

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - ZON-4374 - APPLICANT: NEVADA HOMES GROUP - OWNER: GRAND TETON LODGE LAND, LIMITED LIABILITY COMPANY, ET AL - Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] TO: R-PD7 (Residential Planned Development - 7 Units per Acre) on 7.10 acres adjacent to the north side of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive (APN: 125-09-401-017 and a portion of 125-09-401-006), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****1****City Council Meeting****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council Meeting – Revised Site Development Review Plan for Item 172 [ZON-4374] and Item 173 [SDR-4375] filed under Item 172 [ZON-4374]

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 172 [ZON-4374] and Item 173 [SDR-4375].

RUSSEL ROWE, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and explained that after working with staff, it was agreed that to avoid an alley like affect on the equestrian trail as well as for security reasons, there should not be one solid block wall along the northern and eastern property lines abutting the equestrian trail. It was determined that where there are homes, the wall will be solid block and the areas without homes would have a wrought iron fence. Condition 15 was amended and was read by ROBERT GENZER, Director, Planning and Development Department and MR. ROWE submitted a revised Site Development Plan reflecting the change.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 172 – ZON-4374

MINUTES Continued:

COUNCILMAN MACK indicated this is a terrific project for the neighborhood.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 172 [ZON-4374] and Item 173 [SDR-4375].

NOTE: All discussion for Item 172 [ZON-4374] and Item 173 [SDR-4375] was held under Item 172 [ZON-4374].

(6:07 – 6:11)
6-3898

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Approval of a Site Development Plan Review (SDR-4375) by the City Council prior to the issuance of any permit or site grading, whichever occurs first.

Public Works

3. Dedicate 60 feet of right-of-way adjacent to this site for Grand Teton Drive prior to the issuance of any permits as required by the Department of Public Works. Additional dedications in accordance with Standard Drawing #201.1 shall also be provided unless specifically not required in the approved Traffic Impact Analysis.
4. Construct half-street improvements including appropriate overpaving on Grand Teton Drive, including the widened median island on Grand Teton Drive, adjacent to this site concurrent with the first phase of development of this site as required by the Department of Public Works. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Landscape and maintain all unimproved right-of-way on Grand Teton Drive adjacent to this site concurrent with development of this site.
6. Obtain an Encroachment Agreement for all landscaping and private improvements located in the Grand Teton Drive public right-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.
7. 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

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 172 – ZON-4374

CONDITIONS Continued:

or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways 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, whichever may occur first, if allowed by the City Engineer.

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-4374 - APPLICANT: NEVADA HOMES GROUP -
OWNER: GRAND TETON LODGE LAND, LIMITED LIABILITY COMPANY, ET AL

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Approval of a Site Development Plan Review (SDR-4375) by the City Council prior to the issuance of any permit or site grading, whichever occurs first.

Public Works

3. Dedicate 60 feet of right-of-way adjacent to this site for Grand Teton Drive prior to the issuance of any permits as required by the Department of Public Works. Additional dedications in accordance with Standard Drawing #201.1 shall also be provided unless specifically not required in the approved Traffic Impact Analysis.
4. Construct half-street improvements including appropriate overpaving on Grand Teton Drive, including the widened median island on Grand Teton Drive, adjacent to this site concurrent with the first phase of development of this site as required by the Department of Public Works. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Landscape and maintain all unimproved right-of-way on Grand Teton Drive adjacent to this site concurrent with development of this site.
6. Obtain an Encroachment Agreement for all landscaping and private improvements located in the Grand Teton Drive public right-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways 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, 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) [PCD (Planned Community Development) General Plan Designation] to R-PD7 (Residential Planned Development – 7 Units per Acre) on 7.10 acres located north of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive. A companion Site Development Plan Review (SDR-4375) was filed with this Rezoning application.

B) Applicant's Justification

The applicant has submitted a letter of justification with the application for rezoning, but there are no statements that support the request other than to mention that the proposed plan of development offers efficient utilization of traditional street layout and lot patterns.

BACKGROUND INFORMATION

A) Previous and Present Actions

- 03/17/99 The Board of County Commissioners approved a Rezoning (ZC-1702-98) to C-2 (General Commercial – Clark County) on a portion of this site. A restaurant/tavern was proposed as part of that application. The rest of the area to be rezoned was to remain single-family residential. City of Las Vegas staff reviewed the development plans submitted with this application and determined that they complied with the Conditions of Approval imposed by the County Commission.
- 06/08/99 The City Council approved a Petition of Annexation (A-0028-99) of 10.54 acres (Assessor's Parcel Numbers 125-09-401-006 and 017) adjacent to the northeast corner of Durango Drive and Grand Teton Drive, which includes the proposed site. A Resolution of Intent to a C-1 (Limited Commercial) zone was granted only to the proposed tavern site, with the remaining land to be designated U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]. The Planning Commission and staff recommended approval on 05/13/99. The effective date of the annexation was 09/24/99.
- 06/21/00 The City Council approved a Special Use Permit (U-0011-00) and Site Development Plan Review to allow a Tavern in conjunction with a proposed restaurant. The Planning Commission and staff recommended approval on 5/11/00.

- 07/17/02 The City Council approved an Extension of Time [U-0011-00(1)] for an approved Special Use Permit (U-0011-00) to allow a Tavern in conjunction with a proposed restaurant. The Planning Commission and staff recommended approval on 6/13/02.
- 01/22/04 The Planning Commission tabled a Site Development Plan Review (SDR-3511) for a proposed 71,570 square-foot office, tavern, and mini-storage development. Staff had recommended approval.
- 03/17/04 The City Council approved a General Plan Amendment (GPA-3483) to amend a portion of the Centennial Hills Sector of the General Plan from PCD (Planned Community Development) to SC (Service Commercial). The Planning Commission and staff recommended approval on 1/22/04.
- 03/17/04 The City Council approved a Review of Condition (ROC-2671) of Condition No. 6 of an approved Special Use Permit (U-0011-00), which had restricted commercial zoning to the western portion of the site. Staff and the Planning Commission recommended approval on 1/22/04.
- 03/17/04 The City Council approved a Rezoning (ZON-3509) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-1 (Limited Commercial) on a portion of APN: 125-09-401-006. Staff recommended approval. The Planning Commission recommended approval on 01/22/04.
- 06/10/04 The Planning Commission recommended approval of a related Site Development Plan Review (SDR-4375) for a 48-lot single-family residential development on 7.10 acres adjacent to the north side of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive. Staff recommends approval.

B) Pre-Application Meeting

- 04/01/04 Issues discussed included the need to clarify the location of the west property line, the need for open space calculations and cross sections, and a required Rezoning to R-PD7 (Residential Planned Development – 7 Units per Acre).

C) Neighborhood Meetings

A neighborhood meeting is not required for a rezoning application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 7.10

B) Existing Land Use

Subject Property: Undeveloped
 North: Undeveloped, Stables
 South: Undeveloped, Single-Family Dwellings
 East: Undeveloped
 West: Undeveloped

C) Planned Land Use

Subject Property: PCD (Planned Community Development)
 North: PCD (Planned Community Development)
 South: PCD (Planned Community Development)
 East: PCD (Planned Community Development)
 West: SC (Service Commercial)

D) Existing Zoning

Subject Property: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
 North: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to R-PD6 (Residential Planned Development – 6 Units per Acre) and R-A (Residential Agricultural – Clark County)
 South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and R-PD4 (Residential Planned Development – 4 Units per Acre)
 East: R-PD4 (Residential Planned Development – 4 Units per Acre)
 West: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan and has a PCD (Planned Community Development) land use designation, which allows for a mix of residential uses that maintain an average overall density ranging from two to eight dwelling units per acre. The proposed R-PD7 (Residential Planned Development – 7 Units per Acre) zoning district is in compliance with the General Plan.

<i>SPECIAL DISTRICTS/ZONES</i>	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

The required Equestrian Trail along the north and east property lines are depicted on the proposed site plan.

ANALYSIS

A) General Analysis and Discussion

The subject 7.10-acre site is located north of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive, a 100-foot Primary Arterial street, and Grand Teton Drive, a 120-foot Parkway Arterial street, both shown on the Master Plan of Streets and Highways.

The parcels are surrounded by land designated PCD (Planned Community Development) in the General Plan. The PCD (Planned Community Development) district allows a mix of residential, with a density maximum of eight units per acre, and neighborhood supportive limited commercial.

This proposal is to develop a 48-lot single-family residential subdivision. The proposed overall density of 6.76 dwelling units per acre is within the allowable limits of the R-PD (Residential Planned Development) district.

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 proposal supports Program B1.4 of the Centennial Hills Sector Plan that encourages the development of infill parcels in substantially developed, single-family neighborhoods at densities similar to existing development.

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 development is for single-family dwellings, which is a land use compatible with single-family development proposals adjacent to it.

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

The purpose and intent of the R-PD (Residential Planned Development) district, which encompasses the subject tract and surrounding area, is designed to allow maximum flexibility to permit imaginative and innovative residential designs and to utilize land for the development of residential communities, which are planned and developed with appropriate amenities to establish a clear sense of community. The proposed development is consistent with this purpose and intent.

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 planned capacity of Grand Teton and Durango Drive will be more than sufficient for the traffic needs of the proposed development.

PLANNING COMMISSION ACTION

Public Works Conditions 3 through 6 were amended as shown.

NOTICES MAILED 200 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

ZON-4374

Case Number: _____ APN: 125-09-401-006

Name of Property Owner: ALM Corp.

Name of Applicant: Nevada Homes Group

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: _____

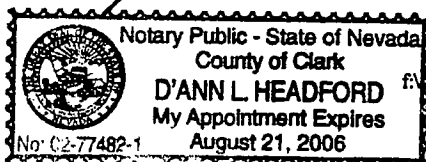
Signature of Property Owner/Authorized Agent: _____

Print Name: STUART APOLLO

Subscribed and sworn before me

This 21st day of April, 2004

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

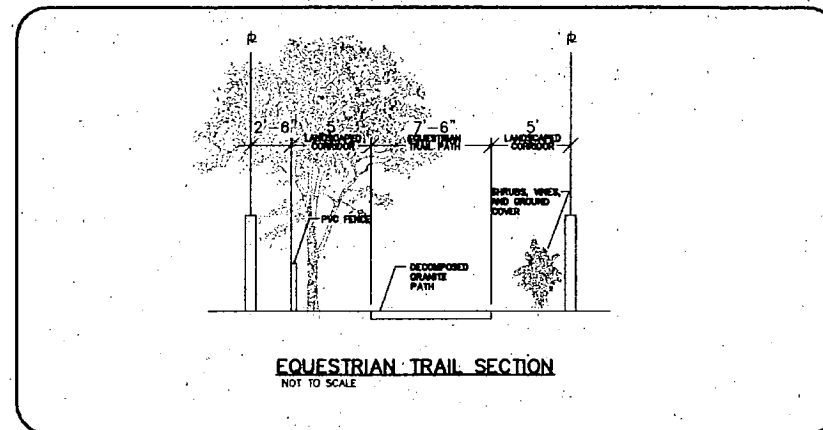


STAFF



ZON-4374 - APPLICANT: NEVADA HOMES GROUP - OWNER: GRAND TETON LODGE LAND, LIMITED
LIABILITY COMPANY, ET AL
NORTH SIDE OF GRAND TETON DRIVE, APPRXIMATELY 496 FEET EAST OF THE CENTERLINE OF
DURANGO DRIVE
JUNE 10, 2004 PLANNING COMMISSION

05/17/04



SITE DATA

CURRENT ZONING :	R-E
PROPOSED ZONING :	R-PD-7
GROSS AREA :	6.90 AC
NUMBER OF LOTS :	48
PROPOSED DENSITY :	6.85 DUA
NUMBER OF COMMON ELEMENTS :	5
OPEN SPACE REQUIRED :	34,444 S.F.
	0.79 ACRES
OPEN SPACE PROVIDED :	34,938 S.F.

APN# 125-09-401-017 and a portion
of 125-09-401-006

OWNER/DEVELOPER
NEVADA HOMES GROUP
8985 WEST SAHARA AVENUE
LAS VEGAS, NEVADA 89117
(702) 220-8200
CONTACT : PAUL WAGNER

SETBACKS	
FRONT (GARAGE) :	5'
FRONT (HOUSE) :	5'
SIDE :	5'
CORNER/SIDE :	10'
REAR :	10'

LEGEND

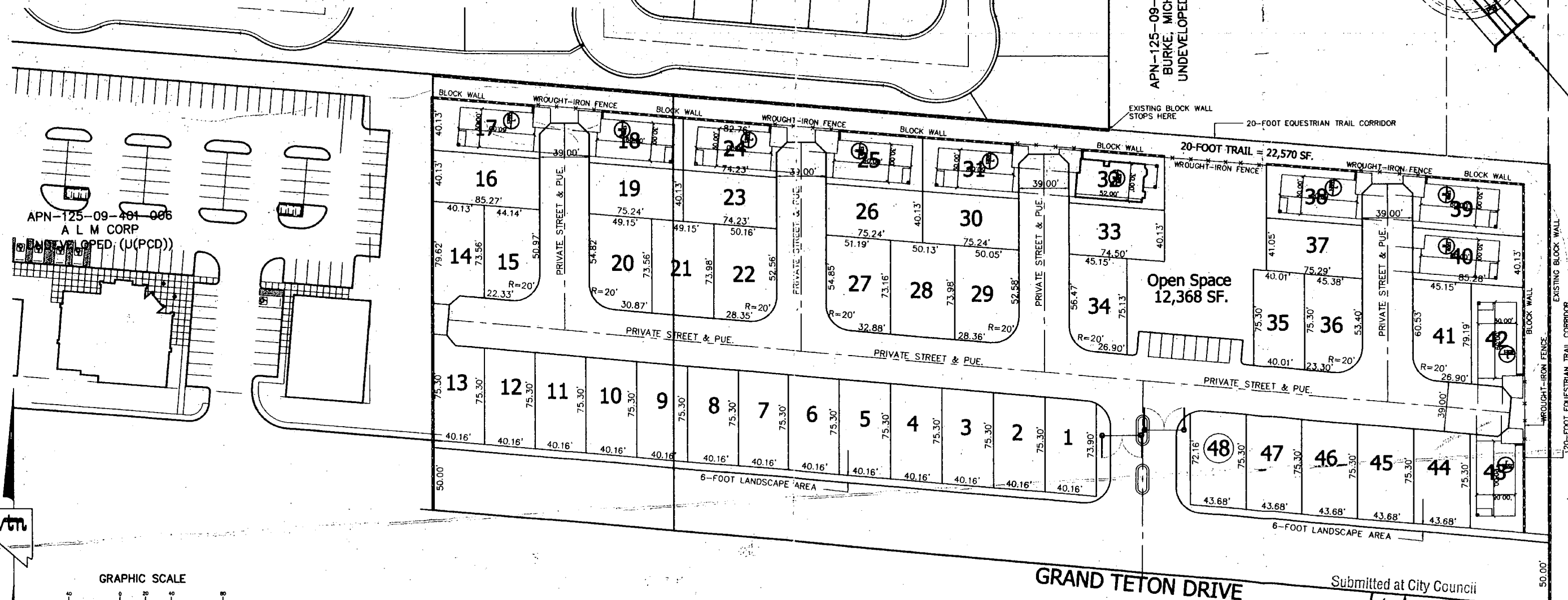
	STREET CENTERLINE
	PARCEL BOUNDARY
	LOT LINE
	SETBACK LINE
	EXISTING SEWER LINE AND MANHOLE
	EXISTING WATER LINE
	PROPOSED SEWER LINE AND MANHOLE
	PROPOSED WATER LINE
	PROPOSED STORM DRAIN
	LOT NUMBER
	BLOCK NUMBER
	POINT OF CONNECTION TO EXIST. UTILITIES
	RATE OF GRADE AND DIRECTION OF SLOPE (APPLIES TO BOTH STREET AND SEWER UNLESS OTHERWISE NOTED)
	EXISTING CONTOUR LINE
	COMMON ELEMENT AREA
	STREET LIGHT
	FIREHYDRANT
	PROPOSED MAIL BOXES PER USPS
	OPEN SPACE

GENERAL NOTES

1. ALL IMPROVEMENTS SHALL CONFORM TO THE UNIFORM STANDARDS AND SPECIFICATIONS OF CLARK COUNTY, NEVADA.
2. UTILITY SERVICES PROVIDED AS FOLLOWS :
 WATER.....LAS VEGAS VALLEY WATER DISTRICT
 ELECTRIC.....NEVADA POWER COMPANY
 GAS.....SOUTHWEST GAS CORPORATION
 SEWER.....CITY OF LAS VEGAS
 SOLID WASTE DISPOSAL.....SILVER STATE DISPOSAL SERVICE
 TELEPHONE.....SPRINT CENTRAL-NEVADA
3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES.
4. SEWER CONTRIBUTION :
 AVERAGE FLOW = 0.01720
 PEAK FLOW = 0.0695
5. BUILDING SETBACKS TO COMPLY WITH ALL APPLICABLE ORDINANCES.
6. STORM WATER TO SURFACE DRAIN ON STREETS.
7. THIS DEVELOPMENT IS SHOWN IN ITS ENTIRETY ON THIS TENTATIVE MAP AND IS NOT A PORTION OF ANY MASTER PLANNED AREA.
8. THIS DEVELOPMENT DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD ZONE, AS DESIGNATED BY FEMA FIRM NO. 32000SC17450
9. ALL INTERIOR SEWER AND WATER MAINS ARE 8" UNLESS OTHERWISE SHOWN.
10. ALL INTERIOR STREETS ARE 37' WIDE PUBLIC UNLESS OTHERWISE SHOWN.
11. ALL PROPERTY LINE RADIUS = 20' AT INTERSECTIONS UNLESS OTHERWISE SHOWN.
12. THIS SUBDIVISION WILL HAVE C&R'S & TO MAINTAIN LANDSCAPING IN PERPETUITY BY THE HOME OWNER'S ASSOCIATION.
13. COMMON ELEMENTS AND LANDSCAPING PER ZONE CHANGE CONDITIONS.
14. THERE ARE NO OBSERVABLE FAULTS OR FISSURES ON OR NEAR THIS SITE.
15. SEEPS, SPRINGS, OR OTHER INDICATIONS OR HIGH GROUND WATER LEVELS WERE NOT NOTED ON THE SUBJECT PROPERTY.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PROJECT IS NORTH 85°58'18" EAST, BEING THE BEARING OF THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST (SW 1/4) OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 60 EAST, W.D.M., CLARK COUNTY, NEVADA, AS SHOWN ON THAT CERTAIN RECORD OF SURVEY, ON FILE IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA, IN FILE 88 OF SURVEYS, PAGE 30.



GRAND TETON DRIVE

Submitted at City Council

Date 7/7/04 Item #1728, 173

SITE DEVELOPMENT PLAN | NEVADA HOMES GROUP

DURANGO & GRAND TETON
UNIT # 2

NEVADA HOMES GROUP
9885 WEST SARAH AVE./SUITE
LAS VEGAS, NEVADA 89117
(702) 221-6000

nv
2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89148-5148
PH. (702) 875-7550 FAX (702) 362-2597
nevada CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS

[illegible]

REV	DATE	BY	DESCRIPTION
1	8/8/2004	JRA	ADDED UNITS + GATES + BLOCK WALLS AND WROUGHT IRON

SHEET
SP-1
1 OF 2 SHEETS
DRAWING NO.
C180-112

1
-1
SHEETS
NO.
12-CL

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4374 - PUBLIC HEARING - SDR-4375 - APPLICANT: NEVADA HOMES GROUP - OWNER: GRAND TETON LODGE LAND, LIMITED LIABILITY COMPANY, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 48-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 7.10 acres adjacent to the north side of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive (APN: 125-09-401-017 and a portion of 125-09-401-006), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD7 (Residential Planned Development - 7 Units per Acre], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

1**RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council Meeting – Revised Site Development Review Plan for Item 172 [ZON-4374] and Item 173 [SDR-4375] filed under Item 172 [ZON-4374]

MOTION:

MACK – APPROVED subject to conditions and amending Condition 15 as follows:

15. *No lots abutting the equestrian trail shall be allowed to have walls adjacent to the trail that extend forward from the front of the house. No common lot may have a wall adjacent to the trail. The applicant shall ensure that the CC&R's for the development prevent future construction of such walls, and that the HOA and purchasers of these lots are specifically advised of this condition.*

– UNANIMOUS

MINUTES:

NOTE: See Item 172 [ZON-4374] for all related discussion.

(6:07 – 6:11)

6-3898

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 173 – SDR-4375

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-4374) to an R-PD7 (Residential Planned Development - 7 Units per Acre) Zoning District 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 and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 5 feet to the front of the house as measured from back of sidewalk or from back of curb if no sidewalk is proposed; a minimum of 18 feet or a maximum of 5 feet to the face of the garage door from back of sidewalk or from back of curb if no sidewalk is proposed; 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to depict a six-foot screening wall along Grand Teton Drive.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
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. 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.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 173 – SDR-4375

CONDITIONS Continued:

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. 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.
14. All City Code requirements and design standards of all City departments must be satisfied.
15. The applicant shall ensure that properties abutting the equestrian trail have no walls constructed along the property lines contiguous with the trail. The applicant shall ensure that the CC&R's for the development prevent future construction of such walls, and that the HOA and purchasers of these lots are specifically advised of this condition.

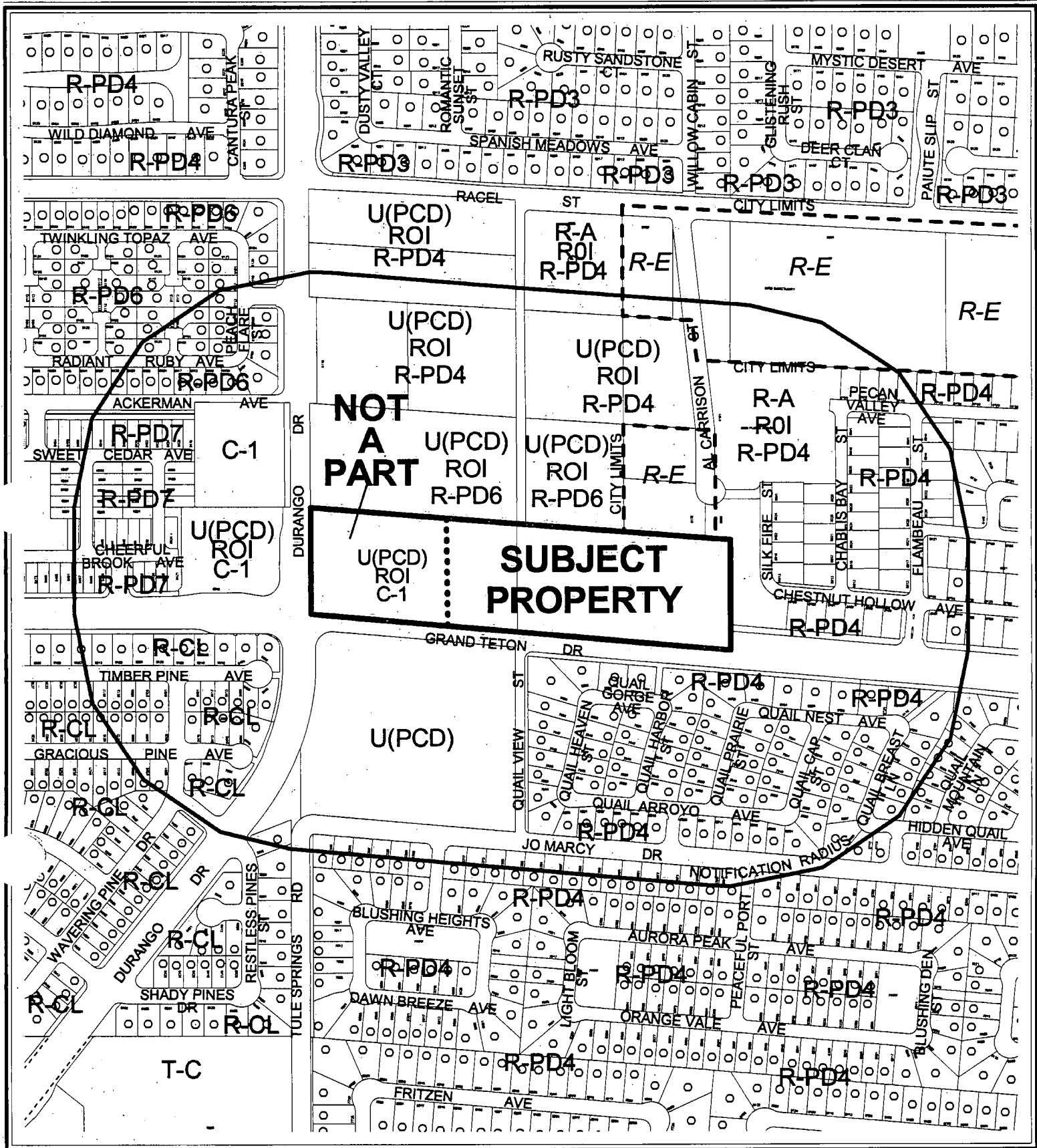
Public Works

16. Gated access drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. 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.
19. 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.
20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
21. Site development to comply with all applicable conditions of approval for ZON-4374 and all other subsequent site-related actions.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 173 – SDR-4375

CONDITIONS Continued:

22. 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.



CASE: SDR-4375

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

173



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-4375 - APPLICANT: NEVADA HOMES GROUP -
OWNER: GRAND TETON LODGE LAND, LIMITED LIABILITY COMPANY, ET AL

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-4374) to an R-PD7 (Residential Planned Development - 7 Units per Acre) Zoning District 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 and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 5 feet to the front of the house as measured from back of sidewalk or from back of curb if no sidewalk is proposed; a minimum of 18 feet or a maximum of 5 feet to the face of the garage door from back of sidewalk or from back of curb if no sidewalk is proposed; 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to depict a six-foot screening wall along Grand Teton Drive.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
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. 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.
13. 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.
14. All City Code requirements and design standards of all City departments must be satisfied.
15. The applicant shall ensure that properties abutting the equestrian trail have no walls constructed along the property lines contiguous with the trail. The applicant shall ensure that the CC&R's for the development prevent future construction of such walls, and that the HOA and purchasers of these lots are specifically advised of this condition.

Public Works

16. Gated access drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. 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.
19. 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.
20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
21. Site development to comply with all applicable conditions of approval for ZON-4374 and all other subsequent site-related actions.
22. 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

The request is for a Site Development Plan Review for a 48-lot single-family residential development on 7.10 acres adjacent to the north side of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive. A companion Rezoning (ZON-4374) to R-PD7 (Residential Planned Development – 7 Units per Acre) will be considered concurrently with this application.

B) Applicant's Justification

The request is in accordance with Title 19 and the PCD (Planned Community Development) General Plan designation.

BACKGROUND INFORMATION

A) Previous Actions

- 03/17/99 The Board of County Commissioners approved a Rezoning (ZC-1702-98) to C-2 (General Commercial – Clark County) on a portion of this site. A restaurant/tavern was proposed as part of that application. The rest of the area to be rezoned was to remain single-family residential. Staff reviewed the development plans submitted with this application and determined that they complied with the Conditions of Approval imposed by the County Commission.
- 06/08/99 The City Council approved a Petition of Annexation (A-0028-99) of 10.54 acres (Assessor's Parcel Numbers 125-09-401-006 and 017) adjacent to the northeast corner of Durango Drive and Grand Teton Drive, which includes the proposed site. A Resolution of Intent to a C-1 (Limited Commercial) zone was granted only to the proposed tavern site, with the remaining land to be designated U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]. The Planning Commission and staff recommended approval on 05/13/99. The effective date of the annexation was 09/24/99.
- 06/21/00 The City Council approved a Special Use Permit (U-0011-00) and Site Development Plan Review to allow a Tavern in conjunction with a proposed restaurant. The Planning Commission and staff recommended approval on 5/11/00.

- 07/17/02 The City Council approved an Extension of Time [U-0011-00(1)] for an approved Special Use Permit (U-0011-00) to allow a Tavern in conjunction with a proposed restaurant. The Planning Commission and staff recommended approval on 6/13/02.
- 01/22/04 The Planning Commission tabled a Site Development Plan Review (SDR-3511) for a proposed 71,570 square-foot office, tavern, and mini-storage development. Staff had recommended approval.
- 03/17/04 The City Council approved a General Plan Amendment (GPA-3483) to amend a portion of the Centennial Hills Sector of the General Plan from PCD (Planned Community Development) to SC (Service Commercial). The Planning Commission and staff recommended approval on 1/22/04.
- 03/17/04 The City Council approved a Review of Condition (ROC-2671) of Condition No. 6 of an approved Special Use Permit (U-0011-00), which had restricted commercial zoning to the western portion of the site. The Planning Commission and staff recommended approval on 1/22/04.
- 03/17/04 The City Council approved a Rezoning (ZON-3509) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-1 (Limited Commercial) on a portion of APN: 125-09-401-006. Staff recommended approval. The Planning Commission recommended approval on 01/22/04.
- 06/10/04 The Planning Commission recommended approval of a related Rezoning (ZON-4374) from U (Undeveloped) PCD [(Planned Community Development) General Plan Designation] to R-PD7 (Residential Planned Development - 7 Units per Acre) on the subject site. Staff recommends approval.
- 06/10/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #36/fs).

B) Pre-Application Meeting

- 04/01/04 Issues discussed included the need for a Rezoning to R-PD7 (Residential Planned Development – 7 Units per Acre), clarification the location of the west property line, and the need for open space calculations and cross sections.

C) Neighborhood Meetings

A neighborhood meeting is not required for Site Development Review applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 7.10

B) Existing Land Use

Subject Property: Undeveloped
 North: Undeveloped, Stables
 South: Undeveloped, Single-Family Dwellings
 East: Undeveloped
 West: Undeveloped

C) Planned Land Use

Subject Property: PCD (Planned Community Development)
 North: PCD (Planned Community Development)
 South: PCD (Planned Community Development)
 East: PCD (Planned Community Development)
 West: SC (Service Commercial)

D) Existing Zoning

Subject Property: U (Undeveloped) PCD [Planned Community Development] General Plan Designation]
 North: U (Undeveloped) PCD [Planned Community Development] General Plan Designation] under Resolution of Intent to R-PD6 (Residential Planned Development – 6 Units per Acre) and R-A (Residential Agricultural – Clark County)
 South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and R-PD4 (Residential Planned Development – 4 Units per Acre)
 East: R-PD4 (Residential Planned Development – 4 Units per Acre)
 West: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation, which allows for a mix of residential uses that maintain an average overall density ranging from two to eight units per acre. The proposed R-PD7 zoning district is in compliance with the General Plan.

<i>SPECIAL DISTRICTS/ZONES</i>	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

A 20-foot Equestrian Trail is required along the north and east property lines.

PROJECT DESCRIPTION

The request is for a Site Development Plan Review for a 48-lot single-family residential development on 7.10 acres adjacent to the north side of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive. Access is provided via a drive from Grand Teton Drive, and open space requirements are being met. A 20-foot equestrian trail is planned along the north and east property lines. The elevations depict one and two-story stucco exteriors with balconies and pitched concrete tile roofs.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.06, the Site Development Plan establishes Development Standards in a R-PD (Residential Planned Development) District. The following standards are proposed:

Standards	Provided
Min. Lot Size	2,920 SF
Min. Lot Width	40 Feet
Min. Setbacks • Front (dwelling) • Front (garage) • Side • Corner • Rear	5 Feet 5 Feet or 20 Feet 10 Feet 10 Feet
Max. Building Height	2 Stories or 35 Feet

The proposed lot sizes, widths, setbacks, and building heights are acceptable for the type and density of the proposed development.

A2) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer: • Min. Trees • Min. Zone Width • Wall height	1 Trees/ 30 Linear Feet	26 Trees	46 Trees
	6 Feet 6 Feet		6 Feet Not Depicted

A six-foot screening wall is required along Grand Teton Drive; a Condition of Approval has been included to ensure compliance with this requirement. The proposal meets or exceeds all other applicable Title 19 landscape 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
7.10 acres	6.76	1.65	11.2 %	34,497 SF	11.3 %	34,938 SF

The proposal exceeds Title 19 Open Space requirements.

B) General Analysis and Discussion

- Zoning

The proposed R-PD7 (Residential Planned Development – 7 Units per Acre) zoning district is in compliance with the PCD (Planned Community Development) General Plan Designation for the subject site. The R-PD (Residential Planned Development) zoning district is designed to allow maximum flexibility to permit imaginative and innovative residential design and to utilize land for the development of residential communities which are planned and developed with appropriate amenities to establish a clear sense of community. It is intended to promote the enhancement of residential amenities by means of an efficient consolidation and utilization of open space, separation of pedestrian and vehicular traffic and a homogeneity of use patterns. Portions of an R-PD development may have a higher or lower density than permitted by the General Plan if the overall density for the entire development is in compliance with the General Plan. The maximum density permitted in an R-PD will be a function of the location and land use designation of a particular R-PD District and a determination of compatibility with surrounding development.

- Site Plan

The site plan depicts a 48-lot single-family residential development on 7.10 acres adjacent to the north side of Grand Teton Drive, approximately 495 feet east of the centerline of Durango Drive. The Minimum lot size is 2,920 square feet, and access is provided via a drive from Grand Teton Drive, a Parkway (120-foot) Arterial on the Master Plan of Streets and Highways. Thirty-nine-foot wide private streets provide internal circulation for the site, and a 20-foot Equestrian Trail is planned along the north and east property lines. A 12,368 square-foot park area and nine parking spaces are centrally located within the site for use by the homeowners. The proposed residential development will provide a buffer area between the R-PD4 (Residential Planned Development – 4 Units per Acre) district to the east and the C-1 (Limited Commercial) district to the west, and is appropriate for the area.

- Waivers

No Waivers are requested as a part of this application.

- Landscape Plan

The Landscape Plan depicts a six-foot landscape buffer along Grand Teton Drive planted with 24-inch box Mondel Pines and Modesto Ashes. The plan proposes 46 street trees where 26 are required, exceeding Title 19 requirements. The plan depicts 34,938 square feet of open space, of which 12,368 square feet is centrally located and equipped with amenities for resident use, and 22,570 square feet is dedicated for a 20-foot equestrian trail along the north and east property lines. The proposal exceeds Title 19 open space requirements.

- Elevation

The building elevations depict various models of one- and two-story residential dwellings typical of detached single-family homes in the area.

- Floor Plan

The floor plans depict two-story dwellings with various floor plan options typical for a single-family development of this type.

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 residential development is compatible with the adjacent residential development and development in the area.

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 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.

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

The site receives access via a drive from Grand Teton Drive, a Parkway (120-foot) Arterial on the Master Plan of Streets and Highways. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

The building and landscape materials are typical of those used for single-family dwellings, and are appropriate for the area and for 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 depict design characteristics and other architectural features that are not unsightly or obnoxious in appearance, and are harmonious and compatible with development in the area.

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

The site will be subject to building inspections and therefore will not compromise the public health, safety, and general welfare.

PLANNING COMMISSION ACTION

The Planning Commission added Condition #15 as shown.

NOTICES MAILED 200 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-4375

Case Number: _____ APN: 125-09-401-017

Name of Property Owner: Grand Teton Lodge Land LLC

Name of Applicant: Nevada Homes Group

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: _____

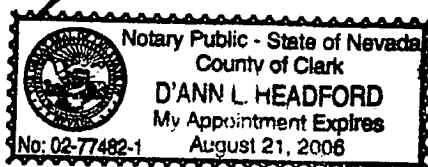
Signature of Property Owner/Authorized Agent: _____

Print Name: _____

STUART APOLLO

Subscribed and sworn before me

This 2nd day of April, 2004
[Signature]
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-4375

Case Number: _____ APN: 125-09-401-006

Name of Property Owner: ALM Corp.

Name of Applicant: Nevada Homes Group

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: _____

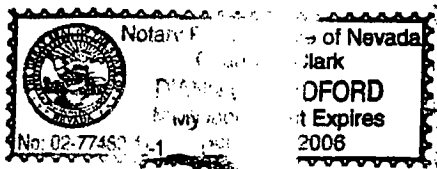
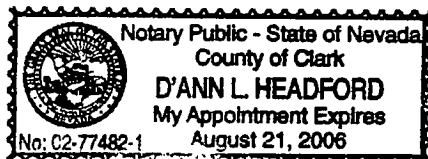
Signature of Property Owner/Authorized Agent: _____

Print Name: STUART APOLLO

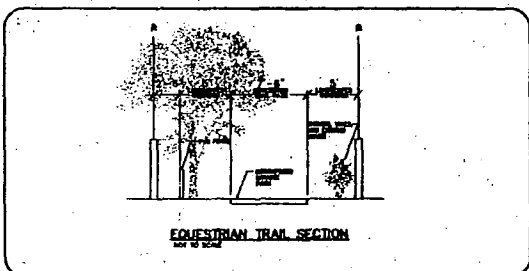
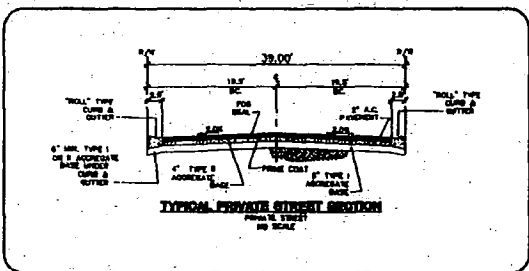
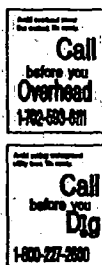
Subscribed and sworn before me

This 21st day of April, 2004

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



STAFF

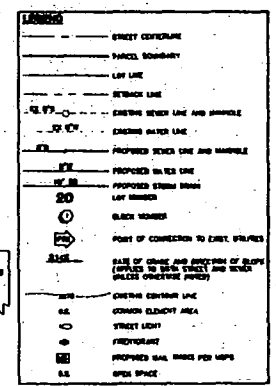
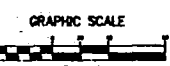


SITE DATA
 CONCRETE FOUND: 8-2
 PROPOSED FLOWING: 8-20
 BRICK ANLA: 8.00 AC
 NUMBER OF LOTS: 40
 PROPOSED DENSITY: 2.50 BLDG/AC
 NUMBER OF CONDOM. ELEMENTS: 3
 OPEN SPACE REQUIRED: 24.00 AC
 OPEN SPACE AVAILABLE: 6.70 ACRES
 OPEN SPACE PREPARED: 24.20 AC

SPRING T23-05-024-007 and a portion
 of T23-05-021-005

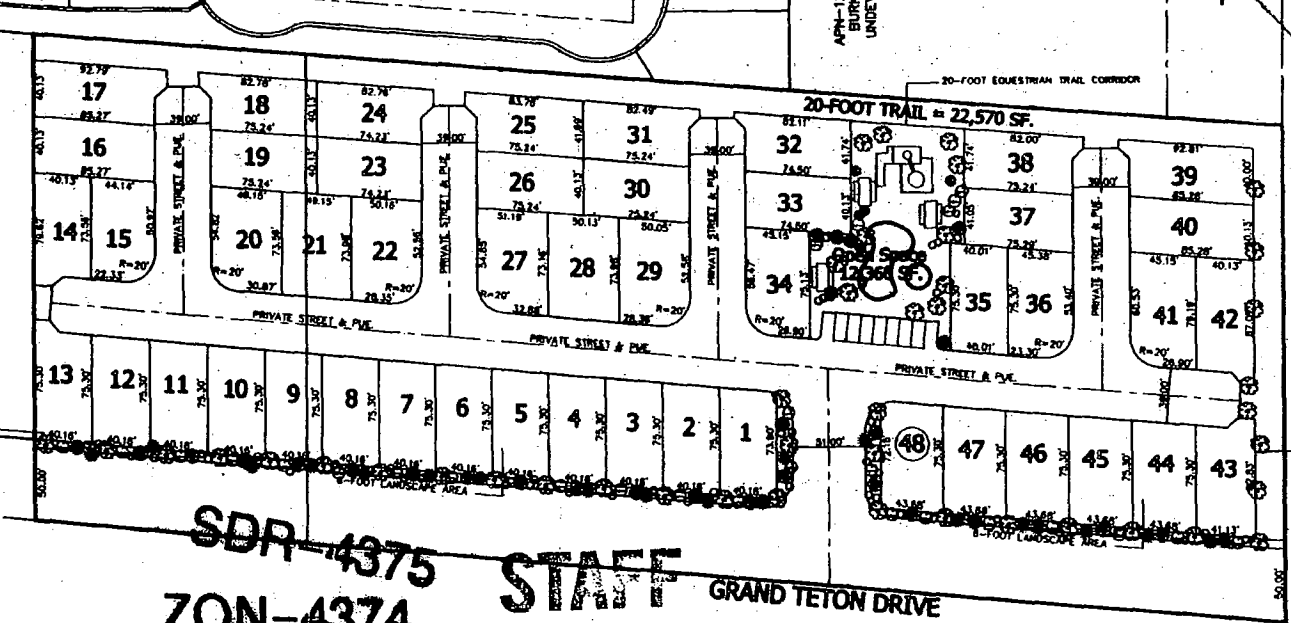
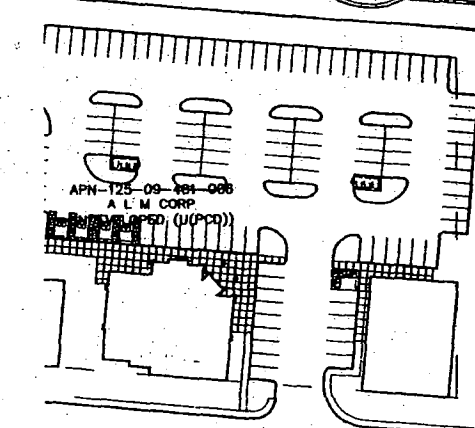
OWNER/DEVELOPER
 HANCOCK GROUP
 2 WEST SPRING AVENUE
 KENNES, WYOMING 80117
 303-423-2238
 CONTACT: PAUL WARDEN

EXTRACTION
FRONT (SQUARE) : 8'
FRONT (SQUARE) : 8'
SIDE : 8'
CORNER/END : 10'
REAR : 10'

[illegible]

BANKS OF SEASIDE

THE BANKS OF SEASIDE FOR THIS PROJECT IS NORTH STREET'S
EAST, BEING THE SEASIDE OF THE WEST LINE OF THE PROPERTIES
OF THE SOUTHWEST (ON 1/4) OF SECTION 4, TOWNSHIP 10 SOUTH
RANGE 40 EAST, N.M., CLARK COUNTY NEVADA, AS SHOWN
ON THAT CERTAIN RECORD OF SURVEY, ON FILE IN THE OFFICE
OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA, IN FILE
NO. OF SURVEY, PAGE 30.



TREE/PLANT SCHEDULE				
SYL.	QTY.	SIZE	SPACING	NAME
	27	3" BOX	VANES	MOORETO ASH
	26	2" BOX	VANES	MONDEL PINE
	43	VANES	N/A	DATE PALM
	16	1 1/2 GALLON	VANES	PHOTIA
	46	1 1/2 GALLON	VANES	FLORINDIA PALM
	8	5 GALLON	VANES	SHOULDER PALM

GENERAL NOTES

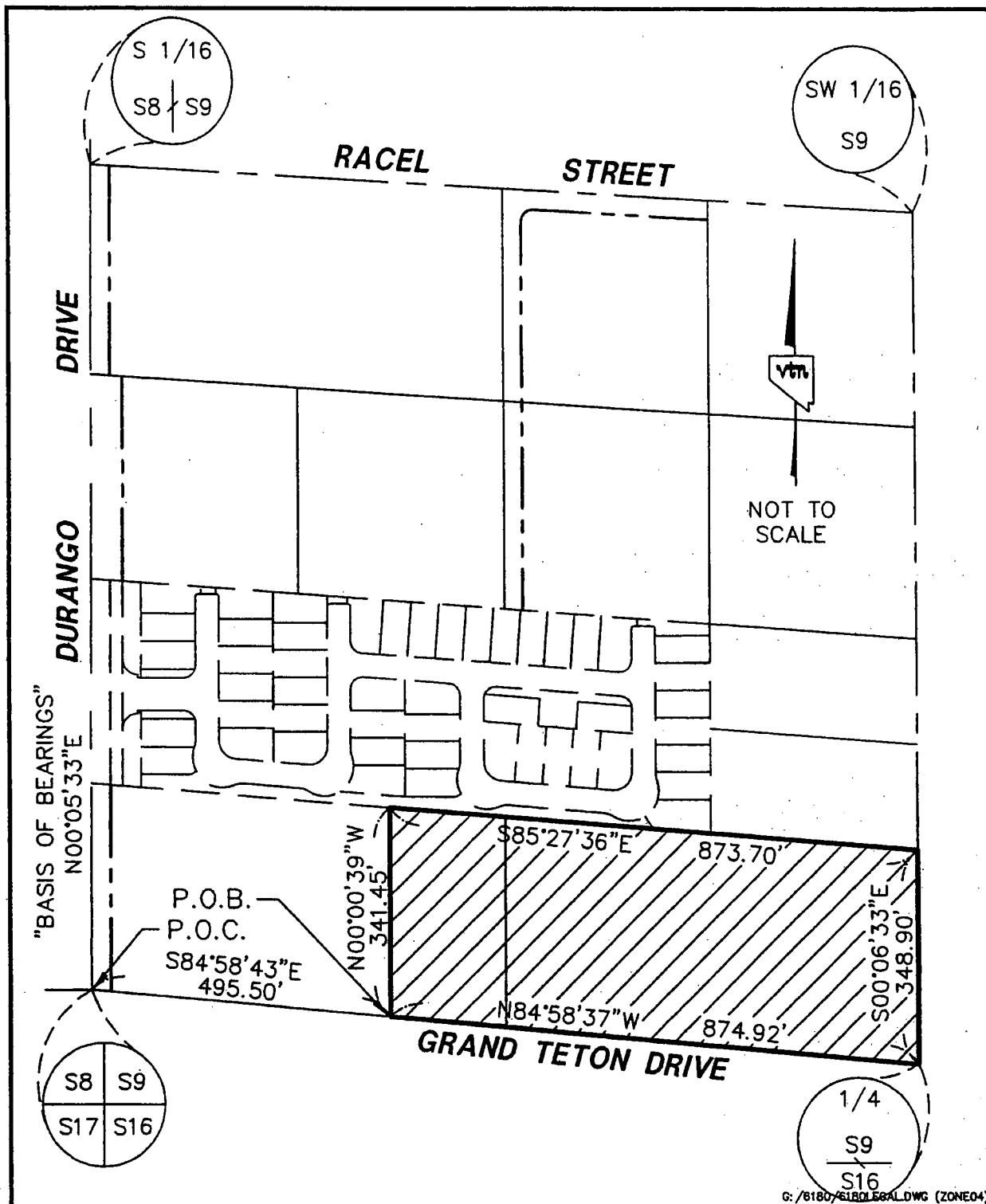
1. Landscape shall conform to requirements of Title 19a City of Las Vegas.
2. Landscape shall be designed to cover more than 50% of the landscaped area.
3. The proposed landscaping and plants are conceptual only, a detailed Landscape Plan will be prepared by a licensed landscape architect as part of the final engineering plan.
4. The number and types of plants may vary from that proposed conceptual plan.
5. The Applicant reserves the right to change the plant shown on this plan, and after the quantities shown in the Open Space area.

~~SDR-4375~~
ZON-4374
6-10-04 PC

~~STAFF~~

GRAND TETON DRIVE

[illegible]



 2727 S. RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148	EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION	SCALE	HORZ. NONE VERT. NA
	ZONING	W.O. NO.	6180
		DRAWN BY:	VCL
		DATE:	4/27/04
		SHEET	1 OF 1

ZON-4374 SDR-4375

6-10-04 PC

STAFF



SDR-4375 - APPLICANT: NEVADA HOMES GROUP - OWNER: GRAND TETON LODGE LAND, LIMITED
LIABILITY COMPANY, ET AL
NORTH SIDE OF GRAND TETON DRIVE, APPRXIMATELY 496 FEET EAST OF THE CENTERLINE OF
DURANGO DRIVE
JUNE 10, 2004 PLANNING COMMISSION

05/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - 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). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 174 [GPA-4072], Item 175 [ZON-4202] and Item 176 [SDR-4204].

RUSSELL ROWE, 3800 Howard Hughes Parkway, appeared with RUSSELL SKEWES, RS Consulting, the project's engineer, on behalf of the applicant and explained that three of the corners at the intersection are already built as residential. He was expecting some condition amendments to be read. BART ANDERSON, Engineering Project Manager, Department of Public Works, read the amended conditions and the applicant agreed.

