1000



GENERAL NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 30' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREIN IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSURED.
5. THE PARCELS ANALYSIS REQUIREMENTS ARE MET BY TWO CAR GARAGES AVAILABLE PARCELS IN THE INDIVIDUALS AND ON 37 FOOT STREETS MEETING THE STANDARDS OF TWO PARCELS SPACES PER DWELLING UNIT.

OPEN SPACE TABULATION

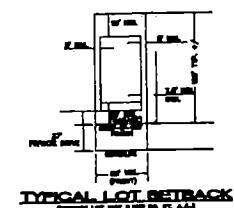
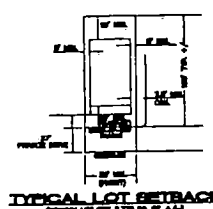
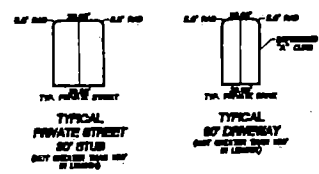
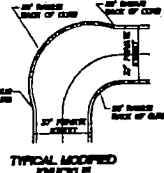
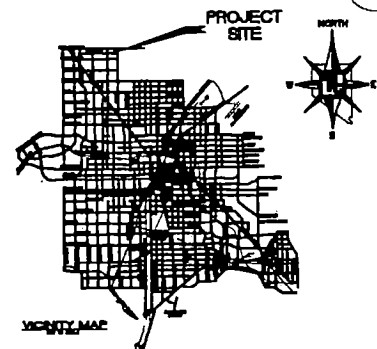
PARK AREA 25,818 SQ. FT.
 PARK ACCESS 3,150 SQ. FT.
 PEDESTRIAN ACCESS 3,378 SQ. FT.
 TOTAL 34,346 SQ. FT.
 OPEN SPACE PROVIDED 34,346 SQ. FT. (67% AC. OF REQUIRED)
 AREA = 6.53 AC. ACREAGE = OPEN SPACE ACREAGE
 OPEN SPACE REQUIRED 63,363 SQ. FT. (1.25 AC.)
 LENS = 4.38 AC. 24.35 AC. 1.45 AC.

APN 125-12-212
 ZONED RPD-1
 OWNER: JONES/HORNE AT HIGH MOUNTAIN RANCH
 MASTER PLANNED U/R

APN 125-12-004-010
 ZONED RPD-1
 OWNER: LA CROIXA L.L.C.
 MASTER PLANNED U/R

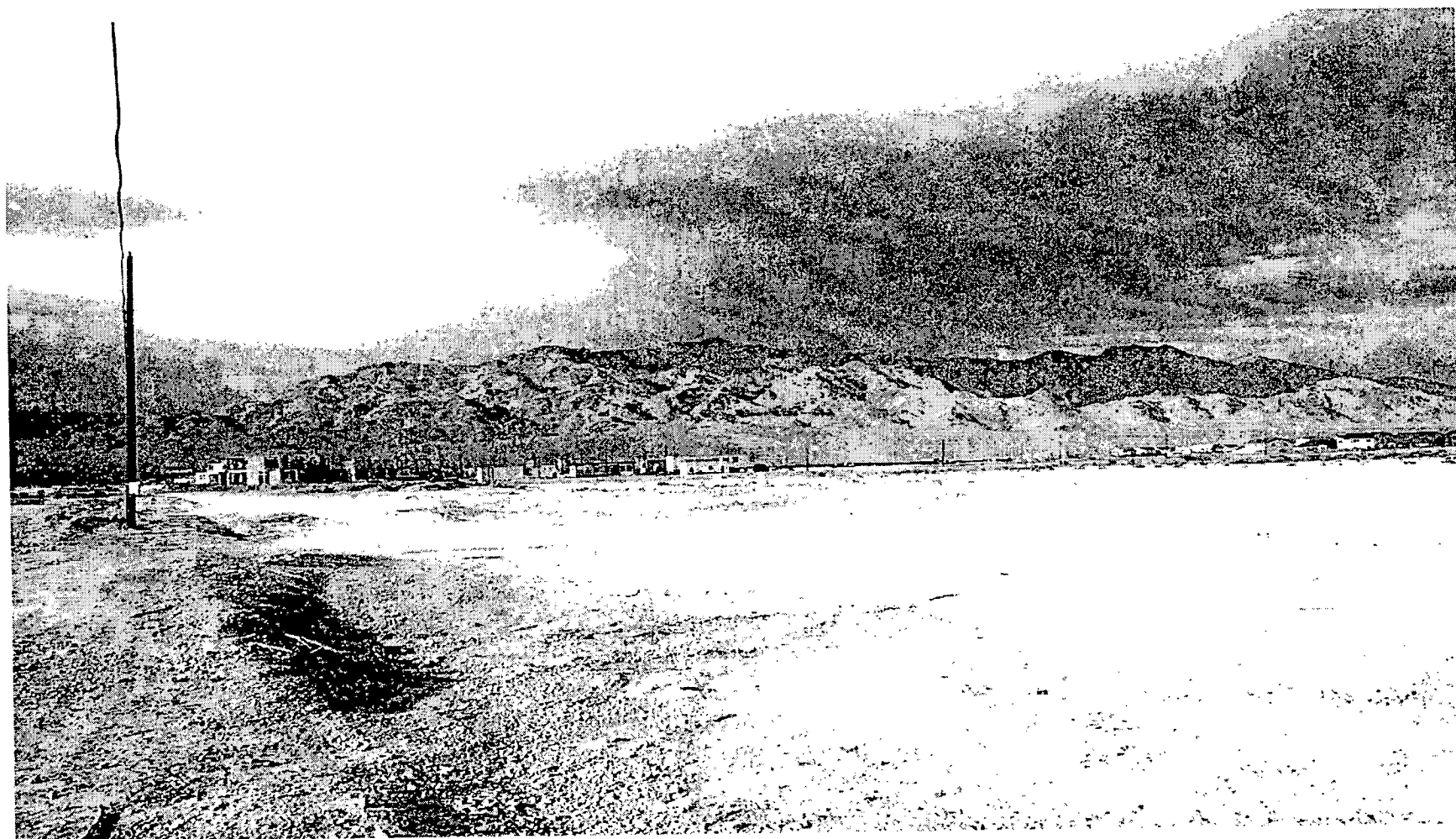
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 ZONED RPD-1
 OWNER: JONES/HORNE AT HIGH MOUNTAIN RANCH
 MASTER PLANNED U/R

APN 125-12-310
 ZONED RPD-1
 OWNER: JONES/HORNE
 MASTER PLANNED U/R



UNIFIED CREDIT TRUST		JONES/HORNE	
APN 125-12-000-01		CITY OF LAS VEGAS	
SITE PLAN		PROJECT NO. 00000-0004	
ACCOMPANY ZC/SDPR		DATE: 04/22/04	
JONES/HORNE		PROJECT NO. 00000-0004	
CITY OF LAS VEGAS		DATE: 04/22/04	

VAR-4094
 4-22-04 PC



VAR-4094 - APPLICANT/OWNER: UNIFIED CREDIT TRUST
NORTHEAST CORNER OF JONES BOULEVARD AND HORSE DRIVE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

Telephone Protest/ Approval Log

Meeting Date: 4-22-PC

Case Number: 20N-4093 ^{6PA-4091} ^{VAR-4094} ^{SDR-4095}

Date: 4-12-04
Name: ARTHUR VANDERHARDEN
Address: 8780 MAVERICK ST
Phone: 395-0213
☒ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: 4-12-04
Name: H.W.H. VANDERHARDEN
Address: 8775 LUTTS ST.
Phone: 658-5791
☒ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-4095 – APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Site Development Plan Review FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND FOR A WAIVER OF PERIMETER LANDSCAPING REQUIREMENTS on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN: 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

7

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – Motion to bring forward and TABLE Item 7 [MSH-3850], and HOLD IN ABEYANCE Item 20 [ZON-3884], Item 21 [SDR-3885], Item 32 [GPA-4072], to 5/13/2004 Planning Commission and Item 8 [GPA-3833], Item 9 [GPA-3933], Item 38 [GPA-4091], Item 39 [ZON-4093], Item 40 [VAR-4094], Item 41 [SDR-4095], Item 42 [GPA-4100], Item 43 [ZON-4101], Item 44 [SDR-4102] and Item 68 [VAC-4071] to 5/27/2004 Planning Commission – UNANIMOUS with GOYNES and McSWAIN excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 41 – SDR-4095

MINUTES – Continued:

No one appeared in opposition.

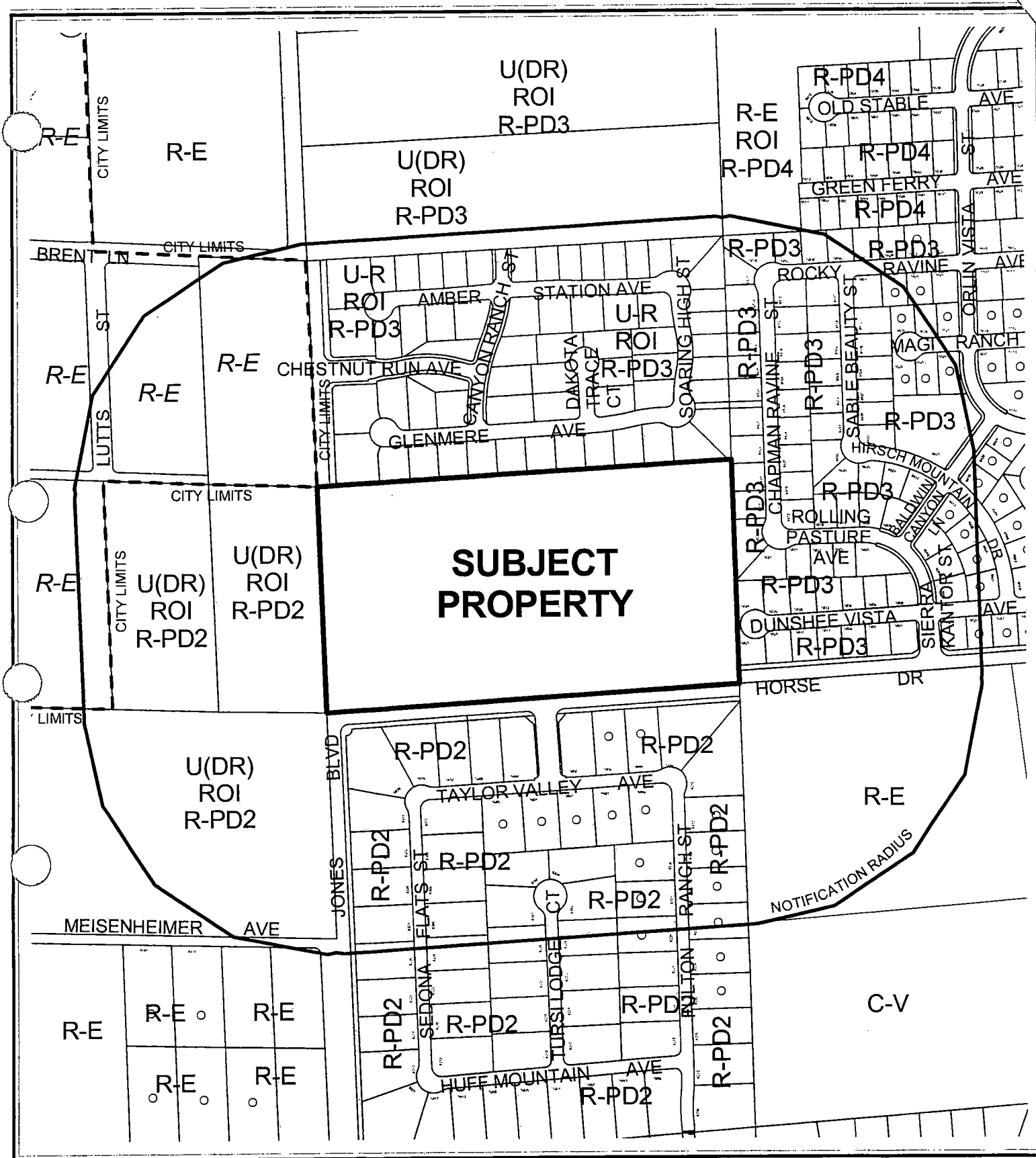
CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:02 – 6:11)

1-80

C

C



CASE: SDR-4095

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4095 – APPLICANT/OWNER: UNIFIED CREDIT TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. A Rezoning (ZON-1025) to an R-PD2 (Residential Planned Development - 2 Units Per Acre) Zoning District approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. Maximum building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 5 feet on the side, 7.5 feet on the corner side, and 15 feet in the rear.
7. The landscaping plan shall be amended to show conformance to Code Standards.
8. Landscaping and a permanent underground sprinkler system for common open space areas shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. All City Code requirements and design standards of all City departments must be satisfied.

SDR-4095 - Conditions Page Two
April 22, 2004 - Planning Commission Meeting

Public Works

13. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping 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. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4093 and all other subsequent site-related actions.
17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review 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 submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard knuckles, including private street/private drive intersections are proposed within this subdivision.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review and a waiver of perimeter landscaping requirements for an 88 lot residential subdivision on 20.35 acres located adjacent to the northeast corner of Jones Boulevard and Horse Drive.

A General Plan Amendment (GPA-4091) and a Rezoning (ZON-4093) application were submitted as companion items.

B) Applicant's Justification

According to the applicant, growth within the City of Las Vegas confines is developing at a rapid pace. They believe that the area in question would easily lend itself to slightly more intense residential development. While surrounded by very low density single family residential development, the increase in the cost of land since the General Plan was adopted plays a mitigating role in the desire for increased density.

The minimum lot size is 5,775 square feet; the largest will be 8,500 square feet. 34,340 square feet of open space, instead of the required 65,363 square feet, is proposed. A companion Variance (VAR-4094) has been filed to address the difference in open space.

BACKGROUND INFORMATION

A) Previous Actions

There are no background cases for the location in question.

B) Pre-Application Meeting

- 02/27/04 At the pre-application conference meeting the following was discussed:
- The lots along the north property line should match those planned in the subdivision to the north.
 - R-PD Open Space standards apply.
 - Trail on Jones not required.
 - Area for the streetscape to be shown as a common lot.
 - Landscaping in the common lot will be one 24-inch box tree spaced thirty feet on center.

