

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: AUGUST 18, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4594 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SAITTA FAMILY TRUST - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A 40 FOOT HIGH, 10 FOOT X 40 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2100 South Decatur Boulevard (APN 162-06-301-006), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0**0****APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**0****RECOMMENDATION:**

The Planning Commission (4-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Mountain View Estates
5. Submitted after final agenda – Request for abeyance by Mountain View Estates filed under #112

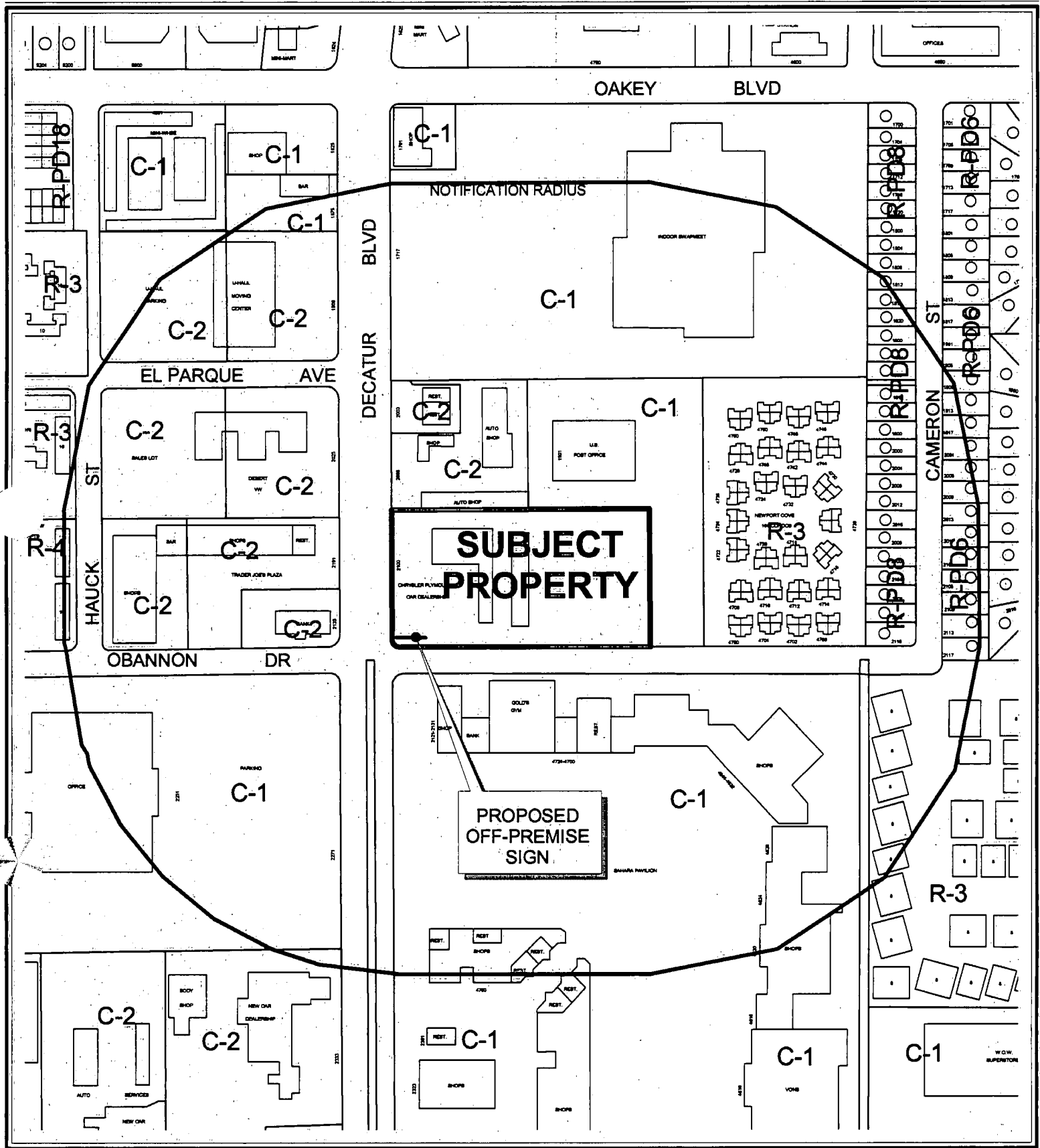
MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN disclosed that Item 93 [DIR-4797], Item 112 [SUP-4592], Item 113 [SUP-4593] and Item 114 [SUP-4594] deal with billboard signs, and discussion is taking place in his law firm about billboards, but it will not affect these billboards. Therefore, he will be voting on all the mentioned items.

(1:04 – 1:10)

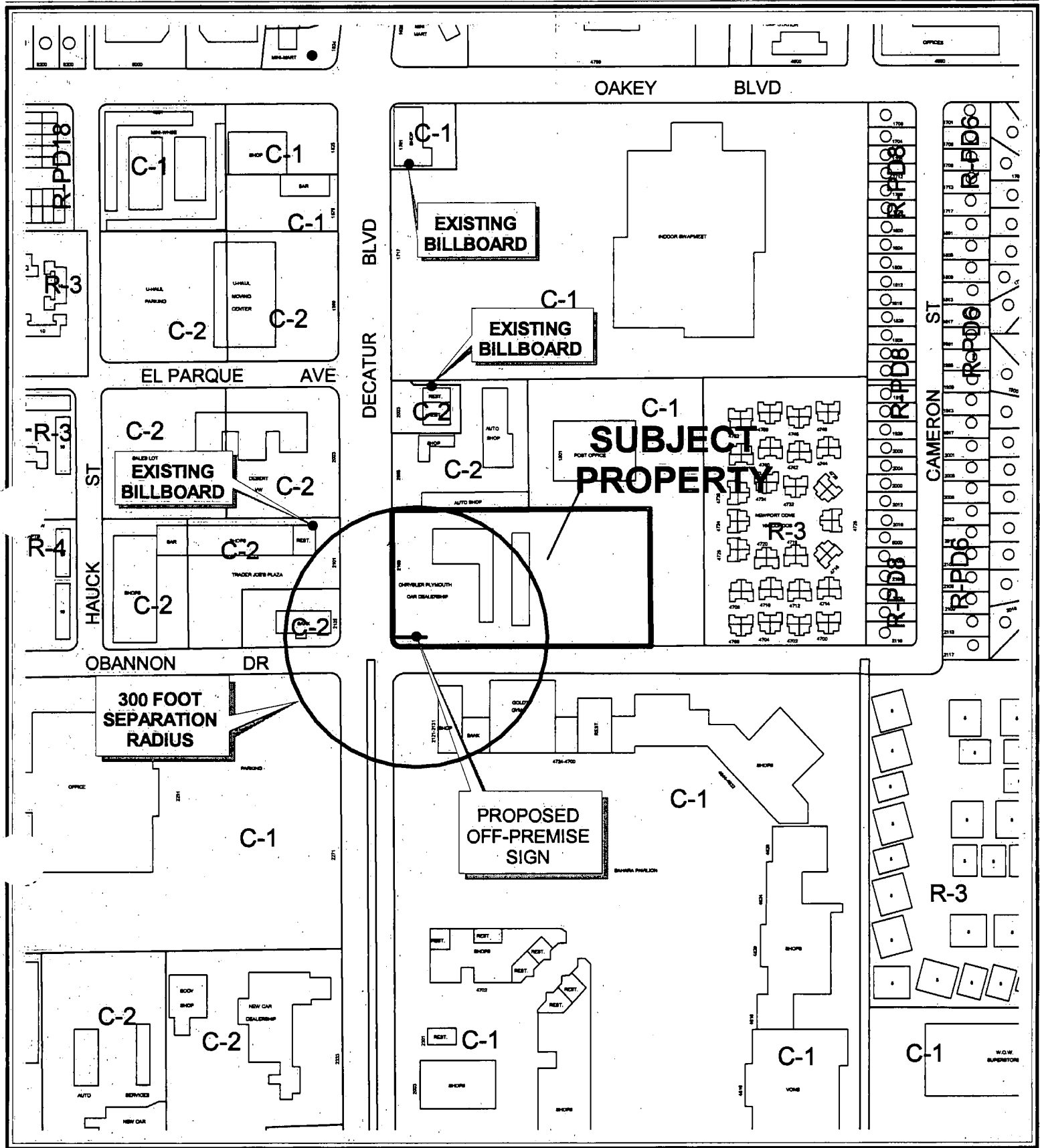


CASE: SUP-4594

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



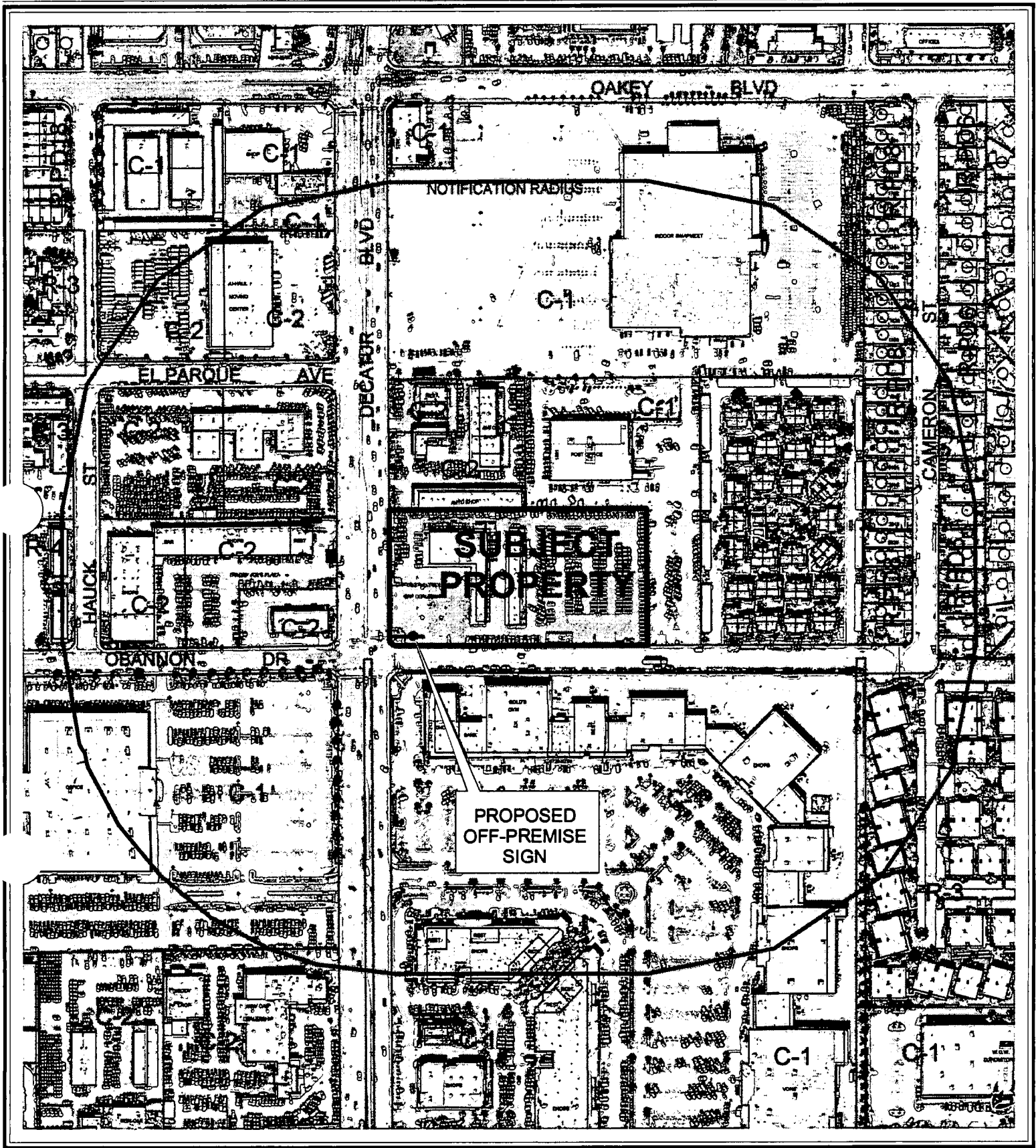


CASE: **SUP-4594**

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)





CASE: SUP-4594

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-4594 APPLICANT: MOUNTAIN VIEW ESTATES -

OWNER: SAITTA FAMILY TRUST

**** CONDITIONS ****

The Planning Commission (4-2 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
5. Only one advertising sign is permitted per sign face.
6. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

8. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is an Appeal filed by the applicant from the Denial of the Planning Commission of a request for a Special Use Permit for a 40 foot high, 10 foot x 40 foot off-premise advertising (billboard) sign at 2100 South Decatur Boulevard.

B) *Applicant's Justification*

The billboard will be located in a commercial area that is zoned for this use. It will be located more than 300 feet from any other billboard located on Decatur Blvd. The proposed sign will be located at least 50 feet from the intersection of Decatur Blvd and O'Bannon Drive.

BACKGROUND INFORMATION

A) *Previous Actions*

01/02/85 The City Council approved a Rezoning (Z-0087-84), from R-1 (Single Family Residential) and R-3 (Medium Density Residence) to C-2 (General Commercial) with the proposed use of a used car dealership. The Planning Commission and staff recommended approval.

07/24/86 The Board of Zoning Adjustment approved a Variance (V-0062-86), allowing three on-premise ground signs, where one is allowed.

07/22/04 The Planning Commission voted 4-2 to recommend DENIAL (PC Agenda Item #65/srs).

B) *Pre-Application Meeting*

04/07/04 Elements of this type of special use permit were discussed.

C) *Neighborhood Meetings*

Neighborhood meetings are neither required for this type of application, nor were any held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 4.27 acres

B) Existing Land Use

Subject Property: auto repair
North: shops, restaurant
South: shopping center
East: post office, residential
West: strip retail

C) Planned Land Use

Subject Property: GC (General Commercial)
North: GC (General Commercial)
PF (Public Facility)
South: SC (Service Commercial)
East: SC (Service Commercial)
PF (Public Facility)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-1 (Limited Commercial)
East: C-1 (Service Commercial)
West: C-2 (Limited Commercial)

E) General Plan Compliance

Southeast 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
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

ANALYSIS

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.14.100(C)(11), the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in any "R" zoning district	650 feet to nearest Residential property line.

This proposed Off-Premise Advertising (Billboard) Sign is located approximately 650 feet from the "R" zoned property to the north and in excess of 300 feet from any other Off-Premises Advertising (Billboard) Sign; it therefore complies nominally with Zoning Code standards.

B) General Analysis and Discussion

- Zoning

The subject billboard is an allowed use within the C-2 (Limited Commercial) zoning district with approval of a Special Use Permit.

- Use

Title 19.14.100 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. Overall height of an Off-Premises Advertising Sign is limited to 40 feet. The Code also requires Off-Premises Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premises signs. The proposed sign meets these Code requirements with regards to distance separation.

FINDINGS

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

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

Title 19.14.100 (B) (2) states that the Planning Commission and City Council may consider the aesthetic impact of the sign on the area and all other aspects of the sign's compatibility with the surrounding area, including the existence or nonexistence of other signage in the area.

The area at the intersection of Decatur Boulevard and O'Bannon Drive is visually congested. Auto dealership banners and balloons compete with mismatched strip mall signs and nearby billboards, compounded by a large rainbow colored, faux-hot-air advertising balloon.

Specifically, existing on-premise signage has already been installed pursuant to a Variance granted in 1986 allowing three on-premise ground signs, where one is allowed. Approval of a billboard in this context will further unbalance this urban landscape.

Also, O'Bannon Drive is a minor roadway, collecting small amounts of traffic going to and from residential areas. Off-premise advertising is not harmonious here.

While this proposed billboard meets the technical requirements of the City of Las Vegas Zoning Code, the aesthetic impact of the sign on the area would be that of excessive visual clutter. Planning staff recommends DENIAL.

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

The site is physically suitable for the type and intensity of land use proposed.

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

Not applicable to this type of special use.

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

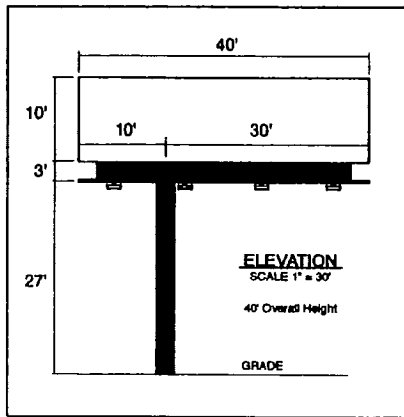
This proposed use is inconsistent with the overall objectives of the Master Plan 2020, specifically:

"the visual image of the streetscape and roadscape environments is perhaps the most important single factor in the perception of quality of life for both the resident and the visitor to Las Vegas."

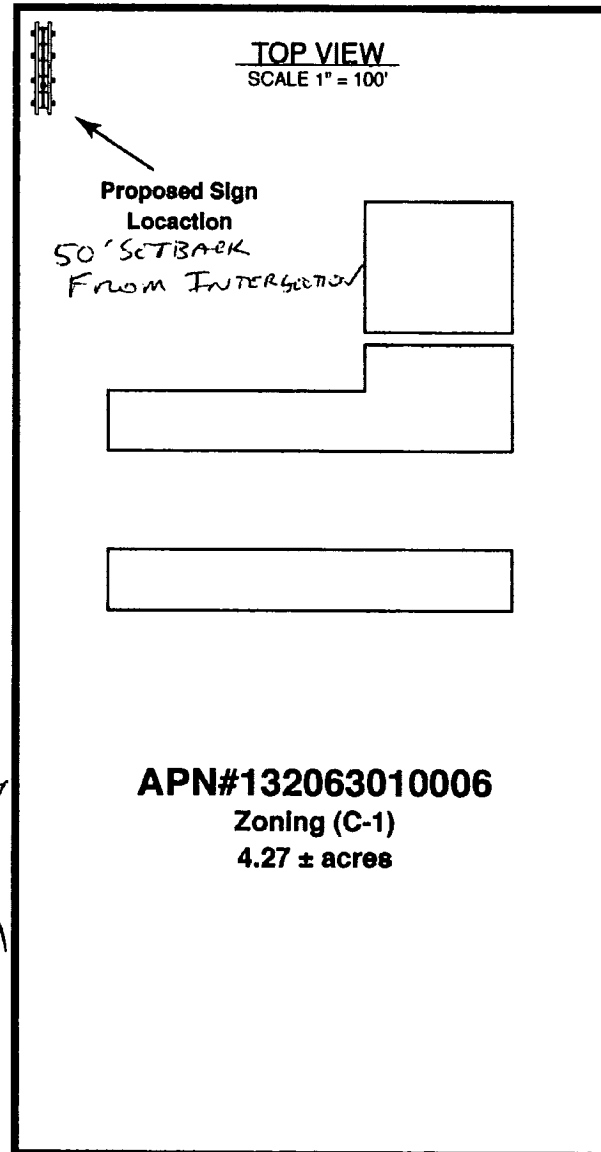
NOTICES MAILED 146 by City Clerk

APPROVALS 0

PROTESTS 0



DECATUR BLVD.



O'BANNON

PL ± 609

DRIVE

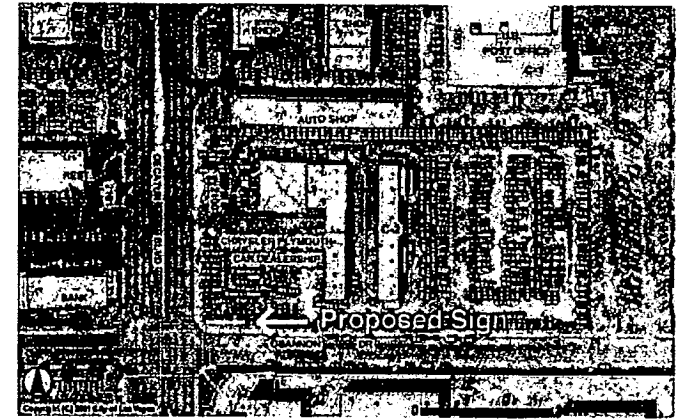
310' ±

C-1
Zone

C-2 Zone

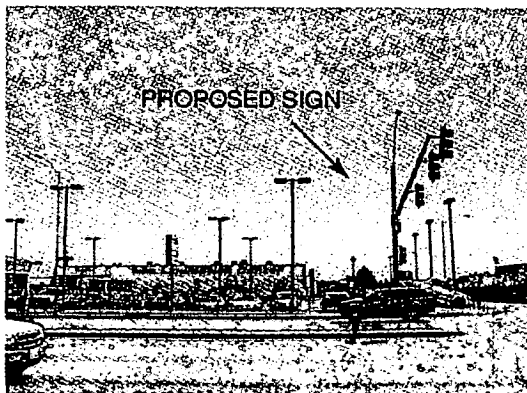
PL ± 609

C-1 Zone



GENERAL NOTES

1. Not within 300 foot radius of another off-premise billboard.
2. not within 200 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
- 4 No parking spaces will be taken for this location.



OWNER: CHRYSLER REALTY CORPORATION		
SCALE: NOTED	APPROVED BY:	DRAWN BY:
DATE: 05/12/04		REVISED:
LOCATION: 2100 S. DECATUR BLVD. 89102		
APN#162063010006		DRAWING NO.:

SUP-4594 7-22-04 PC



SUP-4594 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SAIITTA FAMILY TRUST
2100 SOUTH DECATUR BOULEVARD
JULY 22, 2004 PLANNING COMMISSION

7/2/04



SUP-4594 - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SAIITTA FAMILY TRUST
2100 SOUTH DECATUR BOULEVARD
JULY 22, 2004 PLANNING COMMISSION

7/2/04

MOUNTAIN VIEW ESTATES
5500 E. Flamingo Road
Las Vegas, NV 89122

July 28, 2004

TO: CLV City Clerks Office

FR: Mountain View Estates

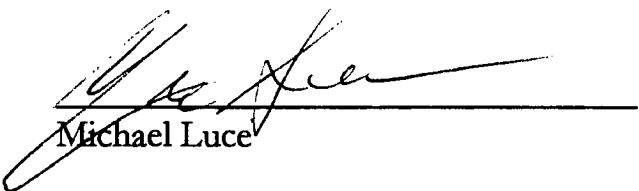
RE: SUP 4594

RECEIVED
CITY CLERK
2004 JUL 28 P 12:11

We would like to appeal the decision of Item #65 (SUP 4594) on the 7-22-04 Planning Commission meeting to have it heard at the August 18, 2004 City Council meeting.

Please inform us if this is added to the agenda so a representative can attend the meeting. We can be reached at (702) 450-8000.

Thank you.


Michael Luce

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-4200 - APPLICANT: **STERLING S DEVELOPMENT** - OWNER: **QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on 20.0 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APN: 125-11-508-003), Ward 6 (Mack). The Planning Commission (4-1-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

8
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0
0

RECOMMENDATION:

The Planning Commission (4-1-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Revised plans submitted by Planning and Development
5. Submitted at City Council – Revised Condition 4 submitted by the Public Works Department

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

4. Construct half-street improvements including appropriate overpaving on Jones Boulevard and Iron Mountain Road and *rural improvements on Brent Lane adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of Brent Lane; and 30-inch rolled curb on the development side of the street. The exterior streetlighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at*

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 115 – ZON-4200

MOTION – Continued:

this time on Brent Lane. 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

And the following added condition:

- *A maximum of two horses shall be allowed on any lot within the development.*

– UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 115 [ZON-4200] and Item 116 [SDR-4198].

BRIAN PSIODA, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and thanked staff for allowing the applicant to work with the neighbors and make modifications to the site. Since the Planning Commission meeting, the entrance has been moved to the southern portion of the site from Brent Lane to Jones Boulevard. He stated for the record that any future actions would comply with this site plan. He concurred with staff conditions, as well as an added condition submitted for the record by BART ANDERSON, Public Works Department.

MR. ANDERSON explained that Item 115 [ZON-4200] is in an area that has been developed with rural street standards on abutting streets. At the direction of City Council, rural improvements are allowed on Brent Lane adjacent to this site.

COUNCILMAN MACK thanked the applicant for working with staff and for addressing the residents' concerns, and added a condition limiting the number of horses to two on any lot within the development. MR. ANDERSON submitted for the record the added condition addressing the rural improvements on Brent Lane. MR. PSIODA concurred with the added conditions.

Regarding Item 116 [SDR-4198], MR. PSIODA indicated that the 15-acre parcel, while not part of this application, would become part of this site plan. The developer intends on developing the property as per the site plan, which has been shown to the residents.

COUNCILMAN MACK noted that the site plan is compatible with the surrounding development. MARGO WHEELER, Deputy Director, Planning and Development Department, indicated that Condition 3 be amended to reflect that the development shall be in conformance with the site plan and building elevations for 27 units date-stamped August 11, 2004.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 115 – ZON-4200

MINUTES – Continued:

MR. ANDERSON recommended the addition of two conditions regarding the landscaping and maintenance of unimproved right-of-way on Jones Boulevard adjacent to this site, and that the applicant landscape and maintain the unimproved right-of-way and submit an encroachment agreement for such landscaping, as the road is going to be developed somewhat less than the full width of the right-of-way.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 115 [ZON-4200] and Item 116 [SDR-4198].

NOTE: All discussion for Item 115 [ZON-4200] and Item 116 [SDR-4198] was held under Item 115 [ZON-4200].

(2:48 – 2:57)

4-546

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan (SDR-4198) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

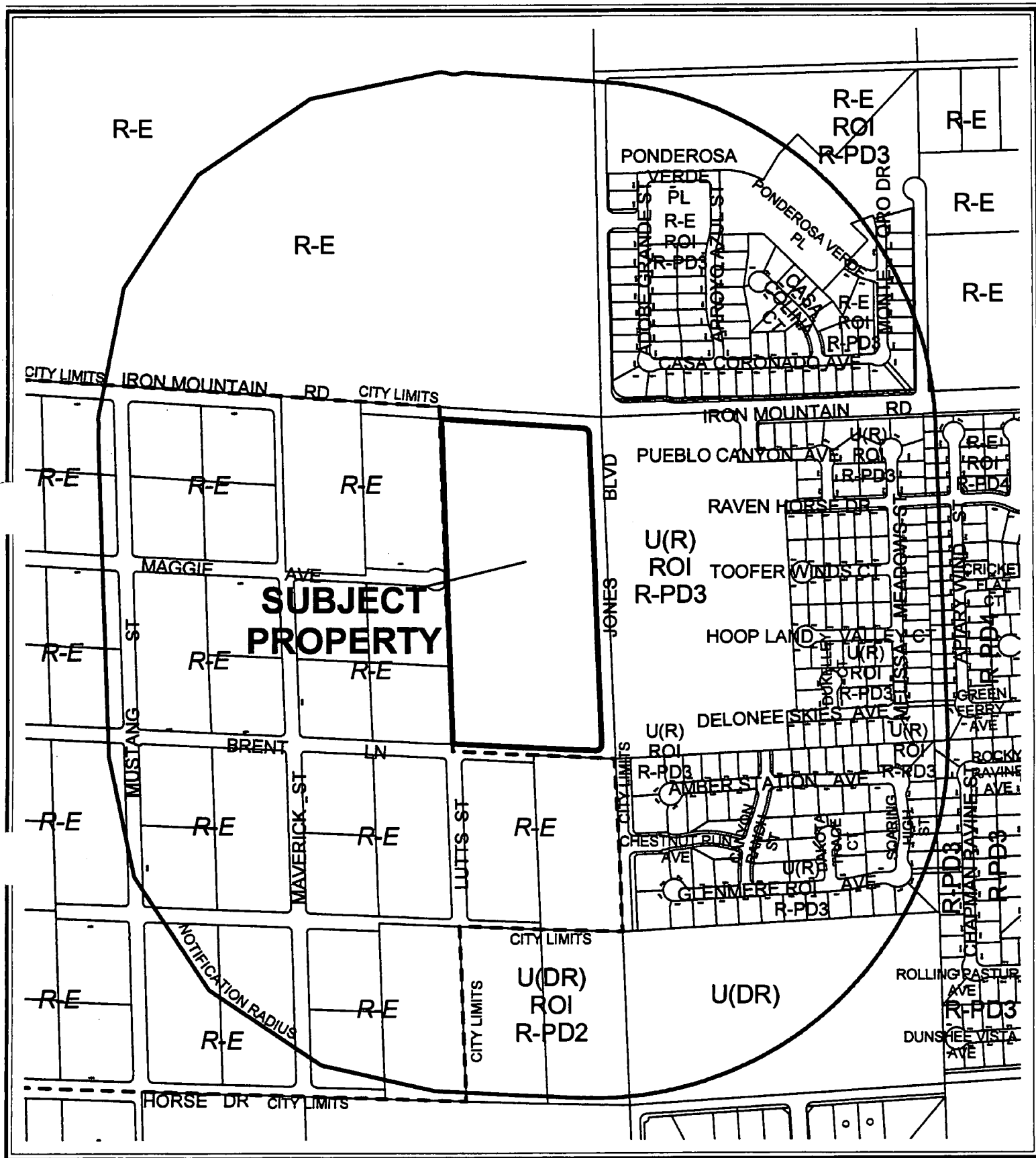
Public Works

3. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southwest corner of Iron Mountain Road and Jones Boulevard prior to the issuance of any permits.
4. Construct half-street improvements including appropriate overpaving on Jones Boulevard and Iron Mountain Road and construct half-street improvements on Brent Lane including appropriate overpaving, if legally able, 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 115 – ZON-4200

CONDITIONS – Continued:

5. The west half of Jones shall be constructed to a half width of 40 feet within the 50-foot half right-of-way. Landscape and maintain all unimproved right-of-way on Jones adjacent to this site. Obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.
6. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the application submittal requirements for a Bureau of Land Management (BLM) application for Iron Mountain Road. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to approval of construction drawings for this site or the issuance of any permits, whichever may occur first.
7. Extend oversized public sewer in Jones Boulevard to the northern edge of this site and extend public sewer in Brent Lane to the western edge of this site in Brent Lane to a location and 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.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: ZON-4200

RADIUS: 1400 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)



CASE: ZON-4200

RADIUS: 1400 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 4, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (4-1-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan (SDR-4198) 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

3. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the southwest corner of Iron Mountain Road and Jones Boulevard prior to the issuance of any permits.
4. Construct half-street improvements including appropriate overpaving on Jones Boulevard and Iron Mountain Road and construct half-street improvements on Brent Lane including appropriate overpaving, if legally able, 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. The west half of Jones shall be constructed to a half width of 40 feet within the 50-foot half right-of-way. Landscape and maintain all unimproved right-of-way on Jones adjacent to this site. Obtain an Encroachment Agreement for all landscaping and private improvements in the public rights-of-way adjacent to this site.
6. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the application submittal requirements for a Bureau of Land Management (BLM) application for Iron Mountain Road. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to approval of construction drawings for this site or the issuance of any permits, whichever may occur first.

7. Extend oversized public sewer in Jones Boulevard to the northern edge of this site and extend public sewer in Brent Lane to the western edge of this site in Brent Lane to a location and 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.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST:

A) Action Requested

This is a request for Rezoning from R-E (Residence Estates) to R-PD2 (Residential Planned Development at two dwelling units per acre) on 18.2 acres located at the southwest corner of Iron Mountain Road and Jones Boulevard. An application for Site Development Review (SDR-4198) accompanies this application and is included on this agenda for consideration.

B) Applicant's Justification

In a letter included with the application, the applicant states the following:

"The site is within a Desert Rural land use area which allows up to 2.49 dwelling units per acres. Therefore, the proposed R-PD2 zoning is within the allowable density category. Please note that the proposed lot count will yield 1.6 dwelling units per acre and is well beneath the allowable density."

BACKGROUND INFORMATION:

A) Previous and Current Actions

- 05/20/64 The Board of City Commissioners approved an Annexation request (A-0003-64).
- 05/13/04 The Planning Commission held this item and a companion item (SDR-4198) in abeyance to the 06/10/04 PC Meeting at the request of the applicant in order to schedule a meeting with area homeowners and discuss the project with them.
- 06/10/04 The Planning Commission held this and companion item (SDR-4198) in abeyance to the 07/08/04 PC Meeting to allow the applicant to revise/reevaluate the site plan.
- 07/08/04 The Planning Commission recommended denial (3-2-2) of a companion application (SDR-4198) as part of this agenda.
- 07/08/04 The Planning Commission voted 4-1-2 to recommend APPROVAL (PC Agenda Item #8/dds).

B) Pre-Application Meeting

- 02/20/04 A pre-application meeting was held to discuss the requirements of the proposed R-PD2 zone, the submittal of a plan for Site Development Review, and the presence of a Residential Neighborhood Preservation Buffer within the southwest part of this area.

C) Neighborhood Meetings

05/18/04 A neighborhood meeting with interested property owners who reside near the subject property was held to review the proposed plans for the development. The meeting was held at a neighbor's house who resides next to the property. There were 22 people in attendance who had several concerns about the development. These concerns include the following:

- Lots with no less than 20,000 square feet. This request was made to allow lot owners in the new development to keep horses on their property. The proposed development has numerous lots between 18,000 to 20,000 square feet.
- No entrance to the development off Brent Lane. One of the major entrances to the development is proposed off Brent Lane.
- Rural street standards on Brent Lane. There was some interest in having rural street standards on Jones Boulevard and Iron Mountain Road.
- A decorative perimeter wall. The conditions of approval have a provision that requires a decorative wall to which the residents were apparently favorable.
- Increases in perimeter wall height.
- A well landscaped premises. Residents would like to review the landscape plan when it is submitted and comment on the landscaping scheme.
- One-story buildings on the property located to the west of the subject development. This property is a future phase proposed by the developer.

DETAILS OF APPLICATION REQUEST:

A) Site Area

Gross Acres: 18.2
Net Acres: 14.2

B) Existing Land Use

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

C) Planned Land Use

Subject Property: DR (Desert Rural)
North: PR-OS (Parks/Recreation/Open Space)
South: County RE (Rural Estates) and RNP (Rural Neighborhood Preservation)
East: R (Rural Density Residential)
West: County RE (Rural Estates) and RNP (Rural Neighborhood Preservation)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: County R-E (Rural Estates Residential)
East: U (Undeveloped) under a Resolution of Intent to R-PD3 (Residential
Planned Development at 3 dwelling units per acre)
West: County R-E (Rural Estates Residential)

E) General Plan Compliance

The General Plan land use designation for the subject property is DR (Desert Rural), which allows a density of development of up to two dwelling units per acre. The density proposed in the subject development is 1.6 dwelling units per acre; therefore, the proposed development is consistent with the General Plan 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	
Development Impact Notification Assessment		X
Project of Regional Significance		X
Special Notification		X

A Rural Preservation Neighborhood (RPN) Buffer is located within the extreme southwest corner of the site; however, the state enabling legislation, which used to limit the residential density of development in a RPN Buffer to three dwelling units per acre, lapsed on 05/31/04.

A multi-use transportation trail is required along the south side of Iron Mountain Road. The accompanying plan for Site Development Review (SDR-4198) shows compliance with the trail standards.

ANALYSIS:

A) Zoning Code Compliance

Development Standards for this proposal are addressed with the accompanying application for Site Development Review (SDR-4198) following this application.

B) General Analysis and Discussion

The applicant is proposing the development of a large-lot residential subdivision on the subject tract at an overall density of 1.6 dwelling units per acre. This proposed density is well within the density allowed by the existing zoning of R-E (Residence Estates). However, since some lots are less than the minimum lot size requirement permitted in the R-E zone, rezoning to an R-PD2 zone is necessary. The proposed Rezoning is acceptable, provided a Site Development Review is approved that limits the density of development to less than two dwelling units per acre.

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 General Plan designation of the subject property is DR (Desert Rural), which allows residential development at up to two dwelling units per acre. Since the proposed development has an overall density of less than two dwelling units per acre, it is in compliance with 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 proposed zoning of the subject property to R-PD2 would permit up to 2.49 dwelling units per acre of residential development. The proposed development, however, has a density of 1.6 dwelling units per acre. A plan for Site Development Review (SDR-4198) has been submitted with this application, and it is recommended that this application be approved subject to approval of the application for Site Development Review.

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

This criterion is not applicable, as the proposed rezoning and development does not increase the present density of development.

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 adequate and provided by Iron Mountain Road a Primary Collector (80-foot) streets and Brent Lane, a local street.

PLANNING COMMISSION ACTION

There were four speakers protesting this matter at Planning Commission.

NOTICES MAILED: 41 by Planning Department

APPROVALS: 0

PROTESTS: 8

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4200 APN: 125-11-508-003

Name of Property Owner: Quarterhorse Falls Estates LLC

Name of Applicant: Sterling S. Development - Mickey Stratton

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: _____

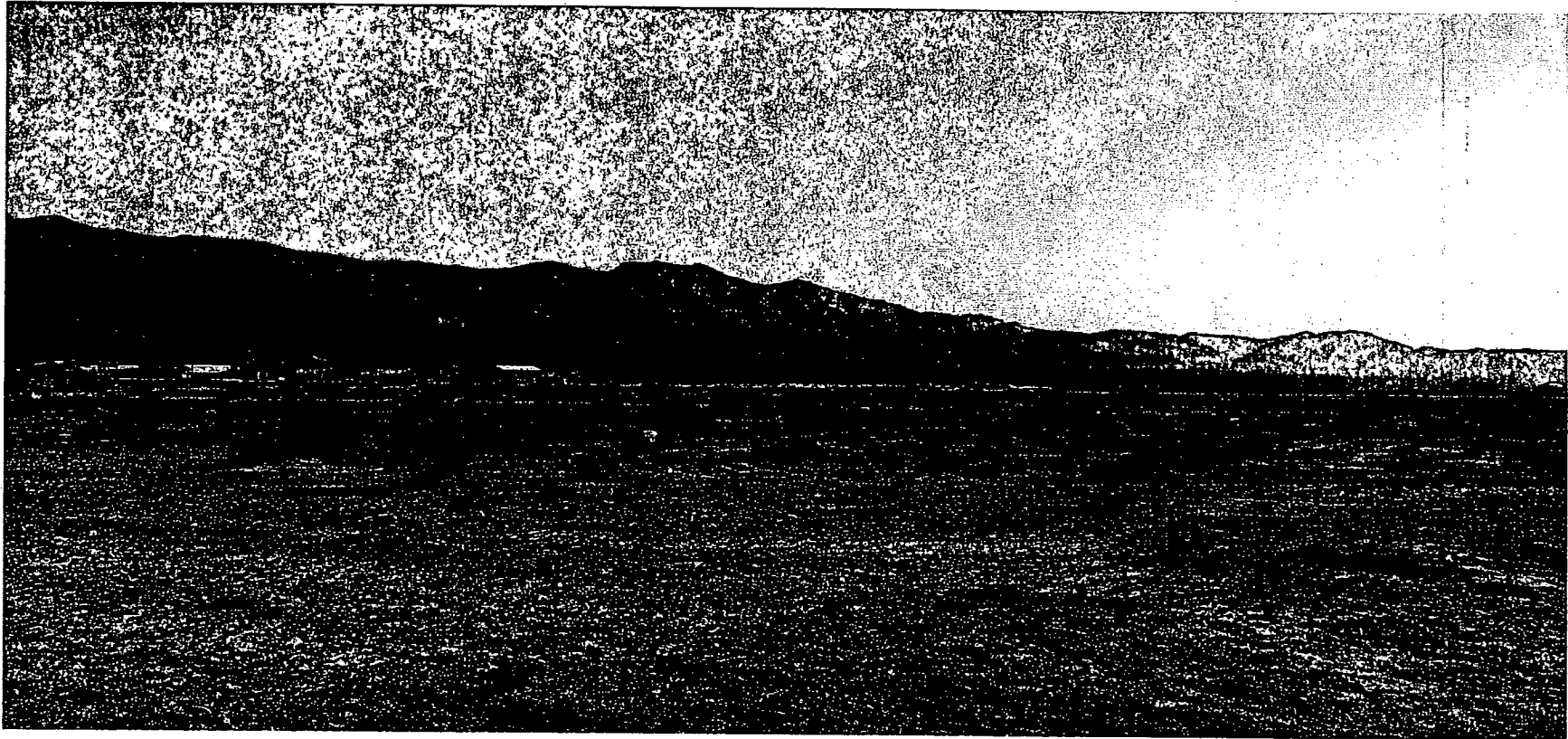
Signature of Property Owner/Authorized Agent: Joseph M. Smith

Print Name: John Michael Strathed

Subscribed and sworn before me

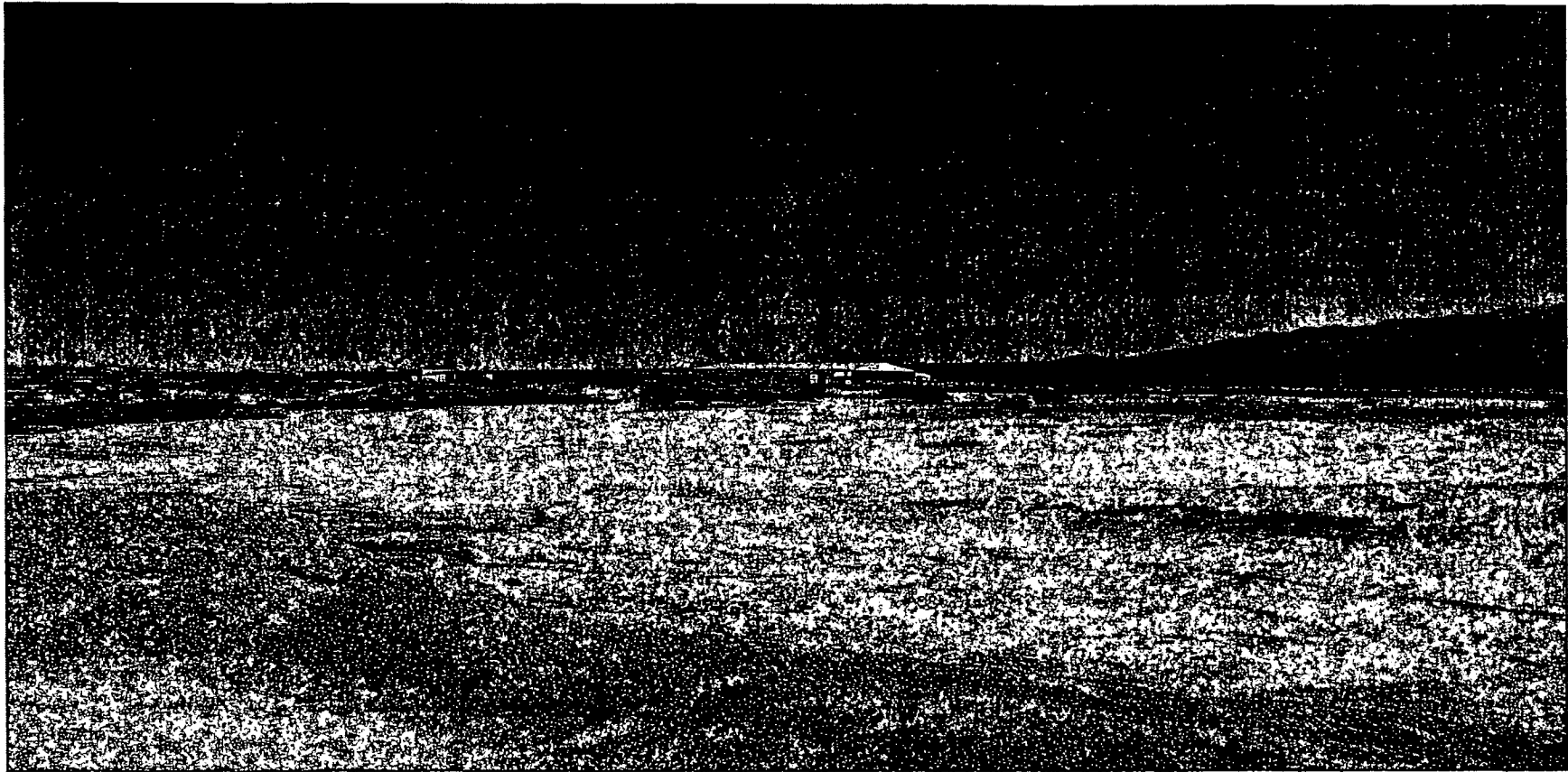
This 23rd day of February, 2004

8
 MARY E. SMITH
 Notary Public for said County and State
 No. 96-2142-1
 My appt. exp. Mar. 15, 20J4



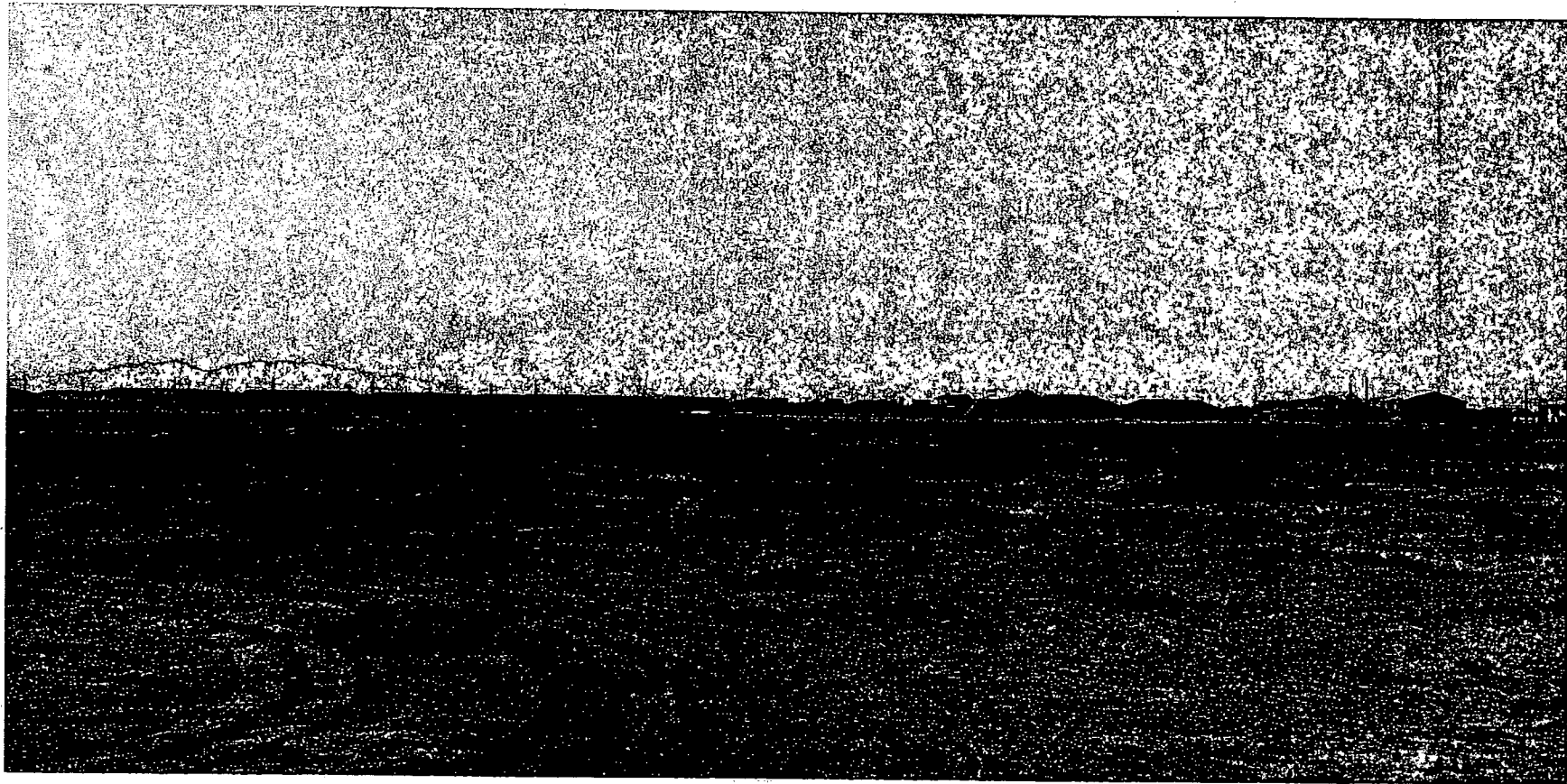
**ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES,
LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHWEST CORNER OF IRON MOUNTAIN ROAD AND JONES BOULEVARD
JULY 8, 2004 PLANNING COMMISSION**

4/26/04



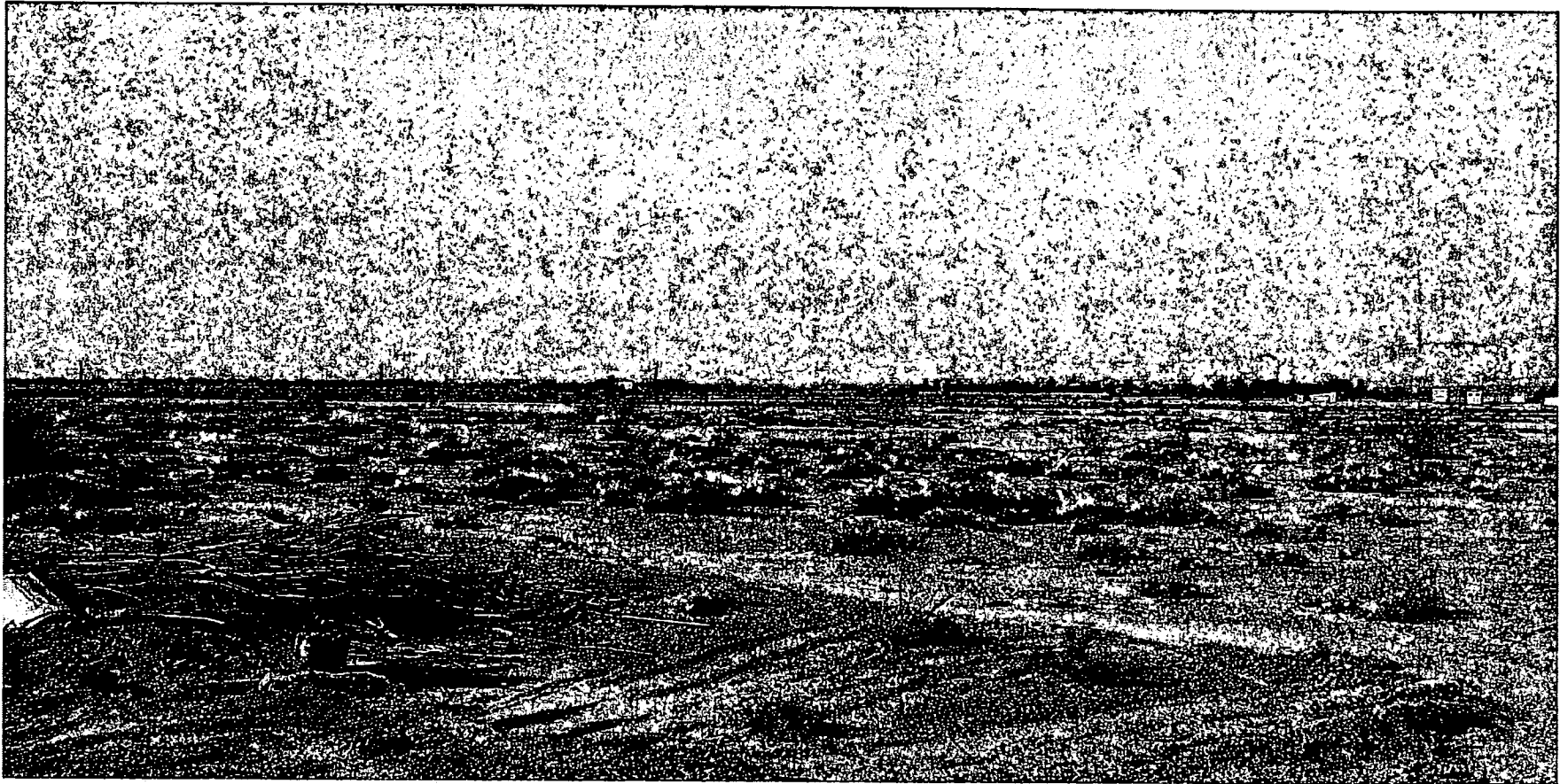
**ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES,
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JULY 8, 2004 PLANNING COMMISSION**

4/26/04



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ADJACENT TO THE SOUTHWEST CORNER OF IRON MOUNTAIN ROAD AND JONES BOULEVARD
JULY 8, 2004 PLANNING COMMISSION**

4/26/04



**ZON-4200 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES,
LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHWEST CORNER OF IRON MOUNTAIN ROAD AND JONES BOULEVARD
JULY 8, 2004 PLANNING COMMISSION**

4/26/04

ZONE: IRON MOUNTAIN RANCH -3
USE: VACANT
MPD: RURAL - 3.5 DU/AC

ZONE: COUNTY R-E
USE: VACANT
MPD: R-E

ZONE: COUNTY R-E
USE: EX. SINGLE FAMILY
ON 2.5 ACRES
MPD: RNP

ZONE: COUNTY R-E
USE: VACANT
MPD: BNP

ZONE: CDUNTY R-E
USE: EX. SINGLE FAMILY!
ON 2.5 ACRES
MPD: RNP

ZONE: COUNTY R-E
USE: EX SINGLE FAMILY
ON 2.5 ACRES
MPD: RURAL ESTATES

ZONE: COUNTY R-E
USE: VACANT
MPD: RNP

USE EASEMENT AREA
RESERVED BY DEVELOPER
FOR FUTURE
DEVELOPMENT OR; TO BE
RELINQUISHED TO
ADJACENT LOTS IF NO
FUTURE DEVELOPMENT IS
APPROVED

VICINITY MAP

PROJECT

MOUNTAIN RANCH ROAD

MOUNTAIN LANE

MOUNTAIN DRIVE

MOUNTAIN AVENUE

MOUNTAIN BLVD

N.T.S.

SITE DATA	
<u>REZONING APPLICATION:</u>	
APR SUBJECT:	128-11-008-000
APR AREA:	16.2 ACRES
CURRENT ZONING:	R-100
PROPOSED ZONING:	R-1000
<u>SITE DEVELOPMENT REVIEW APPLICATION (R-PD2)</u>	
APR SUBJECT:	123-11-011-000-00
APR AREA:	16.8 ACRES
CURRENT ZONING:	R-100
CURRENT USE:	VACANT
PROPOSED ZONING:	R-1000
PROPOSED USE:	S/P RESIDENTIAL
APR PLAN DEVELOPER/NOT DECTRY BURL	APR NO. 2.3.3.3

SITE CALCULATIONS	
<u>DENSITY CALCULATIONS:</u>	
PROPOSED DENSITY	18.8 AC/LA
PROPOSED LOT SIZE	1.8 DU/AC
LAND USE:	10,388 AC/LA
NET NET LOT AREA	12.0 AC/LA
PRIVATE ROAD	3.3 AC/LA
OPEN SPACE	1.3 AC/LA
REDEVELOP USE AREA	1.2 AC/LA
EXCLUDED LANDSCAPE AREA	1.0 AC/LA
NET USE AC/LA	4.8 AC/LA

OPEN SPACE SCHEDULE	
REQUIRED:	$1.8 \times 1.25 = 2.25$ = GROSS AREA
	.48 ACRES
PROVIDED:	
MEASURABLE OPEN SPACE:	.51 ACRES
PAVED:	
ALLOWABLE EXTERIOR LANDSCAPING:	.37 ACRES
TOTAL:	1.08 ACRES

PRIVATE DRIVE
CUL-DE-SAC DETAIL
(APPROVED DEVIATION BY CITY)

**TYPICAL LOT DETAIL
DETACHED PRODUCT**

GRAPHIC SCALE

STERLING 8 DEVELOPMENT

**SITE PLAN
TO ACCOMPANY
ZONE CHANGE & SITE PLAN REVIEW**

CITY OF LAS VEGAS

BON MOUNTAIN - JONES

CHECKED BY:	SCALE: 80 HORIZ
PROJECT NO:	

0-1

[illegible]

~~RECEIVED~~

AUG 11 2004

REVISED
8-11-04

ZON-4200
SDR-4198

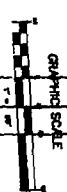
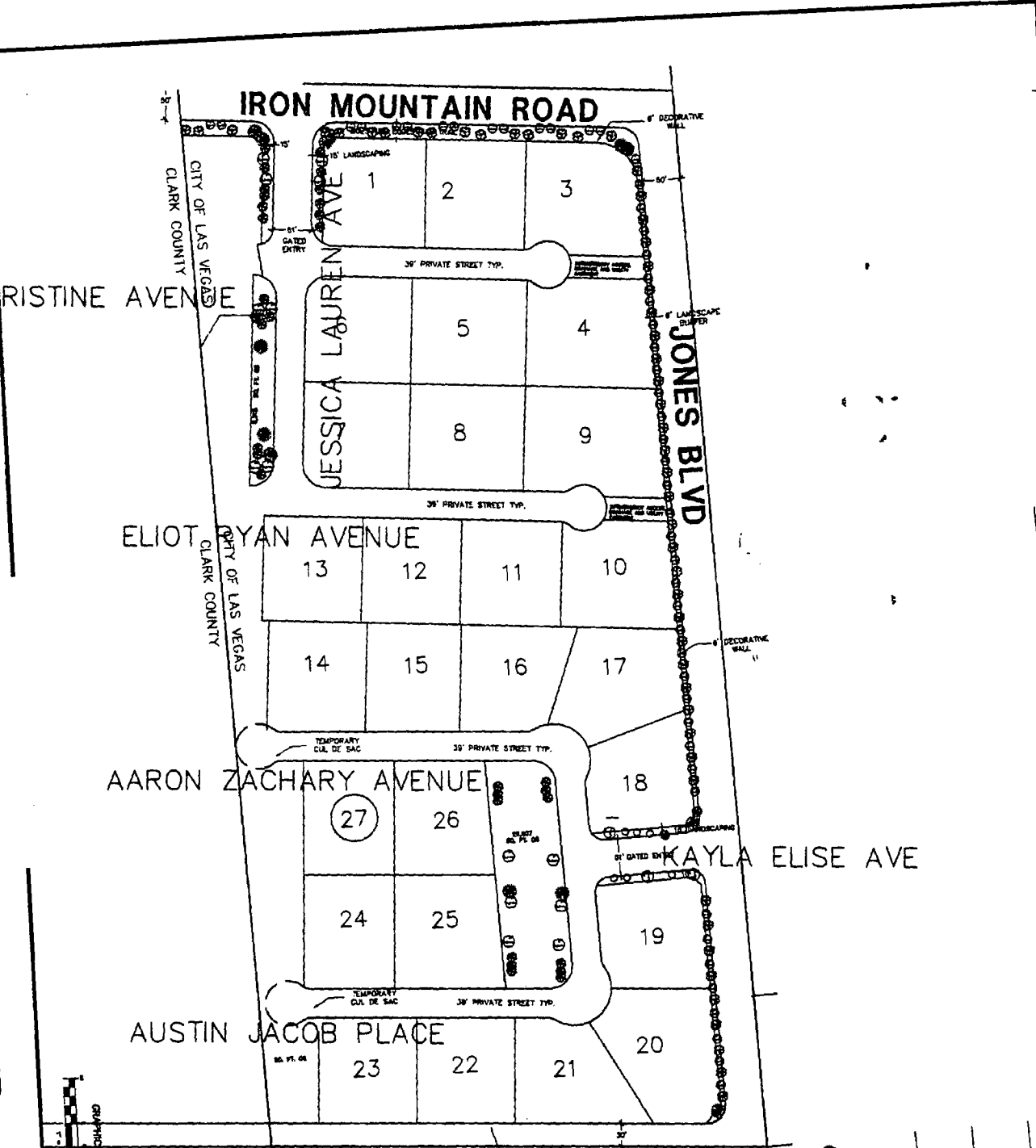
REVISED
8-18-04 CC

REVISED
8-15-04

ZON-4200
SDR-4198

REVISED
8-18-04 CC

AUG 11 2004



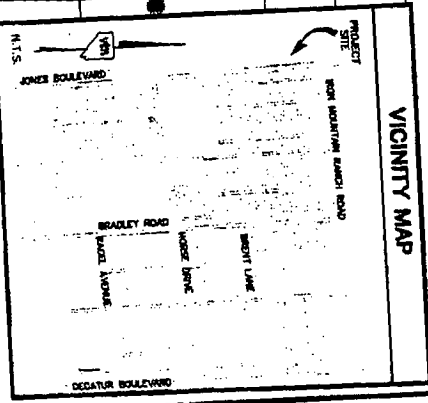
RECEIVED
ZON-4200
SDR-4198
AUG 11 2004
REVISED
8-18-04 CC

THIRTEEN PLANT SCHEDULE			
SYMBOL	QTY	SIZE	SPACING
1	10	12"	12"
2	10	12"	12"
3	10	12"	12"
4	10	12"	12"
5	10	12"	12"
6	10	12"	12"
7	10	12"	12"
8	10	12"	12"
9	10	12"	12"
10	10	12"	12"
11	10	12"	12"
12	10	12"	12"
13	10	12"	12"
14	10	12"	12"
15	10	12"	12"
16	10	12"	12"
17	10	12"	12"
18	10	12"	12"
19	10	12"	12"
20	10	12"	12"
21	10	12"	12"
22	10	12"	12"
23	10	12"	12"
24	10	12"	12"
25	10	12"	12"
26	10	12"	12"
27	10	12"	12"

OPEN SPACE SCHEDULE			
SYMBOL	QTY	SIZE	SPACING
1	10	12"	12"
2	10	12"	12"
3	10	12"	12"
4	10	12"	12"
5	10	12"	12"
6	10	12"	12"
7	10	12"	12"
8	10	12"	12"
9	10	12"	12"
10	10	12"	12"
11	10	12"	12"
12	10	12"	12"
13	10	12"	12"
14	10	12"	12"
15	10	12"	12"
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17	10	12"	12"
18	10	12"	12"
19	10	12"	12"
20	10	12"	12"
21	10	12"	12"
22	10	12"	12"
23	10	12"	12"
24	10	12"	12"
25	10	12"	12"
26	10	12"	12"
27	10	12"	12"

SITE CALCULATIONS	
PROJECT TOTAL AREA	1.5 ACRES
PROPOSED DENSITY	1.5 DU/AC
PROPOSED UNITS	23

SITE DATA	
RECORDING APPLICATION:	158-11-008-001
RECORDING APPLICATION:	158-11-008-001
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RECORDING APPLICATION:	158-11-008-001



STERLING S DEVELOPMENTS 2727 SOUTH MAIN STREET, SUITE 100 LAS VEGAS, NV 89102 (702) 735-1000 FAX (702) 362-8887		CITY OF LAS VEGAS 2727 SOUTH MAIN STREET, SUITE 100 LAS VEGAS, NV 89102 (702) 735-1000 FAX (702) 362-8887	
PROJECT NO. 158-11-008-001 SHEET NO. 1 OF 1 DATE 8/11/04	PROJECT NO. 158-11-008-001 SHEET NO. 1 OF 1 DATE 8/11/04	PROJECT NO. 158-11-008-001 SHEET NO. 1 OF 1 DATE 8/11/04	PROJECT NO. 158-11-008-001 SHEET NO. 1 OF 1 DATE 8/11/04

August 18, 2004 City Council Meeting
Revised Public Works Conditions

Agenda Item No. 115
ZON-4200
Sterling S

Please revise Condition No. 4 as follows:

4. Construct half street improvements including appropriate overpaving on Jones Boulevard and Iron Mountain Road and rural improvements on Brent Lane adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of Brent Lane; and 30-inch rolled curb on the development side of the street. The exterior streetlighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Brent Lane. 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. Extend all required underground utilities, such as electrical, telephone etc., located within public rights-of-way, past the northern and western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

Submitted at City Council

Date 8/18/04 Item 115

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4200 -
PUBLIC HEARING - SDR-4198 - APPLICANT: STERLING S DEVELOPMENT -
OWNER: QUARTERHORSE FALLS ESTATES, LIMITED LIABILITY COMPANY -
Request for a Site Development Plan Review FOR A 29-LOT SINGLE-FAMILY
RESIDENTIAL DEVELOPMENT on 20.00 acres adjacent to the southwest corner of Iron
Mountain Road and Jones Boulevard (APN: 125-11-508-003), R-E (Residence Estates) Zone
[PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack).
The Planning Commission (3-2-2 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

8
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

The Planning Commission (3-2-2 vote) recommends DENIAL. Staff recommends APPROVAL,
subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Revised plans submitted by Planning and Development
5. Submitted at City Council – Added conditions submitted by the Public Works Department

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

3. All development shall be in conformance with the site plan and building elevations
for 27 units, date-stamped 8/11/2004, except as amended by conditions herein.

And the following added conditions:

- *Landscape and maintain all unimproved right-of-way on Jones Boulevard adjacent to this site.*
- *Submit an Encroachment Agreement for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site prior to occupancy of this site.*

– UNANIMOUS

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 116 – SDR-4198

MINUTES:

AMENDMENT ATTACHED

NOTE: See Item 115 [ZON-4200] for all related discussion.

(3:15 – 3:16)

5-1190

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-4200) to an R-PD2 (Residential Planned Development - 2 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, date stamped July 9, 2004, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum lot size of 18,000 square 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 20 feet to the front of the garage and 16 feet to the front of the house as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 20 feet in the rear.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit and shall be revised and approved by Planning and Development Department staff, prior to the issuance of 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.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Landscaping and a permanent underground sprinkler system for common open space areas shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 116 – SDR-4198

CONDITIONS – Continued:

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.

Public Works

14. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
15. 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.
16. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4200 and all other subsequent site-related actions.
18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 116 – SDR-4198

CONDITIONS – Continued:

19. 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.

Amendment to Final Minutes

Office of the City Clerk

City Council Meeting Minutes of August 18, 2004

Date Submitted: February 3, 2006

Amendment to Item #116 – SDR-4198

NOTE: The time and tape references are incorrect and should read as follows:

(2:48 – 2:57)

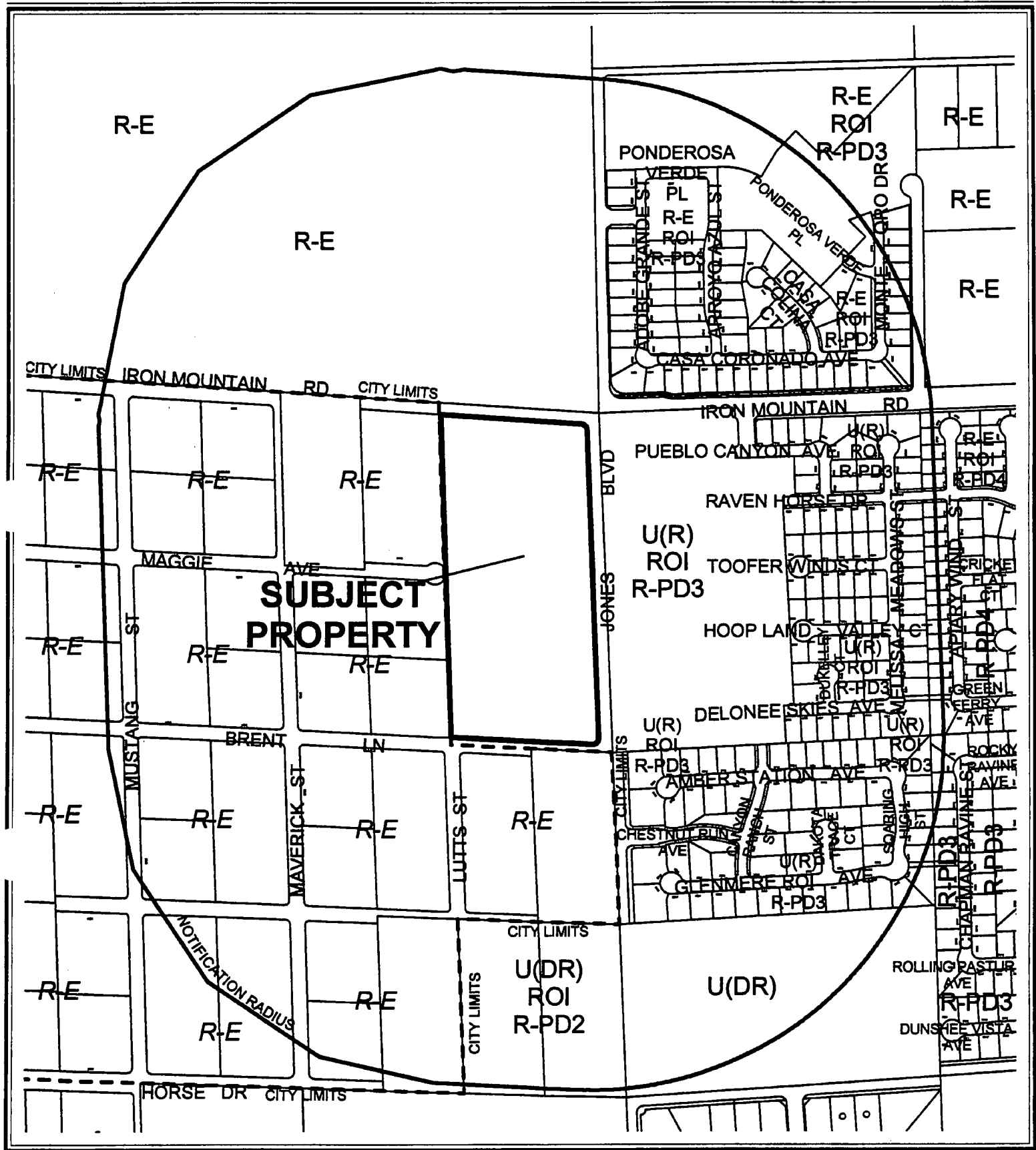
4-456

The item was heard in conjunction with #115.