JIM WARDOFF, 9665 West Regina, speaking for himself as well as property owners in the area was adamantly opposed to the project stating it does not conform to the master plan.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 174 – GPA-4072

MINUTES Continued:

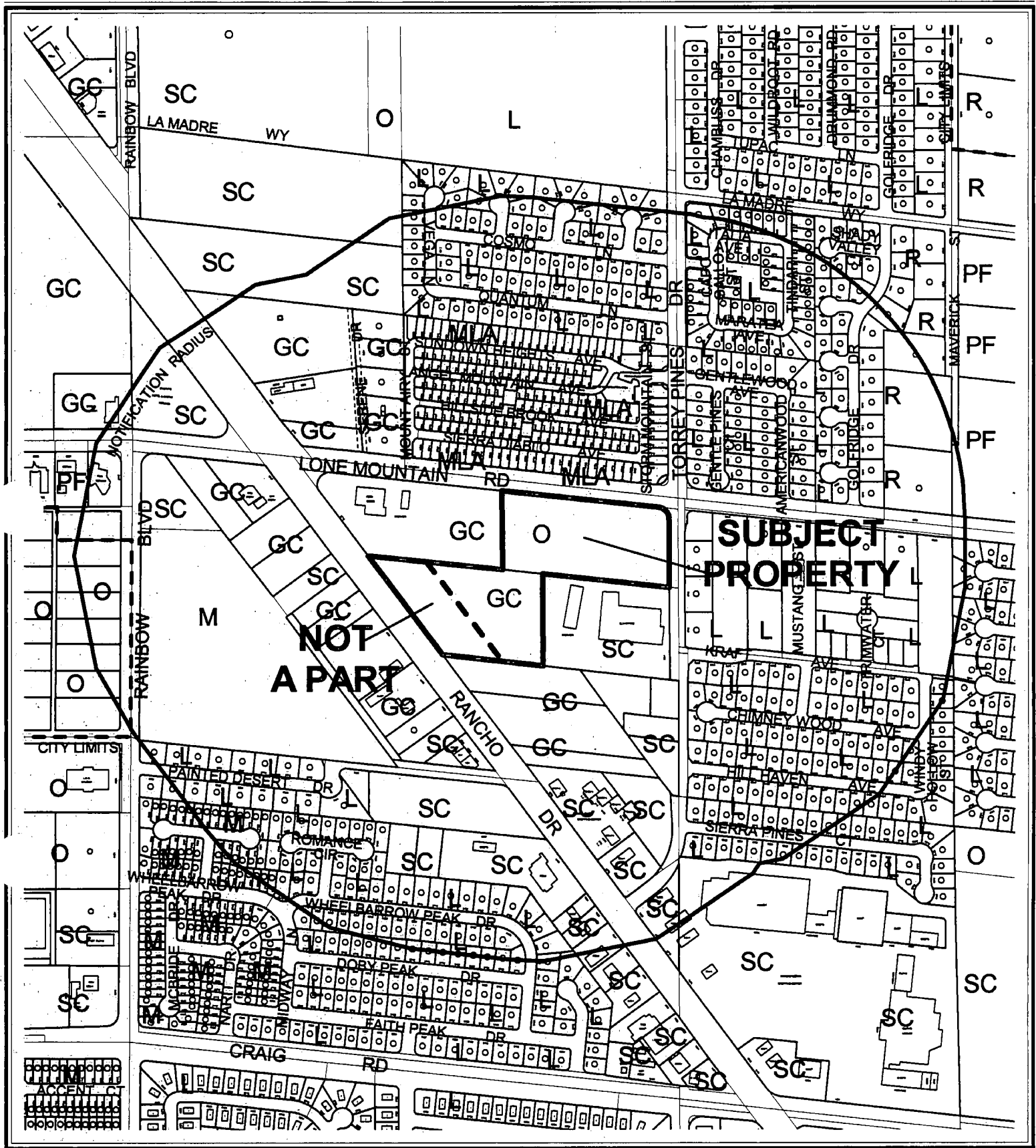
COUNCILMAN WEEKLY acknowledged the resident's concerns and explained that the need for the growth is causing commercial property to be looked at for residential potential. He indicated the product has a great design and will be built by Richmond American Homes. They should prove to be an amenity to the area.

MAYOR GOODMAN declared the Public Hearing closed on Item 174 [GPA-4072], Item 175 [ZON-4202] and Item 176 [SDR-4204].

NOTE: All discussion for Item 174 [GPA-4072], Item 175 [ZON-4202] and Item 176 [SDR-4204] was held under Item 174 [GPA-4072].

(6:11 – 6:15)

7-32



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:

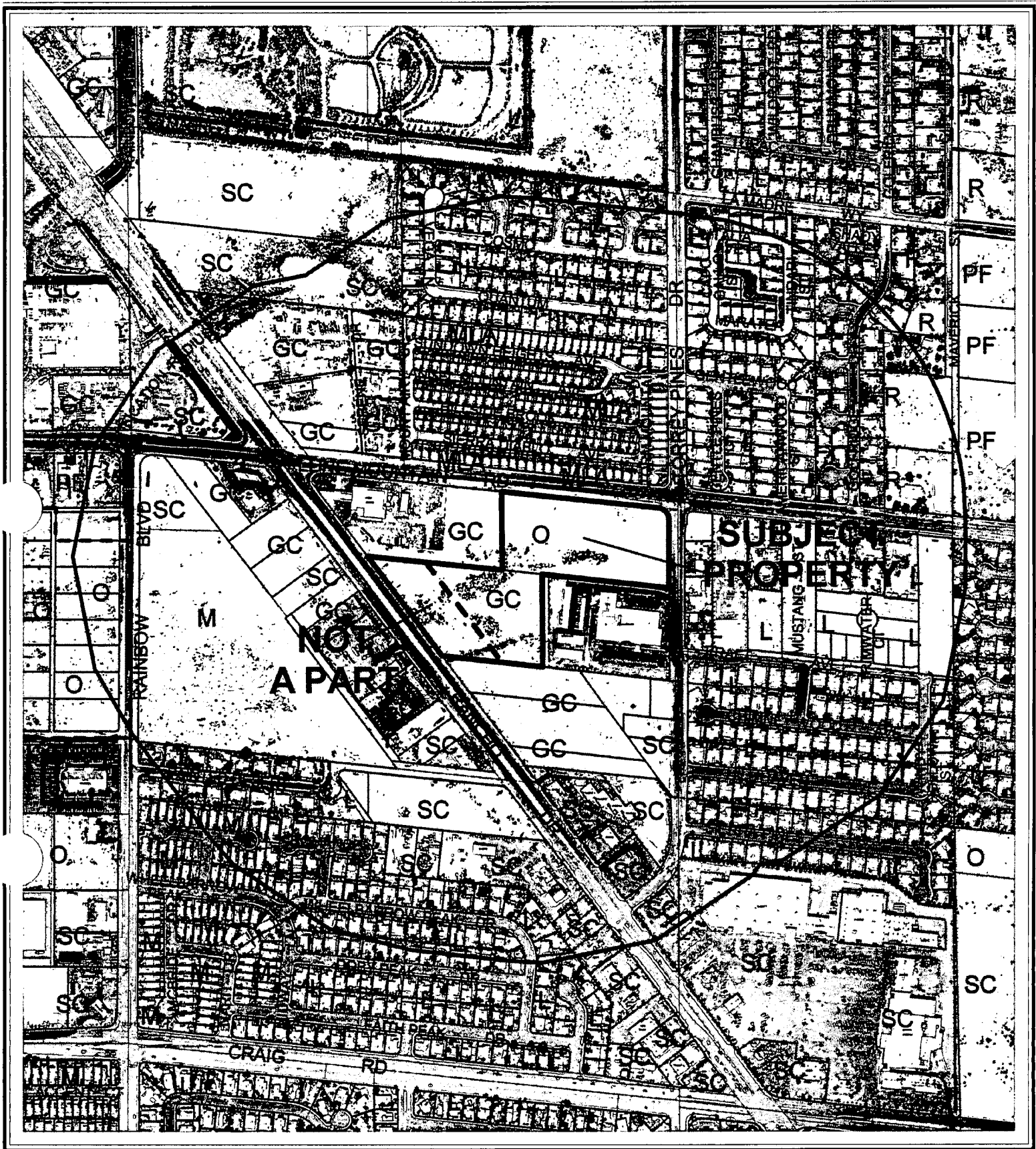
MLA (MEDIUM LOW ATTACHED RESIDENTIAL)

0 400 800 Feet



174





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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 10, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL.

**** 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). A companion Rezoning (ZON-4202) and Site Development Plan Review (SDR-4204) will be considered concurrently with this application.

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). |

- 04/22/04 The Planning Commission abeyed this General Plan Amendment at the Applicant's request to the May 13, 2004 Planning Commission meeting in order to hear all related cases at one time. Staff recommended denial.
- 05/13/04 The Planning Commission abeyed this General Plan Amendment at the Applicant's request to the June 10, 2004 Planning Commission in order to make additional revisions to the site plan.
- 05/13/04 The Planning Commission abeyed a related Rezoning request (ZON-4202) from O (Office), R-E (Residence Estates) and C-2 (General Commercial) to R-PD11 (Residential Planned Development - 11 Units Per Acre) at the Applicant's request to the June 10, 2004 Planning Commission meeting in order to make additional revisions to the site plan.
- 05/13/04 The Planning Commission abeyed a related Site Development Plan Review (SDR-4204) for a 116-unit single-family attached development at the Applicant's request to the June 10, 2004 Planning Commission meeting in order to make additional revisions to the site plan.
- 06/10/04 The Planning Commission recommended approval of a related Rezoning request (ZON-4202) from O (Office), R-E (Residence Estates) and C-2 (General Commercial) to R-PD11 (Residential Planned Development - 11 Units Per Acre). Staff recommends denial.
- 06/10/04 The Planning Commission recommended approval of a related Site Development Plan Review (SDR-4204) to allow a 125-unit single-family development. Staff recommends denial.
- 06/10/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #13/ls).

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

There are no special area plans, overlays or study areas that affect the subject site.

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.

General Plan Amendment Neighborhood Meeting

03/22/04 A neighborhood meeting was held and the nine persons who attended had the following comments:

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

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 district

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.

PLANNING COMMISSION ACTION

The Planning Commission believes that the project was able to fit into the neighborhood without negative impact if properly conditioned.

NOTICES MAILED: 663 by Planning Department

APPROVALS: 0

PROTESTS: 0



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 PARAMAHANSA K 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

☒ 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: _____

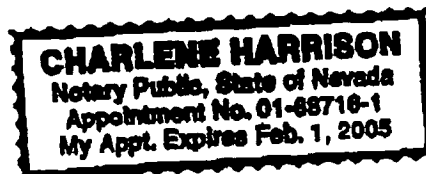
Signature of Property Owner/Authorized Agent: 10002

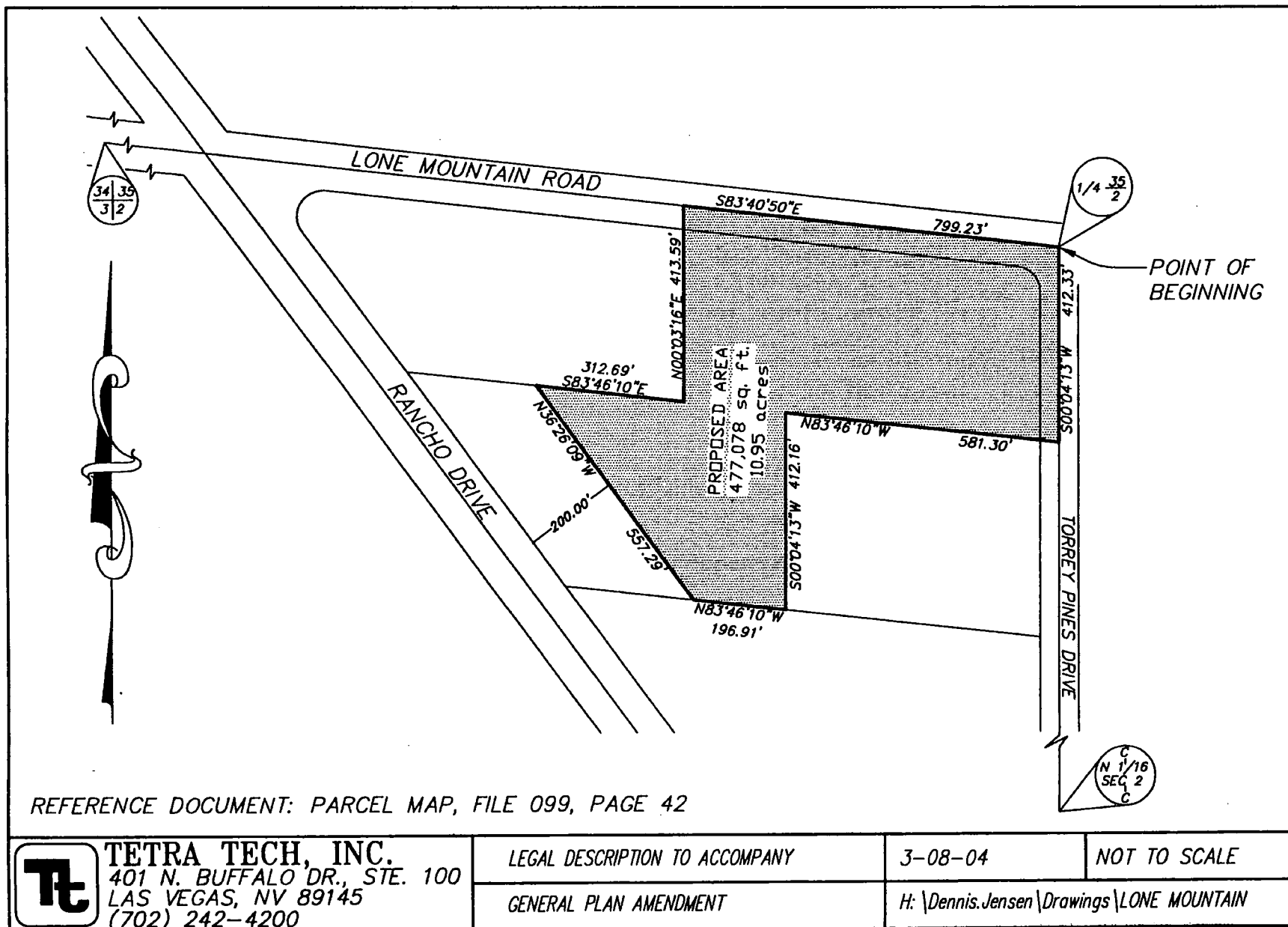
Print Name: DIPAK DEHAT

Subscribed and sworn before me

This 8th day of March, 2004

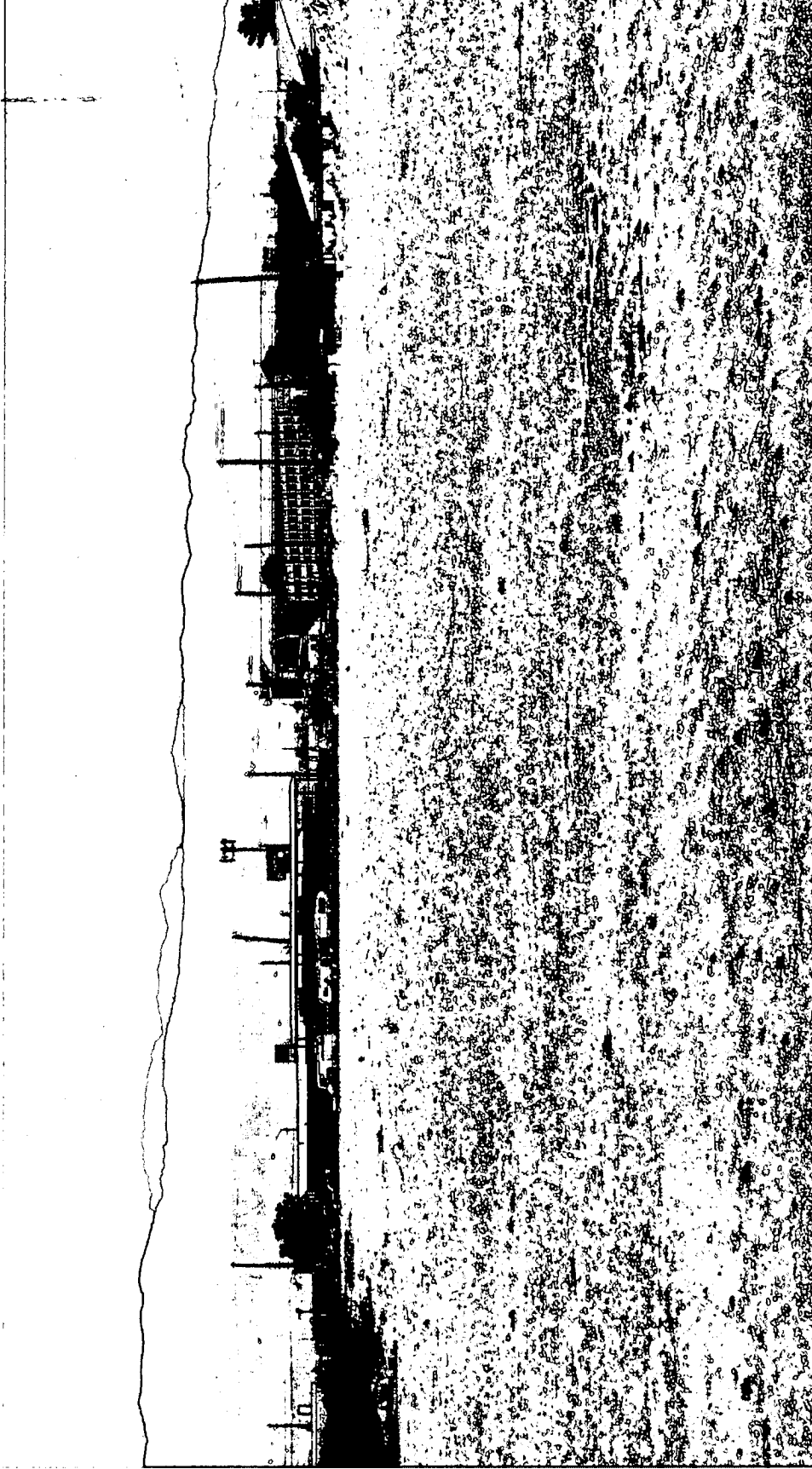
Charlene Danner
Notary Public in and for said County and State





TETRA TECH, INC. 401 N. BUFFALO DR., STE. 100 LAS VEGAS, NV 89145 (702) 242-4200	LEGAL DESCRIPTION TO ACCOMPANY	3-08-04	NOT TO SCALE
	GENERAL PLAN AMENDMENT	H: \Dennis.Jensen\Drawings\LONE MOUNTAIN	

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
JUNE 10, 2004 PLANNING COMMISSION

3/31/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED GPA-4072 - PUBLIC HEARING - ZON-4202 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK K & KUSUM D DESAI - Request for a Rezoning FROM: O (OFFICE), R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL) TO: R-PD11 (RESIDENTIAL PLANNED DEVELOPMENT - 11 UNITS PER ACRE) 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). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions with the deletion of Condition 7 and Condition 8 and amending Condition 4 as follows:

4. Construct half-street improvements including appropriate transitional paving on Lone Mountain Road and Torrey Pines 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. 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. *Off-site improvements on Rancho Drive adjacent to this site shall be required concurrent with development of the "Not a Part" portion of this site that abuts Rancho Drive.*

- UNANIMOUS

MINUTES:

NOTE: See Item 174 [GPA-4072] for all related discussion.

(6:11 - 6:15)

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 175 – ZON-4202

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4272) to a MLA (Medium Low Density Attached Residential) 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 (SDR-4204) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

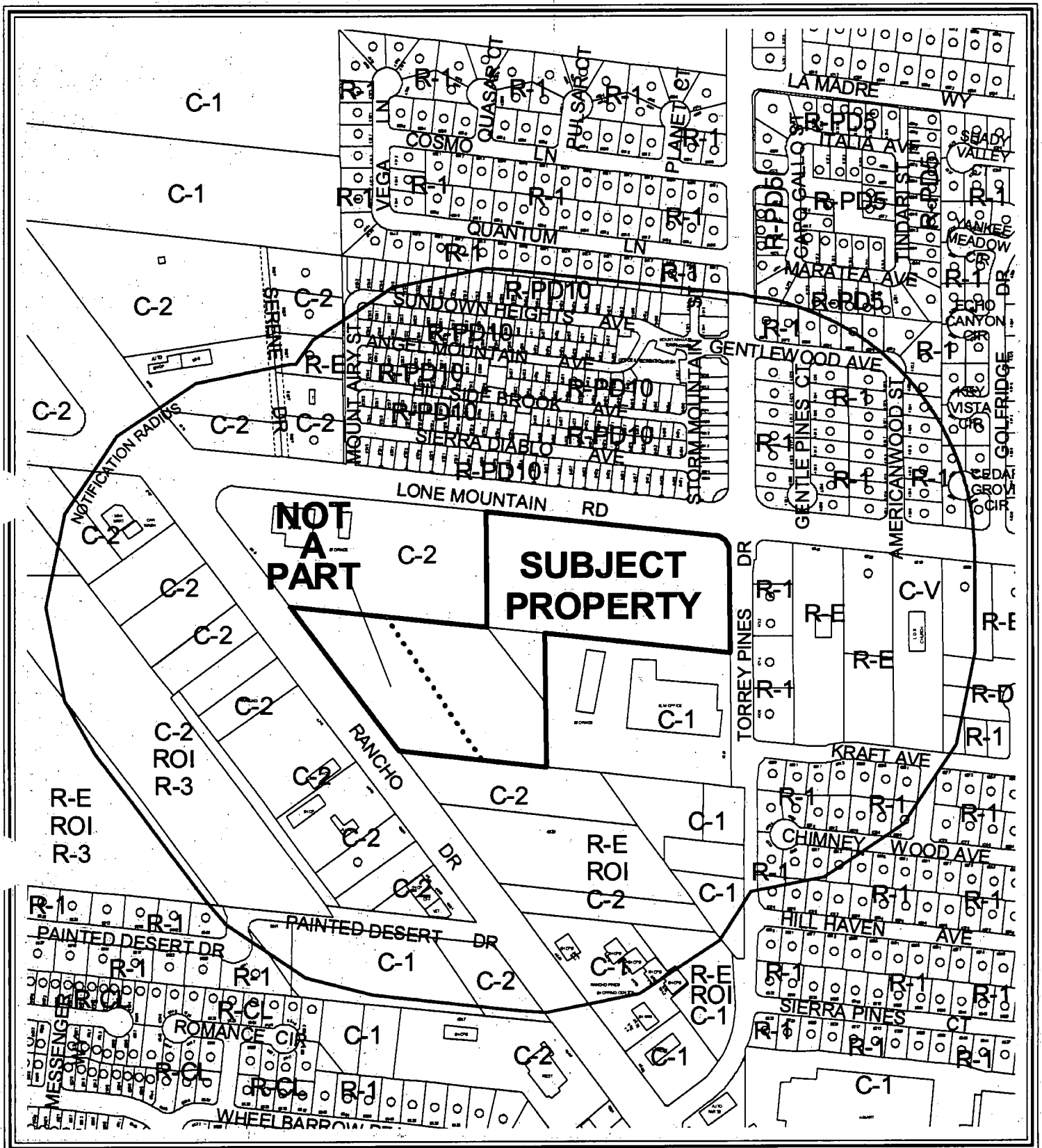
Public Works

4. Construct half-street improvements including appropriate transitional paving on Lone Mountain Road, Torrey Pines Drive and Rancho 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. 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.
5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western boundary of this site prior to construction of hard surfacing (asphalt or concrete).
6. Provide a public sewer stub at the southwest corner of this site at a location and to a depth acceptable to the City Engineer. 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.
7. Landscape and maintain all unimproved rights-of-way on Rancho Drive adjacent to this site.
8. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Rancho Drive right-of-way adjacent to this site prior to occupancy 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, 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

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 175 – ZON-4202

CONDITIONS:

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.



CASE: ZON-4202

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) , O (OFFICE) AND C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD11 (RESIDENTIAL PLANNED DEVELOPMENT - 11 UNITS PER ACRE)

175



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-4202 - APPLICANT: ROYAL CONSTRUCTION -
OWNER: DIPAK AND KUSUM DESAI

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-4272) to a MLA (Medium Low Density Attached Residential) 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 (SDR-4204) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct half-street improvements including appropriate transitional paving on Lone Mountain Road, Torrey Pines Drive and Rancho 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. 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.
5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western boundary of this site prior to construction of hard surfacing (asphalt or concrete).
6. Provide a public sewer stub at the southwest corner of this site at a location and to a depth acceptable to the City Engineer. 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.
7. Landscape and maintain all unimproved rights-of-way on Rancho Drive adjacent to this site.

8. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Rancho Drive right-of-way adjacent to this site prior to occupancy 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, 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

The request is for a Rezoning from O (Office), R-E (Residence Estates) and C-2 (General Commercial) to R-PD11 (Residential Planned Development - 11 Units per Acre) on 10.95 acres adjacent to the southwest corner of Lone Mountain Road and Torrey Pines Drive. A related General Plan Amendment (GPA-4072) and Site Development Plan Review (SDR-4204) will be considered concurrently with this item.

B) Applicant's Justification

The approval of a Rezoning to RPD-11 (Residential Planned Development - 11 Units per Acre) will allow the site to act as a buffer between existing residential development, the existing Bureau of Land Management Building, and the commercial development along Rancho Drive.

BACKGROUND INFORMATION

A) Previous Actions

- 04/26/99 The City Council approved a Rezoning Request (Z-0007-99) from R-E (Residence Estates) to C-1 (Limited Commercial). The Planning Commission recommended approval on 03/11/99.
- 04/02/03 The City Council approved a General Plan Amendment (GPA-1363) for a request to amend portions of the Centennial Hills Sector Plan and the Southwest Sector Map from GC (General Commercial), SC (Service Commercial) and DR (Desert Rural) to GC (General Commercial), O (Office), PF (Public Facility), ML (Medium-Low Density Residential) and DR (Desert Rural). The Planning Commission and staff recommended approval on 2/27/03.
- 04/02/03 The City Council approved a Rezoning Request (ZON-1364) from C-2 (General Commercial), R-E (Residence Estates), R-MHP (Residential Mobile/Manufactured Home Park), and U (Undeveloped) to C-2 (General Commercial), C-1 (Limited Commercial), O (Office), C-V (Civic), R-E (Residence Estates), R-1 (Single Family Residential), and U (Undeveloped). The Planning Commission and staff recommended approval on 02/27/03.
- 04/22/04 The Planning Commission abeyed a General Plan Amendment (GPA-4272) from O (Office) and GC (General Commercial) to MLA (Medium-Low Attached Density Residential) to the 5/13/04 Planning Commission meeting in order to hear all related cases at one time. Staff recommended denial.

- 05/13/04 The Planning Commission held this item and companion items General Plan Amendment (GPA-4272) and Site Development Plan Review (SDR-4204) in abeyance at the request of the applicant in order to make additional revisions to the site plan.
- 06/10/04 The Planning Commission recommended approval a related General Plan Amendment (GPA-4272) from O (Office) and GC (General Commercial) to MLA (Medium-Low Attached Density Residential). Staff recommends denial.
- 06/10/04 The Planning Commission recommended approval of a related Site Development Plan Review (SDR-4204) for a 125-unit single-family development. Staff recommends denial.
- 06/10/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #14/fs).

B) Pre-Application Meeting

- 02/25/04 No major issues were identified regarding the Rezoning application.

C) Neighborhood Meetings

A neighborhood meeting is not required for Rezoning Applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.95

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Residential/ Commercial
South: Undeveloped / Office
East: Office/ Single Family Residential
West: Undeveloped

C) 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)

D) 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) and R-1 (Single Family Residential)
West: C-2 (General Commercial)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with an O (Office), and GC (General Commercial) land use designation. A related General Plan Amendment will be heard concurrently to amend the General Plan designation to MLA (Medium Low Density Attached Residential), which allows residential development with up to 12 units per acre. The proposed R-PD-11 (Residential Planned Development – 11 Units per Acre) zoning district is consistent with the proposed General Plan designation.

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

Study Area

The subject site is located within the Rancho Corridor Study Area.

B) General Analysis and Discussion

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, a portion of the subject parcel was rezoned (ZON-1364) from C-2 (General Commercial) to O (Office) in order to provide a buffer area between commercial and residential uses. Given the undeveloped General Commercial designated areas adjacent to the west and south of the subject parcels, the proposed Rezoning to a residential district 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.

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.”

With the approval of the related General Plan Amendment (GPA-4072) to MLA (Medium Low Density Attached Residential), the proposed zoning will conform to the General Plan.

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 uses allowed in the proposed R-PD11 (Residential Planned Development – 11 Units per Acre) district are not compatible with the adjacent commercial zoning districts. The rezoning of these parcels would result in the development of a residential area directly adjacent to undeveloped C-2 (General Commercial) parcels, which is the broadest commercial district in the Title 19 zoning hierarchy. In addition, this request would replace a 2003 rezoning (ZON-1364) of a portion of the subject site to O (Office), which was intended to serve as a buffer between the commercial and residential uses in the vicinity of the site.

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

The purpose of the April 2003 rezoning (ZON-1364) of the subject site to commercial and office zoning districts was to provide a buffer between the commercial zones along Rancho Drive and the residential areas to the east. The rezoning was initiated as a result of the incompatibility of abutting commercial and residential uses in the area. The proposed rezoning request perpetuates the commercial-abutting-residential land use pattern, and is therefore inappropriate for this location.

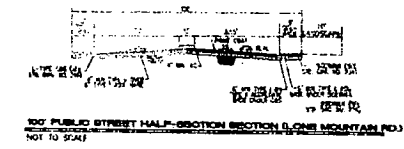
4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

Lone Mountain Road, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways, is adequate in size to meet the requirements of the proposed zoning district.

NOTICES MAILED 311 by Planning Department

APPROVALS 0

PROTESTS 1



40' PRIVATE STREET SECTION (INTERIOR)

A vicinity map showing the project site location. The map includes a grid of streets and major roads. A label 'PROJECT SITE' with an arrow points to a specific location on the left side of the map. Another label '75' is visible near the top center. The map is titled 'VICINITY MAP' and 'NOT TO SCALE' at the bottom right.

DEVELOPER
 ENHANCED AMERICAN MODEL
 7750 WEST PEAK DRIVE
 SUITE 312
 LAS VEGAS, NEVADA 89129

OWNERS
 100A & FUSAN DESU /
 JARANMANA (PJS)
 520 CALL DES TORRE
 CAR ATLAS. MELAZA 09102

ASSESSORS PARCEL
NUMBER:

1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 26

130 22 100 012

OVERALL TABULATIONS

ENDING DEBTS ———— 400.8 : 400.9

PROPOSED CHANGE 100-11

EXISTING: 1 AND 2 ARE — SERVICE CONTINUED /

REC-0540 .AND U.S. ... MIDDLE-CLASS AT
PUSHING DAY

GRUPE AGENCIA ----- 12.95 AGENTS 0/

DATE: 11/11/11

OPEN SPACE REQUIRED - 2.05 ACRES (89,240 S.F.)
OPEN SPACE PROVIDED - 2.13 ACRES (92,932 S.F.)

© 2006 The Authors
Journal compilation © 2006 Blackwell Publishing Ltd

RICHMOND AMERICAN HOMES

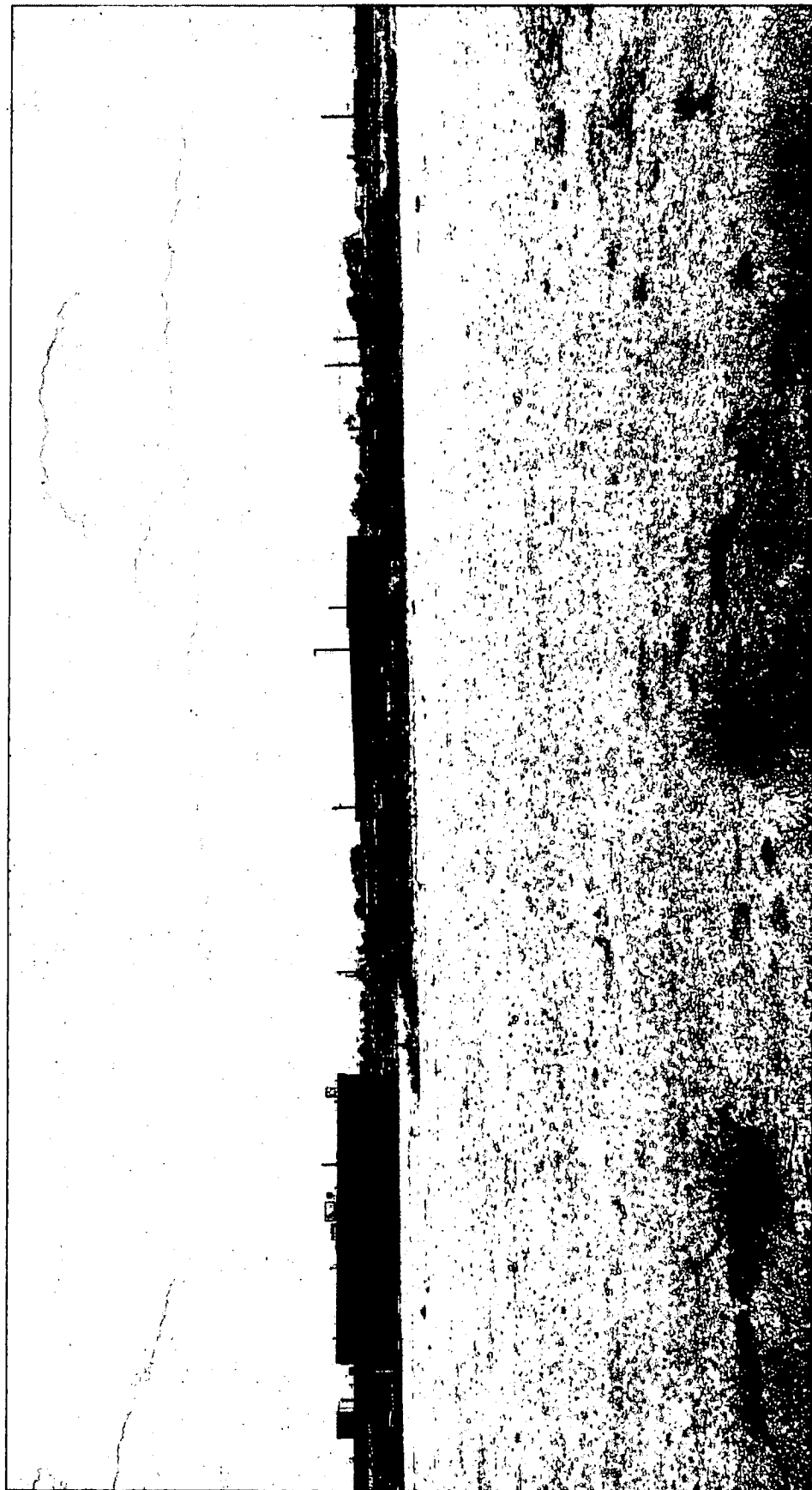
CONSULTING, INC.

WITTE PLAN TO ACCOMPANY.

LONE MOUNTAIN / TORREY PINES
 CITY OF LAS VEGAS, NEVADA

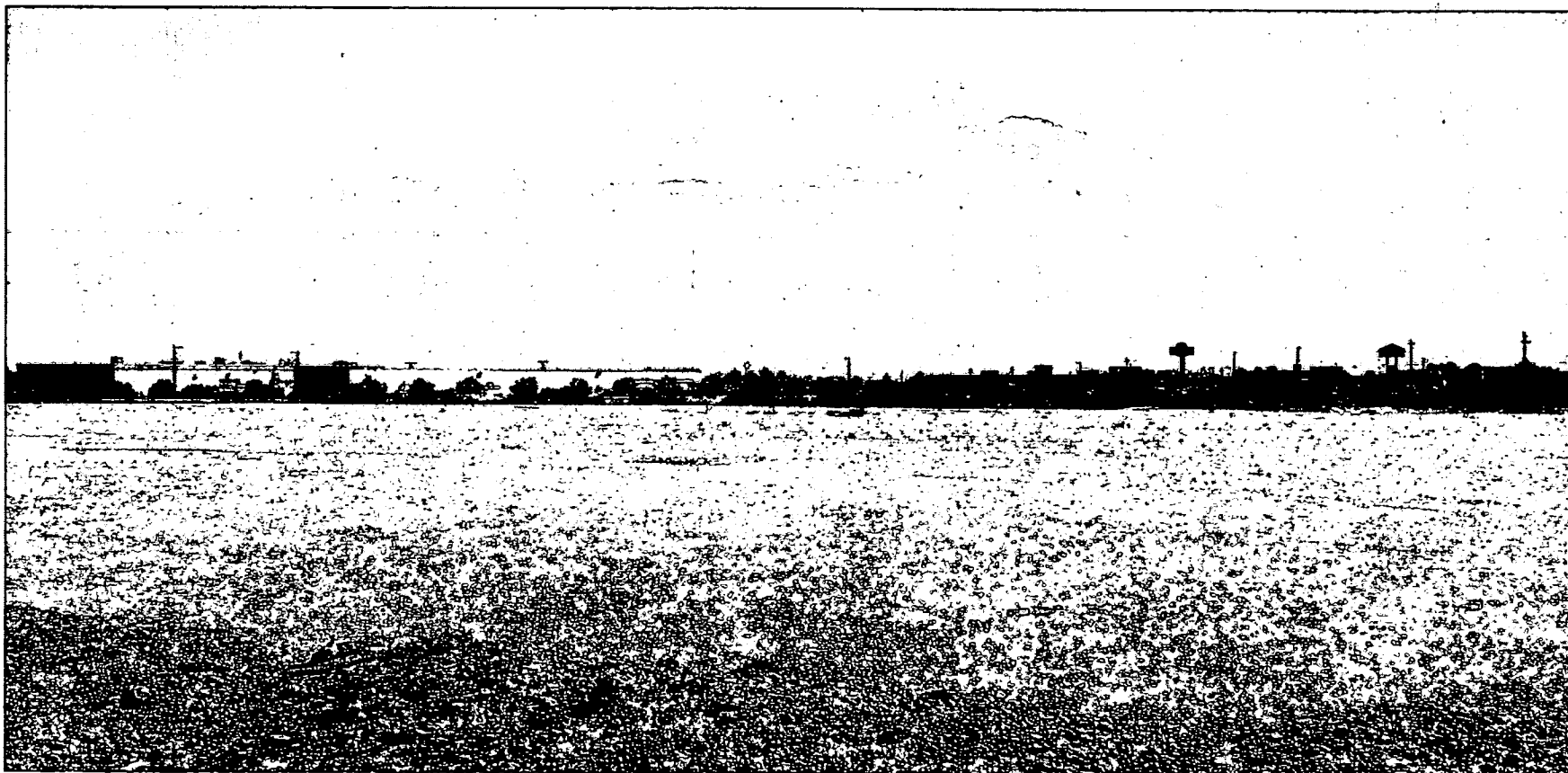
DATE: MAR 20 1964
DRAWN BY: B. S. G. S.
DESIGNED BY: B. S. G. S.
CHECKED BY: R. J. W. S.
SCALE: 1" = 4" - 8"
PROJECT: NO. RA-Q050
ENGINEERING SECT.

1



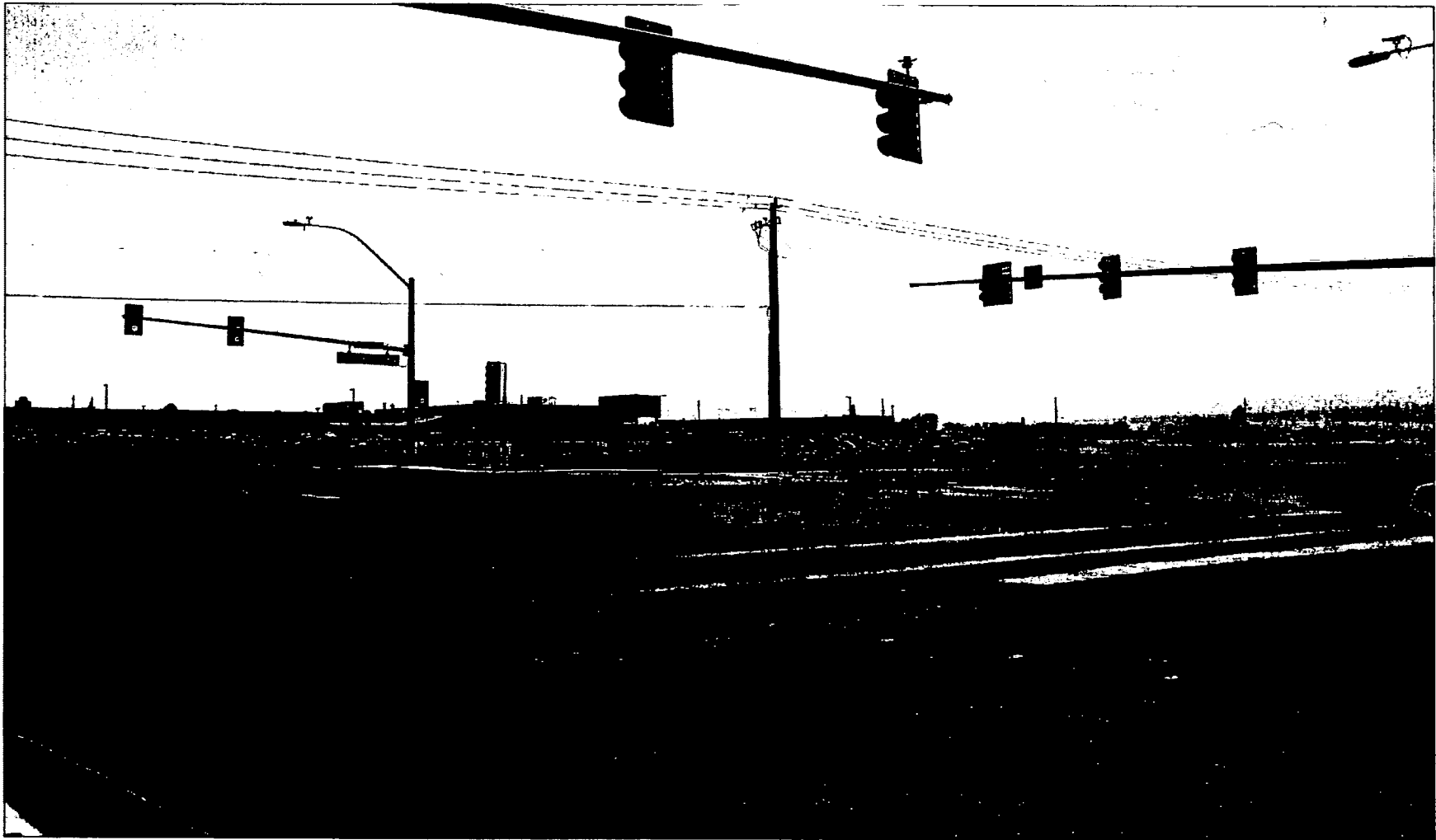
ZON-4202 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK K & KUSUM D DESAI
ADJACENT TO THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND TORREY PINES DRIVE
JUNE 10, 2004 PLANNING COMMISSION

4/19/04



**ZON-4202 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK K & KUSUM D DESAI
ADJACENT TO THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND TORREY PINES DRIVE
JUNE 10, 2004 PLANNING COMMISSION**

4/19/04



**ZON-4202 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK K & KUSUM D DESAI
ADJACENT TO THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND TORREY PINES DRIVE
JUNE 10, 2004 PLANNING COMMISSION**

4/19/04



**ZON-4202 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK K & KUSUM D DESAI
ADJACENT TO THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND TORREY PINES DRIVE
JUNE 10, 2004 PLANNING COMMISSION**

4/19/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4072 AND ZON-4202 - PUBLIC HEARING - **SDR-4204 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK AND KUSUM DESAI** - Request for a Site Development Plan Review FOR A 125-LOT SINGLE FAMILY DEVELOPMENT 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), O (Office), R-E (Residence Estates) and C-2 (General Commercial) Zones [PROPOSED: R-PD11 (Residential Planned Development - 11 Units Per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to conditions with the deletion of Condition 10 and amending Condition 4 as follows:

4. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed 35 feet.

– UNANIMOUS

MINUTES:

NOTE: See Item 174 [GPA-4072] for all related discussion.

(6:11 – 6:15)

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 176 – SDR-4204

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4272) and a Rezoning (ZON-4202) to a R-PD11 (Residential Planned Development – 11 Units per Acre) Zoning District 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 revised site plan dated 6-8-04 and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to reflect a six-foot wall along Lone Mountain Road and Torrey Pines Drive.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to reflect a 15-gallon trees instead of 15" box tress located along the streetscape buffer in order to comply with Tree Spacing Alternative #3 for Single-family Residential development as outlined in the Landscape, Wall and Buffer Standards Manual.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
9. Air conditioning units shall not be mounted on rooftops.
10. Parking lot lighting standards shall be no more than 20 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.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 176 – SDR-4204

CONDITIONS Continued:

12. 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.
13. 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.
14. 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.
15. All City Code requirements and design standards of all City departments must be satisfied.

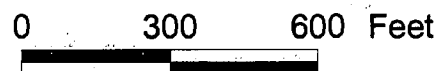
Public Works

16. Gated entry drives will not be permitted unless otherwise allowed by the City Traffic Engineer.
17. 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.
18. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4202 and all other subsequent site-related actions.
20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
21. 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 COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 176 – SDR-4204

CONDITIONS:

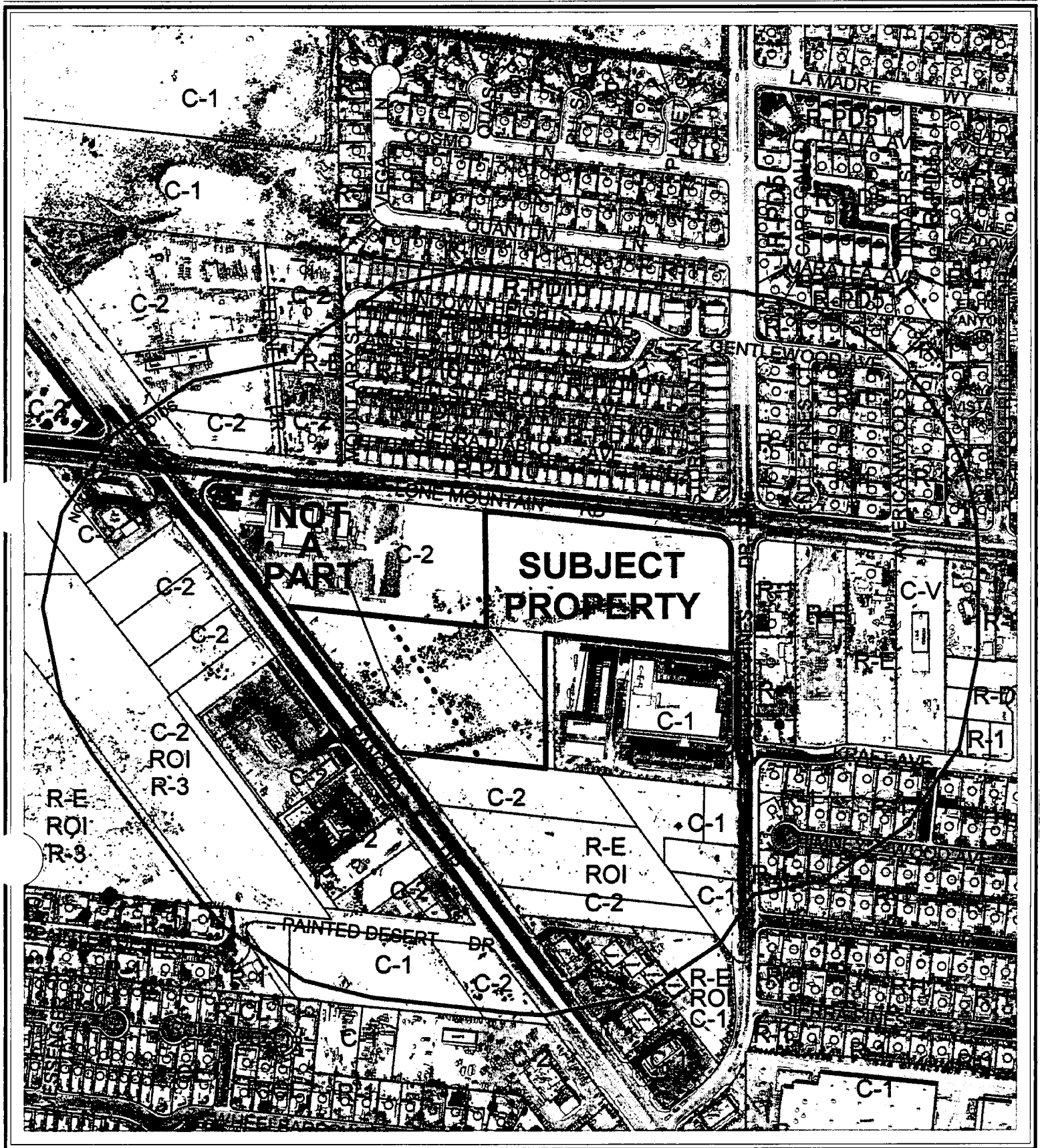
City Engineer prior to the submittal of a Tentative Map or construction drawings,
whichever may occur first.



R-PD11 (RESIDENTIAL PLANNED DEVELOPMENT - 11 UNITS PER ACRE)

176





CASE: SDR-4204

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) , O (OFFICE) AND C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD11 (RESIDENTIAL PLANNED DEVELOPMENT - 11 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-4204 - APPLICANT: ROYAL CONSTRUCTION -
OWNER: DIPAK AND KUSUM DESAI**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-4272) and a Rezoning (ZON-4202) to a R-PD11 (Residential Planned Development – 11 Units per Acre) Zoning District 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 revised site plan dated 6-8-04 and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to reflect a six-foot wall along Lone Mountain Road and Torrey Pines Drive.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map to reflect a 15-gallon trees instead of 15" box tress located along the streetscape buffer in order to comply with Tree Spacing Alternative #3 for Single-family Residential development as outlined in the Landscape, Wall and Buffer Standards Manual.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
9. Air conditioning units shall not be mounted on rooftops.