SDR-4095 - Staff Report Page Two
April 22, 2004 - Planning Commission Meeting

C) *Neighborhood Meetings*

03/23/04 The required General Plan Amendment meeting was held with 14 residents in attendance.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 20.35

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East Undeveloped
West: Undeveloped

C) *Planned Land Use*

Subject Property DR (Desert Rural)
North R (Rural)
South DR (Desert Rural)
East R (Rural)
West DR (Desert Rural)

D) *Existing Zoning*

Subject Property U (Undeveloped) [DR (Desert Rural) General Plan Designation]
North U (Undeveloped) [DR (Desert Rural) General Plan Designation] under
Resolution of Intent R-PD3 (Residential Planned Development – 3 Units
Per Acre)
South R-PD2 (Residential Planned Development – 2 Units Per Acre)
East R-PD3 (Residential Planned Development – 3 Units Per Acre)
West U (Undeveloped) [DR (Desert Rural) General Plan Designation] under
Resolution of Intent R-PD2 (Residential Planned Development – 2 Units
Per Acre)

E) *General Plan Compliance*

The site is located on the Centennial Hills Sector Plan area. The Centennial Hills Interlocal Land Use Plan designates this site as DR (Desert Rural). The density range for lands so designated is in the range of 0 to 2 units per acre. The Plan states that within such areas, "...the predominant

SDR-4095 - Staff Report Page Three
April 22, 2004 - Planning Commission Meeting

residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.” The proposed development is outside the density range allowed under this land use designation. The proposed zoning change to the R-PD5 (Residential Planned Development - 5 Units Per Acre) is not in conformance with the DR (Desert Rural) land use designation.

Special Districts/Zones	YES	NO
Special Area Plan		X
Special Overlay District		X
Study Area		X
Rural Preservation Neighborhood		X
DINA		X
Project of Regional Significance		X

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review and a waiver of perimeter landscaping requirements for an 88 lot residential subdivision 20.35 acres located adjacent to the northeast corner of Jones Boulevard and Horse Drive. The west property line of the subject parcel is Jones Boulevard and the south property line follows Horse Drive, both 80-foot Secondary Collectors on the Master Plan of Streets and Highways. Access to subdivision will be from Horse via a private entry. A park area, that comprises approximately 2/3rds of the provided open space, is located just inside of the subdivision. A trail is planned that will allow pedestrian access to the park from the northern most street in the subdivision.

ANALYSIS

Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

SDR-4095 - Staff Report Page Four
April 22, 2004 - Planning Commission Meeting

Standards	Proposed	Compliance
Min. Lot Size	5,775 Sq. Feet	Y
Min. Lot Width	55 Feet	Y
Min. Setbacks		
• Front	20 Feet	Y
• Side	5 Feet	Y
• Corner	7.5 Feet	Y
• Rear	15 Feet	Y
Max. Lot Coverage	60 %	Y
Max. Building Height	2 Stories / 35 Feet	Y

The proposal meets the requirements for an R-PD (Residential Planned Development) development.

A2) Residential Adjacency Standards

The Residential Adjacency Standards Pursuant to Title 19.08 do not apply to the subject proposal.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
SFD	N/A	2 per Unit	2	N/A	2	N/A

The proposal meets the requirements of Title 19.10 for parking.

A4) Landscape Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	N/A	N/A	N/A
Buffer:		1,880/30=	39
• Min. Trees	1 Trees/ 30 Linear Feet	63 Trees	
• Min. Zone Width	6 Feet		5 feet
• Wall height	6 Feet		Not Shown

SDR-4095 - Staff Report Page Five
April 22, 2004 - Planning Commission Meeting

The proposal does not meet the landscaping requirements of the Urban Design Guidelines and Standards. A waiver of the perimeter landscaping standards has been requested by the applicant and is a part of this application.

A5) Open Space Standards:

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
20.35 acres	4.32 DUA	1.65	7.37 %	65,363 SF	3.87	34,340 SF

The proposal has requested relief from this standard. The subject deviation is 31,023 square feet. A companion variance (VAR-4094) has been submitted to address the applicant's proposal.

B) General Analysis and Discussion

• Zoning

The proposed L (Low Density residential) land use designation would allow the R-1 (Single family residential), R-MH (Manufactured Home) and R-PD (Residential Planned Development with a density up to 5.49 dwellings unit per acre) zoning districts. The uses that are allowed in these zoning districts would not be compatible with the existing zoning districts in place in the neighborhood surrounding the subject site, which are U (DR), R-PD3, U (DR) under resolution of intent to R-PD2 and R-PD2 zoning districts.

In terms of existing land uses, the zoning districts that would be allowed under an L (Low Density residential) land use designation would not be compatible with the very low-density, rural estate residential development that currently exists on sites adjacent to or nearby the subject site.

• Site Plan

The west property line of the subject parcel is Jones Boulevard and the south property line follows Horse Drive, both 80-foot Secondary Collectors on the Master Plan of Streets and Highways. Access to subdivision will be from Horse via a private entry. A park area, that comprises approximately 2/3rds of the provided open space, is located just inside of the subdivision. A trail is planned that will allow pedestrian access to the park from the northern most street in the subdivision.

SDR-4095 - Staff Report Page Six
April 22, 2004 - Planning Commission Meeting

- **Waivers**

A waiver of the perimeter landscaping standards has been requested by the applicant and is a part of this application. The applicant has not provided sufficient justification for waiving this standard.

- **Landscape Plan**

The proposal does not meet the landscaping requirements of the Urban Design Guidelines and Standards.

- **Elevation**

The building elevations are typical of single-family residential developments and will be compatible with surrounding development

- **Floor Plan**

The floor plans are typical of single-family residential developments and will be compatible with surrounding development

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The site is completely surrounded by lands designated in the City's Centennial Hills Sector Plan for Desert Rural and Rural land uses. The change in land use designation L (Low Density Residential) will allow uses, densities and intensities incompatible with the surrounding planned development.

Approval of Low Density Residential on the subject site would represent a “spot zoning” designation that would be inappropriate in the context of surrounding long-term, very low-density rural land uses.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

The proposed development is inconsistent with the General Plan. It is inconsistent with the open space standards of the Code. A companion variance (VAR-4094) has been submitted to address the applicant's proposal. It is inconsistent with the Landscape, Wall and Buffer Standards and a waiver of the perimeter standards is part of this application for a Site Development Plan Review.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

The subject site has access to Horse Drive and Jones Boulevard, both of which are designated as Secondary (80-foot) Collectors on the Master Plan of Streets and Highways.

The traffic capacity of Jones and Horse is consistent with the development as planned (very low density residential) for the immediate area. The traffic generated by the proposed density on the subject site will exceed that capacity.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The building and landscape materials are appropriate for this type of development. The issue is, however, that this type of project should not be located in this rural area of the City.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

The building elevations are typical of single-family residential developments and will be compatible with surrounding development; it is, however, a development that exceeds the density characteristic of the area that will not be compatible with existing rural development and the aesthetics of that development in the area.

SDR-4095 - Staff Report Page Eight
April 22, 2004 - Planning Commission Meeting

6. "Appropriate measures are taken to secure and protect the public health, safety and general welfare."

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 51 [Mailed with ZON-4093, VAR-4094 & GPA-4079]

APPROVALS 0

PROTESTS 7



Case Number: **SDR-4095** APN: 125-12-202-001

Name of Property Owner: UNIFIED CREDIT TRUST

Name of Applicant: UNIFIED CREDIT TRUST.

Yes X No

City Official: _____

Partner(s): _____

APN: _____

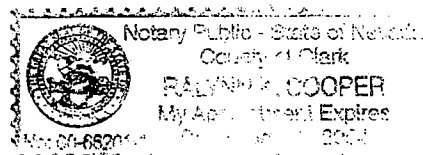
Signature of Property Owner/Authorized Agent _____

Print Name: _____

Subscribed and sworn before me

This 9th day of March, 2008

Notary Public in and for said County and State



Revised 2/12/02

f:\depot\Application Packet\Statement of Financial Interest.doc

TABULATION

APN # 125-12-212-010
 EXISTING ZONING: U
 PROPOSED ZONING: RPD-3
 EXISTING LAND USE: 30
 EXISTING LAND USE: 30
 NUMBER OF LOTS: 64
 ACREAGE: 65.36 AC +/-
 AREA: 4.32 AC +/-
LOT SIZE
 MINIMUM LOT SIZE = 5,776 SQ.FT. (0.13 AC)
 MAXIMUM LOT SIZE = 6,536 SQ.FT. (0.15 AC)

OWNERS

APN 125-12-212-010
 UNIFIED CREDIT TRUST
 3300 S. ATCHISON WAY, 60
 ALHAMBRA, CA 91804-0200

DEVELOPER

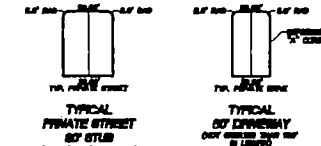
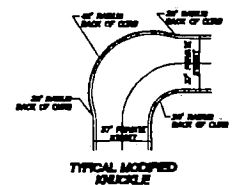
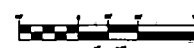
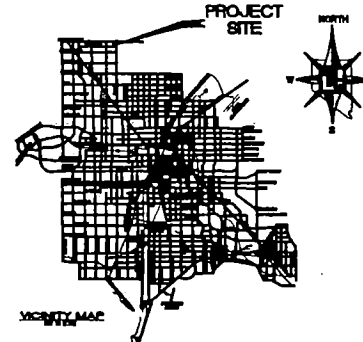
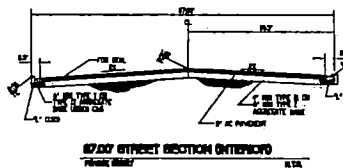
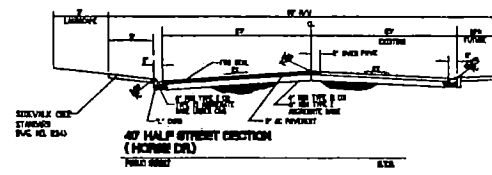
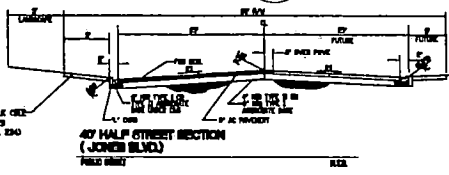
APN 125-12-212-010
 UNIFIED CREDIT TRUST
 3300 S. ATCHISON WAY, 60
 ALHAMBRA, CA 91804-0200

OPEN SPACE TABULATION

PARK AREA: 25,816 SQ.FT.
 PARK ACCESS: 3,100 SQ.FT.
 PEDESTRIAN ACCESS: 5,376 SQ.FT.
 TOTAL: 34,292 SQ.FT.
 OPEN SPACE PROVIDED: 34,292 SQ.FT. (0.78 AC) 35% OF REQUIRED
 (0.65 AC) 35% OF REQUIRED
 OPEN SPACE REQUIRED: 65,363 SQ.FT. (1.50 AC)
 0.655 AC 35% OF REQUIRED = 1.45 AC

GENERAL NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 30' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREIN IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSIGNED.
5. THE PARKING ANALYSIS REQUIREMENTS ARE MET BY TWO CAR GARAGES. AVAILABLE PARKING IN THE DRIVEWAYS AND ON 30' FOOT STREETS MEETING THE STANDARD OF TWO PARKING SPACES PER DWELLING UNIT.



TYPICAL LOT SETBACK
 (SEE PL 4-1)

TYPICAL LOT SETBACK
 (SEE PL 4-1)

APN 125-12-212-010
 ZONED RPD-3
 OWNER: UNIFIED CREDIT TRUST
 MAPPER: PLANNED U/P

APN 125-12-212
 ZONED RPD-3
 OWNER: JONES HORSE AT MOUNTAIN PARK
 MAPPER: PLANNED U/P

PARK AREA
 25,816 SQ.FT.

APN 125-12-310
 ZONED RPD-3
 OWNER: JONES HORSE
 MAPPER: PLANNED U/P

UNIFIED CREDIT TRUST			
3300 S. ATCHISON WAY, 60 ALHAMBRA, CA 91804-0200			
TECH, INC.			
10000 E. BROADWAY, SUITE 100 DENVER, CO 80231			
SITE PLAN			
ACCOMPANY ZC/SOPR			
JONES/HORSE			
CITY OF LAS VEGAS			
DATE: 4/22/04	DESIGNER: J. H. H.	DRAWN: J. H. H.	CHECKED: J. H. H.
PROJECT NO: 000004	POSTING: 0004		

SDR-4095
 4-22-04 PC

APN # _____ MD-01-000-001
 EXISTING ZONE _____ U
 PROPOSED ZONE _____ MD-0
 EXISTING LAND USE _____ 30
 EXISTING LAND USE _____ L
 NUMBER OF LOTS _____ 63
 ACREAGE _____ 81.33 AC +/-
 BUA _____ 4.92 +/-
LOT SIZE

APR 127-12-200-000
UNIFORM CRIMINAL TRUST
SHARON MARCEL TRUST
2000 E. ACHESON WAY, 2ND
ALBUQUERQUE, NM 87104-2000

APR 27-27-68-444
LAWRENCE CHRIST, TALENT
SHAWN MARCEL, TALENT
JOHN E. ANDERSON WAY, 43
ALBANY, CT 06004-0003

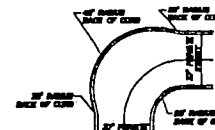
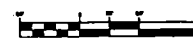
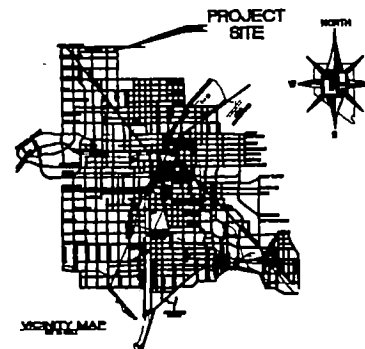
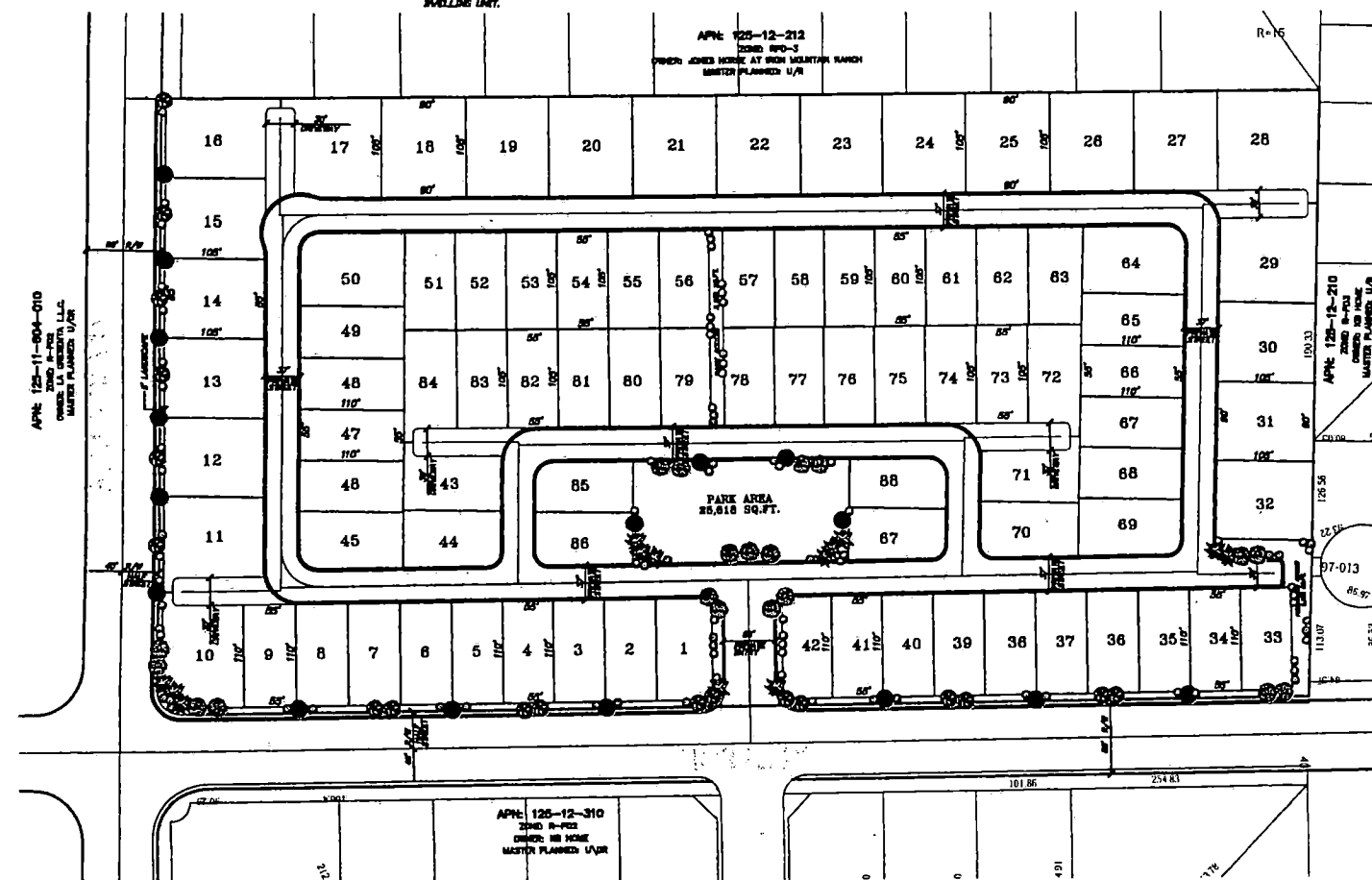
SYMBOL	BOTANICAL / COMMON NAME	SIZE	QTY.
	OVULUM DIMORPHICUM OVULUM	1/2" BOX	25
	PICEA'S SLABBLUM "MIRAC" SHOULDER WOOD BERRY BERRY	1/2" GALLON	20
	BACCHARIS BRASSICA "MIRAC" MIRACLES LIME ONE	1/2" GALLON	41
	PICEA BRASSICA MIRACLES LIME ONE	1/2" BOX	20