Submitted By: Berny K. Bridges

Signature: [Signature]
City Clerk or Chief Deputy

Date: 2/3/06



CASE: SDR-4198

RADIUS: 1400 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

0 400 800 Feet

116

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SDR-4198 - APPLICANT: STERLING S
DEVELOPMENT – OWNER: QUARTERHORSE FALLS ESTATES, LIMITED
LIABILITY COMPANY**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 4, 2004 CITY COUNCIL
MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

The Planning Commission (3-2-2 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-4200) to an R-PD2 (Residential Planned Development - 2 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, date stamped July 9, 2004, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum lot size of 18,000 square 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 20 feet to the front of the garage and 16 feet to the front of the house as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 20 feet in the rear.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit and shall be revised and approved by Planning and Development Department staff, prior to the issuance of 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.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Landscaping and a permanent underground sprinkler system for common open space areas shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
9. Air conditioning units shall not be mounted on rooftops.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of 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.

Public Works

14. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
15. 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.
16. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4200 and all other subsequent site-related actions.
18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
19. 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

This application is a request for a Site Development Plan Review for a 29-lot residential development (Quarterhorse Falls Estates) on 18.2 acres located at the southwest corner Iron Mountain Road and Jones Boulevard.

B) Applicant's Justification

In a letter included with the application, the applicant states the following:

"The subject area is located between the Iron Mountain Ranch Master Planned Community to the east and a Clark County Rural Neighborhood preservation district to the west. As a result, the site was designed to accommodate the surrounding densities. As such, the larger lots are located around the perimeter of the site to be compatible with the 20,000-acre lots that border the Iron Mountain Ranch R-PD3 site. All lots have a North/South to minimize lot count along the perimeter of the site and to comply with the 20/20 Conservation Element. The minimum lot size is 18,000 square feet; and the density and character of the proposed project is appropriate for the Interlocal RNP buffer area....The variety of lot sizes, shapes and housing upgrades will offer a varied street scene that will preserve the custom/rural feel of the surrounding area."

BACKGROUND INFORMATION:

A) Previous Actions

05/20/64	The Board of City Commissioners approved an Annexation request (A-0003-64).
05/13/04	The Planning Commission held this item and related ZON-4200 in abeyance to allow the applicant to schedule a meeting with area homeowners and discuss the project with them.
06/10/04	The Planning Commission held this and companion Rezoning (ZON-4200) in abeyance to the 07/08/04 PC Meeting to allow the applicant additional time to revise the site plan. As of 06/23/04, no changes to the site plan as originally submitted have been proposed.
07/08/04	The Planning Commission recommended approval of a companion application (ZON-4200) as part of this agenda.
07/08/04	The Planning Commission voted 3-2-2 to recommend DENIAL (PC Agenda Item #9).

B) Pre-Application Meeting

02/20/04 A pre-application meeting was held to discuss the need for a proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zone and plan for Site Development Review and the presence of the RNP Buffer within the southwest part of this area.

C) Neighborhood Meetings

05/18/04 A neighborhood meeting with interested property owners who reside near the subject property was held to review the proposed plans for the development. The meeting was held at a neighbor's house who resides next to the property. There were 22 people in attendance who had several concerns about the development. These concerns include the following:

- Lots with no less than 20,000 square feet. This request was made to allow lot owners in the new development to keep horses on their property. The proposed development has numerous lots between 18,000 to 20,000 square feet.
- No entrance to the development off Brent Lane. One of the major entrances to the development is proposed off Brent Lane.
- Rural street standards on Brent Lane. There was some interest in having rural street standards on Jones Boulevard and Iron Mountain Road.
- A decorative perimeter wall. The conditions of approval have a provision that requires a decorative wall to which the residents were apparently favorable.
- Increases in perimeter wall height.
- A well landscaped premises. Residents would like to review the landscape plan when it is submitted and comment on the landscaping scheme.
- One-story buildings on the property located to the west of the subject development. This property is a future phase proposed by the developer

DETAILS OF APPLICATION REQUEST:

A) Site Area

Gross Acres: 18.2
Net Acres: 14.2

B) Existing Land Use

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

C) Planned Land Use

Subject Property: DR (Desert Rural)
North: PR-OS (Parks/Recreation/Open Space)

South: County R-E (Rural Estates Residential) and RNP (Rural Neighborhood Preservation)
East: R (Rural Density Residential)
West: County R-E (Rural Estates Residential) and RNP (Rural Neighborhood Preservation)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: County R-E (Rural Estates Residential)
East: U (Undeveloped) under a Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre)
West: County R-E (Rural Estates Residential)

E) General Plan Compliance

The site is located within the Centennial Hills Sector Map of the General Plan. The Centennial Hills Sector Plan of the General Plan designates the area of the subject site as DR (Desert Rural). The density range for lands so designated is in the range of 0 to 2 units per acre. The Plan states that within such areas, "...the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities." The plan goes on to say: "This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals." The proposed development is significantly below the upper end of the density range allowed under this land use designation, having 1.6 dwelling units per acre.

ANALYSIS:

A) Zoning Code Compliance

A1) Development Standards

The Site Development Plan establishes the Development Standards within an R-PD District. The Site Development Plan proposes 29 single-family lots ranging in size from 18,000 square feet; the overall net average lot size is 21,329 square feet. The following table shows a comparison between the setbacks and standards currently in place on the site under the existing R-E (Residence Estate) District, with the standards that would be imposed through the proposed Site Development Plan under the proposed R-PD2 District:

Standards	R-E District	Proposed Site Plan
Min. Lot Size	20,000 s.f.	18,000 s.f.
Min. Lot Width	100 feet	N/A
Min. Setbacks		
• Front	50 feet	20 feet (garage) 16 feet (house)
• Side	10 feet	5 feet
• Corner	15 feet	5 feet
• Rear	35 feet	20 feet
Max. Building Height	2 Stories / 35 Feet	2 Stories / 35 Feet

The proposed development complies with the standards of the proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) District.

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	
Perimeter Landscaping	1 - 24" box tree/20 linear feet of gross perimeter frontage (1,760 lineal feet of frontage) plus one tree	88 Trees	114 Trees

The perimeter landscaping meets the minimum perimeter-landscaping requirement.

In R-PD Districts, pursuant to Title 19.06.040, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
18.2 acres	1.6	1.65	2.6 %	.47 acres	5.3 %	.96 acres

The proposal exceeds the requirement for Open Space in the Zoning Code.

A) General Analysis Discussion

This application meets all the requirements of the existing General Plan designation and falls within the density scope of the proposed rezoning (1.6 dwelling units per acre compared to 2.49). Development of this 18.2-acre site with lots that will exceed 18,000 square feet in size would not have an impact on surrounding County lands, which have a minimum lot size requirement of 20,000 square feet. From the standpoint of the proposal as an R-PD development, the project provides a sufficient amount of open space.

FINDINGS:

To approve a Site Development Plan Review application, pursuant to Title 19.18.050, the Planning Commission and City Council must affirm all of the following:

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

The proposed residential development on the subject site exceeds what could be developed under the existing R-E (Residence Estates) zoning district. The development, therefore, should be compatible with comparable developments in the vicinity.

2. **"The proposed development is consistent with the General Plan, Las Vegas Municipal Code 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 as well as Title 19 and other standards.

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

The subject site has access to Iron Mountain Road and Brent Lane, a local street. Iron Mountain Road is designated as a Secondary (80-foot) Collector on the Master Plan of Streets and Highways. These roads will be adequate to meet the requirements of the proposed development.

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

The building and landscape materials are appropriate for this type of development.

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

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

6. **"Appropriate measures 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.

PLANNING COMMISSION ACTION

On the failed motion for approval the Planning Commission considered the following changes:

- The keeping of horses as allowed by the City of Las Vegas shall not be precluded by CCR's deed restriction or other legal means.
- Perimeter walls and/or fences may be up to 8' in height.

The Planning Commission was asked to consider a one-story restriction by speakers.

NOTICES MAILED 41 by Planning Department

APPROVALS 0

PROTESTS 8



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4198 APN: 125-11-508-003

Name of Property Owner: Quarterhorse Falls Estates LLC

Name of Applicant: Sterling S. Development - Mickey Stratton

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: _____

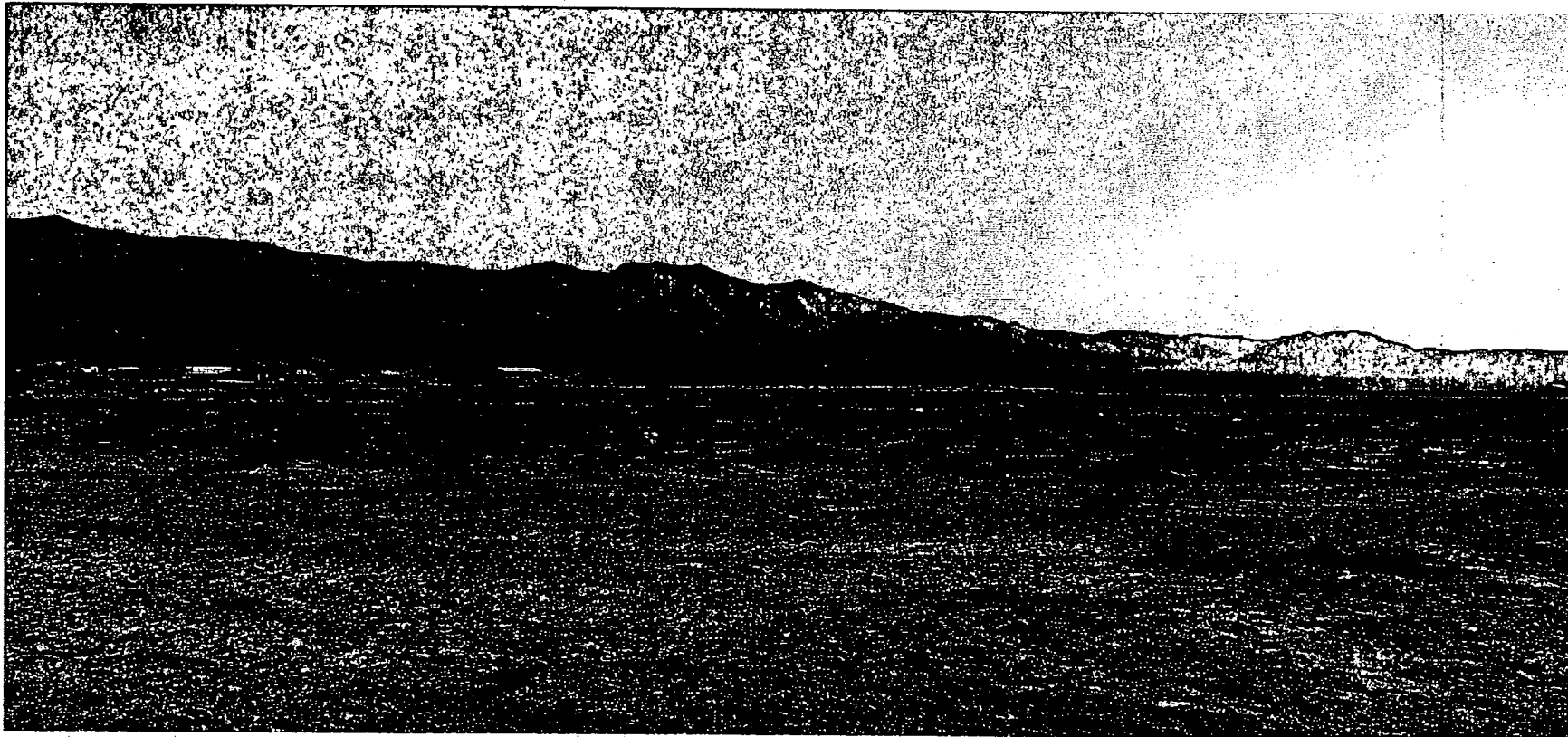
Signature of Property Owner/Authorized Agent: James L. Hall

Print Name: John Michael Stratton

Subscribed and sworn before me

This 23rd day of February, 2004

W/E *6* *18/11* **MARY E. SMITH**
Notary Public in and for Clark County and State
No. 96-2142-1
My appt. exp. Mar. 15, 20u4



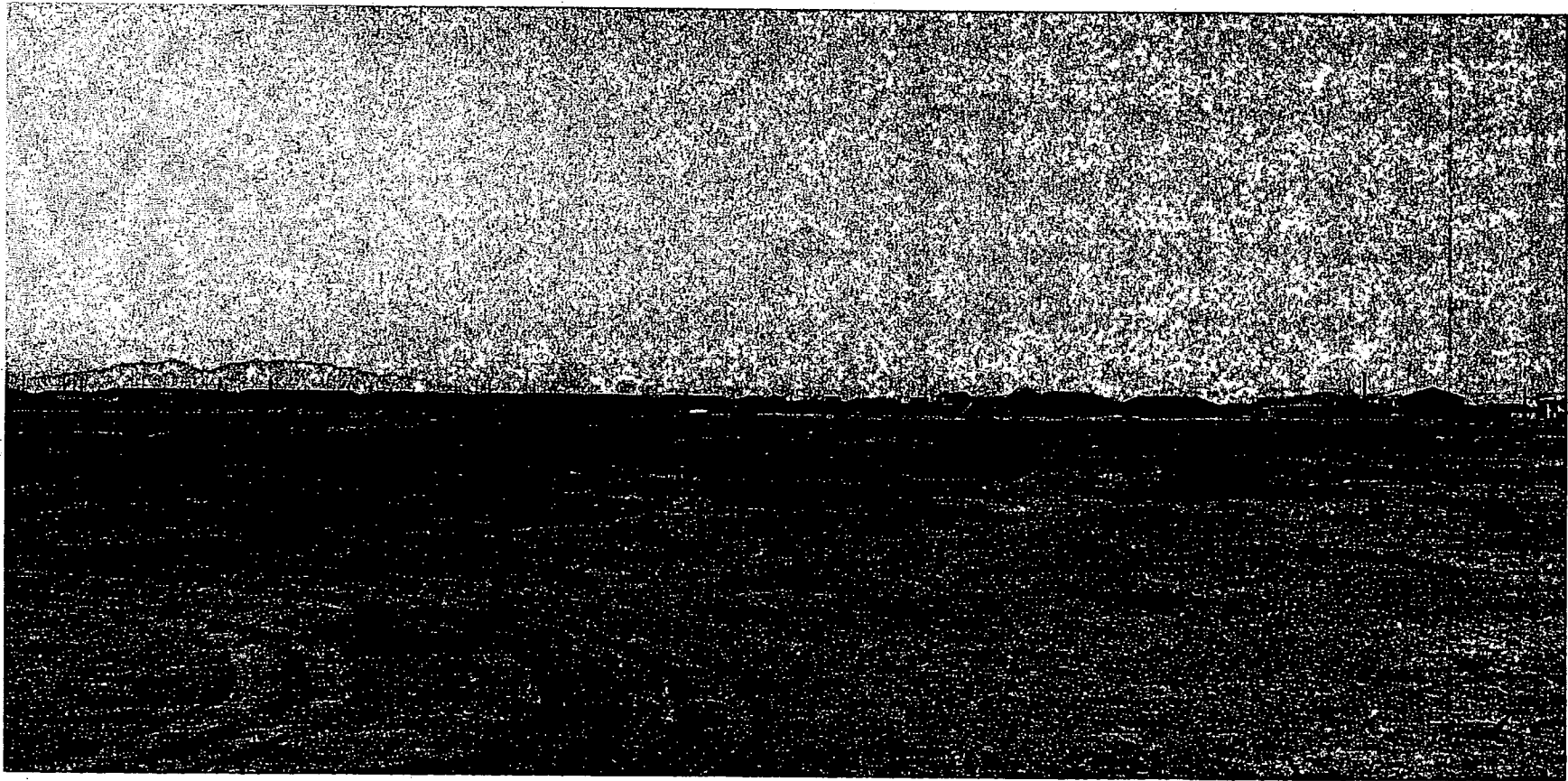
SDR-4198 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES,
LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHWEST CORNER OF IRON MOUNTAIN ROAD AND JONES BOULEVARD
JULY 8, 2004 PLANNING COMMISSION

4/26/04



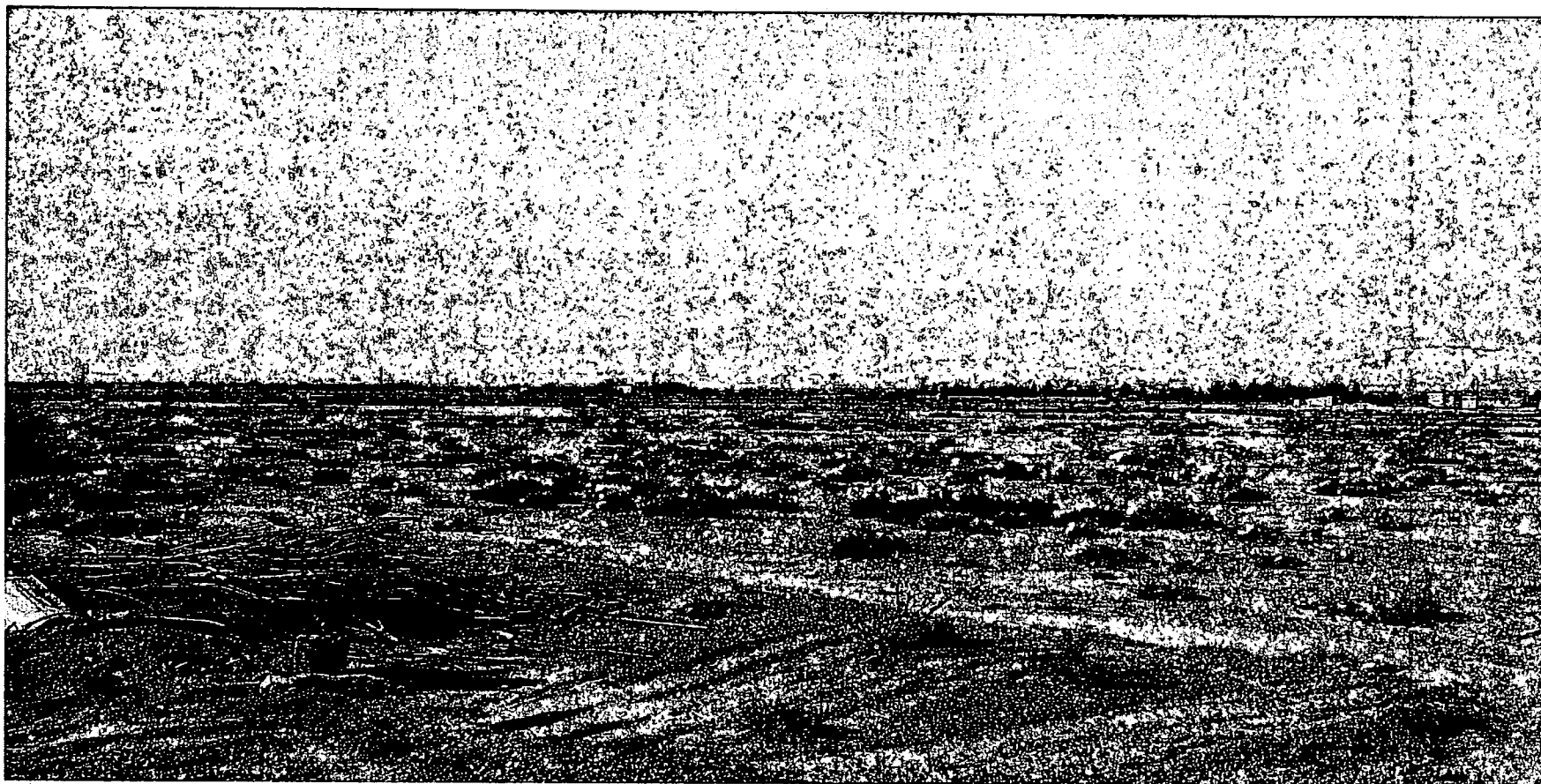
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JULY 8, 2004 PLANNING COMMISSION

4/26/04



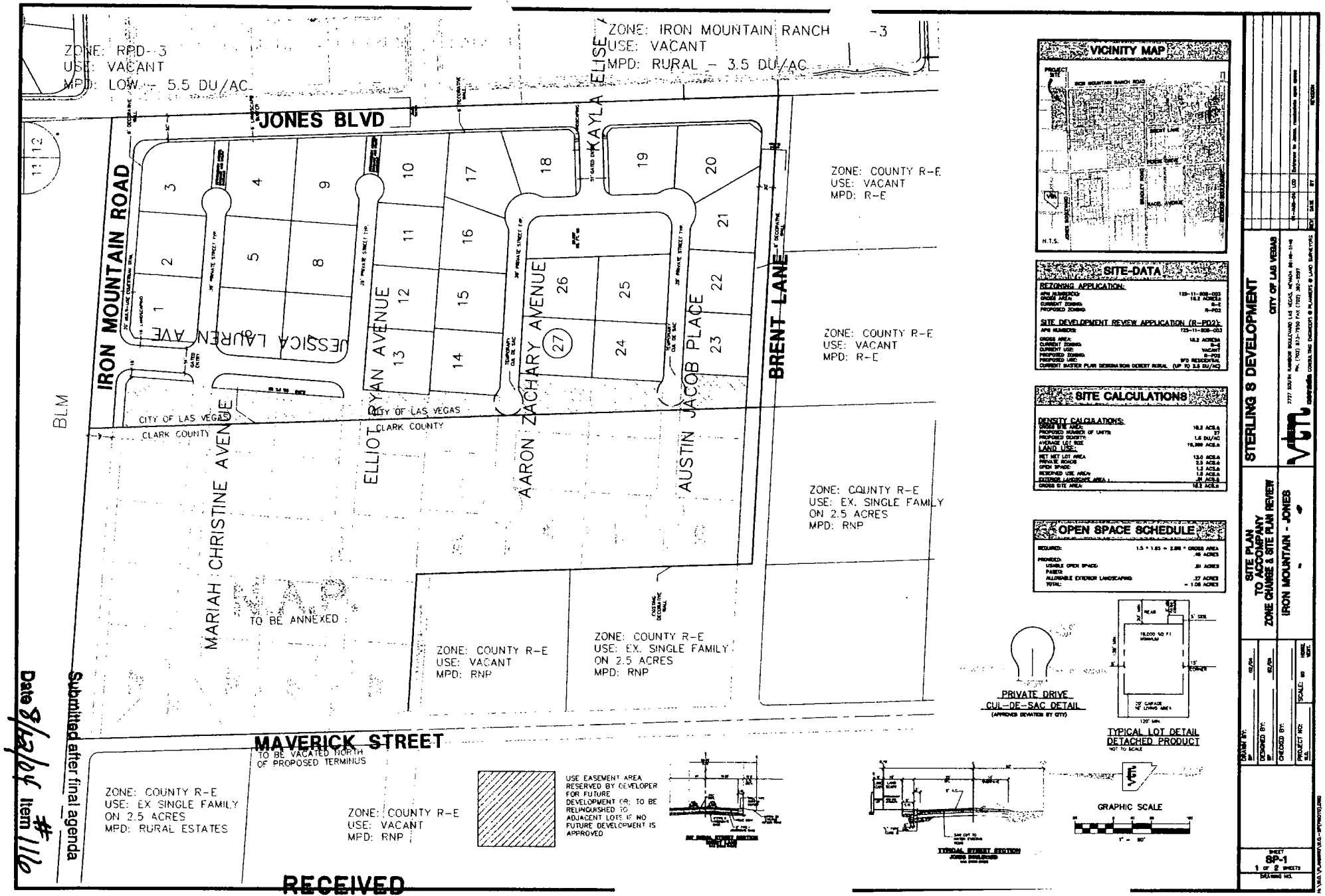
**SDR-4198 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES,
LIMITED LIABILITY COMPANY
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JULY 8, 2004 PLANNING COMMISSION**

4/26/04



**SDR-4198 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES,
LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHWEST CORNER OF IRON MOUNTAIN ROAD AND JONES BOULEVARD
JULY 8, 2004 PLANNING COMMISSION**

4/26/04

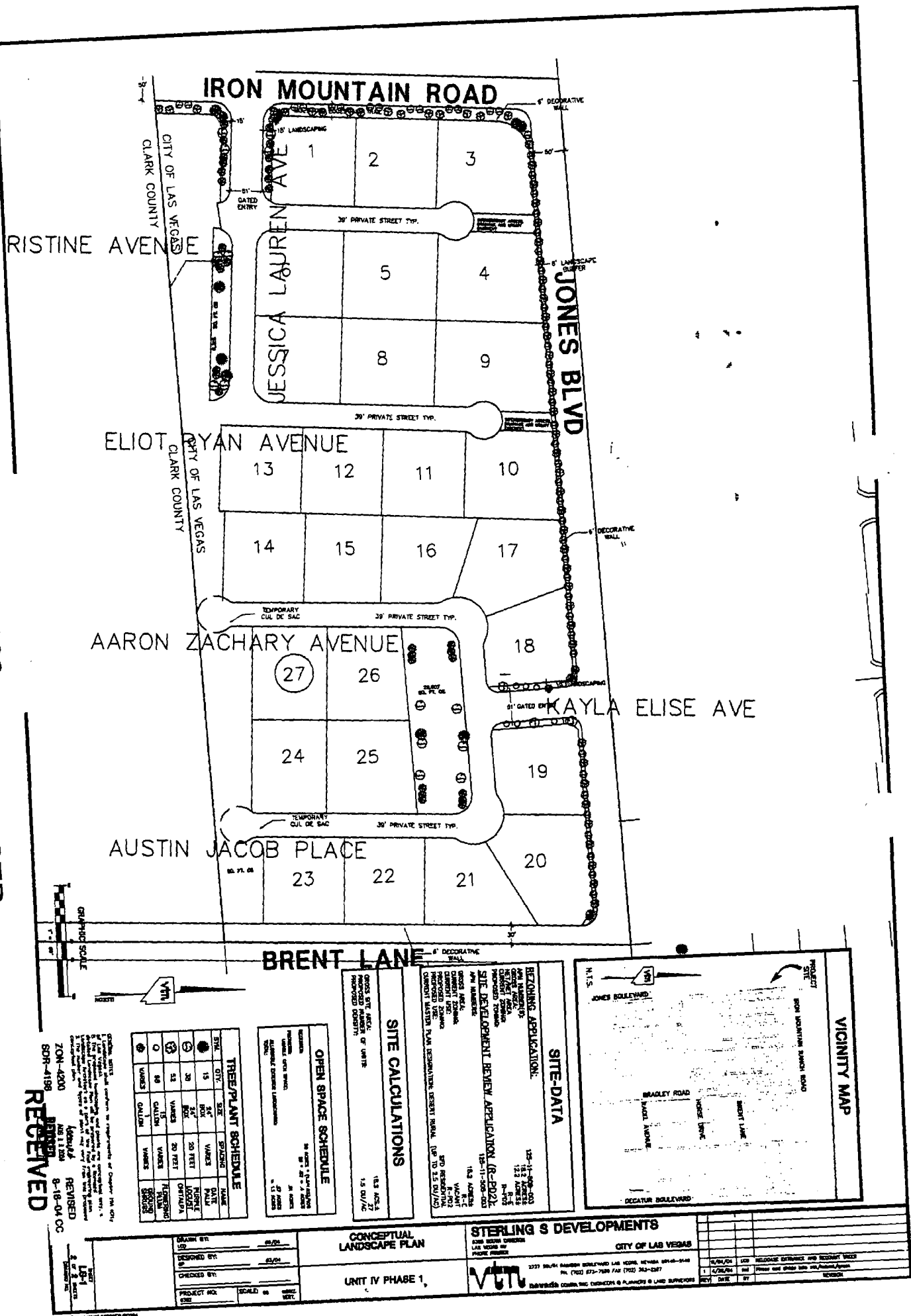


REVISED
8-11-04

ZON-4200
SDR-4198

REVISED
8-18-04 CC

AUG 1 1 2004



August 18, 2004 City Council Meeting
Revised Public Works Conditions

Agenda Item No. 116
SDR-4198
Sterling S

Please add the following Conditions:

- X. Landscape and maintain all unimproved right-of-way on Jones Boulevard adjacent to this site.
- X. Submit an Encroachment Agreement for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

Submitted at City Council

Date 8/18/04 Item 116

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: AUGUST 18, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - ZON-4368 - APPLICANT: CARINA HOMES - OWNERS: RONALD AND CAROLYN MICH'L - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN 126-13-601-004, 006, 008 and 009), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 24

MOTION:

REESE – Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

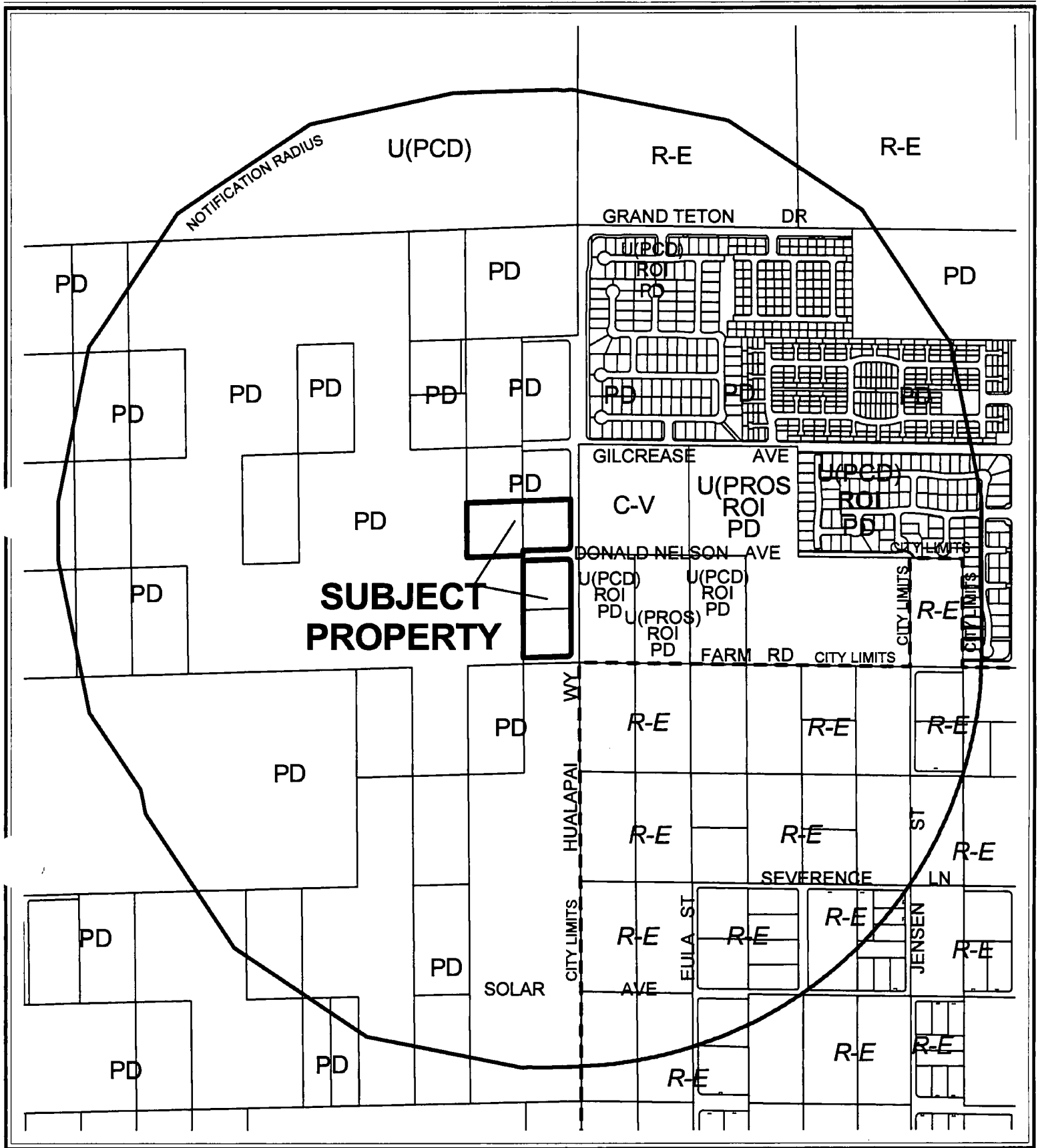
CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 117 – ZON-4368

MINUTES – Continued:

COUNCILMAN WOLFSON disclosed that the owners, RONALD and CAROLYN MICH'L, involved in Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370], are the parents of two individuals he has represented in the last five years in his capacity as a lawyer. The relationship is no longer relevant; therefore, he will be voting on the items.

(1:04 – 1:10)

3-1



CASE: ZON-4368

RADIUS: 2500 FT

CURRENT ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

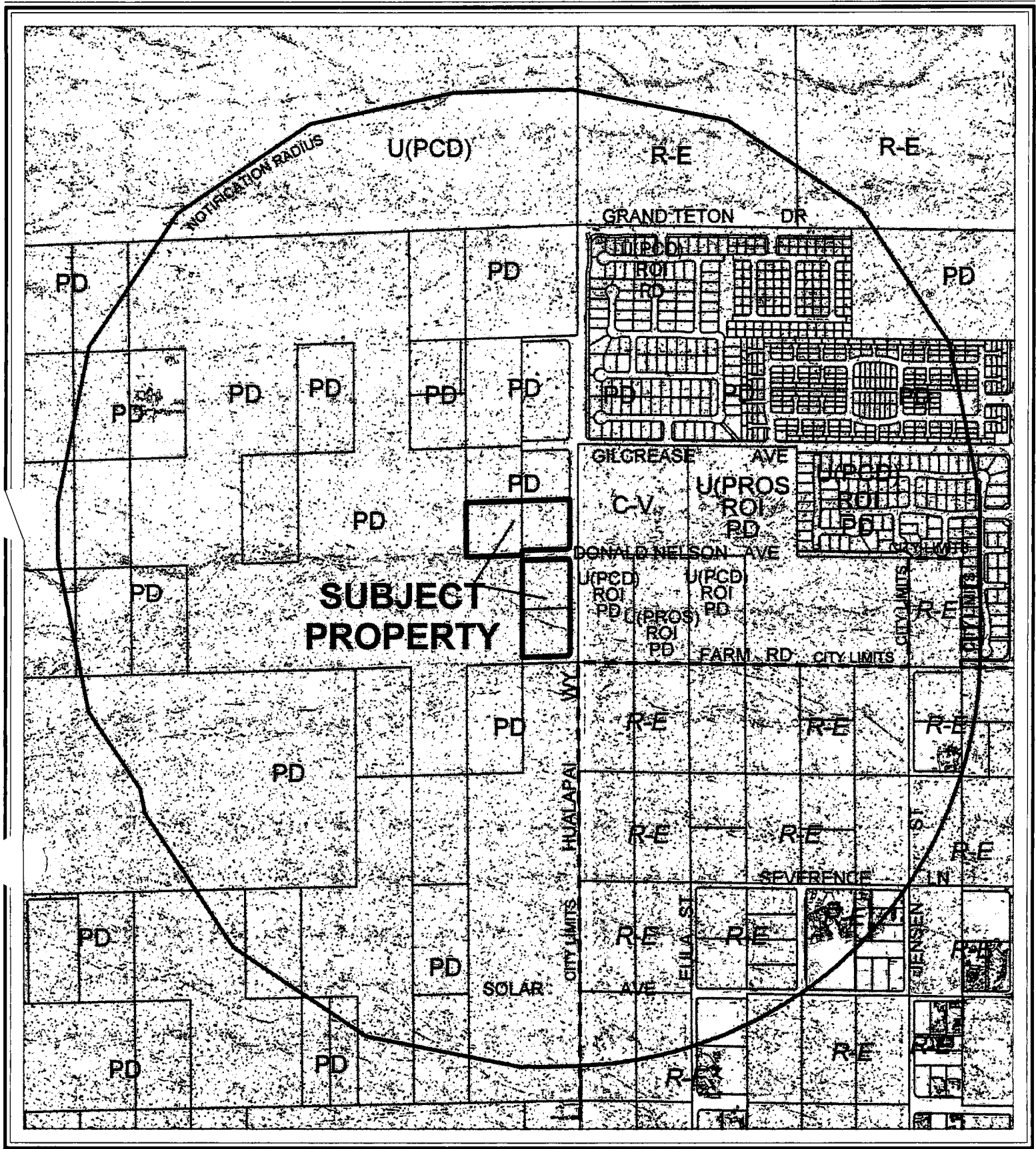
R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)

0 600 1200 Feet



117





CASE: ZON-4368

RADIUS: 2500 FT

CURRENT ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)

0 600 1200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-4368 - APPLICANT: CARINA HOMES - OWNERS: RONALD AND CAROLYN MICH'L

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-4370) 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

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 80 feet on Farm Road adjacent to this site and dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Farm Road and Hualapai Way. 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 Farm Road and Hualapai Way adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
5. If not already in place at the time of development, construct a 12-inch sewer main in Hualapai Road from Severance Lane to Farm Road, an 8-inch sewer main in Hualapai Road from Farm Road to the north property line and a 10-inch sewer extension in Farm Road to the west property line at a location and depth acceptable to the City Engineer concurrent with development of this site. Provide a plan for such work to the Department of Public Works for approval prior to submittal of a Final Map for this site.
6. If not already constructed at the time of development provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.
7. Submit a Petition of Vacation for Donald Nelson Avenue; said Order of Vacation must be recorded prior to recordation of a Final Map abutting or overlying the area to vacated, and the Final Map must show the Recorder's number for the Vacation.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a 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) Zone on approximately 10.52 acres adjacent to the northwest corner of Hualapai Way and Farm Road. Revised site plans from the applicant revises this request from R-PD6 (Residential Planned Development - 6 Units Per Acre) to R-PD7 (Residential Planned Development - 7 Units Per Acre).

B) Applicant's Justification

This development will provide an environment of stable and desirable character, consistent with the existing City policies and regulations.

BACKGROUND INFORMATION

A) Previous Actions

- 02/14/02 Annexation of the subject parcels was effective on this date. The annexation approved by the City Council February 5, 2002. The Planning Commission and the staff recommended approval.
- 06/24/04 The Planning Commission abeyed this and related items to the July 22, 2004 Planning Commission meeting.
- 07/22/04 The Planning Commission recommended approval of related items (VAC-4368 and SDR-4370).
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #24).

B) Pre-Application Meeting

- 04/15/04 At the pre-application conference the following was discussed.
- The proposed is a 69-lot subdivision on 10 acres adjacent to the Cliff's Edge development.
 - The site will need to be rezoned to R-PD7 (Residential Planned Development - 7 Units Per Acre).
 - Waivers of longer private drives will be needed.
 - The trail along Hualapai can count towards the required Open Space.
 - No access will be to Cliff's Edge to the west.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for this type of application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 10.52

B) *Existing Land Use*

Subject Property: Undeveloped

North: Undeveloped

South: Undeveloped

East: Undeveloped

West: Undeveloped

C) *Planned Land Use*

Subject Property: PCD (Planned Community Development)

North: PCD (Planned Community Development)

South: PCD (Planned Community Development)

PF (Public Facility)

East: PCD (Planned Community Development)

PROS (Public Recreation Open Space)

West: PF (Public Facility)

D) *Existing Zoning*

Subject Property: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

North: PD (Planned Development)

South: PD (Planned Development)

East: C-V (Civic)

U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)

West: PD (Planned Development)

E) *General Plan Compliance*

Centennial Hills General Plan

This site is located on the Centennial Hills Interlocal Land Use Plan Map of the General Plan. The Centennial Hills Sector Plan designates this site as PCD (Planned Community Development). The allowable density is up to 8 units per acre. The proposed zoning change to R-PD7 (Residential Planned Development - 7 Units Per Acre), which allows up to 7.49 units per acre, is in conformance with the PCD (Planned Community Development) land use designation.

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

A Multi-use Transportation trail is planned for the west side of Hualapai Way. The trail shall be incorporated in the improvements of the west side of Hualapai Way and the proposed development.

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	2,898 sq. ft.	Y
Min. Lot Width	N/A	46 feet	Y
Min. Setbacks			
• Front	N/A	10 feet	Y
• Side	N/A	3 feet	Y
• Corner	N/A	10 feet	Y
• Rear	N/A	15 feet	Y
Max. Lot Coverage	N/A	N/A	Y
Max. Building Height	2 Stories / 35Feet	2 Stories / 35Feet	Y

The proposal meets the requirements of the Development Standards of Title 19.

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
Perimeter Landscaping	1 - 24" box tree/30 linear feet of gross perimeter frontage (1,190 lineal feet of frontage)	41 Trees
		41 Trees

The perimeter landscaping meets the minimum perimeter-landscaping requirement of Title 12.

The following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
10.52 acres	6.56 units/acre	1.65	10.82 %	1.14 acres or 49,658.4 sf	11.5 %	1.21 acres or 52,614 sf

The proposal exceeds the requirement for Open Space in the Zoning Code.

B) General Analysis and Discussion

This rezoning application is consistent with the parameters of the existing PCD (Planned Community Development) General Plan designation for the site.

- i. The proposed rezoning is consistent with the approved General Plan designation that applies to the area; and
- ii. The proposed rezoning represents a reasonable match with the zoning or land use on adjacent residential parcels to the east, south and west of the sites, which are between 8.0 and 5.5 units per acre, and with the future public facility site directly to the north.

From the standpoint of the proposal as an R-PD (Residential Planned Development) development, the project provides a sufficient amount of open space, based on the requirements of the Zoning Code, and appears to provide a reasonable development solution for the subject parcels. The various aspects of the site plan are addressed in greater detail in the companion case report on SDR-4370.

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 PCD (Planned Community Development), which allows a density of up to 8 units per acre. The rezoning request to R-PD7 (Residential Planned Development - 7 Units Per Acre), which allows up to 7.49 units per acre, is consistent with the current General Plan designation.

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 that is shown on the companion Site Development Plan to this rezoning application (SDR-4370) is intended to comply with both the PCD (Planned Community Development) land use designation and the proposed R-PD7 (Residential Planned Development - 7 Units Per Acre) zoning. Lands to the southwest, and north of

this project are zoned PD (Planned Development) with a density up to 8 dwelling units per acre. Lands to the east, across Hualapai Way, are zoned for C-V (Civic) for an school/park and PD (Planned Development). The PD (Planned Development) zoned parcel is designated in the Grand Teton Village Master Plan with density maximum of 3.0 units per acre.

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

The subject site consists of four parcels that are between the Cliffs Edge Plan Area and the Grand Teton Village Plan area. Both of these plans are being implemented and because of this urban development of the site is now appropriate. Development of this site for single-family residential development at a density of about seven units per acre means that the project will be in scale and compatible with future low-density residential development on surrounding sites.

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 subject site is bordered by Hualapai Way (a Secondary [80-foot] Collector) to the east. On the companion Site Development Plan (SDR-4370) to this application, access to the site is indicated solely from Hualapai Way. When developed, this access will be adequate to meet the requirements of the proposed zoning district.

NOTICES MAILED 44 by Planning Department

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

ZON-4368

Case Number: _____ APN: 126-13-60-004, 006, 008, 009

Name of Property Owner: Ron and Carolyn Mich'l, c22 LP

Name of Applicant: Carina Homes

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

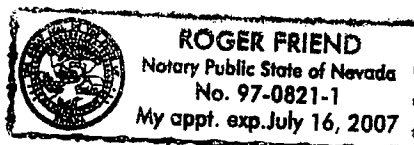
APN: _____

Signature of Property Owner/Authorized Agent: Amber L. Dolce on behalf of:
Carolyn Mich'l
Print Name: Amber L. Dolce

Subscribed and sworn before me

This 27th day of APRIL, 2004

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



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: AUGUST 18, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VACATION RELATED TO ZON-4368 - PUBLIC HEARING - VAC-4420 -
APPLICANT: CARINA HOMES; OWNER: RON AND CAROLYN MICH'L, ET AL -
Request for a Petition to vacate U. S. Government Patent Easements and the Donald Nelson Avenue Right of Way, generally located west of Hualapai Way, north of Farm Road, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 25

MOTION:

REESE - Motion to STRIKE Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], HOLD IN ABEYANCE Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 - UNANIMOUS

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

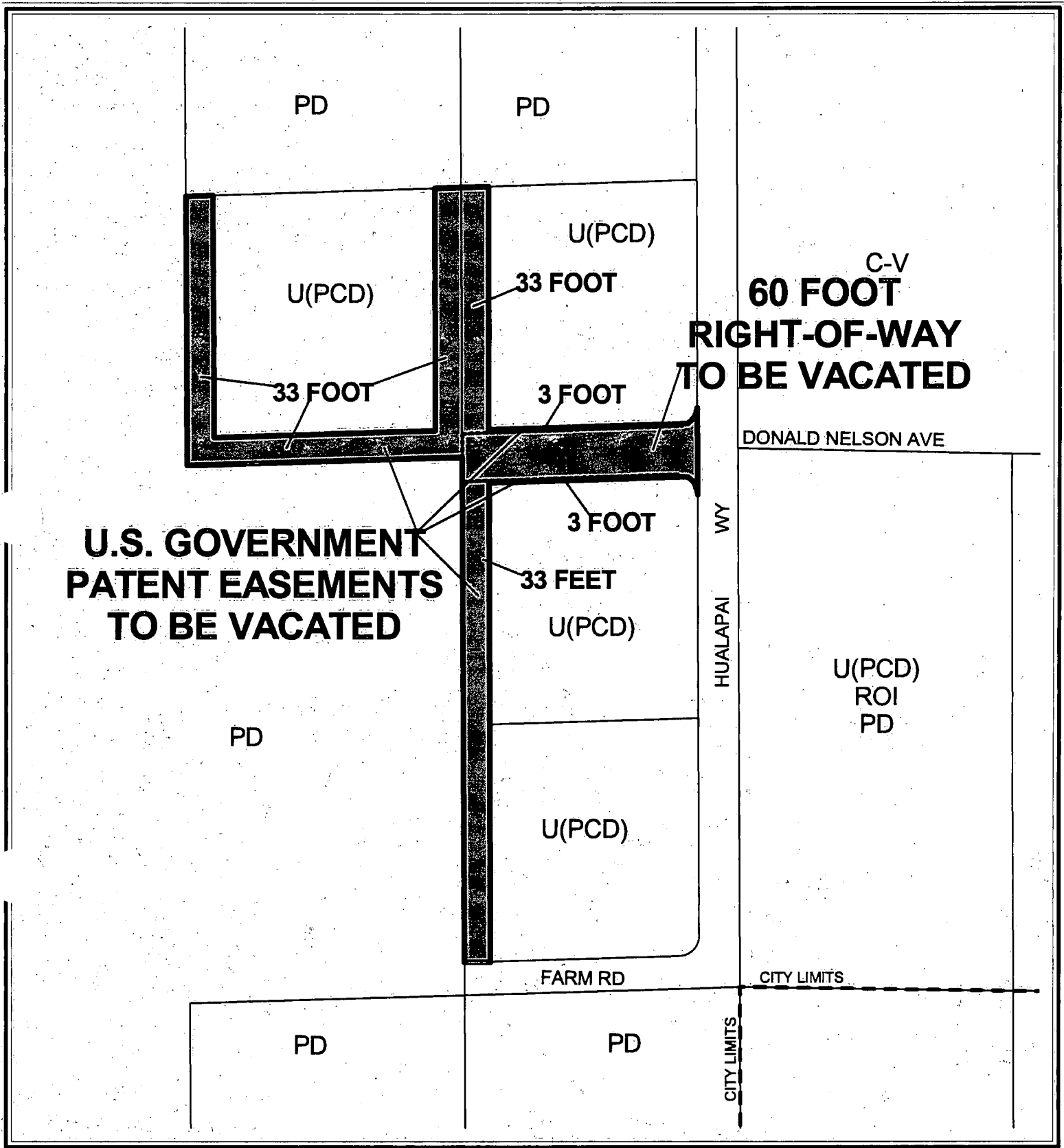
CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 118 – VAC-4420

MINUTES – Continued:

COUNCILMAN WOLFSON disclosed that the owners, RONALD and CAROLYN MICH'L, involved in Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370], are the parents of two individuals he has represented in the last five years in his capacity as a lawyer. The relationship is no longer relevant; therefore, he will be voting on the items.

(1:04 – 1:10)

3-1



**U.S. GOVERNMENT
PATENT EASEMENTS
TO BE VACATED**

DONALD NELSON AVE

HUALAPAI WY

FARM RD

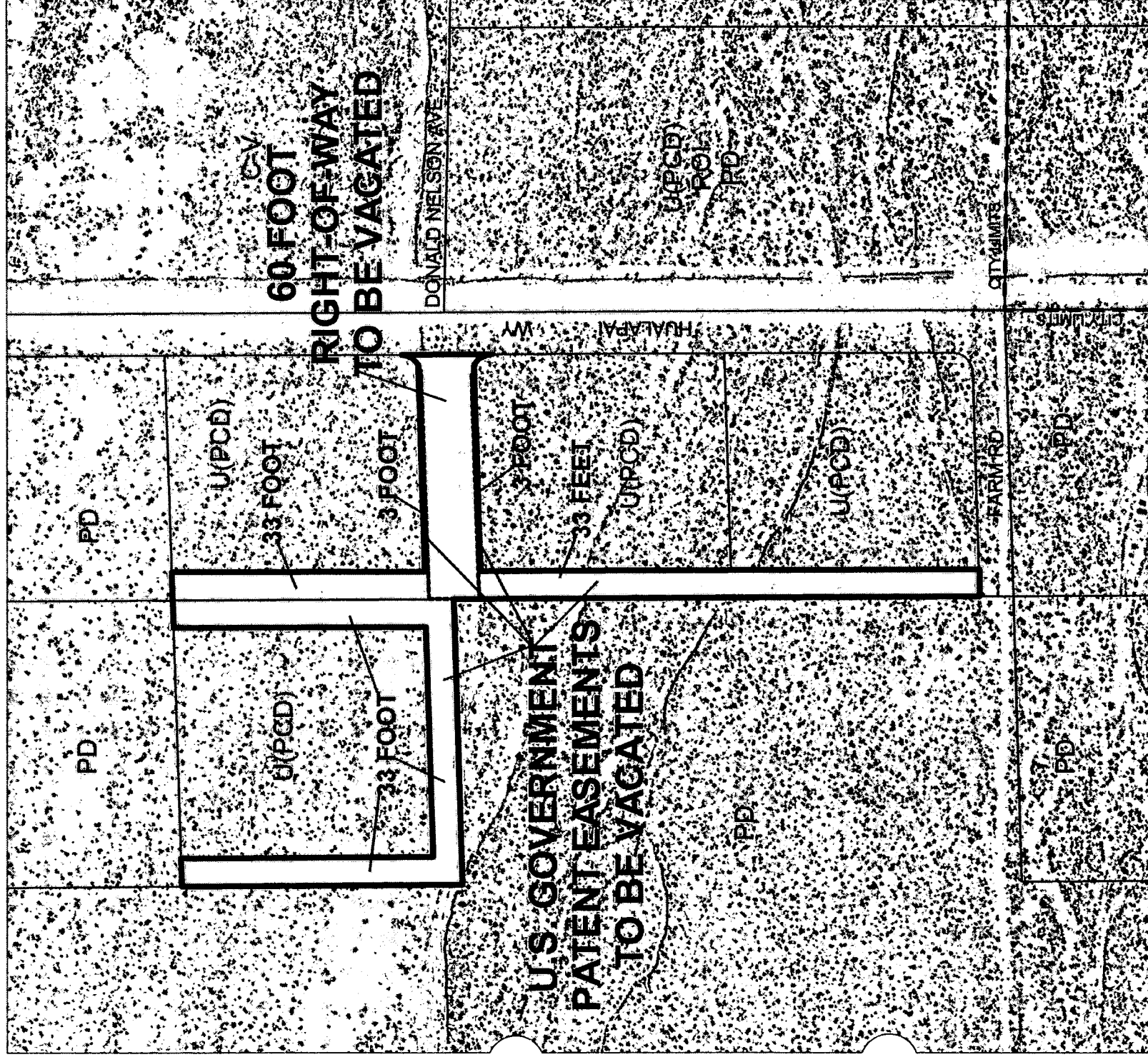
CITY LIMITS

0 100 200 Feet

CASE: VAC-4420

118





CASE: VAC-4420



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-4420 - APPLICANT: CARINA HOMES; OWNER: RON AND CAROLYN MICH'L, ET AL

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City departments.
3. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.
4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest and the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by ZON-4368 may be used to satisfy this requirement provided that it addresses the area to be vacated.
5. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest or the Order of Vacation.
6. The Order of Relinquishment of Interest and Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval to Vacate U. S. Government Patent Easements located generally at the northwest corner of Farm Road and Hualapai Way. This request is also for a Petition to Vacate a portion of Donald Nelson Avenue, generally located between Farm Road and Grand Teton Drive, along the west side of Hualapai Way.

B) Applicant's Justification

The alignment of Donald Nelson Avenue will not be necessary for utilities, an alignment for a through street, or drainage for the Master Plan Community of Cliff's Edge, which surrounds the development site on three sides.

The vacation of the patent easements is necessary to allow the subdivision layout being proposed. The easements will not be needed, as there are no street alignments along the perimeter of the property that are planned with the adjoining master plan.

BACKGROUND INFORMATION

A) Previous Actions

- 02/14/02 Annexation of the subject parcels was effective on this date. The annexation approved by the City Council February 5, 2002. The Planning Commission and the Department of Planning and Development recommended approval.
- 06/24/04 The Planning Commission abeyed this request so that the applicant could coordinate with the neighboring development.
- 07/22/04 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #25).

DETAILS OF APPLICATION REQUEST

Patent Easements

The subject Vacation proposes to vacate a U. S. Government Patent Easement located in the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section 13, Township 19 South, Range 59 East, M.D.M.

Right-of-Way

The south 30 feet excepting the east 50 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 13, Township 19 South, Range 59 East, M.D.M.

The north 30 feet excepting the east 50 feet of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 13, Township 19 South, Range 59 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U.S. Government Patent Easements because they are no longer needed in its current configuration. This will allow the unencumbered development of this site. This request is appropriate, as the subject grant is not needed and will not result in reduced access traffic handling capability for the area.

The applicant intends to remove a portion of Donald Nelson Avenue from Hualapai Way west 290 feet for a planned residential development on the adjacent parcels to the north and south of the right-of-way. This request is appropriate, as the subject right-of-way is not needed and will not result in reduced access traffic handling capability for the area.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *N/A as it will completely eliminate Donald Nelson Avenue west of Hualapai Way*
- B. From a traffic-handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since it is an undeveloped road.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is to eliminate right-of-way that will never be utilized.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, ZON-4368 and SDR-4370.*

- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NOTICES MAILED 7 by City Clerk

APPROVALS 0

PROTESTS 0

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4368 AND VAC-4420 - PUBLIC HEARING - **SDR-4370** - **APPLICANT: CARINA HOMES** - **OWNER: RONALD AND CAROLYN MICH'L** - Request for a Site Development Plan Review FOR A 73-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN 126-13-601-004, 006, 008 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 26

MOTION:

REESE – Motion to **STRIKE** Item 86 [1710 E. Charleston Boulevard] and Item 89 [224 W. Philadelphia Avenue], **HOLD IN ABEYANCE** Item 93 [DIR-4797], Item 117 [ZON-4368], Item 118 [VAC-4420], Item 119 [SDR-4370], Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] to 9/1/2004; Item 102 [MOD-4615], Item 103 [ZON-4616], Item 104 [SDR-4617], Item 112 [SUP-4592], Item 113 [SUP-4593], Item and 114 [SUP-4594] to 9/15/2004 – **UNANIMOUS**

MINUTES:

COUNCILMAN MACK requested Item 102 [MOD-4615], Item 103 [ZON-4616] and Item 104 [SDR-4617] be held in abeyance to the City Council meeting of 9/15/2004 as he did not have the opportunity to meet with the applicant. He further indicated that DR Horton asked that Item 141 [GPA-4634], Item 142 [ZON-4640], Item 143 [VAR-4642] and Item 144 [SDR-4641] be abeyed to the 9/1/2004 City Council meeting. In addition, he asked that Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370] be held to the 9/1/2004 City Council meeting in order that setback issues could be discussed between the developer and the community.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 119 – SDR-4370

MINUTES – Continued:

COUNCILMAN WOLFSON disclosed that the owners, RONALD and CAROLYN MICH'L, involved in Item 117 [ZON-4368], Item 118 [VAC-4420] and Item 119 [SDR-4370], are the parents of two individuals he has represented in the last five years in his capacity as a lawyer. The relationship is no longer relevant; therefore, he will be voting on the items.

(1:04 – 1:10)

3-1

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-4370 - APPLICANT: CARINA HOMES - OWNER:
RONALD AND CAROLYN MICH'L**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Rezoning [ZON-4368] to an R-PD6 (Residential Planned Development - 6 Units Per Acre) Zoning District approved by the City Council.
2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
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 for a maximum of 69 units, date stamped June 10, 2004, except as amended by conditions herein.
5. The setbacks for this development shall be a minimum of 20 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, 10 feet to the building, 10 feet on the corner side, and 5 feet in the rear.
6. Air conditioning units shall not be mounted on rooftops.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
8. 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.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. The trail shown on the plan along the west side of Hualapai Way shall conform to the Cliff's Edge Multi-Use Transportation Trail Standards.

Public Works

11. A petition of vacation for all right-of-way in conflict with the proposed site plan (Donald Nelson Avenue), such as VAC-4420, shall record prior to the recordation of a Final Map abutting or overlying the area to be vacated, and the Final Map must show the Recorder's numbers of the Vacations.
12. 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.
13. Grant pedestrian access easements and public utility easements for all sidewalks located outside of the public street right-of-way. The sidewalk shall be within a separate common lot.
14. Landscape and maintain all unimproved rights-of-way on Hualapai Way and Farm Road adjacent to this site.
15. Submit an Encroachment Agreement for all landscaping and private improvements located in the Hualapai Way and Farm Road public rights-of-way adjacent to this site prior to occupancy of this site.
16. 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.
17. Site development to comply with all applicable conditions of approval for ZON-4368 and all other subsequent site-related actions.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard private drive/private street intersections are proposed within in this development.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review on approximately 10.52 acres adjacent to the northwest corner of Hualapai Way and Farm Road. Approval of this request will allow the applicant to develop a 69-lot residential subdivision on the site.

Companion applications, ZON-4368 and VAC-4420, were filed with this application.

B) Applicant's Justification

This development will provide an environment of stable and desirable character, consistent with the existing City policies and regulations.

BACKGROUND INFORMATION

A) Previous Actions

- 02/14/02 Annexation of the subject parcels was effective on this date. The annexation approved by the City Council 02/05/02. The Planning Commission and the Department of Planning and Development recommended approval.
- 07/22/04 The Planning Commission recommended approval of related items ZON-4368 and VAC-4420.
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #26-KW).

B) Pre-Application Meeting

- 4/15/04 At the pre-application conference the following was discussed.
- The proposed is a 69-lot subdivision on 10 acres adjacent to the Cliff's Edge development.
 - The site will need to be rezoned to R-PD7.
 - Waivers of longer private drives will be needed.
 - The trail along Hualapai can count towards the required Open Space.
 - No access will be to Cliff's Edge to the west.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 10.52

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) *Planned Land Use*

Subject Property: PCD (Planned Community Development)
North: PCD (Planned Community Development)
South: PCD (Planned Community Development)
PF (Public Facility)
East: PCD (Planned Community Development)
PROS (Public Recreation Open Space)
West: PF (Public Facility)

D) *Existing Zoning*

Subject Property: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
North: PD (Planned Development)
South: PD (Planned Development)
East: C-V (Civic)
U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
West: PD (Planned Development)

E) *General Plan Compliance*

Centennial Hills General Plan

This site is located on the Centennial Hills Sector Plan Map of the General Plan. The Centennial Hills Sector Plan designates this site as PCD (Planned Community Development). The allowable density is up to 8 units per acre. The proposed zoning change to R-PD7 (Residential Planned Development - 7 Units per Acre), which allows up to 7.49 units per acre, is in conformance with the PCD (Planned Community Development) land use designation.

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

A Multi-use Transportation Trail is planned for the west side of Hualapai Way. The trail shall be incorporated in the improvements of the west side of Hualapai Way and the proposed development.

PROJECT DESCRIPTION

The proposed site plan illustrates a development that consists of 69 single-family lots on the 10.52-acre site. The project will be served by 33-foot wide private roads, and will be accessed through a gated entry from Hualapai Way. The site will contain a total of 52,614 square feet of open space, including 32,973 square feet of park areas, 8,802 square feet of trails and 10,839 square feet of landscaped sidewalks which in total exceeds the minimum open space requirement of the Zoning Code. The average proposed lot size is 2,898 square feet in area.

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	2,898 sq. ft.	Y
Min. Lot Width	N/A	46 feet	Y
Min. Setbacks			
• Front	N/A	10 feet	Y
• Side	N/A	3 feet	Y
• Corner	N/A	10 feet	Y
• Rear	N/A	15 feet	Y
Max. Lot Coverage	N/A	N/A	Y
Max. Building Height	2 Stories / 35Feet	2 Stories / 35Feet	Y

The proposal meets the requirements of the Development Standards of Title 19.

A2) Residential Adjacency Standards

The Residential Adjacency Standards, pursuant to Title 19.08, are met by this application.

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
Single Family Detached	N/A	2 Spaces/ Single Dwelling	138	N/A	138	N/A

The proposal meets the parking requirements of Title 19.

A2) Landscape and Open Space Standards

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

Standards	Required		Trees	Provided
	Ratio			
Perimeter Landscaping	1 - 24" box tree/30 linear feet of gross perimeter frontage (1,190 lineal feet of frontage)		41 Trees	41 Trees

The perimeter landscaping meets the minimum perimeter-landscaping requirement of Title 12.

The following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
10.52 acres	6.56 units/acre	1.65	10.82 %	1.14 acres or 49,658.4 sf	11.48 %	1.21 acres or 52,614 sf

The proposal exceeds the requirement for Open Space in the Zoning Code.

B) General Analysis and Discussion

- Zoning**

This site is the subject of a companion Rezoning request (ZON-4368), to change the zoning on the site from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone. The proposed Site Development Plan will conform to the proposed zoning of the site.

- Site Plan**

The proposed site plan illustrates a development that consists of 69 single-family lots on the 10.52-acre site. The project will be served by 37-foot wide private roads and will be accessed

through a gated entry from Hualapai Way. The site will contain a total of 52,614 square feet of open space, including 32,973 square feet of park areas, 8,802 square feet of trails and 10,839 square feet of landscaped sidewalks which in total exceeds the minimum open space requirement of the Zoning Code. The average proposed lot size is 2,898 square feet in area.

- Waivers

The applicant has not requested waivers of standards.

- Landscape Plan

The landscape plan depicts perimeter landscape buffers adjacent to right-of-way and two parks. The proposed plant materials are consistent with the area.

- Elevation

The homes will be subject to the development standards set forth by this site development plan review. The Planning and Development Department will review all building permits to ensure the homes incorporate building materials appropriate for the area.

The submitted plans show the typical one and two story single-family designs that are common in the area.

- Floor Plan

The submitted plans show the typical one and two story single-family designs that are common in the area.

FINDINGS

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

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

The proposed development is within the range of allowable uses in the proposed R-PD7 (Residential Planned Development - 7 Units Per Acre) zoning district and can be developed in a manner that is compatible with future single-family development land uses in the vicinity of this site.

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

The proposed development is consistent with the General Plan, Title 19, and the Landscape, Wall and Buffer Standards.

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

The subject site is bordered by Hualapai Way in east and Farm Road to the south. Both of the streets are both Secondary [80-foot] Collectors. The proposed site plan indicates that access to the site will be solely from Hualapai Way, by a gated private entry. When developed, this access will be adequate to meet the requirements of the proposed development.

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

The landscaping and building materials proposed for this development would be the same as those commonly used for residential development. Therefore it will be appropriate for the single-family residential character of 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 proposed residential development as designed will be appropriate for the area and the adjacent single-family residential uses that are likely to be developed in the future.

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

The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

PLANNING COMMISSION ACTION

Conditions #1, 4, 5 and 10 have been amended as shown.

NOTICES MAILED 44 by Planning Department

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

SDR-4370

Case Number: _____ APN: 126-13-601-004, 006, 008, 009

Name of Property Owner: Ron and Carolyn Mich'l, c22 LP

Name of Applicant: Carina Homes

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

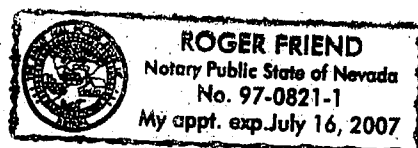
Signature of Property Owner/Authorized Agent: Amber L Dace on behalf of:

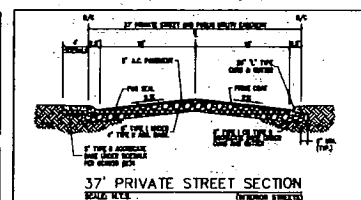
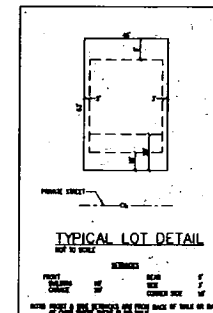
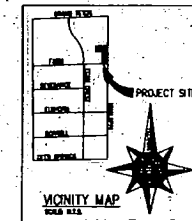
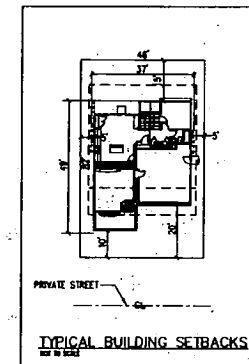
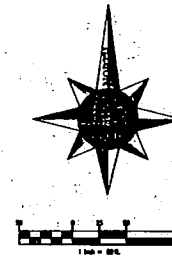
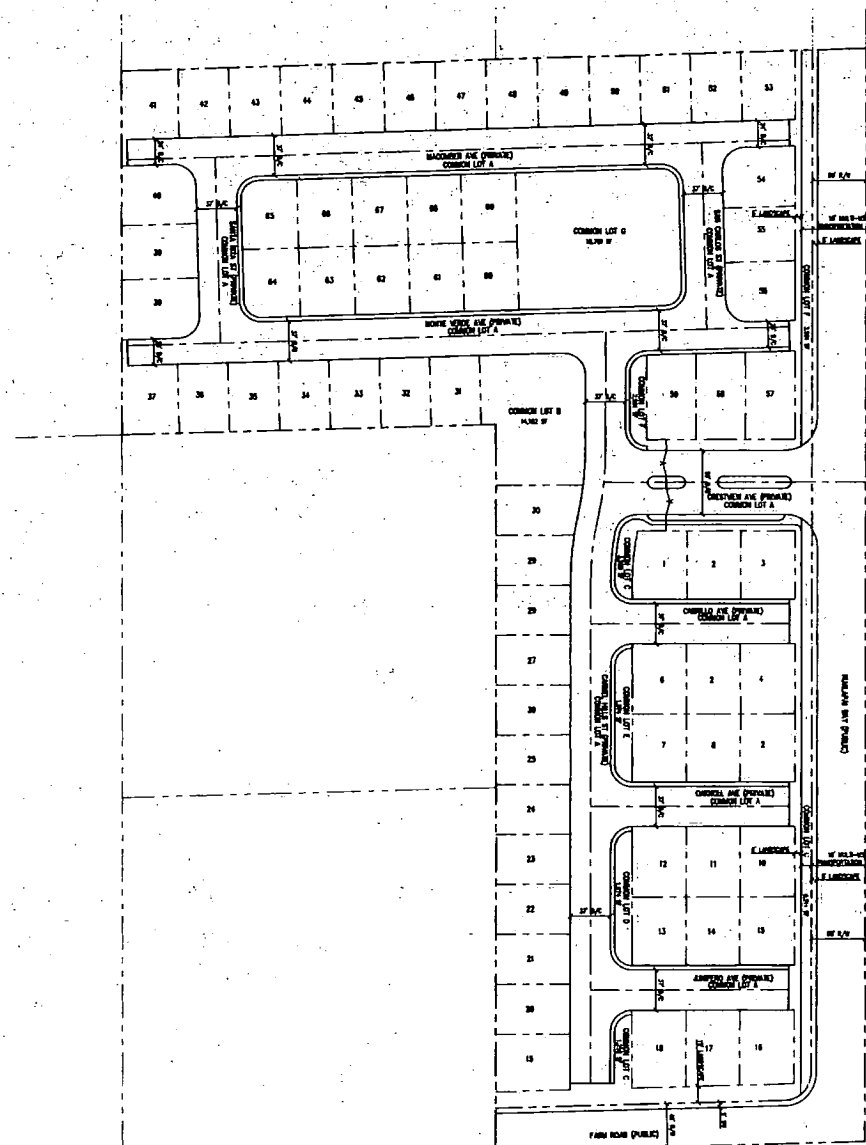
Print Name: Carolyn Mich'l
Amber L Dace

Subscribed and sworn before me

This 27th day of APRIL, 2004

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



[illegible]

REVISED
6.10.04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4452 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 8.79 acres adjacent to the northeast corner of Jones Boulevard and Deer Springs Way (APN 125-24-201-002), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2
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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Revised plan submitted by Planning & Development
5. Submitted at City Council - Proposed conditions submitted by Craig Shirley

MOTION:

MACK - APPROVED subject to conditions as read for the record and amended as follows:

3. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a tentative map to reflect an average lot size of 10,496 square feet, with no lot being less than 8,800 square feet.

- UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 120 [ZON-4452] and Item 121 [SDR-4455].

ATTORNEY PAUL LARSEN, 300 South 4th Street, appeared on behalf of the applicant and stated that the property is located on the corner of Jones Boulevard and Deer Springs Way. It is near a parcel that has an approved site plan. They are trying to do the same site plan but at a

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 120 – ZON-4452

MINUTES – Continued:

lower density. There will be an entrance off Deer Springs Way, and the central common area can be seen from Deer Springs Way. The site immediately east was modified by taking away the lot at the top of the common lot area, making it accessible from both sides of Garret Circle.

ATTORNEY LARSEN indicated staff had originally recommended a condition for a minimum lot size of 11,000 square feet, but it was modified by the Planning Commission to a minimum lot size of 8,800 square feet with an average lot size of 11,000 square feet. The dimensions of the open space and common area have been modified, as well as the larger lots. The smallest lot size remains at 8,800 square feet and brings the average lot size to 10,496 square feet. He asked that the conditions be modified to reflect that square footage.

MARGO WHEELER, Deputy Director, Planning and Development Department, clarified that staff reviewed the site plan and it conforms with the recommendation of the Planning Commission. However, a condition would need to be revised on both Item 120 [ZON-4452] and Item 121 [SDR-4455].

CRAIG SHIRLEY, 5901 Mellow Avenue, appeared in support of the request as recommended by the Planning Commission restricting lot size to a minimum of 8,800 square feet and asked that the median lot size be 11,000 square feet. He also asked that a condition be imposed restricting the houses to single story to conform to what exists in this area. The two-story density will severely impact the rural character of the existing neighborhood.

FERN UNGER, 5920 Mellow Avenue, appeared in support and indicated that they have enjoyed a great view for the past 18 years. She asked that the development be all single story homes to maintain at least a partial view. She expressed concern about the elevations and how they would affect flooding. She asked if there will be adequate drains on Deer Springs Way or if other provisions will be implemented to keep her home from being flooded during a serious rainstorm. BART ANDERSON, Public Works Department, replied that all developments require a drainage study to evaluate all existing and proposed drainage patterns and to seek to minimize any adverse drainage. MS. UNGER stated that her backyard has a chain link fence that will not hold back anything. She asked if she is required to obtain flood insurance. MR. ANDERSON asked that MS. UNGER contact the Public Works Department, Flood Control Division, to determine whether she is in a flood zone. If she is, she already should have flood insurance.

ATTORNEY LARSEN commented they are willing to submit a drainage study and comply with any recommendations that may come from that study.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 120 – ZON-4452

MINUTES – Continued:

COUNCILMAN MACK stated that the current site plan has a condition that the median size lot will be 11,000 and no lot will be smaller than 8,800 square feet. ROBERT GENZER, Director, Planning and Development Department, clarified that it actually speaks to an average size of 11,000 square feet, which is the standard wording.

ATTORNEY LARSEN discussed with COUNCILMAN MACK that a determination has not been made yet as to how many homes will be two-story. The homes will be semi-custom, and it will depend on the buyer of that particular lot. COUNCILMAN MACK asked the applicant to work with staff regarding this issue. MR. GENZER added that based on the revised plan, if the applicant is moving forward on this plan, Condition 3 of Item 120 [ZON-4452] would need to be amended to change the average lot size of 11,000 square feet to 10,496 square feet. ATTORNEY LARSEN agreed to that revision.

Regarding Item 121 [SDR-4455], MS. WHEELER recommended that the 11,000 square feet in Condition 4 be changed to 10,496 square feet and that Condition 5 be amended to reflect the date of the plans as August 10, 2004. ATTORNEY LARSEN concurred and thanked MS. WHEELER for her help with both applications.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 120 [ZON-4452] and Item 121 [SDR-4455].

NOTE: All discussion for Item 120 [ZON-4452] and Item 121 [SDR-4455] was held under Item 120 [ZON-4452].

(2:57 – 3:09)

4-794

CONDITIONS:

Planning and Development

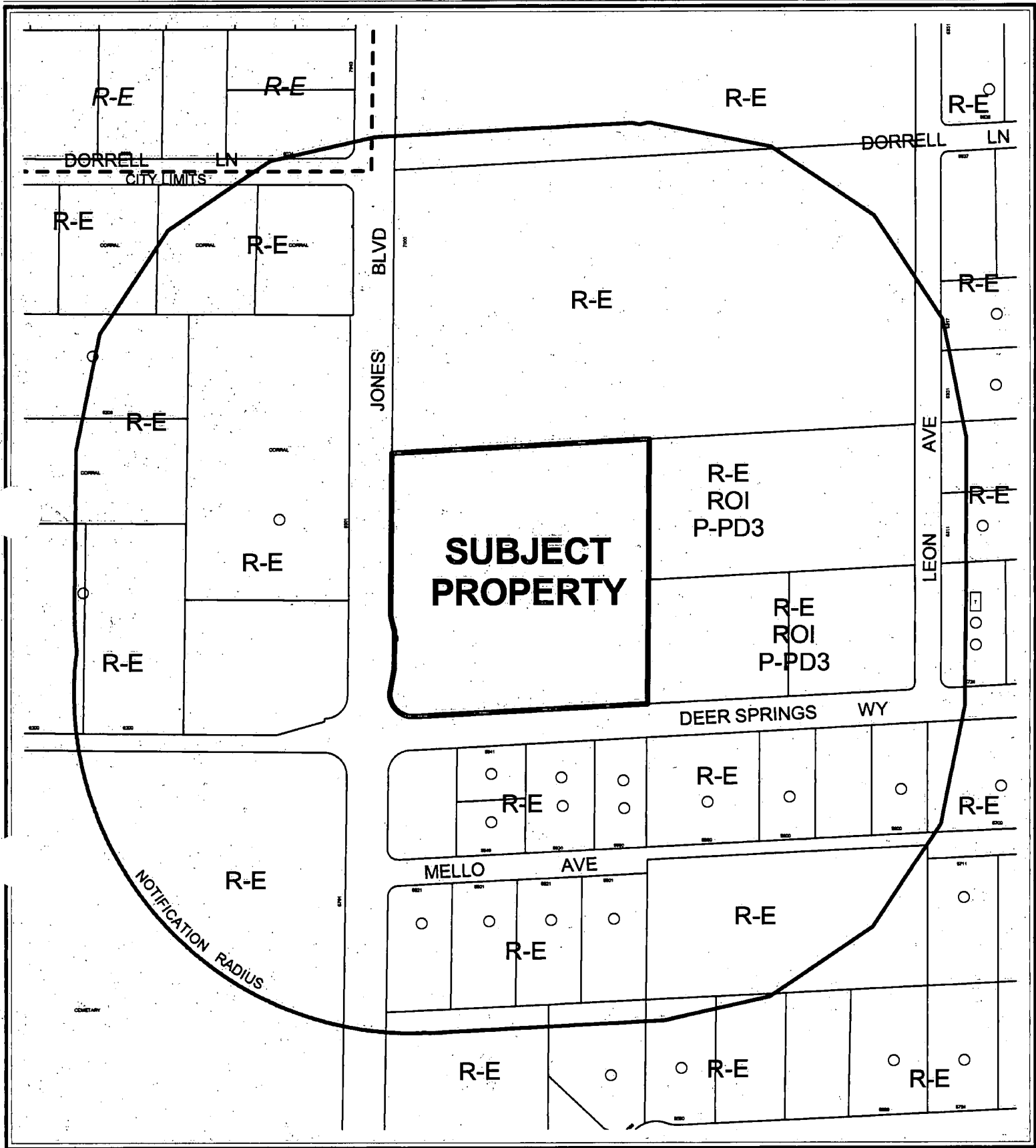
1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-4455) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. The site plan shall be revised and approved by the Planning and Development Department; prior to the time application is made for a tentative map to reflect an average lot size of 11,000 square feet, with no lot being less than 8,800 square feet.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 120 – ZON-4452

CONDITIONS – Continued:

Public Works

4. Construct half-street improvements including appropriate overpaving on Jones Boulevard and Deer Springs Way 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. If not already constructed, extend public sewer from Bradley Road to this site to a location and 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.
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.



CASE: ZON-4452

RADIUS: 750 FT

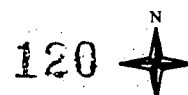
ZONING OF SUBJECT PROPERTY:

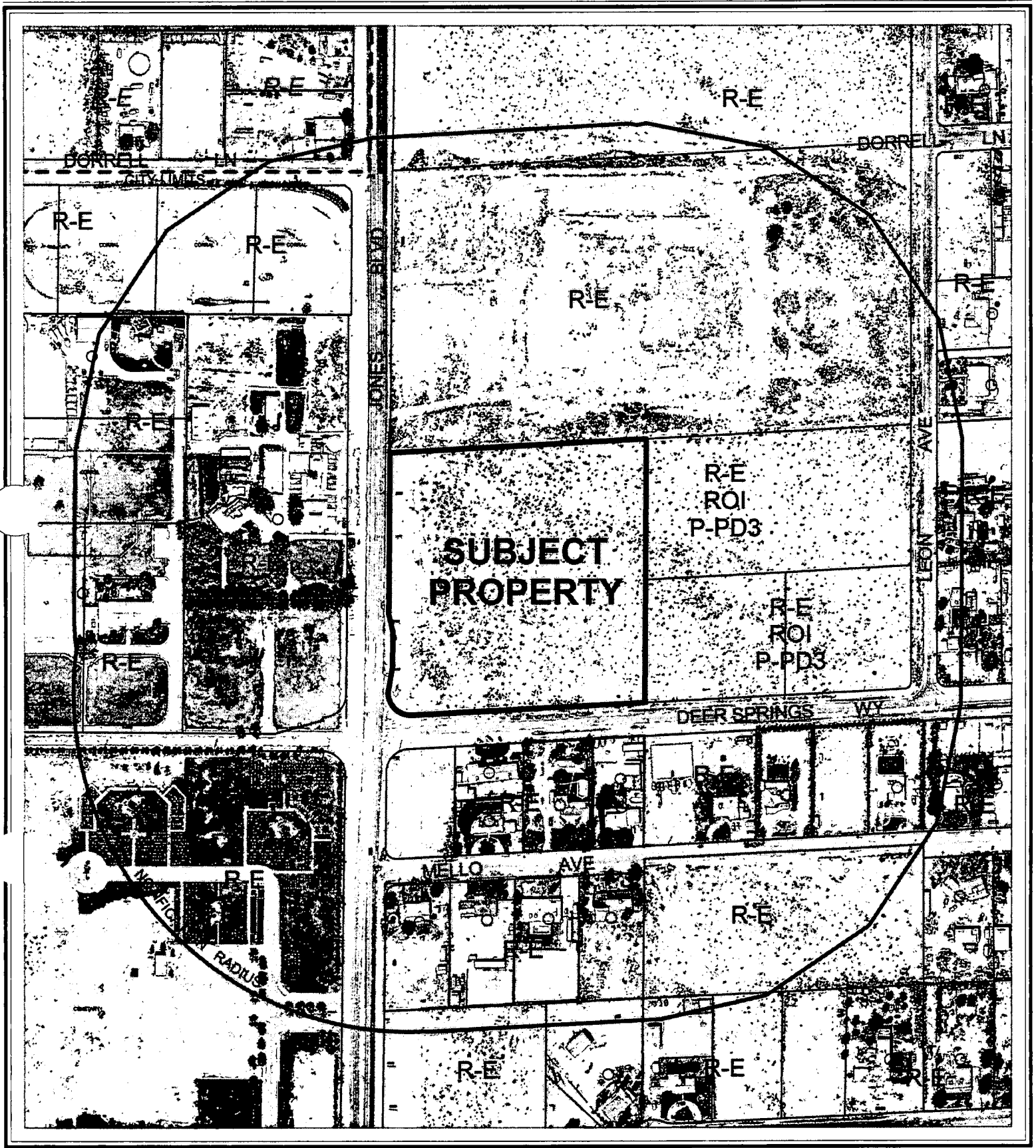
R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 200 400 Feet





CASE: ZON-4452

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-4452 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-4455) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. The site plan shall be revised and approved by the Planning and Development Department; prior to the time application is made for a tentative map to reflect an average lot size of 11,000 square feet, with no lot being less than 8,800 square feet.

Public Works

4. Construct half-street improvements including appropriate overpaving on Jones Boulevard and Deer Springs Way 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. If not already constructed, extend public sewer from Bradley Road to this site to a location and 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.
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 request is for a Rezoning to R-PD3 (Residential Planned Development – 3 Units Per Acre) on 8.79 acres located adjacent to the northeast corner of Deer Springs Way and Jones Boulevard.

B) Applicant's Justification

The proposed subdivision will be as a site for upscale homes with CC&Rs established to promote harmony with existing developments in the area and to be aesthetically pleasing.

BACKGROUND INFORMATION

A) Previous Actions

06/24/04 The Planning Commission voted to abey this application to the July 22, 2004 Planning Commission so the applicant's new representative can review the project.

07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #19-KW).

B) Pre-Application Meeting

4/20/04 Elements of a complete rezoning application were discussed.

C) Neighborhood Meetings

A neighborhood meeting was not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.0
Net Acres: 8.79

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped

South: Single Family Dwellings
East: Undeveloped
West: Single Family Dwellings

C) Planned Land Use

Subject Property: R (Rural Density Residential)
North: R (Rural Density Residential)
South: R (Rural Density Residential)
East: R (Rural Density Residential)
West: R (Rural Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-E (Residence Estates) under Resolution of Intent to R-PD3
Residential Planned Development - 3 Units Per Acre)
West: R-E (Residence Estates)

E) General Plan Compliance

The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

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

ANALYSIS

A) Zoning Code Compliance

Development standards for a R-PD (Residential Planned Development) are determined during the site development plan review process. Development standards are established through the consideration of the Site Development Plan Review (SDR-4455), a related item.

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
8.79 acres	3.2	1.65	5.28 %	20,037.6 SF	7.5%	28,749.6 SF

The proposed development meets the amount of open space required for a R-PD (Residential Planned Development) zoning district.

B) General Analysis and Discussion

This rezoning application is consistent with the proposed R (Rural Density Residential) General Plan designation for the site. The proposed development will result in the construction of 28 lots on 8.79 acres, for a density of 3.2 dwelling units per acre. A 37-foot wide, private street will be provided. Open space, in the form of a centrally located park is provided in accordance with R-PD (Residential Planned Development) requirements. However, the proposed development is not compatible with the rural atmosphere of the surrounding area. Dwellings to the south and west of the subject site are rural, equestrian estates developed at a density of approximately one-acre in size. The land to the north is zoned for 20,000 minimum square foot development lots.

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-PD3 (Residential Planned Development – 3 Units Per Acre) is consistent with the existing R (Rural Density Residential) General Plan designation.

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 shown on the site plan complies both the R (Rural Density Residential) land use designation and the RPN buffer standards. However, the lot sizes of the proposed development is not compatible with the rural atmosphere of the surrounding area where the lots are developed in excess of 20,000 square feet. Lots to the south and east of the subject site are rural, equestrian estates approximately one-acre in size. Approval of the request, with lots as small as 8,942 square feet, would represent a major change to the established land use pattern and lifestyle enjoyed by the residents of this area of the City.

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

The rapid growth of the Centennial Hills area has not extended into this neighborhood, as only one rezoning exists in the area roughly bounded by Elkhorn Road to the north, the 215 beltway to the south, Maverick Street to the west and Bradley Road to the east.

While a few large tracts of land remain undeveloped, the majority of the land within the area contains one-acre home sites, thus creating a rural environment. This fact minimizes the potential for future large-scale, single-family development in the area, as the acquisition of land becomes more difficult. A gated, walled subdivision is not appropriate in this area, as the predominant single-family product consists of large, rural lots that face the existing street grid.

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 subject site has access to Deer Springs Way, which will be developed as an 80-foot secondary collector on the Master Plan of Streets and Highways, which is adequate to meet the requirements of the proposed zoning district.

NOTICES MAILED 36 by Planning Department

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-4452** APN: _____

X Name of Property Owner: KEVIN GOLSHAN

Name of Applicant: GARRETT LLC

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: _____

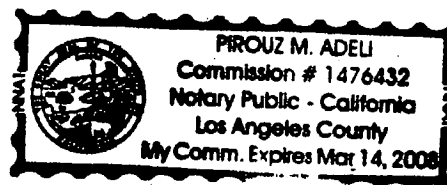
X Signature of Property Owner/Authorized Agent: _____

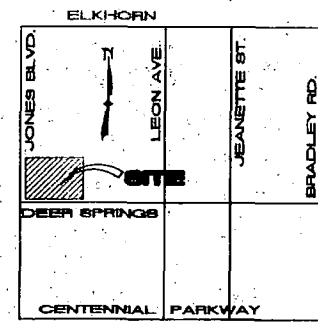
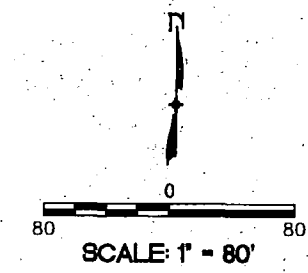
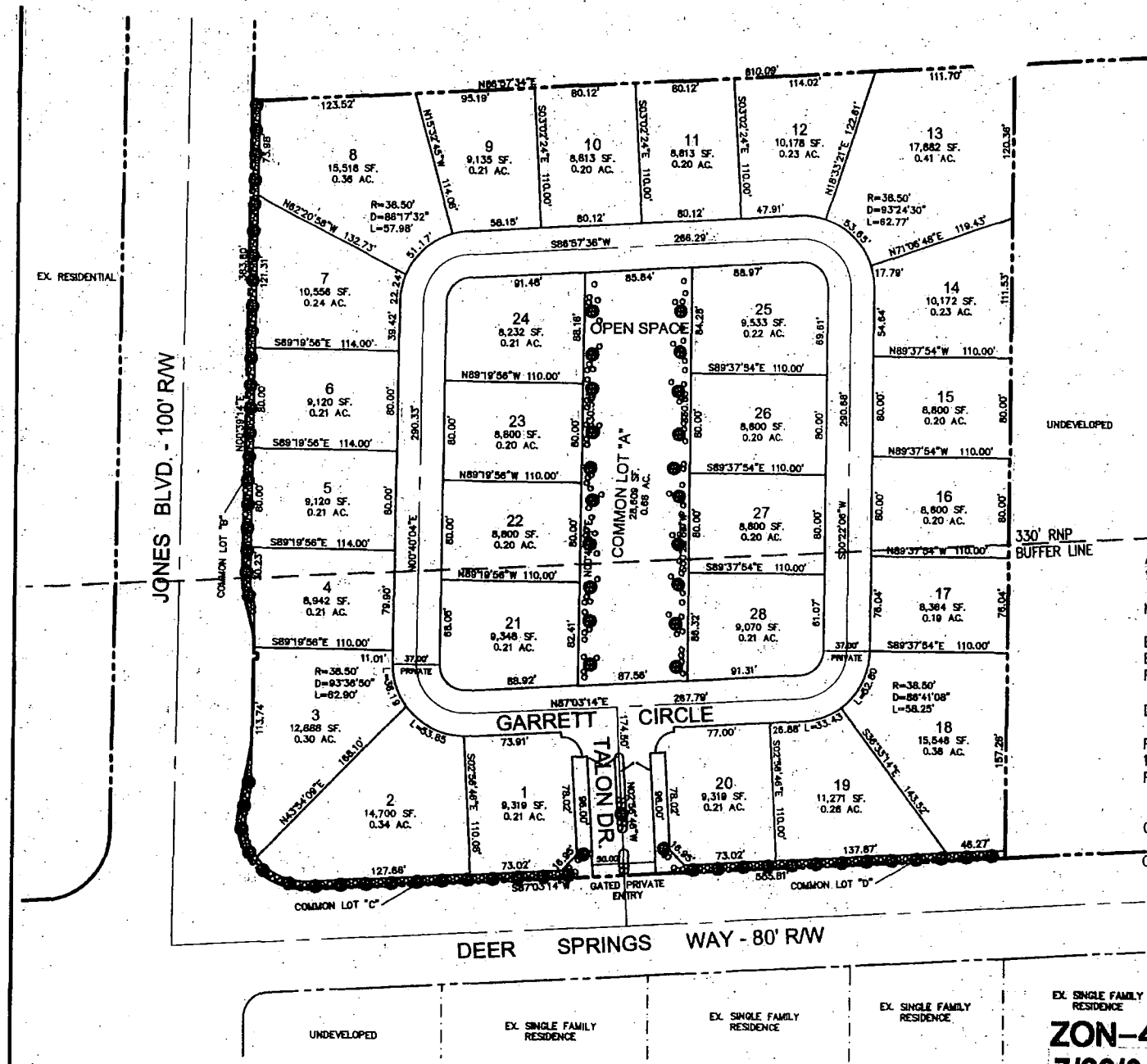
Print Name: KEVIN GOLSHAN

Subscribed and sworn before me

This 7 day of May, 2004

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





APN: 125-24-201-002
 NET ACREAGE: 8.79 AC
 EXISTING LAND USE: R
 EXISTING ZONING: R-E
 REQUESTED ZONING: RPD-3
 DENSITY: 3.2 UNITS/ACRE NET
 RNP BUFFER ZONE: 3.5 ACRES
 10 LOTS IN BUFFER ZONE
 RNP BUFFER ZONE DENSITY: 2.9
 OPEN SPACE REQ. = $3.2 \times 1.65 = 5.28\%$
 $.0528 \times 8.79 \text{ AC} = .46 \text{ AC}$
 OPEN SPACE GIVEN = .66 AC

- LEGEND
- TREE - 24" BOX (20' O.C.)
ULMUS. PARVIFOLIA (TRUE GREEN ELM)
 - 5 GALLON SHRUB
LEUCOPHYLLUM LANGMANIAE
(LYNN'S LEGACY)

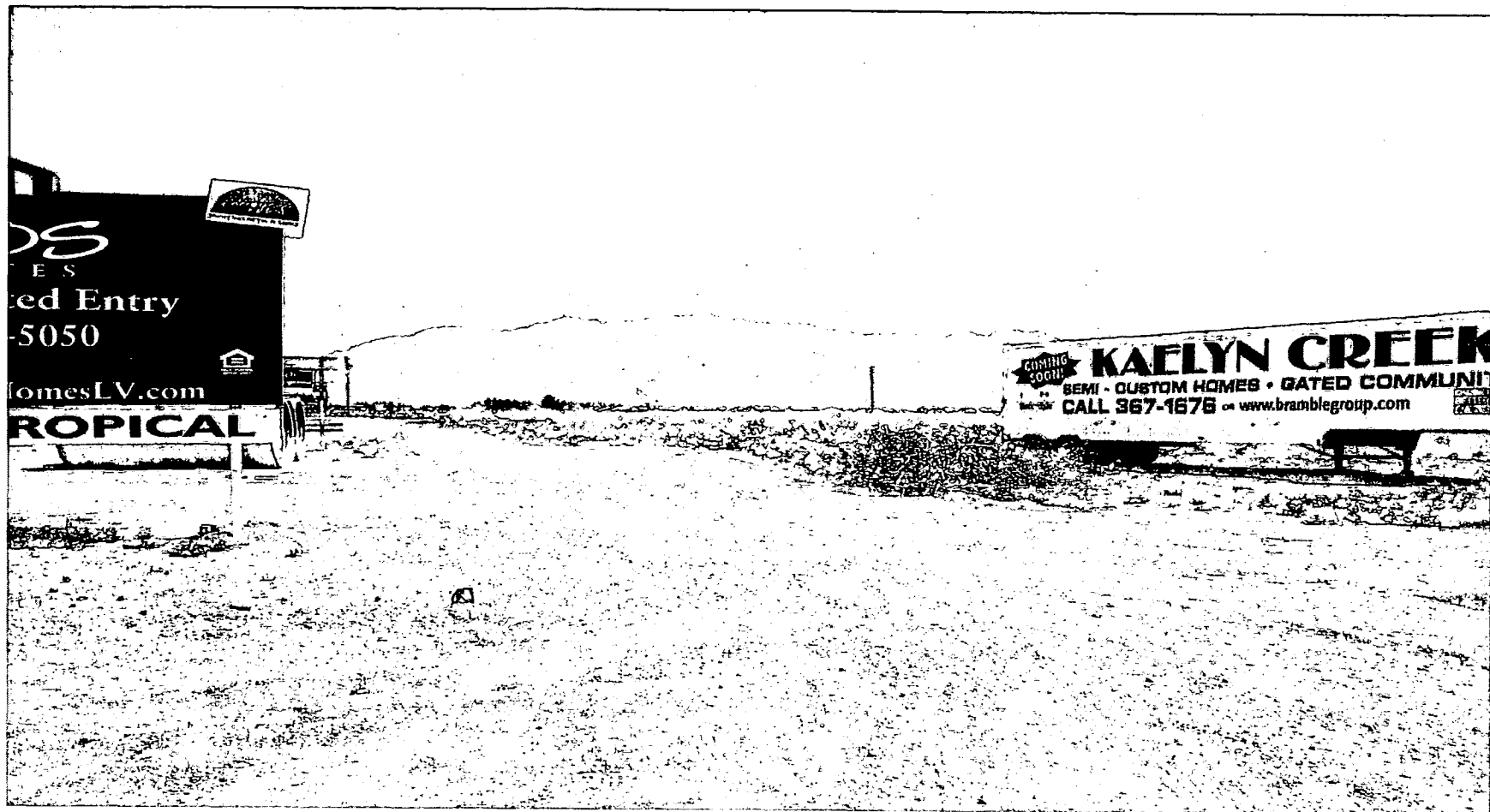
ZON-4452
7/22/04 PC

DEVELOPER BRAMBLE HOMES 2580 LINCOLN ROAD LAS VEGAS, NV 89148 PHONE: (702) 486-4444 FAX: (702) 486-4444	
DESIGNER S.A.A. S.A.A.	PREPARED BY S.A.A. S.A.A.
LANDSCAPE PLAN JONES AND DEER SPRINGS NEC GARRETT SPRINGS BY BRAMBLE HOMES	
SHEET NO. 1 OF 1 SHEETS	



ZON-4452 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN
NORTHEAST CORNER OF JONES BOULEVARD AND DEER SPRINGS WAY
JULY 22, 2004 PLANNING COMMISSION

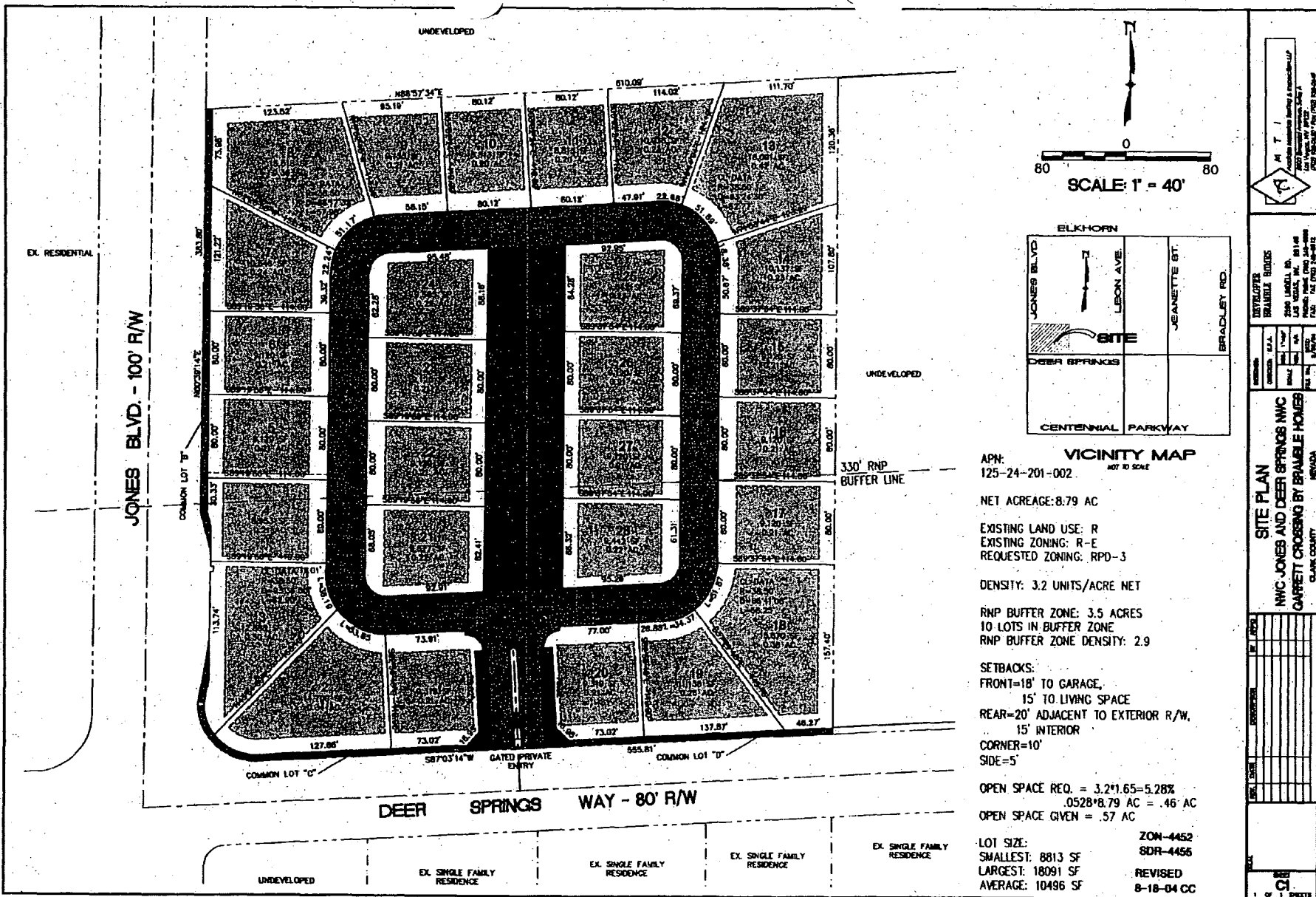
6/7/04



ZON-4452 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN
NORTHEAST CORNER OF JONES BOULEVARD AND DEER SPRINGS WAY
JULY 22, 2004 PLANNING COMMISSION

6/7/04

Submitted after final agenda
 Date 8/11/04 Item #120



RECEIVED
 AUG 10 2004

ZON-4452
 SDR-4455

REVISED
 8-18-04 CC

REVISED
 8-10-04

Conditions for approval of Zon-4452 (Rezone from RE to RPD-3 at the northeast corner of Jones Boulevard and Deer Springs Way (APN: 125-24-201-002)

1. **A deed restriction shall be recorded on this property such that the homes shall be limited to one-story.**
2. **The site plan shall be revised and approved by the Planning and Development Department prior to the time of application is made for a tentative map to reflect a median lot size of 11,000 square feet and no lot being smaller than 8,800 square feet.**

Submitted at City Council

Date *8/18/04* Item *204121*

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4452 - PUBLIC HEARING - SDR-4455 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN - Request for a Site Development Plan Review FOR A 29 LOT SINGLE FAMILY DEVELOPMENT on 8.79 acres located adjacent to the northeast corner of Jones Boulevard and Deer Springs Way (APN 125-24-201-002), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development – 3 Units Per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Revised plan submitted by Planning & Development

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

4. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a tentative map, to reflect a minimum lot size of an average of 10,496 square feet with no lot being no less than 8,800 square feet.
5. All development shall be in conformance with the site plan and building elevations, date stamped 8/10/2004, except as amended by conditions herein.

– UNANIMOUS

MINUTES:

NOTE: See Item 120 [ZON-4452] for all related discussion.

(3:15 – 3:16)

5-1190

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 121 – SDR-4455

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. A Rezoning (ZON-4452) to a R-PD3 (Residential Planned Development – 3 Units Per Acre) Zoning District approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a tentative map, to reflect a minimum lot size of an average of 11,000 square feet with no lot being no less than 8,800 square feet.
5. All development shall be in conformance with the site plan and building elevations, date stamped May 10, 2004, except as amended by conditions herein.
6. Building height shall not exceed two stories or 35 feet, whichever is less.
7. The setbacks for this development shall be a minimum of 15 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, 5 feet on the side, 10 feet on the corner side, 15 feet in the rear for interior lots, 20 feet in the rear for lots adjacent to Deer Springs Way and Leon Avenue.
8. The landscape plan shall be revised and approved by the Planning and Development Department 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 a six foot planter along Jones Boulevard and Deer Springs Way.
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.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 121 – SDR-4455

CONDITIONS – Continued:

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. No perimeter or retaining wall shall exceed a height of eight feet without step backs in accordance with the Code.
12. All City Code requirements and design standards of all City departments must be satisfied.

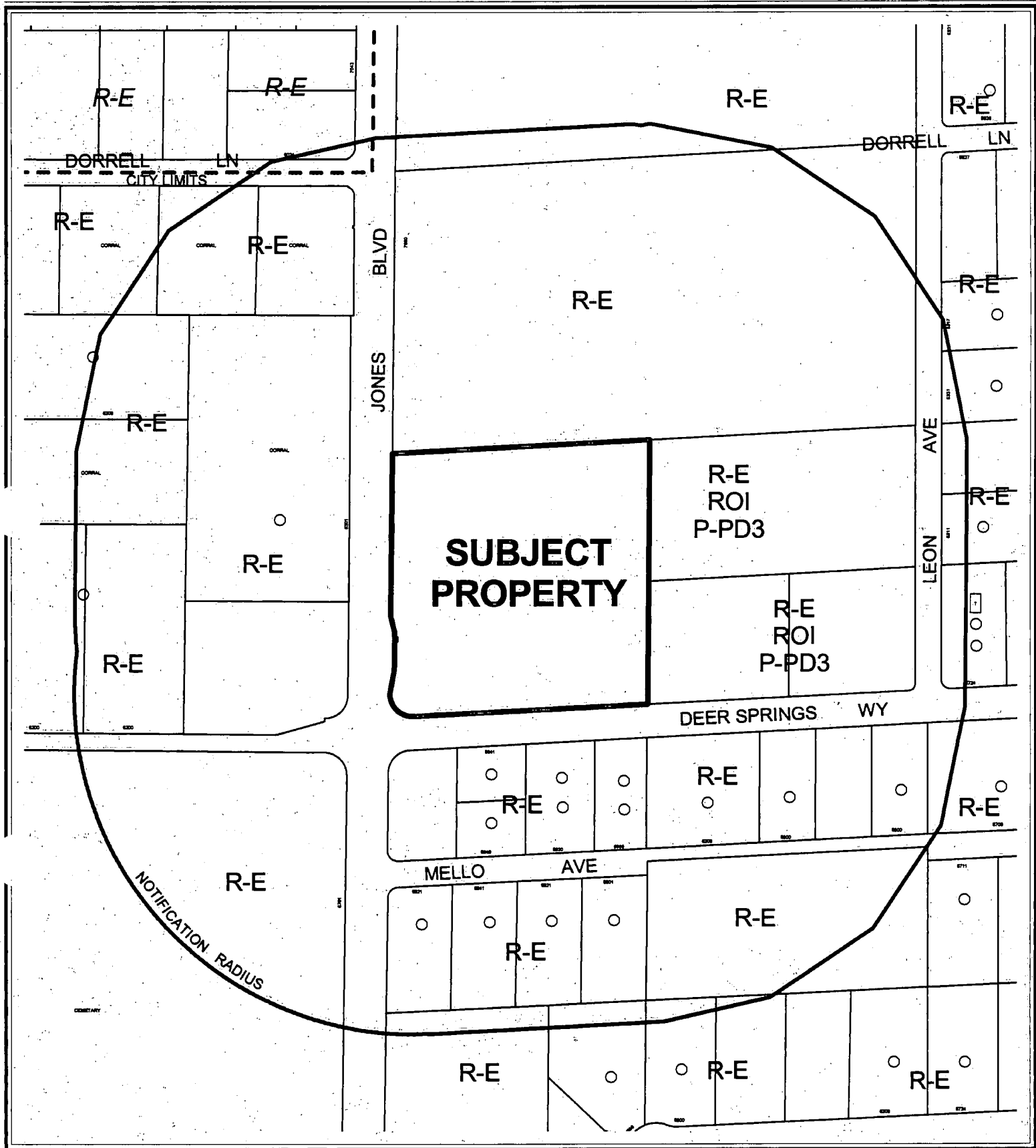
Public Works

13. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
14. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
15. Gated access drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. 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.
17. 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).
18. Site development to comply with all applicable conditions of approval for ZON-4452 and all other site-related actions.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 121 – SDR-4455

CONDITIONS – Continued:

20. 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 approval of a Tentative Map or construction plans. Approval of this Site Development Review does not constitute approval of any deviations. If such approval cannot be obtained, a revised Site Plan must be submitted showing elimination of such deviations. A deviation for non-standard knuckles at street bends is required.



CASE: SDR-4455

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4455 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN

**** CONDITIONS ****

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

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. A Rezoning (ZON-4452) to a R-PD3 (Residential Planned Development – 3 Units Per Acre) Zoning District approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a tentative map, to reflect a minimum lot size of an average of 11,000 square feet with no lot being no less than 8,800 square feet.
5. All development shall be in conformance with the site plan and building elevations, date stamped May 10, 2004, except as amended by conditions herein.
6. Building height shall not exceed two stories or 35 feet, whichever is less.
7. The setbacks for this development shall be a minimum of 15 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, 5 feet on the side, 10 feet on the corner side, 15 feet in the rear for interior lots, 20 feet in the rear for lots adjacent to Deer Springs Way and Leon Avenue.
8. The landscape plan shall be revised and approved by the Planning and Development Department 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 a six foot planter along Jones Boulevard and Deer Springs Way.
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. No perimeter or retaining wall shall exceed a height of eight feet without step backs in accordance with the Code.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
14. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
15. Gated access drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. 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.
17. 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).
18. Site development to comply with all applicable conditions of approval for ZON-4452 and all other site-related actions.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
20. 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 approval of a Tentative Map or construction plans. Approval of this Site Development Review does not constitute approval of any deviations. If such approval cannot be obtained, a revised Site Plan must be submitted showing elimination of such deviations. A deviation for non-standard knuckles at street bends is required.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval of a 28 lot single-family subdivision on 8.79 acres located adjacent to the northeast corner of Deer Springs Way and Jones Boulevard.

B) Applicant's Justification

The proposed subdivision will be as a site for upscale homes with CC&Rs established to promote harmony with existing developments in the area and to be aesthetically pleasing.

BACKGROUND INFORMATION

A) Previous Actions

06/24/04 The Planning Commission abeyed this request to the July 22, 2004.

07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #20-KW).

B) Pre-Application Meeting

04/20/04 Elements of a complete site development plan review application were discussed.

C) Neighborhood Meetings

A neighborhood meeting was not required.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.00
Net Acres: 8.79

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Single Family Dwellings
East: Undeveloped
West: Single Family Dwellings

C) Planned Land Use

Subject Property: R (Rural Density Residential)
North: R (Rural Density Residential)
South: R (Rural Density Residential)
East: R (Rural Density Residential)
West: R (Rural Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-E (Residence Estates) ROI R-PD3 (Residential Planned
Development - 3 Units Per Acre)
West: R-E (Residence Estates)

E) General Plan Compliance

The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

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

PROJECT DESCRIPTION

A total of 28 lots will be developed on the subject site. The lots will be on a 37-foot wide private street with access to Deer Springs Way. Lots range in size from 8,800 square feet to 17,882 square feet. The proposed density of 3.2 units per acre is in conformance with the R (Rural Density Residential) General Plan designation and the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning district.

Six-foot wide landscape planters are not depicted adjacent to all rights-of-way as required by Title 19.12. A condition has been added to address the issue.

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	8,800 Sq Feet	Y
Min. Lot Width	N/A	76.04 Feet	Y
Min. Setbacks			
• Front	N/A	18 Feet	Y
• Side	N/A	5 Feet	Y
• Corner	N/A	10 Feet	Y
• Rear	N/A	15 Feet	Y
Max. Lot Coverage	N/A	N/A	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories / 35 Feet	Y
Trash Enclosure		N/A	N/A
Loading Zone		N/A	N/A
Mech. Equipment		Screened	Not Shown
Other ...			

The proposal meets the requirements of development standards of Title 19.

A2) Residential Adjacency Standards

The proposal meets the Residential Adjacency Standards 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		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
SFD	Varies.	2 Spaces per Residence	2 Spaces per Residence	N/A	2 Spaces per Residence	N/A

The proposal meets the Parking Standards of Title 19.

Circulation and Traffic Issues

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 approval of a Tentative Map or construction plans. Approval of this Site Development Review does not constitute approval of any deviations. If such approval cannot be obtained, a revised Site Plan must be submitted showing elimination of such deviations. A deviation for non-standard knuckles at street bends is required.

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	N/A	N/A	N/A
Buffer:			
• Min. Trees	1 Trees/ 30 Linear Feet	32 Trees	1 Tree / 20 Linear Feet 53 Trees
• Planter Width	6 Feet		Not Shown
• Wall height	6 Feet		Not Shown

The proposal does not meet the requirements for a 6-foot perimeter landscape planter. A condition has been added to require a revised landscaping plan to show the width of the landscape planter.

- R-PD ONLY

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
8.79 acres	3.2	1.65	5.28 %	20,037.6 SF	7.5%	28,749.6 SF

The proposed development meets the amount of open space required for a R-PD (Residential Planned Development) zoning district.

B) General Analysis and Discussion

- Zoning

The existing General Plan designation of the subject site is R (Rural Density Residential). The proposed rezoning to R-PD3 (Residential Planned Development - 3 Units per Acre) is consistent with the current General Plan designation.

The proposed lot sizes are also allowed in the R-PD (Residential Planned Development) zoning district. However, the lot sizes are not compatible with the existing half acre development to the south and the planned development area to the north of this development site.

- Site Plan

The proposed development will result in the construction of 28 lots on 8.79 acres, for a density of 3.2 dwelling units per acre. The lots will be on 37-foot wide, private streets. Lot sizes range in size from 8,800 square feet to 17,882 square feet.

The most of the proposed lot sizes are not compatible with the existing half-acre development to the south and the planned development to the north.

Open space, in the form of a centrally located park, is provided in accordance with R-PD (Residential Planned Development) requirements. Landscape planters adjacent to Deer Springs Way and Jones Boulevard are shown but not labeled. A condition has been added to address the issue.

- Waivers

There are no waiver requests associated with this application.

- Landscape Plan

The landscape plan depicts perimeter landscape buffers adjacent to right-of-way and a centrally located park. The proposed plant materials are consistent with the area. A condition has been included to require a revised landscape plan that depicts the 6-foot perimeter landscaped planter, along Deer Springs Way and Jones Boulevard, as the submitted plan does not indicate the size of the planter.

- Elevation

The applicant has indicated that custom homes will be built upon the lots. The homes will be subject to the development standards set forth by this site development plan review. The Planning and Development Department will review all building permits to ensure the custom homes incorporate building materials appropriate for the area.

The submitted plans show the typical one and two story single-family designs that are common in the area.

- Floor Plan

The submitted plans show the typical one and two story single-family designs that are common in the area.

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 shown on the site plan complies both the R (Rural Density Residential) land use designation and the RPN buffer standards. However, the lot sizes of the proposed development is not compatible with the rural atmosphere of the surrounding area where the lots are developed in excess of 20,000 square feet. Lots to the south and east of the subject site are rural, equestrian estates approximately one-acre in size. Approval of the request, with lots as small as 8,942 square feet, would represent a major change to the established land use pattern and lifestyle enjoyed by the residents of this area of the City.

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

The proposed subdivision is not consistent with city policy that requires developments to be compatible with current and planned development. The typical lot size planned is not compatible with the existing development to the south and planned development to the north.

A gated, walled subdivision is not appropriate in this area, as the predominant single-family product consists of large, rural lots that face the existing street grid.

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

The subject site has access to Deer Springs Way, which will be developed as an 80-foot secondary collector on the Master Plan of Streets and Highways, which is adequate to meet the requirements of the proposed zoning district.

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

Landscape materials are appropriate for the area. Building materials were not reviewed, as the proposed development will offer a custom product. The Planning and Development Department will evaluate every building permit to ensure the materials are appropriate for the area and 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;"**

Design characteristics inherent with this type of single-family product are not harmonious and compatible with the existing rural environment of the surrounding neighborhood. The immediate area is developed with large home sites that utilize the existing street network. The proposed design rotates the dwellings to face interior, private streets. Existing development to the west and south and planned to the north do not incorporate private streets.

The lot size proposed in the subdivision is significantly smaller than what is in the typical development in the immediate area.

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 36 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4455** APN: _____

X Name of Property Owner: KEVIN GOLSHAN

Name of Applicant: GARRETT LLC

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: _____

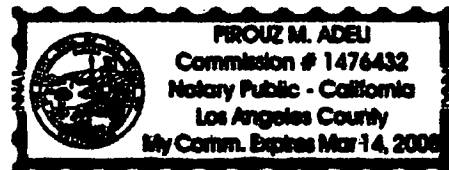
X Signature of Property Owner/Authorized Agent: [Signature]

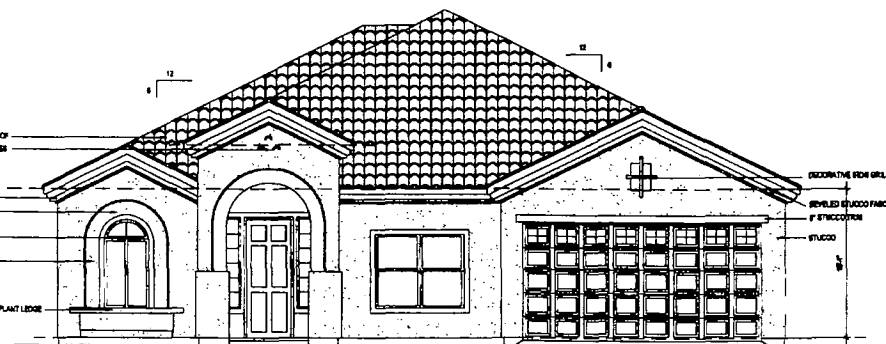
X Print Name: KEVIN GOLSHAN

Subscribed and sworn before me

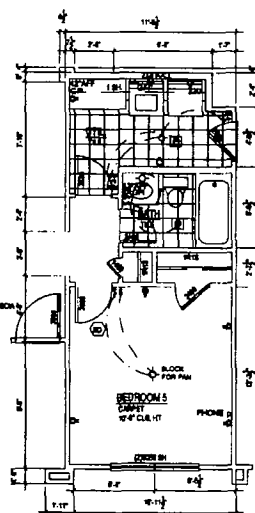
This 7 day of May, 2004

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

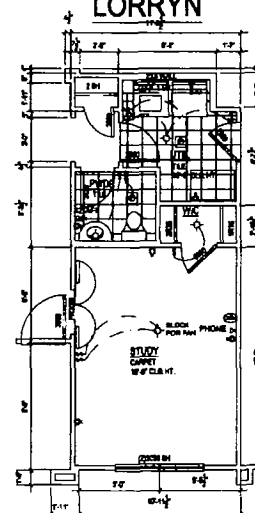




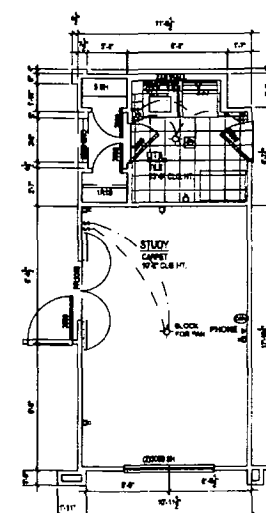
OPT. FRONT ELEVATION A



OPT. BEDROOM 5



OPT. STUDY W/ PYDR



OPT. STUDY

LORRYN PLANE

Drawn By: YH
Checked By:
Date Plotted: 06/18/04
Date: 8-18-03

Issue for Printing / Mailing

Issue for Printed Application

Issue for Construction

Revisions:

#	DATE	COMMENTS

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Permission is granted for the building depicted in related construction drawings to be typically conditioned on the full and final approval of all four architects of Hochtberg & Partners Architects, L.P.

**GARRETT CROSSINGS
LAS VEGAS, NEVADA**

HUMPHREYS & F
ARCHITECT
5300 ALPHA ROAD • DALLAS
(972) 701-9830 • (972)
DALLAS • LAS VEGAS



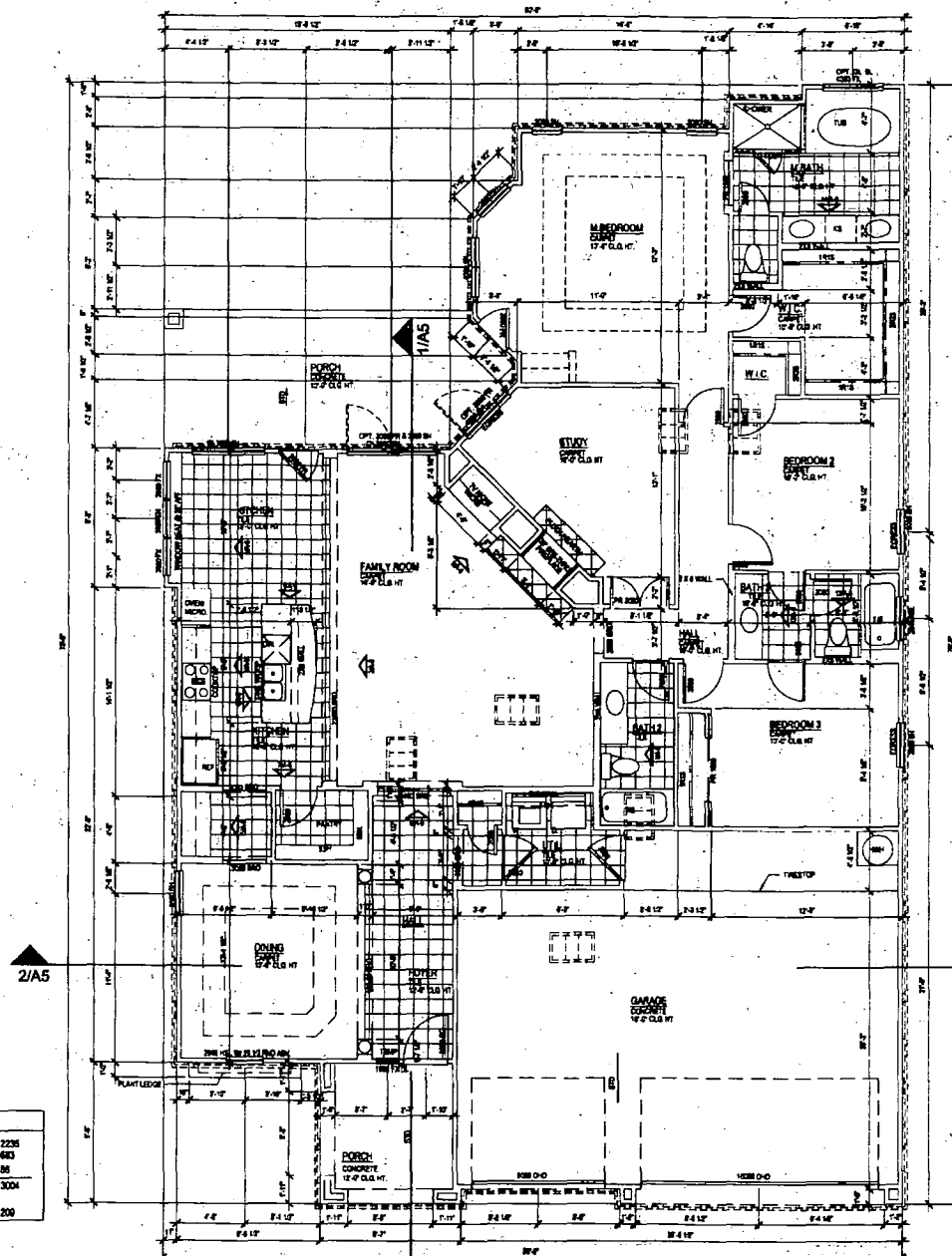
IN-TEXT CONTENTS:

STUDY OPTION

32-581 NO

A-1.1

03146



SQUARE FOOTAGE	
AC	2235
GARAGE	603
PORCH	55
TOTAL UNDER ROOF	304
PATIO	200

SDR-4455
7/22/04 PC

Drawn By: YH
 Checked By: YH
 Date Plotted: 8/1/04
 Date: 8/1/04

Notes for Printing / Bidding:

Notes for Plans Application:

Notes for Construction:

Revisions:

#	DATE	COMMENTS

DESIGNED BY HUMPHREYS & PARTNERS
 ARCHITECTS, L.P.
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GARRETT CROSSINGS
LAS VEGAS, NEVADA

HUMPHREYS
ARCHITECTS
3550 ALPINE ROAD
SUITE 100
DALLAS, TEXAS 75243



SHEET CONTENTS:
FLOOR PLAN
SHEET NO.

A-1

03146

LORRYN PLAN

Drawn By: **JD**
 Checked By: **MEKA**
 Date: **7/22/04**
 Title: **MORGYN PLAN**
 Project: **SDR-4455**
 Location: **7770 S. 10TH AVE., LAS VEGAS, NV 89138**
 Owner: **MR. & MRS. J. & K. H. HARRIS**
 Architect: **HUMPHREYS & PARTNERS, ARCHITECTS, L.P.**
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GARRETT CROSSINGS
LAS VEGAS, NEVADA

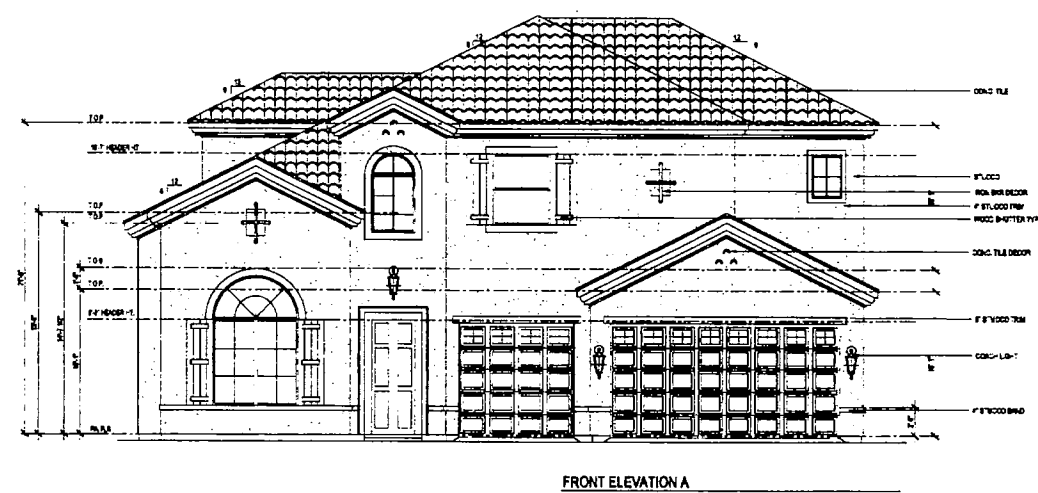
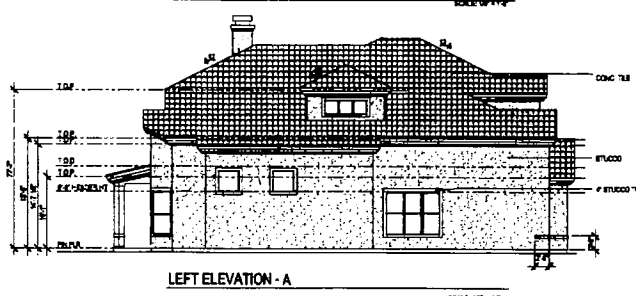
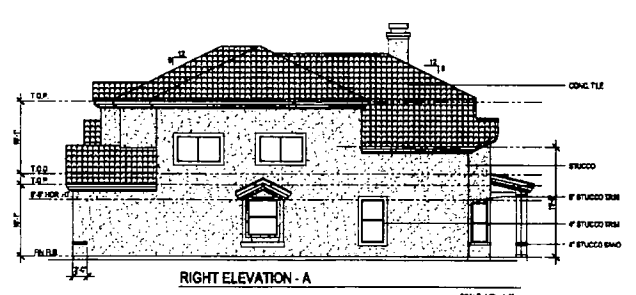
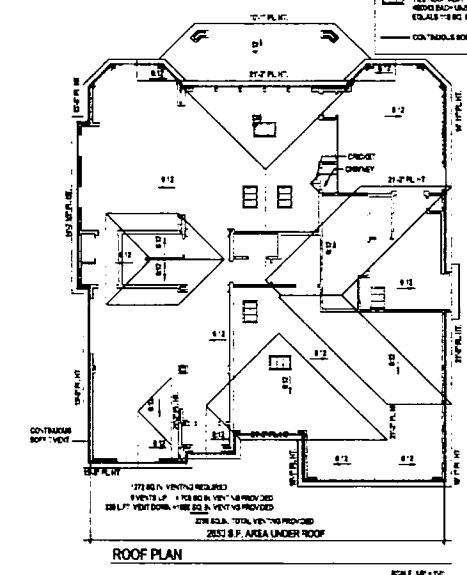
HUMPHREYS & PARTNERS, ARCHITECTS, L.P.
 7770 S. 10TH AVE., SUITE 100
 LAS VEGAS, NV 89138
 (702) 735-1100
 FAX (702) 735-1101
 www.humphreys.com



SHEET CONTENTS
 ELEVATION A
 SHEET NO.
A-2
 03146

MORGYN PLAN

LEGEND
 CHANGING PLANT CONCRETE
 TILE ROOF-100%
 8000 BOLD-LINE
 EQUALS TO 800 BOLD-LINE
 CONTINUOUS ROOF-100%



SDR-4455
7/22/04 PC

Drawn By: **SD**
 Checked By: **SD**
 Date Plotted: **7/22/04**
 Date: **7/22/04**
 Notes for Planning / Bidding:
 Notes for Permit Application:
 Notes for Construction:
 Approved:
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 Architects, L.P.
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 in accordance with the approved
 drawings or plans as shown from
 delivery of preliminary drawings or
 approved construction drawings.
 Permission to construct the building
 is hereby conditioned on the full and
 timely payment of all fees otherwise due
 Humphreys & Partners Architects, L.P.,
 and, in the absence of any written
 agreement to the contrary, is limited to a
 written Lien on the site indicated on
 these plans.

GARRETT CROSSINGS LAS VEGAS, NEVADA

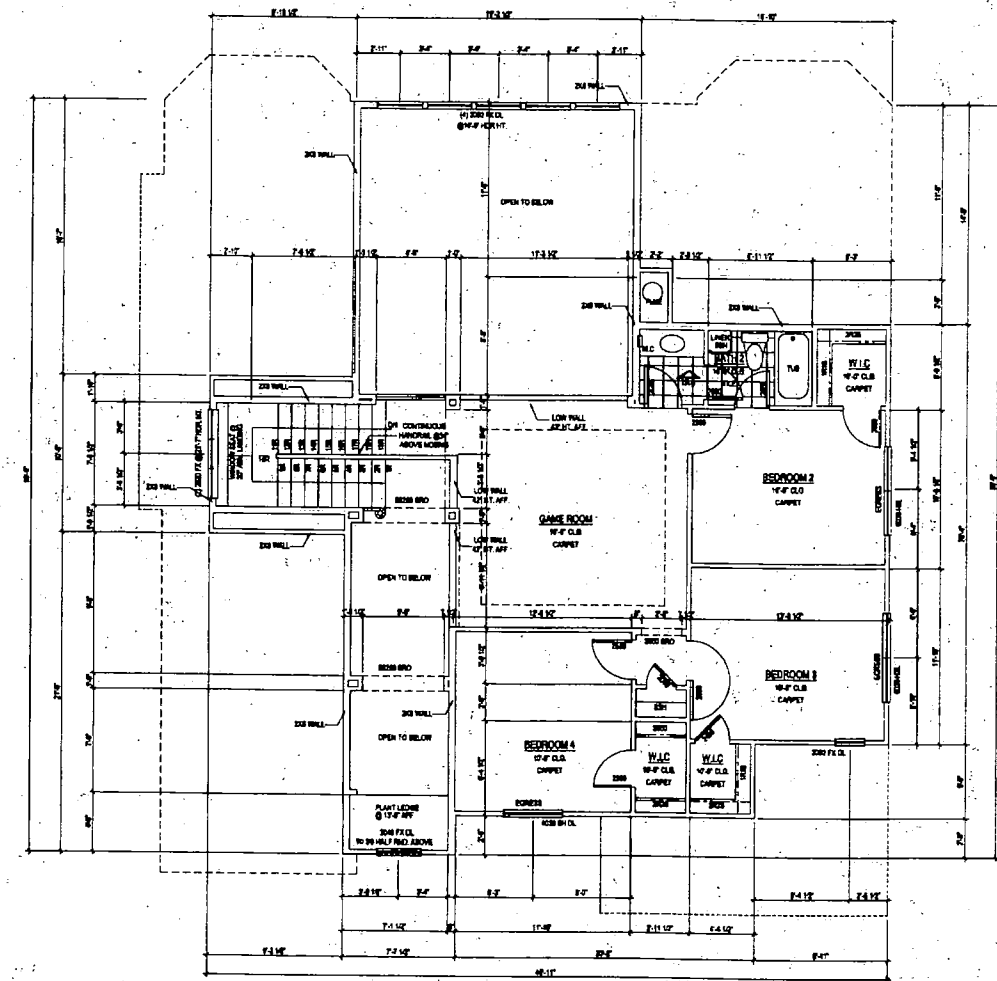
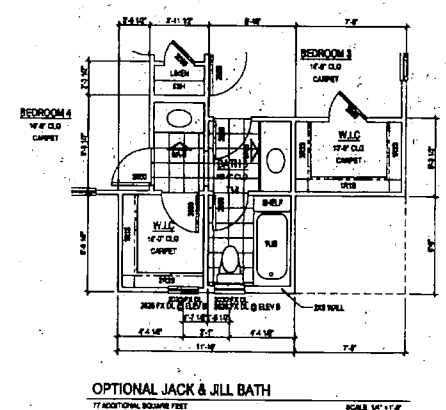
HUMPHREYS
 ARCHITECT
 3300 ALAMOGADO
 SUITE 100
 DALLAS, TEXAS 75243
 (972) 701-1000
 FAX (972) 701-1001



SHEET CONTENTS
 SECOND FLOOR PLAN
 SHEET NO.