10. Parking lot lighting standards shall be no more than 20 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.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. 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.
13. 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.
14. 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.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Gated entry drives will not be permitted unless otherwise allowed by the City Traffic Engineer.
17. 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.
18. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4202 and all other subsequent site-related actions.
20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
21. 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Site Development Plan Review for a 125-lot Single-Family Residential development on 10.95 acres adjacent to the southwest corner of Lone Mountain Road and Torrey Pines Drive. A related General Plan Amendment (GPA-4272) and Rezoning (ZON-4202) request will be heard concurrently with this application.

The site plan has been revised since the 5/13/04 Planning Commission and the changes are as follows:

- The request has changed from a 116-unit single-family attached development to a 125-lot detached single-family development.
- The pool area has been eliminated.
- Open space has been reduced from 3.17 acres to 2.13 acres.
- Building height has been raised to three stories.
- The setbacks have been revised to 5 feet for all sides of the lot.
- Street layout has been changed.

B) Applicant's Justification

The approval of a Rezoning to RPD-11 (Residential Planned Development - 11 Units per Acre) will allow the site to act as a buffer between existing residential development, the existing Bureau of Land Management Building, and the commercial development along Rancho Drive.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 04/26/99 | The City Council approved a Rezoning Request (Z-0007-99) from R-E (Residence Estates) to C-1 (Limited Commercial). The Planning Commission recommended approval on 03/11/99. |
| 04/02/03 | The City Council approved a General Plan Amendment (GPA-1363) for a request to amend portions of the Centennial Hills Sector Plan and the Southwest Sector Map from GC (General Commercial), SC (Service Commercial) and DR (Desert Rural) to GC (General Commercial), O (Office), PF (Public Facility), ML (Medium-Low Density Residential) and DR (Desert Rural). The Planning Commission and staff recommended approval on 2/27/03. |

- 04/02/03 The City Council approved a Rezoning Request (ZON-1364) from C-2 (General Commercial), R-E (Residence Estates), R-MHP (Residential Mobile/Manufactured Home Park), and U (Undeveloped) to C-2 (General Commercial), C-1 (Limited Commercial), O (Office), C-V (Civic), R-E (Residence Estates), R-1 (Single Family Residential), and U (Undeveloped). The Planning Commission and staff recommended approval on 02/27/03.
- 04/22/04 The Planning Commission abeyed a General Plan Amendment (GPA-4272) from O (Office) and GC (General Commercial) to MLA (Medium-Low Attached Density Residential) to the 5/13/04 Planning Commission meeting in order to hear all related cases at one time. Staff recommended denial.
- 05/13/04 The Planning Commission abeyed a related General Plan Amendment (GPA-4272) and Rezoning (ZON-4202) to the June 10, 2004 Planning Commission meeting at the request of the applicant in order to make additional revisions to the site plan.
- 06/10/04 The Planning Commission recommended approval of a related General Plan Amendment (GPA-4272) from O (Office) and GC (General Commercial) to MLA (Medium-Low Attached Density Residential). Staff recommends denial.
- 06/10/04 The Planning Commission recommended approval of a related Rezoning request (ZON-4202) from O (Office), R-E (Residence Estates) and C-2 (General Commercial) to R-PD11 (Residential Planned Development - 11 Units Per Acre). Staff recommends denial.
- 06/10/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #15/fs).

B) Pre-Application Meeting

- 02/25/04 Issues identified included the need to show open space calculations and required guest parking spaces on the site plan.

C) Neighborhood Meetings

A neighborhood meeting is not required for Site Development Review Applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.95

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Residential/ Commercial
South: Undeveloped / Office
East: Office/ Single Family Residential
West: Undeveloped

C) 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) and L (Low Density Residential)
West: GC (General Commercial)

D) 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) and R-1 (Single Family Residential)
West: C-2 (General Commercial)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with an O (Office), and GC (General Commercial) land use designation. A related General Plan Amendment (GPA-4272) will be heard concurrently to amend the General Plan designation to MLA (Medium Low Density Attached Residential), which allows residential development with up to 12 units per acre. The proposed R-PD11 (Residential Planned Development – 11 Units per Acre) zoning district is consistent with the proposed General Plan designation.

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

Study Area

The subject site is located within the Rancho Corridor Study Area.

PROJECT DESCRIPTION

The site plan depicts a 125-lot single-family residential development on 10.95 acres. The site receives access via a drive from Lone Mountain Road, and 40-foot public streets provide internal circulation for the site. Typical lot is 1,548 square feet. The landscape plan depicts 2.13 acres of open space is where 2.06 acres are required, and perimeter buffering will be adequate after compliance with the included conditions of approval. The building elevations depict three-story structures with pitched roofs and a veneer and stucco exterior. Floor plans were not provided.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Site Development Plan establishes Development Standards in a R-PD (Residential - Planned Development) District. The following standards are proposed:

Standards	Provided
Min. Setbacks	
• Front	5 Feet
• Side	5 Feet
• Corner	5 Feet
• Rear	5 Feet
Max. Building Height	3 Stories

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	
Buffer:			
• Min. Trees	One 24" Box Tree every 40 Linear Feet + two 15-gallon trees every 40 feet (Tree Spacing Alternative #3)	24 24"-Box Trees + 48 15-gallon trees	24 24"-Box Trees + 49 15"-box trees
• Min. Zone Width	6 Feet		10 Feet
• Wall	6 Feet		Not Depicted

The proposal meets Tree Spacing Alternative #3 for Single-family Residential development as outlined in the Landscape, Wall and Buffer Standards Manual. A 6-foot perimeter wall along Lone Mountain Road and Torrey Pines Drive is not depicted and a Condition of Approval has been included to ensure compliance with this requirement. The proposal meets or exceeds all other applicable Title 19 Landscape Standards.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
10.95 acres	11.41	1.65	18 %	89,779 SF	19 %	92,802 SF

The proposal exceeds Title 19 Open Space Standards.

B) General Analysis and Discussion

- Zoning

The proposed R-PD11 (Residential Planned Development – 11 Units per Acre) District allows maximum flexibility to permit imaginative and innovative residential design and to utilize land for the development of residential communities, which are planned and developed with appropriate amenities to establish a clear sense of community. It is intended to promote the enhancement of residential amenities by means of an efficient consolidation and utilization of open space, separation of pedestrian and vehicular traffic, and homogeneity of use patterns. Portions of an R-PD development may have a higher or lower density than permitted by the General Plan if the overall density for the entire development is in compliance with the General Plan. The maximum density permitted in an R-PD will be a function of the location and land use designation of a particular R-PD District and a determination of compatibility with surrounding development.

- Site Plan

The site plan has been revised from a 116 single-family attached development to a 125-lot single-family residential development on 10.95 acres. The site receives access via a drive from Lone Mountain Road, and an emergency crash gate is accessible from Torrey Pines Drive. Forty-foot public streets provide internal circulation for the site, and 24-foot drive isles provide access to individual dwellings. Typical lot size is 1,548 square feet. The proposed development is adjacent to commercially zoned parcels and is not appropriate for this location.

- Waivers

No waivers are being requested with this application.

- Landscape Plan

The landscape plan depicts perimeter landscaping in compliance with Tree Spacing Alternative #3 for Single-family Residential development as outlined in the Landscape, Wall and Buffer Standards Manual. The buffer areas are planted with 24-inch box Chitalpa trees, 15-gallon Texas Honey Mesquites and Heritage Live Oaks, 25-foot Mexican Fan Palms, and various one and five gallon shrubs. The landscape plan depicts 2.13 acres of open space is where 2.06 acres is required, and the proposal exceeds the minimum amount of required perimeter trees. A 6-foot perimeter wall is not depicted on the site plan and a Condition of Approval has been included to ensure compliance with this requirement. The proposal meets or exceeds all other applicable Title 19 Landscape Standards.

- Elevation

The elevations depict three story single-family homes with pitched roofs and an exterior of stone veneer and a stucco finish.

- Floor Plan

Revised floor plans were not provided for the proposed single-family residences.

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 residential development is not compatible with adjacent development and development in the area. The development of these parcels would result in a residential development directly adjacent to undeveloped C-2 (General Commercial) parcels, which is the broadest commercial district in the Title 19 zoning hierarchy. In addition to being located adjacent to a C-2 (General Commercial) zoned parcel, the 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.

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;”**

With compliance with the included conditions of approvals, the development will be consistent with Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards”

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

Access is provided via a drive from Lone Mountain Road, a Primary (100-ft) Arterial on the Master Plan of Streets and Highways, and will not negatively impact roadways or neighborhood traffic.

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

The building and landscape materials are typical of those used for single-family residential development, and are appropriate for the type of development proposed. They are not appropriate for the area, however, as the development is directly adjacent to commercially zoned parcels.

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 depict design characteristics and other architectural features that are typical of single-family residential dwellings, which are not compatible with the commercially zoned parcels and development 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 inspections and will therefore not compromise the public health, safety and general welfare.

PLANNING COMMISSION ACTION

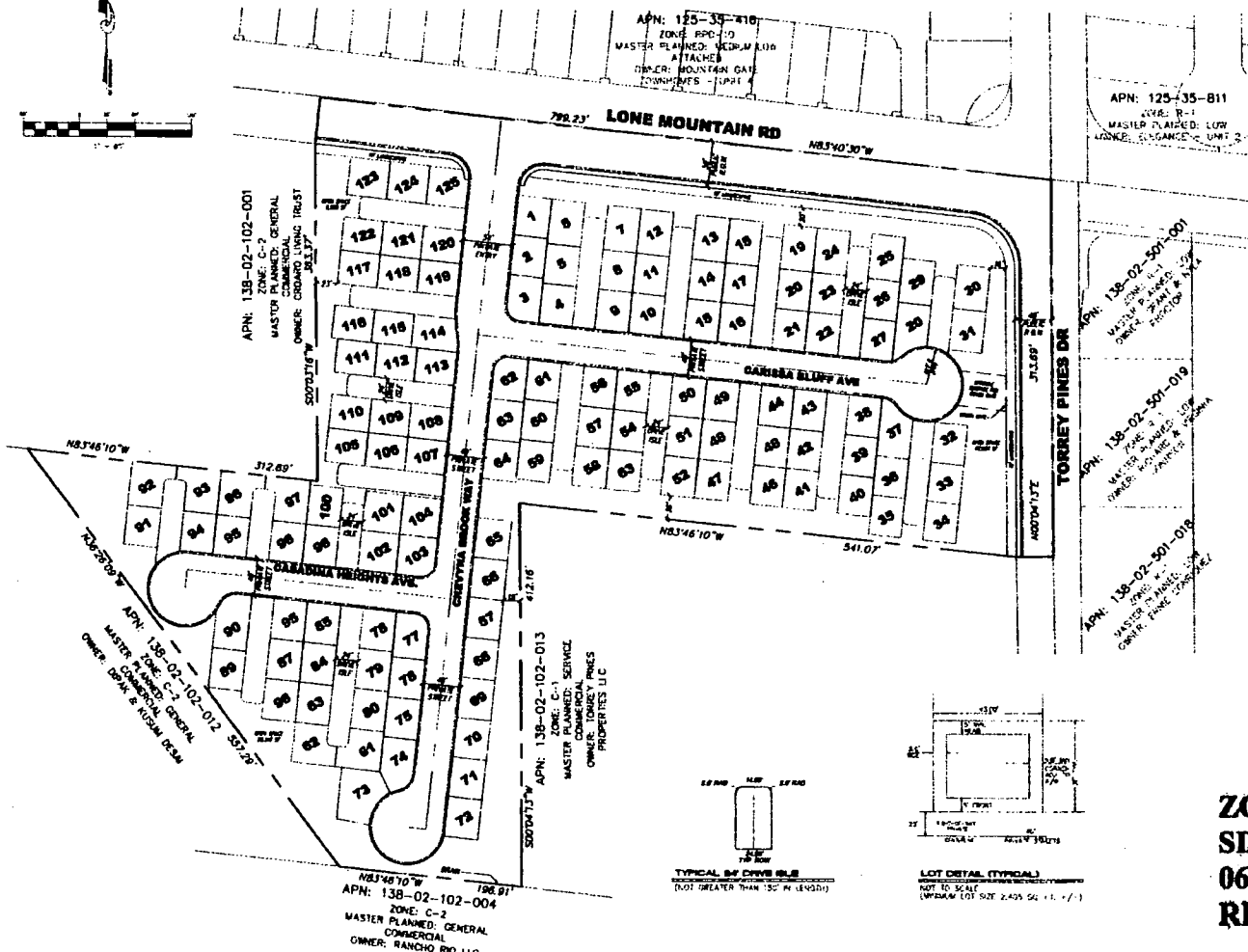
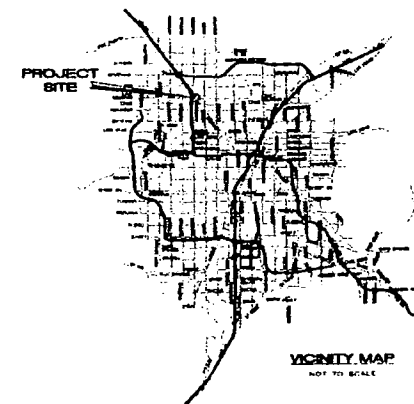
There were speakers protesting the application at Planning Commission. Concerns raised included sewer security, drainage and building height. Public Works Condition #16 was amended as shown.

NOTICES MAILED 311 by Planning Department

APPROVALS 0

PROTESTS 1

LONE MOUNTAIN / TORREY PINES



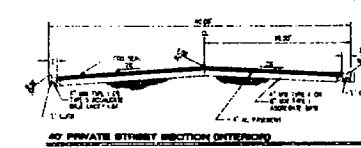
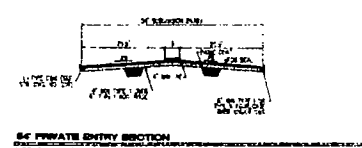
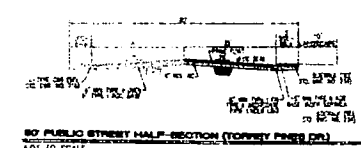
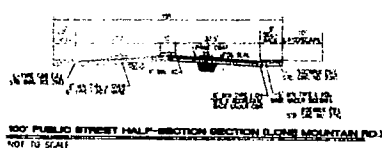
DEVELOPER
RICHMOND AMERICAN HOMES
7550 WEST PEAK DRIVE
SUITE 202
LAS VEGAS, NEVADA 89129

OWNERS
UPAN & KIGAN DESH /
RICHMOND AMERICAN HOMES
8400 CALIFORNIA DRIVE
LAS VEGAS, NEVADA 89120

ASSESSOR'S PARCEL NUMBER
138-02-102-001 & P&R 01
138-02-102-012

OVERALL TABULATIONS
EXISTING ZONING: C-2, GENERAL COMMERCIAL
PROPOSED ZONING: C-2, GENERAL COMMERCIAL
EXISTING LAND USE: GENERAL COMMERCIAL / GENERAL COMMERCIAL
PROPOSED LAND USE: GENERAL COMMERCIAL / GENERAL COMMERCIAL
ACREAGE: 1.13
GROSS AREA: 12,885 ACRES
NET AREA: 12.88 ACRES
OPEN SPACE REQUIRED: 2.01 ACRES (20,000 S.F.)
OPEN SPACE PROVIDED: 2.13 ACRES (20,000 S.F.)

**ZON-4202
SDR-4204
06-10-04 PC
REVISED 06-08-04**



NOTE: THIS PLAN WAS PREPARED USING RECORD INFORMATION. IT IS REPRESENTATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSURED.

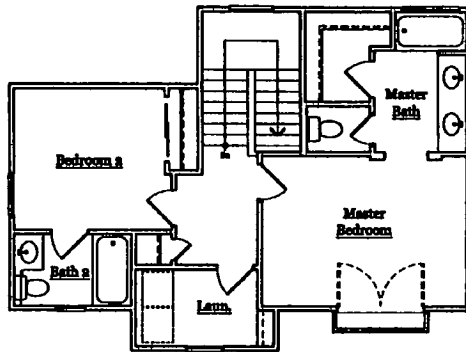
RICHMOND AMERICAN HOMES
1300 WEST PEAK DRIVE, SUITE 202
LAS VEGAS, NEVADA 89129
(702) 240-0000

CONSULTING, INC.
1300 WEST PEAK DRIVE, SUITE 202
LAS VEGAS, NEVADA 89129
(702) 240-0000

**SITE PLAN TO ACCOMPANY
CPA/SDR/ZC**

**LONE MOUNTAIN / TORREY PINES
CITY OF LAS VEGAS, NEVADA**

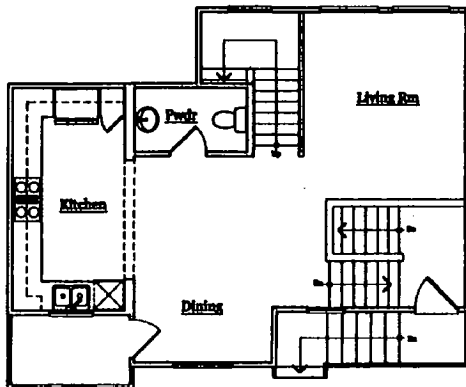
DATE: 06-10-04
DESIGNED BY: B. S. S. S.
DESIGNED BY: B. S. S. S.
CHECKED BY: B. S. S. S.
SCALE: 1"=40' FT.
PROJECT NO: RA-Q050
ENCLOSING SHEET



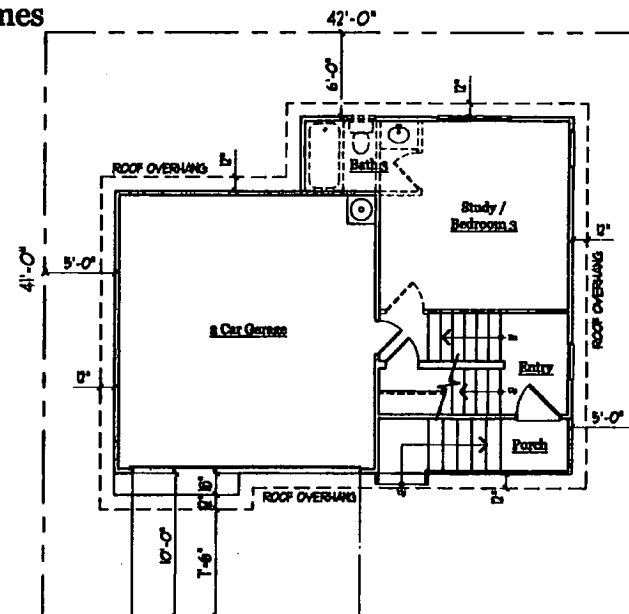
Upper Level 598 sq. ft.



Richmond American Homes
The Ivy Collection
Plan 3 - 1469 Sq. Ft.



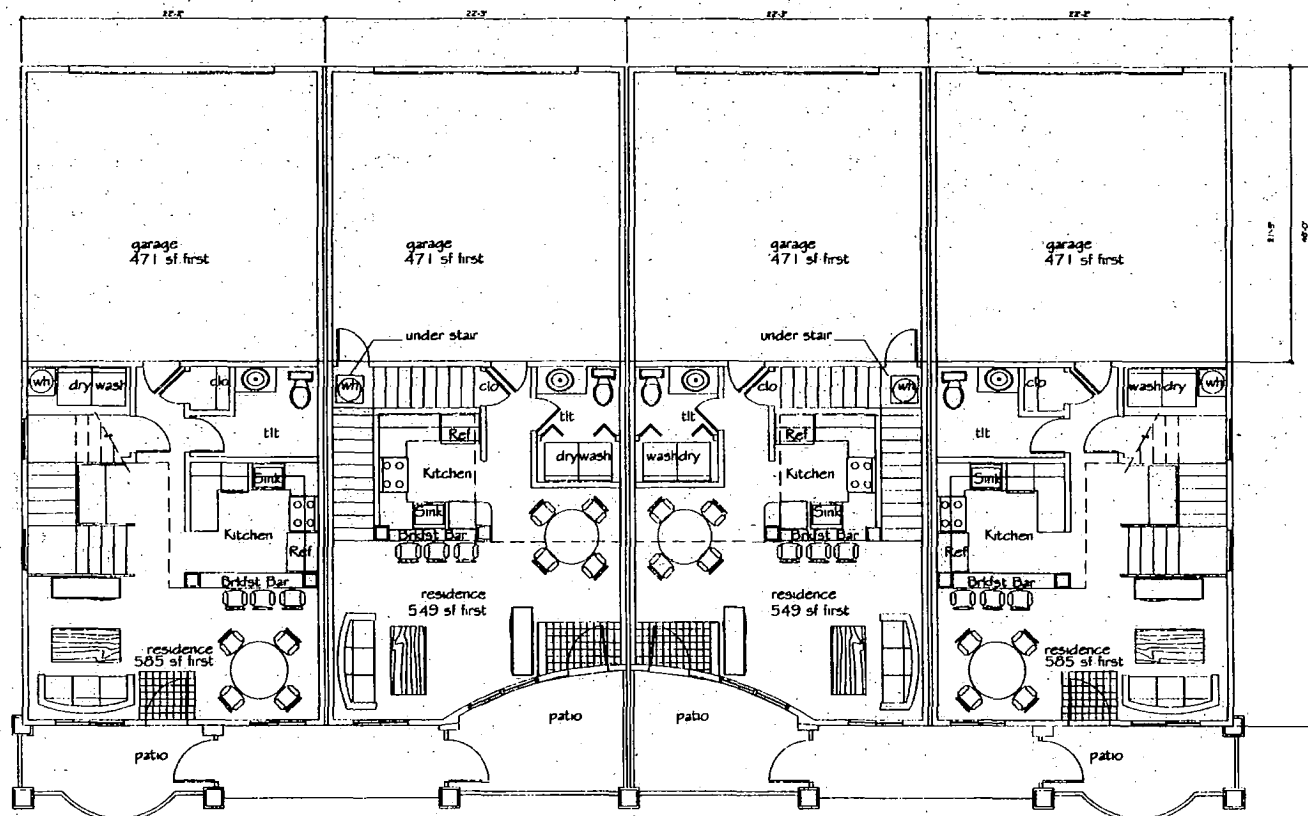
Middle Level 554 sq. ft.



Lower Level 323 sq. ft.

SDR-4204
 06/10/04 PC
 REVISED 5/18/04

STAFF



UNIT ONE
585 sf First
765 sf Second
1350 sf Res.
471 sf Garage
1821 sf Total

UNIT TWO
549 sf First
680 sf Second
1229 sf Total
471 sf Garage
1700 sf Total

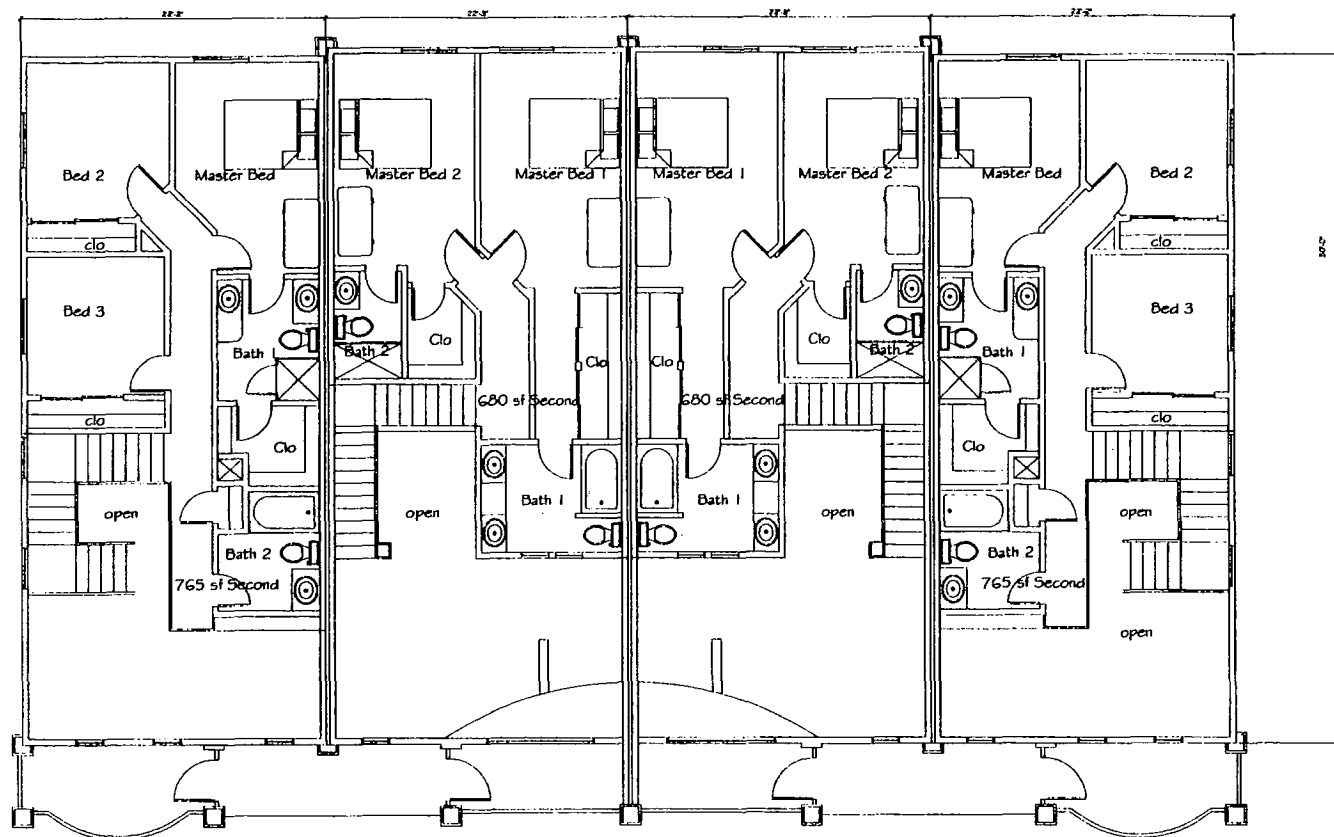
UNIT THREE
549 sf First
680 sf Second
1229 sf Total
471 sf Garage
1700 sf Total

UNIT FOUR
585 sf First
765 sf Second
1350 sf Res.
471 sf Garage
1821 sf Total

SPINNAKER VILLAGE
A FOUR PLEX COMMUNITY
DAVID MCKEE ARCHITECT

SCALE 1/8" = 1'-0"
DATE 8/1/94

ZON-4202
SDR-4204
06-10-04 PC



UNIT ONE
 585 sf First
 765 sf Second
 1350 sf Res.
 471 sf Garage
 1821 sf Total

UNIT TWO
 549 sf First
 680 sf Second
 1229 sf Total
 471 sf Garage
 1700 sf Total

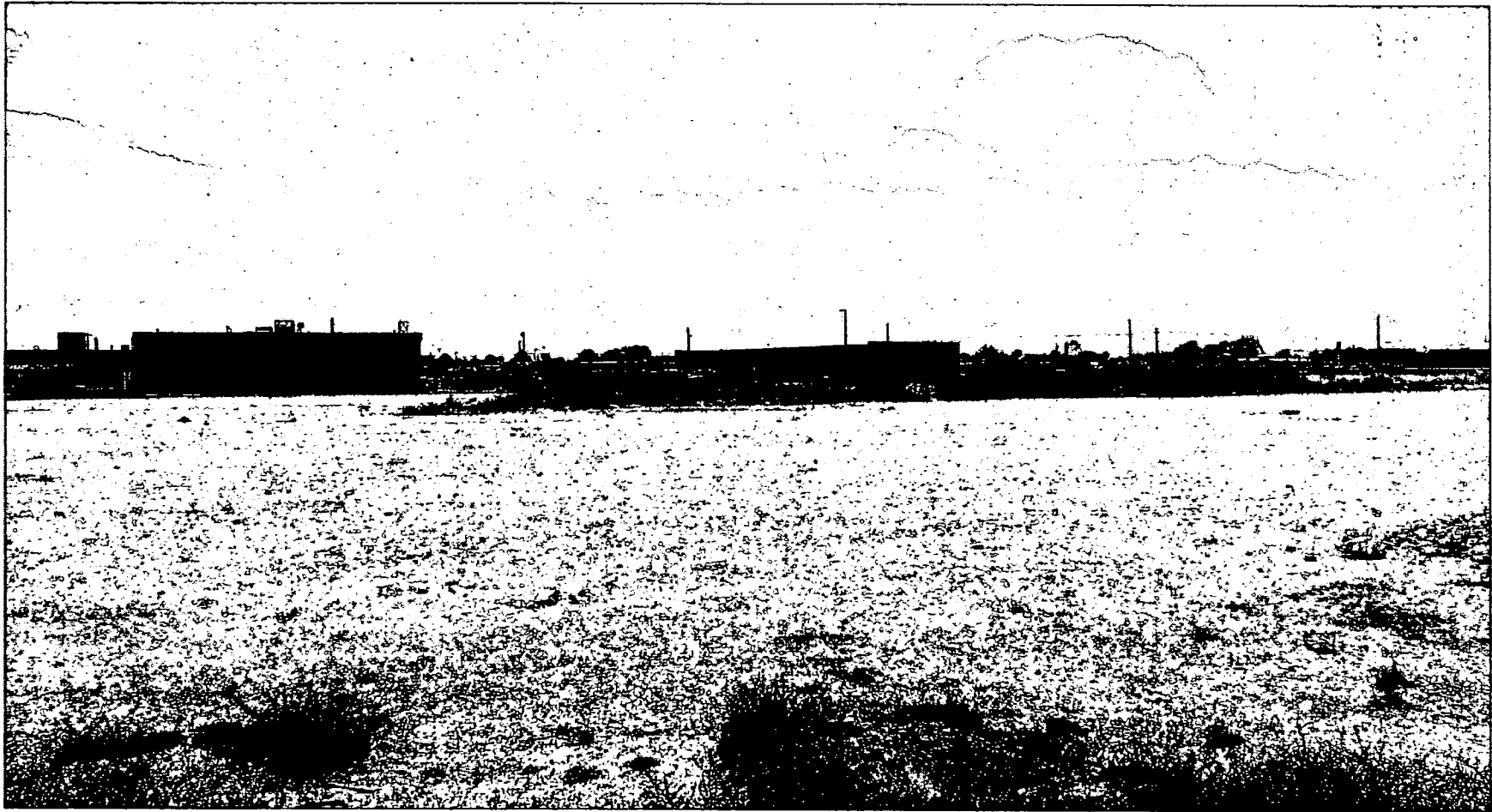
UNIT THREE
 549 sf First
 680 sf Second
 1229 sf Total
 471 sf Garage
 1700 sf Total

UNIT FOUR
 585 sf First
 765 sf Second
 1350 sf Res.
 471 sf Garage
 1821 sf Total

SPINNAKER VILLAGE
 A FOUR PLEX COMMUNITY
 DAVID MCKEE ARCHITECT

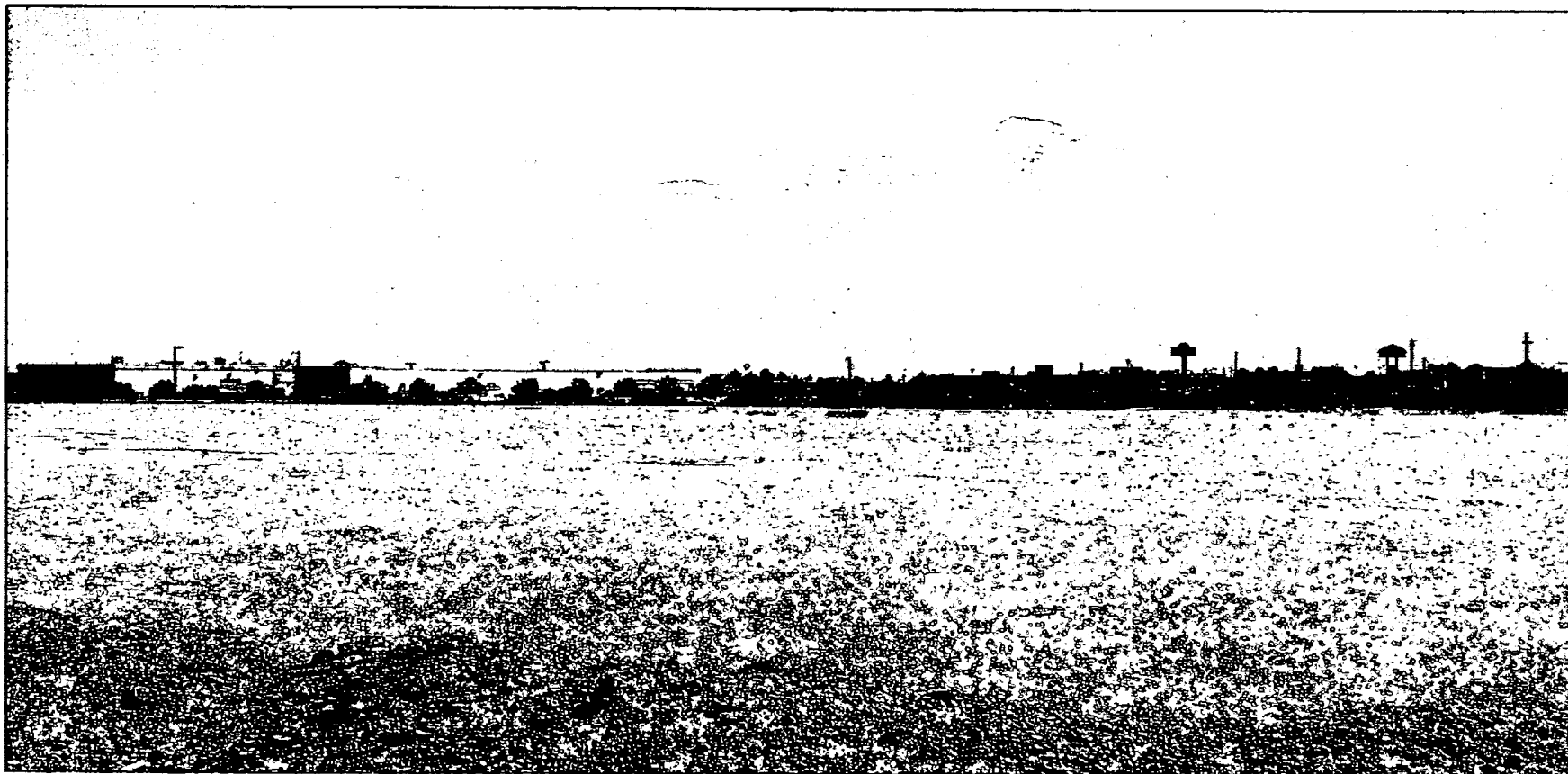
SCALE 1/4" = 1'-0"
 DATE 2/15/04

ZON-4202
SDR-4204
06-10-04 PC



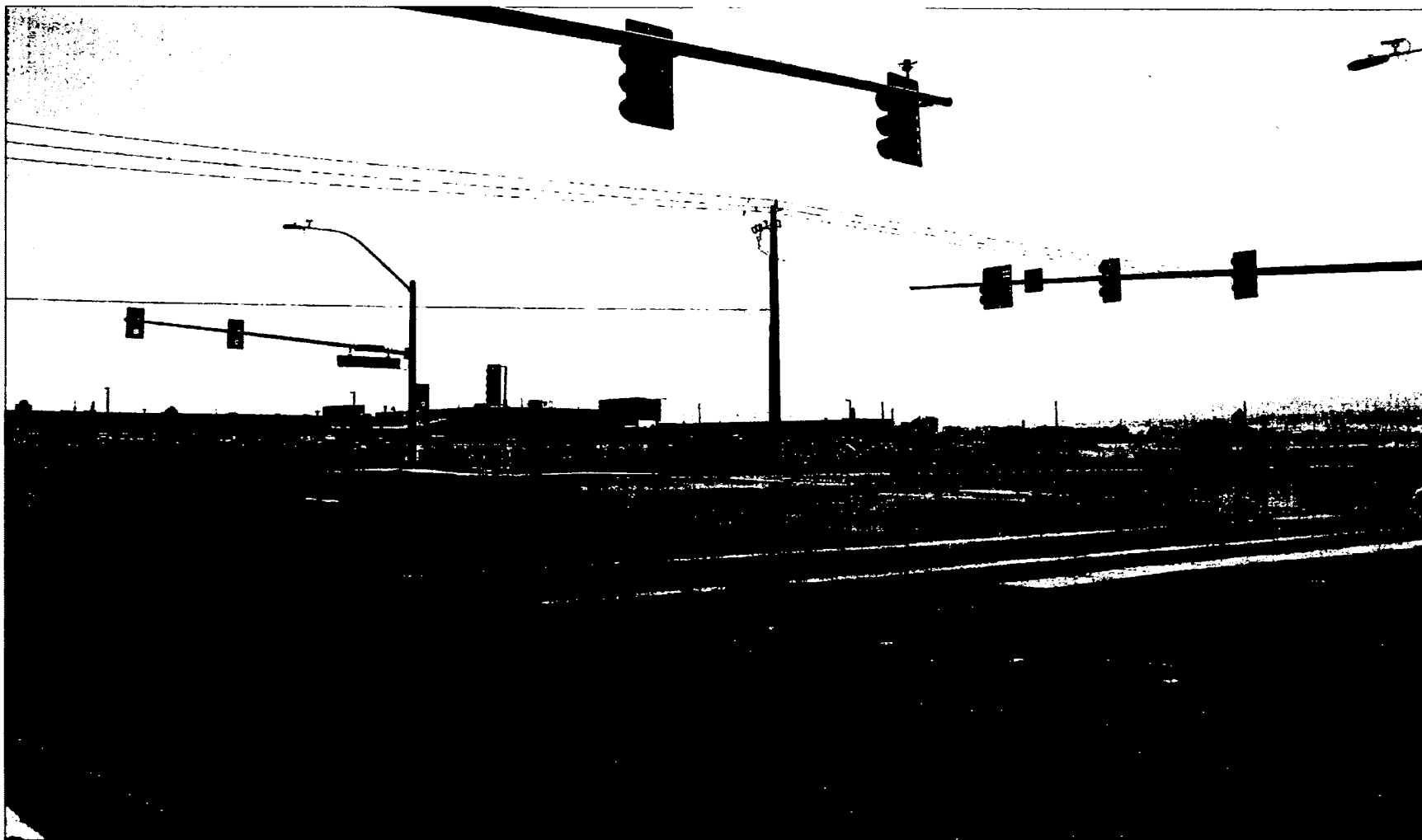
**SDR-4204 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK K & KUSUM D DESAI
ADJACENT TO THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND TORREY PINES DRIVE
JUNE 10, 2004 PLANNING COMMISSION**

4/19/04



**SDR-4204 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK K & KUSUM D DESAI
ADJACENT TO THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND TORREY PINES DRIVE
JUNE 10, 2004 PLANNING COMMISSION**

4/19/04



**SDR-4204 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK K & KUSUM D DESAI
ADJACENT TO THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND TORREY PINES DRIVE
JUNE 10, 2004 PLANNING COMMISSION**

4/19/04



**SDR-4204 - APPLICANT: ROYAL CONSTRUCTION - OWNER: DIPAK K & KUSUM D DESAI
ADJACENT TO THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND TORREY PINES DRIVE
JUNE 10, 2004 PLANNING COMMISSION**

4/19/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - 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). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

80

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Protest petition with 75 signatures representing 53 properties submitted by Jan Fellhauer

MOTION:

WEEKLY - DENIED - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 177 [GPA-4100] and Item 178 [ZON-4101] and Item 179 [SDR-4102].

JOSEPH BIFANO, 4000 Vegas Drive, appeared on behalf of the applicant and suggested the public speak first and then he would briefly comment after that.

LYNDA WASKOM, 4147 Pleasant Road, spoke on behalf of audience members and stated the neighborhood is not commercial; it is an old, classic neighborhood, and they do not want commercial development placed in it. The last home in the area sold for \$489,000, and the area is not in decline as MR. BIFANO would suggest. She expressed concern that having a commercial property in the neighborhood would cause property values to drop. She indicated that a business has been operating from the home for the last eight or nine months, which includes daily use of bobcats, large trucks and heavy equipment. She complained drivers are using the interior neighborhood roads instead of Vegas Drive. At a neighborhood meeting, the

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 177 – GPA-4100

MINUTES:

neighbors were told the house would be torn down and it would only be used as commercial property until the company outgrew the location. The neighbors feel the house, built in 1946, is representative of the neighborhood, and they do not want it torn down. Also, if the property is zoned commercial, when the landscaping company outgrows the site, it will still remain commercial in their community.

JAN FELLHAUER, 4056 Melody Lane, explained the neighbors have been working with COUNCILMAN WEEKLY'S office to understand the process involved because the property in question is the only parcel in the neighborhood that is within the City limits. The neighborhood is zoned residential for a purpose, and there are many other locations zoned commercial available to the applicant.

MR. BIFANO indicated that at the Planning Commission, there was much discussion on this item. He thanked COUNCILMAN WEEKLY for trying to draw everyone together to work on this project. He stated that the owner, MR. CASTELLANO, came to him last November asking if it was possible to get City approval to park landscaping vehicles in the back lot of the home. The vehicles would be standard landscaping trucks consisting of three trucks, one to transport the bobcat and two with trailers and a small three-ton dump truck. The applicant obtained a business license. When working with City staff, the applicant determined a home occupancy permit could not be issued because MR. CASTELLANO did not live in the home. Three individuals are living in the residence, two employees of PDF Landscaping and one spouse.

MR. BIFANO stated that before MR. CASTELLANO took ownership of the property, it was not maintained and was an eyesore. He said there were dumpsters on the property, which were removed two months ago. He clarified for the residents that the dumpsters had not been part of the landscaping company's equipment but were on site for debris removal from the property. MR. BIFANO indicated he had met with the neighbors to the immediate north of the property, the Staples, and that they were angry and bitter because they had made an agreement with the previous owner to build a shared wall and it was never constructed despite the fact they had paid for their portion. When MR. CASTELLANO took ownership, he informed the Staples that the wall would be constructed to their satisfaction. MR. BIFANO indicated that work has not started on that wall because of problems concerning large tree roots and complications with phone lines. He assured Council that the problem is being handled by Sprint.

MR. BIFANO summarized that the applicant only wants to be able to park the vehicles in the back lot and for the employees who live in the home to be able to go to and from work without being accused of working from the home.

MS. WASKOM pointed out that since the determination was made that business could not be done from this address, the applicant had new tenants move in who are employees of his

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 177 – GPA-4100

MINUTES Continued:

company, which allows the trucks to be parked there. The residents feel this is not a situation of individuals bringing their vehicles home from work, she suggested this is a manipulation of the system. MR. BIFANO clarified that one tenant did leave; however, the three remaining tenants were already residing at this address.

COUNCILMAN WEEKLY thanked MR. BIFANO for his hard work on this project and commended the residents on keeping one of the oldest neighborhoods in the Valley intact. After speaking with the Staples, he was able to clarify they are not bitter; however, they were disrespected and felt used. COUNCILMAN WEEKLY stated he does not like the project; it is not a good fit and is non-conforming.

After COUNCILMAN WEEKLY motioned for denial, MR. BIFANO stated the trucks and equipment belong to the employees who live in the home. If the application is denied, he questioned whether the applicant be accused of working from the home because the employees leave in the morning and come home at night with the trailers. COUNCILMAN WEEKLY indicated that type of concern would be a Code Enforcement issue.

COUNCILMAN BROWN clarified with DEPUTY CITY ATTORNEY BRYAN SCOTT that an employee parking a company vehicle with a trailer parked in their driveway is not a violation of City Code unless CC & R's prohibit it. The Code does provide that trucks over a certain weight limit cannot be parked in a residential neighborhood. COUNCILMAN BROWN asked if that changed for multiple vehicles. DEPUTY CITY ATTORNEY SCOTT indicated that if the vehicles were small, there would not be a prohibition. MR. BIFANO pointed out that the vehicles would not be parked in a driveway; they would be kept in the back of the house behind an eight-foot wall. If the gate is not open, the vehicles are not visible.

MAYOR GOODMAN stated the application is for the conversion of a residence to a landscaping business and that is what the residents are opposing. MR. BIFANO stated he would remove that request as the applicant is already licensed to do business within City limits. MAYOR GOODMAN said that from what he heard, there were no complaints about having trucks in the backyard; however, the residents do not want that property rezoned for commercial use.

COUNCILMAN REESE stated that if he would not vote to put something in his Ward, he would not approve putting it in someone else's Ward. He would not be supportive of the item, feeling there is plenty of commercial property available and this is not the place to park work vehicles. He explained that he has stopped employees of towing companies living in his Ward from bringing work trucks home and parking in front of their homes, so he could not approve this application.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 177 – GPA-4100

MINUTES Continued:

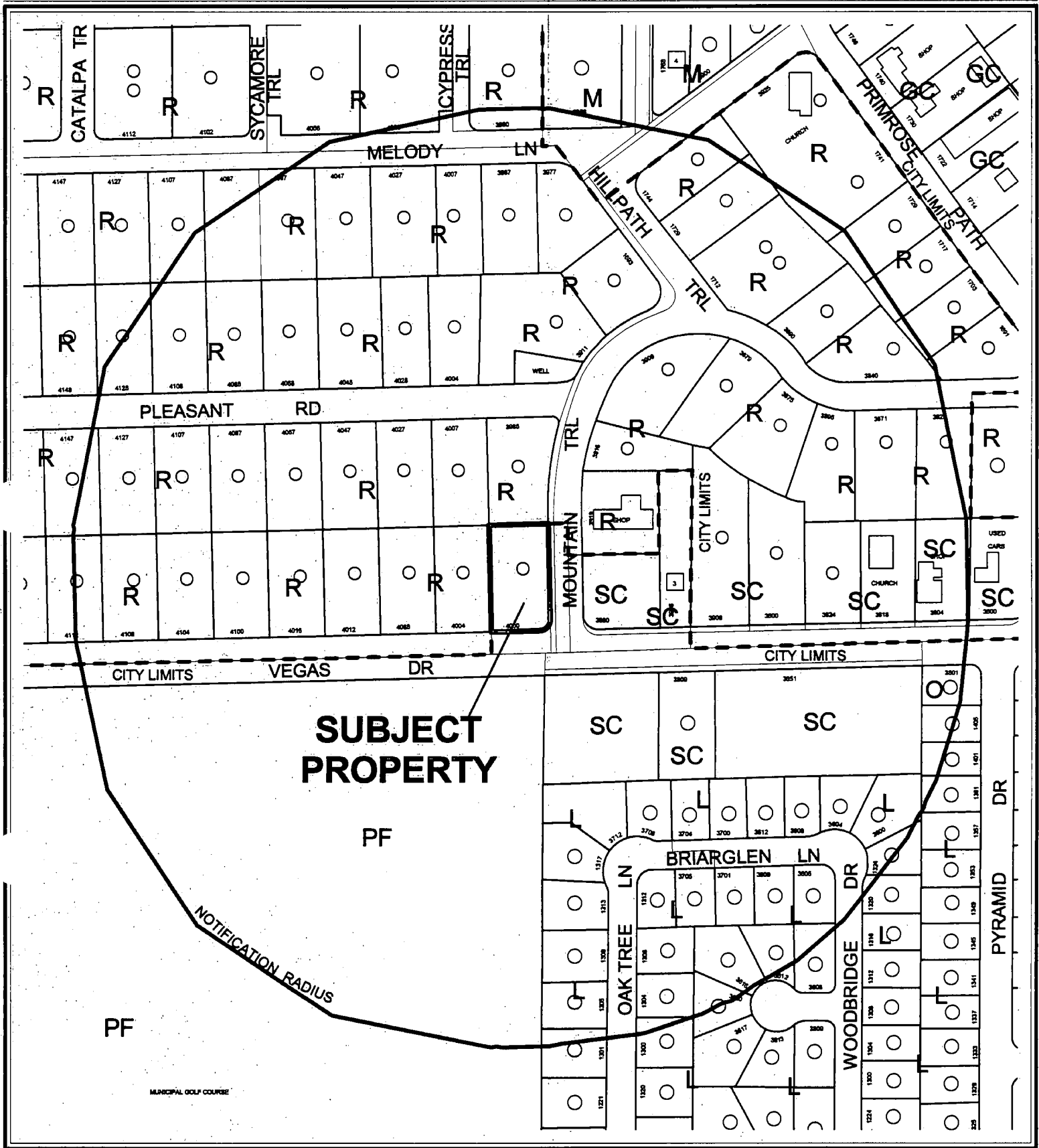
COUNCILMAN WEEKLY suggested to the residents that the issue would most likely not end at this meeting. MAYOR GOODMAN advised the neighbors that continued communication with MR. BIFANO would be productive as he is a reasonable person and a gentleman. MR. BIFANO added that the applicant may not live in the neighborhood but he does consider himself a neighbor and is open to discussion.

MAYOR GOODMAN declared the Public Hearing closed on Item 177 [GPA-4100] and Item 178 [ZON-4101] and Item 179 [SDR-4102].

NOTE: All discussion for Item 177 [GPA-4100] and Item 178 [ZON-4101] and Item 179 [SDR-4102] was held under Item 177 [GPA-4100].