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 37' PROXIMATELY MAINTAINED RIGHT-OF-WAY.
3. THE BOUNDARY SHOWN HEREIN IS FROM RECORDS INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSIGNED.
5. THE PARKING ANALYSIS REQUIREMENTS ARE MET BY TWO CAR GARAGES, AVAILABLE PARKING ON THE DRIVEWAYS AND ON 37 FOOT STREETS, MEETING THE STANDARDS OF TWO PARKING SPACES PER DWELLING UNIT.

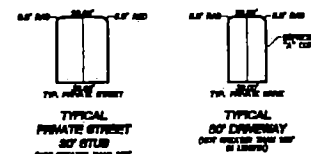
[illegible]

NOTE: SHRUBS SHALL COVER A MINIMUM OF 50% OF D.G. AREA AT MATURITY

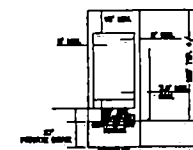
1. THE SPACING OF STAYS 24" MAX SHALL NOT EXCEED 36" FOR EXTREME LOADING CONDITIONS
2. STAYS SHALL BE SPACED AND SIZED TO ALLOW A MINIMUM OF FOUR STAYS OF ONE SIZED STAYED SHALL BE USED 24" MAX AND 36" MAX STAYS BE PROPORTIONED
3. JOINTS AND CONNECTIONS SHALL BE IN ACCORDANCE WITH ALL APPLICABLE, ULL, AND OTHER CODES



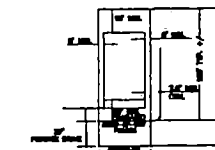
TYPICAL MODIFIED



30' STUD



TYPICAL LOT RETRACK



TYPICAL LOT RETRACK

UNIFIED CREDIT TRUST
3982 S. AVALON WAY #B

TETRA TECH, INC.

LANDSCAPE PLAN

JONES/HORRIS

17

III

Topic

11

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SDR-4095
4-22-04 PC

TABULATION

APN # 125-12-000-00
 EXISTING ZONING U
 PROPOSED ZONING RPD-3
 EXISTING LAND USE
 EXISTING LAND SIZE 1.1
 NUMBER OF LOTS 89
 ACREAGE 85.93 AC +/-
 AREA 6.36 AC +/-
 LOT SIZE
 MINIMUM LOT SIZE = 8,775 SQ.FT. (3300)
 MINIMUM LOT SIZE = 8,591 SQ.FT. (4000)

OWNERS

APN 125-12-000-00
 UNIFIED CREDIT TRUST
 CHURCH MARCHEL TRUST
 3300 S. ATCHESON WAY, 60
 AURORA, CO 80014-3303

DEVELOPER

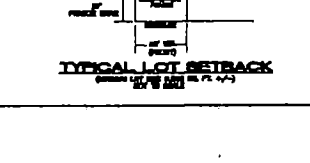
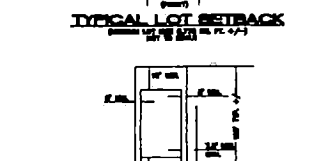
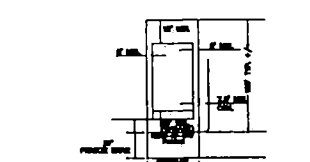
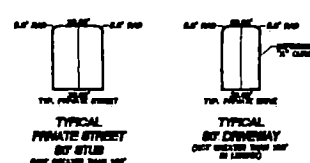
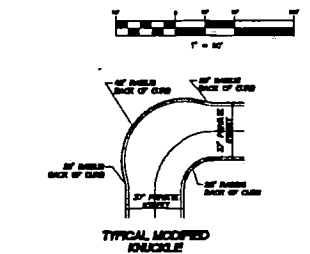
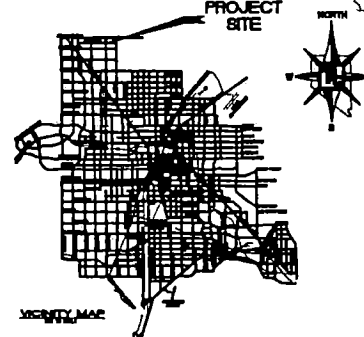
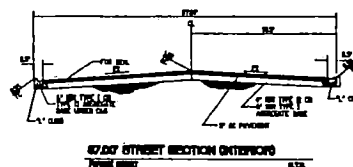
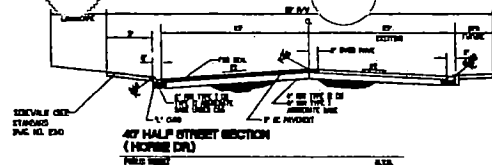
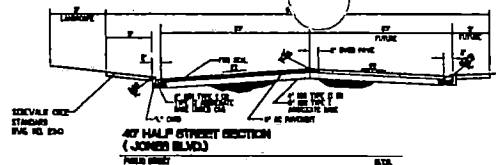
APN 125-12-000-00
 UNIFIED CREDIT TRUST
 CHURCH MARCHEL TRUST
 3300 S. ATCHESON WAY, 60
 AURORA, CO 80014-3303

OPEN SPACE TABULATION

PARK AREA 25,818 SQ.FT.
 PARK ACCESS 3,120 SQ.FT.
 PEDESTRIAN ACCESS 5,376 SQ.FT.
 TOTAL 34,314 SQ.FT.
 OPEN SPACE PROVIDED 34,314 SQ.FT. (6.70 AC. 333 OF REQUIRED)
 ADEQUATE = BUA + ACREAGE + OPEN SPACE PROVIDED
 OPEN SPACE REQUIRED (65,363 SF (2.96 AC))
 65,363 = 4.36 + 61,927 = 1.43 ACRE

GENERAL NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 37' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSUMED.
5. THE PARKING ANALYSIS REQUIREMENTS ARE MET BY TWO CAR GARAGES, AVAILABLE PARKING IN THE DRIVEWAYS AND ON 37' FOOT STREETS, MEETING THE STANDARD OF TWO PARKING SPACES PER DWELLING UNIT.



APN: 125-11-004-010
 ZONED RPD-3
 ORDER NO. 1000
 MASTER PLANNED U/R

APN: 125-12-212
 ZONED RPD-3
 ORDER NO. 1000
 MASTER PLANNED U/R

APN: 125-12-210
 ZONED RPD-3
 ORDER NO. 1000
 MASTER PLANNED U/R

APN: 125-12-310
 ZONED RPD-3
 ORDER NO. 1000
 MASTER PLANNED U/R

UNIFIED CREDIT TRUST

SITE PLAN
 ACCOMPANY ZC/BOPR

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TETRA TECH, INC.

JONES/HORSE

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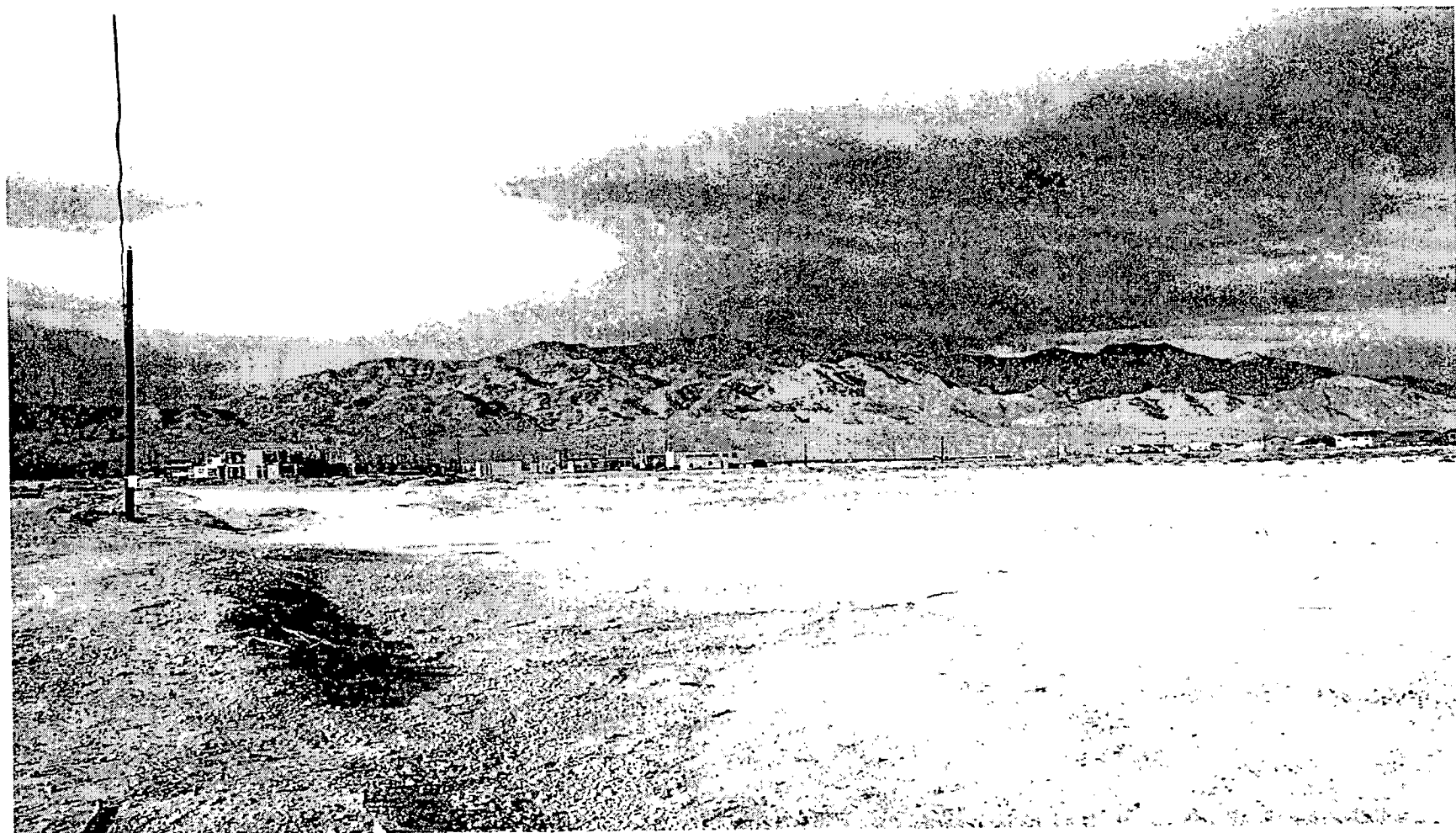
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SDR-4095
 4-22-04 PC



SDR-4095 - APPLICANT/OWNER: UNIFIED CREDIT TRUST
NORTHEAST CORNER OF JONES BOULEVARD AND HORSE DRIVE
APRIL 22, 2004 PLANNING COMMISSION

3/31/04

Telephone Protest/ Approval Log

Meeting Date: 4-22-PC

Case Number: ZON-4093 ^{GPA-4091} ^{VAR-4094} ^{SDR-4095}

Date: 4-12-04
Name: ARTHUR VANDERHARDEN
Address: 8780 MAVERICK ST
Phone: 395-0213
☒ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: 4-12-04
Name: H.W.H. VANDERHARDEN
Address: 8775 LUTTS ST.
Phone: 658-5791
☒ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

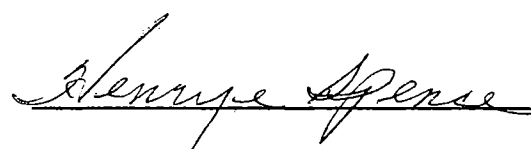
We are neighbors of the referenced property and object to the proposed changes to the General Plan, the Zoning and the Site Development Plan for the following reasons:

West of Jones - directly across from the referenced project - our neighborhood is designated Rural Preservation. The existing properties range from 1.1 acres net to nearly 10 acres net, including several working horse ranches. Even American Premier's La Cresenta, now under construction, (68 units - 40 acres -1.7 units per acre) is zoned for horses.

South of Horse the existing neighborhood is zoned RPD-2, east of the property the existing neighborhood is zoned RPD-3, as is the under construction neighborhood on the north side.

RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.



Address: 8301 Mustang St, Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
APR 19 PM 3:47
PLANNING DEPT

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

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Please deny GPA-4091, ZON-4093 and SDR-4095.

James Marynow Sinda Marynow
Address: 6280 Brent Lane, Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
APR 19 PM 3:47
COUNCIL

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

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Please deny GPA-4091, ZON-4093 and SDR-4095.

Erma L. Davis

Address: 8351 N. Mustang St., Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
APR 19 2004
10 31 46 PM
GENERAL

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

We are neighbors of the referenced property and object to the proposed changes to the General Plan, the Zoning and the Site Development Plan for the following reasons:

West of Jones - directly across from the referenced project - our neighborhood is designated Rural Preservation. The existing properties range from 1.1 acres net to nearly 10 acres net, including several working horse ranches. Even American Premier's La Cresenta/, now under construction, (68 units - 40 acres -1.7 units per acre) is zoned for horses.