A-1.1

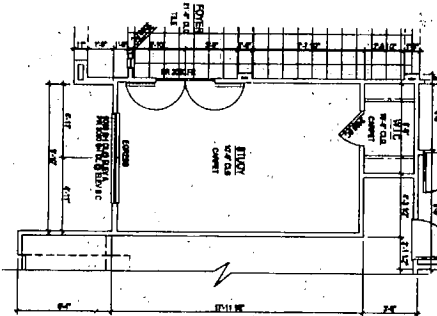
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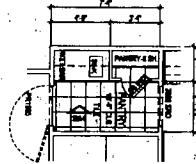
SECOND FLOOR PLAN
 PLAN RELATED TO ELEVATION A

SDR-4455
 7/22/04 PC

MORGYN PLAN



OPTIONAL WET BAR



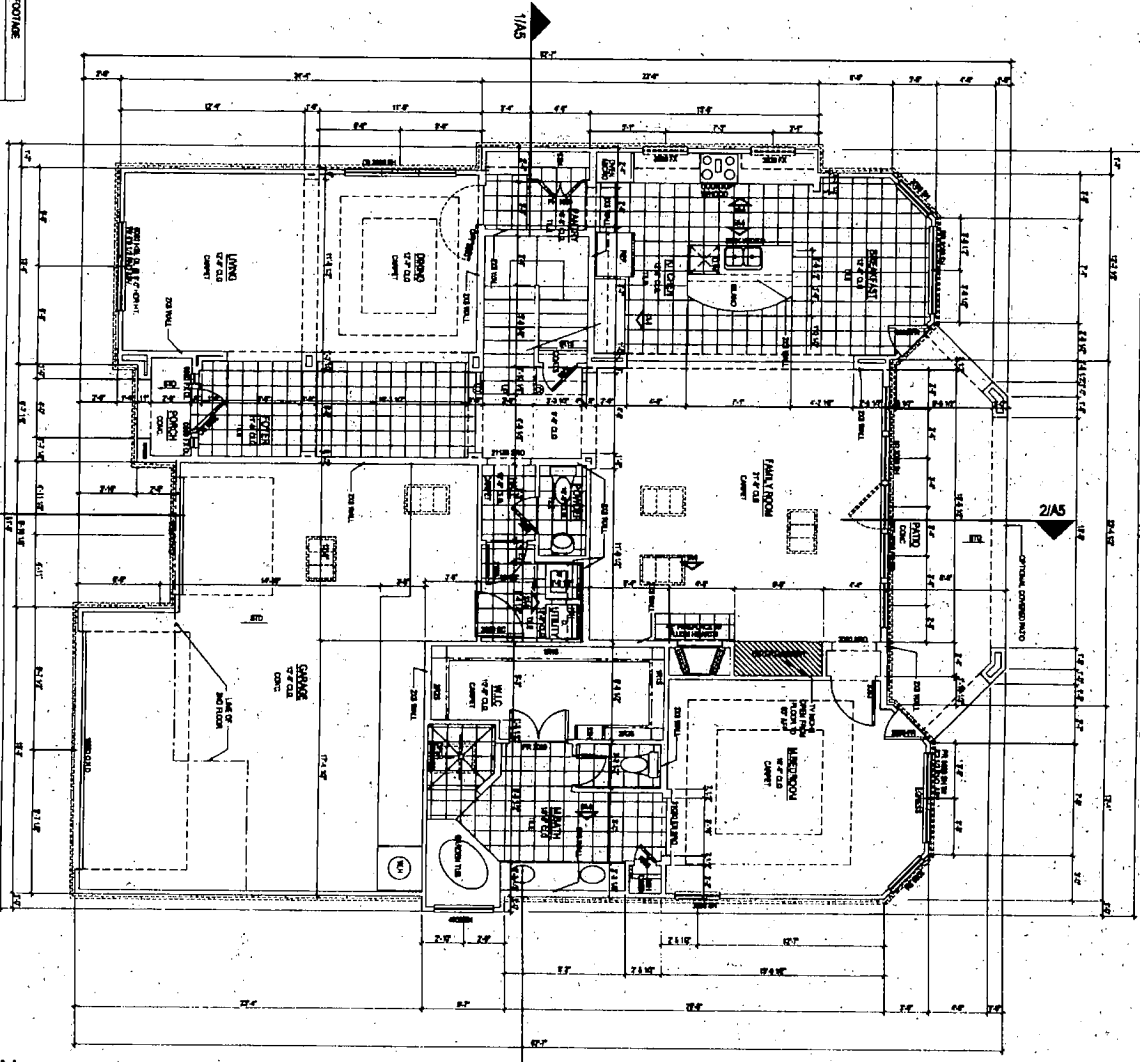
OPTIONAL STUDY/BEDROOM

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

SQUARE FOOTAGE	
AC-1ST FLOOR	2179
AC-2ND FLOOR	227
AC-3RD FLOOR	447
AC-4TH FLOOR	447
AC-5TH FLOOR	447
AC-6TH FLOOR	447
AC-7TH FLOOR	447
AC-8TH FLOOR	447
AC-9TH FLOOR	447
AC-10TH FLOOR	447
AC-11TH FLOOR	447
AC-12TH FLOOR	447
AC-13TH FLOOR	447
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AC-15TH FLOOR	447
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AC-17TH FLOOR	447
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AC-21ST FLOOR	447
AC-22ND FLOOR	447
AC-23RD FLOOR	447
AC-24TH FLOOR	447
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AC-28TH FLOOR	447
AC-29TH FLOOR	447
AC-30TH FLOOR	447
AC-31ST FLOOR	447
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AC-96TH FLOOR	447
AC-97TH FLOOR	447
AC-98TH FLOOR	447
AC-99TH FLOOR	447
AC-100TH FLOOR	447

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

SQUARE FOOTAGE	
AC-1ST FLOOR	1989
AC-2ND FLOOR	227
AC-3RD FLOOR	447
AC-4TH FLOOR	447
AC-5TH FLOOR	447
AC-6TH FLOOR	447
AC-7TH FLOOR	447
AC-8TH FLOOR	447
AC-9TH FLOOR	447
AC-10TH FLOOR	447
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AC-99TH FLOOR	447
AC-100TH FLOOR	447



FIRST FLOOR PLAN

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

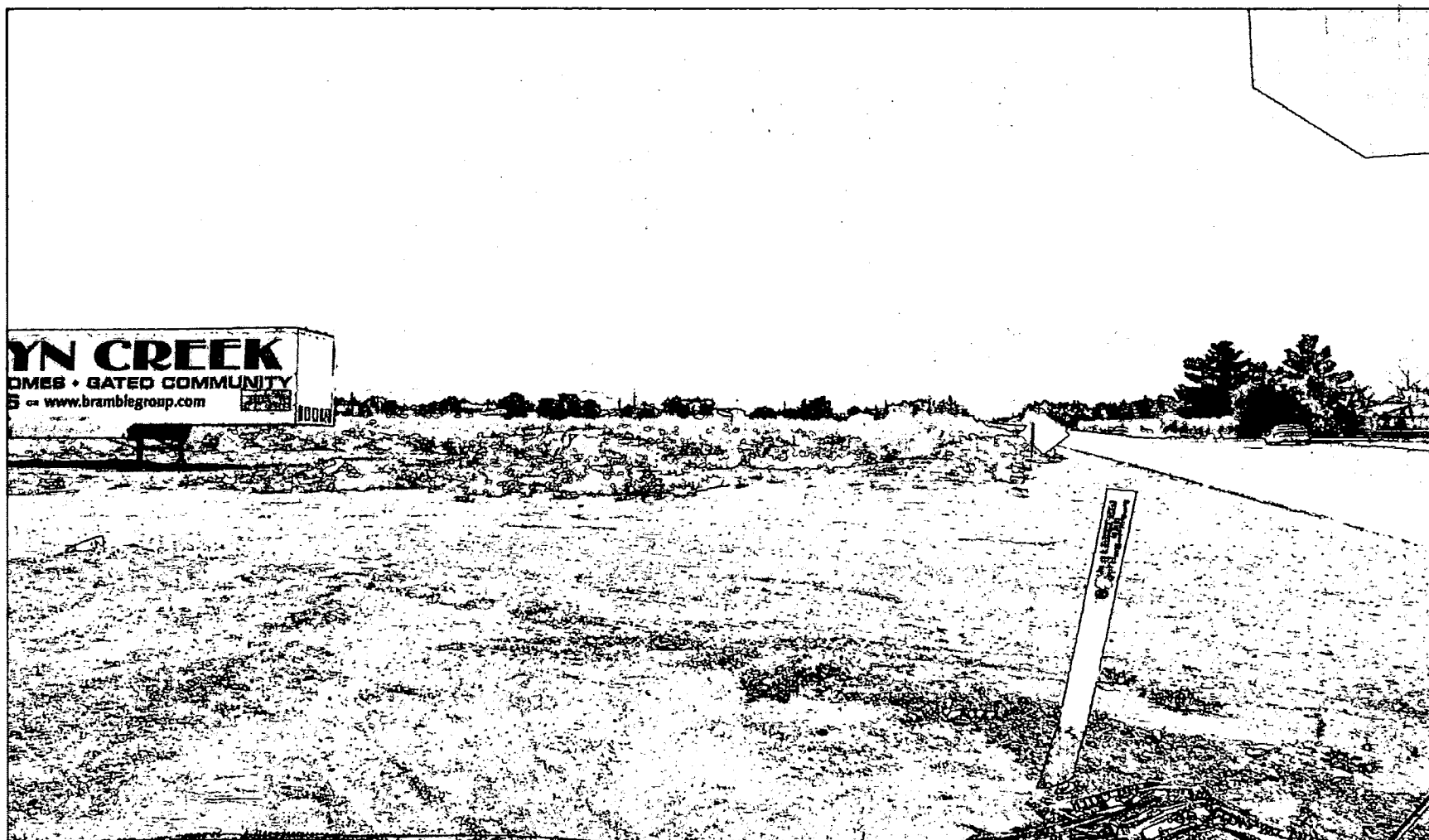
SDR-4455
7/12/04 PC

MORGYN PLAN

HUMPHREYS & P/
ARCHITECTS
5300 ALPHABET ROAD DALLAS
(972) 701-9830 (972) 701-9831
DALLAS LAS VEGAS
CHARLOTTE LOS ANGELES

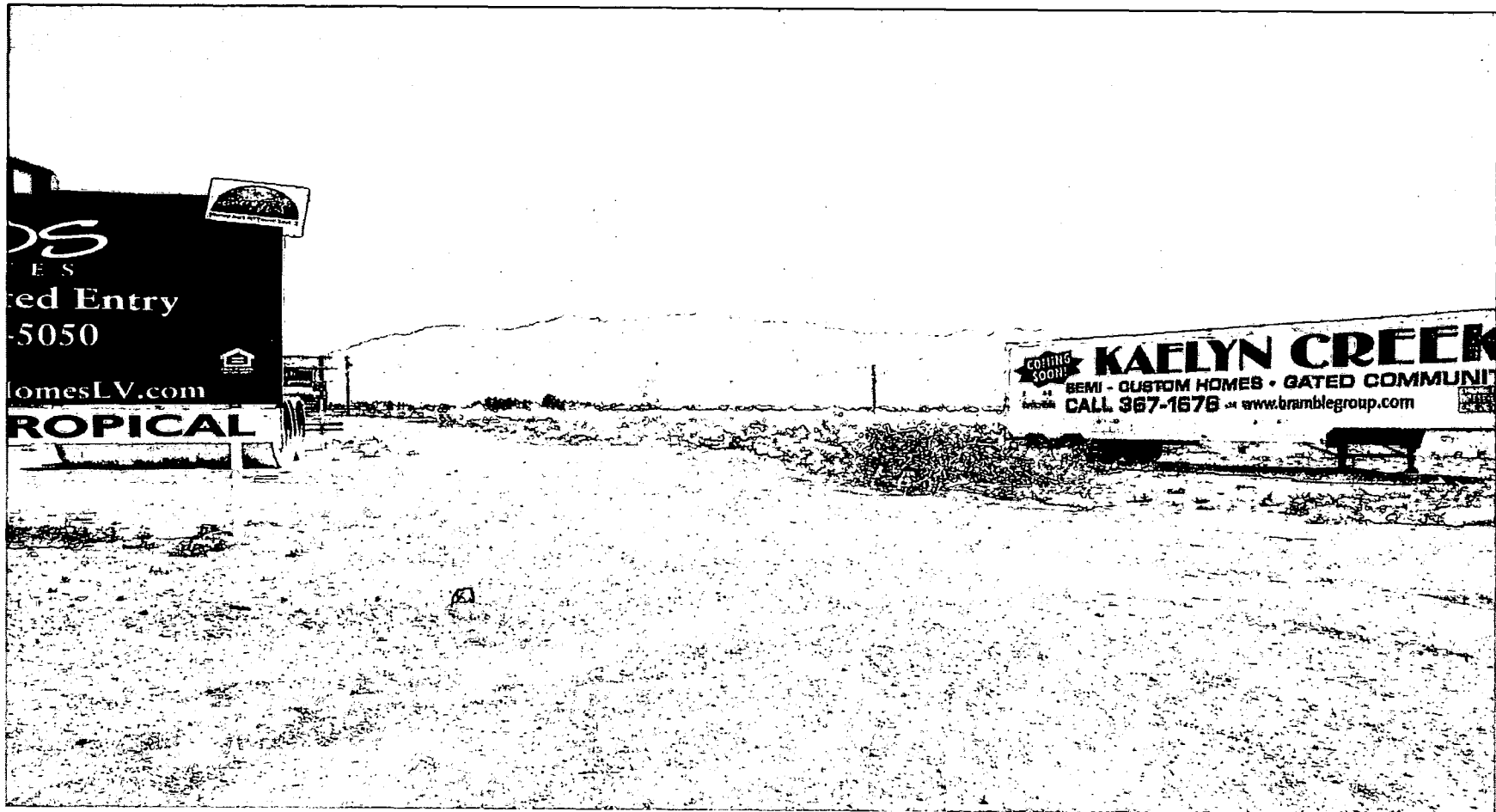
GARRETT CROSSINGS
LAS VEGAS, NEVADA

Drawn by: **SD**
Checked by: **SD**
Date: **7/12/04**
Project: **Garrett Crossings**
Sheet: **SDR-4455**
Scale: **1/8" = 1'-0"**
Revision: **1**
Description: **First Floor Plan**
Notes: **See SDR-4455 for details.**



SDR-4455 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN
NORTHEAST CORNER OF JONES BOULEVARD AND DEER SPRINGS WAY
JULY 22, 2004 PLANNING COMMISSION

6/7/04



SDR-4455 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN
NORTHEAST CORNER OF JONES BOULEVARD AND DEER SPRINGS WAY
JULY 22, 2004 PLANNING COMMISSION

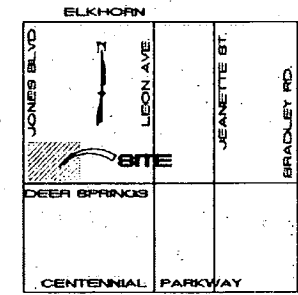
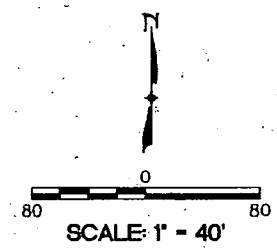
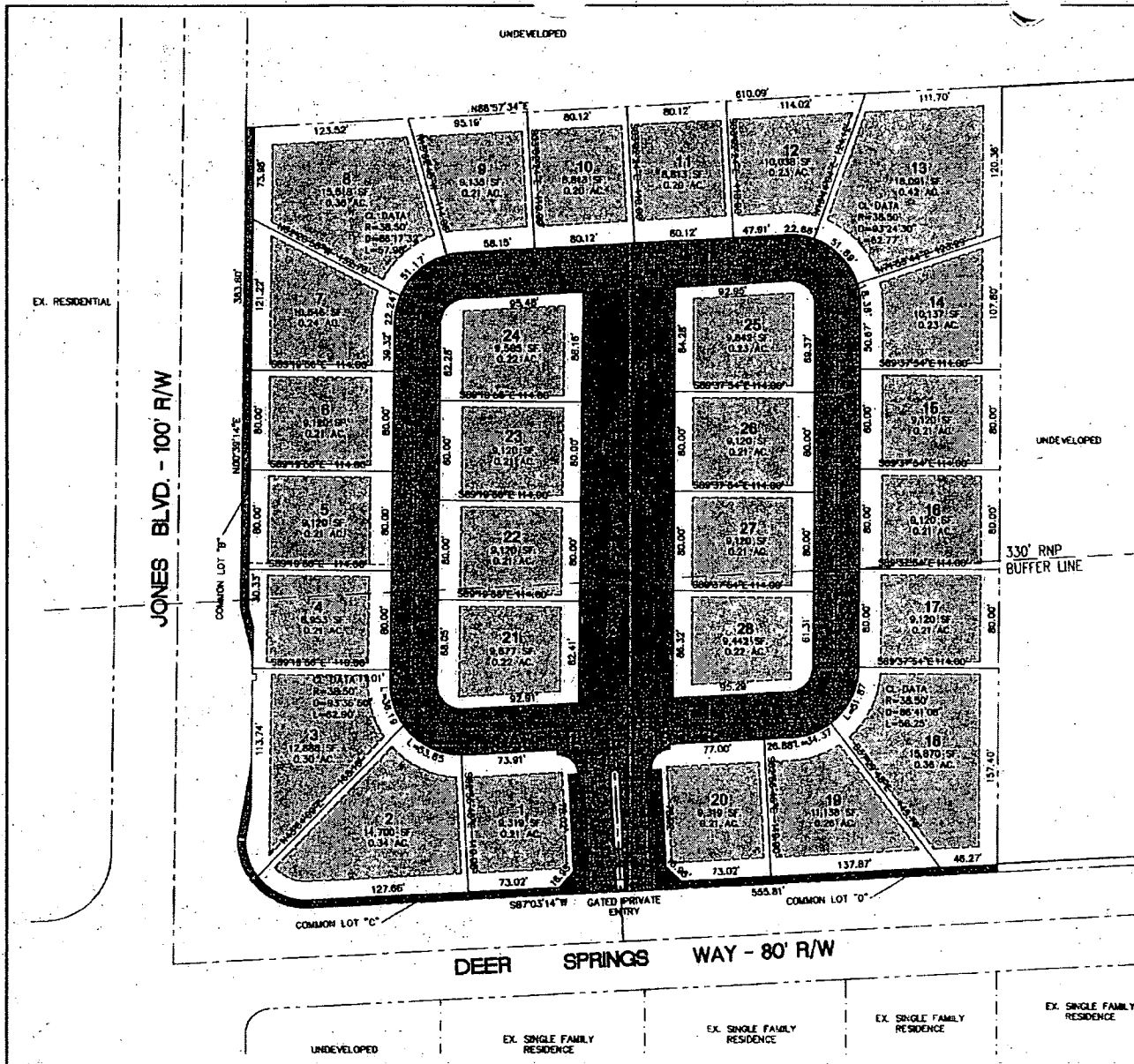
6/7/04



SDR-4455 - APPLICANT: GARRETT, LIMITED LIABILITY COMPANY - OWNER: KEVIN GOLSHAN
NORTHEAST CORNER OF JONES BOULEVARD AND DEER SPRINGS WAY
JULY 22, 2004 PLANNING COMMISSION

6/7/04

Submitted after final agenda
 9/11/04 Item #121



VICINITY MAP
 NOT TO SCALE

APN:
 125-24-201-002

NET ACREAGE: 8.79 AC

EXISTING LAND USE: R
 EXISTING ZONING: R-E
 REQUESTED ZONING: RPD-3

DENSITY: 3.2 UNITS/ACRE NET

RNP BUFFER ZONE: 3.5 ACRES
 10 LOTS IN BUFFER ZONE
 RNP BUFFER ZONE DENSITY: 2.9

SETBACKS:
 FRONT=18' TO GARAGE,
 15' TO LIVING SPACE
 REAR=20' ADJACENT TO EXTERIOR R/W,
 15' INTERIOR
 CORNER=10'
 SIDE=5'

OPEN SPACE REQ. = $3.2 \times 1.65 = 5.28\%$
 $.0528 \times 8.79 \text{ AC} = .46 \text{ AC}$
 OPEN SPACE GIVEN = .57 AC

LOT SIZE:
 SMALLEST: 8813 SF
 LARGEST: 18091 SF
 AVERAGE: 10496 SF

ZON-4452
 SDR-4456
 REVISED
 8-18-04 CC

DEVELOPER BRADLEY BOXES 2001 LAMAR BLVD LAS VEGAS, NV 89146 PHONE: (702) 486-1111 FAX: (702) 486-1111	
SITES 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	CLARK COUNTY REVENUE

RECEIVED
 AUG 10 2004

ZON-4452
 SDR-4455

REVISED
 8-18-04 CC

REVISED
 8-10-04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4459 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 47.46 acres on the northeast corner of Jones Boulevard and the 215 Beltway (APN 125-24-401-001, 002, 010, 011 and 125-24-302-014), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

52
82

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Revised plan submitted by Planning & Development
5. Submitted after final agenda – Protest petition with 79 signatures for Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461] filed under Item 122 [ZON-4459]
6. Submitted after final agenda – Protest letters from Dr. and Mrs. Green, Linda Mayers and Carleen Rajak for Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461] filed under Item 122 [ZON-4459]
7. Back up referenced from the 7/22/2004 Planning Commission meeting Item 21
8. Submitted at City Council – Centennial Hills Sector Plan and comments from Craig Shirley filed under Item 122 [ZON-4459]
9. Submitted at City Council – Revised Condition 4 for Item 122 submitted by the Public Works Department filed under Item 122 [ZON-4459]

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

4. Construct half-street improvements on Jones Boulevard and rural improvements on Leon Avenue and Cowboy Trail adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of Leon Avenue and Cowboy Trail; and

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 122 – ZON-4459

MINUTES – Continued:

30-inch rolled curb on the development side of the street. The exterior streetlighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Leon Avenue and Cowboy Trail. 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.

– UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461].

ATTORNEY JENNIFER LAZOVICH, Kummer Kaemper Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. ATTORNEY LAZOVICH indicated that immediately adjacent to the proposed site and to the east are R-E lots and to the west and south there is Jones Boulevard and the Beltway. In light of this, the applicant has tried to provide a site plan that addresses the differences between the R-E lots. She explained that there is a hatch line running in this location and everything inside that line is considered to be the 330-foot buffer to the R-E homes. There will be a minimum lot size of 10,000 square feet within that buffer, as well as providing the required open space. A neighborhood meeting was held where several concerns were expressed, such as access onto Leon Avenue. Initially, there were two access points, one on Jones Boulevard and one on Leon Avenue. After listening to the residents' concerns, the access onto Leon Avenue was removed, leaving only one entrance and exit off Jones Boulevard. However, an emergency crash gate was added, and in doing so they were able to pull away a parcel and shift south to gain a buffer to the R-E immediately to the north.

ATTORNEY LAZOVICH added that two lots were removed on Cowboy Trail. An eight-foot block wall will be built because the residents did not want the lots and wanted a tall wall. Single story homes will be provided from lots 62 to lot 73. These lots are immediately adjacent to the R-E homes. The applicant agrees to do livestock disclosures to any potential buyer and agrees to do rural street improvements on Leon Avenue. There will be no streetlights, but they will do

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 122 – ZON-4459

MINUTES – Continued:

lamplights instead. Within the open space, there will be bollard lighting or lamplighting so that the light will not spill into the R-E lots. ATTORNEY LAZOVICH pointed out that this particular piece of property is master planned up to 3.5 dwelling to the acre. They are not asking for a General Plan Amendment. The waiver request is for a taller wall along Centennial Parkway to prevent severe noise from the Beltway.

DONDI TURNER, 5601 Ano Drive, stated that on July 19th and 20th the City of Las Vegas unveiled the open space plan for the northwest area. She thanked the City Council, especially COUNCILMEN MACK and BROWN, for recognizing their need for rural protection and open space. She summarized that the Centennial Hill Sector Plan recognizes farmland, cattle and horse ranches and acknowledges the need for preservation. Over one third of their homes are on half acre to five acre lots with livestock. The study also acknowledges the need for park trails and open space within a radius of the neighborhood, rather than a tight dense development. The main objective of the Centennial Hill Sector Plan is to preserve and ensure distinct rural residential character buffered from surrounding high-density development. The proposed zone change would allow dense home sites and set a precedent that would change the rural character. Schools in this area are already overcrowded, and both elementary and high school students have been bused within this neighborhood.

MS. TURNER thanked ATTORNEY LAZOVICH for hosting the neighborhood meeting and for allowing the residents to express compatible changes to the proposed development. While the acreage is misrepresented and the density has been altered, the residents appreciate having the original proposed traffic exits recognized and changed. MS. TURNER indicated that a petition with 159 signatures was submitted at the Planning Commission meeting. She asked the City Council to safeguard their neighborhood. She also pointed out that the public hearing notice reflected 42.36 acres, but the application states 47.46 acres. ATTORNEY LAZOVICH verified that all documentation she has, as well as in their site plan, reflects 47.46 acres. MAYOR GOODMAN verified with DEPUTY CITY ATTORNEY BRYAN SCOTT that it should not create a legal issue. ROBERT GENZER, Director, Planning and Development Department, was unsure the reason for the difference in acreage on this particular item.

CRAIG SHIRLEY, 5901 Mellow Avenue, stated that he supports the property being developed, but opposes the incompatible high-density development proposed by the applicant. There is no shortage of land being developed at this density in Las Vegas. He indicated that less than one mile from this property 7500 acres are being developed as a master-planned community by the City of North Las Vegas. The Centennial Hills Sector Plan restricted high-density housing in

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 122 – ZON-4459

MINUTES – Continued:

rural preservation areas. The property in question is intersected by the boundary of the rural preservation buffer. The joint Parks and Trails Plan identified the need for equestrian trails in this particular area. In fact, a number of trails are being developed to serve this area. MR. SHIRLEY pointed out that this particular neighborhood has lots large enough to support horses and limited domestic livestock. Both the City and County recognize this lifestyle and are spending a substantial amount of public money building equestrian trails. If horse ownership is precluded through zoning on land served by these trails, that public money has been wasted. The residents prefer to retain the existing R-E zoning. If this development should move forward, he asked that a number of conditions, similar to those imposed on the DR Horton development, be imposed to make the project compatible and acceptable. He specifically asked that the density be reduced and restricted to single-story homes. He submitted those conditions for the record.

COUNCILMAN MACK understood the residents' concerns, as this is an area that has been encroached upon by growth. This intersection of Jones Boulevard and I-215 is a very busy intersection, and there should be some compromise. It is important to note that the request for R-PD3 conforms to the General Plan. The applicant has agreed to put single story on lots 62 through 71 and 73. COUNCILMAN MACK asked that the lot that sticks out in the open space be removed and that lots 33 through 48, adjacent to Leon Avenue, also be single story. He was pleased that the entrance was removed off Leon Avenue. He verified with BART ANDERSON, Public Works Department, that Condition 4 of Item 122 [ZON-4459] would be amended to reflect rural improvements on Leon Avenue and Cowboy Trail, which he submitted for the record.

COUNCILMAN MACK commented that this item has been contentious. However, the request conforms to the General Plan. In addition, directly across the street, the County approved a development with the same density.

In regard to Item 124 [SDR-4461], COUNCILMAN MACK amended Condition 3 to reflect a maximum of 161 lots and added a condition that lot 49 shall be converted to open space. In addition, amend Condition 4 to reflect the revised site plan dated August 12, 2004. He also amended Condition 7 by adding a sentence that all lots adjacent to the east property line along Leon Avenue shall be limited to single story. ATTORNEY LAZOVICH rebutted that the revised site plan was August 11, 2004. MARGO WHEELER, Deputy Director, Planning and Development Department, clarified that it should reflect the stamped date of August 13, 2004. MS. WHEELER also clarified for COUNCILMAN MACK that Condition 7 should be amended that the lots immediately adjacent to the existing R-E lots on the north and east portion of the project

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 122 – ZON-4459

MINUTES – Continued:

shall be limited to single story and be specified as lots 33 through 48 and 62 through 73. That includes those adjacent to the R-E lots to the north. ATTORNEY LAZOVICH concurred with all the amended conditions. MR. ANDERSON confirmed for ATTORNEY LAZOVICH that the condition regarding rural improvements on Leon Avenue and Cowboy Trail was imposed on Item 122 [ZON-4459].

MAYOR GOODMAN declared the Public Hearing closed on Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461].

(3:09 – 3:34)
4-1220

CONDITIONS:

Planning and Development

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

Public Works

3. Dedicate 60 feet of right-of-way adjacent to this site for any remaining portion of Cowboy Trail and the appropriate cul-de-sac radius. Dedicate appropriate right-of-way necessary for a knuckle acceptable to the Department of Public Works at the intersection of Leon Avenue and Centennial Parkway, unless otherwise allowed by the City Engineer.
4. Construct half-street improvements on Jones Boulevard and Cowboy Trail adjacent to this site concurrent with development. Also construct half-street improvements on Leon Avenue including appropriate overpaving and a knuckle acceptable to the Department of intersection, unless otherwise allowed by the City Engineer, concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. 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.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 122 – ZON-4459

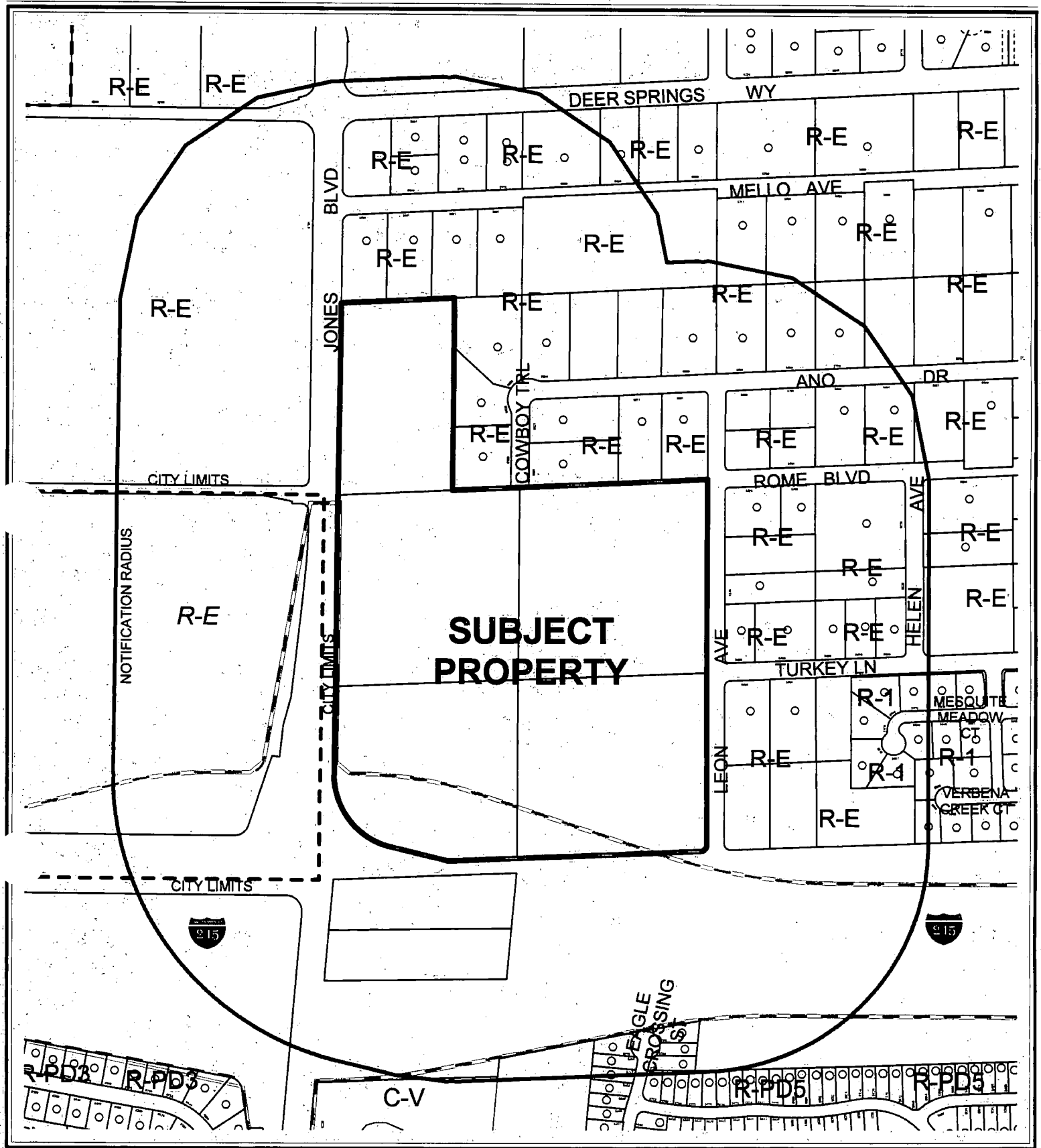
CONDITIONS – Continued:

6. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map for this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
7. Extend public sewer in Leon Avenue to the northern border 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.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, 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

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 122 – ZON-4459

CONDITIONS – Continued:

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-4459

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

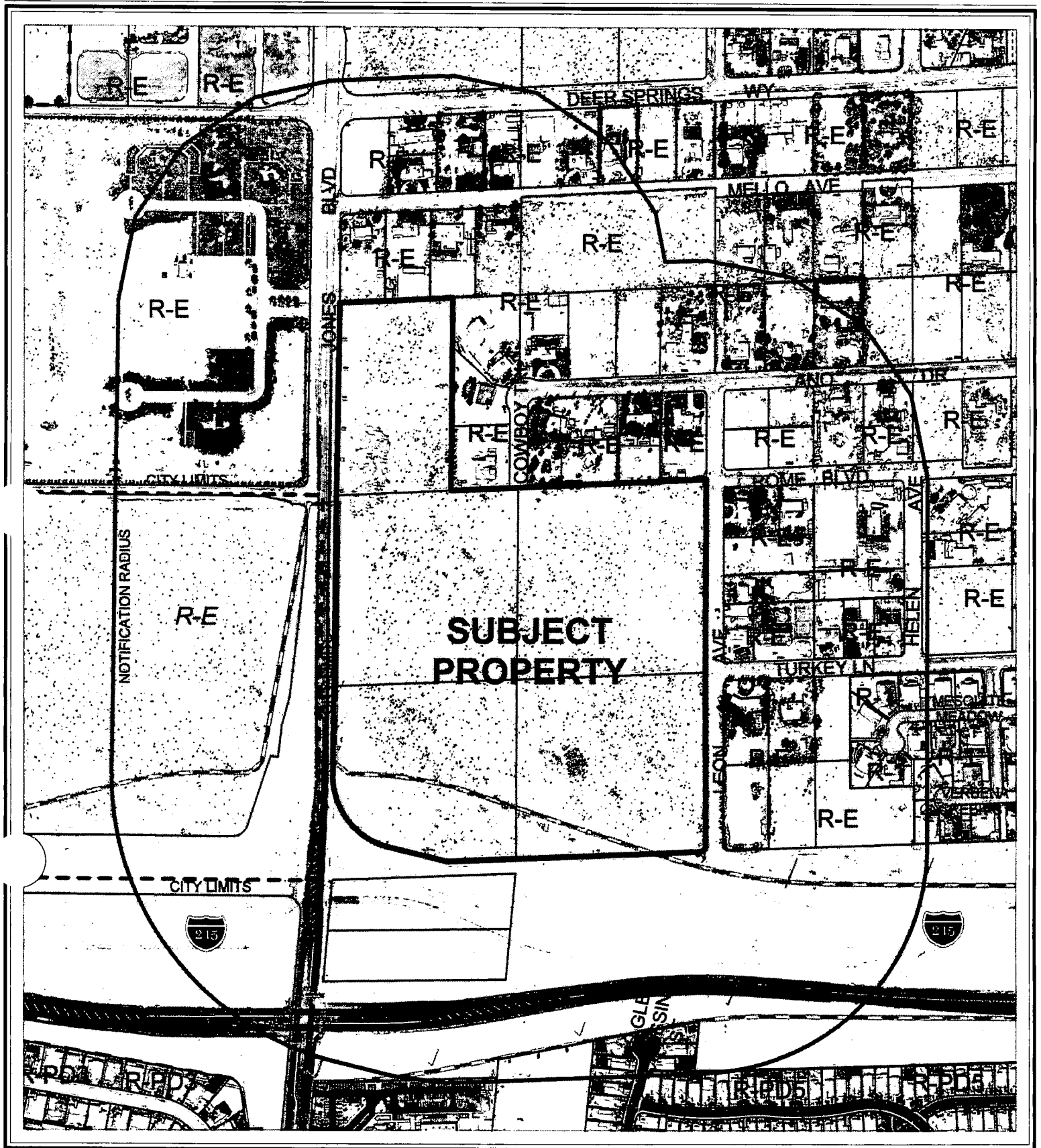
PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 300 600 Feet

122





CASE: ZON-4459

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-4459 - APPLICANT: RUTH L. BOYD & DEAN KATRIS -
OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES
BELTWAY, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to:

Planning and Development

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

Public Works

3. Dedicate 60 feet of right-of-way adjacent to this site for any remaining portion of Cowboy Trail and the appropriate cul-de-sac radius. Dedicate appropriate right-of-way necessary for a knuckle acceptable to the Department of Public Works at the intersection of Leon Avenue and Centennial Parkway, unless otherwise allowed by the City Engineer.
4. Construct half-street improvements on Jones Boulevard and Cowboy Trail adjacent to this site concurrent with development. Also construct half-street improvements on Leon Avenue including appropriate overpaving and a knuckle acceptable to the Department of intersection, unless otherwise allowed by the City Engineer, concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

6. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map for this site. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
7. Extend public sewer in Leon Avenue to the northern border 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.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, 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 R-E (Residence Estates) to R-PD3 (residential Planned development – 3 Units per Acre) on 47.46 acres located on the northeast corner of Jones Boulevard and Centennial Parkway.

B) Applicant's Justification

The applicant's justification is that the zone change is conforming and consistent with the surrounding area.

BACKGROUND INFORMATION

A) Previous Actions

- 06/24/04 Rezoning (ZON-4459) application was held in abeyance by the Planning Commission as a result of the applicant's request to have further time to work with the community. Staff recommended denial on this application. Companion items, Variance (VAR-4462) and Site Development Plan Review (SDR-4461), were also held in abeyance at this meeting.
- 07/22/04 The Planning Commission vote for the related Variance: recommended approval of the portion of the Variance for the wall height; and accepted the withdrawal of the portion of the Variance for the open space. The Planning Commission recommended approval for the related Site Development Plan Review (SDR-4461).
- 07/22/04 The Planning Commission voted 4-2 to recommend APPROVAL (PC Agenda Item #21).

B) Pre-Application Meeting

- 04/15/04 At the pre-application meeting issues pertaining to the Rezoning (ZON-4459) and the Site Development Plan Review (SDR-4461) were discussed. The issues are as follows:
- The moving of an entrance to the subdivision to meet the 220-foot separation requirement on the east side of the site or to apply for a waiver of Title 18 to allow it.
 - The checking of the beltway alignment so as not to have a portion of the subdivision built within it.
 - The verification of the beltway trail along Centennial Parkway needed to be clarified as to if it is going to be required.

- Proposed as being gated with private streets, except Cowboy Trail with two lots. It has been recommended that the two lots be relocated and the cul-de-sac be removed, so as to completely enclose the subdivision.
- Check issues of a bus-turnout and possible traffic study.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 47.46

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings
South: ROW [215 Beltway]
East: Single Family Dwellings, Undeveloped
West: Undeveloped, Palm Mortuary

C) Planned Land Use

Subject Property: R (Rural Density Residential)
North: R (Rural Density Residential)
South: ROW (215 Beltway Right of Way)
East: L (Low Density Residential)
West: R (Rural Density)
DR (Desert Rural Density)

D) Existing Zoning

Subject Property: R-E (Residential Estates)
North: R-E (Residential Estates)
South: 215 Beltway
East: R-E (Residential Estates)
West: Clark County

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector Plan of the General Plan. The site is designated as R (Rural Density Residential) within the Plan. The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

<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

Multi-Use Transportation Trail

A proposed multi-use transportation trail is slated to run the entire length of the southern property adjacent to the Centennial Parkway alignment. A multi-use transportation trail refers to paved trail paths separated from the roadway and designed for the exclusive use of bicyclists, pedestrians, and other users of non-motorized vehicles. A multi-use transportation trail consists of a five-foot transition strip and a five-foot private landscaped corridor that are separated by a ten-foot public transportation trail path. The trail in question will be taken out of the public right-of-way.

Rural Preservation Neighborhood

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas and Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. However, this state statute is effective through May 31, 2004, after which the subject parcel will not be held to the before mentioned standards.

A) Zoning Code Compliance

A1) Development Standards

Development standards for a R-PD (Residential Planned Development) are determined during the site development plan review process. The Planning Commission and City Council will establish development standards through the consideration of the Site Development Plan Review (SDR-4461), a related item.

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
47.46 acres	3.44	1.65	5.7 %	2.7 Acres	5.2%	2.44 Acres

The proposed development does not meet the amount of open space required for a R-PD (Residential Planned Development) zoning district. A variance (VAR-4462) has been requested to allow for a reduction in the required open space and will be discussed in the before mentioned case file.

B) General Analysis and Discussion

This rezoning application is consistent with the R (Rural Density Residential) General Plan designation for the site. The proposed development will result in the construction of 163 lots on 47.46 acres, for a density of 3.44 dwelling units per acre. The applicant has calculated the gross acreage to include the half of the dedicated right-of way along Jones Boulevard and Centennial Parkway, therefore increasing their acreage with unusable space. The gross acreage calculated from the parcels themselves is 42.36 acres. The density of the site then would change from 3.44 dwelling units per acre to 3.85 dwelling units per acre. Such a density would be prohibited within the proposed R-PD3 (Residential Planned Development 3 Units Per Acre) zoning district and would not be in compliance with the R (Rural) designation of the general plan.

A 51-foot wide, private entry road will be provided with access off Jones Boulevard and Leon Avenue. Open space, in the form of a park located along the northern property line, is provided but fails to be in accordance with R-PD (Residential Planned Development) requirements. Approximately 62 of the 163 lots are proposed to be in the 10,000 square foot size range, with the largest being 16,241 square feet. The remaining 100 or so lots are 7 to 8 thousand square feet in size, the smallest being 7,080 square feet. The proposed development is incompatible with the surrounding area, which contains single-family rural-residential lots ranging from half an acres to more than an acre lots.

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-PD3 (Residential Planned Development – 3 Units Per Acre) is consistent with the existing R (Rural Density Residential) General Plan designation.

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 shown on the site plan complies both the R (Rural Density Residential) land use designation and the RPN buffer standards. However, the proposed development is not compatible with the rural atmosphere of the surrounding area. Dwellings to the north and east of the subject site are rural, equestrian estates approximately one-acre in size. Approval of the request would represent a major change to the established land use pattern and lifestyle enjoyed by the residents of this area of the City.

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

The immediate area surrounding the subject site has been static in regards to development, with the exception of the 40-acre County parcel to the west. The County parcel to the west will become a 130 lot single family, detached planned unit development with an overall density of 3.25 units per acre (TM-0523-03). The proposed development would contain a smaller average lot size than the County parcels and an increased number of dwelling units per acre. Combined with the surrounding rural, equestrian estates approximately one-acre in size, the proposed development is not compatible with the surrounding area.

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 proposed site will have access off of Jones Boulevard, a 100-foot Primary Arterial on the Master Plan of Streets and Highways, and off of Leon Avenue, a residential street, both of which are adequate to meet the requirements of the proposed zoning district.

NOTICES MAILED 80 by Planning Department

APPROVALS 0

PROTESTS 52



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4459 APN: 125-24-401-001, 002, 010, 011

Name of Property Owner: Boyd Family Partnership, LP

Name of Applicant: Ruth L. Boyd, G.P.

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: N/A

Partner(s): N/A

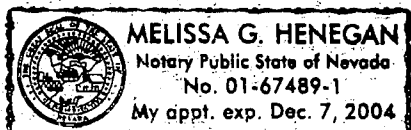
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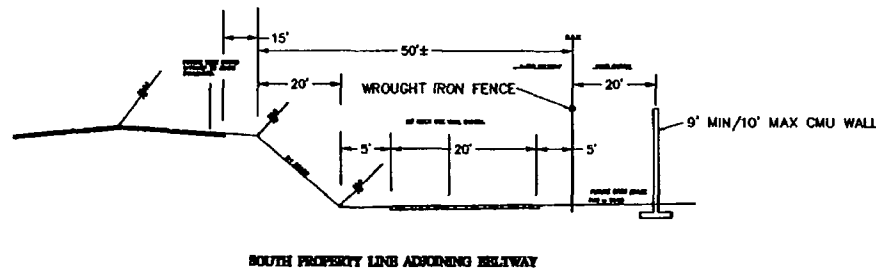
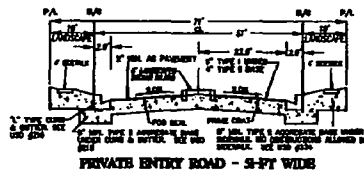
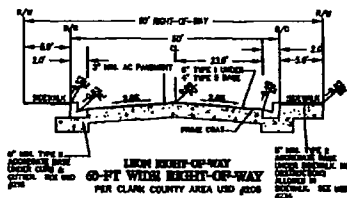
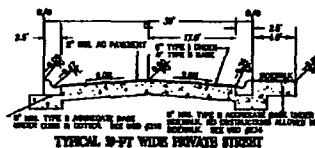
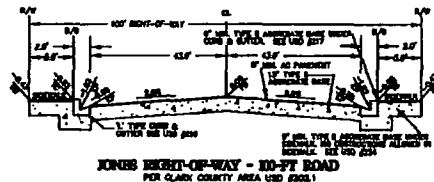
Signature of Property Owner/Authorized Agent: Ruth L. Boyd

Print Name: Ruth L. Boyd

Subscribed and sworn before me

This 4th day of May, 2004
Melissa G. Henegan
Notary Public in and for said County and State





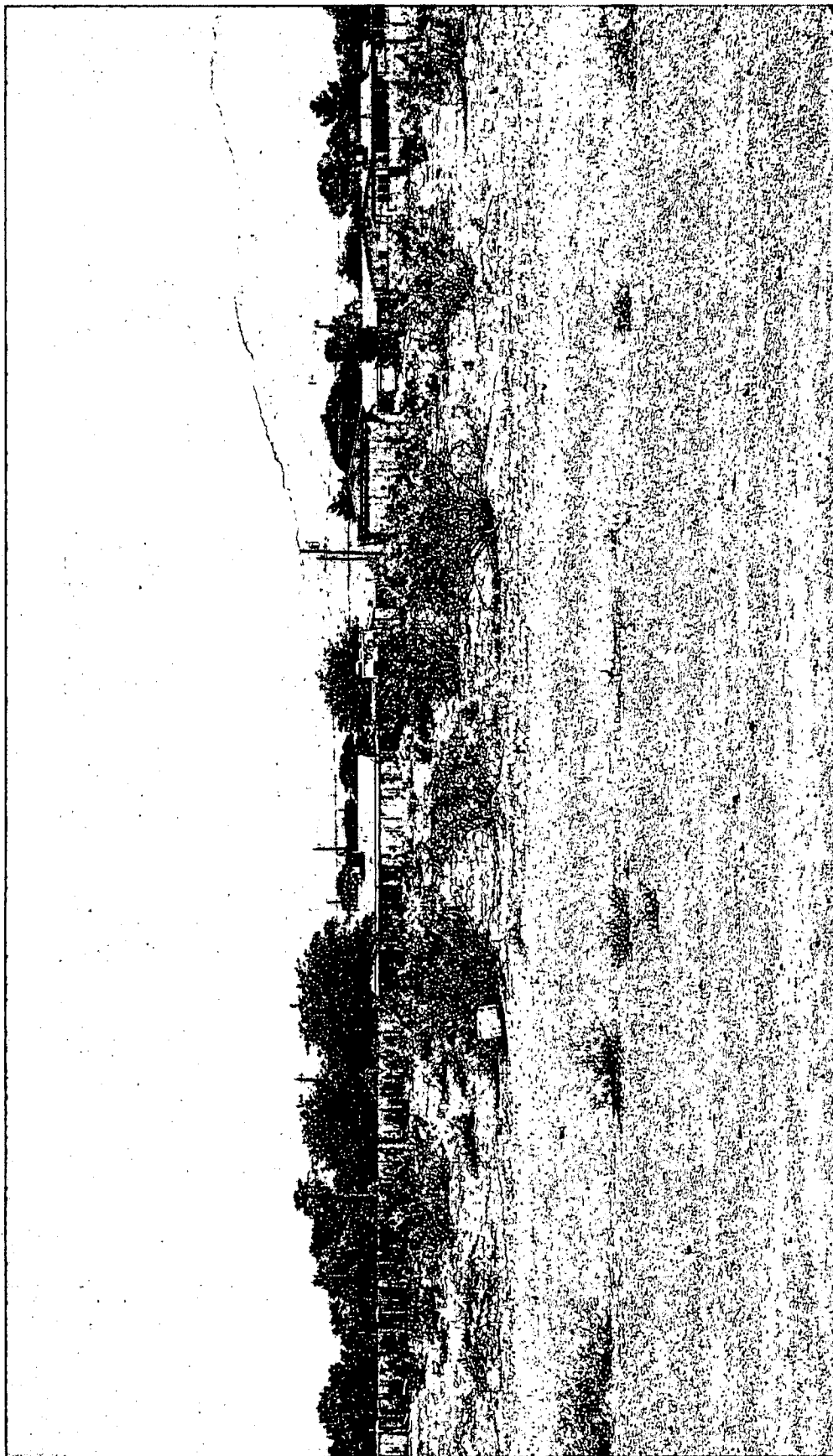
LEGEND

DESIGN ELEVATION
 EXISTING ELEVATION
 ROAD (CLASP) MARKS
 EXISTING CURVE (1' INTERVAL)
 EXISTING CURVE (5' INTERVAL)
 DIRECTION OF FLOW
 100' RIGHT-OF-WAY
 50' RIGHT-OF-WAY
 25' RIGHT-OF-WAY
 12.5' RIGHT-OF-WAY
 6.25' RIGHT-OF-WAY
 3.125' RIGHT-OF-WAY
 1.5625' RIGHT-OF-WAY
 0.78125' RIGHT-OF-WAY
 0.390625' RIGHT-OF-WAY
 0.1953125' RIGHT-OF-WAY
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ZON-4459 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP,
LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF JONES BOULEVARD AND THE 215 BELTWAY
JULY 22, 2004 PLANNING COMMISSION

6/7/04



ZON-4459 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP,
LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF JONES BOULEVARD AND THE 215 BELTWAY
JULY 22, 2004 PLANNING COMMISSION

6/7/04

Dear Las Vegas City Council,

We, the undersigned, respectfully urge you to deny VAR-4462, a variance from the required amount of open space & additional 10 foot Barrier Wall, ZON-4459, a request to rezone from R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units per Acre) and SDR-4461, a Site Development Plan Review for a proposed 162 lot subdivision on a 42.36 acre parcel (per Original Planning Commission Notice) at the Northwest corner of Jones Boulevard and the 215 beltway at the August 18, 2004 meeting.

The proposed variance, rezone and development plan is grossly incompatible with the existing proximate land use, the Las Vegas Master Plan 2020 and the Centennial Hills Sector Plan:

- Lots in the proposed subdivision are much smaller than existing adjacent development, typically one-quarter to one-third the size.
- Many of the adjacent lots currently have equestrian facilities. All are suitable for equestrian use. None of the proposed lots would be suitable. Conflict will be inevitable!
- For 35 years, this neighborhood has developed and sustained a rural lifestyle of single-family homes on large lots enjoying privacy and the option of some non-commercial raising of domestic animals.
- OBJECTIVE 3.2 of the Las Vegas Master Plan 2020 is clear: "To ensure that rural preservation areas with distinctive rural residential character are preserved and buffered from surrounding higher density development, in accordance with the Nevada Revised Statutes."
- The Centennial Hills Sector Plan (Adopted by the City Council on February 19, 2003) states, "Of most importance to the residents of the Northwest was the preservation of the rural character of portions of the Northwest, now known as the Rural Neighborhood Preservation area (RNP) with a maximum density of up to two (2) dwellings per acre."
- Section 2.6 Land Use Issues of the Centennial Hills Sector Plan reads, "Rural Neighborhood Preservation Areas will sustain the character of the historical development patterns of large lot (1/2 acre and greater) and equestrian developments."
- The original proposed development will greatly increase traffic on streets without sidewalks, endangering pedestrians and discouraging walking.

The proposed zone change would increase residential density to an incompatible degree in the very heart of an established neighborhood, unalterably changing its character. Please help us sustain this neighborhood by denying the variance and rezone request and the site development plan.

Submitted after final agenda

Date 8/13/04 Item #122
#123
#124

RECEIVED
CITY CLERK
AUG 13 A 11:08

Protest

Against Proposed Zone Variance ZON-4459, VAR-4462, SDR-4461

	Date	Signature	Print Name	Address	Phone
81	6/22/04	Dolores DeLuca	Dolores DeLuca	5501 West Aldo Dr.	645-3333
82	6/24/04	Vince	RON YAGER	5920 Mello	645-6178
83	6/24/04	Jake Yager	PERE YAGER	5920 Mello	645-6178
84	7/14/04	Sylvia Banto	Sylvia Banto	5855 Mello Ave	656-5966
85	7/14/04	Sylvia Banto	Sylvia Banto	5855 Mello Ave	656-5966
86	7/19/04	Dennis Banto	DENNIS BANTO	5855 Mello Ave	656-5966
87	8-5-04	Darla Halverson	Darla Halverson	5510 Deer Springwy	658-5619
88	8-5-04	Chuck Williams	CHUCK WILLIAMS	6550 Hecken	656-5096
89	8/5	B.N.M. Callum	B.N.M. Callum	6818 Jeanette	656-0738
90	8/5	R.J. Cavanaugh	R.J. CAVANAUGH	6818 Jeanette	656-0738
91	8/5	Chris Cavanaugh	Chris Cavanaugh	6818 Jeanette	656-0738
92	8/5	Karla Dunsmon	Karla Dunsmon	6801 Jeanette St. L.V. 89131	655-6067
93	8/5	Mark Lewis	Mark Lewis	6801 Jeanette St. Las Vegas 89131	505-0899
94	8/5	Kassandra Dunsmon	Kassandra Dunsmon	6801 Jeanette St	526-7778
95	8/5	Mark Dunsmon	Mark Dunsmon	6801 Jeanette St Las Vegas	655-6067
96	8/5	Kevin Dunsmon	Kevin Dunsmon	6801 Jeanette St	655-6067
97	8/5	Mitch Springall	Mitch Springall	6841 Jeanette St -	395-1306
98	8/5	Eric Springall	ERIC SPRINGALL	6841 Jeanette St.	395-1306
99	8/5	Kelly S. Myers	Kelly S. Myers	6801 Jeanette St	6380-1803
100	8/5	TONY LEE PRINE	TONY LEE PRINE	5521 DORRILL LN.	525-2103
101	8/5	Christina	Christina	5400 DORRILL LN	658-7715
102	8/5	TOJ FREEMAN	TOJ FREEMAN	Same	Same
103	8/5	SETTA FREEMAN	SETTA FREEMAN	Same	Same
104	8/9/04	Robin L. Schuermann	Robin L. Schuermann	4920 Wilkendale Way, LV	655-0498
105	8/9/04	Mike Boone	MIKE BOONE	5501 Mesquite Meadow Ct	395-7297
106	8/9/04	Norma Boone	Norma Boone	5501 Mesquite Meadow Ct	395-7297
107	8/9/04	Norman Hicks	NORMAN HICKS	5505 Mesquite Meadows Ct	396-1829
108	8/9/04	Peggy Fouts	Peggy Fouts	5509 Mesquite Meadows Ct	656-0928
109	8-9-04	Beverly Chandler	Beverly Chandler	5616 Mesquite Meadow Ct	645-1952
110	8-9-04	William Florance	William Florance	5608 Mesquite Meadow Ct	656-8605
111	8-9-04	Greg Digles	Greg Digles	5508 Mesquite Meadow Ct	648-1287
112	8-9-04	Jody Digles	Jody Digles	5508 Mesquite Meadow Ct	648-1287
113	8-9-04	Michael Lorenzi	Michael Lorenzi	5500 Mesquite Meadow Ct	349-5068
114	8/9/04	Karen M. Streling	Karen M. Streling	5404 Mesquite Meadow Ct	234-6975
115	8-9-04	Charles Wright	CHARLES WRIGHT	5403 Mesquite Meadow Ct	419-3382
116	8-9-04	Dede McKethen	Dede McKethen	5401 Mesquite Meadow Ct	881-0332
117	8-9-04	Burt Mathis	Burt Mathis	5405 Mesquite Meadow Ct	396-2430
118	8-9-04	Gale Mathis	GALE MATHIS	5405 Mesquite Meadow Ct	396-2430
119	8-9-04	Daniel Salazar	DANIEL SALAZAR	5409 " " "	656-6097
120	8-10-04	Joe Stanley	Joe Stanley	6704 Sycamore View St.	655-9927
121	8-10-04	Lg Taja Horner	Lg Taja Horner	6708 Sycamore View St	395-2526
122	8/10/04	Chad Hites	CHAD HITES	6712 SYCAMORE VW ST.	636-2245
123	8/10/04	Ariana Hites	ARIANA HITES	6712 SYCAMORE VW ST	636-2245
124	8/10/04	Thomas Mach	Thomas Mach	6720 SYCAMORE VIEW ST	395-9558
125					

	Date	Signature	Print Name	Address	Phone
126	6/21/04	[Signature]	MARTHA SMIRK	1975 Flagstone Ranch HWY 890D	702-897-0100
127	6-21-04	[Signature]	LISA LECIAIT	38413 Light year Dr	887-0908
128	6/21/04	[Signature]	JOSEPH LAVIETES	1112 Tamarack Ave	648-6413
129	6/22/04	[Signature]	FRANK TOPOL	4837 N. MONTE CRISTO	656-9184
130	6/22/04	[Signature]	MELINDA TOPOL	4837 N. MONTE CRISTO	656-9189
131	6-22-04	[Signature]	MARY VERDICK	3460 Green Birch St	360-0061
132	6-22-04	[Signature]	JERIE VERDICK	3460 Green Birch St	360-0061
133	6/22/04	[Signature]	PATT SEBENICK	240 S CRYSTINE DRIVE	870-3888
134	6/22/04	[Signature]	KATHY BOUVIER	6225 Buckskin #A	656-2102
135	6/23/04	[Signature]	DORIS CORPUS	1545 Apple Hills	641-6491
136	6/23/04	[Signature]	CHRYL BIANCHINI	5005 Orchid Valley Ct	645-0530
137	6/23/04	[Signature]	R. FERNANDES	6749 W Chaboum Blvd	258-4452
138	6/23/04	[Signature]	H. ANCHONDO	8636 Waterbuck Ave	454-5945
139	6/23/04	[Signature]	KELLY J. SQUIRE-HANKE	423 Donner Pass Dr.	450-3727
140	6/23/04	[Signature]	LINDA SLIWA	1817 Navarre Lane	435-9755
141	6/23/04	[Signature]	C. PALMER	3426 ALPERS DR	877-10107
142	6/23/04	[Signature]	CHAD DENNEY	5553 Orchard Lane	528-4285
143	6/23/04	[Signature]	BOSE HELM	10145 BIRCH HOLLOW DR	48-304140
144	6/23/04	[Signature]	MARGARET CUMMINS	6944 WOODBUNK DR.	349-6739
145	7/5/04	[Signature]	JERRY CUMMINS	5700 DEERS SPRINGS	645-3911
146	8/10/04	[Signature]	CLAIR ROGERS	5201 Blue Evergreen Ave	242-1209
147	8/10	[Signature]	SHANNON SIMON	6700 PYRACANTHAGLEN	658-9200
148	8/10	[Signature]	JANKOWSKI CHRIS	6718 PYRACANTH GLEN CT	656-2924
149	8/10	[Signature]	DANIEL DAVIS	6713 PYRACANTH GLEN CT	450-9192
150	8/12	[Signature]	LESLIE R. DICKSON	5213 Hackberry Hill Ave	256-6305
151	8/12	[Signature]	JUNI MURRAY	5217 HACKBERRY HILL	839-0666
152	8/12	[Signature]	WALTER PICHAY	5216 HACKBERRY HILL AVE	658-3588
153	8-12	[Signature]	JANET TOKER	5205 Hackberry Hill Av	645-9760
154	8/12	[Signature]	JOHN F. RIVIERE	5204 HACKBERRY HILL AVE	304-2364
155	8/12	[Signature]	JO EVELYN KATHMAN	6496 MIMOSA VALLEY ST.	631-7128
156	8/12	[Signature]	MARY L. OLSON	6489 MIMOSA VALLEY ST	655-9835
157	8/12/04	[Signature]	CAROL JENKINS	6497 MIMOSA VALLEY ST.	645-2794
158	8/12/04	[Signature]	F. L. GALT	5204 ACACIA VIEW AVE	655-3862
159	8/12/04	[Signature]	LINDA D. GALT	5204 ACACIA VIEW AVE	655-3162
160	8/12/04	[Signature]	SHARON GARMAN	5700 Turkey Lane	658-0594
161					
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Received By

AUG 13 2004

RECEIVED
CITY CLERK
G. Sheldon Green, M.D.

August 9, 2005 2004 AUG 16 P 3: 57

City Managers Office

Las Vegas City Manager, Douglas Selby
400 Stewart Avenue
Las Vegas, Nevada 89101

Protest

Dear Douglas Selby,

We have recently been made aware of a development proposal of property at Jones/Centennial/Leon, containing from 42.36 to 49 acres (depending on whose information one reads). We did not receive a notice of the Planning Commission hearing of 22 July 2004.

Review of information collected and reported by Linda Mayers, raises important concerns.

Our first concern is that this proposed development is inconsistent with the Open Space Plan for the Northwest Area (2:June 2004). The proposed development is seriously at odds with the Centennial Hills sector plan (preserve and ensure distinctive rural residential character). The development proposal appears to offer only another ugly, high density ghetto. Too many of these already are a blight on the appearances of our city.

Another concern is that there appears to be only one entry/exit, onto Jones Rd., and another onto 215. If there are 162 homes, most with 2 vehicles the proposal is a certain recipe for trouble. Entry of emergency vehicles would be impaired seriously during morning and evening rush hours. More access to the development clearly will be needed.

We do not oppose development of this area, but are very concerned that the present proposal is inconsistent with the publicized planning for the City of Las Vegas. High density, "low cost" developments are not appropriate in this area. Such a development would have adverse effects upon our property values and the high quality of life in this neighborhood.

We have lived on Mello Avenue for 29 years, and have a serious interest in the appearance of our property, and the properties of our neighbors. We urge you to deny this proposed development. We would encourage development consistent with the "Open Space Plan for the Northwest Area.

Sincerely,


G. Sheldon Green, M.D.


Celine P. Green

5700 Mello Avenue, Las Vegas, Nevada, 89131-2927
Phone: (702) 645-0375; FAX: (702) 645-0375; E-mail: celine@rmci.net

Submitted after final agenda

Date 8/16/04 Item #122
123
124

The Mayers Family, 5801 Ano Drive, Las Vegas, NV 89131

August 10, 2004

City Manager Douglas Selby
400 Stewart Ave.
Las Vegas, NV 89101

City Manager Douglas Selby,

We stand opposed to ZON-4459, VAR-4462 & SDR-4461 (APN:125-24-401-001, 002, 010, 011 & 125-24-302-014), scheduled to be heard Wednesday, August 18th. While understanding, accepting and even looking forward to development, we have the following objections/suggestions:

The development is incompatible, dense and inconsistent, with no allowances or restrictions ensuring or preserving our current rural residential environment as stated in the objectives of the Centennial Hills sector plan. This ideal was substantiated with the unveiling of the City of Las Vegas Northwest Area Open Space Plan (Issue 2 – June 2004)! Our specific neighborhood is the only one recognized in conjunction with farmland, cattle & horse ranches! The "action plan for shaping the long term landscape of this area as well as leaving a legacy of an interconnected system of parks trails, open spaces & resource conservation areas" acknowledges our need for preservation! Parks, trails and open space needed within our Area Radius are also recognized!

We feel the acreage is miss-represented. Our notices for the original Planning Commission Hearing, as well as the City Council Hearing state 42.36 acres, while the actual Hearing Agenda states 47.36 acres. The Developer's requested the original Planning Commission Hearing be held in abeyance in order to have a Neighborhood meeting to hear our opposition. At that time, the Developer's representative stated the acreage to be over 49. Dedicated Roadways may not be included in the Gross Acreage (Definitions, Chapter 19.20 – Planning & Development).

After hearing our objections to the exit into our rural neighborhood, the development plan was amended at the Planning Commission Hearing (July 22, 2004) to 162 homes (approx. equal to 4 homes & streets per acre) all exiting onto Jones adjacent to Rome. The development exit would be in conjunction with a planned development opposite Jones (beside a graveyard). While, we appreciated the courtesy of being heard at the neighborhood meeting, it was a little frustrating to have been told there was no time to change plans & then to have a slightly different plan proposed without our notice. Our concerns regarding density and rural compatibility have yet to be addressed! We are disappointed to the constant reference of the newly approved "Sister" development on the N.W. corner next to the graveyard & not abutting a rural home site development - as if it were a standard – we don't want this development to set a precedent when we feel the Single Story Developments by DR Horton are more "Tried & True".

One Planning Commissioner addressed our density concerns, in effect saying: less expensive, high density homes are affordable & marketable next to the freeway. The boundary lines have been identified and are being chipped away, until no space will be worth saving. Please be reminded of the Northwest Area Open Space Study, our existing Current Rural Populace & Councilman Mack's mission statement of intent "to protect our rural character & historic values"! We ask that you help support & safeguard this neighborhood by denying the variance/rezone requests & site development plan!

Sincerely,


Linda Mayers

Protest

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CITY CLERK
2004 AUG 16 P 3:57

Received By

AUG 16 2004

August 12, 2004

Las Vegas City Council
Councilman Michael Mack
400 Stewart Ave.
Las Vegas, NV 89101

City Managers Office

Councilman Mack, *and Douglas Selby - City Manager*

I understand development is inevitable, but am opposed to ZON-4459, VAR-4462 & SDR-4461 (APN: 125-24-401-001, 002, 010, 011 & 125-24-302-014), scheduled to be heard Wednesday, August 18th with the following objections:

The acreage is miss-represented. Our notices for the original Planning Commission Hearing, as well as the City Council Hearing state 42.36 acres, while the actual Hearing Agenda states 47.36 acres. Dedicated Roadways may not be included in the Gross Acreage (Definitions, Chapter 19.20 - Planning & Development).

The development is incompatible, dense and inconsistent! There are no allowances or restrictions to sustain and preserve our current rural environment. The main objectives presented for the Centennial Hills sector plan were to preserve & ensure distinctive rural residential character & buffer from surrounding high density development. This Ideal is substantiated with the recent City of Las Vegas Northwest Area Open Space Plan (Issue 2 - June 2004)! Our specific neighborhood is recognized in conjunction with farmland, cattle & horse ranches! The "action plan for shaping the long term landscape of this area as well as leaving a legacy of an interconnected system of parks trails, open spaces & resource conservation areas" acknowledges our need for preservation! Parks, trails and open space ~~are~~ needed within our Area Radius are also recognized! Please continue to support and safeguard our neighborhood!

The plans have been altered - removing an exit into our neighborhood, with only Fire Gates adjoining our neighborhood. I feel the development will still increase pedestrian traffic through our neighborhood. The proposed development auto exit would be in conjunction with a planned development opposite Jones. Concerns regarding density and rural compatibility have yet to be addressed! The newly approved development on the N.W. corner next to the graveyard & not abutting a rural home site development is referred to as a standard, while I prefer to compare the "Tried & True" Single Story Developments by DR Horton sharing our neighborhood.

One Planning Commissioner addressed our density concerns, in effect saying: less expensive, high density homes are affordable & marketable next to the freeway. Please be reminded of the Northwest Area Open Space Study, our existing Current Rural Populace & The mission statement of intent "to protect our rural character & historic values" - referred to in the Northwest Area Open Space Plan! Take note of the number of residents on Opposing petitions submitted to the Planning Commission & The City Council Hearing as well as this personal request to help safeguard this neighborhood by denying the variance/rezone requests & site development plan!

Sincerely,

Charles Ray G. N.

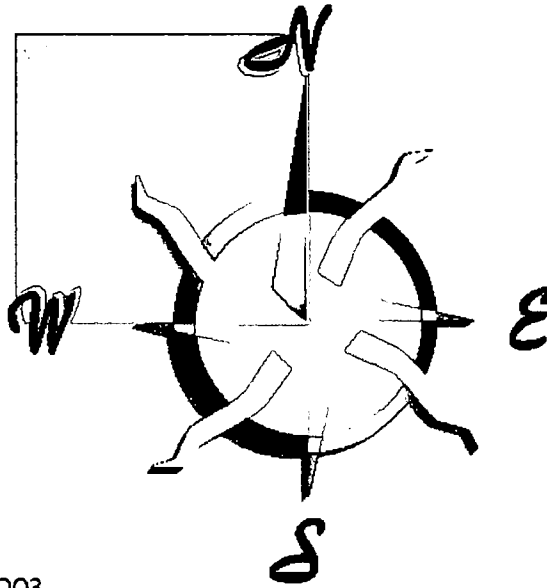
Protest

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AUG 17 PM 4:21

Submitted after final agenda

Date 8/17/04 Item #122
#123
#124

Do Plans Mean Anything?



February 19, 2003

City of Las Vegas

Centennial Hills Sector Plan



From Page 2:

“Of most importance to the residents of the Northwest was the preservation of the rural character of portions of the Northwest...”

Submitted at City Council

Date 8/18/04 Item 122, 123 & 124

Additional conditions for approval of Zon-4459 (Rezone from RE to RPD-3 at the northeast corner of Jones Boulevard and the 215 Beltway)

1. **The density on this property shall be limited to 2.33 dwelling units per acre. (Identical to the 2001 Rezone)**
2. **Lots adjacent to the northern and eastern boundaries of the development or lots adjacent to portions of open space adjoining the northern or eastern property boundaries must be large enough to meet City of Las Vegas requirements for private horse corrals or stables (Chapter 19.04, permissible uses, conditional uses).**
3. **A deed restriction shall be recorded on this property such that the homes shall be limited to one-story with a minimum of 2,300 square foot of living space. (Identical to the 2001 Rezone)**
4. A Master Streetlight Plan for the overall subdivision must be submitted to and approved by the Department of Public Works prior to the submittal of any construction drawings.
5. Obtain an Encroachment Agreement for all landscaping and private improvements in the Leon Road and Cowboy Trail public rights-of-way adjacent to this site. (Street names only changed)
6. Landscape and maintain all unimproved right-of-way on Leon Road and Cowboy Trail adjacent to this site. Street names only changed)
7. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, public multi-use trails, 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. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office. **The CC&R's shall have a permanent restriction on the power and authority of the Homeowner's Association such that no action may be taken by the Homeowner's Association to restrict or regulate private horse corrals or stables on those lots large enough to meet City of Las Vegas Zoning code requirements for this land use. (Additional language added to prevent the future Homeowner's Association from subverting the intent of the City Council)**
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site, whichever may occur first. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or

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

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Particular consideration shall be given in the Traffic Impact Analysis or approved alternative to minimizing the impact of traffic on the adjacent neighborhood. The impact on the capacity of the 215 Beltway (a facility of regional importance) and Jones Boulevard (a major arterial planned to connect the 215 Beltway with the planned outer Beltway) shall explicitly be addressed and the actions of the developer to minimize this impact shall be stated. (Site specifics added)

CITY COUNCIL AGENDA: Horses, houses again butt heads

Builders want to put three homes per acre in area of half-acre lots

By MICHAEL SOUIRES
REVIEW-JOURNAL



Tara Mayers, 17, rides her horse in her back yard Tuesday near the northern beltway and Jones Boulevard. Her family and others oppose plans to rezone land to allow denser development in their neighborhood of half-acre and larger lots.
Photo by John Gurzinski.

Linda Mayers left a Las Vegas subdivision two years ago for a rural enclave in the northwest valley where she could keep horses in her yard. Now, she finds, the subdivisions are trying to follow.

Mayers and 50 of her neighbors near the northern beltway and Jones Boulevard oppose plans to rezone land to allow denser development in their neighborhood of half-acre and larger lots, where over one-third of the residents keep some kind of livestock. There are horses, goats, emus, peacocks and the occasional tractor in the front yard.

One of the developments proposed by Ruth Boyd and Dean Katris would put 162 homes on a 42-acre parcel, or well over three homes per acre, over the

fence from Mayers' backyard, where her daughter rides the family's horse.

The other project, about a block from Mayers' home, proposed by Garrett LLC, calls for 29 residences to be built on 9 acres, or about three homes per acre.

The Las Vegas City Council will vote on both proposed developments today.

"They're trying to chip away at our rural lifestyle," Mayers said. "We're not opposed to development, but we want something on the land that's compatible with the way we live. We're worried these types of developments are going to set the precedent."

Ron Unger, who has lived in the area for 18 years, added, "We've always been zoned for, at the most, two houses per acre. It's just going to change the whole neighborhood."

Residents said a recently completed development west of the neighborhood has underscored the incompatibility between suburban living and their lifestyle. Since the development opened, there have been complaints from its residents about the smell of their livestock and calls to animal control officials about the condition of animals residents claim are well cared for or "just getting old."

"There's odors with horses. When you come into our neighborhood, that's the way it is," said Maureen Lynn, who has lived in the area since 1968. "They (the new residents) moved in and started complaining. That's not very fair."

It's become a familiar standoff in northwest Las Vegas and outlying sections of unincorporated Clark County: residents seeking to guard a rural lifestyle against developers attempting to meet the region's voracious demand for housing.

Earlier this month, the Clark County Commission denied Spartan Properties' request to build a neighborhood with 2.5 units per acre near Wigwam Avenue and Tenaya Way in the far southwest valley in a community where only two units per acre are allowed.

"This is not the first time I've been to this show," said Councilman Michael Mack, who represents the city's northwest and has dealt with similar conflicts before.

In the case before the City Council today, city staff has sided with the residents, recommending the council turn down both proposed developments unless they are revised. The city's planning commission voted to approve both projects.

