

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4630 - APPLICANT: STATE OF NEVADA PUBLIC WORKS BOARD - OWNER: STATE OF NEVADA BUILDING & GROUNDS - Request for a Site Development Plan Review FOR A PROPOSED TWO STORY, 62,500 SQUARE FOOT DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION BUILDING on 8.12 acres adjacent to the southwest corner of St. Louis Avenue and McLeod Street (a portion of APN 162-01-402-006), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVE SCHMIDT, Project Manager/Registered Architect and Urban Planner for state of Nevada Public Works Board, appeared on behalf of the applicant and stated the applicant concurs with all conditions so stated at the Planning Commission Meeting. MIKE PURTILLI, Dekker/Holmes/Sabatini, confirmed the landscaping plans were the same that COUNCILMAN REESE viewed previously. COUNCILMAN REESE then stated his approved of the plans, and MAYOR GOODMAN confirmed with the Planning Department and with the City Clerk that the conditions were in order.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(1:39 – 1:41)

3-1292

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004
Planning and Development
Item 87 – SDR-4630

CONDITIONS:

Planning and Development

1. A revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf, prior to the start of construction.
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 August 18, 2004 except as amended by conditions herein.
4. The applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site, prior to the start of construction.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004
Planning and Development
Item 87 – SDR-4630

CONDITIONS Continued:

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

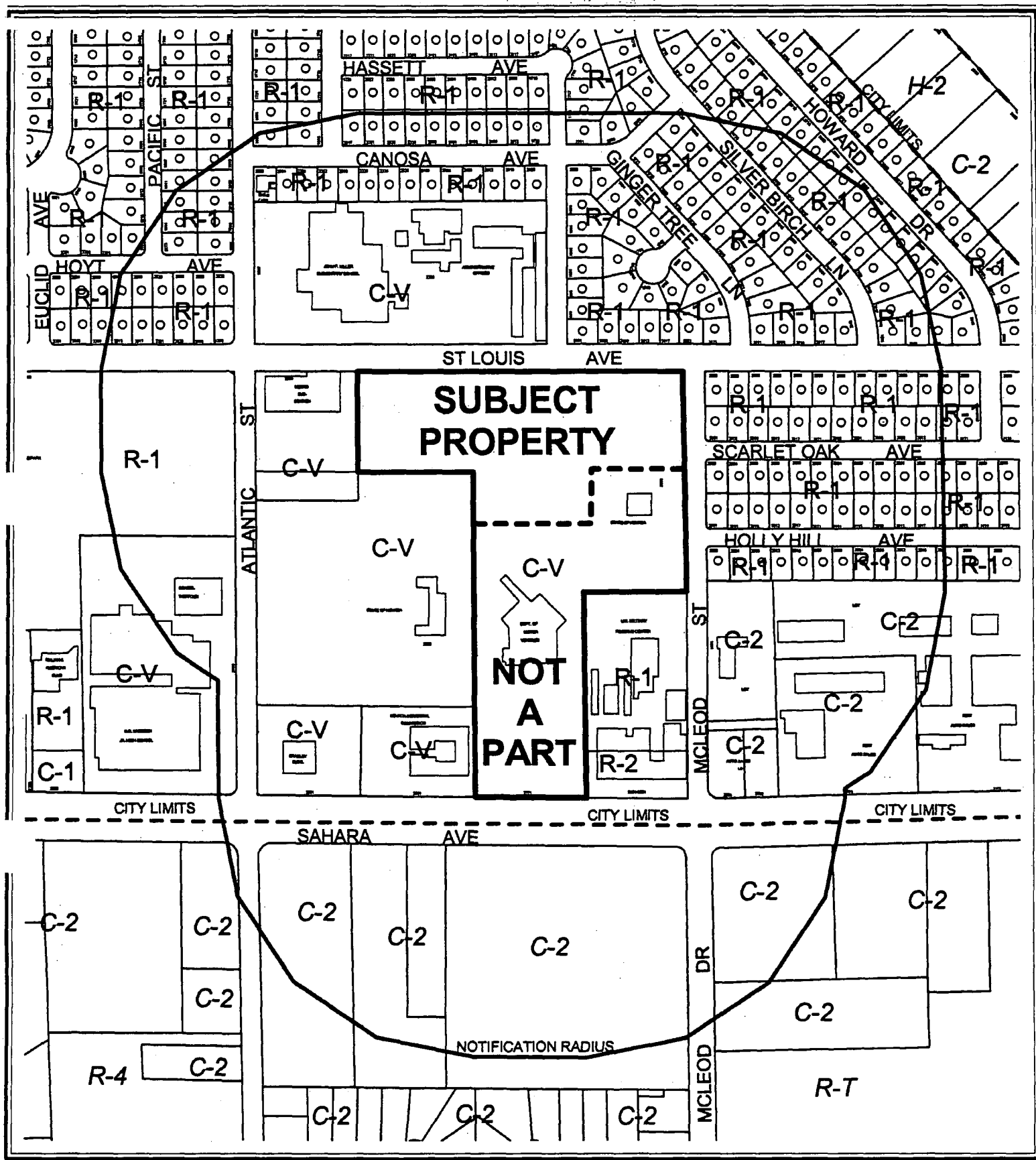
Public Works

12. Dedicate a 20 foot radius on the southwest corner of St. Louis Street and McLeod Street prior to the issuance of any permits.
13. Construct all incomplete half-street improvements on St. Louis Street and McLeod Street 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.
14. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
15. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
16. 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, 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.

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004
Planning and Development
Item 87 – SDR-4690

CONDITIONS Continued:

17. 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: **SDR-4630**

RADIUS 750 FT

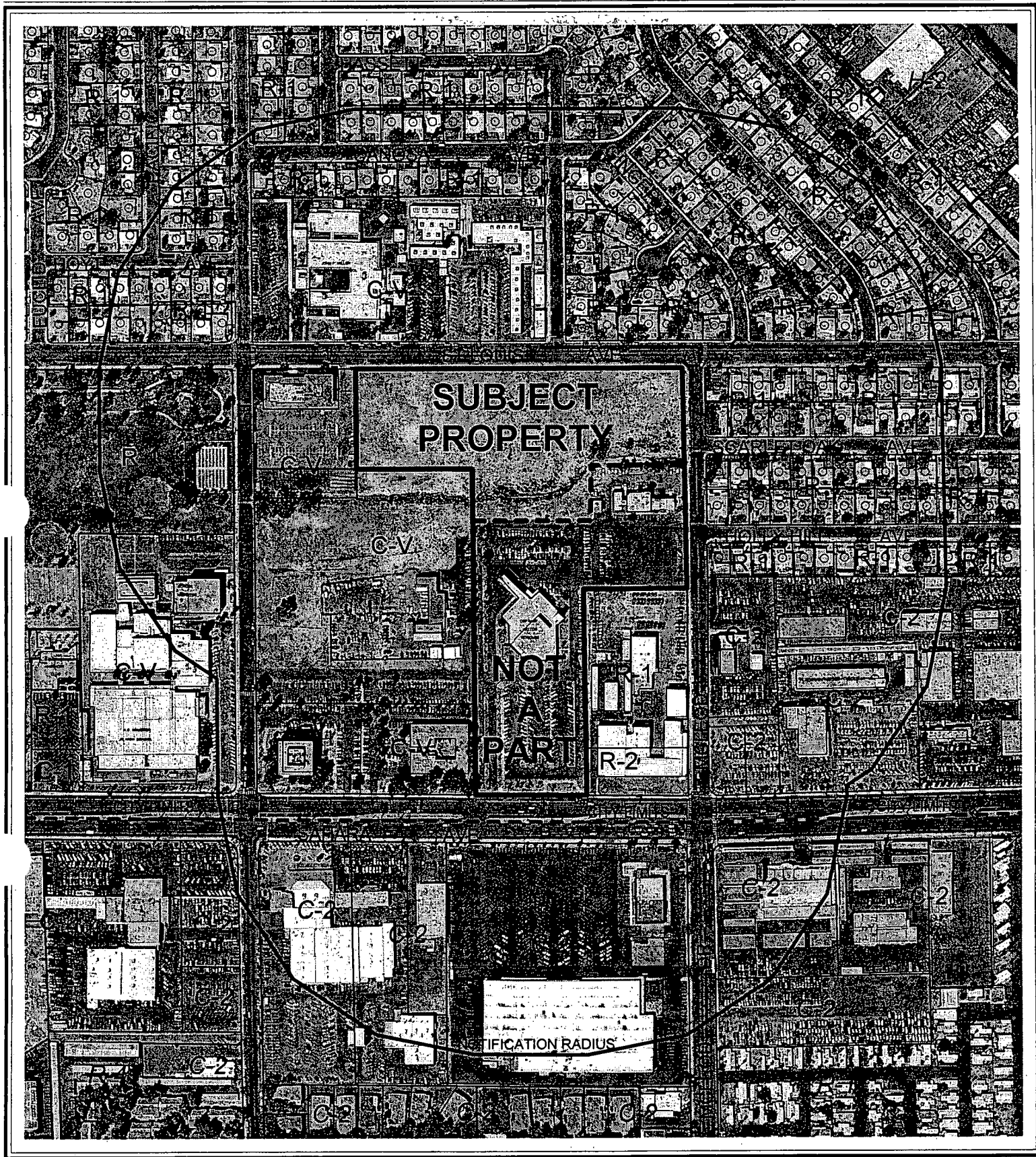
ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 300 600 Feet



87





CASE: SDR-4630

RADIUS 750 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - SDR-4630 - APPLICANT: STATE OF NEVADA PUBLIC WORKS BOARD OWNER: STATE OF NEVADA BUILDING & GROUNDS

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 18, 2004 CITY COUNCIL MEETING AT COUNCILMAN REESE'S REQUEST.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf, prior to the start of construction.
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 August 18, 2004 except as amended by conditions herein.
4. The applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site, prior to the start of construction.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Dedicate a 20 foot radius on the southwest corner of St. Louis Street and McLeod Street prior to the issuance of any permits.
13. Construct all incomplete half-street improvements on St. Louis Street and McLeod Street 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.
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15. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
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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.

17. 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 Site Development Plan Review for a 62,500 square-foot office building to be located at the southwest corner of St. Louis Avenue and McLeod Street.

B) Applicant's Justification

The proposed office building will be an asset to the community by integrated walking paths and native landscaping, by implementing stormwater detention swales to detain flood water along the south edge of the site, and by utilizing materials and colors that reflect the desert environment while creating a warm, inviting place for the public to take advantage of the State of Nevada's employment assistance programs.

BACKGROUND INFORMATION

A) Previous Actions

07/22/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #9- KW).

B) Pre-Application Meeting

05/26/04 The following issues were discussed at the meeting with applicant.

- A traffic study will be required.
- A contribution to the traffic signal fund is required.
- The gated employee parking lot will need to meet gated entry standards.
- The meandering sidewalk will need an encroachment agreement.
- A drainage study is needed or will need to be updated.
- Substandard improvements will need to be removed or replaced.
- A standard corner radius will need to be dedicated.
- The driveway may need to be aligned with the school's across St. Louis.
- The parking lot will need to be screened from the street.
- 1 tree per six spaces is required.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 8.12

B) *Existing Land Use*

Subject Property: Public Facility
North: Single Family Residential/Public Facility
South: Public Facility
East: Single Family Residential
West: Public Facility

C) *Planned Land Use*

Subject Property: PF (Public Facility)
North: PF (Public Facility)
L (Low Density Residential)
South: Clark County
East: PF (Public Facility)
L (Low Density Residential)
West: POS (Park Open Space)
PF (Public Facility)

D) *Existing Zoning*

Subject Property: C-V (Civic)
North: C-V (Civic)
R-1 (Single Family Residential)
South: C-V (Civic)
East: R-1 (Single Family Residential)
West: C-V (Civic)

E) *General Plan Compliance*

Southeast General Plan

The subject site is designated PF (Public Facility) on the southeast Sector Map of the General Plan. The proposed C-V (Civic) zoning district is consistent with the General Plan designation, and the proposed office building is a permitted use.

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

The project does not fall within any special districts or zones.

PROJECT DESCRIPTION

The site consists of a 62,500 square-foot office building with parking accessed from St. Louis Street. Access to the site is provided via three driveways from St. Louis, a 60-foot Collector Street. There are 320 parking spaces on site, 226 for employees and 94 for the public.

The building elevations depict aesthetically pleasing buildings that are compatible with the surrounding development.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Under the C-V (Civic) development standards are established by condition and the approved plan. The Development Standards Pursuant to Title 19.08 do not apply to the subject proposal.

A2) Residential Adjacency Standards

Under the C-V (Civic) development standards are established by condition and the approved plan. 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 Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
General Office	62,500 SF.	1 space/ 300 GFA	208	7	320	12

The proposal exceeds the requirements for parking per Title 19.10.

A4) Landscape and Open Space Standards

Under the C-V (Civic) development standards are established by condition and the approved plan. The Landscape and Open Space Standards Pursuant to Title 19.12 do not apply to the subject proposal.

B) General Analysis and Discussion

- Zoning

The proposed C-V (Civic) zoning district is consistent with the PF (Public Facility) land use designation as described in the General Plan and Title 19. The proposed office building is a permitted use.

Civic uses are compatible with even the lowest intensity uses because C-V (Civic) uses are typically low intensity, have short hours of operation, and usually not open on the weekend.

- Site Plan

The site plan shows the building in the middle of the site with landscaped berms and pathways between the building and the street. The parking lots are separated from the building and the streets by landscaped berms and trails. The effect is a park-like environment with the building as an accessory.

- Waivers

Waivers are not necessary as the standards of this development are established by the approval of this Site Development Plan Review.

- Landscape Plan

Under the C-V (Civic) development standards are established by condition and the approved plan. The Landscape and Open Space Standards Pursuant to Title 19.12 do not apply to the subject proposal.

- Elevation

The elevation shows a low profile two story building that will be unobtrusive to neighboring uses and fit in well with the rolling landscaping around the building.

- Floor Plan

The floor plan shows an office-building layout typical for this type of use.

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 in a predominantly public use area along a collector street that is a short distance of Maryland Parkway to the west and Sahara Avenue to south.. The proposed office building is compatible with development in the area.

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;”**

Under the C-V (Civic) development standards are established by condition and the approved plan. The **Landscape, Wall and Buffer Standards** and other development standards do not apply to the subject proposal.

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

Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

The building and landscape materials will be appropriate for this area and for the City.

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

The buildings are not unsightly and will be harmonious and compatible with development in the area.

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

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

PLANNING COMMISSION ACTION

The Planning Commission amended Conditions 1 and 4 as shown at the request of the applicant.

NOTICES MAILED 213 by Planning Department

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-4630** APN: 102-01-402-006

Name of Property Owner: State of Nevada

Name of Applicant: Nevada State Public Works Board

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

 Yes

 ~~X~~ No

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

City Official: _____

Partner(s): _____

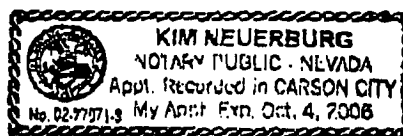
APN: _____

Signature of Property Owner/Authorized Agent: [Signature]

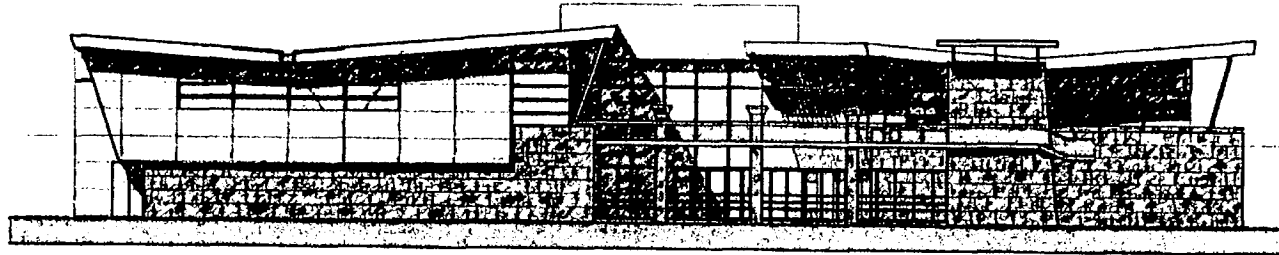
Print Name: Pamela B. Wilcox

Subscribed and sworn before me

This 4th day of June, 2004
Shirley Lowery
 Notary Public in and for said County and State



State of Nevada Department of Employment, Training and Rehabilitation

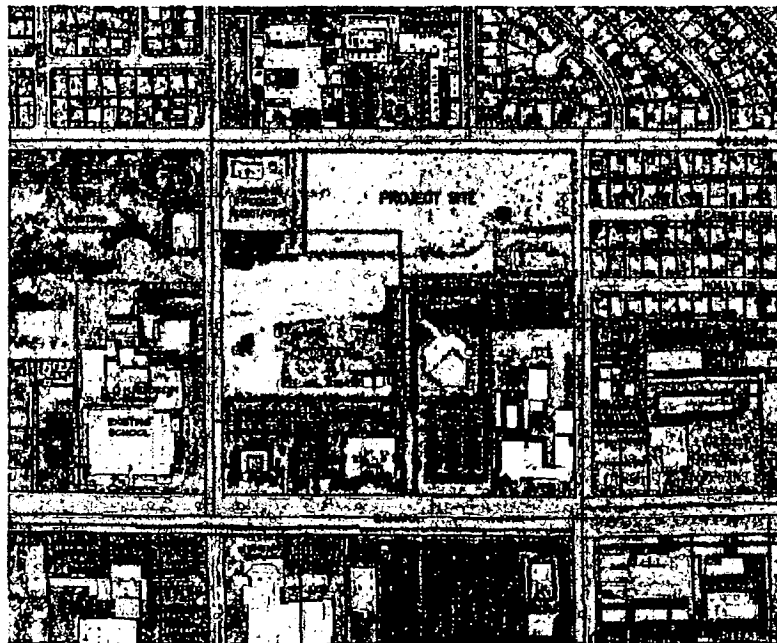


SITE DEVELOPMENT REVIEW SUBMITTAL 5.27.04

PROJECT LIMITS:

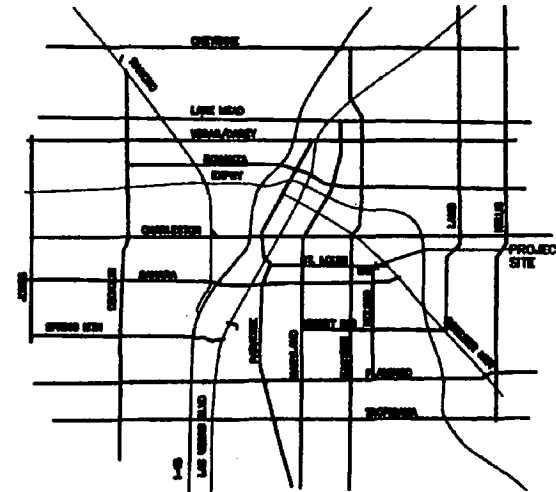
PROJECT DATA:

VICINITY MAP:



BUILDING GROSS SF: 62,800 SF
PROPERTY SIZE: 166,886 SF OR 3.75 ACRES
F.A.R.: .46
DENSITY: N/A

MIN. 100' TYPICAL LOT FRONTAGE
OFFICE, ONE SPACE PER 100 SF OF GFA
62,800 GROSS SQUARE FEET (BUILDING)
62,800 / 100 = 308 SPACES
308 PARKING SPACES REQUIRED
300 PARKING SPACES PROVIDED
8 HANDICAPPED PARKING SPACES REQUIRED
13 HANDICAPPED PARKING SPACES PROVIDED



SDR-4630
7-22-04 PC

Dekker
Perich
Holmes
Sabatini

State of Nevada
Department of Employment, Training and Rehabilitation
2300 E. St. Louis Avenue
Las Vegas, NV 89104

DATE: 5/27/04
PROJECT NO: 05000
DRAWING NO: 05000
SITE & PARKING
ANALYSIS /
VICINITY MAP

DISTRICT
SCHOOL
APR 163-01-301-001
ZONING: R-1

DISTRICT
RESIDENCE
APR 163-01-314-001
ZONING: R-1

DISTRICT
RESIDENCE
APR 163-01-314-002
ZONING: R-1

DISTRICT
RESIDENCE
APR 163-01-314-003
ZONING: R-1

DISTRICT
RESIDENCE
APR 163-01-314-004
ZONING: R-1

DISTRICT
RESIDENCE
APR 163-01-314-005
ZONING: R-1

DISTRICT
RESIDENCE
APR 163-01-314-006
ZONING: R-1

ST. LOUIS STREET

DISTRICT STATE OF NEVADA
DEPARTMENT OF MOTOR VEHICLES
APR 163-01-403-008
ZONING: CV

DISTRICT STATE OF NEVADA
DEPARTMENT OF AGRICULTURE
APR 163-01-403-008
ZONING: CV

DISTRICT
RESIDENCE
APR 163-01-311-001
ZONING: R-1

DISTRICT
RESIDENCE
APR 163-01-311-001
ZONING: R-1

SITE PLAN

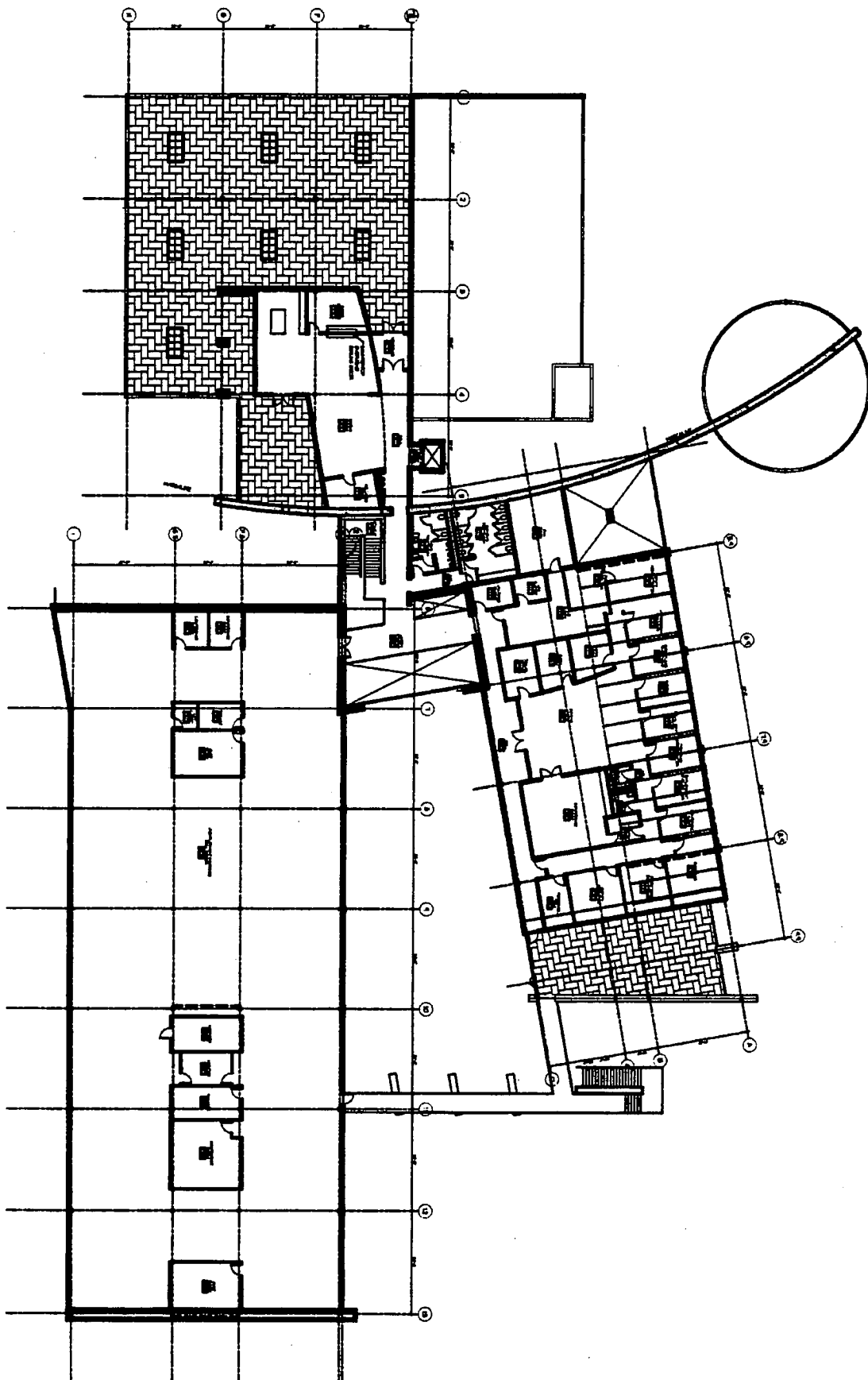


State of Nevada
Department of Employment, Training and Rehabilitation
2300 E. St. Louis Avenue
Las Vegas, NV 89104

Dektor
Peich
Reinos
Sabatini

SDR-4630
7-22-04 PC

DATE: 09/17/04
DRAWN BY: [illegible]
CHECKED BY: [illegible]
DESIGNED BY: [illegible]
SITE PLAN



SDR-4630
7-22-04 PC

State of Nevada
Department of Employment, Training and Rehabilitation
2300 E. St. Louis Avenue
Las Vegas, NV 89104

**Dekker
Perich
Holmes
Sabatini**

**Dekker
Perich
Holmes
Sabatini**
ARCHITECTS
P.C.
2300 E. ST. LOUIS AVENUE
LAS VEGAS, NV 89104
TEL: 702.735.1111
FAX: 702.735.1112
WWW.DPHS.COM

PROJECT

DATE

PROJECT

State of Nevada
D.E.T.R. Office Building
2300 E. St. Louis Avenue
Las Vegas, Nevada 89104

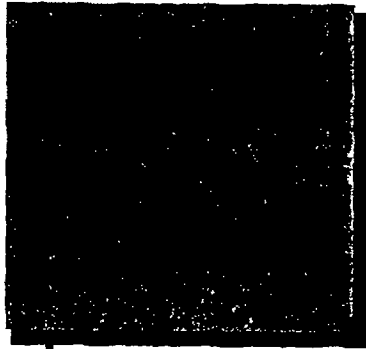
REVISIONS
Δ
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Δ
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DRAWN BY
REVIEWED BY
DATE 08.08.04
PROJECT NO. 08000
DRAWING NAME

EXTERIOR
COLOR/MATERIAL
BOARD

SHEET NO.

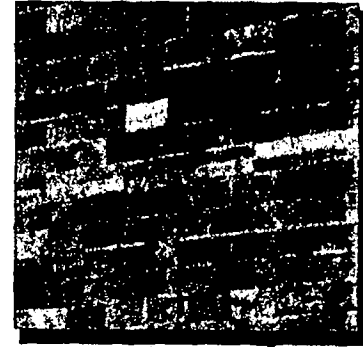
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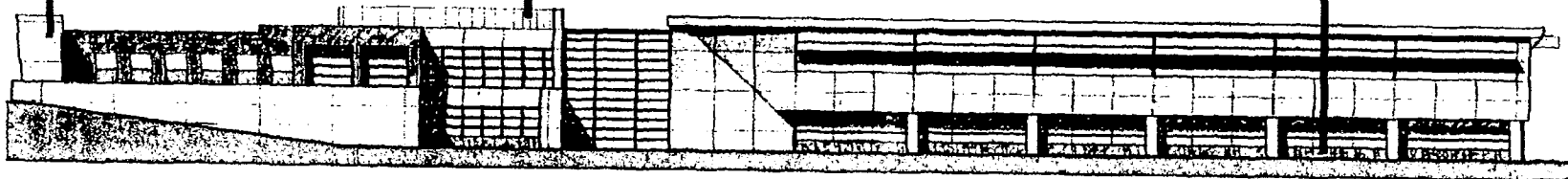
LIGHT SAND FINISH STUCCO



ARCHITECTURAL PRECAST CONCRETE (GRAY)

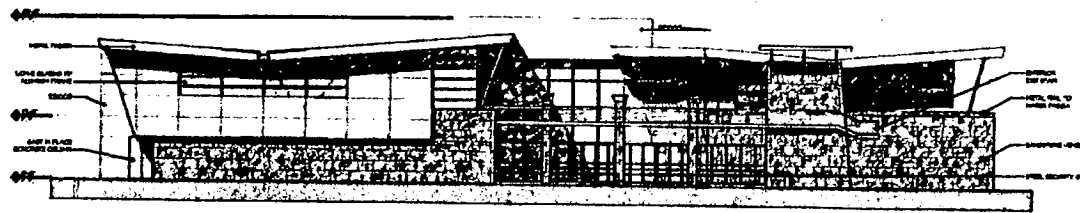


SANDSTONE VENEER

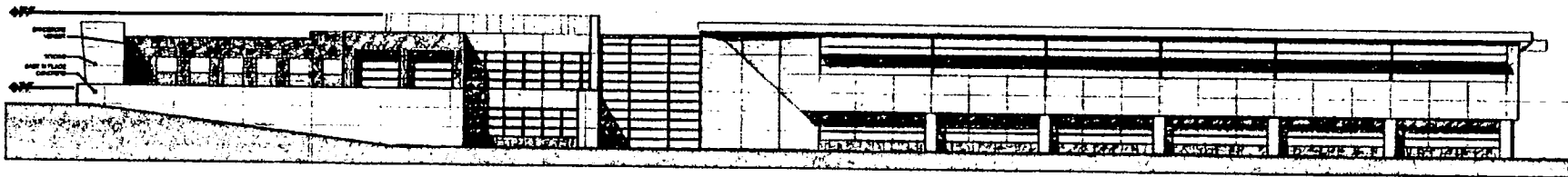


SDR-4630

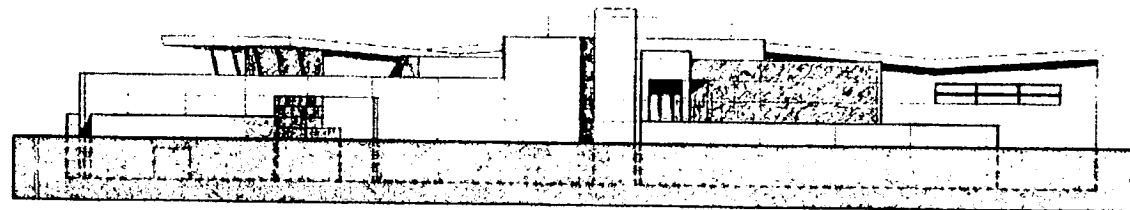
7-22-04 PC



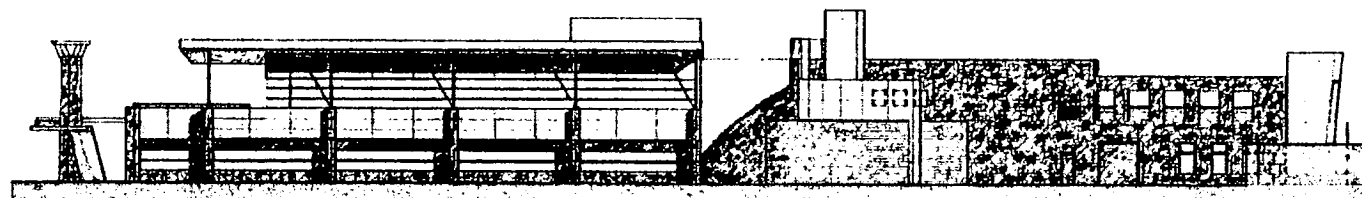
EAST ELEVATION



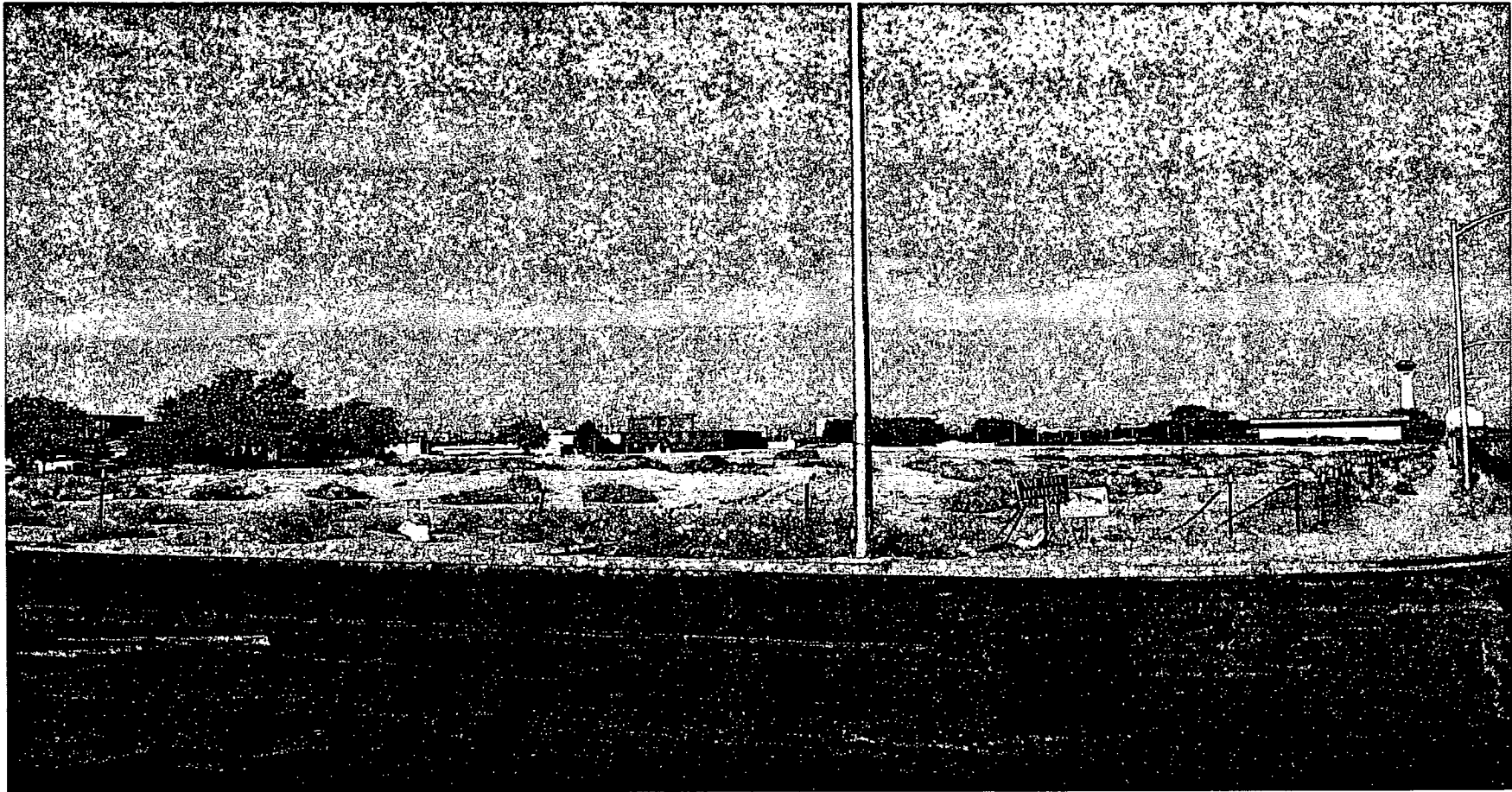
SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



SDR-4630 - APPLICANT: STATE OF NEVADA PUBLIC WORKS BOARD OWNER: STATE OF NEVADA
BUILDING & GROUNDS
SOUTHWEST CORNER OF ST. LOUIS AVENUE AND MCLEOD STREET
JULY 22, 2004 PLANNING COMMISSION

7/1/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - MAJOR MODIFICATION - PUBLIC HEARING - MOD-4633 -
APPLICANT: KB HOME - OWNER: NATIONAL GROUP #1, LIMITED LIABILITY CORPORATION, ET AL - Request for a Major Modification to the Lone Mountain West Plan FROM: NC (NEIGHBORHOOD COMMERCIAL) AND VC (VILLAGE COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 10.26 acres adjacent to the southeast corner of Cliff Shadows Parkway and Alexander Road (APN 137-12-101-003 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 88[MOD-4633], and Item 89 [SDR-4636].

ATTORNEY ROBERT GRONAUER, 3800 Howard Hughes Parkway appeared on behalf of the applicant and thanked Council for holding this item for two weeks to allow the applicant time to work with COUNCILMAN BROWN. He read the amended condition for Item 89[SDR-4636]. COUNCILMAN BROWN confirmed with BART ANDERSON, Project Engineer, Public Works Department, that the amended language was acceptable.

No one appeared in opposition.

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004
Planning and Development
Item 88 – MOD-4633

MINUTES Continued:

MAYOR GOODMAN declared the Public Hearing closed on Item 88[MOD-4633], and Item 89 [SDR-4636].

NOTE: All discussion for Item 88[MOD-4633], and Item 89[SDR-4636] was held under Item 88[MOD-4633].

(1:44 – 1:46)

3-1487

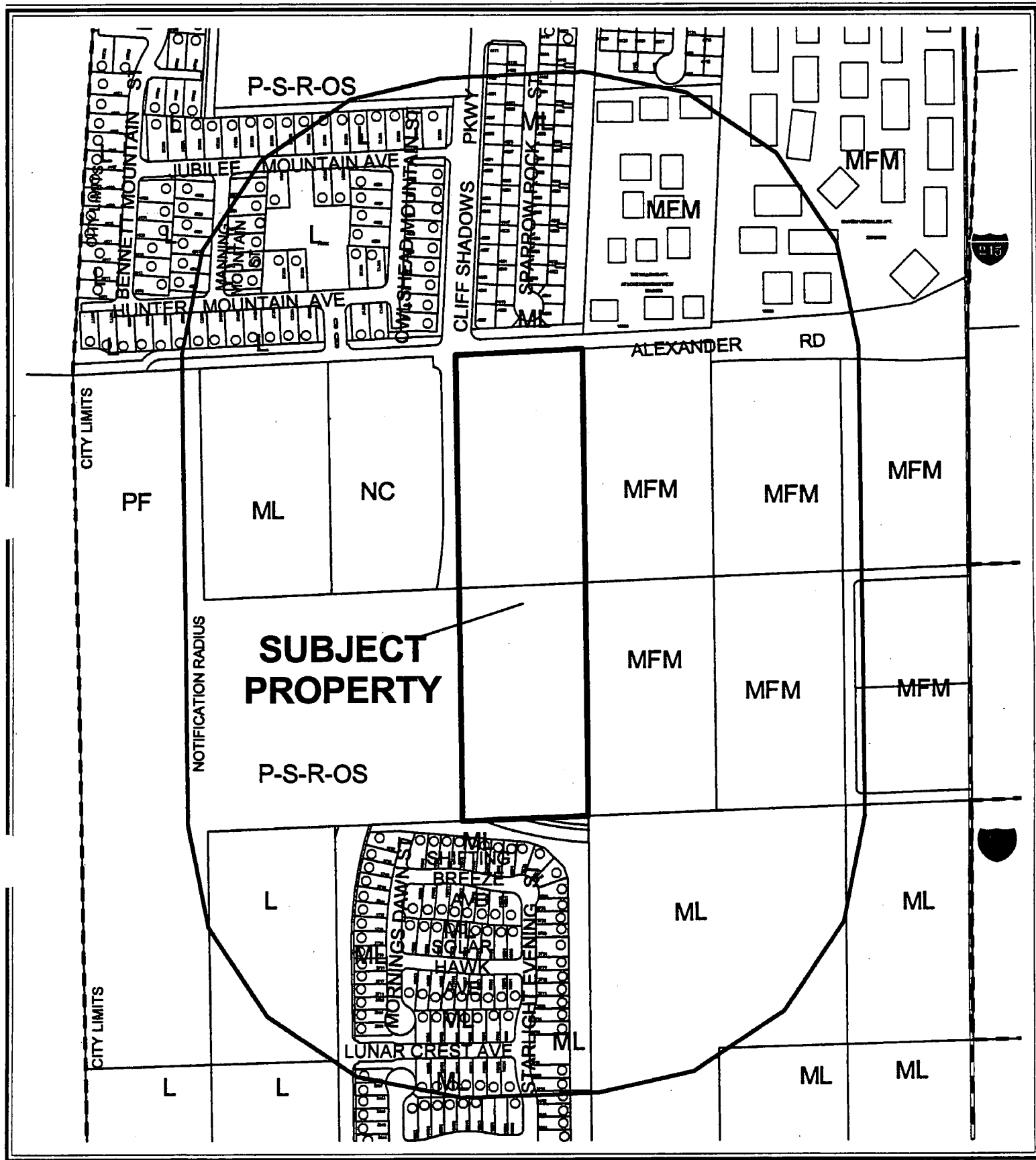
CONDITIONS:

Planning and Development

1. A Site Development Plan Review (SDR-4636) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Lone Mountain West Master Development Plan, except as amended by this request.

Public Works

3. In accordance with the requirements of the Lone Mountain West Master Plan, contribute \$38,700 (for Assessor's Parcel No. 137-12-101-003) towards the development of "Park #2" within the Lone Mountain West Master Plan Area. Payment shall be collected by the Land Development Section prior to approval of construction drawings, the issuance of any permits or release of a Final Map related to this site, whichever may occur first.

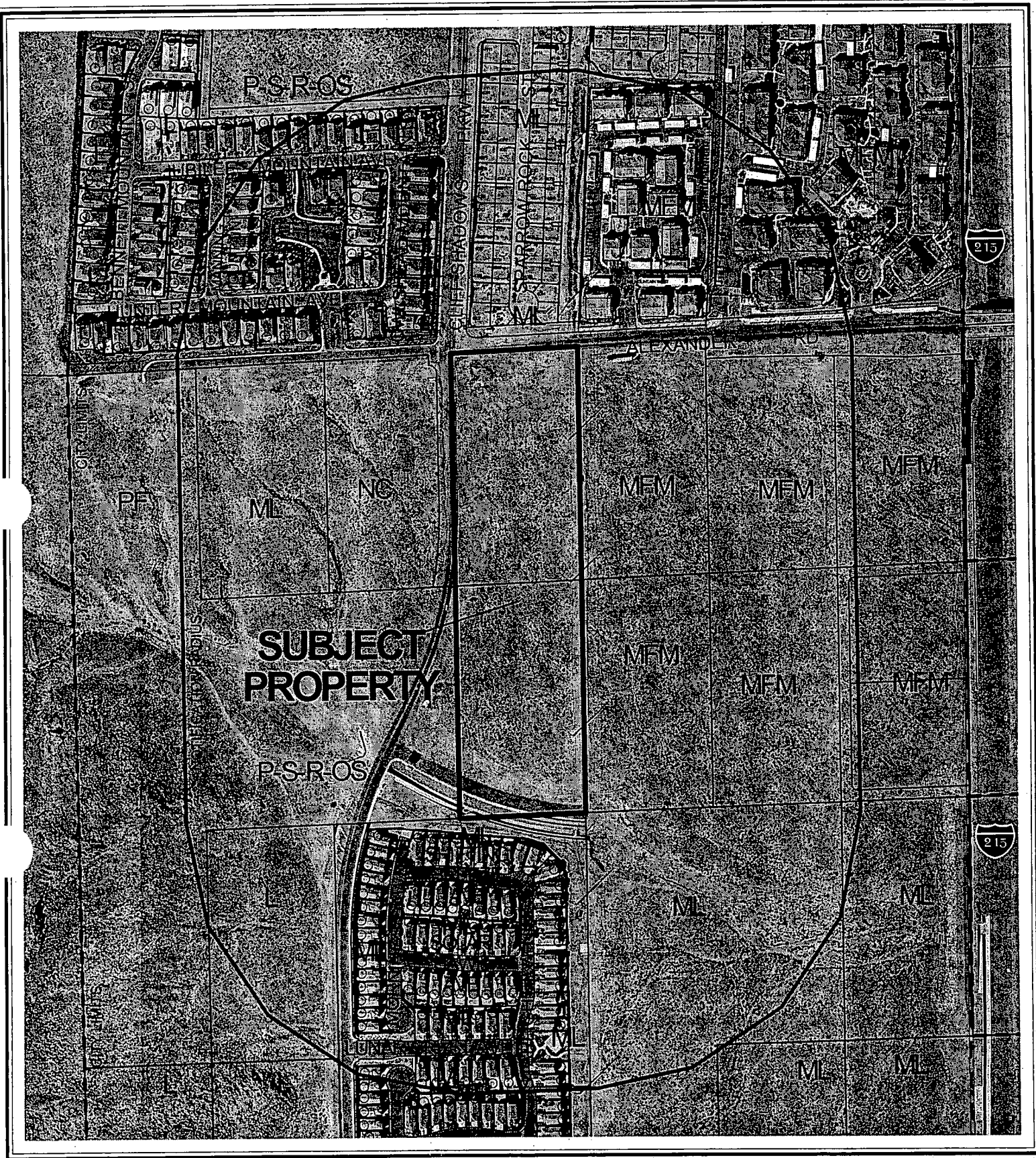


CASE: MOD-4633

RADIUS: 750 FT

LONE MOUNTAIN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
 NC (NEIGHBORHOOD COMMERCIAL) AND VC (VILLAGE COMMERCIAL)

PROPOSED LONE MOUNTAIN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
 ML (MEDIUM LOW DENSITY RESIDENTIAL)



CASE: MOD-4633

RADIUS: 750 FT

LONE MOUNTAIN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
NC (NEIGHBORHOOD COMMERCIAL) AND VC (VILLAGE COMMERCIAL)

PROPOSED LONE MOUNTAIN SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
ML (MEDIUM LOW DENSITY RESIDENTIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - MOD-4633 - APPLICANT: KB HOME -

OWNER: NATIONAL GROUP #1, LIMITED LIABILITY CORPORATION, ET AL

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 18, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Site Development Plan Review (SDR-4636) shall be approved by the City Council at a Public Hearing.
2. Conformance to the Lone Mountain West Master Development Plan, except as amended by this request.

Public Works

3. In accordance with the requirements of the Lone Mountain West Master Plan, contribute \$38,700 (for Assessor's Parcel No. 137-12-101-003) towards the development of "Park #2" within the Lone Mountain West Master Plan Area. Payment shall be collected by the Land Development Section prior to approval of construction drawings, the issuance of any permits or release of a Final Map related to this site, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Major Modification of the Lone Mountain West Master Plan to change the designation of 10.26 acres of property adjacent to the southeast corner of Cliff Shadows Parkway and Alexander Road from VC (Village Commercial) and NC (Neighborhood Commercial) to ML (Medium-Low Density Residential).

B) Applicant's Justification

The applicant justifies this request by stating that "market trends have significantly changed and demand has increased for single family residential land in areas that are easily accessible to employment nodes through existing major arterials and freeways."

BACKGROUND INFORMATION

A) Previous Actions

09/24/98	The Planning Commission approved a request to annex (A-0017-98) twenty-two (22) unimproved parcels totaling 402.5 acres. Staff recommended approval.
03/11/99	The Planning Commission approved a request to annex (A-0009-99) sixteen (16) unimproved parcels totaling 125 acres. Staff recommended approval.
06/14/99	The City Council approved a Rezoning (Z-0024-99) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development). The Planning Commission recommended approval on May 13, 1999. Staff recommended approval.
04/05/00	The City Council approved a Petition to Vacate U.S. Government Patent Reservations (VAC-0057-99) on property generally located north of Cheyenne Avenue, south of Lone Mountain Road, east of Puli Road, and west of Barden Road, Ward 4 (Brown). The Planning Commission and Staff both recommended approval.
12/05/01	The City Council approved a Rezoning (Z-0068-01) application for the reclassification of property from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], to PD (Planned Development) Zone on approximately 5.15 acres at the southeast corner of Cliff Shadows Parkway and Alexander Road. The Planning Commission and Staff both recommended approval.

- 08/22/02 The Planning Commission approved a motion to Withdraw Without Prejudice a Request for a Special Use Permit (U-0051-02) for gasoline sales in conjuncture with a proposed convenience store adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. Staff recommended approval.
- 10/16/02 The City Council approved a Site Development Plan Review [Z-0068-01(1)] and a Reduction in the Amount of Landscape Planter Finger Islands for a 22,920 square foot commercial center adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. The Planning Commission and Staff both recommended approval.
- 10/16/02 The City Council approved a Special Use Permit (U-0045-02) for a tavern on 5.15 acres located adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. The Planning Commission and Staff both recommended approval.
- 10/16/02 The City Council approved a Special Use Permit (U-0047-02) for an off-premise liquor establishment in conjuncture with a proposed drug store adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. The Planning Commission and Staff both recommended approval.
- 07/22/04 The Planning Commission voted 4-1-1 to recommend APPROVAL (PC Agenda Item # 55-PL).

B) Pre-Application Meeting

- 05/26/04 The main comment pertained to the front yard setback to the garage door being 18 feet.

C) Neighborhood Meetings

A neighborhood meeting was not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.26

B) Existing Land Use

Subject Property: Vacant
North: Residential Housing
South: Residential Housing
East: Vacant
West: Vacant

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

E) *Lone Mountain Land Use Designation*

Subject Property: NC (Neighborhood Commercial)
VC (Village Commercial)
North: ML (Medium-Low Density Residential)
South: ML (Medium-Low Density residential)
East: MFM (Multi-Family Medium Residential)
West: NC (Neighborhood Commercial)
P (Park/School/Recreation/Open Space)

F) *General Plan Compliance*

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation. The PCD (Planned Community Development) category of the Centennial Hills General Plan allows for a mix of residential uses that maintain an average overall density ranging from two to eight dwelling units per gross acre, depending upon compatibility with adjacent uses. The site is zoned U (Undeveloped) and is under Resolution of Intent to PD (Planned Development) within the Lone Mountain West Master Plan area. The PD (Planned Development) zoning district is consistent with the General Plan designation and the proposed 55-lot residential subdivision is a permitted use within the PD (Planned Development) zoning district.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Lone Mountain West		
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

The subject site is composed of two parcels, which are located within the Lone Mountain West Master Plan area with both a Neighborhood Commercial and a Village Commercial land use designation.

Neighborhood Commercial

The Neighborhood Commercial category address parcels of five acres or less and provides for the development of convenience retail shopping, services, and professional offices principally serving neighborhood needs, and compatible in scale, character and intensity with adjacent residential development. The maximum lot coverage shall not exceed 30 percent.

Village Commercial

The Village Commercial land use category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons and does not include more intense general commercial characteristics. Village Commercial is typically located on the periphery of residential neighborhoods and should be confined to intersection of major arterials and major freeways. The map lot coverage will not exceed 30 percent.

Medium-Low Density Residential

The Medium-Low Density Residential category provides for the development of up to 12 dwelling units per gross acre. This land use category allows for higher density detached, single-family product types including, but not limited to, compact lots and zero lot line, and two story buildings.

Trails:

Multi-Use Non-Equestrian Trail

A Multi-use Transportation Trail is required on the Nevada Power easement along within and along the eastern boundary of the property, as shown on Map 8 of the Transportation Trails Element of the Master Plan and on Map 2 of the Interlocal Joint Parks and Trails Plan. The applicant has illustrated a 43-foot wide trail along the eastern portion of the site.

A) Zoning Code Compliance

Currently, the 10.26 acre site is zoned U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under a Resolution of Intent to PD (Planned Development). The surrounding area is either zoned PD (Planned Development) or is slated by the General Plan to be part of the Planned Community Development known as Lone Mountain West.

B) General Analysis and Discussion

The amount of commercial property available within the Lone Mountain West Master Plan is a limited commodity. Originally, the Master Development Plan called for a total of 40.9 acres of commercial property, comprised of NC (Neighborhood Commercial) and VC (Village Commercial). Today, that total has dropped to approximately 24.42 acres as a result of previous conversions of land use from commercial to residential. In addition to this application's request, another 4.14 acre parcel located adjacent to the southwest corner of Cliff Shadows Parkway and Alexander Road (APN: 137-12-101-002), has applied for a Major Modification (MOD-4484) of the Lone Mountain West Master Plan to reclassify the property from NC (Neighborhood Commercial) to ML (Medium-Low Density Residential). The possible combined loss of commercial property from the Lone Mountain Master Plan would be approximately 15 acres, therefore reducing the total commercial property within the plan to approximately 11 acres. Of the 11 acres that possibly could remain, 2.3 acres is currently a professional office building with no retail component. The approval of this Major Modification and that of MOD-4484 would essentially remove all of the Neighborhood Commercial from the plan.

With the additional housing from this proposed development and the potential number of units that could be built within the Lone Mountain West Master Plan, the total dwelling units per acre for the plan would be approximately 8 dwelling units per acre, as compared with the plans gross residential density of 6.20. By allowing more residential within the planned area there is the potential of increasing the overall density of Lone Mountain West and creating congestion as a consequence.

With such a decrease in available commercial property within the Lone Mountain West Master Plan, residents will be forced to leave their community and travel further distances to reach commercial services and goods. The future construction of a major commercial use within the adjacent Lone Mountain Master Plan is not a valid argument for the legitimization of the removal of almost all of the viable commercial property within the Lone Mountain West Master Plan.

Figure A

Developed or approved residential areas.

Letter	# of Units	Density	Ave. Units per Acre
A	45	L	5.74
B	120	L	5.31
C	103	L	5.31
D	80	L	5.31
E	159	L	5.31
F	104	L	4.79
G	145	ML	7.13
H	261	ML	12
I	150	L	4
J	26	L	4
K	54	L	5
APT1	184	MFM	20
APT2	136	MFM	20
APT3	98	MFM	18.21
APT4	371	MFM	19.8
AA	171	ML	9.15
BB	23	L	4.2
CC	32	ML	6.4
DD	308	ML	9.21
Total	2578		5.48*

* Average number of units for entire Lone Mountain West area of 469.91 acres, including undeveloped and commercial areas.

Total residential units by category.

Densities	Total Units
Low Density (L)	874
Medium Low (ML)	917
Multi-Family Medium (MLM)	787
Grand Total	2578

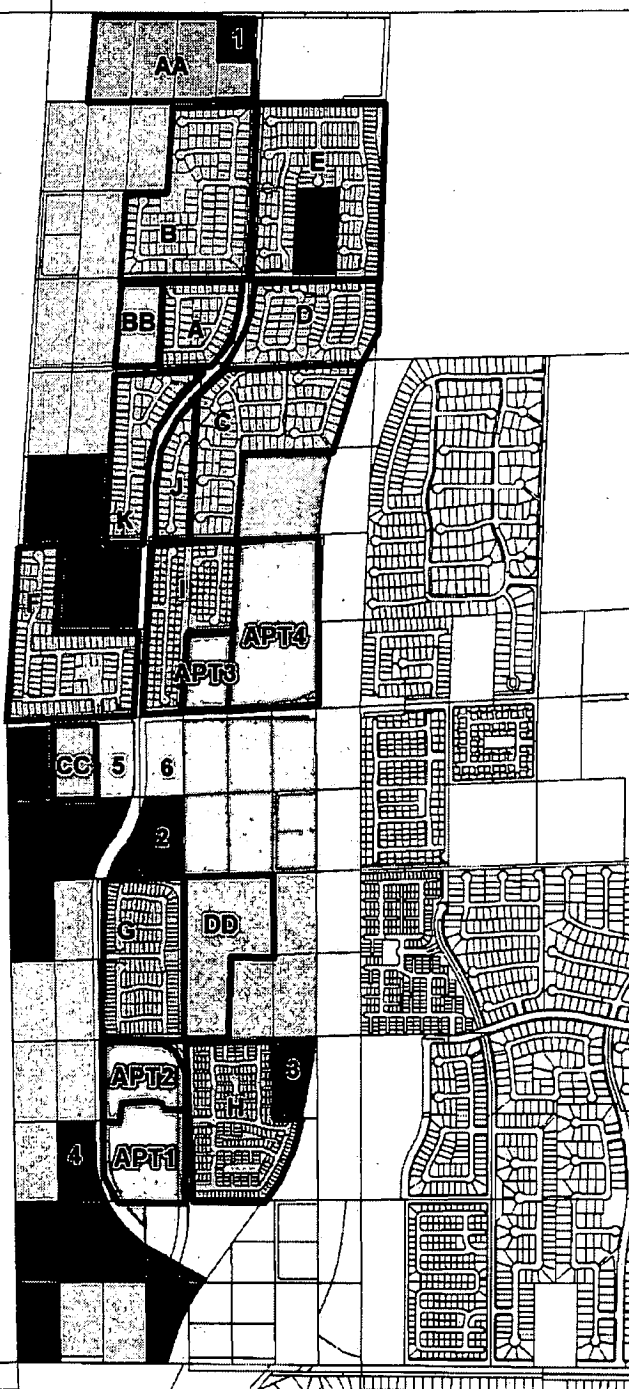
Commercial Areas

Commercial Areas	Number	Acreage
Village Commercial (VC)	1	2.3
	2	5.03
	3	4.22
	4	4.68
Neighborhood Commercial (NC)	5	4.14
	6	4.05
Total VC Acreage Only		16.23
Total NC Acreage Only		8.19
Total Commercial Acreage (VC & NC)		24.42

Available Residential Development

Density*	Acreage	Unit Potential
Low Density, up to 6 units per acre	88.02	528.12
Medium Low, up to 12 units per acre	15.47	185.64
Multi-Family Medium, up to 20 units	29.11	727.75
Total available acreage & max units	132.6	1441.51

* Based on available undeveloped acreage.



Lone Mountain West Density Study

June 28, 2004

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 Major Modification is not in conformance with the Lone Mountain West Master Plan. The proposal itself goes against the goals of the General Plan, which emphasizes, "the integration of local service commercial activities within a neighborhood center that is in walking distance of homes within the neighborhood;" and "That urban hubs at the intersections of primary roads, containing a mix of high density residential, commercial and office uses, and containing pedestrian linkages, be supported."

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 PD (Planned Development) zoning district is compatible with the surrounding properties, which are also zoned PD (Planned Development). Within the PD (Planned Development) a variety of uses are permitted. These uses are dictated by the overall master plan for the planned area. Therefore, within the planned development known as the Lone Mountain West Master Plan the change in use is not compatible with the surrounding area, due to the removal of Master Plan's ability to be self-supporting as a result of the removal of designated commercial property.

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

Within the Lone Mountain West Master Plan there exists 396 plus acres of land designated for residential use. There still exists a significant amount of this land that has not been developed into residential development. Therefore, growth and development factors within the area, which may call for increased residential property can be satiated with the existing amount of properties that are intended for residential use. The removal of commercial property from the Lone Mountain West Master Plan is unwarranted and therefore inappropriate.

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

The site is bordered to the west by Cliff Shadows Parkway and to the north by Alexander Road, both of which are 80-Foot Secondary Collectors, and on the south by Gilmore Avenue, 60-Foot residential street, as designated by the Master Plan of Streets and Highways. These streets contain sufficient capacity to serve future residential development of the site.