South of Horse the existing neighborhood is zoned RPD-2, east of the property the existing neighborhood is zoned RPD-3, as is the under construction neighborhood on the north side.

RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.

Melanie Alexander 

Address: 8820 Maverick St., Las Vegas, NV 89131

cc: Councilman Michael Mack

APR 19 PM 3:46

RECEIVED

Planning and Development Department
Current Planning Division
631 South Fourth Street
Las Vegas, NV 89101

April 14, 2004

Re: Object to GPA-4091 Amend Centennial Hills General Plan from DR to L (R-PD5)
ZON-4093 U-DR to R-PD5
SDR-4095 88 lots on 20 acres & waive Perimeter Landscaping
N/E corner of Jones and Horse Unified Credit Trust
Agenda items for April 22, 2004

We are neighbors of the referenced property and object to the proposed changes to the General Plan, the Zoning and the Site Development Plan for the following reasons:

West of Jones - directly across from the referenced project - our neighborhood is designated Rural Preservation. The existing properties range from 1.1 acres net to nearly 10 acres net, including several working horse ranches. Even American Premier's La Cresenta, now under construction, (68 units - 40 acres - 1.7 units per acre) is zoned for horses.

South of Horse the existing neighborhood is zoned RPD-2, east of the property the existing neighborhood is zoned RPD-3, as is the under construction neighborhood on the north side.

RPD-5 (88 units on 20 acres without perimeter landscaping) would be incompatible, non-conforming, lowest and worst use.

Please deny GPA-4091, ZON-4093 and SDR-4095.

Jim Allen Diane Allen
Address: 6291 Meisenheimer Ave., Las Vegas, NV 89131

cc: Councilman Michael Mack

RECEIVED
APR 19 11 31 AM '04
CLERK/3027

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-4100 – APPLICANT/OWNER: PETER CASTELLANO - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), Ward 5 (Weekly).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	78
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the May 27, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable

MOTION:

NIGRO – Motion to bring forward and TABLE Item 7 [MSH-3850], and HOLD IN ABEYANCE Item 20 [ZON-3884], Item 21 [SDR-3885], Item 32 [GPA-4072], to 5/13/2004 Planning Commission and Item 8 [GPA-3833], Item 9 [GPA-3933], Item 38 [GPA-4091], Item 39 [ZON-4093], Item 40 [VAR-4094], Item 41 [SDR-4095], Item 42 [GPA-4100], Item 43 [ZON-4101], Item 44 [SDR-4102] and Item 68 [VAC-4071] to 5/27/2004 Planning Commission – UNANIMOUS with GOYNES and McSWAIN excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 42 – GPA-4100

MINUTES – Continued:

CHAIRMAN TRUESDELL explained for REBECCA VanBLANKENSTEIN, 4008 Vegas Drive, that the only testimony taken would be on whether the items discussed should be held in abeyance.

LYNDA WASKOM, 4147 Pleasant Road, spoke regarding Items 42, 43 and 44 and asked that the items be heard tonight. She stated that the applicant has been in operation for 18 months and has had enough time to prepare for tonight's meeting. Several people arranged for childcare to be present at this meeting.

JANET FELLHAUER, 4056 Melody Lane, JOHN WAGNER, 4148 Pleasant Road, and PAUL TAYLOR, 4108 Vegas Drive, were present for Items 42, 43 and 44. MR. TAYLOR opposed the landscaping related items.

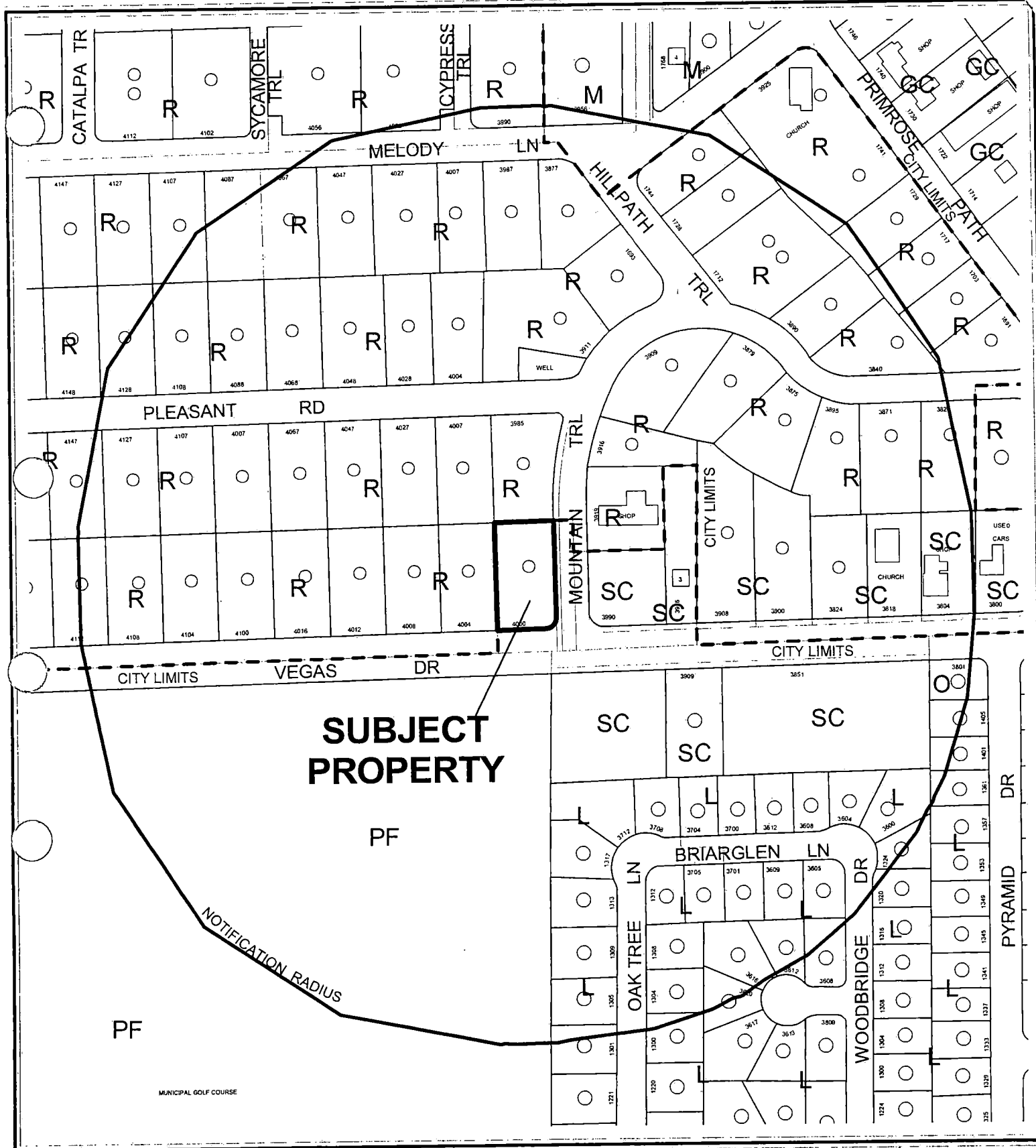
MR. CLAPSADDLE explained that the applicant's representative was not able to be present. Therefore, he would collect the names, addresses and telephone numbers of those people who came for Items 42, 43 and 44. He would make a copy and forward it to the applicant so that he can contact them. MR. CLAPSADDLE confirmed for CHAIRMAN TRUESDELL that this is the first time abeyance was requested for these items.

COMMISSIONER EVANS asked that representation be made that staff would attempt to have these items heard on May 27, 2004. MR. CLAPSADDLE indicated that he would notify the applicant to be prepared to make a presentation for the May 27th Planning Commission meeting.

MS. FELLHAUER stated that at a meeting held by the applicant on March 30th, the applicant said that the owner would be present at tonight's meeting. CHAIRMAN TRUESDELL stated that staff will ensure that all the residents are informed and that the item will be heard on May 27th.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:02 – 6:11)



CASE: GPA-4100

RADIUS: 750 FT

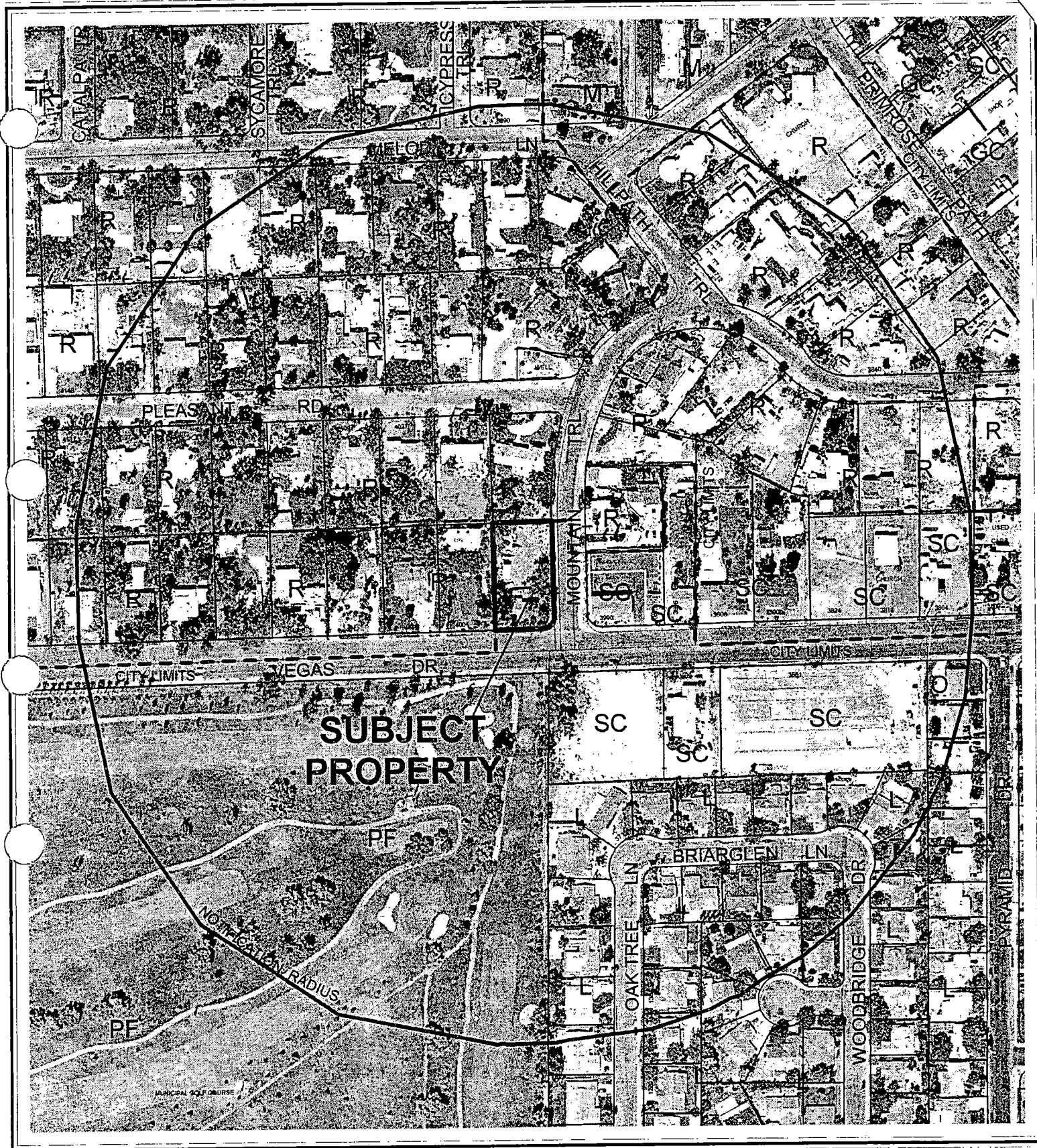
GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

L/R (LIGHT INDUSTRY / RESEARCH)





CASE: **GPA-4100**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

LI/R (LIGHT INDUSTRY / RESEARCH)

0 100 200 Feet



City of Las Vegas

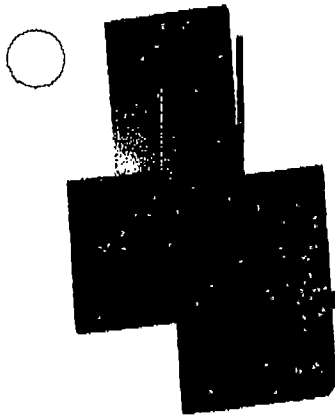
AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-4100 – APPLICANT/OWNER: PETER CASTELLANO

***ON APRIL 7, 2004 THE APPLICANT
REQUESTED THIS ITEM BE HELD IN
ABEYANCE TO THE MAY 27, 2004
PLANNING COMMISSION MEETING.***



PD LANDSCAPING

NV LIC # 55247

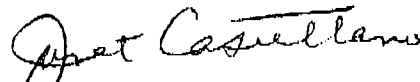
April 7, 2004

Kyle Walton
Senior Planner
731 South Fourth Street
Las Vegas, Nevada 89101
Fax# 385-7268

We are requesting that you put in abeyance the hearing for application GPA-4100, ZON 4101 and SDR4102 for 4000 Vegas Drive. It is scheduled for April 22, 2004 to and we would appreciate it if you would re-schedule it for May 27, 2004. We are making this request based on the fact that Joseph Blfano/Lobbyist for Peter and Janet Castellano will be out of state due to an urgent matter.

Your consideration in this matter is greatly appreciated. Please contact us with any concerns or questions.

Sincerely,


Janet Castellano


Peter Castellano

9101 W. Sahara Ave. Suite 105-D31
Las Vegas, NV 89117
(702) 360-0490 Office (702) 296-2886 Cell

#2A

#3 Copy's
needed of this.