Questions about access to the proposed subdivisions and their incompatibility with the surrounding area are the primary reasons for staff's opposition, Planning Director Bob Genzer said.

"In some places, you've got four homes abutting one of the existing single-family homes," Genzer said. "We recognize they (developers) have got to make a profit. ... But to me that doesn't work."

Representatives of property owners seeking the zone change couldn't be reached for comment Tuesday.

Mack said he hopes to strike a compromise that will allow the development near the busy intersection of Jones and the beltway to go forward, while providing an adequate buffer for residents.

"It is not by any means a quiet intersection," Mack said. "I can respect the residents. They want to maintain the rural lifestyle but higher density residential is encroaching."

August 18, 2004 City Council Meeting
Revised Public Works Conditions

Agenda Item No. 122
ZON-4459
Ruth L. Boyd

Please revise Condition No. 4 as follows:

4. Construct half street improvements on Jones Boulevard and rural improvements on Leon Avenue and Cowboy Trail adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of Leon Avenue and Cowboy Trail; and 30-inch rolled curb on the development side of the street. The exterior streetlighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Leon Avenue and Cowboy Trail. Install all appurtenant underground facilities, if any, adjacent to this site need 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.

Submitted at City Council

Date 8/18/04 Item 122

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VARIANCE RELATED TO ZON-4459 - PUBLIC HEARING - VAR-4462 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 2.35 ACRES OF OPEN SPACE WHERE 2.44 IS REQUIRED; AND TO ALLOW A 10 FOOT WALL HEIGHT WHERE 8 FEET IS THE MAXIMUM HEIGHT ALLOWED FOR A PROPOSED RESIDENTIAL SUBDIVISION on 47.46 acres on the northeast corner of Jones Boulevard and the 215 Beltway (APN 125-24-401-001, 002, 010, 011 and 125-24-302-014), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL. (NOTE: The Variance for open space has been withdrawn without prejudice by the applicant)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

52
82

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Protest petition with 79 signatures for Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461] filed under Item 122 [ZON-4459]
5. Submitted after final agenda - Revised plan submitted by Planning & Development
6. Submitted after final agenda - Protest letters from Dr. and Mrs. Green, Linda Mayers and Carleen Rajak for Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461] filed under Item 122 [ZON-4459]
7. Back up referenced from the 7/22/2004 Planning Commission meeting Item 22
8. Submitted at City Council - Centennial Hills Sector Plan and comments from Craig Shirley filed under Item 122 [ZON-4459]
9. Submitted at City Council - Revised Condition 4 for Item 122 submitted by the Public Works Department filed under Item 122 [ZON-4459]

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 123 – VAR-4462

MINUTES:

NOTE: See Item 122 [ZON-4459] for all related discussion.
(3:09 – 3:34)
4-1220

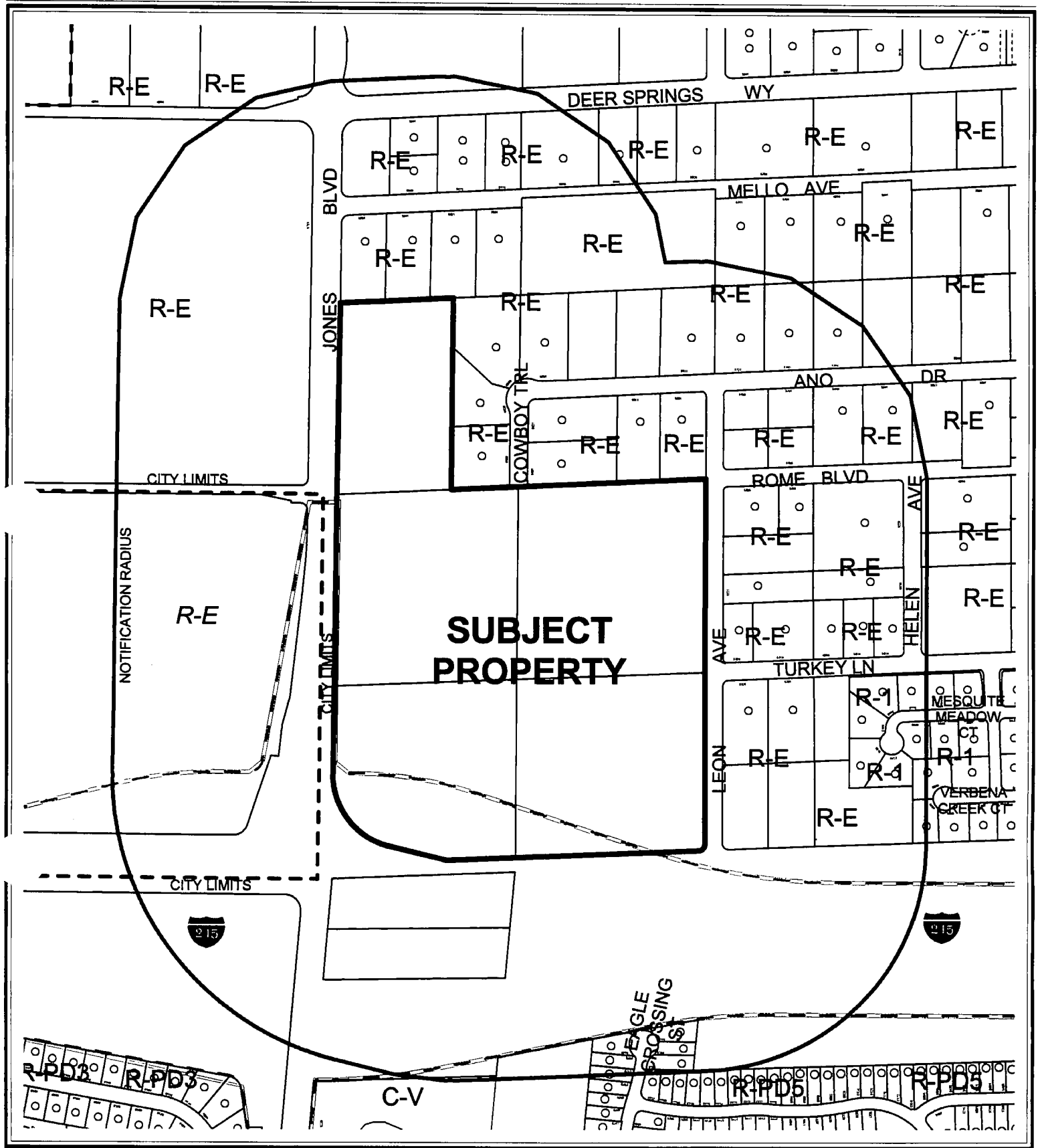
CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4459) and Site Development Plan Review (SDR-4461).
2. This Variance for wall height 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.

Public Works

3. Grading information and cross sections must be provided with the Tentative Map submittal for this site and shall comply with the City of Las Vegas Title 18 Subdivision Ordinance; if compliance cannot be met Waivers may be required.
4. Site development to comply with all applicable conditions of approval for Rezoning Application ZON-4459, Site Development Plan Review SDR-4461 and all other site-related actions.



CASE: VAR-4462

RADIUS: 750 FT

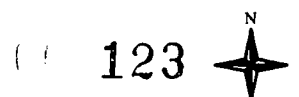
ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-4462 - APPLICANT: RUTH L. BOYD & DEAN KATRIS -
OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES
BELTWAY, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4459) and Site Development Plan Review (SDR-4461).
2. This Variance for wall height 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.

Public Works

3. Grading information and cross sections must be provided with the Tentative Map submittal for this site and shall comply with the City of Las Vegas Title 18 Subdivision Ordinance; if compliance cannot be met Waivers may be required.
4. Site development to comply with all applicable conditions of approval for Rezoning Application ZON-4459, Site Development Plan Review SDR-4461 and all other site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a Variance to allow 2.44 acres of open space where 2.7 acres is required and to allow an increase in block wall heights in excess of ten feet where eight feet is the maximum allowed for a residential subdivision on 47.46 acres located on the northeast corner of Jones Boulevard and Centennial Parkway.

B) Applicant's Justification

The applicant justifies the variance for wall heights on the basis that noise pollution from motor vehicle traffic along Jones and I-215 will negatively impact the adjacent residential lots. The applicant has supplied no real justification for the requested variance of open space except to state that the landscape buffer along Jones Boulevard has not been calculated into the open space area. Additionally the applicant states the fact that there will be connectivity between the trail along Centennial Boulevard, the landscaping provided on Jones Boulevard, and the proposed park.

BACKGROUND INFORMATION

A) Previous Actions

- 06/24/04 Variance (VAR-4459) application was held in abeyance by the Planning Commission as a result of the applicant's request to have further time to work with the community. Staff recommended denial on this application. Companion items, Rezoning (ZON-4459) and Site Development Plan Review (SDR-4461), were also held in abeyance at this meeting.
- 07/22/04 The Planning Commission recommended approval for the related Site Development Plan Review (SDR-4461) and Rezoning (ZON-4459).
- 07/22/04 The Planning Commission voted 5-1 to recommend APPROVAL (PC Agenda Item #22).

B) Pre-Application Meeting

- 04/15/04 At the pre-application meeting issues pertaining to the Rezoning (ZON-4459) and the Site Development Plan Review (SDR-4461) were discussed. The issues are as follows:
1. The moving of an entrance to the subdivision to meet the 220-foot separation requirement on the east side of the site or to apply for a waiver of Title 18 to allow it.
 2. The checking of the beltway alignment so as not to have a portion of the subdivision built within it.
 3. The verification of the beltway trail along Centennial Parkway needed to be clarified as to if it is going to be required.

4. Proposed as being gated with private streets, except Cowboy Trail with two lots. It has been recommended that the two lots be relocated and the cul-de-sac be removed, so as to completely enclose the subdivision.
5. Check issues of a bus-turnout and possible traffic study.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 47.46

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings
South: ROW [215 Beltway]
East: Single Family Dwellings, Undeveloped
West: Palm Mortuary, Undeveloped

C) Planned Land Use

Subject Property: R Rural Density Residential
North: R Rural Density Residential
South: ROW 215 Beltway
East: L Low Density Residential
West: R, DR Rural Density and Desert Rural Density Residential

D) Existing Zoning

Subject Property: R-E Residential Estates
North: R-E Residential Estates
South: ROW 215 Beltway
East: R-E Residential Estates
West: Clark County

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector Plan of the General Plan. The site is designated as R (Rural Density Residential) within the Plan. The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

<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

Multi-Use Transportation Trail

A proposed multi-use transportation trail is slated to run the entire length of the southern property adjacent to the Centennial Parkway alignment. A multi-use transportation trail refers to paved trail paths separated from the roadway and designed for the exclusive use of bicyclists, pedestrians, and other users of non-motorized vehicles. A multi-use transportation trail consists of a five-foot transition strip and a five-foot private landscaped corridor that are separated by a ten-foot public transportation trail path. The trail in question will be taken out of the public right-of-way.

Rural Preservation Neighborhood

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas and Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. However, this state statute is effective through May 31, 2004, after which the subject parcel will not be held to the before mentioned standards.

A) Zoning Code Compliance

A1) Development Standards

Development standards for a R-PD (Residential Planned Development) are determined during the site development plan review process. The Planning Commission and City Council will establish development standards through the consideration of the Site Development Plan Review (SDR-4461), a related item.

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

Standards	Required	Requested	Compliance
Wall Height	8 Foot Max	10+ Feet	NO

The proposed site plan illustrates a 9-foot 10-inch block wall to be located along Centennial Parkway and partially along the southern portion of Jones Boulevard. The maximum allowable wall height within any residential development area is 8 feet therefore this variance is warranted.

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
47.46 acres	3.44	1.65	5.7 %	2.7 Acres	5.2%	2.44 Acres

The proposed development does not meet the amount of open space required for a R-PD (Residential Planned Development) zoning district. The applicant has provided 30,471 square feet of open space in the form of a 20-foot wide exercise trail along Centennial Parkway, as well as 75,730 square feet of open space in the form of a common park located on the northern portion of the site. Even though functional, the open space is inadequate and isolated from a fair portion of the development.

B) General Analysis and Discussion

The request for increased wall height is reasonable because that development on the west side of Jones Boulevard has been approved by the County (TM-0523-03) for increased wall heights under the same justification presented for this application. The County parcel to the west, however, will become a 130 lot single family, detached planned unit development with an overall density of 3.25 units per acre (TM-0523-03). The proposed development would contain a smaller average lot size than County parcel and an increased number of dwelling units per acre.

The lack of required open space is a direct result from the number of lots proposed on the subject property. Removal of one lot of 10,000 square feet or greater would eliminate the need for this variance.

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. The applicant has created a self-imposed hardship regarding the lack of open space on site. Alternative site design or the reduction in the number of lots 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.

PLANNING COMMISSION ACTION

The Planning Commission deleted the Condition regarding in lieu monies when the Open Space Variance request was withdrawn.

NOTICES MAILED 83 by City Clerk

APPROVALS 0

PROTESTS 50

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-4462** APN: **125-24-302-014**

Name of Property Owner: Jones Beltway, LLC

Name of Applicant: Dean A. Katris

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: _____

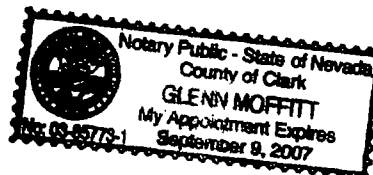
Signature of Property Owner/Authorized Agent:

Print Name: Dean A. Katris

Subscribed and sworn before me

This 11 day of June 2004

Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-4462** APN: 125-24-401-001, 002, 010, 011
Name of Property Owner: Boyd Family Partnership LP
Name of Applicant: Ruth L. Boyd, G.P.

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: N/A

Partner(s): N/A

APN: N/A

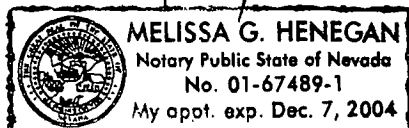
Signature of Property Owner/Authorized Agent: *Ruth L. Boyd*

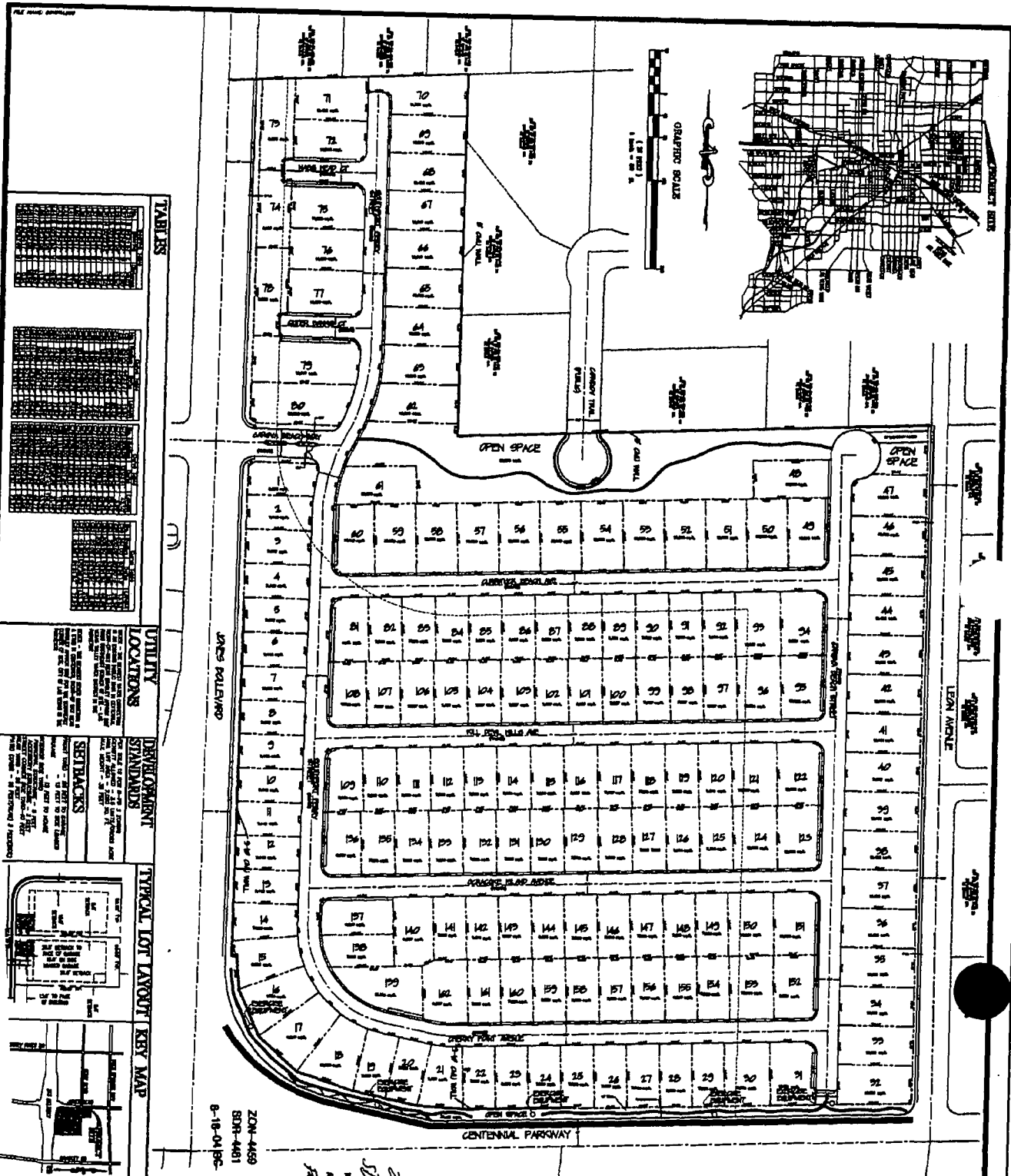
Print Name: Ruth L. Boyd

Subscribed and sworn before me

This 4th day of May, 2004

Melissa G. Henegan
Notary Public in and for said County and State





TABLES	UTILITY LOCATIONS	DEVELOPMENT STANDARDS	TYPICAL LOT LAYOUT KEY MAP

VAR-4462

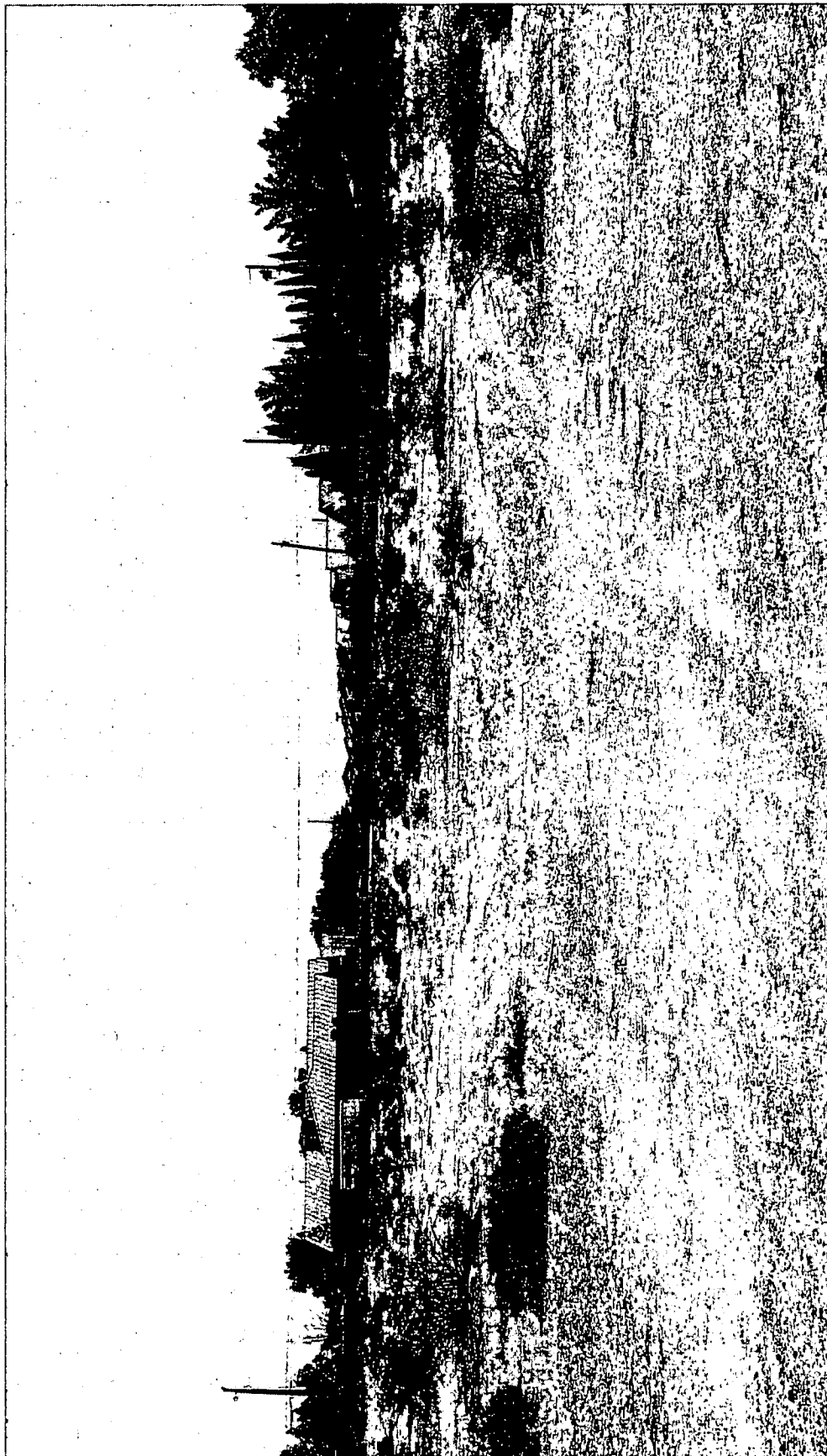
ZON-4459

SDR-4461

8-18-04 CC

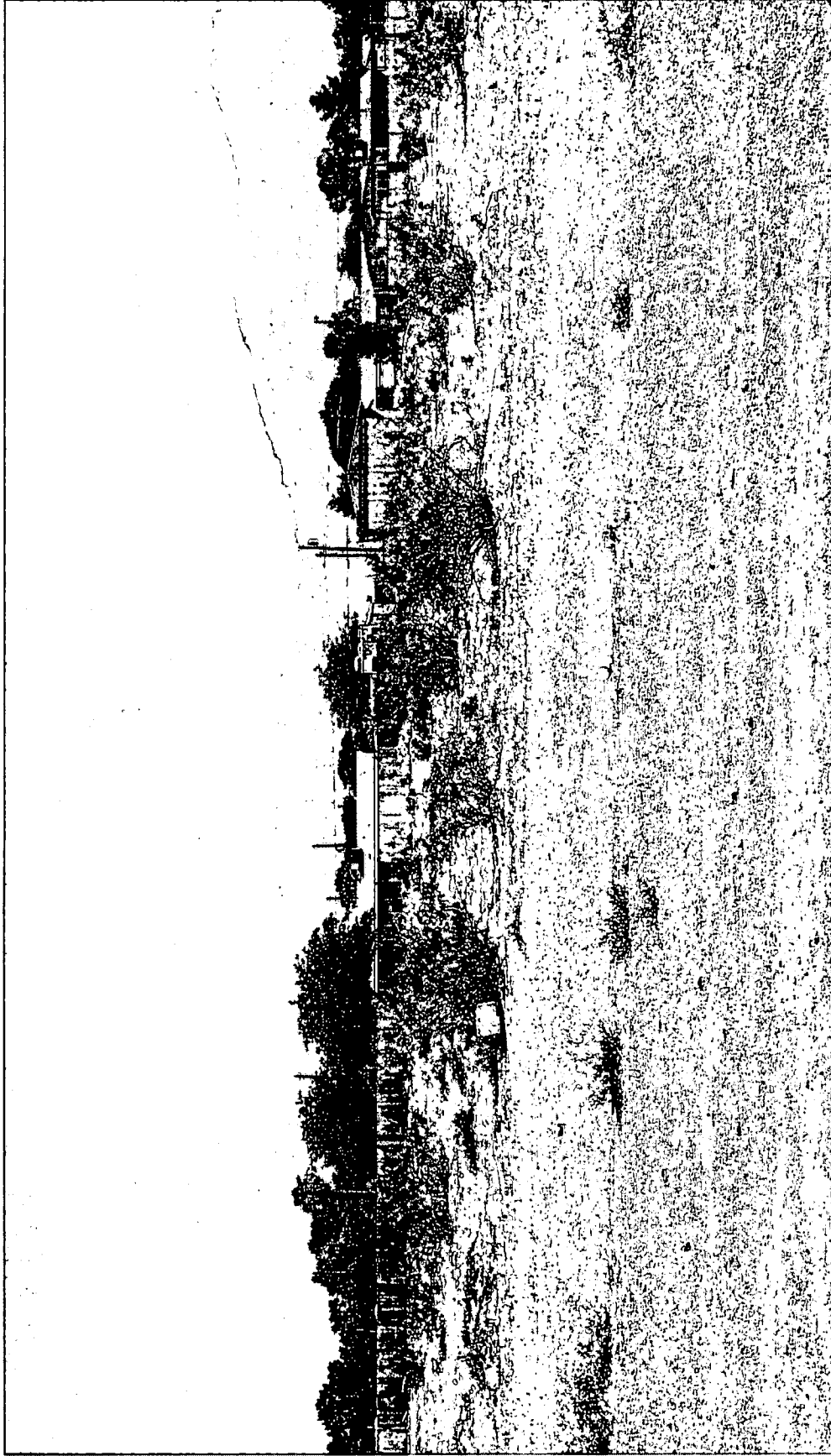
SITE INFORMATION PROJECT NO. 100-0000000000000000 SHEET NO. 1 OF 1 DATE 8-18-04		LANDSCAPING REQUIREMENTS 1. ALL LANDSCAPING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF CHICAGO LANDSCAPING ORDINANCES. 2. ALL LANDSCAPING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF CHICAGO LANDSCAPING ORDINANCES.	
DEVELOPMENT NOTES 1. ALL DEVELOPMENT SHALL BE DONE IN ACCORDANCE WITH THE CITY OF CHICAGO DEVELOPMENT ORDINANCES. 2. ALL DEVELOPMENT SHALL BE DONE IN ACCORDANCE WITH THE CITY OF CHICAGO DEVELOPMENT ORDINANCES.		LEGAL DESCRIPTION FLOOD ZONE FLOOD ZONE 1 FLOOD ZONE 2	
UTILITY COMPANIES CHICAGO WATER DEPARTMENT CHICAGO ELECTRIC DEPARTMENT		OWNERS WILLIAM LYON HOMES 1000 N. LAKE SHORE DRIVE CHICAGO, IL 60611	
SEWER CONTRIBUTION NO SEWER CONTRIBUTION NO SEWER CONTRIBUTION		ABBREVIATIONS C = CURB S = STREET L = LOT	
RECEIVED 8-18-04 8-18-04		RECEIVED 8-18-04 8-18-04	
RECEIVED 8-18-04 8-18-04		RECEIVED 8-18-04 8-18-04	
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REVISED
8-18-04



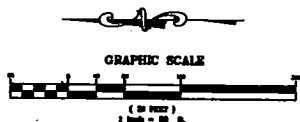
VAR-4462 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP,
LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF JONES BOULEVARD AND THE 215 BELTWAY
JULY 22, 2004 PLANNING COMMISSION

6/7/04



VAR-4462 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP,
LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF JONES BOULEVARD AND THE 215 BELTWAY
JULY 22, 2004 PLANNING COMMISSION

6/7/04



RECEIVED

AUG 13 2004

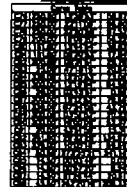
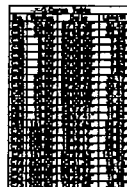
Revised for
APPROVAL

ZON-4459

VAR-4462

SDR-4461

8-18-04 CC



UTILITY LOCATIONS

WATER - THE NEAREST WATER CONNECTION IS AN EXISTING PUBLIC DRAIN IN CENTRALIA NORTH-OF-WEST NEAR BRADLEY AVENUE AND FROM SOUTHEAST CORNER OF SITE - LAB YOUNG VALLEY WATER DISTRICT IS THE PURVEYOR

SEWER - THE NEAREST SEWER CONNECTION A STAIN IN CENTRALIA, SOUTH-OF-WEST NEAR BRADLEY AVENUE AND FROM THE SOUTHEAST CORNER OF SITE, CITY OF LAB YOUNG IS THE PURVEYOR

DEVELOPMENT STANDARDS

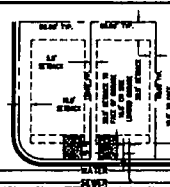
SETBACKS

FRONT YARD - 25 FEET TO DRIVE
 - 15 FEET TO SIDE WALK
 DRIVE - 25 FEET TO DRIVE
 REAR YARD - 25 FEET TO DRIVE

SETBACKS

FRONT YARD - 20 FEET 30 DRIVE
- 15 FEET TO BOX LOADED
GARAGE
- 25 FEET IN HOME
REAR YARD - 20 FEET
PRINCIPAL STRUCTURE - 8 FEET
ACCESSORY STRUCTURE - 3 FEET
STREET CORNER SIDE YARD - 10 FEET
REAR YARD - 20 FEET
PATIO CORNER - 10 FEET (NEAR) 3 FEET (EAST)

TYPICAL LOT LAYOUT



KEY MAP



SITE INFORMATION

[illegible]

LANDSCAPING REQUIREMENTS

[illegible]

DEVELOPMENT NOTES:

[illegible]

LEGAL DESCRIPTION FLOOD ZONE

THE PROJECT SITE IS IN ZONE X, AN AREA OUTSIDE THE 100-YEAR FLOOD PLAIN.

1. **IDENTIFY YOUR COMPANY'S**

UTILITY COMPANIES

NEWARK POWER COMPANY 222 N. SHORELINE AVE. 201-580-0000	44-22 SOUTH JONES BLVD. # LAKE MICHIGAN, NEWARK, OHIO 43055 TEL: 201-580-0000 FAX: 201-580-0000

SUBDIVIDER/DEVELOPER

[illegible]**OWNERS**

APR 125-34-100-000,000,001	APR 125-34-303-004
5000 FAN PARTNERSHIP, LP	JONES DEL TONY, LLC
5000 FAN	DEAN KA SHI
3113 SHER AVE	3303 PEARLINE
LAS VEGAS, NEVADA 89103	HOUSTON, NEVADA 89001
702-302-8000 PHONE	702-890-8077 PHONE
702-302-8000 FAX	702-890-8076 FAX

LEGEND

ACCESS (EASEMENT)
 CUSTODY (EASEMENT)
 BEARING (SLOPE, WATERS)
 EXISTING CONTOUR (1" INTERVAL)
 EXISTING CONTOUR (OF INTERVAL)
 DIRECTION OF FLOW
 WIDTH OF FLOODPLAIN
 LESS THAN 100'
 CONTINUOUS
 RIGHT-OF-WAY
 CITY LINE-ADVISORY
 EASEMENT
 BOUNDARY LINE
 SECTION LINE
 WATER LINE
 PROPERTY LINE
 SHIP LIGHT LINE

SEWER CONTRIBUTION

162 LOTS x 250 GPD/LOT = 40,500 GPD (AVERAGE)
162 LOTS x 250 GPD/LOT x 3.6 PEAK FACTOR = 141,750 GPD (PEAK)

ABBREVIATIONS

[illegible][illegible]

Revised
8-11-04
OWNER'S SEAL

DATE:	REVISION:
SCALE:	T=100
JOB NO:	
DESIGNED BY:	
DRAWN BY:	
SHEET NAME:	
	SP1
SHEET #:	
1	OF 2

Submitted after final agenda

Date 8/16/04 Item #123

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4459 AND VAR-4462 - PUBLIC HEARING - SDR-4461 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 163 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 47.46 acres on the northeast corner of Jones Boulevard and the 215 Beltway (APN 125-24-401-001, 002, 010, 011 and 125-24-302-014), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

52
82

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition with 79 signatures for Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461] filed under Item 122 [ZON-4459]
5. Submitted after final agenda – Revised plan submitted by Planning & Development
6. Submitted after final agenda – Protest letters from Dr. and Mrs. Green, Linda Mayers and Carleen Rajak for Item 122 [ZON-4459], Item 123 [VAR-4462] and Item 124 [SDR-4461] filed under Item 122 [ZON-4459]
7. Back up referenced from the 7/22/2004 Planning Commission meeting Item 23
8. Submitted at City Council – Centennial Hills Sector Plan and comments from Craig Shirley filed under Item 122 [ZON-4459]
9. Submitted at City Council – Revised Condition 4 for Item 122 submitted by the Public Works Department filed under Item 122 [ZON-4459]

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

3. This Site Development Plan Review for a maximum of 161 units shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 124 – SDR-4461

MOTION – Continued:

4. All development shall be in conformance with the site plan and building elevations, date stamped *August 13, 2004*, except as amended by conditions herein.
7. The lots immediately adjacent to the existing R-E (Residence Estates) lots on the north and east portion of the project shall be limited to single story (*Lots 33 through 48 and 62 through 71 and 73*). *That includes those adjacent to the R-E lots to the north.*

And the following added condition:

- *Lot 49 shall be converted to open space.*

– UNANIMOUS

MINUTES:

NOTE: See Item 122 [ZON-4459] for all related discussion.

(3:09 – 3:34)

4-1220

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. A Rezoning (ZON-4459) to a Residential Planned Development - 3 Units Per Acre Zoning District and Variance (VAR-4462) approved by the City Council.
3. This Site Development Plan Review for a maximum of 162 units 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 July 22, 2004, except as amended by conditions herein.
5. The standards for this development shall include the following: building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 15 feet to the side loaded garage and the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 20 feet in the rear.
7. The lots immediately adjacent to the existing R-E (Residence Estates) lots on the north and northeast portion of the project shall be limited to single story (Lots 62 through 73).

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 124 – SDR-4461

CONDITIONS – Continued:

8. There shall be an eight (8) foot decorative block wall along the northern (next to the open space) and the northeastern boundary (lots 62 through 73) of the project immediately adjacent to the existing R-E (Residence Estates) lots.
9. There shall be no ingress or egress on Leon Avenue subject to the approval of the Fire Department and Traffic Engineer. However, there will be an emergency access gate on Leon Avenue.
10. The interior of the project shall use lamplights only and no streetlights. The open space area shall be illuminated with either lamplight or bollard lighting.
11. The developer shall provide a livestock disclosure statement to each buyer, which advises them of the possibility of livestock on R-E (Residence Estates) lots.
12. 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 the multi-use transportation trail to be consistent with design guidelines.
13. Air conditioning units shall not be mounted on rooftops.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
15. 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.
16. All City Code requirements and design standards of all City departments must be satisfied.

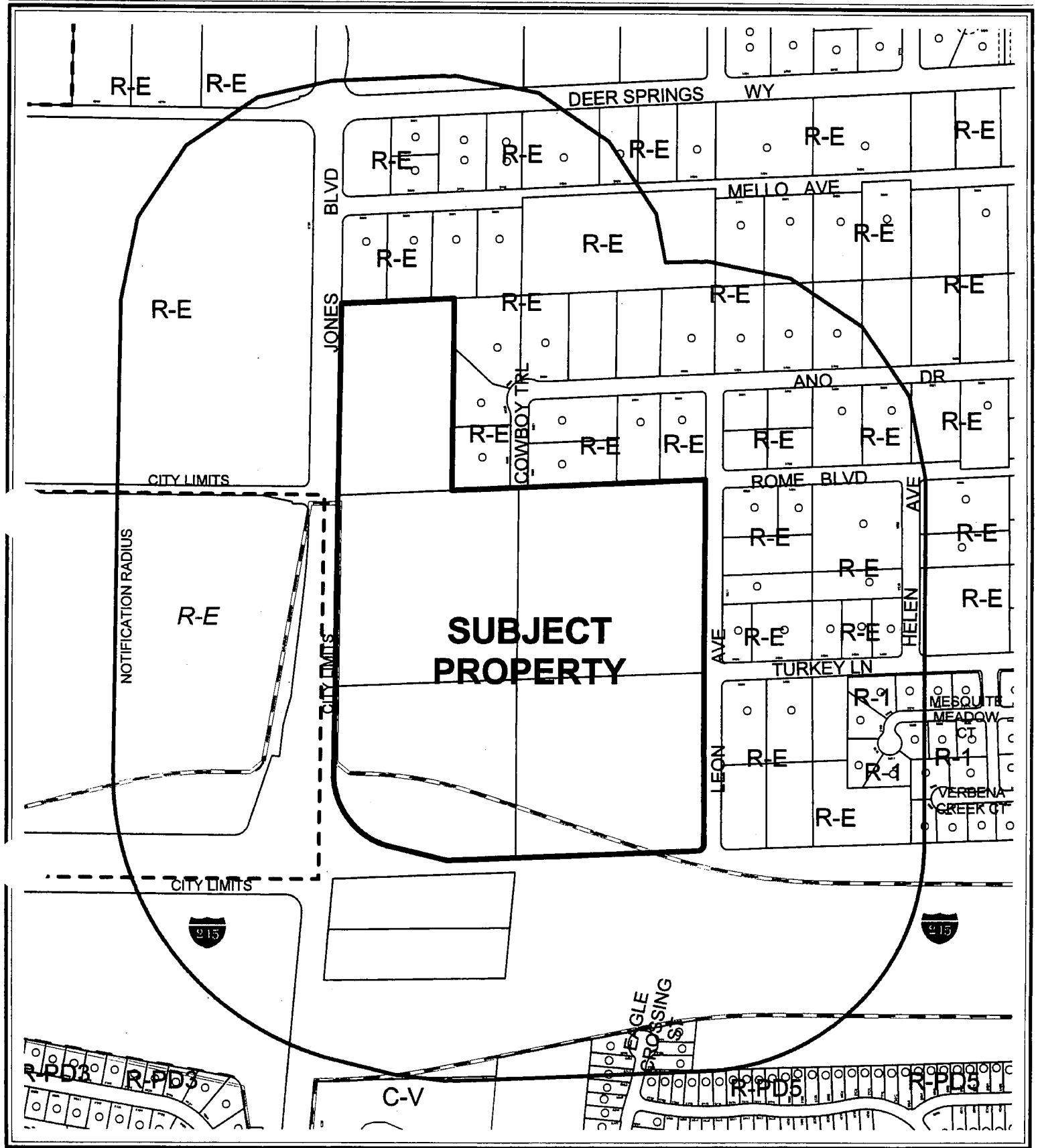
Public Works

17. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary and comply with recommendations.
18. Provide written verification from Clark County that all rights-of-way for the beltway have been provided prior to the submittal of a Tentative Map for this site.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 124 – SDR-4461

CONDITIONS – Continued:

19. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a. The Jones Boulevard entry drive shall have a minimum ingress and egress radius of 25-feet unless otherwise allowed by the City Traffic Engineer.
20. 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.
21. 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.
22. Site development to comply with all applicable conditions of approval for ZON-4459 and all other subsequent site-related actions.
23. 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.



CASE: SDR-4461

RADIUS: 750 FT

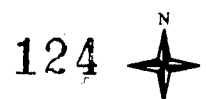
ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-4461 - APPLICANT: RUTH L. BOYD & DEAN KATRIS -
OWNER: BOYD FAMILY PARTNERSHIP, LIMITED PARTNERSHIP & JONES
BELTWAY, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-2 vote) and staff recommends APPROVAL, subject to:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. A Rezoning (ZON-4459) to a Residential Planned Development - 3 Units Per Acre Zoning District and Variance (VAR-4462) approved by the City Council.
3. This Site Development Plan Review for a maximum of 162 units 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 July 22, 2004, except as amended by conditions herein.
5. The standards for this development shall include the following: building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 15 feet to the side loaded garage and the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 20 feet in the rear.
7. The lots immediately adjacent to the existing R-E (Residence Estates) lots on the north and northeast portion of the project shall be limited to single story (Lots 62 through 73).
8. There shall be an eight (8) foot decorative block wall along the northern (next to the open space) and the northeastern boundary (lots 62 through 73) of the project immediately adjacent to the existing R-E (Residence Estates) lots.
9. There shall be no ingress or egress on Leon Avenue subject to the approval of the Fire Department and Traffic Engineer. However, there will be an emergency access gate on Leon Avenue.

10. The interior of the project shall use lamplights only and no streetlights. The open space area shall be illuminated with either lamplight or bollard lighting.
11. The developer shall provide a livestock disclosure statement to each buyer, which advises them of the possibility of livestock on R-E (Residence Estates) lots.
12. 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 the multi-use transportation trail to be consistent with design guidelines.
13. Air conditioning units shall not be mounted on rooftops.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
15. 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.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary and comply with recommendations.
18. Provide written verification from Clark County that all rights-of-way for the beltway have been provided prior to the submittal of a Tentative Map for this site.
19. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a. The Jones Boulevard entry drive shall have a minimum ingress and egress radius of 25-feet unless otherwise allowed by the City Traffic Engineer.
20. 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.
21. 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.
22. Site development to comply with all applicable conditions of approval for ZON-4459 and all other subsequent site-related actions.

23. 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 applicant is requesting a Site Development Plan Review for a proposed 163 lot residential planned development on 47.46 acres located on the northeast corner of Jones Boulevard and Centennial Parkway.

B) Applicant's Justification

The applicant supplies no specific justification for the Site Development Plan Review.

BACKGROUND INFORMATION

A) Previous Actions

- 06/24/04 Site Development Plan Review (SDR-4461) application was held in abeyance by the Planning Commission as a result of the applicant's request to have further time to work with the community. Staff recommended denial on this application. Companion items, Rezoning (ZON-4459) and Variance (VAR-4462), were also held in abeyance at this meeting.
- 07/22/04 The Planning Commission vote for the related Variance: recommended approval of the portion of the Variance for the wall height; and accepted the withdrawal of the portion of the Variance for the open space. The Planning Commission recommended approval for the related Rezoning (ZON-4459).
- 07/22/04 The Planning Commission voted 4-2 to recommend APPROVAL (PC Agenda Item #23-PL).

B) Pre-Application Meeting

- 04/15/04 At the pre-application meeting issues pertaining to the Rezoning (ZON-4459) and this Site Development Plan Review were discussed. The issues are as follows:
1. The moving of an entrance to the subdivision to meet the 220-foot separation requirement on the east side of the site or to apply for a waiver of Title 18 to allow it.
 2. The checking of the beltway alignment so as not to have a portion of the subdivision built within it.
 3. The verification of the beltway trail along Centennial Parkway needed to be clarified as to if it is going to be required.

4. Proposed as being gated with private streets, except Cowboy Trail with two lots. It has been recommended that the two lots be relocated and the cul-de-sac be removed, so as to completely enclose the subdivision.
5. Check issues of a bus-turnout and possible traffic study.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 47.46

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings
South: ROW [215 Beltway]
East: Single Family Dwellings
West: Palm Mortuary, Undeveloped

C) Planned Land Use

Subject Property: R (Rural Density Residential)
North: R (Rural Density Residential)
South: ROW (Right of Way)
East: L (Low Density Residential)
West: R (Rural Density) and DR (Desert Rural Density Residential)

D) Existing Zoning

Subject Property: R-E (Residential Estates)
North: R-E (Residential Estates)
South: R-E (Residential Estates) and Public Right of Way
East: R-E (Residential Estates)
West: Clark County

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector Plan of the General Plan. The site is designated as R (Rural Density Residential) within the Plan. The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

<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

Multi-Use Transportation Trail

A proposed multi-use transportation trail is slated to run the entire length of the southern property adjacent to the Centennial Parkway alignment. A multi-use transportation trail refers to paved trail paths separated from the roadway and designed for the exclusive use of bicyclists, pedestrians, and other users of non-motorized vehicles. A multi-use transportation trail consists of a five-foot transition strip and a five-foot private landscaped corridor that are separated by a ten-foot public transportation trail path. The trail in question will be taken out of the public right-of-way.

Rural Preservation Neighborhood

The subject site falls within a Rural Preservation Neighborhood 330-foot buffer zone. The Rural Preservation Neighborhood designated parcels surround the subject site and are located within the City of Las Vegas and Clark County. Nevada Revised Statute 278 limits residential development within this 330-foot buffer zone to an average density of three residential dwelling units per acre. However, this state statute is effective through May 31, 2004, after which the subject parcel will not be held to the before mentioned standards.

PROJECT DESCRIPTION

The project will consist of 163 residential lots located on an area of 47.46 acres. The applicant has calculated the gross acreage to include the half of the dedicated right-of way along Jones Boulevard and Centennial Parkway, therefore increasing their acreage with unusable space. The density of the site then calculated to be 3.44 dwelling units per acre. Such a density would be permitted within the proposed R-PD3 (Residential Planned Development - 3 Units Per Acre) zoning district and would be in compliance with the R (Rural) designation of the general plan.

The proposed development is to be composed of both single and two-story residential dwellings, with multiple elevation options. Approximately 62 of the 163 lots are proposed to be in the 10,000 square foot size range, with the largest being 16,241 square feet. The remaining 100 or so lots are 7,000 to 8,000 thousand square feet in size, the smallest being 7,080 square feet.

The applicant has provided 30,471 square feet of open space in the form of a 20-foot wide exercise trail along Centennial Parkway, as well as 75,730 square feet of open space in the form of a common park located on the northern portion of the site. Totaling 5.2% (2.4 acres) open space where 5.7% (2.7 acres) is required by the R-PD (Residential Planned Development) Development Standards.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, Development Standards for an R-PD (Residential Planned Development) zoning district are established at the time of Site Development Plan Review. The applicant is proposing the following development standards:

Standards	Proposed	Acceptable
Min. Setbacks		
• Front to garage	20 Foot	Y
• Front to House/Side Load Garage	15 Foot	Y
• Side	5 Foot	Y
• Corner	10 Foot	Y
• Rear	20 Foot	Y
Building Height	2 Stories/ 35-Feet	

The proposed setback standards and building heights are in conformance with the intent of the Zoning Code to some regard. The proposed setbacks are slightly less than what is found in the R-D (Single Family Residential – Restricted) zoning district and are more inclined towards the development standards of an R-1 (Single-Family Residential) zoning district, which is not a permitted zone for the properties within the R (Rural Density Residential) General Plan designation.

A4) Landscape Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Trees/ 30 Linear Feet	92 Trees	92
• Min. Zone Width	6 Feet		10 Feet
• Wall height	8 Foot Max		9 Feet, 10 Inches *

* Wall heights are restricted to a maximum of 8 feet within residential development. Variance (VAR-4462) will address this issue.

The site plan illustrates a 10-foot landscape planter that runs the length of Leon Avenue and the majority of Jones Boulevard. Within the 10-foot landscape buffer resides the proper number of 24-inch box Mondell Pines, 30 feet on center.

The revised plan shows conformance to the Open Space standards.

B) General Analysis and Discussion

- **Zoning**

The proposed R-PD3 (Residential Planned Development 3 Units Per Acre) is in conformance with the R (Rural) General Plan designation. The Centennial Hills General Plan R (Rural Density Residential) category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size.

- **Site Plan**

The proposed development will result in the construction of 163 lots on 47.46 acres, for a density of 3.44 dwelling units per acre. A 51-foot wide, private entry road will be provided with access off Jones Boulevard and Leon Avenue. Open space, in the form of a park located along the northern property line and a meandering 20-foot recreation trail located on adjacent to the Centennial Parkway right-of way, is provided, but fails to be in accordance with R-PD (Residential Planned Development) requirements. Approximately 62 of the 163 lots are proposed to be in the 10,000 square foot size range, with the largest being 16,241 square feet. The remaining 100 or so lots are 7 to 8 thousand square feet in size, the smallest being 7,080 square feet. The proposed development is incompatible with the surrounding area, which contains single-family rural-residential lots ranging from half an acres to more than an acre lots.

- **Waivers**

The applicant has not requested waivers to standards. The applicant has submitted a variance request to allow for 5.2% open space where 5.7% open space is required and to allow for wall heights along portions of Centennial Parkway and Jones Boulevard to exceed the 8-foot maximum height development standard. Companion item (VAR-4462) will address these issues.

- **Landscape Plan**

The landscape plan indicates the use of 24-inch box Mondell pines, 30 feet on center, and 1 - 5 gallon Desert Broom shrubs to be placed along a portion of Jones Boulevard and all along Leon Avenue. Along Centennial Parkway the applicant proposes a 20-foot meandering trail with exercise equipment. The proposed multi-use transportation trail has not been illustrated in

regards to landscaping therefore, it is recommended that a condition be add so as to have the trail landscaping meet the multi-use transportation trail design guidelines.

- Elevation

Four elevations were provided illustrating three single story models and one two-story model. Each building elevation is composed of a stucco facade with a tile roof and stone veneer accents along the front of the home. The proposed elevations are architecturally similar to each other.

- Floor Plan

The supplied floor plans indicate a range of floor area from 2,400 square feet to 4,200 square feet. All of the building floor plans illustrate at least a two-car garage. Casitas, as well as, other options have not been made available and are therefore not part of this review.

FINDINGS

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

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

The proposed development is not compatible with the rural atmosphere of the surrounding area. Dwellings to the north and east of the subject site are rural, equestrian estates approximately one-acre in size. Approval of the request would represent a major change to the established land use pattern and lifestyle enjoyed by the residents of this area of the City.

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

The proposed development is not compatible with the intent of the General Plan. The proposed development standards are more in line with that of an R-1 (Single-Family Residential) zoning district's than that of an R-PD3 (Residential Planned Development - 3 Units per Acre) or R-D (Single-Family Residential-Restricted) zoning district. In addition, it fails to meet the development standards set forth for R-PN's (Residential Planned Developments) for open space, as is illustrated in Variance (VAR-4462).

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

Site access will be made available from Jones Boulevard, a 100-foot primary arterial, and Leon Avenue and Cowboy Trail, both of which are public streets. Access off of Jones Boulevard and Leon Avenue shall have limited impact upon neighborhood traffic.

However, there is concern regarding Cowboy Trail's accessibility by pedestrians via the allotted open space impacting the adjacent neighborhood.

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

The proposed building and landscaping materials are appropriate for the area. It has been noted that the landscaping of the multi-use transportation trail on the southern portion of the site has not been called out. Therefore, it is recommended that the trail conform to the multi-use transportation trail design guidelines.

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 are adequate and comply with the intent of the Title 19's design standards.

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.

PLANNING COMMISSION ACTION

The Planning Commission believed they adequately conditioned the project appropriately. Conditions 7 through 11 were added by the Planning Commission.

NOTICES MAILED 80 by Planning Department

APPROVALS 0

PROTESTS 52



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4461** APN: 125-24-302-014

Name of Property Owner: Jones Beltway LLC

Name of Applicant: Brad Boyd Dean A. Karris

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

Yes

 No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]

Print Name: Dean A. Ketrus

Subscribed and sworn before me

This 6 day of Nov, 2004

For the B. Burr
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4461 APN: 125-24-401-001, 002, 010, 011
Name of Property Owner: Boyd Family Partnership LP
Name of Applicant: Ruth L. Boyd, G.P.

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: N/A

Partner(s): N/A

APN: N/A

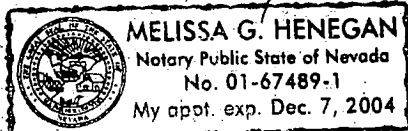
Signature of Property Owner/Authorized Agent: *Ruth L. Boyd*

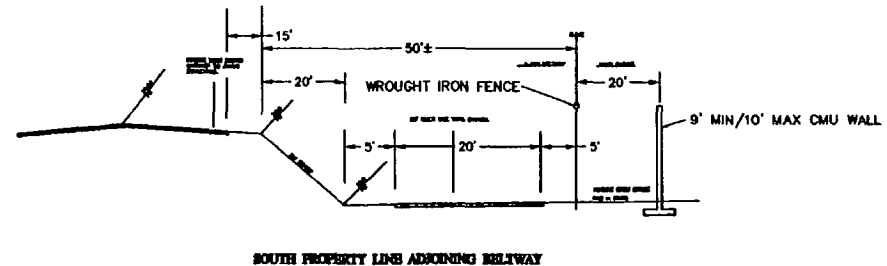
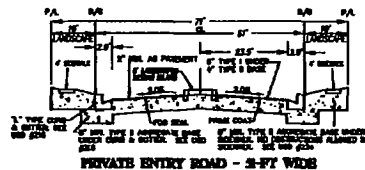
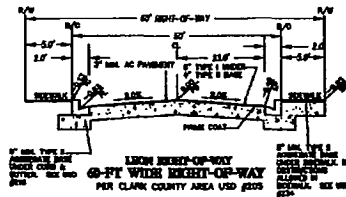
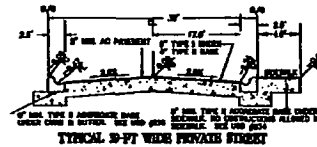
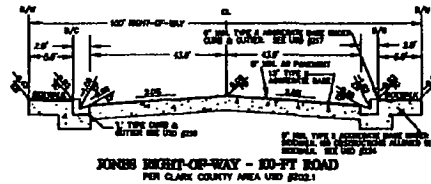
Print Name: Ruth L. Boyd

Subscribed and sworn before me

This 14TH day of May, 2004

Melissa G. Henegan
Notary Public in and for said County and State





ZON-4459
SDR-4461
6-18-04 CC

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LEGEND

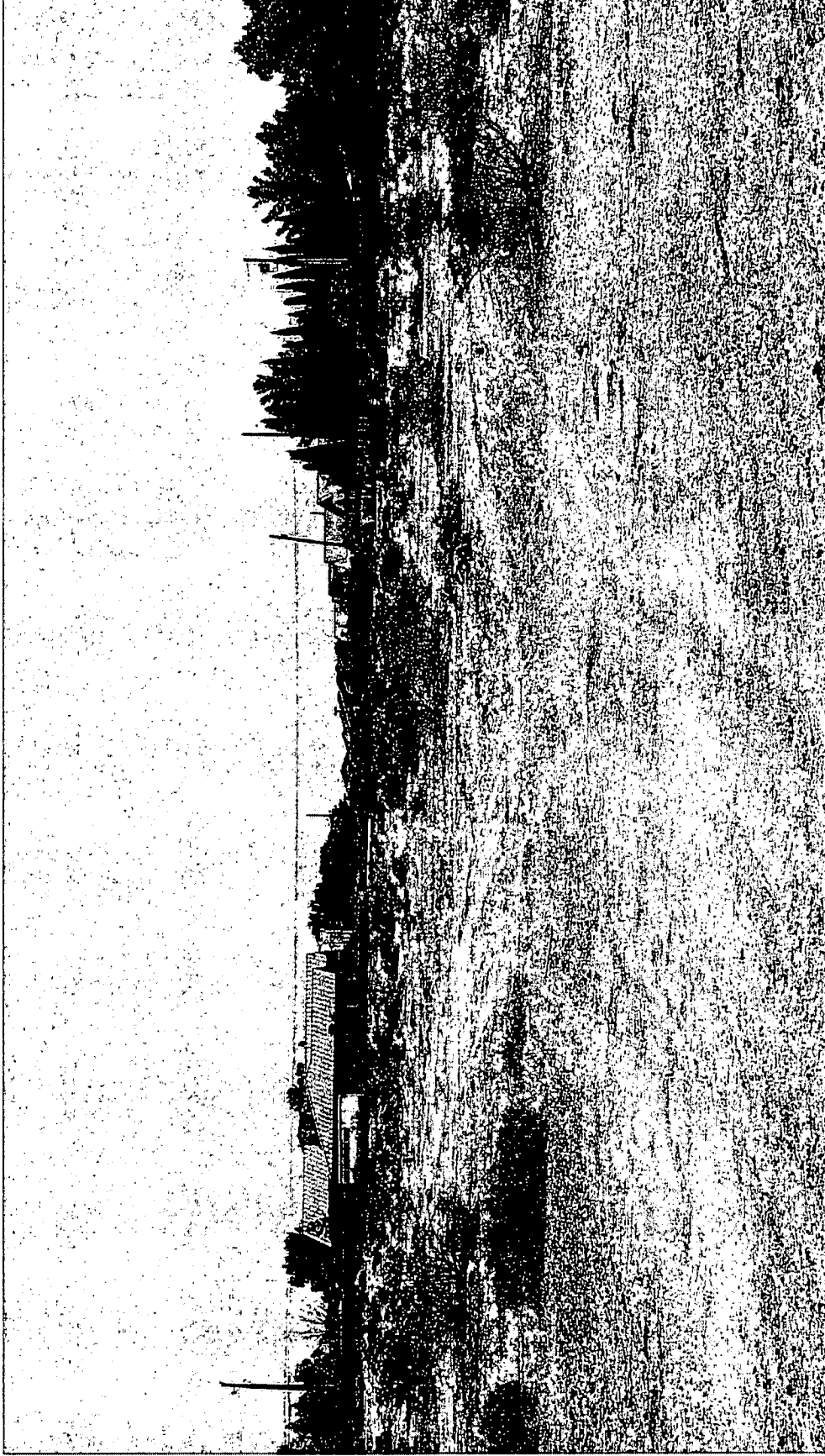
DESIGN ELEVATION
 CHIRING ELEVATION
 SCAP (SLAP MARKS)
 SHIRING COORDINATE (Y' INTERVAL)
 SHIRING COORDINATE (X' INTERVAL)
 DIRECTION OF FLOW
 THIS POINT GREATER THAN 1' CENTERLINE
 RAIN-GUT-ONLY
 CUP LANE-ADJUTANT
 EMBANKMENT
 DRAINAGE LINE
 SEWER LINE
 WATER LINE
 PROPERTY LINE
 MAP LIMIT LINE
 PIPE INVERT

SEWER CONTRIBUTION
 130 LOTS x 250 GPD/LOT = 32,750 GPD (AVERAGE)
 130 LOTS x 250 GPD/LOT x 3.5 PEAK FACTOR = 114,625 GPD (PEAK)

ABBREVIATIONS

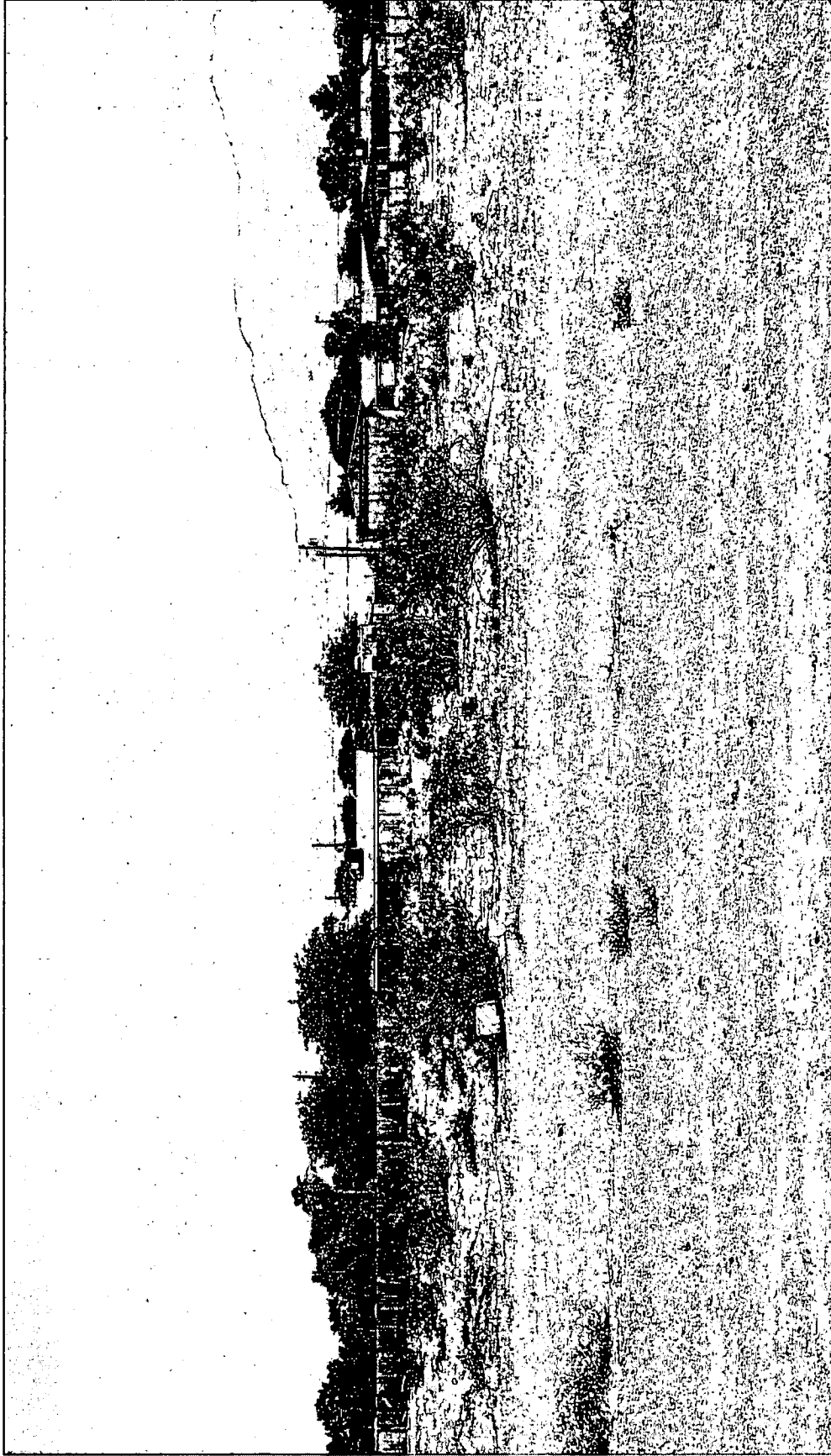
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CENTRAL-JONES A RESIDENTIAL SUBDIVISION		WILLIAM LYON HOMES 137 WEST WINDYBROOK DR. NORFOLK, VA 23502 703-267-4240 FAX 703-267-4280		 TARGET ENGINEERING 1443 JONES BRVD. SUITE A NORFOLK, VA 23502 703-267-4240 FAX 703-267-4280		87 DATE: 04/02/04 SCALE: 1"=40' JOB NO.: DESIGNED BY: CHECKED BY: DRAWN BY: SHEET NAME: DTI SHEET: 2 OF 2		SITE PLAN REVISIONS NO. DESCRIPTION	



SDR-4461 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP,
LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF JONES BOULEVARD AND THE 215 BELTWAY
JULY 22, 2004 PLANNING COMMISSION

6/7/04



SDR-4461 - APPLICANT: RUTH L. BOYD & DEAN KATRIS - OWNER: BOYD FAMILY PARTNERSHIP,
LIMITED PARTNERSHIP & JONES BELTWAY, LIMITED LIABILITY COMPANY
NORTHEAST CORNER OF JONES BOULEVARD AND THE 215 BELTWAY
JULY 22, 2004 PLANNING COMMISSION

6/7/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4483 - APPLICANT: CLIFFS EDGE, LIMITED LIABILITY COMPANY - OWNER: SOUTHWEST DESERT EQUITIES - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 5.00 acres adjacent to the south side of Grand Teton Drive, approximately 660 feet east of Puli Road (APN 126-13-101-003), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer, Kaemper, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He stated that the applicant acquired this out-parcel and this action would add it to the Providence Master Plan and be subject to all of the standards of that plan. He concurred with all conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:34 - 3:35)

4-2232

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 125 – ZON-4483

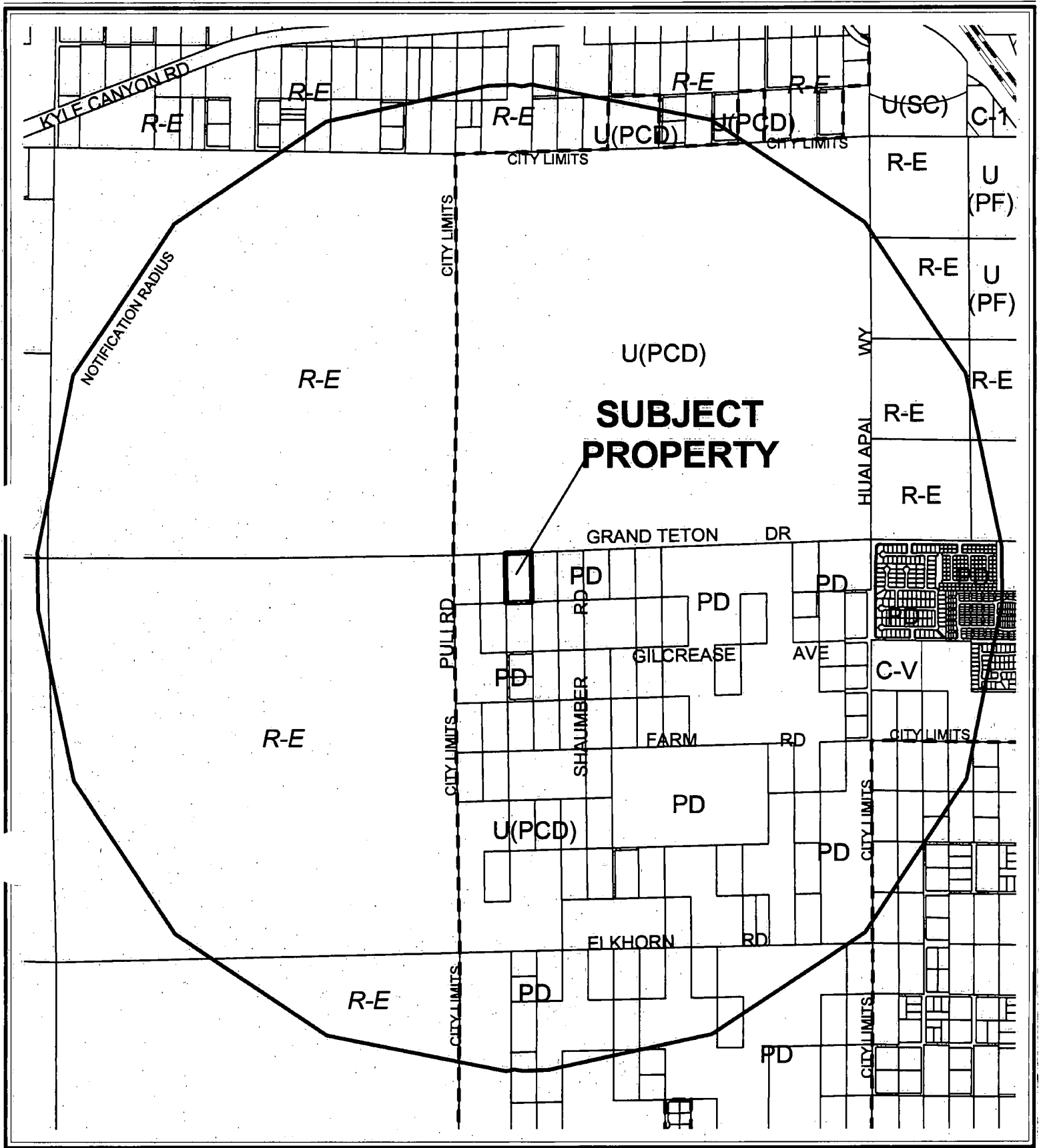
CONDITIONS:

Planning and Development

1. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. Conformance to the Cliff's Edge Master Development Plan and Design Guidelines.

Public Works

3. Upon development of this parcel as a part of Cliff's Edge Master Development Plan, additional dedication and/or vacations of rights-of-way may be required according to the approved development guidelines for Cliff's Edge and to City of Las Vegas standards.
4. Requirements for construction of street improvements adjacent to this site shall be determined at the time of development of this site.
5. This site shall be included within the master sewer, drainage, and traffic studies for Cliff's Edge Master Development Plan and also within any additional design plans/studies submitted to the City of Las Vegas for review that include this parcel. The final design and conditions for this site within the Cliff's Edge Master Development Plan shall be determined at the time of approval of site-specific actions associated with this parcel.
6. Site development to comply with Cliff's Edge Development Standards, Design Guidelines and Development Agreement, and all other applicable site-related actions.