NOTICES MAILED 151 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-4633** APN: **137-12-101-009**

Name of Property Owner: **National Group #1 LLC % Focus Coml Group**

Name of Applicant: **KB HOME**

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

7th

day of

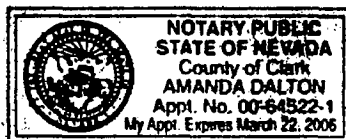
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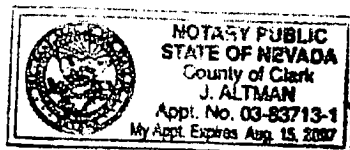
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Amanda Dalton

Notary Public in and for said County and State





ASSESSOR'S PARCEL NUMBER (APN):
CROSS AREA:
IMPROVEMENT LOT SIZE:
NUMBER OF UNITS:
DENSITY:
OPEN SPACE REQUIRED:
OPEN SPACE S.F. PROVIDED:
YCD BUILDING SETBACKS:

STREET ADDRESS: ON-STREET
OFF-STREET

SANITARY SEWER:
WATER:
POWER:
GAS:
TELEPHONE:
CABLE TV:
REFUSE:

DEVELOPER
FBI HOME
750 PILOT RD. SUITE F
LAS VEGAS, NEVADA 89119

Carter n Burgess

Consultants in Engineering, Planning and the Environment
8835 EXETER ROAD LAG VEBAS, NV 89121
(702) 938-5450 Fax (702) 938-5454

SITE PLAN

A RESIDENTIAL DEVELOPMENT BY KB HOME

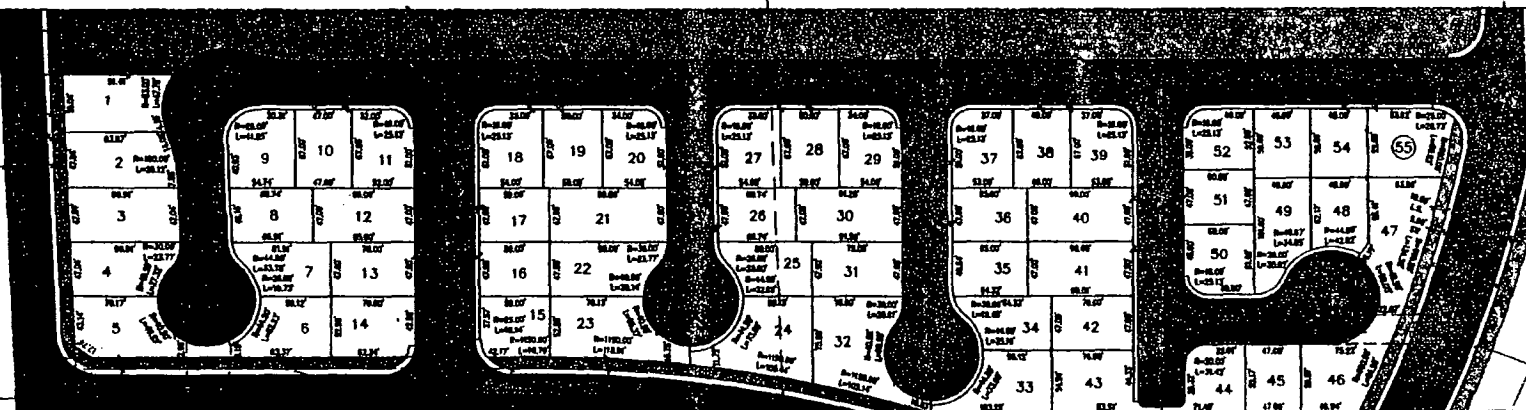


GRAPHIC SCALE



(25 pages)

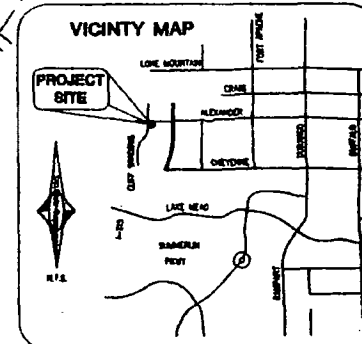
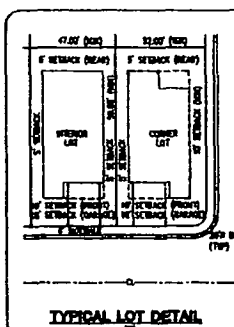
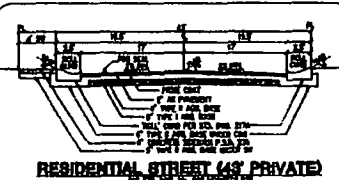
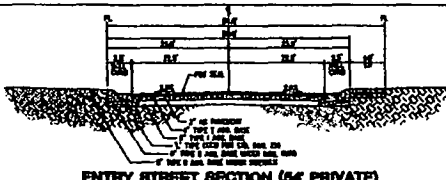
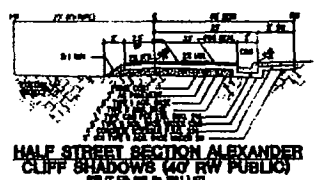
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CLIFF SHADOWS PARKWAY

APH 137-12-101-(u)

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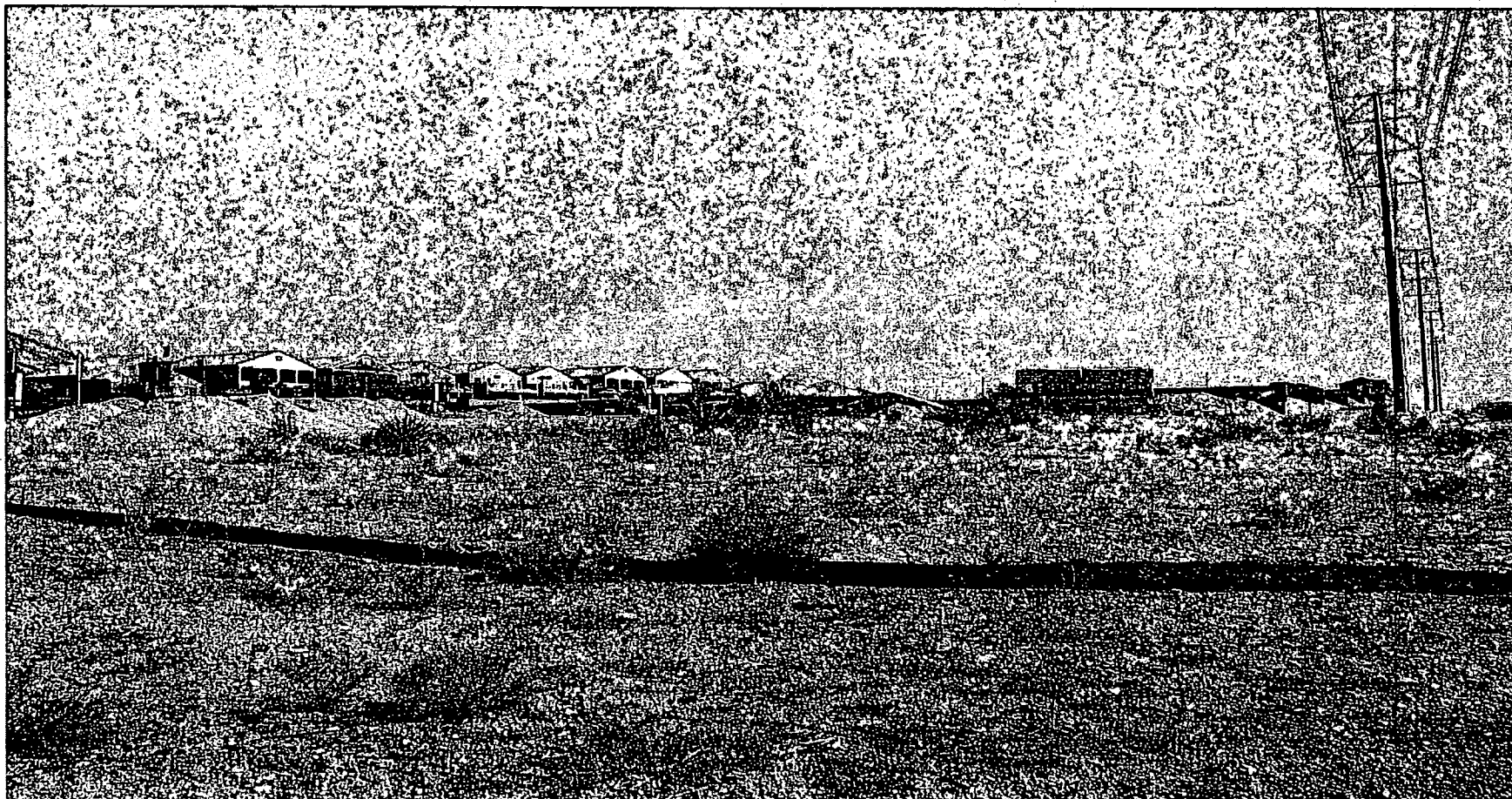
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REASON	WJG
DATE	12/1/78
BY	WJG
REASON	WJG

Carter-Burgess

1925 Bermuda Road
Las Vegas, Nevada 89119
(702) 508-0400 Fax (702) 508-8434

**KELHOMAE
ALEXANDER / CLIFF SHADOWS**

SITE PLAN



MOD-4633 - APPLICANT: KB HOME - OWNER: NATIONAL GROUP #1, LIMITED LIABILITY CORPORATION, ET AL
SOUTHEAST CORNER OF CLIFF SHADOWS PARKWAY AND ALEXANDER ROAD
JULY 22, 2004 PLANNING COMMISSION

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4633 - PUBLIC HEARING - SDR-4636 - APPLICANT: KB HOME - OWNER: BRIAN AND JULIE LEE AND NATIONAL GROUP #1, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 55 LOT SINGLE FAMILY SUBDIVISION on 10.26 acres adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway (APN 137-12-101-003 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN – APPROVED subject to conditions as amended to replace Condition 14 as read for the record as follows:

14. *The applicant will install a water stub to the triangular remnant of property (portion of Assessor' Parcel Number 137-12-101-008). The stub will not be metered.*

– UNANIMOUS

MINUTES:

NOTE: See Item 88 [MOD-4633] for all related discussion.

(1:41 – 1:44)

3-1379

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004
Planning and Development
Item 89 – SDR-4636

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 Major Modification (MOD-4633) of the Lone Mountain West Master Plan from VC (Village Commercial) and NC (Neighborhood Commercial) to ML (Medium-Low Density Residential) 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 applicant shall work with the master developer to determine the proportionate share of the cost of provision of infrastructure and services.
5. All development shall be in conformance with the site plan and building elevations, date stamped August 18, 2004 except as amended by conditions herein.
6. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet to the corner side, and 5 feet in the rear.
7. The maximum building height shall be 2 stories or 35 feet, whichever is less.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall comply with section 3.6 of the Lone Mountain West Master Development Plan and Design Standards. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. The walls bordering the access path to the open space area shall have at least the upper 50% of the walls built using wrought iron, to give the path an open and secure feeling.
11. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004
Planning and Development
Item 89 – SDR-4636

CONDITIONS Continued:

Public Works

12. Dedicate appropriate right-of-way for a total width of 80 feet adjacent to this site for Cliff Shadows Parkway and a total width of 60 feet for Gilmore Avenue, 40 feet for Alexander Road, a 25-foot radius on the southeast corner of Alexander Road and Cliff Shadows Parkway and appropriate drainage right-of-way for the Gilmore Channel.
13. Construct half-street improvements on Alexander Road adjacent to this site, Gilmore Avenue adjacent to this site and extending westerly to tie into Cliff Shadows Parkway and Cliff Shadows Parkway extending from Gilmore Avenue to the northern border of this site, concurrent with development of this site. Such construction shall include overpaving where appropriate. 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).
14. Landscape the triangular remnant of property (portion of Assessor's Parcel Number 137-12-101-008) adjacent to this site concurrent with development of this site. Such landscaping shall be maintained in perpetuity by the Homeowner's Association. An Encroachment Agreement shall be submitted as required by the City Engineer.
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. Coordinate with the developer to the south, Astoria at Lone Mountain, and the Collection Systems Planning Section of the Department of Public Works to connect to public sewer on the south side of the Gilmore Channel at Cloudland Canyon Street 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.

COUNCIL MEETING OF SEPTEMBER 1, 2004
Planning and Development
Item 89 – SDR-4636

CONDITIONS CONTINUED:

18. An update to the Master 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, 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.
19. 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.
20. Site development to comply with the Lone Mountain West Development Standards, Design Guidelines and Development Agreement, Zoning Reclassification Z-68-01, Z-24-99 and all other applicable site-related actions.

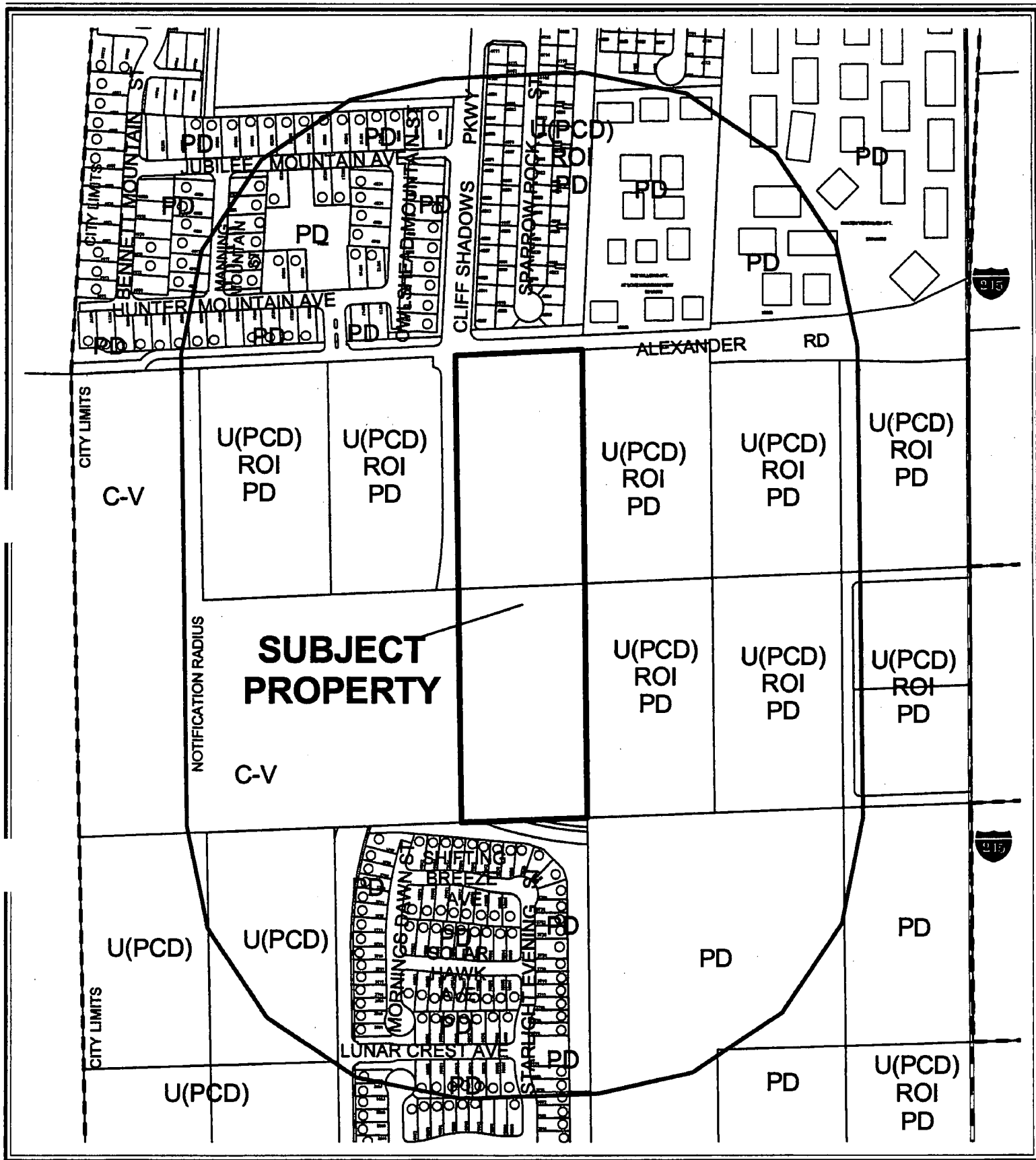
COUNCIL MEETING OF SEPTEMBER 1, 2004

Planning and Development

Item 89 – SDR-4636

CONDITIONS – CONTINUED:

21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. Approval of this Site Development Plan does not constitute approval of any deviations.



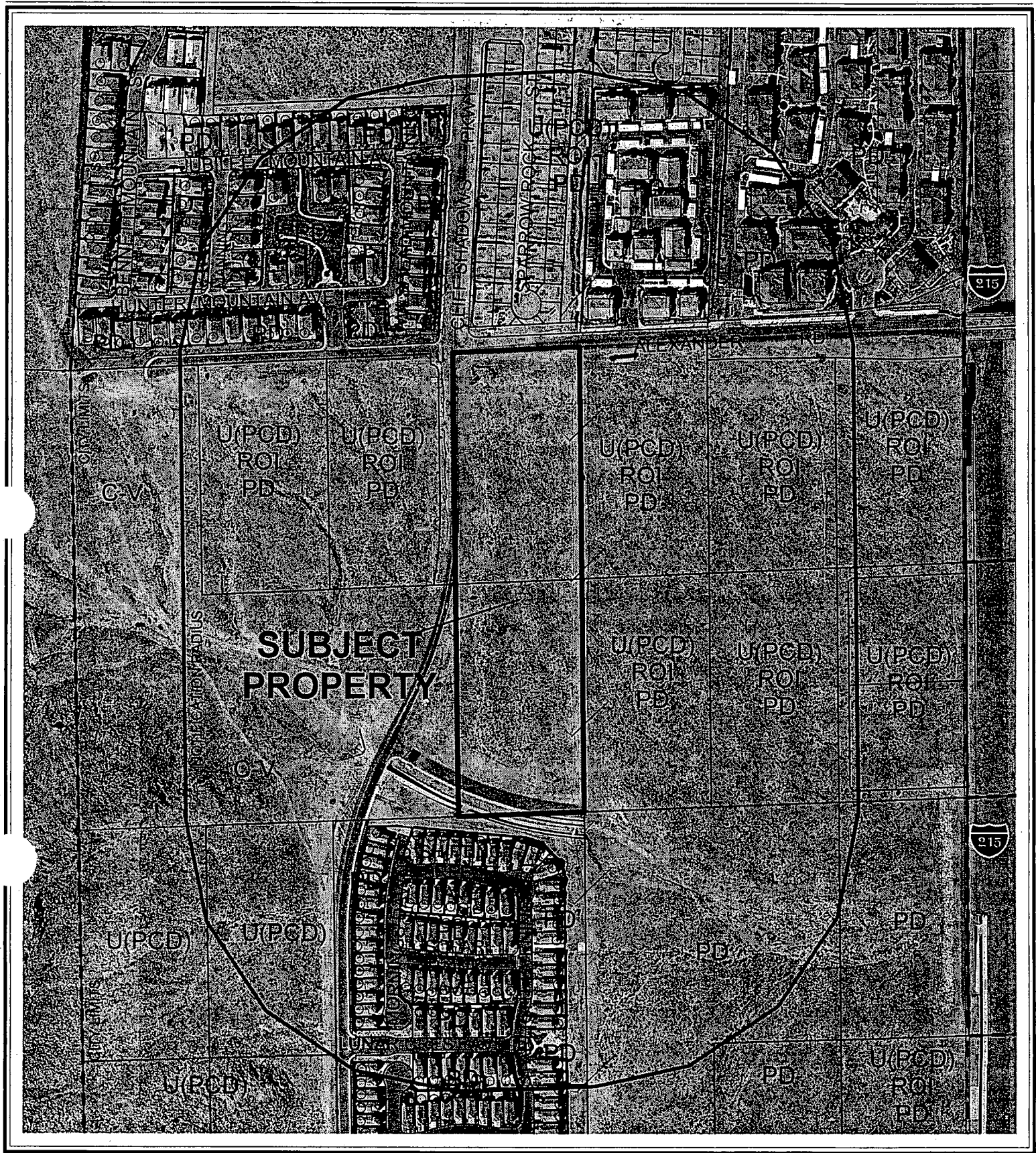
CASE: SDR-4636

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD(PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) [LONE MOUNTAIN SPECIAL LAND USE DESIGNATION NC (NEIGHBORHOOD COMMERCIAL) AND VC (VILLAGE COMMERCIAL PROPOSED TO ML (MEDIUM LOW DENSITY RESIDENTIAL)]





CASE: SDR-4636

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD(PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) [LONE MOUNTAIN SPECIAL LAND USE DESIGNATION NC (NEIGHBORHOOD COMMERCIAL) AND VC (VILLAGE COMMERCIAL PROPOSED TO ML (MEDIUM LOW DENSITY RESIDENTIAL)]

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SDR-4636 - APPLICANT: KB HOME -
OWNER: BRIAN AND JULIE LEE AND NATIONAL GROUP #1 LIMITED LIABILITY
COMPANY**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 18, 2004 CITY COUNCIL
MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1-1 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 Major Modification (MOD-4633) of the Lone Mountain West Master Plan from VC (Village Commercial) and NC (Neighborhood Commercial) to ML (Medium-Low Density Residential) 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 applicant shall work with the master developer to determine the proportionate share of the cost of provision of infrastructure and services.
5. All development shall be in conformance with the site plan and building elevations, dated June 3, 2004 except as amended by conditions herein.
6. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet to the corner side, and 5 feet in the rear.
7. The maximum building height shall be 2 stories or 35 feet, whichever is less.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

10. Any property line wall shall comply with section 3.6 of the Lone Mountain West Master Development Plan and Design Standards. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. The walls bordering the access path to the open space area shall have at least the upper 50% of the walls built using wrought iron, to give the path an open and secure feeling.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Dedicate appropriate right-of-way for a total width of 80 feet adjacent to this site for Cliff Shadows Parkway and a total width of 60 feet for Gilmore Avenue, 40 feet for Alexander Road, a 25-foot radius on the southeast corner of Alexander Road and Cliff Shadows Parkway and appropriate drainage right-of-way for the Gilmore Channel.
13. Construct half-street improvements on Alexander Road adjacent to this site, Gilmore Avenue adjacent to this site and extending westerly to tie into Cliff Shadows Parkway and Cliff Shadows Parkway extending from Gilmore Avenue to the northern border of this site, concurrent with development of this site. Such construction shall include overpaving where appropriate. 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).
14. Landscape the triangular remnant of property (portion of Assessor's Parcel Number 137-12-101-008) adjacent to this site concurrent with development of this site. Such landscaping shall be maintained in perpetuity by the Homeowner's Association. An Encroachment Agreement shall be submitted as required by the City Engineer.
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. Coordinate with the developer to the south, Astoria at Lone Mountain, and the Collection Systems Planning Section of the Department of Public Works to connect to public sewer on the south side of the Gilmore Channel at Cloudland Canyon Street 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.

18. An update to the Master 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, 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.
19. 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.
20. Site development to comply with the Lone Mountain West Development Standards, Design Guidelines and Development Agreement, Zoning Reclassification Z-68-01, Z-24-99 and all other applicable site-related actions.

21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. Approval of this Site Development Plan does not constitute approval of any deviations.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Site development Plan Review for a 55-lot residential subdivision on 10.26 acres adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway.

B) Applicant's Justification

The applicant justifies this request by stating that "market trends have significantly changed and demand has increased for single family residential land in areas that are easily accessible to employment nodes through existing major arterials and freeways."

BACKGROUND INFORMATION

A) Previous Actions

09/24/98	The Planning Commission approved a request to annex (A-0017-98) twenty-two (22) unimproved parcels totaling 402.5 acres. Staff recommended approval.
03/11/99	The Planning Commission approved a request to annex (A-0009-99) sixteen (16) unimproved parcels totaling 125 acres. Staff recommended approval.
06/14/99	The City Council approved a Rezoning (Z-0024-99) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development). The Planning Commission recommended approval on 5/13/99. Staff recommended approval.
04/05/00	The City Council approved a Petition to Vacate U.S. Government Patent Reservations (VAC-0057-99) on property generally located north of Cheyenne Avenue, south of Lone Mountain Road, east of Puli Road, and west of Barden Road, Ward 4 (Brown). The Planning Commission and Staff both recommended approval.
12/05/01	The City Council approved a Rezoning (Z-0068-01) application for the reclassification of property from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], to PD (Planned Development) Zone on approximately 5.15 acres at the southeast corner of Cliff Shadows Parkway and Alexander Road. The Planning Commission and Staff both recommended approval.

- 08/22/02 The Planning Commission approved a motion to Withdraw Without Prejudice a Request for a Special Use Permit (U-0051-02) for gasoline sales in conjuncture with a proposed convenience store adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. Staff recommended approval.
- 10/16/02 The City Council approved a Site Development Plan Review [Z-0068-01(1)] and a Reduction in the Amount of Landscape Planter Finger Islands for a 22,920 square foot commercial center adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. The Planning Commission and Staff both recommended approval.
- 10/16/02 The City Council approved a Special Use Permit (U-0045-02) for a tavern on 5.15 acres located adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. The Planning Commission and Staff both recommended approval.
- 10/16/02 The City Council approved a Special Use Permit (U-0047-02) for an off-premise liquor establishment in conjuncture with a proposed drug store adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway. The Planning Commission and Staff both recommended approval.
- 07/22/04 The Planning Commission voted 4-1-1 to recommend APPROVAL (PC Agenda Item # 56-PL).

B) Pre-Application Meeting

- 05/26/04 A pre-application was held and resulted in comments other than one directed towards the front yard setback to the garage door being 18 feet.

C) Neighborhood Meetings

A neighborhood meeting was not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 10.26

B) Existing Land Use

Subject Property: Vacant
North: Residential Housing
South: Residential Housing
East: Vacant
West: Vacant

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

E) *Lone Mountain Land Use Designation*

Subject Property: NC (Neighborhood Commercial)
VC (Village Commercial)
North: ML (Medium-Low Density Residential)
South: ML (Medium-Low Density residential)
East: MFM (Multi-Family Medium Residential)
West: NC (Neighborhood Commercial)
P (Park/School/Recreation/Open Space)

F) *General Plan Compliance*

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation. The PCD (Planned Community Development) category of the Centennial Hills General Plan allows for a mix of residential uses that maintain an average overall density ranging from two to eight dwelling units per gross acre, depending upon compatibility with adjacent uses. The site is zoned U (Undeveloped) and is under Resolution of Intent to PD (Planned Development) within the Lone Mountain West Master Plan area. The PD (Planned Development) zoning district is consistent with the General Plan designation and the proposed 55-lot residential subdivision is a permitted use within the PD zoning district.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Lone Mountain West		
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

The subject site is composed of two parcels, which are located within the Lone Mountain West Master Plan area with both a Neighborhood Commercial and a Village Commercial land use designation.

Neighborhood Commercial

The Neighborhood Commercial category address parcels of five acres or less and provides for the development of convenience retail shopping, services, and professional offices principally serving neighborhood needs, and compatible in scale, character and intensity with adjacent residential development. The maximum lot coverage shall not exceed 30 percent.

Village Commercial

The Village Commercial land use category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons and does not include more intense general commercial characteristics. Village Commercial is typically located on the periphery of residential neighborhoods and should be confined to intersection of major arterials and major freeways. The map lot coverage will not exceed 30 percent.

Medium-Low Density Residential

The Medium-Low Density Residential category provides for the development of up to 12 dwelling units per gross acre. This land use category allows for higher density detached, single-family product types including, but not limited to, compact lots and zero lot line, and two story buildings.

Trails:

Multi-Use Non-Equestrian Trail

A Multi-use Transportation Trail is required on the Nevada Power easement along within and along the eastern boundary of the property, as shown on Map 8 of the Transportation Trails Element of the Master Plan and on Map 2 of the Interlocal Joint Parks and Trails Plan. The applicant has illustrated a 43-foot wide trail along the eastern portion of the site.

PROJECT DESCRIPTION

The proposed residential subdivision will consist of 55 single-family residential detached units located on 10.26 gross acres at a density of 5.36 units per acre. The maximum density allowed within the Lone Mountain West Master Plan is 6.2 units per acre. Concurrently there is another Major Modification (MOD-4484) application requesting the conversion of land use designation from NC (Neighborhood Commercial) to ML (Medium-Low Density Residential), which allows up to 12 dwelling units per acre, therefore, if approved, would also increase the dwelling units per acre of the entire Master Plan.

With the additional housing from this proposed development and the potential number of units that could be built within the Lone Mountain West Master Plan, the total dwelling units per acre for the plan would be approximately 8 dwelling units per acre, as compared with the plans gross residential density of 6.20. By allowing more residential within the planned area there is the potential of increasing the overall density of Lone Mountain West and creating congestion as a consequence.

The proposed development calls for 43-foot wide private streets, which can be accessed from Cliff Shadows Parkway, an 80-foot Secondary Collector, and Gilmore Avenue, a 60-foot residential street, as designated by the Master Plan of Streets and Highways. Along the street frontages of Alexander Road, Cliff Shadows Parkway, and Gilmore Avenue the applicant is proposing a 10-foot landscape buffer next to a 5-foot sidewalk, which abuts the public right-of-way.

The amount of open space required for such a development based upon .0769 acres of open space and pocket parks per acre per the Lone Mountain West Master Plan 2.3.7 would be 35,575 square feet. The applicant meets and exceeds the required open space by means of a proposed 43-foot wide Multi-Use Non-Equestrian Trail located along the eastern property line.

The proposed residential development is proposing seven different two-story models to be built. Each model has three elevations, with the options, including the option for a patio cover.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, a site development plan review shall determine development standards, which will apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A		N/A
Min. Lot Width	N/A		N/A
Min. Setbacks			
• Front to house	N/A	10 Feet	N/A
• Front to garage		18 Feet	N/A
• Side	N/A	5 Feet	N/A
• Corner	N/A	10 Feet	N/A
• Rear	N/A	5 Feet	
Max. Building Height	2 stories/35 feet, whichever is less	2 Stories	N/A

The proposed development is in conformance with the applicable standards for setbacks, building height, and lot sizes as set forth in the Lone Mountain West Master Development Plan.

A2) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Trees/ 30 Linear Feet	46 Trees	46 Trees
• Min. Zone Width	6 Feet		10 Feet
• Wall height	8 Feet		6 Feet

The proposed development is in conformance with the applicable standards for landscaping in regards to the widths of the required planters.

Pursuant to Lone Mountain West Master Plan, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Acreage	Area	Acreage	Area
10.26 acres	5.36	.0769	.79	34,369 SF	1.15	50,000 SF

The proposed development is in conformance with the applicable standards for landscaping in regards to the amount of open space provided.

B) General Analysis and Discussion

- Zoning

The proposed PD (Planned Development) zone will allow planned development, consistent with the applicable standards of the Lone Mountain West Master Development Plan.

- Site Plan

The site plan depicts 55 lots, the majority of which are arranged around 43-foot private streets that end in cul-de-sacs. Landscape planters, 10 feet in width are located along the northern, southern, and eastern property lines. Access to the site will be from Cliff Shadows Parkway and Gilmore Avenue. No access gates have been shown on the plan.

- Landscape Plan

The proposed landscaping depicts an attractive plan for the adjacent Public Street. All proposed landscape plans should demonstrate compliance with the Lone Mountain West Development Plan plant palette. The proposed landscaping is in conformity with the standards of the plan.

Section 2.3.7 of the Lone Mountain West Master Plan states that developers are responsible for providing a certain amount of open space within their development. This amount is determined by taking the number of acre multiplied by the pocket park multiplier. This project requires a total amount of .79 acres of park ($10.26 \times 0.0769 = .42$). The submitted site plan is in conformance with the open space requirement in that the site indicates a total of 1.15 acres of pocket parks or 50,000 square feet of eligible open space.

- Elevation

The proposed elevations will be compatible with other developments within the Lone Mountain West Planning Area.

- Floor Plan

Floor plans depicts homes approximately 37 feet wide and 35.5, 37, 40.5, 41, 42, or 43 feet in length. The average lot width, as depicted on the site plan is 47 feet wide. Lots range from 59 feet in length to 99 feet in length. With 5-foot side yard setbacks, the homes will exactly fit on the lots. This allows for minimal variation. Because the majority of the lots share frontage on a single street, this may result in a uniform, visually uninteresting development.

FINDINGS

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

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

The proposed development is compatible with the surrounding residential densities of the surrounding area. However, the request cannot be supported due to the additional loss of commercially designated property.

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 Site Development Plan Review and the companion Major Modification (MOD-4633) are not in conformance with the Lone Mountain West Master Plan. The proposal itself goes against the goals of the General Plan, which emphasizes, “the integration of local service commercial activities within a neighborhood center that is in walking distance of homes within the neighborhood;” and “That urban hubs at the intersections of primary roads, containing a mix of high density residential, commercial and office uses, and containing pedestrian linkages, be supported.”

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

The site is bordered to the west by Cliff Shadows Parkway and to the north by Alexander Road, both of which are 80-Foot Secondary Collectors, and on the south by Gilmore Avenue, 60-Foot residential street, as designated by the Master Plan of Streets and Highways. These streets contain sufficient capacity to serve future residential development of the site.

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

The proposed project will incorporate appropriate building elevations and façade materials for the Lone Mountain West planning area. The proposed landscaping will be appropriate with implementation of the conditions presented regarding compliance with the Lone Mountain West Master Development Plan standards for trail development and compliance with the plant palette.

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 aesthetically pleasing and will be harmonious and compatible with other single-family developments 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 inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

There was one speaker protesting this application at the Planning Commission meeting.

NOTICES MAILED 151 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4636 APN: 137-12-101-009

Name of Property Owner: National Group #1 LLC % Focus Coml Group

Name of Applicant: KB HOME

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: _____

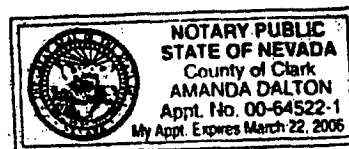
Signature of Property Owner/Authorized Agent: _____

Print Name: _____

Subscribed and sworn before me

This 7th day of June 2004
Amanda Dalton

Notary Public in and for said County and State



ASSIGNMENT: PARCEL NUMBER (APN): 157-12-101-003 & 009
GROSS AREA: 10.28 +/- GROSS ACRES
MINIMUM LOT SIZE: 47'W X 50'D (2,375 SQ. FT.)
NUMBER OF UNITS: 90 SINGLE FAMILY UNITS
DENSITY: 8.76 DU/AC GROSS
OPEN SPACE REQUIRED: 15,040 SQ.FT. (330 S.F./UNIT)
OPEN SPACE S.F. PROVIDED: 16,000 SQ.FT.
MIN. BUILDING SETBACK: 10' (FRONT) 5' (SIDE)
10' (REAR)

STREET IMPROV: ON-SITE OF PRIVATE ENTRY
AT PRIVATE INTERIOR
OFF-SITE W/ HALF STREET (ALEXANDER & CLIFF DRAGONS)
W/ HALF STREET (COLMARE)
EXISTING ZONING P-D (PLANNED DEVELOPMENT)
PROPOSED ZONING P-D (PLANNED DEVELOPMENT)

SANITARY SEWER	CITY OF LAS VEGAS
WATER	LAS VEGAS VALLEY WATER DISTRICT
POWER	NEVADA POWER COMPANY
GAS	SOUTHWEST GAS CORPORATION
TELEPHONE	SPRINT
CABLE TV	COM CABLE/COCAUTION
REFUSE	SILVER STATE DISPOSAL SYSTEM, INC.

Carter • Burgess

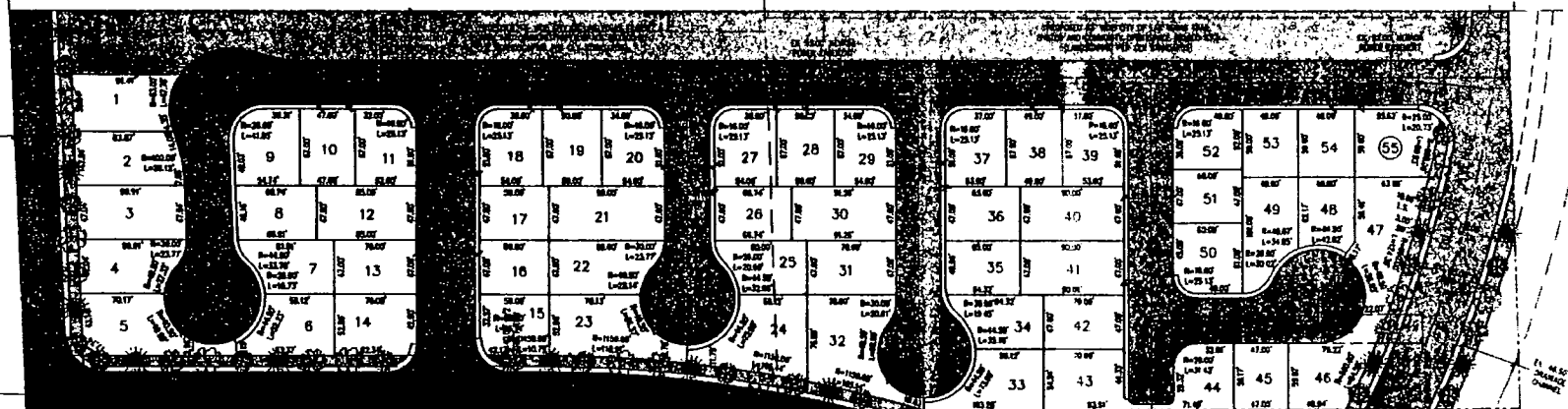
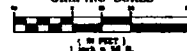
Carter = Burgess

Consultants in Engineering, Planning and the Environment
8805 WILMUDA ROAD LAS VEGAS, NV 89118
(702) 538-6400 Fax (702) 538-6454

ALEXANDER / CLIFF SHADOWS
LANDSCAPE PLAN
A RESIDENTIAL DEVELOPMENT BY KB HOME

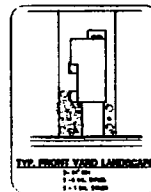
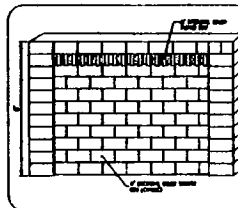


GRAPHIC SCALE



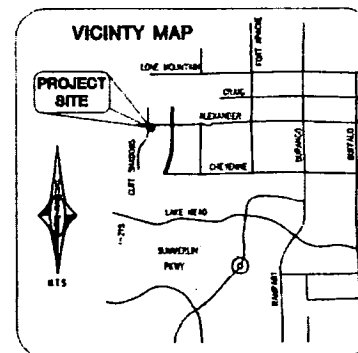
CLIFF SHADOWS PARKWAY

SYMBOL	SPECIES	COMMON NAME	SIZE	SPACING	PARK TREES				
	PROSOPIS CHILENSIS	CHILEAN MESQUITE (THORNTLESS VAR.)	24" BOX	30'-0.C.		PINUS HALEPENSIS	ALEPPO PINE	24" BOX	PER PLANTING PLAN
	ALBIZIA JULIBRISSIN	SILK TREE	24" BOX	30'-0.C.		PRUNUS CAROLINIANA	CAROLINA LAUREL CHERRY	24" BOX	PER PLANTING PLAN
	CERCOCARPUS FLORIDANUS	BLUE PALM VERDE	24" BOX	30'-0.C.		QUERCUS IMBRICARIA	HONEY OAK	24" BOX	PER PLANTING PLAN
	CYCLOPS LINEARIS	DESERT WILLOW	24" BOX	PER PLANTING PLAN	SHRUBS				
GROUND COVER						ERYTHRONIUM JAPONICA	EVERGREEN ERYTHONIUM	5 GAL/ 1 GAL	PER PLANTING PLAN
	GENESHA HISPANICA	SPANISH BROOM	1 GAL	PER TITLE 17 60% COVERAGE		WANDOUA DOMESTICA	HEAVENLY BAMBOO	5 GAL/ 1 GAL	PER PLANTING PLAN
	JUNIPERUS PROSTRATA	JUNIPER	1 GAL	PER TITLE 17 60% COVERAGE		LEUCOPHYLLUM FRUTESCENS	TEXAS RANGER	5 GAL/ 1 GAL	PER PLANTING PLAN
	ROSMARINUS OFFICINALIS	ROSEMARY	1 GAL	PER TITLE 17 60% COVERAGE					



1.) PURSUANT TO THE CITY OF LAS VEGAS URBAN DESIGN GUIDELINES AND STANDARDS, EACH PERMITEE LANDSCAPE PLANTER SHALL CONTAIN A MINIMUM OF ONE (1) 24-INCH BOX TREE FOR EVERY TWENTY (20) LINEAR FEET OF PLANTER, PLUS ONE (1) ADDITIONAL 24-INCH BOX TREE.

2.) PURSUANT TO THE CITY OF LAS VEGAS URBAN DESIGN GUIDELINES AND STANDARDS, GRADING CUTTER SHALL MAINTAIN A MINIMUM OF FOUR (4) 3-GALLON MINIMUM EACH SHRUBS PER 24-INCH BOX TREE MINIMUM.



SDR-4636

7-22-04 PC

[illegible]

DATE	10/10/19
TIME	10:00
BY	10:00
TO	10:00
FROM	10:00
TO	10:00

Carter Burgess

Specialists in Planning, Engineering,
Construction Management, and Related Services

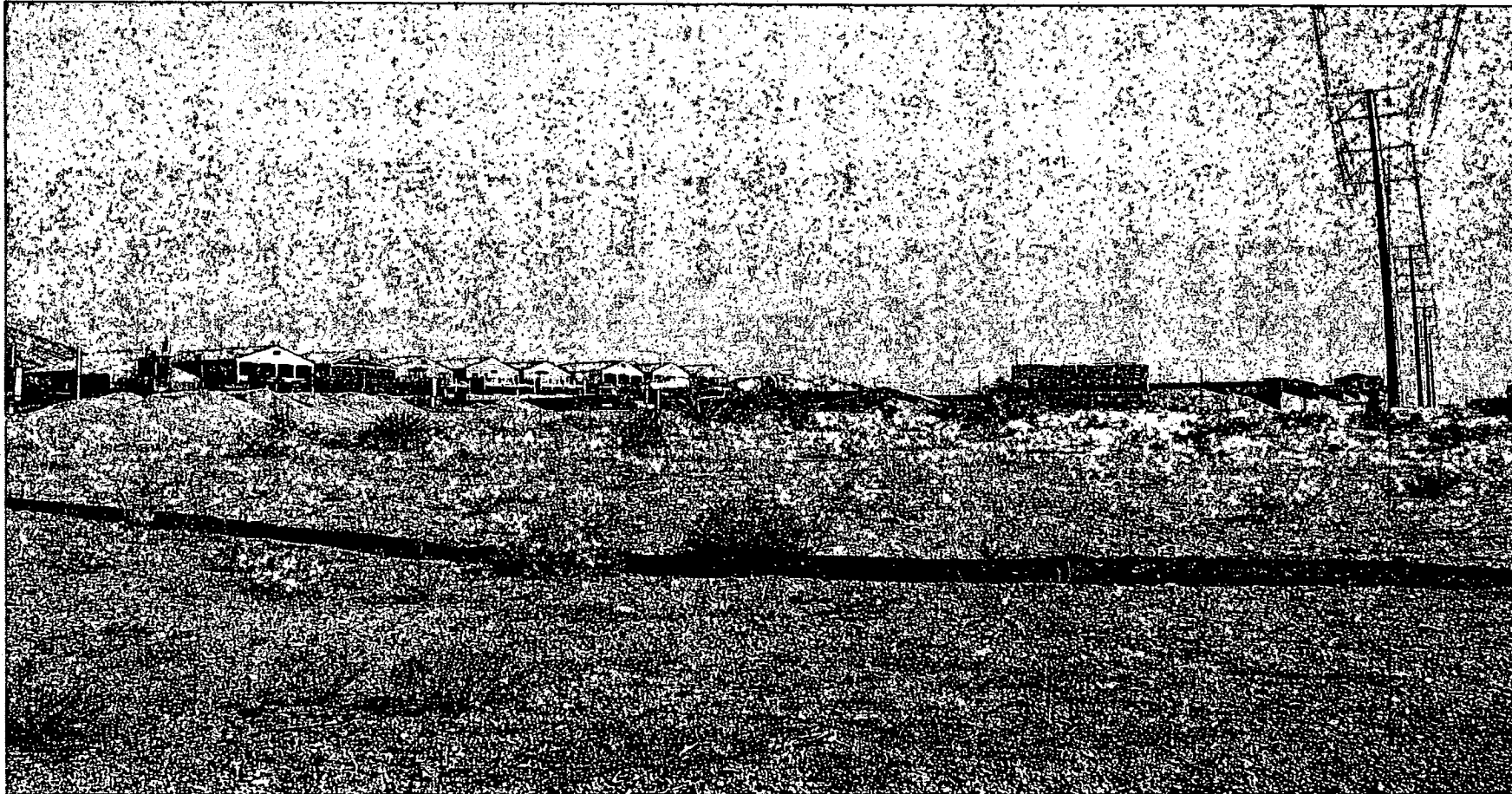
**KBHOME
ALEXANDER / CLIFF SHADOWS**

LANDSCAPE
PLAN[illegible]

•

2

2



SDR-4636 - APPLICANT: KB HOME - OWNER: NATIONAL GROUP #1, LIMITED LIABILITY CORPORATION, ET AL
SOUTHEAST CORNER OF CLIFF SHADOWS PARKWAY AND ALEXANDER ROAD
JULY 22, 2004 PLANNING COMMISSION

7/6/04



SDR-4636 - APPLICANT: KB HOME - OWNER: NATIONAL GROUP #1, LIMITED LIABILITY
CORPORATION, ET AL
SOUTHEAST CORNER OF CLIFF SHADOWS PARKWAY AND ALEXANDER ROAD
JULY 22, 2004 PLANNING COMMISSION

7/6/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2848 -
REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED - Appeal
filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special
Use Permit for a proposed off-premise advertising (billboard) SIGN on a portion of 3.03 acres
located at 1110 South Rainbow Boulevard (APN 163-02-101-002), C-1 (Limited Commercial)
Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Letter requesting hearing of tabled item filed by Singer & Brown
6. Submitted after final agenda – Abeyance request by Singer & Brown

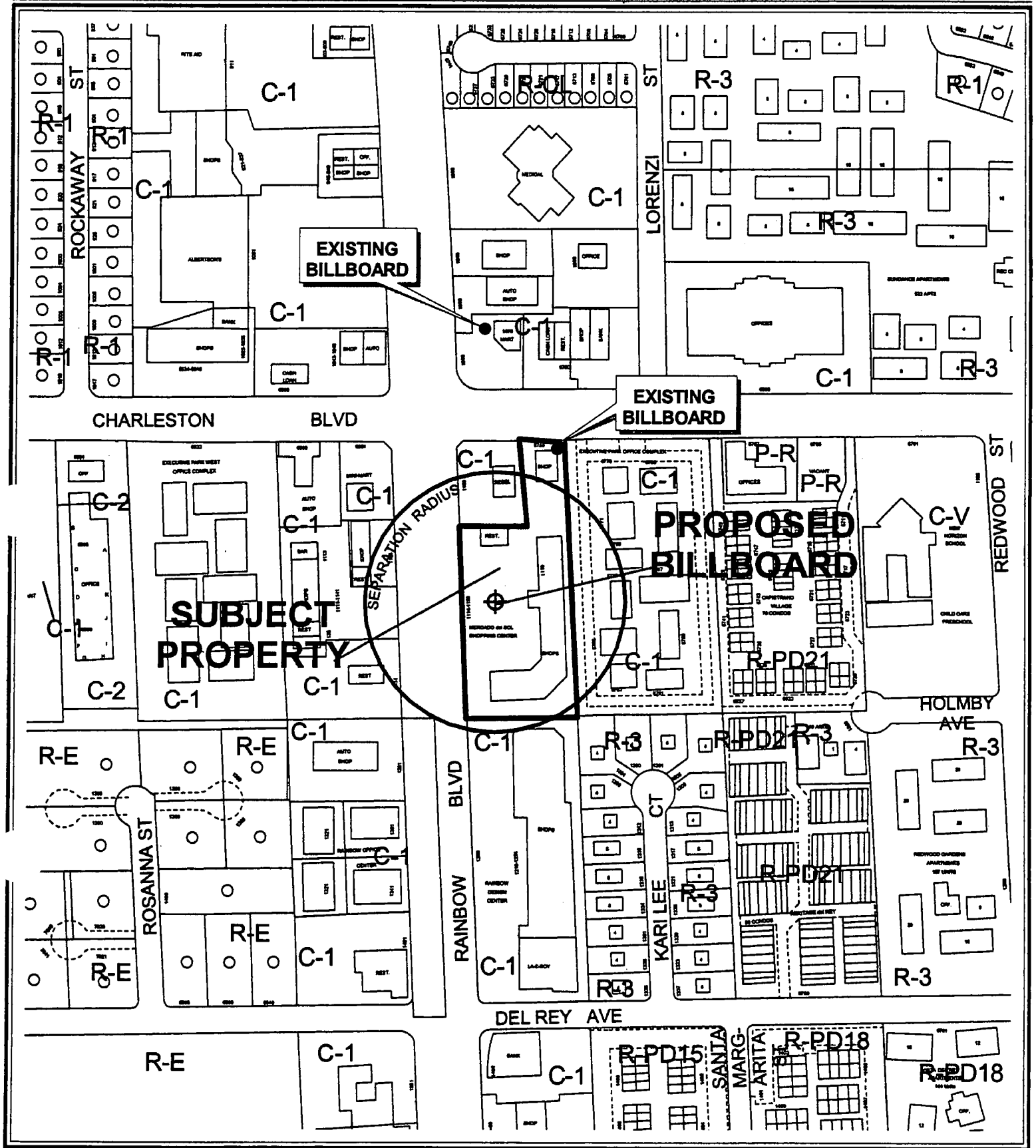
MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 83 [DIR-4797], Item 90 [SUP-2848], Item
91 [SUP-3394], Item 92 [SUP-4172], Item 93 [SUP-4532], Item 94 [GPA-4542], Item 95
[ZON-4543], Item 96 [VAR-4547], Item 97 [VAR-4572], Item 98 [SDR-4545], Item 99
[ZON-4368], Item 100 [VAC-4420] and Item 101 [SDR-4370] to 9/15/2004 – UNANIMOUS

MINUTES:

BRYAN SCOTT, Deputy City Attorney, reminded MAYOR GOODMAN to disclose his
abstention on Item 83[DIR-4797], and Item 90[SUP-2848]. MAYOR GOODMAN
acknowledged that ATTORNEY JAY BROWN is his partner in the VA Clinic on West
Charleston Boulevard and he would be abstaining on Item 83[DIR-4797], and Item 90[SUP-
2848].

(1:00 – 1:04)



CASE: SUP-2848

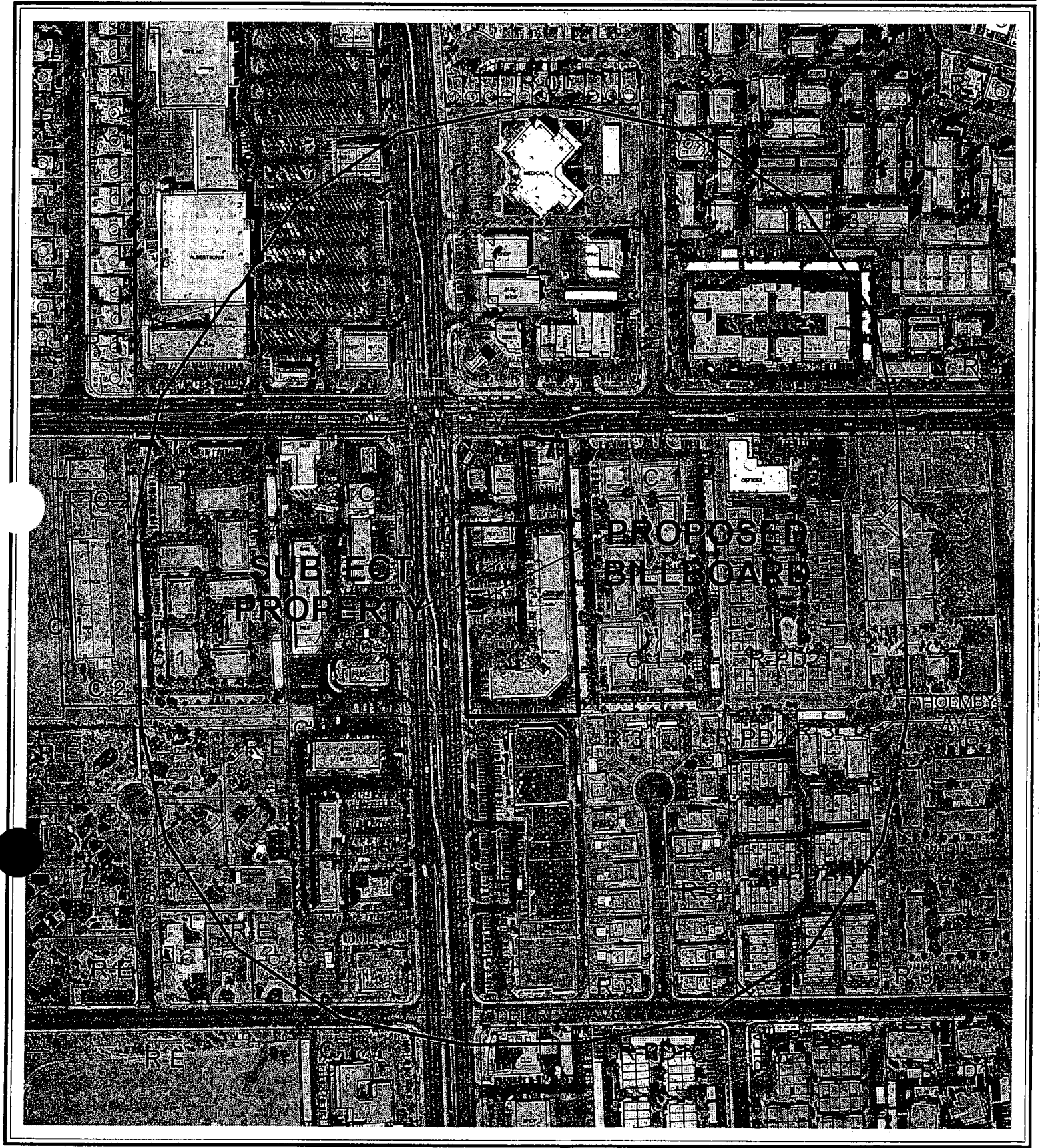
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



90





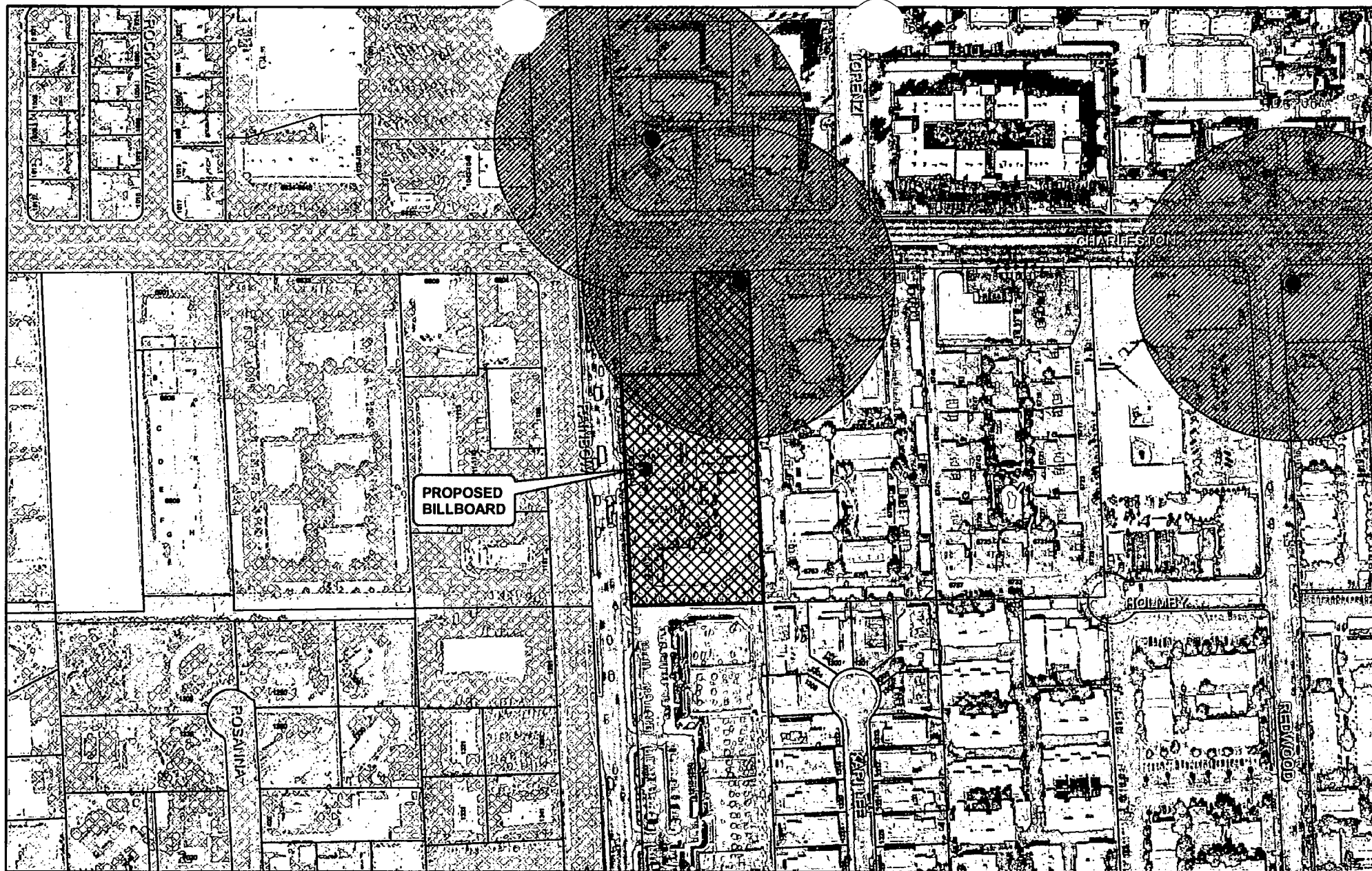
CASE: SUP-2848

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet





SUP-2848

City of Las Vegas Billboard Data

 Subject Parcel	 300 Foot Buffer Around Billboard	 Outside City Boundary
● City of Las Vegas Billboard Location		 Off Premise Sign Exclusion Area
● Clark County Billboard Location	 750 Foot Buffer Around Freeway Billboard	 Exempt - Off Premise Area Sign Area



AGENDA MEMO

SPECIAL CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-2848 - REAGAN NATIONAL
ADVERTISING ON BEHALF OF C O G III, LIMITED**

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

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premises 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-premises advertising (billboard) sign be removed.
2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premises Sign use and other applicable sign requirements.
3. The off-premises advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premises advertising (billboard) sign.
4. The off-premises advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.
5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the off-premises advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the off-premises advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premises 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.
8. 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.
9. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for approval of a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premises Advertising (Billboard) Sign at 1110 South Rainbow Boulevard.

B) Applicant's Justification

The applicant's justification letter indicates the Off-Premises Advertising (Billboard) Sign will be oriented towards the north and south bound traffic on Rainbow Boulevard.

BACKGROUND INFORMATION

A) Previous Actions

- 11/05/86 The City Council approved a request for a Rezoning (Z-0074-86) to C-1 (Limited Commercial) on this site. The Planning Commission recommended approval on October 9, 1986.
- 02/23/95 The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0074-86(1)] for a retail/commercial center on the subject site.
- 12/04/02 The City Council Approved a Special Use Permit (SUP-1005) for a proposed Pawn Shop on the subject site. The Planning Commission recommended Approval.
- 09/11/03 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #32).
- 10/01/03 The City Council approved a request for a Special Use Permit (SUP-2758) to allow a proposed 40-foot tall, 14-foot by 48-foot off-premises advertising (billboard) sign on the north portion of this site adjacent to Charleston Boulevard. The Planning Commission recommended denial on August 28, 2003.
- 01/21/04 The City Council voted to table this item.

B) Pre-Application Meeting

- 07/18/03 The applicant was advised to add the scale to the site plan and provided a signed notarized application from the property owner.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application, nor was one held for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.03

B) Existing Land Use

Subject Property: Commercial Retail Center
North: Commercial Retail Center
South: Commercial Retail Center
East: Offices
West: Commercial Retail Center

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: SC (Service Commercial)
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

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

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The existing C-1 (Limited Commercial) zoning is compatible with this land use district and allows for light commercial and retail uses. The proposed Off-Premise Advertising (Billboard) Sign is allowed in this zoning district with the approval of a Special Use Permit.

<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

This site is not affected by any special area plans or districts.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The proposed Off-Premise Advertising (Billboard) Sign will not generate a requirement for additional parking on this site.

A2) Minimum Distance Separation Requirements

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

Standards	Required	Requested	Compliance
Minimum distance separation from "R" zoned property and any other off-premises advertising (billboard) sign	300 Feet	No other Off-Premises Advertising (Billboard) Signs or residential properties are within 300 feet of this proposal	N

This proposed Off-Premise Advertising (Billboard) Sign is located approximately 390 feet from the Off-Premise Advertising (Billboard) Sign on the north portion of this site, adjacent to Charleston Boulevard proposed by Special Use Permit Application SUP-2758; it therefore complies nominally with Zoning Code standards.

B) *General Analysis and Discussion*

- Zoning

An Off-Premises Advertising (Billboard) Sign is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premises Advertising Sign 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. However, due to existing signage on the site and the proposed Off-Premises Advertising (Billboard) sign along Charleston Boulevard, this proposed billboard would add to the visual clutter along Rainbow Boulevard and is not appropriate at this location. Therefore, this use cannot be conducted in a manner that is harmonious and compatible with the surrounding development.