(6:15 – 6:45)

7-182



CASE: GPA-4100

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

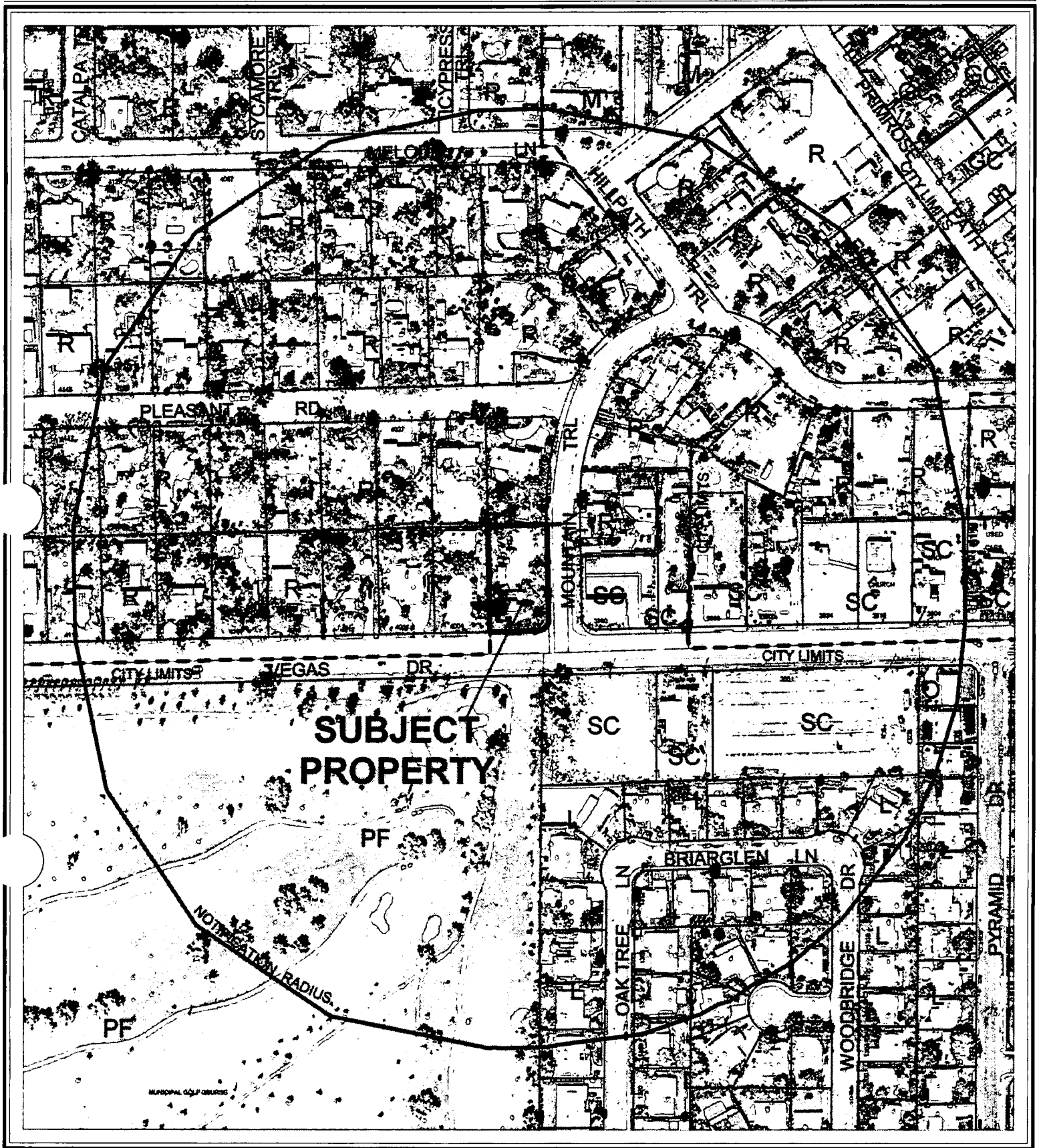
LI/R (LIGHT INDUSTRY / RESEARCH)

0 100 200 Feet



177





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

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-4100 – APPLICANT/OWNER: PETER CASTELLANO

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located at 4000 Vegas Drive (northwest corner of Vegas Drive and Mountain Trail) from R (Rural Density Residential) to SC (Service Commercial).

This application is submitted in conjunction with a request to rezone the property (ZON-4101) and review of a site development plan (SDR-4102).

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. |
| 09/06/99 | The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996. |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan. |
| 11/05/03 | The City Council approved an update of the Southeast Sector Map (GPA-3005) of the City of Las Vegas General Plan. On this map, the subject properties were designated for R (Rural Residential) land uses, with a maximum density of 3.5 dwelling units per acre. |
| 04/22/04 | The Planning Commission voted to hold this and related items ZON-4101 and SDR-4102 item in abeyance as the applicant or it's representative was unable to be present. |
| 05/27/04 | The Planning Commission recommended denial of a related Rezoning request (ZON-4101) and Site Development Plan Review (SDR-4102) as part of this agenda. |
| 05/27/04 | The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #26/dds). |

DETAILS OF APPLICATION REQUEST

Site Area: 0.47 acres

EXISTING LAND USE

Subject Property	Single-family residence
North	Single-family residence
South	Vacant and a golf course
East	Commercial
West	Single-family residence

PLANNED LAND USE

Subject Property	R	Rural Density Residential
North	R	Rural Density Residential
South	PF, SC	Public Facility and Service Commercial
East	R, SC	Rural Density Residential and Service Commercial
West	R	Rural Density Residential

EXISTING ZONING

Subject Property	R-E	Residence Estates
North	Clark County	
South	C-V, R-1 ROI C-1	Civic and Single-Family Residential under Resolution of Intent to Limited Commercial
East	C-1	Limited Commercial
West	Clark County	

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

This application is not within any Special Area Plan or Overlay District.

DEFINITIONS

R (Rural Density Residential) The Rural Density Residential category allows from 2.5 to 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a life-style much like that of the Desert Rural, but with a smaller allowable lot size.

SC (Service Commercial) The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

INTERAGENCY ISSUES

RURAL PRESERVATION NEIGHBORHOOD

The site is within an area identified as a Rural Preservation Neighborhood within the City. 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.

RURAL PRESERVATION NEIGHBORHOOD BUFFER

The site is also within an area identified as a buffer for a Rural Preservation Neighborhood for the unincorporated area. Chapter 278 of the Nevada Revised Statutes (NRS) stipulates the identification of a 330-foot transitional buffer around Rural Preservation Neighborhoods. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown.

ANALYSIS

The subject site is located within a Rural Preservation Neighborhood. Chapter 278 of the (NRS) specifically states: "...the governing body shall take such actions as are necessary and appropriate to ensure that the rural character of each rural preservation neighborhood is preserved." Such action relegates the City to sustain the General Plan designation and zoning in place on the property to preserve its rural character. To do otherwise would contravene the purpose and intent of the state enabling legislation.

FINDINGS

Title 19.18.030.I requires that the following conditions be met 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.**

Redesignating the property to a commercial classification would permit zoning the property to classifications that would not be compatible with existing rural residential development located in the vicinity.

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

A commercial classification adjacent to existing large lot single-family dwellings, would result in compatibility issues.

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 uses and densities permitted by the proposed General Plan Amendment. Vegas Drive is a secondary arterial street that provides access to Mountain Trail. Parks are located in the immediate neighborhood; a future fire station is to be located within the necessary 1.5 miles at Torrey Pines Drive and Smoke Ranch Road.

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

If approved, the proposed amendment would not conform to state legislation.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/30/04 There were seven members of the public in attendance. The applicant introduced the project to the residents as a business to park up to six landscape trucks, including trucks with trailers and bobcats. All the residents present were opposed to the to the project and had the following concerns:

- Interest in keeping the county environment with no lights and no sidewalks
- Do not want the existing house torn down for the proposed use
- That the project will perpetuate other commercial uses in the vicinity
- The view from the second story residence to the north
- Noise of trash hauling and trucks
- Too much traffic
- Unsightliness
- Business is too intense for the location
- Is an established area where change is not wanted or expected

NOTICES MAILED: 98 by Planning Department

APPROVALS: 0

PROTESTS: 80

#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: _____

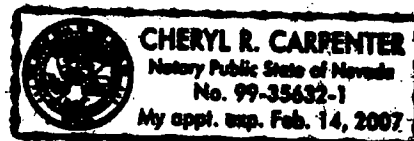
Signature of Property Owner/Authorized Agent: *Janet Castellano*

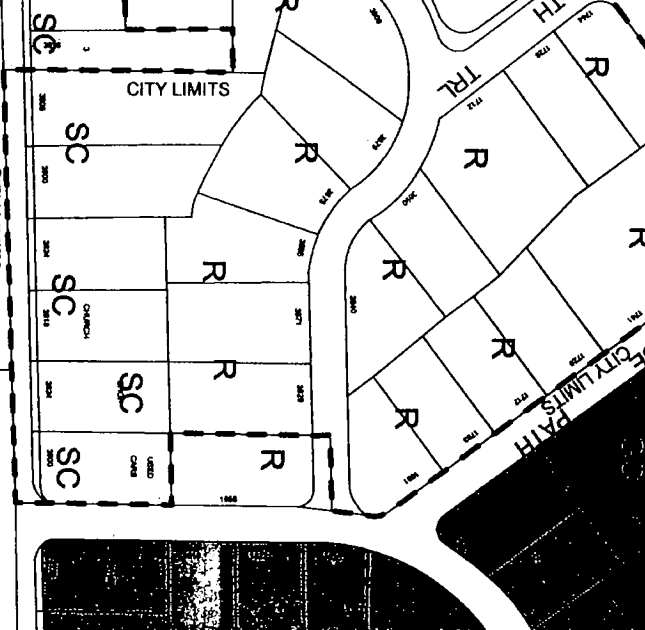
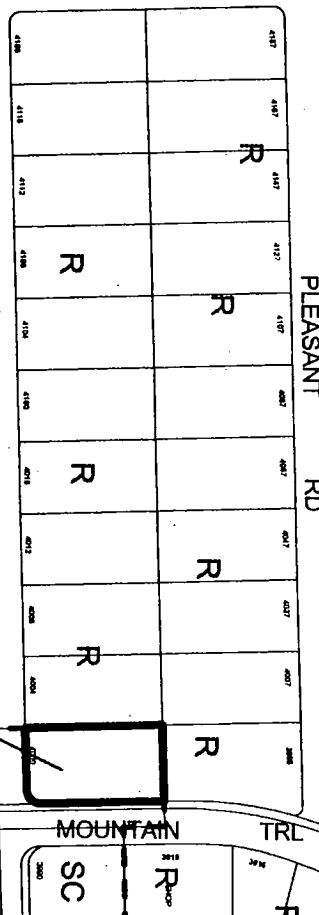
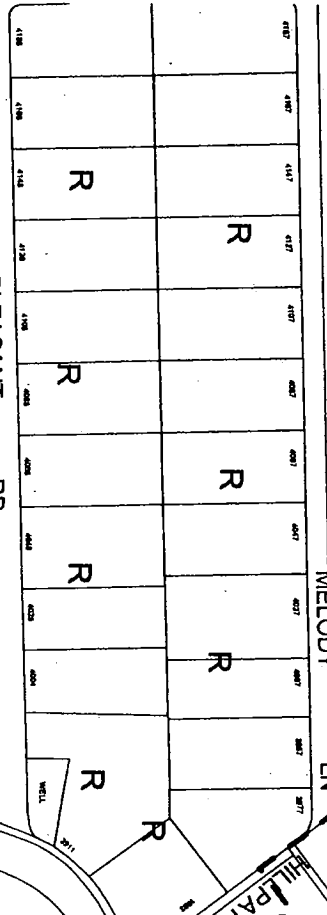
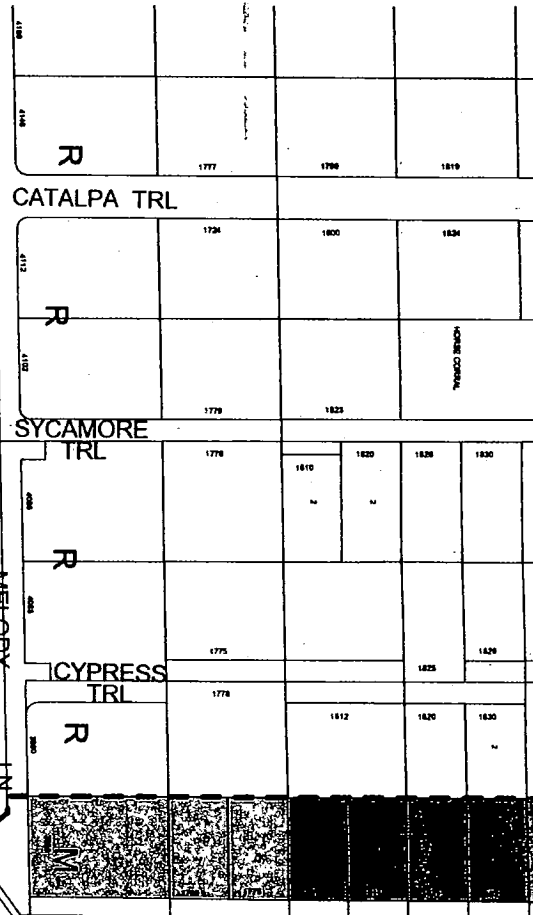
Print Name: PETER AND JANET CASTELLANO

Subscribed and sworn before me

This 27 day of February, 2004

Cheryl R. Carpenter
Notary Public in and for said County and State





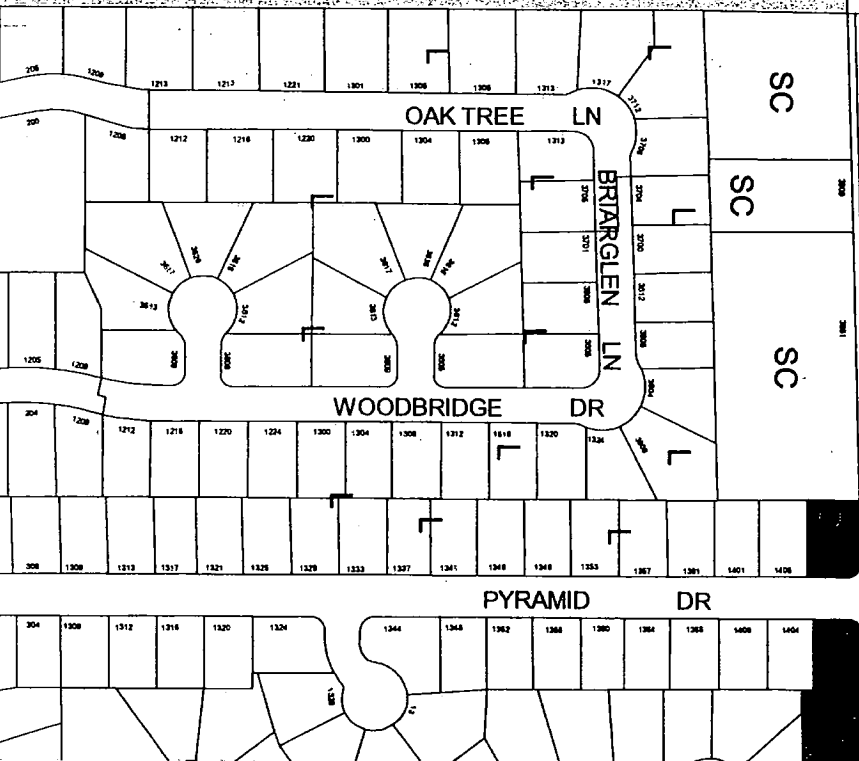
CITY LIMITS VEGAS DR

SUBJECT PROPERTY

PF

PF

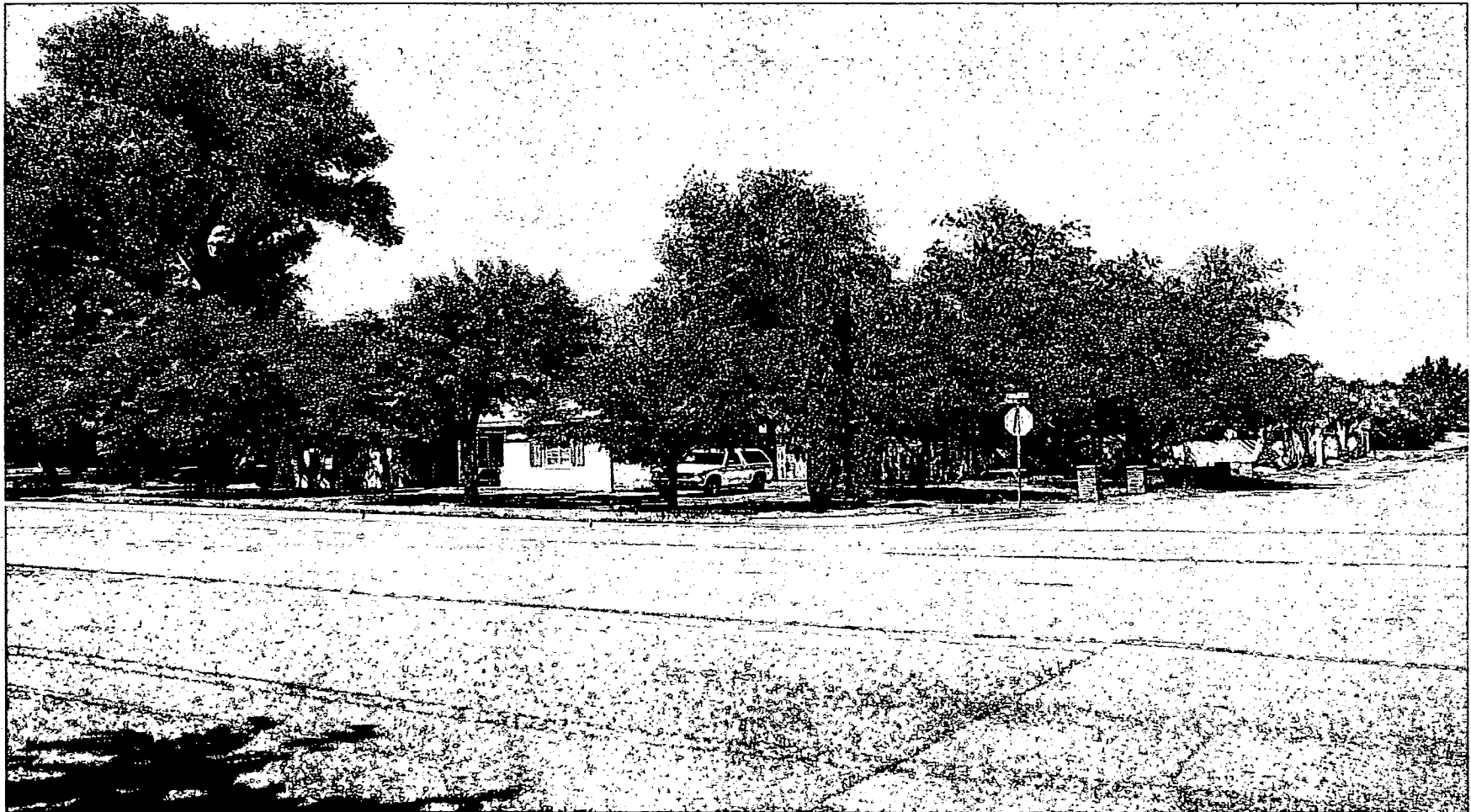
GPA-4100
7-7-04 CC





GPA-4100 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/9/04



GPA-4100 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/9/04

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes for Peter Castellano, owner of PD Landscaping Inc. @ 4000 Vegas Drive, in its entirety.

We, the undersigned residents, believe that the changes to this **Rural Residence**, to a SC-1 Service Commercial, in our mature, quiet neighborhood, would severely impact our property values. We also have concerns, in regards to the added traffic, that will negatively impact our whole neighborhood & community. Our Commissioners have already considered this issue and already zoned **many other areas** available for this type of business, in our City.

Please Print:

[illegible]

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes requested by Peter Castellano, owner of PD Landscaping Inc. @ 4000 Vegas Drive, in its entirety.

We, the undersigned residents, believe that the changes to this **Rural Residence**, to a SC-1 Service Commercial, in our mature, quiet neighborhood, would severely impact our property values. We also have concerns, in regards to the added traffic, that will negatively impact our whole neighborhood & community. Our Commissioners have already considered this issue and already zoned **many other areas** available for this type of business, in our City.

Please Print:

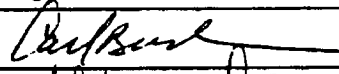
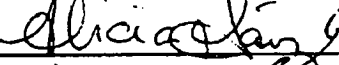
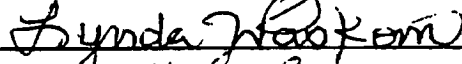
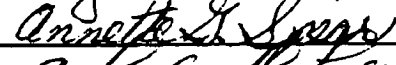
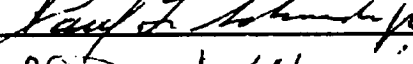
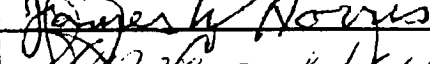
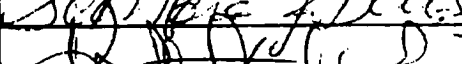
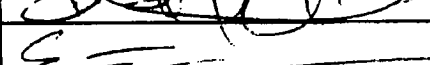
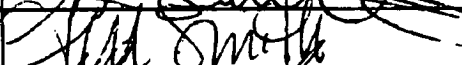
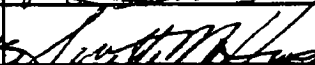
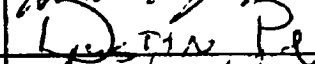
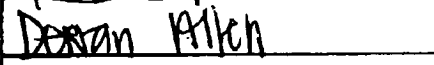
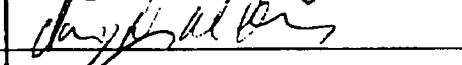
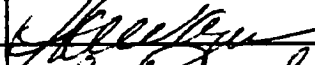
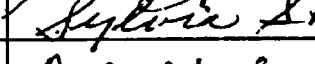
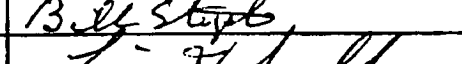
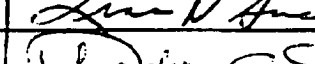
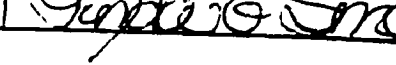
First Name	MI	Last Name	Street Address	Signature - Please Sign
Judith A		Ford	4210 Melody Ln.	Judith A Ford
Paul B		FORD	4210 MELODY LN	Paul B Ford
Ronald W		Thaeger	1841 Ridgefield Dr	Ronald W Thaeger
Christine G		Hicks	1937 Catalpa Tr	Christine C. Hicks
Kevin T		Brophy	1989 Catalpa Tr	Kevin T Brophy
John C		Hahn	1911 CATALPA TR	John C Hahn
Jerry R		White	1888 Catalpa Tr	Jerry R White
Neta C		White	1888 Catalpa Trail	Neta C White
Dahlewe J		McCarty	1941 Willow Tr	Dahlewe J McCarty
Ramona D		Burke	4102 Melody Ln	Ramona D Burke
MARY M		McCulloch	4107 Melody Lane	Mary M McCulloch
Ken M		McCulloch	4107 MELODY LN.	Ken McCulloch
John C		Carver	4147 Melody Ln	John C Carver
Ryan M		Creelman	4112 Melody lane	Ryan M Creelman
Steve S		Baggs	1776 Catalpa trail	Steve Baggs
John G		Adams	4180 Melody Lane	John G Adams
Michael J		Carter	4147 Melody Lane	Michael Carter
Jessan M		Fitts	1819 CATALPA	Jessan M Fitts
Louis E		Reitz	1819 CATALPA TR	Louis E. REITZ
Leo J		Karnes	1824 CATALPA TR	Leo J. KARNES
Carol A		Anger	1824 Catalpa Trail	CAROL ANGER
John R		Reavitt	4905 Spring Rd.	John R Reavitt
JIMMARI		POTT	1847 VALLEY RD	Jimmari POTT

Petition

We, the undersigned residents, **OPPOSE** the application, numbers GPA-4100, ZON-4101 & SDR-4102 for any changes requested by Peter Castellano, owner of PD Landscaping Inc. @ 4000 Vegas Drive, in its entirety.

We, the undersigned residents, believe that the changes to this **Rural Residence**, to a SC-1 Service Commercial, in our mature, quiet neighborhood, would severely impact our property values. We also have concerns, in regards to the added traffic, that will negatively impact our whole neighborhood & community. Our Commissioners have already considered this issue and already zoned **many other areas** available for this type of business, in our City.

Please Print:

First Name	MI	Last Name	Street Address	Signature - Please Sign
Carl		BURDMAN	4128 PLEASANT RD.	
Alicia		GAIZO	4128 PLEASANT RD	
Lynda		WASKOM	4147 Pleasant Rd	
Annette		Spear	4188 Pleasant Rd	
CHARLES L.		LETT	4188 Pleasant Rd.	
Paul L.		Schneider	4047 Pleasant Rd	
JAMES W		NORRIS	4047 PLEASANT RD	
SANDRA		DAVIS	4007 PLEASANT RD	
~~Stan~~ Daniel		DAVIS	4007 PLEASANT RD	
Stephen R.		Jones	4007 Pleasant Rd	
Kelly		JONES	4007 Pleasant Rd	
Anthony		Smith	4167 Pleasant Rd	
Fern		Smith	4167 Pleasant Rd.	
Peter		Brickett	1701 Valley Dr Las Vegas	
GLOTT		HOLLAND	1823 VALLEY DR LAS VEGAS	
Michael		Petersen	1800 Valley Dr.	
			1800 Valley DR	
DARRAN		Allen	1779 Valley Dr.	
JOHN W.		Wagner	4148 PLEASANT RD	
Sylvia		Staples	3985 Pleasant Rd	
BILL		STAPLES	3985 Pleasant Rd	
Linda		Small	4048 Pleasant Rd	
Linda		G Small	4048 Pleasant Rd	

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4100 - PUBLIC HEARING - 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). The Planning Commission (7-0 vote) and staff recommend
DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

80

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest petition with 75 signatures representing 53 properties submitted by Jan Fellhauer filed under Item 177 [GPA-4100]

MOTION:

WEEKLY – DENIED – UNANIMOUS

MINUTES:

NOTE: See Item 177 [GPA-4100] for all related discussion.

(6:15 – 6:45)

7-182



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-4101 – APPLICANT/OWNER: PETER CASTELLANO

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL. If Approval, subject to:

Planning and Development

1. A General Plan Amendment (GPA-4100) to SC (Service Commercial) 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-4102) 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. Construct all incomplete half-street improvements on Vegas Drive and Mountain Trail adjacent to this site concurrent with development of this site. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards. 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is to rezone from R-E (Residence Estates) to C-1 (Limited commercial) on 0.47 acres at 4000 Vegas Drive (northwest corner of Vegas Drive and Mountain Trail).

A General Plan Amendment (GPA-4100) and a Site Development Plan Review (SDR-4102) were filed as companion applications with this request for rezoning.

B) Applicant's Justification

The applicant states in a letter submitted with the application: "Our goal is to comply with all laws and codes put forth by the City of Las Vegas to do and bring good business to the community."

BACKGROUND INFORMATION

A) Previous Actions

- 04/12/01 A-0015-01(A) for annexation recommended for approval by the Planning Commission.
- 04/22/04 The Planning Commission voted to hold this and related items GPA-4100 and SDR-4102 in abeyance as the applicant or it's representative was unable to attend to be present.
- 05/27/04 The Planning Commission recommended denial of a related General Plan Amendment (GPA-4100) and Site Development Plan Review (SDR-4102) as part of this agenda.
- 05/27/04 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #27/dds).

B) Pre-Application Meeting

- 02/25/04 The elements of a complete application and the necessary neighborhood meeting for the general plan amendment request were discussed.

C) Neighborhood Meetings

03/30/04 There were seven members of the public in attendance. The applicant introduced the project to the residents as a business to park up to six landscape trucks, including trucks with trailers and bobcats. All the residents present were opposed to the to the project and had the following concerns:

- Interest in keeping the county environment with no lights and no sidewalks
- Do not want the existing house torn down for the proposed use
- That the project will perpetuate other commercial uses in the vicinity
- The view from the second story residence to the north
- Noise of trash hauling and trucks
- Too much traffic
- Unsightliness
- Business is too intense for the location
- The site is in an established area where change is not wanted or expected.

DETAILS OF APPLICATION REQUEST

A) Site Area: 0.47 acres

B) EXISTING LAND USE

Subject Property	Single-family residence
North	Single-family residence
South	Vacant and a golf course
East	Commercial
West	Single-family residence

C) PLANNED LAND USE

Subject Property	R (Rural Density Residential)
North	R (Rural Density Residential)
South	PF (Public Facility) SC (Service Commercial)
East	R (Rural Density Residential) SC (Service Commercial)
West	R (Rural Density Residential)

D) EXISTING ZONING

Subject Property	R-E (Residence Estates)
North	Clark County

South C-V (Civic), R-1 (Single-Family Residential) under Resolution of Intent to C-1
(Limited Commercial) Limited Commercial
East C-1 (Limited Commercial)
West Clark County

E) General Plan Compliance

The site of this application of rezoning is designated as R (Rural Density Residential) on the Southeast Sector Land Use Plan of the General Plan. This category permits single-family detached homes, mobile homes on individual lots, gardening home occupations and family child care facilities. The existing residential use is in conformance with the Rural land use designation. The proposed commercial zoning is inconsistent with the land use designation of the site and the neighborhood to the north and west.

<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

RURAL PRESERVATION NEIGHBORHOOD

The subject site is located within a Rural Preservation Neighborhood. Chapter 278 of the (NRS) specifically states: "...the governing body shall take such actions as are necessary and appropriate to ensure that the rural character of each rural preservation neighborhood is preserved." Such action relegates the City to sustain the General Plan designation and zoning in place on the property to preserve its rural character. To do otherwise would contravene the purpose and intent of the state enabling legislation.

RURAL PRESERVATION NEIGHBORHOOD BUFFER

The site is also within an area identified as a buffer for a Rural Preservation Neighborhood for the unincorporated area. Chapter 278 of the Nevada Revised Statutes (NRS) stipulates the identification of a 330-foot transitional buffer around Rural Preservation Neighborhoods. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown.

ANALYSIS

A) Zoning Code Compliance

The current residential use is in compliance with the current designation of the General Plan and is compatible with similarly zoned parcels in the neighborhood. The proposed commercial use would not be in compliance with the existing zoning and the zoning of the adjacent parcels.

B) General Analysis and Discussion

The applicant is proposing a business to park up to six landscape trucks, including trucks with trailers and bobcats on the property. Such a use is not permitted in the R (Rural Density Residential) district. The site has existing residential uses to west and east of the site.

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 existing General Plan designation of the subject site is R (Rural Density Residential). The proposed landscaping use is inconsistent with the residential designation of the site. The applicant is requesting to amend this land use designation to SC (Service Commercial).

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 zoning and General Plan Amendment would permit a broad spectrum of commercial uses. A commercial use proposed in this location causes severe compatibility issues.

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 do not indicate a need for the rezoning to C-1 (Limited commercial). In addition, there are other locations with the appropriate zoning within the community that would allow a development such as this.

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 capacity of Mountain Trail street is not adequate for the proposed zoning district.

NOTICES MAILED 98 by Planning Department

APPROVALS 0

PROTESTS 80

#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?

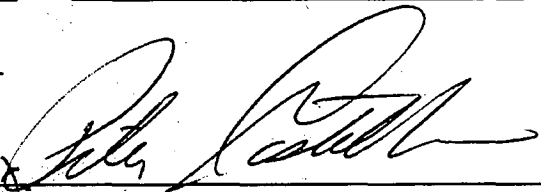
_____ Yes X No

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): _____

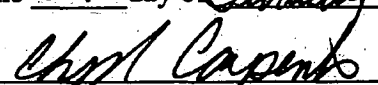
APN: _____

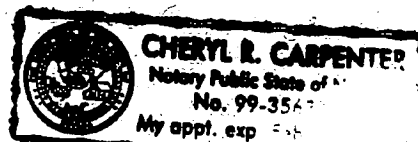
Signature of Property Owner/Authorized Agent: 

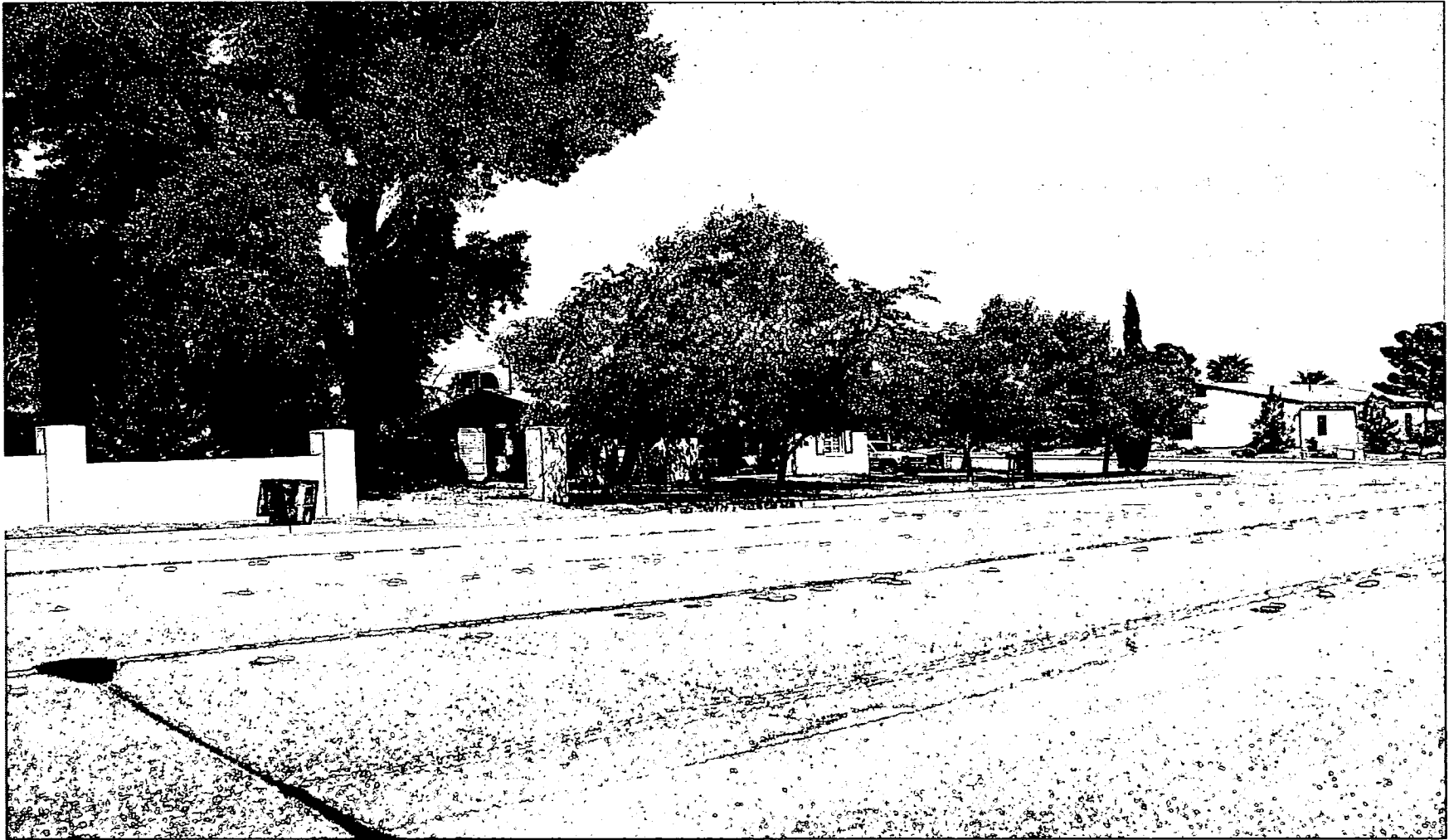
Print Name: PETE CASTELLANO

Subscribed and sworn before me

This 27 day of January, 2004


Notary Public in and for said County and State





ZON-4101 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/9/04



ZON-4101 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4100 AND ZON-4101 -
PUBLIC HEARING - **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). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

80

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest petition with 75 signatures representing 53 properties submitted by Jan Fellhauer filed under Item 177 [GPA-4100]

MOTION:

WEEKLY - DENIED - UNANIMOUS

MINUTES:

NOTE: See Item 177 [GPA-4100] for all related discussion.

(6:15 - 6:45)

7-182



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4102 – APPLICANT/OWNER: PETER CASTELLANO

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-4100) to SC (Service Commercial) and Rezoning (ZON-4101) to a C-1 (Limited Commercial) Zoning District approved by the City Council.
2. The trash enclosure shall be relocated so it will be a minimum of 50 feet of the residential property lines.
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, date stamped 07/07/04, except as amended by conditions herein.
5. 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 a minimum of 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs and four one-gallon shrubs for each tree provided in the landscape buffers.
6. 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 should be cause for revocation of a business license.]
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. 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. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

10. 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.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

13. If the entry gates proposed are to be electrically opened and closed, the gates may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is to be manually opened and closed, the gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate; alternatively the gates shall remain open during regular business hours. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.
14. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
15. Submit an Encroachment Agreement for all landscaping and private improvements in the Vegas Drive public right-of-way adjacent to this site.
16. Landscape and maintain all unimproved right-of-way on Vegas Drive adjacent to this site concurrent with development of this site.
17. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222A.
18. Site development to comply with all applicable conditions of approval for ZON-4101 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 landscaping business to be located at the northwest corner of Vegas Drive and Mountain Trail.

A General Plan Amendment (GPA-4100) and a Rezoning (ZON-4101) were filed as companion applications with this request.

B) Applicant's Justification

The applicant's intent for the property is to be allowed to park landscaping pick-up trucks with attached trailers. The trucks are to be parked during non-business hours and parked according to all requirements. The safety of their neighbors and the community is their priority.

BACKGROUND INFORMATION

A) Previous Actions

- 04/12/01 A-0015-01(A) for annexation recommended for approval by the Planning Commission.
- 04/22/04 The Planning Commission voted to hold this and related items GPA-4100 and ZON-4101 in abeyance as the applicant or it's representative was unable to attend to be present.
- 05/27/04 The Planning Commission recommended denial of a related General Plan Amendment (GPA-4100) and Rezoning (ZON-4101) as part of this agenda.
- 05/27/04 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #28/dds).

B) Pre-Application Meeting

- 02/25/04 The elements of a complete application and the necessary neighborhood meeting for the general plan amendment request were discussed.

C) Neighborhood Meetings

- 03/30/04 There were seven members of the public in attendance. The applicant introduced the project to the residents as a business to park up to six landscape trucks, including trucks with trailers and bobcats. All the residents present were opposed to the to the project and had the following concerns:

- Interest in keeping the county environment with no lights and no sidewalks
- Do not want the existing house torn down for the proposed use
- That the project will perpetuate other commercial uses in the vicinity
- The view from the second story residence to the north
- Noise of trash hauling and trucks
- Too much traffic
- Unsightliness
- Business is too intense for the location
- The site is in an established area where change is not wanted or expected.

DETAILS OF APPLICATION REQUEST

A) SITE AREA

0.47 acres

B) EXISTING LAND USE

Subject Property	Single-family residence
North	Single-family residence
South	Vacant and a golf course
East	Commercial
West	Single-family residence

C) PLANNED LAND USE

Subject Property	R (Rural Density Residential)
North	R (Rural Density Residential)
South	PF (Public Facility), SC (Service Commercial)
East	R (Rural Density Residential), SC (Service Commercial)
West	R (Rural Density Residential)

D) EXISTING ZONING

Subject Property	R-E (Residence Estates)
North	Clark County
South	C-V (Civic), R-1 (Single Family Residential) and C-1 (Limited Commercial) under Resolution of Intent to Limited Commercial
East	C-1 (Limited Commercial)
West	Clark County

E) General Plan Compliance

The site of this application of rezoning is designated as R (Rural Density Residential) on the Southeast Sector Land Use Map of the General Plan. This category permits single-family detached homes, mobile homes on individual lots, gardening; home occupations and family child care facilities. The existing residential use is in conformance with the Rural land use designation. The proposed commercial zoning is inconsistent with the land use designation of the site and the neighborhood to the north and west.

PROJECT DESCRIPTION

It is proposed that the subject site be converted from an existing home to a landscaping business. The existing building will become an office for the business and the area behind the building is the parking area. Access will be confined to a single gated entrance from Mountain Trail.

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	20,445	N/A
Min. Lot Width	100 Feet	105	Y
Min. Setbacks			
• Front	20 Feet	25	Y
• Side	10 Feet	20	Y
• Corner	15 Feet	40	Y
• Rear	20 Feet	105	Y
Max. Lot Coverage	50 %	7.4%	Y
Max. Building Height	NONE	Single story	Y
Trash Enclosure	Y	Y	No, needs to be moved
Loading Zone	Y	Y	Y
Mech. Equipment	Y	Not shown	Not shown
Handicap parking	Y	Y	Y

The proposal meets the requirements of Title 19 zoning standards except for the location of the trash enclosure. A condition has been added to address the issue.

A2) Residential Adjacency Standards

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

- a) Proximity slope: 3 to 1. As a single story building and it's present location, the proposal meets the proximity slope requirement of Title 19.
- b) Building setback: 10 feet. As a single story building and it's present location, the proposal meets the building setback requirements of Title 19.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Commercial	1520 SF.	1/250 GFA	6	1	10	2

The proposal meets the requirements of Title 19 parking standards.

The Department of Public Works identified the following issue:

If the entry gates proposed are to be electrically opened and closed, the gates may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is to be manually opened and closed, the gates shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate; alternatively the gates shall remain open during regular business hours. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

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 Trees/6 Spaces	2 Trees	0
Buffer: • Min. Trees	1-24 Inch Box Tree/ 20 Linear Feet of buffer	30Trees	18
• Min. Zone Width	8 Feet		8
• Wall height	8 Feet		8

The proposal does not meet the requirements of Title 19 Landscaping requirements. A condition will be added to require the additional trees should this request is approved.

A5) Sign Standards

Insufficient information was submitted that would have permitted an evaluation of the signs that may be part of the proposal. Signage for the use will have to be reviewed through a separate application.

B) General Analysis and Discussion

- Zoning

The current residential use is in compliance with the current General Plan designation and is compatible with similarly zoned parcels in the neighborhood. The proposed commercial use would not be in compliance with the existing zoning and the zoning of the adjacent parcels.

- Site Plan

The site plan shows twelve parking spaces where six would be required. The plan shows a delivery parking space and two handicap spaces. The trash enclosure is shown to be eight feet from the rear property line instead of the 50 feet that is required. A condition has been added to require the location of the enclosure to be 50 feet from the residential property lines to the west and north of the site.

- Waivers

The applicant for this application for a site development plan review requested no waivers of development standards.

- Landscape Plan

The proposal does not meet the requirements of Title 19 Landscaping requirements. A condition will be added to require the additional trees should this request is approved.

- Elevation

The pictures submitted for the application show a typical single story house on a landscaped lot.

- Floor Plan

The floor plan shows a typical layout of a single story home.

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 current residential use is in compliance with the current zoning and is compatible with similarly zoned parcels in the neighborhood. The proposed commercial use would not be in compliance with the existing zoning and compatible of the adjacent parcels.

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 layout of the site is not consistent with existing plans and standards. A condition has been added to require, if the site plan is approved, that the trash enclosure be moved away from the west and north property lines. Landscaping will be required around the base of the building, additional trees will be required around the perimeter, and tree will be required with a parking lot finger along the south side of the parking lot.

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

The Mountain Trail Street is the access to the residential subdivision to the north of the site. It is a residential street and will not be able to handle the increase in traffic generated by the proposed use.

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

The current is compatible with the surrounding area. Conversion to a commercial use is not in keeping with the residential nature of the area west of Mountain Trail Street. The proposed landscaping is not harmoniously compatible with the 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 building is compatible with the area.

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

The business within the proposed office will be subject to regular inspections for licensing, and the conversion/construction of the office will be completed in compliance with local building codes.

NOTICES MAILED 98 by Planning Department

APPROVALS 0

PROTESTS 80

#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): _____

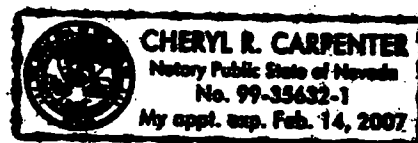
APN: _____

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



Hand-drawn site plan for a property at 4000 Vegas Drive. The plan shows an existing structure, a concrete patio, and various parking areas including 9x18, 8x18, and handicap parking. It also features a storage shed, a 24x15 enclosed dumpster area, and a large asphalt parking lot. The property is bounded by a 135' x 4' block wall and a 4' sidewalk. The plan includes numerous trees and landscaping elements.