CASE: ZON-4483

RADIUS: 6,200 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

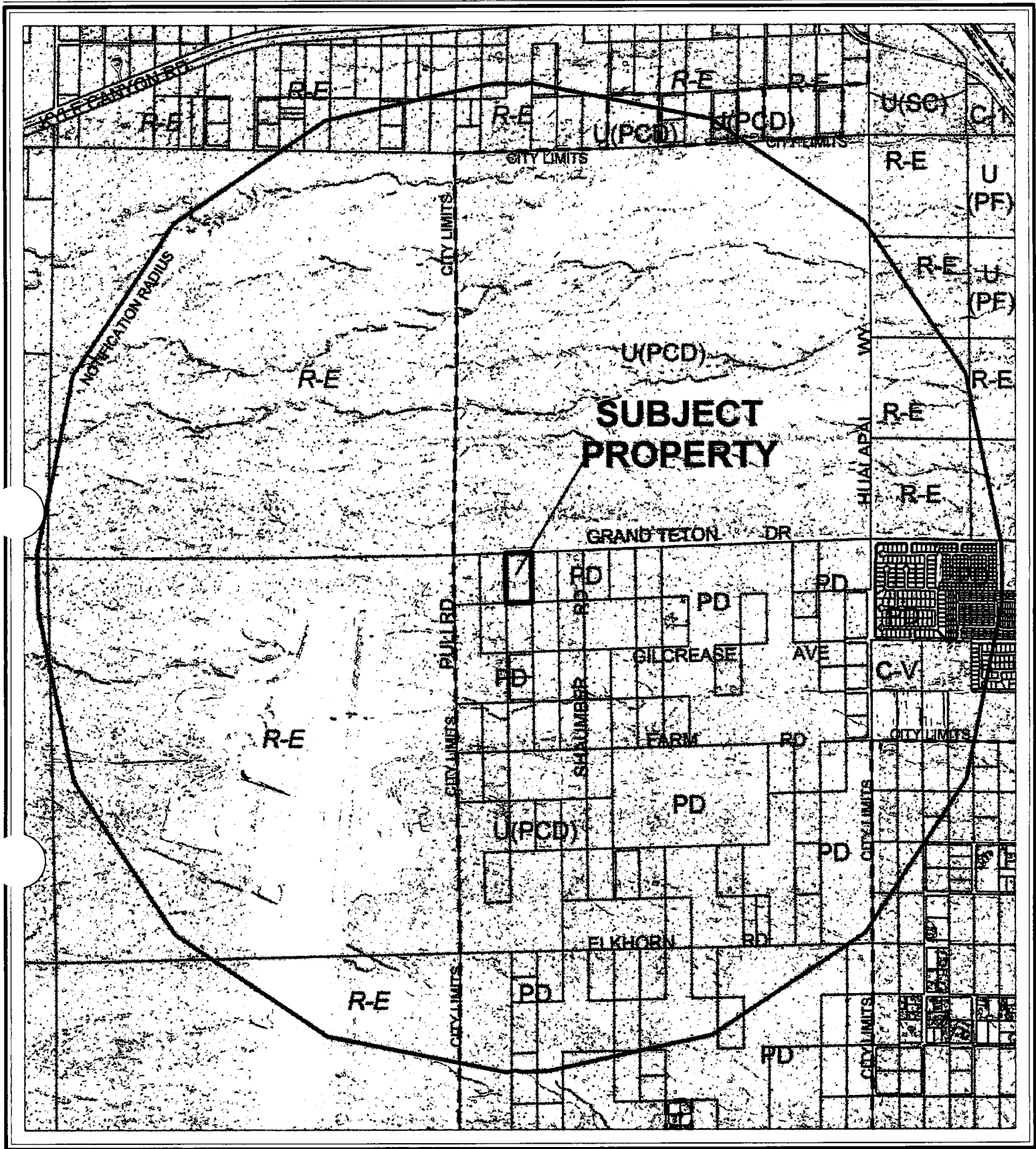
PD (PLANNED DEVELOPMENT)

0 1000 2000 Feet



125





CASE: ZON-4483

RADIUS: 6,200 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT)

0 1000 2000 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-4483 - APPLICANT: CLIFFS EDGE, LIMITED LIABILITY COMPANY - OWNER: SOUTHWEST DESERT EQUITIES

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. Conformance to the Cliff's Edge Master Development Plan and Design Guidelines.

Public Works

3. Upon development of this parcel as a part of Cliff's Edge Master Development Plan, additional dedication and/or vacations of rights-of-way may be required according to the approved development guidelines for Cliff's Edge and to City of Las Vegas standards.
4. Requirements for construction of street improvements adjacent to this site shall be determined at the time of development of this site.
5. This site shall be included within the master sewer, drainage, and traffic studies for Cliff's Edge Master Development Plan and also within any additional design plans/studies submitted to the City of Las Vegas for review that include this parcel. The final design and conditions for this site within the Cliff's Edge Master Development Plan shall be determined at the time of approval of site-specific actions associated with this parcel.
6. Site development to comply with Cliff's Edge Development Standards, Design Guidelines and Development Agreement, and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on 5.0 acres located adjacent to the south side of Grand Teton Drive, approximately 660 feet east of Puli Road, within the area regulated through the Cliff's Edge Master Development Plan.

B) Applicant's Justification

The applicant's intent in submitting this request for rezoning for the subject site is to provide a framework for the orderly, mixed-use development of the Cliff's Edge Plan. The Plan's design guidelines will ensure quality, visual continuity, and consistency of design.

BACKGROUND INFORMATION

A) Previous Actions

03/19/03	The City Council approved a request for a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval.
07/16/03	The City Council approved a request for a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval.
02/18/04	The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval.
02/27/04	The last Minor Modification (MOD-3189) to the Cliff's Edge Master Development Plan and Design Guidelines was administratively approved by the Planning and Development Department, subject to a number of conditions.

- 05/19/04 The City Council approved a request for a rezoning (ZON-4013) from: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] To: PD (Planned Development) on 2.5 acres within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval.
- 05/27/04 The Planning Commission recommended approval of the Annexation (ANX-4245) of this parcel. Clark County's land use designation was R-U. The City's designation will be U (Undeveloped) [PC (Planned Community Development) General plan Designation]. Staff had recommended approval.
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #60-SRS).
- 08/04/04 The City Council is scheduled to consider ANX-4245. If approved, the effective date will be August 13, 2004, five days prior City Council's hearing of the subject zoning application (ZON-4483).

B) Pre-Application Meeting

- 05/18/04 The elements of a rezoning application were addressed.

C) Neighborhood Meetings

A neighborhood meeting is not required, however, the master developer has had ongoing dialogue with residents and property owners within the Master Development Plan area.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 5.0

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
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:	PCD	Planned Community Development

D) Existing Zoning

Subject Property:	U (PCD)	Undeveloped [(Planned Community Development) General Plan Designation]
North:	U (PCD)	Undeveloped [(Planned Community Development) General Plan Designation]
South:	PD	Planned Development
East:	PD	Planned Development
West:	PD	Planned Development

E) General Plan Compliance: Centennial Hills Sector Plan

This site is located on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan of the General Plan. The Centennial Hills Sector Plan designates this site as PCD (Planned Community Development). The allowable density range for lands so designated is between two and eight units per acre. The proposed zoning change to the PD (Planned Development) zoning district is intended to average 7.95 units per acre, which is in conformance with the overall density provisions of the PCD (Planned Community Development) land use designation.

The Centennial Hills Sector Plan states that within areas designated as PCD (Planned Community Development) "...commercial, public facilities and office projects may be used as buffers (depending upon compatibility issues) within the PCD (Planned Community Development)." The proposed rezoning to PD (Planned Development) is in conformance with the PCD (Planned Community Development) land use designation for the subject parcels.

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

Special Area Plan: Cliff's Edge Master Development Plan

The provisions of the Centennial Hills Sector Plan require that a master plan be prepared for PCD areas that exceed 80 acres in size. The applicant has prepared a master development plan entitled the "Cliff's Edge Master Development Plan and Design Guidelines", which was approved by City Council on March 19, 2003 and further amended on July 16, 2003. This document will provide policy direction and standards for the subject site and future development within the overall Master Development Plan area.

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.050, the development standards within a PD (Planned Development) District are established by the Master Development Plan. The development standards for the Cliff's Edge area are now established through the approved "Cliff's Edge Master Development Plan and Design Guidelines." These standards will provide a blueprint for future development of the area and all development with Cliff's Edge will be subject to them.

B) General Analysis and Discussion

The proposed Rezoning is in conformance with Cliff's Edge Master Development Plan and Design Guidelines.

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 size of the Cliff's edge master development is consistent with the plan and the proposed development density conforms to the density range of the PCD (Planned Community Development) land use classification.

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 single-family development permitted under the PD (Planned Development) zoning is compatible with the existing and planned residential development around the site.

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

The land planning done through the development of the Centennial Hills Sector Plan anticipated the proposed density and type of development. The proposal 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."

The planned expansion of the 215 Beltway and the planned circulation system around the development will be of sufficient capacity handle the amount of traffic that will be generated by the future residents in the development.

NOTICES MAILED 45 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-4483** APN: **126-13-101-003**

Name of Property Owner: Southwest Desert Equities, LLC

Name of Applicant: Cliffs Edge, LLC

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): _____

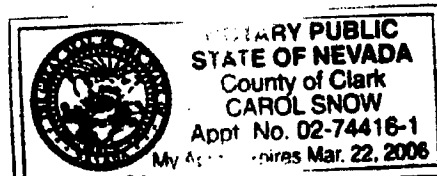
APN: _____

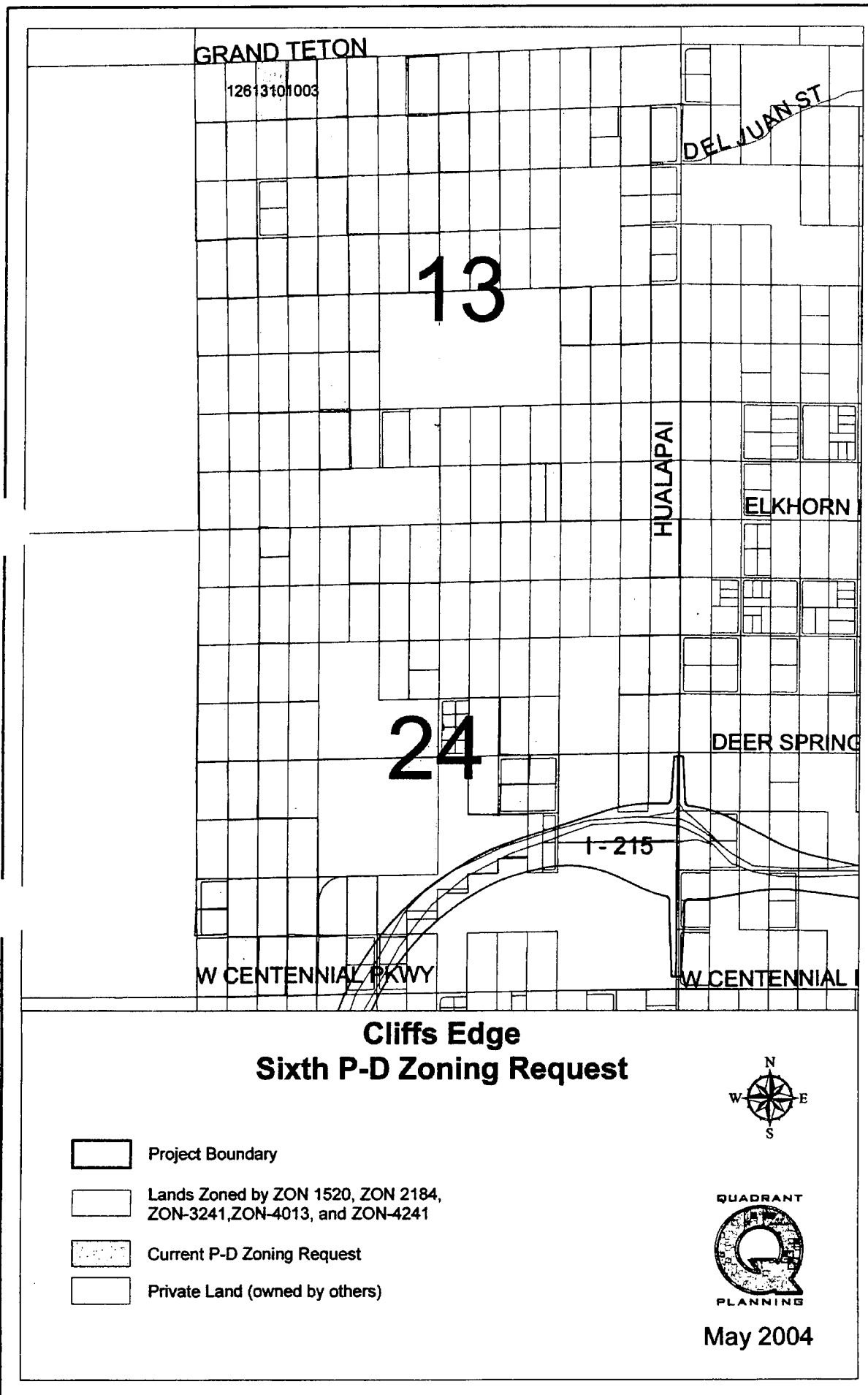
Signature of Property Owner/Authorized Agent: M. C. [Signature]

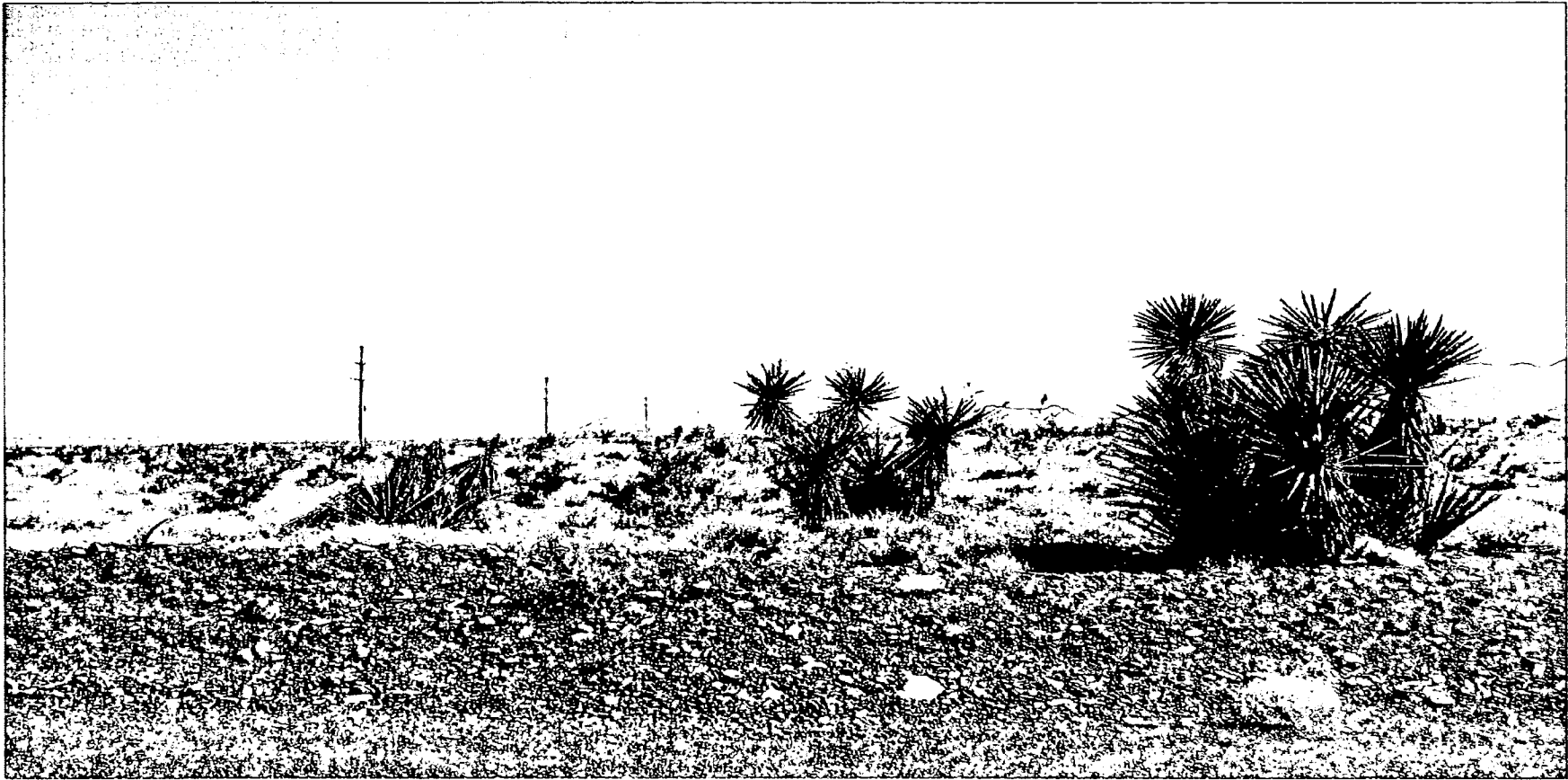
Subscribed and sworn before me

This 17 day of May, 2004

Notary Public in and for said County and State







ZON-4483 - APPLICANT: CLIFF EDGE, LIMITED LIABILITY COMPANY - OWNER: SOUTHWEST DESERT
EQUITIES
SOUTH SIDE OF GRAND TETON DRIVE, APPROXIMATELY 660 FEET EAST OF PULI ROAD
JULY 22, 2004 PLANNING COMMISSION

6/29/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4695 - APPLICANT: PAGEENTRY COMMUNITIES - OWNER: ERNEST AND KATHLEEN BECKER - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) on 5.0 acres adjacent to the southeast corner of Elkhorn Road and Fort Apache Road (APN 125-20-101-001), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 126 [ZON-4695], Item 127 [SUP-4614] and 128 [SDR-4613].

The applicant was not present and there was no discussion.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 126 [ZON-4695], Item 127 [SUP-4614] and 128 [SDR-4613].

NOTE: It was clarified with BART ANDERSON, Public Works Department, that Conditions 9 through 13 of Item 128 [SDR-4613] are a duplicate listing and should be deleted.

(3:35 – 3:37)

4-2285

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 126 – ZON-4695

CONDITIONS:

Planning and Development

1. Special Use Permit (SUP-4614) and Site Development Plan Review (SDR-4613) applications approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Rezoning request shall go direct to Ordinance.

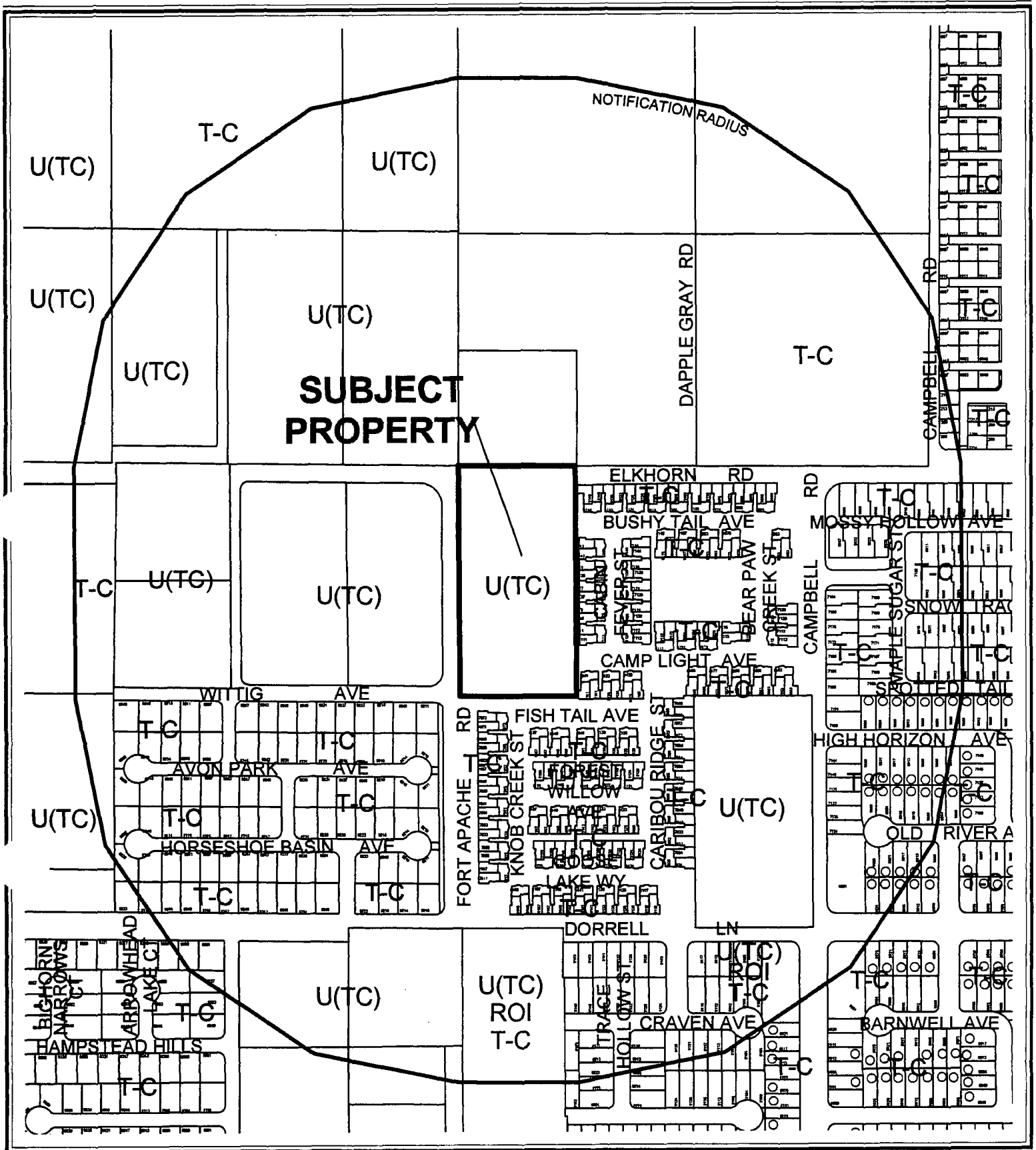
Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Fort Apache Road and 50 feet of right-of-way adjacent to this site for Elkhorn Road. Also dedicate a 54-foot radius on the southeast corner of Fort Apache Road and Elkhorn Road prior to the issuance of any permits. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for turning lanes and #234.1 or 234.3 and #234.2 for bus turnouts prior to or concurrent with the commencement of on-site development activities.
4. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.
5. Construct half-street improvements, including appropriate overpaving, on Fort Apache road and Elkhorn Road adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. 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. 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

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 126 – ZON-4695

CONDITIONS – Continued:

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-4695

RADIUS: 1100 FT

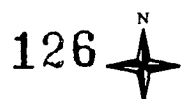
ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

TC (TOWN CENTER)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-4695 - APPLICANT: PAGEANTRY COMMUNITIES -
OWNER: ERNEST AND KATHLEEN BECKER**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Special Use Permit (SUP-4614) and Site Development Plan Review (SDR-4613) applications approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Rezoning request shall go direct to Ordinance.

Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Fort Apache Road and 50 feet of right-of-way adjacent to this site for Elkhorn Road. Also dedicate a 54-foot radius on the southeast corner of Fort Apache Road and Elkhorn Road prior to the issuance of any permits. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for turning lanes and #234.1 or 234.3 and #234.2 for bus turnouts prior to or concurrent with the commencement of on-site development activities.
4. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.
5. Construct half-street improvements, including appropriate overpaving, on Fort Apache road and Elkhorn Road adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. 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. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the

approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to T-C (Town Center) on approximately 5.0 acres located at the southeast corner of Elkhorn Road and Fort Apache Road.

B) Applicant's Justification

The development is consistent with the existing development and will enhance the surrounding community.

BACKGROUND INFORMATION

A) Previous Actions

- 12/18/96 The City Council adopted the Northwest General Plan Amendment that created the Town Center Concept.
- 11/09/98 The City Council approved the first edition of the Town Center Development Standards manual.
- 12/07/98 The City Council approved the rezoning (Z-76-98) of the Town Center Plan Area of which the subject parcel is a part.
- 07/22/04 The Planning Commission recommended approval of related items (SUP-4614 and SDR-4613).
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #57-KW).

B) Pre-Application Meeting

- 05/26/04 The elements of a rezoning application were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Rezoning application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: ML-TC (Medium Low Density Residential - Town Center)
North: PF-TC (Public Facility- Town Center)
South: MLA-TC (Medium Low Attached Density Residential - Town Center)
East: MLA-TC (Medium Low Attached Density Residential - Town Center)
West: L-TC (Low Density Residential - Town Center)

D) Existing Zoning

Subject Property: U (Undeveloped) [TC (Town Center) General Plan Designation]
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation]

E) General Plan Compliance

The site is designated as TC (Town Center) on the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan. Within Town Center, land use is more specifically described by special land use designations; these are described in the Town Center Development Standards Manual. The Land Use Plan designated this site as ML-TC (Low Density Residential - Town Center). This designation has a density range of 5.6 to 8 units per acre, and is intended for single-family detached homes in imaginative residential development that puts an emphasis on common open space. Local supporting uses are also allowed. The request for T-C (Town Center) zoning conforms to the ML-TC (Medium Low Density Residential - Town Center) special land use designation.

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

Special Area Plan- Town Center- All development within Town Center shall be subject to the Town Center Development Standards in addition the Title 19 and the Urban Design Guidelines and Standards.

Trails – There is one trail segments adjacent to the site as identified on Map 6 (Town Center Multi-Use Trail Alignments) of the Transportation Trails Element. A Primary Arterial Trail along Fort Apache Road to the west of the site, and a Town Center Arterial Trail along Elkhorn Road along the north side of the site. These trails are also required pursuant to the street cross-sections in the Town Center Development Standards Manual and represent the sidewalks along these streets.

Fort Apache Road, on the west boundary of the site, will be developed as a Town Center Primary Arterial (100 feet), which also has a 15-foot median.

B) 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 subject site is designated ML-TC (Medium Low Density Residential - Town Center) on Map 4, The Town Center Land Use Plan, of the Centennial Hills Sector Plan of the General Plan. This category allows a residential density range of 5.6 to 8 units per gross acre. The requested Rezoning to T-C (Town Center) is consistent with this land use designation.

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 T-C (Town Center) zoning district allows for a wide range of uses, including the proposed residential development on the subject site. The 5.88 DUA density of the proposed use is within the stated density range of the current ML-TC (Medium Low Density Residential - Town Center) land use designation. The proposed development is consistent with the planned and existing residential development around the site.

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

The proposed Rezoning will facilitate the development of residential uses within the portion of the Town Center area designated for such uses.

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

The site is adjacent to Elkhorn Road, (a 100 foot Town Center Primary Arterial) to the north, and to Fort Apache Road (also a Town Center Primary [100-foot] Arterial) to the west. These streets will be adequate to provide access to the subject site for the density of development that will be allowed under the proposed T-C (Town Center) zoning district.

NOTICES MAILED 32

APPROVALS 0

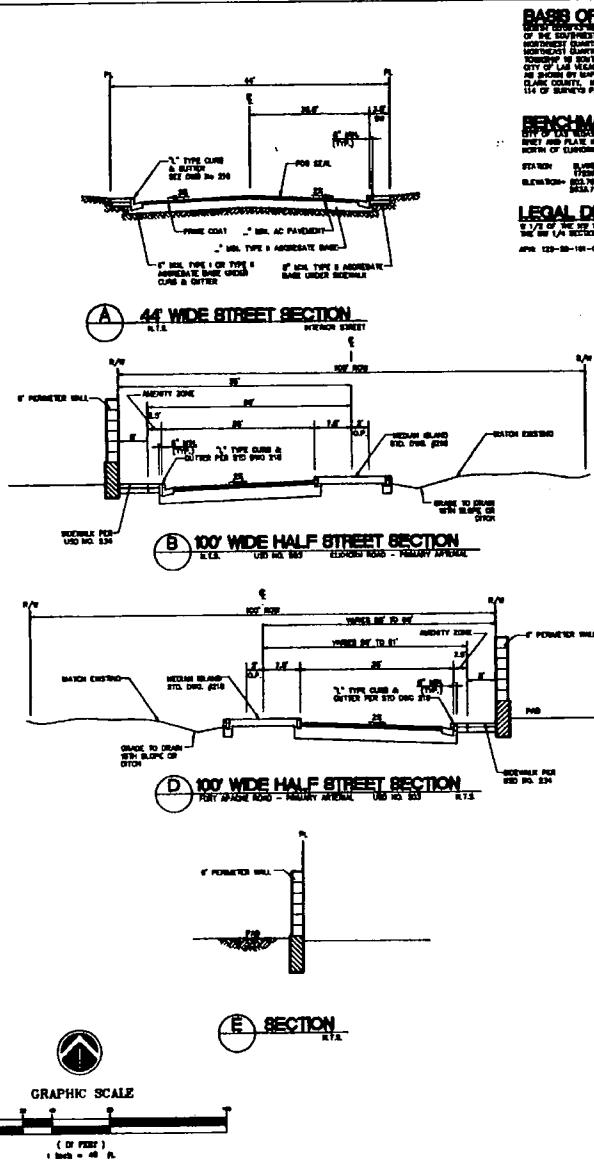
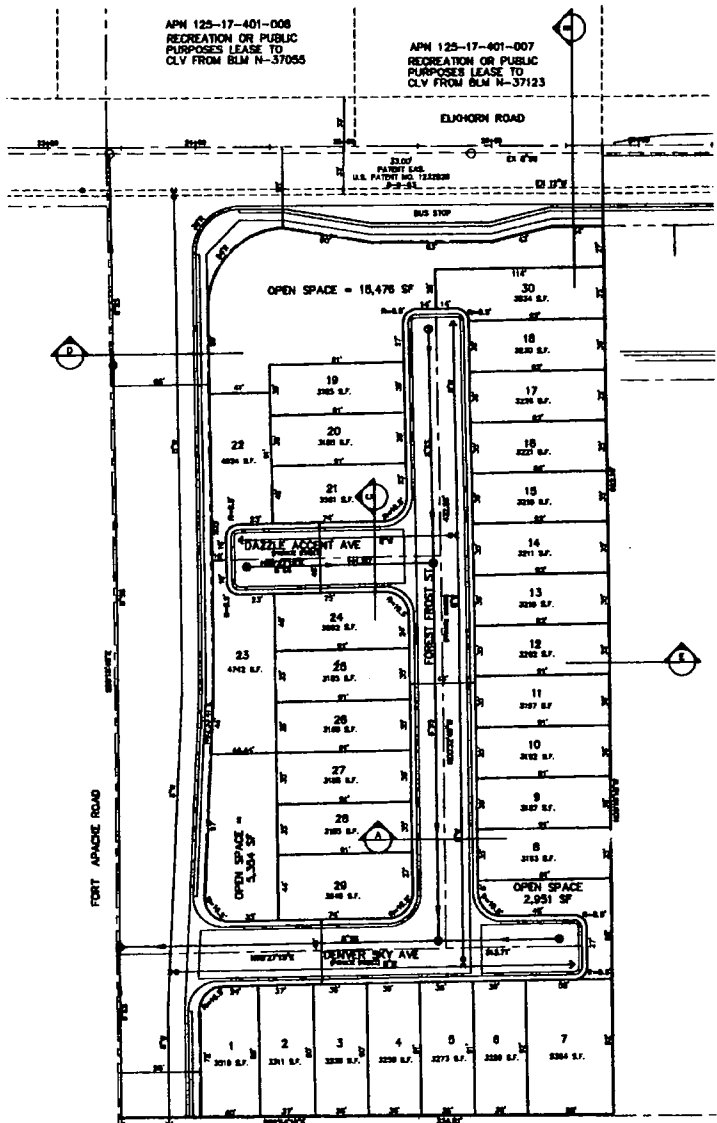
PROTESTS 0

ZON-46S
SUP-4614

REVISED
8-3-04

R-4613
8-18-04 CC

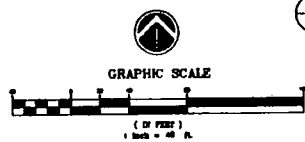
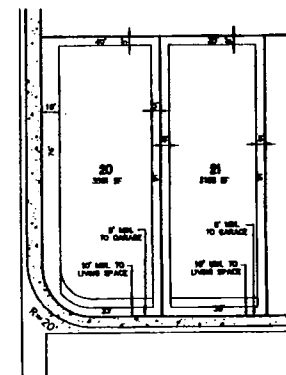
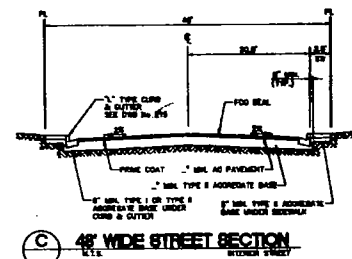
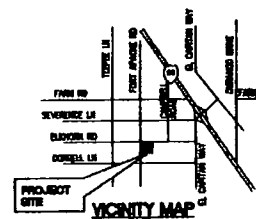
RECEIVED
AUG 03 2004



BASIS OF BEARINGS
THE BEARINGS AND DISTANCES SHOWN ON THIS MAP ARE BASED ON THE 1983 NAD 83 DATUM. THE BEARINGS ARE GIVEN IN DEGREES, MINUTES, AND SECONDS. THE DISTANCES ARE GIVEN IN FEET AND INCHES. THE BEARINGS AND DISTANCES ARE SHOWN ON THE MAP FOR THE PURPOSES OF IDENTIFICATION ONLY. THE BEARINGS AND DISTANCES ARE NOT TO BE USED FOR ANY OTHER PURPOSES.

BENCHMARK
A BENCHMARK WAS SET BY THE U.S. GEOLOGICAL SURVEY IN 1983. THE BENCHMARK IS LOCATED AT THE CORNER OF ELKHORN ROAD AND DAZZLE AGENT AVE. THE BENCHMARK IS A 1' TYPE CURB AND 1' TYPE GUTTER. THE BENCHMARK IS A 1' TYPE BASE AND 1' TYPE GUTTER. THE BENCHMARK IS A 1' TYPE CURB AND 1' TYPE GUTTER. THE BENCHMARK IS A 1' TYPE BASE AND 1' TYPE GUTTER.

LEGAL DESCRIPTION
APN 125-17-401-008
RECREATION OR PUBLIC PURPOSES LEASE TO CLV FROM BLM N-37055
APN 125-17-401-007
RECREATION OR PUBLIC PURPOSES LEASE TO CLV FROM BLM N-37123



ZONING DATA

APN 125-17-401-008
RECREATION OR PUBLIC PURPOSES LEASE TO CLV FROM BLM N-37055
APN 125-17-401-007
RECREATION OR PUBLIC PURPOSES LEASE TO CLV FROM BLM N-37123

UTILITY SERVICES

WATER - LAS VEGAS VALLEY WATER DISTRICT
SEWER - CITY OF LAS VEGAS SANITATION DISTRICT
GAS - SOUTHWEST GAS
TELEPHONE - SPRINT
CABLE - COMCAST
WASTE DISPOSAL - RECYCLED SERVICES OF SOUTHERN NEVADA

NOTE
NO PROPOSED IRRIADIATION OR DAMAGE CHARGES
RIGHTS-OF-WAY OR EASEMENT WIDTHS

NOTICE TO CONTRACTOR 1

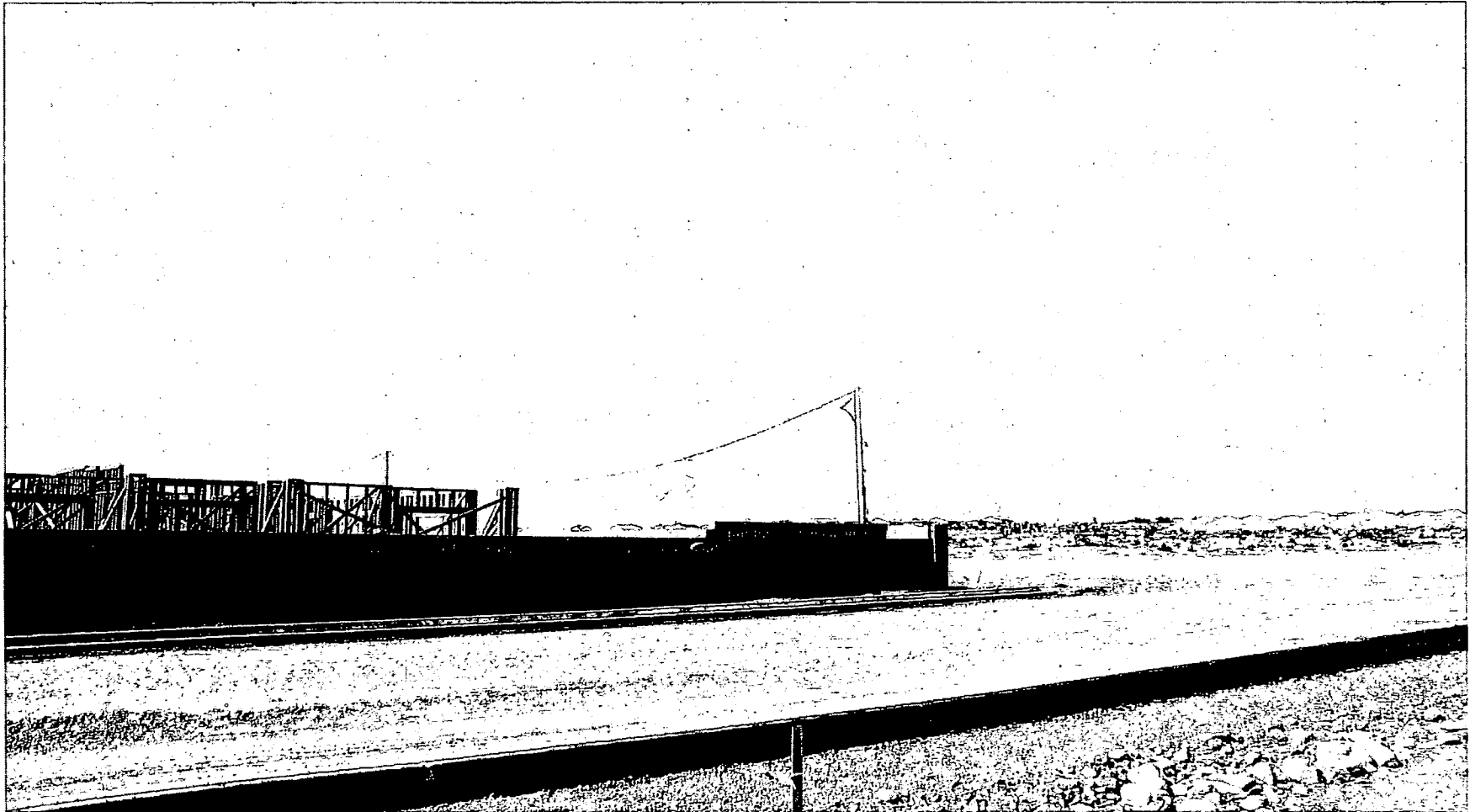
EXISTING UTILITY LOCATIONS SHOWN HEREIN ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT VERTICAL AND HORIZONTAL LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. NO REPRESENTATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE CONTRACTOR ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN ON UTILITIES NOT

CALL before you Dig

1-800-222-5800

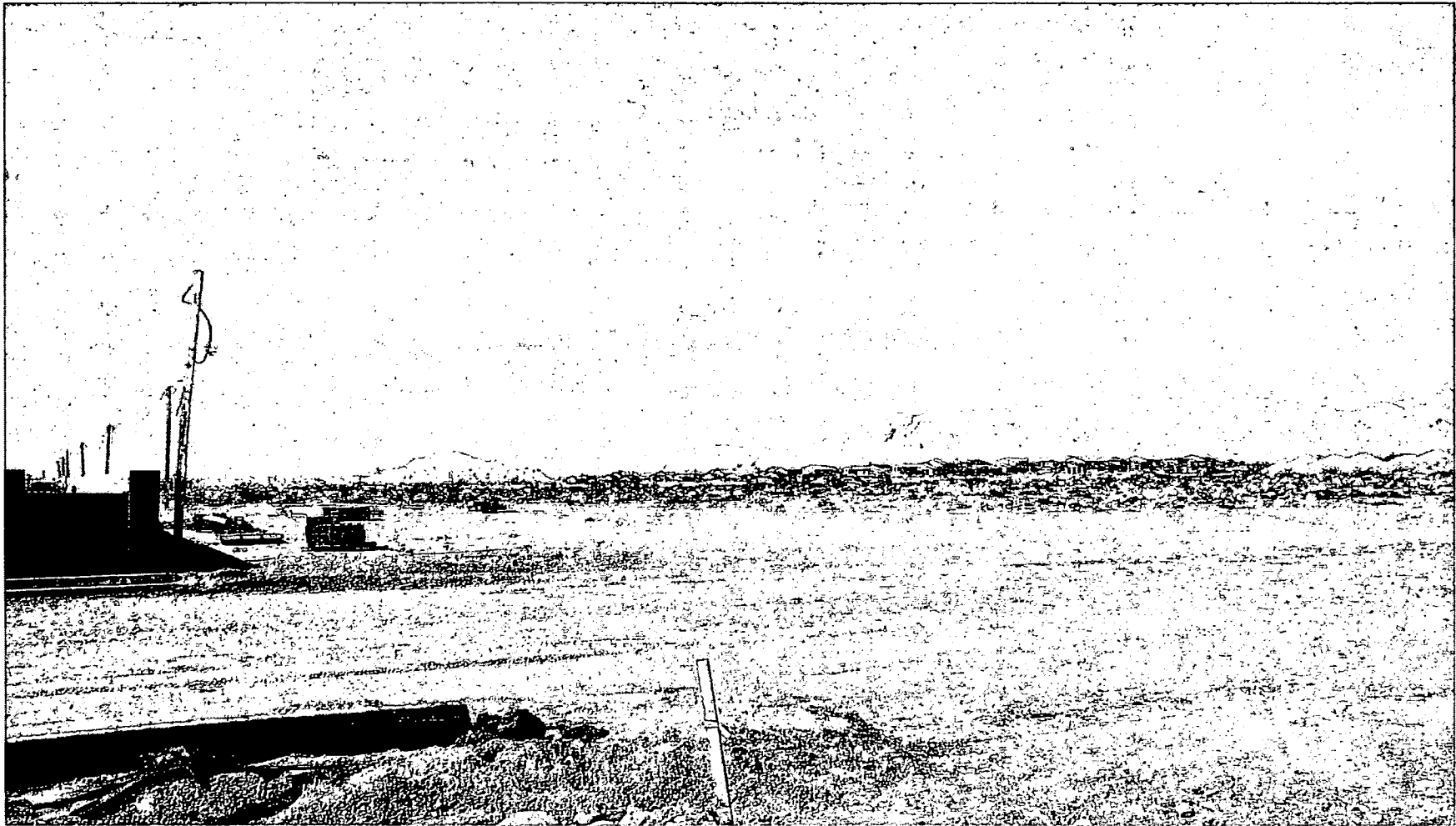


Revised
TENTATIVE MAP
ELKHORN RD & FORT APACHE
SEANER HONORS
CITY OF LAS VEGAS
APN 125-17-401-008
RECREATION OR PUBLIC PURPOSES LEASE TO CLV FROM BLM N-37055
APN 125-17-401-007
RECREATION OR PUBLIC PURPOSES LEASE TO CLV FROM BLM N-37123
DATE 8/18/04
BY [Signature]
CHECKED [Signature]
DATE 8/18/04
BY [Signature]
DATE 8/18/04
BY [Signature]



**ZON-4695 - APPLICANT: PAGEANTRY COMMUNITIES - OWNER: ERNEST AND KATHLEEN BECKER
SOUTHEAST CORNER OF ELKHORN ROAD AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION**

7/2/04



**ZON-4695 - APPLICANT: PAGEANTRY COMMUNITIES - OWNER: ERNEST AND KATHLEEN BECKER
SOUTHEAST CORNER OF ELKHORN ROAD AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION**

7/2/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-4695 - PUBLIC HEARING - SUP-4614 -
APPLICANT: PAGEANTRY COMMUNITIES - OWNER: ERNEST AND KATHLEEN BECKER - Request for a Special Use Permit FOR PRIVATE STREETS AND A WAIVER FROM THE REQUIREMENT THAT PRIVATE STREETS BE GATED, FOR A 30 UNIT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.0 acres adjacent to the southeast corner of Elkhorn Road and Fort Apache Road (APN 125-20-101-001), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 126 [ZON-4695] for all related discussion.

(3:35 - 3:37)

4-2285

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4695) and Site Development Plan Review (SDR-4613).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

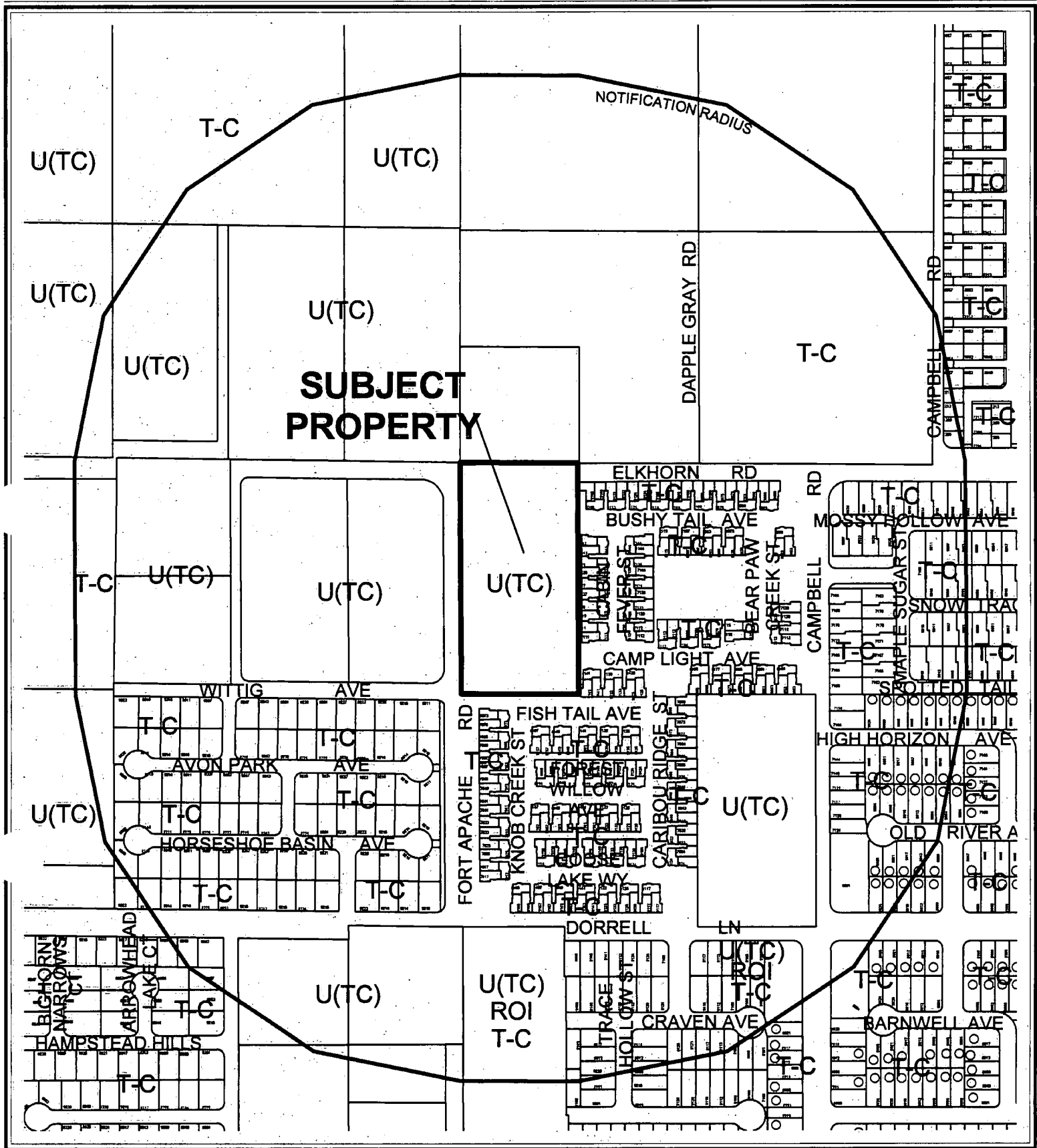
CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 127 – SUP-4614

CONDITIONS – Continued:

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

Public Works

4. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
5. 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.
6. Private streets shall be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
8. Site development to comply with all applicable conditions of approval for ZON-4695, SDR-4613 and all other subsequent site-related actions.



CASE: SUP-4614

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

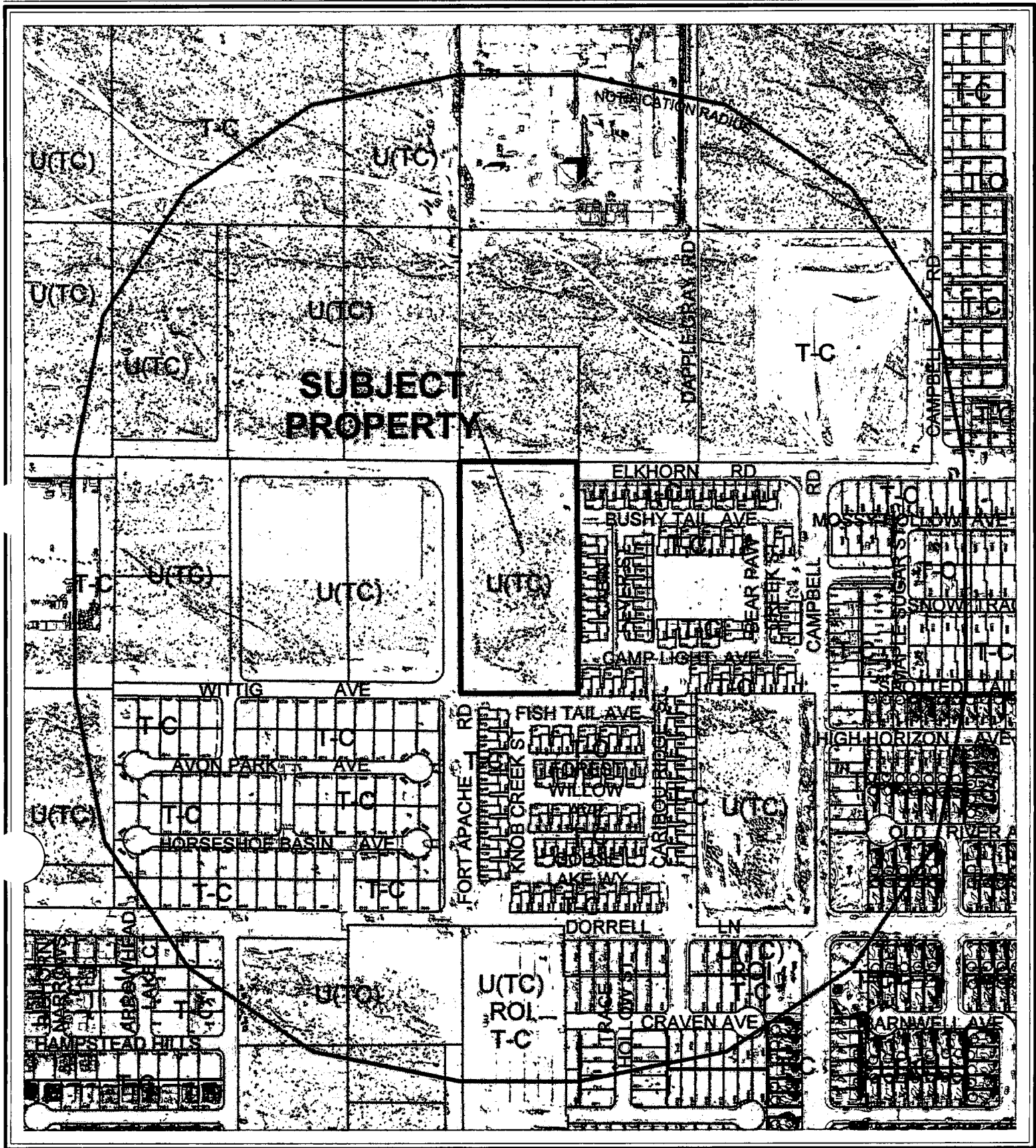
TC (TOWN CENTER)

0 300 600 Feet



127





CASE: SUP-4614

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-4614 - APPLICANT: PAGEENTRY COMMUNITIES -
OWNER: ERNEST AND KATHLEEN BECKER**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4695) and Site Development Plan Review (SDR-4613).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
5. 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.
6. Private streets shall be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
8. Site development to comply with all applicable conditions of approval for ZON-4695, SDR-4613 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Special Use Permit to allow a gated subdivision with private streets located adjacent to the southeast corner of Fort Apache Road and Elkhorn Road. The applicant requests that the requirement for a gated community as a part of this Special Use Permit for private streets be waived.

B) Applicant's Justification

The development is consistent with the existing development and will enhance the surrounding community.

BACKGROUND INFORMATION

A) Previous Actions

12/18/96	The City Council adopted the Northwest General Plan Amendment that created the Town Center Concept.
11/09/98	The City Council approved the first edition of the Town Center Development Standards manual.
12/07/98	The City Council approved the rezoning (Z-76-98) of the Town Center Plan Area of which the subject parcel is a part.
07/22/04	The Planning Commission recommended approval of related items (ZON-4695 and SDR-4613).
07/22/04	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #58-KW).

B) Pre-Application Meeting

05/26/04	The elements of a Special Use Permit application were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 5.0

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) *Planned Land Use*

Subject Property: ML-TC (Medium Low Density Residential - Town Center)
North: PF-TC (Public Facility- Town Center)
South: MLA-TC (Medium Low Attached Density Residential - Town Center)
East: MLA-TC (Medium Low Attached Density Residential - Town Center)
West: L-TC (Low Density Residential - Town Center)

D) *Existing Zoning*

Subject Property: U (Undeveloped) [TC (Town Center) General Plan Designation]
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation]

E) *General Plan Compliance*

The site is designated as TC (Town Center) on the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan. Within Town Center, land use is more specifically described by special land use designations; these are described in the Town Center Development Standards Manual. The Land Use Plan designated this site as ML-TC (Low Density Residential - Town Center). This designation has a density range of 5.6 to 8 units per acre, and is intended for single-family detached homes in imaginative residential development that puts an emphasis on common open space. Local supporting uses are also allowed. The request for T-C (Town Center) zoning conforms to the ML-TC (Medium Low Density Residential - Town Center) special land use designation.

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

Special Area Plan- Town Center- All development within Town Center shall be subject to the Town Center Development Standards in addition the Title 19 and the Urban Design Guidelines and Standards.

Trails – There are three trail segments adjacent to the site as identified on Map 6 (Town Center Multi-Use Trail Alignments) of the Transportation Trails Element. One is a Primary Arterial Trail along Fort Apache Road to the east of the site, and a second is a Town Center Arterial Trail along Deer Springs Way to the south of the site. The third is the Town Center Collector Trail required along Dorrell Lane to the north of the site. These trails are also required pursuant to the street cross-sections in the Town Center Development Standards Manual and represent the sidewalks along these streets. Additionally, Map 6 also calls for a Multi-Use Transportation Trail along the west side of Fort Apache Road, adjacent to the site, which is a wider section than the Primary Arterial Trail on the east side of the street. The site plan, as proposed, meets these trails standards.

Fort Apache Road, on the west boundary of the site, will be developed as a Town Center Primary Arterial (100 feet), which also has a 15-foot median.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	Required	Provided
Single Family Dwelling	2 per dwelling unit	2 per dwelling unit

The proposed development conforms to standards.

The design and layout of all onsite private circulation and access drives must conform to Department of Fire Services standards.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in Title 19 that apply to the proposed residential development with private streets.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) with a ML-TC (Medium Low Density – Town Center) General Plan designation.

The proposed single-family residential development 5 acres is consistent with the ML-TC land use designation.

- Use and Conditions

Subsection E (G) of the Town Center Development Standards Manual provides the following conditions of approval for a Special Use Permit for a gated subdivision with private streets:

1. **Abutting public street stubs from previously approved adjacent developments shall be terminated in a cul-de-sac or shall be extended to connect to another public street.**

The subject site is bordered on the west by Fort Apache Road, designated as a Town Center (100 foot) Primary Arterial and on the north by Elkhorn Road, also a Town Center (100 foot) Primary Arterial as described in the Town Center Design Standards Manual. There are no pre-existing, stubbed streets that will need to be ended by a cul-de-sac or extended through the development.

2. **Gated communities not taking access directly off an arterial roadway shall have a minimum of two active gated entrances. Additional gated entrance may be required to disperse the traffic throughout the street network.**

This ungated community will have one entrance off of Fort Apache Road. The applicant requests that the requirement for gates be waived but the streets will be privately maintained.

3. **Consideration must be given to previously approved grading plans and drainage studies to assure minimum impact to existing and future developments.**

There are no previously approved plans that pertain to this location.

FINDINGS

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

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

The proposed single-family detached development is compatible with the existing and proposed residential development around the site.

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

There are no physical constraints to the site that make the proposed development impractical.

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

Primary access will be from Fort Apache Road. When completed, this roadway will provide adequate access to the subject site.

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

The proposed use on this site will be subject to the provisions of the Uniform Building Code, and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NOTICES MAILED 40 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4614 APN: 125-20-101-001

Name of Property Owner: Ernest A Becker IV and Kathleen C Becker Family Trust

Name of Applicant: _____

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: _____

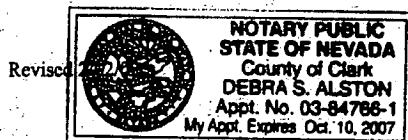
Signature of Property Owner/Authorized Agent: _____

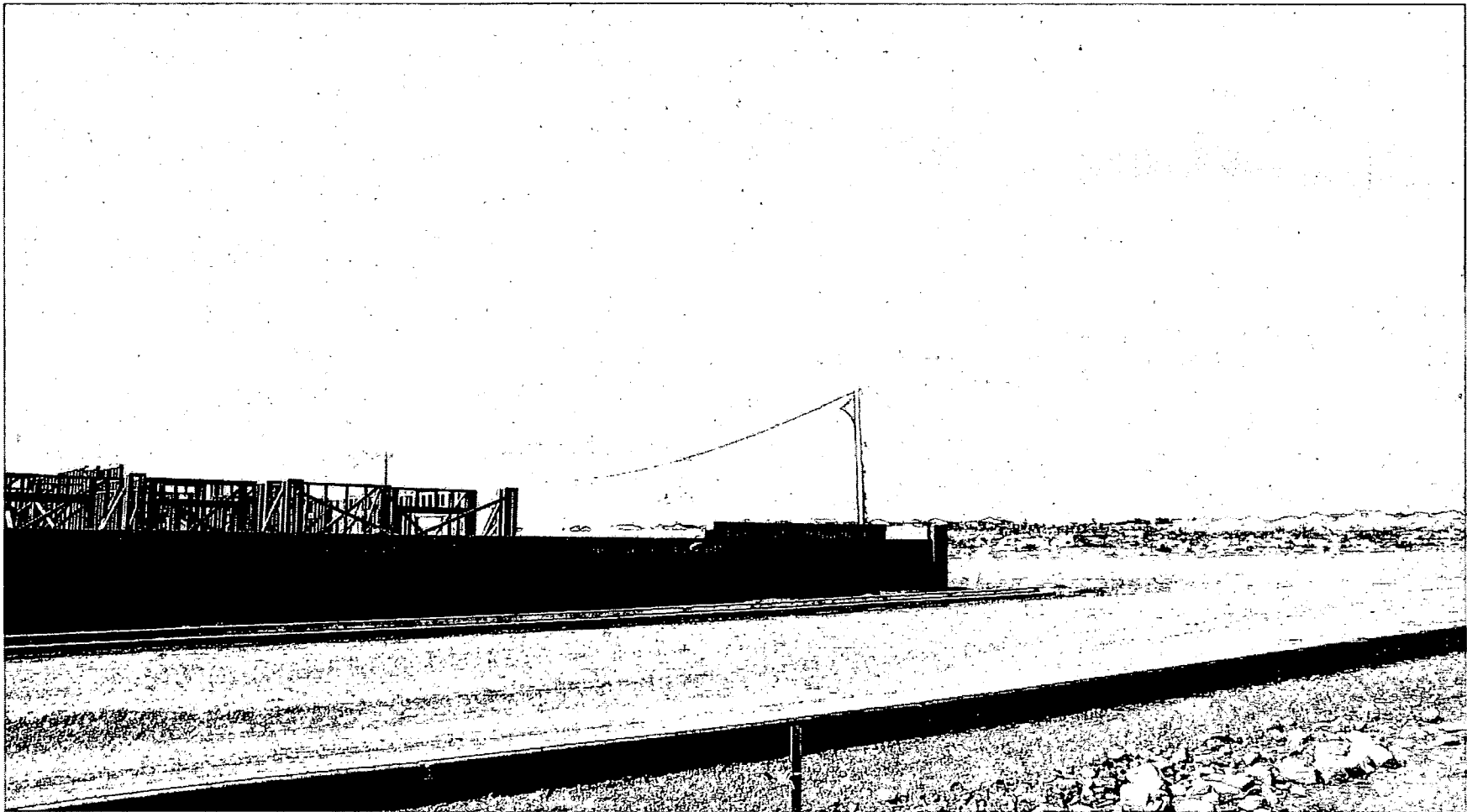
Print Name: Ernest A Becker IV

Subscribed and sworn before me

This 14th day of May, 2004

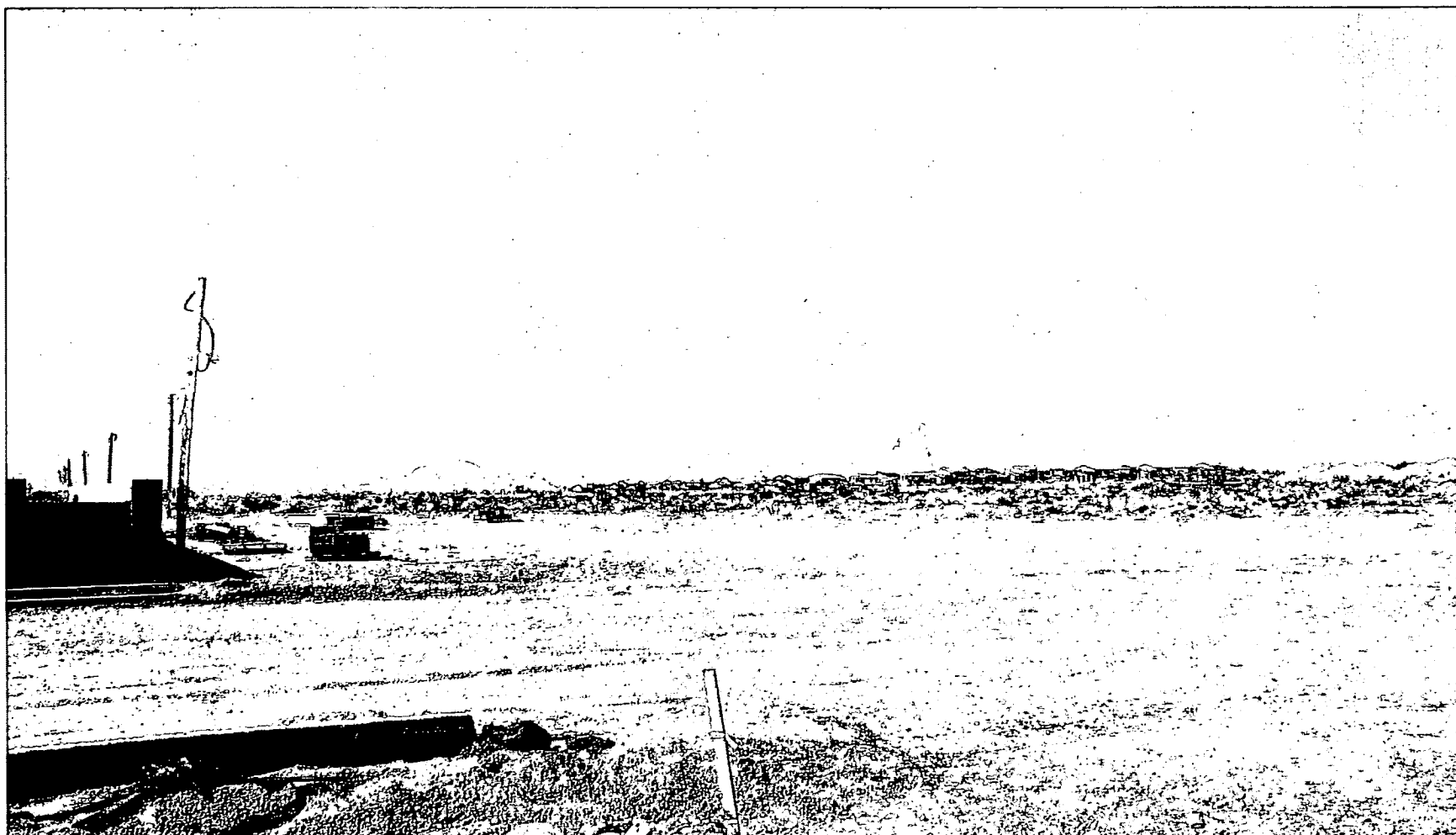
Notary Public in and for said County and State





SUP-4614 - APPLICANT: PAGEANTRY COMMUNITIES - OWNER: ERNEST AND KATHLEEN BECKER
SOUTHEAST CORNER OF ELKHORN ROAD AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION

7/2/04



**SUP-4614 - APPLICANT: PAGEANTRY COMMUNITIES - OWNER: ERNEST AND KATHLEEN BECKER
SOUTHEAST CORNER OF ELKHORN ROAD AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION**

7/2/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4695 AND SUP-4614 - PUBLIC HEARING - SDR-4613 - APPLICANT: PAGEENTRY COMMUNITIES - OWNER: ERNEST AND KATHLEEN BECKER - Request for a Site Development Plan Review FOR A 30 UNIT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5 acres adjacent to the southeast corner of Elkhorn Road and Fort Apache Road (APN 125-20-101-001), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0
0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0
0

City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 126 [ZON-4695] for all related discussion.

NOTE: It was clarified with BART ANDERSON, Public Works Department, that Conditions 9 through 13 of Item 128 [SDR-4613] are a duplicate listing and should be deleted.

(3:35 - 3:37)

4-2285

CONDITIONS:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. Special Use Permit (SUP-4614) application approved by City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 128 – SDR-4613

CONDITIONS – Continued:

3. This Site Development Plan Review for a maximum 29 units shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The setbacks for this development are a maximum of 5 feet to the face of the garage as measured from the back of curb, 10 feet to the front of the house, 5 feet on the side, 10 feet on the corner side, and 5 feet in the rear
5. The maximum building height allowed shall not exceed 2 stories or 35 feet, whichever is less.
6. A revised landscaping plan shall be submitted to the Planning and Development Department for review and approval, prior to the submittal of a Final Map Technical Review to reflect the correct number of street trees and a six-foot wide landscape buffer along Fort Apache Road and Elkhorn Road.
7. Sidewalk patterns and street corners shall conform to the Town Center Development Standards for Special Pavement and Sidewalk Treatments.
8. Any perimeter property line wall shall meet the fence and wall standards of subsection E.A.9 (Figures 28, 28a) of the Town Center Development Standards. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Any perimeter wall, including combining the retaining and screen wall, shall not be greater than six feet tall without appropriate setbacks.

Public Works

9. 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.
10. 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.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 128 – SDR-4613

CONDITIONS – Continued:

11. Site development to comply with all applicable conditions of approval for ZON-4695 and all other subsequent site-related actions.
12. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
13. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard private street/private drive intersections are proposed within this subdivision.

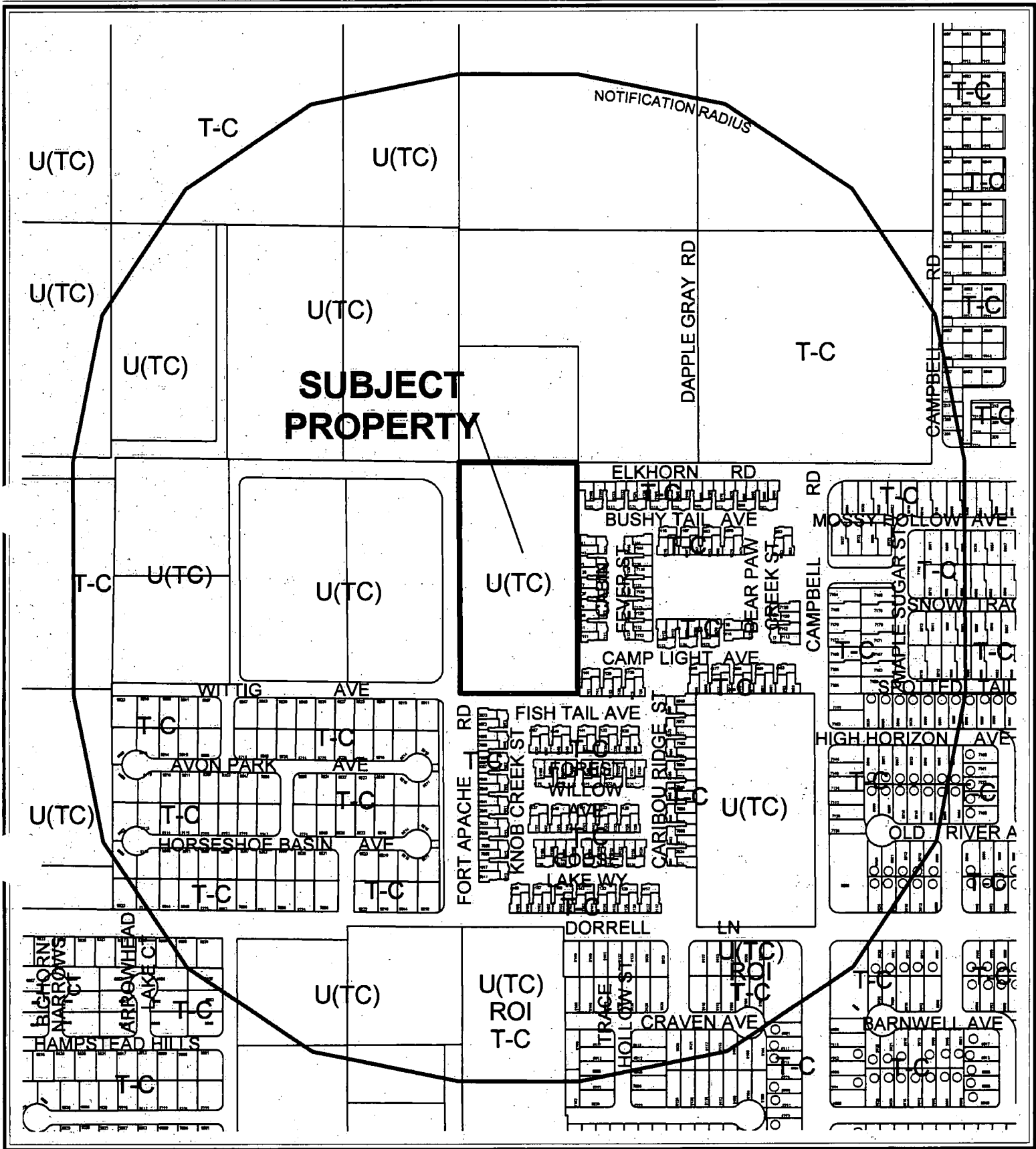
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CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 128 – SDR-4613

CONDITIONS – Continued:

drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard private street/private drive intersections are proposed within this subdivision.