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.”**

Although this proposed use is allowed in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district, existing on-premise signage is already located along this segment of Rainbow Boulevard and another billboard is proposed along Charleston Boulevard. Approval of this billboard in this context will create an urban landscape that is not harmonious and compatible with the surrounding uses in this area.

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

The subject site is located in a commercial area and is adjacent to a major thoroughfare, which is one of the prerequisites to establish its suitability; however, the subject billboard sign is not appropriate along this segment of Rainbow Boulevard.

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.”**

This use does not generate traffic on the proposed site and will not negatively affect the surrounding roadways.

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 Off-Premises Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 297 by Planning Department

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: Sup-2848 APN: 163-02-101-002

Name of Property Owner: COG III LTD

Name of Applicant: Reagan National Advertising

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: _____

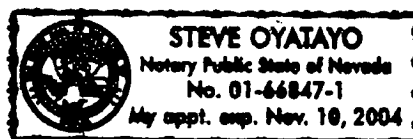
Signature of Property Owner/Authorized Agent:

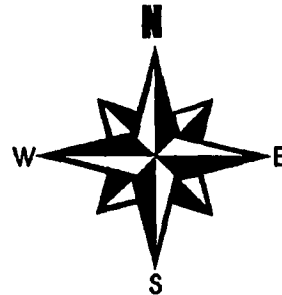
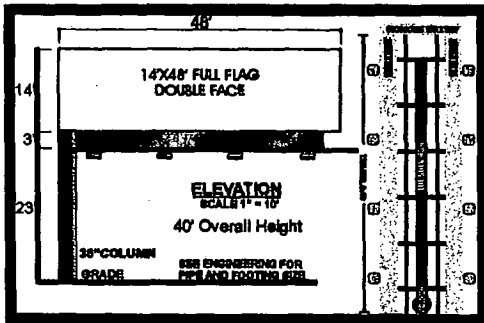
Print Name:

Subscribed and sworn before me

This 17TH day of July, 2008

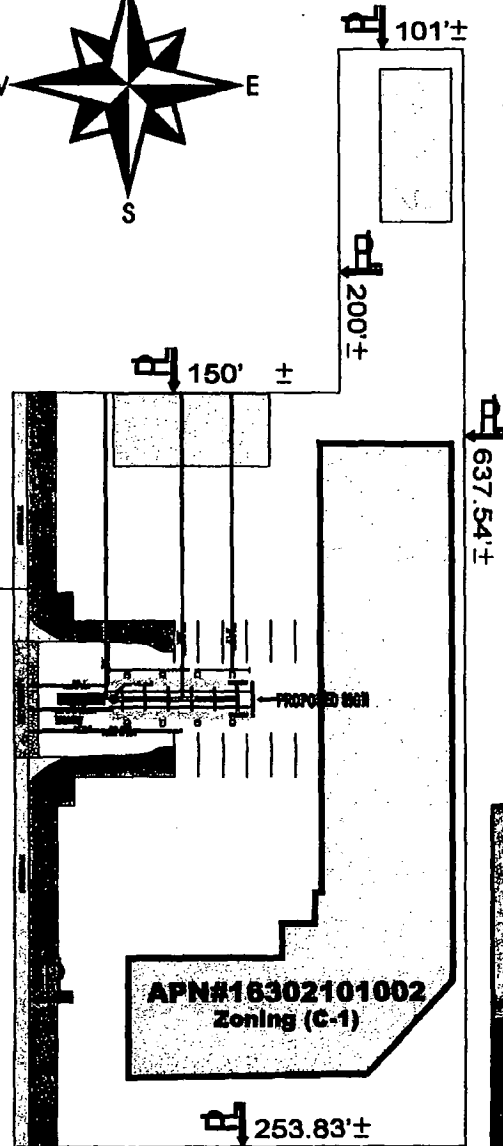
Notary Public in and for said County and State





RAINBOW

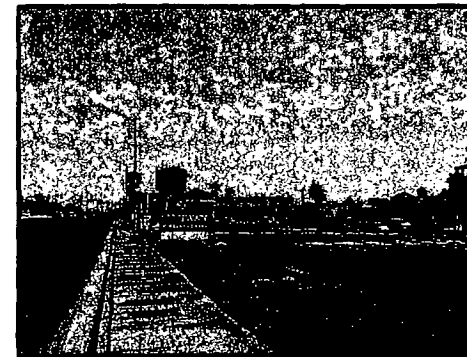
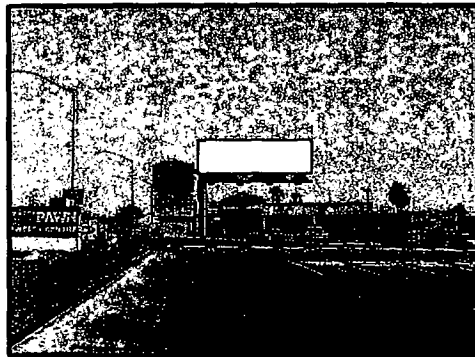
75'
HALF ROW



GENERAL NOTES

1. Not within 300 foot radius of another off-premise billboard.
2. Not within 100 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.

**REAGAN
NATIONAL ADV.
ANDY BILANZICH
292-3723**



COG III LTD		
SCALE: NOTED	APPROVED BY:	DRAWN BY: TONY JONES
DATE: 7-11-03		REVIEW:
1110 S RAINBOW BLVD 89146		
APN# 16302101002		210

**SUP-2848
09-11-03 PC**



SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED
1110 South Rainbow Boulevard
AUGUST 4, 2004 CITY COUNCIL MEETING

Picture taken 07/17/04



SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED
1110 South Rainbow Boulevard
AUGUST 4, 2004 CITY COUNCIL MEETING

Picture taken 07/17/04



SUP-2848 - REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED
1110 South Rainbow Boulevard
AUGUST 4, 2004 CITY COUNCIL MEETING

Picture taken 07/17/04

MICHAEL H. SINGER
JAY H. BROWN

LAW OFFICES
Singer & Brown
A NEVADA LLC

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-8863
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

September 17, 2003

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Att: Barbara Jo Ronemus
City Clerk

Re: SUP-2848 – Special Use Permit (Reagan National Advertising)
APN: 163-02-101-002
COG III, Ltd.

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising and the applicant.

My clients wish to appeal the denial by the Planning Commission of SUP-²⁸⁴⁸2760.

Your assistance in this matter is sincerely appreciated.

Very truly yours,

Jay H. Brown
Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

RECEIVED
CITY CLERK
2003 SEP 17 P 3:05

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6803

TELEPHONE (702) 384-6863
FACSIMILE (702) 385-1023
Brownltd@sarahlink.net

January 20, 2004

2004 JAN 20 P 3:50

RECEIVED
CITY CLERK

FAX: 382-4803

Las Vegas City Clerk
400 E. Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City Clerk

Re: Item No. 112 SUP-2848 - Special Use Permit - Reagan National Advertising
on behalf of COG III, Limited.
City Council Agenda of January 21, 2004

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising in connection with the
above referenced application.

On behalf of our client, we respectfully request that this item be removed from the City
Council agenda of January 21, 2004, and be tabled until such time as my client wishes to
have his application heard.

Very truly yours,

Jay H. Brown
Jay H. Brown

JHB:cc

Cc: Dewey Reagan
Andy Bilanzich

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-8592

TELEPHONE (702) 384-8863
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

June 18, 2004

VIA FACSIMILE to 382-4803

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Att: Barbara Jo Ronemus
City Clerk's Office

RECEIVED
CITY CLERK
2004 JUN 18 PM 5:15

Re: SUP-2848 - Special Use Permit
Reagan National Advertising on behalf of COG III, Ltd.

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising in connection with the above entitled matter.

Reagan National Advertising on behalf of COG III, Ltd. requests that the above referenced matter be placed on the August 4, 2004 City Council agenda. This application was tabled at the January 21, 2004 City Council meeting..

My client's check in the amount of \$150 made payable to the City of Las Vegas will be delivered to you next week with the original of this letter.

Very truly yours,

Jay H. Brown
Jay H. Brown

JHB:cc

Cc: Department of Planning & Development, Attn: Shelly by fax to 385-7268
Mr. Dewey Reagan
Mr. Andy Bilanzich

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

August 31, 2004

FAX: 382-4803

Las Vegas City Clerk
400 E. Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City Clerk

2004 AUG 31 P 4:12
RECEIVED
CITY CLERK

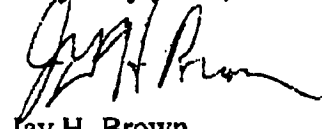
Re: Item No. 90 – 9/01/04 City Council Agenda
SUP-2848- Special Use Permit
Reagan National Advertising on behalf of COG III, Limited

Dear Ms. Ronemus:

Please be advised that I represent Reagan National Advertising on behalf of COG III, Limited.

On behalf of my client, I respectfully request that this item be continued from the September 1, 2004 City Council meeting to the September 15, 2004 City Council meeting.

Very truly yours,



Jay H. Brown

JHB:cc

Cc: Planning & Development fax 385-7268
Mr. Dewey Reagan
Mr. Andy Bilanzich

Submitted after final agenda

Date 8/31/04 Item #90

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter submitted by LAS Consulting, Inc.
5. Submitted after final agenda - Abeyance request filed by Singer & Brown

MOTION:

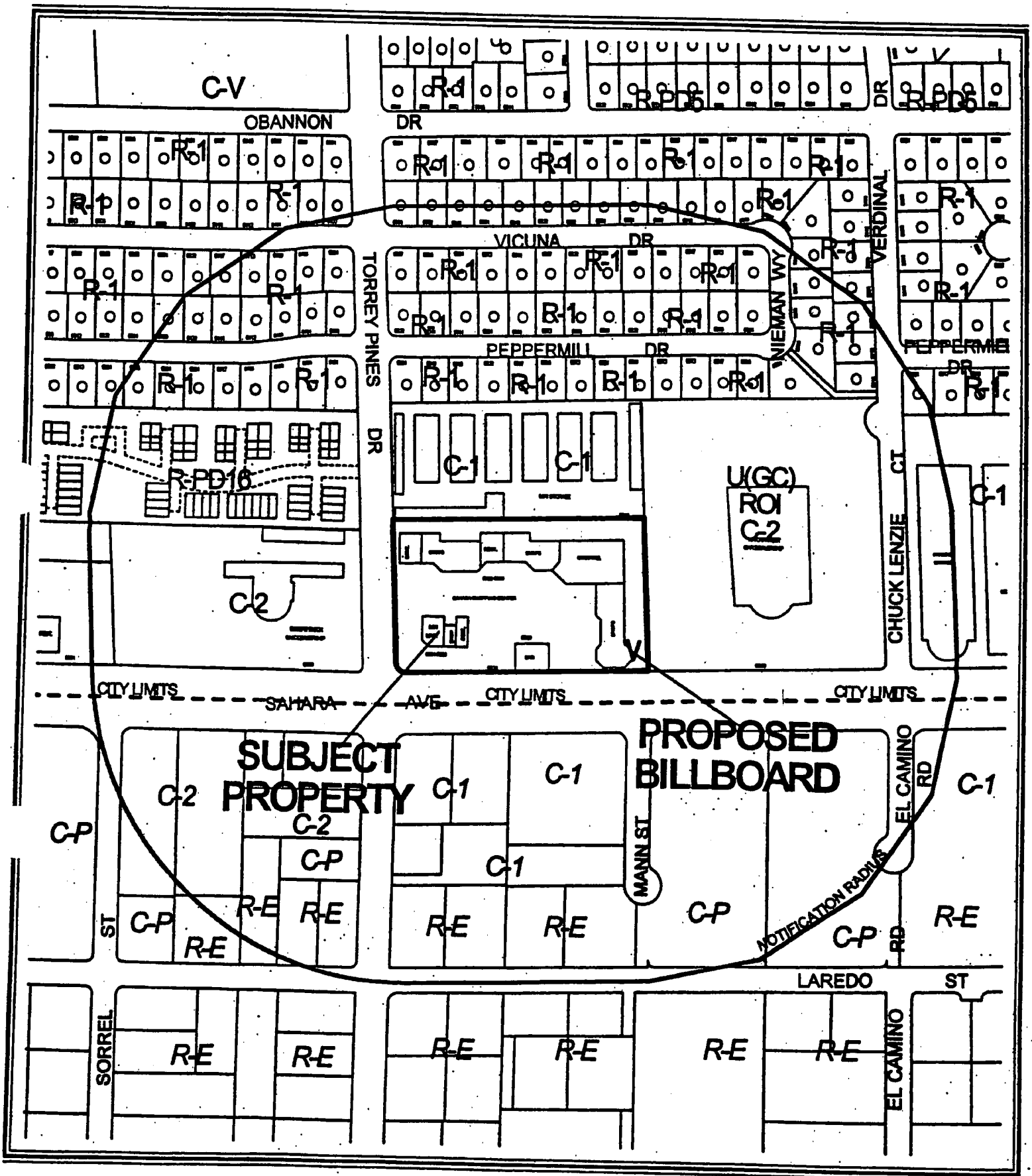
REESE – Motion to HOLD IN ABEYANCE Item 83 [DIR-4797], Item 90 [SUP-2848], Item 91 [SUP-3394], Item 92 [SUP-4172], Item 93 [SUP-4532], Item 94 [GPA-4542], Item 95 [ZON-4543], Item 96 [VAR-4547], Item 97 [VAR-4572], Item 98 [SDR-4545], Item 99 [ZON-4368], Item 100 [VAC-4420] and Item 101 [SDR-4370] to 9/15/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN disclosed that Item 91[SUP-3394], Item 92[SUP-4172], and Item 93[SUP-4532] pertain to billboards, and although his law firm has had some discussions regarding participation in the billboard industry, he felt it did not have an impact on his voting capabilities and therefore, would vote.

(1:00 – 1:04)

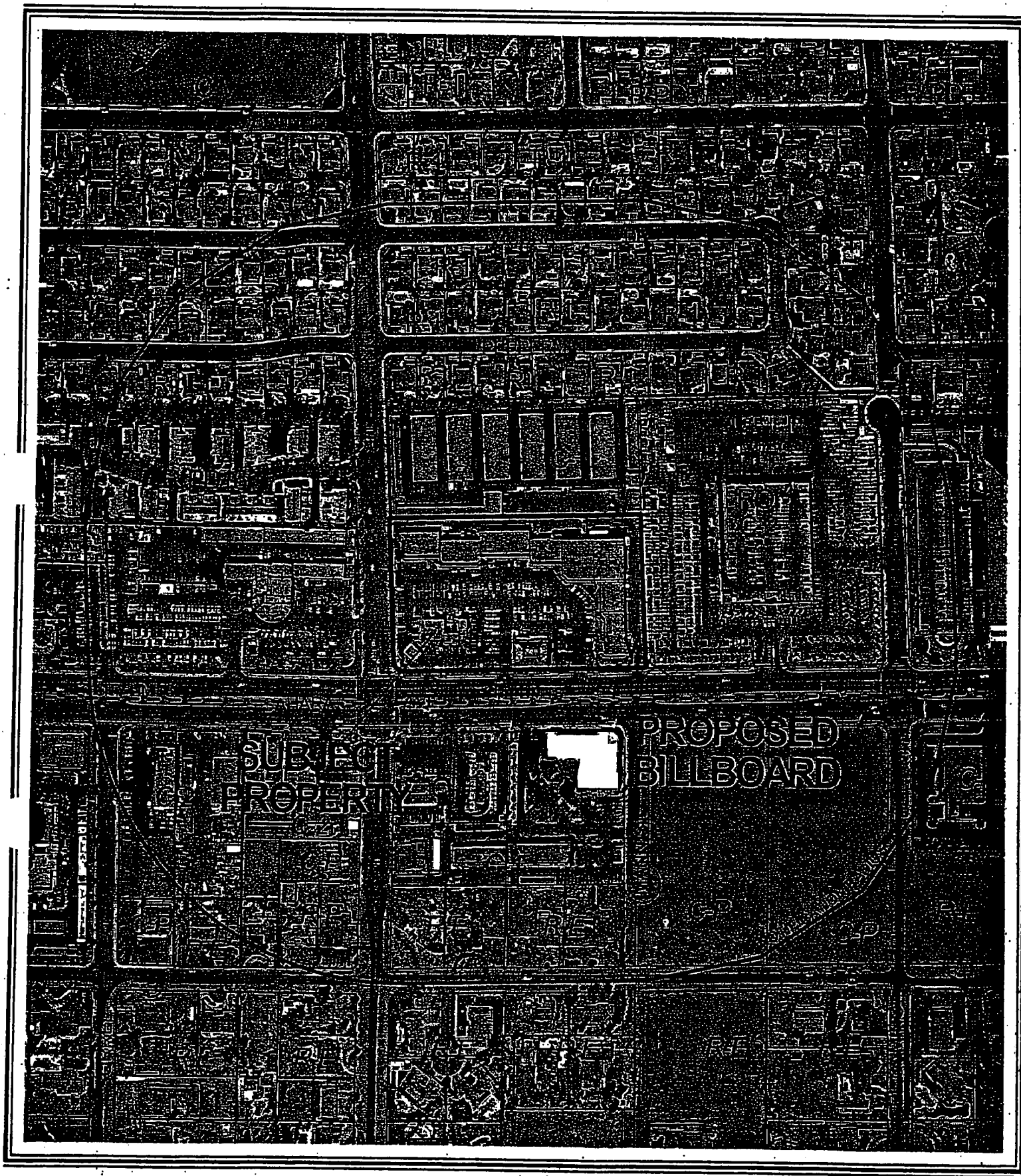
3-1



CASE: SUP-3394

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



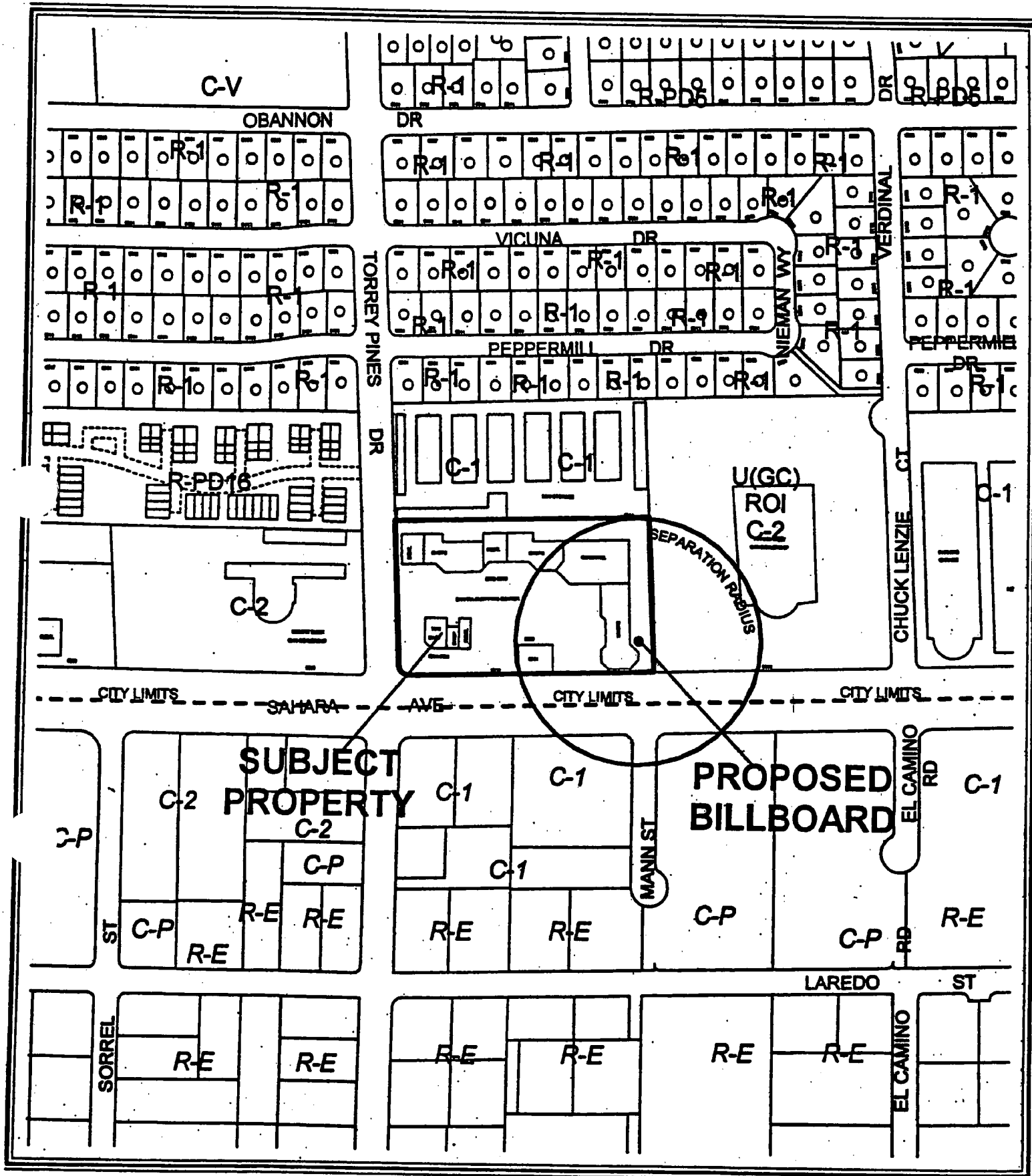
CASE: SUP-3394

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet

A horizontal scale bar with three segments, corresponding to the 0, 200, and 400-foot markings.



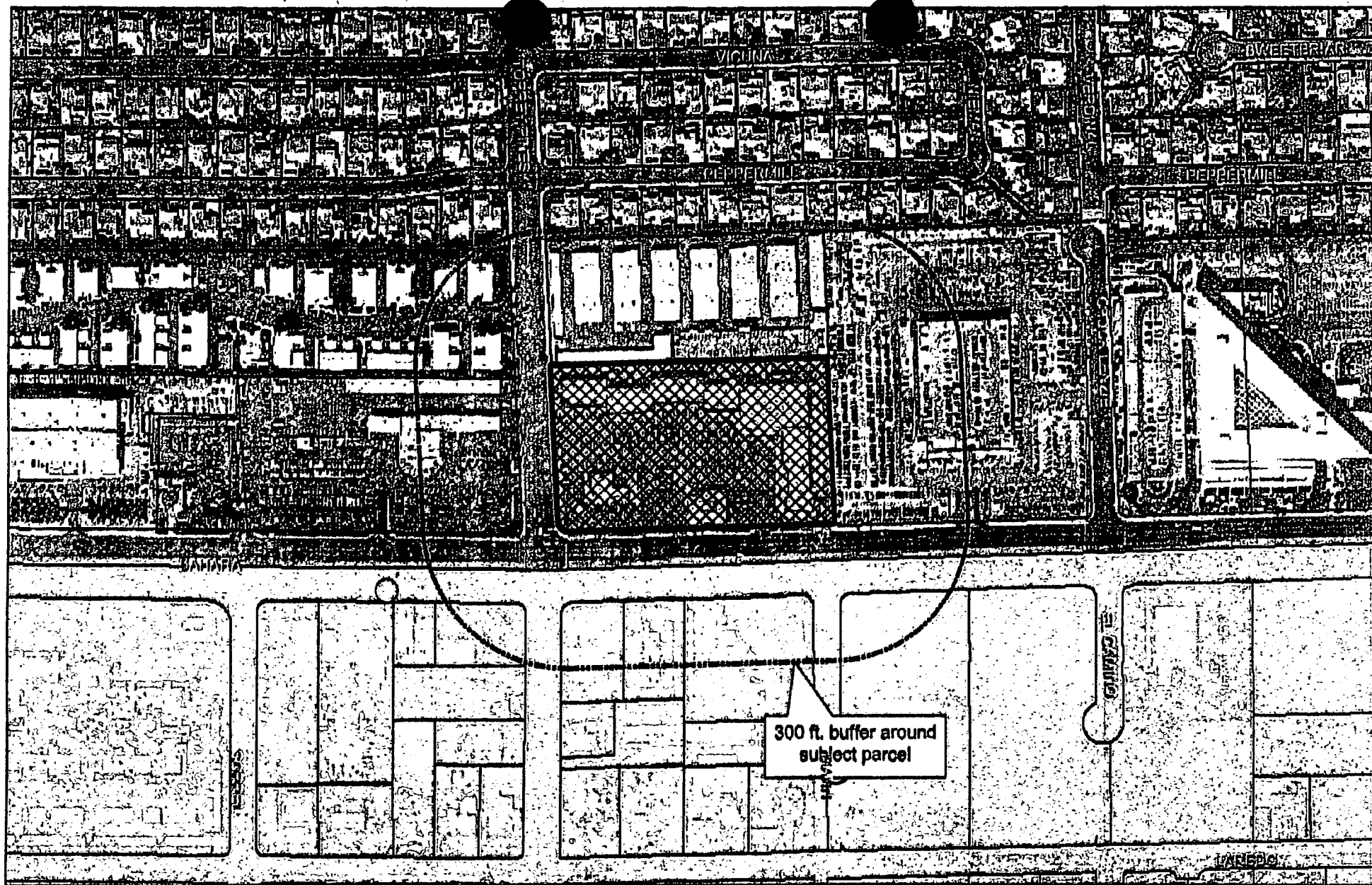
CASE: SUP-3394

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet





SUP-3394

City of Las Vegas Billboard Data

⊠ Subject Parcel

● City of Las Vegas Billboard Location

● Clark County Billboard Location

⊘ 300 Foot Buffer Around Billboard

⊘ 750 Foot Buffer Around Freeway Billboard

□ Outside City Boundary

▨ Off Premise Sign Exclusion Area

□ Exempt - Off Premise Area Sign Area



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-3394 - LAS VEGAS BILLBOARDS
ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 21, 2004 CITY COUNCIL
MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

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

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) 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 be removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the m 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 (Billboard) 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.
8. Conformance to all Minimum Requirements under Title 19.14.100 for an Off-Premise Sign use and other applicable sign requirements.

Public Works

9. The proposed 40-foot tall, 14-foot by 48-foot 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 LAS Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 6390 West Sahara Avenue.

B) Applicant's Justification

The area is commercial in nature and an Off-Premise Sign would not be out of context with the surrounding uses.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a Reclassification of Property (Z-0016-86) from N-U (Non-Urban) to C-1 (Limited Commercial). The Planning Commission recommended approval on 3/13/86.
- 01/28/92 The Board of Zoning Adjustment approved a Variance (V-0190-91) to allow truck and trailer rentals within an existing mini-storage business.
- 01/03/00 The City Council approved a Special Use Permit (U-0179-00) for a Restaurant Service Bar. The Planning Commission and staff recommended approval on 11/16/00.
- 10/17/01 The City Council approved a Special Use Permit (U-0121-01) to allow Second Hand Sales in conjunction with a sporting goods business. The Planning Commission and staff recommended approval on 09/06/01.
- 01/08/04 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #42/fs).

B) Pre-Application Meeting

- 11/13/03 The applicant was informed that the project would be considered a Project of Regional Significance due to its proximity to Clark County.

C) Neighborhood Meetings

Neighborhood meetings are not required for Special Use Permit applications.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 5.34

B) *Existing Land Use*

Subject Property: Shopping Center
North: Mini-Storage
South: Office / Commercial
East: Auto Dealership
West: Auto Dealership

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: Clark County
East: C-2 (General Commercial)
West: U (Undeveloped) Zone under Resolution of Intent to C-2 (General Commercial)

E) *General Plan Compliance*

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. The C-1 (Limited Commercial) zoning designation is in conformance with the General Plan and the proposed Off-Premise Sign is a permitted use.

<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	

COUNTY NOTIFICATION

Property located within the notification radius falls within sections of unincorporated Clark County. The Clark County Planning Department has been notified of the land use application.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reasons:

- 1) Any Special Use Permit within 500' of unincorporated Clark County.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period and it has been determined that the proposed Off-Premise Sign will have no significant impacts on the area.

The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

ANALYSIS

A) *Zoning Code Compliance*

Standards	Code Requirement	Provided
Location	• No Off-Premise Signs in the right-of-way • Permitted only in C-1, C-2, C-M, M Zoning Districts	• Sign is not in right-of-way • Sign is in C-1 Zoning District
Off-Premise Sign area (max.)	672 SF	672 SF
Separation distance from other Off-Premise Sign (min.)	300 Feet	No signs within 300Feet
Separation distance from "U" or "R" zoning district	300 Feet	No R or U zoning districts within 300 feet
Off-Premise Sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet
Setbacks (min.)	• 50 Feet from nearest ROW intersection	No intersection within 50 feet of the proposed sign

The proposed Off-Premise Sign meets the minimum distance separation requirements in addition to area, height, and setback requirements of Title 19.14.100.

B) General Analysis and Discussion

- Zoning

An Off-Premise Advertising (Billboard) Sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

Off-Premise Signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-Premise Signs generally produce revenue to the property owner(s) as a land use as compared to On-Premise Signs which do not produce revenue but are incidental to a revenue-producing land use. However, because of the special characteristics of Off-Premises Signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with Off-Premises Signs as a permitted use in certain zoning districts.

- Conditions

Title 19.14.100(D) specifies the following provisions regarding Off-Premise Advertising Signs:

1. All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view. Display surface panels that are removed for the purpose of changing the advertising message shall be replaced within thirty days with display panels containing a new advertising message or uniformly painted blank panels.
2. All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.
3. For any Off-Premise Signs that is proposed within six hundred sixty feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.
4. No sign certificate shall be issued for an individual Off-Premise Sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:
 - a. An accurate site plan of the lot, at the scale the Director requires;
 - b. The location of buildings, parking lots, driveways and landscaped areas on the lot;
 - c. An accurate indication of the location of all existing and proposed Off-Premise Signs; and

- d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.
5. The holder of a sign certificate shall notify the Director of any significant change in the characteristics of an Off-Premise Sign, such as illumination, embellishment areas or moving parts, and provide any additional supplemental drawings as the Director may require.

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 Off-Premise Sign conforms to the standards and intent of the SC (Service Commercial) General Plan designation and the C-1 (Limited Commercial) zoning district. Further, the proposed sign is located outside of the Off-Premise Sign exclusionary zone, and is meeting all minimum distance separation requirements as outlined in Title 19.14.100. The subject use is harmonious and compatible with surrounding properties.

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

Physically, the subject site is appropriate for the proposed Off-Premise Advertising (Billboard) Sign, as the sign location will not interfere with any on-site circulation or site visibility restrictions.

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.”**

Access to the site is via access a driveway off of Sahara Avenue, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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 development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Completion and final inspection, which will insure the protection of the public health, safety and general welfare. Further, the overall objectives of the General Plan are in compliance with the proposed development.

PLANNING COMMISSION ACTION

The Planning Commission voted unanimously for denial, believing the site to be inappropriate for off-site advertising.

NOTICES MAILED 120 by City Clerk

APPROVALS 0

PROTESTS 3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3394 APN: 163-02-576-001Name of Property Owner: WEST SUNDRA ASSOCIATESName of Applicant: LAS VEGAS BILLBOARDS

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.

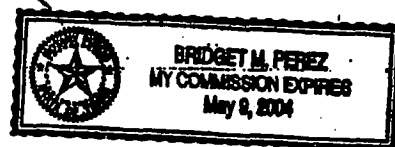
City Official: _____

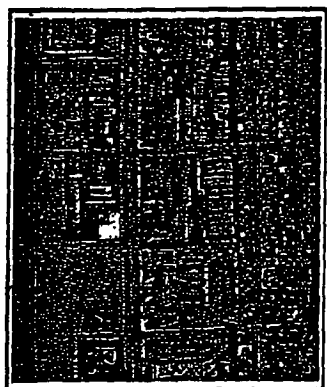
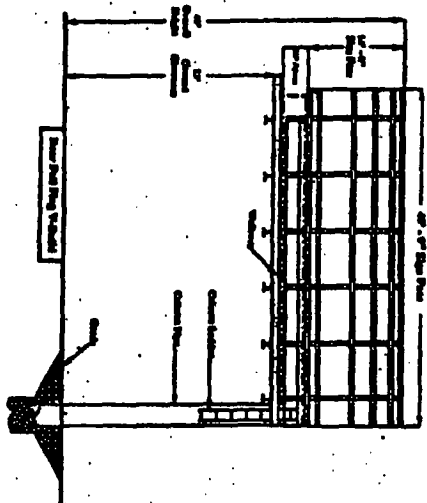
Partner(s): _____

APN: _____

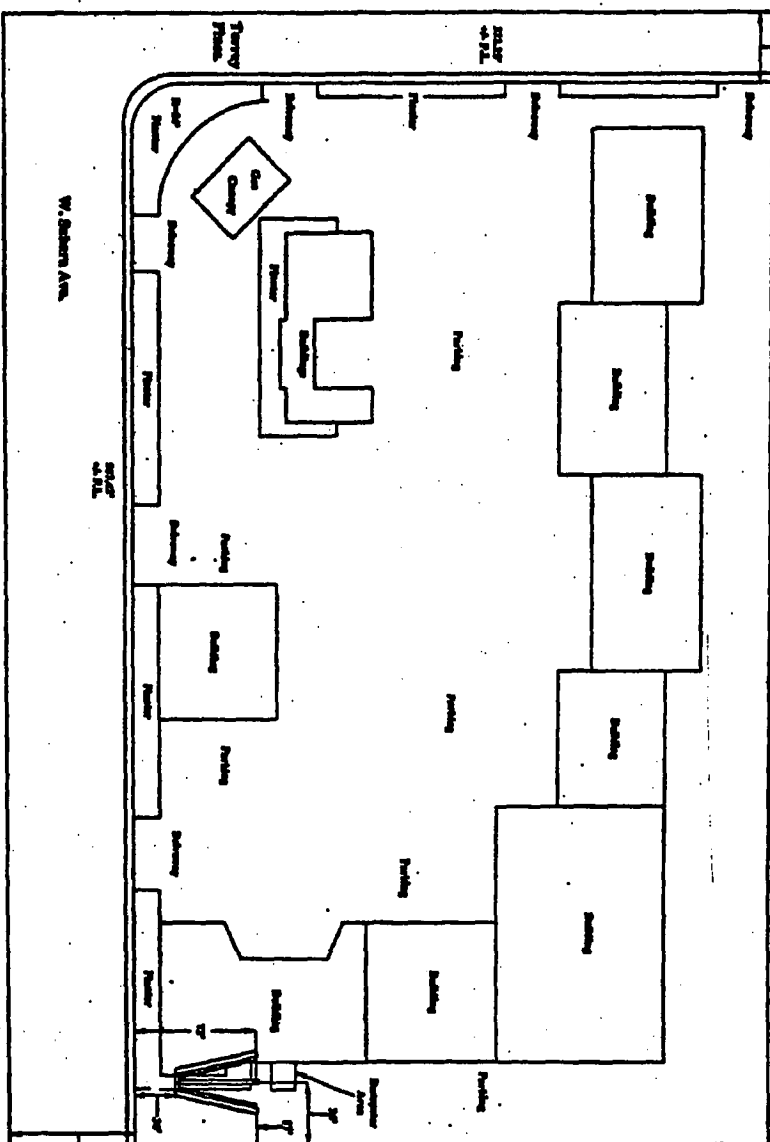
Signature of Property Owner/Authorized Agent: X _____Print Name: Granville Harper

Subscribed and sworn before me

This 31 day of October, 2003Bridget M. Perez
Notary Public in and for said County and State

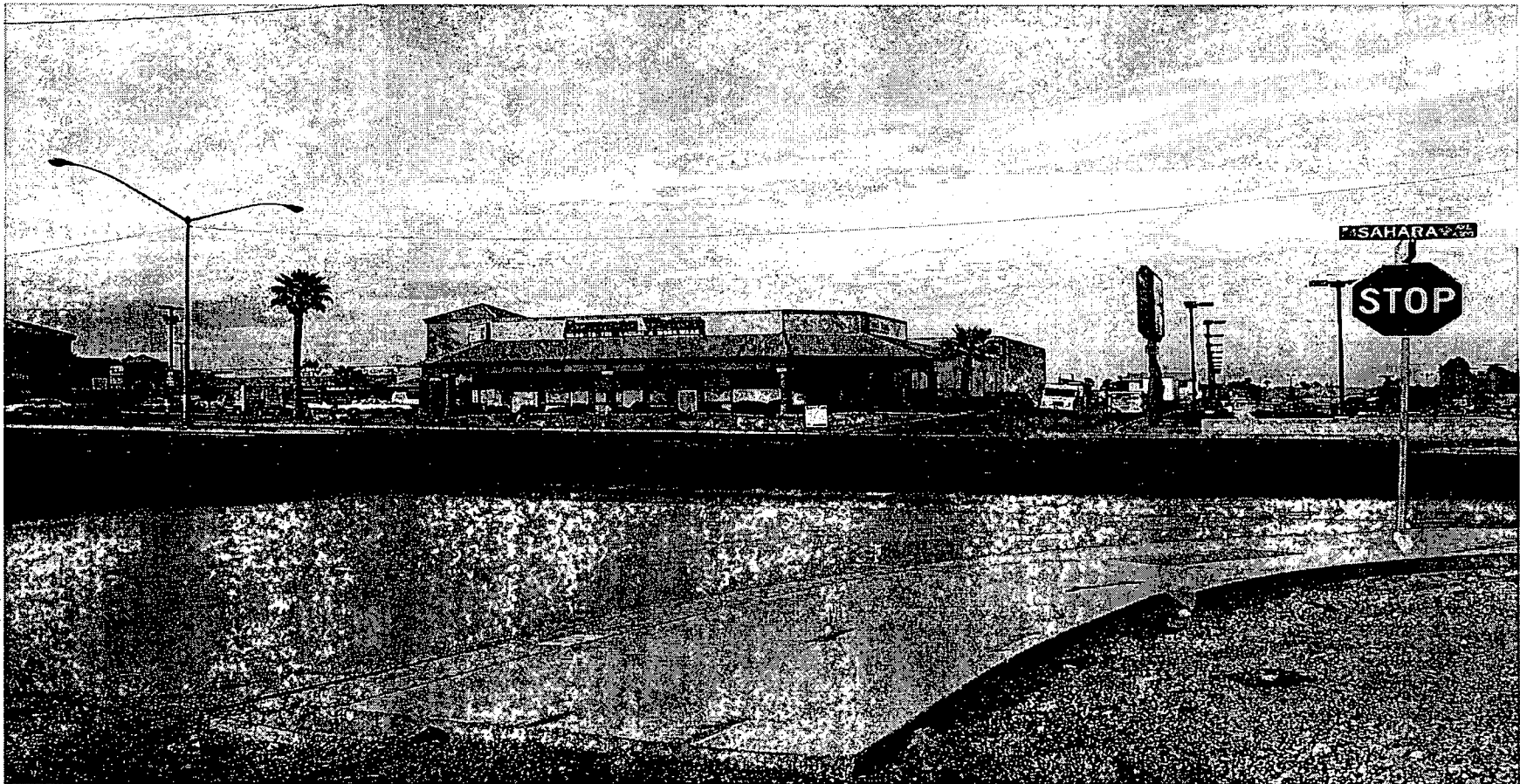


PROPERTY OWNER		WEST SAVANNA ASSOCIATES C/O CHARVET'S BLDG 1001 W. 10TH ST. SOUTH BEND, IN 46708-2000	
PROPERTY ADDRESS		C/O W. SAVANNA ASS. 1001 W. 10TH ST. SOUTH BEND, IN 46708-2000	
CONTACT		JAMES H. HARRIS 1001 W. 10TH ST. SOUTH BEND, IN 46708-2000	
DATE VISITED		10/10/83	
TYPE OF VISIT		1. VISIT TO PROPERTY 2. VISIT TO OFFICE 3. VISIT TO OFFICE 4. VISIT TO OFFICE 5. VISIT TO OFFICE 6. VISIT TO OFFICE 7. VISIT TO OFFICE 8. VISIT TO OFFICE 9. VISIT TO OFFICE 10. VISIT TO OFFICE 11. VISIT TO OFFICE 12. VISIT TO OFFICE 13. VISIT TO OFFICE 14. VISIT TO OFFICE 15. VISIT TO OFFICE 16. VISIT TO OFFICE 17. VISIT TO OFFICE 18. VISIT TO OFFICE 19. VISIT TO OFFICE 20. VISIT TO OFFICE 21. VISIT TO OFFICE 22. VISIT TO OFFICE 23. VISIT TO OFFICE 24. VISIT TO OFFICE 25. VISIT TO OFFICE 26. VISIT TO OFFICE 27. VISIT TO OFFICE 28. VISIT TO OFFICE 29. VISIT TO OFFICE 30. VISIT TO OFFICE 31. VISIT TO OFFICE 32. VISIT TO OFFICE 33. VISIT TO OFFICE 34. VISIT TO OFFICE 35. VISIT TO OFFICE 36. VISIT TO OFFICE 37. VISIT TO OFFICE 38. VISIT TO OFFICE 39. VISIT TO OFFICE 40. VISIT TO OFFICE 41. VISIT TO OFFICE 42. VISIT TO OFFICE 43. VISIT TO OFFICE 44. VISIT TO OFFICE 45. VISIT TO OFFICE 46. VISIT TO OFFICE 47. VISIT TO OFFICE 48. VISIT TO OFFICE 49. VISIT TO OFFICE 50. VISIT TO OFFICE 51. VISIT TO OFFICE 52. VISIT TO OFFICE 53. VISIT TO OFFICE 54. VISIT TO OFFICE 55. VISIT TO OFFICE 56. VISIT TO OFFICE 57. VISIT TO OFFICE 58. VISIT TO OFFICE 59. VISIT TO OFFICE 60. VISIT TO OFFICE 61. VISIT TO OFFICE 62. VISIT TO OFFICE 63. VISIT TO OFFICE 64. VISIT TO OFFICE 65. VISIT TO OFFICE 66. VISIT TO OFFICE 67. VISIT TO OFFICE 68. VISIT TO OFFICE 69. VISIT TO OFFICE 70. VISIT TO OFFICE 71. VISIT TO OFFICE 72. VISIT TO OFFICE 73. VISIT TO OFFICE 74. VISIT TO OFFICE 75. VISIT TO OFFICE 76. VISIT TO OFFICE 77. VISIT TO OFFICE 78. VISIT TO OFFICE 79. VISIT TO OFFICE 80. VISIT TO OFFICE 81. VISIT TO OFFICE 82. VISIT TO OFFICE 83. VISIT TO OFFICE 84. VISIT TO OFFICE 85. VISIT TO OFFICE 86. VISIT TO OFFICE 87. VISIT TO OFFICE 88. VISIT TO OFFICE 89. VISIT TO OFFICE 90. VISIT TO OFFICE 91. VISIT TO OFFICE 92. VISIT TO OFFICE 93. VISIT TO OFFICE 94. VISIT TO OFFICE 95. VISIT TO OFFICE 96. VISIT TO OFFICE 97. VISIT TO OFFICE 98. VISIT TO OFFICE 99. VISIT TO OFFICE 100. VISIT TO OFFICE	



SUP-3394

01-08-04 PC



SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATED, LIMITED
PARTNERSHIP
NORTHEAST CORNER OF TORREY PINES DRIVE AND SAHARA AVENUE
JANUARY 8, 2004 PLANNING COMMISSION

12/29/03



**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
LIMITED PARTNERSHIP**

**Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue
FEBRUARY 4, 2004 CITY COUNCIL MEETING**

Picture taken 01/21/04



**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
LIMITED PARTNERSHIP**

**Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue
FEBRUARY 4, 2004 CITY COUNCIL MEETING**

Picture taken 01/21/04



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Picture taken 01/21/04



SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP

Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue

FEBRUARY 4, 2004 CITY COUNCIL MEETING

Picture taken 01/21/04



**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
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FEBRUARY 4, 2004 CITY COUNCIL MEETING**

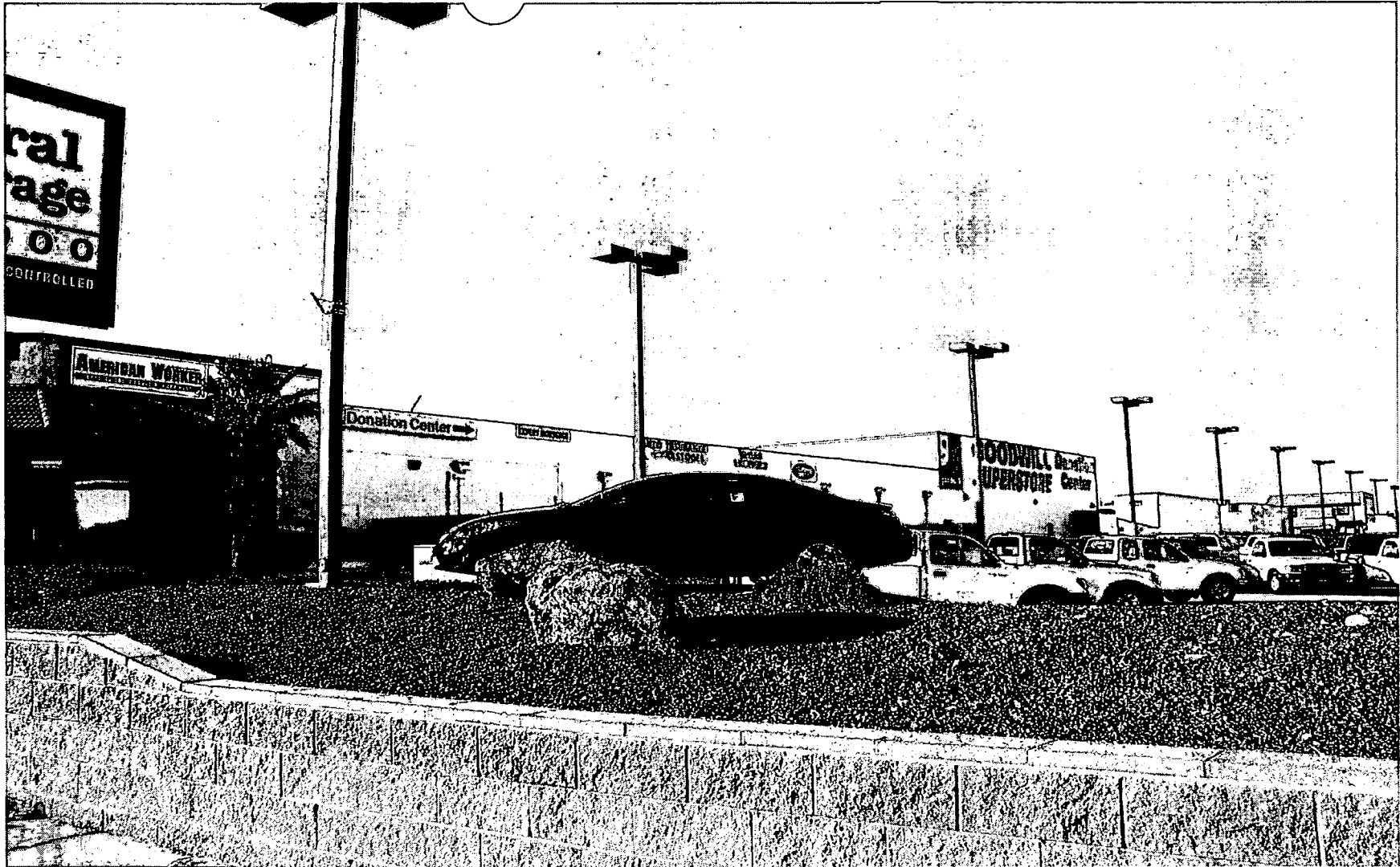
Picture taken 01/21/04



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**SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES,
LIMITED PARTNERSHIP**

**Adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue
FEBRUARY 4, 2004 CITY COUNCIL MEETING**

Picture taken 01/21/04

LAS Consulting, Inc.
2754 Highland Drive, Suite A
Las Vegas, NV. 89109
Ofc. (702) 889-2879
Fax: (702) 889-3122

RECEIVED
CITY CLERK

2004 JAN 14 P 3:41

City of Las Vegas, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101
Fax: (702) 382-4803

RE: SUP-3394
NEC Sahara & Torrey Pines, APN-163-02-816-001, PC agenda item #42

Dear Sir or Madam:

Please accept this letter as a request to appeal the Planning Commission's denial of the above referenced application. This item was heard at the January 8, 2004 Planning Commission meeting. I would like to appeal it to be heard by the City Council. Please let me know if you have any questions regarding this matter.

Yours truly,


Lucy Stewart

MICHAEL H. SINGER
JAY H. BROWN

LAW OFFICES
Singer & Brown
A NEVADA LLC
2004 AUG 31 P 1:24

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6593

TELEPHONE (702) 384-5583
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

August 30, 2004

FAX: 382-4803

Las Vegas City Clerk
400 E Stewart Avenue
Las Vegas, Nevada 89101
Attn: Barbara Jo Ronemus
City Clerk

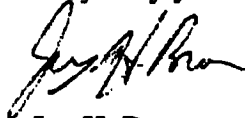
Re: Item No. 91 City County Agenda of September 1, 2004
SUP-3394-Special Use Permit-Las Vegas Billboards on behalf of
West Sahara Associates, Limited Partnership

Dear Ms. Ronemus:

Please be advised that I represent Las Vegas Billboards in connection with the above referenced application.

On behalf of our client, we respectfully request that this item be held in abeyance from the City Council agenda of September 1, 2004 and reset for the September 15, 2004 City Council meeting.

Very truly yours,



Jay H. Brown

JHB:cc

Submitted after final agenda

Date 9/31/04 Item #91

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4172 -
APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SHAHRAM AND TAWNYA SHEIKHAN - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 300 South Decatur Boulevard (APN 138-36-601-004), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by LAS Consulting, Inc.
5. Submitted after final agenda - Abeyance request by Singer & Brown

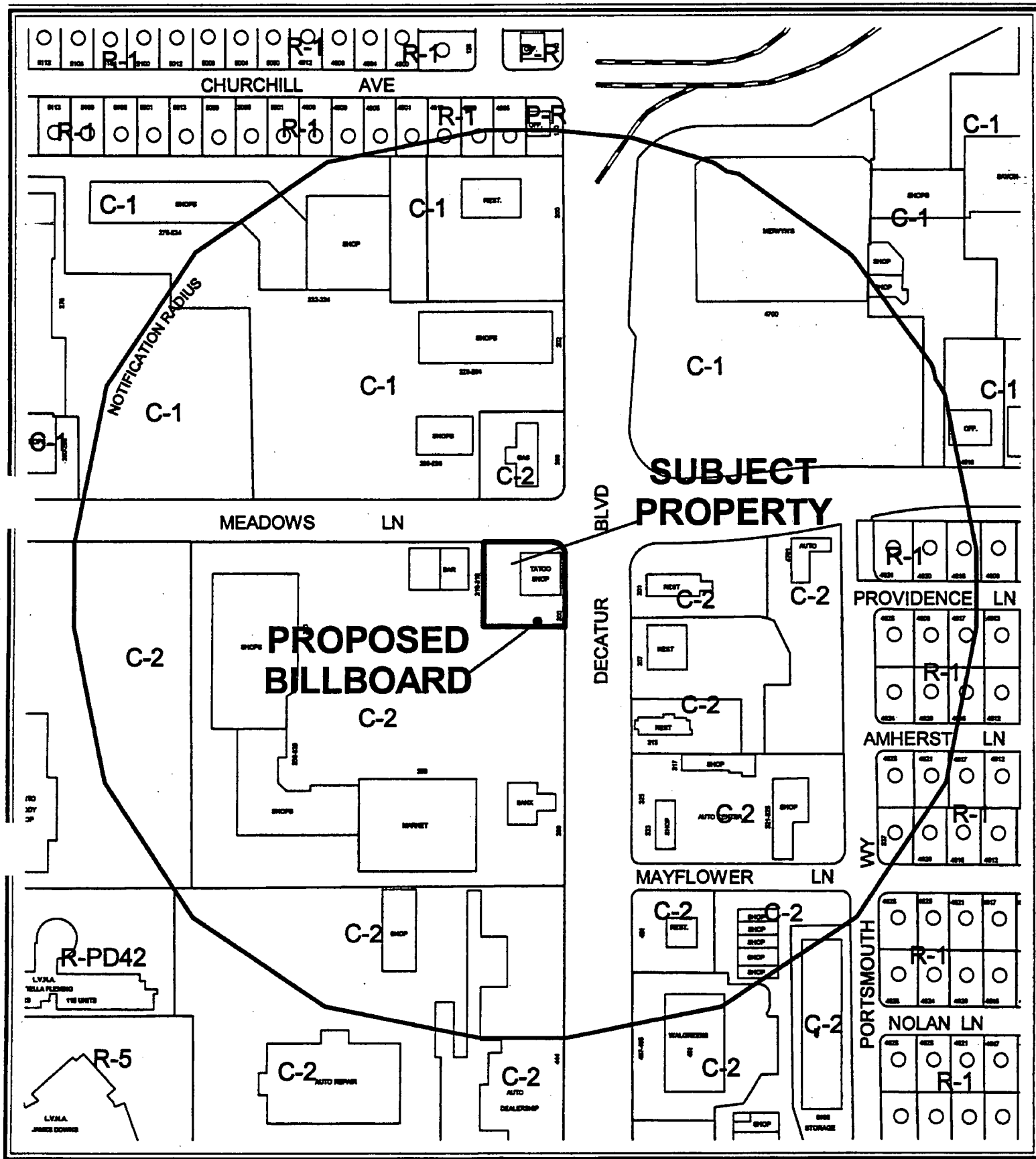
MOTION:

REESE - Motion to HOLD IN ABEYANCE Item 83 [DIR-4797], Item 90 [SUP-2848], Item 91 [SUP-3394], Item 92 [SUP-4172], Item 93 [SUP-4532], Item 94 [GPA-4542], Item 95 [ZON-4543], Item 96 [VAR-4547], Item 97 [VAR-4572], Item 98 [SDR-4545], Item 99 [ZON-4368], Item 100 [VAC-4420] and Item 101 [SDR-4370] to 9/15/2004 - UNANIMOUS

MINUTES:

MAYOR GOODMAN disclosed that Item 91[SUP-3394], Item 92[SUP-4172], and Item 93[SUP-4532] pertain to billboards, and although his law firm has had some discussions regarding participation in the billboard industry, he felt it did not have an impact on his voting capabilities and therefore, would vote.