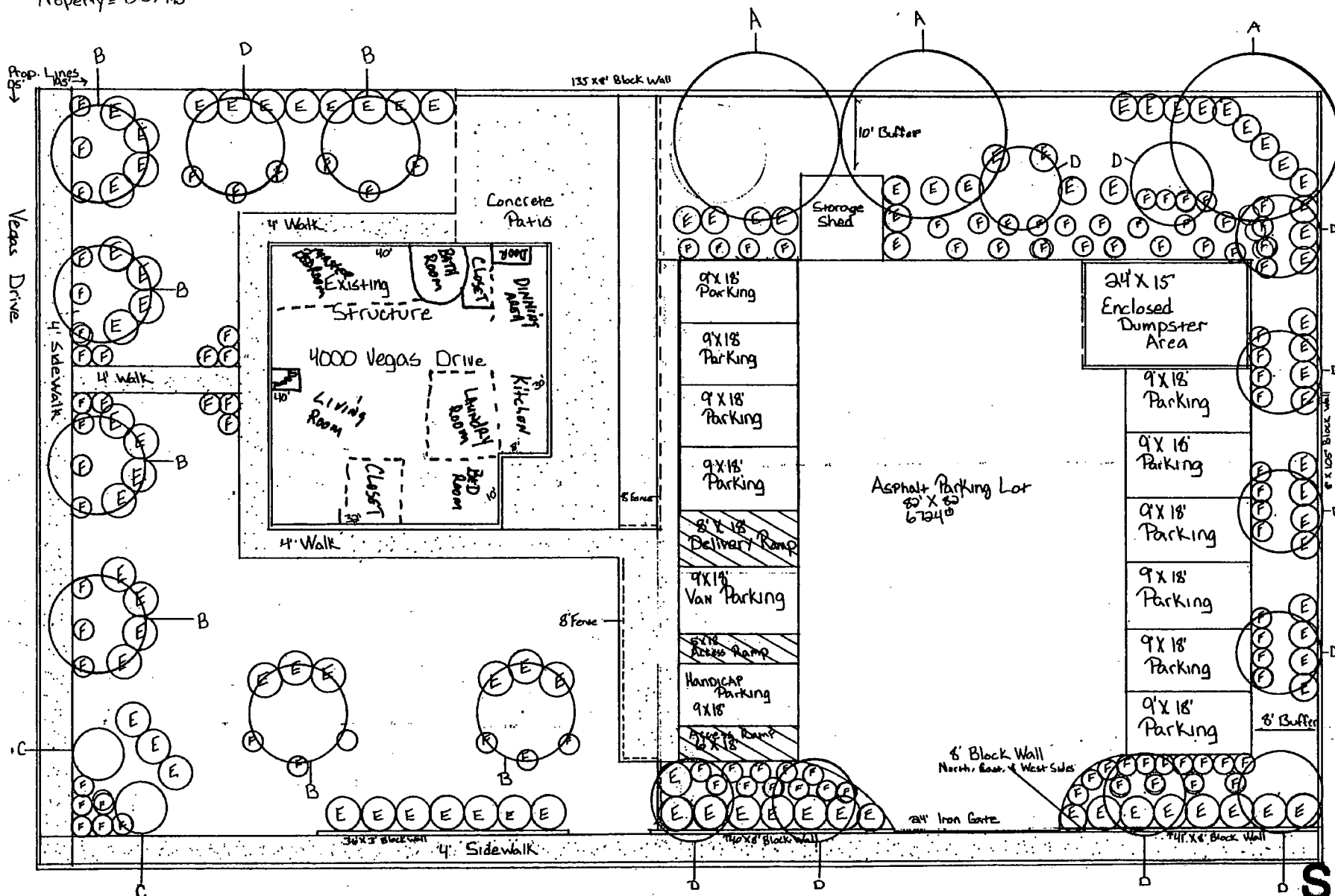
Drawn By: C. Allred

Mountain Trail

N —

SDR-4102
4-22-04 PC

Property = 20.445 $\pm$



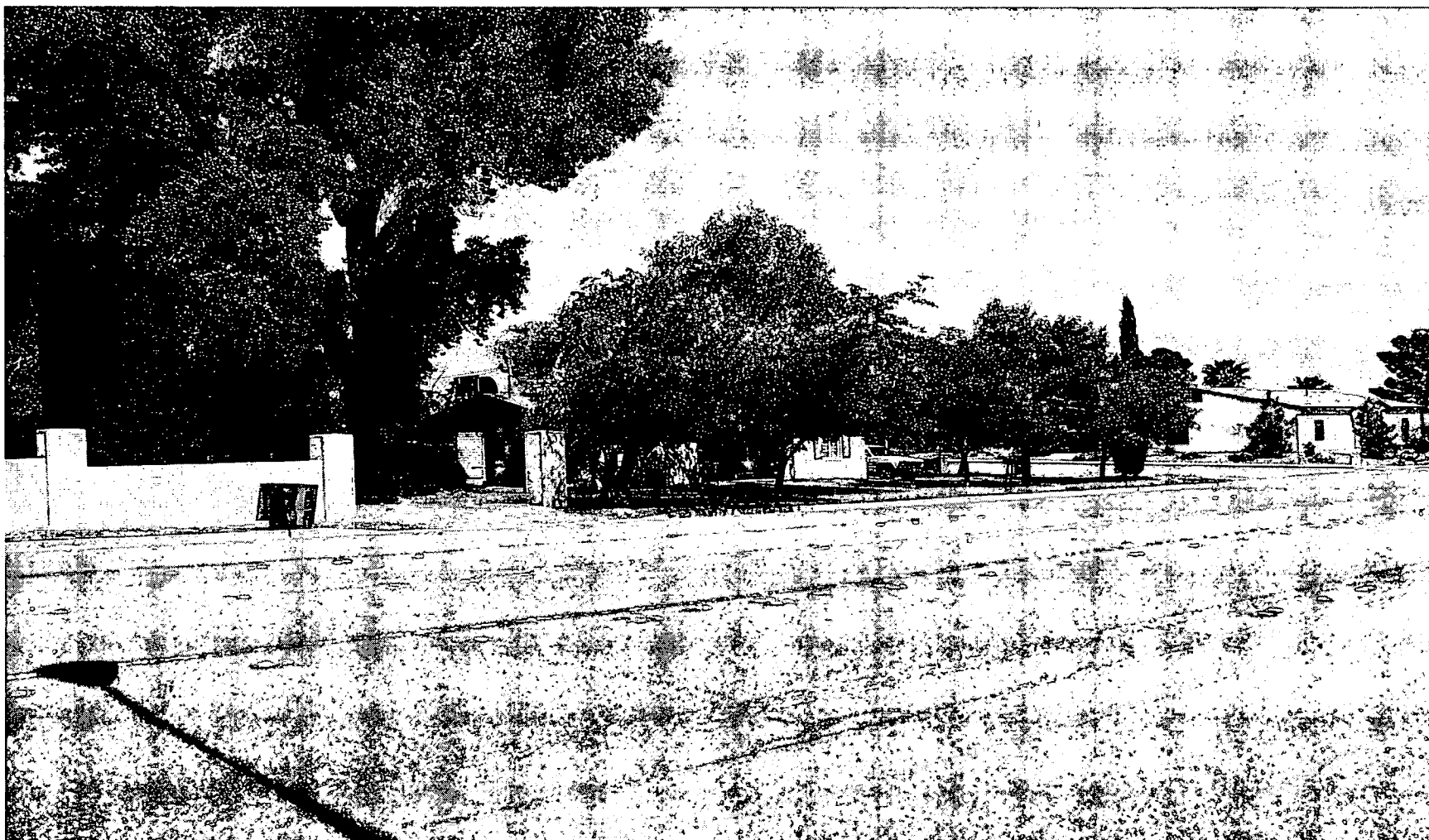
Scale = 1/8" = 1'

Drawn By: C. Allred

Mountain Trail

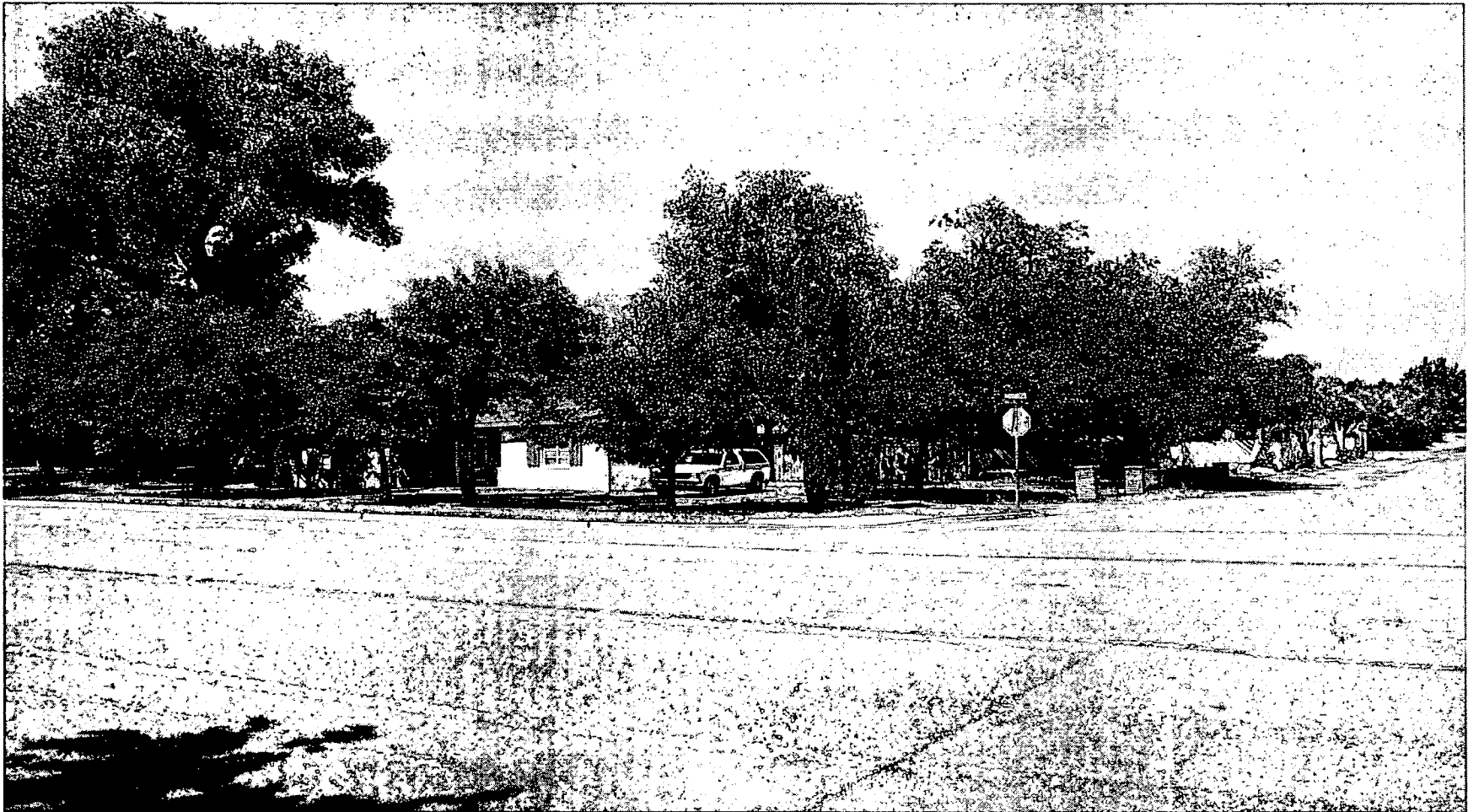
N →

SDR-4102
4-22-04 PC



SDR-4102 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/9/04



SDR-4102 - APPLICANT/OWNER: PETER CASTELLANO
4000 VEGAS DRIVE
MAY 27, 2004 PLANNING COMMISSION

4/9/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RESCIND PREVIOUS ACTION - GENERAL PLAN AMENDMENT - PUBLIC HEARING
- **GPA-4000 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.** - Request by the City Council to Rescind the Previous Action of the Denial of a Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), Ward 1 (Moncrief). Staff has no recommendation on the request to Rescind the Previous Action

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

7

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff has no recommendation on the request to Rescind the Previous Action.

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF – APPROVED – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 180 [GPA-4000], Item 181 [VAR-4005], Item 182 [ZON-4003] and Item 183 [SDR-4004].

NOTE: A Combined Verbatim Transcript of Item 180 [GPA-4000 Rescind], Item 181 [VAR-4005 Rescind], Item 182 [ZON-4003 Rescind], Item 183 [SDR-4004 Rescind], Item 184 [GPA-4000], Item 185 [VAR-4005], Item 186 [ZON-4003] and Item 187 [SDR-4004] is made a part of the Final Minutes under Item 180 [GPA-4000 Rescind].

APPEARANCES:

OSCAR GOODMAN, Mayor

BRYAN SCOTT, Deputy City Attorney

JANET MONCRIEF, Councilwoman

JT MORAN III, Moran and Associates, 630 South 4th Street

CHRIS FERGUSON, Chief Executive Officer, Valencia Communities

LARRY BROWN, Councilman

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 180 – GPA-4000 Rescind

MINUTES Continued:

APPEARANCES Continued:

FIRST UNIDENTIFIED MALE SPEAKER

ROBERT GENZER, Director, Planning and Development Department

SECOND UNIDENTIFIED MALE SPEAKER

GARY REESE, Councilman

LAWRENCE WEEKLY, Councilman

STEVE WOLFSON, Councilman

CLEATA THOMPSON, 1710 South Buffalo Drive

HOWARD THOMPSON, 1710 South Buffalo Drive

MICHAEL MACK, Councilman

BART ANDERSON, Project Manager, Department of Public Works

MARGO WHEELER, Deputy Director, Planning and Development Department

BARBARA JO RONEMUS, City Clerk

MAYOR GOODMAN declared the Public Hearing closed on Item 180 [GPA-4000], Item 181 [VAR-4005], Item 182 [ZON-4003] and Item 183 [SDR-4004].

NOTE: All discussion for Item 180 [GPA-4000], Item 181 [VAR-4005], Item 182 [ZON-4003], Item 183 [SDR-4004], Item 184 [GPA-4000], Item 185 [VAR-4005], Item 186 [ZON-4003] and Item 187 [SDR-4004] was held under Item 180 [GPA-4000].

(6:45 – 6:47)

7-1161

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RESCIND PREVIOUS ACTION - GPA-4000 -

APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.

**** CONDITIONS ****

Staff has no recommendation on the Request to Rescind the Previous Action.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request by the City Council to Rescind the Previous Action of Denial of a request to amend the Southwest Sector Plan of the General Plan land use designation of a 2.92-acre tract of land located at 1700 South Buffalo Drive from DR (Desert Rural Density Residential) to MLA (Medium Low Attached Density Residential). A rezoning application, ZON-4003, a variance, VAR-4005, and a site development plan, SDR-4004, 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 property was designated for 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. |
| 08/18/99 | The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996. |
| 09/06/00 | The City Council approved the <i>City of Las Vegas Master Plan 2020</i> . This site is not designated within any specific geographic strategy area as described in the Plan. |
| 04/08/04 | The Planning Commission recommended DENIAL of companion applications for a Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre), a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site. |
| 04/08/04 | The Planning Commission voted 2-5 on a motion for approval which is DENIAL (PC Agenda Item #34/gl). |

DETAILS OF APPLICATION REQUEST

Site Area: 2.92 acres

EXISTING LAND USE

Subject Property Undeveloped
North Undeveloped
South Single family residence and undeveloped
East Single family residential; small park at the northeast corner
West Across Buffalo Drive, park

PLANNED LAND USE

Subject Property DR (Desert Rural)
North DR (Desert Rural)
South DR (Desert Rural)
East DR (Desert Rural)
West Across Buffalo Drive, PR (Park / Recreation / Open Space)

EXISTING ZONING

Subject Property R-E (Residence Estates)
North R-E (Residence Estates)
South R-E (Residence Estates)
East R-PD2 (Residential Planned Development at two Dwelling Units / acre)
West Across Buffalo Drive, C-V (Civic District)

	YES	NO
INTERLOCAL AGREEMENT JOINT LAND USE PLANNING AREA		X
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

DR (Desert Rural Density Residential)

(0 to 2.0 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.

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.

PR (Parks/Recreation/Open Spaces)

This category allows large public parks and recreation areas such as public and private golf courses, trails and easements, drainage-ways and detention basins, parking to serve such uses and any other public usage of large areas of permanent open land.

INTERAGENCY ISSUES

None

ANALYSIS

The subject request is to change the land use classification of a tract of land located at 1700 South Buffalo Drive from DR (Desert Rural Density Residential) to MLA (Medium Low Attached Density Residential). Property to the north, east and south is classified DR (Desert Rural Density Residential) which permits residential development at a density of up to two dwelling units per acre. Property across the street to the west is classified C-V (Civic) for a large existing park and sports fields.

The MLA classification would permit up to 12 dwelling units per acre, an increase of six times the density permitted in the DR classification. The applicant states: "The residents of the Buffalo and Oakey area have recently suffered, what they consider to be, a potential zoning disaster with the approval of the Social Security building at the corner of Buffalo and Del Rey Avenue (south of Oakey Boulevard)." For this reason, the "Neighborhood Alliance" has showed support for a proposed upscale condominium development on the subject tract. Purportedly, the project would consist of three story buildings.

The General Plan designates the subject area and the larger area around it for single-family residences at no more than two dwelling units per acre. 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.

The applicant has presented no justification for altering the plan, except to indicate that the proposed project would be better than the project recently approved on the northeast corner of Buffalo and Del Rey. Such a project, however, is not being proposed. Staff is at a loss to see how a three-story project at up to 12 dwelling units per acre would benefit an area that is developing at two dwelling units per acre. The staff, therefore, recommends that the General Plan be upheld.

FINDINGS

Title 19.18.030.I requires that the following conditions be met 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;
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.

Condition number “1” is not satisfied, as the subject request would permit residential development at six times the density permitted in every direction from the site.

Likewise, condition number “2” is not satisfied, because residential zoning districts permitting up to 12 dwelling units per acre would be allowed in a MLA classification. This increase in density raises an incompatibility issue.

In regard to the third condition, public facilities and infrastructure presently exist to support commercial development. Access would be directly to Buffalo Drive. The property is within 1½ miles of a fire station at Charleston Boulevard and Durango Drive and within one mile of a police station at Charleston Boulevard and Rainbow Boulevard.

In regard to the fourth condition, objectives and policies are addressed in the *City of Las Vegas Master Plan 2020*. There are no plans or policies that specifically address this area of the Southwest Sector.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/08/04 There were 20 residents in attendance. Their comments included the following:

- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
- Residents had a preference for single story or two story custom homes.
- Some residents indicated they would support one story offices instead of residential.
- Residents would like the BC agenda to read something other than “condominium,” as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
- Residents would like the project to be gated.
- Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.

- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

PLANNING COMMISSION ACTION

There were three speakers protesting this application at the Planning Commission hearing.

NOTICES MAILED: 90 by Planning Department

APPROVALS: 0

PROTESTS: 7

**CITY COUNCIL MEETING OF
July 7, 2004**

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

Combined Verbatim Transcript: Rescind Previous Action and Reconsider on Item 180 [GPA-4000], 181 [VAR-4005], 182 [ZON-4003], 183 [SDR-4004], 184 [GPA-4000], 185 [VAR-4005], 186 [ZON-4003], and 187 [SDR-4004] – Applicant/Owner: Valencia Communities, Inc.

APPEARANCE LIST

OSCAR GOODMAN, Mayor

BRYAN SCOTT, Deputy City Attorney

JANET MONCRIEF, Councilwoman

J.T. MORAN III, Attorney, 630 South 4th Street

CHRIS FERGUSON, Developer

LARRY BROWN, Councilman

FIRST UNIDENTIFIED MALE SPEAKER

ROBERT GENZER, Director, Planning and Development Department

SECOND UNIDENTIFIED MALE SPEAKER

GARY REESE, Councilman

LAWRENCE WEEKLY, Councilman

STEVE WOLFSON, Councilman

CLEATA THOMPSON, 1710 South Buffalo Drive

HOWARD THOMPSON, 1710 South Buffalo Drive

MICHAEL MACK, Councilman

BART ANDERSON, Public Works Department

MARGO WHEELER, Deputy Director, Planning and Development Department

BARBARA JO RONEMUS, City Clerk

(6:45 – 7:19)

7-1161/7-2585

34 Minutes

Typed by: Ydoleena Yturralde

Proofed by: Angela Crolli

CITY COUNCIL MEETING OF

July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

31 **MAYOR GOODMAN**

32 One eighty to one eighty-seven. One eighty is GPA-4000, applicant owner is Valencia
33 Communities Inc. Request by the City Council to rescind the previous action of the
34 denial of a request to amend a portion of the Southwest Sector Plan of the General Plan
35 from DR (Desert Rural Density Residential) to MLA [(Medium-Low Attached Density
36 Residency (sic)], located at 1700 South Buffalo Drive. This is in Ward 1 and the staff
37 has no recommendation. I assume that we should consider this first before – we call the
38 others. Is that correct?

39

40 **BRYAN SCOTT**

41 That's correct.

42

43 **MAYOR GOODMAN**

44 All right. Would you want to be heard? Councilwoman, this is your motion to rescind.

45

46 **COUNCILWOMAN MONCRIEF**

47 **I would like to rescind number 180, 181, 182, and 183.**

48

49 **MAYOR GOODMAN**

50 All of them. Okay. Well we'll do it one at a, okay, let me read 181 through 183. 181 is
51 a VAR-4005, the same applicant. Request by the City Council to rescind the previous
52 action of the denial of a request for a Variance to allow an R-PD (Residential Planned
53 Development) zoning district on 2.92 acres where a minimum of 5 acres is required
54 located at 1700 South Buffalo Drive. 182 is ZON-4003, same applicant, request by the
55 City Council to rescind the previous action of the denial of request for rezoning from R-E
56 to R-PD10 on that location, on that acreage. And 183 is SDR-4004, same applicant,
57 request by the City Council to rescind the previous action of the denial of the request for
58 a Site Development Plan Review for a 28-unit attached single family development on
59 2.92 acres, located at 1700 South Buffalo. So we'll take a – motion that we, there has

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

60 been a motion to rescind on items 180, 181, 182, and 183. We can do that together. Lets
61 vote on that please. Post, please. Motion carries. **(Motion carried unanimously)**
62 Okay, now we'll go to 184 individually. 184 is GPA-4000, applicant owner is Valencia
63 Communities Inc., request to amend a portion of the Southwest Sector Plan of the
64 General Plan from DR to MLA on 2.92 acres located at 1700 South Buffalo Drive. The
65 Planning Commission and staff recommend denial. Staff recommends approval
66 regarding the current request. This is a public hearing, which I now declare open. Mr.
67 Moran.

68

69 **J.T. MORAN III**

70 Good evening Mr. Mayor, members of the Council. Again, J.T. Moran the Third, Moran
71 and Associates, 630 Fourth Street, on behalf of the applicant, Valencia Communities.
72 Also present with me today are Mr. Scott Ferguson or excuse me, Mr. Scott Collins. He
73 is the Regional Director and also with him and has flown in from Houston, Mr. Chris
74 Ferguson. He is the Chief Executive Officer of this specific home builder.

75

76 **MAYOR GOODMAN**

77 Let me interrupt you for a second, how are the tin homes doing down in Houston?

78

79 **J.T. MORAN III**

80 I wouldn't exactly call them tin homes. They were very nice homes.

81

82 **MAYOR GOODMAN**

83 No, no, this was a matter that was here before today. They were tin homes. Are you
84 familiar with that project?

85

86 **CHRIS FERGUSON**

87 Yes, sir, I am.

88

89

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

89 **MAYOR GOODMAN**

90 How are they, come on up and let's talk about tin homes. How are they, how are the tin
91 homes –

92

93 **COUNCILMAN BROWN**

94 They're urban lofts.

95

96 **MAYOR GOODMAN**

97 They're urban lofts. How are they doing down there?

98

99 **CHRIS FERGUSON**

100 If you're speaking of Davis and Associates?

101

102 **MAYOR GOODMAN**

103 Yes.

104

105 **CHRIS FERGUSON**

106 Yes. They do very well. They sell, briskly.

107

108 **MAYOR GOODMAN**

109 And not only do they sell, but do they hold up? Are they comfortable?

110

111 **CHRIS FERGUSON**

112 They seem to be holding up, and he's been holding building them for quite some time.

113

114 **MAYOR GOODMAN**

115 Okay. You haven't heard about any problems?

116

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

116 **CHRIS FERGUSON**

117 No, I haven't.

118

119 **MAYOR GOODMAN**

120 All right. I appreciate that. Thank you.

121

122 **FIRST UNIDENTIFIED MALE SPEAKER**

123 (inaudible) can openers.

124

125 **MAYOR GOODMAN**

126 Oh, very funny, Councilman at the quarter, ten of seven tonight. Okay. Good. Yes. Go

127 ahead, Mr. Moran.

128

129 **J.T. MORAN III**

130 Okay, I'm trying to keep you keep on track for seven o'clock – I

131

132 **MAYOR GOODMAN**

133 – I Thank you, I we appreciate that –

134

135 **J.T. MORAN III**

136 – and we're –

137

138 **MAYOR GOODMAN**

139 – and we appreciate that.

140

141 **J.T. MORAN III**

142 Okay. Now, let me get into the project, if I may. I think that's the most important thing.

143 What we're proposing, again, I think –

144

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

144 **ROBERT GENZER**

145 Excuse me, Your Honor. If – we’re gonna to discuss the site plan, we need to open up all
146 the items.

147

148 **MAYOR GOODMAN**

149 I’d be happy to do that. 185 is – VAR-4005, the same applicant. Request for a Variance
150 to allow an R-PD –

151

152 **J.T. MORAN III**

153 Just trying to go with the flow.

154

155 **MAYOR GOODMAN**

156 – zoning on 2.92 acres where a minimum of five acres is required located at 1700 South
157 Buffalo. 186 is ZON-4003, same applicant. Request for rezoning from R-E to RPD-10
158 on 2.92 acres at that location. And 187 is SDR-4004, the same applicant. Request for a
159 Site Development Plan Review for a 28-unit attached single-family development on 2.92
160 acres located at 1700 South Buffalo and that is it.

161

162 **J.T. MORAN III**

163 Thank you Mr. Mayor.

164

165 **MAYOR GOODMAN**

166 These are all public hearings, which I now declare open.

167

168 **J.T. MORAN III**

169 Excellent.

170

171 **MAYOR GOODMAN**

172 Yes, sir.

173

CITY COUNCIL MEETING OF

July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

174 **J.T. MORAN III**

175 Again, Mr. Mayor, going into the project and I'm gonna to try stay very timely here and
176 be brief. This specific project, I think, that all of the Council members are well aware of.
177 It's located off of Buffalo and Charleston. It's actually located on Buffalo Drive, which,
178 as we know, is across from the regional park. It's a 100-foot right of way.

179 This location is, we're looking to do a project on a location that is currently zoned
180 residential. We're looking to do approximately 16 units at this location upon three acres.
181 Again, the density at this point would be looking for an R-PD5, which would be five
182 units to the gross acre. We believe this is a good project we're proposing at this point. A
183 single family detached residence is at this location. To give you an idea of the elevations
184 that we're looking at doing at this location, again, we're proposing 3500 to 4500 square
185 foot homes. We have a variety of different plans here, all as you can see, are very well
186 done, great designs, good workmanship, and good materials on this specific project.
187 Again, 3500 to 4500 square feet.

188 Having seen the project and what's proposed, taking a look at the site plan, the elevations
189 that have been made part of the record, Your Honor, Mr. Mayor, I'd like to point out one
190 very important thing, and that is the neighborhood meeting that we had.

191 We hosted a neighborhood meeting on this specific project. We are attempting to be very
192 sensitive to what the neighbors want and what Councilwoman Janet Moncrief wants for
193 that neighborhood. She's been a pleasure to work with. I'll get into that in just a minute.
194 But I think, very importantly, the neighbors at the neighborhood meeting indicated, and
195 I've had prior projects in this specific area, they don't want Office Professional at this
196 location. They've indicated that. It's been denied and they don't want Office
197 Professional for this strip on Buffalo. They've indicated that they don't want multi-
198 family use at this location, which would be an attached multi-family sort of town home
199 location. They've indicated that they don't want that. I'm not gonna get into the Social
200 Security buildings. I believe that they don't want that either. But, more importantly,
201 what do they want? They have indicated that they want single family residential, and
202 anybody who was at that meeting will also indicate that there is not one individual that

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

203 can say that they don't want single family residential detached homes at this location, all
204 maintaining the value and integrity of the neighborhood.

205 So, that's critical here, is we have done a lot of work here. Not only with Councilwoman
206 Moncrief, who has gone out of her way. I'm talking weekend meetings; I'm talking after
207 hours; after five o'clock, six o'clock. This is my first opportunity to meet with the
208 Councilwoman and work with the Councilwoman on a project, and she has just been a
209 doll. And she's been a real help. And, regardless of the way that she votes on the
210 specific matter, it was an absolute pleasure working with her, and I do truly believe that
211 she has the best interest of attempting to make everybody whole. In doing what
212 everybody would like, in finding some good common ground and compromise in doing a
213 proposed project, or supporting or champing a specific project. I think she's done that
214 phenomenally with this in balancing the neighbors versus the goals and the business plan
215 of the developer at this location.

216 The next is the neighbors. Again, we have had countless meetings. We've all been
217 present at those meetings. Councilwoman Moncrief has been there. Her executive
218 assistant has been there, Tracey, and representing that specific ward. We have taken into
219 account. We've been like a sponge. We've taken into account all of their concerns and
220 issues and we've addressed those issues. We all know what was proposed at this location
221 previously. We have drastically scaled this project back. I think we know that. There's
222 a matter of record if you want to do a historical background on this specific location,
223 you'll be able to see the same thing. But we did not only scale this back a little bit, we
224 scaled this back significantly to give the neighbors exactly what they wanted, which was
225 single family dwelling units at this location that they could back up against. A few
226 simple property where people could go in open escrow, close escrow, and own property
227 with a nice 3500 to 4500 square foot house. That's what we're giving them.

228 Now, at this point, we have two alternatives. And that's where the site development plan
229 kind of comes into play. We have been approached relative to possibly even further
230 modifying the specific plans before you today. Now, again, two alternatives. We can
231 approve the Site Development Plan that is proposed before you with the common area,
232 and if take a look at the landscaping and the common area, it's towards the eastern middle

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

233 portion of the site plan. If we can go back to the right project, we could approve it as
234 proposed with that specific common area, okay, as is and that's fine, we're amenable to
235 that as long as the Councilwoman is amenable to that. Alternative two, of course, would
236 be to further modify the plan, and by modifying that, we would ask that there be a
237 variance or some sort of a waiver, we would apply for that variance to wave the common
238 area requirement at this location. What that would in essence do in trying to be more
239 sensitive to the neighbors on the eastern boundary line and lining up those property lines
240 so that instead of having one and a half neighbors on your back, you get closer to one
241 neighbor per home on the back end, which would be the current neighbors living in the
242 development on the due east of this proposed project.

243 Again, first alternative in the format that it is before you. Second alternative, is to
244 approve it again, allow a variance to be filed. It's my understanding and Mr. Genzer will
245 correct me if I'm wrong, I'm sure, but we would file a variance. I've spoken with David
246 Clapsaddle and Councilwoman Moncrief's office. We would submit that tomorrow. We
247 would be able to get that variance submitted tomorrow. That would place us on the
248 Planning Commission for final action on their regular August agenda 2004, and that's my
249 understanding. If approved, that would be final action. The day after that we could
250 submit an amended site plan for administrative review that we could have
251 administratively – reviewed over the counter and then we would be able to go forward
252 with our building permits and financing and what not.

253 Two alternatives. Again, we're amenable, susceptible to either one. Again, this is the
254 last concession. We have been amenable to every concession. We are willing to go the
255 extra mile on this specific concession, but we're going to leave it to the Councilwoman,
256 Mr. Mayor, and the other members of the Council to decide which alternative you're
257 going to select in approving the specific, one of these two specific alternatives. We
258 believe that they're both good. They're great as far as I'm concerned.

259 Now, aside from that, two – final issues and conclusion. This specific location and this
260 specific project it is compatible, consistent, harmonious with the surrounding areas. This
261 project perfectly meets the definition of what the City wants with respect to residential
262 infill projects. This is the textbook example of a perfect textbook infill residential project

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

263 at this location. This is what you want to see popping up when people don't want to drive
264 all the way to Red Rock Country Club because it gets to be too far or even going further
265 around if they worked downtown to go up to the Ridges.

266 This is a good project affordable housing, good housing, but allowing people to stay semi
267 close to downtown where I'm sure they'd like to do business one day. Or at least be a
268 guest patron of a specific resort in a downtown corridor, which I think is in line with what
269 the Mayor is trying to do in this area, which is to spur business, spur the economy in the
270 downtown area because it's a nice place. It's a very unique place. Again, this is a perfect
271 infill project.

272 The second thing I'd like to point out is this is perfect step down zoning. Okay. You
273 have a regional park. My wife and I we go up the street to Wasden Elementary. That
274 park doesn't even compare to the regional park that you put up on Buffalo, which is a
275 phenomenal project, by the way. Who wouldn't want to live across from a regional park
276 where you can play football; where you can play tennis; where you can shift golf balls if
277 you want, and so on and so forth. It's a perfect location. This type of residential home
278 that the neighbors have indicated that they want is perfect and conducive to the use right
279 across the street, which, and Mr. Genzer can point out also, according to the land tables,
280 is a commercial use. So, if you take a look at the step down table, you have the regional
281 park commercial use, you have a 100-foot right of way with a mass transit facility, which
282 is a bus stop turn out where the CAT bus will be running back and forth, three lines of
283 traffic, one south – one north, perfect step down zoning for this project, which we're
284 requesting five units to the gross acre. Going back behind this development and further
285 east into the neighborhood, you have three units to the gross acre and then going further
286 back in the neighborhood, which is two units to the gross acre. So, if this again is not a
287 text book example of the infill, it's certainly a textbook example of the preferred method
288 of zoning announced by the City of Las Vegas in trying to buffer certain properties as
289 you step down into the neighborhoods being sensitive to the uses that are the closest to
290 the most density and going back, closest to the most intensity and then dropping back
291 accordingly.

292

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

293 **MAYOR GOODMAN**

294 I think –

295

296 **J.T. MORAN III**

297 Finally, I think we've wind up three sevens on this one.

298

299 **MAYOR GOODMAN**

300 I think –

301

302 **J.T. MORAN III**

303 Mr. Mayor, and I've got five more minutes, I believe, and we're right on track, two more

304 minutes and we're right on track.

305

306 **MAYOR GOODMAN**

307 You were, you were winning, now when it keeps on going, I'm telling you –

308

309 **SECOND UNIDENTIFIED MALE SPEAKER**

310 I keep telling Chris okay – I

311

312 **MAYOR GOODMAN**

313 My liver's beginning to quiver. Okay. This is way past five. Okay –

314

315 **J.T. MORAN III**

316 Just one last thing, Mr. Mayor.

317

318 **MAYOR GOODMAN**

319 You're talking – at your peril now.

320

321

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

321 **J.T. MORAN III**

322 Absolutely. Absolutely, and I appreciate you letting me an additional amount of time. I
323 believe that we've wind up the three sevens, and I believe this developer deserves to be
324 rewarded in that manner. This is a great project, Mr. Mayor, Councilwoman. We have
325 staff's recommendation for support, number one. Number two, we've worked with the
326 neighbors on this project, number two. Number three, we're doing exactly what the
327 Councilwoman would like on this specific project, so we would respectfully request that
328 – you approve this project, because this is going to be a flagship project for you,
329 Councilwoman Moncrief –

330

331 **COUNCILMAN REESE**

332 Councilman Weekly.

333

334 **COUNCILMAN WEEKLY**

335 Yes.

336

337 **COUNCILMAN REESE**

338 How would you like to have this affordable housing in our wards?

339

340 **COUNCILMAN WEEKLY**

341 Yeah, I mean it's –

342

343 **COUNCILMAN REESE**

344 I love this affordable housing in my area.

345

346 **COUNCILMAN WEEKLY**

347 He has so much support up here, he just don't know. Just –

348

349

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

349 **J.T. MORAN III**

350 All right.

351

352 **COUNCILMAN WEEKLY**

353 – stop, please.

354

355 **J.T. MORAN III**

356 Thank you very much.

357

358 **COUNCILMAN WEEKLY**

359 Please. Please.

360

361 **J.T. MORAN III**

362 I want to make sure my client gets their money's worth.

363

364 **MAYOR GOODMAN**

365 Your, it's the bottom line that counts, not the, you know, the Gettysburg address was
366 short. Okay.

367

368 **J.T. MORAN III**

369 Thank you, Mr. Mayor for your time, and Councilpersons, and obviously, the
370 Councilwoman as well.

371

372 **COUNCILWOMAN MONCRIEF**

373 The doll.

374

375 **MAYOR GOODMAN**

376 Unbelievable.

377

378

**CITY COUNCIL MEETING OF
July 7, 2004**

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

378 **COUNCILMAN WOLFSON**

379 You did a good job, John.

380

381 **COUNCILMAN WEEKLY**

382 She's a doll.

383

384 **COUNCILWOMAN MONCRIEF**

385 The doll.

386

387 **J.T. MORAN III**

388 She is a doll.

389

390 **MAYOR GOODMAN**

391 Hi.

392

393 **CLEATA THOMPSON**

394 My name is Cleata Thompson. We live at 1710 South Buffalo. We don't understand.

395 This property was turned down once. Don't they have to go back into the planning

396 development?

397

398 **MAYOR GOODMAN**

399 Well what happened is the Councilwoman moved to rescind our prior action.

400

401 **CLEATA THOMPSON**

402 Oh, okay.

403

404 **MAYOR GOODMAN**

405 So, that's how we get to hear this today.

406

407

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

407 **CLEATA THOMPSON**

408 Oh, okay.

409

410 **MAYOR GOODMAN**

411 That's – the process.

412

413 **CLEATA THOMPSON**

414 Okay. Let's see where I was then. This is our home, I guess I show it like this?

415

416 **MAYOR GOODMAN**

417 No. Can somebody help the young lady, please? There we go. Good. There we go.

418 Beautiful home.

419

420 **CLEATA THOMPSON**

421 Okay. This is our home at 1710 South Buffalo. We have 4,550 square feet. Howard was
422 the builder and he checked this whole area. It was all zoned two per acre. We are on a
423 half-acre lot joined. Our house is on half acre, and we also own the half-acre lot next to
424 us. Now, let's see, we're strongly opposed to these developments. There was all zoned
425 two per acre. We believe it should stay that way. Las Vegas has grown so fast, there's
426 great need for residential lots and houses. If you approve this parcel, the parcels south of
427 Oakey and Buffalo will want more per acre. On Buffalo all the way to Desert Inn
428 there're residential lots. They will want more per acre. Now is the time to protect the
429 homeowners already here. We had a Real Estate look at our house to see what it was
430 worth. She checked the house out and said that we could sell our house for nine hundred
431 and forty-five thousand. Now we should allow these people to go in there and build
432 these, well, what do you call them, low density attached? Attached, that's like –
433 apartment building, attached. I never heard of going into where homes are built and put
434 attached. That's what it says – here. I guess that's it. Thank you.

435

436

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

436 **MAYOR GOODMAN**

437 Okay. That's fine; we're not rushing you.

438

439 **CLEATA THOMPSON**

440 Well, I couldn't find where the said is – where the –

441

442 **MAYOR GOODMAN**

443 No, it does say –

444

445 **CLEATA THOMPSON**

446 Where he's wanting to put these –

447

448 **MAYOR GOODMAN**

449 It – says medium –

450

451 **CLEATA THOMPSON**

452 I know it. It was on here.

453

454 **MAYOR GOODMAN**

455 It is there. It says medium low attached.

456

457 **CLEATA THOMPSON**

458 Yeah, medium low attached density.

459

460 **MAYOR GOODMAN**

461 That's correct.

462

463 **CLEATA THOMPSON**

464 See, that's like – apartments.

465

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

466 **BRYAN SCOTT**

467 Mayor, you, Planning may want to clarify that exactly what the application's been
468 amended to.

469

470 **MAYOR GOODMAN**

471 Yes. Listen very carefully to this, please.

472

473 **ROBERT GENZER**

474 Thank you, Your Honor. Yeah, the new application basically cuts the previous
475 application in half. The General Plan Amendment is now, I believe, to Low as opposed
476 to Medium Low, which is a maximum of five and a half units per acre. They're now
477 actually proposing 16 detached single-family homes, two stories maximum in height.
478 They're no longer proposing the three story attached product, which I believe was 28
479 units on the original application. So, we're now at five units per acre as opposed to ten
480 units per acre, which was the application you considered previously.

481

482 **CLEATA THOMPSON**

483 Then there's no, then there's not going to be wanting any attached?

484

485 **ROBERT GENZER**

486 No.

487

488 **MAYOR GOODMAN**

489 They'll be nothing attached –

490

491 **ROBERT GENZER**

492 No.

493

494

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

494 **MAYOR GOODMAN**

495 And not three story, two story.

496

497 **CLEATA THOMPSON**

498 Okay. Well that's what, you know, 'cause that, that's like, you know, apartments.

499

500 **MAYOR GOODMAN**

501 Right.

502

503 **CLEATA THOMPSON**

504 And you know we have a nice home –

505

506 **MAYOR GOODMAN**

507 You have a beautiful home.

508

509 **CLEATA THOMPSON**

510 – and we would really be hurt bad if they – did that. And we, and another thing, oh, I
511 know what Howard told me to tell you, that we had to set back fifty feet when we built
512 that house. Now, if they – now look at that, what did – you say that – his was, that his set
513 back was? Do you have –

514

515 **ROBERT GENZER**

516 I don't have the set back information.

517

518 **CLEATA THOMPSON**

519 Well, he said – what the set back. Howard what –

520

521 **HOWARD THOMPSON**

522 Fifteen feet.

523

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

524 **CLEATA THOMPSON**

525 Fifteen feet, he said. Set back.

526

527 **MAYOR GOODMAN**

528 Fift, fifteen, okay. Well you –

529

530 **CLEATA THOMPSON**

531 And we had to set back fifty feet.

532

533 **MAYOR GOODMAN**

534 Well, you're lucky.

535

536 **CLEATA THOMPSON**

537 Lucky.

538

539 **MAYOR GOODMAN**

540 Fifty feet off of Buffalo.

541

542 **CLEATA THOMPSON**

543 Yeah, but – this, there isn't gonna be any detached, attached then?

544

545 **MAYOR GOODMAN**

546 No, no attached.

547

548 **CLEATA THOMPSON**

549 Because right over our fence, that – looked like apartment building.

550

551 **MAYOR GOODMAN**

552 No attached.

553

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

554 **CLEATA THOMPSON**

555 No attached.

556

557 **MAYOR GOODMAN**

558 Nope.

559

560 **CLEATA THOMPSON**

561 Okay.

562

563 **MAYOR GOODMAN**

564 Two story.

565

566 **COUNCILMAN REESE**

567 They're gonna built homes just like yours.

568

569 **MAYOR GOODMAN**

570 No. They, no, no. Yours is one story.

571

572 **COUNCILMAN REESE**

573 Yeah, but they're gonna built 4500 square foot homes.

574

575 **MAYOR GOODMAN**

576 They'll be big homes, though.

577

578 **COUNCILMAN MACK**

579 Thirty-five hundred to 4,000 square foot.

580

581 **MAYOR GOODMAN**

582 Right. How big is your home? How many square feet?

583

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

584 **HOWARD THOMPSON**

585 Forty-five hundred and fifty square feet.

586

587 **MAYOR GOODMAN**

588 The – these homes will be about that size.

589

590 **COUNCILMAN MACK**

591 Thirty-five hundred to four thousand, I think was –

592

593 **MAYOR GOODMAN**

594 Right. All right. Thank you very much. All right. Would anybody else like to be heard?

595 All right. We'll close the public hearing then. Councilman, Councilwoman Moncrief.

596

597 **COUNCILWOMAN MONCRIEF**

598 Thank you, Your Honor. First of all, I'd like to thank Mr. Moran for calling me a doll

599 and the why I rescinded this in the first place is because of that. It was three story and it

600 was very minimal set back and it was too many per acre and so that's why we voted for

601 denial in the first place and now that's why I'm rescinding. Number one, I want to thank

602 the applicant for working so hard with us to keep those neighbors happy. I know that was

603 a very difficult job. Thank you, Mr. Moran for working with the neighbors so closely,

604 and I think we've made all or virtually every single neighbor in that whole neighborhood

605 happy. I also want to thank this Council and the fact that I know they've, went through a

606 lot of difficulty and this whole piece of property on Buffalo, and that we have an

607 applicant coming forward today and wanting to put residential in, I'm tickled to death in

608 the fact that we're going to fill this whole Buffalo corridor with housing instead of

609 commercial.

610 I want to go over some originals compared to the differences. Originally it was 28 units

611 attached, now it's 16 units detached.

612

613

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

613 **MAYOR GOODMAN**

614 Please. I don't mean to interrupt – you but, please. Whoever put this on the screen,
615 please get it off. I mean, please. I mean this will confuse everybody. We're not talking
616 about this product.

617
618 **COUNCILMAN BROWN**

619 Not three story. Not attached.

620
621 **MAYOR GOODMAN**

622 Now, if I saw that too, I'd be nervous, okay? Okay. Go ahead Councilwoman.

623
624 **COUNCILWOMAN MONCRIEF**

625 Okay. Originally, it was three stories, which was a huge problem for the houses east of
626 the property. Those are multi-million dollar properties behind that, and there was going
627 to be absolutely no privacy. Now it's two story, and within that two-story budding up to
628 those eastern houses, there's going to be a twenty-five foot setback, and then from
629 twenty-five to thirty-five foot is only going to be single story and then thirty-five foot on
630 are going to be two story. There, one of the other conditions I wanted to add is that we
631 were, had originally thought about putting a second wall. I think Mr. Moran you agreed
632 that you would reduce the elevation by five feet and I'd rather not have a second wall
633 because I think that looks very cluttered. Can we write that as a –

634
635 **J.T. MORAN III**

636 It, it's my understanding, just to clarify that point, it's my understanding in conversations
637 with again Mr. Clapsaddle, he indicated that what we would need to do was to bring the
638 elevation down to allow one wall, which is the existing cement block wall, bring it down
639 to six feet to make it come into compliance. That will certainly be a lot nicer than having
640 two staggered walls going up height. That would be amenable, and again, it would
641 comply with code. And so that's what we would be willing to extend, is to level, do the

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

642 grade work that we need to do to insure that that six foot wall maintains that specific
643 elevation, that six foot wall across the entire back of this parcel.

644

645 **COUNCILWOMAN MONCRIEF**

646 Great. I'd like to add that condition.

647

648 **ROBERT GENZER**

649 If I may, Councilwoman, Bart and I, I think are both anxious to push this button. It all is
650 going to depend on what the final grade of this property becomes when we see a grading
651 plan, as to what we can and can't do as to what we can or can't do in terms of walls. So, I
652 don't know that we can tell you tonight exactly what that end result is going to be.

653

654 **BART ANDERSON**

655 The only thing I would caution, to throw my two cents in, is that it is possible to grade to
656 allow that single six foot wall to exist and you'll have the same situation that we had
657 earlier today up on Campbell and Cheyenne where at the property line, yes, it is one six-
658 foot wall. Ten feet away from the property line, the pad elevation of the house is ten feet
659 higher or whatever that number is. So, if you're concerned about pad elevations of these
660 houses, vis-à-vis their neighbors, you need to be more specific than saying that the six
661 foot wall on the perimeter is okay. You need to direct the developer and staff to insure
662 that those pad elevations are lower. If on the other the possibility of the higher pads is
663 acceptable, then the wall height at the perimeter will work. But I just caution you that the
664 simple wall height condition may not accomplish the goal of keeping the houses low.
665 The prevailing grade in this area is going to be from west to east in order for this site to
666 drain from their backyards into their front yards, which is the normal drainage pattern in
667 Las Vegas, you would have to elevate the back pads. The sites would have to drain
668 forward. Now, there are ways around that, and if you direct them to do that, they can but
669 just the simple agreement on the wall elevation may not accomplish that goal, if I've
670 made any sense to you.

671

CITY COUNCIL MEETING OF

July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

672 **COUNCILWOMAN MONCRIEF**

673 Thank you. So, staff I need recommendations on how, you know why we're trying to do
674 this for the privacy –

675

676 **BART ANDERSON**

677 Right.

678

679 **COUNCILWOMAN MONCRIEF**

680 – of the houses on the east.

681 **BART ANDERSON**

682 I would recommend that the condition be more oriented towards the pad elevations being
683 compatible with those to the east. I can't say that they could be the exactly the same
684 level. Again, existing grade is higher from the west to the east, but you might say that –
685 they can't simply, well how would you do a next specific thing. The pad elevation, the
686 finished elevation of these houses would be within a few feet of the existing elevations of
687 the houses to the east. That few feet, it's really hard for me to tell you exactly how many
688 that can be, but a minimal number, two, four, whatever would be acceptable.

689

690 **MAYOR GOODMAN**

691 Well you know what the Councilwoman is trying to accomplish here.

692

693 **BART ANDERSON**

694 I do, and I certainly recommend that you say it be two feet and no higher. But, I don't
695 have a grading plan. I don't know if that's really going to work. If you can install storm
696 draining, and –

697

698 **MAYOR GOODMAN**

699 Could – she say, for purposes of today, could she say that, to be consistent with
700 preserving the privacy of the homes to the east and that it has to be approved by staff to
701 assure that?

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

702 **BART ANDERSON**

703 She can do that, but, again, staff is, especially flood control staff, particularly concerned
704 with does it drain. Not, is it the lowest it can possibly be.

705

706 **BRYAN SCOTT**

707 Mayor, I would be concerned if that's not specific enough, in terms of what you want to
708 accomplish for the record. If there's anything that comes up, I think you need to be a
709 little bit more specific than – what you suggested.

710 Bart, is it possible to propose a number, then once you get the – drainage study or
711 whatever it is or the grading plan, that you can then make a determination if it fits within
712 that perimeter. If it doesn't then you can possibly have this put, placed back on the
713 agenda for a clarification of that condition?

714

715 **BART ANDERSON**

716 We certainly can. Again, the – key is going to be what is that number. If the number is,
717 it's real tough to do without seeing exactly where the buildings are located (inaudible) to
718 be their back yard. How much slope do we have to work with?

719

720 **BRYAN SCOTT**

721 Can, can't she just say within two feet, and then if that's not sufficient to meet the needs
722 the to have –

723

724 **BART ANDERSON**

725 Okay let's –

726

727 **BRYAN SCOTT**

728 – it come back to Council.

729

730 **BART ANDERSON**

731 – do that then.

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

732 **MAYOR GOODMAN**

733 That was what I have.

734

735 **BART ANDERSON**

736 Two feet, I'm sorry, recommendation of two-foot delta from their eastern most pad sites
737 to the pad sites to the east.

738

739 **J.T. MORAN III**

740 Councilwoman Moncrief, if you could consider in fashion that specific condition that, as
741 far as for privacy purposes, we're taking a look at height set back ratios we have
742 adequately set this back. In fact, there's a perimeter between twenty-five to thirty-five
743 feet that's restricted to one story going back from thirty-five feet further into the rest of
744 the house goes up to two stories. So, I think that the concern here, and from my
745 conversations with the majority of the neighbors, is that their concern wasn't really with
746 respect to privacy. They wanted a wall in place that was built to code that protected
747 them. It was a security issue, not a privacy issue because we believed that we have
748 satisfied that specific and we've preserved the integrity of their privacy by setting it back
749 so far. So, in fashioning that specific condition for that wall, we would ask that since the
750 set back does accomplish the privacy issue, that the wall just meet the building code
751 requirements for purposes of security. And we believe that the plan will be laid out in
752 that manner and we'll be consistent.

753

754 **COUNCILWOMAN MONCRIEF**

755 Yeah, I – agree with that. Because of the setbacks, we made such a large setback, I think
756 the privacy would be better and understand by Councilman Brown, what he was just
757 saying is that if you put a lower grade in, it's going to be like a huge dip and that won't
758 work. Okay.

759 Going on to the next condition, I would like to go with the plan where we remove the
760 open space. There's a large park across the street, I feel these people that are purchasing

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

761 these homes would be much be happier with forty-five, excuse me fifty-five foot frontage
762 rather than forty-five. The frontage of the lot.

763

764 **J.T. MORAN III**

765 Perfect.

766

767 **COUNCILWOMAN MONCRIEF**

768 So, I would like to remove the open space, give larger lots, and then that would guarantee
769 that the – houses on the east would only have virtually no more than one house budding
770 up behind them.

771

772 **MAYOR GOODMAN**

773 All right.

774

775 **ROBERT GENZER**

776 In – order to do that, it will require a variance. So, we will need to add a condition to
777 item 187.

778

779 **COUNCILWOMAN MONCRIEF**

780 Okay. So, we'll add that condition.

781

782 **ROBERT GENZER**

783 Okay.

784

785 **COUNCILWOMAN MONCRIEF**

786 And then will that go to Planning? And that –

787

788 **ROBERT GENZER**

789 That go –

790

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

791 **COUNCILWOMAN MONCRIEF**

792 – and that can be approved –

793

794 **ROBERT GENZER**

795 That can be, let me – read that in. The eastern lots shall be expanded in size by the
796 elimination of the open space shown on this current site plan. Any reduction and
797 mandatory open space shall require an approval of a Variance approved by the Planning
798 Commission.