CASE: SDR-4613

RADIUS: 1100 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

TC (TOWN CENTER)

128

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-4613 - APPLICANT: PAGEENTRY COMMUNITIES -
OWNER: ERNEST AND KATHLEEN BECKER**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. Special Use Permit (SUP-4614) application approved by City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. This Site Development Plan Review for a maximum 29 units shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The setbacks for this development are a maximum of 5 feet to the face of the garage as measured from the back of curb, 10 feet to the front of the house, 5 feet on the side, 10 feet on the corner side, and 5 feet in the rear
5. The maximum building height allowed shall not exceed 2 stories or 35 feet, whichever is less.
6. A revised landscaping plan shall be submitted to the Planning and Development Department for review and approval, prior to the submittal of a Final Map Technical Review to reflect the correct number of street trees and a six-foot wide landscape buffer along Fort Apache Road and Elkhorn Road.
7. Sidewalk patterns and street corners shall conform to the Town Center Development Standards for Special Pavement and Sidewalk Treatments.
8. Any perimeter property line wall shall meet the fence and wall standards of subsection E.A.9 (Figures 28, 28a) of the Town Center Development Standards. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Any perimeter wall, including combining the retaining and screen wall, shall not be greater than six feet tall without appropriate setbacks.

Public Works

9. 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.
10. 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.
11. Site development to comply with all applicable conditions of approval for ZON-4695 and all other subsequent site-related actions.
12. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
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Public Works

9. 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.
10. 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.
11. Site development to comply with all applicable conditions of approval for ZON-4695 and all other subsequent site-related actions.
12. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

13. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard private street/private drive intersections are proposed within this subdivision.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Review for a proposed 29-lot single-family residential development on 5 acres adjacent to the southeast corner of Fort Apache Road and Elkhorn Road.

Companion applications ZON-4695 and SUP-4614 for a non-gated subdivision with private streets were filed with this request.

B) Applicant's Justification

The development is consistent with the existing property and meets the open space requirement based on the RPD standards. This project will enhance the surrounding community.

BACKGROUND INFORMATION

A) Previous Actions

12/18/96	The City Council adopted the Northwest General Plan Amendment that created the Town Center Concept.
11/09/98	The City Council approved the first edition of the Town Center Development Standards manual.
12/07/98	The City Council approved the rezoning (Z-76-98) of the Town Center Plan Area of which the subject parcel is a part.
07/22/04	The Planning Commission recommended approval of related items (ZON-4695 and SUP-4614).
07/22/04	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #59-KW).

B) Pre-Application Meeting

05/26/04	The elements of a rezoning application were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a site development plan review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: ML-TC (Medium Low Density Residential - Town Center)
North: PF-TC (Public Facility- Town Center)
South: MLA-TC (Medium Low Attached Density Residential - Town Center)
East: MLA-TC (Medium Low Attached Density Residential - Town Center)
West: L-TC (Low Density Residential - Town Center)

D) Existing Zoning

Subject Property: U (Undeveloped) [TC (Town Center) General Plan Designation]
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation]

E) General Plan Compliance

The site is designated as TC (Town Center) on the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan. Within Town Center, land use is more specifically described by special land use designations; these are described in the Town Center Development Standards Manual. The Land Use Plan designated this site as ML-TC (Low Density Residential - Town Center). This designation has a density range of 5.6 to 8 units per acre, and is intended for single-family detached homes in imaginative residential development that puts an emphasis on common open space. Local supporting uses are also allowed. The request for T-C (Town Center) zoning conforms to the ML-TC (Medium Low Density Residential - Town Center) special land use designation.

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

Special Area Plan- Town Center- All development within Town Center shall be subject to the Town Center Development Standards in addition the Title 19 and the Urban Design Guidelines and Standards.

Trails – There is one trail segments adjacent to the site as identified on Map 6 (Town Center Multi-Use Trail Alignments) of the Transportation Trails Element. A Primary Arterial Trail along Fort Apache Road to the west of the site, and a Town Center Arterial Trail along Elkhorn Road along the north side of the site. These trails are also required pursuant to the street cross-sections in the Town Center Development Standards Manual and represent the sidewalks along these streets.

PROJECT DESCRIPTION

The originally proposed development is proposed to be 30 single-family homes on 5 acres within Town Center plan area, at a density of approximately 5.88 dwelling units per acre (DUA) where a maximum of 8 DUA is allowed. The site has been designed with approximately 0.51 acres (22,258 square feet) of open space where 0.5 acres or 21,780 square feet is required. The Town Center Arterial trail along Fort Apache Road and Elkhorn Road will be incorporated into the design of the site. Streets within this gated development are to be 37 feet wide privately maintained rights-of-way.

Access into the subdivision is from Fort Apache Road, on the west boundary of the site, which will be developed as a Town Center Primary Arterial (100 feet). Elkhorn Road, along the north boundary, is also a Town Center Primary Arterial (100 feet).

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	3,185	N/A
Min. Lot Width	N/A	35 Feet	N/A
Min. Setbacks			
• Front	5 Feet	5 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	10 Feet	10 Feet	Y
• Rear	5 Feet	5 Feet	Y
Max. Lot Coverage	N/A	N/A	Y

Max. Building Height	N/A	2 Stories / 35 Feet	Y
Trash Enclosure	N/A	N/A	N/A
Loading Zone	N/A	N/A	N/A
Mech. Equipment	N/A	N/A	N/A

The proposal meets the development requirements of Title 19.

A2) Residential Adjacency Standards

As two-story homes are allowed in the R-PD (Residential Planned Development) zoning district the proposal meets the Residential Adjacency Standards pursuant to Title 19.08.

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
Single Family Dwellings	N/A	2 per residence	58	N/A	58	N/A

The proposal meets the parking requirements of Title 19.

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	N/A	N/A	N/A
Buffer:	772.5 Linear Feet with		
• Min. Trees	1 Trees/ 30 Linear Feet	26 Trees	10 Trees
• Min. Zone Width	6 Feet		Zero Feet
• Wall height	6 Feet		Not Shown

The proposal does not meet the requirements of Title 19.12 and the Landscape, Wall & Buffer Standards. A condition has been added that would require additional street buffer trees and a six-foot wide landscape buffer along Fort Apache Road and Elkhorn Road.

- R-PD ONLY

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
5 acres	5.88	1.65	9.7 %	21,127 SF	10.2%	22,258

The proposal meets the requirements of Title 19.06 for open space in R-PD (Residential Planned Development) developments.

B) General Analysis and Discussion

- Zoning

The site is currently zoned as U (Undeveloped) [TC (Town Center) General Plan Designation]. With the approval of the rezoning to T-C (Town Center) by the companion rezoning application ZON-4695 this development would be consistent with the T-C (Town Center) zoning district.

- Site Plan

The proposed development is proposed to consist of 30 single-family homes on 5 acres within Town Center, at a density of approximately 5.88 dwelling units per acre. The site has been designed with approximately 0.51 acres (22,258 square feet) of open space where 0.5 acres or 21,780 square feet is required. The Town Center Arterial trail along Fort apache Road and Elkhorn Road will be incorporated into the design of the site. Streets within this gated development are to be 37 feet wide privately maintained rights-of-way.

Access into the subdivision is from Fort Apache Road, on the west boundary of the site, which will be developed as a Town Center Primary Arterial (100 feet). Elkhorn Road, on the north boundary, is also a Town Center Primary Arterial (100 feet).

- Waivers

There are no waivers requested for this development.

- Landscape Plan

The proposal does not meet the requirements of Title 19.12 and the Landscape, Wall & Buffer Standards. A condition has been added that would require additional street buffer trees and a six-foot wide landscape buffer along Fort Apache Road and Elkhorn Road.

- Elevation

The elevations show typical two story stucco buildings with foam trim around the window and along the front bottom of the buildings. The tiled roof has a 4:12 slope and 16 inch overhanging soffit.

- Floor Plan

The floor plans show typical room layout common with single-family detached developments.

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;”**

Because of typical building design and subdivision layout the proposed land use of single-family dwellings will be harmonious and compatible with existing and planned surrounding land uses.

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

A gated residential development with private streets is permitted in this classification with a Special Use Permit. With the SUP and conformance with the standards detailed in this application the development will be consistent with City standards, guidelines, and Plans.

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

The access planned near the southwest corner of the development will not negatively impact the adjacent roads and traffic.

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

The landscaping and materials proposed for this development will be appropriate for the single-family residential character of the area. The tree selection will need to comply with the Town Center 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 designs are typical for this type of development so they will be harmonious and compatible with existing and planned development.

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.

PLANNING COMMISSION ACTION

The original application was for 30 units but the current plan is for a maximum of 29 units.

NOTICES MAILED 32 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4613** APN: 125-20-101-001

Name of Property Owner: Ernest A Becker & Kathleen C Becker Family Trust

Name of Applicant: _____

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: _____

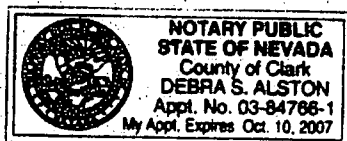
Print Name: Ernest A Becker III

Subscribed and sworn before me

This 14th day of May, 2007

By Ernest A Becker III
Notary Public in and for said County and State

Revised 2/12/02



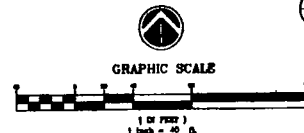
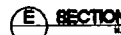
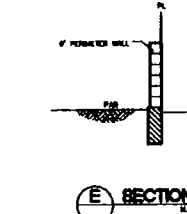
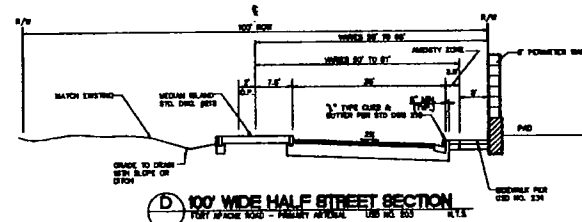
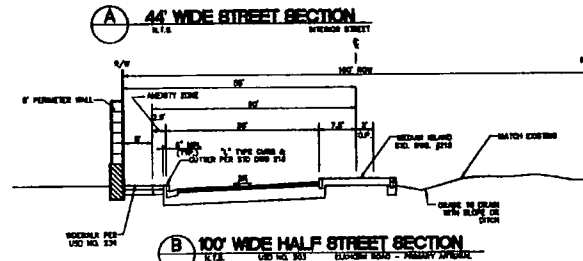
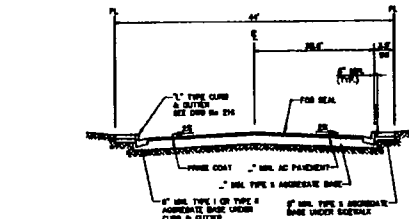
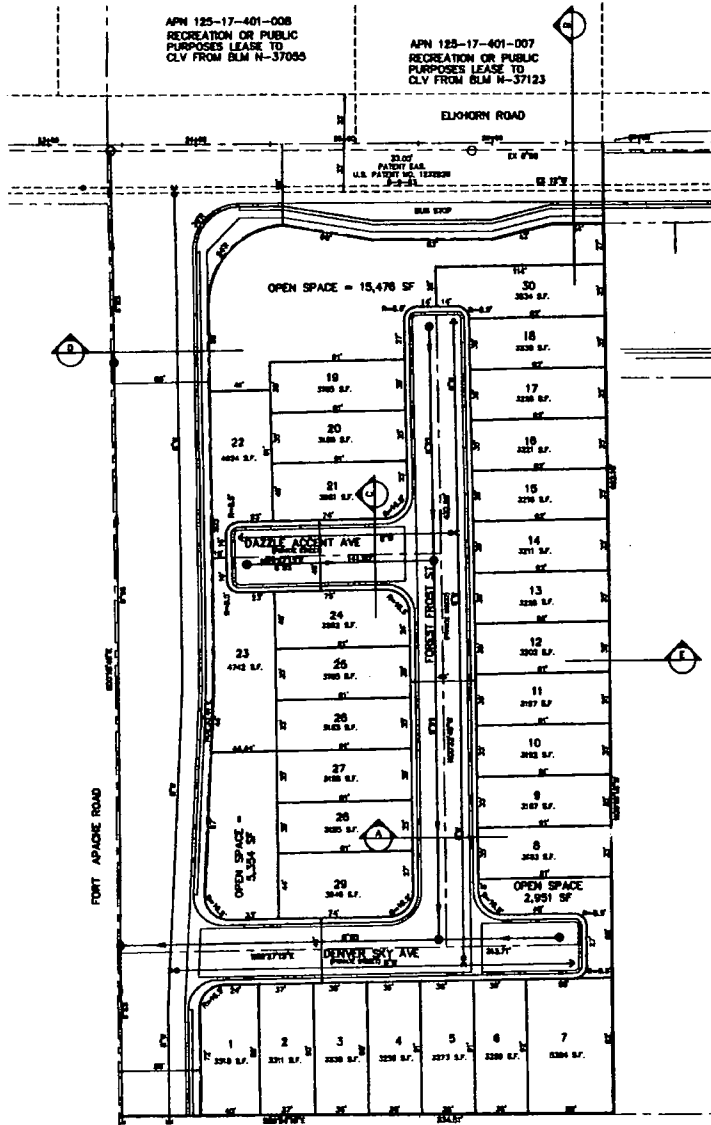
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ZON-469
SUP-4614

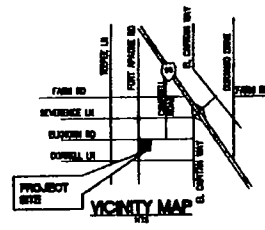
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R-4613
8-18-04 CC

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AUG 03 2004



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ZONING DATA

APN 125-17-401-001
ZONING: R-4613
PARCEL: 125-17-401-001
TOTAL LOTS: 30
BUILDING LOTS PER ACRE: 3.0
OPEN SPACE REQUIRED: 15.0%
OPEN SPACE PROVIDED: 15.0%

UTILITY SERVICES

WATER - LAS VEGAS VALLEY WATER DISTRICT
SEWER - CITY OF LAS VEGAS WASTEWATER DISTRICT
GAS - SOUTHWEST GAS
TELEPHONE - SPRINT
CABLE - COMCAST
WASTE DISPOSAL - RECYCLED SERVICES OF SOUTHERN NEVADA

NOTE
NO PROPOSED IRRIGATION OR DRAINAGE CHANNEL.
RIGHTS-OF-WAY OR EASEMENT WIDTHS

NOTICE TO CONTRACTOR
EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT HORIZONTAL AND VERTICAL LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO RECOMMENDATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR UTILITIES NOT

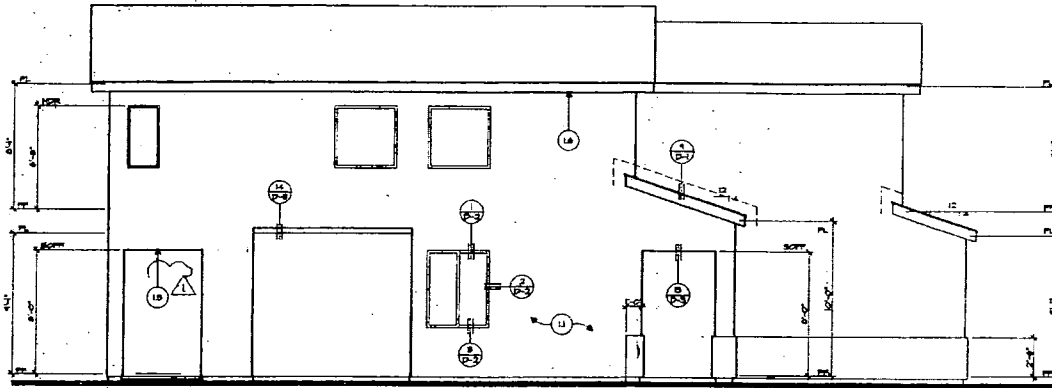
AND EXISTING UNDERGROUND UTILITIES. TO COSTLY.
CALL before you Dig
1-800-777-7469

TYPICAL LOT DIMENSIONS AND BUILDING SETBACKS

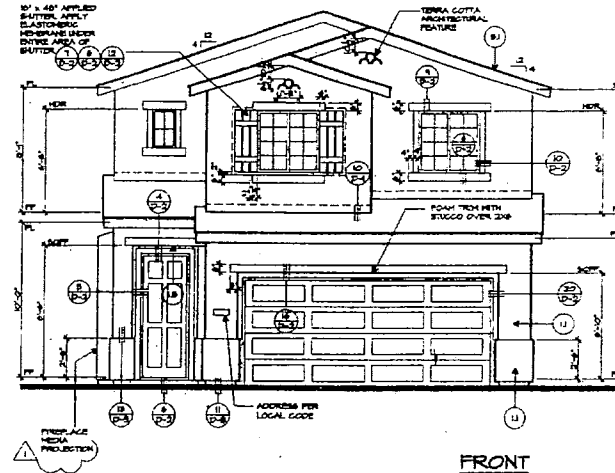
OWNER/DEVELOPER

BRANDY HOME
125 S. FORT APACHE RD.
LAS VEGAS, NV 89147
PHONE: 702-254-1222

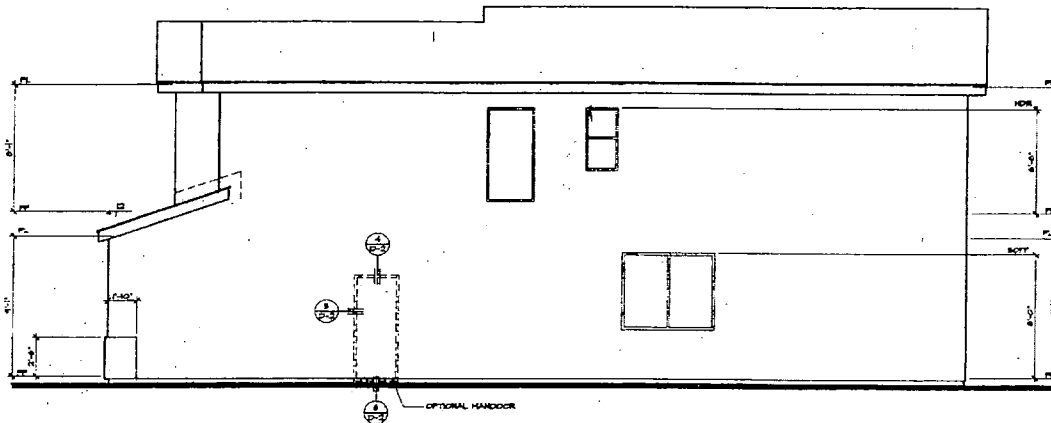
Revised TENTATIVE MAP
ELKHORN RD & FORT APACHE
BRANDY HOME
CITY OF LAS VEGAS



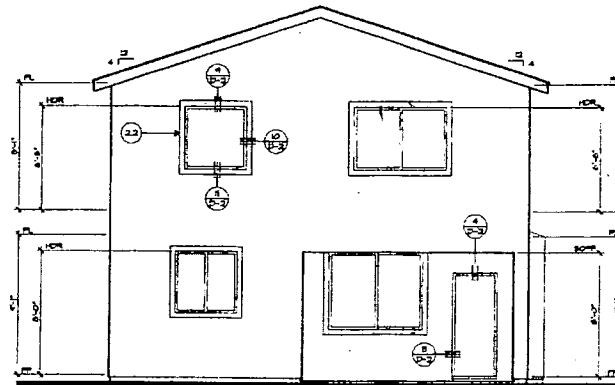
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SCALE: 1/4"=1'-0"

ELEVATION NOTES

- EXTERIOR MATERIALS:
- 1. STUCCO
 - 2. MANUFACTURED ADHESIVE STONE VENEER
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 - 100. STUCCO
- ROOFING:
- 1. PITCHED PROFILE TILE ROOF AT 4:12 SLOPE.
 - 2. SEE ROOF PLAN DETAILS AND GENERAL NOTES SECTION 1A.
 - 3. PITCHED FLAT TILE ROOF AT 4:12 SLOPE.
 - 4. SEE ROOF PLAN DETAILS AND GENERAL NOTES SECTION 1A.
 - 5. BUILT-UP WATERPROOF DECKING.
- NOTE TO ALL SUBCONTRACTORS:
- REFER TO ARCHITECTURAL DETAILS FOR



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IRVINE, CALIFORNIA 92606
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DEC 31 2004

NO.	DATE	REVISION
1	2/20/04	PLAN CHECK COVER
2		
3		
4		
5		
6		
7		
8		
9		
10		

PROJECT TITLE
NINE RIDGE

PROJECT NO. 08055

SHEET TITLE
PLAN 1

EXTERIOR
ELEVATIONS
'A'

ORIGINAL DATE:
0
0
0
0
0

PRINT DATE

SDR-4613
7-22-04 PC



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DEC 31 2004

NO.	DATE	REVISION
1	2/22/04	PLAN CHECK CORR.

PROJECT TITLE
WINE RIDGE

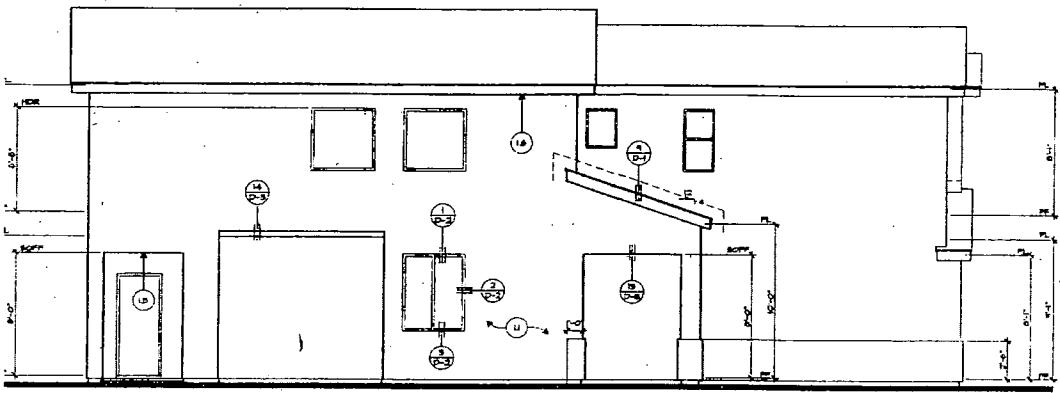
PROJECT NO. 08055

SHEET TITLE
PLAN 2

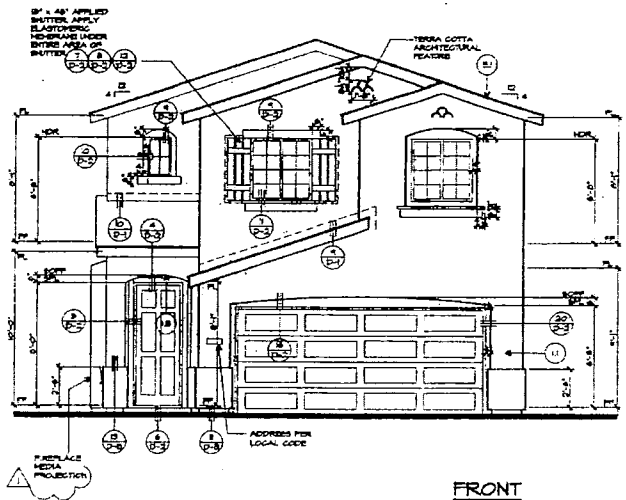
**EXTERIOR
ELEVATIONS
'A'**

ORIGINAL DATE:

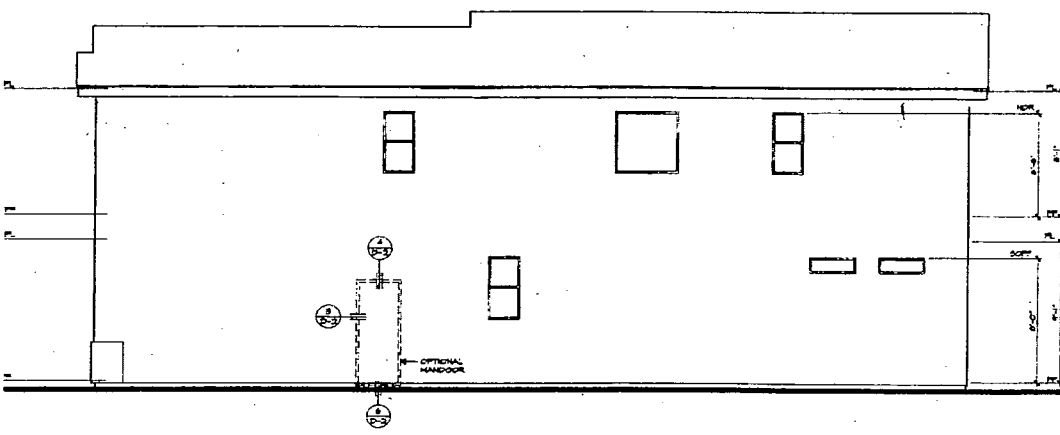
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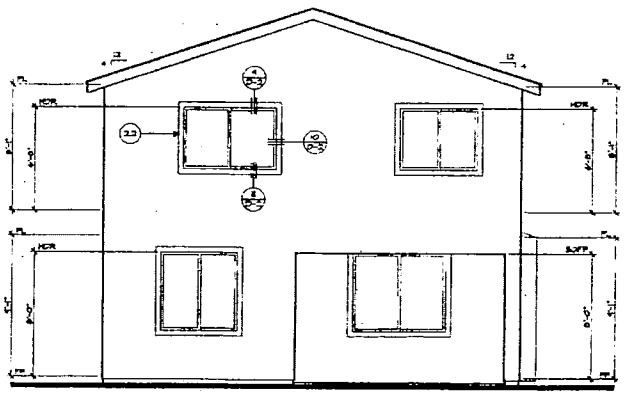
LEFT



FRONT



RIGHT



REAR

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

ELEVATION NOTES

- EXTERIOR MATERIALS:**

 - STUCCO
 - MANUFACTURED ADHERED STONE VENEER
 - SOPHOMORE BOTTOM OF CANTILEVERED AREAS: STUCCO
 - SOPHOMORE BOTTOM OF CANTILEVERED AREAS: MURRIS (PAINTED)
 - PAVING: REFER TO DETAIL
 - DOORS AND WINDOWS: STUCCO MOUNTED
 - 7/8" FIBER GLASS: SEE DETAILS
- ROOFING:**

 - 5.1 PITCHED PROFILE TILE ROOF AT 4:12 SLOPE. SEE ROOF PLAN DETAILS AND GENERAL NOTES SECTION 1A.
 - 5.2 PITCHED FLAT TILE ROOF AT 4:12 SLOPE. SEE ROOF PLAN DETAILS AND GENERAL NOTES SECTION 1A.
 - 5.3 BUTYL WATERPROOF DECKING

NOTE TO ALL SUBCONTRACTORS:
REFER TO ARCHITECTURAL DETAILS FOR

**SDR-4613
7-22-04 PC**



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DEC 31 2004

NO.	DATE	REVISION
1	2/20/04	PLAN CHECK CORR.

PROJECT TITLE
WINE RIDGE

PROJECT NO. 08055

SHEET TITLE
PLAN 3

**EXTERIOR
ELEVATIONS
'A'**

ORIGINAL DATE:

F

C

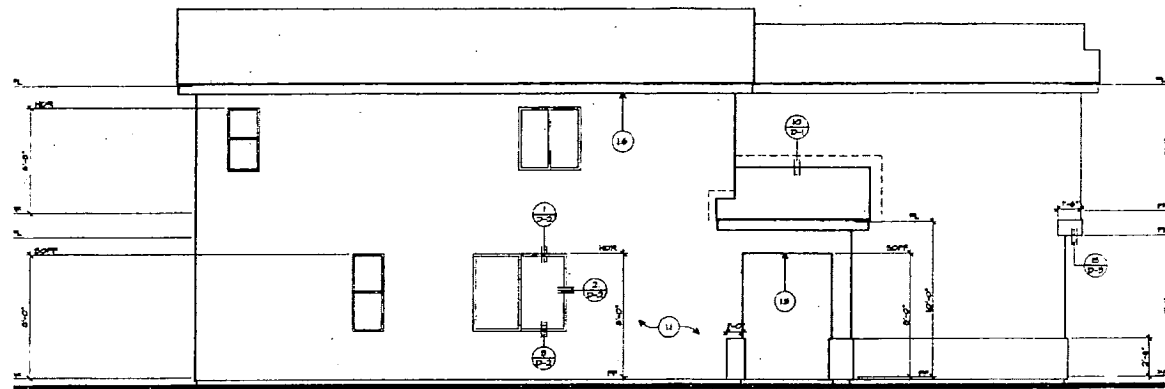
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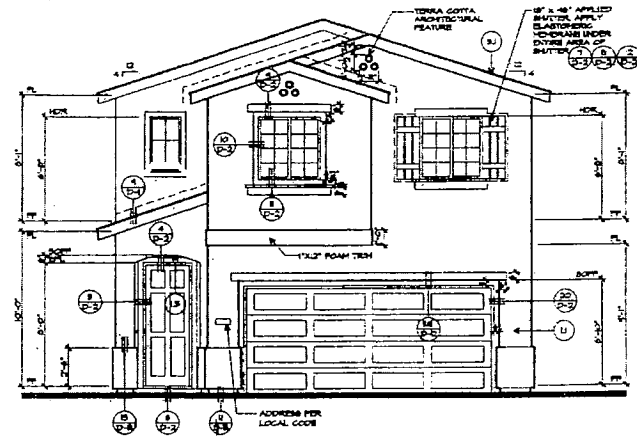
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SHEET NO.

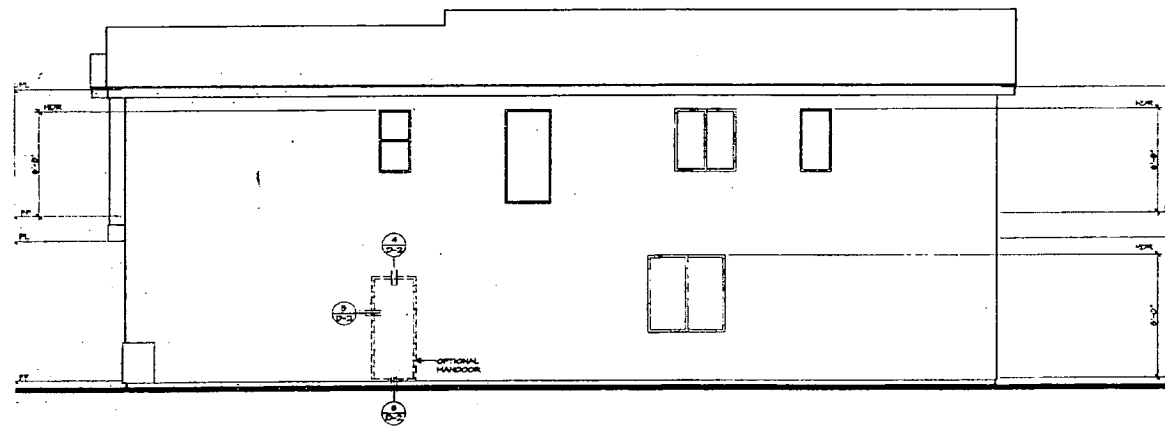
A-3.7



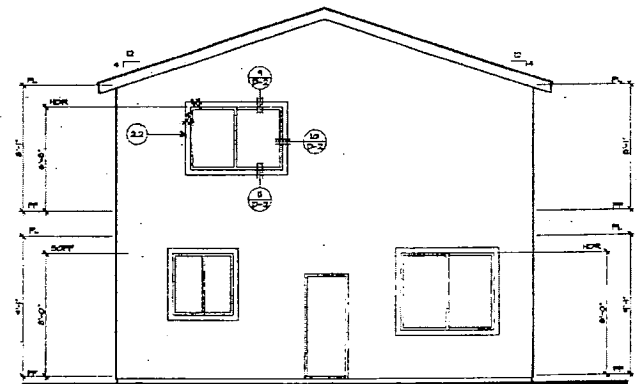
LEFT



FRONT

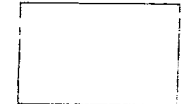


RIGHT



REAR

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



ELEVATION NOTES

EXTERIOR MATERIALS:

- 11 STEGGO
- 12 MANUFACTURED ADHESIVE STONE VENEER
- 18 BOTTOM/BOTTOM OF CANTILEVERED AREAS STEGGO
- 19 BOTTOM/BOTTOM OF CANTILEVERED AREAS W/50 ODS (PAINTED)

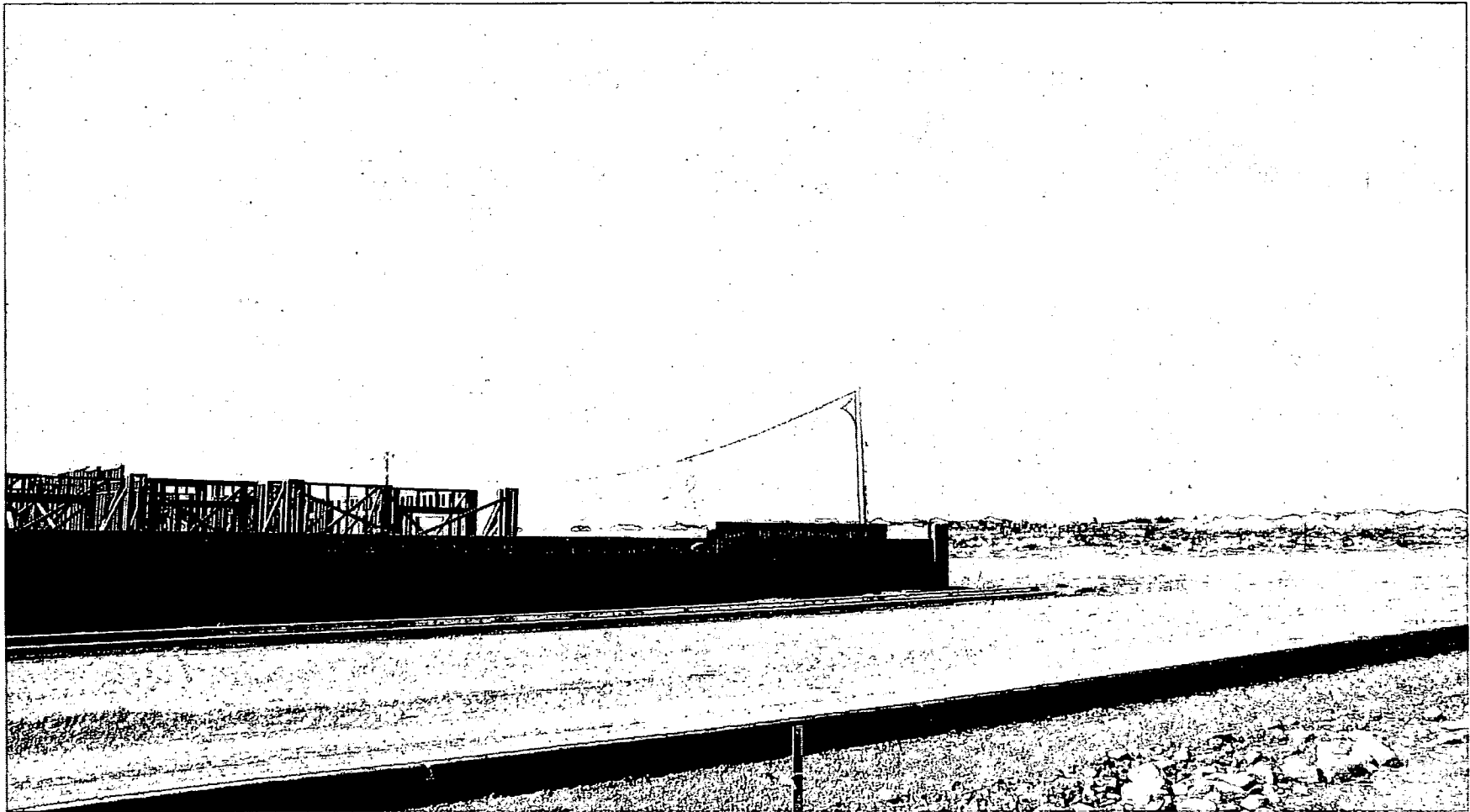
- 21 FINISH: REFER TO DETAIL
- 22 DOORS AND WINDOWS: STEGGO FRAMED 7/8" ROAM W/50, SEE DETAILS

ROOFING:

- 21 PITCHED PROFILE TILE ROOF AT 4:12 SLOPE. SEE ROOF PLAN DETAILS AND GENERAL NOTES SECTION 1A.
- 22 PITCHED FLAT TILE ROOF AT 4:12 SLOPE. SEE ROOF PLAN DETAILS AND GENERAL NOTES SECTION 1A.
- 23 BUILT-UP WATERPROOF DECKING

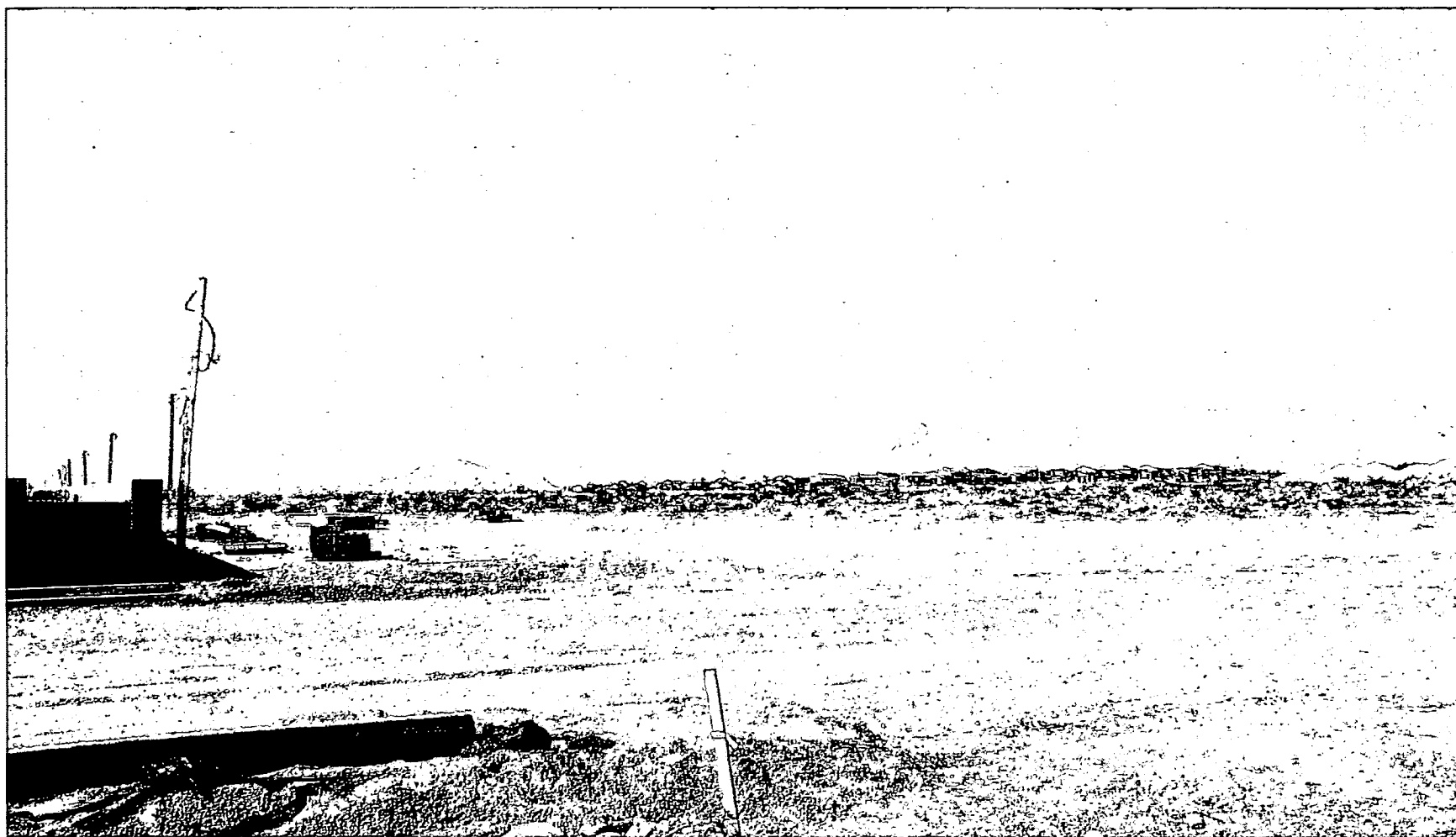
NOTE TO ALL SUBCONTRACTORS:
REFER TO ARCHITECTURAL DETAILS FOR
LOCATION OF ELASTOMERIC WEATHERING
UNDER EXTERIOR MATERIALS.

**SDR-4613
7-22-04 PC**



**SDR-4613 - APPLICANT: PAGEANTRY COMMUNITIES - OWNER: ERNEST AND KATHLEEN BECKER
SOUTHEAST CORNER OF ELKHORN ROAD AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION**

7/2/04



SDR-4613 - APPLICANT: PAGEANTRY COMMUNITIES - OWNER: ERNEST AND KATHLEEN BECKER
SOUTHEAST CORNER OF ELKHORN ROAD AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION

7/2/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-3933 - CITY OF LAS VEGAS - Request to amend the Master Plan Transportation Trails Element of the General Plan to add and remove certain trail alignments to be consistent with the Regional Transportation Commission's "Non-Motorized Alternative Transportation Mode Master Plan", Wards 2, 3, 4 and 6 (Wolfson, Reese, Brown and Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ROBERT GENZER, Director, Planning and Development Department, indicated that this is a housekeeping item.

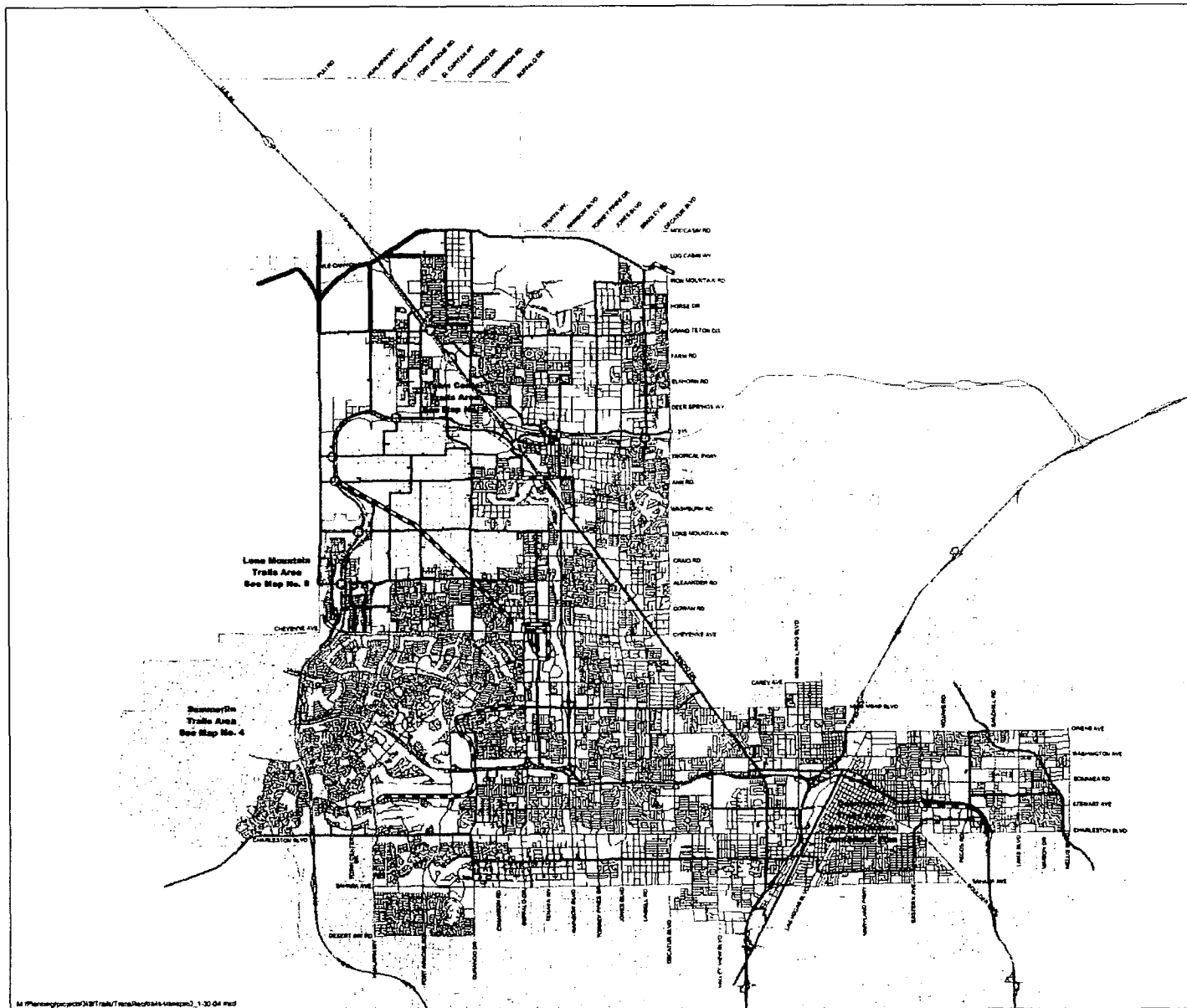
No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:37 - 3:38)

4-2377

TRAILS

Existing and
Proposed Areas

City of Las Vegas

OFF-STREET
MULTI-USE
TRANSPORTATION
TRAIL ALIGNMENTSMap No. 2
ProposedREVISED
6.2.904GPA-3933
7-22-04 PC

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-3933 - CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application is to amend the City's *Master Plan Transportation Trails Element* of the General Plan to bring it into conformance with the Regional Transportation Commission's (RTC's) *Non-Motorized Alternative Transportation Mode Master Plan*.

BACKGROUND DATA:

- 01/16/2002 The City Council adopted the *Master Plan Transportation Trails Element* of the General Plan
- 11/20/02 The City Council adopted the *Centennial Hills Interlocal Agreement Joint Parks and Trails Plan*
- 04/22/04 The Planning Commission approved the request to abey this application to the May 27, 2004 Planning Commission.
- 05/27/04 The Planning Commission approved the request to table this application.
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #16).

DETAILS OF APPLICATION REQUEST

This application represents a significant change to the City's *Master Plan Transportation Trails Element* to bring the *Trails Element* into conformance with the RTC's *Non-Motorized Alternative Transportation Mode Master Plan*. Approval of this request will add and delete trails to Map No. 2 of the *Trails Element* entitled "Off-Street Multi-Use Transportation Trail Alignments."

DEFINITIONS

Trail: A designated route for persons driving or riding non-motorized vehicles, for pedestrians, and for other trail users. There are two major types of trails: transportation trails and recreation trails.

Trail, Transportation: A trail to be used for transportation purposes. A transportation trail may be characterized as a trail that provides access from one part of the community to another.

Trail, Recreation: A trail to be used for recreation purposes. A recreation trail may be characterized as a path that begins and ends in approximately the same locality, such as in a park or subdivision; it may constitute a path that is incorporated in a cultural or societal experience; or it may provide access to a destination that is generally oriented for recreation purposes. Trails intended for riding horses are considered to be recreation trails.

ROW (Right-of-Way): A ROW is a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other public utility or facility.

INTERAGENCY ISSUES

Many of the trails are located within the Centennial Hills Sector area where an *Interlocal Agreement Joint Parks and Trails Plan* has been established between the city of Las Vegas and the County of Clark County. The changes in the trail standards do not affect this agreement, as the *Plan* stipulates that where trails cross-jurisdictional boundaries, the trails are to be constructed according to each agency's standards.

ANALYSIS

The RTC contracted for the services of a consulting firm to prepare a Valley wide regional trails system. After more than two years of preparation, the *Non-Motorized Alternative Transportation Mode Master Plan* is done. The *Plan* is comprehensive in its approach to trail alignments and standards for a transportation trails system. Although the *Plan* does not depart significantly from the City's adopted trail plans, Map No. 2 of the *Master Plan Transportation Trails Element* will require changes which include the following:

- The deletion of proposed trails in the vicinity of the Kyle Canyon Gateway area. The trails for this area will be addressed when the City is presented with a plan for the overall development of the area.
- Amendment of the Trails Element for those trails in the Lone Mountain and Lone Mountain West areas previously revised by resolution
- The addition of a trail corridor along a power line easement that extends northwest from Alexander Avenue and Durango Drive
- Realignment of the U.S. 95 transportation trail
- Realignment of the Lone Mountain Trail in the vicinity of Tenaya Way and Cheyenne Avenue
- The addition of a trail along Alta Drive from Durango Drive to Summerlin
- The addition of a trail extending east from the intersection of Iron Mountain Road and Bradley Road to the city limits.

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 subject application does not involve changes in density and intensity of existing land use designations.

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

The subject application does not involve changes in land use or conjunctive zoning designations.

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

The trail amendments will enhance the alternative mode transportation system.

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

The subject application proposes to improve a regional trails system that is a goal of the city of Las Vegas General Plan. One of the areas of interest specifically referenced, states:

"A multi-use trails system (bicycle, pedestrian and equestrian trails) is another important element of a successful multi-modal circulation system. Such a multi-use trail system will utilize dedicated rights-of-way or easement to connect other exiting trail systems..."

Enhanced connectivity proposed by these changes supports this goal.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Since the proposed amendments to the Master Plan Recreation Trails Element are not site specific, a neighborhood meeting was not held. The amendments were, however, referred to the Southern Nevada Regional Trails Partnership, which is the leading trail organization in the Valley that represents the interest of all trail users. No comments have been received.

NOTICES MAILED: NEWSPAPER ONLY

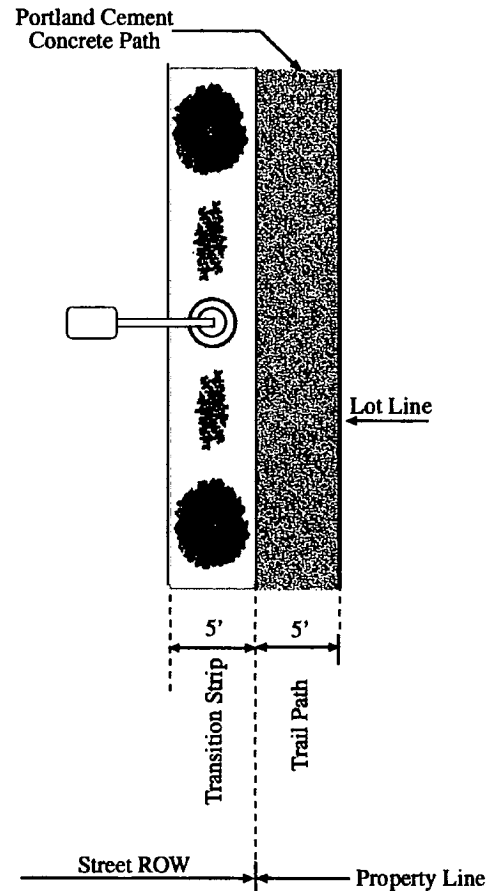
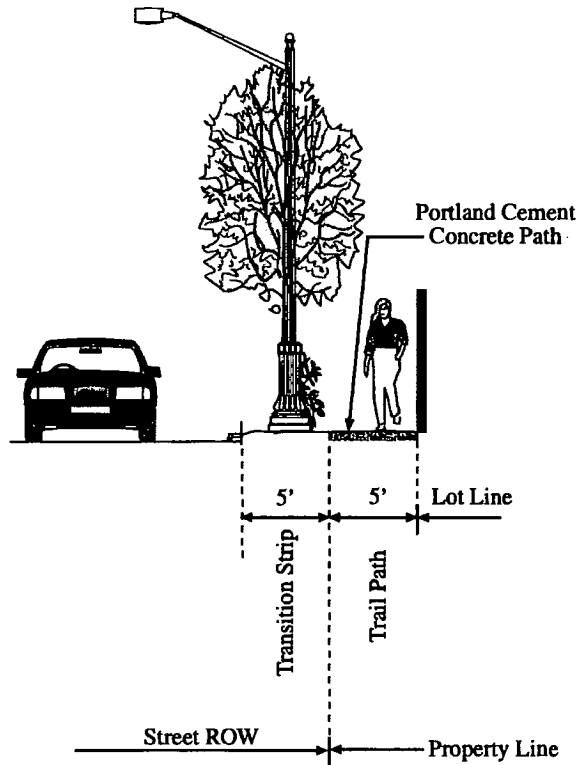
APPROVALS: 0

PROTESTS: 0

Proposed



Exhibit 2 Connector Trail



Notes:

The transition strip, transportation trail path, and landscaped corridor are **constructed** by a developer. The trail path is **dedicated** to the City. The transition strip and trail path are **maintained** by a homeowners association/private property owner.

transportation\trails\trails-trail\metropolitan\sketches\02-05-04



**GPA-3933
4-22-04 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4091 -
APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Plan of the General Plan
FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN 125-12-202-001), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL of R (Rural)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

7

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 12

MOTION:

MACK - APPROVED subject to condition - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 130 [GPA-4091], Item 131 [ZON-4093], Item 132 [VAR-4094] and Item 133 [SDR-4095].

ROBERT GENZER, Director, Planning and Development Department, clarified that staff's recommendation for denial was based upon the original application. Staff does not object to the amended application to Rural on the General Plan Amendment and R-PD3 on the zone change.

ATTORNEY BOB GRONAUER, Kummer, Kaemper, Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the property owner and stated that BEVERLY BLASKY and FRANK ALEXANDER represent the residents of Iron Mountain Ranch. Initially,

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 130 – GPA-4091

MINUTES – Continued:

approximately 50 people opposed the original plan, but after several meetings with the residents, all the differences were addressed. The request is for a GPA to rural density, and the zone change is an R-PD3. The residents also support the Site Development Plan and Variance. He indicated that conditions imposed on the site plan are similar to those imposed on other developments in Iron Mountain Ranch, such as the block wall constructed along Horse Drive and Jones Boulevard to be compatible with the Iron Mountain Ranch standards, as well as the landscaping. Electric lamp lighting will be provided interior to the project, and the perimeter streets that have light posts will be subject to the same standards of Iron Mountain Ranch.

Since the applicant significantly reduced the number of lots, COUNCILMAN MACK moved to approve the GPA. He added a condition on Item 131 [ZON-4093] that the development be limited to a maximum of 62 building lots. On Item 133 [SDR-4095], he added a condition that all exterior walls and perimeter landscaping shall conform to the Iron Mountain Ranch Standards. Interior lighting of streets shall be by lamppost, and exterior streetlights shall conform with the Iron Mountain Ranch streetlight standard. ATTORNEY GRONAUER concurred with all conditions.

No one appeared in opposition.

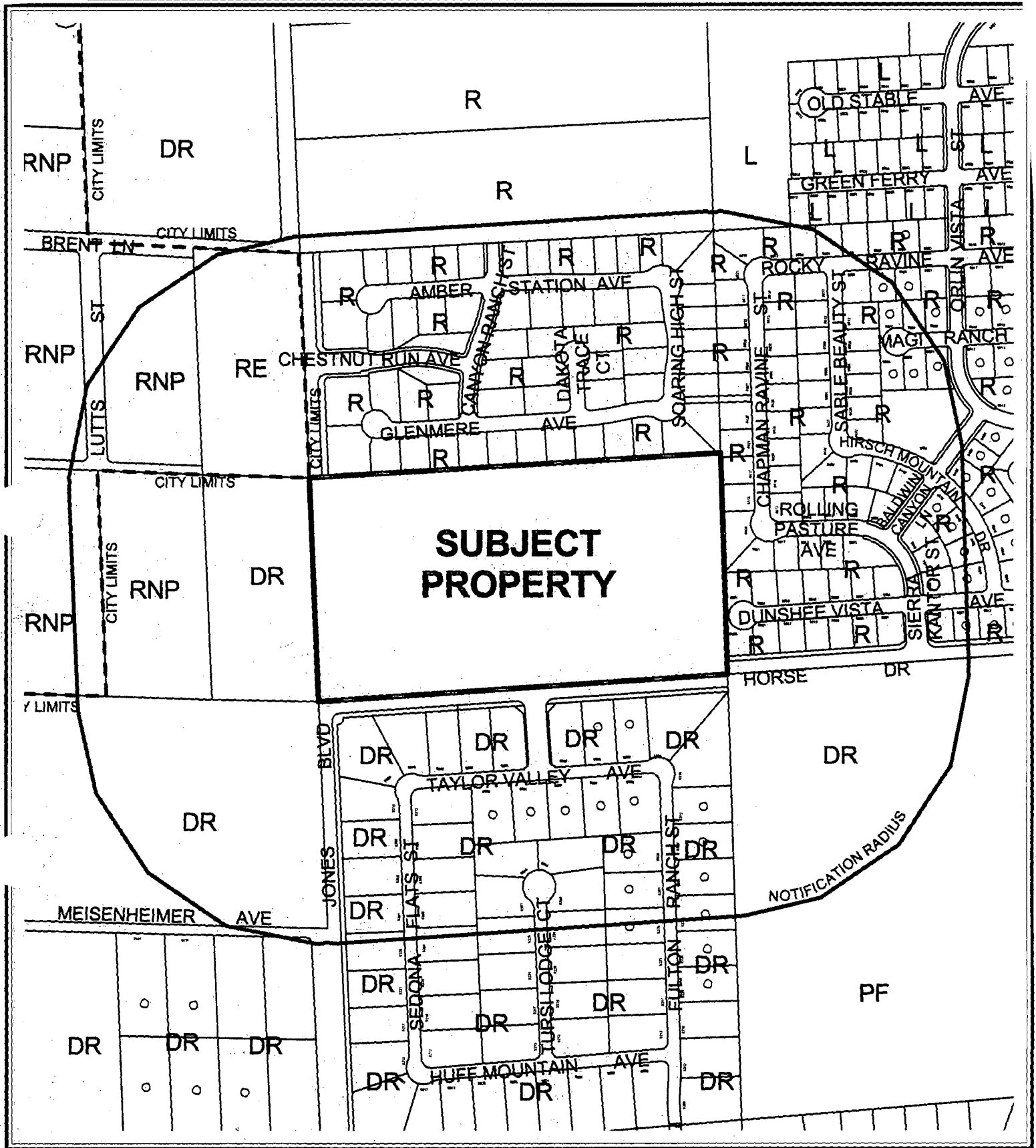
MAYOR GOODMAN declared the Public Hearing closed on Item 130 [GPA-4091], Item 131 [ZON-4093], Item 132 [VAR-4094] and Item 133 [SDR-4095].

(3:38 – 3:44)

4-2465

CONDITION:

1. Approval is to R (Rural Density Residential).



CASE: **GPA-4091**

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR(DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

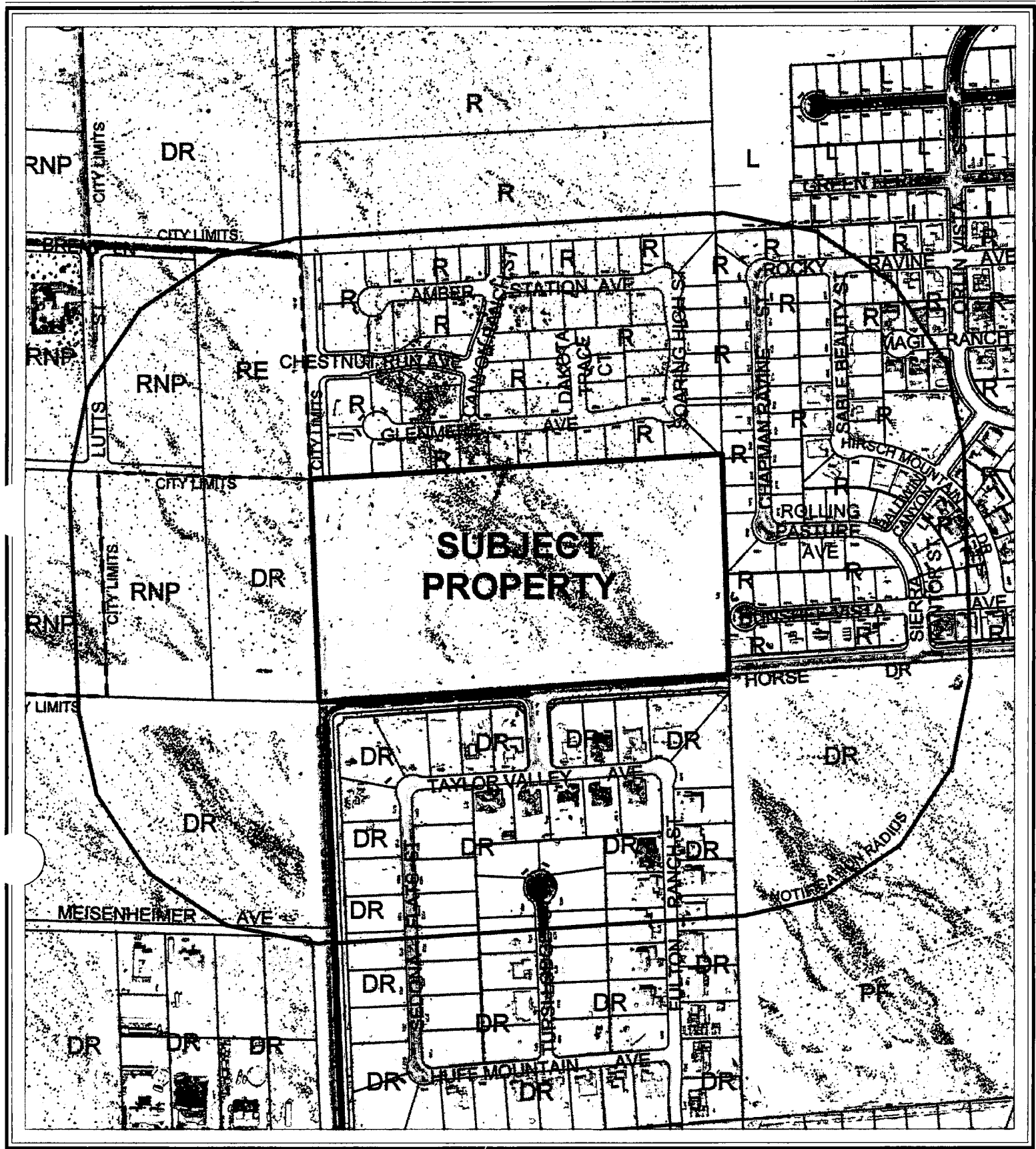
L(LOW DENSITY RESIDENTIAL)

0 200 400 Feet



130





CASE: GPA-4091

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR(DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

L(LOW DENSITY RESIDENTIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-4091 – APPLICANT/OWNER: UNIFIED CREDIT TRUST

**** CONDITIONS ****

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

1. Approval is to R (Rural Density Residential).

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located at the northeast corner of Horse Drive and Jones Boulevard from DR (Desert Rural) to L (Low Density Residential). A companion Rezoning application (ZON-4093), Variance (VAR-4094), and Site Development Plan Review (SDR-4095) were filed with this proposed amendment.

JUSTIFICATION LETTER

The applicant has indicated that it is their belief that the area in question would easily lend itself to slightly more intense residential development. While surrounded by very low density residential the increase in the cost of land since the General plan was adopted plays a mitigating role in the desire for increased density.

BACKGROUND DATA:

08/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for R (Rural Density Residential) Residential land uses (if residential) with a maximum density of three dwelling units per acre.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
05/24/99	The City Council approved the Centennial Hills Sector Map (GPA-0001-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan.
02/19/03	The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for DR (Desert Rural) land uses, with a maximum density of 2.49 dwelling units per acre).
04/22/04	The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant with an opportunity to redesign the site.
05/27/04	The Planning Commission voted to hold this item in abeyance to the June 10, 2004 meeting to provide the applicant's representative to review the request.
06/10/04	The Planning Commission abeyed this request to the June 24, 2004 Planning Commission meeting.
06/24/04	The Planning Commission voted to TABLE this request.

07/22/04 The Planning Commission recommended approval of related items (ZON-4093, VAR-4094 and SDR-4095).

07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #12-KW).

DETAILS OF APPLICATION REQUEST

Site Area: 20.35 Acres

EXISTING LAND USE

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

PLANNED LAND USE

Subject Property DR (Desert Rural)
North R (Rural)
South DR (Desert Rural)
East R (Rural)
West DR (Desert Rural)

EXISTING ZONING

Subject Property U (Undeveloped) [DR (Desert Rural) General Plan Designation]
North U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to (R-PD3 Residential Planned Development - 3 Units Per Acre)
South R-PD2 (Residential Planned Development – 2 Units Per Acre)
East R-PD3 (Residential Planned Development – 3 Units Per Acre)
West U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre)

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

DEFINITIONS

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

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

Low Density Residential (L) (3.6 to 5.5 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments and planned community developments.

Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

ANALYSIS

The west property line of the subject parcel is along Jones Boulevard and the south property line follows Horse Drive, both 80-foot Secondary Collectors on the Master Plan of Streets and Highways. The site is surrounded on all four sides with planned residential. The planned subdivision to north and east are approved for development with a density of three dwelling units per acre. The development approved to the south and west is approved for a density of two dwelling units per acre.

The proposed L (Low Density Residential Density) land use is totally inconsistent with the neighborhood. Jones Boulevard and Horse Drive have, historically, been a boundary between Rural Density Residential and Desert Rural Density development. Rural densities are developing north and east of Jones Boulevard and Horse Drive. Desert Rural is west of Jones and south of Horse. The closest Low Density Residential in this neighborhood to the subject parcel is at the southwest corner of Decatur and Horse, a quarter mile to the east of the subject parcel. The proposed development would result in a spot zoning. The conditions of the neighborhood have not changed so this request is also not appropriate.

FINDINGS

Title 19.18.030.I requires that the following conditions be met in order to justify a General Plan Amendment:

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

The site is completely surrounded by lands designated in the City's Centennial Hills Sector Plan for Desert Rural and Rural land uses. The change in land use designation to L (Low Density Residential) will allow uses, densities and intensities incompatible with the surrounding planned development.

Approval of Low Density Residential on the subject site would represent a "spot zoning" designation that would be inappropriate in the context of surrounding long-term, very low-density rural land uses.

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

The proposed L (Low Density residential) land use designation would allow the R-1 (Single Family Residential), R-MH (Manufactured Home) and R-PD (Residential Planned Development) with a density up to 5.49 dwellings unit per acre) zoning districts. These zoning districts would not be compatible with the existing zoning districts of the neighborhood surrounding the subject site, which are U (Undeveloped), R-PD3 (Residential Planned Development – 3 Units Per Acre), U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre) and R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning districts.

In terms of existing land uses, the zoning districts that would be allowed under an L (Low Density residential) land use designation would not be compatible with the very low-density, rural estate residential development that currently exists on sites adjacent to or nearby the subject site.

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

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

The traffic capacity of Jones and Horse is consistent with the very low-density residential development as planned for the immediate area. The potential traffic generated by proposed density on the subject site will exceed that capacity.

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

There are no other plans or policies that support the proposed land use amendment.

By introducing a density potential of up to 5.49 dwelling units per acre where the greatest nearby planned density is 3.49 is nearby the application is in fact in conflict with the city policy of preserving the rural areas of the city.