(1:00 - 1:04)

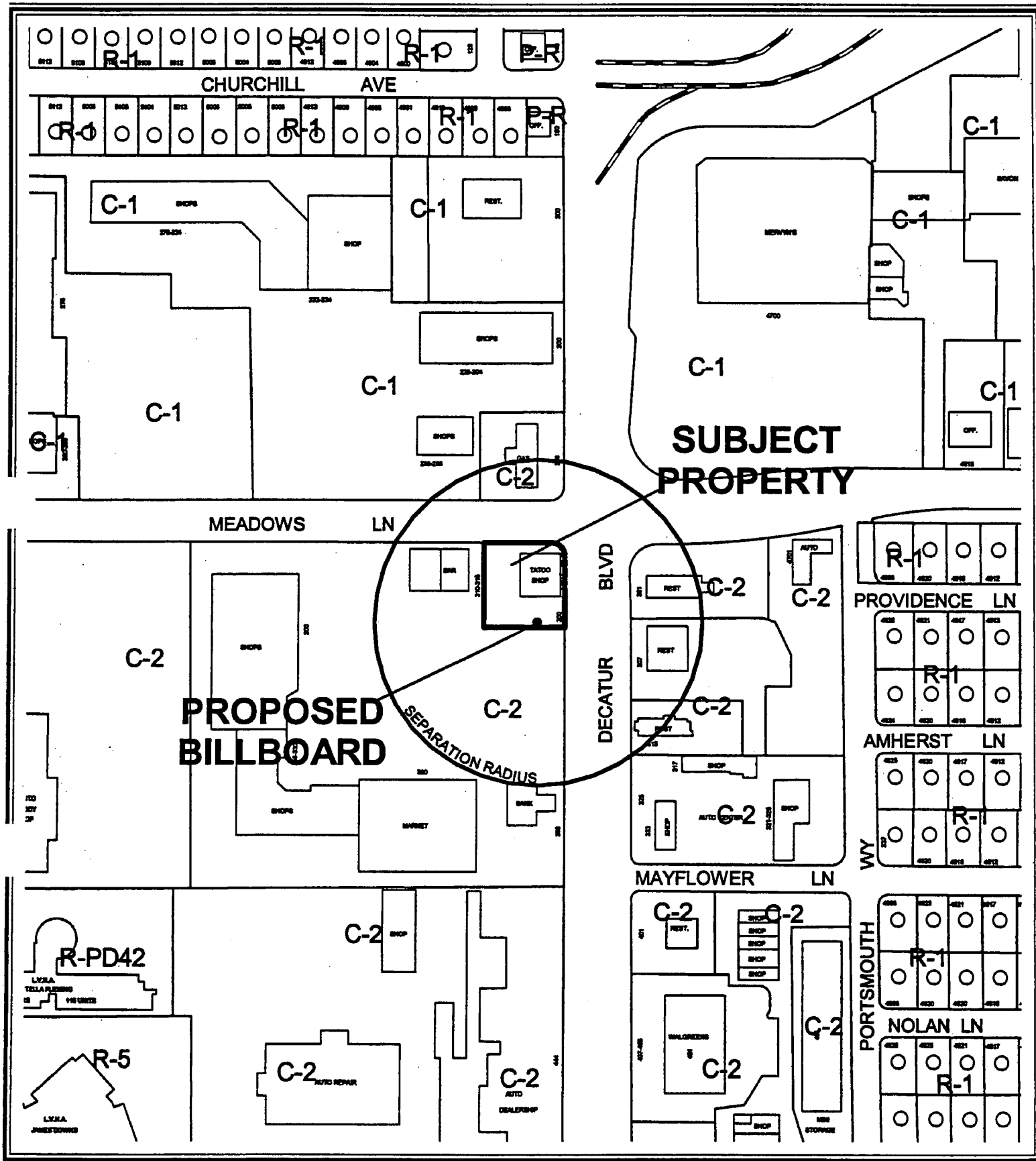


CASE: SUP-4172

RADIUS: 750 FT

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



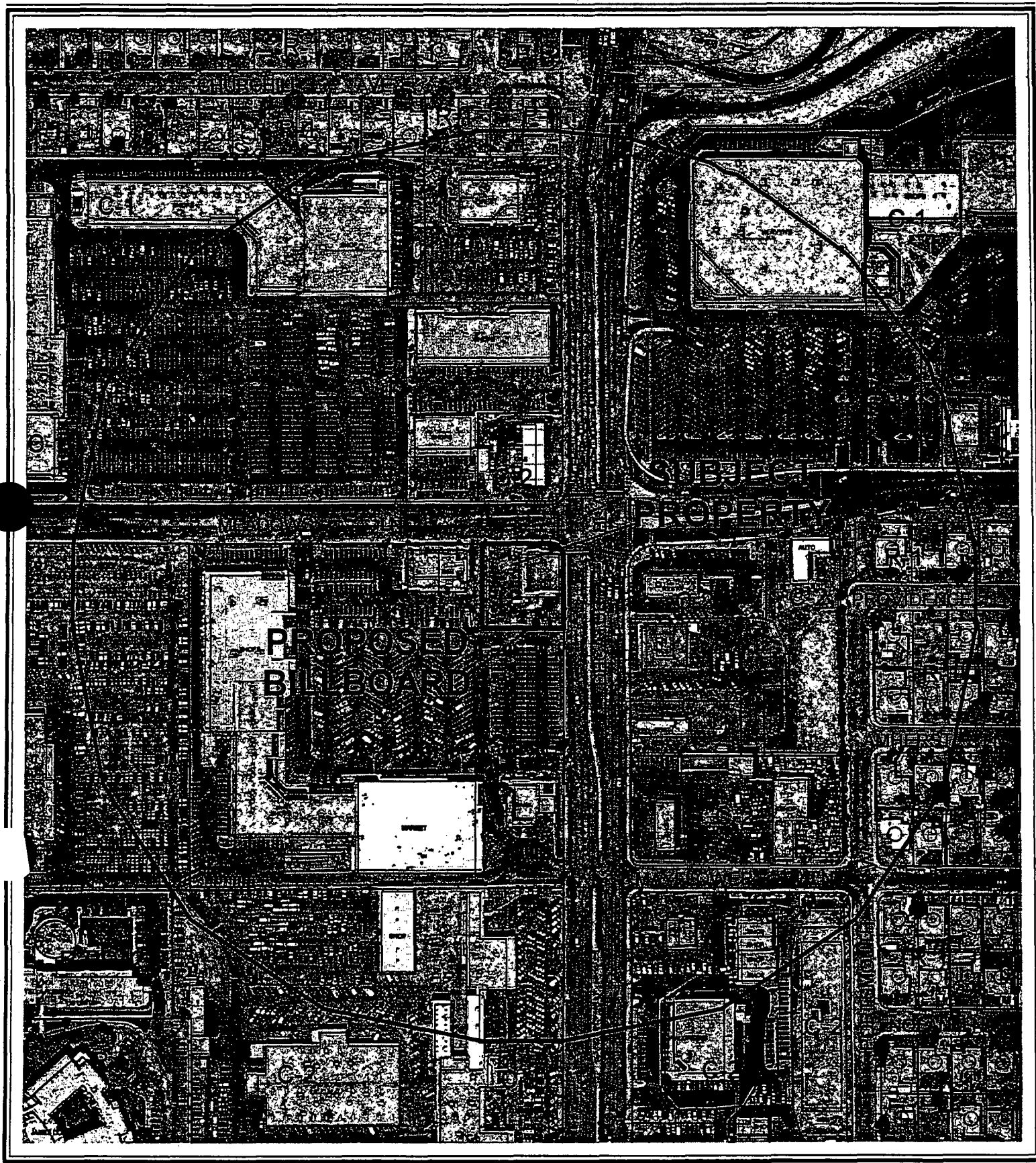


CASE: SUP-4172

SEPARATION RADIUS: 300 FT

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

NOTE: NO EXISTING BILLBOARDS IN AREA



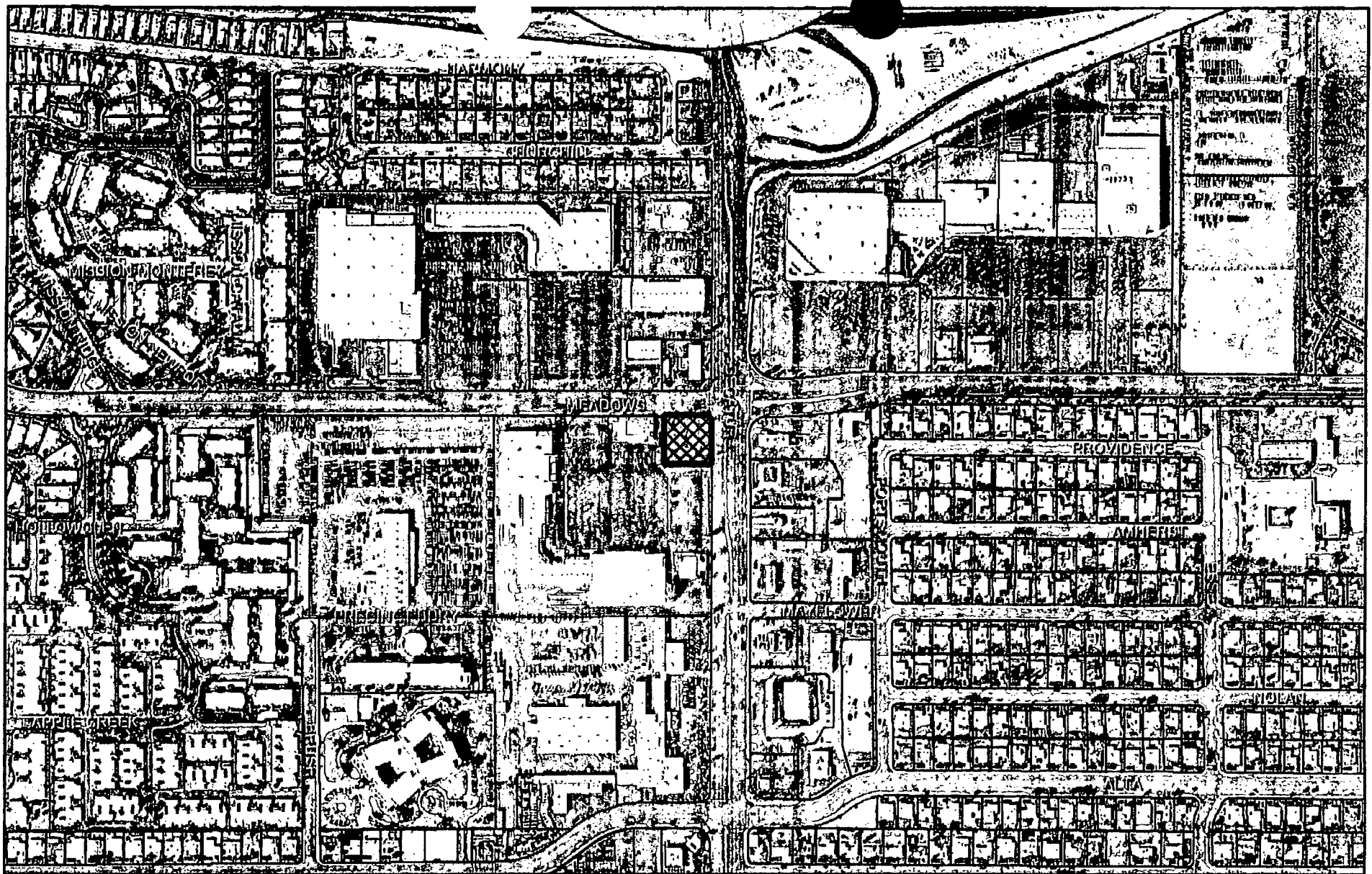
CASE: SUP-4172

RADIUS: 750 FT

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

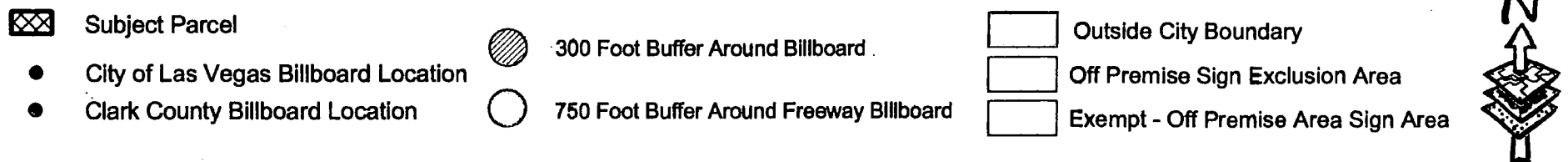
0 100 200 Feet





SUP-4172

City of Las Vegas Billboard Data



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-4172 - APPLICANT: LAS VEGAS
BILLBOARDS - OWNER: SHAHRAM AND TAWNYA SHEIKHAN**

***THIS ITEM WAS HELD IN ABEYANCE AT THE JULY 7, 2004 CITY COUNCIL
MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the Off-Premise Advertising (Billboard) 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 be 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. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
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5. 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 Advertising (Billboard) Sign.
6. Only one advertising sign is permitted per sign face.
7. 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.

8. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

9. The proposed 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 an Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit for an Off-Premise Advertising (Billboard) Sign located at 300 South Decatur Boulevard.

B) Applicant's Justification

The proposed sign meets all distance separation requirements and is located within a commercial area.

BACKGROUND INFORMATION

A) Previous Actions

08/22/73 The Board of City Commissioners approved a Reclassification of Property (Z-0061-73) from R-1 (Single Family Residential District) to C-2 (General Commercial). The Planning Commission recommended approval on 8/09/73.

05/11/98 The City Council denied a Special Use Permit (U-0013-98) for a Pawnshop and Second-Hand Sales. The Planning Commission and staff recommended approval on 2/26/98.

05/13/04 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #51).

B) Pre-Application Meeting

03/08/04 No significant issues were identified during the pre-application meeting.

C) Neighborhood Meetings

A Neighborhood Meeting is not required for Special Use Permit applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.52

B) Existing Land Use

Subject Property: Commercial Building
North: Service Station
South: Shopping Center
East: Fast Food Restaurant
West: Shopping Center

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: SC (Service Commercial)
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with a SC (Service Commercial) land use designation, which allows for low to medium intensity retail, office, or other commercial uses that serve primarily location area patrons, and that do not include more intense general commercial characteristics. The site is zoned C-2 (General Commercial) and the proposed sign is a permitted use with the approval of a Special Use Permit.

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

The site does not fall within any Special Districts or Zones.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	300 feet	Over 300 feet

The subject site meets all minimum distance separation requirements.

B) General Analysis and Discussion

- Zoning

The C-2 (General Commercial) district is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character. An Off-Premises Advertising (Billboard) Sign is a permitted use in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

- Use

Title 19 establishes the criteria for the approval of Off-Premises Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premises Advertising (Billboard) Sign 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. The center of the proposed sign is located along the south property line, approximately 50 feet west of Decatur Boulevard.

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 subject site is located within a commercial shopping center, and the proposed Off-Premise Advertising (Billboard) Sign is harmonious and compatible with the existing and future land uses in the area.

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

The subject is physically suitable for the proposed Off-Premise Advertising (Billboard) Sign. No waivers are requested, and the site allows for compliance with all distance separation requirements.

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.”**

This use does not generate traffic on the proposed site and will not negatively affect the surrounding roadways.

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 Off-Premises (Billboard) Advertising Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

PLANNING COMMISSION ACTION

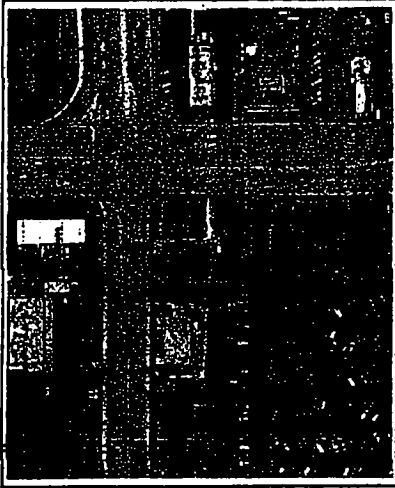
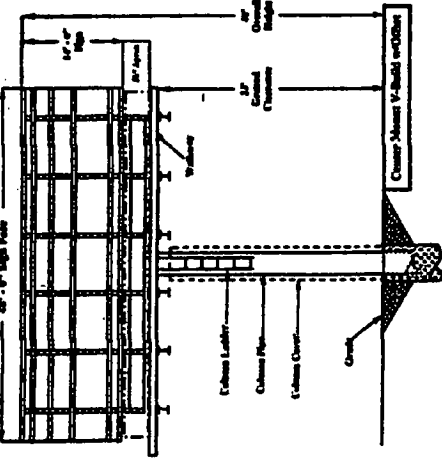
The Planning Commission members unanimously believed this to be an inappropriate billboard location.

NOTICES MAILED 43 by City Clerk

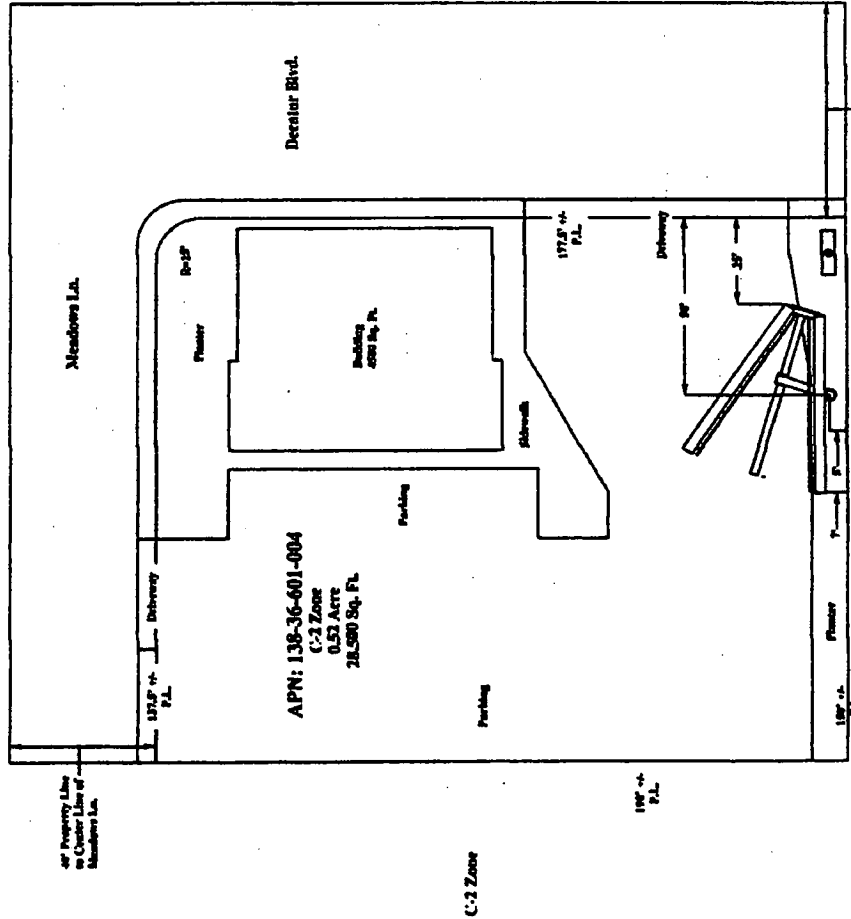
APPROVALS 0

PROTESTS 1





C-1 Zone



C-2 Zone

C-3 Zone

PROPERTY OWNER: SHAHRAM & TANYA SHEKHAN
300 E. DECATUR BLVD.
LAS VEGAS, NV 89107

PROPERTY ADDRESS: 300 E. DECATUR BLVD.
LAS VEGAS, NV 89107

CONTACT: STEVE BARNES
LAS VEGAS BILLBOARDS
3605 E. VALLEY VIEW BLVD.
LAS VEGAS, NV 89118
877-7823

APN: 138-36-401-004
ZONED: C-2
14' ± 48' CENTER MOUNT V-BUILD ± OFFSET
48' OVERALL HEIGHT
NO ADJACENT OFF-PREMISE SIGN WITHIN 100'
NO ADJACENT OFF-PREMISE SIGN WITHIN 300'
NO R-E ZONE WITHIN 300'
SCALE 1" = 20'

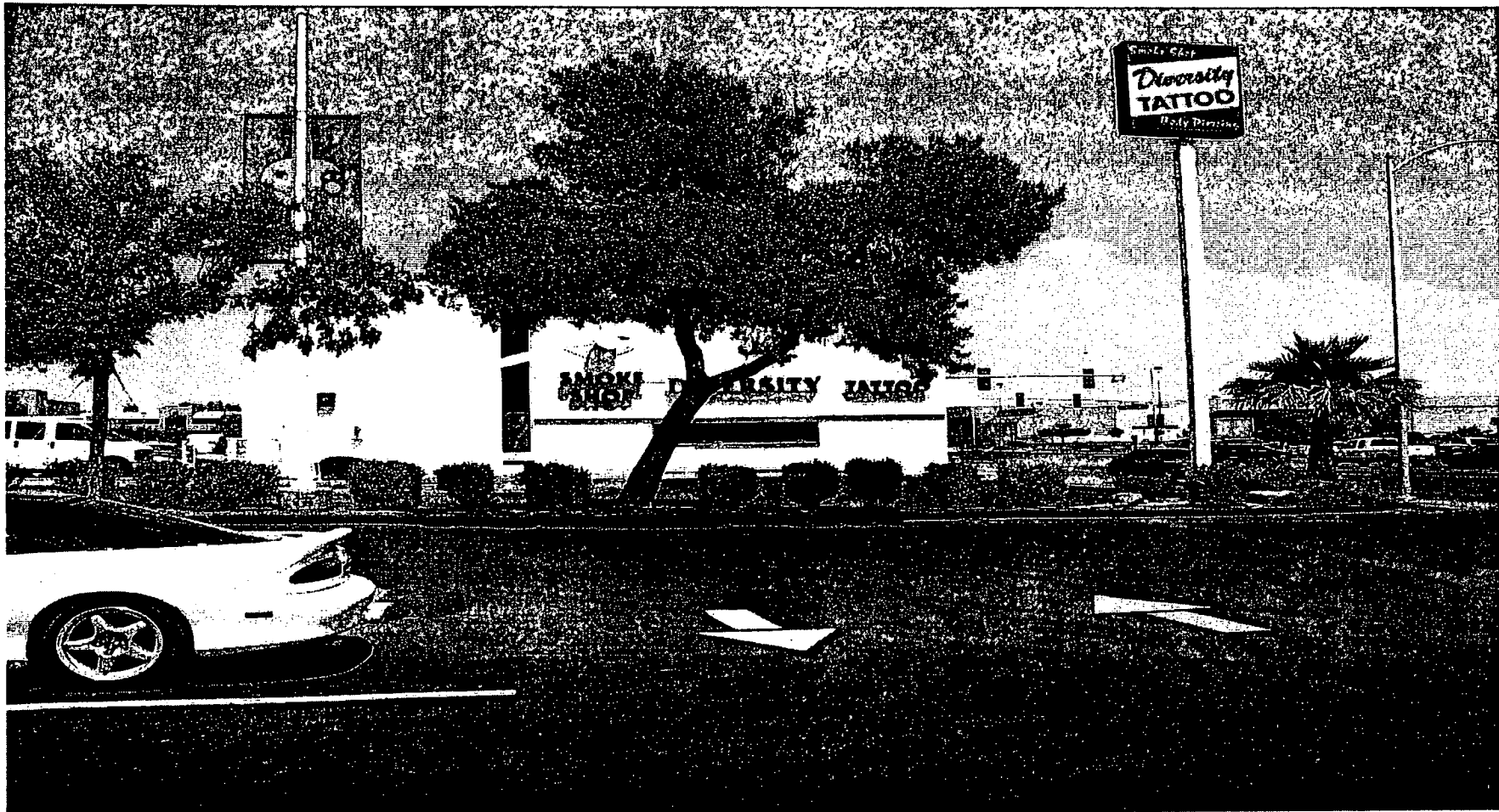
SIGN ANALYSIS TABLE

TYPE OF SIGN:	14' ± 48' OFF-PREMISE SIGN
SIGN HEIGHT:	48' OVERALL HEIGHT
SIGN WIDTH:	48' OVERALL WIDTH
SIGN AREA:	672 SQUARE FT.
ILLUMINATION TYPE:	BALLOON LIGHTING
ADDITIONAL:	NONE

LOCATION:
9' FRONT SETBACK FROM DECATUR BLVD. TO LEADING EDGE OF SIGN.
7' FRONT SETBACK FROM DECATUR BLVD. TO CENTER OF COLUMN.
10' SIDE SETBACK FROM DECATUR BLVD. TO CENTER OF COLUMN.
10' SIDE SETBACK FROM DECATUR BLVD. TO CENTER OF COLUMN.

C-2 Zone

SUP-4172
05-13-04 PC



SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4172 - APPLICANT: LAS VEGAS BILLBOARDS -
OWNER: SHAHRAM AND TAWNYA SHEIKHAN
300 SOUTH DECATUR BOULEVARD
MAY 13, 2003 PLANNING COMMISSION

4/19/04



**SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4172 - APPLICANT: LAS VEGAS BILLBOARDS -
OWNER: SHAHRAM AND TAWNIA SHEIKHAN
300 SOUTH DECATUR BOULEVARD
MAY 13, 2003 PLANNING COMMISSION**

4/19/04

LAS Consulting, Inc.
856 E. Sahara #4
Las Vegas, NV 89104
(702) 889-2879-office
(702) 889-3122-fax

RECEIVED
CITY CLERK

2004 MAY 14 A 8 26

May 13, 2004

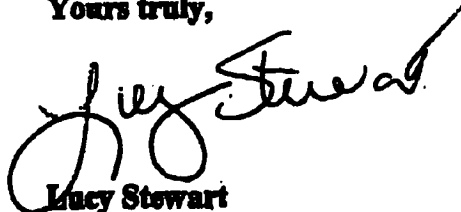
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101
Phone: (702) 229-6311
Fax: (702) 382-4803

RE: Appeal from the 5/13/03 Planning Commission Meeting
No. 50 SUP-4169 and No. 51 SUP-4172

Dear Madam:

Please accept this letter as a request appeal the Planning Commission's denial of items No. 50 SUP-4169 (Milford) and SUP-4172 (Sheikan), respectively. These items were denied at the May 13, 2004 Planning Commission Meeting. I would like to appeal these special use permits to the City Council. I understand that should be the June 2 City Council meeting. Please advise me if that is a different date. Thank you for your consideration in this matter.

Yours truly,



Lucy Stewart
LAS Consulting, Inc.

Cc.
Jay Brown, 385-1023
Chad Harris LVBB, 837-7821

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-8593

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
Brownltd@earthlink.net

August 30, 2004

FAX: 382-4803

Las Vegas City Clerk
400 E Stewart Avenue
Las Vegas, Nevada 89101
Attn: Barbara Jo Ronemus
City Clerk

RECEIVED
CITY CLERK
2004 AUG 31 P 1:24

Re: Item No. 92 City County Agenda of September 1, 2004
SUP-4172-Special Use Permit-Las Vegas Billboards on behalf of
Shahram and Tawnya Sheikhan

Dear Ms. Ronemus:

Please be advised that I represent Las Vegas Billboards in connection with the above referenced application.

On behalf of our client, we respectfully request that this item be held in abeyance from the City Council agenda of September 1, 2004 and reset for the September 15, 2004 City Council meeting.

Very truly yours,



Jay H. Brown

JHB:cc

Submitted after final agenda

Date 8/31/04 Item #92

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4532 -
APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED
LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 5320 West Sahara Avenue (APN 163-01-804-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by LAS Consulting, Inc.
5. Submitted after final agenda – Abeyance request by Singer & Brown

MOTION:

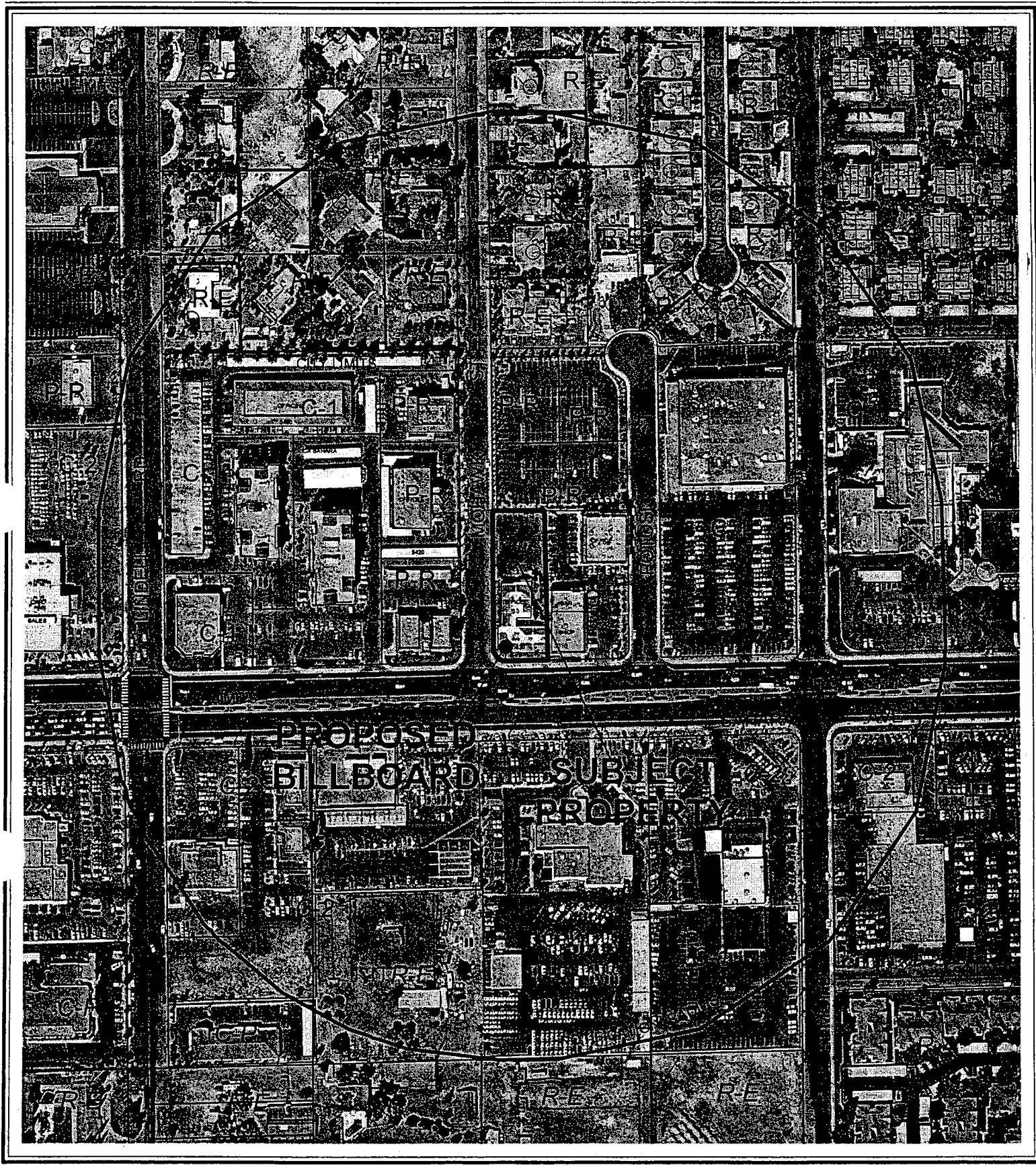
REESE – Motion to HOLD IN ABEYANCE Item 83 [DIR-4797], Item 90 [SUP-2848], Item 91 [SUP-3394], Item 92 [SUP-4172], Item 93 [SUP-4532], Item 94 [GPA-4542], Item 95 [ZON-4543], Item 96 [VAR-4547], Item 97 [VAR-4572], Item 98 [SDR-4545], Item 99 [ZON-4368], Item 100 [VAC-4420] and Item 101 [SDR-4370] to 9/15/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN disclosed that Item 91[SUP-3394], Item 92[SUP-4172], and Item 93[SUP-4532] pertain to billboards, and although his law firm has had some discussions regarding participation in the billboard industry, he felt it did not have an impact on his voting capabilities and therefore, would vote.

(1:00 – 1:04)





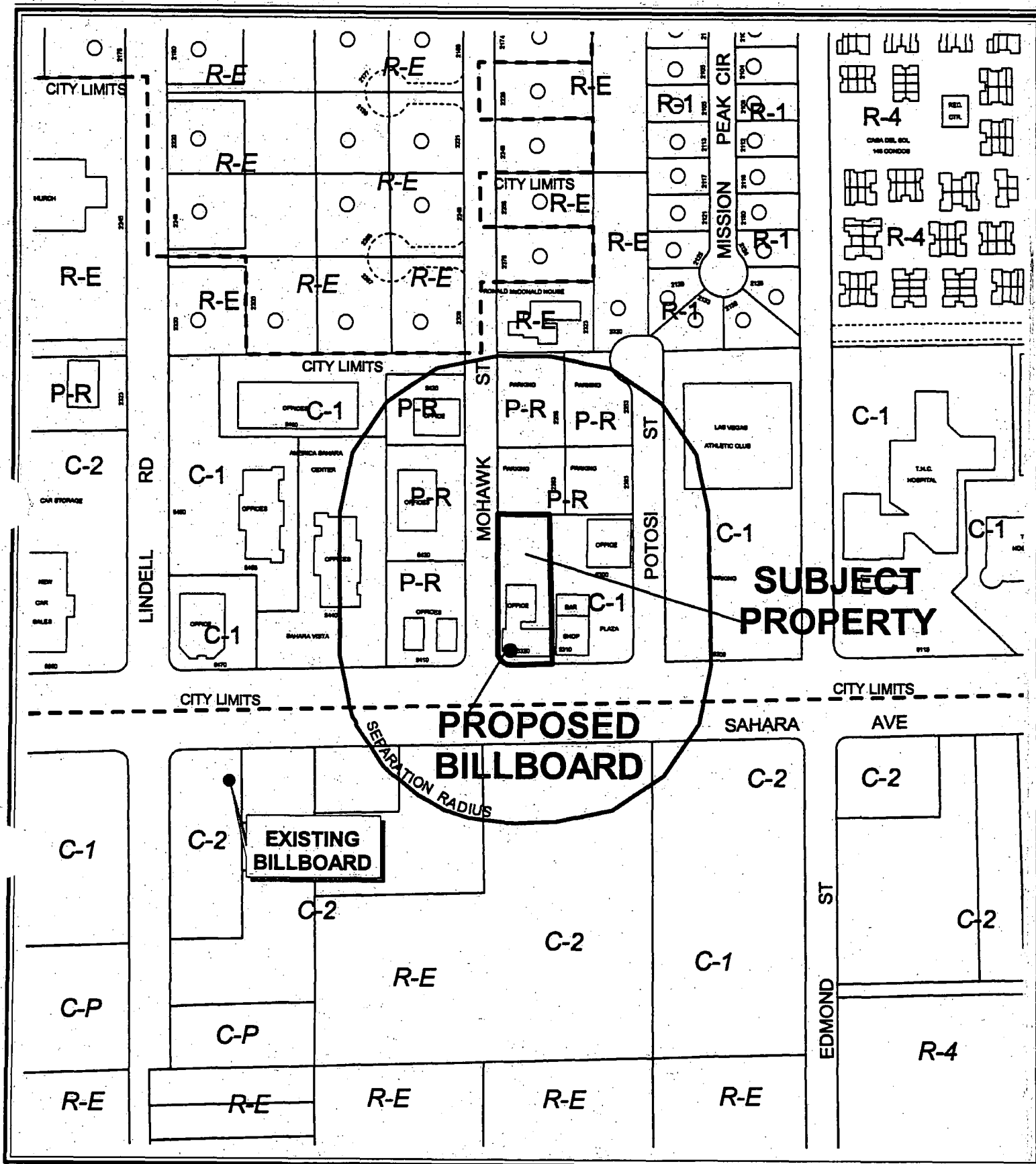
CASE: SUP-4532

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 200 400 Feet

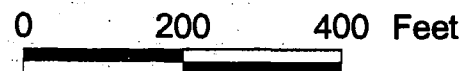


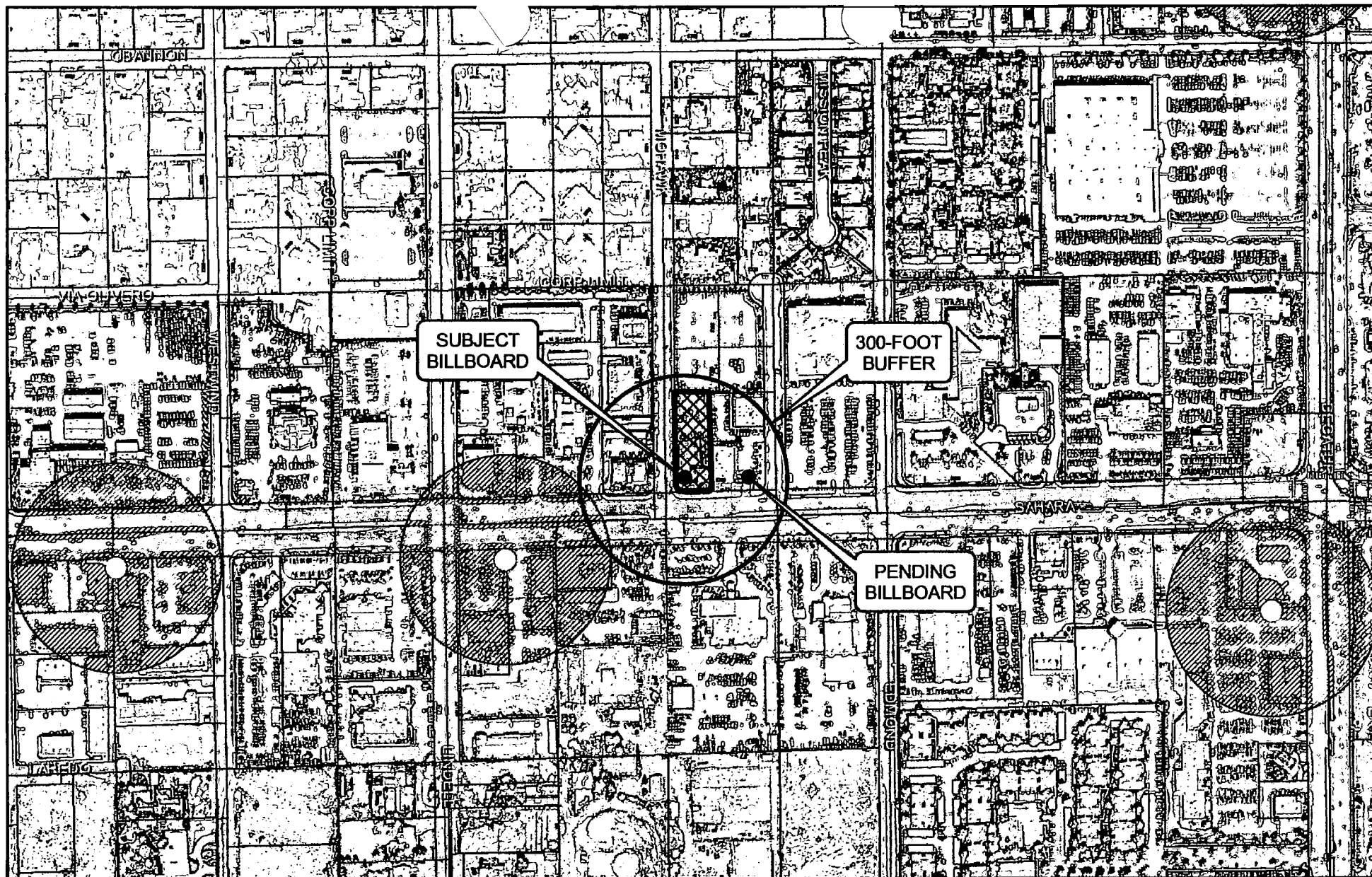


CASE: SUP-4532

SEPARATION RADIUS: 300 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)





SUP-4532

City of Las Vegas Billboard Data

0 255 510 1,020 Feet



Subject Parcel

● City of Las Vegas Billboard Location

○ Clark County Billboard Location



300 Foot Buffer Around Billboard



750 Foot Buffer Around Freeway Billboard



Outside City Boundary



Off Premise Sign Exclusion Area



Exempt - Off Premise Area Sign Area



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SUP-4532 - APPLICANT: LAS VEGAS
BILLBOARDS – OWNER: SAHARA MOHAWK, 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 (7-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign 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. Conformance to all minimum requirements under Title 19.14 for an Off-Premise Sign and other applicable sign requirements.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained 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 off-premise advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.
5. Only one advertising sign is permitted per sign face.
6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
7. If the off-premise advertising (billboard) sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising (billboard) 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.
8. 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.

9. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

10. 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.
11. The off-premise advertising (billboard) sign billboard shall not be located within or under any easements.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an Appeal filed by the applicant from the Denial by the Planning Commission of request for a Special Use Permit to allow a proposed 40-foot tall, 14-foot by 48-foot Off-Premise (Billboard) Sign at 5320 West Sahara Avenue.

B) Applicant's Justification

The applicant's only justification for the sign is to mention that the site "is in a commercial district on a 100-foot or greater street."

BACKGROUND INFORMATION

A) Previous Actions

There is no previous action recorded for this property; however, there is a pending application before the City Council for an Off-Premise (Billboard) Sign that is within 300 feet of the location of this proposed sign. The City Council considered that application for 5300 West Sahara at its meeting on 07/07/04 and abeyed the matter to 07/21/04. The Planning Commission and staff recommended against that application on 11/20/03.

07/08/04 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #59/dds).

B) Pre-Application Meeting

05/07/04 There was a question whether another off-premises (billboard) sign is under consideration by the City Council that would be within 300 feet of this location. (As noted above, it was learned that there is a request pending before the City Council that if approved would preempt approval of this application.) The request would be a Project of Regional Significance, requiring review by Clark County.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.66

B) Existing Land Use

Subject Property: Office
North: Parking lot
South: General commercial
East: Office, tavern and retail establishment
West: Office

C) Planned Land Use

Subject Property: S-C (Service Commercial)
North: O (Office)
South: County Commercial
East: S-C (Service Commercial)
West: S-C (Service Commercial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: P-R (Professional Office and Parking)
South: County C-2 (General Commercial)
East: C-1 (Limited Commercial)
West: P-R (Professional Office and Parking)

E) General Plan Compliance

The site is designated SC (Service Commercial) on the Southwest Sector Land Use Plan Map of the General Plan. The existing C-1 (Limited Commercial) zoning designation is in conformance with the General Plan.

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

The site is shown in the Southeast Sector of the General Plan. Approval of this off-premise sign is not contrary to the goals of the Plan.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" as a Special Use within 500 feet of the unincorporated area of Clark County. An Environmental Impact Assessment questionnaire was circulated to the County and other affected Agencies and Entities for the mandated 15-day period. No comments citing negative impacts have been received to date.

The Planning Commission takes the Environmental Impact Assessment and the proposed mitigation measures into consideration prior to make a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Minimum distance separation from another Off-Premise Advertising (Billboard) Sign in any direction.	300 Feet	Yes
Minimum distance separation from "R" zoned property and any other off-premise sign	300 Feet	Yes

This proposed Off-Premise Advertising (Billboard) Sign is located in excess of 300 feet from any other Off-Premise Advertising (Billboard) Sign or residentially zoned property. Therefore, it complies with the Zoning Code.

There is a pending application before the City Council for an Off-Premise Advertising (Billboard) Sign (SUP-3152) which if approved would place it within 300 feet of the subject proposed sign. That application was first heard by the Planning Commission on November 20, 2003. The Planning Commission and staff recommended denial of that application, and it was appealed to the City Council and abeyed by the City Council on four separate occasions at the applicant's request. That application again is to be considered by the City Council on July 7, 2004. If the City Council were to approve that application, it would preempt approval of the subject application, because the two signs then would be within 300 feet of each other.

B) General Analysis and Discussion

- **Zoning**

An Off-Premise Advertising (Billboard) Sign is an allowed use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- **Use**

Title 19 establishes the criteria for the approval of Off-Premise Advertising (Billboard) Signs within the City. Title 19.14.100 limits the overall height of an Off-Premise Advertising (Billboard) Sign to 40 feet. The Code also requires Off-Premise Advertising (Billboard) Signs to be a minimum of 300 feet from residentially zoned properties and 300 feet from other off-premise signs. The proposed sign meets these Code requirements.

The Off-Premise Advertising (Billboard) Sign is proposed adjacent to existing on-premises signs for commercial development that would substantially increase the amount of signage in the area. Additionally, there are no other billboard signs located along this segment of Sahara Avenue. This proposed billboard would add substantial visual clutter to this area of the community and not be harmonious and compatible with the surrounding development. If this application is approved, a condition has been added requiring the use be reviewed by the City Council in two years.

FINDINGS

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."**

Although this proposed use is allowed in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district, this proposed billboard would add visual clutter in this area of the City.

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

The subject site is located in a commercial area, which is one of the prerequisites to establishing its suitability.

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."**

This use does not generate traffic on the proposed site and would not negatively affect the surrounding roadways.

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 Off-Premise Advertising (Billboard) Sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NOTICES MAILED 53 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4532 APN: 163 01 804 005

Name of Property Owner: SAHARA Mohawk LLC

Name of Applicant: DAVE Smith & ROBERT EARL

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: _____

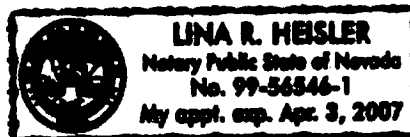
Signature of Property Owner/Authorized Agent: Dave Smith Robert Earl

Print Name: Dave Smith ROBERT R. EARL

Subscribed and sworn before me

This 8 day of March, 2004

Lina R. Heisler
Notary Public in and for said County and State



PROPERTY OWNER: SAHARA MOHAWK LLC
 5320 W. SAHARA AVE
 LAS VEGAS, NV 89146-3306

PROPERTY ADDRESS: 5320 W. SAHARA AVE
 LAS VEGAS, NV 89146-3306

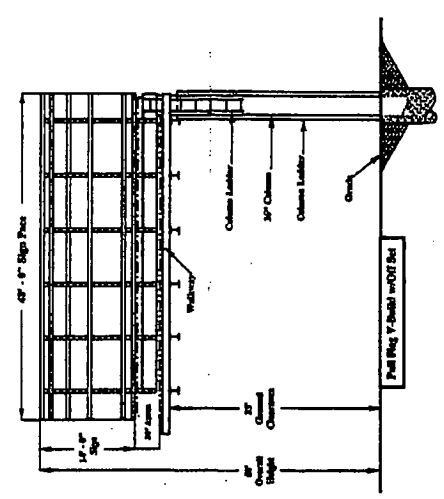
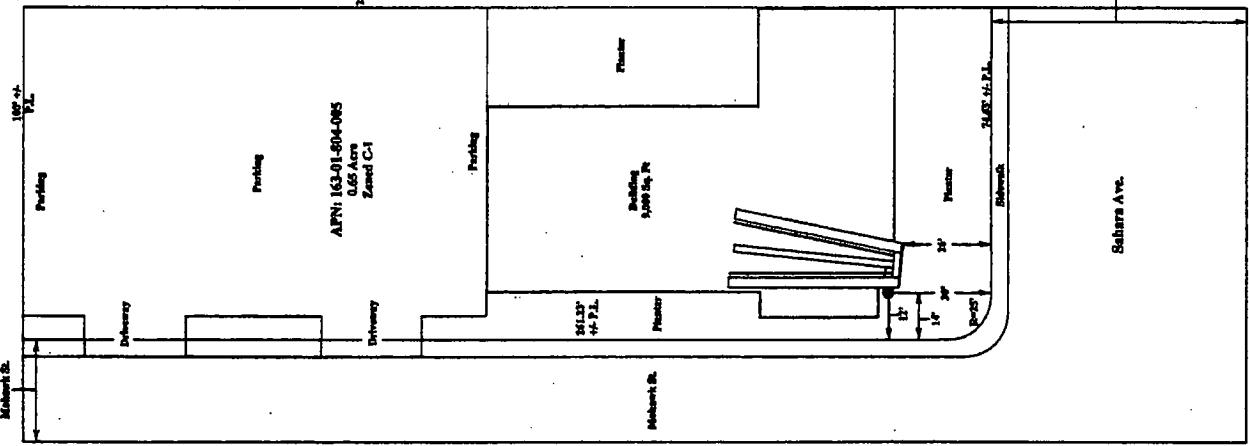
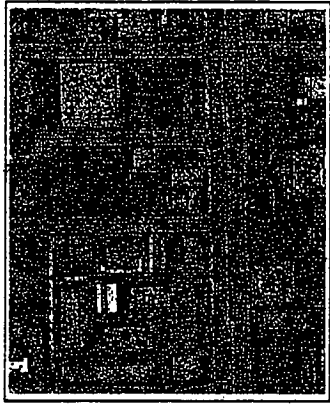
CONTACT: STEVE BARNES @
 LAS VEGAS CITY BOARDS
 3448 S. VALLEY VIEW BLVD.
 LAS VEGAS, NV 89118
 875-7822

APN: 163-01-804-005
 ZONED: C-1
 14' x 48' FULL FLAG V-BUILD w/OFFSET
 48' OVERALL HEIGHT
 NO ADJACENT ON-PREMISE SIGN WITHIN 100'
 NO ADJACENT OFF-PREMISE SIGN WITHIN 300' RADIUS
 NO P-E ZONE WITHIN 200'
 SCALE: 1" = 20'

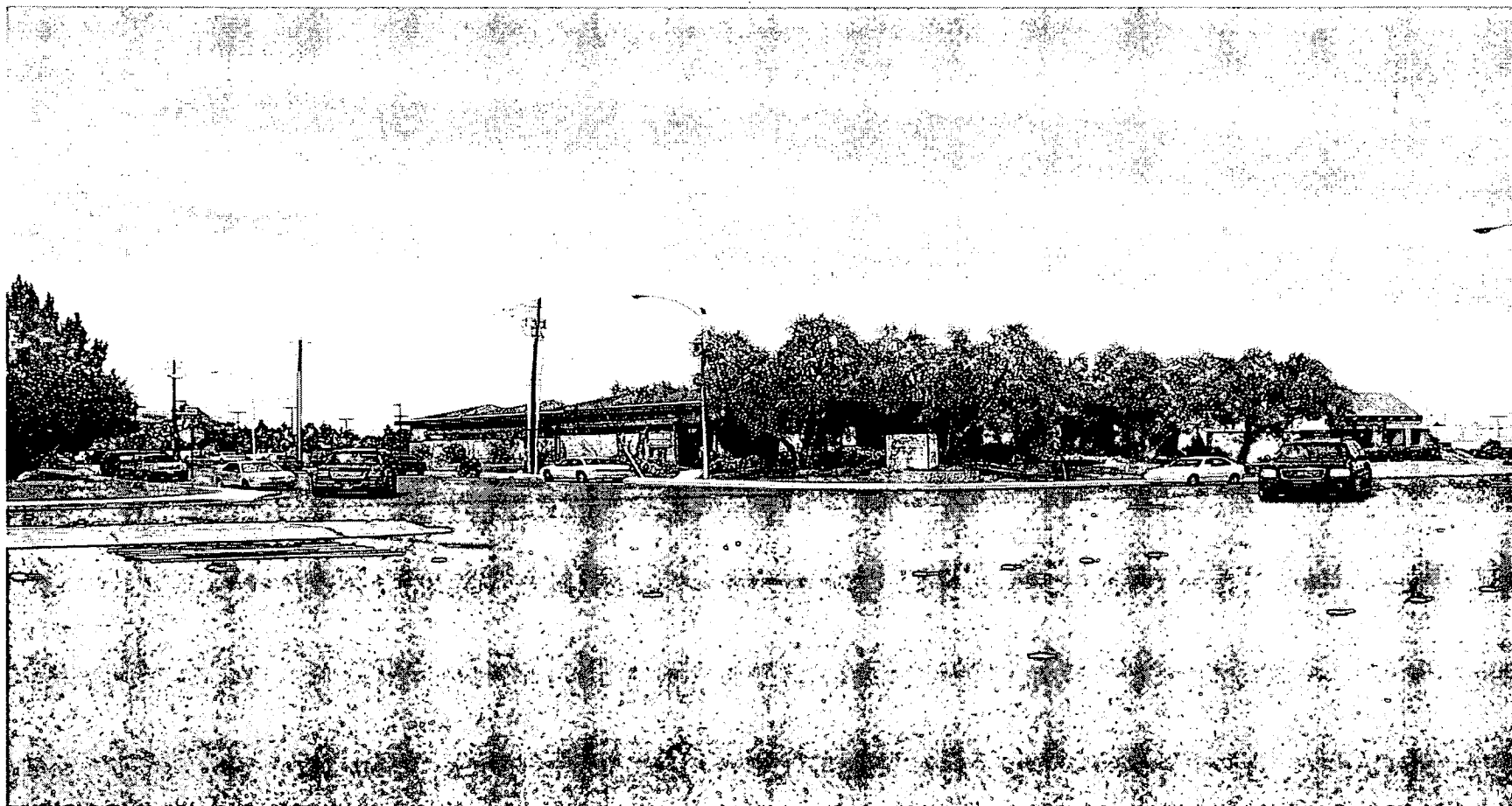
EXPLANATORY TABLE

TYPE OF SIGN:	14' x 48' OFF-PREMISE SIGN
SIGN HEIGHT:	48' OVERALL HEIGHT
SIGN WIDTH:	48' OVERALL WIDTH
SIGN AREA:	672 SQUARE FT.
ILLUMINATION TYPE:	HALOGEN LIGHTING
ANIMATION:	NONE

LOCATION:
 50' FRONT SETBACK FROM NEGATIVE BLVD. TO LEADING EDGE OF SIGN.
 50' FRONT SETBACK FROM NEGATIVE BLVD. TO CENTER OF COLUMN.
 14' SIDE SETBACK FROM NEGATIVE BLVD. TO LEADING EDGE OF COLUMN.
 14' SIDE SETBACK FROM WEST PROPERTY LINE TO CENTER OF COLUMN.



SUP-4532
07-08-04 PC



SUP-4532 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY

5320 WEST SAHARA AVENUE

JULY 8, 2004 PLANNING COMMISSION

06/17/04

*LAS Consulting, Inc.
856 E. Sahara, #4
Las Vegas, NV 89104
(702) 889-2879-ofc.
(702) 889-3122-fax*

July 9, 2004

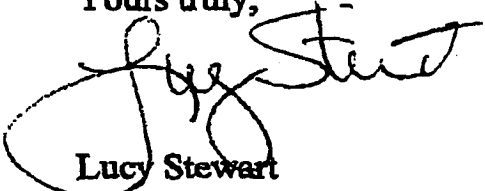
City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101
Phone: (702) 229-6311
Fax: (702) 382-4803

RE: SUP-4532-July 8, 2004 Planning Commission agenda item #59

Dear Sir or Madam:

Please accept this letter as a request to appeal the Planning Commission's denial of the above referenced item. We wish to be heard by the City Council regarding this request. Thank you for your consideration in this matter.

Yours truly,



Lucy Stewart
LAS Consulting, Inc.

RECEIVED
CITY CLERK
2004 JUL -9 P 12:56

LAW OFFICES

Singer & Brown

A NEVADA LLC

MICHAEL H. SINGER
JAY H. BROWN

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6583

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FACSIMILE (702) 385-1023
Brownltd@earthlink.net

August 30, 2004

FAX: 382-4803

Las Vegas City Clerk
400 E Stewart Avenue
Las Vegas, Nevada 89101
Attn: Barbara Jo Ronemus
City Clerk

RECEIVED
CITY CLERK
2004 AUG 31 P 1:24

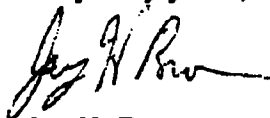
Re: Item No. 93 City County Agenda of September 1, 2004
SUP-4532-Special Use Permit-Las Vegas Billboards on behalf of
Sahara Mohawk, Limited Liability Company

Dear Ms. Ronemus:

Please be advised that I represent Las Vegas Billboards in connection with the above referenced application.

On behalf of our client, we respectfully request that this item be held in abeyance from the City Council agenda of September 1, 2004 and reset for the September 15, 2004 City Council meeting.

Very truly yours,



Jay H. Brown

JHB:cc

Submitted after final agenda

Date 8/31/04 Item #93

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4542** - **APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (Medium-Low Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Submitted after final agenda – Abeyance request by Kummer Kaempfer Bonner & Renshaw filed under Item 94 [GPA-4542]

MOTION:

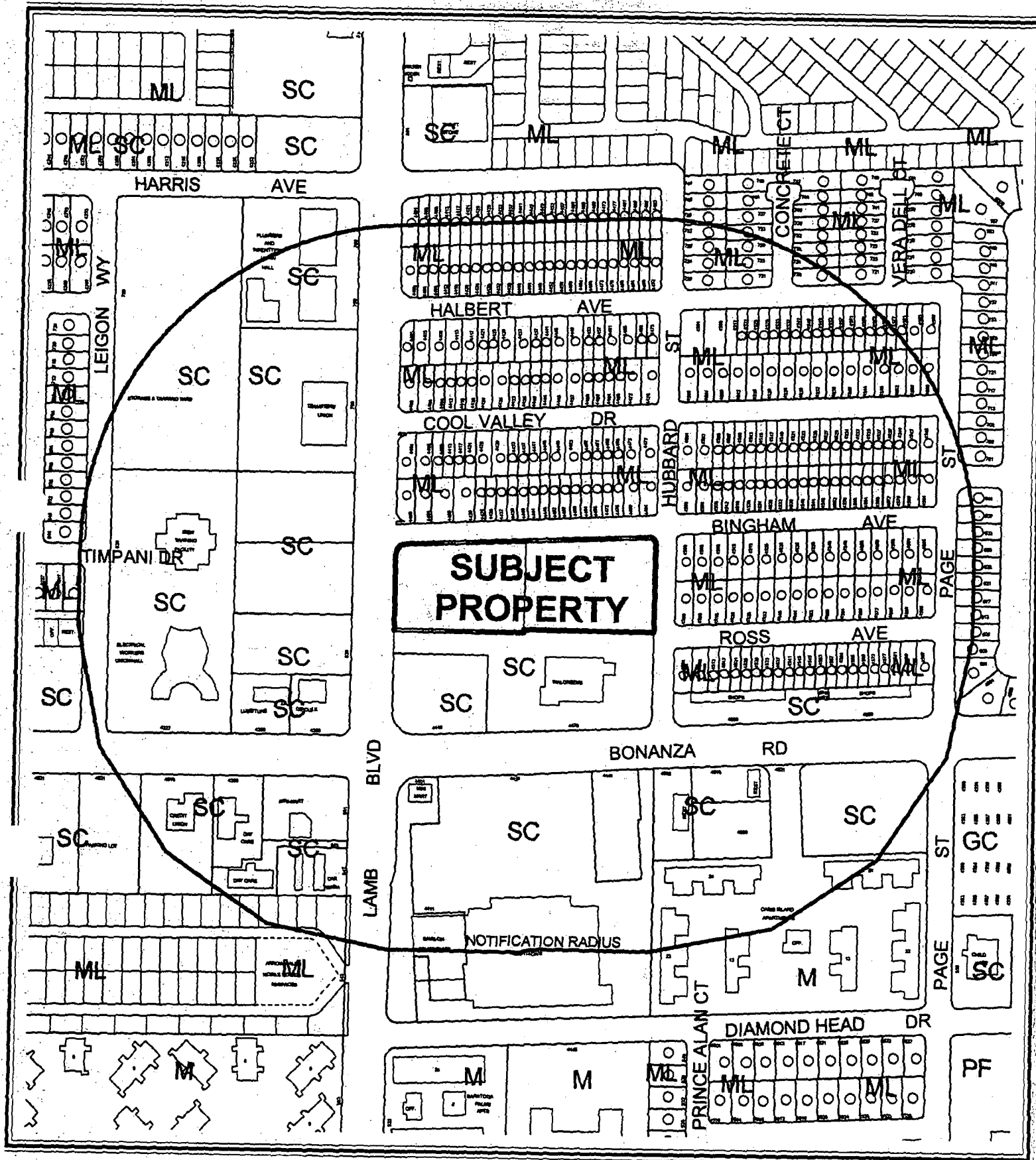
REESE – Motion to HOLD IN ABEYANCE Item 83 [DIR-4797], Item 90 [SUP-2848], Item 91 [SUP-3394], Item 92 [SUP-4172], Item 93 [SUP-4532], Item 94 [GPA-4542], Item 95 [ZON-4543], Item 96 [VAR-4547], Item 97 [VAR-4572], Item 98 [SDR-4545], Item 99 [ZON-4368], Item 100 [VAC-4420] and Item 101 [SDR-4370] to 9/15/2004 – UNANIMOUS

MINUTES:

There was no discussion.

(1:00 – 1:04)

3 –1



CASE: GPA-4542

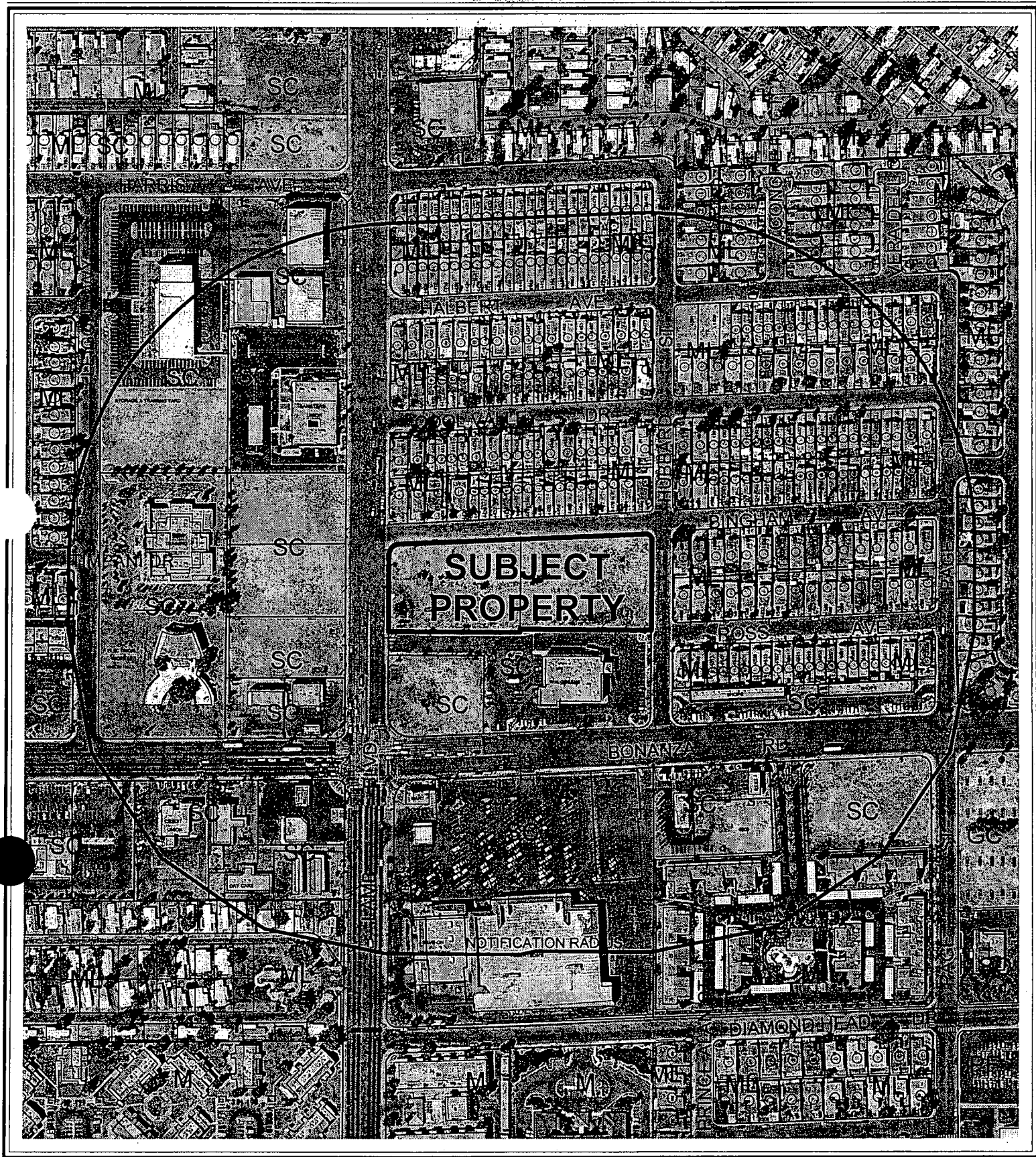
RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
ML (MEDIUM-LOW DENSITY RESIDENTIAL)

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

94





CASE: GPA-4542

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:
ML (MEDIUM-LOW DENSITY RESIDENTIAL)

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

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - GPA-4542 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located on the southeast corner of Lamb Boulevard and Bingham Avenue from ML (Medium Low Density Residential) to M (Medium Density Residential). Requests for a Rezoning (ZON-4543), two Variances, (VAR-4547) and (VAR-4572), and a Site Development Plan Review (SDR-4545) have also been submitted.

BACKGROUND INFORMATION:

- 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 ML (Medium Low Density Residential) land uses with a maximum density of twelve dwelling units per acre.
- 03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan. On this plan the parcels were designated as ML (Medium Low Density Residential) with a maximum density of nine dwelling units per acre.
- 08/18/99 The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
- 09/06/99 The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996. On this plan, the parcels were designated as ML (Medium Low) with a maximum density of eight dwelling units per acre.
- 09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.
- 07/08/04 The Planning Commission recommended approval of related items (VAR-4547, ZON-4543, VAR-4572 and SDR-4545).
- 07/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #25/sr).

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Acres: 3.58 Acres

B) Existing Land Use

Subject Property	Undeveloped
North	Single-Family residential
South	Retail Commercial
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	M-L (Medium Low Residential)
North	M-L (Medium Low Residential)
South	S-C (Service Commercial)
East	M-L (Medium Low Residential)
West	S-C (Service Commercial)

D) Existing Zoning

Subject Property	R-1 (Single-Family Residential)
North	R-1 (Single-Family Residential)
South	C-1 (Limited Commercial)
East	R-1 (Single-Family Residential)
West	C-1 (Limited Commercial) and R-E (Residence Estates)

<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

DEFINITIONS

ML (Medium Low Density Residential)

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

M (Medium Residential)

(12.1 to 25 dwelling units/gross acre.) The Medium Residential category permits a maximum of 25 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

SC (Service Commercial)

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

ANALYSIS

The subject parcels are currently undeveloped. Abutting the site are Lamb Boulevard, a 100-foot wide right-of-way to the west and Bingham Avenue to the north and Hubbard Street to the east, two 50-foot wide rights-of-way,. Surrounding development includes single-family homes to the north and east, commercial development to the south, and vacant land to the west.