799

800 **MAYOR GOODMAN**

801 Is that agreeable?

802

803 **J.T. MORAN III**

804 That is agreeable.

805

806 **COUNCILWOMAN MONCRIEF**

807 Okay.

808

809 **J.T. MORAN III**

810 And, also, Councilwoman Moncrief, as far as the approval by the Planning Commission
811 of that specific variance of the open space, is it also feasible to be able to, once that's
812 approved, to be able to have administrative review of the new site plan that would widen
813 the lots and take away the open space?

814

815 **COUNCILWOMAN MONCRIEF**

816 If it's okay with –

817

818 **ROBERT GENZER**

819 That can be done.

820

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

821 **COUNCILWOMAN MONCRIEF**

822 – the –

823

824 **ROBERT GENZER**

825 That can simply be done as part of the subdivision, map. You don't have to –

826

827 **J.T. MORAN III**

828 Excellent.

829

830 **COUNCILWOMAN MONCRIEF**

831 Okay.

832

833 **ROBERT GENZER**

834 – tentative map condition.

835

836 **J.T. MORAN III**

837 Then we accept that condition. Perfect. Thank you.

838

839 **COUNCILWOMAN MONCRIEF**

840 Okay. Okay. So, Item number 184 I'd like to move for approval following staff's
841 recommendations, and new amendments.

842

843 **MARGO WHEELER**

844 If I may, Mayor and Councilwoman, we would add the condition that the approval is to
845 the general plan designation of L.

846

847 **MAYOR GOODMAN**

848 All right. Thank you. Is that okay?

849

850

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

850 **COUNCILWOMAN MONCRIEF**

851 Okay.

852

853 **MAYOR GOODMAN**

854 All right that's a motion. Let's vote, please. Post. Motion carries. **(Motion carried**
855 **unanimously)** One eighty-five, please.

856

857 **COUNCILWOMAN MONCRIEF**

858 **Move for approval following staff's recommendations with the revised version.**

859

860 **MAYOR GOODMAN**

861 All right. Let's vote, please. Post. Motion carries. **(Motion carried unanimously)**
862 One eighty-six, please.

863

864 **COUNCILWOMAN MONCRIEF**

865 **Move for approval following staff's recommendations.**

866

867 **MARGO WHEELER**

868 Here, this is for, the approval is for a max, an R-PD5 and a maximum of 16 units.

869

870 **MAYOR GOODMAN**

871 All right. Thank you. All right, that's a motion. Let's vote, please. Post. Motion
872 carries. **(Motion carried unanimously)** One eighty-seven.

873

874 **COUNCILWOMAN MONCRIEF**

875 **One eighty-seven, I'd like to move for approval following staff's recommendations**
876 **with the changed conditions.**

877

878

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

878 **MARGO WHEELER**

879 And the changed conditions, Mayor and Councilwoman, would be an amendment to
880 Condition number three, indicating the development shall be in conformance with the site
881 plan dated 6/18/04, and building elevations submitted 7/7/04.

882

883 **MAYOR GOODMAN**

884 All right. Thank you. That's agreeable with you, Mr. Moran.

885

886 **J.T. MORAN III**

887 That is agreeable.

888

889 **BRYAN SCOTT**

890 I'm sorry, if we're going with an additional site plan, are we going to really connect it to
891 a 6/18/04, Margo? If we're – with a change –

892

893 **ROBERT GENZER**

894 The only – change to that should be to reference that site plan unless a variance is
895 approved.

896

897 **BRYAN SCOTT**

898 Oh, okay.

899

900 **MAYOR GOODMAN**

901 All right. That's a motion. Now, let's vote, please. Post. Motion carries. **(Motion**
902 **carried unanimously)** All right. Good luck fellows.

903

904 **J.T. MORAN III**

905 Thank you, Mr. Mayor.

906

907

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

907 **MAYOR GOODMAN**

908 Very good.

909

910 **J.T. MORAN III**

911 Thank you, Councilwoman.

912

913 **MAYOR GOODMAN**

914 Item 188 –

915

916 **MARGO WHEELER**

917 Wait a minute.

918

919 **MAYOR GOODMAN**

920 – Ms. Ronemus. Please –

921

922 **MARGO WHEELER**

923 Wait. Wait. I'm sorry. Wait. We have another change on that one. We needed to
924 clarify that condition number four is changed to two stories, not three and the condition
925 that Mr. Genzer wrote, read with regard to the lots changing the variance requirement.
926 That also had to be added to number 187.

927

928 **MAYOR GOODMAN**

929 All right. Is that agreeable, Mr. Moran. Oh, please, say yes.

930

931 **J.T. MORAN III**

932 Would it be prudent to do so, Mr. Mayor? Can we have it repeated just so that I
933 understand what I'm agreeing to.

934

935

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

935 **MARGO WHEELER**

936 Again, the changes that the Condition number four, the requirement is for the buildings
937 not to exceed two stories and thirty-five feet in height, and the added condition stating
938 that the eastern lot shall be expanded in size by the elimination of the open space as
939 shown on the current site plan, and any reduction of mandatory open space shall require
940 approval of a variance as approved by the Planning Commission.

941

942 **BARBARA JO RONEMUS**

943 You'll need to reconsider –

944

945 **MAYOR GOODMAN**

946 Yeah – I understand that –

947

948 **J.T. MORAN III**

949 We agree.

950

951 **MAYOR GOODMAN**

952 You do agree. Okay, then we need – a reconsideration. We need a motion to reconsider,
953 if you would also move – okay, please vote. Post. Motion carries. **(Motion carried**
954 **unanimously)** And now, Councilwoman, your motion is to –

955

956 **COUNCILWOMAN MONCRIEF**

957 **Motion for approval.**

958

959 **MAYOR GOODMAN**

960 Right. Subject to the last conditions, which were agreed upon by, again, Mr. Moran, and
961 read by Ms. Wheeler. All right. Let's vote on that please. Post. Motion carries.
962 **(Motion carried unanimously)** Thank you. Good luck.

963

964

CITY COUNCIL MEETING OF
July 7, 2004

COMBINED VERBATIM TRANSCRIPT – ITEMS 180 THROUGH 187

964 **J.T. MORAN III**

965 Thank you. Have a nice week.

966

967 **MAYOR GOODMAN**

968 Thank you.

969

970 **(END OF DISCUSSION)**

971 /yy;ac

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RESCIND PREVIOUS ACTION - VARIANCE RELATED TO GPA-4000 - PUBLIC HEARING - VAR-4005 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request by the City Council to Rescind the Previous Action of the Denial of a Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 2.92 ACRES WHERE A MINIMUM OF FIVE ACRES IS REQUIRED located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), R-E (Residence Estates) Zone, Proposed: R-PD10 (Residential Planned Development - 10 Units per Acre), Ward 1 (Moncrief). Staff has no recommendation on the request to Rescind the Previous Action

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff has no recommendation on the request to Rescind the Previous Action.

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED - UNANIMOUS

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 180 [GPA-4000 Rescind], Item 181 [VAR-4005 Rescind], Item 182 [ZON-4003 Rescind], Item 183 [SDR-4004 Rescind], Item 184 [GPA-4000], Item 185 [VAR-4005], Item 186 [ZON-4003] and Item 187 [SDR-4004] is made a part of the Final Minutes under Item 180 [GPA-4000 Rescind].

(6:45 - 6:47)

7-1161

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RESCIND PREVIOUS ACTION - VAR-4005 -

APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.

**** CONDITIONS ****

Staff has no recommendation on the Request to Rescind the Previous Action.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request by the City Council to Rescind the Previous Action of Denial of a request for a Variance to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, on a 2.92-acre parcel located at 1700 South Buffalo Drive. Companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre), and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project (24 attached single-family units and four single-family units) will be heard concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that R-PD zoning will allow the flexibility critical to generating a feasible design for this site. The applicant has indicated that the intent is to develop a project that is compatible with the character of the adjacent large-lot residential development to the east.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request to Annex (A-0009-85) approximately 1,509 acres of land, including the subject site. The effective date was 03/28/95.
- 03/20/96 The City Council denied a request for a Rezoning (Z-0091-95) on the northern portion of the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking). The Planning Commission recommended approval on 11/30/95.
- 11/23/98 The City Council approved a request (GPA-0027-98) to amend the Southwest Sector Map of the General Plan on properties bounded by the Holmby Channel, Via Olivero Avenue, Rainbow Boulevard and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval on 10/22/98.

- 08/15/01 The City Council denied a request (GPA-0017-01) to amend the Southwest Sector Map of the General Plan from DR (Desert Rural Density Residential) to O (Office) on 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard. The Planning Commission had recommended approval on 07/12/01. Staff had recommended denial.
- 04/08/04 The Planning Commission recommended DENIAL of companion applications for a General Plan Amendment (GPA-4000) from DR (Desert Rural Density Residential) to MLA (Medium-Low Attached Density Residential), a Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre), and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site.
- 04/08/04 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #35/gl).

B) Pre-Application Meeting

- 02/11/04 At the pre-application meeting, the applicant was advised that the project would require at least six different applications to proceed as designed. The applicant redesigned the project, and came back for a follow-up meeting held on 02/18/04. At this meeting, it was determined the revised plan would result in the elimination of open space Variance and Title 18 Waiver requests that would have been required with the initial design. Site planning concerns including setbacks, access, parking and landscaping issues were then discussed at this second meeting.

C) Neighborhood Meetings

03/08/04 There were 20 residents in attendance at the required neighborhood meeting for the General Plan Amendment. Their comments included the following:

- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
- Residents had a preference for single-story or two-story custom homes.
- Some residents indicated they would support one-story offices instead of residential.
- Residents would like the Planning Commission agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
- Residents would like the project to be gated.
- Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.
- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.92

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Single family residence and undeveloped
East: Single family residential; small park at the northeast corner
West: Park

C) *Planned Land Use*

Subject Property: DR (Desert Rural Density Residential)
North: DR (Desert Rural Density Residential)
South: DR (Desert Rural Density Residential)
East: DR (Desert Rural Density Residential)
West: P/R/OS (Parks/Recreation/Open Space)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-PD2 (Residential Planned Development - 2 Units per Acre)
West: C-V (Civic)

E) *General Plan Compliance*

The subject site is currently designated on the Southwest Sector Plan map as DR (Desert Rural Density Residential). A companion request (GPA-4000) would change the designation of this site to MLA (Medium-Low Attached Density Residential). The Desert Rural Density Residential Category allows a maximum of two dwelling units per gross acre, in which 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.

In contrast, the companion MLA designation request would permit up to 12 dwelling units per acre, an increase of six times the density permitted in the DR designation. The Medium-Low Attached Density Residential 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. The proposed R-PD10 zoning district would conform to the MLA land use designation.

<i>SPECIAL DISTRICTS/ZONES</i>	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 no Special Area Plans, Overlay Districts or Study Areas that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

Pursuant to Title 19.06.040.A, the minimum site area that is eligible for rezoning to the R-PD category is five acres. As the subject site is 2.92 acres in size, the applicant has requested a Variance from this standard in order to allow the related applications to proceed, in order to develop a 28-unit attached single-family project on the site. The subject deviation is 41.7%.

B) General Analysis and Discussion

The project as conceived would not readily fit within the parameters of any of the standard residential zoning districts in Title 19. Although the R-2 (Medium Low Density Residential) zoning district allows up to 12 units per acre, and would conform to the MLA land use designation proposed for the site, the R-2 district contains a minimum lot size requirement of 6,500 square feet, front and rear setbacks and a two-story building height limit that would not work with the project as proposed.

There are no other standard districts which would be adequate for a project of this type; however, the project has been tightly clustered on the site, utilizing minimal building setbacks and identifying what would traditionally be front yard space to meet R-PD open space requirements. All this is indicative of an overbuilding situation, wherein the developer is attempting to simply put too many units on a given parcel of land, without providing justification that the hardship is not solely personal, self-created or financial in nature.

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:

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, in that the applicant has created a self-imposed hardship by proposing a type and style of residential development that can only be granted using Residential Planned Development zoning on a site that is too small too accommodate the amenities necessary for this type of zoning district. Alternative design or the addition of adjacent undeveloped parcels to the overall site plan would allow conformance to the Title 19 requirements.

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 98 by Planning Department

APPROVALS 0

PROTESTS 5

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RESCIND PREVIOUS ACTION - REZONING RELATED TO GPA-4000 AND VAR-4005 - PUBLIC HEARING - ZON-4003 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request by the City Council to Rescind the Previous Action of the Denial of a Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD10 (Residential Planned Development - 10 Units per Acre) on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), Ward 1 (Moncrief). Staff has no recommendation on the request to Rescind the Previous Action

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff has no recommendation on the request to Rescind the Previous Action.

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF - APPROVED - UNANIMOUS

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 180 [GPA-4000 Rescind], Item 181 [VAR-4005 Rescind], Item 182 [ZON-4003 Rescind], Item 183 [SDR-4004 Rescind], Item 184 [GPA-4000], Item 185 [VAR-4005], Item 186 [ZON-4003] and Item 187 [SDR-4004] is made a part of the Final Minutes under Item 180 [GPA-4000 Rescind].

(6:45 - 6:47)

7-1161

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RESCIND PREVIOUS ACTION - ZON-4003 -

APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.

**** CONDITIONS ****

Staff has no recommendation on the Request to Rescind the Previous Action.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request by the City Council to Rescind the Previous Action of Denial of a request to Rezone a 2.92-acre parcel located at 1700 South Buffalo Drive from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre). Companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project (24 attached single-family units and four single-family units) will be heard concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that R-PD zoning will allow the flexibility critical to generating a feasible design for this site. The applicant has indicated that the intent is to develop a project that is compatible with the character of the adjacent large-lot residential development to the east.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request to Annex (A-0009-85) approximately 1,509 acres of land, including the subject site. The effective date was 03/28/95.
- 03/20/96 The City Council denied a request for a Rezoning (Z-0091-95) on the northern portion of the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking). The Planning Commission recommended approval on 11/30/95.
- 11/23/98 The City Council approved a request (GPA-0027-98) to amend the Southwest Sector Map of the General Plan on properties bounded by the Holmby Channel, Via Olivero Avenue, Rainbow Boulevard and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval on 10/22/98.

- 08/15/01 The City Council denied a request (GPA-0017-01) to amend the Southwest Sector Map of the General Plan from DR (Desert Rural Density Residential) to O (Office) on 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard. The Planning Commission had recommended approval on 07/12/01. Staff had recommended denial.
- 04/08/04 The Planning Commission recommended DENIAL of companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site.
- 04/08/04 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #36/gl).

B) Pre-Application Meeting

- 02/11/04 At the pre-application meeting, the applicant was advised that the project would require at least six different applications to proceed as designed. The applicant redesigned the project, and came back for a follow-up meeting held on 02/18/04. At this meeting, it was determined that revised plan would result in the elimination of open space Variance and Title 18 Waiver requests that would have been required with the initial design. Site planning concerns including setbacks, access, parking and landscaping issues were then discussed at this second meeting.

C) Neighborhood Meetings

03/08/04 A neighborhood meeting is not required for a Rezoning application; however, the companion General Plan Amendment request requires such a meeting. There were 20 residents in attendance at the required General Plan Amendment neighborhood meeting. Their comments included the following:

- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
- Residents had a preference for single-story or two-story custom homes.
- Some residents indicated they would support one-story offices instead of residential.
- Residents would like the Planning Commission agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
- Residents would like the project to be gated.
- Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.

- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.92

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Single family residence and undeveloped
East: Single family residential; small park at the northeast corner
West: Park

C) Planned Land Use

Subject Property: DR (Desert Rural Density Residential)
North: DR (Desert Rural Density Residential)
South: DR (Desert Rural Density Residential)
East: DR (Desert Rural Density Residential)
West: P/R/OS (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-PD2 (Residential Planned Development - 2 Units per Acre)
West: C-V (Civic)

E) General Plan Compliance

The subject site is currently designated on the Southwest Sector Plan map as DR (Desert Rural Density Residential). A companion request (GPA-4000) would change the designation of this site to MLA (Medium-Low Attached Density Residential). The Desert Rural Density Residential Category allows a maximum of two dwelling units per gross acre, in which 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.

In contrast, the companion MLA designation request would permit up to 12 dwelling units per acre, an increase of six times the density permitted in the DR designation. The Medium-Low Attached Density Residential 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. The proposed R-PD10 zoning district would conform to the MLA land use designation.

<i>SPECIAL DISTRICTS/ZONES</i>	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 no Special Area Plans, Overlay Districts or Study Areas that affect the subject site.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD zoned project are set out on the site plan. In the case of the subject proposal, these are as follows:

Standards	Proposed
Min. Lot Size	2,280 SF
Min. Lot Width	30 Feet
Min. Setbacks	none
• Front	3 Feet (zero feet on attached side)
• Side	3 Feet
• Corner	5 Feet (estimated)
• Rear	
Max. Lot Coverage	Not indicated
Max. Building Height	3 Stories / 35 Feet

The front yard setback will have to be revised to at least three feet, or the structures will have to meet Building Code standards for a one-hour fire rating. Any common walls between each pair of attached units will similarly have to meet the same rating standard. Also, rear yard setbacks will have to be provided on the site plan.

Also pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
2.92 acres	10.41 u.p.a.	1.65	17.2 %	21,812 SF	16.9%	21,445 SF

As currently configured, the site plan is slightly deficient in open space. The applicant has indicated that a revised site plan will be submitted that addresses the deficit. If not, a condition of approval for the companion site plan application (SDR-4004) will require that a Variance application be submitted and approved by the City Council prior to site plan approval.

B) General Analysis and Discussion

The minimum site area eligible to rezone to an R-PD zoning district is five acres. The subject area contains 2.92 gross acres. A companion Variance request (VAR-4005) will address this issue. The proposed rezoning to R-PD10 (Residential Planned Development - 10 Units per Acre) conforms to the proposed MLA (Medium-Low Attached Density Residential) land use category in the General Plan, which is the subject of another companion application (GPA-4000). The proposed development (SDR-4004) will result in the construction of 24 attached single-family and four single-family residential lots having a density of 10.4 units per gross acre, below the 12 u.p.a. maximum density allowed within MLA (Medium-Low Density Residential) designation. The development will feature 37-foot wide private streets with "L" curbs and open space areas with amenities that, in total, are slightly deficient with respect to the requirements of an R-PD district.

The proposed zoning is not compatible with the size and density of surrounding lots. Lots to the east and south of the proposed development meet the development standards for the R-PD2 (Residential Planned Development - 2 Units per Acre) or R-E (Residence Estates) zoning districts, with most lots approximately one-quarter acre or more in size. Lots in the proposed development will average approximately 2,300 square feet. The proposed development will detract from the low-density character of the area and deviates from the established development pattern of the surrounding properties.

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 proposed Rezoning to R-PD10 (Residential Planned Development - 10 Units per Acre) conforms to the density range allowed by the proposed MLA (Medium-Low Attached Density Residential) General Plan Designation. Properties to the north, south, and east of the subject property share the current DR (Desert Rural Density Residential) General Plan designation of the subject site.

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 attached single-family residential uses proposed on the subject property are proposed at a significantly higher density than any of the surrounding properties and are therefore incompatible with the lower-density uses and zoning designations of these surrounding properties.

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

The density and size of the lots proposed for the property to be rezoned do not resemble the development pattern of surrounding properties. The applicant has provided no compelling evidence substantiating the need for this type of development within the area. The proposed rezoning is therefore inappropriate.

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

Access to the property is provided by Buffalo Drive, identified as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. This road is adequate to meet the traffic demands of the proposed attached single-family residential development.

NOTICES MAILED 90 by Planning Department

APPROVALS 0

PROTESTS 5

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RESCIND PREVIOUS ACTION - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4000, VAR-4005 AND ZON-4003 - PUBLIC HEARING - **SDR-4004** - **APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.** - Request by the City Council to Rescind the Previous Action of the Denial of a Request for a Site Development Plan Review FOR A 28-UNIT ATTACHED SINGLE-FAMILY DEVELOPMENT on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), R-E (Residence Estates) Zone, Proposed: R-PD10 (Residential Planned Development - 10 Units per Acre), Ward 1 (Moncrief). Staff has no recommendation on the request to Rescind the Previous Action

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff has no recommendation on the request to Rescind the Previous Action.

BACKUP DOCUMENTATION:

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

MOTION:

MONCRIEF – APPROVED – UNANIMOUS

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 180 [GPA-4000 Rescind], Item 181 [VAR-4005 Rescind], Item 182 [ZON-4003 Rescind], Item 183 [SDR-4004 Rescind], Item 184 [GPA-4000], Item 185 [VAR-4005], Item 186 [ZON-4003] and Item 187 [SDR-4004] is made a part of the Final Minutes under Item 180 [GPA-4000 Rescind].

(6:45 – 6:47)

7-1161

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RESCIND PREVIOUS ACTION - SDR-4004 -

APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.

**** CONDITIONS ****

Staff has no recommendation on the Request to Rescind the Previous Action.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request by the City Council to Rescind the Previous Action of Denial of a request for a Site Development Plan Review for a 28-lot attached single-family residential project (24 attached single-family units and four single-family units) on a 2.92-acre parcel located at 1700 South Buffalo Drive. Companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre) will be heard concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that R-PD zoning will allow the flexibility critical to generating a feasible design for this site. The applicant has indicated that the intent is to develop a project that is compatible with the character of the adjacent large-lot residential development to the east.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request to Annex (A-0009-85) approximately 1,509 acres of land, including the subject site. The effective date was 03/28/95.
- 03/20/96 The City Council denied a request for a Rezoning (Z-0091-95) on the northern portion of the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking). The Planning Commission recommended approval on 11/30/95.
- 11/23/98 The City Council approved a request (GPA-0027-98) to amend the Southwest Sector Map of the General Plan on properties bounded by the Holmby Channel, Via Olivero Avenue, Rainbow Boulevard and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). Staff had recommended approval. The Planning Commission and staff recommended approval on 10/22/98.

08/15/01 The City Council denied a request (GPA-0017-01) to amend the Southwest Sector Map of the General Plan from DR (Desert Rural Density Residential) to O (Office) on 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard. The Planning Commission had recommended approval on 07/12/01. Staff had recommended denial.

04/08/04 The Planning Commission recommended DENIAL to companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site.

04/08/04 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #37/gl)

B) Pre-Application Meeting

02/11/04 At the pre-application meeting, the applicant was advised that the project would require at least six different applications to proceed as designed. The applicant redesigned the project, and came back for a follow-up meeting held on 02/18/04. At this meeting, it was determined that revised plan would result in the elimination of open space Variance and Title 18 Waiver requests that would have been required with the initial design. Site planning concerns including setbacks, access, parking and landscaping issues were then discussed at this second meeting.

C) Neighborhood Meetings

03/08/04 There were 20 residents in attendance for the required neighborhood meeting for the General Plan Amendment. Their comments included the following:

- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
- Residents had a preference for single-story or two-story custom homes.
- Some residents indicated they would support one-story offices instead of residential.
- Residents would like the Planning Commission agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
- Residents would like the project to be gated.
- Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.
- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.92

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Single family residence and undeveloped
East: Single family residential; small park at the northeast corner
West: Park

C) *Planned Land Use*

Subject Property: DR (Desert Rural Density Residential)
North: DR (Desert Rural Density Residential)
South: DR (Desert Rural Density Residential)
East: DR (Desert Rural Density Residential)
West: P/R/OS (Parks/Recreation/Open Space)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-PD2 (Residential Planned Development - 2 Units per Acre)
West: C-V (Civic)

E) *General Plan Compliance*

The subject site is currently designated on the Southwest Sector Plan map as DR (Desert Rural Density Residential). A companion request (GPA-4000) would change the designation of this site to MLA (Medium-Low Attached Density Residential). The Desert Rural Density Residential Category allows a maximum of two dwelling units per gross acre, in which 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.

In contrast, the companion MLA designation request would permit up to 12 dwelling units per acre, an increase of six times the density permitted in the DR designation. The Medium-Low Attached Density Residential 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. The proposed R-PD10 zoning district would conform to the MLA land use designation.

<i>SPECIAL DISTRICTS/ZONES</i>	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 no Special Area Plans, Overlay Districts or Study Areas that affect the subject site.

PROJECT DESCRIPTION

The site plan depicts 24 attached single-family residential lots and four single-family lots on 2.92 gross acres, resulting in a density of 10.41 dwelling units per acre. Twenty-four of the lots will have access to a 37-foot wide private street that loops through the development, with the remaining four lots having access to one of two 24-foot private drives. Access to the development will be from two gated entrances from Buffalo Drive. Attached lots average approximately 2,280 square feet in size, and the detached lots are approximately 2,812 square feet, with typical lot dimensions of 30 feet wide by 76 feet deep for the attached lots, and a 37-foot width for the detached lots. Setbacks proposed for this development are no setback in the front yard, five feet (estimated) in the rear, and three feet for interior side yards (with zero feet on the attached sides). There are no corner side setbacks, as landscape buffers held in common separate corner streets from private property lines.

The applicant has proposed 15-foot wide open space strips separating the front of the lots from the private streets. On-site landscaping areas include six-foot wide planting buffers along Buffalo Drive on the outside of the perimeter wall and several open space areas totaling 21,445 square feet, including a pool and walking paths. These open space areas in total are slightly below the development's open space requirement.

The elevations show three building types for three-story attached residential products and one plan for a detached three-story residential product, all with a maximum building height of 35 feet. Floor plans indicate an average living area of 2,821 square feet per unit. Each dwelling will feature a two-car garage; some driveway lengths appear to be less than 18 feet to the curb, although some additional driveway length may be accommodated under the porte cochere at the front of the buildings. A condition of approval will require the applicant to ensure that all driveways lengths be designed to meet standards. Materials include painted plaster exteriors, wood roof overhangs, and concrete tile roofs.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD zoned project are set out on the site plan. In the case of the subject proposal, these are as follows:

Standards	Proposed
Min. Lot Size	2,280 SF
Min. Lot Width	30 Feet
Min. Setbacks	none
• Front	3 Feet (zero feet on attached side)
• Side	N/A
• Corner	5 Feet (estimated)
• Rear	
Max. Lot Coverage	Not indicated
Max. Building Height	3 Stories / 35 Feet

The front yard setback will have to be revised to at least three feet, or the structures will have to meet Building Code standards for a one-hour fire rating. Any common walls between each pair of attached units will similarly have to meet the same rating standard. Also, rear yard setbacks will have to be provided on the site plan.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that 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	Units	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Single Family, Attached	24 Units	2 spaces/unit + 1 guest space/6 units	48 spaces 4 spaces	none	48 spaces 5 spaces	1 space
Single Family, Detached	4 Units	2 spaces/unit	8 spaces	none	8 spaces	
Totals	28 Units		60 spaces	none	61 spaces	1 space

The project as proposed exceeds the parking requirements of Title 19. The handicap space as designed needs to be revised to provide an 8-foot apron on one side, to meet van accessibility requirements. A condition of approval will address this issue.

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	
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet (441 Feet)	23 Trees	Not Indicated
• Min. Zone Width	6 Feet		6 Feet
• Wall height	6 Feet		7 Feet

The applicant has not provided a detailed landscaping plan that shows how many trees and shrubs will be planted in the perimeter strip along Buffalo Drive. If this application is approved, a condition of approval will require this information to be provided prior to the issuance of any building permits.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
2.92 acres	10.41 u.p.a.	1.65	17.2 %	21,812 SF	16.9%	21,445 SF

As currently configured, the site plan is slightly deficient in open space. The applicant has indicated that a revised site plan will be submitted that addresses the deficit. If not, a condition of approval will require that a Variance application be submitted and approved by the City Council prior to site plan approval.

B) General Analysis and Discussion

• **Zoning**

The site is currently zoned R-E (Residential Estates). A companion Rezoning request (ZON-4003) would, if approved, rezone the subject property to R-PD10 (Residential Planned Development - 10 Units per Acre) in order to allow a greater number of lots to be developed. This designation would be compatible with the proposed MLA (Medium-Low Attached Density Residential) General Plan designation for the site

(GPA-4000), which would allow a density of up to 12 dwelling units per acre. These proposed new zoning and General Plan categories are incompatible with adjacent low-density development, most of which is zoned and developed at two units per acre.

- Site Plan

The site plan contains some significant deficiencies that need to be rectified, should the application be approved. These include:

- i. Front yard setbacks less than three feet;
- ii. Open space below Code requirements;
- iii. The use of front yard areas as common open space; and
- iv. The lack of a landscaping plan.

While the development meets standards with respect to density if the companion General Plan Amendment, Rezoning and Variance applications are approved, it would be three times as dense as the adjacent properties to the south and east. The development proposed for this site is incompatible with the established development pattern of lots surrounding it.

- Waivers

No Waivers have been requested as part of this application.

- Landscape Plan

No conceptual landscape plan has been provided. The site plan and elevations indicate, however, that a six-foot landscaping planter will be provided outside the seven-foot perimeter wall along Buffalo Drive, and that palm trees and shrubs will be planted in this area. Staff will work with the applicant to ensure that a landscape plan that shows a sufficient amount and type of planting to meet the requirements of Title 19.12 and the Landscape, Wall, and Buffer Standards.

The development will contain several open space areas for communal use. Based on discussions with adjacent residents, a common area shown on the inside of the western boundary wall may be moved to the east side of the property, to provide for additional separation from the adjacent existing residential area to the east.

- Elevation

The proposed elevations depict three-story homes, 24 of which are designed in attached pairs, and four of which are fully detached. Building height will be limited to 35 feet. The units display balconies and a significant amount of exterior detail, including pop-outs, columns and individual garage doors. These homes are capped with low-angle tile roofs.

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 features a higher density, greater building height and smaller lot size than the residential properties surrounding it to the east and south. The proposed development is therefore incompatible 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;"**

The proposed development is consistent with the General Plan, provided a companion General Plan Amendment is approved. It is inconsistent with some aspects of Title 19, including the open space and setback regulations. The setback issue is in contravention with Building Code requirements, as the buildings are currently designed.

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

Access to the property will be available from Buffalo Drive, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. This street is adequate to meet traffic demands of this proposed attached single-family residential development.

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 in this portion of the City. If this plan is approved, a landscaping plan would have to be provided, detailing how trees and additional shrubs would be placed to conform to Title 19.12 and the Landscape, Wall, and Buffer 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 proposed elevations depict three-story homes, which are in contrast to the low-density homes typical in this area of the city.

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 90 by Planning Department

APPROVALS 0

PROTESTS 5

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECONSIDER - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4000 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), Ward 1 (Moncrief). The Planning Commission (2-5 vote on a motion for approval) and staff recommend DENIAL. Staff recommends APPROVAL regarding the current request. [NOTE: The Applicant is now requesting L (Low Density Residential)]

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

7

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

The Planning Commission (2-5 vote on a motion for approval) and staff recommend DENIAL. Staff recommends APPROVAL regarding the current request.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Submitted after final agenda – Revised site plan submitted by staff

MOTION:

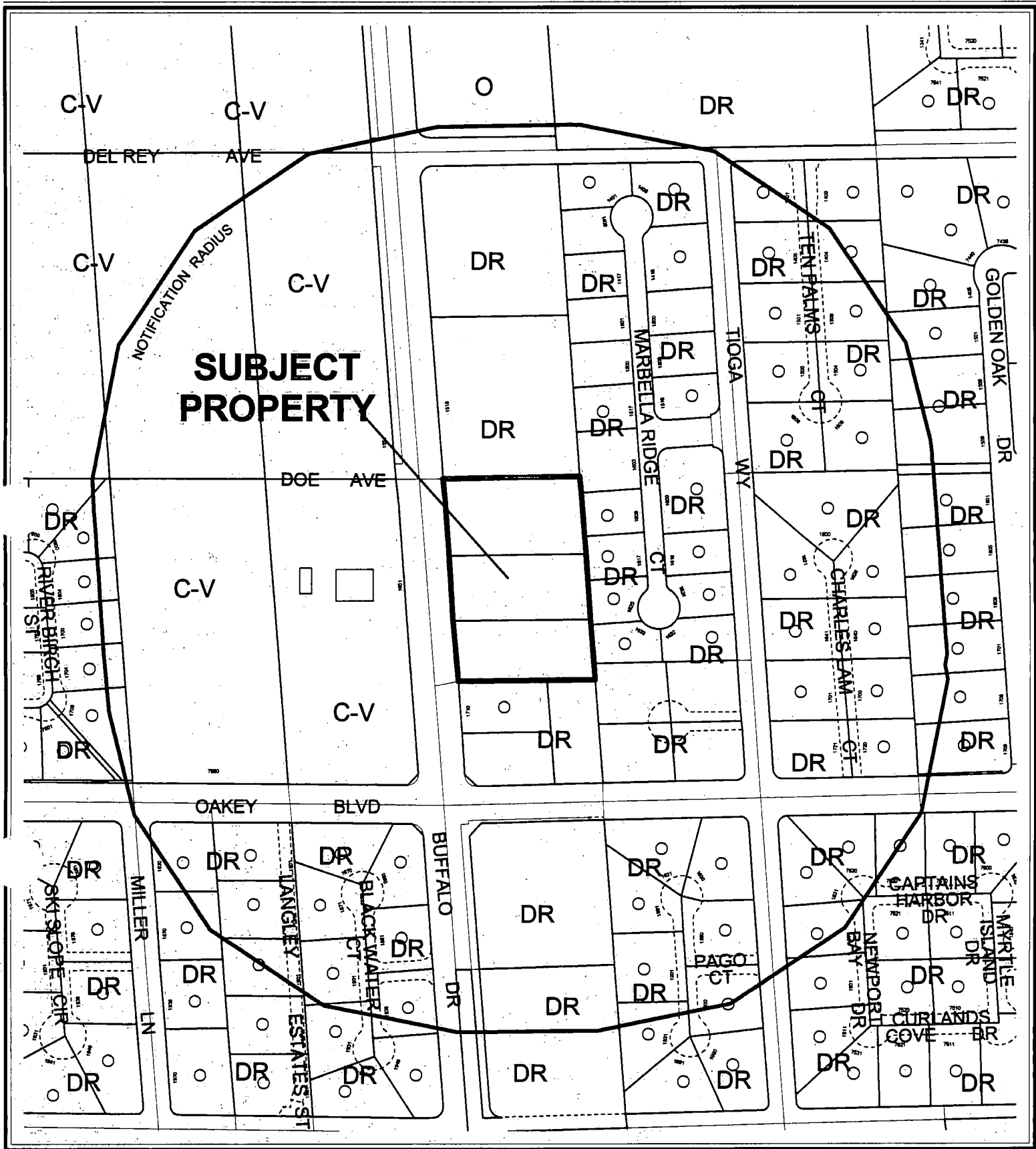
MONCRIEF – APPROVED and amending the General Plan Designation to L (Low Density Residential) – UNANIMOUS

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 180 [GPA-4000 Rescind], Item 181 [VAR-4005 Rescind], Item 182 [ZON-4003 Rescind], Item 183 [SDR-4004 Rescind], Item 184 [GPA-4000], Item 185 [VAR-4005], Item 186 [ZON-4003] and Item 187 [SDR-4004] is made a part of the Final Minutes under Item 180 [GPA-4000 Rescind].

(6:47 – 7:19)

7-1243



CASE: GPA-4000

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR (DESERT RURAL DENSITY RESIDENTIAL)

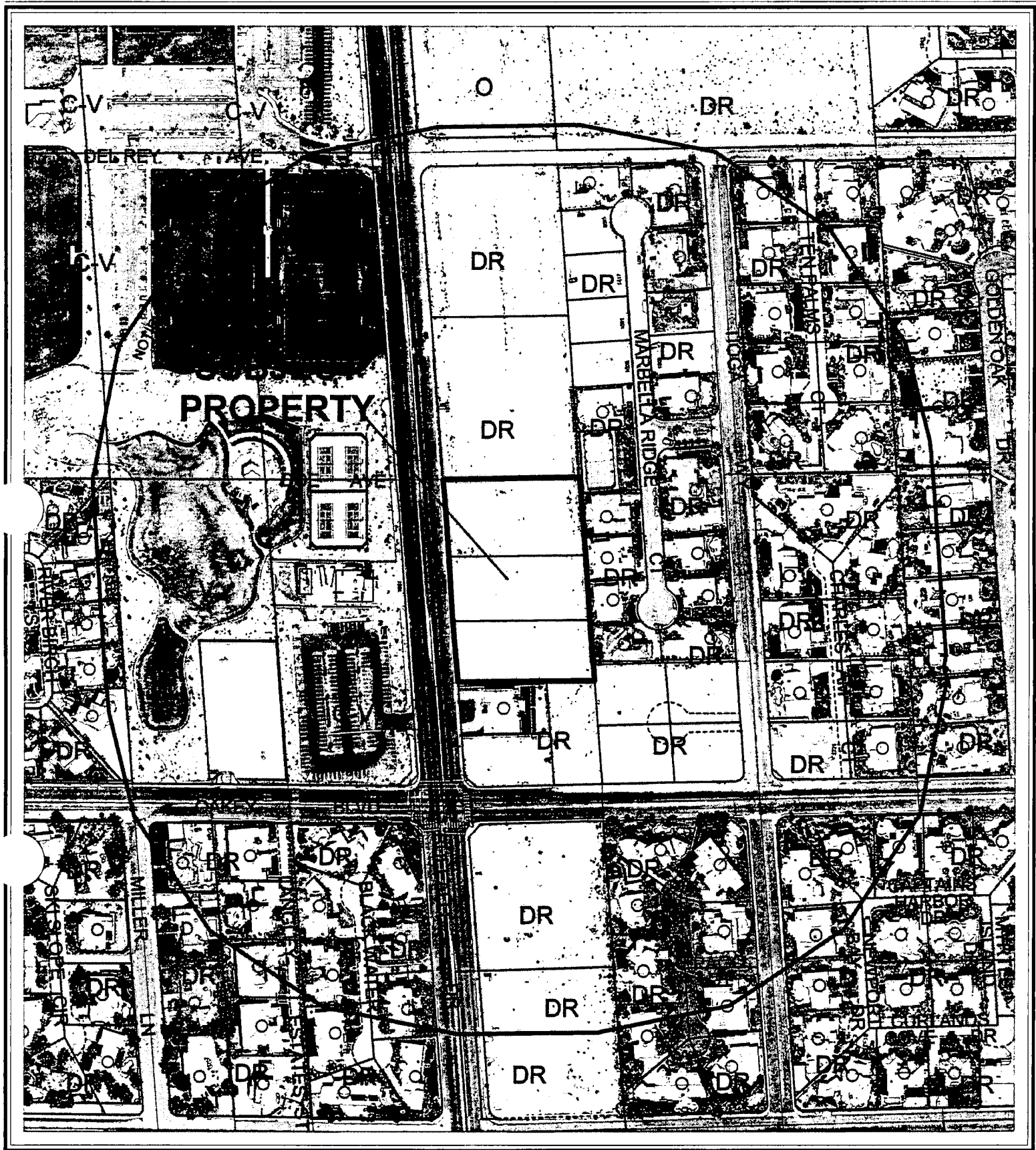
PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL)

0 200 400 Feet

184





CASE: GPA-4000

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RECONSIDER - GPA-4000 - APPLICANT/OWNER:
VALENCIA COMMUNITIES, INC.**

**** CONDITIONS ****

The Planning Commission (2-5 vote on a motion for approval) and staff recommended DENIAL regarding original submission.

Staff recommends APPROVAL regarding current request.

**** STAFF REPORT ****

APPLICATION REQUEST

This application originally sought to amend the Southwest Sector Plan of the General Plan land use designation of a 2.92-acre tract of land located at 1700 South Buffalo Drive from DR (Desert Rural Density Residential) to MLA (Medium Low Attached Density Residential). The applicant has now amended this request to L (Low Density Residential). A Rezoning application (ZON-4003), a Variance (VAR-4005), and a Site Development Plan Review (SDR-4004), 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 property was designated for 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. |
| 08/18/99 | The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996. |
| 09/06/00 | The City Council approved the <i>City of Las Vegas Master Plan 2020</i> . This site is not designated within any specific geographic strategy area as described in the Plan. |
| 04/08/04 | The Planning Commission recommended DENIAL of companion applications for a Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre), a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site. |
| 04/08/04 | The Planning Commission voted 2-5 on a motion for approval which is DENIAL (PC Agenda Item #34/gl). |
| 05/05/05 | The City Council DENIED the requested General Plan Amendment (GPA-4000) and its companion applications. |

07/07/04 The City Council will consider rescinding and reconsidering the requested General Plan Amendment (GPA-4000) and its companion applications as revised.

DETAILS OF APPLICATION REQUEST

Site Area: 2.92 acres

EXISTING LAND USE

Subject Property Undeveloped
North Undeveloped
South Single family residence and undeveloped
East Single family residential; small park at the northeast corner
West Across Buffalo Drive, park

PLANNED LAND USE

Subject Property DR (Desert Rural)
North DR (Desert Rural)
South DR (Desert Rural)
East DR (Desert Rural)
West Across Buffalo Drive, PR (Park / Recreation / Open Space)

EXISTING ZONING

Subject Property R-E (Residence Estates)
North R-E (Residence Estates)
South R-E (Residence Estates)
East R-PD2 (Residential Planned Development at two Dwelling Units / acre)
West Across Buffalo Drive, C-V (Civic District)

	YES	NO
INTERLOCAL AGREEMENT JOINT LAND USE PLANNING AREA		X
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

This site is not affected by any special plan areas, land use studies or rural preservation neighborhoods.

DEFINITIONS

DR (Desert Rural Density Residential)

(0 to 2.0 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.

L (Low Density Residential) (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.

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.

PR (Parks/Recreation/Open Spaces)

This category allows large public parks and recreation areas such as public and private golf courses, trails and easements, drainage-ways and detention basins, parking to serve such uses and any other public usage of large areas of permanent open land.

INTERAGENCY ISSUES

None

ANALYSIS

The subject request is to change the land use classification of a tract of land located at 1700 South Buffalo Drive from DR (Desert Rural Density Residential) to L (Low Density Residential). Property to the north, east and south is classified DR (Desert Rural Density Residential) which permits residential development at a density of up to two dwelling units per acre. Property across the street to the west is classified C-V (Civic) for a large existing park and sports fields.

The L classification would permit up to 5.5 dwelling units per acre. The General Plan designates the subject area and the larger area around it for single-family residences at no more than two dwelling units per acre; however, the number of homes that would be allowed on the site is not significantly different from those in the adjoining residential area. Additionally, it is not logical to expect Desert Rural development directly adjacent to Buffalo Drive in this area. While staff recommended rejection of the previous request for the MLA designation, support is recommended for this modified request.

FINDINGS

Title 19.18.030.I requires that the following conditions be met 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;
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.

Condition number “1” is satisfied, as the subject request would permit residential development at a density which is not significantly greater, given the scale of the site, than that permitted to the east of the site.

Condition number “2” is satisfied, in that the companion request for a residential zoning district permitting up to 5.5 dwelling units per acre would be allowed in an L classification.

In regard to the third condition, public facilities and infrastructure presently exist to support commercial development. Access would be directly to Buffalo Drive. The property is within 1½ miles of a fire station at Charleston Boulevard and Durango Drive and within one mile of a police station at Charleston Boulevard and Rainbow Boulevard.

In regard to the fourth condition, objectives and policies are addressed in the *City of Las Vegas Master Plan 2020*. There are no plans or policies that specifically address this area of the Southwest Sector.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

- 03/08/04 There were 20 residents in attendance regarding the initial request for an MLA designation. Their comments included the following:
- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
 - Residents had a preference for single story or two story custom homes.
 - Some residents indicated they would support one story offices instead of residential.
 - Residents would like the PC agenda to read something other than “condominium,” as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
 - Residents would like the project to be gated.

- Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.
- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

The revised site plan for this project addresses many of these points and is discussed with the case report on SDR-4004.

PLANNING COMMISSION ACTION

There were three speakers protesting this application at the Planning Commission hearing, and three speakers in opposition at the May 5/04 City Council meeting.

NOTICES MAILED: 90 by Planning Department

APPROVALS: 0

PROTESTS: 7 (former application)



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4000 APN: _____

Name of Property Owner: Valencia Communities, Inc.