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-4100** APN: _____

Name of Property Owner: Peter Castellano

Name of Applicant: Peter and Janet Castellano

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

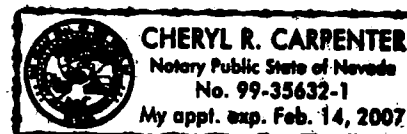
Signature of Property Owner/Authorized Agent: X Janet Castellano

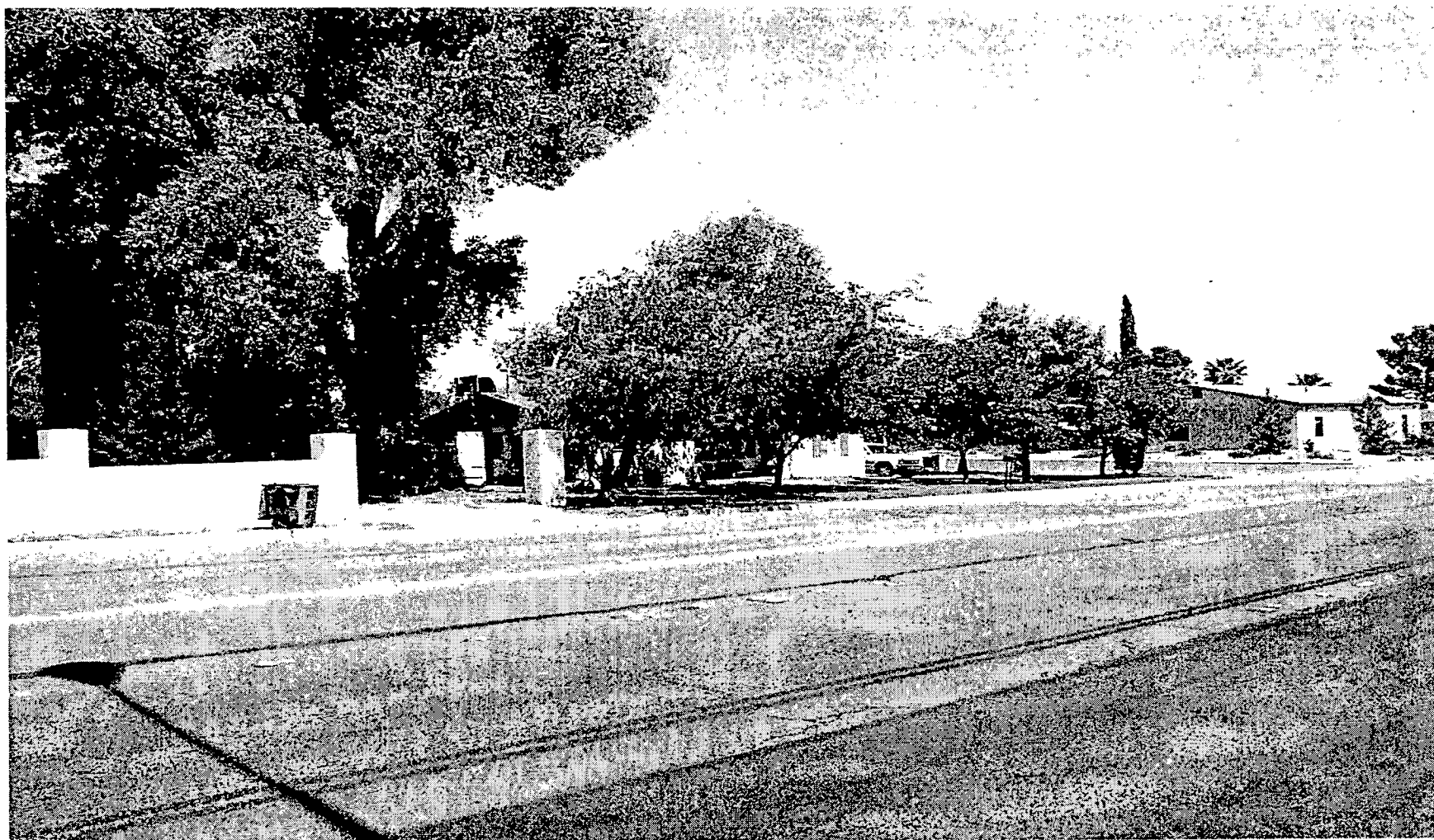
Print Name: PETER AND JANET CASTELLANO

Subscribed and sworn before me

This 27 day of February, 2004

[Signature]
Notary Public in and for said County and State





GPA-4100 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
APRIL 22, 2004 PLANNING COMMISSION

4/9/04

Re: 4100 GPA
ZON 4101
SDR 4102

April 14, 2004

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Dear Planners,

I am filing an objection to the proposed rezoning by Peter Castellano of the property located at 4000 Vegas Drive. The proposed use is incompatible with the existing neighborhood and is entirely inappropriate. Please take into consideration the following when hearing this proposal:

Eastland Heights is NOT a neighborhood in decline. Anyone who has purchased there in the past 10 years or so has done so with restoration in mind. Hundreds of thousands of dollars have been spent restoring these historic, classic rural homes to their former splendor. This is NOT a rental neighborhood. I am only aware of one single family home currently being rented – can't say the same for our brand new developments. Current residents include two Attorneys, a Bishop, Principal, Registered Nurse, Director of Human Resources, Doctor of Psychology, Entomologist, Director of Mental Health, Contractor, Architect, a juggler, a jazz musician, a magician, a lion tamer, and yes, even a Nuclear Scientist. This does not smack of decline.

There is not an existing "trend" for commercialization. The applicant may claim that there is a professional building just across the street, as well as a storage facility going in, but you need to look at the whole picture. Neither of those properties are in Eastland Heights proper. The piece of Vegas Drive where the subject property is located is part of the face of Eastland Heights. It is the beginning of a string of homes, starting at Mountain Trail and ending with the Sigfried and Roy property, which defines our neighborhood parameters. These are classic old homes representing the beginning of Las Vegas's development as a city coming into it's own. The subject property in question was built in 1946, and was in fine condition prior to Mr. Castellano's converting it to a business without authorization. The Accounting Office, and the storage facility, were build upon vacant lots. We recognize that vacant lots don't produce revenue, and that these conversions, while not appealing, do not really impact the neighborhood. Not so with 4000 Vegas Drive. This strip of homes should not be destroyed. A cemented lot, commercial building with large vehicles, dumpsters and employees won't exactly "blend" with the existing neighborhood.

This is an inappropriate location for any business by virtue of access alone. Vegas Drive has too much traffic flow for their trucks to back in and out. There is no parking allowed. As such, they have elected to place their access point on Mountain Trail, INSIDE the

residential area. I am stopped there at least once a week by trucks backing in and out, or by workers standing around blocking the street, and this is while they DON'T have permission to operate there. Should a person anticipate being blocked by workers at shift change on a residential street? This is also a path where children walk and bicycle to school, and is proximate to a school bus stop. In addition to the traffic issues it has already caused, what about the noise? Commercial trucks come and go at all hours. Have you ever heard a dumpster being emptied by the garbage company? Is that appropriate at a HOUSE? Backing up to and abutting two other homes?

A final concern is the irreversibility of such an action. At the neighborhood meeting, lobbyist Joseph Bifano stated that PD Landscaping would remain at the Vegas Dr. address until such time as they outgrew it. Should they outgrow the location and move, or should they go belly-up, which is common for landscaping companies, Eastland Heights residents will still be stuck with One commercially zoned lot in a neighborhood of owner occupied horse zoned homes. What's next – a salvation army goodwill store, or perhaps a seven eleven?

The bottom line is that Mr. Castellano obtained this residence very cheaply – it was purchased for \$ 107,000 in 2001, and allegedly he received it in a judgement found in his favor. There isn't any reason in the world that PD Landscaping needs to be in that particular location, other than that Mr. Castellano obtained the property for next to nothing. While he has invested money in the property, he did so without obtaining the required zoning first, a reflection of a bad business decision. There are commercially zoned lots and building available all over the valley, and homes converted to commercial zoning are just as available, such as Jones Drive only one mile to the west. Mr. Castellano just doesn't want to pay for it – he'd rather pocket his money and ruin our classic neighborhood. Mr. Castellano has categorically failed to respond to the concerns of the residents while he's been operating there illegally; with this type of effrontery, one can only imagine what license he will take should his operation become legitimate.

This is not only inappropriate, it's downright outrageous. I would invite you to drive by the sight so that you might better understand just how incompatible this business, or any business, would be to the existing elegance. If that is not possible, I would appreciate a call to better clarify the issues, and receive direction from you on how best to proceed with stopping this outrage.

Respectfully,

Lynda Waskom

Lynda Waskom
631-8565

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-4101 – APPLICANT/OWNER: PETER CASTELLANO - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), Ward 5 (Weekly).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

78

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the May 27, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable

MOTION:

NIGRO – Motion to bring forward and TABLE Item 7 [MSH-3850], and HOLD IN ABEYANCE Item 20 [ZON-3884], Item 21 [SDR-3885], Item 32 [GPA-4072], to 5/13/2004 Planning Commission and Item 8 [GPA-3833], Item 9 [GPA-3933], Item 38 [GPA-4091], Item 39 [ZON-4093], Item 40 [VAR-4094], Item 41 [SDR-4095], Item 42 [GPA-4100], Item 43 [ZON-4101], Item 44 [SDR-4102] and Item 68 [VAC-4071] to 5/27/2004 Planning Commission – UNANIMOUS with GOYNES and McSWAIN excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 43 – ZON-4101

MINUTES – Continued:

CHAIRMAN TRUESDELL explained for REBECCA VanBLANKENSTEIN, 4008 Vegas Drive, that the only testimony taken would be on whether the items discussed should be held in abeyance.

LYNDA WASKOM, 4147 Pleasant Road, spoke regarding Items 42, 43 and 44 and asked that the items be heard tonight. She stated that the applicant has been in operation for 18 months and has had enough time to prepare for tonight's meeting. Several people arranged for childcare to be present at this meeting.

JANET FELLHAUER, 4056 Melody Lane, JOHN WAGNER, 4148 Pleasant Road, and PAUL TAYLOR, 4108 Vegas Drive, were present for Items 42, 43 and 44. MR. TAYLOR opposed the landscaping related items.

MR. CLAPSADDLE explained that the applicant's representative was not able to be present. Therefore, he would collect the names, addresses and telephone numbers of those people who came for Items 42, 43 and 44. He would make a copy and forward it to the applicant so that he can contact them. MR. CLAPSADDLE confirmed for CHAIRMAN TRUESDELL that this is the first time abeyance was requested for these items.

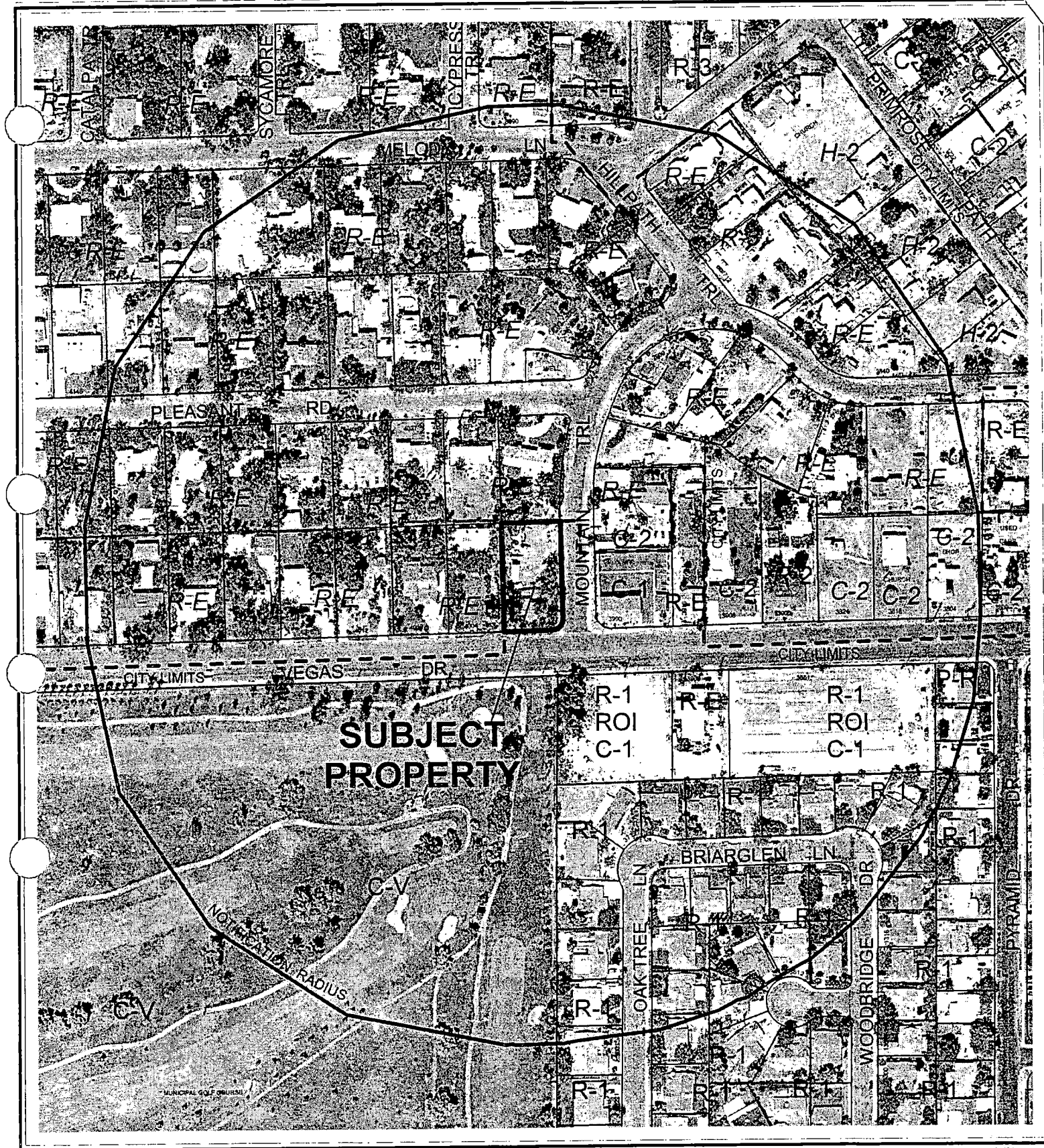
COMMISSIONER EVANS asked that representation be made that staff would attempt to have these items heard on May 27, 2004. MR. CLAPSADDLE indicated that he would notify the applicant to be prepared to make a presentation for the May 27th Planning Commission meeting.

MS. FELLHAUER stated that at a meeting held by the applicant on March 30th, the applicant said that the owner would be present at tonight's meeting. CHAIRMAN TRUESDELL stated that staff will ensure that all the residents are informed and that the item will be heard on May 27th.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:02 – 6:11)





CASE: ZON-4101

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)



City of Las Vegas

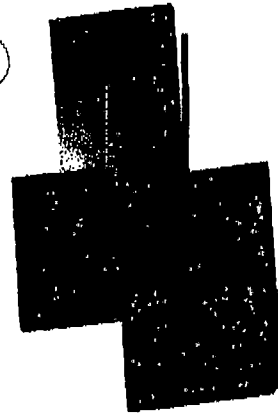
AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-4101 – APPLICANT/OWNER: PETER CASTELLANO

***ON APRIL 7, 2004 THE APPLICANT
REQUESTED THIS ITEM BE HELD
IN ABEYANCE TO THE MAY 27, 2004
PLANNING COMMISSION MEETING.***



PD LANDSCAPING

NV LIC # 55247

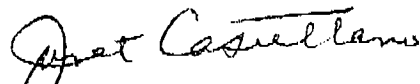
April 7, 2004

Kyle Walton
Senior Planner
731 South Fourth Street
Las Vegas, Nevada 89101
Fax# 385-7268

We are requesting that you put in abeyance the hearing for application GPA-4100, ZON 4101 and SDR4102 for 4000 Vegas Drive. It is scheduled for April 22, 2004 to and we would appreciate it if you would re-schedule it for May 27, 2004. We are making this request based on the fact that Joseph Bifano/Lobbyist for Peter and Janet Castellano will be out of state due to an urgent matter.

Your consideration in this matter is greatly appreciated. Please contact us with any concerns or questions.