The M (Medium Density Residential) land use designation supports densities ranging from 12.1 to 25 dwelling units per acre. Typical uses include plexes, townhomes, and multi-family apartments. Regardless of the specific type of use, projects of this density are successful only when adequate space is available for amenities and, when necessary, buffering. As density rises, so do the needs for open space and assurances that neighboring properties won't be negatively impacted. The subject property, being approximately 3.5 gross acres in size, is not large enough to provide for the flexibility of design necessary to obtain adequate open space and buffering. The proposed R-PD (Residential Planned Development) zoning designation, which provides for flexible and innovative design, specifically requires a minimum of five acres.

These parcels are in the area of the Master Plan 2020 that is designated as the Neighborhood Revitalization Area. Policy 2.1.2 of that plan states that, "Development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use and design to surrounding development." The M (Medium Density Residential) land use designation on this parcel cannot be developed in that manner. The fact that the properties to the south and west are existing or planned for commercial uses does not automatically justify a more intense land use designation if the subject property itself cannot support the resulting density.

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

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies which include approved neighborhood plans.

In regard to "1," the proposed land use designation supports development that is not appropriate in this context.

In regard to "2," the zoning designations that would be permitted under the proposed land use designation permit a range of uses that cannot be developed harmoniously with the surrounding properties.

In regard to "3," the site is approximately a mile driving distance from the 3.5-acre Stewart Place Park to the southeast and 1.5 miles driving distance from Freedom Park at Washington Avenue and Pecos Road. The Northeast Area Command of the Las Vegas Metropolitan Police Department services this site with a substation approximately two miles away at Washington Avenue and Mojave Road. Fire Station No. 8, at Bonanza Road and Mojave Road, is the closest city facility to the site.

In regard to "4," there are no other applicable adopted plans or policies.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on June 14, 2004, a neighborhood meeting sponsored by the applicant was held. The two neighbors in attendance persons had the following comments:

1. They were concerned that the project proposed 2-story homes.
2. The entrance on Bingham Avenue would draw traffic onto a residential street.
3. They felt the \$170,000 price range was too low.

NOTICES MAILED: 402 by Planning Department

APPROVALS: 0

PROTESTS: 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4542 APN: 140-29-401-005 & 006

Name of Property Owner: Chick County

Name of Applicant: Joel Armstrong

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: _____

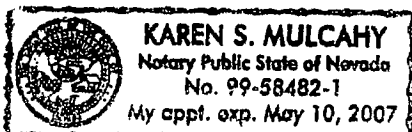
Signature of Property Owner/Authorized Agent

State of Nevada County of Clark **Print Name:**

Subscribed and sworn before me

This 20th day of May, 2004

Valens Mulcahy
Notary Public in and for said County and State



LAMB BLVD

BINGHAM AVE

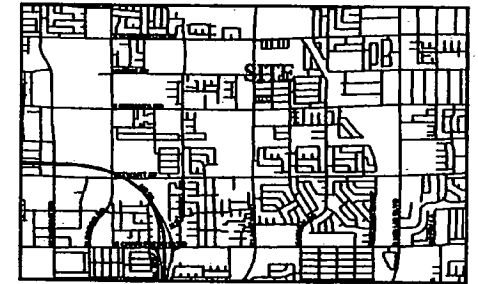
HUBBARD ST

ROSS AVE

BONANZA RD

LAMB / BINGHAM Part of City of Las Vegas Southeast Sector

GENERAL PLAN AMENDMENT EXISTING LAND USE



Legend

STB

Medium Low (5.0 to 6) Existing LU

CLV LAND USE

LAND USE

General Commercial

High (> 25)

Low (3.0 to 4.5)

Medium (12.1 to 25)

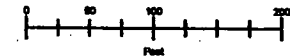
Medium Low (5.0 to 6)

Public Facility

Rural

ROW

Service Commercial

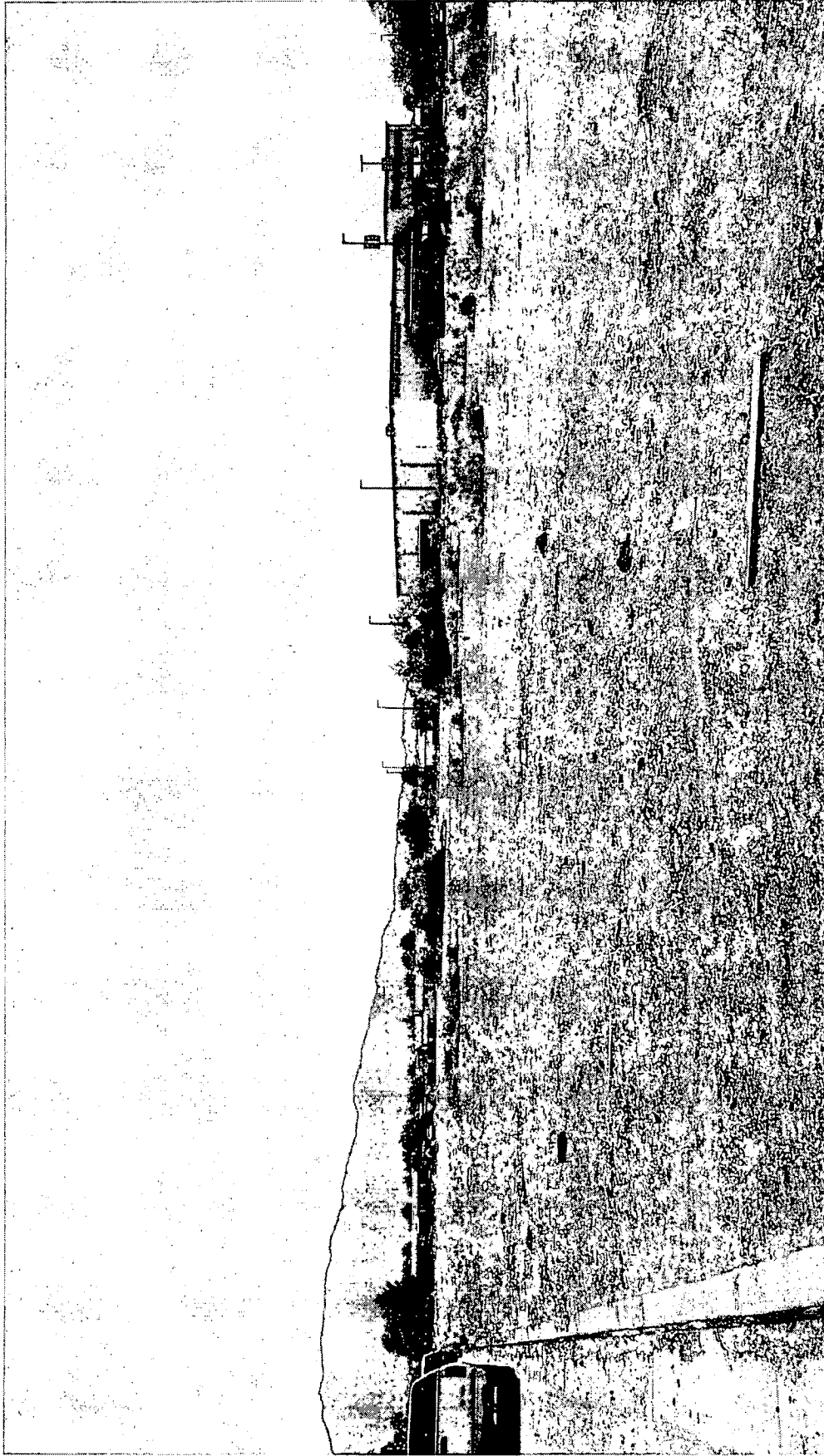


1 inch equals 100 feet

vtm

DATE: 5/24/2004 File: \\wpcn\projects\project\lamb\441\map\6421a\GPA.mxd By: bnsay

GPA-4542
07-08-04 PC



GPA-4542 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY
SOUTHEAST CORNER OF LAMB BOULEVARD AND BINGHAM AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

KUMMER KAEMPFFER BONNER & RENSHAW
ATTORNEYS AT LAW

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, Nevada 89109-0907

Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.com

TABITHA D. FIDDYMENT
tfiddymen@kkbr.com

August 30, 2004

VIA FACSIMILE
832-4803

Don Schmisser
CITY OF LAS VEGAS PLANNING & DEVELOPMENT
731 S. 4th Street
Las Vegas, NV 89101

Re: Revised Request
Joel Armstrong – City Council ABEYANCE of
GPA-4542; VAR-4547; VAR-4572; ZON-4543; SDR-4545

Dear Don:

Please be advised this office represents the applicant on the above referenced matter. The above items are scheduled to be heard at the City Council hearing on September 1, 2004. The applicant seeks to have these items abeyed to the September 15, 2004 City Council hearing in order to make revisions to the site plan and meet with Staff.

Thank you for your kind consideration, please contact this office if you have any questions or concerns.

Sincerely,

KUMMER KAEMPFFER BONNER & RENSHAW


Tabitha D. Fiddymen

TDF/dmf

RECEIVED
CITY CLERK

2004 SEP - 1 A 9:42

Submitted after final agenda

Date 9/1/04 Item # 94
95
96
97

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING RELATED TO GPA-4542 - PUBLIC HEARING - ZON-4543 - **APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY** - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: R-PD9 (Residential Planned Development - 9 Units Per Acre) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Kummer Kaempfer Bonner & Renshaw filed under Item 94 [GPA-4542]

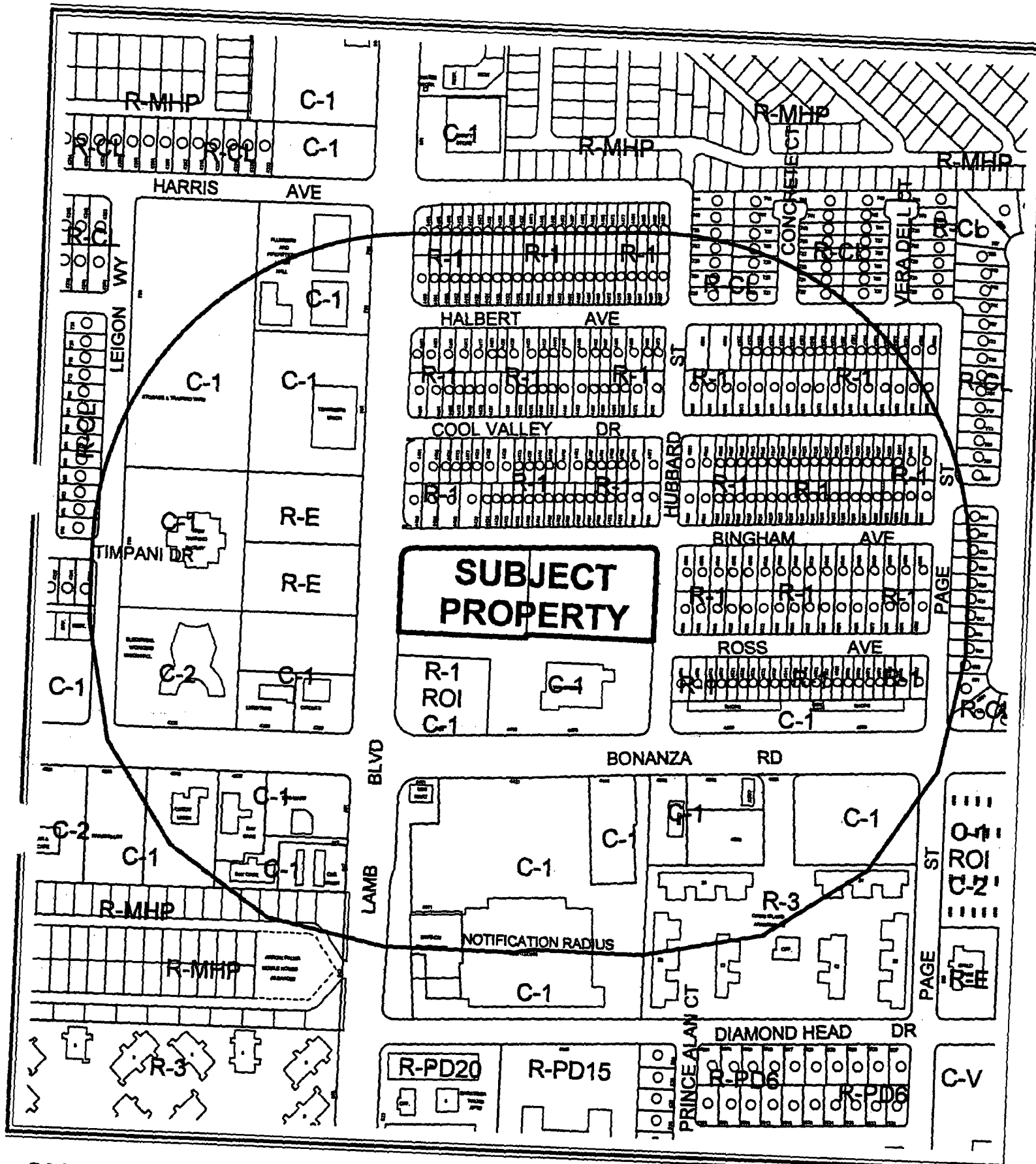
MOTION:

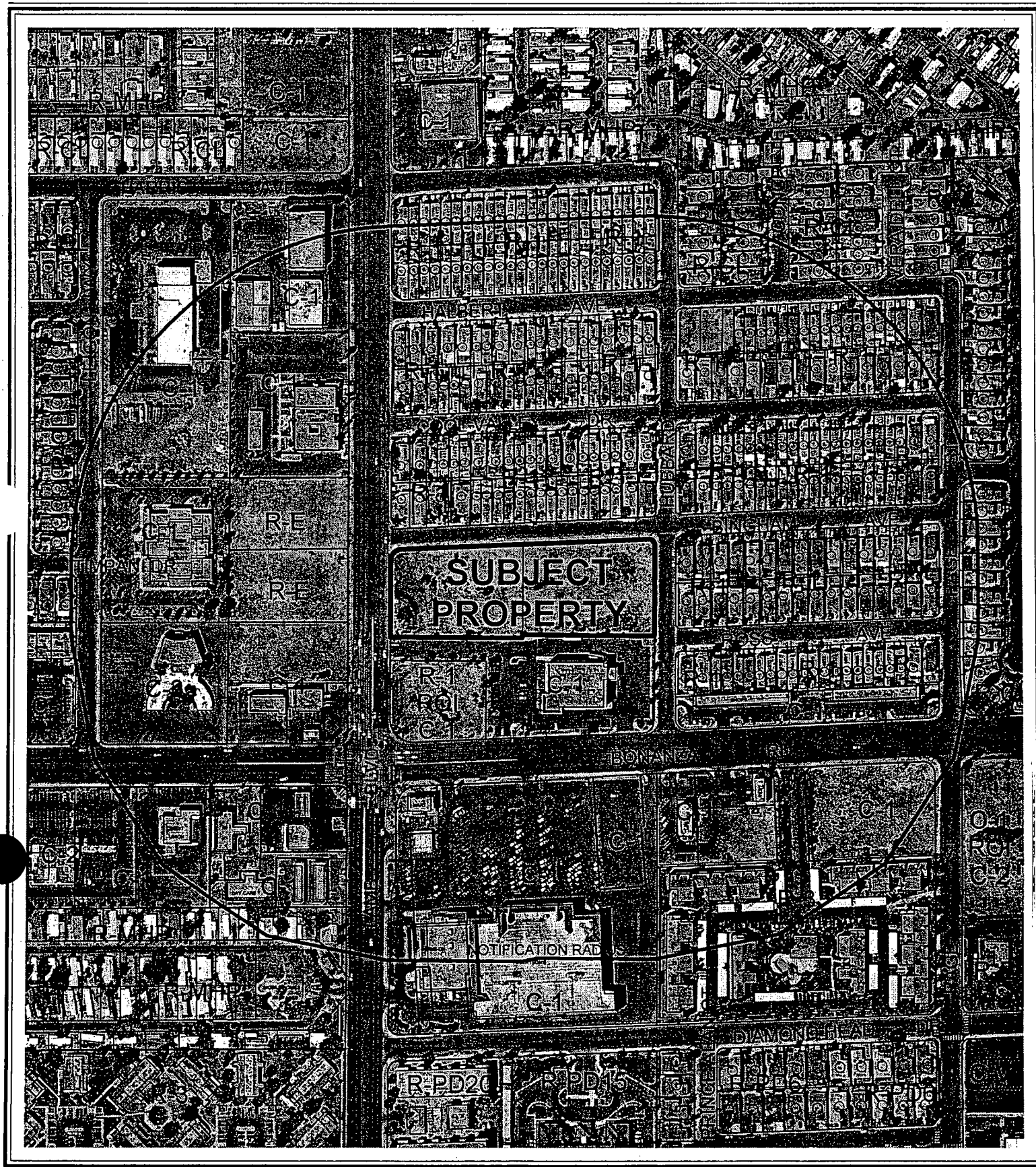
REESE – Motion to HOLD IN ABEYANCE Item 83 [DIR-4797], Item 90 [SUP-2848], Item 91 [SUP-3394], Item 92 [SUP-4172], Item 93 [SUP-4532], Item 94 [GPA-4542], Item 95 [ZON-4543], Item 96 [VAR-4547], Item 97 [VAR-4572], Item 98 [SDR-4545], Item 99 [ZON-4368], Item 100 [VAC-4420] and Item 101 [SDR-4370] to 9/15/2004 – UNANIMOUS

MINUTES:

There was no discussion.

(1:00 – 1:04)





CASE: ZON-4543

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE-FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - ZON-4543 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. (For R-PD9) Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4542), Variance (VAR-4547), Variance (VAR-4572), and Site Development Plan Review (SDR-4545) approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-4545) approved by the Planning Commission or City Council prior to issuance of any permits, site grading, and development activity for the site.
4. The total number of lots shall be limited to a maximum of thirty-five (35).

Public Works

5. Construct all incomplete half-street improvements on Lamb Boulevard, Bingham Avenue and Hubbard Street 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.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
7. 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.
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-1 (Single-Family Residential) to R-PD9 (Residential Planned Development – 9 Units Per Acre) on 3.58 acres at the southeast corner of Lamb Boulevard and Bingham Avenue. Applications for a General Plan Amendment (GPA-4542) to M (Medium Density Residential), a Variance (VAR-4547) in the size of an R-PD zoning district formation, an open space Variance (VAR-4572), and a Site Development Plan Review (SDR-4545) for 35 single-family lots have also been submitted in conjunction with this application.

B) Applicant's Justification

The applicant indicates in a letter submitted with the application the following:

“While the existing zoning to the north and east is R-1, the proposed R-PD9 zoning is an ideal buffer to the C1 immediately adjacent and to the south and the C-1 to the west. In addition, the proposed project is buffered from the R-1 developments to the north and east by 60-foot wide streets (Bingham and Hubbard). A portion of the proposed development will be located on a 100-foot wide street, Lamb Boulevard.”

BACKGROUND INFORMATION

A) Previous Actions

11/02/00	The Planning Commission tabled a request by Clark County for a General Plan Amendment (GPA-0022-00) to amend a portion of the Southeast Sector Plan from ML (Medium Low Density Residential) to O (Office) for a proposed County-operated office building that would contain the Family and Youth Services Division and branches of the Business License Department, District Courts, and Clark County Social Services. Staff recommended approval.
11/02/00	The Planning Commission tabled a request by Clark County for a Rezoning (Z-0076-00) from R-1 (Single Family Residential) to O (Office) for the above proposed County-operated office building. Staff recommended approval.
11/02/00	The Planning Commission tabled a request by Clark County for a Site Development Plan Review [Z-0076-00(1)] for the above proposed County-operated office building. Staff recommended approval.
07/08/04	The Planning Commission recommended approval of companion applications including a General Plan Amendment (GPA-4542) to M (Medium Density Residential), an open space Variance (VAR-4572), and a Site Development Plan Review (SDR-4545). Staff is recommending denial of these applications.

07/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #27/dds).

B) Pre-Application Meeting

05/10/04 The staff discussed various elements of the prospective development, including the following:

- Discussion of the present zoning and General Plan designation and the zone that would accommodate the development.
- Need for a flood study.
- Provision of private ungated streets.
- Suggestion to move the entry point to avoid a narrow offset from Bingham Avenue.
- Request to add to the site plan adjacent land uses, net and net-net acreage, open space calculations, crash gates, and wall heights.
- Present elevation drawings that show heights of structures.

C) Neighborhood Meetings

A Neighborhood meeting is not required for a Rezoning.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 3.58 Acres

B) Existing Land Use

Subject Property	Undeveloped
North	Single-Family residential
South	Retail Commercial
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	ML (Medium-Low Density Residential)
North	ML (Medium-Low Density Residential)
South	SC (Service Commercial)
East	ML (Medium-Low Density Residential)
West	SC (Service Commercial)

D) Existing Zoning

Subject Property	R-1 (Single-Family Residential)
North	R-1 (Single-Family Residential)
South	C-1 (Limited Commercial)
East	R-1 (Single-Family Residential)
West	C-1 (Limited Commercial) and R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Southeast Sector of the General Plan. The property is presently classified in the ML (Medium Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 35 single-family lots on 3.58 acres generates a density of development of 9.8 dwelling units per acre. Since this density is greater than permitted in the ML classification, the applicant is requesting a General Plan Amendment to M (Medium Density Residential) that would permit up to 25 dwelling units per acre.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The development standards are presented with the Site Development Plan Review (SDR-4545) that accompanies this application.

B) General Analysis and Discussion

The applicant is proposing a 35-lot subdivision for single-family homes at a density of 9.21 residences per acre. The lots proposed are typically just over 2,000 square feet in size. A total of 12,124 square feet of open space is proposed, although for a R-PD9 development, 25,158 square feet are required. The interior streets that serve the development are proposed to be 39 feet wide and private.

Projects of this density, particularly for single-family development, are successful only when adequate space is available for amenities. The subject property, being 3.58 net acres in size, is not large enough to provide for the flexibility of design necessary to obtain adequate open space and buffering for a R-PD district. The district requires a minimum of five acres for its formation for this reason. The applicant is requesting a Variance (VAR-4547) to reduce the minimum size for formation of an R-PD district and another variance in the required amount of open space for a R-PD9 district.

The only justification presented by the applicant for a change in zoning is that “the proposed R-PD9 zoning is an ideal buffer to the C-1 immediately adjacent and to the south and the C-1 to the west.” Nothing is said about the effect of existing commercial development on a residential development of the subject property. Also, the applicant indicates that “the proposed project is buffered from the R-1 developments to the north and east by 60-foot wide streets (Bingham and Hubbard),” but makes no statement as to whether the 100-foot right-of-way of Lamb Boulevard is sufficient to buffer a residential development from the negative externalities of the commercial development to the west.

FINDINGS

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

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

The proposal exceeds the density permitted by the current ML (Medium Low Density Residential) land use designation. For this reason, the applicant has requested a M (Medium Density Residential) classification that permits a density of up to 25 dwelling units per acre. The accompanying staff report for this General Plan Amendment (GPA-4542) recommends denial of this request.

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.”

Property to the west and south of the subject property is zoned and developed for commercial use and the property to the north and east is zoned and developed for single-family residences. The applicant proposes to develop the subject property with 35 single-family residences on lots that are approximately 2000 square feet in size. Although this density of development is excessive for this property, the uses at this density should not be a detriment to the adjoining properties, as streets and perimeter walls separate this development from the adjacent single-family homes.

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

There are additions of commercial development to the south that render the subject property less favorable for R-1 (Single-Family Residential) development. However, with appropriate screening and buffers, development under the current zoning is feasible. An R-PD (Residential Planned Development) zoning district at a higher density is acceptable for single-family development but only if the appropriate amenities are provided for the development. The applicant proposes a higher density R-PD zone than is appropriate for the area. Consequently, a R-PD8 district is the highest density district recommended, and it would not require a General Plan Amendment.

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 abuts Lamb Boulevard, a Primary (100-foot wide) Arterial Street, according to the Master Plan of Streets and Highways. The applicant, however, proposes to access the subject site from Bingham Avenue, a 60-foot wide local street that connects to Lamb Boulevard. These streets provide adequate access to the property.

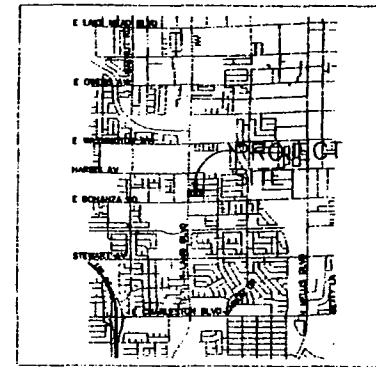
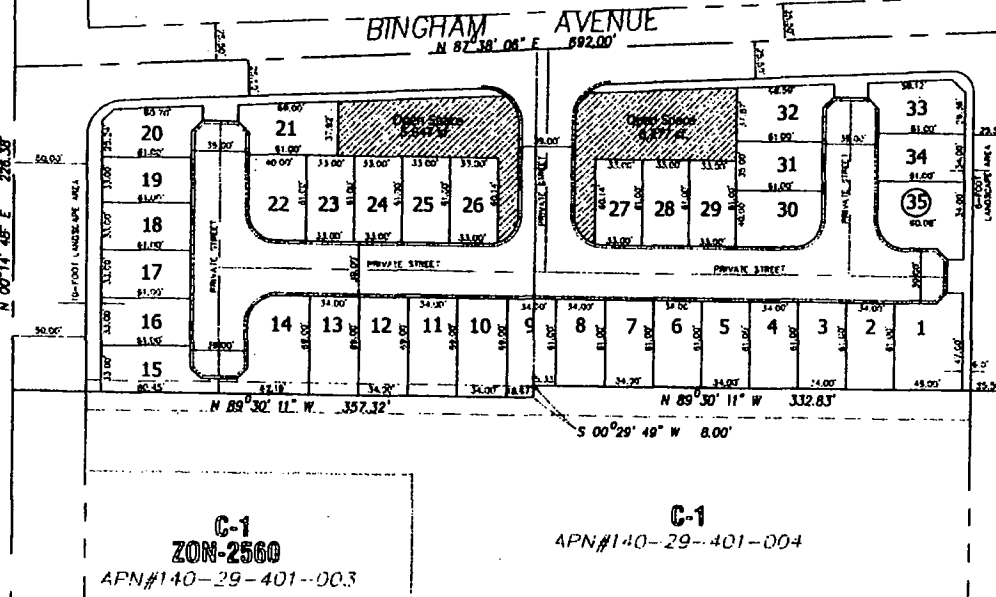
NOTICES MAILED 402 by Planning Department

APPROVALS 0

PROTESTS 0

R-E

C-1

LAMB BOULEVARD
N 00°14' 45" E 276.38'

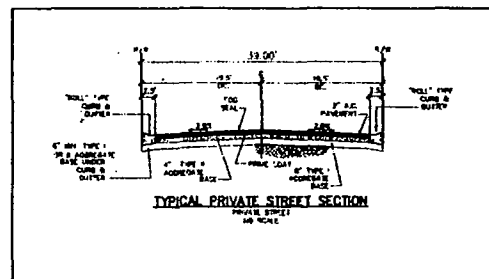
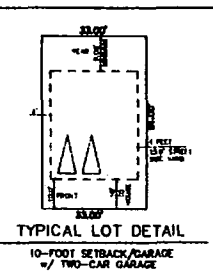
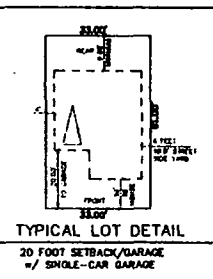
VICINITY MAP



GRAPHIC SCALE



PROJECT SETBACKS	
PROPOSED FRONT SETBACK	20 FEET
PROPOSED REAR SETBACK	10 FEET
PROPOSED SIDE SETBACK	10 FEET
PROPOSED CORNER SETBACK	10 FEET
PROPOSED STREET SETBACK	10 FEET



PROJECT SUMMARY	
PROJECT INFORMATION	
ASSISTANT PROJECT MANAGER	140-29-401-00.3
OWNER	STORYBOOK HOMES
CURRENT GENERAL PLAN	PL 140-29-401-00.3
PROPOSED GENERAL PLAN	PL 140-29-401-00.3
CURRENT ZONING	R-1
PROPOSED ZONING	R-1
PROPOSED LAND USE	SINGLE-FAMILY RESIDENTIAL
PROPOSED NUMBER OF UNITS	25
PROPOSED DENSITY	25 UDS/AC
OPEN SPACE	
OPEN SPACE REQUIRED	25 UDS SF OR 0.57 ACRES (11,180)
PROPOSED USABLE OPEN SPACE	12,125 SF
OTHER OPEN SPACE	0 SF
TOTAL OPEN SPACE PROVIDED	12,125 SF
PARKING	
PER PARKING UNIT	2.0
GUEST SPACES	5
HANDICAPPED SPACES	2
TOTAL PARKING SPACES PROVIDED	12

GENERAL NOTES:

1. All dimensions are shown within the project boundary.
2. The lot dimensions are preliminary and may vary with the planning process.
3. The lot boundaries are shown for reference only.
4. The lot boundaries are shown for reference only.
5. The lot boundaries are shown for reference only.

ZON-4542
VAR-4547
SDR-4545
07-08-04 PC

City of Las Vegas

StoryBook Homes

FOR

LAMB & BINGHAM

SCALE: 1" = 40'

DATE: 07/08/04

BY: [Signature]

CHECKED BY: [Signature]

APPROVED BY: [Signature]

PROJECT NO: 140-29-401-00.3

SHEET 01

1 of 2 SHEETS

6457-CLV



ZON-4543 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY
SOUTHEAST CORNER OF LAMB BOULEVARD AND BINGHAM AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - VARIANCE RELATED TO GPA-4542 AND ZON-4543 - PUBLIC HEARING - **VAR-4547** - **APPLICANT: JOEL ARMSTRONG** - **OWNER: CLARK COUNTY** - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 3.58 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), R-1 (Single-Family Residential) Zone [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Kummer Kaempfer Bonner & Renshaw filed under Item 94 [GPA-4542]

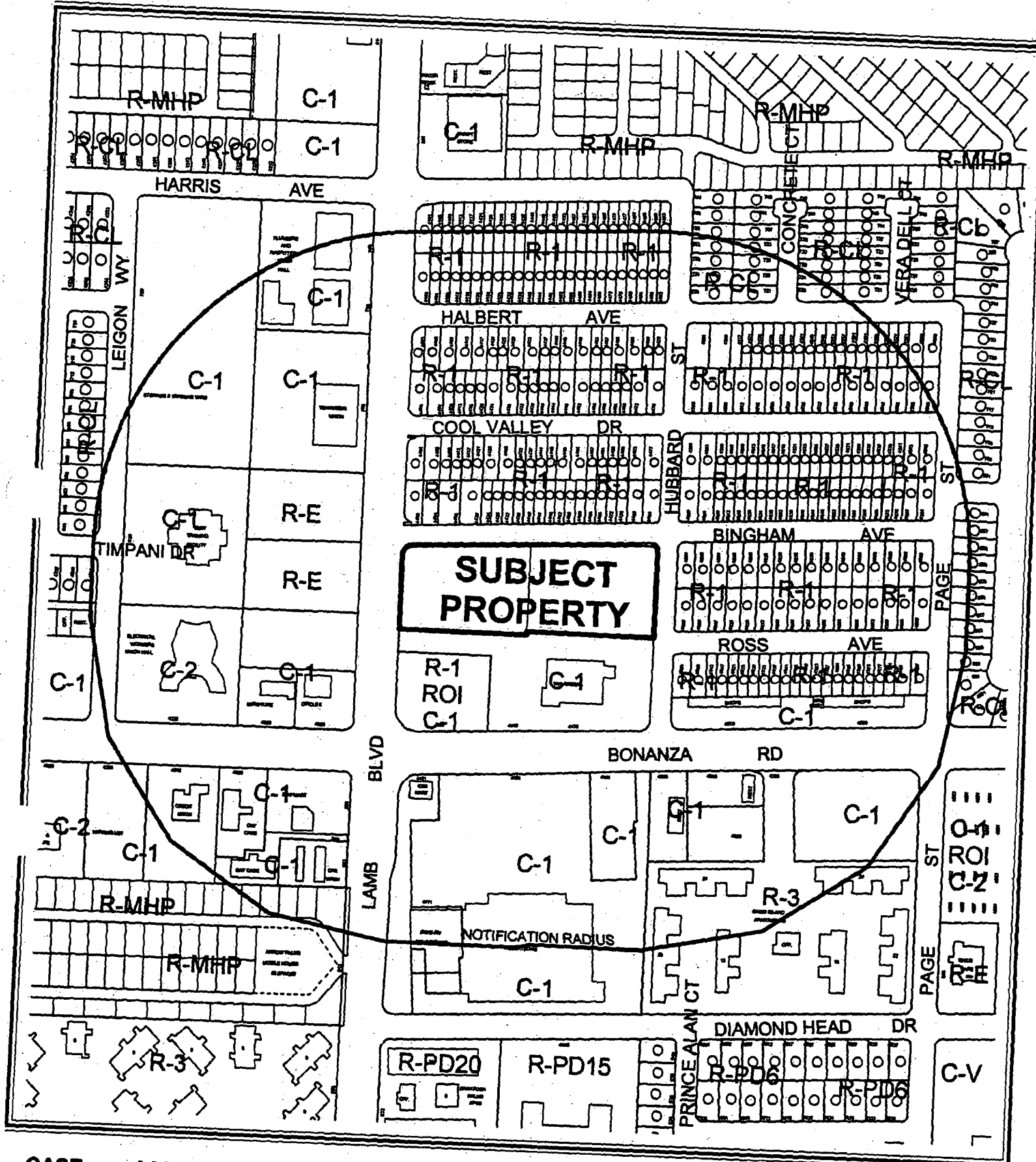
MOTION:

REESE – Motion to **HOLD IN ABEYANCE** Item 83 [DIR-4797], Item 90 [SUP-2848], Item 91 [SUP-3394], Item 92 [SUP-4172], Item 93 [SUP-4532], Item 94 [GPA-4542], Item 95 [ZON-4543], Item 96 [VAR-4547], Item 97 [VAR-4572], Item 98 [SDR-4545], Item 99 [ZON-4368], Item 100 [VAC-4420] and Item 101 [SDR-4370] to 9/15/2004 – **UNANIMOUS**

MINUTES:

There was no discussion.

(1:00 – 1:04)



CASE: **VAR-4547**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE-FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE)



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - VAR-4547 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Rezoning (ZON-4543) and Site Development Plan Review (SDR-4545) approved by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow the formation of an R-PD (Residential Planned Development) zoning district on 3.58 acres, where 5.00 acres are the minimum required, at the southeast corner of Lamb Boulevard and Bingham Avenue. Applications for a General Plan Amendment (GPA-4542) to M (Medium Density Residential), an open space Variance (VAR-4572), a Rezoning (ZON-4543) to an R-PD9 zoning district, and a Site Development Plan Review (SDR-4545) for 35 single-family lots have also been submitted in conjunction with this application.

B) Applicant's Justification

The applicant has submitted a letter justifying the merits of the project, but there is no explanation or basis for the granting of a Variance under the criteria established by Title 19 or the Nevada Revised Statutes.

BACKGROUND INFORMATION

A) Previous and Present Actions

- 11/02/00 The Planning Commission tabled a request by Clark County for a General Plan Amendment (GPA-0022-00) to amend a portion of the Southeast Sector Plan from ML (Medium Low Density Residential) to O (Office) for a proposed County-operated office building that would contain the Family and Youth Services Division and branches of the Business License Department, District Courts, and Clark County Social Services. The staff recommended approval on October 12, 2000.
- 11/02/00 The Planning Commission tabled a request by Clark County for a Rezoning (Z-0076-00) from R-1 (Single Family Residential) to O (Office) for the above proposed County-operated office building. The staff recommended approval on October 12, 2000.
- 11/02/00 The Planning Commission tabled a request by Clark County for a Site Development Plan Review [Z-0076-00(1)] for the above proposed County-operated office building. The staff recommended approval on October 12, 2000.
- 07/08/04 The Planning Commission recommended approval of applications submitted in conjunction with this application, including a General Plan Amendment (GPA-4542) to M (Medium Density Residential), an open space Variance (VAR-4572), a Rezoning (ZON-4543) to an R-PD9 zoning district, and a Site Development Plan Review (SDR-4545). The staff is recommending denial of these applications.

07/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #26/dds).

B) Pre-Application Meeting

05/10/04 The staff discussed various elements of the prospective development, including the following:

- Discussion of the present zoning and General Plan designation and the zone that would accommodate the development.
- Need for a flood study.
- Provision of private ungated streets.
- Suggestion to move the entry point to avoid a narrow offset from Bingham Avenue.
- Request to add to the site plan adjacent land uses, net and net-net acreage, open space calculations, crash gates, and wall heights.
- Present elevation drawings that show heights of structures.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 3.58 Acres

B) Existing Land Use

Subject Property	Undeveloped
North	Single-Family residential
South	Retail Commercial
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	ML (Medium Low Density Residential)
North	ML (Medium Low Density Residential)
South	SC (Service Commercial)
East	ML (Medium Low Density Residential)
West	SC (Service Commercial)

D) Existing Zoning

Subject Property	R-1 (Single-Family Residential)
North	R-1 (Single-Family Residential)
South	C-1 (Limited Commercial)
East	R-1 (Single-Family Residential)
West	C-1 (Limited Commercial) and R-E (Residence Estates)

E) General Plan Compliance

The site is located on the Southeast Sector Map of the General Plan. The land use designation for the subject property is ML (Medium Low Density Residential), which permits up to eight dwelling units per acre, and is zoned R-1 (Single Family Residential). The requested Variance is not related to any specific General Plan policies.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

There are no development standards that relate to this request for a variance.

B) General Analysis and Discussion

This Variance is to allow the formation of an R-PD (Residential Planned Development) zoning district on 3.58 acres, where 5.00 acres are the minimum required.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance 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.”

This recommendation of denial is based on the following findings:

- **No evidence is provided that a hardship exists to warrant a variance in the required amount of open space.** The onus for presenting such evidence is placed on the applicant, the person allegedly aggrieved by the requirement. No such evidence has been presented with the application.
- **The hardship is self-imposed.** The hardship is of the applicant’s own making. The property’s value is what the property will realize in developing the property for a single-family development under the present zoning.
- **Use of the property is not denied.** The property has no exceptional narrowness, shallowness, shape, exceptional topographic conditions or other extraordinary and exceptional situation or conditions attributed to the property. There is commercial development that has been introduced to the area, but the question is one of whether the property could be developed under its present classification. Clearly, the property could be developed with at least approximately 14 lots.

NOTICES MAILED 405 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4547 APN: 140-29-401-005 + 006

Name of Property Owner: Clare County

Name of Applicant: Joel Armstrong

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
1. The company has a clear vision and mission statement.	☒	☐
2. The company has a strong leadership team.	☒	☐
3. The company has a solid financial foundation.	☒	☐
4. The company has a diverse and talented workforce.	☒	☐
5. The company has a strong commitment to social responsibility.	☒	☐
6. The company has a robust risk management strategy.	☒	☐
7. The company has a strong customer base.	☒	☐
8. The company has a strong brand identity.	☒	☐
9. The company has a strong innovation pipeline.	☒	☐
10. The company has a strong global presence.	☒	☐

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:

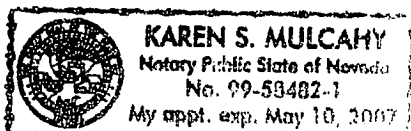
State of Nevada
County of Clark

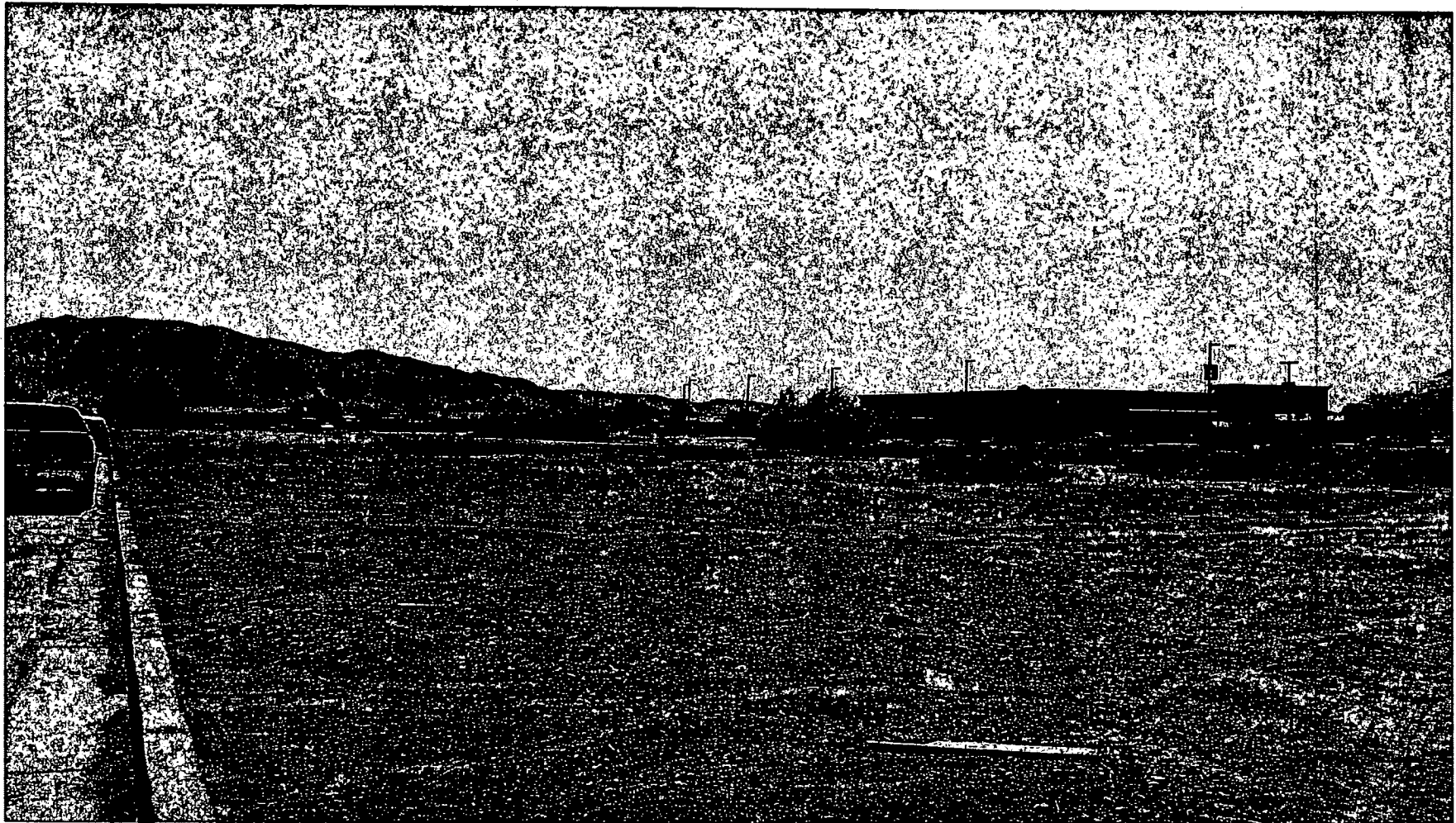
Print Name:

Subscribed and sworn before me

This 20th day of May, 2004

Karen Smulcahy
Notary Public in and for said County and State





VAR-4547 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY
SOUTHEAST CORNER OF LAMB BOULEVARD AND BINGHAM AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04



VAR-4547 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY
SOUTHEAST CORNER OF LAMB BOULEVARD AND BINGHAM AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - VARIANCE RELATED TO GPA-4542, ZON-4543 AND VAR-4547 -
PUBLIC HEARING - **VAR-4572** - **APPLICANT: JOEL ARMSTRONG** - **OWNER:**
CLARK COUNTY - Request for a Variance TO ALLOW 12,000 SQUARE FEET OF OPEN
SPACE WHERE 25,870 SQUARE FEET IS THE MINIMUM REQUIRED on 3.80 acres
adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005
and 006), R-1 (Single-Family Residential) Zone, [Proposed: R-PD9 (Residential Planned
Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning
Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL,
subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Kummer Kaempfer Bonner & Renshaw
filed under Item 94 [GPA-4542]

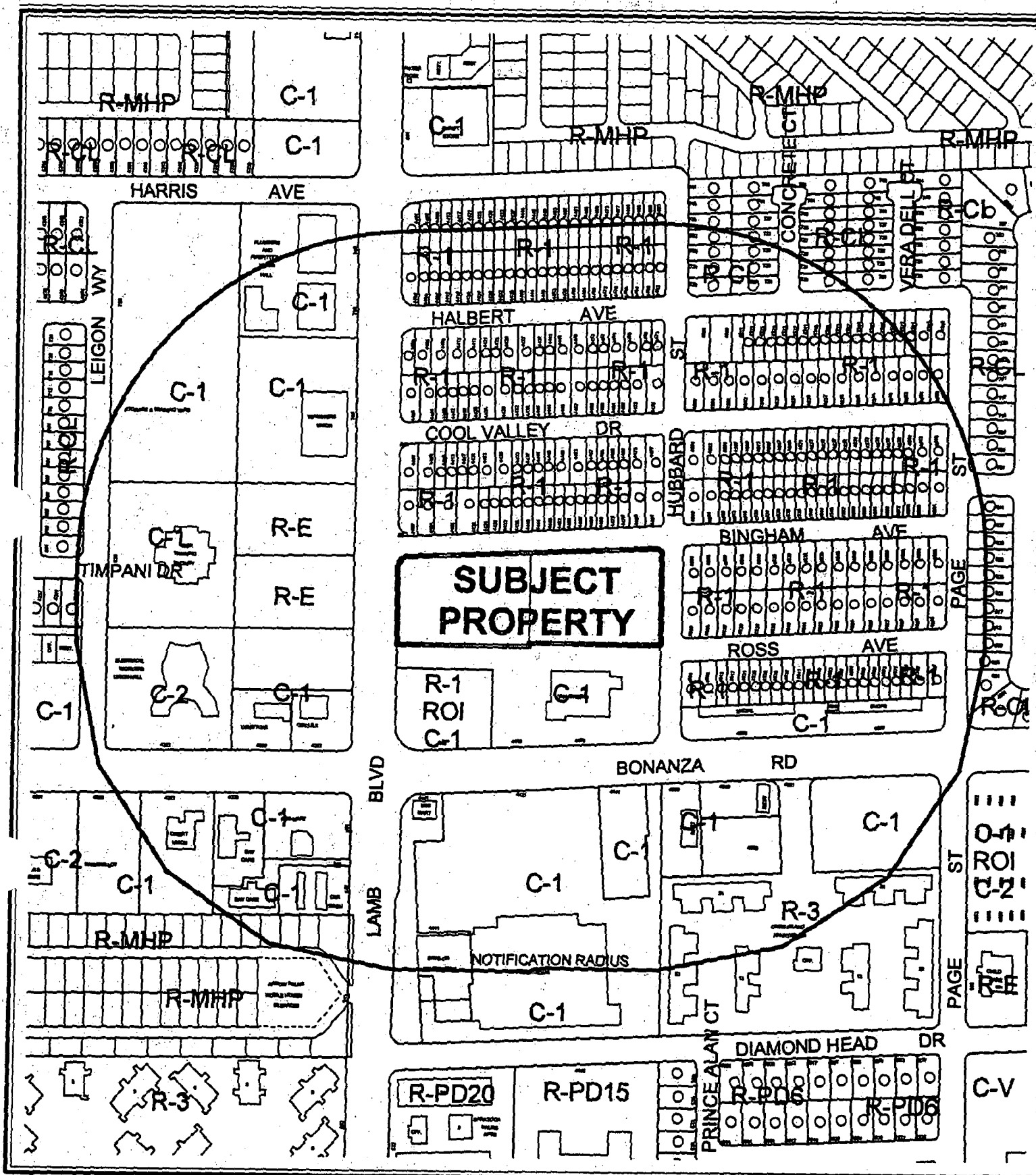
MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 83 [DIR-4797], Item 90 [SUP-2848], Item
91 [SUP-3394], Item 92 [SUP-4172], Item 93 [SUP-4532], Item 94 [GPA-4542], Item 95
[ZON-4543], Item 96 [VAR-4547], Item 97 [VAR-4572], Item 98 [SDR-4545], Item 99
[ZON-4368], Item 100 [VAC-4420] and Item 101 [SDR-4370] to 9/15/2004 – UNANIMOUS

MINUTES:

There was no discussion.

(1:00 – 1:04)



CASE: VAR-4572

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE-FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE)

0 200 400 Feet



97



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - VAR-4572 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4542), Variance (VAR-4547), Rezoning (ZON-4543), and Site Development Plan Review (SDR-4545) by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. A contribution shall be made to the City Parks CIP Fund in the amount of \$45,352.00 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 will still be required to comply with the Open Space requirements in accordance with Title 19 of the Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 12,000 square feet of open space where 25, 870 square feet is required on 3.8 acres at the southeast corner of Lamb Boulevard and Bingham Avenue. Applications for a General Plan Amendment (GPA-4542) to M (Medium Density Residential), a Variance (VAR-4547) in the size of an R-PD zoning district formation, a Rezoning (ZON-4543) to an R-PD9 zoning district, and a Site Development Plan Review (SDR-4545) for 35 single-family lots have also been submitted in conjunction with this application.

B) Applicant's Justification

The applicant has submitted a letter justifying the merits of the project, but there is no explanation or basis for the granting of a variance under the criteria established by Title 19 or the Nevada Revised Statutes.

BACKGROUND INFORMATION

A) Previous Actions

11/02/00	The Planning Commission tabled a request by Clark County for a General Plan Amendment (GPA-0022-00) to amend a portion of the Southeast Sector Plan from ML (Medium Low Density Residential) to O (Office) for a proposed County-operated office building that would contain the Family and Youth Services Division and branches of the Business License Department, District Courts, and Clark County Social Services. Staff recommended approval.
11/02/00	The Planning Commission tabled a request by Clark County for a Rezoning (Z-0076-00) from R-1 (Single Family Residential) to O (Office) for the above proposed County-operated office building. Staff recommended approval.
11/02/00	The Planning Commission tabled a request by Clark County for a Site Development Plan Review [Z-0076-00(1)] for the above proposed County-operated office building. Staff recommended approval.
07/08/04	The Planning Commission recommended approval of companion applications including a General Plan Amendment (GPA-4542) to M (Medium Density Residential), a Variance (VAR-4547) in the size of an R-PD zoning district formation, a Rezoning (ZON-4543) to an R-PD9 zoning district, and a Site Development Plan Review (SDR-4545).

07/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #28/dds).

B) Pre-Application Meeting

05/10/04 The staff discussed various elements of the prospective development, including the following:

- Discussion of the present zoning and General Plan designation and the zone that would accommodate the development.
- Need for a flood study.
- Provision of private ungated streets.
- Suggestion to move the entry point to avoid a narrow offset from Bingham Avenue.
- Request to add to the site plan adjacent land uses, net and net-net acreage, open space calculations, crash gates, and wall heights.
- Present elevation drawings that show heights of structures.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 3.58 Acres

B) Existing Land Use

Subject Property	Undeveloped
North	Single-Family residential
South	Retail Commercial
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	ML (Medium Low Density Residential)
North	ML (Medium-Low Density Residential)
South	SC (Service Commercial)
East	ML (Medium-Low Density Residential)
West	SC (Service Commercial)

D) Existing Zoning

Subject Property	R-1 (Single-Family Residential)
North	R-1 (Single-Family Residential)
South	C-1 (Limited Commercial)
East	R-1 (Single-Family Residential)
West	C-1 (Limited Commercial) and R-E (Residence Estates)

E) General Plan Compliance

The site is located on the Southeast Sector Map of the General Plan. The land use designation for the subject property is M-L (Medium Low Density Residential), which permits up to eight dwelling units per acre, and is zoned R-1 (Single Family Residential). The requested Variance is not related to any specific General Plan policies.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
3.8	9.2	1.65	15.18	25,127 sq. ft.	7.3	12,124 sq.ft.

B) General Analysis and Discussion

This Variance is to reduce the required amount of open space for the proposed 35-lot development from 25,127 square feet to 12,124 square feet, a 52 percent reduction in the required amount of open space.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses; and
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.”

This recommendation of denial is based on the following findings:

- **No evidence is provided that a hardship exists to warrant a variance in the required amount of open space.** The onus for presenting such evidence is placed on the applicant, the person allegedly aggrieved by the requirement. No such evidence has been presented with the application.
- **The hardship is self-imposed.** Clearly the hardship is of the applicant's own making, as the reduction in the amount of open space is based upon the manner in which the applicant proposes to develop the property.
- **Use of the property is not denied.** The property has no exceptional narrowness, shallowness, shape, exceptional topographic conditions or other extraordinary and exceptional situation or conditions attributed to the property. There is commercial development that has been introduced to the area, but the question is one of whether the property could be developed under another classification that would not necessitate the reduction in the amount of open space. Since profit motives and financial incentives are not a basis for the granting of a variance, clearly the property could be developed under a different scenario that does not require a reduction in the amount of open space.

NOTICES MAILED 405 by City Clerk

APPROVALS 0

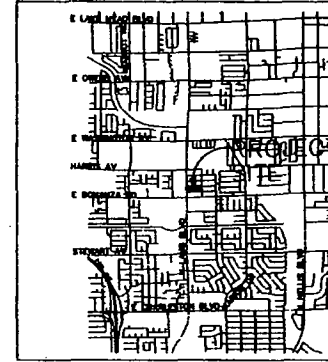
PROTESTS 0

R-E

C-1

LAMB BOULEVARD
N 00°14'48" E 228.37'

R-1

BINGHAM AVENUE
N 87°34'06" E 692.00'GRAPHIC SCALE
0 10 20 30 40 50 60 70 80 90 100VICINITY MAP
N/E

TREE/PLANT SCHEDULE

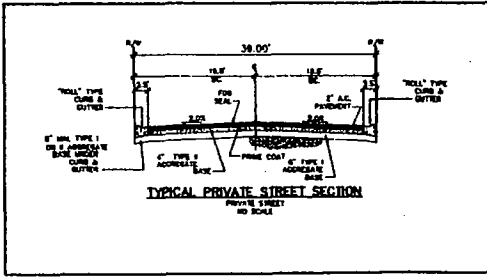
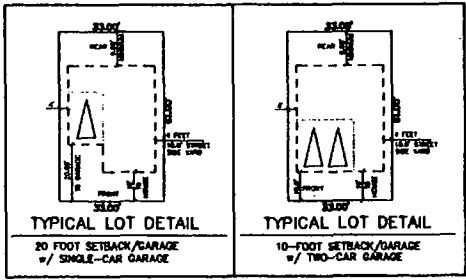
SYM.	QTY.	SIZE	SPACING	NAME
●	21	24" BOX	VARIES	MODISTO ASH
○	18	24" BOX	VARIES	MONDEL PINE
⊗	34	VARIES	N/A	DATE PALM
⊙	13	GALLON	VARIES	PHOTNIA
○	7	15 GALLON	VARIES	FLOWERING PLUM
⊙	18	1 GALLON	VARIES	GROUND COVERS

GENERAL NOTES

1. Landscape shall conform to requirements of Title 19A (City of Los Angeles).
2. Ground cover shall be designed to cover more than 50% of the landscaped area.
3. The proposed landscaping and plants are conceptual only, a detailed Landscape Plan will be prepared by a licensed Landscape Architect as a part of the final engineering plan.
4. The number and types of plant may vary from this proposed conceptual plan.
5. The Applicant reserves the right to change the plant shown on this plan, and alter the amenities shown in the Open Space area.

PROJECT SETBACKS

PROPOSED HUMAN SETBACKS	
FRONT	10.0 FEET
REAR	10.0 FEET
SIDE (YARD)	10.0 FEET
REAR (YARD)	10.0 FEET
STREET SIDE (YARD)	10.0 FEET
NOTE: - Setbacks of 5 feet to be a	

C-1
APN#140-29-401-004C-1
ZON-2560
APN#140-29-401-003ROSS AVENUE
S 00°28'49" W 8.00'HUBBARD STREET
S 00°28'49" W 232.83'

PROJECT SUMMARY	
PROJECT INFORMATION	
ASSESSORS PARCEL MAP NO.	140-29-401-003 S. 104
GROSS ACRES	2.80 ACRES
CURRENT GENERAL PLAN	PL. (CERBERUS-LQV) 5.4 to 8.8 du/ac
PROPOSED GENERAL PLAN	PLA. (CERBERUS-LQV) 8.1 to 12 du/ac
CURRENT ZONING	R-1
PROPOSED ZONING	R-PB-10
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL
PROPOSED NUMBER OF UNITS	28
PROPOSED DENSITY	9.67 DU/AC
OPEN SPACE	
OPEN SPACE REQUIRED	12,478 SF, OR 0.28 ACRES (12,478)
PROPOSED USABLE OPEN SPACE	14,332 SF
OTHER OPEN SPACE	0 SF
TOTAL OPEN SPACE PROVIDED	14,332 SF
PARKING	
8 PER DWELLING UNIT	224
MINIMUM SPACES	0
MINIMUM SPACES	0
TOTAL PARKING SPACES PROVIDED	224

- GENERAL NOTES:
1. There are no existing structures located within the property boundary.
 2. The lot dimensions are preliminary and may vary with the mapping process.
 3. The boundary for this project is from "of record information".
 4. The of record boundary will most likely differ from the surveyed boundary.
 5. Some lot lines and dimensions may change during the final mapping process.

CONCEPTUAL LANDSCAPE PLAN FOR

LAMB & BINGHAM

City of Los Angeles

StoryBook Homes

FOR

APPROVED BY: [Signature]

CHECKED BY: [Signature]

PROJECT NO. 6452-CLV

City of Los Angeles

StoryBook Homes

FOR

APPROVED BY: [Signature]

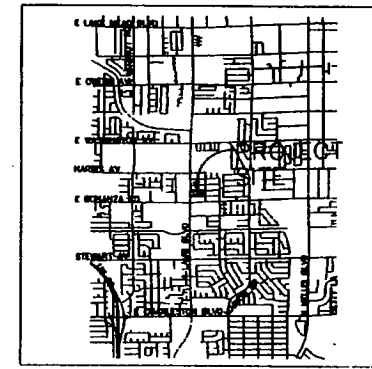
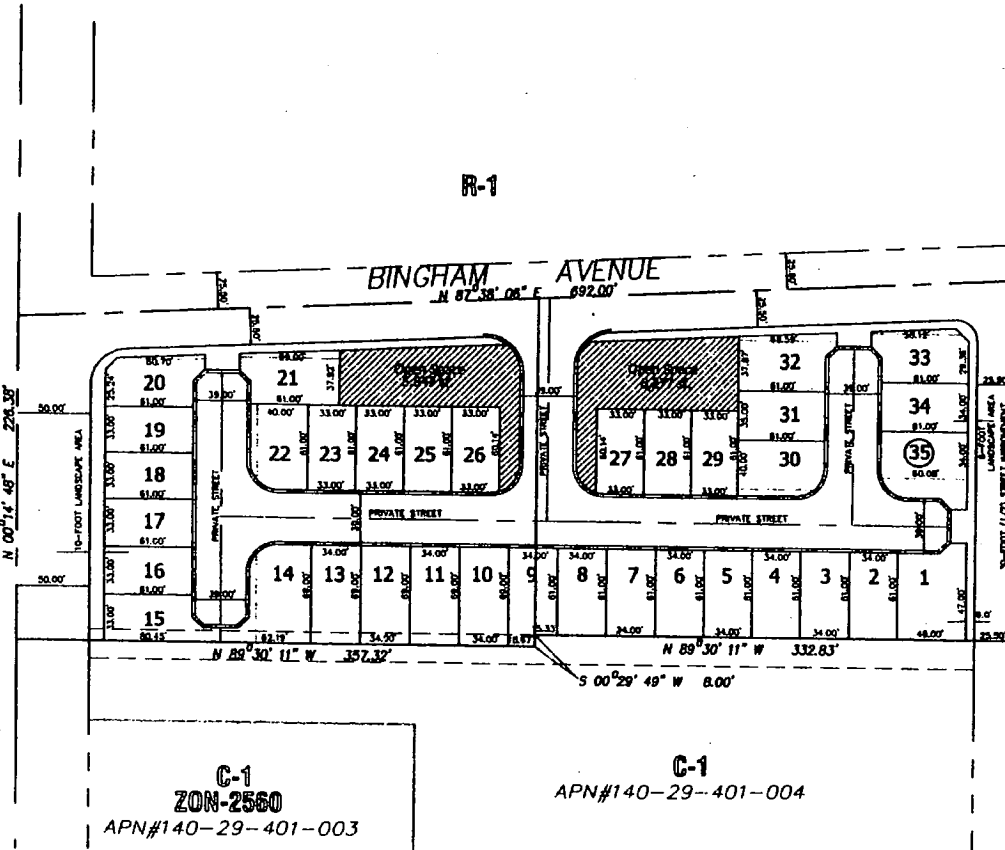
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PROJECT NO. 6452-CLV

VAR-4572
07-08-04 PC

R-1

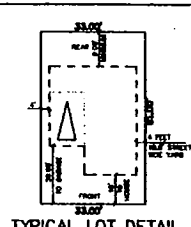
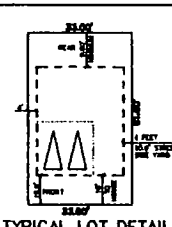
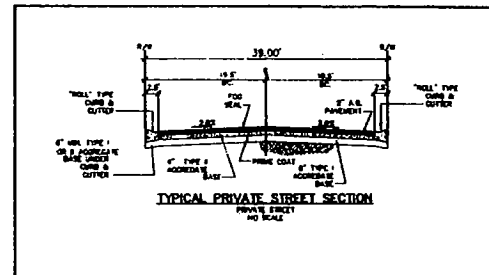
C-1

LAMB BOULEVARD
N 00°14' 48" E 228.38'

VICINITY MAP



PROJECT SETBACKS	
PROPOSED MINIMUM SETBACKS	
FRONT	54 FEET
REAR	54 FEET
SIDE YARD	10 FEET
REAR YARD	10 FEET
STREET SIDE YARD	10 FEET
NOTE: 1. Setbacks for 10' to 10'.	
2. Setbacks for 10' to 10'.	