Name of Applicant: Valencia Communities, Inc., Scott Collins

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: _____

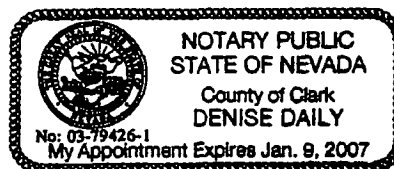
Signature of Property Owner/Authorized Agent: 

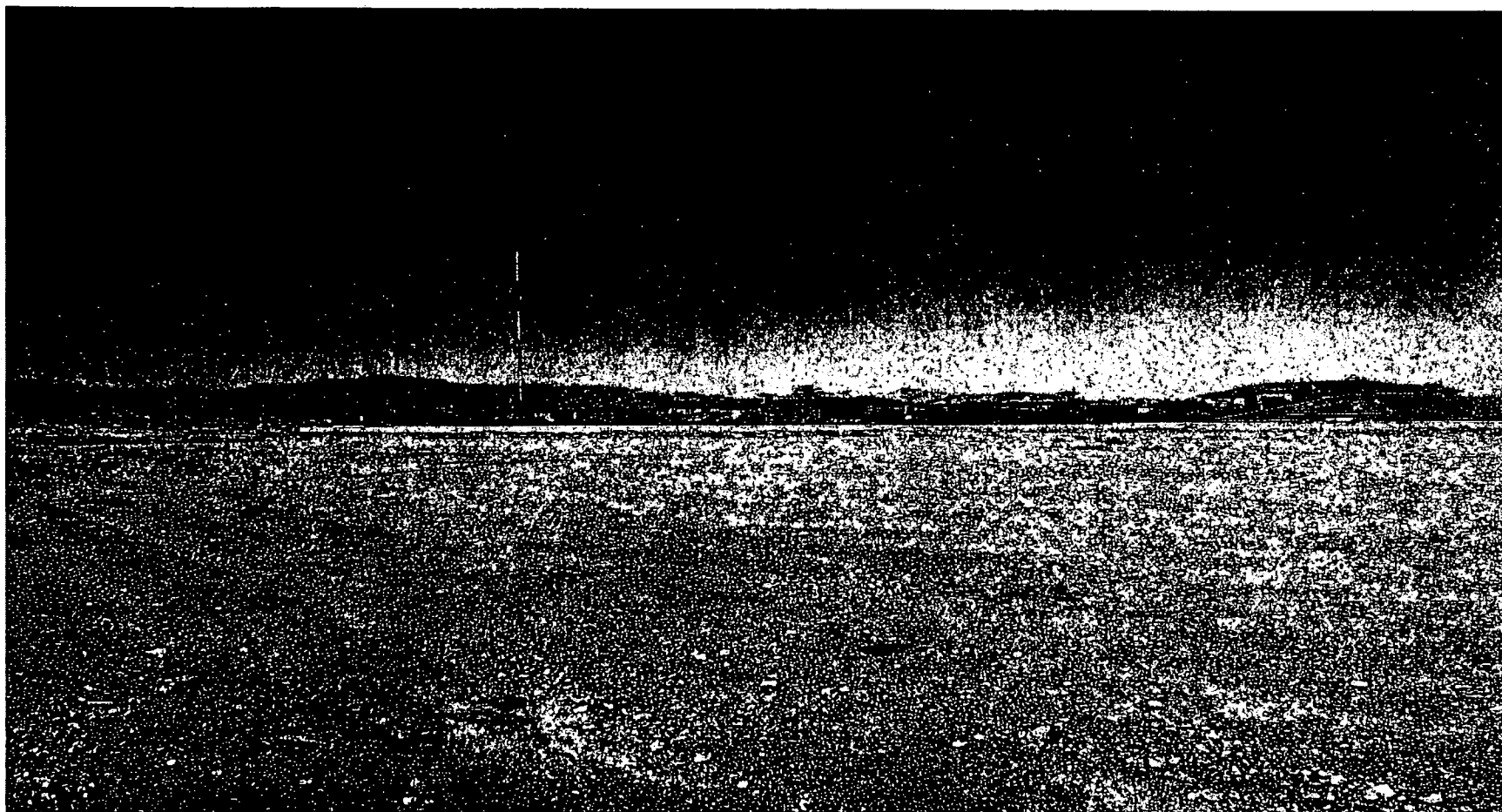
Print Name: Christopher Ferguson, President

Subscribed and sworn before me

This 23rd day of February, 2004


Notary Public in and for said County and State





GPA-4000 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



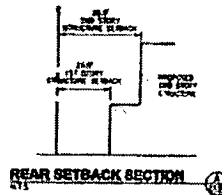
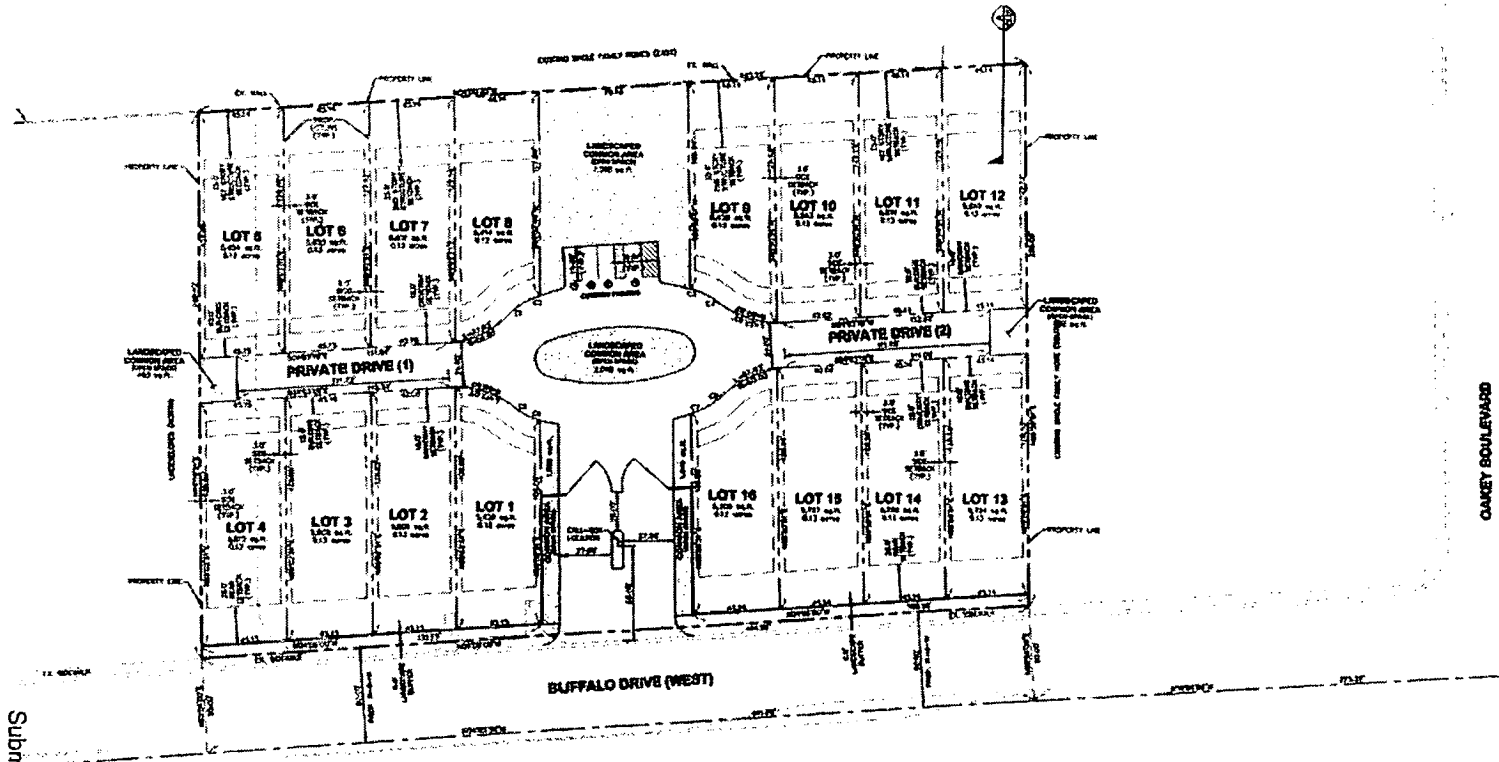
GPA-4000 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

GPA-4000 ZON-4003
VAR-4005 SDR-4004

7-7-04 CC
REVISED

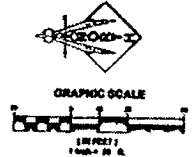
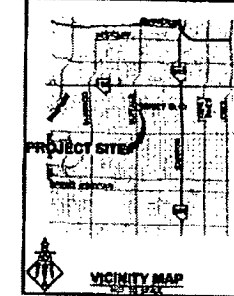
REVISED
6-29-04



OPEN SPACE REQUIREMENTS

OPEN SPACE REQUIREMENTS
MINIMUM OPEN SPACE - 10% OF TOTAL LOT AREA
MINIMUM OPEN SPACE - 10% OF TOTAL LOT AREA
MINIMUM OPEN SPACE - 10% OF TOTAL LOT AREA

CURVE TABLE			
CHORD	ANGLE	ARC LENGTH	AREA
10	30	17.36	157.08
20	30	34.72	314.16
30	30	52.08	471.24
40	30	69.44	628.32
50	30	86.80	785.40
60	30	104.16	942.48
70	30	121.52	1099.56
80	30	138.88	1256.64
90	30	156.24	1413.72
100	30	173.60	1570.80



GPA-4000 ZON-4003
VAR-4005 SDR-4004
REVISED
7-7-04 CC

NOTE:
LOCHSA ENGINEERING ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

A.P.M.:
40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1278-1279-1280-1281-1282-1283-1284-1285-1286-1287-1288-1289-1290-1291-1292-1293-1294-1295-1296-1297-1298-1299-1300-1301-1302-1303-1304-1305-1306-1307-1308-1309-1310-1311-1312-1313-1314-1315-1316-1317-1318-1319-1320-1321-1322-1323-1324-1325-1326-1327-1328-1329-1330-1331-1332-1333-1334-1335-1336-1337-1338-1339-1340-1341-1342-1343-1344-1345-1346-1347-1348-1349-1350-1351-1352-1353-1354-1355-1356-1357-1358-1359-1360-1361-1362-1363-1364-1365-1366-1367-1368-1369-1370-1371-1372-1373-1374-1375-1376-1377-1378-1379-1380-1381-1382-1383-1384-1385-1386-1387-1388-1389-1390-1391-1392-1393-1394-1395-1396-1397-1398-1399-1400-1401-1402-1403-1404-1405-1406-1407-1408-1409-1410-1411-1412-1413-1414-1415-1416-1417-1418-1419-1420-1421-1422-1423-1424-1425-1426-1427-1428-1429-1430-1431-1432-1433-1434-1435-1436-1437-1438-1439-1440-1441-1442-1443-1444-1445-1446-1447-1448-1449-1450-1451-1452-1453-1454-1455-1456-1457-1458-1459-1460-1461-1462-1463-1464-1465-1466-1467-1468-1469-1470-1471-1472-1473-1474-1475-1476-1477-1478-1479-1480-1481-1482-1483-1484-1485-1486-1487-1488-1489-1490-1491-1492-1493-1494-1495-1496-1497-1498-1499-1500-1501-1502-1503-1504-1505-1506-1507-1508-1509-1510-1511-1512-1513-1514-1515-1516-1517-1518-1519-1520-1521-1522-1523-1524-1525-1526-1527-1528-1529-1530-1531-1532-1533-1534-1535-1536-1537-1538-1539-1540-1541-1542-1543-1544-1545-1546-1547-1548-1549-1550-1551-1552-1553-1554-1555-1556-1557-1558-1559-1560-1561-1562-1563-1564-1565-1566-1567-1568-1569-1570-1571-1572-1573-1574-1575-1576-1577-1578-1579-1580-1581-1582-1583-1584-1585-1586-1587-1588-1589-1590-1591-1592-1593-1594-1595-1596-1597-1598-1599-1600-1601-1602-1603-1604-1605-1606-1607-1608-1609-1610-1611-1612-1613-1614-1615-1616-1617-1618-1619-1620-1621-1622-1623-1624-1625-1626-1627-1628-1629-1630-1631-1632-1633-1634-1635-1636-1637-1638-1639-1640-1641-1642-1643-1644-1645-1646-1647-1648-1649-1650-1651-1652-1653-1654-1655-1656-1657-1658-1659-1660-1661-1662-1663-1664-1665-1666-1667-1668-1669-1670-1671-1672-1673-1674-1675-1676-1677-1678-1679-1680-1681-1682-1683-1684-1685-1686-1687-1688-1689-1690-1691-1692-1693-1694-1695-1696-1697-1698-1699-1700-1701-1702-1703-1704-1705-1706-1707-1708-1709-1710-1711-1712-1713-1714-1715-1716-1717-1718-1719-1720-1721-1722-1723-1724-1725-1726-1727-1728-1729-1730-1731-1732-1733-1734-1735-1736-1737-1738-1739-1740-1741-1742-1743-1744-1745-1746-1747-1748-1749-1750-1751-1752-1753-1754-1755-1756-1757-1758-1759-1760-1761-1762-1763-1764-1765-1766-1767-1768-1769-1770-1771-1772-1773-1774-1775-1776-1777-1778-1779-1780-1781-1782-1783-1784-1785-1786-1787-1788-1789-1790-1791-1792-1793-1794-1795-1796-1797-1798-1799-1800-1801-1802-1803-1804-1805-1806-1807-1808-1809-1810-1811-1812-1813-1814-1815-1816-1817-1818-1819-1820-1821-1822-1823-1824-1825-1826-1827-1828-1829-1830-1831-1832-1833-1834-1835-1836-1837-1838-1839-1840-1841-1842-1843-1844-1845-1846-1847-1848-1849-1850-1851-1852-1853-1854-1855-1856-1857-1858-1859-1860-1861-1862-1863-1864-1865-1866-1867-1868-1869-1870-1871-1872-1873-1874-1875-1876-1877-1878-1879-1880-1881-1882-1883-1884-1885-1886-1887-1888-1889-1890-1891-1892-1893-1894-1895-1896-1897-1898-1899-1900-1901-1902-1903-1904-1905-1906-1907-1908-1909-1910-1911-1912-1913-1914-1915-1916-1917-1918-1919-1920-1921-1922-1923-1924-1925-1926-1927-1928-1929-1930-1931-1932-1933-1934-1935-1936-1937-1938-1939-1940-1941-1942-1943-1944-1945-1946-1947-1948-1949-1950-1951-1952-1953-1954-1955-1956-1957-1958-1959-1960-1961-1962-1963-1964-1965-1966-1967-1968-1969-1970-1971-1972-1973-1974-1975-1976-1977-1978-1979-1980-1981-1982-1983-1984-1985-1986-1987-1988-1989-1990-1991-1992-1993-1994-1995-1996-1997-1998-1999-2000-2001-2002-2003-2004-2005-2006-2007-2008-2009-2010-2011-2012-2013-2014-2015-2016-2017-2018-2019-2020-2021-2022-2023-2024-2025-2026-2027-2028-2029-2030-2031-2032-2033-2034-2035-2036-2037-2038-2039-2040-2041-2042-2043-2044-2045-2046-2047-2048-2049-2050-2051-2052-2053-2054-2055-2056-2057-2058-2059-2060-2061-2062-2063-2064-2065-2066-2067-2068-2069-2070-2071-2072-2073-2074-2075-2076-2077-2078-2079-2080-2081-2082-2083-2084-2085-2086-2087-2088-2089-2090-2091-2092-2093-2094-2095-2096-2097-2098-2099-2100-2101-2102-2103-2104-2105-2106-2107-2108-2109-2110-2111-2112-2113-2114-2115-2116-2117-2118-2119-2120-2121-2122-2123-2124-2125-2126-2127-2128-2129-2130-2131-2132-2133-2134-2135-2136-2137-2138-2139-2140-2141-2142-2143-2144-2145-2146-2147-2148-2149-2150-2151-2152-2153-2154-2155-2156-2157-2158-2159-2160-2161-2162-2163-2164-2165-2166-2167-2168-2169-2170-2171-2172-2173-2174-2175-2176-2177-2178-2179-2180-2181-2182-2183-2184-2185-2186-2187-2188-2189-2190-2191-2192-2193-2194-2195-2196-2197-2198-2199-2200-2201-2202-2203-2204-2205-2206-2207-2208-2209-2210-2211-2212-2213-2214-2215-2216-2217-2218-2219-2220-2221-2222-2223-2224-2225-2226-2227-2228-2229-2230-2231-2232-2233-2234-2235-2236-2237-2238-2239-2240-2241-2242-2243-2244-2245-2246-2247-2248-2249-2250-2251-2252-2253-2254-2255-2256-2257-2258-2259-2260-2261-2262-2263-2264-2265-2266-2267-2268-2269-2270-2271-2272-2273-2274-2275-2276-2277-2278-2279-2280-2281-2282-2283-2284-2285-2286-2287-2288-2289-2290-2291-2292-2293-2294-2295-2296-2297-2298-2299-2300-2301-2302-2303-2304-2305-2306-2307-2308-2309-2310-2311-2312-2313-2314-2315-2316-2317-2318-2319-2320-2321-2322-2323-2324-2325-2326-2327-2328-2329-2330-2331-2332-2333-2334-2335-2336-2337-2338-2339-2340-2341-2342-2343-2344-2345-2346-2347-2348-2349-2350-2351-2352-2353-2354-2355-2356-2357-2358-2359-2360-2361-2362-2363-2364-2365-2366-2367-2368-2369-2370-2371-2372-2373-2374-2375-2376-2377-2378-2379-2380-2381-2382-2383-2384-2385-2386-2387-2388-2389-2390-2391-2392-2393-2394-2395-2396-2397-2398-2399-2400-2401-2402-2403-2404-2405-2406-2407-2408-2409-2410-2411-2412-2413-2414-2415-2416-2417-2418-2419

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECONSIDER - VARIANCE RELATED TO GPA-4000 - PUBLIC HEARING - VAR-4005 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 2.92 ACRES WHERE A MINIMUM OF FIVE ACRES IS REQUIRED located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), R-E (Residence Estates) Zone, Proposed: R-PD10 (Residential Planned Development - 10 Units per Acre), Ward 1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend DENIAL. Staff recommends APPROVAL regarding the revised request. (NOTE: The applicant is now requesting R-PD5)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL. Staff recommends APPROVAL regarding the revised request.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Revised site plan submitted by staff

MOTION:

MONCRIEF - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 180 [GPA-4000 Rescind], Item 181 [VAR-4005 Rescind], Item 182 [ZON-4003 Rescind], Item 183 [SDR-4004 Rescind], Item 184 [GPA-4000], Item 185 [VAR-4005], Item 186 [ZON-4003] and Item 187 [SDR-4004] is made a part of the Final Minutes under Item 180 [GPA-4000 Rescind].

(6:47 - 7:19)

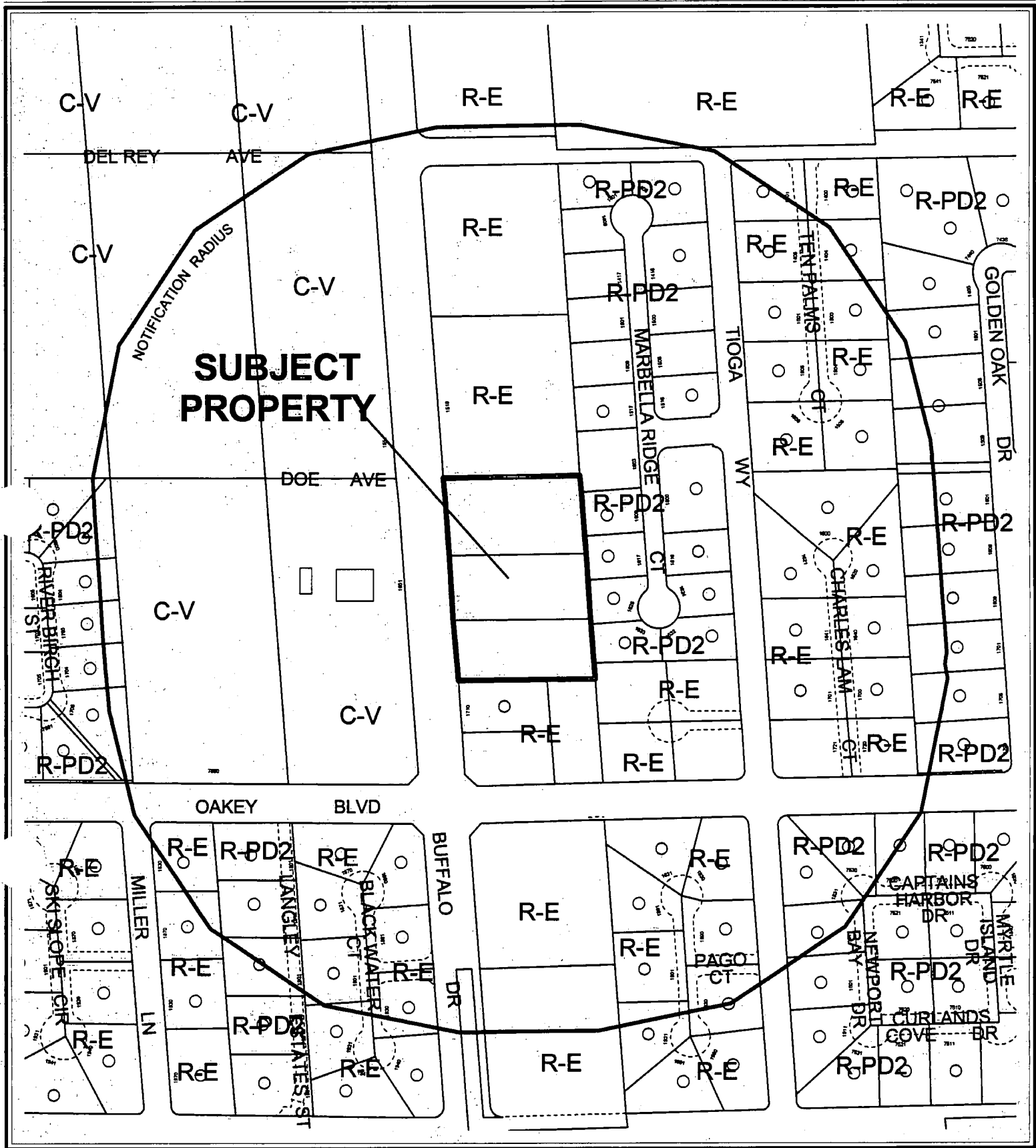
7-1243

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 185 – VAR-4005

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4003) and Site Development Plan Review [SDR-4004].
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.



CASE: VAR-4005

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

0 200 400 Feet



185



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RECONSIDER - VAR-4005 - APPLICANT/OWNER:
VALENCIA COMMUNITIES, INC.**

**** CONDITIONS ****

The Planning Commission (5-2 vote) and staff recommended DENIAL of original request. Staff recommends APPROVAL based on revised request, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4003) and Site Development Plan Review [SDR-4004].
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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, on a 2.92-acre parcel located at 1700 South Buffalo Drive. Companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation [modified to L (Low Density Residential)], a Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre) [modified to R-PD5 (Residential Planned Development - 5 Units per Acre)], and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project [modified to 16 single-family homes] will be heard concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that R-PD zoning will allow the flexibility critical to generating a feasible design for this site. The applicant has indicated that the intent is to develop a project that is compatible with the character of the adjacent large-lot residential development to the east.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request to Annex (A-0009-85) approximately 1,509 acres of land, including the subject site. The effective date was 03/28/95.
- 03/20/96 The City Council denied a request for a Rezoning (Z-0091-95) on the northern portion of the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking). The Planning Commission recommended approval on 11/30/95.
- 11/23/98 The City Council approved a request (GPA-0027-98) to amend the Southwest Sector Map of the General Plan on properties bounded by the Holmby Channel, Via Olivero Avenue, Rainbow Boulevard and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval on 10/22/98.
- 08/15/01 The City Council denied a request (GPA-0017-01) to amend the Southwest Sector Map of the General Plan from DR (Desert Rural Density Residential) to O (Office) on 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard. The Planning Commission had recommended approval on 07/12/01. Staff had recommended denial.

- 04/08/04 The Planning Commission recommended DENIAL of companion applications for a General Plan Amendment (GPA-4000) from DR (Desert Rural Density Residential) to MLA (Medium-Low Attached Density Residential), a Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre), and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site.
- 04/08/04 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #35/gl).
- 05/05/05 The City Council DENIED the requested Variance (VAR-4005) and its companion applications.
- 07/07/04 The City Council will consider rescinding and reconsidering the requested Variance (VAR-4005) and its companion applications as revised.

B) Pre-Application Meeting

- 02/11/04 At the pre-application meeting, the applicant was advised that the project would require at least six different applications to proceed as designed. The applicant redesigned the project, and came back for a follow-up meeting held on 02/18/04. At this meeting, it was determined the revised plan would result in the elimination of open space Variance and Title 18 Waiver requests that would have been required with the initial design. Site planning concerns including setbacks, access, parking and landscaping issues were then discussed at this second meeting.

C) Neighborhood Meetings

- 03/08/04 There were 20 residents in attendance at the required neighborhood meeting for the General Plan Amendment. Their comments included the following:
- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
 - Residents had a preference for single-story or two-story custom homes.
 - Some residents indicated they would support one-story offices instead of residential.
 - Residents would like the Planning Commission agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
 - Residents would like the project to be gated.
 - Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
 - Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.
 - Increased density would result in less privacy, as more residences would overlook existing homes to the east.

The revised site plan for this project addresses many of these points and is discussed with the case report on SDR-4004.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.92

B) Existing Land Use

Subject Property: Undeveloped

North: Undeveloped

South: Single family residence and undeveloped

East: Single family residential; small park at the northeast corner

West: Park

C) Planned Land Use

Subject Property: DR (Desert Rural Density Residential)

North: DR (Desert Rural Density Residential)

South: DR (Desert Rural Density Residential)

East: DR (Desert Rural Density Residential)

West: P/R/OS (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property: R-E (Residence Estates)

North: R-E (Residence Estates)

South: R-E (Residence Estates)

East: R-PD2 (Residential Planned Development - 2 Units per Acre)

West: C-V (Civic)

E) General Plan Compliance

The subject site is currently designated on the Southwest Sector Plan map as DR (Desert Rural Density Residential). A companion request (GPA-4000) would change the designation of this site to L (Low Density Residential). The Low Density Residential 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. The proposed R-PD5 zoning district would conform to the L land use designation.

<i>SPECIAL DISTRICTS/ZONES</i>	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 no Special Area Plans, Overlay Districts or Study Areas that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

Pursuant to Title 19.06.040.A, the minimum site area that is eligible for rezoning to the R-PD category is five acres. As the subject site is 2.92 acres in size, the applicant has requested a Variance from this standard in order to allow the related applications to proceed, in order to develop a 16-unit attached single-family project on the site. The subject deviation is 41.7%.

B) General Analysis and Discussion

The project as conceived would not readily fit within the parameters of any of the standard residential zoning districts in Title 19. Although the R-1 (Single Family Residential) zoning district allows up to 5.5 units per acre, and would conform to the L land use designation proposed for the site, the R-1 district contains minimum lot size and width requirements and front setbacks that would not work with the project as revised.

There are no other standard districts which would be adequate for a project of this type. The R-PD zoning district provides the flexibility to design the site in accordance with the various constraints posed by this location. It should be noted that the revised site plan will need to reflect open space in an amount that meets Code requirements; a condition of approval on the site plan review will address this point.

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:

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.”

The applicant has redesigned the site to address a number of constraints imposed by the location of the site and the wishes of established adjacent residents. This has resulted in the circumstance that there is no conventional zoning district that can address the revised site plan that is now satisfactory for this location. The site plan as presented meets all aspects of the Code with the exception of the minimum site size for an R-PD parcel, which is a given quantity in this case. There are no acceptable alternative designs or available additional land that would allow conformance to the Title 19 requirements.

In view of the presence of these hardships, it is concluded that the applicant's hardship is genuine, and it is thereby recommended that the Variance be granted.

NOTICES MAILED 98 by Planning Department

APPROVALS 0

PROTESTS 5 (former application)



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4005 APN: _____

Name of Property Owner: Valencia Communities, Inc.

Name of Applicant: Valencia Communities, 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: _____

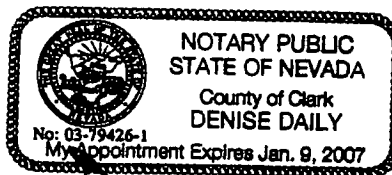
Signature of Property Owner/Authorized Agent: _____

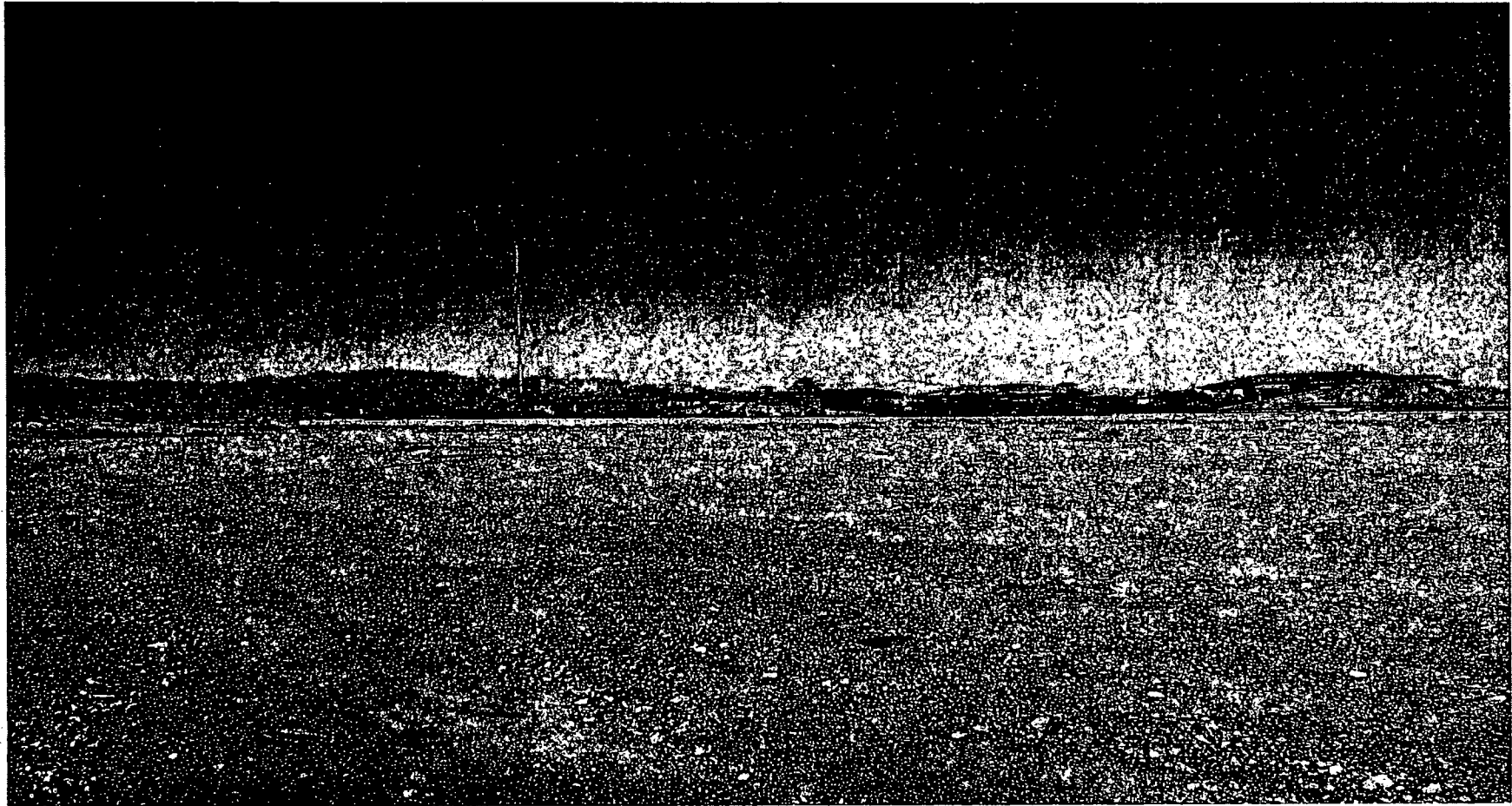
Print Name: Christopher Ferguson, President

Subscribed and sworn before me

This 23rd day of February, 2007

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





VAR-4005 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



VAR-4005 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

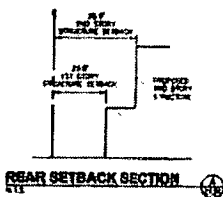
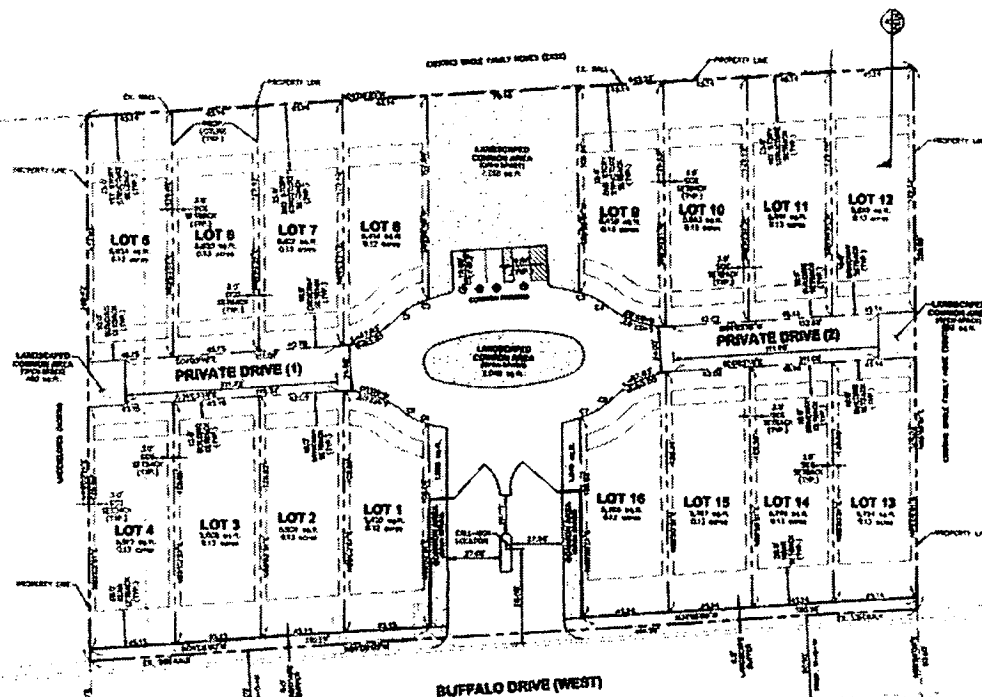
03/18/04

ZON-4003

SDR-4004

**7-7-04 CC
REVISED**

REVISED
1-29-04



OPEN SPACE REQUIREMENTS

OPEN SPACE REQUIRED
PROJECT SIZE: 12.5 ACRES
PROJECT AREA: 2.5 ACRES
REQUIRED AREA FOR OPEN SPACE = 0.25 ACRES
OR = 10,000 SQ. YARDS PER
ACRE
OPEN SPACE PROVIDED
0.125 ACRES OR 5,000 SQ. YARDS PER ACRE

6.2	1.5	1.0	0.5	0.2
1.0	1.0	1.0	1.0	1.0
1.5	1.5	1.5	1.5	1.5
2.0	2.0	2.0	2.0	2.0
2.5	2.5	2.5	2.5	2.5
3.0	3.0	3.0	3.0	3.0
3.5	3.5	3.5	3.5	3.5
4.0	4.0	4.0	4.0	4.0
4.5	4.5	4.5	4.5	4.5
5.0	5.0	5.0	5.0	5.0
5.5	5.5	5.5	5.5	5.5
6.0	6.0	6.0	6.0	6.0
6.5	6.5	6.5	6.5	6.5
7.0	7.0	7.0	7.0	7.0
7.5	7.5	7.5	7.5	7.5
8.0	8.0	8.0	8.0	8.0
8.5	8.5	8.5	8.5	8.5
9.0	9.0	9.0	9.0	9.0
9.5	9.5	9.5	9.5	9.5
10.0	10.0	10.0	10.0	10.0

NOTE:

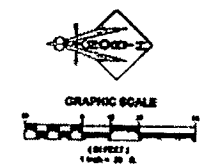
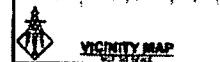
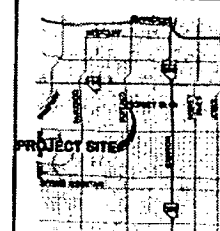
[illegible]

APN:

BENCHMARK:
CITY OF LAS VEGAS BENCHMARK 100, SUMMITT, PORT AND
HALL ON TOP OF CORN, DISTRICTS OF CORN
BENCHMARKS AND BENCHMARKS.

SAFETY ALERT

**Call
before you
Dig**
1-800-227-2800



LÖCHSA ENGINEERING

**CORTALE
LAS VEGAS**

DATE	06/12/98	
TIME	17:00	
LOCATION	11 C	
PERSONNEL	1 P.T.	
REMARKS	CASH 100	
	1" = 30'	



61.01
MAY 19 1964

[illegible]

Submitted after final agenda:

9814-45785 7/6/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RECONSIDER - REZONING RELATED TO GPA-4000 AND VAR-4005 - PUBLIC HEARING - ZON-4003 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD10 (Residential Planned Development - 10 Units per Acre) on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), Ward 1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend DENIAL. Staff recommends APPROVAL based on the revised request. (NOTE: The applicant is now requesting R-PD5)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

The Planning Commission (5-2 vote) and staff recommend DENIAL. Staff recommends APPROVAL of the revised request.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Revised site plan submitted by staff

MOTION:

MONCRIEF - APPROVED subject to conditions and approving application as R-PD5 with a maximum of 16 units - UNANIMOUS

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 180 [GPA-4000 Rescind], Item 181 [VAR-4005 Rescind], Item 182 [ZON-4003 Rescind], Item 183 [SDR-4004 Rescind], Item 184 [GPA-4000], Item 185 [VAR-4005], Item 186 [ZON-4003] and Item 187 [SDR-4004] is made a part of the Final Minutes under Item 180 [GPA-4000 Rescind].

(6:47 - 7:19)

7-1243

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4000) to an L (Low Density Residential) land use designation and a Variance (VAR-4005) to allow a reduced site area for R-PD zoning approved by the City Council.

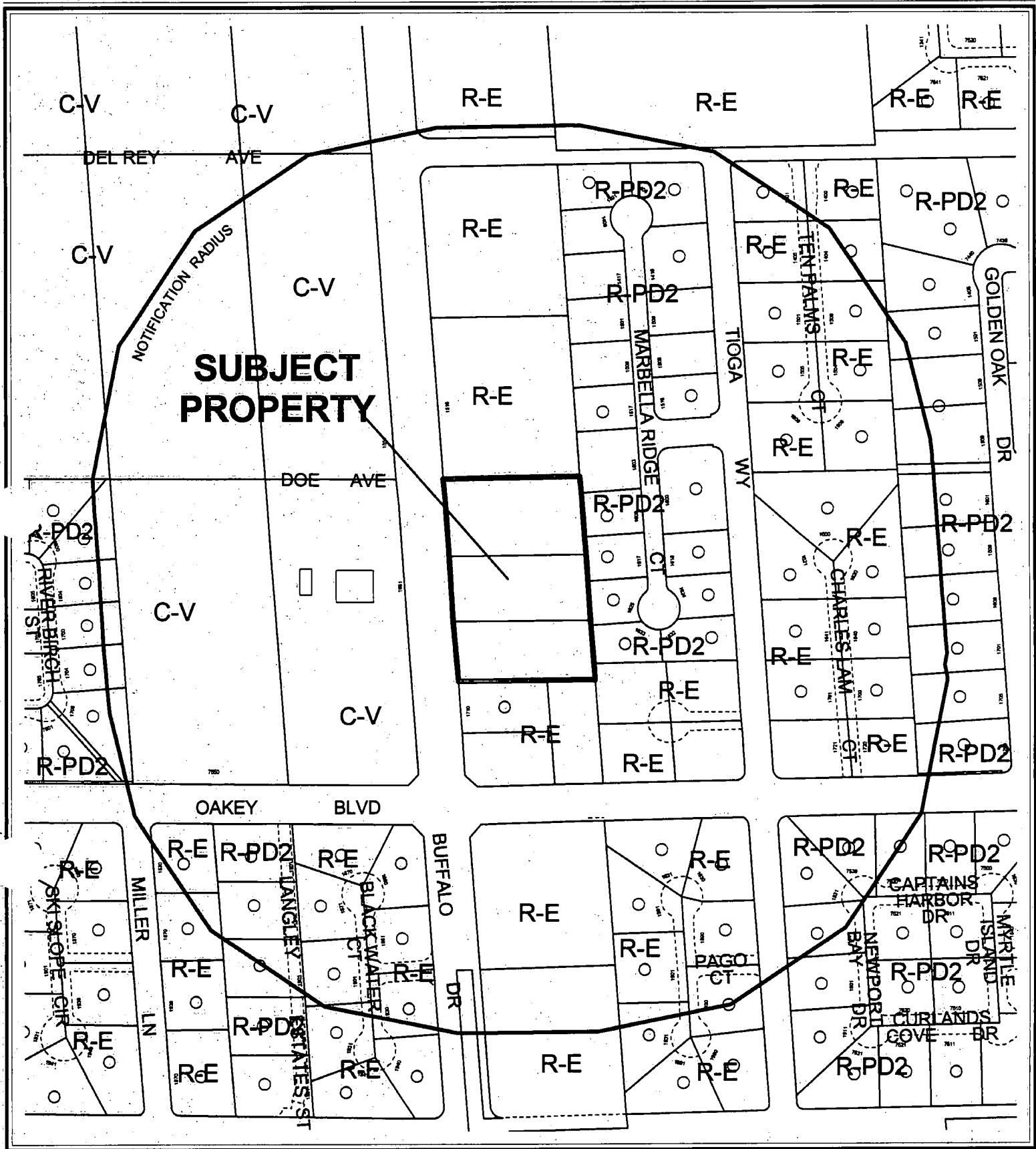
CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 186 – ZON-4003

CONDITIONS Continued:

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

Public Works

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards 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.
 5. Provide public sewer service to all lots within the development area.
- 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.



CASE: ZON-4003

RADIUS: 750 FT

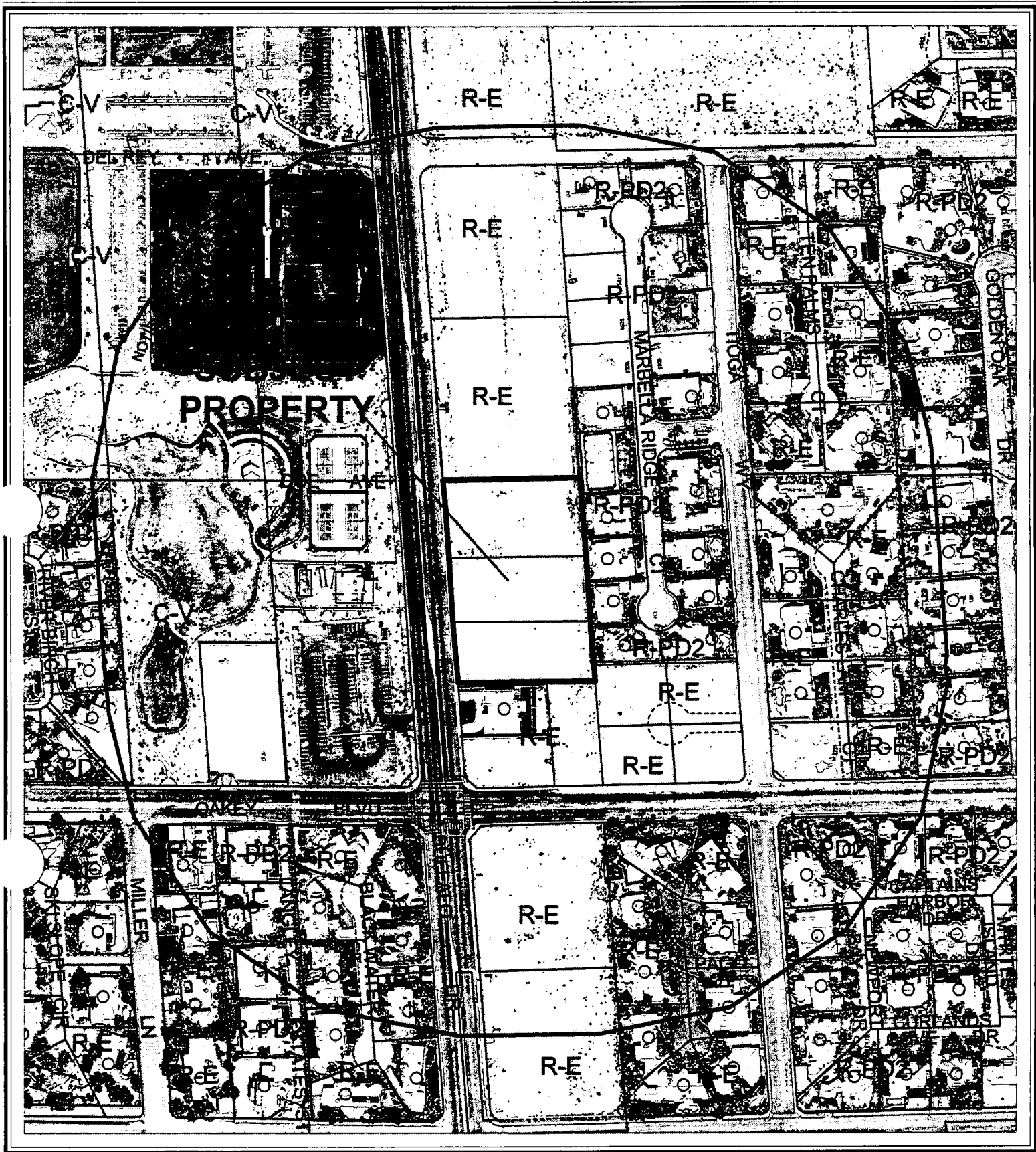
ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

186





CASE: ZON-4003

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RECONSIDER - ZON-4003 - APPLICANT/OWNER:
VALENCIA COMMUNITIES, INC.**

**** CONDITIONS ****

The Planning Commission (5-2 vote) and staff recommended DENIAL of original request. Staff recommends APPROVAL based on revised request, subject to:

Planning and Development

1. A General Plan Amendment (GPA-4000) to an L (Low Density Residential) land use designation and a Variance (VAR-4005) to allow a reduced site area for R-PD zoning 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 or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards 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.
5. Provide public sewer service to all lots within the development area.
6. 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 to rezone a 2.92-acre parcel located at 1700 South Buffalo Drive from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre) [now modified to R-PD5 (Residential Planned Development - 5 Units per Acre)]. Companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation [now modified to L (Low Density Residential)], a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project [now modified to 16 single-family homes] will be heard concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that R-PD zoning will allow the flexibility critical to generating a feasible design for this site. The applicant has indicated that the intent is to develop a project that is compatible with the character of the adjacent large-lot residential development to the east.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request to Annex (A-0009-85) approximately 1,509 acres of land, including the subject site. The effective date was 03/28/95.
- 03/20/96 The City Council denied a request for a Rezoning (Z-0091-95) on the northern portion of the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking). The Planning Commission recommended approval on 11/30/95.
- 11/23/98 The City Council approved a request (GPA-0027-98) to amend the Southwest Sector Map of the General Plan on properties bounded by the Holmby Channel, Via Olivero Avenue, Rainbow Boulevard and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval on 10/22/98.
- 08/15/01 The City Council denied a request (GPA-0017-01) to amend the Southwest Sector Map of the General Plan from DR (Desert Rural Density Residential) to O (Office) on 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard. The Planning Commission had recommended approval on 07/12/01 Staff had recommended denial.

- 04/08/04 The Planning Commission recommended DENIAL of companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site.
- 04/08/04 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #36/gl).
- 05/05/05 The City Council DENIED the requested Rezoning (ZON-4003) and its companion applications.
- 07/07/04 The City Council will consider rescinding and reconsidering the requested Rezoning (ZON-4003) and its companion applications as revised.

B) Pre-Application Meeting

- 02/11/04 At the pre-application meeting, the applicant was advised that the project would require at least six different applications to proceed as designed. The applicant redesigned the project, and came back for a follow-up meeting held on 02/18/04. At this meeting, it was determined that revised plan would result in the elimination of open space Variance and Title 18 Waiver requests that would have been required with the initial design. Site planning concerns including setbacks, access, parking and landscaping issues were then discussed at this second meeting.

C) Neighborhood Meetings

- 03/08/04 A neighborhood meeting is not required for a Rezoning application; however, the companion General Plan Amendment request requires such a meeting. There were 20 residents in attendance at the required General Plan Amendment neighborhood meeting. Their comments included the following:
- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
 - Residents had a preference for single-story or two-story custom homes.
 - Some residents indicated they would support one-story offices instead of residential.
 - Residents would like the Planning Commission agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
 - Residents would like the project to be gated.
 - Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.

- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.
- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

The revised site plan for this project addresses many of these points and is discussed with the case report on SDR-4004.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.92

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Single family residence and undeveloped
East: Single family residential; small park at the northeast corner
West: Park

C) Planned Land Use

Subject Property: DR (Desert Rural Density Residential)
North: DR (Desert Rural Density Residential)
South: DR (Desert Rural Density Residential)
East: DR (Desert Rural Density Residential)
West: P/R/OS (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-PD2 (Residential Planned Development - 2 Units per Acre)
West: C-V (Civic)

E) General Plan Compliance

The subject site is currently designated on the Southwest Sector Plan map as DR (Desert Rural Density Residential). A companion request (GPA-4000) would change the designation of this site to L (Low Density Residential).

The Low Density Residential 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. The proposed R-PD5 zoning district would conform to the L land use designation.

<i>SPECIAL DISTRICTS/ZONES</i>	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 no Special Area Plans, Overlay Districts or Study Areas that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD zoned project are set out on the site plan. In the case of the subject proposal, these are as follows:

Standards	Proposed
Min. Lot Size	5,790 s.f.
Min. Lot Width	45.14 Feet
Min. Setbacks	
• Front	18 ft. to garage face, 10 ft. to front of house
• Side	3 Feet
• Corner	3 Feet
• Rear	25 ft. to first story, 35 ft. to second story
Max. Lot Coverage	Not indicated
Max. Building Height	2 Stories / 35 Feet

The applicant has advised that these proposed setbacks have been discussed with adjacent residents and there is some level of concurrence with these standards.

Also pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Ratio	Required Percent	Area	Provided Percent	Area
2.92 acres	5.48 u.p.a.	1.65	9.0 %	11,447 SF	7.5%	9,607 SF

As currently configured, the site plan is slightly deficient in open space. The applicant has indicated that a revised site plan will be submitted that addresses the deficit. If not, a condition of approval for the companion site plan application (SDR-4004) will require that a Variance application be submitted and approved by the City Council prior to site plan approval.

B) General Analysis and Discussion

The minimum site area eligible to rezone to an R-PD zoning district is five acres. The subject area contains 2.92 gross acres. A companion Variance request (VAR-4005) will address this issue. The proposed rezoning to R-PD5 (Residential Planned Development - 5 Units per Acre) conforms to the proposed L (Low Density Residential) land use category in the General Plan, which is the subject of another companion application (GPA-4000). The proposed development (SDR-4004) will result in the construction of 16 single-family homes having a density of 5.47 units per gross acre, below the 5.5 u.p.a. maximum density allowed within L (Low Density Residential) designation. The development will feature 24-foot wide private drives with "L" curbs and open space areas with amenities that, in total, are slightly deficient with respect to the requirements of an R-PD district.

The proposed zoning is compatible as a transitional element with the size and density of surrounding lots. Lots to the east and south of the proposed development meet the development standards for the R-PD2 (Residential Planned Development - 2 Units per Acre) or R-E (Residence Estates) zoning districts, with most lots approximately 10,000 square feet or so in size. Lots in the proposed development will average approximately 5,800 square feet. The proposed development, although denser than the site to the east, will act as a transition in terms of density to Buffalo Drive the west of the site.

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 proposed Rezoning to R-PD5 (Residential Planned Development - 5 Units per Acre) conforms to the density range allowed by the proposed L (Low Density Residential) General Plan Designation. Properties to the north, south, and east of the subject property share the current DR (Desert Rural Density Residential) General Plan designation of the subject site.

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 attached single-family residential uses proposed on the subject property are proposed at a somewhat higher density than the adjacent properties to the east and south, but will represent a reasonable transition in density from the lower-density uses and zoning designations of these adjacent properties.

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

The density and size of the lots proposed for the property to be rezoned represent a reasonable transition between Buffalo Drive and the rural density lots to the east. It is not reasonable to expect rural density development along a Primary (100-foot) Arterial such as Buffalo Drive. The proposed rezoning is therefore 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."

Access to the property is provided by Buffalo Drive, identified as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. This road is adequate to meet the traffic demands of the proposed single-family residential development.