Sincerely,


Janet Castellano


Peter Castellano

**9101 W. Sahara Ave. Suite 105-D31
Las Vegas, NV 89117
(702) 360-0490 Office (702) 296-2886 Cell**

#2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-4101** APN: _____

Name of Property Owner: PETECASTELLANO

Name of Applicant: PETECASTELLANO

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

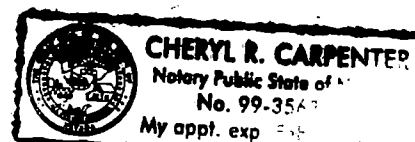
Signature of Property Owner/Authorized Agent: *Pete Castellano*

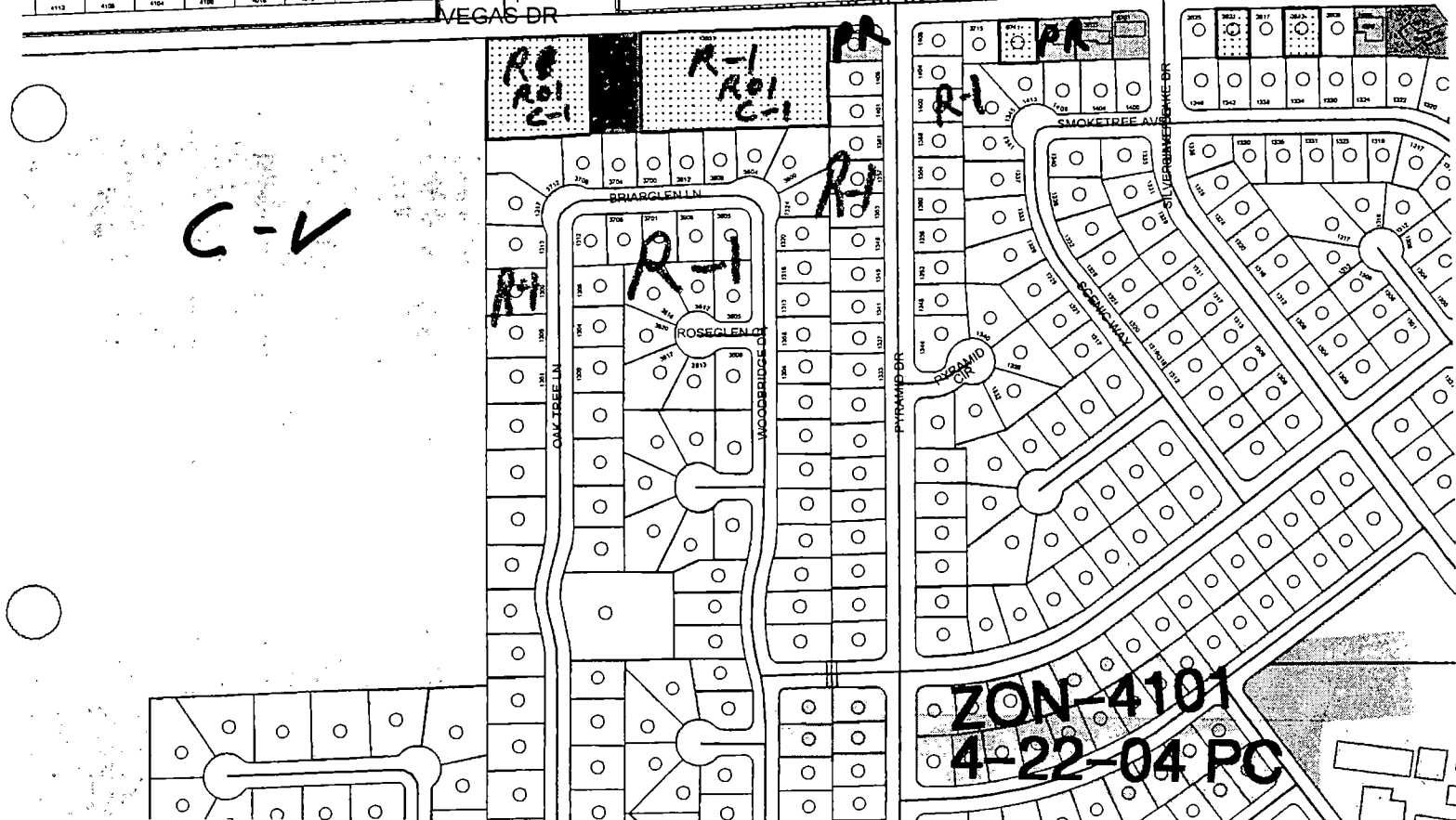
Print Name: PETE CASTELLANO

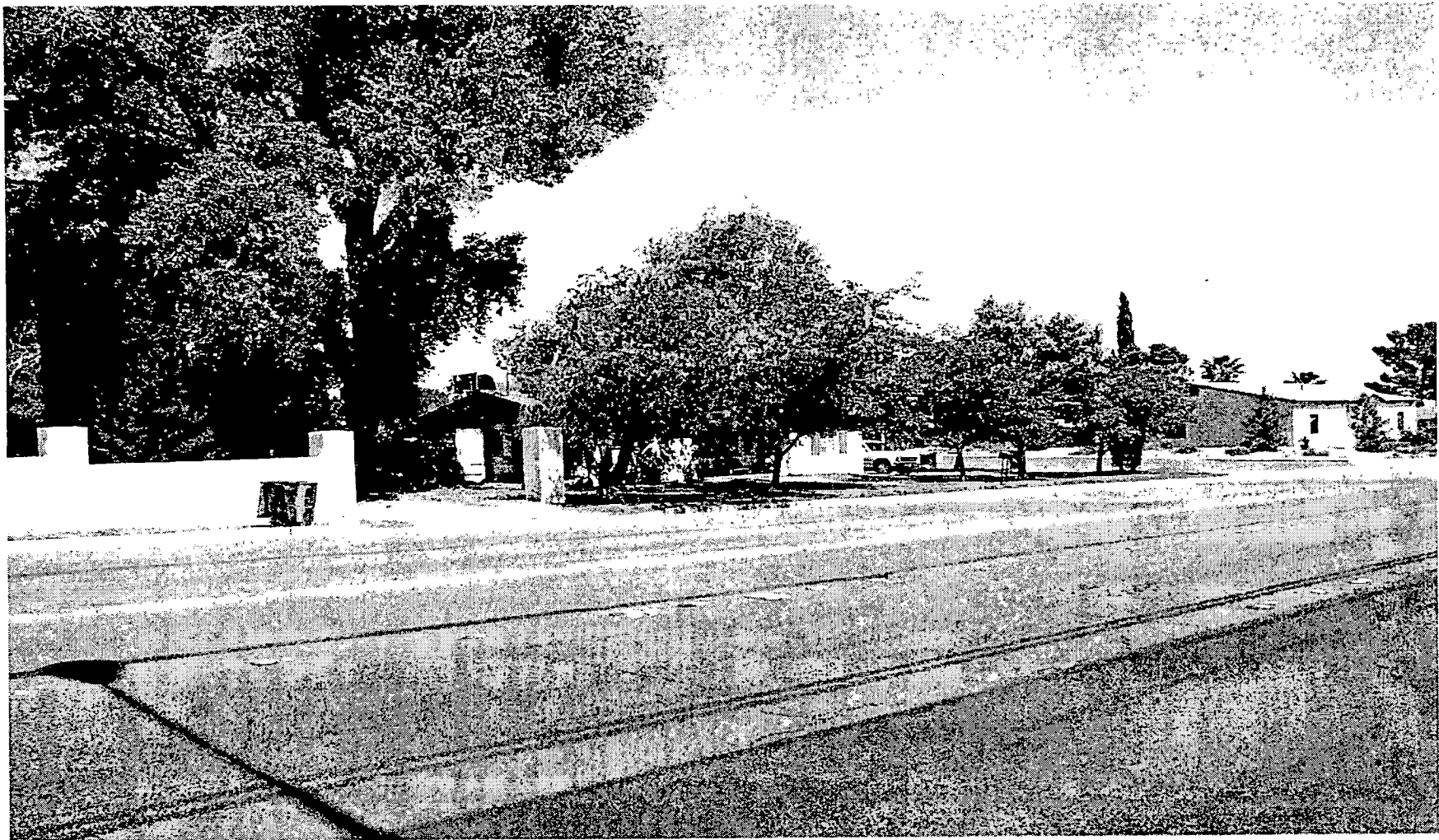
Subscribed and sworn before me

This 27 day of February, 2004

Cheryl Carpenter
Notary Public in and for said County and State

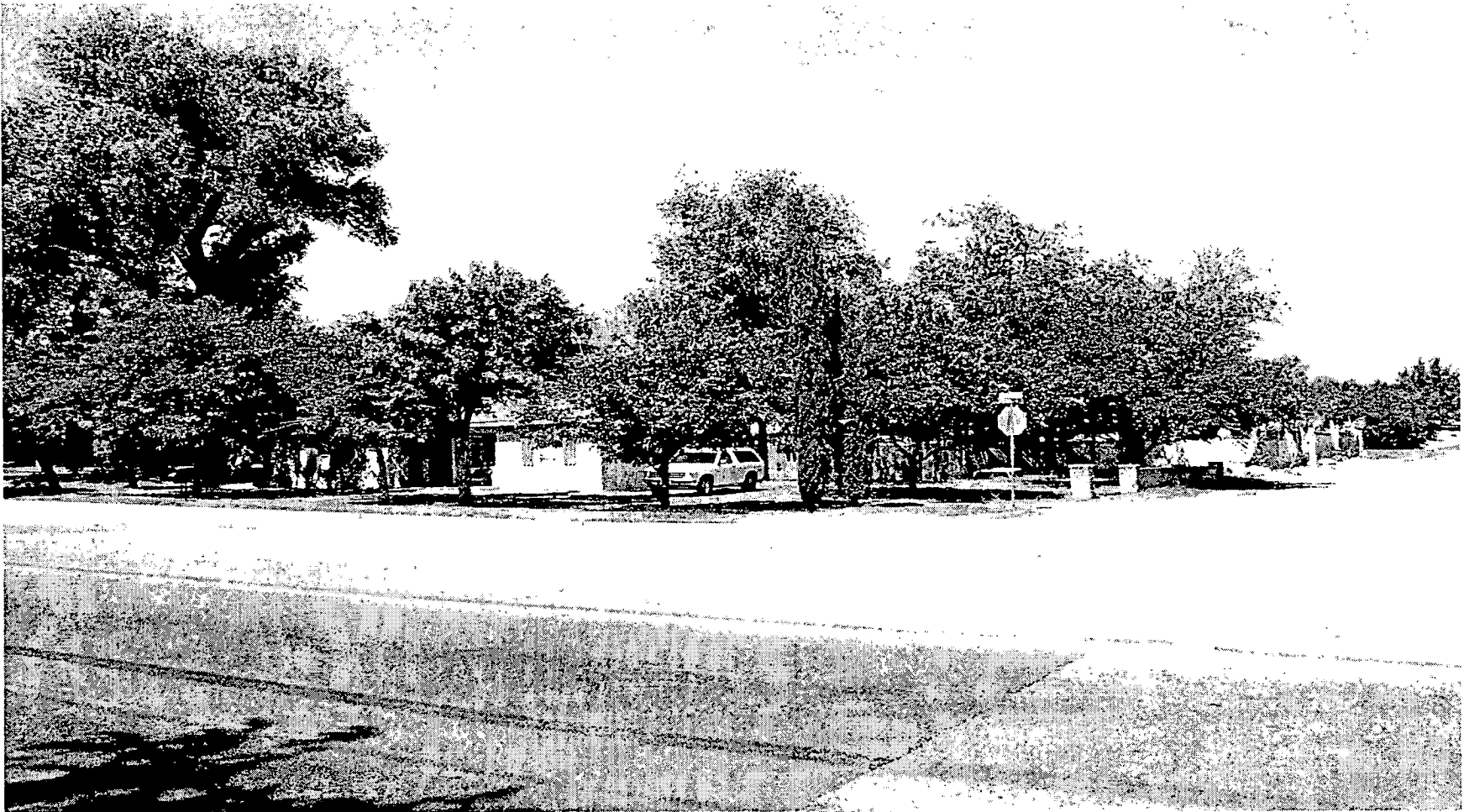






ZON-4101 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
APRIL 22, 2004 PLANNING COMMISSION

4/9/04



ZON-4101 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
APRIL 22, 2004 PLANNING COMMISSION

4/9/04

Re: 4100 GPA
ZON 4101
SDR 4102

April 14, 2004

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Dear Planners,

I am filing an objection to the proposed rezoning by Peter Castellano of the property located at 4000 Vegas Drive. The proposed use is incompatible with the existing neighborhood and is entirely inappropriate. Please take into consideration the following when hearing this proposal:

Eastland Heights is NOT a neighborhood in decline. Anyone who has purchased there in the past 10 years or so has done so with restoration in mind. Hundreds of thousands of dollars have been spent restoring these historic, classic rural homes to their former splendor. This is NOT a rental neighborhood. I am only aware of one single family home currently being rented – can't say the same for our brand new developments. Current residents include two Attorneys, a Bishop, Principal, Registered Nurse, Director of Human Resources, Doctor of Psychology, Entomologist, Director of Mental Health, Contractor, Architect, a juggler, a jazz musician, a magician, a lion tamer, and yes, even a Nuclear Scientist. This does not smack of decline.

There is not an existing "trend" for commercialization. The applicant may claim that there is a professional building just across the street, as well as a storage facility going in, but you need to look at the whole picture. Neither of those properties are in Eastland Heights proper. The piece of Vegas Drive where the subject property is located is part of the face of Eastland Heights. It is the beginning of a string of homes, starting at Mountain Trail and ending with the Sigfried and Roy property, which defines our neighborhood parameters. These are classic old homes representing the beginning of Las Vegas's development as a city coming into it's own. The subject property in question was built in 1946, and was in fine condition prior to Mr. Castellano's converting it to a business without authorization. The Accounting Office, and the storage facility, were build upon vacant lots. We recognize that vacant lots don't produce revenue, and that these conversions, while not appealing, do not really impact the neighborhood. Not so with 4000 Vegas Drive. This strip of homes should not be destroyed. A cemented lot, commercial building with large vehicles, dumpsters and employees won't exactly "blend" with the existing neighborhood.

This is an inappropriate location for any business by virtue of access alone. Vegas Drive has too much traffic flow for their trucks to back in and out. There is no parking allowed. As such, they have elected to place their access point on Mountain Trail, INSIDE the

residential area. I am stopped there at least once a week by trucks backing in and out, or by workers standing around blocking the street, and this is while they DON'T have permission to operate there. Should a person anticipate being blocked by workers at shift change on a residential street? This is also a path where children walk and bicycle to school, and is proximate to a school bus stop. In addition to the traffic issues it has already caused, what about the noise? Commercial trucks come and go at all hours. Have you ever heard a dumpster being emptied by the garbage company? Is that appropriate at a HOUSE? Backing up to and abutting two other homes?

A final concern is the irreversibility of such an action. At the neighborhood meeting, lobbyist Joseph Bifano stated that PD Landscaping would remain at the Vegas Dr. address until such time as they outgrew it. Should they outgrow the location and move, or should they go belly-up, which is common for landscaping companies, Eastland Heights residents will still be stuck with One commercially zoned lot in a neighborhood of owner occupied horse zoned homes. What's next – a salvation army goodwill store, or perhaps a seven eleven?