TYPICAL LOT DETAIL
20 FOOT SETBACK/GARAGE
w/ SINGLE-CAR GARAGETYPICAL LOT DETAIL
10-FOOT SETBACK/GARAGE
w/ TWO-CAR GARAGE

TYPICAL PRIVATE STREET SECTION

ROSS AVENUE

HUBBARD STREET

R-1

PROJECT SUMMARY	
PROJECT INFORMATION	140-29-401-003 & 004
ASSESSOR'S PARCEL MAP NO.	2006 ACRES
GROSS ACRES	2.06 ACRES
CURRENT GENERAL PLAN	NS (MEDIUM-LOW) 2.4 to 3.0 du/ac
PROPOSED GENERAL PLAN	NSA (MEDIUM-LOW) 3.1 to 3.2 du/ac
CURRENT ZONING	R-1
PROPOSED ZONING	R-1.5
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL
PROPOSED NUMBER OF UNITS	20
PROPOSED DENSITY	9.21 DU/AC
OPEN SPACE	
OPEN SPACE REQUIRED	65,128 SF. or 0.57 ACRES (115,197)
PROPOSED USABLE OPEN SPACE	12,124 SF.
OTHER OPEN SPACE	0 SF.
TOTAL OPEN SPACE PROVIDED	12,124 SF.
PARKING	
PER DWELLING UNIT	2.0
GUEST SPACES	0
HANDICAP SPACES	0
TOTAL PARKING SPACES PROVIDED	78

- GENERAL NOTES:
- There are no existing structures located within the property boundary.
 - This lot boundary is preliminary and may vary with the mapping process.
 - The boundary for this project is from "all record information".
 - The all record boundary will most likely differ from the surveyed boundary.
 - Some lot lines and dimensions may change during the final mapping process.

SITE DEVELOPMENT PLAN
FOR
LAMB & BINGHAM

City of Las Vegas

DESIGNED BY: [Signature]
CHECKED BY: [Signature]
PROJECT NO.: [Signature]SHEET
01
1 of 2 SHEETS
6457-CLVVAR-4572
07-08-04 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4542, ZON-4543, VAR-4547 AND VAR-4572 - PUBLIC HEARING - **SDR-4545** - **APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY** - Request for a Site Development Plan Review FOR A PROPOSED 35-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), R-1 (Single-Family Residential) Zone [Proposed: RPD-9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

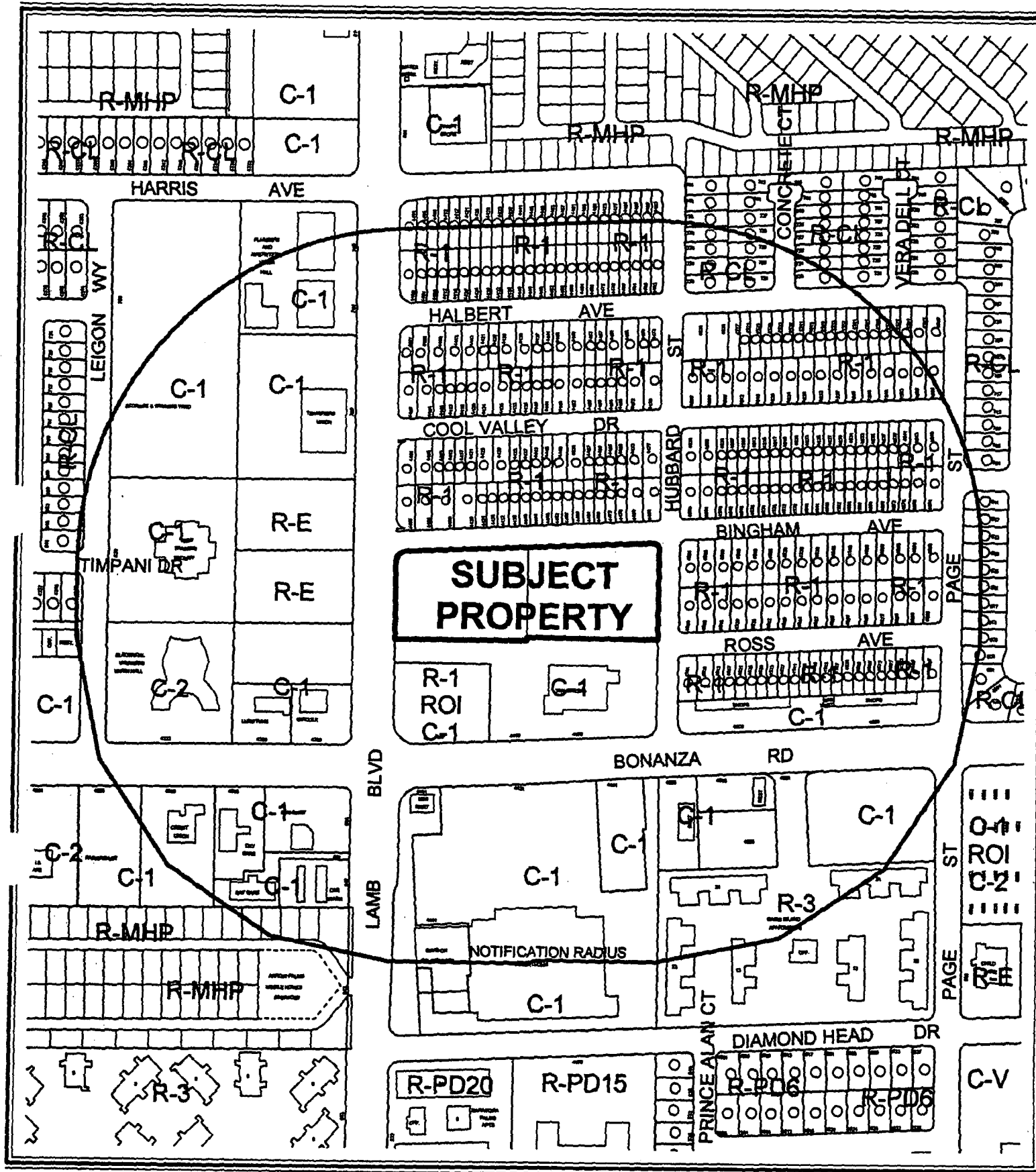
REESE – Motion to HOLD IN ABEYANCE Item 83 [DIR-4797], Item 90 [SUP-2848], Item 91 [SUP-3394], Item 92 [SUP-4172], Item 93 [SUP-4532], Item 94 [GPA-4542], Item 95 [ZON-4543], Item 96 [VAR-4547], Item 97 [VAR-4572], Item 98 [SDR-4545], Item 99 [ZON-4368], Item 100 [VAC-4420] and Item 101 [SDR-4370] to 9/15/2004 – UNANIMOUS

MINUTES:

There was no discussion.

(1:00 – 1:04)

3-1



CASE: SDR-4545

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE-FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE)

0 200 400 Feet



98



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - SDR-4545 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4542), Variance (VAR-4547), Variance (VAR-4572), and Rezoning (ZON-4543) 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. The standards for this development shall include the following:
4. The site plan shall be revised to illustrate the details and conditions of approval listed herein and shall be approved by Planning and Development Department staff prior to or at the time application is made for a tentative map.
5. A landscape plan shall be submitted and approved by Planning and Development Department staff prior to or at the time application is made for a tentative map. The landscape plan shall comply with the standards of Title 19.
6. Air conditioning units shall not be mounted on rooftops.
7. 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.
8. 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.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

11. All development shall be in conformance with the site plan and building elevations, date stamped 04/22/04, except as amended by conditions herein.
12. The applicant shall work with staff to create usable open space within the project.

Public Works

13. Provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway.
14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. Site development to comply with all applicable conditions of approval for ZON-4543 and all other subsequent site-related actions.
17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of 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.
18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 35-lot single-family residential development on 3.58 acres at the southeast corner of Lamb Boulevard and Bingham Avenue. Applications for a General Plan Amendment (GPA-4542) to M (Medium Density Residential), a Variance (VAR-4547) in the size of an R-PD zoning district formation, a Rezoning (ZON-4543) to an R-PD9 zoning district, and an open space Variance (VAR-4572) have also been submitted in conjunction with this application.

B) Applicant's Justification

The applicant indicates in a letter submitted with the application the following:

“While the existing zoning to the north and east is R-1, the proposed R-PD9 zoning is an ideal buffer to the C1 immediately adjacent and to the south and the C-1 to the west. In addition, the proposed project is buffered from the R-1 developments to the north and east by 60-foot wide streets (Bingham and Hubbard). A portion of the proposed development will be located on a 100-foot wide street, Lamb Boulevard.”

BACKGROUND INFORMATION

A) Previous Actions

11/02/00	The Planning Commission tabled a request by Clark County for a General Plan Amendment (GPA-0022-00) to amend a portion of the Southeast Sector Plan from ML (Medium Low Density Residential) to O (Office) for a proposed County-operated office building that would contain the Family and Youth Services Division and branches of the Business License Department, District Courts, and Clark County Social Services. Staff recommended approval.
11/02/00	The Planning Commission tabled a request by Clark County for a Rezoning (Z-0076-00) from R-1 (Single Family Residential) to O (Office) for the above proposed County-operated office building. Staff recommended approval.
11/02/00	The Planning Commission tabled a request by Clark County for a Site Development Plan Review [Z-0076-00(1)] for the above proposed County-operated office building. Staff recommended approval.
07/08/04	The Planning Commission recommended approval of companion applications including a General Plan Amendment (GPA-4542) to M (Medium Density Residential), a Variance (VAR-4547) in the size of an R-PD zoning district formation, a Rezoning (ZON-4543) to an R-PD9 zoning district, and an open space Variance (VAR-4572).

07/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #29/dds).

B) Pre-Application Meeting

05/10/04 The staff discussed various elements of the prospective development, including the following:

- Discussion of the present zoning and General Plan designation and the zone that would accommodate the development.
- Need for a flood study.
- Provision of private ungated streets.
- Suggestion to move the entry point to avoid a narrow offset from Bingham Avenue.
- Request to add to the site plan adjacent land uses, net and net-net acreage, open space calculations, crash gates, and wall heights.
- Present elevation drawings that show heights of structures.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 3.58 Acres

B) Existing Land Use

Subject Property	Undeveloped
North	Single-Family residential
South	Retail Commercial
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	M-L (Medium Low Residential)
North	M-L (Medium Low Residential)
South	S-C (Service Commercial)
East	M-L (Medium Low Residential)
West	S-C (Service Commercial)

D) Existing Zoning

Subject Property	R-1 (Single-Family Residential)
North	R-1 (Single-Family Residential)
South	C-1 (Limited Commercial)
East	R-1 (Single-Family Residential)
West	C-1 (Limited Commercial) and R-E (Residence Estates)

PROJECT DESCRIPTION

The applicant is proposing a 35-lot subdivision for single-family development on 3.58 acres at a density of 9.21 residences per acre. The lots proposed are typically just over 2,000 square feet in size. A total of 12,124 square feet of open space is proposed; although, for a R-PD9 development, 25,158 square feet are required. The applicant is requesting a variance to reduce the required amount of open space. The interior streets that serve the development are proposed to be 39 feet wide and private.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.06, the Site Development Plan establishes the Development Standards for a R-PD. The Development Standards proposed are as follows:

Standards	Provided	Recommended
Min. Lot Size	2,000 sq. ft.	2,000 sq. ft.
Min. Lot Width	33 ft.	33 ft.
Min. Setbacks		
• Front	10 ft.	10 ft.
• Side	4 ft.	
• Corner	10 ft.	
• Rear	9.5 ft.	
Max. Lot Coverage	52.5%	52.5%
Max. Building Height	Two stories	Two stories or 35 ft.
Max. or Min. Drive Length	>18 ft. or <10 ft.	>18 ft. or <5 ft.

A condition of approval is included for the recommended Development Standards indicated above.

A3) Parking and Traffic Standards

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

Use	Dwelling Units	Required		Provided	
		Ratio	Parking	Ratio	Parking
Single- Family Residential	35	2/D.U.	70	2/D.U.	70

Two parking spaces are provided for each dwelling unit. Proposed models have the garage situated either 18 feet or 10 feet back from the street. Garages that are less than 18 feet back from the street should be provided with no more than a five-foot apron in front of the garage. Otherwise, there will be an inclination for drivers to either park their car in the driveway with the vehicle extending into the street or to park parallel to the garage. A condition of approval stipulates that drives shall be either a minimum of 18 feet in length or a maximum of five feet in length.

A4) Landscape and Open Space Standards

A detailed landscape plan has not been submitted. Such a plan is to be submitted prior to the "final engineering plan." The plan should be submitted prior to or at the same time as the submittal of the tentative map. A condition of approval addresses this matter.

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
3.58	9.8	1.65	16.2	25,263 sq. ft.	7.8	12,124 sq. ft.

The development does not comply with the open space requirement. The applicant has requested a variance to reduce the amount of open space to 12,000 square feet. The staff report addressing that item (VAR-4572) recommends the variance be denied.

B) General Analysis and Discussion

The applicant is proposing a 35-lot subdivision for single-family development on 3.58 acres at a density of 9.21 residences per acre. The lots proposed are typically just over 2,000 square feet in size. A total of 12,124 square feet of open space is proposed; although, for a R-PD9 development, 25,158 square feet are required. The applicant is requesting a variance to reduce the required amount of open space. The interior streets that serve the development are proposed to be 39 feet wide and private.

The Development Standards for the development are acceptable, except for the garage setbacks. Two different models illustrate setbacks of either 20 feet or 10 feet. It is recommended that the setbacks be either no less than 18 feet or no more than five feet. A detailed landscape plan for the development, meeting the requirements of Title 19, needs to be submitted prior to or at the time a tentative map for the development is submitted.

FINDINGS

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;"**

Property to the west and south of the subject property is developed for commercial use and the property to the north and east is developed for single-family residences. The applicant proposes to develop the subject property with 35 single-family residences on lots that are approximately 2000 square feet in size. This density of development is excessive for this property.

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 proposal exceeds the density permitted by the current ML (Medium Low Density Residential) land use designation. For this reason, the applicant has requested a M (Medium Density Residential) classification that permits a density of up to 25 dwelling units per acre. The accompanying staff report for this General Plan Amendment (GPA-4542) recommends denial of this request.

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

The subject site abuts Lamb Boulevard, a Primary (100-foot wide) Arterial Street, according to the Master Plan of Streets and Highways. The applicant, however, proposes to access the subject site from Bingham Avenue, a 60-foot wide local street that connects to Lamb Boulevard. These streets provide adequate access to the property.

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

Although a detailed landscape plan was not submitted, a conceptual plan portrays a landscaping scheme with plant varieties that are appropriate for the area. The detailed landscape plan must comply with the landscape provisions of Title 19.

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 dwellings maintain a consistent architectural theme. Each is two story and has an aesthetic appearance that will be harmonious and compatible with other single-family residences in the area.

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

The site will be subject to ongoing inspection and will therefore not compromise the public health, safety, and welfare.

PLANNING COMMISSION ACTION

The Planning Commission voted to approve the project believing all potentially negative impacts were properly ameliorated.

NOTICES MAILED 402 by Planning Department

APPROVALS 0

PROTESTS 0



Case Number: SDR-4545 APN: 140-29-401-005, 006
Name of Property Owner: Clark County
Name of Applicant: Joel Armstrong

Yes

 ✓ **No**

City Official: _____

Partner(s): _____

APN: _____

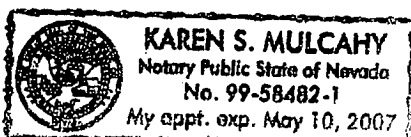
Signature of Property Owner/Authorized Agent:

Print Name:

State of Nevada County of Clark
Subscribed and sworn before me

This 20th day of May, 2004

Karen Mulcahy
Notary Public in and for said County and State



R-E

C-1

LAMB BOULEVARD
N 00°14'48" E 226.30'

R-1

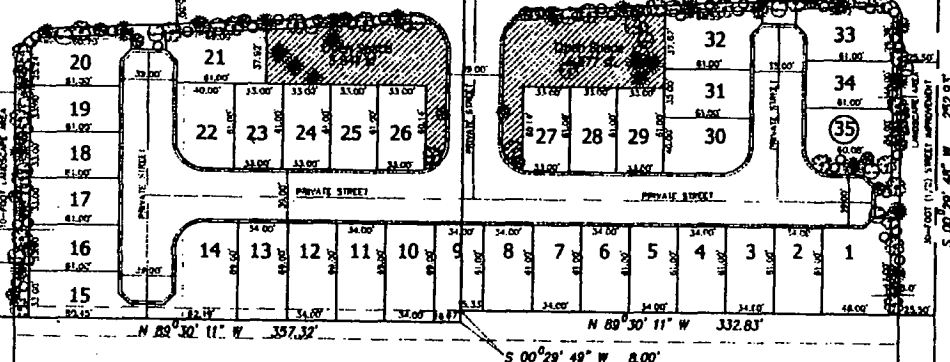
BINGHAM AVENUE
N 87°38'06" E 692.00'

GRAPHIC SCALE

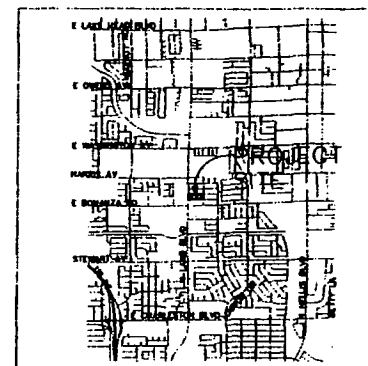
HUBBARD STREET
S 00°29'48" W 232.53'

R-1

ROSS AVENUE

C-1
ZON-2560

APN#140-29-401-003

C-1
APN#140-29-401-004VICINITY MAP
R-1

TREE/PLANT SCHEDULE

SYM.	QTY.	SIZE	SPACING	NAME
1	21	24" BOX	VARIES	MODESTO ASH
2	18	24" BOX	VARIES	MONDEL PINE
3	34	VARIES	N/A	DATE PALM
4	7	13 GALLON	VARIES	PHOTNIA
5	48	15 GALLON	VARIES	FLOWERING PLUM
6	18	1 GALLON	VARIES	GROUND SHRUBS

GENERAL NOTES

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

PROJECT SETBACKS

PROPOSED MINIMUM SETBACK	
FRONT	30' SET
REAR	20' SET
SIDE (L&R)	10' SET
WALL (L&R)	10' SET
STREET SIDE (L&R)	10' SET

NOTE: Setbacks may vary based on lot area.

PROJECT SUMMARY

PROJECT INFORMATION	
ADDRESS/PROJECT MAP NO.	140-29-401-003 & 004
GROSS ACRES	2.80 ACRES
CURRENT GENERAL PLAN	RE (MEDIUM-DENSITY 3.6 TO 8.0 DU/AC)
PROPOSED GENERAL PLAN	RE (MEDIUM-DENSITY 3.6 TO 8.0 DU/AC)
CURRENT ZONING	R-1
PROPOSED ZONING	R-1.5
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL
PROPOSED NUMBER OF UNITS	34
PROPOSED DENSITY	12.1 DU/AC
OPEN SPACE	
OPEN SPACE REQUIRED	25,420 SF OR 0.59 ACRES (11.6%)
PROPOSED USABLE OPEN SPACE	14,512 SF
OTHER OPEN SPACE	0 SF
TOTAL OPEN SPACE PROVIDED	14,512 SF
PARKING	
# PER DWELLING UNIT	2.0
TOTAL SPACES	68
MINIMUM SPACES	68
TOTAL PARKING SPACES PROVIDED	68

- GENERAL NOTES:
- There are no existing structures located within the property boundary.
 - The lot dimensions are preliminary and may vary with the mapping process.
 - The boundary to this project is from "as-record information".
 - The all-around boundary will meet every other line to the surveyed boundary.
 - Some lot lines and dimensions may change during the final mapping process.

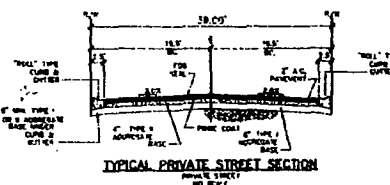
TYPICAL LOT DETAIL

20 FOOT SETBACK/GARAGE
w/ SINGLE-CAR GARAGE

TYPICAL LOT DETAIL

10-FOOT SETBACK/GARAGE
w/ TWO-CAR GARAGE

TYPICAL PRIVATE STREET SECTION



ZON-4542
VAR-4547
SDR-4545
07-08-04 PC

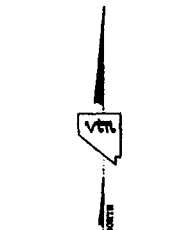
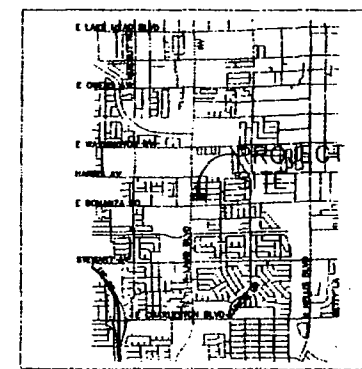
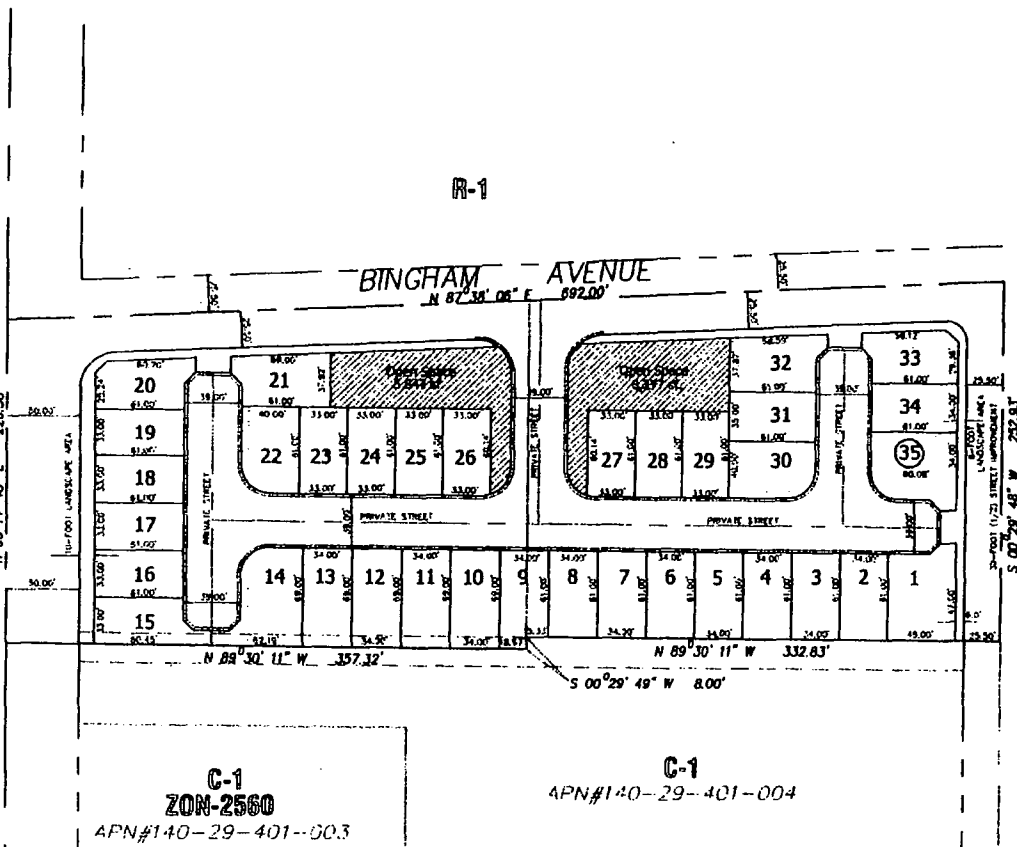
City of Las Vegas
StoryBook HomesCONCEPTUAL LANDSCAPE PLAN
FOR

LAMB & BINGHAM

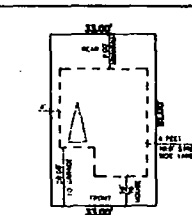
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CHECKED BY: [Signature]
DATE: [Date]PROJECT NO.: [Number]
SHEET NO.: [Number]SHEET
02
OF 2 SHEETS
DRAWING NO.
645K-CLV

R-1

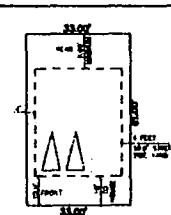
C-1

LAMB BOULEVARD
N 00°14' 48" E 228.39'

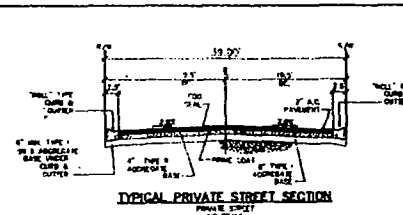
PROJECT SETBACKS	
PROPOSED MINIMUM SETBACKS	
FRONT	20 FEET
REAR	20 FEET
SIDE YARD	10 FEET
REAR YARD	10 FEET
STREET SIDE YARD	10 FEET
NOTE: Setbacks may vary based on lot area.	



20 FOOT SETBACK/GARAGE
w/ SINGLE-CAR GARAGE



10-FOOT SETBACK/GARAGE
w/ TWO-CAR GARAGE



PROJECT SUMMARY	
PROJECT INFORMATION	
ASSESSMENT PROJECT MAP NO.	140-29-401-003 & 004
GRID AREA	7.00 ACRES
CURRENT GENERAL PLAN	PL 140-29-401-003 & 004
PROPOSED GENERAL PLAN	PL 140-29-401-003 & 004
CURRENT ZONING	R-1
PROPOSED ZONING	R-1
PROPOSED LAND USE	SINGLE-FAMILY RESIDENTIAL
PROPOSED NUMBER OF UNITS	70
PROPOSED DENSITY	21 UNITS/AC
OPEN SPACE	
OPEN SPACE REQUIRED	23,128 SQ. FT. (0.53 ACRES)
PROPOSED USABLE OPEN SPACE	23,128 SQ. FT.
OTHER OPEN SPACE	0.00
TOTAL OPEN SPACE PROVIDED	23,128 SQ. FT.
PARKING	
P PER BUILDING UNIT	2.0
GUEST SPACES	0
HANDICAP SPACES	0
TOTAL PARKING SPACES PROVIDED	140

- GENERAL NOTES:
- There are no existing structures located within the property boundaries.
 - The lot dimensions are preliminary and may vary with the mapping project.
 - The boundary for this project is from "revised measurements".
 - The lot numbers and areas shown shall differ from the parcel boundary.
 - Some lot lines and dimensions may change during the final mapping process.

StoryBook Homes

SITE DEVELOPMENT PLAN
FOR

LAMB & BINGHAM

PROJECT NO. 140-29-401-003 & 004

SCALE: 1" = 40'

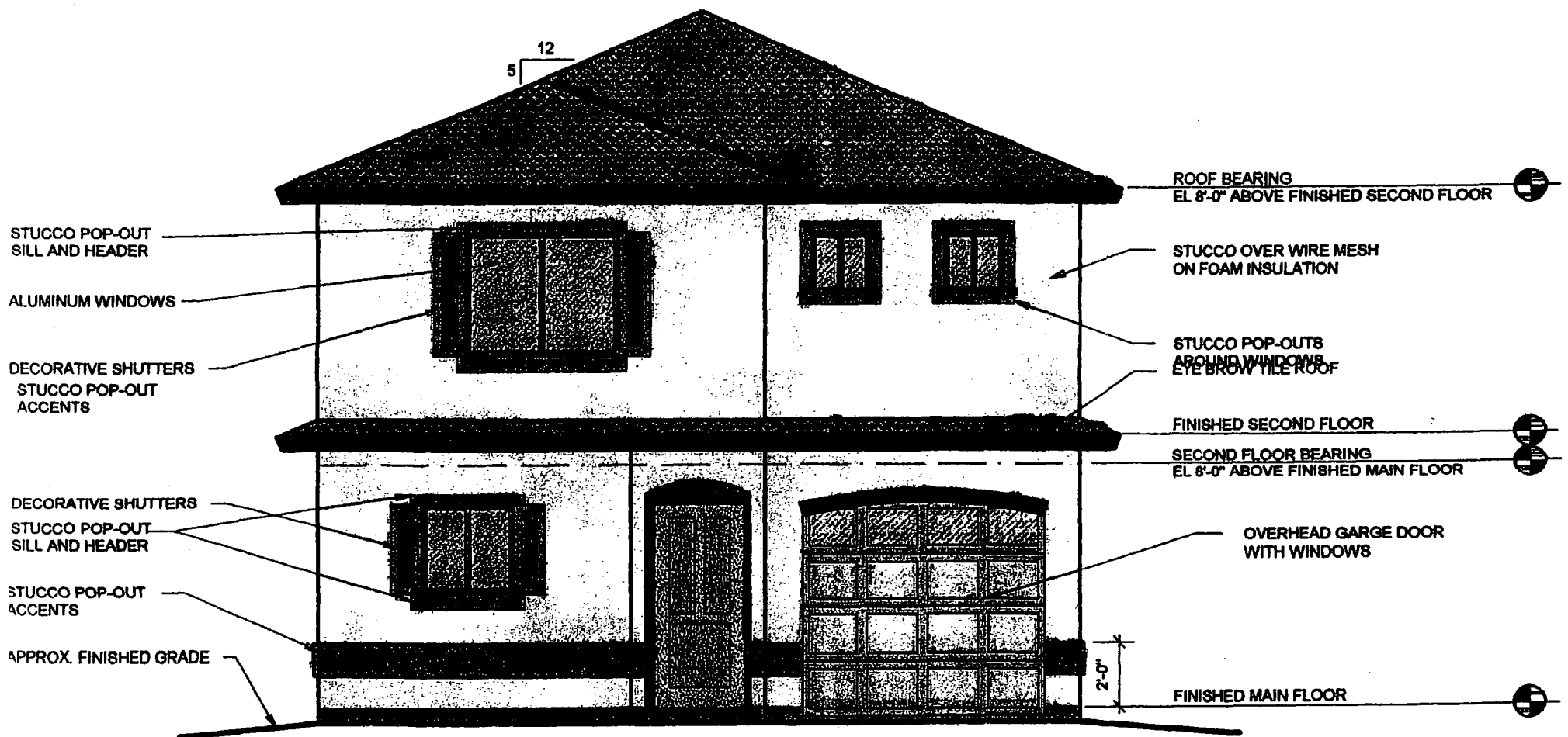
SHEET 01

1 OF 2 SHEETS

DATE: 07-08-04

BY: CLV

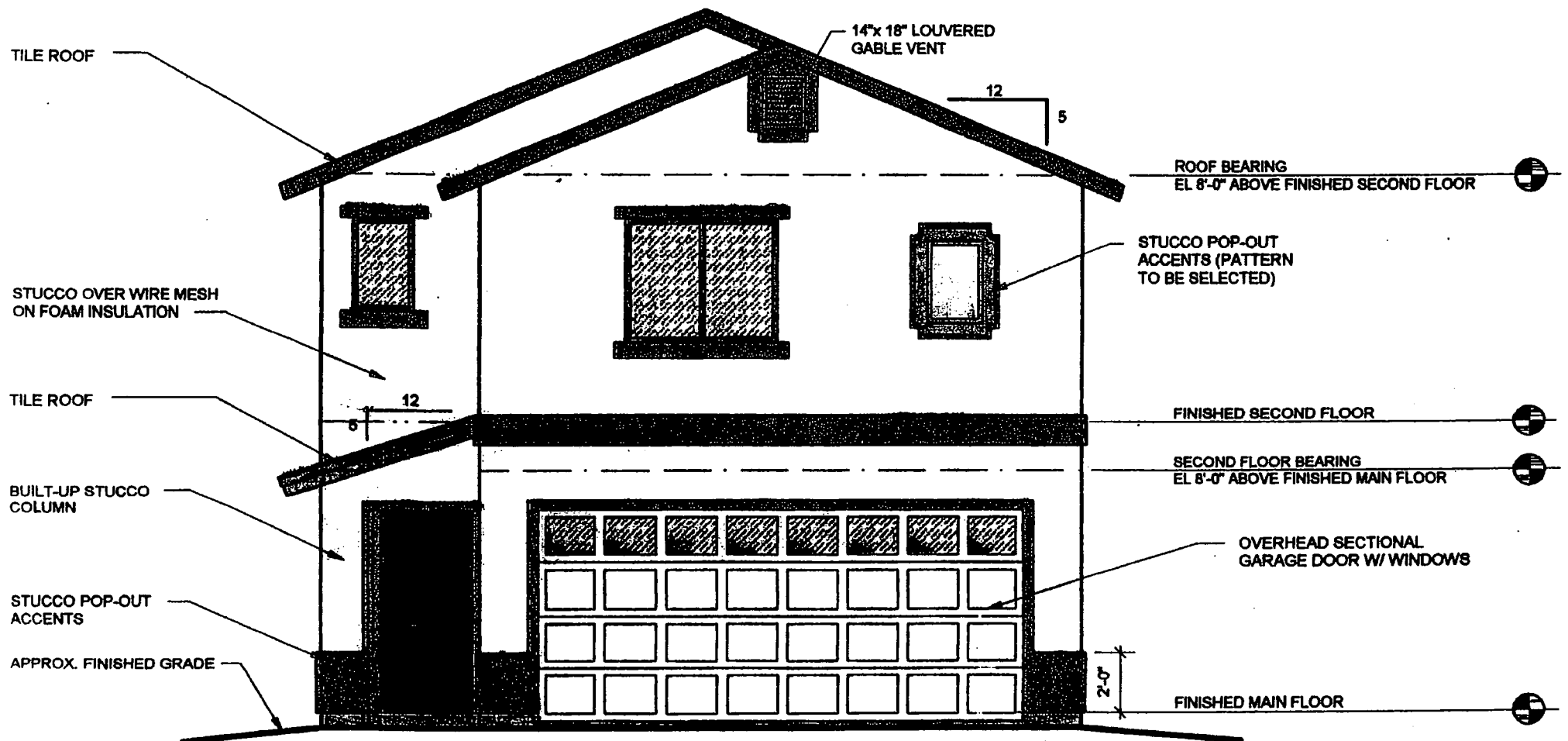
ZON-4542
VAR-4547
SDR-4545
07-08-04 PC



FRONT ELEVATION - B

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

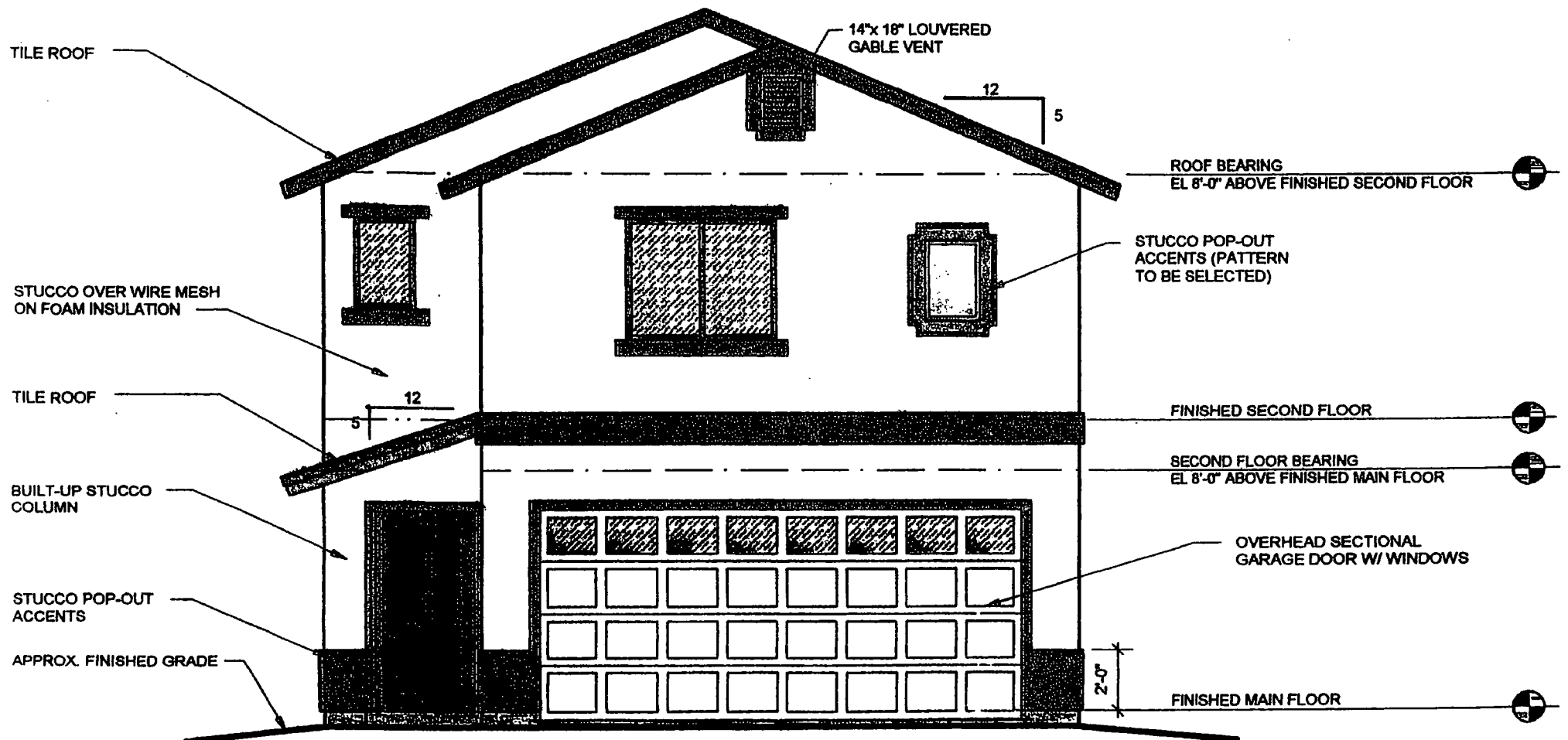
**ZON-4542
VAR-4547
SDR-4545
07-08-04 PC**



FRONT ELEVATION

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

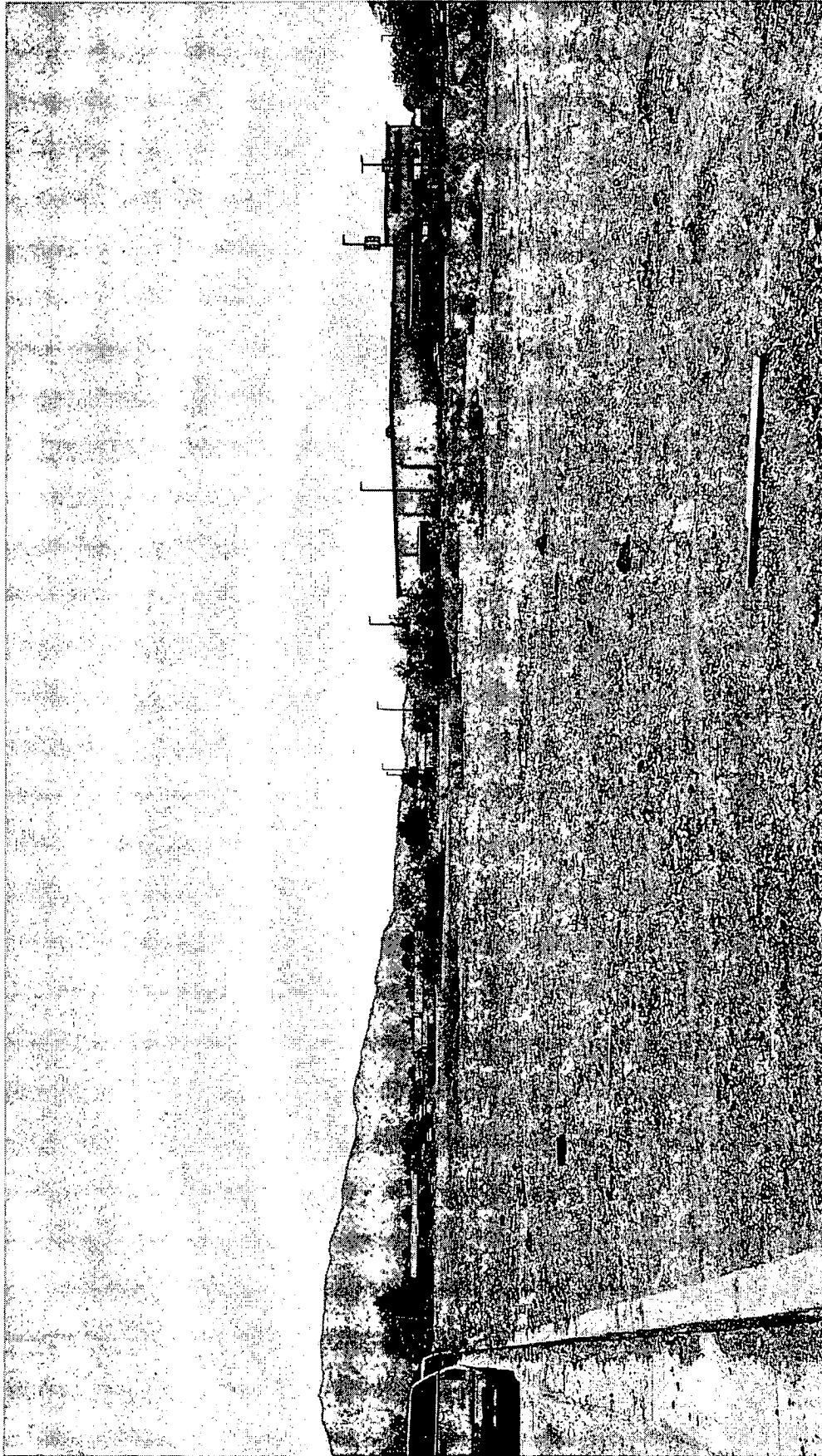
ZON-4542
VAR-4547
SDR-4545
07-08-04 PC



FRONT ELEVATION

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

ZON-4542
VAR-4547
SDR-4545
07-08-04 PC



SDR-4545 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY
SOUTHEAST CORNER OF LAMB BOULEVARD AND BINGHAM AVENUE
JULY 8, 2004 PLANNING COMMISSION

06/17/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - 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.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
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. Submitted after final agenda - Letter requesting abeyance from Carina Homes filed under Item 99 [ZON-4369]

MOTION:

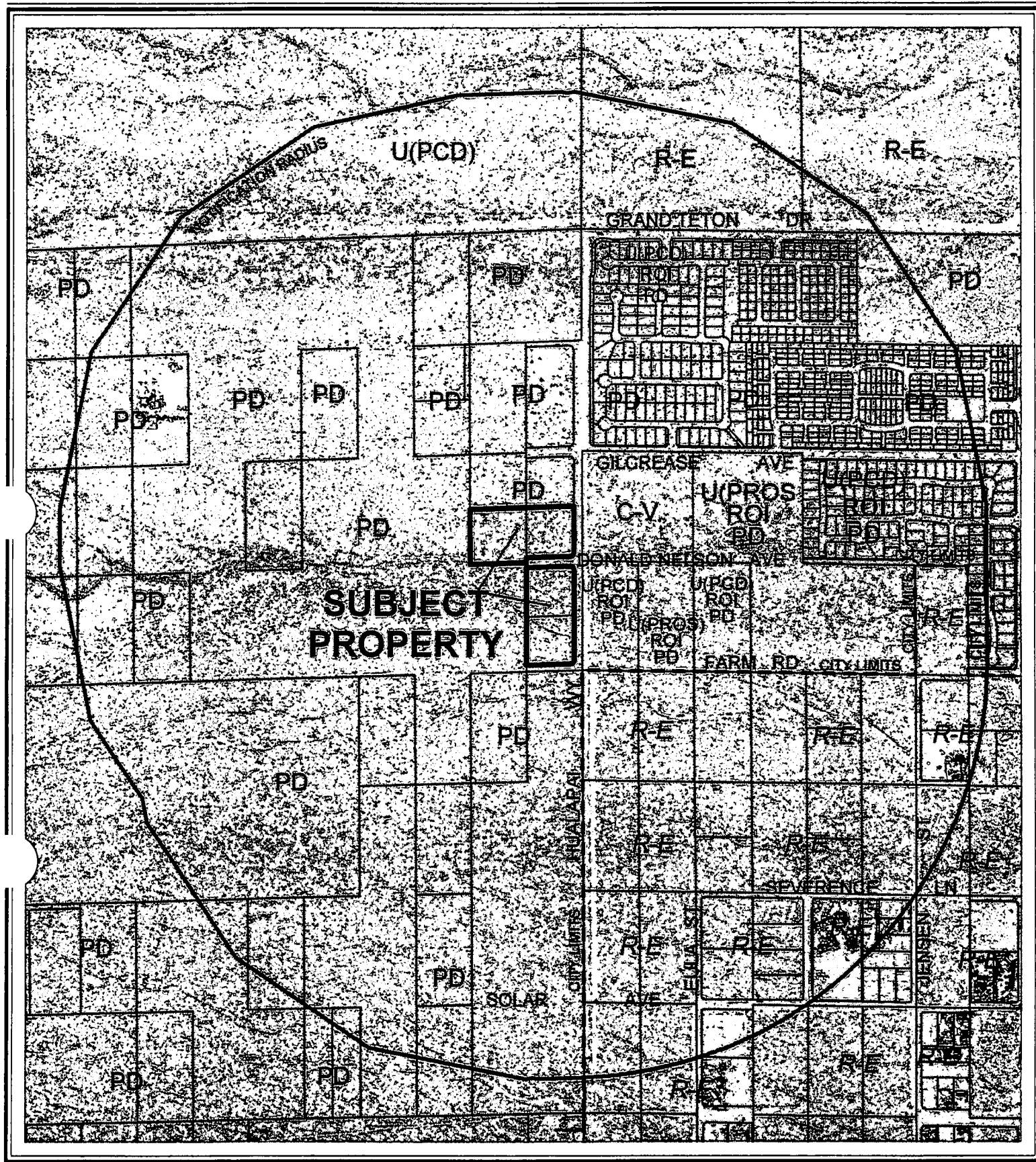
REESE - Motion to HOLD IN ABEYANCE Item 83 [DIR-4797], Item 90 [SUP-2848], Item 91 [SUP-3394], Item 92 [SUP-4172], Item 93 [SUP-4532], Item 94 [GPA-4542], Item 95 [ZON-4543], Item 96 [VAR-4547], Item 97 [VAR-4572], Item 98 [SDR-4545], Item 99 [ZON-4368], Item 100 [VAC-4420] and Item 101 [SDR-4370] to 9/15/2004 - UNANIMOUS

MINUTES:

There was no discussion.

(1:00 - 1:04)

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)

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

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

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 18, 2004 CITY COUNCIL MEETING AT COUNCILMAN MACK'S REQUEST.

**** 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: _____

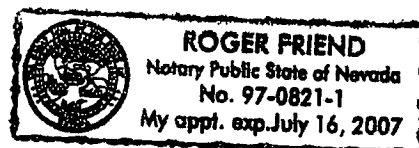
Partner(s): _____

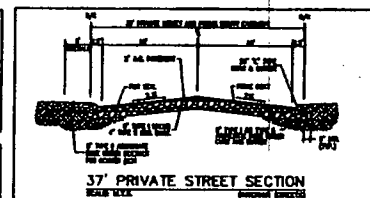
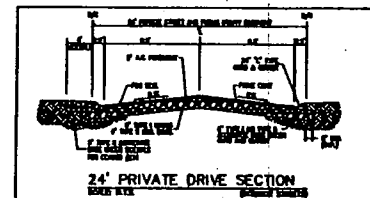
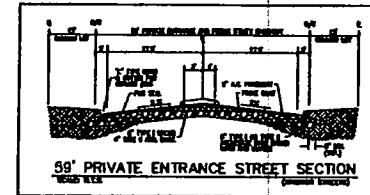
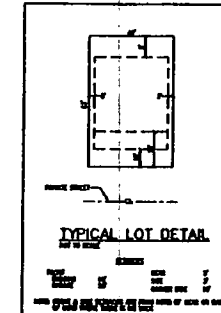
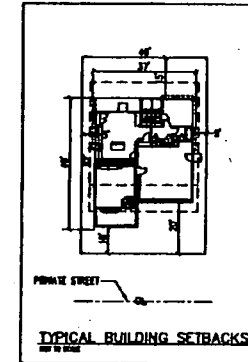
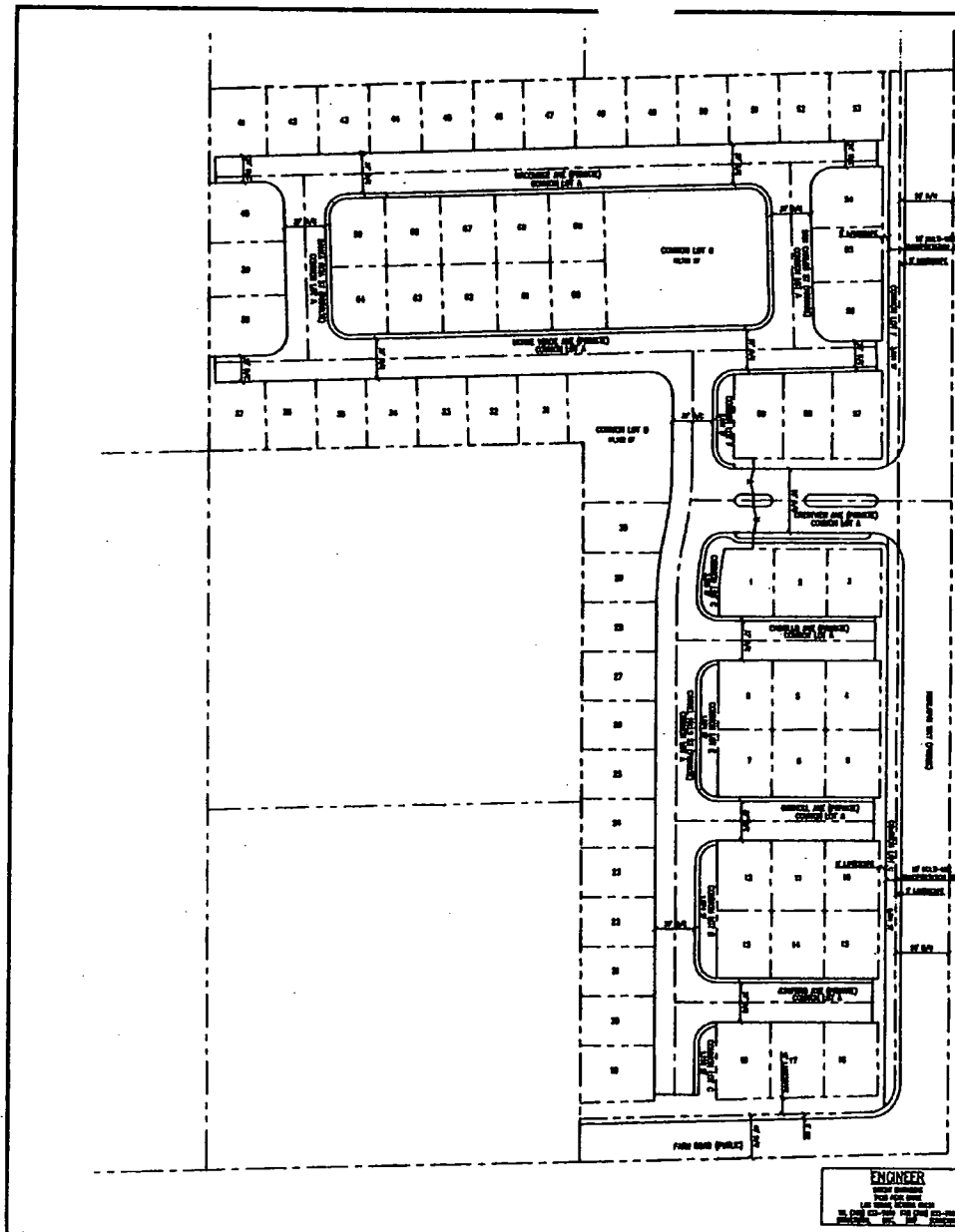
APN: _____

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

Subscribed and sworn before me

This 27th day of April, 2007
[Signature]
Notary Public in and for said County and State



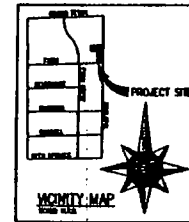


SITE DATA	
APPROXIMATE PERCENT COVER	10-15% (SEE PLAN)
CURRENT ZONING	SDR-4370
PROPOSED ZONING	SDR-4370
NUMBER OF LOTS	10
NUMBER OF LOTS	10
NUMBER OF LOTS	10
NUMBER OF LOTS	10
NUMBER OF LOTS	10
NUMBER OF LOTS	10
NUMBER OF LOTS	10
NUMBER OF LOTS	10
NUMBER OF LOTS	10

ENGINEER
WRIGHT ENGINEERS
2500 W. 10TH AVE.
SUITE 100
DENVER, CO 80202
TEL: (303) 733-1000
FAX: (303) 733-1001

OWNER INFORMATION
CARINA CORPORATION
FARM & HUALAPAI
1000 W. 10TH AVE.
SUITE 100
DENVER, CO 80202
TEL: (303) 733-1000
FAX: (303) 733-1001

DEVELOPER
CARINA CORPORATION
FARM & HUALAPAI
1000 W. 10TH AVE.
SUITE 100
DENVER, CO 80202
TEL: (303) 733-1000
FAX: (303) 733-1001



NO.	DATE	BY	CHKD.	REVISION
1	7/22/04	WRIGHT	WRIGHT	1.0

WRIGHT ENGINEERS
2500 W. 10TH AVE.
SUITE 100
DENVER, CO 80202
TEL: (303) 733-1000
FAX: (303) 733-1001



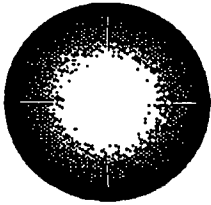
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SUITE 100
DENVER, CO 80202
TEL: (303) 733-1000
FAX: (303) 733-1001

1. 1/2" = 1' SCALE

REVISED
6.10.04

ZON-4368
SDR-4370
7/22/04 PC



**Carina
Homes**

RECEIVED
CITY CLERK

2004 SEP -1 A 11: 08

September 1, 2004

Ms. Margo Wheeler
City of Las Vegas
Planning and Development Department
731 South 4th Street
Las Vegas, NV 89101

RE: Request for two week continuance for ZON-4368, SDR-4370, VAC-4420.

Ms. Wheeler:

In an effort to avoid any further confusion, we respectfully request a two week continuance for applications ZON 4368, VAC 4420, SDR 4370, which had been previously advertised as RPD-6, to the September 15, 2004 City Council Meeting.

Please contact me if you should have any additional questions or concerns upon your consideration of our request. Your time and attention in this matter are greatly appreciated.

Sincerely,
CARINA HOMES

Rebecca Ralston
Director of Entitlements

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - 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

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
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. Submitted after final agenda – Letter requesting abeyance from Carina Homes filed under Item 99 [ZON-4369]

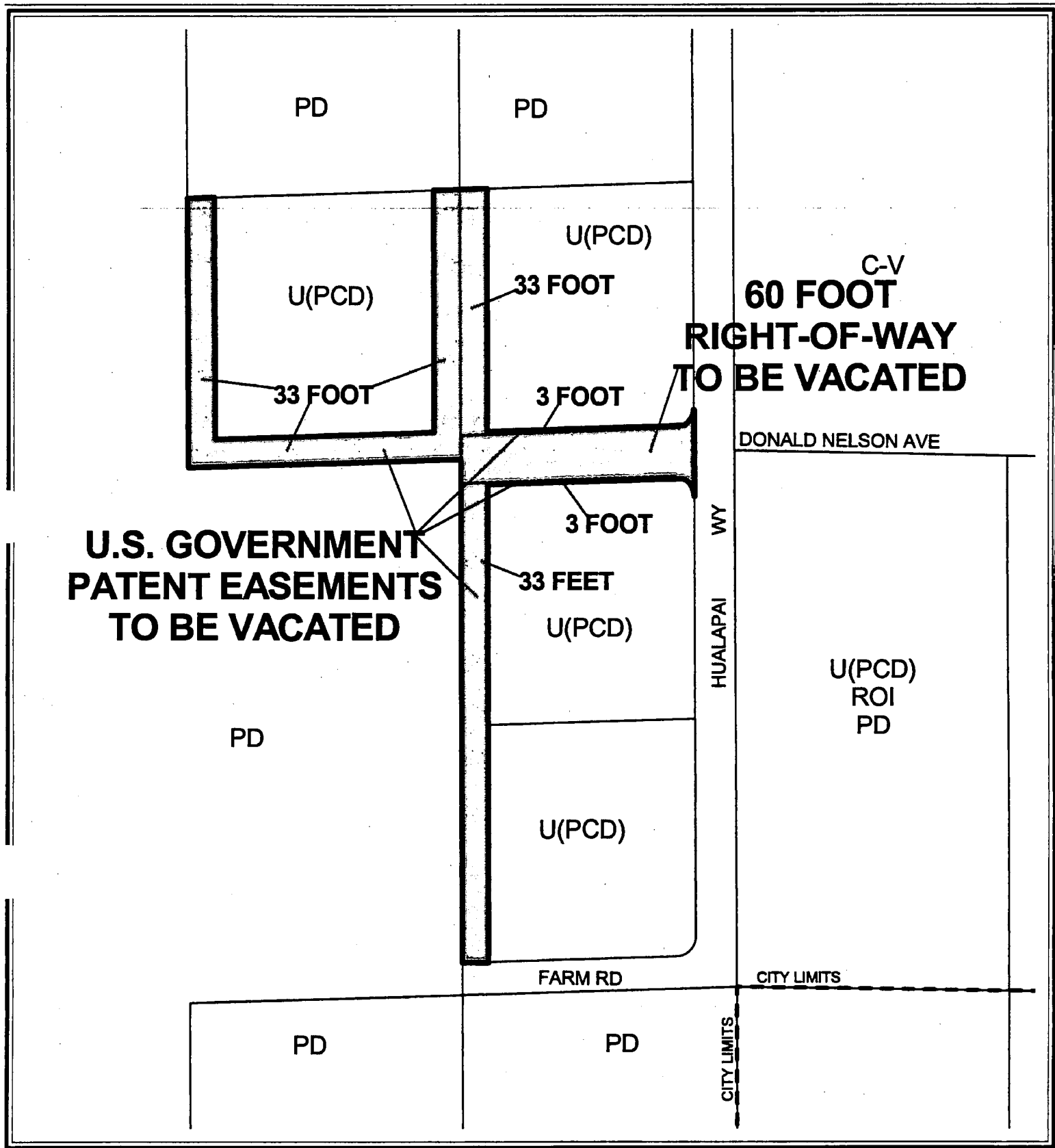
MOTION:

REESE – Motion to **HOLD IN ABEYANCE** Item 83 [DIR-4797], Item 90 [SUP-2848], Item 91 [SUP-3394], Item 92 [SUP-4172], Item 93 [SUP-4532], Item 94 [GPA-4542], Item 95 [ZON-4543], Item 96 [VAR-4547], Item 97 [VAR-4572], Item 98 [SDR-4545], Item 99 [ZON-4368], Item 100 [VAC-4420] and Item 101 [SDR-4370] to 9/15/2004 – **UNANIMOUS**

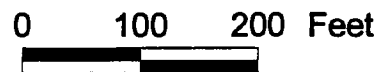
MINUTES:

There was no discussion.