The proposal is in conflict with Program C.1.2 of the General Plan which calls for the use of very low density, equestrian oriented, residential land use designated districts such as the subject parcel's Rural designation as a protection and enhancement of the existing rural development and established life-style.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/23/04 The meeting was held at the Silverstone Golf Club. Fourteen residents were in attendance, with concerns regarding the square footage of the homes, density, setbacks, gated entry, if there will be a home owners association and ground breaking in about 18 months. There was unanimous opposition to lots smaller than a quarter acre.

NOTICES MAILED: 51 by Planning Department

APPROVALS: 0

PROTESTS: 7

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-4091** APN: 125-12-202-001

Name of Property Owner: UNFILED CREDIT TRUST

Name of Applicant: UNIFIED CREDIT TRUST

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

Yes

X ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

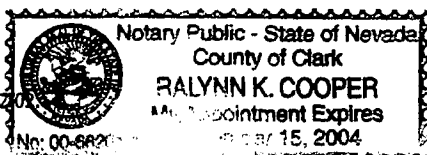
Signature of Property Owner/Authorized Agent _____

Print Name: SHARON MARCHIOLO

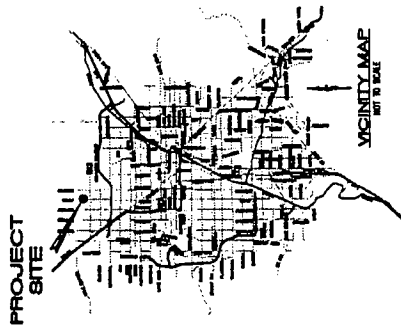
Subscribed and sworn before me

This 9th day of March, 2001

Notary Public in and for said County and State



UNIFIED CREDIT TRUST 1202 S. JACKSON WAY #2 ALBUQUERQUE, NM 87102		TETRA TECH, INC. 4010 N. GARDEN CITY, SUITE 200, LAS VEGAS, NEVADA 89135	
SITE PLAN TO ACCOMPANY GENERAL PLAN AMENDMENT		JONES / HORSE CITY OF LAS VEGAS, NEVADA	
SHEET NO. _____ TOTAL SHEETS _____ DATE _____		PROJECT NO. _____ DRAWING NO. _____ SCALE _____ DATE _____	



VICINITY MAP
NOT TO SCALE



DEVELOPER
 UNITED CREDIT TRUST
 1202 S. JACKSON WAY #2
 ALBUQUERQUE, NM

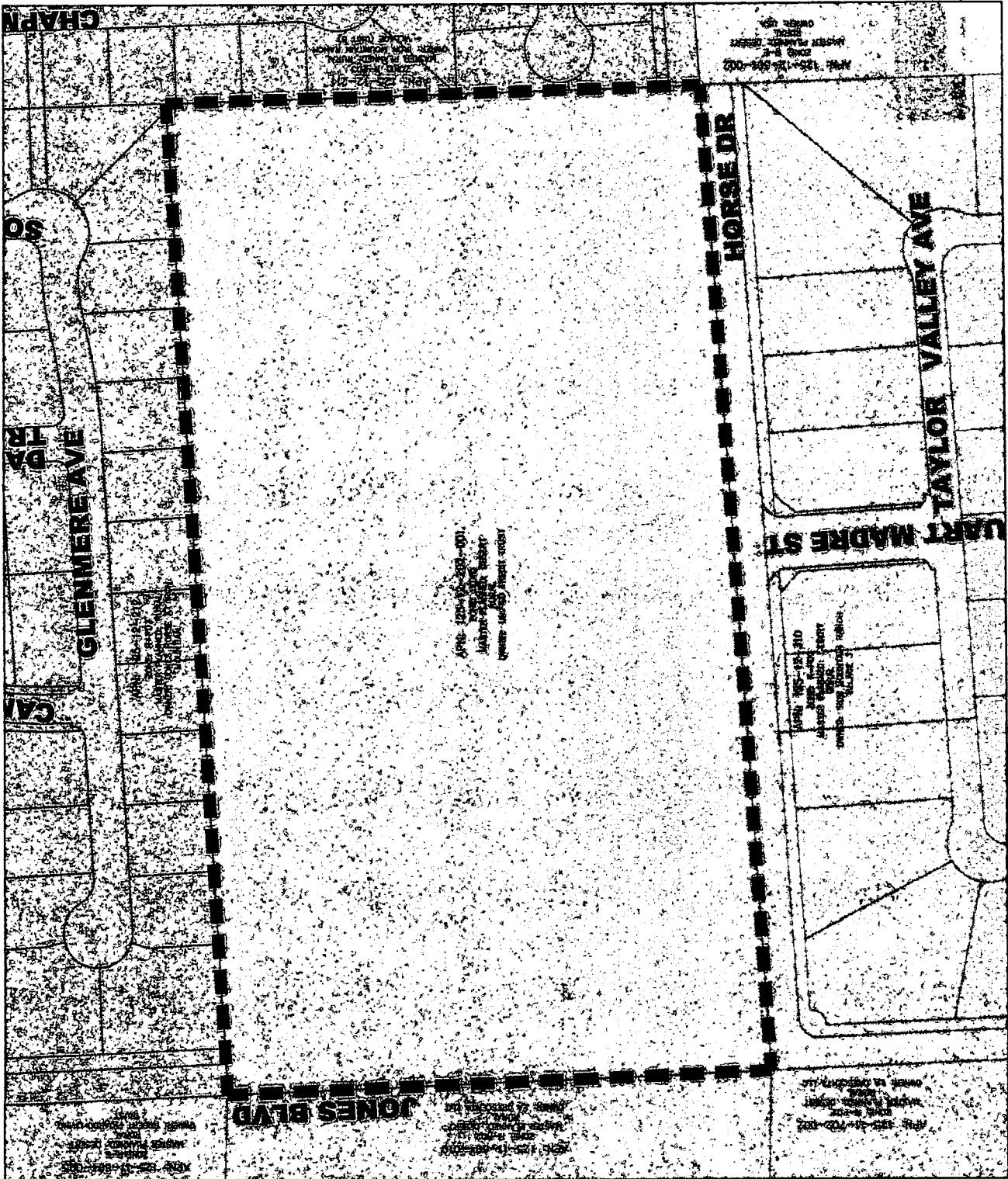
OWNERS
 UNITED CREDIT TRUST
 1202 S. JACKSON WAY #2
 ALBUQUERQUE, NM

ASSESSORS PARCEL NUMBER
 125-12-203-001

TABULATIONS
 EXISTING ZONING: _____ (UDC)
 EXISTING LAND USE: _____ DESERT RURAL
 PROPOSED LAND USE: _____ LOW
 GROSS ACRES: _____ 20.35 ACRES ±

GPA-4091

7/22/04 PC



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4091 - PUBLIC HEARING - ZON-4093 -
APPLICANT/OWNER: UNIFIED CREDIT TRUST - Request for a Rezoning FROM: U
 (UNDEVELOPED) [D-R (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN
 DESIGNATION] TO: R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER
 ACRE) on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive
 (APN 125-12-202-001), Ward 6 (Mack). Staff recommends DENIAL. The Planning
 Commission (6-0 vote) recommends APPROVAL of R-PD3 (RESIDENTIAL PLANNED
 DEVELOPMENT - 3 UNITS PER ACRE)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

8

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 13

MOTION:

MACK - APPROVED subject to conditions as read for the record and amended as follows:

- *Development is limited to a maximum of 62 building lots.*

- UNANIMOUS

MINUTES:

NOTE: See Item 130 [GPA-4091] for all related discussion.

(3:38 - 3:44)

4-2465

CONDITIONS:

Planning and Development

1. The request shall be amended to R-PD3 (Residential Planned Development - 3 Units Per Acre).

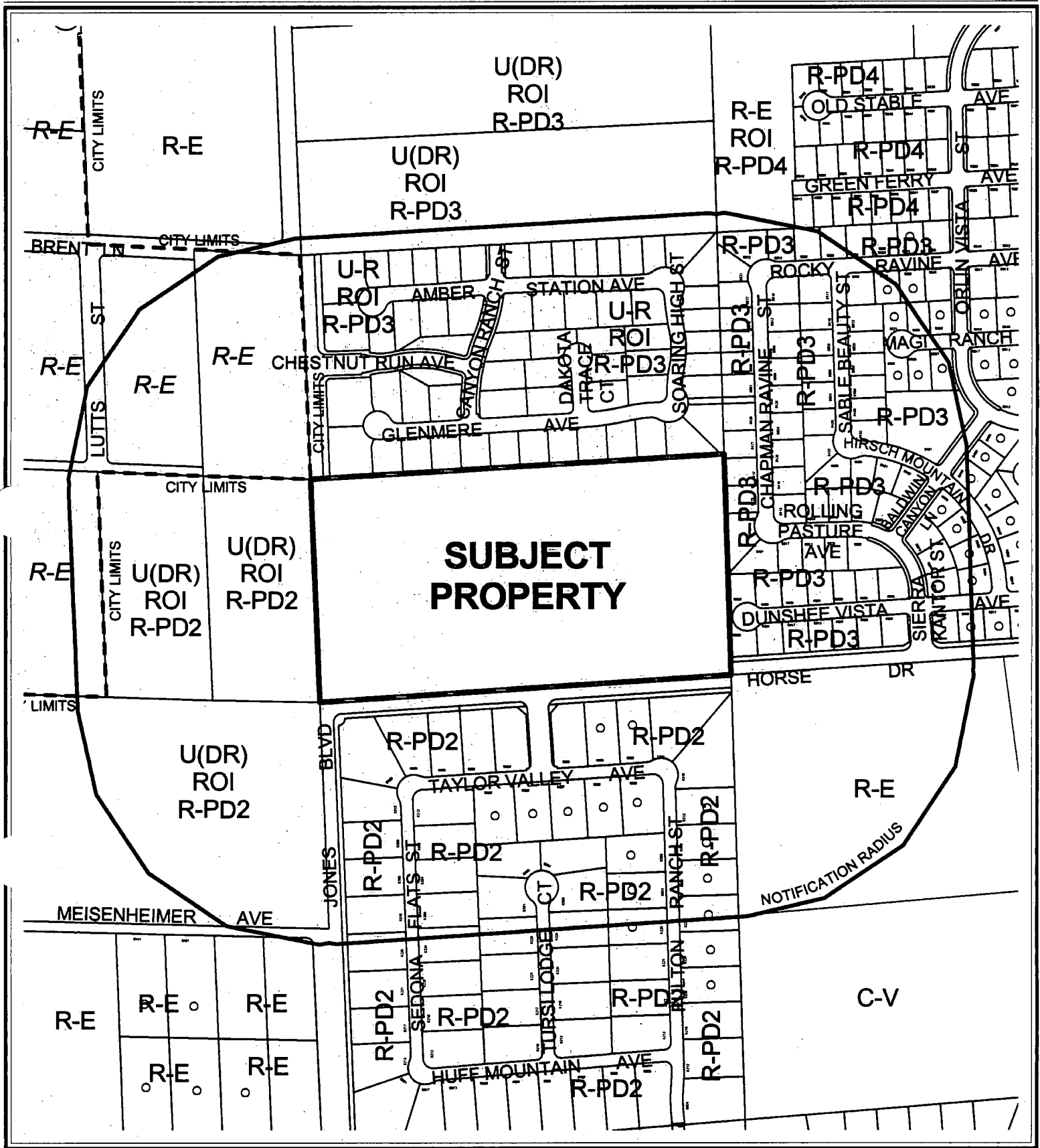
CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 131 – ZON-4093

CONDITIONS – Continued:

2. A Resolution of Intent with a two-year time limit.
3. Horses are not allowed within the subdivision.

Public Works

4. Dedicate 40 feet of right-of-way adjacent to this site for Jones Boulevard, 40 feet for Horse Drive and a 54-foot radius on the northeast corner of Jones Boulevard and Horse Drive. Additional dedications in accordance with Standard Drawing #234.1 along Jones Boulevard shall also be provided unless otherwise allowed by the City Traffic Engineer.
5. Construct half-street improvements, including appropriate overpaving if legally able, on Jones Boulevard and Horse Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and west boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. 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. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.



CASE: ZON-4093

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

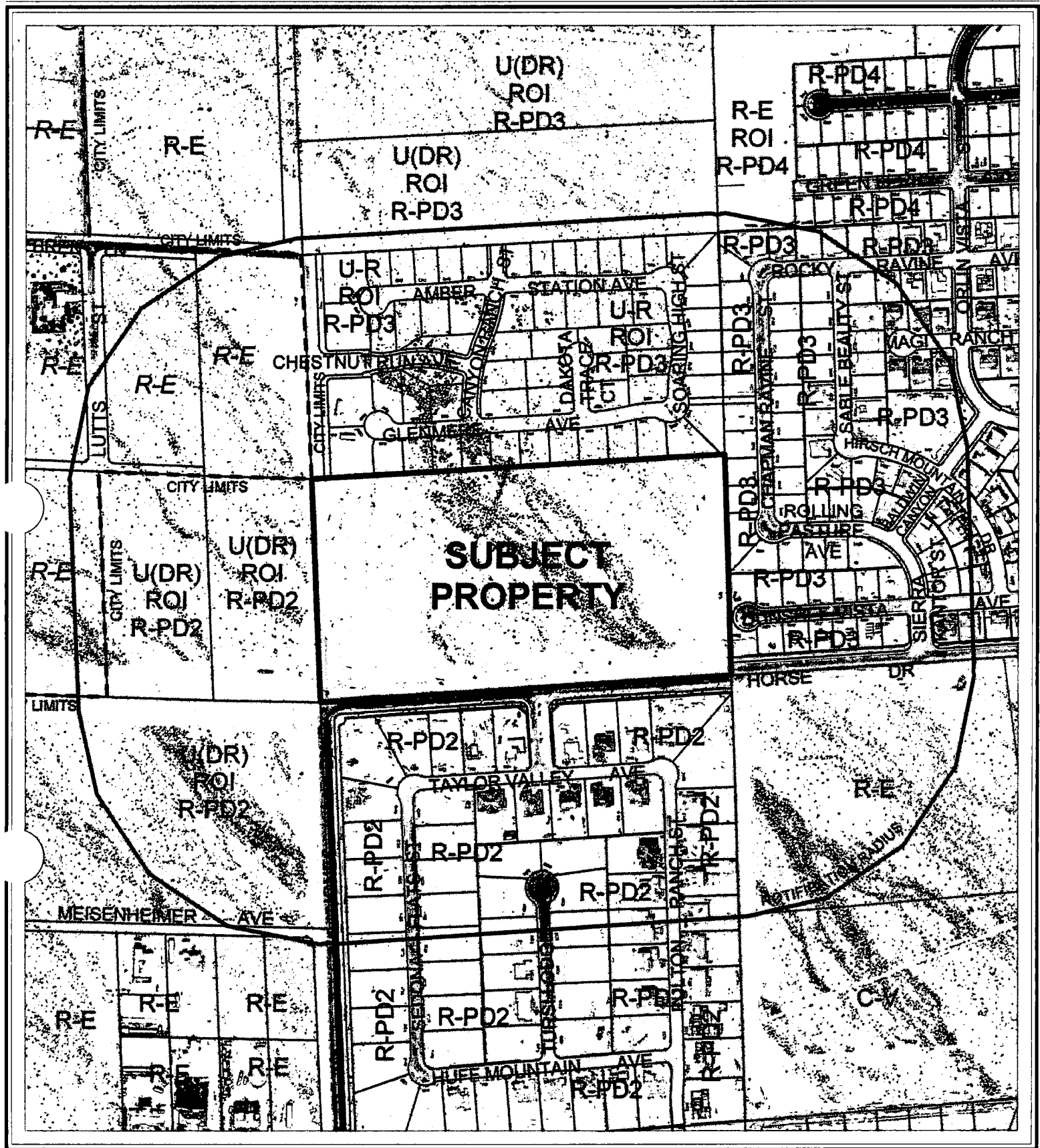
R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

0 200 400 Feet



131





CASE: ZON-4093

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-4093 – APPLICANT/OWNER: UNIFIED CREDIT TRUST

**** CONDITIONS ****

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

Planning and Development

1. The request shall be amended to R-PD3 (Residential Planned Development – 3 Units Per Acre).
2. A Resolution of Intent with a two-year time limit.
3. Horses are not allowed within the subdivision.

Public Works

4. Dedicate 40 feet of right-of-way adjacent to this site for Jones Boulevard, 40 feet for Horse Drive and a 54-foot radius on the northeast corner of Jones Boulevard and Horse Drive. Additional dedications in accordance with Standard Drawing #234.1 along Jones Boulevard shall also be provided unless otherwise allowed by the City Traffic Engineer.
5. Construct half-street improvements, including appropriate overpaving if legally able, on Jones Boulevard and Horse Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and west boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. 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. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning from U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] to R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone on 20.35 acres located adjacent to the northeast corner of Jones Boulevard and Horse Drive.

A companion General Plan Amendment application (GPA-4091), Variance (VAR-4094), and Site Development Plan Review (SDR-4095) were filed with this proposed amendment.

Since the last Planning Commission meeting, the applicant has submitted a revised site development plan showing 71 lots, with a minimum lot size of 6,300 square feet. The new plan has a density of 3.3 units per acre, which qualifies as an R-PD4 (Residential Planned Development – 4 Units Per Acre) development.

B) Applicant's Justification

The applicant has indicated that it is their belief that the area in question would easily lend itself to slightly more intense residential development. While surrounded by very low density residential the increase in the cost of land since the General plan was adopted plays a mitigating role in the desire for increased density.

BACKGROUND INFORMATION

A) Previous Actions

04/22/04	The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant with an opportunity to redesign the site.
05/27/04	The Planning Commission voted to hold this and all related items in abeyance to the June 10, 2004 meeting to provide the applicant's representative to review the request.
06/10/04	The Planning Commission voted to hold this item in abeyance to the June 24, 2004 meeting to provide time for the applicant time to meet with the neighborhood.

- 06/24/04 The Planning Commission voted to TABLE this request.
- 07/22/04 The Planning Commission recommended approval of related items (GPA-4091, VAR-4094 and SDR-4095).
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #13).

B) Pre-Application Meeting

- 02/27/04 At the pre-application conference meeting the following was discussed:
- The lots along the north property line should match those planned in the subdivision to the north.
 - R-PD Open Space standards apply.
 - Trail on Jones not required.
 - Area for the streetscape to be shown as a common lot.
 - Landscaping in the common lot will be one 24-inch box tree spaced thirty feet on center.

C) Neighborhood Meetings

- 03/23/04 The required General Plan Amendment was held with 14 residents in attendance.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 20.35

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property DR (Desert Rural)
North R (Rural)
South DR (Desert Rural)
East R (Rural)
West DR (Desert Rural)

D) Existing Zoning

Subject Property	U (Undeveloped) [DR (Desert Rural) General plan Designation]
North	U (Undeveloped) [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre)
South	R-PD2 (Residential Planned Development – 2 Units Per Acre)
East	R-PD3 (Residential Planned Development – 3 Units Per Acre)
West	U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre)

E) General Plan Compliance

The site is located in the Centennial Hills Sector Plan area. The Centennial Hills Interlocal Land Use Plan designates this site as DR (Desert Rural). The density range for lands so designated is in the range of 0 to 2 units per acre. The Plan states that within such areas, "...the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals." The proposed development is outside the density range allowed under this land use designation. The proposed zoning change to the R-PD5 (Residential Planned Development - 5 Units Per Acre) is not in conformance with the DR (Desert Rural) land use designation.

Special Districts/Zones	YES	NO
Special Area Plan		X
Special Overlay District		X
Study Area		X
Rural Preservation Neighborhood		X
DINA		X
Project of Regional Significance		X

B) General Analysis and Discussion

The site is surrounded on all four sides with planned residential. The planned subdivisions to north and east are approved for development with a density of three dwelling units per acre. The development approved to the south and west is approved for a density of two dwelling units per acre.

The project depicted on the revised site plan remains inconsistent with the neighborhood. Jones and Horse are seen to be a boundary between Rural Density and Desert Rural development. Rural densities are also developing north and east of Jones Boulevard and Horse Drive. Desert Rural is west of Jones and south of Horse. The closest Low Density Residential in this neighborhood is at the southwest corner of Decatur and Horse, a quarter mile to the west of the subject parcel.

FINDINGS

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

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

The site is completely surrounded by lands designated in the City's Centennial Hills Sector Plan for Desert Rural and Rural land uses. The change in land use designation L (Low Density Residential) will allow uses, densities and intensities incompatible with the surrounding planned development.

Approval of Low Density Residential on the subject site would represent a "spot zoning" designation that would be inappropriate in the context of surrounding long-term, very low-density rural land uses.

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

The proposed L (Low Density residential) land use designation would allow the R-1 (Single family residential), R-MH (Manufactured Home) and R-PD (Residential Planned Development) with a density up to 5.49 dwellings unit per acre) zoning districts. The uses that are allowed in these zoning districts would not be compatible with the existing zoning districts in place in the neighborhood surrounding the subject site, which are U (Undeveloped) [DR (Desert Rural) General Plan Designation], R-PD3 (Residential Planned Development – 3 Units Per Acre), U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre) and R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning districts.

In terms of existing land uses, the zoning districts that would be allowed under an L (Low Density residential) land use designation would not be compatible with the very low-density, rural estate residential development that currently exists on sites adjacent to or nearby the subject site.

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

The proposed development would result in a spot zoning. The conditions of the neighborhood have not changed so this request is also not appropriate.

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

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

The traffic capacity of Jones and Horse is consistent with the development as planned (very low density residential) for the immediate area. The potential traffic generated proposed density on the subject site may exceed that capacity.

PLANNING COMMISSION ACTION

The application has been amended to R-PD3. The Planning Commission also added Condition #3.

NOTICES MAILED 51 by Planning Department

APPROVALS 0

PROTESTS 7

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-4093** APN: 125-12-202-001

Name of Property Owner: UNFILED CREDIT TRUST

Name of Applicant: UNIFIED CREDIT TRUST

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

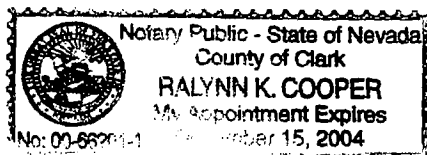
Signature of Property Owner/Authorized Agent:

Print Name:

Subscribed and sworn before me

This 10 day of March, 2008

Notary Public in and for said County and State



TABULATION

APN 8 125-12-202-001
 EXISTING ZONING U
 PROPOSED ZONING AP-5-A
 EXISTING LAND USE DK
 EXISTING LAND USE I
 NUMBER OF LOTS 62
 ACREAGE 18.5 AC +
 DUA 3.23

OWNERS
 UNIFIED CREDIT TRUST
 SHARON MARCHEL TRUST
 3950 E. ATCHISON WAY, #3
 ALHAMBRA, CA 91804-3185

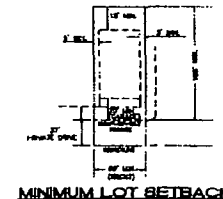
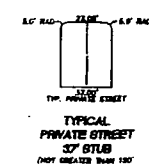
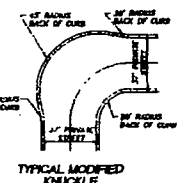
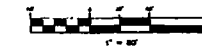
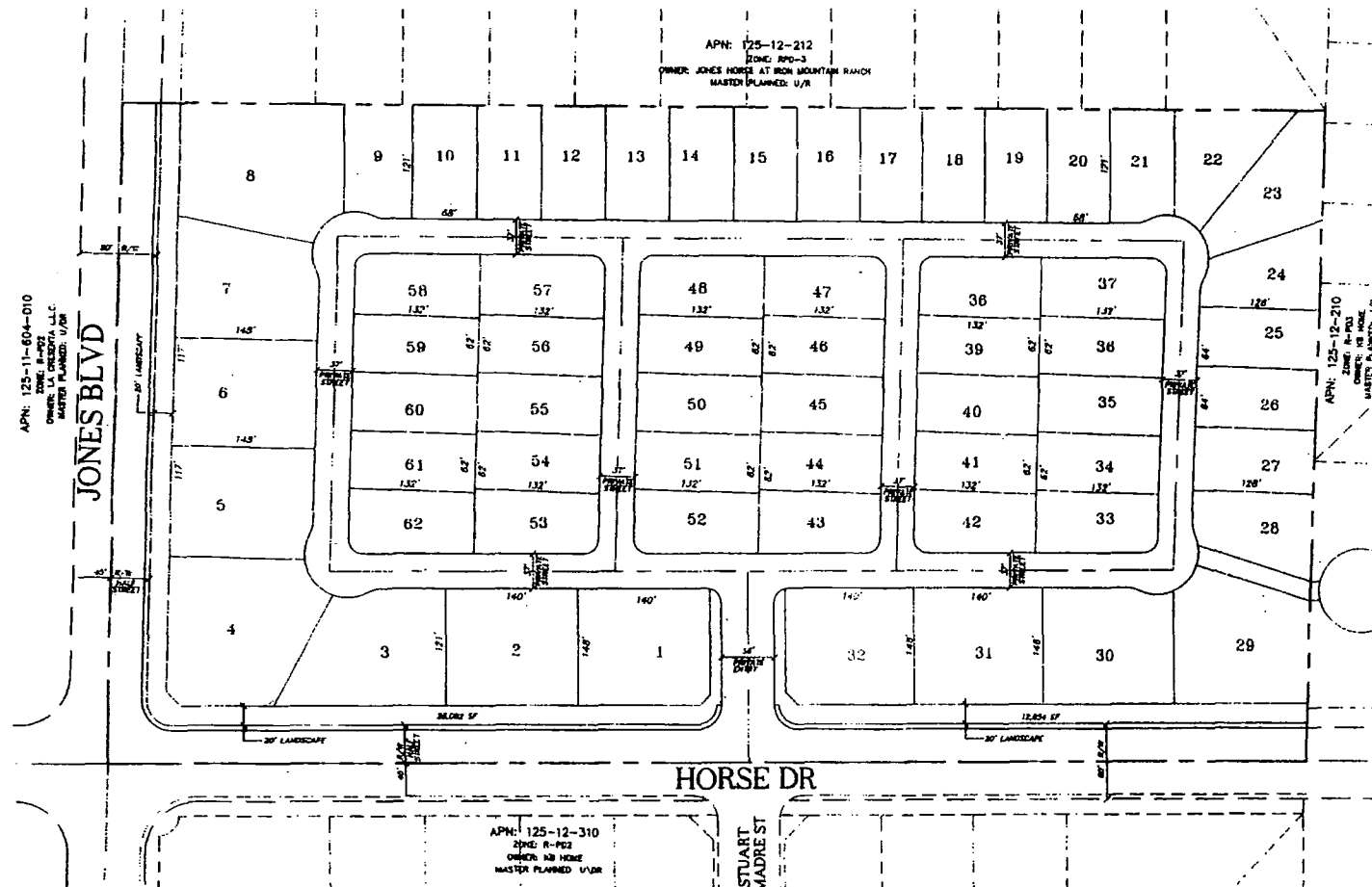
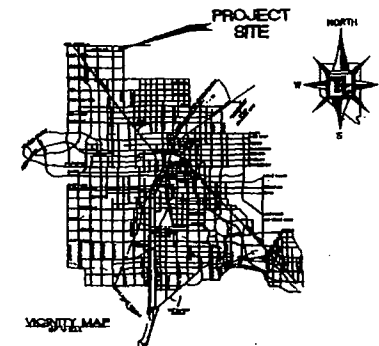
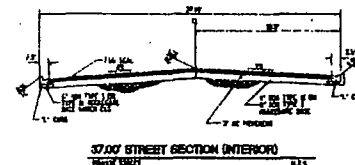
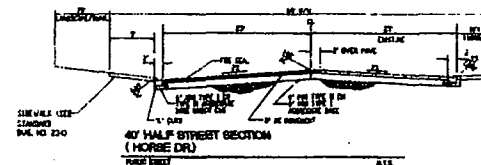
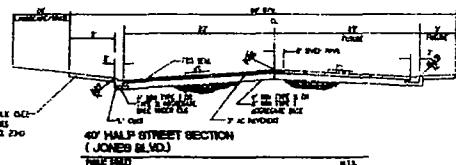
DEVELOPER
 UNIFIED CREDIT TRUST
 SHARON MARCHEL TRUST
 3950 E. ATCHISON WAY, #3
 ALHAMBRA, CA 91804-3185

OPEN SPACE TABULATION

LANDSCAPE PROVIDED 44,561 SQ. FT. (1.02 AC)
 1010'S x DUA + ACREAGE = OPEN SPACE ACREAGE
 OPEN SPACE REQUIRED 40,853 SQ. FT. (0.94 AC)

GENERAL NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 37' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREIN IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSURED.
5. THE PARKING ANALYSIS REQUIREMENTS ARE MET BY TWO CAR GARAGES. AVAILABLE PARKING IN THE DRIVEWAYS AND ON 37 FOOT STREETS MEETING THE STANDARD OF TWO PARKING SPACES PER DWELLING UNIT.



REVISIONS NO. 7A (7-17-04)

UNIFIED CREDIT TRUST	TETRA TECH, INC.
SITE PLAN	JONES/HORSE
ACCOMPANY ZC/SDPR	CITY OF LAS VEGAS
POSTED 0004	

REVISED
 7.20.04

GPA-4091
 ZON-4093
 VAR-4094
 SDR-4095
 7/22/04 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: AUGUST 18, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-4091 AND ZON-4093 - PUBLIC HEARING - **VAR-4094**
- **APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request for a Variance TO
ALLOW 34,340 SQUARE FEET OF OPEN SPACE WHERE 63,363 SQUARE FEET IS
REQUIRED FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.35
acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN 125-12-202-
001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation]
[PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre), Ward 6 (Mack).
Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 14

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 130 [GPA-4091] for all related discussion.

(3:38 – 3:44)

4-2465

CONDITIONS:

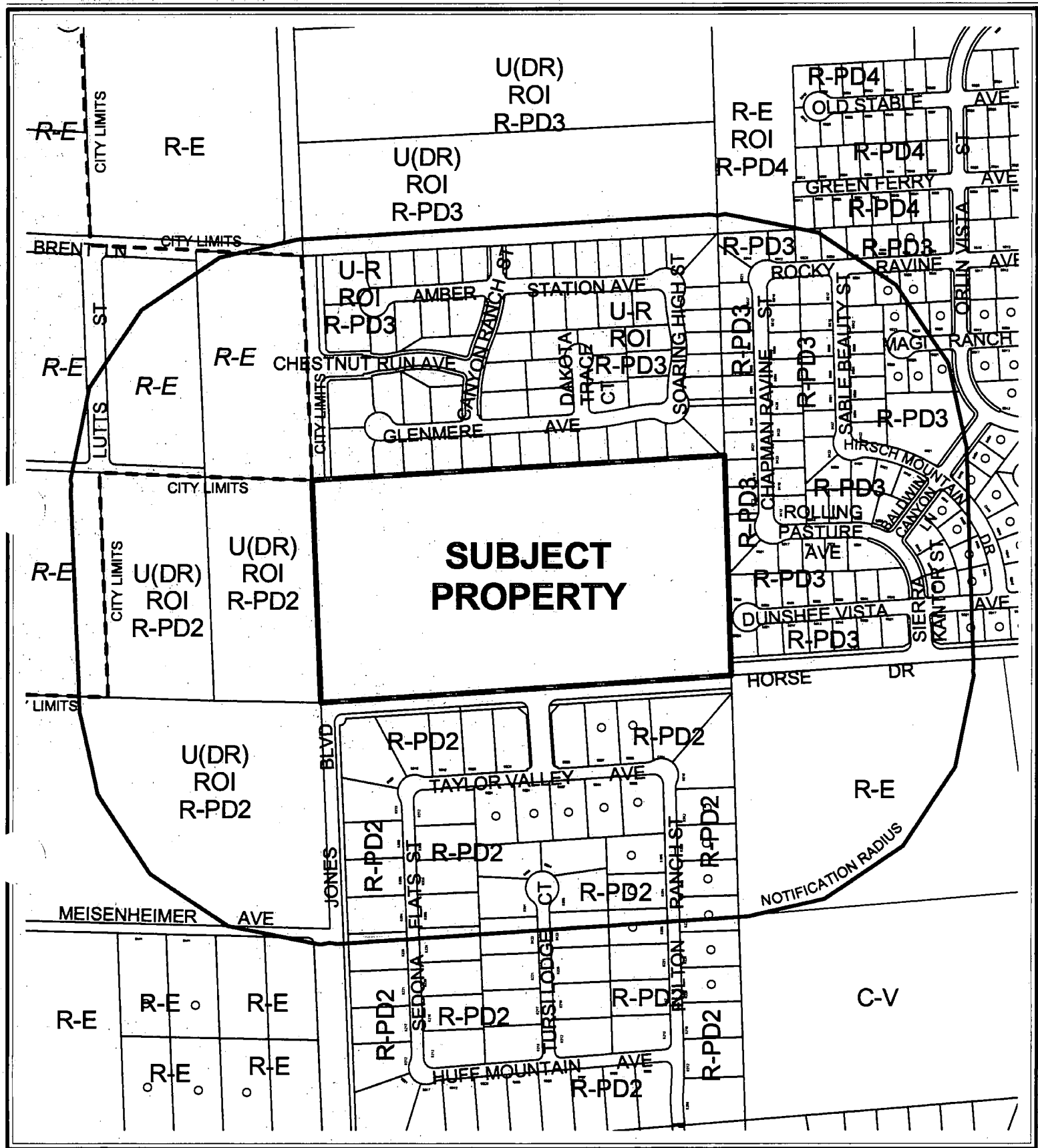
Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-4093) and Site
Development Plan Review (SDR-4095).

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 132 – VAR-4094

CONDITIONS – Continued:

2. This Variance for 0 square feet where 11,000 square feet is required shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$116,092 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.



CASE: VAR-4094

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

0 200 400 Feet



132



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-4094 - APPLICANT/OWNER: UNIFIED CREDIT TRUST

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-4093) and Site Development Plan Review (SDR-4095).
2. This Variance for 0 square feet where 11,000 square feet is required shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$116,092 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This original request was for approval of a Variance to allow 34,340 square feet of open space where 65,363 square feet of open space is required for a 20.35-acre single-family detached development adjacent to the northeast corner of Jones Boulevard and Horse Drive.

B) Applicant's Justification

It is the position of the applicant that providing larger lots for each of the homeowners is preferable to providing increased usable open space.

BACKGROUND INFORMATION

A) Previous Actions

- 04/22/04 The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant with an opportunity to redesign the site.
- 05/27/04 The Planning Commission voted to hold this and all related items in abeyance to the June 10, 2004 meeting to provide the applicant's representative to review the request.
- 06/10/04 The Planning Commission voted to hold this item in abeyance to the June 24, 2004 meeting to provide time for the applicant time to meet with the neighborhood.
- 06/24/04 The Planning Commission voted to TABLE this item.
- 07/22/04 The Planning Commission recommended approval of related items (GPA-4091, ZON-4093 and SDR-4095).
- 07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #14).

B) Pre-Application Meeting

- 02/27/04 At the pre-application conference meeting the following was discussed:
- The lots along the north property line should match those planned in the subdivision to the north.
 - R-PD Open Space standards apply.
 - Trail on Jones not required.
 - Area for the streetscape to be shown as a common lot.
 - Landscaping in the common lot will be one 24-inch box tree spaced thirty feet on center.

C) *Neighborhood Meetings*

03/23/04 A neighborhood meeting was held for the companion General Plan Amendment application. Fourteen residents attended the meeting.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 20.35 Acres

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East Undeveloped
West: Undeveloped

C) *Planned Land Use*

Subject Property DR (Desert Rural)
North R (Rural)
South DR (Desert Rural)
East R (Rural)
West DR (Desert Rural)

D) *Existing Zoning*

Subject Property U (Undeveloped) [DR (Desert Rural) General Plan Designation]
North U (Undeveloped) [R (Rural) General Plan Designation] under Resolution
 of Intent to R-PD3 (Residential Planned Development - 3 Units Per
 Acre)
South R-PD2 (Residential Planned Development - 2 Units Per Acre)
East R-PD3 (Residential Planned Development - 3 Units Per Acre)
West U (Undeveloped) [DR (Desert Rural) General Plan Designation] under
 Resolution of Intent to R-PD2 (Residential Planned Development- 2
 Units Per Acre)

E) *General Plan Compliance*

The site is located on the Centennial Hills Sector Plan area. The Centennial Hills Interlocal Land Use Plan designates this site as DR (Desert Rural). The density range for lands so designated is in the range of 0 to 2 units per acre. The Plan states that within such areas, "...the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals." The proposed development is outside the density range allowed under this land use designation. The proposed zoning change to the R-PD3 (Residential Planned Development - 3 Units per Acre) is not in conformance with the DR land use designation.

Special Districts/Zones	YES	NO
Special Area Plan		X
Special Overlay District		X
Study Area		X
Rural Preservation Neighborhood		X
DINA		X
Project of Regional Significance		X

A) Zoning Code Compliance

A1) Landscape and Open Space Standards: R-PD (Residential Planned Development)

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

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
20.35 acres	4.32 DUA	1.65	7.37 %	65,363 SF	3.87	34,340 SF

This application requests relief from this standard. The subject deviation was 31,023 square feet. The current request at approximately 11,000 square foot is significantly less.

B) General Analysis and Discussion

The applicant proposes a central park area located just inside of the subdivision. The park is connected to the interior street of the subdivision by a trail corridor. There is a pedestrian access shown that will be at the southeastern corner of the subdivision. The access will connect the interior of the subdivision to Horse Drive. The total area of 30,154 square feet does not meet the required 50,889 square feet required by the Code.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

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

Additionally, Title 19.18.070L states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of

the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented. The applicant has created a self-imposed hardship by proposing too many lots within the subdivision. An alternative subdivision design that has fewer lots would allow conformance to the Title 19 requirements for open space.

In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

PLANNING COMMISSION ACTION

The amended plan has significantly reduced the number of lots and amount of open space Variance requested.

NOTICES MAILED 125 by City Clerk

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-4094** APN: 125-12-202-001

Name of Property Owner: UNLEED CREDIT TRUST

Name of Applicant: UNIFIED CREDIT TRUST

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

Yes ☐ No ☒

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent _____

Print Name:

Subscribed and sworn before me

This 9th day of March, 2004

Notary Public in and for said County and State

TABULATION

APN # 125-12-202-001
 EXISTING ZONING U
 PROPOSED ZONING APE-4
 EXISTING LAND USE BK
 EXISTING LAND USE I
 NUMBER OF LOTS 62
 ACREAGE 18.5 AC ±
 DUA 3.33

OWNERS
 APN 125-12-202-001
 SHARON MARSHOL TRUST
 3952 S. HITCHCOCK WAY, #8
 ALBUQUERQUE, NM 87104-5823

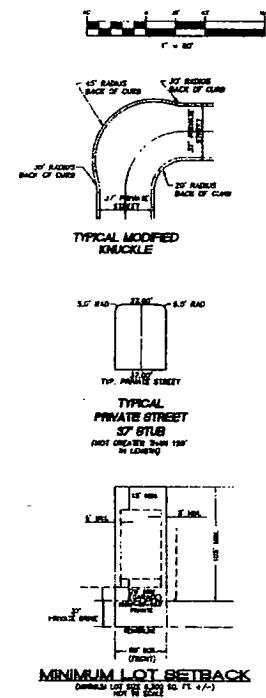
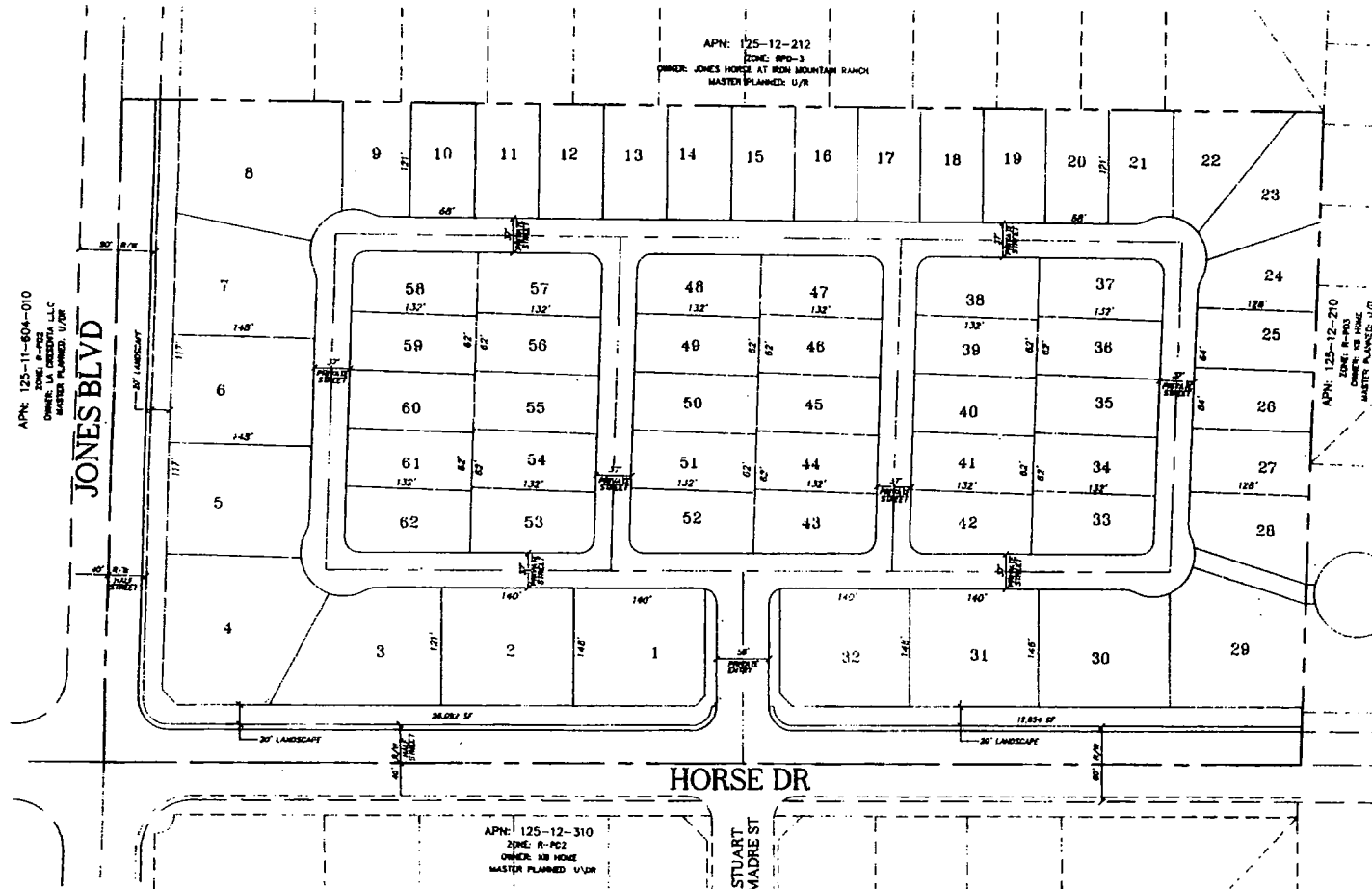
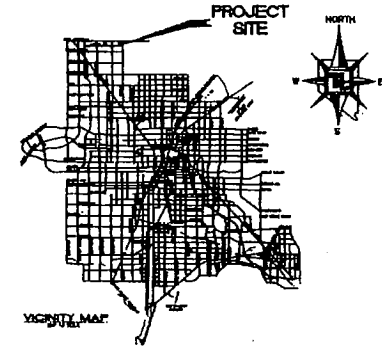
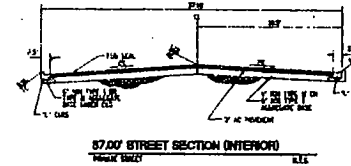
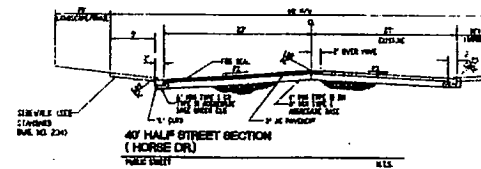
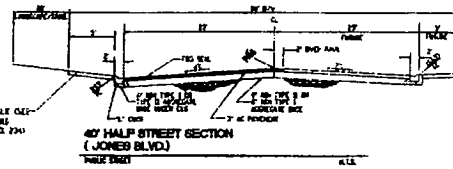
DEVELOPER
 APN 125-12-202-001
 SHARON MARSHOL TRUST
 3952 S. HITCHCOCK WAY, #8
 ALBUQUERQUE, NM 87104-5823

OPEN SPACE TABULATION

LANDSCAPE PROVIDED 44,561 SQ. FT. (1.02 AC)
 10163 ± DUA ± ALPHEGE = OPEN SPACE ACRES
 OPEN SPACE REQUIRED 40,933 SQ. FT. (0.94 AC)

GENERAL NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 32' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREIN IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSIGNED.
5. THE PARKING ANALYSIS MEASUREMENTS ARE MET AT TWO CAR GARAGES. AVAILABLE PARKING IN THE DRIVEWAYS AND ON 37' FOOT STREETS, MEETING THE STANDARD OF TWO PARKING SPACES PER DWELLING UNIT.



REVISIONS NO. 7A (7-17-04)

UNIFIED CREDIT TRUST		SITE PLAN		JONES/HORSE	
SUNBELT TRUST 4000 S. DILLON AVE. DALLAS, TEXAS 75219		ACCOUNTING ZC/ISOPR		CITY OF LAS VEGAS	
TETRA TECH, INC.		JONES/HORSE		CITY OF LAS VEGAS	
APN 125-12-202-001		JONES/HORSE		CITY OF LAS VEGAS	
APN 125-12-202-001		JONES/HORSE		CITY OF LAS VEGAS	
APN 125-12-202-001		JONES/HORSE		CITY OF LAS VEGAS	
APN 125-12-202-001		JONES/HORSE		CITY OF LAS VEGAS	
APN 125-12-202-001		JONES/HORSE		CITY OF LAS VEGAS	
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APN 125-12-202-001		JONES/HORSE		CITY OF LAS VEGAS	
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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: AUGUST 18, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4091, ZON-4093, AND VAR-4094 - PUBLIC HEARING - **SDR-4095 - APPLICANT/OWNER: UNIFIED CREDIT TRUST** - Request for a Site Development Plan Review FOR AN 88 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND FOR A WAIVER OF PERIMETER LANDSCAPING REQUIREMENTS on 20.35 acres adjacent to the northeast corner of Jones Boulevard and Horse Drive (APN 125-12-202-001), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****7****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 7/22/2004 Planning Commission meeting Item 15

MOTION:

MACK - APPROVED subject to conditions as read for the record and amended as follows:

- *All exterior walls and perimeter landscaping shall conform to the Iron Mountain Ranch Standards. Interior lighting of streets shall be by lamppost and exterior streetlights shall conform with the Iron Mountain Ranch streetlight standard.*

- UNANIMOUS

MINUTES:

NOTE: See Item 130 [GPA-4091] for all related discussion.

3:15 - 3:16)

5-1190

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 133 – SDR-4095

CONDITIONS:

Planning and Development

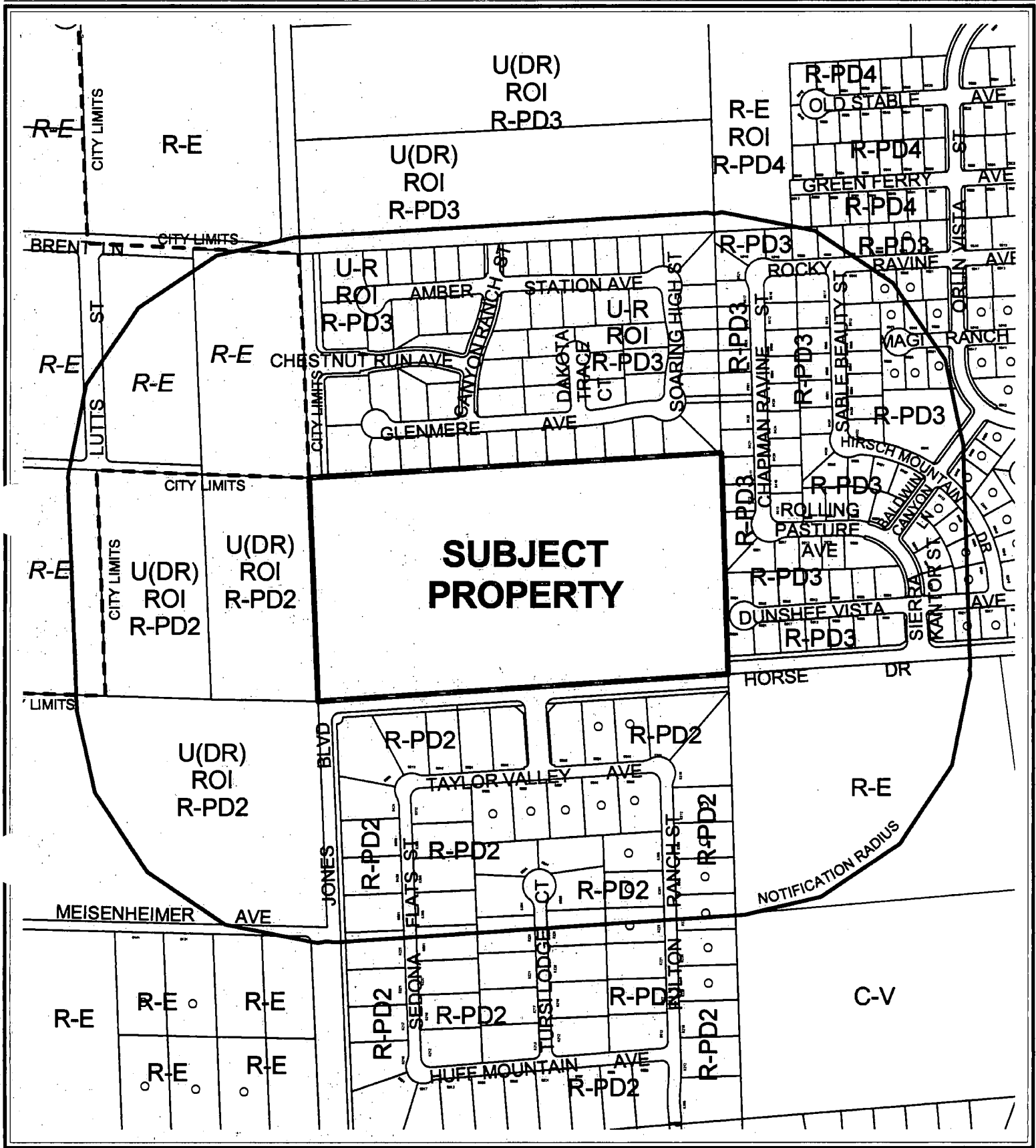
1. Horses are not allowed within the development.
2. A General Plan Amendment (GPA-4091) to R, Rezoning (ZON-4093) to R-PD3, Variance (VAR-4094) approved by the City Council.
3. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
4. 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.
5. All development shall be in conformance with the site plan and building elevations, date stamped July 17, 2004, except as amended by conditions herein for a maximum of 62 lots.
6. Maximum building height shall not exceed two stories or 35 feet whichever is less.
7. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 5 feet on the side, 7.5 feet on the corner side, and 15 feet in the rear.
8. The landscaping plan shall be amended to show conformance to Code Standards.
9. Landscaping and a permanent underground sprinkler system for common open space areas shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
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. 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. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF AUGUST 18, 2004
Planning and Development Department
Item 133 – SDR-4095

CONDITIONS – Continued:

Public Works

14. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
15. 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.
16. 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.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4093 and all other subsequent site-related actions.
18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard knuckles are proposed within this subdivision.



CASE: SDR-4095

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT - 5 UNITS PER ACRE)

0 200 400 Feet



133



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 18, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4095 – APPLICANT/OWNER: UNIFIED CREDIT TRUST

**** CONDITIONS ****

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

Planning and Development

1. Horses are not allowed within the development.
2. A General Plan Amendment (GPA-4091) to R, Rezoning (ZON-4093) to R-PD3, Variance (VAR-4094) approved by the City Council.
3. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
4. 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.
5. All development shall be in conformance with the site plan and building elevations, date stamped July 17, 2004, except as amended by conditions herein for a maximum of 62 lots.
6. Maximum building height shall not exceed two stories or 35 feet whichever is less.
7. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 5 feet on the side, 7.5 feet on the corner side, and 15 feet in the rear.
8. The landscaping plan shall be amended to show conformance to Code Standards.
9. Landscaping and a permanent underground sprinkler system for common open space areas shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
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. 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. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
15. 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.
16. 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.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4093 and all other subsequent site-related actions.
18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard knuckles are proposed within this subdivision.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review and a waiver of perimeter landscaping requirements for an 88 lot residential subdivision on 20.35 acres located adjacent to the northeast corner of Jones Boulevard and Horse Drive.

A General Plan Amendment (GPA-4091) and a Rezoning (ZON-4093) application were submitted as companion items.

Since the May 27th Planning Commission meeting, the applicant has submitted a revised plan showing 71 lots, with a minimum lot size of 6,300 square feet. A centralized park area of 30,164 square feet is provided for common open space in this project.

B) Applicant's Justification

According to the applicant, growth within the City of Las Vegas confines is developing at a rapid pace. They believe that the area in question would easily lend itself to slightly more intense residential development. While surrounded by very low density single family residential development, the increase in the cost of land since the General Plan was adopted plays a mitigating role in the desire for increased density.

The minimum lot size is 6,300 square feet. A total of 30,164 square feet of open space, instead of the required 50,889 square feet, is proposed. A companion Variance (VAR-4094) has been filed to address the difference in open space.

BACKGROUND INFORMATION

A) Previous Actions

04/22/04	The Planning Commission voted to hold this item in abeyance in an effort to provide the applicant with an opportunity to redesign the site.
05/27/04	The Planning Commission voted to hold this and all related items in abeyance to the June 10, 2004 meeting to provide the applicant's representative to review the request.
06/10/04	The Planning Commission voted to hold this item in abeyance to the June 24, 2004 meeting to provide time for the applicant time to meet with the neighborhood.
06/24/04	The Planning Commission voted to TABLE this item.
07/22/04	The Planning Commission recommended approval of related items (GPA-4091, ZON-4093 and VAR-4094).

07/22/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #15).

B) Pre-Application Meeting

02/27/04 At the pre-application conference meeting the following was discussed:

- The lots along the north property line should match those planned in the subdivision to the north.
- R-PD Open Space standards apply.
- Trail on Jones not required.
- Area for the streetscape to be shown as a common lot.
- Landscaping in the common lot will be one 24-inch box tree spaced thirty feet on center.

C) Neighborhood Meetings

03/23/04 The required General Plan Amendment meeting was held with 14 residents in attendance.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 20.35

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property	DR (Desert Rural)
North	R (Rural)
South	DR (Desert Rural)
East	R (Rural)
West	DR (Desert Rural)

D) Existing Zoning

Subject Property	U (Undeveloped) [DR (Desert Rural) General Plan Designation]
North	U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent R-PD3 (Residential Planned Development – 3 Units Per Acre)
South	R-PD2 (Residential Planned Development – 2 Units Per Acre)
East	R-PD3 (Residential Planned Development – 3 Units Per Acre)

West U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent R-PD2 (Residential Planned Development – 2 Units Per Acre)

E) General Plan Compliance

The site is located on the Centennial Hills Sector Plan area. The Centennial Hills Interlocal Land Use Plan designates this site as DR (Desert Rural). The density range for lands so designated is in the range of 0 to 2 units per acre. The Plan states that within such areas, "...the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals." The proposed development is outside the density range allowed under this land use designation. The proposed zoning change to the R-PD5 (Residential Planned Development - 5 Units Per Acre) is not in conformance with the DR (Desert Rural) land use designation.

Special Districts/Zones	YES	NO
Special Area Plan		X
Special Overlay District		X
Study Area		X
Rural Preservation Neighborhood		X
DINA		X
Project of Regional Significance		X

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review and a waiver of perimeter landscaping requirements for a 71 lot residential subdivision on 20.35 acres located adjacent to the northeast corner of Jones Boulevard and Horse Drive. The west property line of the subject parcel is Jones Boulevard and the south property line follows Horse Drive, both 80-foot Secondary Collectors on the Master Plan of Streets and Highways. Access to subdivision will be from Horse via a private entry. A 30,164 square foot park area is centrally located just inside of the subdivision. A trail is planned that will allow pedestrian access to the park from the northern most street in the subdivision.

ANALYSIS

Zoning Code Compliance

A1) Development Standards

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

Standards	Proposed	Compliance
Min. Lot Size	6,300 Sq. Feet	Y
Min. Lot Width	60 Feet	Y
Min. Setbacks		
• Front	20 Feet	Y
• Side	5 Feet	Y
• Corner	7.5 Feet	Y
• Rear	15 Feet	Y
Max. Lot Coverage	60 %	Y
Max. Building Height	2 Stories / 35 Feet	Y

The proposal meets the requirements for an R-PD (Residential Planned Development) development.

A2) Residential Adjacency Standards

The Residential Adjacency Standards Pursuant to Title 19.08 do not apply to the subject proposal.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
SFD	N/A	2 per Unit	2	N/A	2	N/A

The proposal meets the requirements of Title 19.10 for parking.

A4) Landscape Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	N/A	N/A	N/A
Buffer:			
• Min. Trees	1 Trees/ 30 Linear Feet	1,880/30= 63 Trees	39
• Min. Zone Width	6 Feet		5 feet
• Wall height	6 Feet		Not Shown

The proposal does not meet the landscaping requirements of the Urban Design Guidelines and Standards. A waiver of the perimeter landscaping standards has been requested by the applicant and is a part of this application.

A5) Open Space Standards:

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

Total Acreage	Density	Ratio	Required		Provided	
			Percent	Area	Percent	Area
20.35 acres	3.83 DUA	1.65	7.37 %	50,889 SF	3.87	30,164 SF

The proposal has requested relief from this standard. The subject deviation is 31,023 square feet. A companion variance (VAR-4094) has been submitted to address the applicant's proposal.

B) General Analysis and Discussion

- **Zoning**

The proposed L (Low Density residential) land use designation would allow the R-1 (Single Family Residential), R-MH (Manufactured Home) and R-PD (Residential Planned Development) with a density up to 5.49 dwellings unit per acre) zoning districts. The uses that are allowed in these zoning districts would not be compatible with the existing zoning districts in place in the neighborhood surrounding the subject site, which are U (Undeveloped) [DR (Desert Rural) General Plan Designation], R-PD3 (Residential Planned Development – 3 Units Per Acre), U (Undeveloped) [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units Per Acre) and R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning districts.

In terms of existing land uses, the zoning districts that would be allowed under an L (Low Density residential) land use designation would not be compatible with the very low-density, rural estate residential development that currently exists on sites adjacent to or nearby the subject site.

- **Site Plan**

The west property line of the subject parcel is Jones Boulevard and the south property line follows Horse Drive, both 80-foot Secondary Collectors on the Master Plan of Streets and Highways. Access to subdivision will be from Horse via a private entry. A park area, that comprises approximately 2/3rds of the provided open space, is located just inside of the subdivision. A trail is planned that will allow pedestrian access to the park from the northern most street in the subdivision.

- **Waivers**

A waiver of the perimeter landscaping standards has been requested by the applicant and is a part of this application. The applicant has not provided sufficient justification for waiving this standard.

- **Landscape Plan**

The proposal does not meet the landscaping requirements of the Urban Design Guidelines and Standards.

- **Elevation**

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

- **Floor Plan**

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

FINDINGS

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

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

The site is completely surrounded by lands designated in the City’s Centennial Hills Sector Plan for Desert Rural and Rural land uses. The change in land use designation L (Low Density Residential) will allow uses, densities and intensities incompatible with the surrounding planned development.

Approval of Low Density Residential on the subject site would represent a “spot zoning” designation that would be inappropriate in the context of surrounding long-term, very low-density rural land uses.

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

The proposed development is inconsistent with the General Plan. It is inconsistent with the open space standards of the Code. A companion variance (VAR-4094) has been submitted to address the applicant’s proposal. It is inconsistent with the Landscape, Wall and Buffer Standards and a waiver of the perimeter standards is part of this application for a Site Development Plan Review.

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

The subject site has access to Horse Drive and Jones Boulevard, both of which are designated as Secondary (80-foot) Collectors on the Master Plan of Streets and Highways.

The traffic capacity of Jones and Horse is consistent with the development as planned (very low density residential) for the immediate area. The traffic generated by the proposed density on the subject site will exceed that capacity.

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

The building and landscape materials are appropriate for this type of development. The issue is, however, that this type of project should not be located in this rural area of the City.

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

The building elevations are typical of single-family residential developments and will be compatible with surrounding development; it is, however, a development that exceeds the density characteristic of the area that will not be compatible with existing rural development and the aesthetics of that development in the area.

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.

PLANNING COMMISSION ACTION

There was one speaker protesting this project at the Planning Commission. The application has been significantly amended (62 units instead of 88). The Planning Commission added Condition #1 and amended #2 as shown.

NOTICES MAILED 51

APPROVALS 0

PROTESTS 7

TABULATION

APN # 125-12-202-001
 EXISTING ZONING U
 PROPOSED ZONING APE-4
 EXISTING LAND USE BK
 EXISTING LAND USE I
 NUMBER OF LOTS 62
 ACREAGE 18.5 AC +
 DUA 3.33

OWNERS
 APN 125-12-202-001
 UNIFIED CREDIT TRUST
 SHARON MARSHALL TRUST
 3950 S. ATCHISON WAY, #8
 AURORA, CO 80014-5283

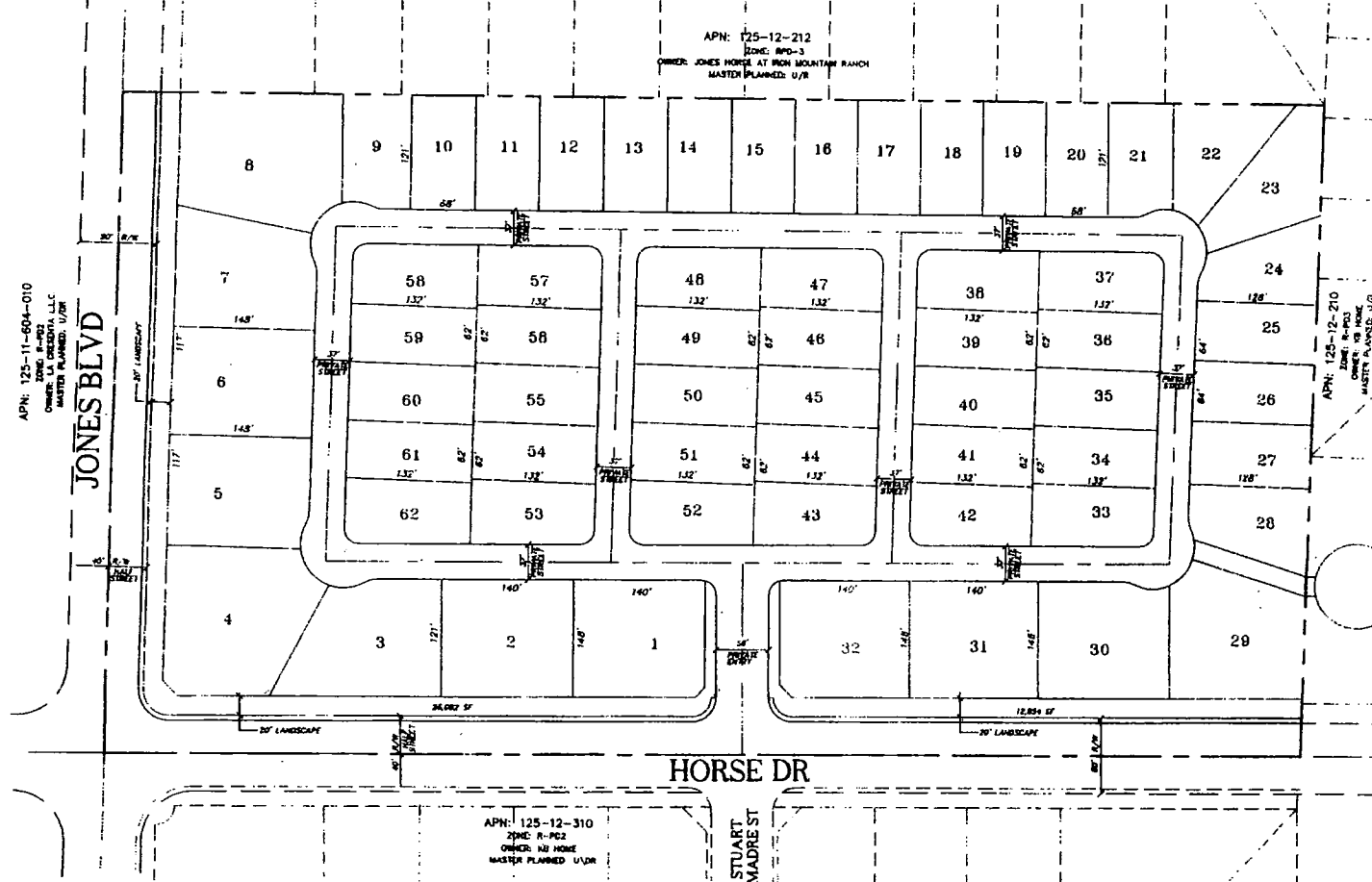
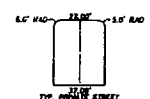
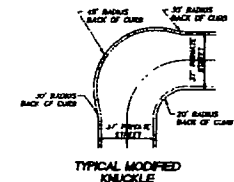
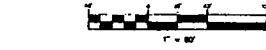
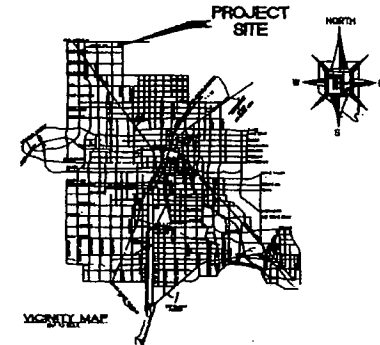
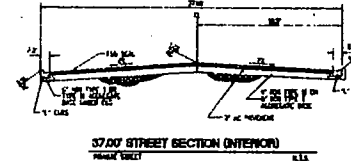
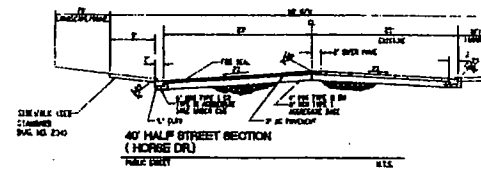
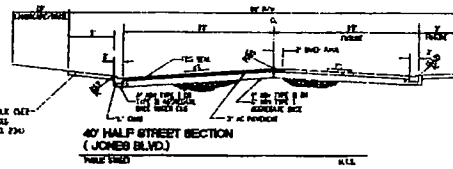
DEVELOPER
 APN 125-12-202-001
 UNIFIED CREDIT TRUST
 SHARON MARSHALL TRUST
 3950 S. ATCHISON WAY, #8
 AURORA, CO 80014-5283

OPEN SPACE TABULATION

LANDSCAPE PROVISION 44,561 SQ. FT. (1.02 AC)
 100% x DUA + ACREAGE = OPEN SPACE ACRES
 OPEN SPACE REQUIRED 40,953 SQ. FT. (0.94 AC)

GENERAL NOTES

1. THERE ARE NO EXISTING STRUCTURES LOCATED ON THIS SITE.
2. ALL STREETS ARE 37' PRIVATELY MAINTAINED RIGHTS-OF-WAY.
3. THE BOUNDARY SHOWN HEREON IS FROM RECORD INFORMATION AND IS NOT INTENDED TO REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY SURVEY.
4. THIS PLAN IS ILLUSTRATIVE AND IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSURED.
5. THE PARKING ANALYSIS REQUIREMENTS ARE MET BY TWO CAR GARAGES. AVAILABLE PARKING IN THE DRIVEWAYS AND DR. 37 FOOT STREETS, MEETING THE STANDARD OF TWO PARKING SPACES PER TRAVELLING UNIT.



APN: 125-11-604-010
 ZONE: R-102
 OWNER: LA CRESCITA, LLC
 MASTER PLANNED: U/R

APN: 125-12-212
 ZONE: RMD-3
 OWNER: JONES HORSE AT MOUNTAIN RANCH
 MASTER PLANNED: U/R

APN: 125-12-210
 ZONE: RMD-3
 OWNER: JONES HORSE
 MASTER PLANNED: U/R

APN: 125-12-310
 ZONE: R-102
 OWNER: JONES HORSE
 MASTER PLANNED: U/R

UNIFIED CREDIT TRUST

SITE PLAN
 ACCOMPANY ZC/BDPR

TETRA TECH, INC.

JONES/HORSE
 CITY OF LAS VEGAS

REVISIONS NO.7A (7-17-04)

REVISED
 7.20.04

GPA-4091
 ZON-4093
 VAR-4094
 SDR-4095
 7/22/04 PC