The bottom line is that Mr. Castellano obtained this residence very cheaply – it was purchased for \$ 107,000 in 2001, and allegedly he received it in a judgement found in his favor. There isn't any reason in the world that PD Landscaping needs to be in that particular location, other than that Mr. Castellano obtained the property for next to nothing. While he has invested money in the property, he did so without obtaining the required zoning first, a reflection of a bad business decision. There are commercially zoned lots and building available all over the valley, and homes converted to commercial zoning are just as available, such as Jones Drive only one mile to the west. Mr. Castellano just doesn't want to pay for it – he'd rather pocket his money and ruin our classic neighborhood. Mr. Castellano has categorically failed to respond to the concerns of the residents while he's been operating there illegally; with this type of effrontery, one can only imagine what license he will take should his operation become legitimate.

This is not only inappropriate, it's downright outrageous. I would invite you to drive by the sight so that you might better understand just how incompatible this business, or any business, would be to the existing elegance. If that is not possible, I would appreciate a call to better clarify the issues, and receive direction from you on how best to proceed with stopping this outrage.

Respectfully,

Lynda Waskom

Lynda Waskom
631-8565

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 22, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-4102 – APPLICANT/OWNER: PETER CASTELLANO - Request for a Site Development Plan Review FOR A CONVERSION OF AN EXISTING RESIDENCE TO A LANDSCAPING BUSINESS AND FOR A WAIVER THE LANDSCAPING REQUIREMENTS on 0.47 acres at 4000 Vegas Drive (APN: 139-19-811-045), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Weekly).

C.C.: 05/19/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

78

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the May 27, 2004 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable

MOTION:

NIGRO – Motion to bring forward and TABLE Item 7 [MSH-3850], and HOLD IN ABEYANCE Item 20 [ZON-3884], Item 21 [SDR-3885], Item 32 [GPA-4072], to 5/13/2004 Planning Commission and Item 8 [GPA-3833], Item 9 [GPA-3933], Item 38 [GPA-4091], Item 39 [ZON-4093], Item 40 [VAR-4094], Item 41 [SDR-4095], Item 42 [GPA-4100], Item 43 [ZON-4101], Item 44 [SDR-4102] and Item 68 [VAC-4071] to 5/27/2004 Planning Commission – UNANIMOUS with GOYNES and McSWAIN excused

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, indicated that letters have been submitted for all of the above items.

PLANNING COMMISSION MEETING OF APRIL 22, 2004
Planning and Development Department
Item 44 – SDR-4102

MINUTES – Continued:

CHAIRMAN TRUESDELL explained for REBECCA VanBLANKENSTEIN, 4008 Vegas Drive, that the only testimony taken would be on whether the items discussed should be held in abeyance.

LYNDA WASKOM, 4147 Pleasant Road, spoke regarding Items 42, 43 and 44 and asked that the items be heard tonight. She stated that the applicant has been in operation for 18 months and has had enough time to prepare for tonight's meeting. Several people arranged for childcare to be present at this meeting.

JANET FELLHAUER, 4056 Melody Lane, JOHN WAGNER, 4148 Pleasant Road, and PAUL TAYLOR, 4108 Vegas Drive, were present for Items 42, 43 and 44. MR. TAYLOR opposed the landscaping related items.

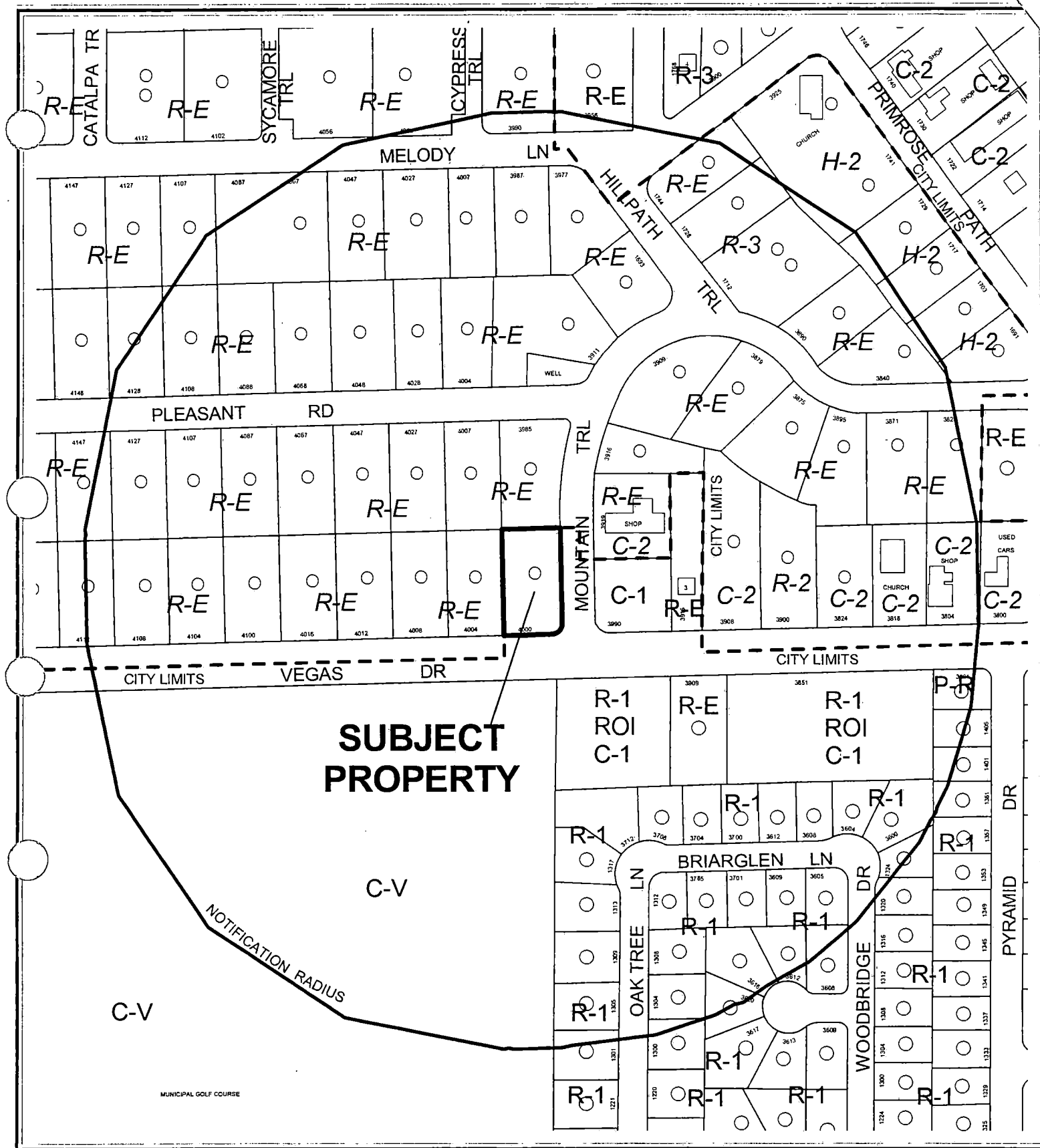
MR. CLAPSADDLE explained that the applicant's representative was not able to be present. Therefore, he would collect the names, addresses and telephone numbers of those people who came for Items 42, 43 and 44. He would make a copy and forward it to the applicant so that he can contact them. MR. CLAPSADDLE confirmed for CHAIRMAN TRUESDELL that this is the first time abeyance was requested for these items.

COMMISSIONER EVANS asked that representation be made that staff would attempt to have these items heard on May 27, 2004. MR. CLAPSADDLE indicated that he would notify the applicant to be prepared to make a presentation for the May 27th Planning Commission meeting.

MS. FELLHAUER stated that at a meeting held by the applicant on March 30th, the applicant said that the owner would be present at tonight's meeting. CHAIRMAN TRUESDELL stated that staff will ensure that all the residents are informed and that the item will be heard on May 27th.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(6:02 – 6:11)



CASE: **SDR-4102**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

0 100 200 Feet



City of Las Vegas

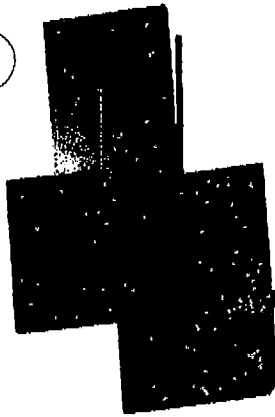
AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 22, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4102 – APPLICANT/OWNER: PETER CASTELLANO

***ON APRIL 7, 2004 THE APPLICANT
REQUESTED THIS ITEM BE HELD
IN ABEYANCE TO THE MAY 27, 2004
PLANNING COMMISSION MEETING.***



PD LANDSCAPING

NV LIC # 55247

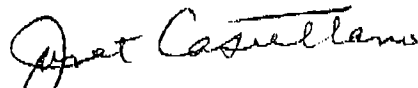
April 7, 2004

Kyle Walton
Senior Planner
731 South Fourth Street
Las Vegas, Nevada 89101
Fax# 385-7268

We are requesting that you put in abeyance the hearing for application GPA-4100, ZON 4101 and SDR4102 for 4000 Vegas Drive. It is scheduled for April 22, 2004 and we would appreciate it if you would re-schedule it for May 27, 2004. We are making this request based on the fact that Joseph Bifano/Lobbyist for Peter and Janet Castellano will be out of state due to an urgent matter.

Your consideration in this matter is greatly appreciated. Please contact us with any concerns or questions.

Sincerely,


Janet Castellano


Peter Castellano

**9101 W. Sahara Ave. Suite 105-D31
Las Vegas, NV 89117
(702) 360-0490 Office (702) 296-2886 Cell**

#2A

#3 copy's needed of this.



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4102** APN: _____

Name of Property Owner: Peter Castellano

Name of Applicant: Peter and Janet Castellano

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

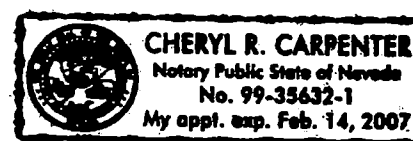
Signature of Property Owner/Authorized Agent: *Peter and Janet Castellano*