(1:00 – 1:04)



CASE: VAC-4420



100



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

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

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 18, 2004 CITY COUNCIL MEETING AT COUNCILMAN MACK'S REQUEST.

**** 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 (SE¼) of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) 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 (NE¼) 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.

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



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-4420 APN: 126-13-601-004,006
Name of Property Owner: Mich'l, Ron & Carolyn ETAL
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: _____

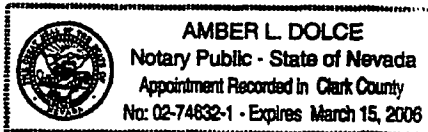
Partner(s): _____

APN:**Signature of Property Owner/Authorized Agent:****Print Name:**

Subscribed and sworn before me

This 5th day of May, 2004

Amber L Dolce
Notary Public in and for said County and State



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - 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

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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
4. Submitted after final agenda – Letter requesting abeyance from Carina Homes filed under Item 99 [ZON-4369]

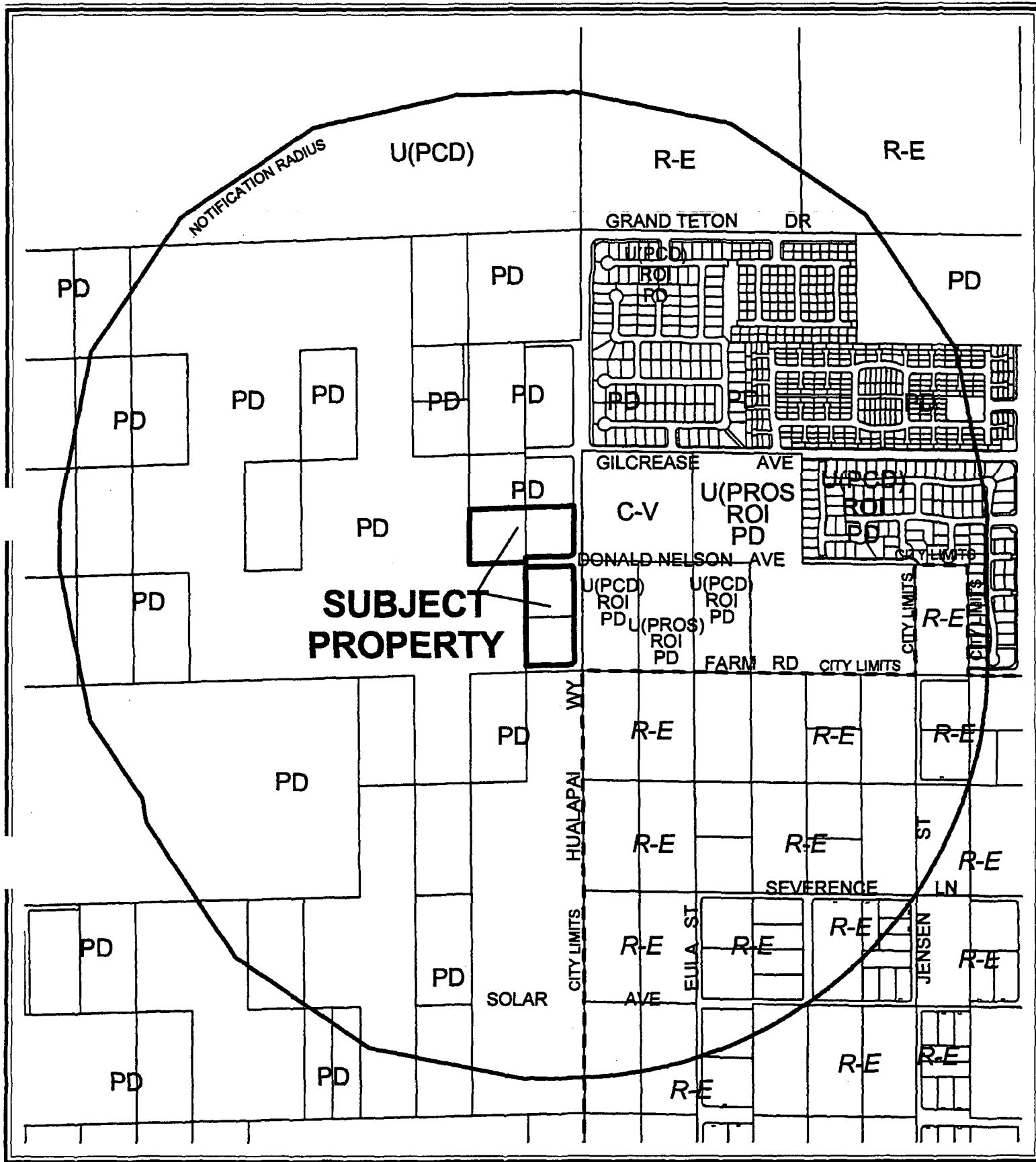
MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 83 [DIR-4797], Item 90 [SUP-2848], Item 91 [SUP-3394], Item 92 [SUP-4172], Item 93 [SUP-4532], Item 94 [GPA-4542], Item 95 [ZON-4543], Item 96 [VAR-4547], Item 97 [VAR-4572], Item 98 [SDR-4545], Item 99 [ZON-4368], Item 100 [VAC-4420] and Item 101 [SDR-4370] to 9/15/2004 – UNANIMOUS

MINUTES:

There was no discussion.

(1:00 – 1:04)



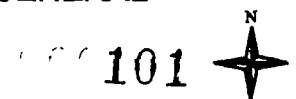
CASE: SDR-4370

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: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

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

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 18, 2004 CITY COUNCIL MEETING AT COUNCILMAN MACK'S REQUEST.

**** 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 Ratio		Trees	Provided
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	11.48 %	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: 126-13-69-004, 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): _____

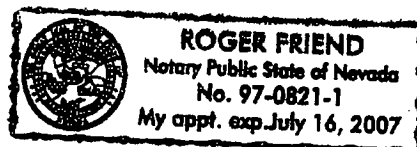
APN: _____

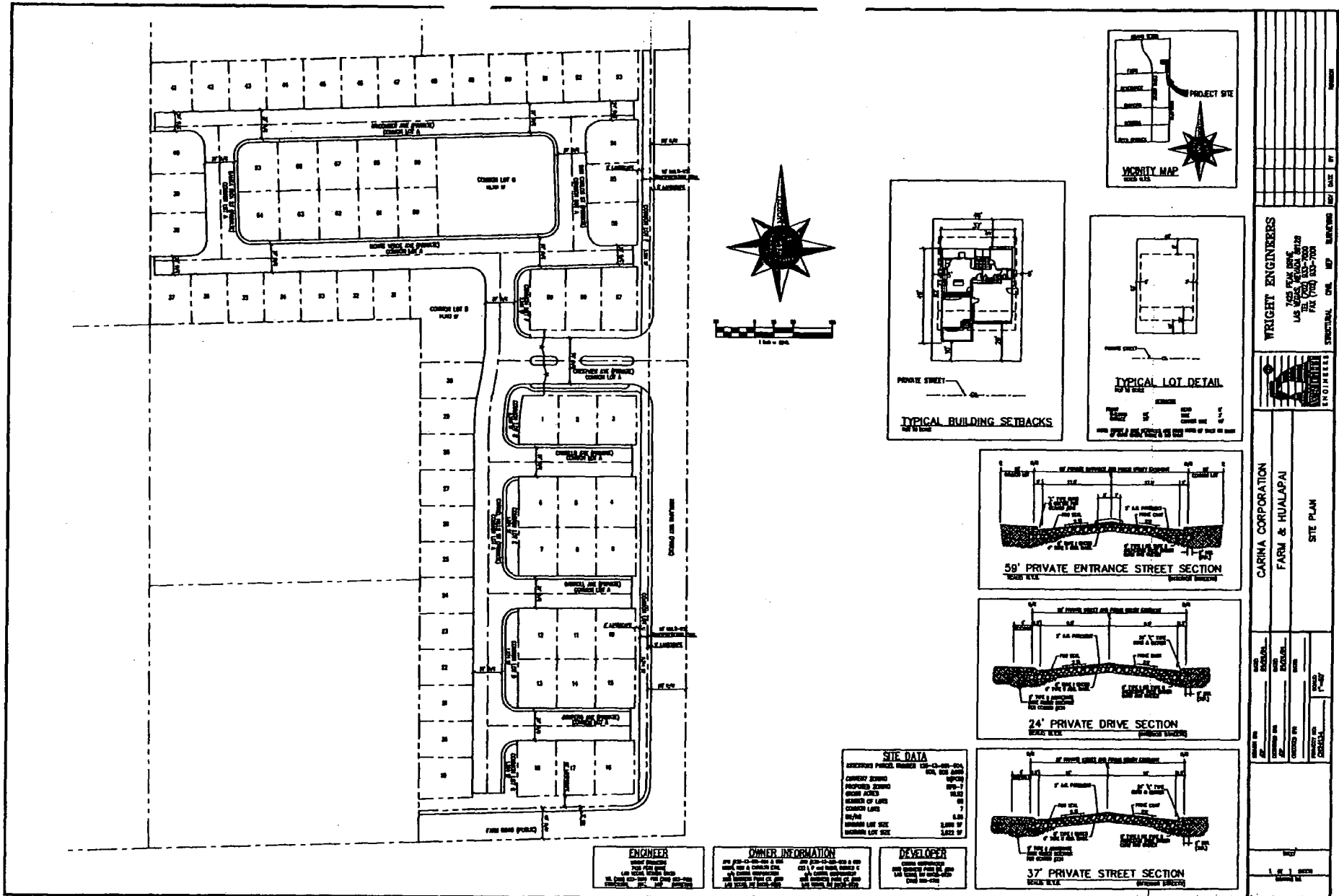
Signature of Property Owner/Authorized Agent: Amber L. Dace on behalf of:
Carolyn Mich'l
Print Name: Amber L. Dace

Subscribed and sworn before me

This 27th day of April, 2004

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





REVISED
6.10.04

ZON-4368
SDR-4370
7/22/04 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4634 - **APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY** - Request to Amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-07-710-001 and 125-08-322-001), Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to the following condition:

- *Limited to the portion south of Horse Drive only.*

– UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 102 [GPA-4634], Item 103 [ZON-4640], Item 104 [VAR-4642] and Item 105 [SDR-4641].

JEFF ANDERSON, DR Horton Homes, 3513 E. Russell Road, appeared on behalf of the applicant and reported their progress with neighbors, staff, and COUNCILMAN MACK'S office on a suitable proposal. He said they were able to obtain support of neighbors who acknowledged their concerns with the north portion of the development because of a future interchange. He informed the Council that they are trying to work internally and with sellers to get the project to work with a partial rezone, but currently the contracts with sellers do not allow it. He said the ownership group would appreciate a second two-week abeyance to see if they can bring it forward without DR Horton Homes as the applicant, and rezone to residential, maintaining the support of the neighbors, keeping portions north of Horse Drive as commercial.

COUNCIL MEETING OF SEPTEMBER 1, 2004
Planning and Development
Item 102 – GPA-4634

MINUTES CONTINUED:

COUNCILMAN MACK acknowledged that the lower southern portion would become adjacent to residential and to the private park, which was previously all commercial zoning. He expressed understanding about the Horse Drive interchange having a huge impact, and was in favor of the zoning request but would like to convert only one portion to residential. He then questioned the possibility to amend the sale at a later time, but MR. ANDERSON replied that currently no amendment is in place to allow for partial rezone and would like to have the application voted on if they could not get a two-week continuance.

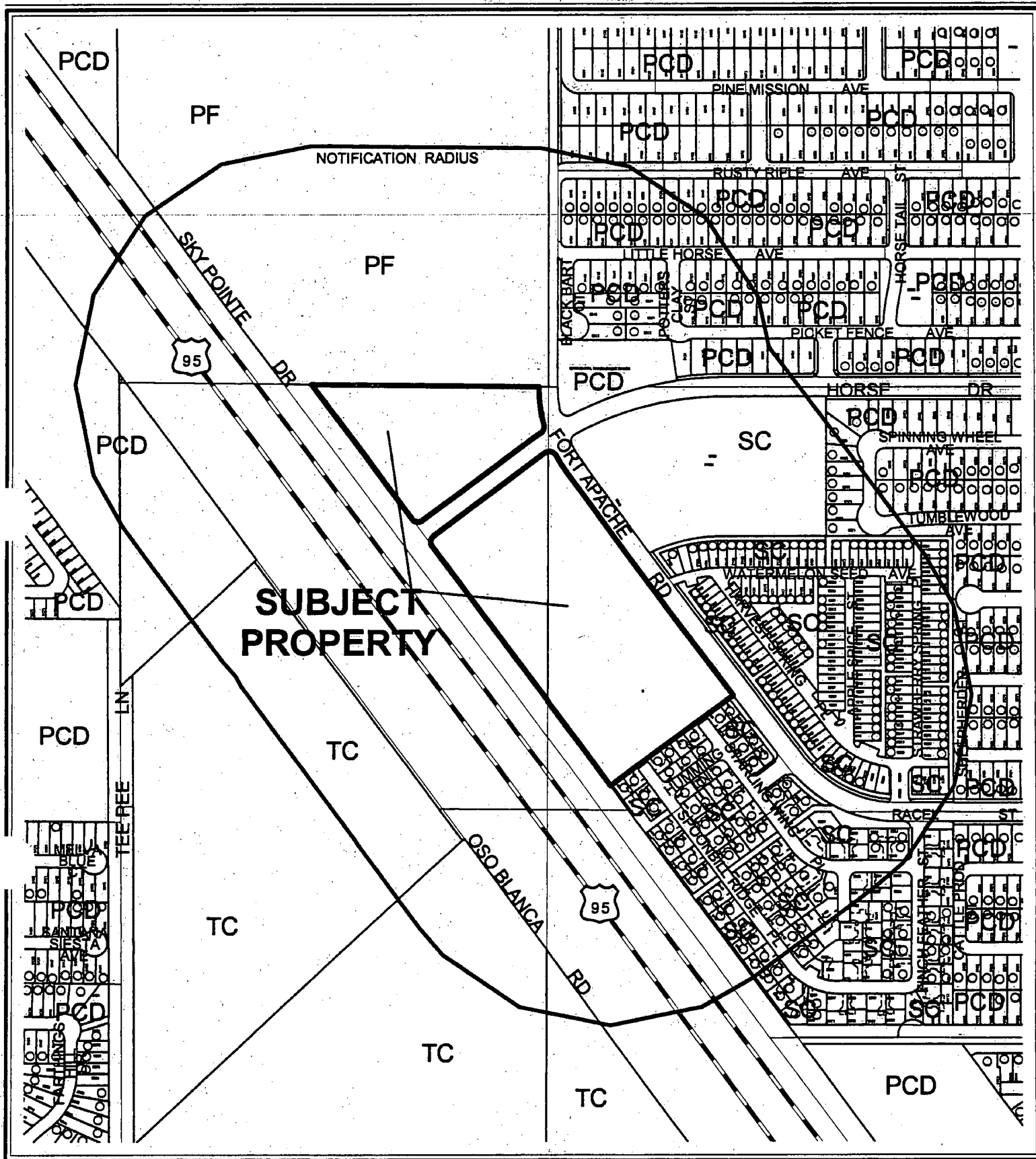
No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 102 [GPA-4634], Item 103 [ZON-4640], Item 104 [VAR-4642] and Item 105 [SDR-4641].

NOTE: All discussion for Item 102 [GPA-4634], Item 103 [ZON-4640], Item 104 [VAR-4642] and Item 105 [SDR-4641] was held under Item 102 [GPA-4634].

(1:44 – 1:51)

3-1478



CASE: GPA-4634

RADIUS: 750 FT

GENERAL PLAN OF SUBJECT PROPERTY:
S-C (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY:
ML (MEDIUM-LOW DENSITY RESIDENTIAL)

0 300 600 Feet

102



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - GPA-4634 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 18, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located adjacent to the northwest and southwest corners of Horse Drive and Fort Apache Road from SC (Service Commercial) to ML (Medium-Low Density Residential).

BACKGROUND DATA:

- 03/06/91 The City Council approved a Rezoning (Z-0072-90) application for the Reclassification of Property to R-PD3 (Residential Planned Development – 3 Units Per Acre), R-PD6 (Residential Planned Development – 6 Units Per Acre), R-PD12 (Residential Planned Development – 12 Units Per Acre), and C-1 (Limited Commercial). Planning Commission recommended denial. Staff recommended approval.
- 01/13/94 The City Council approved a Rezoning (Z-0132-93) application for the Reclassification of Property located on the east side of Rancho Drive, between Ackerman Avenue and Iron Mountain Road, from: C-2 (General Commercial) and R-E (Residence Estates), TO: R-PD3 (Residential Planned Development – 3 Units Per Acre), R-PD6 (Residential Planned Development – 6 Units Per Acre), R-PD12 (Residential Planned Development – 12 Units Per Acre) and C-1 (Limited Commercial). Planning Commission and staff both recommended approval.
- 05/24/99 The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map.
- 08/18/99 The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
- 09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan.
- 02/19/03 The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for SC (Service Commercial) land uses.
- 07/22/04 The Planning Commission recommended denial of related items (ZON-4640, VAR-4642 and SDR-4641).

07/22/04 The Planning Commission voted 3-2-1 to recommend DENIAL (PC Agenda Item #40).

DETAILS OF APPLICATION REQUEST

Site Area: 17.83 Acres

EXISTING LAND USE

Subject Property Vacant
North Vacant
South Single Family Residences
East Private Park, Single Family Residences, Vacant
West U.S. 95, Vacant

PLANNED LAND USE

Subject Property SC (Service Commercial)
North PF (Public Facilities)
South SC (Service Commercial)
East SC (Service Commercial)
West ROW (Right-of-Way)
TC (Town Center)
PCD (Planned Community Development)

EXISTING ZONING

Subject Property C-2 (General Commercial)
R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North U (Undeveloped) [PF (Public Facilities) General Plan Designation]
South R-PD10 (Residential Planned Development – 10 Units Per Acre)
East R-PD12 (Residential Planned Development – 12 Units Per Acre)
West ROW (Right-of-Way)
TC (Town Center)
U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

	YES	NO
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

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

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

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

The Southern Nevada Regional Policy Plan, approved February 22, 2001, set out a requirement for local entities to establish a means of identifying Projects of Regional Significance (PRS), and of addressing the impacts of these projects. The city of Las Vegas, through Ordinance No. 5477, has established such a process. Pursuant to this Ordinance, staff has determined that this proposed General Plan Amendment and its companion items would not meet the definition of a Project of Regional Significance as defined in the ordinance.

ANALYSIS

This proposed amendment to the plan is located along the north and south sides of Horse Drive, between Sky Pointe Drive and Fort Apache Road. Sky Pointe Drive is a 70-foot wide Frontage Street, Fort Apache Road, an 80-foot Secondary Collector, and Horse Drive, also an 80-foot Secondary Collector. Fort Apache Road and Horse Drive are depicted Master Plan of Streets and Highways.

The surrounding area east of Highway US 95 composes a master development known as Spring Mountain Ranch. The development to the east is primarily residential, with the exception of private parks dispersed throughout the master planned community. The subject parcels are part of the Spring Mountain Ranch Overall Master Development Plan (Z-0132-93).

The location of this proposed plan amendment is currently designated as SC (Service Commercial). The primary uses of the SC (Service Commercial) District are low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. To the south of the subject site is the intersection of two arterial streets, Fort Apache Road and Grand Teton Drive, each with a right-of-way width of a minimum 100 feet. A future intersection and overpass is slated to be built to the north of the subject area, providing even more access to the site. The district is easily accessible from the rest of the Northwest area and the highway. The amount of land planned for SC (Service Commercial) is

of vital importance because there is ever declining amount of commercial property in the northwest, due to the higher profitability of residential development.

The Centennial Hills Interlocal Land Use Plan was carefully conceived with a balance of commercial and residential development. Commercial development was concentrated in the Town Center area to avoid scattered sites of commercial development throughout the Centennial Hills area. The amount of commercial area is based on the proportion of residential and commercial development elsewhere in the Las Vegas valley. Since 1999, 270 acres of commercially designated land has been converted to residential development. This equates to an estimated loss of three million square feet of commercial floor space. The result of this action and any further action to reduce the commercial area in Town Center is to increase the pressure for the equivalent amount of commercial to be scattered about the Centennial Hills area, which would be indirect conflict with the intent of the Centennial Hills Sector Plan.

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.**

Digressing from the Spring Mountain Ranch Master Plan and removing more commercial from the Centennial Hills sector is premature. The concept of a balanced amount of specified land uses that will take care of the needs of the Centennial Hills sector should be protected. More of the area should develop and evolve before the projected amount of Service Commercial northwest is reduced.

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

The R-PD (Residential Planned Development) zoning district dominates the Spring Mountain Ranch Master Planned Community except for the subject parcels and one other parcel adjacent to the northeast corner of Horse Drive and Fort Apache Road. The additional residential use would be consistent with the surrounding area, but would be detrimental to the area as a source of potential commercial would be lost and require the residents to travel outside of the community to procure goods and services.

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

The proposed development has adequate site accessibility, but fails to accommodate the appropriate amount of open space for recreation.

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

The proposed amendment does not conform to the Spring Mountain Ranch Overall Master Development Plan (Z-0132-93), which proposes a business park for the subject site.

The policies for the development of the Centennial Hills Sector are outlined in the Centennial Hills Sector Plan. Section 1.2.2 (page 2) states:

“The concept of locating (non-residential) types of activities in a defined area is seen an acceptable alternative to standard development that usually is widely dispersed. As a result of concentrating intensive commercial in one area (Town Center) the preservation of residential areas will be enhanced. Necessary commercial, service and employment opportunities will be readily available without intruding into northwest residential neighborhoods.”

As discussed in the Analysis section above, the proposed amendment would not be consistent with the Centennial Hills Sector Plan.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

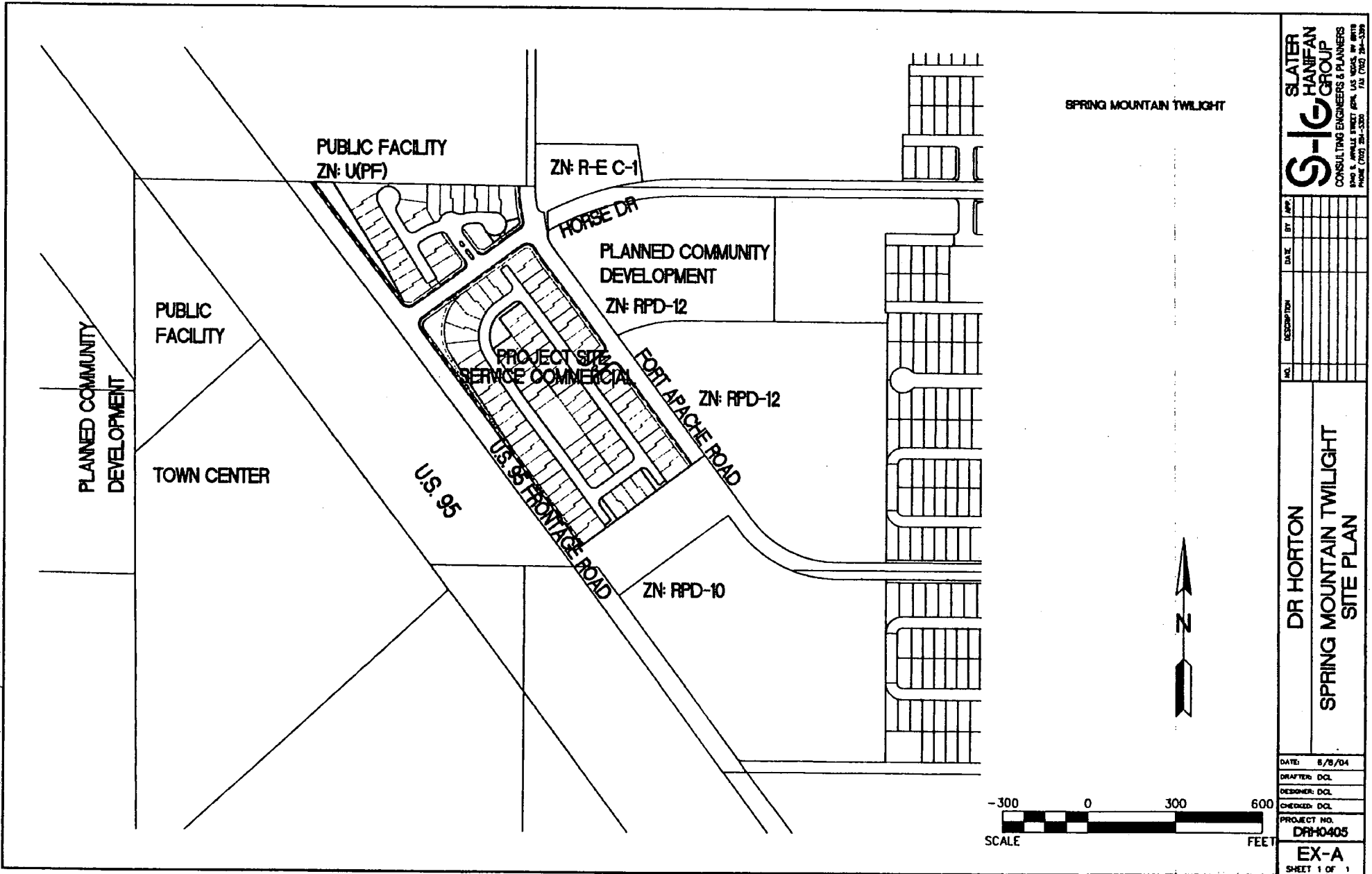
Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on June 22, 2004 a neighborhood meeting sponsored by the applicant at the Cimarron Rose Community Center, 5591 North Cimarron Street. Four people attended and had no concerns with this request.

NOTICES MAILED: 298 by Planning Department

APPROVALS: 0

PROTESTS: 0

File: \\G:\Projects\Spring Mountain Twilight\DRH0405.dwg, Jan 28, 2004 - 13:20



SLATER HANFAN GROUP
CONSULTING ENGINEERS & PLANNERS
8000 S. ARROYO STREET, SUITE 100, LOS ANGELES, CA 90045
PHONE: (213) 284-5300 FAX: (213) 284-5309

NO.	DESCRIPTION	DATE	BY	APP.

DR HORTON
SPRING MOUNTAIN TWILIGHT
SITE PLAN

DATE:	8/8/04
DRAWN:	DCL
DESIGNED:	DCL
CHECKED:	DCL
PROJECT NO.:	DRH0405
EX-A	
SHEET 1 OF 1	

GPA-4634
7-22-04 PC



GPA-4634 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF HORSE DRIVE AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION

6/29/04



GPA-4634 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF HORSE DRIVE AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION

6/29/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING RELATED TO GPA-4634 - PUBLIC HEARING - ZON-4640 - **APPLICANT: D.R. HORTON, INC.- OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL) TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-07-710-001 and 125-08-322-001), Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to conditions and amending Condition 1 as read for the record as follows:

1. Rezoning to R-PD6 is for the portion south of Horse Drive only, a maximum of 77 building lots shall be allowed.

– UNANIMOUS

MINUTES:

NOTE: See Item 102 [GPA-4634] for related discussion.

(1:44 – 1:46)

3-1487

CONDITIONS:

Planning and Development

1. Rezoning to R-PD 6 shall allow a maximum 100 units on the subject site.
2. A General Plan Amendment (GPA-4634) to a Medium-Low Density Residential land use designation approved by the City Council.

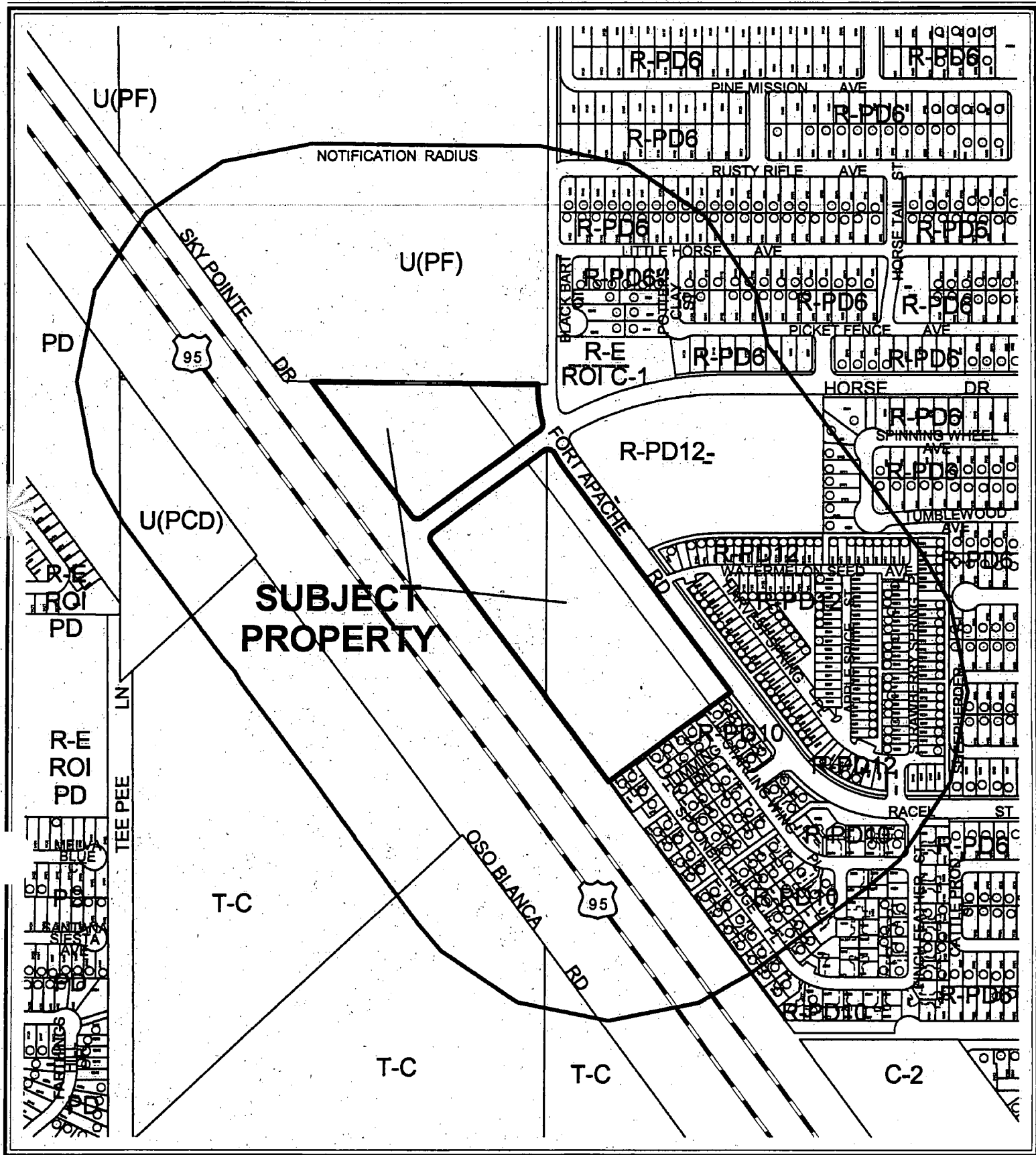
CITY COUNCIL MEETING OF SEPTEMBER 1, 2004
Planning and Development
Item 103 – ZON-4636

CONDITIONS Continued:

3. A Resolution of Intent with a two-year time limit.
4. 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

5. Coordinate with the City Engineer's Division to determine what impacts, if any, the proposed Horse Drive interchange may have on this site. Final right-of-way and required improvements for Horse Drive and Sky Pointe Drive (AKA U.S. 95 Frontage Road) adjacent to this site shall be determined at the time of approval of the Tentative Map. 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.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
7. Extend public sewer in Fort Apache Road to the northern edge 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 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-4640

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

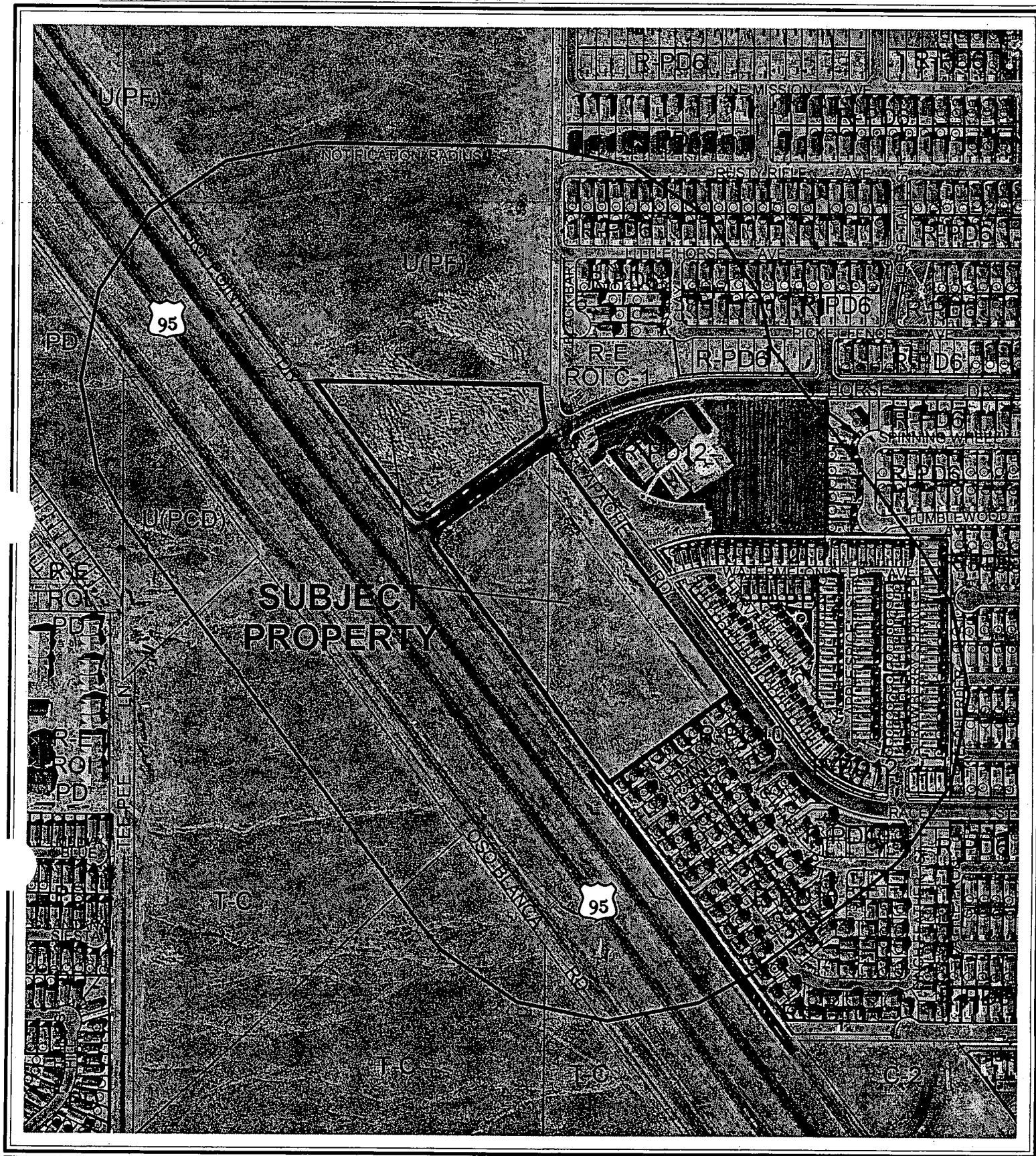
PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet

103





CASE: ZON-4640

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - ZON-4640 - APPLICANT: D.R. HORTON, INC.- OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 18, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (3-2-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Rezoning to R-PD 6 shall allow a maximum 100 units on the subject site.
2. A General Plan Amendment (GPA-4634) to a Medium-Low Density Residential land use designation approved by the City Council.
3. A Resolution of Intent with a two-year time limit.
4. 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

5. Coordinate with the City Engineer's Division to determine what impacts, if any, the proposed Horse Drive interchange may have on this site. Final right-of-way and required improvements for Horse Drive and Sky Pointe Drive (AKA U.S. 95 Frontage Road) adjacent to this site shall be determined at the time of approval of the Tentative Map. 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.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

7. Extend public sewer in Fort Apache Road to the northern edge 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 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 applicant is requesting an approval for the rezoning of the subject property from C-2 (General Commercial) & R-E (Residence Estates) Under Resolution of Intent to C-1 (Limited Commercial), to R-PD6 (Residential Planned Development – 6 Units Per Acre). Approval of this application is first contingent with the approval of General Plan Amendment (GPA-4634) application.

B) Applicant's Justification

The applicant justification for this application states that several of commercial parcels of the Spring Mountain Twilight project have been reclassified for residential land use and that by amending the land use for this project would be consistent with the adjacent uses in the area.

BACKGROUND INFORMATION

A) Previous Actions

- 03/06/91 The City Council approved a Rezoning (Z-0072-90) application for the Reclassification of Property to R-PD3 (Residential Planned Development – 3 Units per Acre), R-PD6 (Residential Planned Development – 6 Units Per Acre), R-PD12 (Residential Planned Development – 12 Units Per Acre), and C-1 (Limited Commercial). The Planning Commission recommended denial. Staff recommended approval.
- 01/13/94 The City Council approved a Rezoning (Z-0132-93) application for the Reclassification of Property located on the east side of Rancho Drive, between Ackerman Avenue and Iron Mountain Road, from: C-2 (General Commercial) and R-E (Residence Estates), TO: R-PD3 (Residential Planned Development), R-PD6 (Residential Planned Development), R-PD12 (Residential Planned Development) and C-1 (Limited Commercial). The Planning Commission and staff both recommended approval.
- 07/22/04 The Planning Commission recommended denial of related items (GPA-4634, VAR-4642 and SDR-4641).
- 07/22/04 The Planning Commission voted 3-2-1 to recommend DENIAL (PC Agenda Item #41-PL).

B) Pre-Application Meeting

05/27/04 A pre-application conference was held, in which no comments concerning the rezoning application were made.

C) Neighborhood Meetings

06/22/04 Four people attended the meeting with no comment

DETAILS OF APPLICATION REQUEST

Site Area: 17.83 Acres

EXISTING LAND USE

Subject Property	Vacant
North	Vacant
South	Single Family Residences
East	Private Park, Single Family Residences, Vacant
West	U.S. 95, Vacant

PLANNED LAND USE

Subject Property	SC (Service Commercial)
North	PF (Public Facilities)
South	SC (Service Commercial)
East	SC (Service Commercial)
West	ROW (Right-of-Way)
	TC (Town Center)
	PCD (Planned Community Development)

EXISTING ZONING

Subject Property	C-2 (General Commercial)
	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North	U (Undeveloped) [PF (Public Facilities) General Plan Designation]
South	R-PD10 (Residential Planned Development – 10 Units Per Acre)
East	R-PD12 (Residential Planned Development – 12 Units Per Acre)
West	ROW (Right-of-Way)
	TC (Town Center)
	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

E) General Plan Compliance

The subject site is composed of two parcels, both of which are designated SC (Service Commercial) within the Centennial Hills Sector Interlocal Land Use Map of the General Plan. The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

The subject site is proposed, per GPA-4634, as being designated ML (Medium-Low Density Residential). The ML (Medium-Low Density Residential) designation allows for a range of 5.6 to 8 dwelling units/per gross acre. This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

<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

The subject site is part of the Spring Mountain Ranch Overall Master Development Plan (Z-0132-93), which has designated the location in question as a business park.

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-4641), 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
17.83 acres	5.61	1.65	9.26%	71,874 SF	1.88%	14,566 SF

The applicant fails to meet the required amount of open space set forth by the R-PD (Residential Planned Development) design standards. Therefore, the applicant has submitted a Variance (VAR-4642) request to allow zero open space where 1.65 acres is required.

B) General Analysis and Discussion

The proposed rezoning is tentative upon the approval of General Plan Amendment (GPA-4634), so as to be able to accommodate the number of dwelling units per acre requested. The site plan for the site fails to illustrate the required amount of open space, as dictated by Title 19.06. Per the Residential Planned Development standards a development with 100 lots, would require 1.65 acres of open space. The supplied site plan indicates that the development will provide .33 acres of open space, composed of four common lots ranging in size from 1,802 square feet to 7,372 square feet. However only two of the four common lots depicted could be considered as viable open space meanwhile the other common lots show no signs of being usable open space.

The northern portion of the subject site will have access off of Horse Drive and the southern portion of the subject site will have access from Fort Apache Road. Both streets are 80-foot Secondary Collectors as defined and depicted Master Plan of Streets and Highways. In addition, the Department of Public Works has noted that there is an existing 10-foot roadway corridor easement behind the right-of way along Horse Drive and Fort Apache Road.

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 proposal is not in conformance to the current General Plan designation of SC (Service Commercial). Commercial land uses were allocated to prevent commercial uses from being "stripped out" over major arterials and from encroaching into residential areas.

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 subject site is bordered by Highway US 95 on the west, vacant property slated for public facilities to the north, a private park, a commercially zoned parcel, residential to the east, and residential to the south. The Spring Mountain Ranch Overall Master Development Plan has designated the parcel in question, commercial; therefore any change in that plan would be incompatible with the surrounding planned area.

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

The majority of the surrounding area has been developed in accordance with the Spring Mountain Ranch Overall Master Development Plan and has substantiated the need for commercial for the area. The continual reclassifying of commercial properties to residential will only increase the pressure for commercial property elsewhere within the Centennial Hills sector. Therefore, approval of this rezoning could result in long-term detrimental effects to the surrounding community

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 can be accessed from Fort Apache Road and Horse Drive, 80-foot Secondary Collectors as defined and depicted Master Plan of Streets and Highways.

PLANNING COMMISSION ACTION

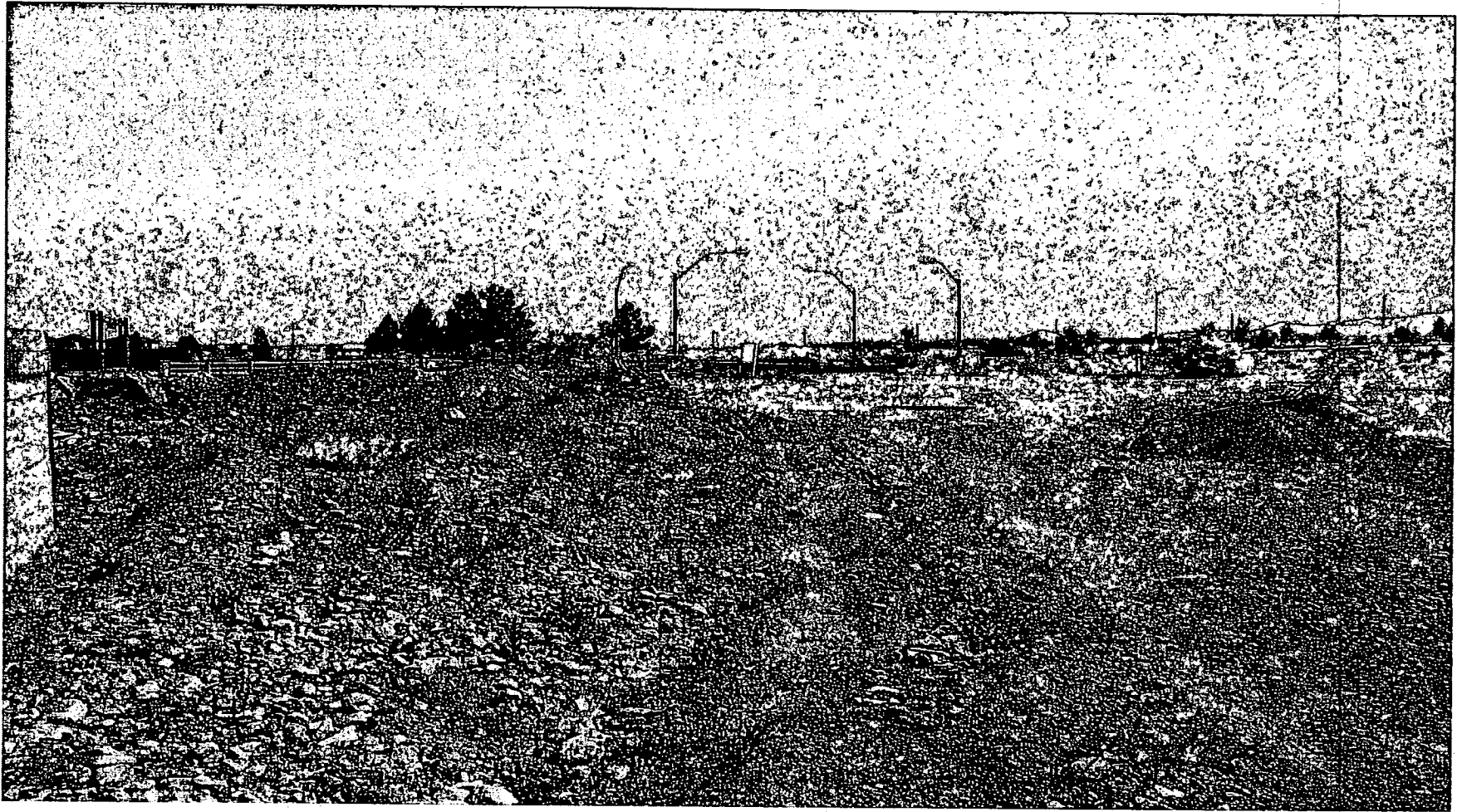
Condition #1 was added by the Planning Commission.

NOTICES MAILED 298 by Planning Department

APPROVALS 1

PROTESTS 0





ZON-4640 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF HORSE DRIVE AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION

6/29/04



ZON-4640 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF HORSE DRIVE AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION

6/29/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - VARIANCE RELATED TO GPA-4634 AND ZON-4640 - PUBLIC HEARING - VAR-4642 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW ZERO OPEN SPACE WHERE 1.65 ACRES ARE REQUIRED FOR A SINGLE FAMILY DEVELOPMENT on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-07-710-001 and 125-08-322-001), R-E (Residence Estates) and C-2 (General Commercial) Zones [PROPOSED: R-PD6 (Residential Planned Development- 6 Units Per Acre)], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to conditions and amending Condition 1 and Condition 4 to read:

1. A minimum of 11,298 square feet of open space shall be provided pursuant to revised plans date stamped July 20, 2004.
4. 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 \$174,948.00 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.

– UNANIMOUS

MINUTES:

NOTE: See Item 102 [GPA-4634] for related discussion.

(1:44 – 1:46)

3-1487

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004
Planning and Development
Item 104 – VAR-4642

CONDITIONS:

Planning and Development

1. A minimum of 14,566 square feet of open space shall be provided pursuant to revised plans date stamped July 20, 2004.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4640) and Site Development Plan Review (SDR-4641).
3. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. 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 \$285,755.00 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.

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - VAR-4642 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 18, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (3-2-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. A minimum of 14,566 square feet of open space shall be provided pursuant to revised plans date stamped July 20, 2004.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4640) and Site Development Plan Review (SDR-4641).
3. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. 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 \$285,755.00 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

The applicant is requesting approval of a Variance to allow zero open space where 1.65 acres is required. Approval of this application is first contingent with the approval of General Plan Amendment (GPA-4634) application.

B) Applicant's Justification

The applicant states, "an existing master developer 7.1 acre park is located northeast of the project site and should provide adequate recreational facilities for this new project and the surrounding community." Additionally, the applicant states, "The development is encumbered by a potential right-of-way (ROW) taking for the Horse Drive interchange...." Said ROW taking adversely affected the lotting study for this project and the potential for additional open space.

BACKGROUND INFORMATION

A) Previous Actions

- 03/06/91 The City Council approved a Rezoning (Z-0072-90) application for the Reclassification of Property to R-PD3 (Residential Planned Development – 3 Units per Acre), R-PD6 (Residential Planned Development – 6 Units per Acre), R-PD12 (Residential Planned Development – 12 Units Per Acre), and C-1 (Limited Commercial). Planning Commission recommended denial. Staff recommended approval.
- 01/13/94 The City Council approved a Rezoning (Z-0132-93) application for the Reclassification of Property located on the east side of Rancho Drive, between Ackerman Avenue and Iron Mountain Road, from: C-2 (General Commercial) and R-E (Residence Estates), TO: R-PD3 (Residential Planned Development), R-PD6 (Residential Planned Development), R-PD12 (Residential Planned Development) and C-1 (Limited Commercial). Planning Commission and staff both recommended approval.
- 07/22/04 The Planning Commission recommended denial of related items (GPA-4634, ZON-4640 and SDR-4641).
- 07/22/04 The Planning Commission voted 3-2-1 to recommend DENIAL (PC Agenda Item #42-PL).

B) Pre-Application Meeting

- 05/27/04 A pre-application conference was held, in which no comments concerning the Variance application were made.

C) Neighborhood Meetings

06/22/04 Four people attended the meeting, with no comment.

DETAILS OF APPLICATION REQUEST

Site Area: 17.83 Acres

EXISTING LAND USE

Subject Property	Vacant
North	Vacant
South	Single Family Residences
East	Private Park, Single Family Residences, Vacant
West	U.S. 95, Vacant

PLANNED LAND USE

Subject Property	SC (Service Commercial)
North	PF (Public Facilities)
South	SC (Service Commercial)
East	SC (Service Commercial)
West	ROW (Right-of-Way)
	TC (Town Center)
	PCD (Planned Community Development)

EXISTING ZONING

Subject Property	C-2 (General Commercial)
	R-E (Residence Estates) Under Resolution of Intent to C-1 (Limited Commercial)
North	U (Undeveloped) [PF (Public Facilities) General Plan Designation]
South	R-PD10 (Residential Planned Development – 10 Units Per Acre)
East	R-PD12 (Residential Planned Development – 12 Units Per Acre)
West	ROW (Right-of-Way)
	TC (Town Center)
	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

E) General Plan Compliance

The subject site is composed of two parcels, both of which are designated SC (Service Commercial) within the Centennial Hills Sector Interlocal Land Use Map of the General Plan. The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters,

bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

The subject site is proposed, per GPA-4634, as being designated ML (Medium-Low Density Residential). The ML designation allows for a range of 5.6 to 8 dwelling units/per gross acre. This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

<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

The subject site is part of the Spring Mountain Ranch Overall Master Development Plan (Z-0132-93), which has designated the location in question as a business park.

A) Zoning Code Compliance

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
17.83 acres	5.61	1.65	9.26%	71,874 SF	1.88%	14,566 SF

The applicant fails to meet the required amount of open space set forth by the R-PD (Residential Planned Development) design standards. The applicant is requesting zero open space to be provided, yet on the submitted site plan it has been indicated that .33 acres has been provided. The open space provided within the proposed subdivision is composed of four common lots ranging in size from 1,208 square feet to 7,372 square feet.

B) General Analysis and Discussion

The site plan for the site fails to illustrate the required amount of open space, as dictated by Title 19.06. Per the Residential Planned Development standards a development with 100 lots, would require 1.65 acres of open space. The supplied site plan indicates that the development will provide .33 acres of open space, composed of four common lots ranging in size from 1,208 square feet to 7,372 square feet. However only two of the four common lots depicted could be considered as viable open space

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 reverting a proposed commercial property into residential, and attempting to overbuild the site. The lack of open space will result in a project that does not provide the innovation and flexibility required of a residential planned development. Clearly, alternative site design or the development of a commercial property 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

Revised plans show 14,566 square feet of open space where 71,874 is required.

NOTICES MAILED 318 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-4642** APN: 125-07-710-001 & 125-08-322-001
Name of Property Owner: Spring Mt Ranch LLC
Name of Applicant: D. R. Horton, Inc.

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

Yes ☒ 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: _____

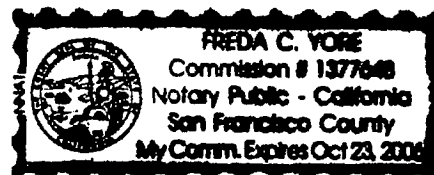
Signature of Property Owner/Authorized Agent: 

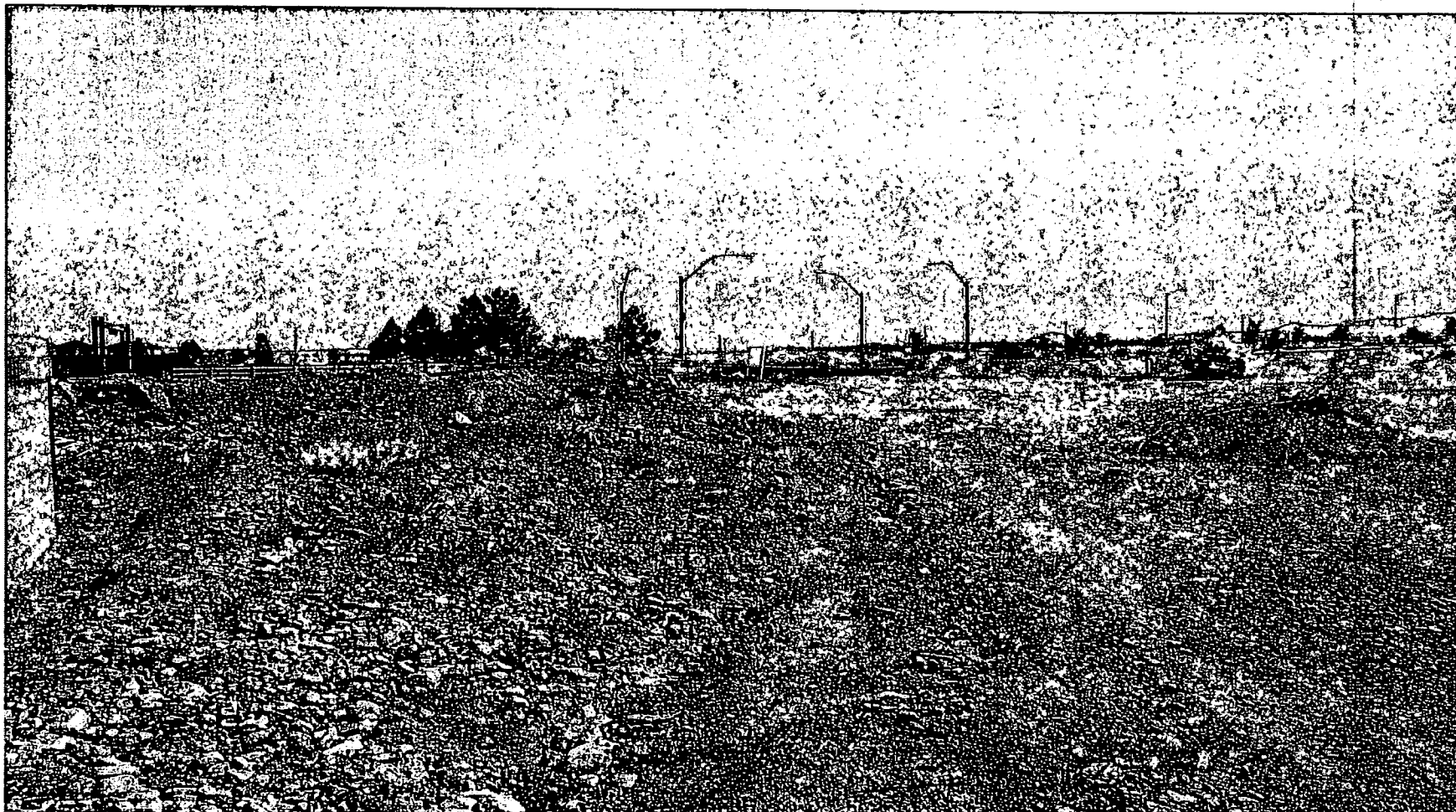
Print Name: ENK Lassar

Subscribed and sworn before me

This 27th day of May, 2004

Judea C. Gne
Notary Public in and for said County and State





VAR-4642 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF HORSE DRIVE AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION

6/29/04



VAR-4642 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF HORSE DRIVE AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION

6/29/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4634, ZON-4640 AND VAR-4642 - PUBLIC HEARING - **SDR-4641** - **APPLICANT: D.R. HORTON, INC.** - **OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A 100 LOT RESIDENTIAL DEVELOPMENT on 17.83 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-07-710-001 and 125-08-322-001), R-E (Residence Estates) and C-2 (General Commercial) Zones [PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre)], Ward 6 (Mack). The Planning Commission (3-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

MACK – APPROVED subject to conditions and replacing Condition 5 as read for the record as follows:

5. All development on the portion south of Horse Drive shall be in conformance with the site plan date stamped July 19, 2004 for a maximum of 77 building lots and building elevations, except as amended by conditions herein.

– UNANIMOUS

MINUTES:

NOTE: See Item 102 [GPA-4634] for related discussion.

(1:44 – 1:46)

3-1487

CONDITIONS:

Planning and Development

1. At such time of the right-of-way (along Sky Pointe Drive and Horse Drive) taking the required perimeter landscaping shall be provided along the newly established property lines of the subject parcels.