NOTICES MAILED 90 by Planning Department

APPROVALS 0

PROTESTS 5 (former application)



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 20X-4003 APN: _____

Name of Property Owner: Valencia Communities Inc

Name of Applicant: Scott Collins

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: _____

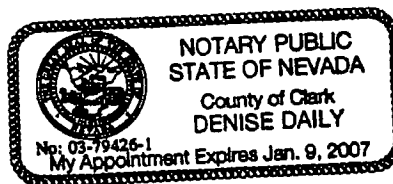
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: Christopher Ferguson, President

Subscribed and sworn before me

This 23rd day of February, 2007

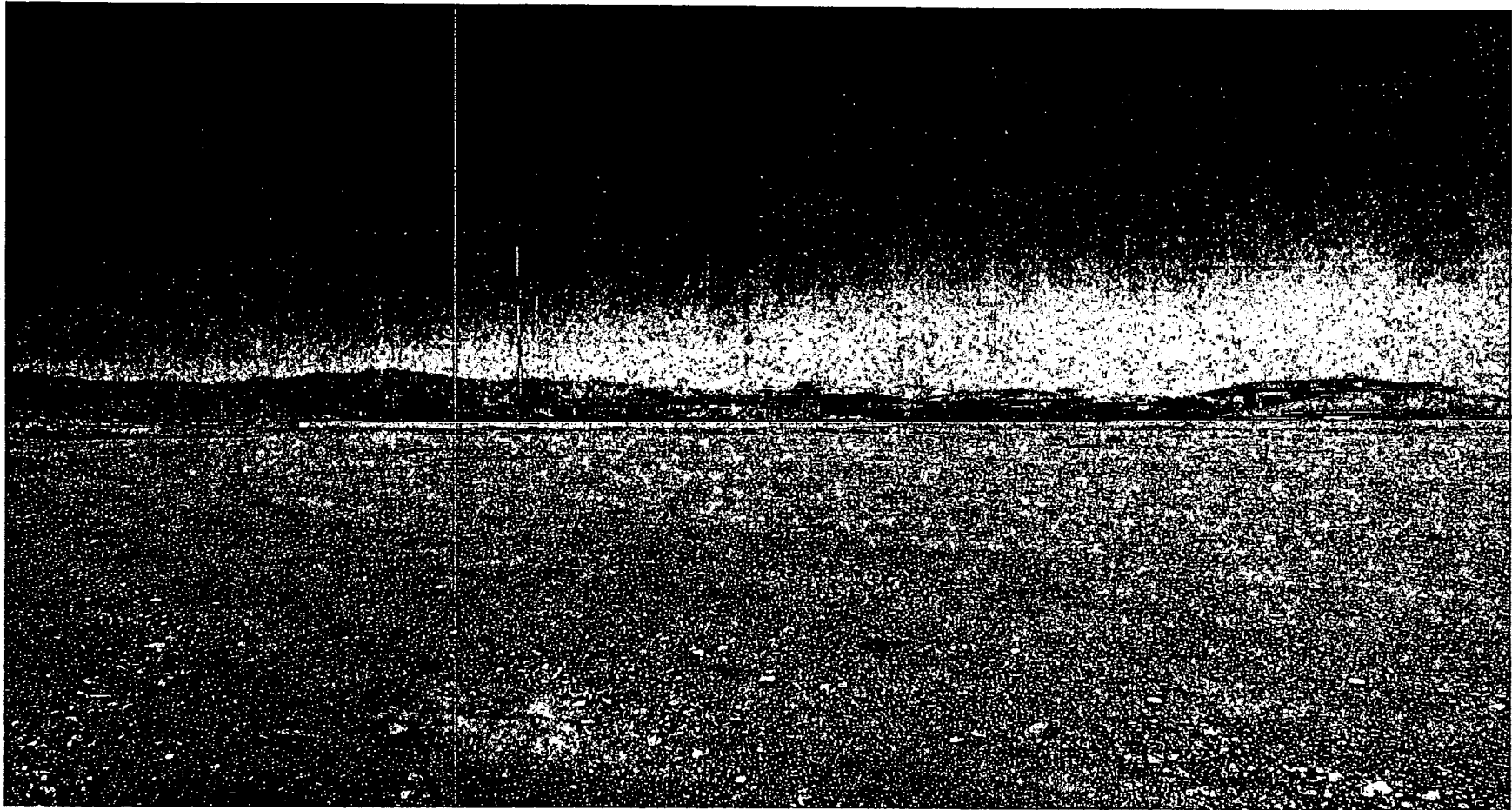
[Signature]
Notary Public in and for said County and State





ZON-4003 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



ZON-4003 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: JULY 7, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RECONSIDER - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4000, VAR-4005 AND ZON-4003 - PUBLIC HEARING - **SDR-4004** - **APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.** - Request for a Site Development Plan Review FOR A 28-UNIT ATTACHED SINGLE-FAMILY DEVELOPMENT on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), R-E (Residence Estates) Zone, Proposed: R-PD10 (Residential Planned Development - 10 Units per Acre), Ward 1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend DENIAL. Staff recommends APPROVAL based on the revised request. (NOTE: The applicant is now amending the application to a 16 unit detached development)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL. Staff recommends APPROVAL based on the revised request.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Revised site plan submitted by staff

MOTION:

MONCRIEF - APPROVED subject to conditions, amending Condition 3 and Condition 4 as follows:

3. All development shall be in conformance with the site plan dated 6/18/04 and building elevations submitted 7/7/04, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 6 feet and building height shall not exceed two stories or 35 feet, whichever is less.

And added condition:

- *The eastern lots shall be expanded in size by the elimination of the open space shown on this current site plan. Any reduction of mandatory open space shall require the approval of a Variance by the Planning Commission.*

- UNANIMOUS

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 187 – SDR-4004

MOTION Continued:

NOTE: The initial motion by MONCRIEF, which carried unanimously, was subsequently reconsidered upon motion by GOODMAN, which also carried unanimously, in order to clarify Condition 4 and add a condition.

NOTE: A Combined Verbatim Transcript of Item 180 [GPA-4000 Rescind], Item 181 [VAR-4005 Rescind], Item 182 [ZON-4003 Rescind], Item 183 [SDR-4004 Rescind], Item 184 [GPA-4000], Item 185 [VAR-4005], Item 186 [ZON-4003] and Item 187 [SDR-4004] is made a part of the Final Minutes under Item 180 [GPA-4000 Rescind].

(6:47 – 7:19)
7-1243

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4000) to an L (Low Density Residential) land use designation, a Rezoning [ZON-4003] to an R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District and a Variance (VAR-4005) to allow R-PD zoning to be applied to a site smaller than five acres, 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 and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 6 feet and building height shall not exceed three stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side or corner side and 25 feet in the rear (first story) or 35 feet in the rear (second story).
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to meet open space, setbacks, driveway lengths and handicap parking requirements per Code as agreed to by the applicant.
7. 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

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 187 – SDR-4004

CONDITIONS Continued:

- minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
 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 Title 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. 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 City Code requirements and design standards of all City departments must be satisfied.
 14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
 15. All development shall be in conformance with the site plan and building elevations, date stamped 06/17/04, except as amended by conditions herein.

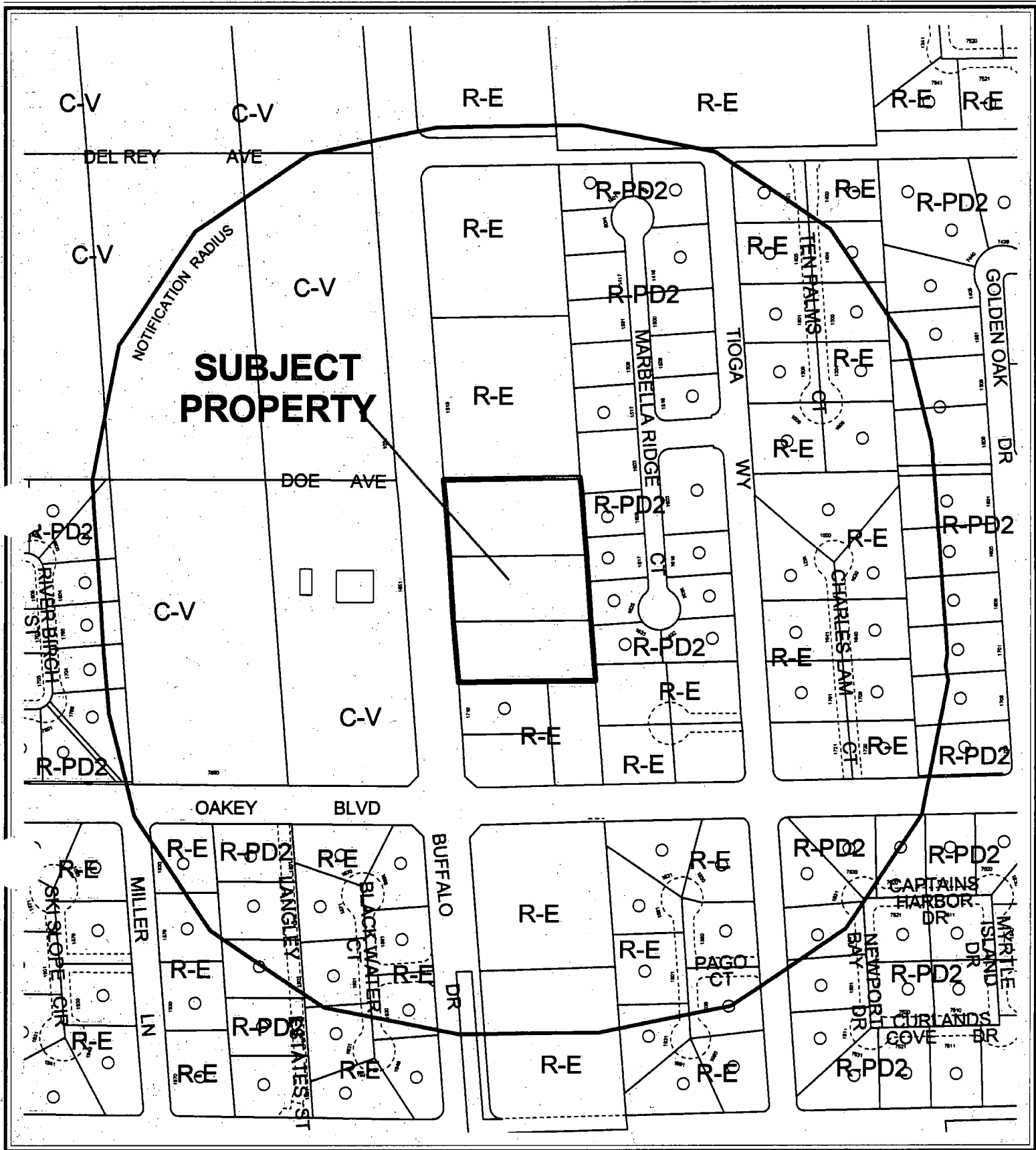
Public Works

16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Driveways shall have a minimum ingress and egress radius of 25-feet unless otherwise allowed by the City Traffic Engineer.
17. Private streets and private drives shall be common lots that are offered as a public utility easements (P.U.E), City of Las Vegas public sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
18. The distance from the face of the garage door to the back of sidewalk (or curb, if no sidewalk is proposed) shall be a minimum distance of 18 feet or a maximum distance of 5 feet to prevent a vehicle in the driveway from encroaching into the vehicular or pedestrian travel corridor.

CITY COUNCIL MEETING OF JULY 7, 2004
Planning and Development Department
Item 187 – SDR-4004

CONDITIONS Continued:

19. A Homeowners' 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.
20. 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.
21. Site development to comply with all applicable conditions of approval for ZON-4003 and all other subsequent site-related actions.
22. 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. Approval of this Site Development Plan does not constitute approval of any deviations
23. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
24. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary. Comply with the recommendations of the City Surveyor.



CASE: SDR-4004

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

0 200 400 Feet



187



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 7, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RECONSIDER - SDR-4004 - APPLICANT/OWNER:
VALENCIA COMMUNITIES, INC.**

**** CONDITIONS ****

The Planning Commission (5-2 vote) and staff recommended DENIAL of original request. Staff recommends APPROVAL based on revised request, subject to:

Planning and Development

1. A General Plan Amendment (GPA-4000) to an L (Low Density Residential) land use designation, a Rezoning [ZON-4003] to an R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District and a Variance (VAR-4005) to allow R-PD zoning to be applied to a site smaller than five acres, 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 and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 6 feet and building height shall not exceed three stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side or corner side and 25 feet in the rear (first story) or 35 feet in the rear (second story).
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to meet open space, setbacks, driveway lengths and handicap parking requirements per Code as agreed to by the applicant.
7. 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 minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
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 Title 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. 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 City Code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
15. All development shall be in conformance with the site plan and building elevations, date stamped 06/17/04, except as amended by conditions herein.

Public Works

16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Driveways shall have a minimum ingress and egress radius of 25-feet unless otherwise allowed by the City Traffic Engineer.
17. Private streets and private drives shall be common lots that are offered as a public utility easements (P.U.E), City of Las Vegas public sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
18. The distance from the face of the garage door to the back of sidewalk (or curb, if no sidewalk is proposed) shall be a minimum distance of 18 feet or a maximum distance of 5 feet to prevent a vehicle in the driveway from encroaching into the vehicular or pedestrian travel corridor.
19. A Homeowners' 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.
20. 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.
21. Site development to comply with all applicable conditions of approval for ZON-4003 and all other subsequent site-related actions.

22. 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. Approval of this Site Development Plan does not constitute approval of any deviations
23. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
24. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary. Comply with the recommendations of the City Surveyor.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 28-lot attached single-family residential project [revised to 16 single-family homes] on a 2.92-acre parcel located at 1700 South Buffalo Drive. Companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation [modified to the L (Low Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a rezoning (ZON-4003) from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre) [modified to R-PD5 (Residential Planned Development - 5 Units per Acre)] will be heard concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that R-PD zoning will allow the flexibility critical to generating a feasible design for this site. The applicant has indicated that the intent is to develop a project that is compatible with the character of the adjacent large-lot residential development to the east.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request to Annex (A-0009-85) approximately 1,509 acres of land, including the subject site. The effective date was 03/28/95.
- 03/20/96 The City Council denied a request for a Rezoning (Z-0091-95) on the northern portion of the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking). The Planning Commission recommended approval on 11/30/95.
- 11/23/98 The City Council approved a request (GPA-0027-98) to amend the Southwest Sector Map of the General Plan on properties bounded by the Holmby Channel, Via Olivero Avenue, Rainbow Boulevard and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). Staff had recommended approval. The Planning Commission and staff recommended approval on 10/22/98.
- 08/15/01 The City Council denied a request (GPA-0017-01) to amend the Southwest Sector Map of the General Plan from DR (Desert Rural Density Residential) to O (Office) on 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard. The Planning Commission had recommended approval on 07/12/01. Staff had recommended denial.

- 04/08/04 The Planning Commission recommended DENIAL to companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site.
- 04/08/04 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #37/gl)
- 05/05/05 The City Council DENIED the requested Site Development Plan Review (SDR-4004) and its companion applications.
- 07/07/04 The City Council will consider rescinding and reconsidering the requested Site Development Plan Review (SDR-4004) and its companion applications as revised.

B) Pre-Application Meeting

- 02/11/04 At the pre-application meeting, the applicant was advised that the project would require at least six different applications to proceed as designed. The applicant redesigned the project, and came back for a follow-up meeting held on 02/18/04. At this meeting, it was determined that revised plan would result in the elimination of open space Variance and Title 18 Waiver requests that would have been required with the initial design. Site planning concerns including setbacks, access, parking and landscaping issues were then discussed at this second meeting.

C) Neighborhood Meetings

- 03/08/04 There were 20 residents in attendance for the required neighborhood meeting for the General Plan Amendment. Their comments included the following:
- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
 - Residents had a preference for single-story or two-story custom homes.
 - Some residents indicated they would support one-story offices instead of residential.
 - Residents would like the Planning Commission agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
 - Residents would like the project to be gated.
 - Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
 - Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.

- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

The revised site plan has addressed many of these concerns by limiting proposed building heights to two stories, increasing second-floor setbacks adjacent to the existing residential to 35 feet (25 feet for the first floor), reducing the number of lots to 16, having all detached units, providing a gate and placing a significant open space component along the east property line.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.92

B) Existing Land Use

Subject Property: Undeveloped

North: Undeveloped

South: Single family residence and undeveloped

East: Single family residential; small park at the northeast corner

West: Park

C) Planned Land Use

Subject Property: DR (Desert Rural Density Residential)

North: DR (Desert Rural Density Residential)

South: DR (Desert Rural Density Residential)

East: DR (Desert Rural Density Residential)

West: P/R/OS (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property: R-E (Residence Estates)

North: R-E (Residence Estates)

South: R-E (Residence Estates)

East: R-PD2 (Residential Planned Development - 2 Units per Acre)

West: C-V (Civic)

E) General Plan Compliance

The subject site is currently designated on the Southwest Sector Plan map as DR (Desert Rural Density Residential). A companion request (GPA-4000) would change the designation of this site to L (Low Density Residential).

The Low Density Residential 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. The proposed R-PD5 zoning district would conform to the L land use designation. The site plan as revised conforms to the R-PD5 zoning district.

<i>SPECIAL DISTRICTS/ZONES</i>	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 no Special Area Plans, Overlay Districts or Study Areas that affect the subject site.

PROJECT DESCRIPTION

The site plan depicts 16 single-family residential lots on 2.92 gross acres, resulting in a density of 5.47 dwelling units per acre. These lots will have access to two 24-foot wide private drives that extend from a central vehicular circle inside the gated entrance. Access to the development will be from one gated entrance from Buffalo Drive. These lots average approximately 5,800 square feet in size, with typical lot dimensions of 45 feet in width by 129 feet in depth. Setbacks proposed for this development are 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side or corner side and 25 feet in the rear (first story) or 35 feet in the rear (second story). There is a six-foot landscape buffer outside the perimeter wall along Buffalo Drive.

The applicant has proposed a 7,307 square-foot landscaped common area opposite the main entrance, with 10-foot wide open space strips along each side of the main entrance. These open space areas in total are slightly below the development's open space requirement, but the applicant has indicated that the site plan will be revised to reflect open space which meets Code requirements.

The elevations show three building types for two-story residential products. Floor plans indicate an average living area of 3,800 square feet per unit. Each dwelling will feature a two-car garage; driveway lengths will be a minimum of 18 feet to the curb. A condition of approval will require the applicant to ensure that all driveways lengths be designed to meet standards. Materials include painted plaster exteriors, wood roof overhangs, and concrete tile roofs.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD zoned project are set out on the site plan. In the case of the subject proposal, these are as follows:

Standards	Proposed
Min. Lot Size	5,790 s.f.
Min. Lot Width	45.14 Feet
Min. Setbacks • Front • Side • Corner • Rear	18 ft. to garage face, 10 ft. to front of house 3 Feet 3 Feet 25 ft. to first story, 35 ft. to second story
Max. Lot Coverage	Not indicated
Max. Building Height	2 Stories / 35 Feet

The applicant has advised that these proposed setbacks have been discussed with adjacent residents and there is some level of concurrence with these standards.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that 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	Units	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Single Family, Detached	16 Units	2 spaces/unit	32 spaces	none	32 spaces	
Totals	16 Units		32 spaces	none	32 spaces	1 space

The project as proposed exceeds the parking requirements of Title 19, as the plan depicts four guest parking spaces, including one van-accessible parking space, not required by Code.

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	
Buffer: • Min. Trees	1 Tree/20 Linear Feet (441 Feet)	23 Trees	Not Indicated
• Min. Zone Width • Wall height	6 Feet 6 Feet		6 Feet 7 Feet

The applicant has not provided a detailed landscaping plan that shows how many trees and shrubs will be planted in the perimeter strip along Buffalo Drive. If this application is approved, a condition of approval will require this information to be provided prior to the issuance of any building permits.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
2.92 acres	5.48 u.p.a.	1.65	9.0 %	11,447 SF	7.5%	9,607 SF

As currently configured, the site plan is slightly deficient in open space. The applicant has indicated that a revised site plan will be submitted that addresses the deficit. If not, a condition of approval for the companion site plan application (SDR-4004) will require that a Variance application be submitted and approved by the City Council prior to site plan approval.

B) General Analysis and Discussion

- **Zoning**

The site is currently zoned R-E (Residential Estates). A companion Rezoning request (ZON-4003) would, if approved, rezone the subject property to R-PD5 (Residential Planned Development - 5 Units per Acre). This designation would be compatible with the proposed L (Low Density Residential) General Plan designation for the site (GPA-4000), which would allow a density of up to 5.5 dwelling units per acre.

These proposed new zoning and General Plan categories are compatible as transitional elements with adjacent low-density development, most of which is zoned and developed at two units per acre.

- **Site Plan**

The site plan meets standards with respect to density if the companion General Plan Amendment, Rezoning and Variance applications are approved. The development proposed for this site is compatible as a transitional element with the established development pattern of lots surrounding it.

- **Waivers**

No Waivers have been requested as part of this application.

- **Landscape Plan**

No conceptual landscape plan has been provided. The site plan and elevations indicate, however, that a six-foot landscaping planter will be provided outside the seven-foot perimeter wall along Buffalo Drive, and that palm trees and shrubs will be planted in this area. Staff will work with the applicant to ensure that a landscape plan that shows a sufficient amount and type of planting to meet the requirements of Title 19.12 and the Landscape, Wall, and Buffer Standards.

- **Elevation**

The proposed elevations depict three different designs of two-story homes which are fully detached. The units display balconies and a significant amount of exterior detail, including pop-outs, columns and individual garage doors. These homes are capped with low-angle tile roofs.

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 features a somewhat density than the residential properties adjoining it to the east and south; however, the development as now proposed will provide an acceptable transitional density between these sites to the east and Buffalo Drive to the west. The proposed development is therefore 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;”**

The proposed development is consistent with the General Plan, provided a companion General Plan Amendment is approved. It is generally consistent with Title 19, and with other city standards and policies, as currently designed.

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

Access to the property will be available from Buffalo Drive, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. This street is adequate to meet traffic demands of this proposed attached single-family residential development.

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 in this portion of the City. If this plan is approved, a landscaping plan would have to be provided, detailing how trees and additional shrubs would be placed to conform to Title 19.12 and the Landscape, Wall, and Buffer 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 proposed elevations depict two-story homes, which are consistent with the scale of existing homes typical in this area of the city.

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 90 by Planning Department

APPROVALS 0

PROTESTS 5 (former application)



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4004 APN: _____

Name of Property Owner: Valencia Communities, Inc.

Name of Applicant: Valencia Communities, 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: _____

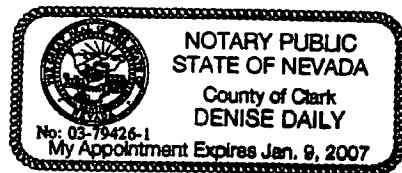
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: Christopher Ferguson, Resident

Subscribed and sworn before me

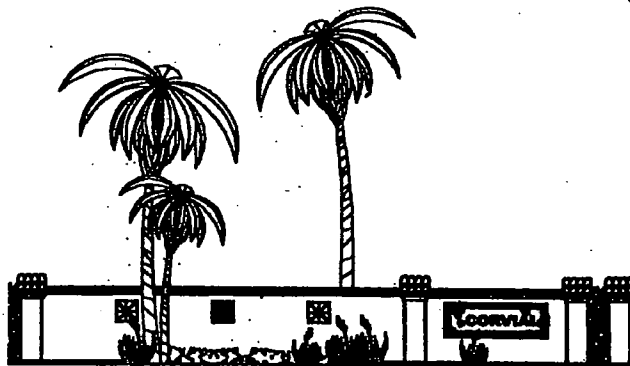
This 23rd day of February, 2004

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

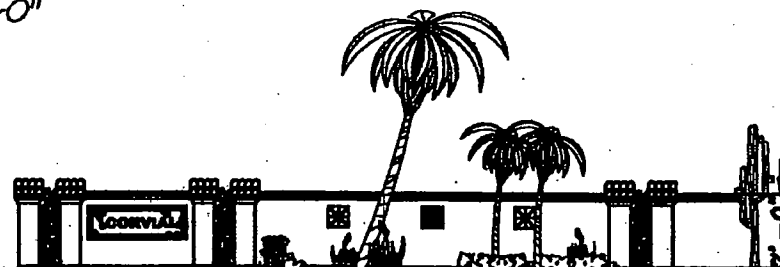




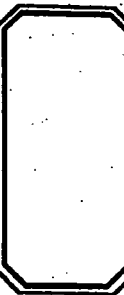
FRONT ELEVATION
SCALE: 3/16" = 1'-0"



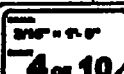
FRONT ELEVATION
SCALE: 3/16" = 1'-0"



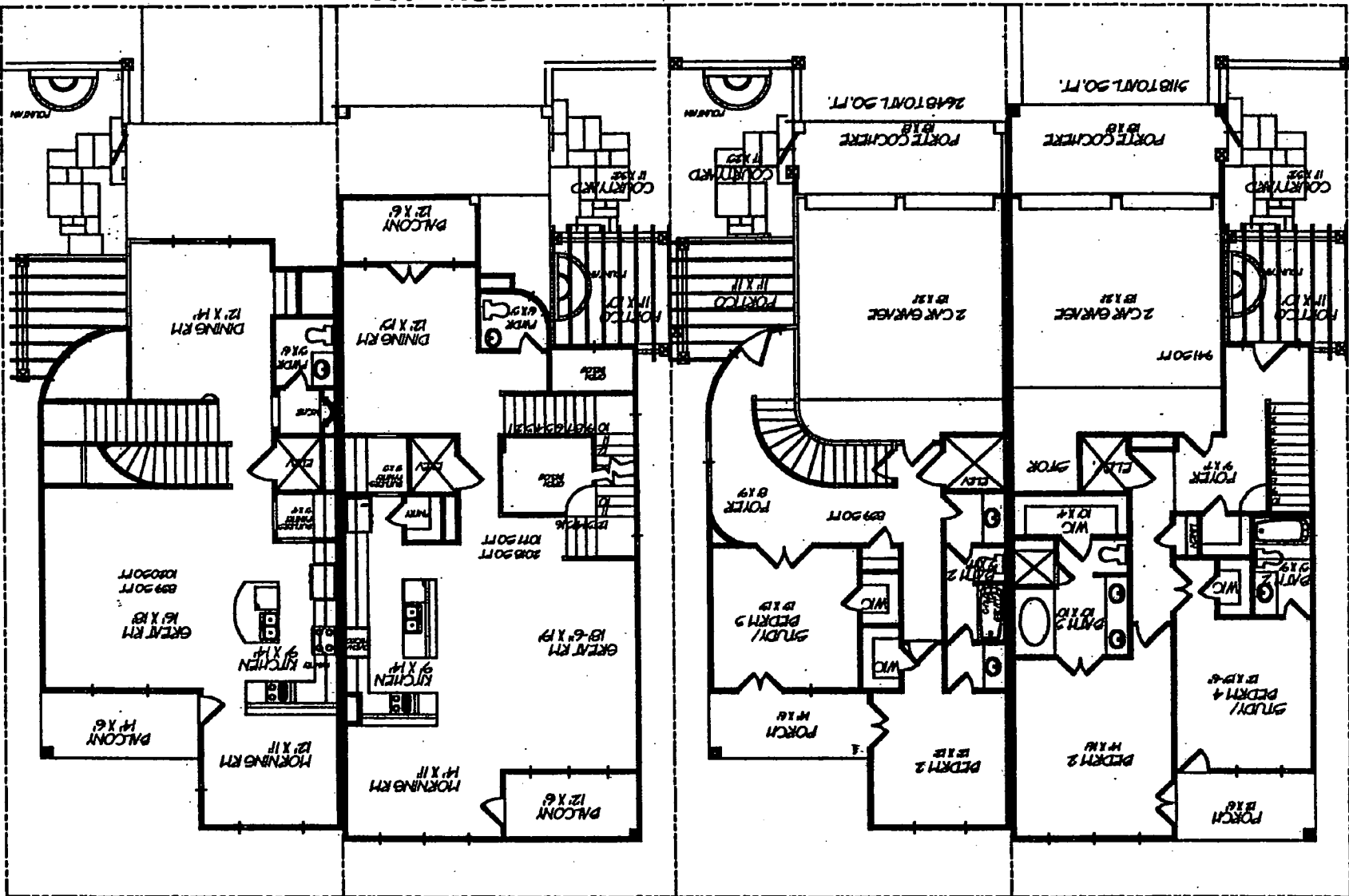
ZON-4003
SDR-4004
VAR-4005



BUNKER HILL DESIGN CO.



CORVIALE
LAS VEGAS

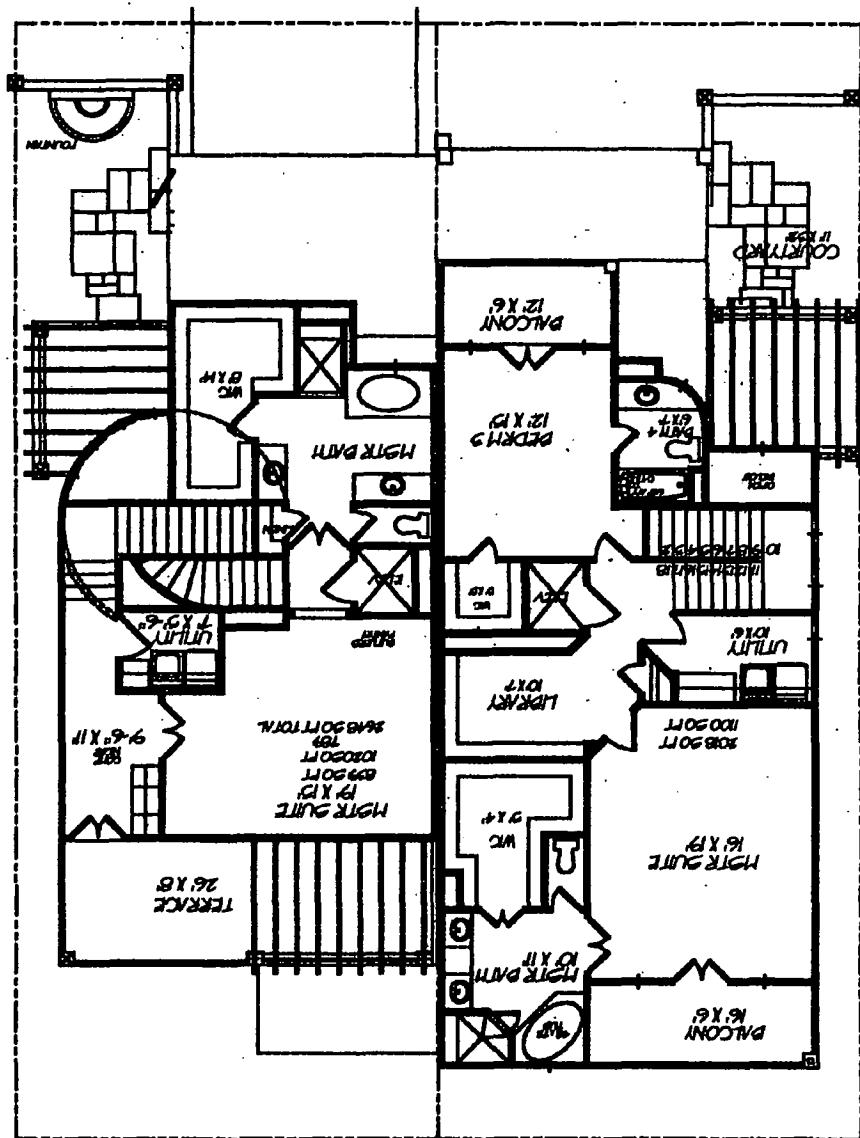
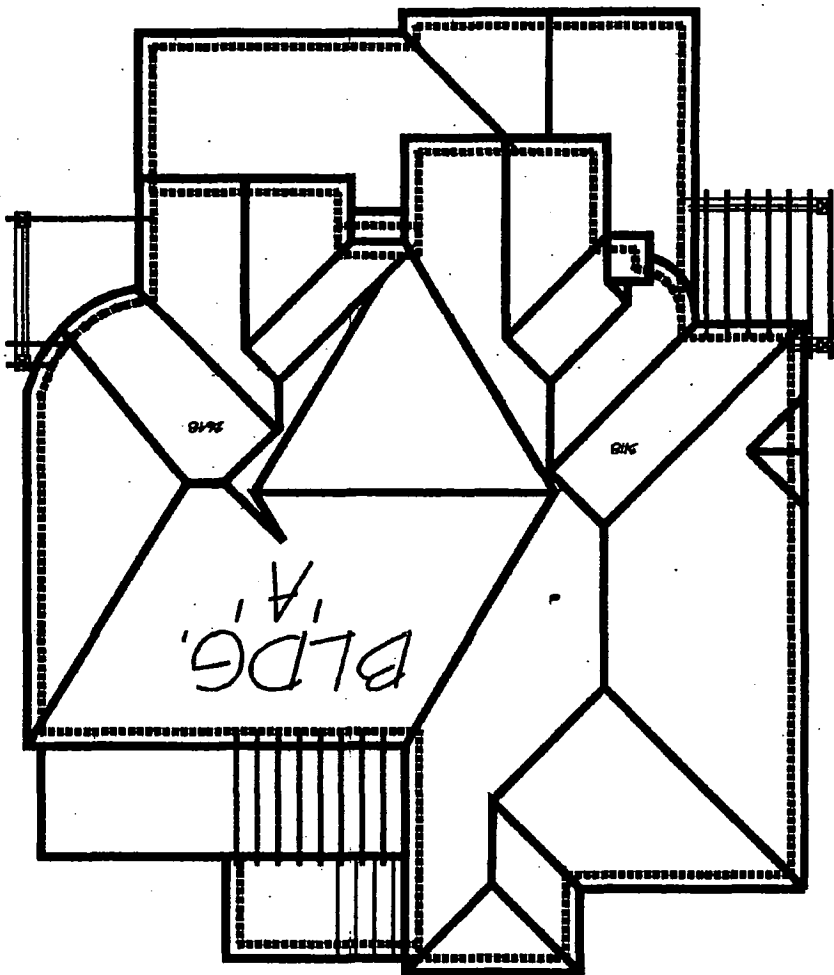


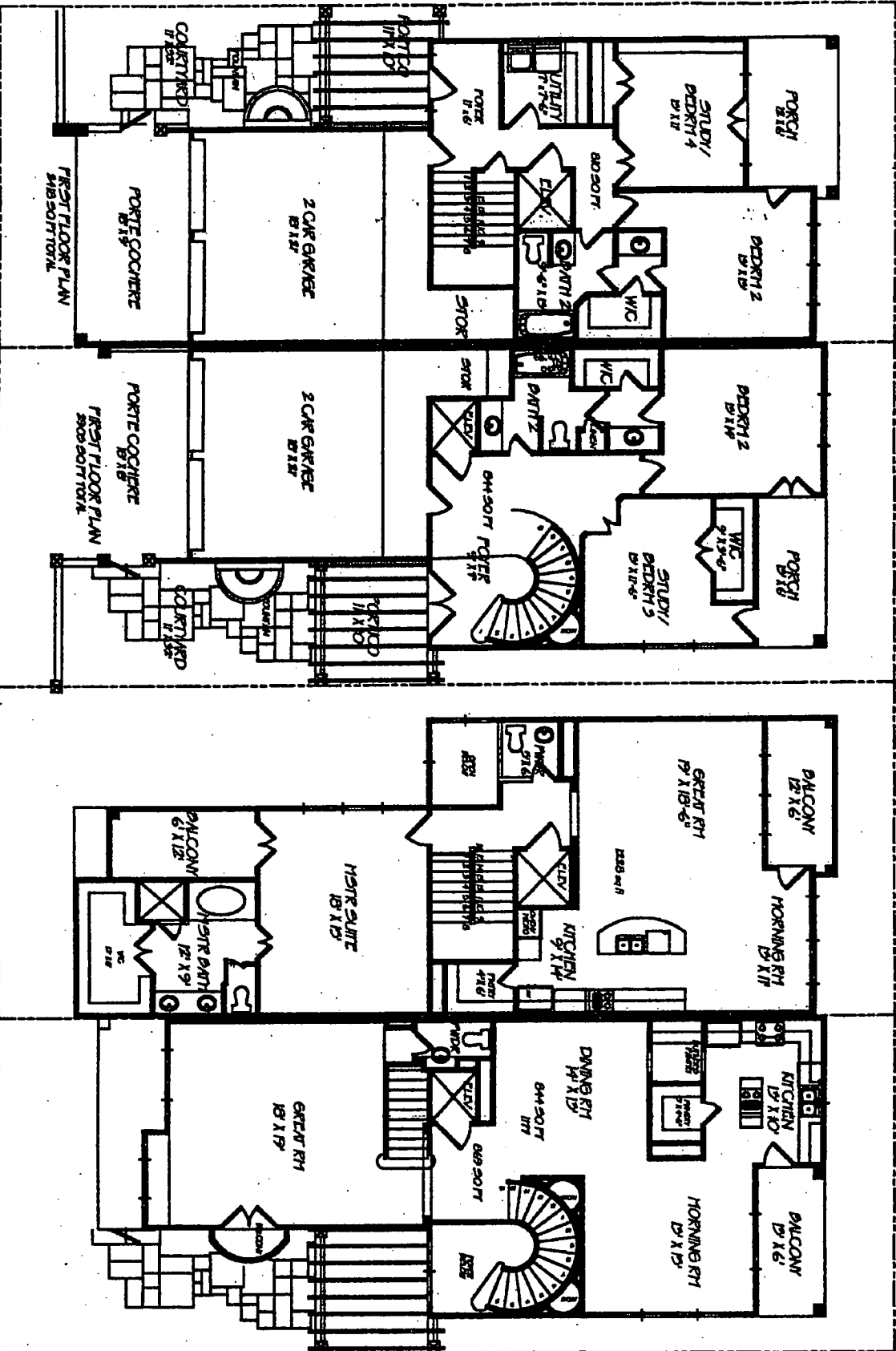
ZON-4003
SDR-4004
VAR-4005

BUNKER HILL DESIGN CO.

CORVIALE
LAS VEGAS

BLDG. 11A





ZON-4003
 SDR-4004
 VAR-4005

CORVIALE
 LAS VEGAS

PINKER HILL DESIGN & ARCHITECTURE

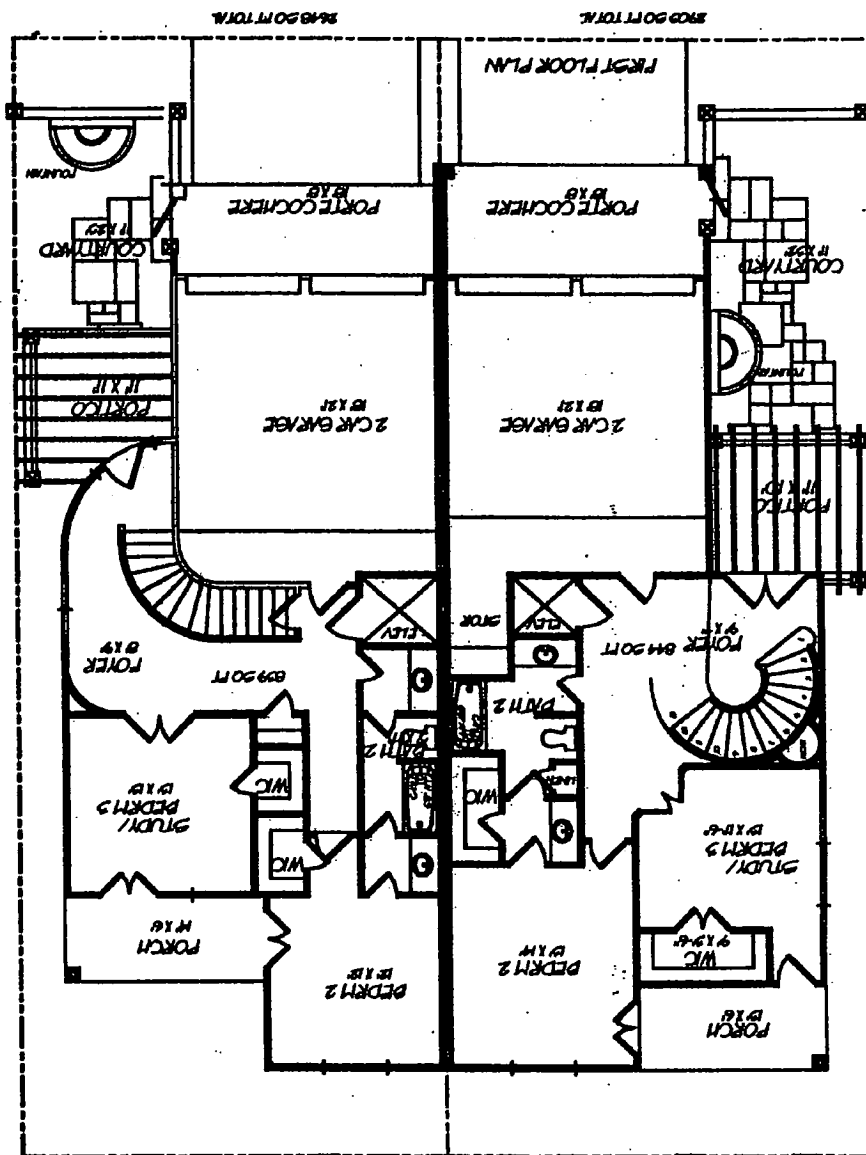
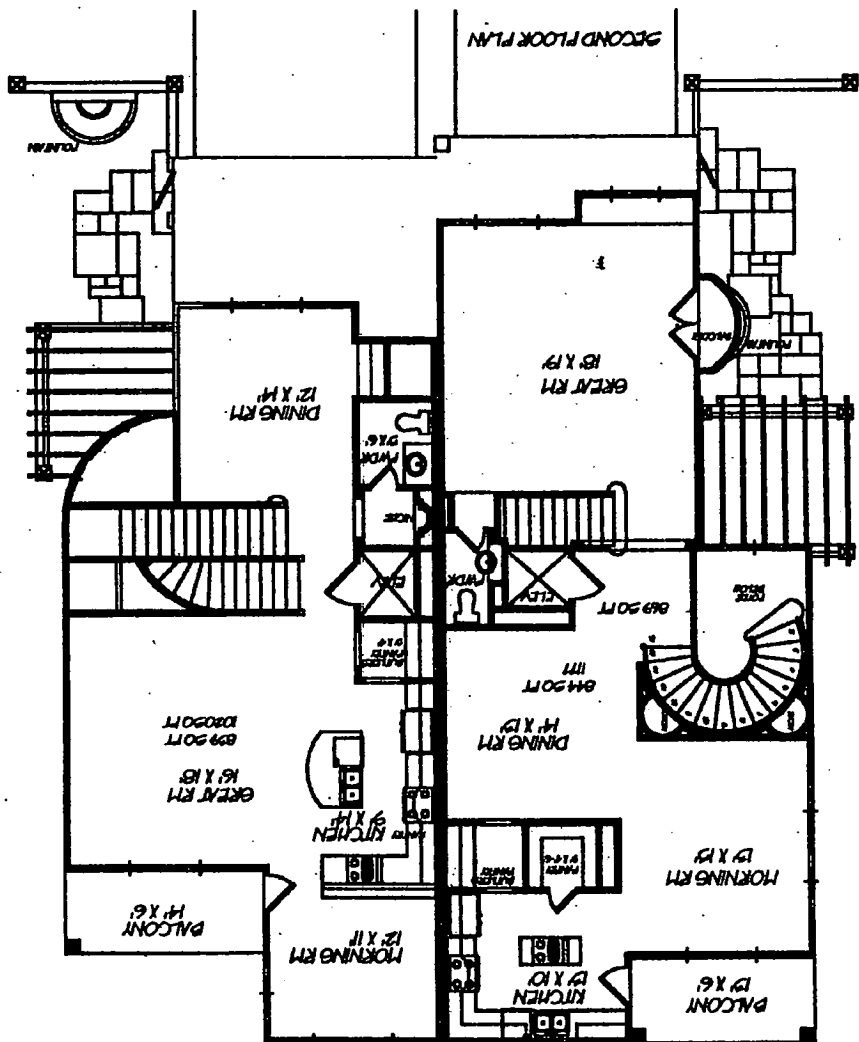
BLDG. 5'

7 or 10

TO ORDER, CALL 1-800-368-2746

ZON-4003
SDR-4004
VAR-4005

CORVALE
LAS VEGAS





SDR-4004 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



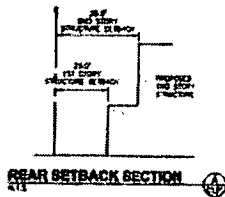
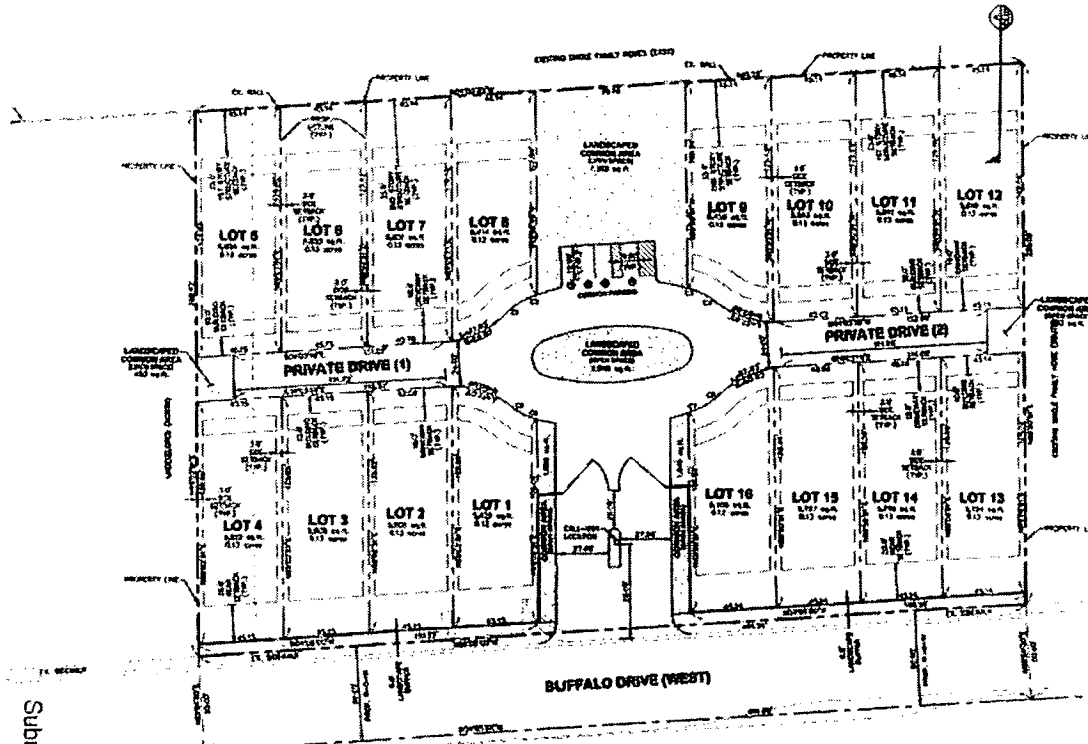
SDR-4004 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

SDR-4004

REVISÉD

REVISED
10-29-04



OPEN SPACE REQUIREMENTS

OPEN SPACE REQUIRED
 PROJECT AREA: 8.3 CHAIN SQUARE
 PROJECT AREA: 2.9 CHAIN SQUARE
 REMAINDER AREA FOR OPEN SPACE = 0.75 CHAIN SQUARE
 OR = 14,625 S.F. SQUARE FEET
 OPEN SPACE REQUIRED
 0.75 CHAIN SQUARE OR 12,720 SQUARE FEET

[illegible]

GPA-4000	ZON-4003
VAR-4005	SDR-4004

REVISED
7-7-04 CC

[illegible]

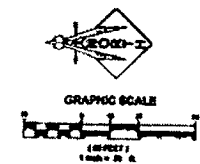
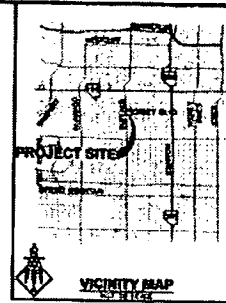
A.P.N.:
443-47-228-474, 785-34-227-304, 154-00-244-004

BENCHMARK:
CITY OF LAS VEGAS BENCHMARK NO. 175464, WEST END
PLANE ON TOP OF CONCRETE SUPPORT BEHIND OF QUALITY
FOUNTAIN AND BUFFALO CRANE.

Q578-204 = 15.32.12 1957 21000 20.500 879 7.000 1000000

Find out if you're getting
what you're paying for.
Call
before you
Dig
1-800-827-8800

SAFETY ALERT
Call
Before You
Overhead
1-800-627-6979



LOCHSA ENGINEERING
Rt Hon Mr. Vengal Rao
101, 102, 103, 104, 105, 106, 107
108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 9

CORVALLIS
LAS VEGAS

Page	1
Volume	1
Issue	1

1.1E.

01
03

Case #	77-100	Item	81#	Date	6/10/91
--------	--------	------	-----	------	---------

Submitted after final agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

SUP-4289, SUP-4382, SUP-4423, SUP-4442, SUP-4443, SUP-4444, SUP-4464, VAR-4397, VAR-4424, VAR-4456, VAR-4467, VAR-4590, VAC-4457, VAC-4460, VAC-4463, VAC-4472
- 7/21/2004 AGENDA

City of Las Vegas

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 7, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

ADDENDUM:

**AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 7, 2004**

CITIZENS PARTICIPATION:

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

MINUTES:

MAYOR GOODMAN emphasized that it has always been Council policy to allow citizens to speak on any topic during Citizens Participation, including items that were on the agenda for the day's proceedings. There has never been a limitation prohibiting someone who wanted to speak about an item that has already been ruled upon from participating in this part of the agenda.

(7:19 – 7:21)

7-2582

DOROTHY R. BARNES, Las Vegas resident, asked that political leaders help her. She is tired of being oppressed. Her ex-husband is in town and tormenting her. She expressed displeasure with a Marshal who arrested her at the bus depot. As a veteran, she would like equal rights to jobs and organizations that help women.

(7:21 – 7:24)

7-2635

STEVEN "CAPTAIN TRUTH" DEMPSEY, submitted an issue of Gaming Today for the Mayor. He congratulated COUNCILMAN WOLFSON and explained that he has been coming down to speak during Citizens Participation for approximately 22 months. He indicated that a future episode of Dateline would be covering issues of Las Vegas, including beatings, muggings, credit card fraud and a fatality that occurred near a topless dancing establishment. He said many people are counting on COUNCILMAN WOLFSON to uphold his oath of office and that he would get the files to the Councilman's office regarding his issues and concerns. He referenced a strip club with 737 police calls over the past three years and nothing being done about it due to a criminal investigation.

(7:24 – 7:27)

7-2795

MEETING ADJOURNED AT 7:27 P.M.