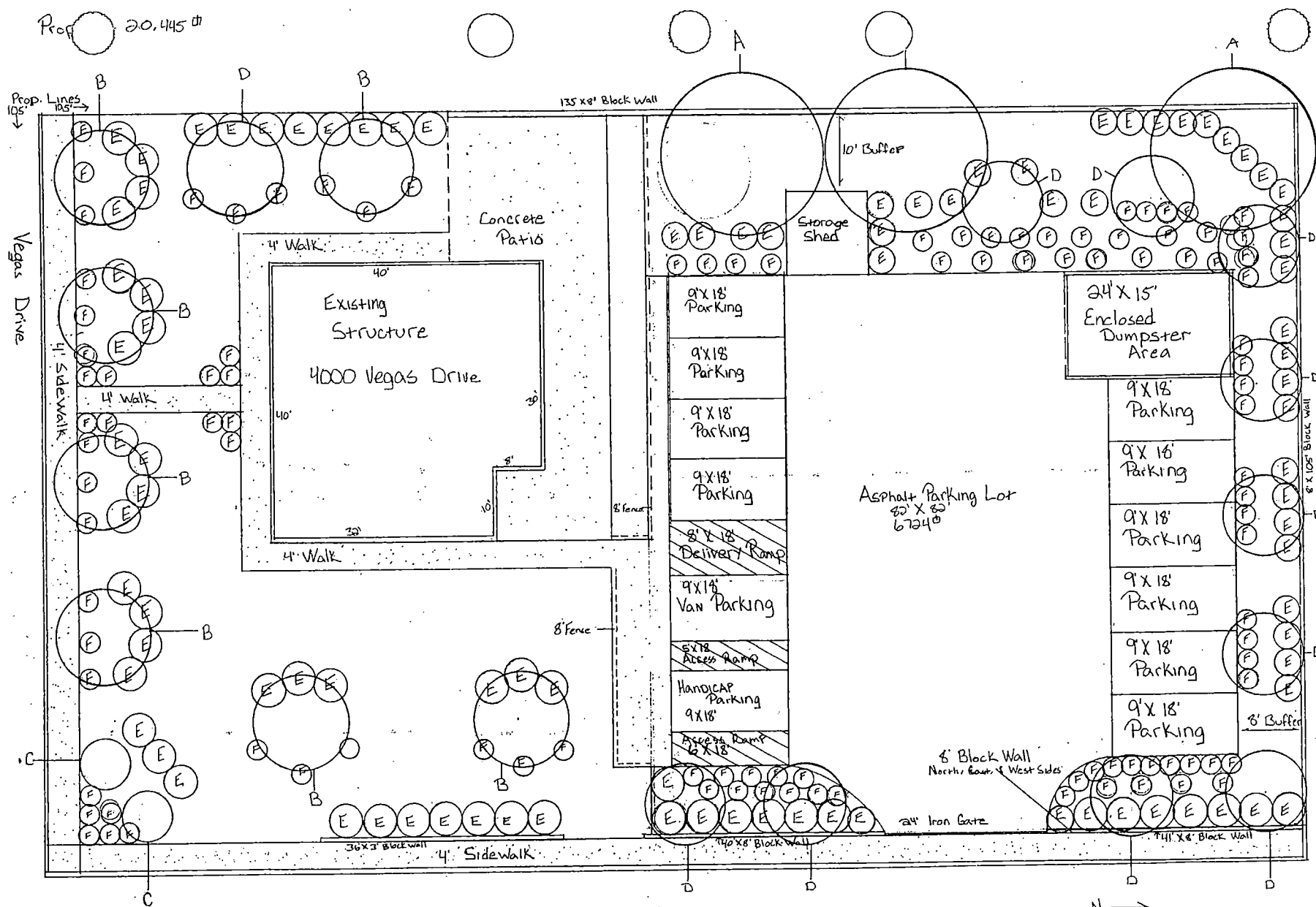
Print Name: PETER AND JANET CASTELLANO

Subscribed and sworn before me

This 27 day of February, 2004

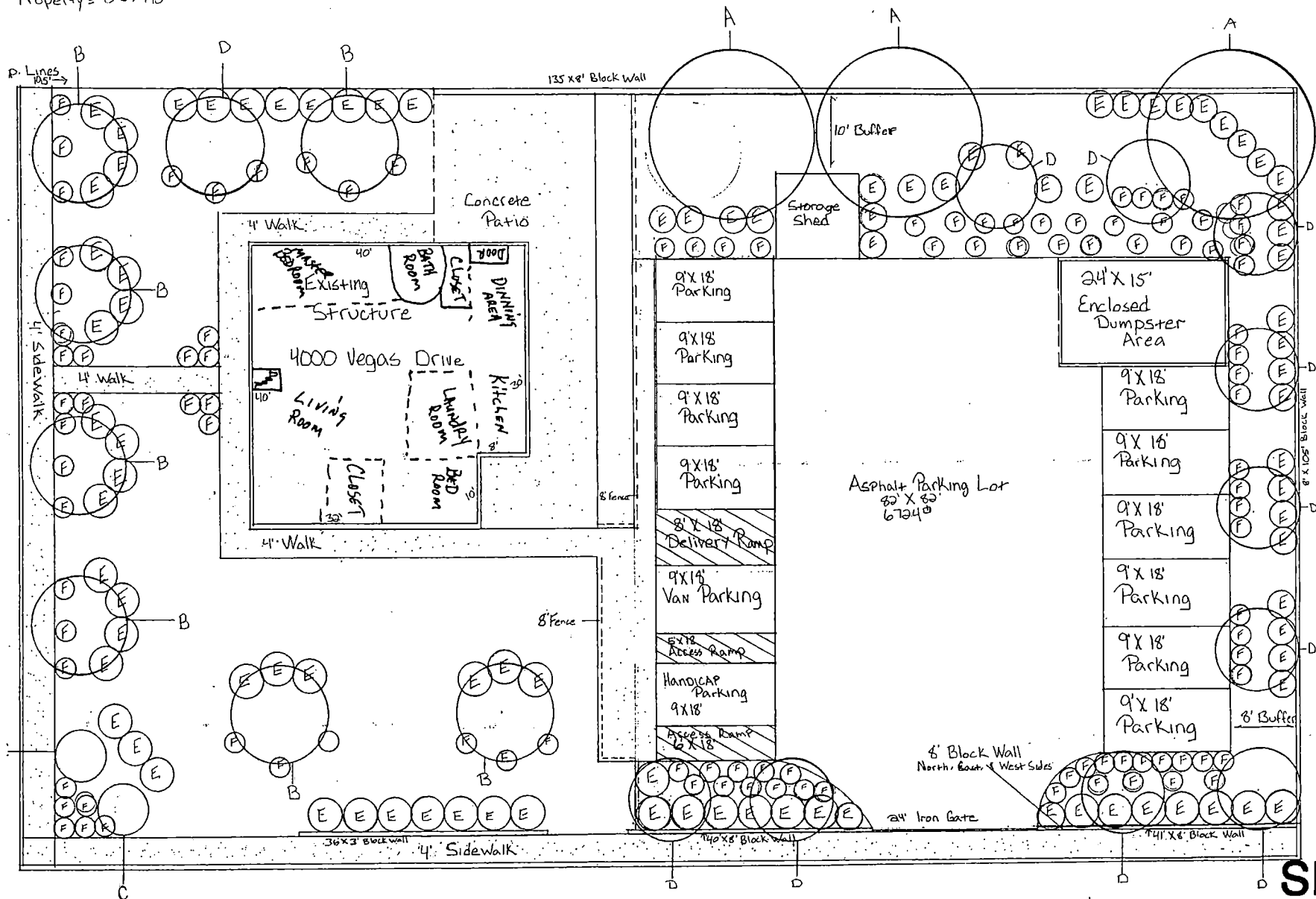
Cheryl R. Carpenter
Notary Public in and for said County and State





SDR-4102
4-22-04 PC

Property = 20,445 sq ft

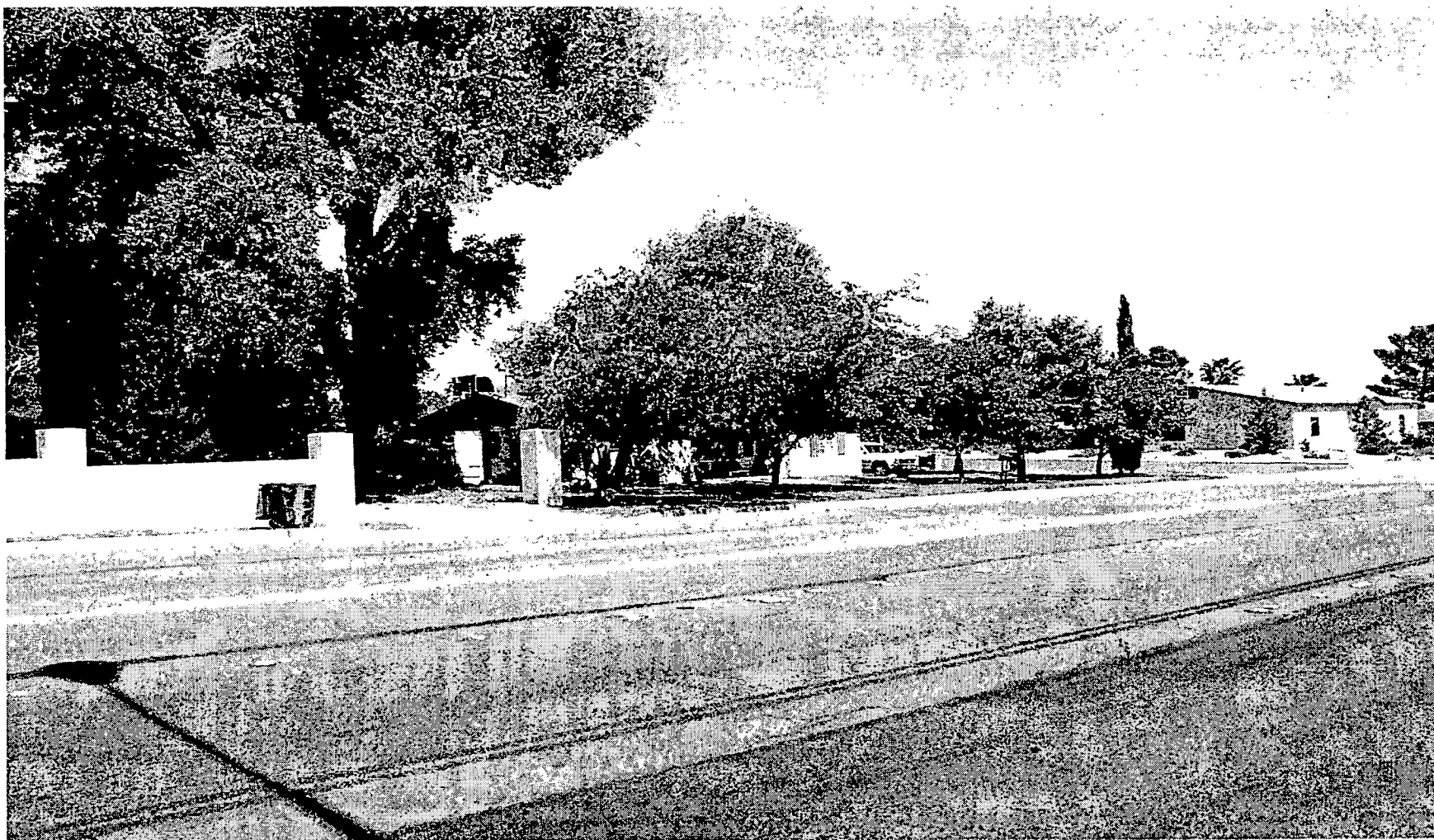


Scale = 1/8" = 1'

Drawn By: C. Allied

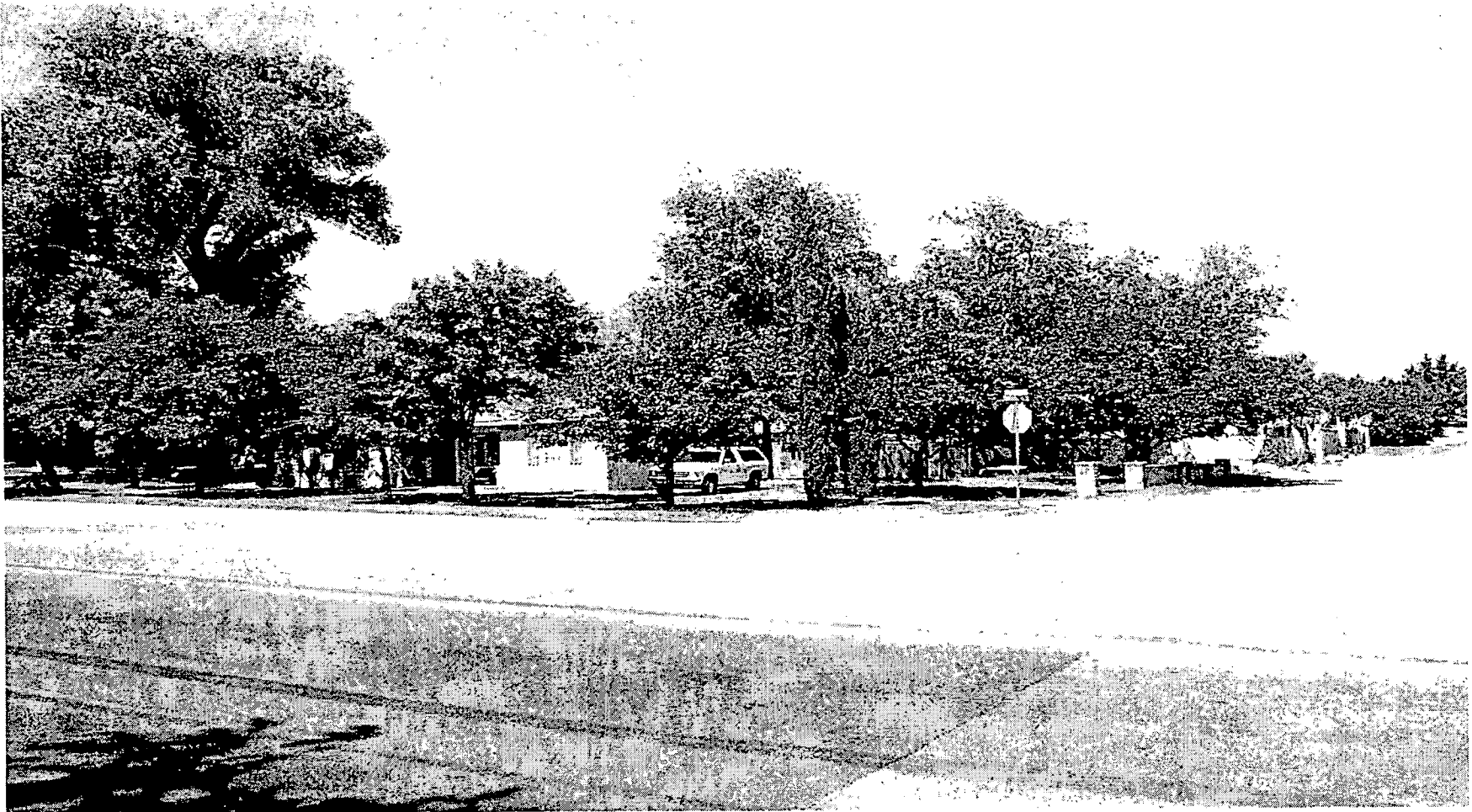
MOUNTAIN TRAIL

SDR-4102
4-22-04 PC



SDR-4102 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
APRIL 22, 2004 PLANNING COMMISSION

4/9/04



SDR-4102 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
APRIL 22, 2004 PLANNING COMMISSION

4/9/04

Re: 4100 6PA
ZON 4101
SDR 4102

April 14, 2004

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Dear Planners,

I am filing an objection to the proposed rezoning by Peter Castellano of the property located at 4000 Vegas Drive. The proposed use is incompatible with the existing neighborhood and is entirely inappropriate. Please take into consideration the following when hearing this proposal:

Eastland Heights is NOT a neighborhood in decline. Anyone who has purchased there in the past 10 years or so has done so with restoration in mind. Hundreds of thousands of dollars have been spent restoring these historic, classic rural homes to their former splendor. This is NOT a rental neighborhood. I am only aware of one single family home currently being rented – can't say the same for our brand new developments. Current residents include two Attorneys, a Bishop, Principal, Registered Nurse, Director of Human Resources, Doctor of Psychology, Entomologist, Director of Mental Health, Contractor, Architect, a juggler, a jazz musician, a magician, a lion tamer, and yes, even a Nuclear Scientist. This does not smack of decline.

There is not an existing "trend" for commercialization. The applicant may claim that there is a professional building just across the street, as well as a storage facility going in, but you need to look at the whole picture. Neither of those properties are in Eastland Heights proper. The piece of Vegas Drive where the subject property is located is part of the face of Eastland Heights. It is the beginning of a string of homes, starting at Mountain Trail and ending with the Sigfried and Roy property, which defines our neighborhood parameters. These are classic old homes representing the beginning of Las Vegas's development as a city coming into it's own. The subject property in question was built in 1946, and was in fine condition prior to Mr. Castellano's converting it to a business without authorization. The Accounting Office, and the storage facility, were build upon vacant lots. We recognize that vacant lots don't produce revenue, and that these conversions, while not appealing, do not really impact the neighborhood. Not so with 4000 Vegas Drive. This strip of homes should not be destroyed. A cemented lot, commercial building with large vehicles, dumpsters and employees won't exactly "blend" with the existing neighborhood.

This is an inappropriate location for any business by virtue of access alone. Vegas Drive has too much traffic flow for their trucks to back in and out. There is no parking allowed. As such, they have elected to place their access point on Mountain Trail, INSIDE the

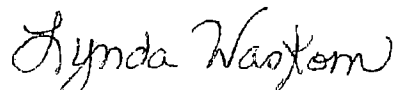
residential area. I am stopped there at least once a week by trucks backing in and out, or by workers standing around blocking the street, and this is while they DON'T have permission to operate there. Should a person anticipate being blocked by workers at shift change on a residential street? This is also a path where children walk and bicycle to school, and is proximate to a school bus stop. In addition to the traffic issues it has already caused, what about the noise? Commercial trucks come and go at all hours. Have you ever heard a dumpster being emptied by the garbage company? Is that appropriate at a HOUSE? Backing up to and abutting two other homes?

A final concern is the irreversibility of such an action. At the neighborhood meeting, lobbyist Joseph Bifano stated that PD Landscaping would remain at the Vegas Dr. address until such time as they outgrew it. Should they outgrow the location and move, or should they go belly-up, which is common for landscaping companies, Eastland Heights residents will still be stuck with One commercially zoned lot in a neighborhood of owner occupied horse zoned homes. What's next – a salvation army goodwill store, or perhaps a seven eleven?

The bottom line is that Mr. Castellano obtained this residence very cheaply – it was purchased for \$ 107,000 in 2001, and allegedly he received it in a judgement found in his favor. There isn't any reason in the world that PD Landscaping needs to be in that particular location, other than that Mr. Castellano obtained the property for next to nothing. While he has invested money in the property, he did so without obtaining the required zoning first, a reflection of a bad business decision. There are commercially zoned lots and building available all over the valley, and homes converted to commercial zoning are just as available, such as Jones Drive only one mile to the west. Mr. Castellano just doesn't want to pay for it – he'd rather pocket his money and ruin our classic neighborhood. Mr. Castellano has categorically failed to respond to the concerns of the residents while he's been operating there illegally; with this type of effrontery, one can only imagine what license he will take should his operation become legitimate.

This is not only inappropriate, it's downright outrageous. I would invite you to drive by the sight so that you might better understand just how incompatible this business, or any business, would be to the existing elegance. If that is not possible, I would appreciate a call to better clarify the issues, and receive direction from you on how best to proceed with stopping this outrage.

Respectfully,



Lynda Waskom
631-8565