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004
Planning and Development
Item 105 – SDR-4641

CONDITIONS Continued:

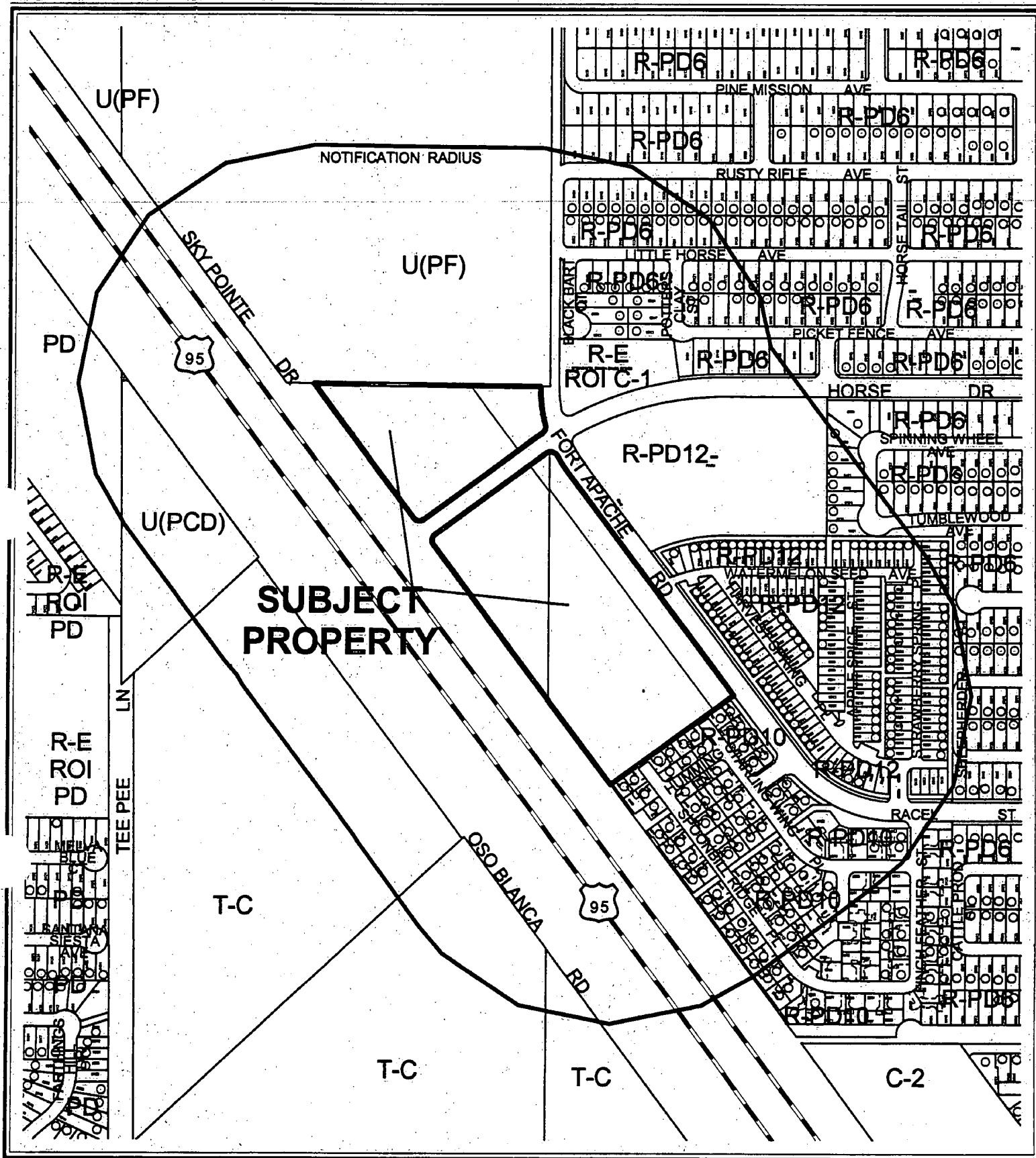
2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
3. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4640) and Variance (VAR-4642).
4. This Site Development Plan Review shall expire two years from date 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 date stamped July 19, 2004 for a maximum of 100 units and building elevations, except as amended by conditions herein.
6. The setbacks for this development shall be 10 feet to the front of the garage and house as measured from back of sidewalk or from back of curb if no sidewalk is provided, 9 feet to the front architectural features, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
7. Air conditioning units shall not be mounted on rooftops
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a Tentative Map, to reflect landscape planter areas to match the submitted site plan and to reflect minimum 24-inch box shade trees planted a maximum of 30 feet on-center with shrubs, vines and ground cover.
11. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
12. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF SEPTEMBER 1, 2004
Planning and Development
Item 105 – SDR-4641

CONDITIONS Continued:

Public Works

13. Gated entries shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. Coordinate with the Clark County School District to discuss issues related to pedestrian access.
17. Site development to comply with all applicable conditions of approval for ZON-4640 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 private street/private drive intersections are proposed within this subdivision.



CASE: SDR-4641

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet

105

AGENDA MEMO

CITY COUCIL MEETING DATE: SEPTEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - SDR-4641: APPLICANT: D.R. HORTON, INC.- OWNER: SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

THIS ITEM WAS HELD IN ABEYANCE FROM THE AUGUST 18, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (3-2-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. At such time of the right-of-way (along Sky Pointe Drive and Horse Drive) taking the required perimeter landscaping shall be provided along the newly established property lines of the subject parcels.
2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
3. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4640) and Variance (VAR-4642).
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 date stamped July 19, 2004 for a maximum of 100 units and building elevations, except as amended by conditions herein.
6. The setbacks for this development shall be 10 feet to the front of the garage and house as measured from back of sidewalk or from back of curb if no sidewalk is provided, 9 feet to the front architectural features, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
7. Air conditioning units shall not be mounted on rooftops
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a Tentative Map, to reflect

landscape planter areas to match the submitted site plan and to reflect minimum 24-inch box shade trees planted a maximum of 30 feet on-center with shrubs, vines and ground cover.

11. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Gated entries shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. Coordinate with the Clark County School District to discuss issues related to pedestrian access.
17. Site development to comply with all applicable conditions of approval for ZON-4640 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 private street/private drive intersections are proposed within this subdivision.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting approval of a Site Development Plan Review for a proposed 103-lot single-family residential subdivision on 17.83 acres located adjacent to the southwest corner of Horse Drive and Fort Apache Road.

B) Applicant's Justification

The applicant presents no clear justification regarding the site development plan review, but does state that they are providing 10 feet of landscaping along Fort Apache Road and Horse Drive, as well as a 6-foot landscape buffer along the US 95 frontage road (Sky Pointe Drive).

BACKGROUND INFORMATION

A) Previous Actions

03/06/91	The City Council approved a Rezoning (Z-0072-90) application for the Reclassification of Property to R-PD3 (Residential Planned Development – 3 Units Per Acre), R-PD6 (Residential Planned Development – 6 Units Per Acre), R-PD12 (Residential Planned Development – 12 Units Per Acre), and C-1 (Limited Commercial). Planning Commission recommended denial. Staff recommended approval.
01/13/94	The City Council approved a Rezoning (Z-0132-93) application for the Reclassification of Property located on the east side of Rancho Drive, between Ackerman Avenue and Iron Mountain Road, from: C-2 (General Commercial) and R-E (Residence Estates), TO: R-PD3 (Residential Planned Development), R-PD6 (Residential Planned Development), R-PD12 (Residential Planned Development) and C-1 (Limited Commercial). Planning Commission and staff both recommended approval.
07/22/04	The Planning Commission recommended denial of related items (GPA-4634, ZON-4640 and VAR-4642).
07/22/04	The Planning Commission voted 3-2-1 to recommend DENIAL (PC Agenda Item #43-PL)

B) Pre-Application Meeting

05/27/04 A pre-application conference was held, in which no comments concerning the site development plan review application were made.

C) Neighborhood Meetings

06/22/04 Four people attended the meeting, with no comment.

DETAILS OF APPLICATION REQUEST

Site Area: 17.83 Acres

EXISTING LAND USE

Subject Property	Vacant
North	Vacant
South	Single Family Residences
East	Private Park, Single Family Residences, Vacant
West	U.S. 95, Vacant

PLANNED LAND USE

Subject Property	SC (Service Commercial)
North	PF (Public Facilities)
South	SC (Service Commercial)
East	SC (Service Commercial)
West	ROW (Right-of-Way) TC (Town Center) PCD (Planned Community Development)

EXISTING ZONING

Subject Property	C-2 (General Commercial) R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North	U (Undeveloped) [PF (Public Facilities) General Plan Designation]
South	R-PD10 (Residential Planned Development – 10 Units Per Acre)
East	R-PD12 (Residential Planned Development – 12 Units Per Acre)
West	ROW (Right-of-Way) TC (Town Center) U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

E) General Plan Compliance

The subject site is composed of two parcels, both of which are designated SC (Service Commercial) within the Centennial Hills Sector Interlocal Land Use Map of the General Plan. The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services. The site development plan does not conform to the General Plan as currently designated.

<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

The subject site is part of the Spring Mountain Ranch Overall Master Development Plan (Z-0132-93), which has designated the location in question as a business park.

PROJECT DESCRIPTION

The proposed project is a 100-unit Z-lot configured single-family residential subdivision on 17.83 acres located adjacent to the southwest corner of Horse Drive and Fort Apache Road. Horse Drive, an 80-foot Secondary Collector as defined and depicted Master Plan of Streets and Highways, separates the subject parcels that compose the proposed residential subdivision. The northern portion of the subject site will have access to Horse Drive. The southern portion of the subject site will have access from Fort Apache Road. Both streets are 80-foot Secondary Collectors as defined and depicted Master Plan of Streets and Highways.

The proposed subdivision will consist of lots ranging from approximately 3,700 to 9,362 square feet, which results in a density of 5.61 units per acre. Based on R-PD standards such a density would require 1.65 acres of open space to be supplied for the purpose of public use or enjoyment. The supplied site plan indicates .33 acres of open space scattered through the proposed subdivision by means of common lots, which range in size from 1,802 square feet to 7,372 square feet. However only two of the four common lots depicted could be considered as viable open space meanwhile the other common lots show no signs of being usable open space for the purpose of public use or enjoyment.

The models being presented consist of only two story buildings, roughly 27 feet in height. Four different floor plans for are being presented ranging in square footage from 1,800 to 2,400 square feet. Of the four models two contain options for patio covers, and one contains an option for a balcony/deck. Each model has the option between two different elevations.

The proposed landscaping meets the requirements of Title 19. It must be noted that there exists a future right-of-way taking along the western portion of the subject site. As a result the landscaping being provided along said frontage will in the future have to be relocated to the future property line. Therefore, it will be recommended that at such time of the right-of-way taking the required landscaping be provided along the newly established property lines of the subject parcel.

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 House	10 Foot	Y
• Front to Arch. Feature	9 Foot	Y
• Side	5 Foot	Y
• Corner	10 Foot	Y
• Rear	15 Foot	Y
Building Height	2 Stories/ 35-Feet	

The proposed lot sizes, setbacks and building height are appropriate for a residential project of this nature.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Trees/ 30 Linear Feet	124 Trees	136+
• Min. Zone Width	6 Feet		Yes

The proposed landscaping meets the requirements set forth by Title 19.12.

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
17.83 acres	5.61	1.65	9.26%	71,874 SF	1.88%	14,566 SF

The proposed development does not meet the amount of open space required for a R-PD (Residential Planned Development) zoning district. A variance (VAR-4642) has been filed with this application 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

- Zoning

The proposed rezoning is not appropriate for this location. These parcels were designated to accommodate a future business park within the Spring Mountain Ranch Master Development Plan; these types of commercial services will be needed to meet the needs of future residents of the area.

- Site Plan

The proposed site plan indicates a 100-lot Z-lot configured single-family residential subdivision on 17.83 acres located adjacent to the southwest corner of Horse Drive and Fort Apache Road. The proposed subdivision will consist of lot sizes ranging from approximately 3,700 to 9,362 square feet, which results in dwelling Units Per Acre (DUA) of 5.61. The proposed site plan indicates that Horse Drive splits the subdivision. The northern portion of the subject site will have access to Horse Drive; the southern portion of the subject site will have access from Fort Apache Road. Both streets are 80-foot Secondary Collectors as defined and depicted Master Plan of Streets and Highways. The site plan illustrates a five-foot sidewalk abutting a six-foot landscape planter that runs the entire perimeter of the parcels.

The site plan for the site fails to illustrate the required amount of open space, as dictated by Title 19.06. Per the Residential Planned Development standards a development with 100 lots would require 1.65 acres of open space. The supplied site plan indicates that the development will provide .33 acres of open space, composed of four common lots ranging in size from 1,208 square feet to 7,372 square feet. However only two of the four common lots depicted could be considered as viable open space.

- Waivers

The proposed development requires a variance for the lack of provided open space, which is a companion item on this agenda. The variance does not meet the standards for granting a variance.

- Landscape Plan

The landscape plan indicates the use of 24-inch box Purple leaf Plum, Live Oak, Flowering Chitalpa, Wilson Olive, Mondell Pine, Desert Willow, Thornless Argentine Mesquite, Shoestring Acacia trees 30 feet on center along Sky Pointe Drive, Horse Drive, and Fort Apache Road, accompanied by 4 5-gallon shrubs per tree. The future right-of-way taking along Sky Pointe Drive will require the provided landscaping to be relocated to the new property line, once the new boundaries are drawn. Therefore, it will be recommended that at such time of the right-of-way taking the required landscaping be provided along the newly established property lines of the subject parcel.

- Elevation

The models being presented consist of only two story buildings, roughly 27 feet in height. Of the four models two contain options for patio covers, and one contains an option for a balcony/deck. Each model has the option between two different elevations.

- Floor Plan

Four different floor plans for are being presented ranging in square footage from 1,800 to 2,400 square feet.

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 surrounding area. The Spring Mountain Ranch Master Development Plan has designated this site for commercial uses. Any change in that plan would be incompatible with the surrounding planned area and shift the commercial elsewhere.

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 does not advance the Goals, Objectives and Policies of the General Plan. As future business and commercial uses become necessary as the northwest area continues to grow, they may need to be located in areas outside of Town Center if additional commercially designated lands continue to be converted to residential uses. This is contrary to Plan policies to have all commercial properties located in Town Center.

The request does not meet the open space standards of the Code. Should the companion General Plan Amendment, Rezoning and Variance applications be approved, this site development plan would still be contrary to Title 19.06.040 (A), which states: "the R-PD district is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic and homogeneity of land use patterns. " Single-Family Residential development, at a density of 5.26 dwelling units per gross acre,

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

The subject site can be accessed from Fort Apache Road and Horse Drive, 80-foot Secondary Collectors as defined and depicted Master Plan of Streets and Highways. The future development of the US 95 frontage road (Sky Pointe Drive, will impact the flow of traffic along Horse Drive and could possibly create an access problem for the northern portion of the proposed development. Additionally, the increased number of residential dwellings will increase the number of daily trips traveled within the Spring Mountain Ranch community, especially since residents will have to go outside of the planned area to access commercial services.

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

Building and landscape materials are appropriate for the greater Las Vegas Valley area as desert building tones and indigenous landscape materials are proposed.

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;"**

Each of the four models has two optional elevations that will create visual interest and an aesthetically pleasing environment. All buildings are proposed to be two stories that will create conformity within the subdivision and allow for appropriate densities.

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

Development, including any grading, on and off-site improvements, and building plans are required to receive approval from the Department of Public Works and the Building and Safety Department prior to any construction or development on the property. In addition, the proposed development will be subject to inspections by various City Departments that will secure and protect the public health, safety and general welfare.

PLANNING COMMISSION ACTION

There were 2 speakers, one in favor and one opposed at Planning Commission.

NOTICES MAILED 298 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4641 APN: _____

Name of Property Owner: Spring Mountain Ranch LLC

Name of Applicant: D.R. Horton, Inc.

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

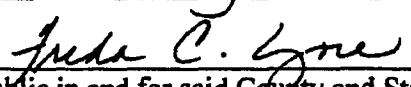
APN: _____

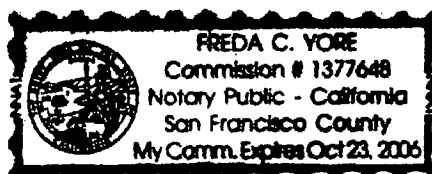
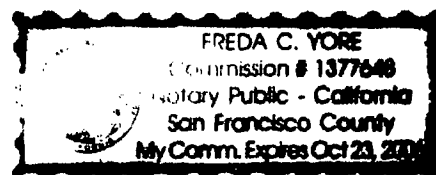
Signature of Property Owner/Authorized Agent: 

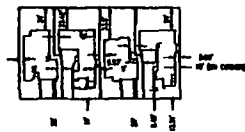
Print Name: Freda C. Yore

Subscribed and sworn before me

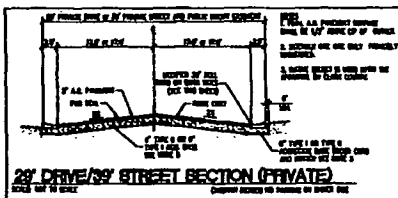
This 27th day of May, 2004


Notary Public in and for said County and State





TYPICAL LOTS
NTR

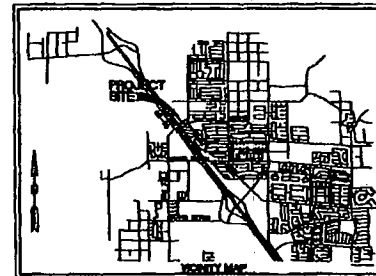


SITE PLAN FOR SPRING MOUNTAIN TWILIGHT

A.P.S. 825-48-327-00 & A.P.S. 825-47-740-00

PLAN OF THE CITY OF SAN ANTONIO, TEXAS

RANCHERS
A DIVISION OF
S-16

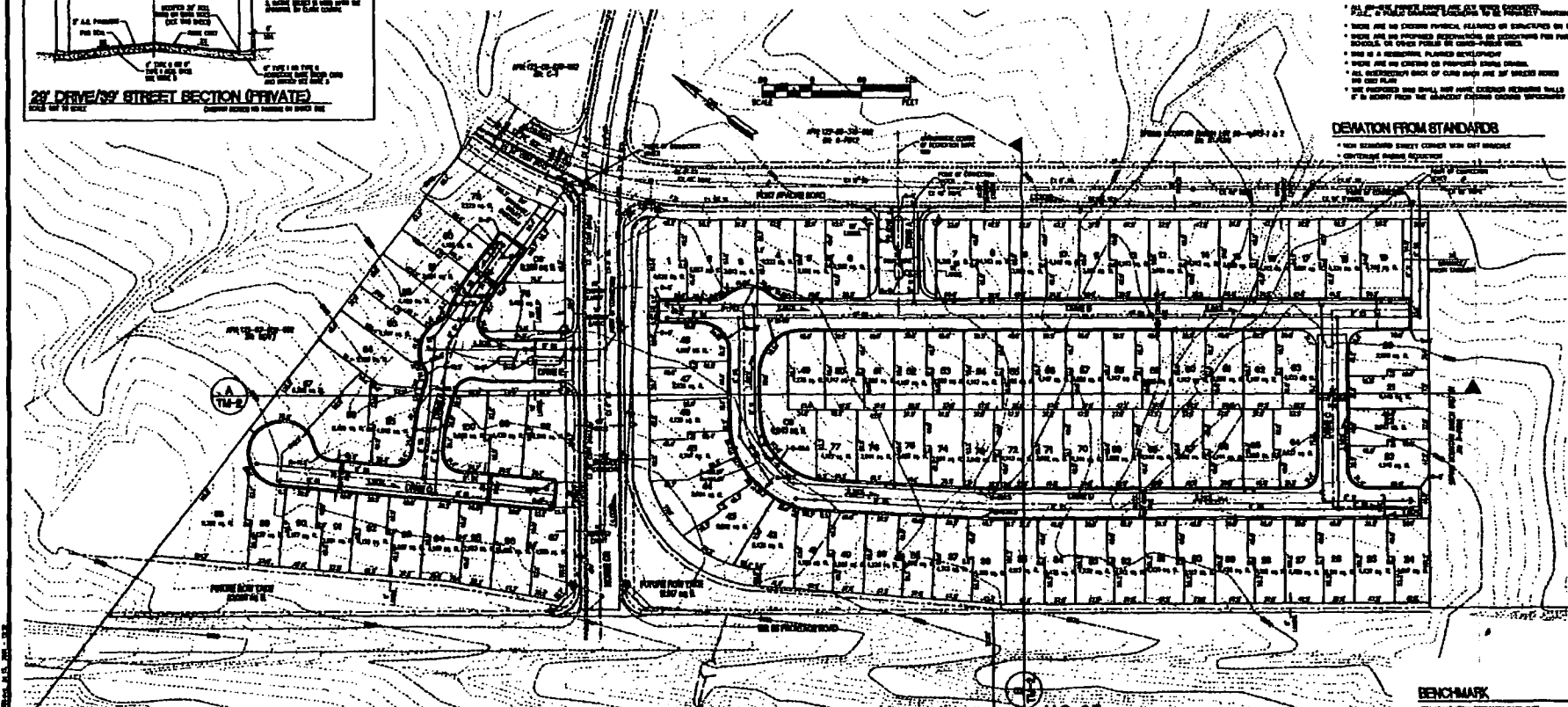


NOTES

- 1. ALL UTILITIES SHOWN ARE AS EXISTING UNLESS OTHERWISE NOTED.
- 2. THERE ARE NO EXISTING UTILITIES SHOWN ON THIS PLAN.
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- 10. THERE ARE NO EXISTING UTILITIES SHOWN ON THIS PLAN.

DEVIATION FROM STANDARDS

- 1. NON STANDARD STREET CORNER WITH SHOT BRACKET
- 2. CONTINGENT PLANNING DEVIATION



OWNER	SITE DATA	SETBACKS	UTILITIES AND SERVICES
OWNER: [Name]	OWNER: [Name]	OWNER: [Name]	OWNER: [Name]
DEVELOPER: [Name]	DEVELOPER: [Name]	DEVELOPER: [Name]	DEVELOPER: [Name]
DESIGNER: [Name]	DESIGNER: [Name]	DESIGNER: [Name]	DESIGNER: [Name]
CHECKER: [Name]	CHECKER: [Name]	CHECKER: [Name]	CHECKER: [Name]
PROJECT NO. [Number]	PROJECT NO. [Number]	PROJECT NO. [Number]	PROJECT NO. [Number]

BENCHMARK
BENCHMARK: [Name]
BENCHMARK: [Name]
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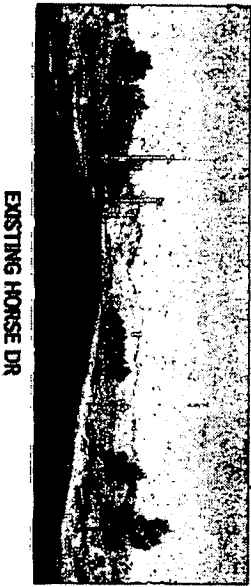
S-16
SLATER
HANIFAN
GROUP
CONSULTING ENGINEERS & PLANNERS
200 S. ANNE STREET, SUITE 100, SAN ANTONIO, TEXAS 78204
PHONE (214) 341-1333 FAX (214) 341-1334

SPRING MOUNTAIN TWILIGHT
SITE PLAN

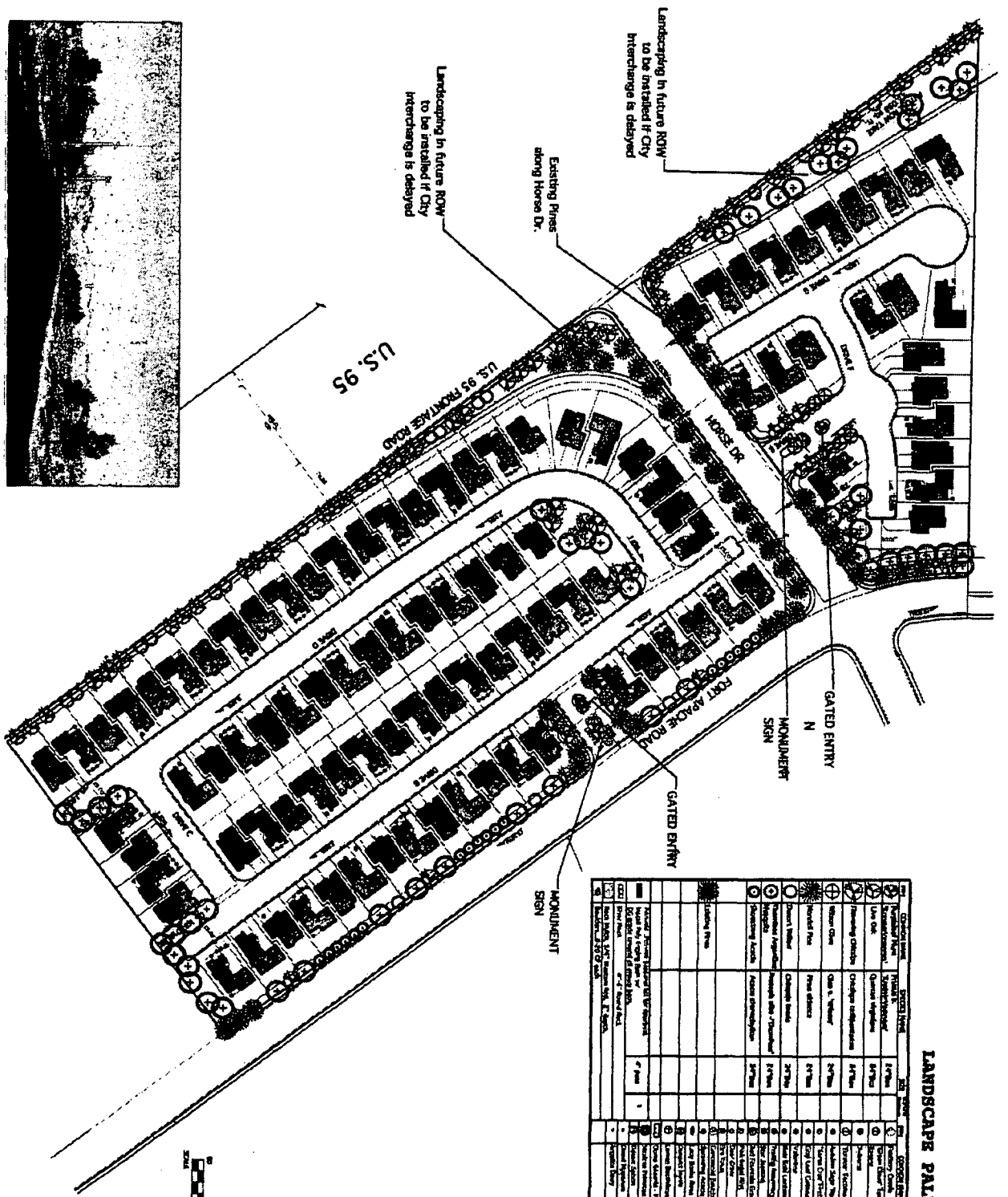
SP-1
SHEET 1 OF 2

REVISED
7-19-04

SDR-4641
7-22-04 PC



EXISTING HORSE DR



LANDSCAPE PALETTE

NO.	COMMON NAME	SCIENTIFIC NAME	SIZE	PLANT
1	Mountain Ash	Fraxinus viridis	10' x 10'	1
2	White Oak	Quercus alba	10' x 10'	2
3	Flowering Dogwood	Flowering Dogwood	10' x 10'	3
4	Water Oak	Quercus nigra	10' x 10'	4
5	Black Oak	Quercus velutina	10' x 10'	5
6	Red Oak	Quercus rubra	10' x 10'	6
7	White Pine	Pinus strobus	10' x 10'	7
8	Black Pine	Pinus nigra	10' x 10'	8
9	Red Pine	Pinus resinosa	10' x 10'	9
10	White Pine	Pinus strobus	10' x 10'	10
11	Black Pine	Pinus nigra	10' x 10'	11
12	Red Pine	Pinus resinosa	10' x 10'	12
13	White Pine	Pinus strobus	10' x 10'	13
14	Black Pine	Pinus nigra	10' x 10'	14
15	Red Pine	Pinus resinosa	10' x 10'	15
16	White Pine	Pinus strobus	10' x 10'	16
17	Black Pine	Pinus nigra	10' x 10'	17
18	Red Pine	Pinus resinosa	10' x 10'	18
19	White Pine	Pinus strobus	10' x 10'	19
20	Black Pine	Pinus nigra	10' x 10'	20
21	Red Pine	Pinus resinosa	10' x 10'	21
22	White Pine	Pinus strobus	10' x 10'	22
23	Black Pine	Pinus nigra	10' x 10'	23
24	Red Pine	Pinus resinosa	10' x 10'	24
25	White Pine	Pinus strobus	10' x 10'	25
26	Black Pine	Pinus nigra	10' x 10'	26
27	Red Pine	Pinus resinosa	10' x 10'	27
28	White Pine	Pinus strobus	10' x 10'	28
29	Black Pine	Pinus nigra	10' x 10'	29
30	Red Pine	Pinus resinosa	10' x 10'	30
31	White Pine	Pinus strobus	10' x 10'	31
32	Black Pine	Pinus nigra	10' x 10'	32
33	Red Pine	Pinus resinosa	10' x 10'	33
34	White Pine	Pinus strobus	10' x 10'	34
35	Black Pine	Pinus nigra	10' x 10'	35
36	Red Pine	Pinus resinosa	10' x 10'	36
37	White Pine	Pinus strobus	10' x 10'	37
38	Black Pine	Pinus nigra	10' x 10'	38
39	Red Pine	Pinus resinosa	10' x 10'	39
40	White Pine	Pinus strobus	10' x 10'	40
41	Black Pine	Pinus nigra	10' x 10'	41
42	Red Pine	Pinus resinosa	10' x 10'	42
43	White Pine	Pinus strobus	10' x 10'	43
44	Black Pine	Pinus nigra	10' x 10'	44
45	Red Pine	Pinus resinosa	10' x 10'	45
46	White Pine	Pinus strobus	10' x 10'	46
47	Black Pine	Pinus nigra	10' x 10'	47
48	Red Pine	Pinus resinosa	10' x 10'	48
49	White Pine	Pinus strobus	10' x 10'	49
50	Black Pine	Pinus nigra	10' x 10'	50

SDR-4641
7-22-04 PC

REVISED
7-19-04

SPRING MOUNTAIN TWILIGHT
D. B. Horton, Inc.
Landscape Concept Plan
L-1
SDR-4641
7-22-04 PC

TDG
TOTAL DESIGN GROUP
8111 S. WILLEY VIEW BLVD. R-101
Las Vegas, NV 89102
(702) 796-7150
Fax: (702) 899-8821

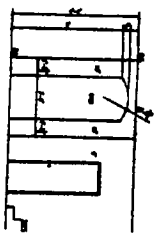
LANDSCAPE ARCHITECTURE
IRRIGATION DESIGN
PARK PLANNING
COMPUTER IMAGING

1"=60'0"
5/29/04



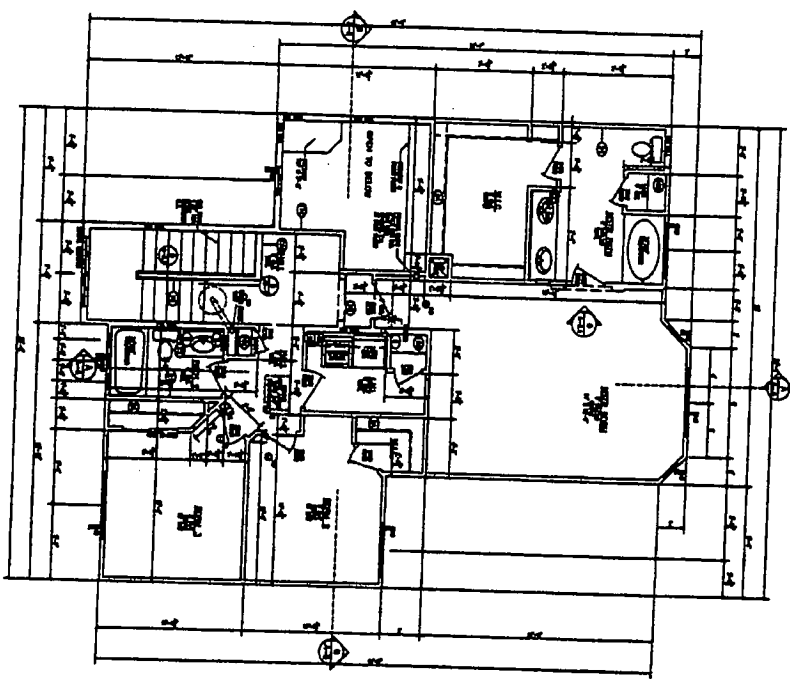
(B) RAINING DETAIL

(A) ARCH DETAIL

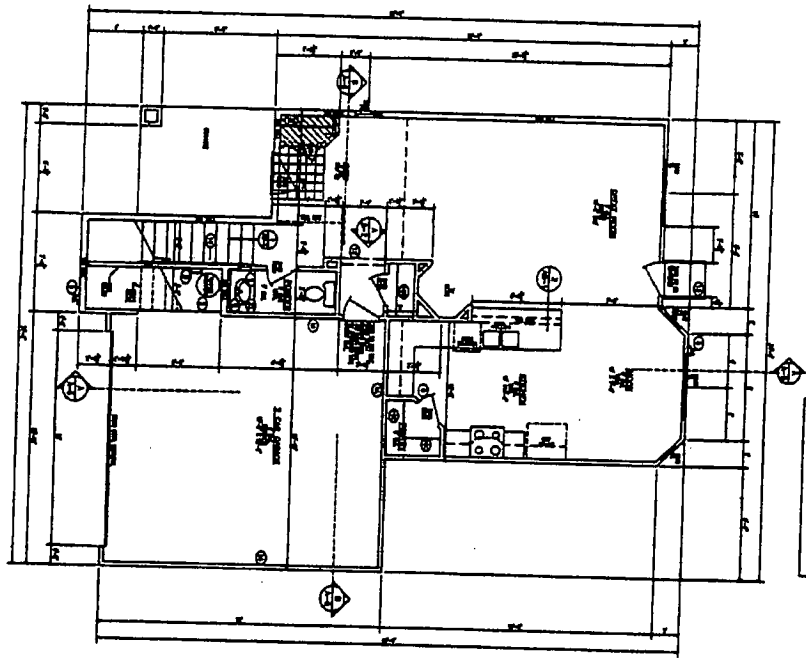


NOTES
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

GENERAL NOTES
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□ SECOND FLOOR PLAN



□ FIRST FLOOR PLAN

GENERAL NOTES
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LARRY TINDALL
 RESIDENTIAL DESIGNER
 3531 E. RUSSELL RD., SUITE C
 LAS VEGAS, NEVADA 89120
 OFFICE - (702) 597-5597
 FAX - (702) 597-5598

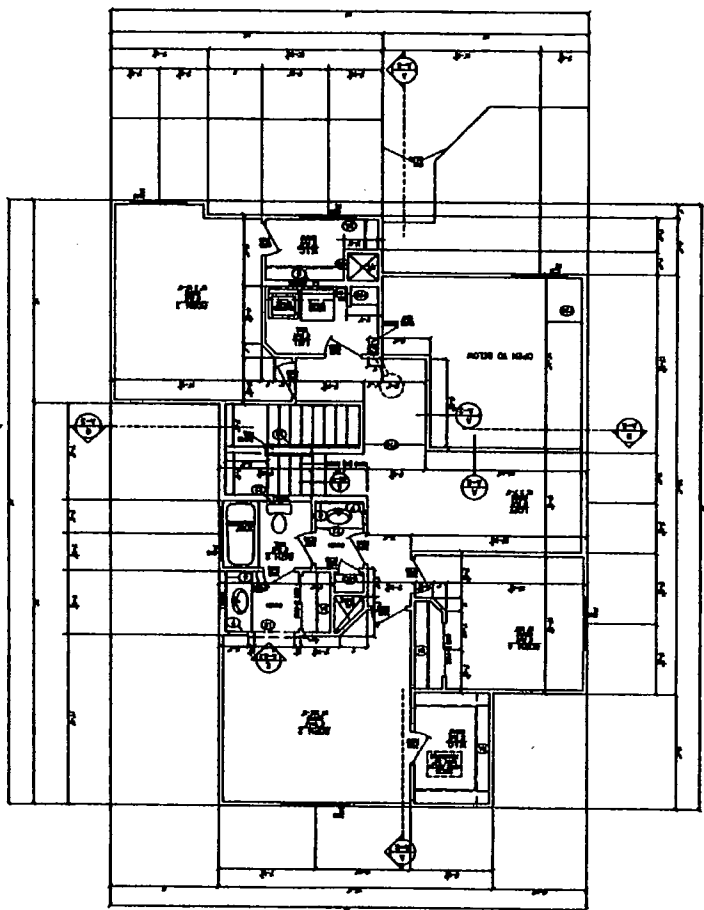
1800 PLAN • TWILIGHT
D.R. HORTON, INC.

- 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
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- 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FENCES AND GATES.
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- 20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

ROOM	AREA	PERIMETER	FINISH
LIVING ROOM	1,200 S.F.	120' L x 100' W	1/2" PLASTER
DINING ROOM	800 S.F.	80' L x 100' W	1/2" PLASTER
KITCHEN	600 S.F.	60' L x 100' W	1/2" PLASTER
BEDROOM	1,000 S.F.	100' L x 100' W	1/2" PLASTER
BATHROOM	400 S.F.	40' L x 100' W	1/2" PLASTER
HALL	200 S.F.	20' L x 100' W	1/2" PLASTER
CLOSET	100 S.F.	10' L x 100' W	1/2" PLASTER
PORCH	1,000 S.F.	100' L x 100' W	1/2" PLASTER
TOTAL	5,200 S.F.		

SDR-4641
7-22-04 PC

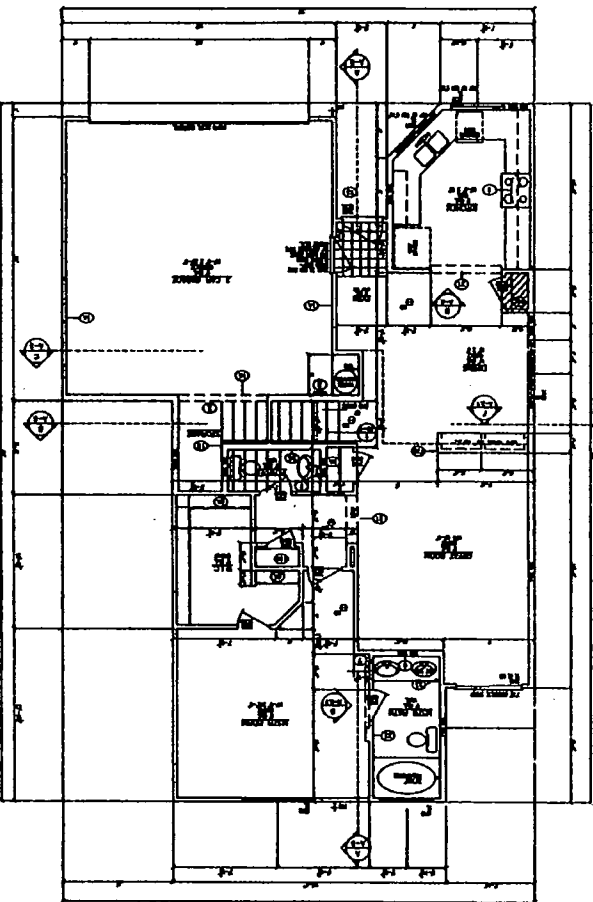
☐ SECOND FLOOR PLAN



(B) ARCH DATE: 11-1-74 CHRG: 100-100000
 (C) OPT, GARAGE SERVICE DOOR DATE: 11-1-74 CHRG: 100-100000



☐ FIRST FLOOR PLAN



~~7) RAILING DETAIL~~



SQUARE FOOTAGE

UNITS	FIRST FLOOR	SECOND FLOOR	TOTAL	DATE
1	1045 S.F.	955 S.F.	2000 S.F.	1955 S.F.

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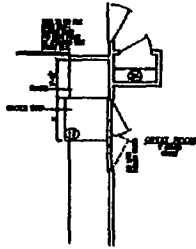
THE UNIVERSITY OF CHICAGO

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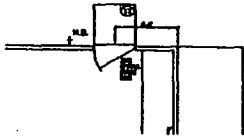
**2000 PLAN • TWILIGHT
DR. HORTON, INC.**

LARRY TINDALL
RESIDENTIAL DESIGNER

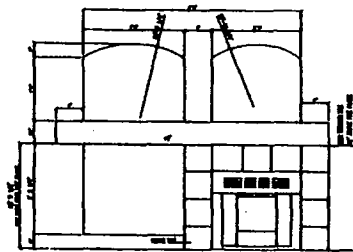
3531 ERUSSELL RD., SUITE G
LAS VEGAS, NEVADA 89120
OFFICE: (702) 997-5597
FAX: (702) 597-5598



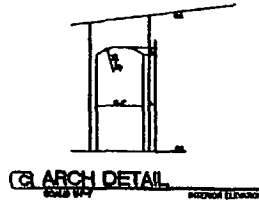
☐ OPTIONAL FRENCH DOOR
SCALE 1/4" = 1'-0"



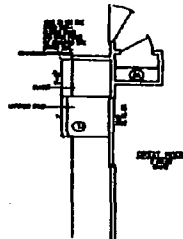
☐ OPT. GARAGE SERVICE DOOR
SCALE 1/4" = 1'-0"



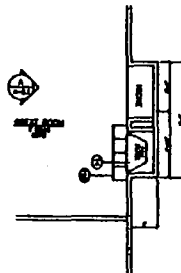
☐ TV NICHE/F.P. DETAIL
SCALE 1/4" = 1'-0"



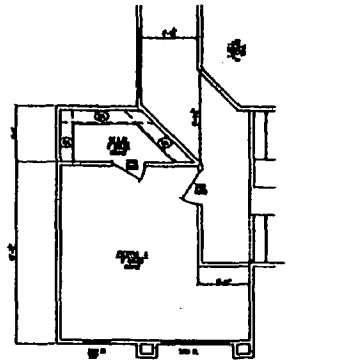
☒ ARCH DETAIL
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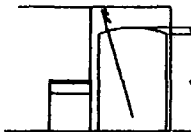
☐ OPTIONAL SLIDER
SCALE 1/4" = 1'-0"



☐ TV NICHE OPTION
SCALE 1/4" = 1'-0"



☐ BEDROOM #4 OPTION
SCALE 1/4" = 1'-0"



☒ ARCH DETAIL
SCALE 1/4" = 1'-0"

FLOOR FINISHES		CEILING FINISHES		WALL FINISHES		DOOR FINISHES		WINDOW FINISHES	
1. FLOOR	2. CEILING	3. WALL	4. DOOR	5. WINDOW	6. FLOOR	7. CEILING	8. WALL	9. DOOR	10. WINDOW
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1. FLOOR FINISHES
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10. WINDOW FINISHES

KEYNOTES

1. FLOOR FINISHES
2. CEILING FINISHES
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97. CEILING FINISHES
98. WALL FINISHES
99. DOOR FINISHES
100. WINDOW FINISHES

SQUARE FOOTAGE SCHEDULE	
1ST FLOOR	821 S.F.
2ND FLOOR	1278 S.F.
TOTAL	2100 S.F.
GARAGE	377 S.F.

LARRY TINDALL
RESIDENTIAL DESIGNER
3531 E. RUSSELL RD., SUITE C
LAS VEGAS, NEVADA 89120
PHONE (702) 937-1587
FAX (702) 937-1586

2200 PLAN • TWILIGHT
DR. HORTON, INC.

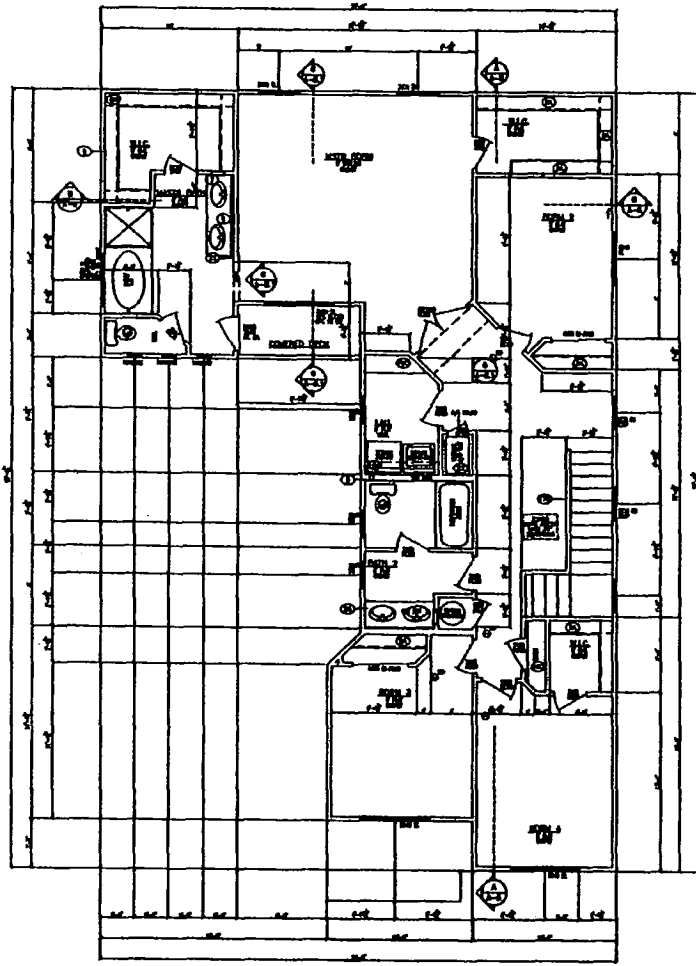
DATE: 7-2-03
FILE NAME: A-2.1
FLOOR PLAN

SDR-4641
7-22-04 PC

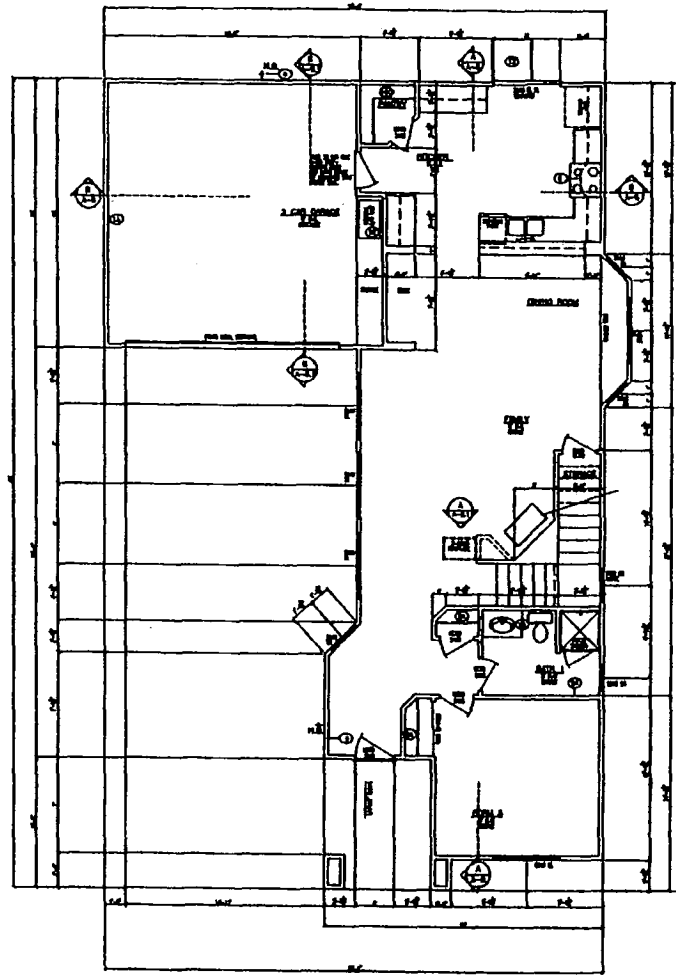


ITEM	DESCRIPTION	QTY	UNIT	PRICE
1	CONCRETE	1	CU YD	120.00
2	STEEL	1	LB	0.15
3	BRICK	1	SQ YD	1.50
4	MORTAR	1	CY	1.00
5	PAINT	1	GA	0.50
6	GLASS	1	SQ FT	1.00
7	DOOR	1	EA	100.00
8	WINDOW	1	EA	50.00
9	CEILING	1	SQ FT	0.20
10	FLOOR	1	SQ FT	0.10
11	WALL	1	SQ FT	0.15
12	ROOF	1	SQ FT	0.25
13	FOUNDATION	1	SQ FT	0.30
14	LANDSCAPE	1	SQ FT	0.10
15	UTILITIES	1	SQ FT	0.10
16	MECHANICAL	1	SQ FT	0.10
17	ELECTRICAL	1	SQ FT	0.10
18	PLUMBING	1	SQ FT	0.10
19	INTERIOR	1	SQ FT	0.10
20	EXTERIOR	1	SQ FT	0.10

- 1. ARCH DETAIL
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☐ SECOND FLOOR PLAN
SCALE 1/4" = 1'-0"



☐ FIRST FLOOR PLAN
SCALE 1/4" = 1'-0"

- 1. ARCH DETAIL
- 2. ARCH DETAIL
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- 19. ARCH DETAIL
- 20. ARCH DETAIL

SQUARE FOOTAGE SCHEDULE

1ST FLOOR	1030 S.F.
2ND FLOOR	1030 S.F.
TOTAL	2060 S.F.
GARAGE	377 S.F.

LARRY TINDALL
RESIDENTIAL DESIGNER
 3531 E. RUSSELL RD. SUITE 100
 LAS VEGAS, NEVADA 89120
 OFFICE - (702) 587-5597
 FAX - (702) 587-5598

2400 PLAN - TWILIGHT
DR. HORTON, INC.

DATE: 7-4-03
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 FILE NAME: [Blank]
 SCALE: 1/4" = 1'-0"
 SHEET NO: 1
 TOTAL SHEETS: 1
A-2
 FLOOR PLAN

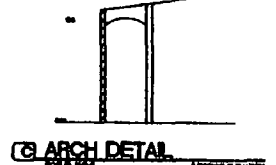
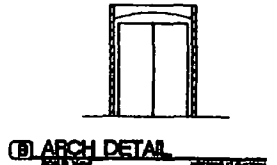
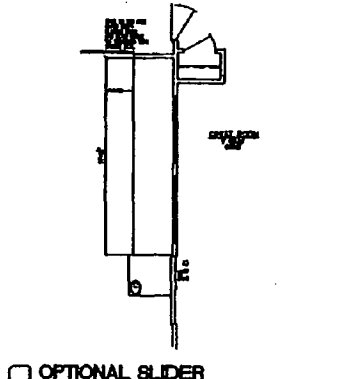
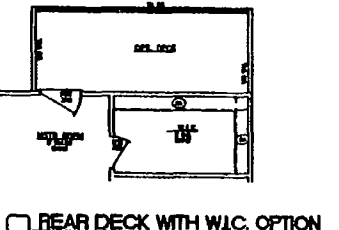
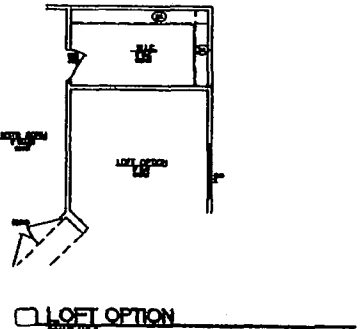
SDR-4641
 7-22-04 PC

NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL WALLS ARE 1/2" THICK UNLESS NOTED OTHERWISE.
3. ALL DOORS ARE 3'0" WIDE UNLESS NOTED OTHERWISE.
4. ALL WINDOWS ARE 6'0" WIDE UNLESS NOTED OTHERWISE.
5. ALL FLOORS ARE 4" THICK UNLESS NOTED OTHERWISE.
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ROOM	AREA	PERIMETER	VOLUME
LIVING	12'0" x 12'0"	24'0"	144'0"
KITCHEN	10'0" x 10'0"	20'0"	100'0"
BEDROOM	12'0" x 12'0"	24'0"	144'0"
BEDROOM	12'0" x 12'0"	24'0"	144'0"
BATH	5'0" x 5'0"	10'0"	25'0"
HALL	6'0" x 6'0"	12'0"	36'0"
CLOSET	6'0" x 6'0"	12'0"	36'0"
PORCH	10'0" x 10'0"	20'0"	100'0"
DECK	10'0" x 10'0"	20'0"	100'0"
PATIO	10'0" x 10'0"	20'0"	100'0"
GARAGE	12'0" x 12'0"	24'0"	144'0"
ATTIC	10'0" x 10'0"	20'0"	100'0"

NOTES:
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LARRY TINDAL
RESIDENTIAL DESIGNER
3531 E. RUSSELL RD. SUITE
US 89120
PH: 702-937-5587
FAX: 702-937-5588



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SQUARE FOOTAGE SCHEDULE

LIVING	1ST FLOOR	1081 S.F.
KITCHEN	2ND FLOOR	1318 S.F.
BEDROOM	TOTAL	2,400 S.F.
BEDROOM		
BATH		
HALL		
CLOSET		
PORCH		
DECK		
PATIO		
GARAGE		
ATTIC		

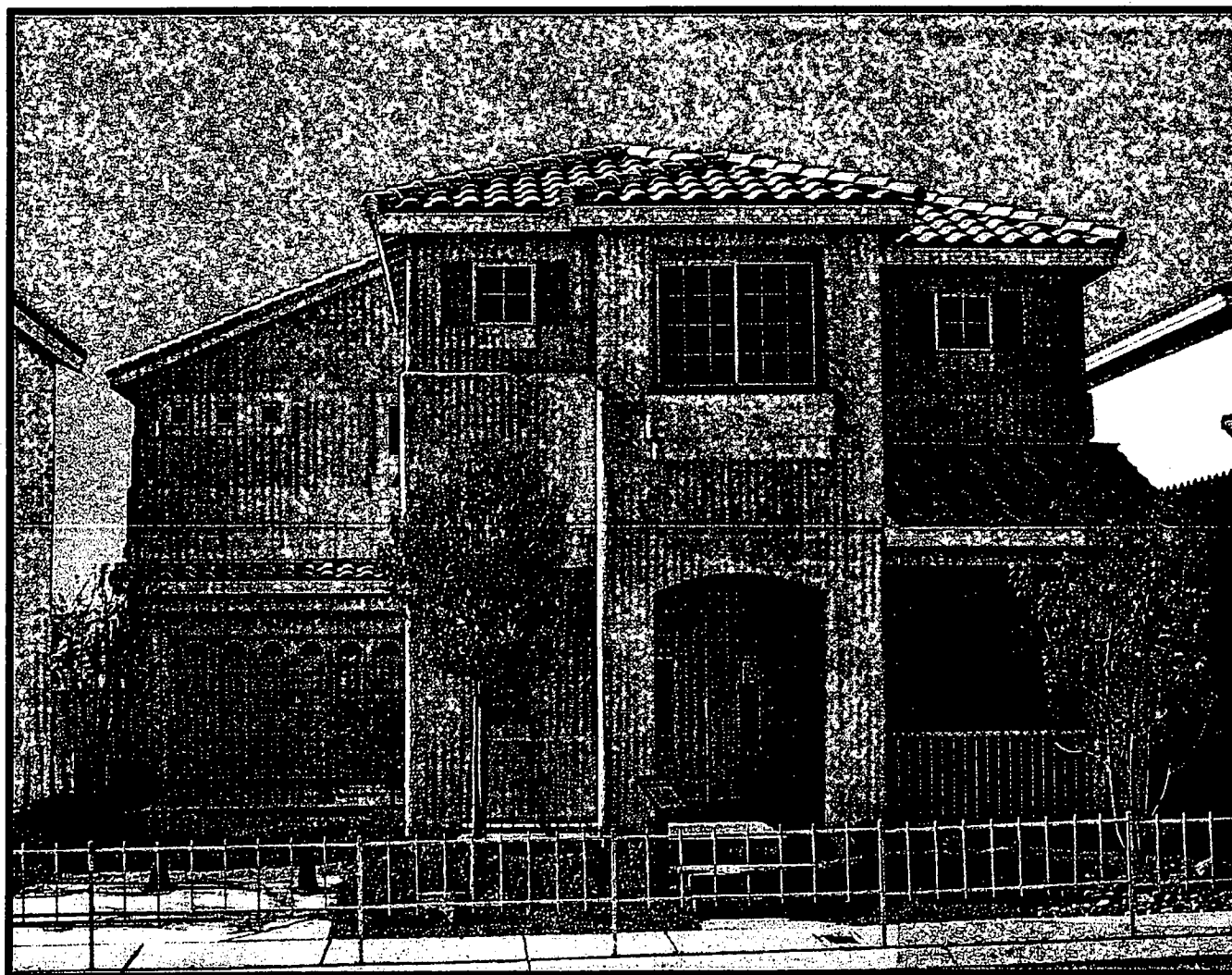
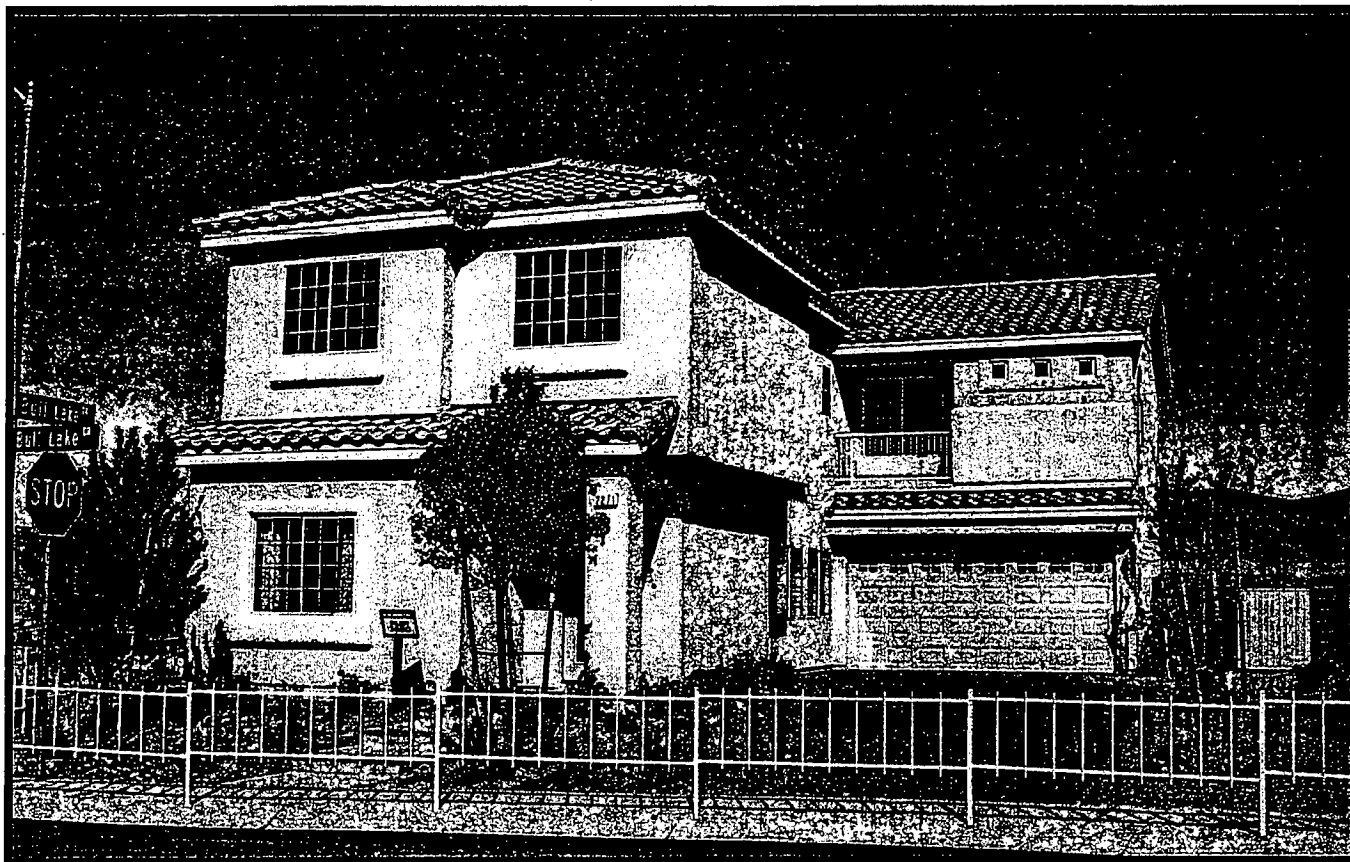
2400 PLAN • TWILIGHT
DR. HORTON, INC.

DATE	7-1-00
FILE NAME	
SCALE	1/4" = 1'-0"
PROJECT NUMBER	8800 PLAN
FLOOR PLAN	A-21

SDR-4641
7-22-04 PC



SDR-4641



SDR-4641



SDR-4641 - APPLICANT: D.R. HORTON, INC. - OWNER: SPRING MOUNTAIN RANCH, LIMITED
LIABILITY COMPANY
SOUTHWEST CORNER OF HORSE DRIVE AND FORT APACHE ROAD
JULY 22, 2004 PLANNING COMMISSION

6/29/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

DB 410 S. 7th STREET, SUP-4210, SUP-4541, SUP-4688, SUP-4690, SUP-4719, SUP-4739, SUP-4741, SUP-4742, SUP-4743, SUP-4744, VAC-4071, VAC-4212, VAC-4218, VAC-4700, VAC-4707, VAC-4710, VAC-4711, VAC-4722, VAC-4737, VAC-4745, VAC-4747, VAR-4209, VAR-4536, VAR-4629, VAR-4701, VAR-4720 and VAR-4733 – 9/15/2004 AGENDA

City of Las Vegas

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONE MUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

ADDENDUM:

None

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 1, 2004

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED.

MINUTES:

STEVEN "CAPTAIN TRUTH" DEMPSEY brought documents in for all to review. He spoke of a Los Angeles lawyer who made allegations of credit card fraud and was allegedly beaten because of it. He announced that Erin Kenny was on the front page of the Review Journal. MR. DEMPSY suggested that COUNCILWOMAN MONCRIEF return to nursing to help people. He then offered MAYOR GOODMAN an opportunity to challenge Buffalo Jim in a sporting event and suggested options available to the winner. He then expressed concern over the police department's priorities.

(4:04 – 4:08)

4-3512

THE MEETING ADJOURNED AT 4:08 P.M.